

MINUTE ITEM

5/27/71  
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23. TERMINATION OF MINERAL EXTRACTION LEASE PRC 3502.1 BETWEEN THE STATE OF CALIFORNIA AND NORTHERN CALIFORNIA AGGREGATES; SONOMA COUNTY - PRC 3502.1.

During consideration of Calendar Item 22 attached, Mrs. Virginia Hechtman appeared and thanked the Commission for cancelling Lease PRC 3502.1.

UPON MOTION DULY MADE AND CARRIED, THE FOLLOWING RESOLUTION WAS ADOPTED:

THE STATE LANDS COMMISSION AUTHORIZES THE EXECUTION OF THE AGREEMENT OF TERMINATION AND AGREEMENT OF RESTORATION, ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, AND FINDS THAT SAID AGREEMENTS COMPLY WITH THE CONDITIONS OF TERMINATION OF MINERAL EXTRACTION LEASE PRC 3502.1 BETWEEN THE STATE LANDS COMMISSION AND NORTHERN CALIFORNIA AGGREGATES AS SPECIFIED BY THE STATE LANDS COMMISSION AT ITS REGULAR MEETING ON APRIL 29, 1971, AND ALSO AUTHORIZES THE EXECUTION OF ANY OTHER REQUIRED DOCUMENTS.

Attachment:

Calendar Item 22 (1 page)

CALENDAR ITEM

5/71  
DJE

22.

TERMINATION OF MINERAL EXTRACTION LEASE PRC 3502.1 BETWEEN THE STATE OF CALIFORNIA AND NORTHERN CALIFORNIA AGGREGATES; SONOMA COUNTY - PRC 3502.1.

At its regular meeting on April 29, 1971, the State Lands Commission authorized the Executive Officer and the Office of the Attorney General to negotiate termination of Lease PRC 3502.1 (for extraction of minerals from the Russian River near Jenner) between the State of California and Northern California Aggregates upon the following general terms and conditions:

1. The State shall retain all lands heretofore conveyed to the State by the escrow agent pursuant to the terms of said lease.
2. The State shall release to the lessee any options it may have with regard to the lands, deeds to which have been deposited in escrow by the lessee's predecessor in interest pursuant to the terms of said lease.
3. The lessee shall restore the leased premises and adjacent public lands in accordance with the conditions set forth in said lease to the extent that such restoration can be accomplished under existing reasonably available permits from public agencies necessary to accomplish said restoration.
4. Such other terms and conditions which the Office of the Attorney General and the Executive Officer deem necessary to, or consistent with, the protection of the State's interest.

Any agreement so negotiated shall be subject to final approval by the State Lands Commission, by the Director of Parks and Recreation, and by the Secretary of the Resources Agency.

The termination of said lease has been negotiated, and an Agreement of Termination and an Agreement of Restoration that comply with the above terms and conditions have been prepared by the Office of the Attorney General.

Exhibit "B" to the subject lease contains certain provisions for the protection of State Highways 1 and 116 for the benefit of the Division of Highways, Department of Public Works. When consulted about the provisions contained in Exhibit "B" of said lease, the Division of Highways requested the insertion of certain language into the Agreement of Restoration, and requested that the Director of Public Works be empowered to approve said Agreement. These conditions have been incorporated into the Agreement of Restoration.

IT IS RECOMMENDED THAT THE STATE LANDS COMMISSION AUTHORIZE THE EXECUTION OF THE AGREEMENT OF TERMINATION AND AGREEMENT OF RESTORATION, ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, AND FIND THAT SAID AGREEMENTS COMPLY WITH THE CONDITIONS OF TERMINATION OF MINERAL EXTRACTION LEASE PRC 3502.1 BETWEEN THE STATE LANDS COMMISSION AND NORTHERN CALIFORNIA AGGREGATES AS SPECIFIED BY THE STATE LANDS COMMISSION AT ITS REGULAR MEETING ON APRIL 29, 1971.