

54. PROPOSED COMPROMISE SETTLEMENT, STATE LANDS COMMISSION V. MONTEREY SAND CO., ET AL.; MONTEREY COUNTY SUPERIOR COURT CASE NO. 59173, AND DEPARTMENT OF PUBLIC WORKS V. MONTEREY SAND CO., ET AL., MONTEREY COUNTY SUPERIOR COURT CASE NO. 55800; MONTEREY COUNTY - W.O. 1839.20, B.L.A. NO. 99, P.R.C. 3964.1.

After consideration of Calendar Item 3 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE STATE LANDS COMMISSION AUTHORIZES THE OFFICE OF THE ATTORNEY GENERAL TO ENTER INTO AN APPROPRIATE STIPULATION FOR JUDGMENT IN COMPROMISE OF LITIGATION IN THE MATTER OF PEOPLE OF THE STATE OF CALIFORNIA ACTING BY AND THROUGH THE STATE LANDS COMMISSION V. MONTEREY SAND CO., ET AL., MONTEREY COUNTY SUPERIOR COURT CASE NO. 59173, TO INCLUDE:

- (1) EXECUTION OF BOUNDARY LINE AGREEMENT DESIGNATED AS B.L.A. NO. 99, WHICH IS ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, BETWEEN THE STATE AND THOSE OTHER PARTIES SET FORTH ON EXHIBIT "A" OF SAID AGREEMENT,
- (2) EXECUTION OF A MINERAL LEASE FOR SAND EXTRACTION DESIGNATED AS P.R.C. 3964.1, WHICH IS ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, BY MONTEREY SAND CO. AND THE STATE,
- (3) PAYMENT OF \$15,000 BY MONTEREY SAND CO. TO THE STATE FOR RELEASE BY THE STATE OF ALL PAST CLAIMS FOR RENTS, ROYALTIES, AND ANY AND ALL OTHER OBLIGATIONS DUE THE STATE WITH REGARD TO THE LEASED PREMISES.

Attachment

Calendar Item 3 (1 page)

3.

PROPOSED COMPROMISE SETTLEMENT, STATE LANDS COMMISSION V. MONTEREY SAND CO., ET AL., MONTEREY COUNTY SUPERIOR COURT CASE NO. 59173, AND DEPARTMENT OF PUBLIC WORKS V. MONTEREY SAND CO., ET AL., MONTEREY COUNTY SUPERIOR COURT CASE NO. 55800; MONTEREY COUNTY - W.O. 1839.20.

The defendants in the above actions have made an offer of settlement of the litigation wherein they agree to enter into a lease for sand extraction with the State on terms and conditions similar to those of other State lessees in the area. Payment of \$15,000 royalties for past sand removal will be made to the State. Defendants will enter into a boundary line agreement placing the boundary at a location in accordance with the contentions of the State.

IT IS RECOMMENDED THAT THE STATE LANDS COMMISSION AUTHORIZE THE OFFICE OF THE ATTORNEY GENERAL TO ENTER INTO AN APPROPRIATE STIPULATION FOR JUDGMENT IN COMPROMISE OF LITIGATION IN THE MATTER OF PEOPLE OF THE STATE OF CALIFORNIA ACTING BY AND THROUGH THE STATE LANDS COMMISSION V. MONTEREY SAND CO., ET AL., MONTEREY COUNTY SUPERIOR COURT CASE NO. 59173, TO INCLUDE (1) EXECUTION OF BOUNDARY LINE AGREEMENT DESIGNATED AS B.L.A. NO. 99, WHICH IS ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, BETWEEN THE STATE AND THOSE OTHER PARTIES SET FORTH ON EXHIBIT "A" OF SAID AGREEMENT, (2) EXECUTION OF A MINERAL LEASE FOR SAND EXTRACTION DESIGNATED AS P.R.C. 3964.1, WHICH IS ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, BY MONTEREY SAND CO. AND THE STATE, (3) PAYMENT OF \$15,000 BY MONTEREY SAND CO. TO THE STATE FOR RELEASE BY THE STATE OF ALL PAST CLAIMS FOR RENTS, ROYALTIES, AND ANY AND ALL OTHER OBLIGATIONS DUE THE STATE WITH REGARD TO THE LEASED PREMISES.