

15. TERMINATION OF LEASE P.R.C. 1998.1 COVERING LEASEHOLD INTEREST OF THE ESTATE OF MERLE Q. BAKER, DECEASED, SUTTER COUNTY - W.O. 8003.

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

THE COMMISSION TERMINATES LEASE P.R.C. 1998.1 EFFECTIVE SEPTEMBER 15, 1966, ON THE GROUNDS OF ABANDONMENT AND NONPAYMENT OF RENT, AND AUTHORIZES EXECUTION OF A NOTICE OF TERMINATION OF LEASE COVERING THE LEASEHOLD INTEREST OF THE ESTATE OF MERLE Q. BAKER, DECEASED, OR HIS SUCCESSORS IN INTEREST, AND FILE SAME WITH THE RECORDER OF SUTTER COUNTY.

Attachment

Calendar Item 18 (1 page)

CALENDAR ITEM

4/69
W.O. 8003

18.

TERMINATION OF LEASE P.R.C. 1998.1

ORIGINAL LESSEES: Carl Jensen and George Pratt.

ASSIGNEE: Merle Q. Baker, now deceased.

LOCATION: A 1/3-acre parcel of submerged land along left bank of the Sacramento River near Verona, Sutter County.

LAND USE: The lease authorized use and maintenance of a barge and two floating docks. However, a site inspection on January 8, 1968, showed the leased area abandoned except for some broken floats lying partially submerged against the levee.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years, from September 16, 1957.
Renewal options: 2 additional periods of 10 years each.
Surety bond: None.

CONSIDERATION AS AGREED TO:

\$100 per annum with last year's rent paid in advance.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Pt. 2, Ch. 1, Secs. 6501-09.
- b. Administrative Code: Title 2, Div. 3, Secs. 2000-11.

OTHER PERTINENT INFORMATION:

Mr. Merle Q. Baker, who died in 1966, was the State's lessee by assignment. His successor in interest is unknown. Attempts to locate his widow have been unsuccessful.

A staff investigation indicated that the leased land had not been used since 1965.

The nonrefundable last year's rent which was paid in advance on execution of the lease is considered to have satisfied delinquent rent for the period September 16, 1965, to September 15, 1966.

The lease terms are considered breached by abandonment and nonpayment of rent, and an effective termination date of September 16, 1966, is recommended because it is the due date of rental. An exact date of abandonment cannot be determined.

EXHIBIT: A. Location map.

IT IS RECOMMENDED THAT THE COMMISSION TERMINATE LEASE P.R.C. 1998.1 EFFECTIVE SEPTEMBER 16, 1966, ON THE GROUNDS OF ABANDONMENT AND NONPAYMENT OF RENT, AND AUTHORIZE EXECUTION OF A NOTICE OF TERMINATION OF LEASE COVERING THE LEASEHOLD INTEREST OF THE ESTATE OF MERLE Q. BAKER, DECEASED, OR HIS SUCCESSORS IN INTEREST, AND FILE SAME WITH THE RECORDER OF SUTTER COUNTY.

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