

MINUTE ITEM

4/1/69

10. RESCISSION OF PREVIOUS COMMISSION ACTION AND RENEWAL OF LEASE P.R.C. 2357.1;
WILLIAM O. DAVIS - W.O. 5010.

After consideration of Calendar Item 25 attached, and upon motion duly made
and carried, the following resolution was adopted:

THE COMMISSION RESCINDS ITS ACTION OF JULY 17, 1968, MINUTE ITEM 12, AND
AUTHORIZES THE ISSUANCE TO WILLIAM O. DAVIS OF A RENEWAL OF LEASE P.R.C. 2357.1
FROM FEBRUARY 24, 1964, TO AUGUST 10, 1967, AT A RENTAL RATE OF \$100 PER ANNUM;
THAT THE REQUIREMENT FOR SURETY BOND BE WAIVED FOR SUCH RENEWAL PERIOD; AND
THAT THE SUM OF \$345.75 BE ACCEPTED IN SATISFACTION OF ALL OBLIGATIONS OF LESSEE
UNDER SAID LEASE RENEWAL.

Attachment

Calendar Item 25 (1 page)

25.

RESCISSION OF PREVIOUS COMMISSION ACTION AND RENEWAL OF LEASE P.R.C. 2357.1 - W.O. 5010.

It is requested that the Commission reconsider its action (Minute Item 12 of July 17, 1968) approving lease renewal to William O. Davis for operation of the B & B Marina on the Sacramento River for the period February 24, 1964, to August 10, 1967, at the rate of \$100 per annum (\$345.75 total).

The initial 5-year term of the original lease (P.R.C. 2357.1) to Mr. Davis expired on February 23, 1964. Bond required by this lease was cancelled April 3, 1964. The lease contained a 5-year renewal option upon reasonable terms and conditions to be imposed by the State (Paragraph 2C). Mr. Davis applied for renewal on January 2, 1964.

On August 11, 1967, after the Division had received information on a contemplated sale of the leased premises, Mr. Davis was notified that the rent for the renewal period would be increased from \$100 per annum to \$1,326 per annum. Reconsideration resulted in a reduction in the rental to \$100 per annum (same as original lease), on the ground that Davis held the leased premises as a hold-over tenant and was entitled to the original rental figure until he was given notice of the increase.

Mr. Davis went out of occupancy on or about August 10, 1967, having sold the boat harbor to Mr. Rudy Robles. Mr. Robles is now in possession without permission of the State, as he has failed to enter into a lease with the State.

Mr. Davis submitted the executed lease renewal, which was previously approved by the Commission. However, the rental (\$345.75) was remitted on condition that the payment be accepted in satisfaction of all obligations of Davis during the renewal period. Mr. Davis has not been in possession, and there are no known claims resulting from his period of occupancy.

IT IS RECOMMENDED THAT THE COMMISSION RESCIND ITS ACTION OF JULY 17, 1968, MINUTE ITEM 12, AND AUTHORIZE THE ISSUANCE TO WILLIAM O. DAVIS OF A RENEWAL OF LEASE P.R.C. 2357.1 FROM FEBRUARY 24, 1964, TO AUGUST 10, 1967, AT A RENTAL RATE OF \$100 PER ANNUM; THAT THE REQUIREMENT FOR SURETY BOND BE WAIVED FOR SUCH RENEWAL PERIOD; AND THAT THE SUM OF \$345.75 BE ACCEPTED IN SATISFACTION OF ALL OBLIGATIONS OF LESSEE UNDER SAID LEASE RENEWAL.