

MINUTE ITEM

1/24/67

37. AUTHORIZATION FOR SETTLEMENT OF CLAIM BY THE STATE OF CALIFORNIA TO COLLECT ROYALTY ON UNAUTHORIZED REMOVAL OF MATERIAL FROM STEAMBOAT SLOUGH, SACRAMENTO COUNTY, BY E. J. SIMPSON - W.O. 2875.44.

After consideration of Calendar Item 17 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ACCEPT THE SUM OF \$200.00 AS PAYMENT IN FULL SETTLEMENT OF THE TRESPASS CLAIM AGAINST MR. E. J. SIMPSON FOR THE REMOVAL OF APPROXIMATELY 2,000 CUBIC YARDS OF MATERIAL FROM STATE SOVEREIGN LAND WITHIN THE BED OF STEAMBOAT SLOUGH AND PLACEMENT UPON PRIVATE PROPERTY.

Attachment

Calendar Item 17 (1 page)

17.

AUTHORIZATION FOR SETTLEMENT OF CLAIM BY THE STATE OF CALIFORNIA TO COLLECT ROYALTY ON UNAUTHORIZED REMOVAL OF MATERIAL FROM STEAMBOAT SLOUGH, SACRAMENTO COUNTY, BY E. J. SIMPSON - W.O. 2875.44.

While appraising State land in the vicinity of Steamboat Slough, Sacramento County, it was discovered that during the latter part of 1964, material had been removed from State sovereign land in the bed of Steamboat Slough and deposited to a depth of two feet upon adjacent private property owned by Mr. E. J. Simpson, without authorization from the State Lands Division.

Mr. Simpson, upon being contacted and informed of the trespass, stated that he was not aware that he was trespassing upon State property and that a clear property line had never been fixed from the original swamp lands survey. Mr. Simpson further stated that as nearly as he could estimate he had removed approximately 2,000 cubic yards from the slough and would be willing to pay the State \$0.10 per cubic yard for that taken.

The State Lands Division has inspected the property and determined that the estimate of 2,000 cubic yards taken is reasonably accurate. The charge of \$0.10 per cubic yard for the subject type of material (gray, silty slough mud) is also reasonable.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO ACCEPT THE SUM OF \$200.00 AS PAYMENT IN FULL SETTLEMENT OF THE TRESPASS CLAIM AGAINST MR. E. J. SIMPSON FOR THE REMOVAL OF APPROXIMATELY 2,000 CUBIC YARDS OF MATERIAL FROM STATE SOVEREIGN LAND WITHIN THE BED OF STEAMBOAT SLOUGH AND PLACEMENT UPON PRIVATE PROPERTY.