

MINUTE ITEM

9/24/70
EWC

8. AMENDMENT TO LEASE P.R.C. 3023.1 TO PROVIDE FOR CHANGE OF PROPERTY DESCRIPTION AND RENTAL RATE, SUBMERGED LAND IN SACRAMENTO RIVER AT RED BLUFF, TEHAMA COUNTY; DIAMOND NATIONAL CORPORATION - W-8720.

After consideration of Calendar Item 14 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ISSUANCE TO THE DIAMOND NATIONAL CORPORATION OF AN AMENDMENT TO LEASE NO. P.R.C. 3023.1 THAT WILL PROVIDE FOR THE DELETION OF THE PROPERTY DESCRIPTION ON PAGE 1 THEREOF AND FOR THE SUBSTITUTION OF THAT SHOWN ON EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF; AND TO PROVIDE THAT THE ANNUAL RENTAL BE CHANGED TO \$363.36, WITH THE STATE RESERVING THE RIGHT TO RESET A REASONABLE RENTAL ON EACH FIFTH ANNIVERSARY; AND TO FURTHER PROVIDE THAT THE ADDRESS OF THE STATE IN PARAGRAPH 17 OF THE SAID LEASE BE AMENDED TO READ "STATE LANDS COMMISSION, 1600 L STREET, SACRAMENTO, CALIFORNIA 95814"; AND TO FURTHER PROVIDE THAT THE LEASE IS NOT INTENDED TO CONSTITUTE THE ESTABLISHMENT OF THE STATE'S BOUNDARY AND IS TO BE WITHOUT PREJUDICE TO ANY BOUNDARY CLAIMS THAT MAY IN THE FUTURE BE ASSERTED, ALL EFFECTIVE JUNE 27, 1970; PROVIDED FURTHER THAT ALL OTHER TERMS AND CONDITIONS OF SAID LEASE SHALL REMAIN IN FULL FORCE AND EFFECT.

Attachment:

Calendar Item 14 (2 pages)

CALENDAR ITEM

9/70
W-8720
EMC

14.

AMENDMENT TO LEASE NO. P.R.C. 3023.1

APPLICANT: Diamond National Corporation.

LOCATION: Adding to P.R.C. 3023.1 a 0.757-acre parcel of submerged land in the Sacramento River at Red Bluff, Tehama County.

LAND USE: An extension of an existing outfall line.

TERMS OF ORIGINAL LEASE:

Initial period: 49 years, from June 27, 1964.
Consideration: \$150 total rent.

CONSIDERATION: \$363.36 per annum, with the State reserving the right to review and reset a reasonable rental on each fifth anniversary.

BASIS FOR CONSIDERATION:

6% of appraised value of land.

PREREQUISITE ITEMS:

U. S. Army Corps of Engineers permit issued.
Applicant is permittee of upland.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Articles 1 & 2 as amended effective May 10, 1969.

OTHER PERTINENT INFORMATION:

The proposed extension of the existing outfall is to provide better dilution of waste products in the river.

EXHIBITS: A. Land description. B. Location map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO THE DIAMOND NATIONAL CORPORATION OF AN AMENDMENT TO LEASE NO. P.R.C. 3023.1 THAT WILL PROVIDE FOR THE DELETION OF THE PROPERTY DESCRIPTION ON PAGE 1 THEREOF AND FOR THE SUBSTITUTION OF THAT SHOWN ON EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF; AND TO PROVIDE THAT THE ANNUAL RENTAL BE CHANGED TO \$363.36, WITH THE STATE RESERVING THE RIGHT TO RESET A REASONABLE RENTAL ON EACH FIFTH ANNIVERSARY; AND TO FURTHER PROVIDE THAT THE ADDRESS OF THE STATE IN PARAGRAPH 17 OF THE SAID LEASE BE AMENDED TO READ "STATE LANDS COMMISSION, 1600 L STREET, SACRAMENTO, CALIFORNIA 95814"; AND TO FURTHER PROVIDE THAT THE LEASE IS NOT INTENDED TO CONSTITUTE THE ESTABLISHMENT OF THE STATE'S BOUNDARY AND IS TO BE WITHOUT PREJUDICE TO ANY BOUNDARY CLAIMS THAT MAY IN THE FUTURE BE ASSERTED, ALL EFFECTIVE JUNE 27, 1970; PROVIDED FURTHER THAT ALL OTHER TERMS AND CONDITIONS OF SAID LEASE SHALL REMAIN IN FULL FORCE AND EFFECT.

Attachment: Exhibit "A"

EXHIBIT "A"

A strip of land 20.00 feet in width lying 10.00 feet on each side of the following-described centerline across the bed of the Sacramento River in Tehama County, California, more particularly described as follows:

COMMENCING at a concrete monument on the westerly bank of Red Bluff Creek and the southerly bank of the Sacramento River, said monument also marking a corner of Rancho La BARRANCA Colorada and the most easterly corner of Lot 2 of Section 33, T. 27 N., R. 3 W., M.D.M., and also marking a corner of the property of the Diamond Gardner Corporation, according to the Record of Survey Map filed in the office of the Recorder of the County of Tehama, State of California, May 17, 1957, in Map Book "K" at page 33 and running thence from said point of commencement N. 32° 03' 00" W., 47.97 feet; thence N. 49° 11' 00" W., 54.55 feet to the TRUE POINT OF BEGINNING of this description; thence from said true point of beginning N. 89° 40' 03" E., 1,649.66 feet to the end of the herein-described centerline.