

11. (APPROVAL OF PERMIT BY CALIFORNIA & HAWAIIAN SUGAR REFINING CORPORATION TO SEA SCOUTS, CONTRA COSTA COUNTY - P.R.C. 220.) The California & Hawaiian Sugar Refining Corporation has requested approval of a permit or license from that Company to the Crockett Sea Scout Ship No. 174 to occupy approximately 9400 square feet of tide and submerged lands within the area presently under lease to that Company, for the purpose of constructing a platform and placing thereon the Sea Scout Clubhouse. This is a civic good will proposal, the Company making no charge for the area occupied, and is supported by Mr. Dowrelio, a sublessee of the Company within the same area.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO APPROVE A PERMIT OR LICENSE FROM CALIFORNIA & HAWAIIAN SUGAR REFINING CORPORATION TO CROCKETT SEA SCOUT SHIP NO. 174 TO OCCUPY APPROXIMATELY 9400 SQUARE FEET OF TIDE AND SUBMERGED LANDS NOW UNDER LEASE P.R.C. 220 FOR THE PURPOSE OF CONSTRUCTING A PLATFORM AND CLUBHOUSE THEREON, CALIFORNIA & HAWAIIAN TO MAKE NO CHARGE FOR SUCH PERMIT OR LICENSE, PERMIT TO EXTEND NO LONGER THAN THE EXPIRATION DATE OF LEASE P.R.C. 220.

12. (LEASE OF TIDE AND SUBMERGED LANDS, SAN MATEO COUNTY, THE ROMEO COMPANY - W.O. 248, P.R.C. 720.) Lease P.R.C. 138 was issued to The Romeo Company on May 5, 1944, at an annual rental of \$360, plus royalty on certain tonnages of fish passing over the wharf if such royalty exceeded the annual rental payable quarterly. The twenty-third quarterly rental, due November 5, 1949, and the succeeding quarterly rentals were not paid, due to The Romeo Company's contention that the rental was excessive. Similar leases for identical purposes in the near vicinity have, at later dates, been issued at an annual minimum rental of \$50.

On October 5, 1950, Pages 1210 and 1211 of the Minutes, the Commission was informed of the situation, and a resolution was adopted authorizing the Executive Officer to cancel, effective November 5, 1949, for nonpayment of rent, Lease P.R.C. 138 issued to The Romeo Company, and directing that the Executive Officer notify the Office of the Attorney General of this action and request the Attorney General to take the necessary steps to effect surrender of the demised premises.

Subsequently, by a field survey which the Division of State Lands conducted, it was found that the area described in Lease P.R.C. 138 was erroneous. The Office of the Attorney General advised that Lease P.R.C. 138, describing the area incorrectly, was, because of such incorrect description, invalid. In order to resolve the whole problem (and to conform with the rental schedule at the time), a new lease was negotiated with The Romeo Company for the area actually occupied by that Company's wharf as that area was determined by a precise field survey; the annual rental to be \$50, retroactive to November 5, 1949, the date on which rental payment under terms of Lease P.R.C. 138 ceased. Rental at the rate of \$50 annually since that date, together with the fifteenth year under terms of a new agreement, amounts to \$200.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO ISSUE TO THE ROMEO COMPANY A LEASE FOR APPROXIMATELY 1.2 ACRES OF TIDE AND SUBMERGED LAND IN THE PACIFIC OCEAN IN SAN MATEO COUNTY FOR A PERIOD OF FIFTEEN YEARS AT AN ANNUAL RENTAL OF \$50, EFFECTIVE NOVEMBER 5, 1949; RENTAL FROM THAT DATE TO NOVEMBER, 1952, AND FOR THE FIFTEENTH YEAR, A TOTAL OF \$200, TO BE PAID UPON EXECUTION OF THE LEASE;