

2. WAIVER OF OBJECTION BY THE U.S. DISTRICT ENGINEER TO THE CONDUCT OF THE PROJECT INSOFAR AS FLOOD CONTROL EFFECTS ARE CONCERNED IS TO BE OBTAINED BY THE DIVISION OF HIGHWAYS.

15. (REQUEST FOR TERMINATION OF LEASE P.R.C. 580, GEORGE A. AND GEORGE R. ROSENQUIST, PETALUMA CREEK, MARIN COUNTY - W.O. 1164.) On October 1, 1950, pursuant to authorization granted by the Commission on April 26, 1950, a lease was issued to George A. and George R. Rosenquist covering a small parcel of tide and submerged land in Petaluma Creek at Black Point, Marin County, period of lease being ten years at an annual rental of \$65. Rental schedule used in this lease specifies the annual rental to be \$50 plus \$15 per structure located on area leased. Also, on April 28, 1950, a schedule of permit fees was adopted fixing a fee of \$15 for structures costing less than \$500, permit to be for five years. Erroneous information was used as to the type of structure owned by the Messrs. Rosenquist, the structure being a short outwalk pier and boat protection of minor cost rather than a structure of any substantial value. A minor-structure permit should have issued. The first and last years' rentals, amounting to \$130, have been paid. To correct the inequity, the Messrs. Rosenquist have requested termination of Lease P.R.C. 580 and refund of rental paid. The Attorney General's Office has advised that this procedure is legal.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO TERMINATE LEASE P.R.C. 580, ISSUED TO GEORGE A. AND GEORGE R. ROSENQUIST ON OCTOBER 1, 1950, FOR A PERIOD OF TEN YEARS, TERMINATION TO BE IN ACCORDANCE WITH PARAGRAPH 16 OF THE LEASE, WHICH READS "THIS AGREEMENT MAY BE TERMINATED ... BY MUTUAL CONSENT OF THE PARTIES," AND TO ISSUE IN LIEU THEREOF TO THE MESSRS. ROSENQUIST A MINOR-STRUCTURE PERMIT, DATED AS OF OCTOBER 1, 1950, THE DATE OF THE LEASE AS ORIGINALLY GRANTED. THE EXECUTIVE OFFICER WAS FURTHER AUTHORIZED TO ACCEPT AND RECOMMEND TO THE BOARD OF CONTROL FOR PAYMENT UNDER SECTION 5816, PUBLIC RESOURCES CODE, A CLAIM EXECUTED BY THE LESSEES, IN THE AMOUNT OF \$130, SAID AMOUNT REPRESENTING A REFUND TO THE LESSEES OF THE EXCESSIVE RENTAL PAID UNDER LEASE P.R.C. 580.

16. (APPLICATION FOR LEASE, FISH CANYON LOT 41, LOS ANGELES COUNTY, RALPH V. MARTINI - W.O. 1165, P.R.C. 1216.)

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO ISSUE A ONE-YEAR LEASE TO RALPH V. MARTINI, COVERING LOT 41, FISH CANYON, LOS ANGELES COUNTY, EFFECTIVE NOVEMBER 22, 1951, AT AN ANNUAL RENTAL OF \$30.

Application has been received from Mr. Ralph V. Martini for a one-year lease of Fish Canyon Lot 41. This lot has been under a ten-year lease to Mr. Martini, which expires on November 22, 1951. The reason for issuance of a one-year lease at this time, rather than a ten-year lease, is that Fish Canyon school lands are being exchanged with the United States for consolidated acreage in the Mountain View Forest Home Tract in Tulare County. At the time of the culmination of the exchange either the State or the Federal Government will enter into a ten-year lease, so that the present lessees of the State will be protected for a period of ten years.