

MINUTE ITEM

24. AUTHORIZATION FOR EXECUTIVE OFFICER TO EXECUTE STIPULATION IN CASE OF PACIFIC GAS AND ELECTRIC COMPANY v. COUNTY OF SAN MATEO, ET AL., SAN MATEO SUPERIOR COURT NO. 80503 - W.O. 503.300, P.R.C. 2652.1.

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

THE EXECUTIVE OFFICER IS AUTHORIZED TO EXECUTE THE STIPULATION IN PACIFIC GAS AND ELECTRIC COMPANY v. COUNTY OF SAN MATEO, ET AL., SAN MATEO SUPERIOR COURT NO. 80503, EXTENDING THE INTERIM OCCUPANCY OF CERTAIN STATE LANDS BY PACIFIC GAS AND ELECTRIC COMPANY TO DECEMBER 31, 1964.

Attachment

Calendar Item 4 (1 page)

CALENDAR ITEM

4.

AUTHORIZATION FOR EXECUTIVE OFFICER TO EXECUTE STIPULATION IN CASE OF PACIFIC GAS AND ELECTRIC COMPANY v. COUNTY OF SAN MATEO, ET AL., SAN MATEO SUPERIOR COURT NO. 80503 - W.O. 503.300, P.R.C. 2652.1.

The case of Pacific Gas and Electric Company v. County of San Mateo, et al., is a condemnation action commenced on June 16, 1958, for lands needed by P.G.& E. for its Bair Substation. A parcel consisting of 0.53 acre required for the P.G.& E. installation is presently owned by the State, but is proposed to be conveyed to Leslie Salt Company pursuant to an exchange transaction authorized by Chapter 1885, Statutes of 1959. By an agreement dated October 12, 1960, executed by all parties in this case and incorporated in a stipulation dated March 10, 1961, the State agreed to allow P.G.& E. to go into immediate possession, and P.G.& E. agreed to hold the condemnation action in abeyance, pending the consummation of the exchange between the State and Leslie Salt Company.

The quiet-title-action provisions of Chapter 1885, Statutes of 1959, envisaged that the exchange transaction would be consummated on or before December 31, 1962. Therefore, the occupancy agreement was to terminate on December 31, 1962. The resolution of some legal problems involved in the exchange has resulted in a delay. However, it is anticipated that the exchange between the State and Leslie Salt Company will be completed by December 31, 1964, or sooner.

Under the original possession agreement, P.G.& E. agreed to pay to the State \$330 per year for its temporary occupancy. P.G.& E. is presently in possession. It is in the best interest of the State that this interim occupancy be extended on the same terms until the Leslie Salt Company exchange can be completed. A stipulation extending the occupancy from December 31, 1962, to December 31, 1964, but changing no other terms of the agreement, has been executed by all parties and their attorneys except the State. It is the advice of the Attorney General that the State enter into this stipulation.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE THE STIPULATION IN PACIFIC GAS AND ELECTRIC COMPANY v. COUNTY OF SAN MATEO, ET AL., SAN MATEO SUPERIOR COURT NO. 80503, EXTENDING THE INTERIM OCCUPANCY OF CERTAIN STATE LANDS BY PACIFIC GAS AND ELECTRIC COMPANY TO DECEMBER 31, 1964.