

The fourth requirement is that the Commission must have found and declared that such acquisition is in the interest of the State. According to testimony received, the Personnel Center at Camp Stoneman employs a large number of civilians permanently and houses temporarily even greater numbers of military personnel all of whom through local purchases and otherwise contribute materially to the economy of the State. The installation is an integral and an important part of the national defense program and it is in the interest of the State.

It is concluded that all four conditions requisite to a declaration of the State Lands Commission have thus been met.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, THE STATE LANDS COMMISSION DETERMINES, WITH RESPECT TO THOSE CERTAIN LANDS ACQUIRED AND NOW USED BY THE DEPARTMENT OF THE ARMY OF THE UNITED STATES FOR THE CAMP STONEMAN PERSONNEL CENTER IN CONTRA COSTA COUNTY, CALIFORNIA, SAID LANDS BEING DESCRIBED AS FOLLOWS:

Seven parcels of land comprising 1840.46 acres, more or less, located in Township 2 North, Ranges 1 East and 1 West, Mount Diablo Base and Meridian, Contra Costa County, California, used in connection with a military reservation officially designated Camp Stoneman, said parcels being Camp Stoneman proper, the Rifle Range, Wharf Facilities Area, Sewage Disposal Site, Reservoir Site, and two small railroad spur track sites. The Camp proper is bounded by California Avenue (a county road) on the north, Pittsburgh Railroad (abandoned) on the east, Contra Costa Canal on the south, and Kirker Road on the west, with all other parcels located near-by except the Wharf Facilities Area, which is located on New York Slough near Harbor Street and the Atchison, Topeka and Santa Fe Railroad right-of-way in the City of Pittsburgh. Said lands having been acquired by the United States of America by deeds dated 7 January 1943, recorded in Book 652, Page 40; 18 March 1943, recorded in Book 700, Page 86; 6 April 1943, recorded in Book 739, Page 438; 25 January 1947, recorded in Book 903, Page 244, Official records of Contra Costa County, California; and by Condemnation Actions in the U. S. District Court for the Southern Division, Northern District of California, as follows: Civil No. 22073-R, filed 17 February 1943; Civil No. 22654-S, filed 3 June 1943; Civil No. 27368-H, filed 25 June 1947; and Civil No. 27367-R, filed 13 June 1947;

THAT THE CONDITIONS PRESCRIBED IN SUBDIVISIONS (a), (b) AND (c) OF SECTION 126 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA HAVE BEEN FOUND TO HAVE OCCURRED AND TO EXIST AND THAT SUCH ACQUISITION IS IN THE INTEREST OF THE STATE; THE STATE LANDS COMMISSION DIRECTS THE EXECUTIVE OFFICER TO FILE CERTIFIED COPIES OF THIS FINDING IN THE OFFICE OF THE SECRETARY OF STATE AND TO HAVE THEM RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CONTRA COSTA.

34. (LEASE NO. P.R.C. 138, THE ROMEO COMPANY - W.O. 248) The Commission was informed as follows: On May 5, 1944, in accordance with Commission authorization Lease P.R.C. 138 was let to the Romeo Company for approximately one-quarter acre of tide and submerged lands located at Princeton in San Mateo County. The lease provided for rentals to be paid the State on a quarterly basis, in the amount of \$90.00, plus a royalty of one-quarter cent per gross pound on all fish or fish products unloaded upon the wharf or dockage located on the demised premises.

Accounting records on this lease are replete with cases of delinquencies in the

payment of rentals when due. In November of 1948, Mr. Joe Romeo of the Romeo Company began an agitation to have the rental rate under his lease reduced. He supported his request with a claim that the rent paid by him was exorbitant as compared with other lease holdings from the State in the same area.

After investigation, the Division of State Lands concluded that his case had some merit, however, upon seeking advice from the Attorney General as to a means of reducing the rental, the Division was advised informally that any such reduction appeared to be in violation of Article 4, Section 31 of the Constitution.

While the investigation and negotiation of a possible reduction in rental was being carried forward, Mr. Romeo evidently came to the conclusion that he would make no further rental payments under the lease. He ignored requests for payment of the 23rd quarterly rental due November 5, 1949, and subsequently the 24th quarterly rental due February 5, 1950, and a further request from the office of the Attorney General made by registered mail April 18, 1950, for the payment of the past due rentals. Since that time the 25th and 26th quarterly rentals due May 5 and August 5, 1950, have also become delinquent. Mr. Romeo's attitude in the matter appears to be wilful in that he was advised by the Division of State Lands that rental payments must be made when due to keep his lease in good standing even though negotiations were in progress to afford his relief from what he claimed were unjust lease terms.

The Division of State Lands has also been advised by the surety company guaranteeing the Romeo Company's bond (issued on a year to year basis) that they would issue no continuation certificate beyond May 5, 1950. The reason for this action being "failure of the principal to comply with requirements".

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO CANCEL LEASE NO. P.R.C. 138 ISSUED TO THE ROMEO COMPANY, FOR FAILURE TO COMPLY WITH THE TERMS OF PARAGRAPH 2 OF THE LEASE AGREEMENT AND SPECIFICALLY FOR NON-PAYMENT AFTER REPEATED DEMANDS OF THE 23RD, 24TH AND 25TH, AND 26TH, QUARTERLY RENTALS IN THE AMOUNT OF \$90.00 EACH AS DUE UNDER TERMS OF THE AGREEMENT, NOVEMBER 5, 1949, FEBRUARY 5, 1950, MAY 5, 1950, AND AUGUST 5, 1950, SAID CANCELLATION TO BE EFFECTIVE NOVEMBER 5, 1949, AND THAT THE EXECUTIVE OFFICER BE DIRECTED BY THE STATE LANDS COMMISSION TO NOTIFY THE OFFICE OF THE ATTORNEY GENERAL OF THIS ACTION AND REQUEST THAT THE ATTORNEY GENERAL TAKE WHATEVER STEPS ARE NECESSARY TO EFFECT SURRENDER OF THE DEMISED PREMISES FREE OF STRUCTURES.

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