

MINUTE ITEM

This Calendar Item No. 42
was approved as Minute Item
No. 42 by the State Lands
Commission by a vote of 3
to 0 at its 9-26-79
meeting.

CALENDAR ITEM

42.

AUTHORIZATION FOR SUIT FOR
DAMAGES FOR TRESPASS

9/79
WP 3889
Pinson

PRC 3889

PROSPECTIVE DEFENDANT:

Charles W. Beeler and/or
Placerton, Inc., A California Corporation
1177 California Street
Suite 623
San Francisco, California 94108

AREA, TYPE LAND AND LOCATION:

5.933 acres of tide and submerged land,
Suisun Slough, Suisun City, County of Solano.

BACKGROUND:

On February 25, 1968, the Commission issued
a lease to Jack Campbell dba Campbell
Construction and Equipment Co., to operate
a commercial marina on the subject land.
Mr. Campbell is now deceased and Campbell
Construction Co. was dissolved in March
1977.

On March 9, 1973, Placerton, Inc., Charles W.
Beeler, President was granted a deed from
a foreclosure sale of uplands adjacent
to the subject sovereign lands.

On or about February 26, 1976, Placerton,
Inc., took over operation of the marina
on the subject lands.

CURRENT SITUATION:

The Commission staff diligently attempted
to bring Placerton, Inc. and/or Mr. Beeler
under lease for their use of the State's
land, but was not successful. The staff
contacted Placerton, Inc. and Mr. Beeler
on numerous occasions, but no lease was
ever consummated.

On or about March 31, 1978, Placerton was
ousted from possession of the uplands by
those who had purchased lands at a tax
sale.

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CALENDAR ITEM NO. 42 (CONTD)

On January 22, 1979, the staff contacted Mr. Paul Steiner, attorney for Placerton, Inc. and Mr. Beeler, stating that Placerton owed the State rent for the period February 26, 1976 through March 31, 1978, because of Placerton's possession of the subject land.

On January 25, 1979, the staff sent a letter to Mr. Steiner specifying the amount of the rent claimed.

The staff sent a revised letter to Mr. Steiner on August 10, 1979, indicating a new rental request of \$27,610.66 (based on a new appraisal of the subject land, covering the period Placerton occupied said lands). Mr. Steiner was given 30 days to respond.

The staff has received no response from Mr. Steiner, Mr. Beeler or Placerton, Inc., regarding the claim for rent.

The staff is presently negotiating a lease with the present owner of the uplands, Mr. Robert E. Griffin.

There is currently litigation between Placerton, Inc., and the purchasers of the uplands at the tax sale, regarding the title to said uplands and the right to possession of the subject property. (Superior Court, County of Solano, case no. 73328).

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE STAFF OF THE STATE LANDS COMMISSION AND/OR THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL STEPS NECESSARY, INCLUDING LITIGATION, IN ORDER TO COLLECT DAMAGES FROM PLACERTON, INC., AND/OR CHARLES W. BEELER, FOR THE OCCUPATION OF ON STATE-OWNED TIDE AND SUBMERGED LANDS IN THE BED OF SUISUN SLOUGH, SOLANO COUNTY.

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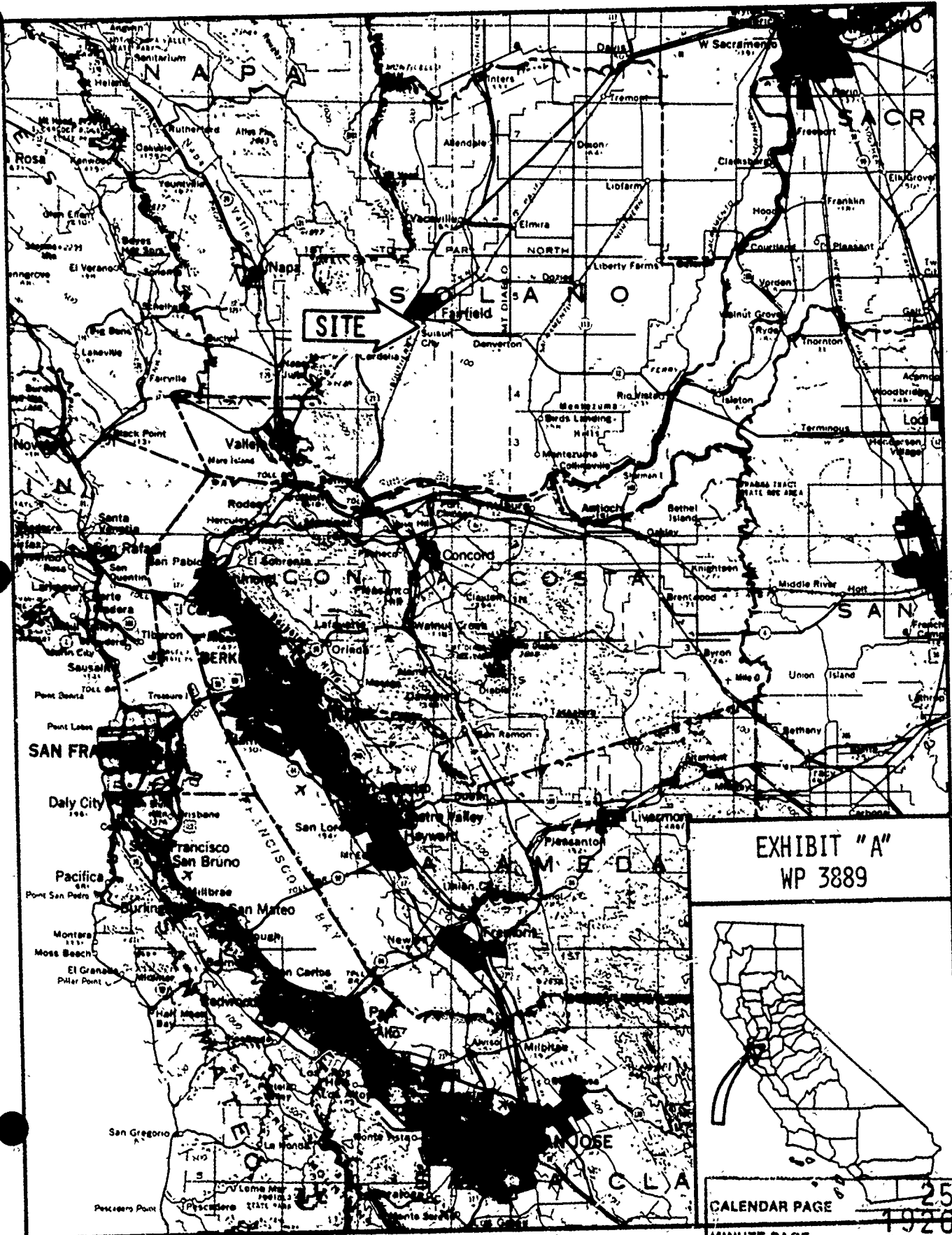


EXHIBIT "A"
WP 3889



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