

MINUTE ITEM

12. SELECTION OF VACANT FEDERAL LAND, LIEU LAND APPLICATION NO. 5091, SACRAMENTO LAND DISTRICT, MENDOCINO COUNTY, HERMAN H. HOBI - S.W.O. 5937.

After consideration of Calendar Item 18 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO:

1. CANCEL THE APPLICATION OF HERMAN H. HOBI TO PURCHASE, PURSUANT TO THE PROVISIONS OF SECTIONS 2400 TO 2402 INCLUSIVE OF TITLE 2, DIVISION 3, CALIFORNIA ADMINISTRATIVE CODE, THE NW $\frac{1}{4}$  OF THE NW $\frac{1}{4}$  AND THE SE $\frac{1}{4}$  OF THE NW $\frac{1}{4}$  OF SECTION 24, AND THE SW $\frac{1}{4}$  OF THE SE $\frac{1}{4}$  OF SECTION 35, T. 21 N., R. 16 W., M.D.M., CONTAINING A TOTAL OF 120 ACRES IN MENDOCINO COUNTY (SIS 5091, SACRAMENTO LAND DISTRICT - S.W.O. 5937).
2. REFUND DEPOSITS LESS EXPENSES INCURRED TO DATE OF CANCELLATION.

THE COMMISSION:

1. DETERMINES THAT IT IS TO THE ADVANTAGE OF THE STATE TO SELECT SAID FEDERAL LANDS.
2. APPROVES THE SELECTION OF SAID LANDS.

Attachment

Calendar Item 18 (2 pages)

CALENDAR ITEM

18.

SELECTION OF VACANT FEDERAL LAND, LIEU LAND APPLICATION NO. 5091, SACRAMENTO LAND DISTRICT, MENDOCINO COUNTY, HERMAN H. HOBI - S.W.O. 5937.

On October 20, 1954, an offer was received from Herman H. Hobi of Roseburg, Oregon, to purchase the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  and the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 24, and the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 35, T. 21 N., R. 16 W., M.D.M., containing a total of 120 acres in Mendocino County, for \$600, or \$5 per acre. This land may be obtained by the State from the Federal Government under the indemnity selection procedure. The State's application to select said lands was filed with the United States Bureau of Land Management on December 27, 1954.

Section 1903(b) of Title 2, Division 3, California Administrative Code (rules and regulations of the State Lands Commission), provides as follows: "In addition to this filing fee, an expense deposit shall be made in an amount sufficient to cover the costs of the commission in processing the application. This deposit shall be in the amounts specified in the separate articles hereof. Should such initial expense deposit be insufficient to cover said costs, the applicant shall deposit with the commission within 20 days following receipt of written notice, such additional sum as may be specified. Failure to so deposit shall be considered cause for cancellation of the application."

The minimum required expense deposit of \$100, of which there is a current balance of \$80.53, was submitted by the applicant at the time of filing of his original application. By letter dated June 10, 1960, the applicant was requested to submit, as a supplemental expense deposit, the sum of \$1,510, the amount estimated as needed to cover all costs for processing his application, including inspection, cruise and appraisal of a substantial amount of merchantable timber, publication, patent fees and other incidental expenses connected therewith. Two extensions, totaling 29 days, were granted to the applicant within which to deposit the additional funds. Certified return-receipt cards of the United States Postal Department show delivery of the letters. To date the applicant has not deposited the requested sum of \$1,510. It is therefore concluded that Mr. Hobi does not wish to proceed with his application, and that the Commission should order cancellation in accordance with the provisions of Section 1903(b) quoted above.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO:

1. CANCEL THE APPLICATION OF HERMAN H. HOBI TO PURCHASE, PURSUANT TO THE PROVISIONS OF SECTIONS 2400 TO 2402 INCLUSIVE OF TITLE 2, DIVISION 3, CALIFORNIA ADMINISTRATIVE CODE, THE NW $\frac{1}{4}$  OF THE NW $\frac{1}{4}$  AND THE SE $\frac{1}{4}$  OF THE NW $\frac{1}{4}$  OF SECTION 24, AND THE SW $\frac{1}{4}$  OF THE SE $\frac{1}{4}$  OF SECTION 35, T. 21 N., R. 16 W., M.D.M., CONTAINING A TOTAL OF 120 ACRES IN MENDOCINO COUNTY (SIS 5091, SACRAMENTO LAND DISTRICT - S.W.O. 5937).
2. REFUND DEPOSITS LESS EXPENSES INCURRED TO DATE OF CANCELLATION.

CALENDAR ITEM 18 (CONTD.)

IT IS RECOMMENDED ALSO THAT THE COMMISSION:

1. DETERMINE THAT IT IS TO THE ADVANTAGE OF THE STATE TO SELECT SAID FEDERAL LANDS.
2. APPROVE THE SELECTION OF SAID LANDS.