

MINUTE ITEM

6/19/68

11. INDUSTRIAL EASEMENT, COYOTE CREEK, ALAMEDA AND SANTA CLARA COUNTIES;
LESLIE SALT CO. - W.O. 1245, P.R.C. 3972.1.

After consideration of Calendar Item 30 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION RESCINDS THE RESOLUTION IN MINUTE ITEM 3 (PAGE 1552) OF MAY 26, 1952, AND AUTHORIZES THE ISSUANCE TO LESLIE SALT CO. OF A 25-YEAR LEASE WITH A RETROACTIVE BEGINNING DATE OF MAY 26, 1952, AT A TOTAL RENTAL OF \$397.20 FOR THE PERIOD FROM MAY 26, 1952, TO MAY 25, 1967; THENCE AT AN ANNUAL RENTAL OF \$103.32 COMMENCING MAY 26, 1967, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, WITH LESSEE'S RIGHT TO RENEW FOR TWO ADDITIONAL PERIODS OF TEN YEARS EACH UPON SUCH REASONABLE TERMS AND CONDITIONS AS THE STATE MIGHT IMPOSE.

Attachment

Calendar Item 30 (3 pages.)

CALENDAR ITEM

6/68
W.O. 1245

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INDUSTRIAL EASEMENT

APPLICANT: Leslie Salt Co.
LOCATION: Coyote Creek, Alameda and Santa Clara Counties
PROPOSED USE: Right-of-way for brine pipeline
TERMS: Initial period: 25 years, from May 26, 1952
Renewal options: 2 additional periods of 10 years each
CONSIDERATION: \$397.20 total for 15-year period from May 26, 1952, to
May 25, 1967; thence \$103.32 per annum, commencing May 26, 1967

BASIS FOR CONSIDERATION:
.063% of appraised value of land.

PREREQUISITE ITEMS:

U.S.A. Corps of Engineers navigational permit issued
Applicant is owner of upland

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Pt. 2, Ch. 1, Secs. 6501-6509
- b. Administrative Code: Title 2, Div. 3, Secs. 2000-2011
- c. Commission policy: Minute Item 18 of November 18, 1959

OTHER PERTINENT INFORMATION:

The State Lands Commission approved the application on May 26, 1952 (Minute Item 3, page 1552). However, the lease was never executed due to title problems, which were resolved with the recent title clarification with Leslie Salt Co. when title was confirmed to the State. The proposed rental, based on the appraised value of the land, was agreed upon with the applicant in 1967 prior to the adoption of the one-cent-per-lineal-foot formula for pipelines.

EXHIBITS: A. Legal description B. Location map

IT IS RECOMMENDED THAT THE COMMISSION RESCIND THE RESOLUTION IN MINUTE ITEM 3 (PAGE 1552) OF MAY 26, 1952, AND AUTHORIZE THE ISSUANCE TO LESLIE SALT CO. OF A 25-YEAR LEASE WITH A RETROACTIVE BEGINNING DATE OF MAY 26, 1952, AT A TOTAL RENTAL OF \$397.20 FOR THE PERIOD FROM MAY 26, 1952, TO MAY 25, 1967; THENCE AT AN ANNUAL RENTAL OF \$103.32 COMMENCING MAY 26, 1967, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, WITH LESSEE'S RIGHT TO RENEW FOR TWO ADDITIONAL PERIODS OF TEN YEARS EACH UPON SUCH REASONABLE TERMS AND CONDITIONS AS THE STATE MIGHT IMPOSE.

Attachment: Exhibit "A"

EXHIBIT "A"PARCEL I

Commencing at a concrete monument (Leslie Salt Monument 91) described as bearing North 89° 34' East and distant 879.5 feet from the quarter Section corner common to Sections 28 and 33, Township 5 South, Range 1 West, Mount Diablo Base and Meridian, in that certain Quiet Title Suit No. 114,249, recorded in Volume 2860 at page 1 of the Official Records of the County of Alameda, and proceeding thence North 88° 23' 48" East, 3488.8 feet to a point on the south bank of Coyote Slough, said point being hereinafter referred to as point "B"; thence leaving Point "B" and crossing a portion of Coyote Slough North 59° 03' 52" East, 456.0 feet to a point on the perimeter of an island in said slough; thence along the perimeter of said island the following five courses and distances: North 73° 57' 36" West, 83.2 feet; North 55° 57' 15" East, 44.7 feet; North 77° 19' 11" East, 246.0 feet; South 84° 52' 58" East, 201.8 feet; and South 81° 00' 27" East, 174.14 feet to the TRUE POINT OF BEGINNING of the parcel herein described; thence crossing the remainder of Coyote Slough North 12° 30' 37" East, 131.22 feet to a point on the north bank of said slough; thence along the north bank South 77° 05' 27" East, 100.00 feet; thence again crossing a portion of Coyote Slough South 12° 30' 37" West, 124.38 feet to a point on the island in said slough; thence North 81° 00' 27" West, 100.18 feet to the true point of beginning and containing 0.29 acre more or less.

EXHIBIT "A" (CONTD.)PARCEL II

Commencing at point "B" as said point is described in Parcel I above and proceeding across a portion of Coyote Slough North $59^{\circ} 03' 52''$ East, 456.0 feet to a point on the perimeter of an island in said slough; thence along the perimeter of said island South $77^{\circ} 32' 34''$ East, 451.5 feet; and South $79^{\circ} 38' 27''$ East, 92.80 feet to the TRUE POINT OF BEGINNING of the parcel herein described; thence continuing along the perimeter of said island South $79^{\circ} 38' 27''$ East, 1.70 feet; and South $61^{\circ} 40' 10''$ East, 102.17 feet; thence crossing a portion of Coyote Slough South $12^{\circ} 30' 37''$ West, 203.59 feet to a point on the south bank of said slough; thence along the south bank the following three courses and distances: North $59^{\circ} 34' 50''$ West, 4.32 feet; South $83^{\circ} 17' 25''$ West, 85.60 feet; and North $80^{\circ} 01' 20''$ West, 15.07 feet; thence again crossing a portion of Coyote Slough North $12^{\circ} 30' 37''$ East, 258.89 feet to the true point of beginning and containing 0.53 acre more or less.

All bearings in the above described parcels except the record bearing (N. $89^{\circ} 34'$ E) described in Parcel I are based on the California Zone III Coordinate System.