

MINUTE ITEM

This Calendar Item No. 43
was approved as Minute Item
No. 43 by the State Lands
Commission by a vote of 3
0 at its 2/22/81
meeting.

CALENDAR ITEM

43

9/29/81
WP 4049
Reese

AUTHORIZATION TO PROCEED WITH LITIGATION
FOR UNAUTHORIZED OCCUPATION OF STATE-OWNED LAND

PROSPECTIVE: F. Roy Gustavson
1550 W. Twitchell Island Road
Isleton, California 95640

AREA, TYPE LAND AND LOCATION:
0.538 acre of tide and submerged land
in Seven Mile Slough, south of Isleton,
Sacramento County.

BACKGROUND: On November 9, 1978, Mr. Roy Gustavson
purchased a parcel of land adjacent to
Seven Mile Slough, Sacramento County. The
property was previously leased by Mrs.
Grace E. Christiansen. Mrs. Christiansen
had a commercial lease with the State Lands
Commission covering a 0.538-acre parcel
of tide and submerged land, with an expiration
date of April 27, 1987.

By correspondence dated April 10, 1979,
Mr. Gustavson was advised that the existing
State Lands Commission lease with Mrs.
Grace E. Christiansen must be assigned
to him and amended to cover structures
added by Mr. Gustavson.

On June 20, 1979 and again July 8, 1980
the staff contacted Mr. Gustavson and requested
that he apply for an assignment and amendment
of the lease.

On March 20, 1981, Mr. Gustavson was advised
that if he did not comply with the requests
set forth in staff's July 8, 1980 letter
to him within 15 days that staff would
request the State Lands Commission to authorize
an action for trespass, ejection and damages
to terminate his use of State-owned lands.
Mr. Gustavson contacted staff within 15
days and submitted an application for lease
of State land on April 14, 1981.

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On April 24, 1981, staff advised Mr. Gustavson that his application was still incomplete and was requested to submit certain items to complete his application.

CURRENT SITUATION:

Staff contacted Mr. Gustavson on August 19, 1981. He stated that he would comply with the requests set forth in staff's April 24, 1981 letter by August 31, 1981.

To date there has been no response from Mr. Gustavson.

AB 884: N/A.

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. AUTHORIZE THE STAFF OF THE STATE LANDS COMMISSION AND/OR THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL STEPS NECESSARY, INCLUDING LITIGATION, TO TERMINATE THE CONTINUED UNAUTHORIZED OCCUPATION OF MR. F. ROY GUSTAVSON ON STATE-OWNED TIDE AND SUBMERGED LAND, AND TO COLLECT DAMAGES FOR SUCH UNAUTHORIZED USE.

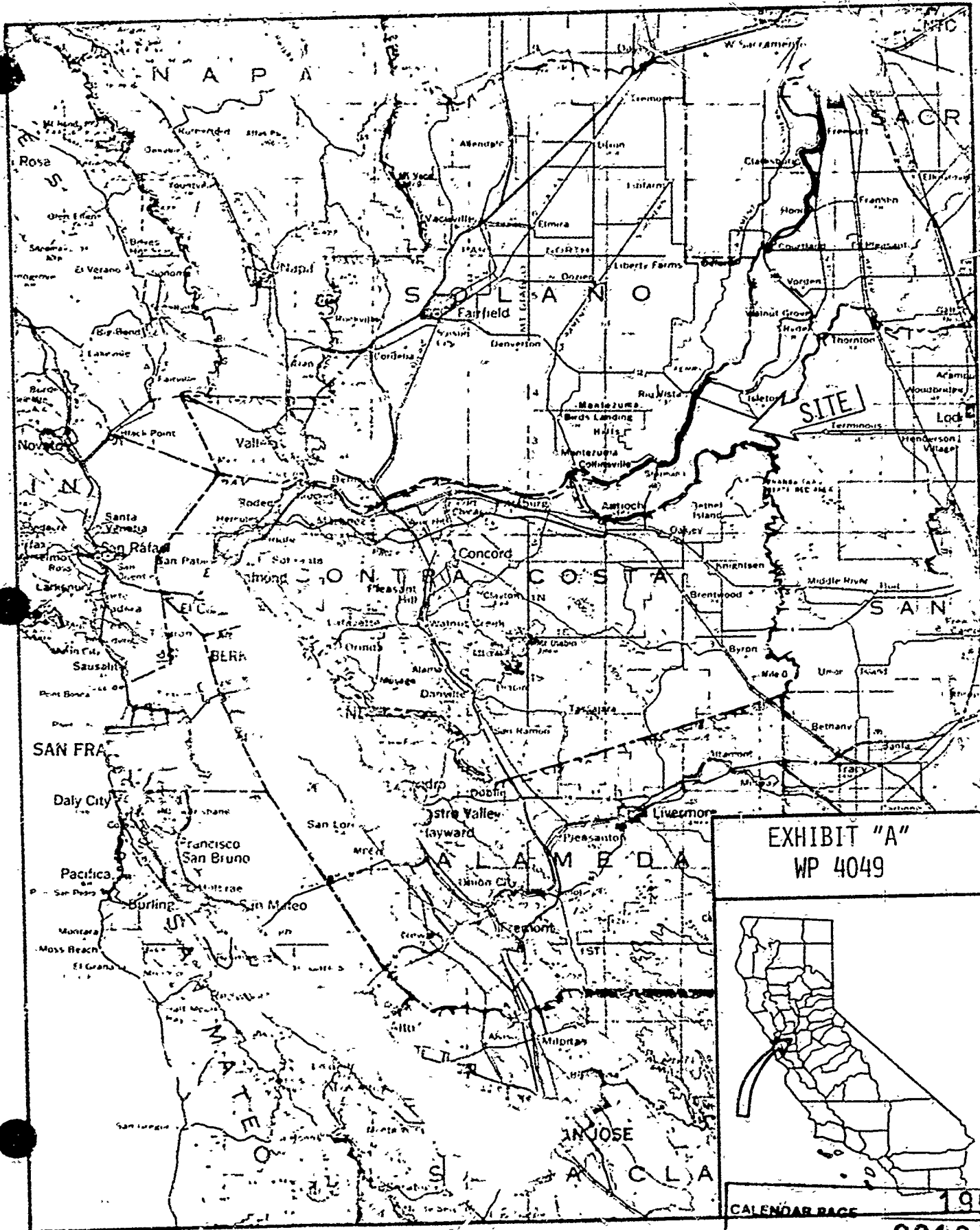


EXHIBIT "A"
WP 4049



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