

DEPARTMENT: County Counsel BY: Jeffrey G. Green PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes ___ No X)

Recommendation to allow the cancellation of the Lake Don Pedro grazing Lease Agreement with Stephen and Brenda Schmidt effective sixty days from March 19, 1998, i.e., May 18, 1998. The Schmidts provided notice of termination, a copy of which is enclosed. Although the Schmidts requested termination from February 19, 1998, their notice wasn't received until March 19, 1998. The Lease has been paid up to and including April 30, 1998, however, an additional payment of \$47.34 is due from the Schmidts for the period of May 1 through May 18, 1998. A copy of the existing Lease Agreement is included in this package.

Further, request direction as to what the Board desires to do with the grazing property after May 18, i.e., whether to publicize the County's intention to re-lease the property.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board entered into an Agreement with the Schmidts for the period of May 1, 1996 through and including April 30, 1999.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

- Approve this action as proposed and provide further direction if the Board desires.

COSTS: (X) Not Applicable
A. Budgeted current FY \$ _____
B. Total anticipated costs \$ _____
C. Required additional funding \$ _____
D. Internal transfers \$ _____
SOURCE: () 4/5ths Vote Required
A. Unanticipated revenues \$ _____
B. Reserve for contingencies \$ _____
C. Source description: _____
Balance in Reserve for Contingencies, if approved: \$ _____

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:
Copy of Schmidt's Notice of Termination.
Lease Agreement between County and Schmidts.

CLERK'S USE ONLY:
Res. No.: 98-122 Ord. No. _____
Vote - Ayes: _____ Noes: _____
Absent: _____ Abstained: _____
() Approved () Denied
(X) Minute Order Attached () No Action Necessary

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:

Recommended

Not Recommended

For Policy Determination

Submitted with Comment

Returned for Further Action

The foregoing instrument is a correct copy of the original on file in this office.
Date: _____
ATTEST: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California
By: _____
Deputy

Comment: _____

A.O. Initials: [Signature]

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: JEFF GREEN, County Counsel
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*
SUBJECT: Cancellation of the Lake Don Pedro Grazing Lease Agreement;
Res. 98-122

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on April 7, 1998

ACTION AND VOTE:

Recommendation to Allow the Cancellation of the Lake Don Pedro Grazing Lease Agreement with Stephen and Brenda Schmidt (County Counsel)

BOARD ACTION: Following discussion, (M)Balmain, (S)Parker, Res. 98-122 adopted allowing cancellation of the Lease Agreement as recommended, and direction was given to advertise for the re-leasing of the property/Ayes: Balmain, Stewart, Parker, Pickard; Excused: Reilly.

cc: Gary Estep, Assessor
Ken Hawkins, Auditor
Mike Edwards, Public Works Director
Agreement File