

of the State and the latter has delegated to the State Lands Commission, under the provisions of Section 126 of the Government Code, the authority to execute such approval.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, THE EXECUTIVE OFFICER IS AUTHORIZED AND DIRECTED TO CONDUCT THE REQUISITE HEARINGS, PURSUANT TO SECTION 126 OF THE GOVERNMENT CODE AND UNDER THE RULES AND REGULATIONS OF THE COMMISSION, ON AN APPLICATION BY THE SECRETARY OF THE DEPARTMENT OF AGRICULTURE FOR APPROVAL OF ACQUISITION OF A NATIONAL FOREST AREA IN SECTIONS 17 AND 18, T. 12 N., R. 2 E., H. M., IN HUMBOLDT COUNTY, CALIFORNIA, THE HEARINGS TO BE HELD AT SUCH TIME AND PLACE AS MAY BE DETERMINED BY THE EXECUTIVE OFFICER, AND THE PROCEEDINGS AND DETERMINATIONS OF SUCH HEARINGS TO BE REPORTED TO THE COMMISSION FOR FINAL CONSIDERATION AND ACTION.

5. (KEY SYSTEM PROPERTY ADJOINING LAKE MERRITT, OAKLAND, ALAMEDA COUNTY, W. O. 727 - QUIET TITLE ACTION, COUNTY OF ALAMEDA, CASE NO. 228089) A complaint to quiet title has been filed against the State by the Alameda County-East Bay Title Insurance Company, the property involved being located in the vicinity of Lake Merritt, Oakland, California, and comprises approximately 0.694 acres of land within an area bounded by East 18th Street, 3d Avenue, Foothill Boulevard, and 2d Avenue. This property has been occupied by the Key System Transit Lines since about 1906 and is now under contract for sale. Advice has been received that the title companies in the area refuse to issue a policy of title insurance due to the possibility of a claim by the State on the grounds that the land in question was a part of tidelands and thus sovereign lands of the State.

The Attorney General of California has recently filed an Answer to the Complaint denying in full the claims of Plaintiff on the ground that the lands were reclaimed from tide and submerged lands covered by the Estuary of San Antonio, of which Lake Merritt was originally a part. Representatives of the Key System Transit Lines and of the Alameda County-East Bay Title Insurance Company have conferred with the Division of State Lands with a view to effecting a settlement promptly because of the imminence of the expiration date of the sale contract. Results to date indicate that procedures similar to those followed in the Marin Meadows Ranch Case in 1945, No. 16468, in the Superior Court of the State of California, Marin County, might result in a practical solution. These procedures involve the drafting and execution of a compromise agreement and a stipulation for Judgment to be approved by the Governor and a final Judgment and Decree by the Court. Plaintiff has agreed orally to the payment to the State of the sum of \$5,000 as a part and on account of a compromise settlement. The Deputy Attorney General handling this case for the State, Miss Miriam E. Wolff, has approved this procedure orally.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO NEGOTIATE AND EXECUTE A COMPROMISE AGREEMENT WITH THE PLAINTIFFS AND THE PRESENTLY ALLEGED OWNERS OF THE PROPERTY UNDER WHICH A COMPROMISE BOUNDARY LINE FOR SOVEREIGN LANDS IN LAKE MERRITT WILL BE FIXED ACCEPTABLE TO ALL PARTIES INVOLVED, SAID AGREEMENT TO REQUIRE PAYMENT TO THE STATE OF CALIFORNIA OF THE SUM OF \$5,000 AS A PART AND ON ACCOUNT OF THE SETTLEMENT AND TO BE APPROVED BY THE GOVERNOR OF THE STATE AND THE CHAIRMAN OF THE STATE LANDS

COMMISSION, AND BY THE ATTORNEY GENERAL AS TO FORM, AND FURTHER THAT SAID CONTRACT BE MADE A PART OF COURT PROCEEDINGS IN THE SUPERIOR COURT OF THE COUNTY OF ALAMEDA, CASE NO. 228089.

6. (GOVERNMENT CODE SECTION 126 HEARINGS - W. O. 480, 481, 482) The Commission was informed that hearings were scheduled in connection with the acquisition of sites by the United States of lands in the State of California known as the U. S. Naval Air Station (Alameda Air Base, W. O. 480), the U. S. Naval Supply Center (Oakland Depot, W. O. 481), and the U. S. Naval Fuel Annex (Richmond Depot, W. O. 482), for 9 A. M., at the Alameda Air Station, on October 24, 1950.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE ASSISTANT EXECUTIVE OFFICER TO CONDUCT THE REQUISITE HEARINGS, PURSUANT TO SECTION 126 OF THE GOVERNMENT CODE AND UNDER THE RULES AND REGULATIONS OF THE COMMISSION, ON APPLICATION OF THE SECRETARY OF THE NAVY FOR APPROVAL OF ACQUISITION BY THE UNITED STATES OF THE ALAMEDA AIR BASE U. S. NAVAL SUPPLY CENTER AND THE RICHMOND DEPOT (FUEL), WHICH HEARINGS WERE AUTHORIZED BY THE COMMISSION AT ITS MEETING HELD ON JULY 26, 1949. SAID HEARINGS ARE TO BE HELD IN OAKLAND ON OCTOBER 24, 1950. THE PROCEEDINGS AND DETERMINATIONS OF SUCH HEARINGS ARE TO BE REPORTED TO THE COMMISSION FOR FINAL CONSIDERATION AND ACTION.

There being no further business to come before the Commission, the meeting was adjourned.