

Federal Government in the exchange whereby the State transfers to the Federal Government scattered school sections throughout the National Forest and acquires a consolidated area of timber lands in the Mountain Home tract in Tulare County. However, the Forest Service advises that they cannot wait until the completion of the exchange as they are entering into a contract for cutting of the timber on Federal lands adjacent to Section 36, T. 28 N., R. 8 E., M.D.M.

In issuing the right of way to the U. S. Forest Service they require that for any timber within the right of way good title would be given to the Logging Company installing the road. It is estimated that the timber which would be cut on the State land in the development of this logging road would have a value of approximately \$56.00. On the other hand, once the road is built it will be available to the State, should the exchange not go through and the State could sell the balance of the land and timber to private enterprise with advantage.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO ISSUE A RIGHT OF WAY TO THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR THE CONSTRUCTION OF A LOGGING ROAD OVER A PORTION OF SECTION 36, T. 28 N., R. 8 E., M.D.M., FOR THE CONSIDERATION THAT THE RIGHT OF WAY AND ROAD BE AVAILABLE TO THE STATE, OR ITS NOMINEE, IN CASE THE STATE CUTS OR SELLS THE TIMBER ON THE BALANCE OF THIS SECTION.

25. (TRANSFER OF JURISDICTION OF ACCRETED LANDS, WILL ROGERS BEACH, LOS ANGELES COUNTY - W.O. 1032) ^{PRC 620} The Commission was informed that a request has been received from the State Park Commission for transfer of jurisdiction of certain artificial accreted tidelands known as Lighthouse Cafe, Will Rogers Beach in Los Angeles County. The land for which jurisdiction of transfer is requested amounts, at the present time, to approximately one acre. The land, however, is improved by the so-called Lighthouse Cafe. These accreted lands were adjudicated to the State in Los Angeles Superior Court Case 454635 in 1941. The use of this property by the State Park Commission has been the subject of consideration before the State Lands Commission heretofore. On August 25, 1943 the State Lands Commission authorized the Executive Officer to enter into a lease with the State Park Commission for these lands and the building thereon at an annual rental of \$100.00. This lease was never consummated. Recently, or at least within the past year, the State Park Commission have entered into a fifty year lease with the City of Los Angeles for the operation of all the State beach park westerly along the coast from Santa Monica and have included the upland adjacent to this accreted State land within this lease, as well as the portion of the building which is on upland and presumably the accreted land. From a practical standpoint any rent the State Lands Commission would charge the Park Commission for this land would go to the State Lands Act Fund and therefore 70% would go back to the Park Commission.

The lands for which jurisdiction is requested are described as follows:

Beginning at a point on the ordinary high water mark of the Pacific Ocean, which point bears S. 34° 14' 34" W., 26.22 ft. from a 2 inch iron pipe identified as the most easterly corner of Lot 6 of Tract No. 10426 as recorded in Map Book 285, Pages 11 and 12 of the Records of the County Recorder of Los Angeles County, thence from said point of beginning along the said ordinary high water mark S. 42° 52' 44" E., 226.86 ft.; S. 58° 23' 33" E., 15.26 ft.; S. 80° 42' 24" E., 55.73 ft.; S. 77° 44' 07" E., 23.53 ft.; S. 61°

06° 48" E., 66.24 ft.; S. 63° 26' 06" E., 134.16 ft.; S. 59° 48' 07" E., 141.15 ft.; S. 60° 32' 30" E., 124.03 ft. and S. 60° 51' 57" E., 69.83 ft.; thence across artificially accreted tide land S. 29° 08' 03" W., 75 ft. more or less to the line of mean high tide as it exists from day to day, thence northerly and westerly along the said line of mean high tide as same exists from day to day to a point which bears S. 34° 14' 34" W., 200 ft. more or less from the point of beginning; thence across artificially accreted tide land N. 34° 14' 34" E., 200 ft. more or less to the place of beginning.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED RESCINDING THE ACTION OF THE COMMISSION OF AUGUST 25, 1943 WITH RESPECT TO LEASE BETWEEN THE STATE LANDS COMMISSION AND THE STATE PARK COMMISSION FOR THE ACCRETED TIDELANDS KNOWN AS THE LIGHTHOUSE CAVE, WILL ROGERS BEACH AND AUTHORIZING THE EXECUTIVE OFFICER TO REQUEST THE DIRECTOR OF FINANCE, PURSUANT TO SECTION 13110 OF THE GOVERNMENT CODE, TO TRANSFER JURISDICTION WITHOUT CONSIDERATION OF THE ACCRETED LANDS DESCRIBED FROM THE STATE LANDS COMMISSION TO THE STATE PARK COMMISSION.

26. (SALE OF VACANT FEDERAL LAND OBTAINED THROUGH USE OF RASE, SCRIP APPLICATION NO. 10452, LOS ANGELES LAND DISTRICT, RIVERSIDE COUNTY, LYLE NEWCOMER - SAC. W.O. 5165) The Commission was informed that on June 14, 1949, it authorized the filing for lieu selection of 520 acres in Section 22, T. 3 S., R. 3 E., S.B.M., Riverside County, for which land application has been made by Mr. Lyle Newcomer.

Subsequently the selection (No. L.A. 078694) was filed with the United States, and on January 3, 1950, the Director of the Bureau of Land Management rejected the State's application. The decision stated that the public interest appears to be that the land is more suitable for disposal by the United States at public sale. This decision was transmitted to Mr. Newcomer with the advice that he had thirty days to protest the rejection. Mr. Newcomer advised that he would protest the decision but requested that ninety days be asked of the Bureau of Land Management in which to file a protest, (technically the 90 days would run from March 29, 1950). On May 10, 1950, the State on behalf of Mr. Newcomer filed a brief which had been prepared by his attorney, Northcutt Ely, Esq., protesting the decision of the Bureau of Land Management. The Indemnity Selection of Mr. Newcomer was filed with the Bureau of Land Management on May 4, 1949.

After filing with the Bureau of Land Management the State was informed that Mr. S. A. Guiberson, Jr., in connection with his proposed cement plant near Palm Springs had filed on February 15, 1949 with the Federal Government an application for a public sale application for purchase of this same land under the Isolated Tract Provisions of Federal Law. Before the Isolated Tract Provisions of Federal Law could be applied and notice of sale under this Isolated Tract Provision could be accomplished the Bureau of Land Management must classify the land as coming under the proper provision of law. In the meantime and prior to classification however, the State's application had been filed for selection as indemnity school land. It is the State's contention that the State's selection takes priority over the Isolated Tract sale provisions of Federal law.

Mr. Lyle G. Newcomer's protest over the decision of the Director of the Bureau of Land Management was filed within the ninety days period which had