

MINUTE ITEM

This Calendar Item No. 35 was approved as Minute Item No. 35 by the State Lands Commission by vote of 9 to 0 at its 6-27-79 meeting.

CALENDAR ITEM

35.

6/79
W 30010
Kiley

SETTLEMENT OF POTENTIAL CLAIM
BOULDIN ISLAND, SAN JOAQUIN COUNTY

During October 1978, the Commission's navigation hazard removal project removed certain offshore pilings adjacent to Bouldin Island, near the mouth of the Mokelumne River. These pilings were considered hazardous to navigation, and were removed. Following a complaint by Tim Leathers, Vice President of Bouldin Farming Company and President of Reclamation District No. 756, regarding removal of the pilings, an investigation was made by staff which revealed that the pilings were originally installed as part of the levee building.

Staff negotiated a settlement of \$11,400 as settlement in full of the Company and the District's claims. The District has also returned a signed release prepared by staff counsel, which is contingent on payment of the amount of the settlement award.

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE PAYMENT OF \$11,400 TO RECLAMATION DISTRICT NO. 756 AND THE BOULDIN FARMING COMPANY AS CONSIDERATION OF A FULL RELEASE BY RECLAMATION DISTRICT NO. 756 AND THE BOULDIN FARMING COMPANY IN SETTLEMENT OF ANY CLAIM FOR PILINGS REMOVED ADJACENT TO BOULDIN ISLAND, SAN JOAQUIN COUNTY.

