

MINUTE ITEM

18. (ACCOUNTS RECEIVABLE - COUNTY OF SAN LUIS OBISPO, LEASE P.R.C. 233.1D.)

After presentation of Calendar Item 21 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE STATE LANDS COMMISSION ACCEPTS THE STATEMENT OF THE SURVEYOR AND ROAD COMMISSIONER OF SAN LUIS OBISPO COUNTY CONTAINED IN A LETTER DATED FEBRUARY 23, 1958, WHEREIN SAID OFFICER STATED THAT:

1. HE PERFORMED A RESURVEY OF TIDELAND LOT NO. 10 AT MORRO BAY AND RECORDED THE SAME;
2. THAT THE COSTS OF SUCH SURVEY EXCEEDED \$750;
3. THAT NONE OF THIS AMOUNT WAS COLLECTED FROM THE UPLAND PROPERTY OWNERS.

FURTHER, SAID STATEMENT IS CONSIDERED PROPER SUPPORTING EVIDENCE FOR THE ALLOWANCE TO THE COUNTY OF A CREDIT OF \$375 AGAINST THE FIRST ANNUAL RENTAL PAYABLE UNDER LEASE P.R.C. 233.1D; FINALLY, THE EXECUTIVE OFFICER IS AUTHORIZED TO CREDIT THE COUNTY'S ACCOUNT ON THE COMMISSION'S BOOKS IN SAID AMOUNT, THUS CLOSING THE COUNTY'S EXISTING ACCOUNT RECEIVABLE.

Attachment

Calendar Item 21 (2 pages)

CALENDAR ITEM

MISCELLANEOUS

21.

(ACCOUNTS RECEIVABLE - COUNTY OF SAN LUIS OBISPO, LEASE P.R.C. 233.1D.)

Effective May 10, 1946 the State Lands Commission issued a 15-year lease to the County of San Luis Obispo embracing certain tide and submerged lands situate in Morro Bay. By its terms, this lease called for the payment to the State of an annual rental of \$2,000. The lease was later terminated ipso facto as a result of a legislative grant of the area to the County under the provisions of Chapter 1076/47.

The first annual rental payable under the lease was paid by the County February 26, 1947. The County remitted \$1,625, having deducted from the \$2,000 rental due the sum of \$375, in accordance with the following action taken by the State Lands Commission at its meeting held June 21, 1946:

"16. (Survey in Connection with Morro Bay Lease - County of San Luis Obispo - No. P.R.C. 233) The Commission was informed that the San Luis Obispo County Engineer desires to resurvey Tideland Surveys Nos. 10 and 14, San Luis Obispo County, in connection with the determination of the boundaries of the upper portion of Morro Bay heretofore leased to the County of San Luis Obispo. Such survey costs are properly chargeable under the Public Resources Code to the owners of the land involved, but due to present difficulty in obtaining immediate agreement from the land owners, it has been suggested that the County assume the the costs until collections from the land owners can be made, and that in the event that there are any uncollectible survey costs, that the State permit an offset credit under Lease No. P.R.C. 233.

Upon motion duly made and unanimously carried, a resolution was adopted to reimburse the County of San Luis Obispo for any uncollectible survey costs resulting from the resurvey of Tideland Surveys Nos. 10 and 14 by credit against rent under Lease No. P.R.C. 233 in a maximum amount of \$375.00, or one-half of the cost of the resurvey, whichever is the lesser, but not to exceed the amount uncollectible from the land owners involved."

Thus the Commission's books reflected an open Account Receivable from the County in the amount of \$375.00.

In making this payment to the State, the County did not furnish evidence to support the credit taken, as was provided for in the resolution adopted by the Commission.

Repeated efforts on the part of the staff to close this transaction were ignored by County officials until recently when, as the result of personal contacts, the following letter was received from the office of the Surveyor and Road Commissioner, San Luis Obispo County:

MISCELLANEOUS 21. (CONTD.)

"February 28, 1958

"Mr. F. J. Hortig
Acting Executive Officer
State Lands Division
Department of Finance
302 State Building
Los Angeles 12, California

Dear Mr. Hortig:

The San Luis Obispo County Board of Supervisors have asked me to inform you, that my resurvey of State Tide Lands Survey No. 10 at Morro Bay was completed and a record of survey map filed thereof on April 18, 1947, at a cost to the County of San Luis Obispo in excess of \$750.00, none of which was collected from upland owners.

We are sorry that we neglected to inform you of the above matter so that our account could be credited for work your Division did for San Luis Obispo County at Morro Bay while the County was leasing tidelands from the State.

With kindest regards, I am

Very truly yours,

/s/ Kenneth Beck

KENNETH BECK
County Surveyor"

The Commission's records also show that tracings of the resurvey (Tideland Lots 10 and 14) were filed with the Commission by the County April 3, 1947. Thus it appears that the conditions for the allowance to the County of the credit have been met.

IT IS RECOMMENDED THAT THE STATE LANDS COMMISSION ACCEPT THE STATEMENT OF THE SURVEYOR AND ROAD COMMISSIONER OF SAN LUIS OBISPO COUNTY CONTAINED IN A LETTER DATED FEBRUARY 28, 1958, WHEREIN SAID OFFICER STATED THAT:

1. HE PERFORMED A RESURVEY OF TIDELAND LOT NO. 10 AT MORRO BAY AND RECORDED THE SAME;
2. THAT THE COSTS OF SUCH SURVEY EXCEEDED \$750;
3. THAT NONE OF THIS AMOUNT WAS COLLECTED FROM THE UPLAND PROPERTY OWNERS.

FURTHER, THAT SAID STATEMENT BE CONSIDERED PROPER SUPPORTING EVIDENCE FOR THE ALLOWANCE TO THE COUNTY OF A CREDIT OF \$375 AGAINST THE FIRST ANNUAL RENTAL, PAYABLE UNDER LEASE P.R.C. 233.1D; FINALLY, THAT THE EXECUTIVE OFFICER BE AUTHORIZED TO CREDIT THE COUNTY'S ACCOUNT ON THE COMMISSION'S BOOKS IN SAID AMOUNT, THUS CLOSING THE COUNTY'S EXISTING ACCOUNT RECEIVABLE.