

P.R.C. 1259.2 covering the same land held by E. N. Tooby, the first and fifth annual rentals for which had been paid upon the execution of the lease on June 1, 1953. Thereafter, there was prepaid by the lessee the second annual rental for the period June 1, 1954 to May 31, 1955. The annual rental was \$96.

"Section 6505.5 of the Public Resources Code provides that the sale of said land ipso facto terminates said lease, and Section 6509 of said code provides that upon the sale of the land by the State the lessee shall surrender the lease to the Commission and receive in exchange therefor from the Commission a certificate showing the proportionate amount of the annual rentals to be refunded to the lessee. Therefore, E. N. Tooby, as the lessee, is entitled to a refund of the unearned fifth annual rental, prepaid at the time of executing the lease, amounting to \$96, and the unearned balance of the second annual rental prepaid, amounting to \$28.05, a total of \$124.05."

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

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE A REFUND CERTIFICATE TO E. N. TOOBY IN THE AMOUNT OF \$124.05, REPRESENTING THE UNEARNED RENTALS UNDER CANCELLED GRAZING LEASE P.R.C. 1259.2, UPON THE SURRENDER OF THE GRAZING LEASE BY MR. TOOBY.

23. (REFUND UNDER CANCELLED GRAZING LEASE P.R.C. 1238.2, MONO COUNTY, SARIO LIVESTOCK CO. - S.W.O. 546⁰.) The following report was presented to the Commission:

"On February 24, 1955 (Minute Item 3, pages 2264 and 2265), the Commission authorized the sale of the SE $\frac{1}{4}$ of Section 36, T. 4 N., R. 24 E., M.D.M., containing 160 acres in Mono County, to F. M. Fulstone at a cash price of \$1,120. Completion of this sale by issuance of patent on May 11, 1955 automatically terminated Grazing Lease P.R.C. 1238.2 covering the same land, held by the Sario Livestock Co., the first and fifth annual rentals for which had been paid upon the execution of the lease on August 11, 1952. Thereafter, there was prepaid by the lessee the third annual rental amounting to \$120 for the period August 11, 1954 to August 10, 1955.

"Section 6505.5 of the Public Resources Code provides that the sale of said land ipso facto terminates said lease, and Section 6509 of said code provides that upon the sale of the land by the State the lessee shall surrender the lease to the Commission and receive in exchange therefor from the Commission a certificate showing the proportionate amount of the annual rentals to be refunded to the lessee. Therefore, the Sario Livestock Co., as the lessee, is entitled to a refund of the unearned fifth annual rental, prepaid at the time of executing the lease, amounting to \$120, and the unearned balance of the third annual rental prepaid, amounting to \$30, a total of \$150."

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

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE A REFUND CERTIFICATE TO THE SARIO LIVESTOCK CO. IN THE AMOUNT OF \$150, REPRESENTING THE UNEARNED RENTALS UNDER CANCELLED GRAZING LEASE P.R.C. 1238.2, UPON THE SURRENDER OF THE GRAZING LEASE BY THE SARIO LIVESTOCK CO.

24. (APPROVAL OF ORDINARY HIGH WATER MARK SURVEY ALONG THE SACRAMENTO RIVER IN THE VICINITY OF SACRAMENTO - W.O. 377, GEO.-SACRAMENTO AND YOLO COUNTIES.) The following report was presented to the Commission:

"This survey, in Sacramento and Yolo Counties, consisted of Sheets 1 to 12, inclusive, in the vicinity of Sacramento.

"The purpose of this survey was to position the Ordinary High Water Mark and all purprestures along the banks of the Sacramento River from the mouth of the American River southerly to Sutterville Road, a distance of approximately four miles."

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

THE EXECUTIVE OFFICER IS AUTHORIZED TO APPROVE AND HAVE RECORDED THE MAPS ENTITLED "SURVEY OF THE ORDINARY HIGH WATER MARK ALONG THE SACRAMENTO RIVER IN THE VICINITY OF SACRAMENTO", SACRAMENTO AND YOLO COUNTIES, SHEETS 1 TO 12, INCLUSIVE, DATED SEPTEMBER AND OCTOBER, 1953.

25. (DIVISION OF STATE LANDS, SANTA BARBARA OFFICE - W.O. 2047.) The following report was presented to the Commission:

"At its meeting May 19, 1955 the State Lands Commission authorized the Executive Officer to execute an agreement transferring to the Division of Highways approximately 32,600 square feet of the two-acre site on which the Santa Barbara office of the Division is located. This agreement provided that, in settlement for the taking, the Division of Highways would advance the sum of \$14,000 to the Architecture Revolving Fund for the purpose of constructing a new office building for the Division of State Lands on the remaining property.

"On May 31, 1955 the Division of Architecture advised that their estimate of the cost of constructing the new building was \$17,823. It was indicated that they could not further proceed with the project until assured that funds would be forthcoming to provide for costs in excess of the \$14,000 advances by the Division of Highways.

"The Division of Budgets and Accounts, Department of Finance, was consulted on the matter. They indicated they felt the project should proceed as planned and agreed to approve a request for a Deficiency Authorization - Capital Outlay to finance the excess costs."

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