

MINUTE ITEM

7. TERMINATION OF LOG RELOADING LEASE, P.R.C. 1535.1, KLAMATH RIVER, DEL NORTE COUNTY, HANLEY LUMBER COMPANY - W.O. 3516.

After consideration of Calendar Item 5 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO:

1. AS OF JUNE 27, 1960, CANCEL LEASE P.R.C. 1535.1 ISSUED TO HANLEY LUMBER COMPANY, COVERING LOG RELOADING LEASE, KLAMATH RIVER, DEL NORTE COUNTY.
2. APPLY THE LAST YEAR'S RENTAL DEPOSIT TO THE ARREARAGE FOR THE YEAR ENDING JUNE 27, 1960.
3. DEMAND AND ACCEPT A QUITCLAIM DEED FROM THE LESSEE; AND IF NO SUCH DEED IS RECEIVED WITHIN 30 DAYS OF DEMAND, FILE WITH THE COUNTY RECORDER OF DEL NORTE COUNTY A WRITTEN NOTICE OF TERMINATION OF THE SUBJECT LEASE.

Attachment

Calendar Item 5 (1 page)

CALENDAR ITEM

5.

TERMINATION OF LOG RELOADING LEASE, P.R.C. 1535.1, KLAMATH RIVER, DEL NORTE COUNTY, HANLEY LUMBER COMPANY - W.O. 3516.

A fifteen (15) year lease, at an annual rental of \$100, for log reloading facilities on the Klamath River in the County of Del Norte, was issued June 27, 1955, to Hanley Lumber Company. Rental default occurred on June 27, 1959. On September 2, 1959, notice of cancellation was sent via certified mail (No. 528186, delivered to Phil Hanley September 8, 1959), pursuant to the notice requirements of Paragraph 17 of the subject lease. No remittance or reply was received from the Lessee.

On June 11, 1958, and on May 28, 1959, the Commission terminated similar leases, for the same purpose, issued to the same lessee, i.e., Hanley Lumber Company.

It appears that the Lessee's intent with respect to this lease, as well as those previously cancelled by the Commission, was to abandon the premises and his rights under the lease.

An application of the last year's rental deposit will pay rental arrearages to June 27, 1960.

Paragraph 16 of the subject lease provides that upon termination of the agreement the Lessee will execute and deliver a good and sufficient quitclaim deed, and, should Lessee fail or refuse to deliver said quitclaim deed, a written notice by the State reciting the failure or refusal of the Lessee to execute and deliver the quitclaim deed shall be, upon recordation of said notice, conclusive evidence against the Lessee and all persons claiming under Lessee as to the termination of the lease.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO:

1. AS OF JUNE 27, 1960, CANCEL LEASE P.R.C. 1535.1 ISSUED TO HANLEY LUMBER COMPANY, COVERING LOG RELOADING LEASE, KLAMATH RIVER, DEL NORTE COUNTY.
2. APPLY THE LAST YEAR'S RENTAL DEPOSIT TO THE ARREARAGE FOR THE YEAR ENDING JUNE 27, 1960.
3. DEMAND AND ACCEPT A QUITCLAIM DEED FROM THE LESSEE; AND IF NO SUCH DEED IS RECEIVED WITHIN 30 DAYS OF DEMAND, FILE WITH THE COUNTY RECORDER OF DEL NORTE COUNTY A WRITTEN NOTICE OF TERMINATION OF THE SUBJECT LEASE.