

MINUTE ITEM

18. REQUEST TO ATTORNEY GENERAL TO COLLECT DAMAGES FROM AND SECURE REMOVAL OF TRESPASS, COMMERCIAL PIER AND WHARF, MONTEREY BAY, MONTEREY COUNTY, BY WILBUR C. SANDHOLDT, MARY ELIZARETH SANDHOLDT, LUCILE SANDHOLDT FERGUSON, STANDARD OIL COMPANY, ET AL. - W.O. 3747.

After consideration of Calendar Item 2 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO REQUEST THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL NECESSARY STEPS AGAINST WILBUR C. SANDHOLDT, MARY ELIZABETH SANDHOLDT, LUCILE SANDHOLDT FERGUSON, AND STANDARD OIL COMPANY, FOR COLLECTION OF DAMAGES AND TO SECURE REMOVAL OF TRESPASS, COMMERCIAL PIER AND WHARF NOW OCCUPYING LANDS DESCRIBED AS FOLLOWS:

A STRIP OF TIDE AND SUBMERGED LAND 80 FEET WIDE IN MONTEREY BAY AT MOSS LANDING, MONTEREY COUNTY, THE CENTERLINE BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE ORDINARY HIGH WATER MARK ON THE SHORE OF MONTEREY BAY WHICH BEARS N. 44° 30' W., 65 FEET MORE OR LESS FROM STATION 13 + 42.75 ON THE THIRTEENTH COURSE OF PATENT SURVEY OF MONTEREY CITY LANDS PUEBLO TRACT NO. 3, VOLUME F OF PATENTS, PAGE 178; THENCE FROM SAID POINT OF BEGINNING N. 63° 00' W., 430 FEET, CONTAINING 0.79 ACRE MORE OR LESS.

Attachment  
Calendar Item 2 (1 page)

CALENDAR ITEM

2.

REQUEST TO ATTORNEY GENERAL TO COLLECT DAMAGES FROM AND SECURE REMOVAL OF TRESPASS, COMMERCIAL PIER AND WHARF, MONTEREY BAY, MONTEREY COUNTY, BY WILBUR C. SANDHOLDT, MARY ELIZABETH SANDHOLDT, LUCILE SANDHOLDT FERGUSON, STANDARD OIL COMPANY, ET AL. - W.O. 3747.

In March of 1960, it was determined that a wharf and pier owned and operated by Wilbur C. Sandholdt, Mary Elizabeth Sandholdt, and Lucile Sandholdt Ferguson was occupying State sovereign lands in Monterey Bay. At that time the parties were advised of the necessity of applying for a State lease. On October 7, 1960, an application for a lease was received from Wilbur C. Sandholdt and Lucile Ferguson, for:

A strip of tide and submerged land 80 feet wide in Monterey Bay at Moss Landing, Monterey County, the centerline being described as follows:

Beginning at a point on the ordinary high water mark on the shore of Monterey Bay which bears N. 44° 30' W., 65 feet more or less from Station 13 + 42.75 on the thirteenth course of Patent Survey of Monterey City Lands Pueblo Tract No. 3, Volume F of Patents, page 178; thence from said point of beginning N. 63° 00' W., 430 feet, containing 0.79 acre more or less.

The initial lease, offered to the Division to commence on October 1, 1960, was at a rental of \$197.94 per year for a term of 15 years, with renewal options. Later, a staff review of the appraisal of the subject parcel indicated that the annual rental should be \$601.43, effective May 23, 1962. Issuance of a lease was authorized by the Commission on September 27, 1962 (Minute Item 13, pages 8322, 8323).

Since that time the owners of the pier have failed to remit the rental consideration and to execute the lease for the subject parcel. It is being used by Standard Oil Company, as lessee of Sandholdt, etc., for loading and unloading petroleum products.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO REQUEST THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL NECESSARY STEPS AGAINST WILBUR C. SANDHOLDT, MARY ELIZABETH SANDHOLDT, LUCILE SANDHOLDT FERGUSON, AND STANDARD OIL COMPANY, FOR COLLECTION OF DAMAGES AND TO SECURE REMOVAL OF TRESPASS, COMMERCIAL PIER AND WHARF NOW OCCUPYING LANDS DESCRIBED AS FOLLOWS:

A STRIP OF TIDE AND SUBMERGED LAND 80 FEET WIDE IN MONTEREY BAY AT MOSS LANDING, MONTEREY COUNTY, THE CENTERLINE BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE ORDINARY HIGH WATER MARK ON THE SHORE OF MONTEREY BAY WHICH BEARS N. 44° 30' W., 65 FEET MORE OR LESS FROM STATION 13 + 42.75 ON THE THIRTEENTH COURSE OF PATENT SURVEY OF MONTEREY CITY LANDS PUEBLO TRACT NO. 3, VOLUME F OF PATENTS, PAGE 178; THENCE FROM SAID POINT OF BEGINNING N. 63° 00' W., 430 FEET, CONTAINING 0.79 ACRE MORE OR LESS.

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