

MINUTE ITEM

12/28/67

39. RELEASE AGREEMENT IN SETTLEMENT OF ROYALTY CLAIMS, FEATHER RIVER, SACRAMENTO COUNTY; GRANITE CONSTRUCTION COMPANY - P.R.C. 3271.1.

After consideration of Calendar Item 6 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ACCEPTANCE OF \$2,343.83 AS FULL PAYMENT OF THE ROYALTY DUE UNDER P.R.C. 3271.1 FOR THE PERIOD FROM JULY 25, 1965, TO DECEMBER 31, 1966, AND THE EXECUTION OF A RELEASE TO GRANITE CONSTRUCTION COMPANY ON THE FORM IDENTIFIED AS EXHIBIT "B" ON FILE WITH THE COMMISSION AND BY REFERENCE MADE A PART HEREOF.

Attachment

Calendar Item 6 (1 page)

6.

RELEASE AGREEMENT IN SETTLEMENT OF ROYALTY CLAIMS, GRANITE CONSTRUCTION COMPANY, FEATHER RIVER, SACRAMENTO COUNTY - P.R.C. 3271.1.

Granite Construction Company has two adjacent sand and gravel leases along the Feather River. One, with Robert R. Kirtlan, et al., provides for a royalty of \$0.05 per cubic yard; the other, with the State Lands Commission, provides for a royalty of \$0.09 per cubic yard.

The boundary between the two properties has not been accurately determined, and the Granite Construction Company cannot accurately report the quantity of sand and gravel removed from each property during the period from July 25, 1965, to December 31, 1966.

In its investigation the staff concluded that 26,043 cubic yards were removed from State land, and the Granite Construction Company has agreed to pay the required royalty rate of \$0.09 per cubic yard, or \$2,343.83. It is also settling with the other lessor, and has requested a release in the form marked Exhibit "B" now in the files of the State Lands Commission.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ACCEPTANCE OF \$2,343.83 AS FULL PAYMENT OF THE ROYALTY DUE UNDER P.R.C. 3271.1 FOR THE PERIOD FROM JULY 25, 1965, TO DECEMBER 31, 1966, AND THE EXECUTION OF A RELEASE TO GRANITE CONSTRUCTION COMPANY ON THE FORM IDENTIFIED AS EXHIBIT "B" ON FILE WITH THE COMMISSION AND BY REFERENCE MADE A PART HEREOF.