

MINUTE ITEM

21. ANNEXATION OF AREAS UNDER LEASE P.R.C. 618.1, AMERICAN SMELTING AND REFINING COMPANY TO EAST BAY MUNICIPAL UTILITY DISTRICT - W.O. 2400.42, P.R.C. 618.1.

After consideration of Calendar Item 11 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO EXECUTE A FORM OF PETITION FOR ANNEXATION TO THE EAST BAY MUNICIPAL UTILITY DISTRICT OF THE AREA OF TIDE AND SUBMERGED LANDS IN CARQUINEZ STRAITS, CONTRA COSTA COUNTY, CONTAINED IN LEASE P.R.C. 618.1, ISSUED TO AMERICAN SMELTING AND REFINING COMPANY.

Attachment

Calendar Item 11 (1 page)

CALENDAR ITEM

11.

ANNEXATION OF AREAS UNDER LEASE P.R.C. 618.1, AMERICAN SMELTING AND REFINING COMPANY TO EAST BAY MUNICIPAL UTILITY DISTRICT - W.O. 2400.42.

The American Smelting and Refining Company is a lessee of the State of California under lease P.R.C. 618.1. This lease covers an area of tide and submerged lands in Carquinez Strait, Contra Costa County. The applicant desires to have the area covered by the lease annexed to the East Bay Municipal Utility District in order to get the benefit of the services provided by it. Since no adverse effects to the State can result from annexation of the area to the East Bay Municipal Utility District, and annexation will assist the State's lessee in its operation, it is believed that the annexation should be approved.

In a similar instance relating to another lessee of the State, to wit, California-Hawaiian Sugar Refining Corporation, the State Lands Commission approved such annexation on August 20, 1951 (Minute Item 1, page 1417). The form of the present petition is similar to the one approved at that time by the office of the Attorney General.

IT IS RECOMMENDED THAT THE COMMISSION AUTHCRIZE THE EXECUTIVE OFFICER TO EXECUTE A FORM OF PETITION FOR ANNEXATION TO THE EAST BAY MUNICIPAL UTILITY DISTRICT OF THE AREA OF TIDE AND SUBMERGED LANDS IN CARQUINEZ STRAITS, CONTRA COSTA COUNTY, CONTAINED IN LEASE P.R.C. 618.1, ISSUED TO AMERICAN SMELTING AND REFINING COMPANY.