

MINUTE ITEM

14. (REVISION OF FORMS OF CLOSING - LEASES, EASEMENTS, AGREEMENTS, ETC. - W. O. 2813.)

After presentation of Calendar Item 4 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE STATE LANDS COMMISSION AUTHORIZES AND APPROVES THE REVISION OF AGREEMENT FORMS USED TO TRANSACT COMMISSION BUSINESS AS DETAILED IN EXHIBIT "A" ATTACHED AND HEREBY MADE A PART HEREOF.

Attachment

Calendar Item 4 (7 pages)

CALENDAR ITEM

MISCELLANEOUS

4.

(REVISION OF FORMS OF CLOSING—LEASES, EASEMENTS, AGREEMENTS, ETC., -
W. O. 2813.)

As the result of a study of the various types of agreements issued by the State Lands Commission, it was found that:

1. Provisions for "signature dates" contemplate signature by both parties at the same time, a condition which rarely, if ever, occurs.
2. The closings used for various types of agreements are not uniform.
3. Some forms provide for required acknowledgements; some do not.
4. None of the forms in use provide for corporate resolutions authorizing execution of agreements on the part of the lessee.

Drafts of closing forms for the various agreements issued, designed for standardization and the elimination of the afore-mentioned defects, were prepared by the staff and forwarded to the office of the Attorney General for review. The latter has now recommended the adoption of closing forms as set forth in Exhibit "A" of the following recommendation.

IT IS RECOMMENDED THAT THE STATE LANDS COMMISSION AUTHORIZE AND APPROVE THE REVISION OF AGREEMENT FORMS USED TO TRANSACT COMMISSION BUSINESS AS DETAILED IN EXHIBIT "A", ATTACHED, AND HEREBY MADE A PART HEREOF.

Attachment:
Exhibit "A"

FORMS: Commercial Lease - 51.1	Lease Renewal - 51.7
Life-of-Structure Permit - 51.2	Lease Amendment - 51.10
Commercial Minor Structure Lease - 51.3	Mineral Extraction Lease - 31.6
Corte Madera Lease - 51.5	Grazing Lease - 65.6
Noncommercial Lease - 51.6	

AMEND CLOSING TO CONFORM WITH THE FOLLWING:

"This agreement will become binding on the State only when duly executed by the executive officer of the State Lands Commission of the State of California."

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the date hereafter affixed.

LESSEE OR PERMITTEE:*

Address

(SEAL)

STATE OF CALIFORNIA
STATE LANDS COMMISSION

By _____
F. J. HORTIG
Executive Officer

Date

Approved as to form.
/s/
FOR: ATTORNEY GENERAL

* In executing this document the following is required:

Corporations.

1. Affixation of Corporate Seal.
2. If box is checked, a certified copy of the resolution or other document authorizing the execution of this agreement on behalf of the corporation.

Individuals.

- Acknowledgment of signature required.
- Acknowledgment of signature not required.

EXHIBIT "A"

FORM: Prospecting Permit - 31.5

AMEND AS FOLLOWS:

The effective date of the permit to be inserted at line 8, page 1:

"issue a Prospecting Permit effective _____ 19____
to _____."

THE CLOSING PARAGRAPH TO CONFORM TO THE FOLLOWING:

"This agreement will become binding on the State only when duly executed
by the executive officer of the State Lands Commission of the State of
California."

This permit is issued as of the date hereafter affixed.

ACCEPTED: *

STATE OF CALIFORNIA
STATE LANDS COMMISSION

Permittee

By _____
F. J. HORTIG
Executive Officer

Date

(SEAL)

* In executing this document the following is required:

Corporations.

1. Affixation of Corporate Seal.
2. A certified copy of the resolution or other document authorizing the execution of this agreement on behalf of the corporation.

Individuals.

Acknowledgement of signature required.

EXHIBIT "A"

FORM: Reservation of Lands for Highway Purposes - 59.13

AMEND CLOSING TO CONFORM TO THE FOLLOWING:

"This agreement will become binding on the State only when duly executed by the executive officer of the State Lands Commission of the State of California."

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the date hereafter affixed.

DEPARTMENT OF PUBLIC WORKS
DIVISION OF HIGHWAYS

By _____
Title

STATE OF CALIFORNIA
STATE LANDS COMMISSION

By _____
F. J. HORTIG
Executive Officer

Date

EXHIBIT "A"

FORM: Bond - Form 2

AMEND CLOSING OF BOND FORM - 2 TO CONFORM TO THE FOLLOWING:

*

* In executing this document the following is required:

Corporations.

1. Affixation of Corporate Seal.
2. A certified copy of the resolution or other document authorizing the execution of this bond on behalf of the corporation.

Individuals.

Acknowledgement of signature is required.

EXHIBIT "A"

FORM: Bond - Form 3

AMEND THE PENULTIMATE PARAGRAPH OF BOND FORM - 3 TO READ AS FOLLOWS:

"This bond may be continued from year to year by continuation certificate, and the surety herein shall have the right to withdraw as surety from this bond. The surety herein shall have the right at the end of any bond year, however, to withdraw as surety from this bond, except as to any liability incurred or accrued,"