

MINUTE ITEM

23. (AMENDMENT OF GRAZING LEASE P.R.C. 1865.2, FLYING -S- RANCH, RIVERSIDE COUNTY - S.W.O. 6843, P.R.C. 2263.2.)

After presentation of Calendar Item 4 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION RESCINDS ITS ACTION OF DECEMBER 18, 1957 AUTHORIZING THE ISSUANCE OF LEASE P.R.C. 2050.2, AND THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE A LEASE TO THE FLYING -S- RANCH FOR THE REMAINDER OF THE LANDS EMBRACED IN GRAZING LEASE P.R.C. 1865.2, COMPRISING 2,480 ACRES, FOR THE UNEXPIRED TERM OF THE SURRENDERED LEASE; THE ANNUAL RENTAL TO BE AT THE SAME RATE PER ACRE AS UNDER GRAZING LEASE P.R.C. 1865.2, OR AT AN ANNUAL RATE OF \$37.20 PER YEAR; THE TOTAL RENTAL UNDER THE NEW LEASE TO BE \$113.38. RENTALS PREPAID AND UNEARNED UNDER LEASE P.R.C. 1865.2 AMOUNT TO \$128.93. THE APPLICATION OF THIS AMOUNT TO RENTAL UNDER THE NEW LEASE LEAVES AN OVER-PAYMENT OF \$15.55. THE EXECUTIVE OFFICER IS AUTHORIZED TO REFUND THIS AMOUNT TO THE LESSEE BY CERTIFICATE OF RESTITUTION.

Attachment

Calendar Item 4 (1 page)

CALENDAR ITEM

MISCELLANEOUS

4.

(AMENDMENT OF GRAZING LEASE P.R.C. 1865.2, FLYING -S- RANCH, RIVERSIDE COUNTY - S.W.O. 6843)

On October 8, 1957 (Minute Item 8, page 3532), the Commission authorized the sale of the $W\frac{1}{2}$, $W\frac{1}{2}$ of $NE\frac{1}{4}$, $SE\frac{1}{4}$ of Section 16, T. 4 S., R. 15 E., S.B.M., containing 560 acres in Riverside County, to Robert S. and Joyce Nagey. Said land is a portion of the land embraced in Grazing Lease P.R.C. 1865.2, leaving a balance of 4,040 acres in the original lease.

On December 18, 1957, the Commission authorized the issuance of Lease P.R.C. 2050.2 to the Flying -S- Ranch for the remainder of the acres (4,040) in the original lease. This lease was executed but never delivered to the lessee due to other pending sales of land included in the original grazing lease.

On November 12, 1957 (Minute Item 14, page 3613), the Commission authorized the sale of the $S\frac{1}{2}$ of $NW\frac{1}{4}$, and $SW\frac{1}{4}$ and $E\frac{1}{2}$ of Section 16, T. 5 S., R. 15 E., S.B.M., containing 560 acres in Riverside County, to John H. Hahn of Bakersfield, California, leaving a balance of 3,480 acres in the original lease.

On December 12, 1957 (Minute Item 18, page 3688), the Commission authorized the sale of Section 36, T. 1 S., R. 16 E., S.B.M., containing 640 acres in Riverside County, to William E. Manson of Los Angeles, California, leaving a balance of 2,840 acres in the original lease.

On June 11, 1958 (Minute Item 8, page 4065), the Commission further authorized the sale of the $SE\frac{1}{4}$ of $NW\frac{1}{4}$ and $S\frac{1}{2}$ of Section 16, T. 5 S., R. 16 E., S.B.M., containing 360 acres, to Frederick R. Stowell of Rancho Cordova, California, leaving a balance of 2,480 acres in the original lease.

Section 6505.5 of the Public Resources Code provides that the sale of the leased land, or any portion thereof, ipso facto terminates the lease. Patents have been issued to all of the persons named above, the last being to Frederick R. Stowell on August 15, 1958.

Section 6509 of said code provides that on the sale of the land by the State, the lessee shall be entitled, without payment of additional fee, to a new lease for the remaining tracts of land for the balance of the unexpired term of the surrendered lease at the same annual rental per acre. Said lease has been surrendered by the lessee as required.

IT IS RECOMMENDED THAT THE COMMISSION RESCIND ITS ACTION OF DECEMBER 18, 1957 AUTHORIZING THE ISSUANCE OF LEASE P.R.C. 2050.2, AND AUTHORIZE THE EXECUTIVE OFFICER TO ISSUE A LEASE TO THE FLYING -S- RANCH FOR THE REMAINDER OF THE LANDS EMBRACED IN GRAZING LEASE P.R.C. 1865.2, COMPRISING 2,480 ACRES, FOR THE UNEXPIRED TERM OF THE SURRENDERED LEASE; THE ANNUAL RENTAL TO BE AT THE SAME RATE PER ACRE AS UNDER GRAZING LEASE P.R.C. 1865.2. OR AT AN ANNUAL RATE OF \$37.20 PER YEAR; THE TOTAL RENTAL UNDER THE NEW LEASE TO BE \$113.38. RENTALS PREPAID AND UNEARNED UNDER LEASE P.R.C. 1865.2 AMOUNT TO \$128.93. THE APPLICATION OF THIS AMOUNT TO RENTAL UNDER THE NEW LEASE LEAVES AN OVERPAYMENT OF \$15.55. IT IS FURTHER RECOMMENDED THAT THE EXECUTIVE OFFICER BE AUTHORIZED TO REFUND THIS AMOUNT TO THE LESSEE BY CERTIFICATE OF RESTITUTION.