

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED RESCINDING THE ACTION OF OCTOBER 29, 1947, (MINUTE ITEM NO. 6) WHICH GAVE AUTHORITY TO ISSUE A RIGHT OF WAY EASEMENT TO THE MALIBU QUARTERDECK IMPROVEMENT COMPANY FOR 15 YEARS ON STATE TIDE AND SUBMERGED LANDS AT MALIBU BEACH, LOS ANGELES COUNTY.

24. (SALE OF VACANT FEDERAL LANDS OBTAINED THROUGH USE OF BASE, LOS ANGELES LAND DISTRICT, LOS ANGELES COUNTY, PAUL HERBOLD) The Commission was informed that on March 24, 1947, authorization was given for the selection from the Federal Government of the N $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 14, T. 4 N., R. 13 W., S.B.M., containing 80 acres in Los Angeles County, and the sale thereof to Mr. Paul Herbold at a cash price of \$6.00 per acre, subject to all statutory reservations including minerals.

Mr. Herbold has never complied with the requirements with respect to this selection and the indemnity filing with the Federal Government has never been made.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED RESCINDING THE ACTION OF THE COMMISSION AUTHORIZING THE SELECTION OF THE N $\frac{1}{2}$ OF NE $\frac{1}{4}$ OF SECTION 14, T. 4 N., R. 13 W., S.B.M., BY REASON OF FAILURE OF THE APPLICANT MR. PAUL HERBOLD TO CONFORM TO STATUTORY REQUIREMENTS.

25. (ASSIGNMENT OF MINERAL LEASE NO. P.R.C. 224, INYO COUNTY, MR. MERLE F. OTTO - W.O. 635) The Commission was informed that an application has been received pursuant to Mineral Lease P.R.C. 224, from Mr. Merle F. Otto, Lessee on 40 acres in Section 36, T. 23 S., R. 42 E., M.D.B. & M., Inyo County, for approval of a conditional assignment to Mr. Russell A. Donnelly of Los Angeles.

An option to purchase the lease through installment payments has been given to Mr. Donnelly by Mr. Otto, subject to approval by the Commission of the assignment of the lease. Mineral Lease No. P.R.C. 224 was issued June 12, 1947, for a term of twenty years for the extraction and processing of gold, silver and other valuable metallic minerals, and provides in part that the Lessee shall not transfer nor assign the lease and shall not sublet said land or any part thereof except upon the prior written consent of the State first had and obtained.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO APPROVE THE ASSIGNMENT OF MINERAL LEASE P.R.C. 224 FROM MR. MERLE F. OTTO TO MR. RUSSELL A. DONNELLY SUBJECT TO THE FOLLOWING CONDITIONS:

1. MINERAL LEASE P.R.C. 224 IS TO BE AMENDED BY MUTUAL CONSENT OF THE RESPECTIVE PARTIES TO PROVIDE THAT THERE SHALL BE PERFORMED UNDER THE LEASE A MINIMUM OF 720 SHIFTS OF WORK EACH YEAR.

2. THE OPTION TO PURCHASE THE SUBJECT LEASE P.R.C. 224 IS TO BE EXERCISED BY MR. RUSSELL A. DONNELLY ON OR BEFORE JULY 29, 1950.

3. ALL LEASE RESPONSIBILITY IS TO BE RETAINED IN FULL BY MR. MERLE F. OTTO UNTIL FINAL COMPLETION OF THE LEASE SALE.

4. UPON COMPLETION OF THE LEASE SALE MR. RUSSELL A. DONNELLY IS TO DEPOSIT THE PERFORMANCE BOND OF \$1,000. REQUIRED BY LEASE P.R.C. 224.

26. (WURZ VS. STATE, NAPA COUNTY SUPERIOR COURT NO. 11838, QUIET TITLE ACTION AGAINST VACANT STATE SWAMP LANDS - W.O. 560) The Commission was informed that this action was brought by Louis O. and Anna I. Wurz pursuant to authority of Stats. 1949, Chapter 844. The 44.23 acre parcel of land claimed by plaintiffs included approximately 22.5 acres of land patented to the State as swamp lands,