

MINUTE ITEM

8. APPLICATION FOR LEASE OF TIDE AND SUBMERGED LANDS, CARQUINEZ STRAIT, CONTRA COSTA COUNTY, CALIFORNIA AND HAWAIIAN SUGAR REFINING CORPORATION, LIMITED - W.O. 3415, P.R.C. 2546.1.

After consideration of Calendar Item 29 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES:

1. THE TERMINATION, EFFECTIVE AUGUST 19, 1960, OF LEASE P.R.C. 220.1, ISSUED TO CALIFORNIA AND HAWAIIAN SUGAR REFINING CORPORATION, LIMITED;
2. THE EXECUTIVE OFFICER TO ISSUE A 25-YEAR LEASE TO CALIFORNIA AND HAWAIIAN SUGAR REFINING CORPORATION, LIMITED, EFFECTIVE AUGUST 20, 1960, AT AN ANNUAL RENTAL OF \$3,330, FOR WAREHOUSE AND BOATING FACILITIES COVERING THE AREAS DESCRIBED IN EXHIBIT 'X' ATTACHED AND HEREBY MADE A PART HEREOF.

THE LEASE IS TO CONTAIN PROVISIONS FOR:

1. TWO RENEWAL PERIODS OF 10 YEARS EACH UPON SUCH REASONABLE TERMS AS THE COMMISSION MAY THEN IMPOSE;
2. CREDIT FOR \$595 ON THE FIRST YEAR'S RENTAL, BEING THE UNEARNED RENTAL ON LEASE P.R.C. 220.1;
3. A PERFORMANCE BOND IN THE AMOUNT OF \$5,000.

Attachment

Calendar Item 29 (4 pages)

CALENDAR ITEM

29.

APPLICATION FOR LEASE OF TIDE AND SUBMERGED LANDS, CARQUINEZ STRAIT, CONTRA COSTA COUNTY, CALIFORNIA AND HAWAIIAN SUGAR REFINING CORPORATION, LIMITED - W.O. 3415.

Lease P.R.C. 220.1, covering 11.9 acres of tide and submerged lands in Carquinez Strait at Crockett, Contra Costa County, was issued to California and Hawaiian Sugar Refining Corporation, Limited, for a 15-year term, effective February 20, 1946 and ending February 19, 1961, at an annual rental of \$1,190, for warehouse and boating facilities.

The Commission previously authorized the sublease of a portion of the leased area to Antone Dowrello and a permit to occupy another portion by the Crockett Sea Scout Ship No. 174.

California and Hawaiian Sugar Refining Corporation, Limited, has applied for termination of P.R.C. 220.1, to be effective August 19, 1960, and the issuance of a replacement lease for a period of 25 years, beginning August 20, 1960 and ending August 19, 1985, with provision for two renewal periods of 10 years each. The initial period of 25 years is necessary for sublessee Antone Dowrello to secure the financing required to improve his subleased boat-harbor site.

A staff appraisal of the 11.9 acres shows that the value of the State land is \$45,000. Based on this value, the annual rental for the 25-year period would be \$3,330. Renewal for two consecutive periods of 10 years each would be upon such reasonable terms as the Commission might then impose. A surety bond in the amount of \$5,000 is required to guarantee site clearance.

The unearned rental in the amount of \$595, prepaid for the last six months on Lease P.R.C. 220.1, would be applied to the payment of the first year's rental of the new lease.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE:

1. THE TERMINATION, EFFECTIVE AUGUST 19, 1960, OF LEASE P.R.C. 220.1, ISSUED TO CALIFORNIA AND HAWAIIAN SUGAR REFINING CORPORATION, LIMITED;
2. THE EXECUTIVE OFFICER TO ISSUE A 25-YEAR LEASE TO CALIFORNIA AND HAWAIIAN SUGAR REFINING CORPORATION, LIMITED, EFFECTIVE AUGUST 20, 1960, AT AN ANNUAL RENTAL OF \$3,330, FOR WAREHOUSE AND BOATING FACILITIES COVERING THE AREAS DESCRIBED IN EXHIBIT "X" ATTACHED AND HEREBY MADE A PART HEREOF.

CALENDAR ITEM 29. (CONTD.)

THE LEASE IS TO CONTAIN PROVISIONS FOR:

1. TWO RENEWAL PERIODS OF 10 YEARS EACH UPON SUCH REASONABLE TERMS AS THE COMMISSION MAY THEN IMPOSE;
2. CREDIT FOR \$595 ON THE FIRST YEAR'S RENTAL, BEING THE UNEARNED RENTAL ON LEASE P.R.C. 220.1;
3. A PERFORMANCE BOND IN THE AMOUNT OF \$5,000.

Attachment

Exhibit "X" (2 pages)

EXHIBIT "X"PARCEL "A"

Commencing at a monument formerly set and marked by the California and Hawaiian Sugar Refining Corporation as Number 258, but since adopted by the United States Army Engineers as their Harbor Line Monument Number 33, and so marked by them on a brass plate set in the concrete filling of a six-inch pipe, and shown on that certain map entitled "Harbor Lines for Carquinez Strait, California", dated June 10, 1924, and marked File 4, Div. 4, Sheet 6, which said Harbor Line Monument and point of beginning is located 435.28 feet North and 254.71 feet East of the corner common to Sections 31 and 32, Township 3 North, Range 3 West, and Sections 5 and 6, Township 2 North, Range 3 West, Mt. Diablo Base and Meridian, said corner common to said Sections 31, 32, 5 and 6, being marked by a point in a bronze plate set in the top of a concrete pyramid approximately 10 feet high resting on piles driven into the earth and running thence North  $83^{\circ} 15' 30''$  West 255.96 feet to a point; thence due North 145.66 feet to a point on the United States Bulkhead Line of 1888; thence North  $89^{\circ} 03' 15''$  West along the said United States Bulkhead line of 1888, 536.35 feet to the actual point of beginning of this description which point of beginning is 617.44 feet North and 536.28 feet West of the aforesaid Section Corner common to Sections 31 and 32 - and Sections 5 and 6 and running thence due North 462.81 feet to a point in the waters of Carquinez Strait located on the United States Bulkhead Line as shown on the aforesaid map entitled "Harbor Lines for Carquinez Strait, California"; thence North  $87^{\circ} 07' 22''$  West along the said United States Bulkhead Line 927.72 feet to a point; thence South  $1^{\circ} 40'$  West, 468.06 feet to a point on the northerly right of way line of the Southern Pacific Railroad Company, thence South  $83^{\circ} 14' 45''$  East along the said northerly right of way line of the Southern Pacific Railroad Company 257.58 feet to a point; thence continuing along said northerly right of way line of the Southern Pacific Railroad Company which right of way line is also the United States Bulkhead Line of 1888 South  $89^{\circ} 03' 15''$  East, 684.46 feet more or less to the point of beginning and containing 10.0 acres of land more or less.

PARCEL "B"

Commencing at a monument formerly set and marked by the California and Hawaiian Sugar Refining Corporation as Number 258, but since adopted by the United States Army Engineers as their Harbor Line Monument Number 33, and so marked by them on a brass plate set on the concrete filling of a six inch pipe, and shown on that certain map entitled "Harbor Lines for Carquinez Strait, California", dated June 10, 1924, and marked File 4, Div. 4, Sheet 6, which said Harbor Line Monument and Point of beginning is located 435.28 feet North and 254.71 feet East of the corner common to Sections 31 and 32, Township 3 North, Range 3 West, and Sections 5 and 6, Township 2 North, Range 3 West, Mt. Diablo Base and Meridian, said corner common to said

EXHIBIT "X" (CONTD.)

Sections 31, 32, 5 and 6, being marked by a point in a bronze plate set in the top of a concrete pyramid approximately 10 feet high resting on piles driven into the earth; and running thence North 83° 15' 30" West, 150.42 feet to the actual point of beginning of this description and running thence North 2° 24' East, 596.76 feet along the westerly line of that certain Tide Land Lease from the State of California to George M. Rolph, dated April 15, 1930, to a point in the waters of Carquinez Strait located on the United States Bulkhead Line as shown on the aforesaid map entitled "Harbor Lines for Carquinez Strait, California"; thence North 87° 07' 22" West along the said United States Bulkhead Line 104.03 feet to a point which is 25.0 feet easterly, measured at right angles from the northerly production of the easterly line of the Tide Lands belonging to the American Toll Bridge Company; thence due South along a line which is parallel to and 25.0 feet easterly measured at right angles from the said easterly line and its northerly production of the lands of the American Toll Bridge Company a distance of 591.64 feet to a point on the northerly right of way line of the Southern Pacific Railroad Company; and thence South 83° 15' 30" East along the said northerly right of way line of the Southern Pacific Railroad Company 80.37 feet to the point of beginning, and containing 1.90 acres more or less.

The above described Tide Lands are bounded on the north by the aforesaid United States Bulkhead Line, on the east by the lands leased by the State of California to George M. Rolph, on the south by the northerly right of way line of the Southern Pacific Railroad Company and on the west by a line which is parallel to and distant 25.0 feet easterly measured at right angles from the easterly line of the lands of the American Toll Bridge Company.