

MINUTE ITEM

36. AUTHORIZATION FOR EXECUTIVE OFFICER TO EXECUTE STIPULATION, PACIFIC GAS AND ELECTRIC COMPANY v. COUNTY OF SAN MATEO, ET AL., SAN MATEO SUPERIOR COURT NO. 80503 - W.O. 503.300, P.R.C. 2652.1.

After consideration of Calendar Item 11 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO EXECUTE THE STIPULATION IN PACIFIC GAS AND ELECTRIC COMPANY v. COUNTY OF SAN MATEO, ET AL., SAN MATEO SUPERIOR COURT NO. 80503, EXTENDING THE INTERIM OCCUPANCY OF CERTAIN STATE LANDS BY PACIFIC GAS AND ELECTRIC COMPANY TO DECEMBER 31, 1966.

Attachment

Calendar Item 11 (1 page)

CALENDAR ITEM

11.

AUTHORIZATION FOR EXECUTIVE OFFICER TO EXECUTE STIPULATION, PACIFIC GAS AND ELECTRIC COMPANY v. COUNTY OF SAN MATEO, ET AL., SAN MATEO SUPERIOR COURT NO. 80503 - W.O. 503.300, P.R.C. 2652.1.

Pacific Gas and Electric Company v. County of San Mateo, et al., is a condemnation action filed June 16, 1958, for lands needed by P.G.& E. for its Bair Substation. A 0.53-acre parcel required for the P.G.& E. installation is presently owned by the State, but is proposed to be conveyed to Leslie Salt Co. pursuant to an exchange transaction authorized by Chapter 1885, Statutes of 1959. By an agreement dated October 12, 1960, executed by all parties in this case and incorporated in a stipulation dated March 10, 1961, the State allowed P.G.& E. to take immediate possession, and P.G.& E. is holding the condemnation action in abeyance, pending the consummation of the exchange between the State and Leslie Salt Co.

The quiet title action provisions of Chapter 1885, Statutes of 1959, anticipated that the exchange transaction would be consummated on or before December 31, 1962. The P.G.& E. occupancy agreement terminating on December 31, 1962 was extended by stipulation to terminate on December 31, 1964. The resolution of legal problems involved in the exchange transaction occasioned the original extension. It was then anticipated that the Leslie Salt Co.-State Exchange would be completed by December 31, 1964. However, owing to the necessity for a public hearing on this matter, it is not possible to consummate the exchange until some time in 1965 or 1966.

Under the original possession agreement, P.G.& E. agreed to pay to the State \$330 per year for its temporary occupancy. P.G.& E. is presently in possession. It is in the best interest of the State that this interim occupancy be extended on the same terms until such time as the Leslie Salt Co. exchange can be completed. A stipulation extending the occupancy of P.G.& E. from December 31, 1964, to December 31, 1966, but changing no other terms of the agreement, has been prepared. It is the advice of the Attorney General that the State enter into said stipulation.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE THE STIPULATION IN PACIFIC GAS AND ELECTRIC COMPANY v. COUNTY OF SAN MATEO, ET AL., SAN MATEO SUPERIOR COURT NO. 80503, EXTENDING THE INTERIM OCCUPANCY OF CERTAIN STATE LANDS BY PACIFIC GAS AND ELECTRIC COMPANY TO DECEMBER 31, 1966.