

44. SETTLEMENT OF ACTION BY THE UNITED STATES IN THE MATTER OF UNITED STATES V. 115,297.05 ACRES IN IMPERIAL COUNTY, NO. 3339-SD-W CIVIL; IMPERIAL COUNTY - W.O. 503.528 AND W.O. 5746.

After consideration of Calendar Item 37 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ATTORNEY GENERAL ON BEHALF OF THE STATE TO ENTER INTO AN APPROPRIATE JUDGMENT AND STIPULATION THEREFOR IN THE MATTER OF THE UNITED STATES OF AMERICA V. 115,297.05 ACRES OF LAND IN IMPERIAL COUNTY, CALIFORNIA, ET AL., U. S. DISTRICT COURT, SOUTHERN DISTRICT OF CALIFORNIA, CASE NO. 3339-SD-W CIVIL, WHEREIN THE STATE IS TO RECEIVE \$22,400 AMOUNTING TO \$5,600 PER ANNUM FOR THE PERIOD JULY 1, 1965, THROUGH JUNE 30, 1969, AND PROVIDING FOR THE PAYMENT OF \$5,600 PER ANNUM FOR A RENEWAL PERIOD THEREAFTER THROUGH JUNE 30, 1970.

Attachment  
Calendar Item 37 (1 page)

37.

PROPOSED SETTLEMENT OF ACTION BY THE UNITED STATES IN THE MATTER OF UNITED STATES V. 115,297.05 ACRES IN IMPERIAL COUNTY, NO. 3339-SD-W CIVIL; IMPERIAL COUNTY - W.O. 503.528 AND W.O. 5746.

The above condemnation action was filed by the United States in respect to lands lying within the Chocolate Mountain Gunnery Range. The United States condemned a leasehold interest for a term of years beginning July 1, 1965, and ending June 30, 1966, and extendible yearly thereafter until June 30, 1970, at the election of the United States. The State had previously received annual rent of \$5,274 per year for the 10,700 acres of school land Sections 16 and 36 included within the Chocolate Mountain Gunnery Range (Lease P.R.C. 2710.2). ~~At the expiration of Lease P.R.C. 2710.2 the United States offered \$3,425 per year for the same acreage beginning July 1, 1965, which was unacceptable to the State. Litigation proceedings began, and in the course thereof the United States offered to pay \$5,600 per annum for a lease of the involved lands as a compromise and have submitted a Proposed Judgment and Stipulation Therefor to be executed by the State if the amount of \$5,600 per annum is acceptable. In the opinion of the staff such compromise settlement is satisfactory.~~

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ATTORNEY GENERAL ON BEHALF OF THE STATE TO ENTER INTO AN APPROPRIATE JUDGMENT AND STIPULATION THEREFOR IN THE MATTER OF THE UNITED STATES OF AMERICA V. 115,297.05 ACRES OF LAND IN IMPERIAL COUNTY, CALIFORNIA, ET AL., U. S. DISTRICT COURT, SOUTHERN DISTRICT OF CALIFORNIA, CASE NO. 3339-SD-W CIVIL, WHEREIN THE STATE IS TO RECEIVE \$22,400 AMOUNTING TO \$5,600 PER ANNUM FOR THE PERIOD JULY 1, 1965, THROUGH JUNE 30, 1969, AND PROVIDING FOR THE PAYMENT OF \$5,600 PER ANNUM FOR A RENEWAL PERIOD THEREAFTER THROUGH JUNE 30, 1970.