

2/23/67

4. CANCELLATION OF GRAZING LEASE P.R.C. 3156.2, AND ISSUANCE OF CERTIFICATE OF RESTITUTION, SAN BENITO COUNTY, HERMAN AKERS - S.W.O. 7988.

After consideration of Calendar Item 33 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO:

1. CANCEL GRAZING LEASE P.R.C. 3156.2, ISSUED TO HERMAN AKERS.
2. REFUND TO THE LESSEE, BY CERTIFICATE OF RESTITUTION AGAINST THE SCHOOL FUND, THE UNEARNED RENT IN THE AMOUNT OF \$35.02.

Attachment

Calendar Item 33 (1 page)

33.

CANCELLATION OF GRAZING LEASE P.R.C. 3156.2, AND ISSUANCE OF CERTIFICATE OF RESTITUTION, SAN BENITO COUNTY, HERMAN AKERS - W.O. 7988.

Grazing Lease P.R.C. 3156.2, covering 197.68 acres of State school lands in San Benito County, was issued to Herman Akers for a period of five years commencing on August 21, 1963, at a total rental of \$98.85.

Sale of the entire acreage in the lease was approved by the State Lands Commission at its meeting on November 17, 1966.

Under the provisions of Section 6505.5 of the Public Resources Code, the lease was automatically terminated as of the date the sale was approved by the Commission. Under Section 6509 of the Public Resources Code, the lessee is entitled, upon surrender of the lease (which has been done), to a proportionate refund of any prepaid rental. Rental under the lease has been paid for five years, including the last year, and a refund of \$35.02 is due the lessee.

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

1. CANCEL GRAZING LEASE P.R.C. 3156.2, ISSUED TO HERMAN AKERS.
2. REFUND TO THE LESSEE, BY CERTIFICATE OF RESTITUTION AGAINST THE SCHOOL FUND, THE UNEARNED RENT IN THE AMOUNT OF \$35.02.