

AT SUCH TERMS AND CONDITIONS AS SHALL BE SET BY THE STATE AT TIME OF RENEWAL, AND UPON ISSUANCE OF THE LEASE THE SHELL OIL COMPANY, SHALL BE REQUIRED TO FILE A PERFORMANCE BOND OR EQUIVALENT IN AN AMOUNT OF \$50,000.00 TO GUARANTEE PERFORMANCE UNDER THE LEASE.

5. (APPROVAL OF SUBLEASE UNDER P.R.C. 502, CRESCENT CITY HARBOR DISTRICT) The Commission was informed as follows: The Crescent City Harbor District has filed with the Commission for approval pursuant to Section 14 of P.R.C. 502 sublease to be entered into between the Harbor District and the River Terminals Company. The latter company proposed to build a pipe line for receipt of shipments of petroleum products in Crescent City Harbor, which line will cross State tide and submerged lands under lease in P.R.C. 502.

There are only two provisions of the proposed sublease upon which it is necessary that the Commission give approval. These are as follows:

1. Term of lease. The River Terminals Company sublease provides for the term to be from August 1, 1950, to December 31, 1983, or 33 years. The State lease from the Commission to the Harbor District calls for a 15 year term with right of renewal upon such terms and conditions as shall be fixed by the State at time of renewal.
2. P.R.C. 502 requires that permission be obtained from the adjacent upland owner in order to build facilities upon the State lands to be subleased. The Harbor District advises that they have under condemnation the upland adjacent to the submerged land to be used by the River Terminals Company but that the condemnation has not been concluded by the Court. The Court has given the Crescent City Harbor District an order of immediate possession to the contiguous upland adjacent to that described in the sublease. In the meantime the Crescent City Harbor District is negotiating to settle the condemnation with the owners of the upland.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO APPROVE THE SUBLEASE FILED WITH THE COMMISSION AND DATED JUNE 21, 1950, BY AND BETWEEN THE CRESCENT CITY HARBOR DISTRICT AND THE RIVER TERMINALS COMPANY SUBJECT TO THE CONDITION THAT THE STATE RESERVES THE RIGHT TO TERMINATE THIS APPROVAL IN THE EVENT THE CRESCENT CITY HARBOR DISTRICT FAILS TO ACQUIRE FEE TITLE TO THE UPLAND OVER WHICH THE RIVER TERMINALS COMPANY PIPE LINES ARE TO BE BUILT, OR DOES NOT OBTAIN A LEASE OR OTHER USER RIGHT OR OTHERWISE SATISFY THE REQUIREMENTS OF PARAGRAPH 12 OF P.R.C. 502, THE APPROVAL TO BE FURTHER SUBJECT TO ALL OF THE CONDITIONS OF THIS LEASE TERM BETWEEN THE STATE AND THE HARBOR COMMISSION.

6. (APPLICATION FOR ASSIGNMENT MINERAL LEASE P.R.C. 382, J. E. HICKS) The Commission was informed that an application has been received from Insulation, Inc., a California Corporation, for the assignment of Mineral Lease P.R.C. 382 from Mr. J. E. Hicks to said corporation, said lease having been issued July 6, 1950, covering extraction of perlite and other non-metallic minerals from the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 36, T. 31 S., R. 14 E., M.D.B. & N., containing 40 acres.

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. 382