

17. (Tide and Submerged Land Lease Policy) The Commission was informed that in addition to the standard policy of issuing leases for a term of fifteen years with right of renewal for up to three additional periods of ten years each, (See Item 16 preceding), the Pacific Gas and Electric Company had requested deviation in leases issued to them in the following respects:

1. Eliminate payment of first and last year's rental at time of issuance of the lease.
2. Change Section 12 and 13 of the standard lease to permit option on part of lessee to terminate lease at any time upon removal of the facilities for own reason or in case the land is sold by the State.

Upon motion duly made and unanimously carried, a resolution was adopted to adhere to the present policy on issuance of leases for commercial purposes, with the single modification that lessee shall have the right to terminate the lease at any time after removal of facilities constructed on the leasehold or if the land is sold by the State.

18. (San Francisco Water Front Streets - W.O. 512) ^{land} The Commission was informed that there is pending certain actions to quiet title to streets claimed by J. D. and A. B. Spreckels Company (W.O.'s 207 and 491). Adjacent to said area is another group of streets which were closed by Resolution 1376 of the Board of Supervisors on October 15, 1940, approximately 7 acres of former tide and submerged lands between and adjacent to certain blocks conveyed into private ownership by the Tide Land Commissioners and the Legislature. Title thereto in the private claimants might be effected if adverse possession can be claimed for a period of ten years. The area has been the subject of McEnerney actions which, of course, are not binding upon the State. Pursuant to recent decision in the U. S. Circuit Court of Appeals, the State is owner of the naked fee title to streets under water which have not been closed. As such owner, the State is vested with fee simple title when the street easement is abandoned per order of the proper governing body. A portion of the subject area has been reclaimed but in spite of such reclamation it is the thought that title has not passed since the occupants thereof have not been in possession for a period of ten years as yet.

Upon motion duly made and unanimously carried, a resolution was adopted authorizing the Executive Officer to request the Attorney General to institute quiet title actions against all persons claiming any right, title or interest in the San Francisco tideland street areas closed by order of the Board of Supervisors of San Francisco County.

19. (Application for Lease of Tide and Submerged Land - Crescent City, Del Norte County - A. C. Dutton Lumber Corporation - W.O. 367, P.R.C. 416) The Commission was informed that an application for lease of tide and submerged lands in Crescent City had been received from the A. C. Dutton Lumber Corporation, chartered in New York, with offices in Portland, Oregon, for an area 1850 feet in length, 150 feet in width, extending from the ordinary high water mark at Crescent City, Del Norte County. The Dutton Lumber Corporation proposes to build a large wharf for the purpose of handling lumber, timber, and also fish. The cost of the proposed installation is estimated at \$250,000.00. The Corps of Engineers have approved the project, as has the Crescent City Harbor Commission. The Dutton Corporation claims to own land littoral to the artificially accreted State land.