

MINUTE ITEM

1/24/67

38. AUTHORIZATION FOR EXECUTIVE OFFICER TO EXECUTE STIPULATION, 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 23 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, 1968.

Attachment

Calendar Item 23 (1 page)

23.

AUTHORIZATION FOR EXECUTIVE OFFICER TO EXECUTE STIPULATION, 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.

Pacific Gas and Electric Company v. County of San Mateo, et al., is a condemnation action filed June 16, 1958, for lands needed by P.G. & E. for its Bair Substation. A 0.53-acre parcel required for the P.G. & E. installation is presently claimed by the State, but is proposed to be transferred to Leslie Salt Co. as 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 allowed P.G. & E. to take immediate possession, and P.G. & E. is holding the condemnation action in abeyance, pending the consummation of the transaction between the State and Leslie Salt Co.

The original agreement was to terminate on December 31, 1962. Because of unanticipated delays in consummating the Leslie Salt Co.-State transaction, it has been necessary to extend the time further by successive stipulations. The present stipulation expires December 31, 1966. As it is not known at this time when the Leslie-State transaction will be completed, it is necessary to extend P.G. & E.'s right of occupancy for a further period.

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. A stipulation extending the occupancy of P.G. & E. from December 31, 1966, to December 31, 1968, but changing no other terms of the agreement, has been prepared. It is the advice of the Attorney General that the State enter into said 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, 1968.