

MINUTE ITEM

This Calendar Item No. 31
was approved as Minute Item
No. 31 by the State Lands
Commission by a vote of 3
to 0 at its 12/15/76
meeting.

MINUTE ITEM

12/15/76
SA
MLC

31. TERMINATION OF EXPLORATORY PERMIT - PPC 4934.1 - WP 4934.

During consideration of Calendar Item 31, attached, Commission-
alternate Sid McCausland recommended that in the future the
staff not enter into these types of permits. Robert C. Hight,
Chief Counsel, explained this is the only permit of its kind
in existence. Mr. McCausland also recommended that rental,
which has been paid for the new period be returned to the
applicant.

Upon motion duly made and carried, the following resolution
as amended was adopted by a vote of 3-0:

THE COMMISSION DETERMINES, PURSUANT TO ITS RIGHT UNDER
EXPLORATORY PERMIT PPC 4934.1, THAT TERMINATION OF SAID PERMIT
WOULD BE FOR THE BEST INTERESTS OF THE STATE AND AUTHORIZES
STAFF OF THE STATE LANDS DIVISION TO PROVIDE MR. KENWORTHY
WITH SIXTY DAYS WRITTEN NOTICE OF THE DATE OF SAID TERMINATION
AS PROVIDED IN PPC 4934.1; WITH THE STIPULATION THAT THE RENTAL
FOR THE NEW TERM BE RETURNED TO THE APPLICANT.

Attachment: Calendar Item 31 (3 pages)

CALENDAR ITEM

12/76
WP 4934
SA
MLC

31.

TERMINATION OF EXPLORATORY PERMIT
P.R.C. 4934.1

The State, acting by and through the State Lands Commission, and Charles A. Kenworthy, dba The Quest, entered into an exploratory permit on August 8, 1974. The purpose of the permit was to authorize Mr. Kenworthy to undertake exploratory operations to locate and identify abandoned personal property on two parcels of State-owned tide and submerged lands of the Pacific Ocean off Santa Catalina Island, Los Angeles County, containing 934 acres.

Section 14 of the permit states that it is the intent of the Permittee (Kenworthy) upon discovery and identification of personal property of value to request a salvage permit from the State Lands Commission.

To this date, Mr. Kenworthy has not applied for a salvage permit for any items discovered within the exploratory permit area. In fact, Mr. Kenworthy's attorney has indicated to staff of the Division that he has found some items of personal property, but does not desire to apply for a salvage permit pursuant to the terms of the exploratory permit and State Lands Commission Regulations.

It is the present policy of the State Lands Commission, as outlined in Article 2.5 of the State Lands Commission's Regulations to issue only salvage permits for the recovery of specifically located items of property rather than to issue exploratory permits in order to search for unlocated items of property. In furtherance of this policy, the Commission no longer issues exploratory permits.

By its terms the permit was authorized for a period of one year with right of renewal for two additional one year periods. Mr. Kenworthy completed the original one year period and one of the renewal periods and has now applied for the second renewal period.

The permit also states that it may be terminated upon sixty days notice based upon either Permittee's default or the State's determination that such termination would be for the best interests of the State.

The State Lands Division has received a salvage permit application for an area located within Mr. Kenworthy's exploration permit.

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CALENDAR ITEM NO. 31. (CONTD)

Because of the Commission's policy favoring salvage permits and because no salvage permit applications have been forthcoming from Mr. Kenworthy, it is felt that it would be in the best interest of the State to terminate Mr. Kenworthy's exploratory permit and to proceed with the issuance of salvage permits to other qualified applicants:

EXHIBITS:

A. Land Description

B. Location Map

IT IS RECOMMENDED THAT THE COMMISSION DETERMINE, PURSUANT TO ITS RIGHT UNDER EXPLORATORY PERMIT P.R.C. 4934.1, THAT TERMINATION OF SAID PERMIT WOULD BE FOR THE BEST INTERESTS OF THE STATE AND AUTHORIZE STAFF OF THE STATE LANDS DIVISION TO PROVIDE MR. KENWORTHY WITH SIXTY DAYS WRITTEN NOTICE OF THE DATE OF SAID TERMINATION AS PROVIDED FOR IN P.R.C. 4934.1.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 4934

Two parcels of tide and submerged land adjacent to Santa Catalina Island, Los Angeles County, State of California, being more particularly described as follows:

PARCEL A

BEGINNING at a point offshore of Blue Cavern Point on Santa Catalina Island said point being located at $33^{\circ} 27' 40''$ north latitude, $118^{\circ} 28' 10''$ west longitude; thence N $64^{\circ} 15' W$ 24,000 feet; thence S $25^{\circ} 45' W$ 600 feet more or less to the ordinary high water mark near Parson's landing; thence southeasterly along said ordinary high water mark to point that bears S $25^{\circ} 45' W$ from the point of beginning; thence N $25^{\circ} 45' E$ 5,000 feet more or less to the point of beginning.

PARCEL B

BEGINNING at a point offshore of Spring Landing on Santa Catalina Island said point being located at $33^{\circ} 24' 50''$ north latitude, $118^{\circ} 36' 20''$ west longitude; thence S $63^{\circ} 45' E$ 18,500 feet; thence N $26^{\circ} 15' E$ 14,900 feet more or less to the ordinary high water mark in the vicinity of Lobster Bay; thence northeasterly along said ordinary high water mark to a point that bears N $26^{\circ} 15' E$ from the point of beginning; thence S $36^{\circ} 15' W$ 15,500 feet more or less to the point of beginning.

EXCEPTING THEREFROM those lands currently under lease from the State Lands Commission to the University of Southern California under PRC 350.1.

END OF DESCRIPTION