

For the purpose of financing this project, the applicant is required to have a lease or easement for a minimum term of 75 years. Since the State Lands Commission policy is not to issued an easement in excess of 49 years, the applicant has requested that the 49-year period become effective upon the termination or expiration of Lease P.R.C. 514.2, which expires June 30, 1985, if all the rights of renewal are exercised by the United States, thereby permitting him to comply with his requirements. The Army and Herlong-Sierra Homes, Inc. have consented to the issuance of this easement. No performance bond is required. Filing fee and expense deposit have been paid.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, IT WAS RESOLVED AS FOLLOWS:

The Executive Officer is authorized to issue to the Builders Corporation of America a right-of-way easement 100 feet in width and 1,070 feet in length, lying chiefly within the Sierra Ordnance Depot on school lands, Lassen County, which is under Lease P.R.C. 514.2, issued to the United States for military purposes, and lying partially within the area encompassed by Easement P.R.C. 1304.2, issued to Herlong-Sierra Homes, Inc. for an access road, for the construction, maintenance and use of a water line to service a Wherry Housing Project. Rental in full for a period not to exceed 49 years will be \$160.50, payable in advance, no performance bond being required, said 49-year term to become effective upon the termination or expiration of Lease P.R.C. 514.2 (U. S. Lease No. DA-04-203-ENG-144).

26. (REFUND UNDER CANCELLED GRAZING LEASE P.R.C. NO. 1242.2, TEHAMA COUNTY, O. W. STONE.) On October 27, 1953 (Minute Page 1882, Item 7), the Commission authorized the sale of Section 16, T. 26 N., R. 8 W., M.D.M., containing 640 acres in Tehama County to Lyle Williams at a cash price of \$5200. Authorization of this sale automatically cancelled Grazing Lease No. P.R.C. 1242.2 covering the same land, held by O. W. Stone, the fifth annual rental for which had been prepaid for the period May 26, 1956, to May 25, 1957 (\$50), and the second annual rental having been prepaid for the period May 26, 1953, to May 25, 1954 (\$50). Section 6509 of the Public Resources Code provides that if a lease is terminated by reason of a sale of the lands, the lessee shall surrender the lease to the Commission and shall receive in exchange therefor from the Commission a certificate showing the amount of the annual payment to be refunded to the lessee for the tract of land that has been disposed of by the State. Therefore, Mr. Stone, as the lessee, is entitled to a refund of the unearned fifth annual rental, prepaid at the time of executing the lease, amounting to \$50, and the unearned balance of the second annual rental prepaid, amounting to \$24.28, a total of \$74.28.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, IT WAS RESOLVED AS FOLLOWS:

The Executive Officer is authorized to issue a refund certificate to Mr. O. W. Stone in the amount of \$74.28, representing the unearned rentals under cancelled Grazing Lease No. P.R.C. 1242.2, upon surrender of said original grazing lease by Mr. Stone.