

MINUTE ITEM

10/75
EPW

13. INDUSTRIAL LEASE; TIDE AND SUBMERGED LAND IN THE BED OF THE SACRAMENTO RIVER, SACRAMENTO COUNTY; PHILLIPS PETROELUM COMPANY: WP 388; PRC 388.

After consideration of Calendar Item 11 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085, 14 CAL. ADM. CODE 15100, ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. AUTHORIZES ISSUANCE TO PHILLIPS PETROLEUM COMPANY OF A 1-YEAR AND 73 DAY INDUSTRIAL LEASE FROM DECEMBER 10, 1973 IN CONSIDERATION OF RENT IN THE AMOUNT OF \$362.88 FOR THE PERIOD DECEMBER 10, 1973 TO MARCH 14, 1975; PROVISION OF A \$1,000 SURETY BOND FOR THE MAINTENANCE OF AN EXISTING LOADING DOCK AND 9 DOLPHINS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:
Calendar Item 11 (3 pages)

CALENDAR ITEM

10/75
EPW
WP 388

11.

INDUSTRIAL LEASE

APPLICANT: Phillips Petroleum Company
155 Bovet Road, Suite 675
San Mateo, California 94402

AREA, TYPE LAND AND LOCATION:
An 0.48-acre parcel of tide and submerged
land in the bed of the Sacramento River,
at Isleton, Sacramento County.

LAND USE: The maintenance of an existing loading dock.

TERMS OF ORIGINAL LEASE:
Initial Period: 15 years, from December 10, 1948.
Renewal Options: 1 successive period of 10 years.
Surety bond: \$1,000.
Consideration: \$50 -- 5-year review.
Special: Rent increased to \$302.40
during 10-year renewal period.

TERMS OF PROPOSED LEASE:
Initial Period: 1 year and 73 days from
December 10, 1973 to March 14, 1975.
Surety Bond: \$1,000.

CONSIDERATION:
\$302.40 per annum.

BASIS FOR CONSIDERATION:
6.3% of appraised value of land prorated for
period of December 10, 1973 to March 14, 1975.

PREREQUISITE TERMS, FEES, AND EXPENSES:
Applicant is owner of upland.

A rental deposit of \$362.88 has been deposited
with the State Lands Division.

STATUTORY AND OTHER REFERENCES:
a. Public Resources Code: Div. 6, Parts 1 & 2.
b. Administrative Code: Title 2, Div. 3,
Arts. 1, 2 & 10.

CALENDAR ITEM NO. 11. (CONTD)

OTHER PERTINENT INFORMATION:

1. The term, including renewal periods, of Lease PRC 388 expired December 9, 1973. Lessee sold the upland facility on or about March 14, 1975. The proposed lease agreement covers the intervening period. A proposed lease for the period commencing March 15, 1975 is in a separate Calendar Item.

2. This project is situated on State land identified as environmentally significant, pursuant to Public Resources Code 6370, and is classified in a significant use category. The project is determined to be a compatible use consistent with identified significant environmental values. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(a) which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085, 14 CAL. ADM. CODE 15100, ET SEQ., AND 2 CAL. ADM. CODE 2907.

2. AUTHORIZE ISSUANCE TO PHILLIPS PETROLEUM COMPANY OF A YEAR AND 73 DAY INDUSTRIAL LEASE FROM DECEMBER 10, 1973 IN CONSIDERATION OF RENT IN THE AMOUNT OF \$362.88 FOR THE PERIOD DECEMBER 10, 1973 TO MARCH 14, 1975; PROVISION OF A \$1,000 SURETY BOND FOR THE MAINTENANCE OF AN EXISTING LOADING DOCK AND 9 DOLPHINS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 388

A parcel of tide and submerged land lying in the bed of the Sacramento River, in the vicinity of the town of Isleton, Sacramento County, State of California, being more particularly described as follows:

COMMENCING at a monument set at the intersection of the northerly line of the State Highway 160 with westerly boundary of the town of Isleton, as the same existed in 1928; thence N 17° 56' E 101.20 feet to the northeast corner of that certain parcel described as the second tract in the deed dated October 3, 1928 and recorded in Volume 216 at page 392 of Official records of said County said corner being on the said westerly boundary of the town of Isleton, said corner also being the TRUE POINT OF BEGINNING; THENCE S 89° 27' W along the north boundary of said second tract, 37.73 feet to the northwest corner thereof and the northeast corner of that certain tract conveyed by deed dated July 18, 1929 and recorded in Volume 245, Page 444 of the Official Records of Sacramento County; thence S 82° 48' W along the north boundary of said tract recorded in Volume 245 65.3 feet; more or less, to the west side of an existing warehouse; thence N 4° 07' W 15 feet; thence N 85° 53' E 40.5 feet; thence N 4° 07' W 21.0 feet; thence S 85° 53' W 22.0 feet; thence N 4° 07' W 20 feet; thence N 85° 53' E 54 feet; thence S 4° 07' E 5 feet; thence N 85° 53' E 41 feet; thence S 8° 10' W 50 feet, more or less, to the point of beginning.

TOGETHER WITH those portions of block 55, as shown on the official map of the City of Isleton recorded November 9, 1935 in Book 20 of Maps, Page 23, Records of said County, lying between the ordinary low water mark and the ordinary high water mark.

END OF DESCRIPTION