

MINUTE ITEM

8. TERMINATION OF LEASE P.R.C. 757.1 AND CANCELLATION OF UNPAID RENTAL -
W.O. 3724.

After consideration of Calendar Item 2 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED:

1. TO CANCEL LEASE P.R.C. 757.1 EFFECTIVE MAY 12, 1961;
2. TO MAKE APPLICATION TO THE BOARD OF CONTROL FOR DISCHARGE OF ACCOUNTABILITY UNDER THE PROVISIONS OF SECTION 13940 ET SEQ. OF THE GOVERNMENT CODE WITH RESPECT TO THE \$336 RENTAL OWING BUT UNPAID, ON THE GROUNDS THAT COLLECTION IS IMPROBABLE AND THAT THE AMOUNT DUE IS TOO SMALL TO JUSTIFY THE COSTS OF COLLECTION.

Attachment

Calendar Item 2 (1 page)

CALENDAR ITEM

2.

TERMINATION OF LEASE P.R.C. 757.1 AND CANCELLATION OF UNPAID RENTAL - W.O. 3724.

Lease P.R.C. 757.1, covering an ark site on Corte Madera Creek, Marin County, was issued to Harold O. and Thelma E. Lind for a period of ten years commencing May 13, 1954, at an annual rental of \$56. The first and last years' rental was paid at the time the lease was issued, but no further rent has been tendered.

In resume:

1. Despite numerous demands, the lessee refused to pay rent, contending that rental paid to A. A. Tiscornia, holder of the adjoining littoral land, was their only responsibility.
2. Rental accrued into 1960, at which time there was due and owing the State the sum of \$336.
3. Failure to obtain satisfaction from the lessee resulted in the matter being referred to the Legal Section in 1961.
4. It is now known:
 - a. The lessee has abandoned the lease site;
 - b. The lessee's whereabouts are unknown;
 - c. The most appropriate course of action appears to be termination of the lease and requesting of a discharge of accountability for the unpaid rental.
5. The matter was referred to the office of the Attorney General who, based on a review of the facts, concurred by memorandum with Staff Counsel's opinion that a discharge from accountability be sought since the amount involved "is too small to justify the cost of collection".
6. The lessee has been billed through the 1960-61 lease year ending May 12, 1961, the amount due being \$336.

IT IS RECOMMENDED THAT THE EXECUTIVE OFFICER BE AUTHORIZED:

1. TO CANCEL LEASE P.R.C. 757.1 EFFECTIVE MAY 12, 1961;
2. TO MAKE APPLICATION TO THE BOARD OF CONTROL FOR DISCHARGE OF ACCOUNTABILITY UNDER THE PROVISIONS OF SECTION 13940 ET SEQ. OF THE GOVERNMENT CODE WITH RESPECT TO THE \$336 RENTAL OWING BUT UNPAID, ON THE GROUNDS THAT COLLECTION IS IMPROBABLE AND THAT THE AMOUNT DUE IS TOO SMALL TO JUSTIFY THE COSTS OF COLLECTION.