

MINUTE ITEM
This Calendar Item No. C18
was approved as Minute Item
No. 18 by the State Lands
Commission by a vote of 3
to 0 at its 7/10/89
meeting.

CALENDAR ITEM

C18

A 32
S 14, 15

07/10/89
PRC 5514
Grimmett
Pelkofer

TWO CONSECUTIVE ASSIGNMENTS AND AMENDMENT
OF A GENERAL LEASE - RIGHT-OF-WAY USE

FIRST ASSIGNOR:

Lone Star Industries, Inc.
P.O. Box 5252
Pleasanton, California 94566

FIRST ASSIGNEE:

Lone Star California, Inc. and
New York Trap Rock Corporation
c/o Lindi L. Baker
Heller, Ehrman, White & McAuliffe
333 Bush Street
San Francisco, California 94104-2878

SECOND ASSIGNOR:

Lone Star California, Inc. and
New York Trap Rock Corporation
c/o Lindi L. Baker
Heller, Ehrman, White & McAuliffe
333 Bush Street
San Francisco, California 94104-2878

SECOND ASSIGNEE:

RMC Lonestar, a California general partnership
P.O. Box 5252
Pleasanton, California 94566

AREA, TYPE LAND AND LOCATION:

A 0.918-acre parcel of submerged land in the
San Joaquin River, Fresno and Madera counties.

CALENDAR ITEM NO. C18 (CONT'D)

LAND USE: Maintenance of an existing bridge crossing, approach embankments and riprap bank protection.

TERMS OF CURRENT LEASE:

Initial period: 25 years beginning July 1, 1977.

Surety bond: \$2,000.

Public liability insurance: Combined single limit coverage of \$500,000.

Consideration: The annual rental shall be the greater of the following: The number of tons of bulk commodities (sand and gravel) passing over State land multiplied by \$0.002278 or \$1,000; with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Processing fees have been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. On July 19, 1978, the State Lands Commission approved a General Lease - Right-of-Way Use to Lone Star Industries, Inc. During 1987, the corporation reorganized and transferred assets necessitating two assignments of the lease:

CALENDAR ITEM NO. C18 (CONT'D)

- a) The first assignment is to Lone Star California, Inc., and New York Trap Rock Corporation, effective December 2, 1987;
 - b) The second assignment is to Lone Star California, a California general partnership, effective December 3, 1987, which changed its name to RMC Lonestar, a California general partnership, effective December 31, 1987.
2. Amendment of lease PRC 5514 to incorporate provisions governing the assignment, encumbrancing and subletting of the lease as set forth in that "First Amendment to Lease PRC 5514" is on file with the Commission.
 3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. but will not affect those significant lands.
 4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.

CALENDAR ITEM NO. **C 1-8** (CONT'D)

2. AUTHORIZE ISSUANCE OF AN ASSIGNMENT OF LEASE PRC 5514, ON FILE IN THE PRINCIPAL OFFICE OF THE STATE LANDS COMMISSION, TO LONE STAR CALIFORNIA, INC. AND NEW YORK TRAP ROCK CORPORATION, EFFECTIVE DECEMBER 2, 1987, ALL TERMS AND CONDITIONS OF PRC 5514 REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.
3. AUTHORIZE ISSUANCE OF AN ASSIGNMENT OF LEASE PRC 5514, ON FILE IN THE PRINCIPAL OFFICE OF THE STATE LANDS COMMISSION, TO LONE STAR CALIFORNIA, A CALIFORNIA GENERAL PARTNERSHIP, EFFECTIVE DECEMBER 3, 1987, WHICH PARTNERSHIP HAS NOW CHANGED ITS NAME TO RMC LONESTAR, A CALIFORNIA GENERAL PARTNERSHIP; ALL TERMS AND CONDITIONS OF PRC 5514 REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.
4. AUTHORIZE THE AMENDMENT OF LEASE PRC 5514 TO INCORPORATE PROVISIONS GOVERNING THE ASSIGNMENT, ENCUMBRANCING, AND SUBLETTING OF THE LEASE AS SET FORTH IN THE "FIRST AMENDMENT TO LEASE PRC 5514" ON FILE WITH THE COMMISSION, AND BY REFERENCE MADE A PART HEREOF; ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

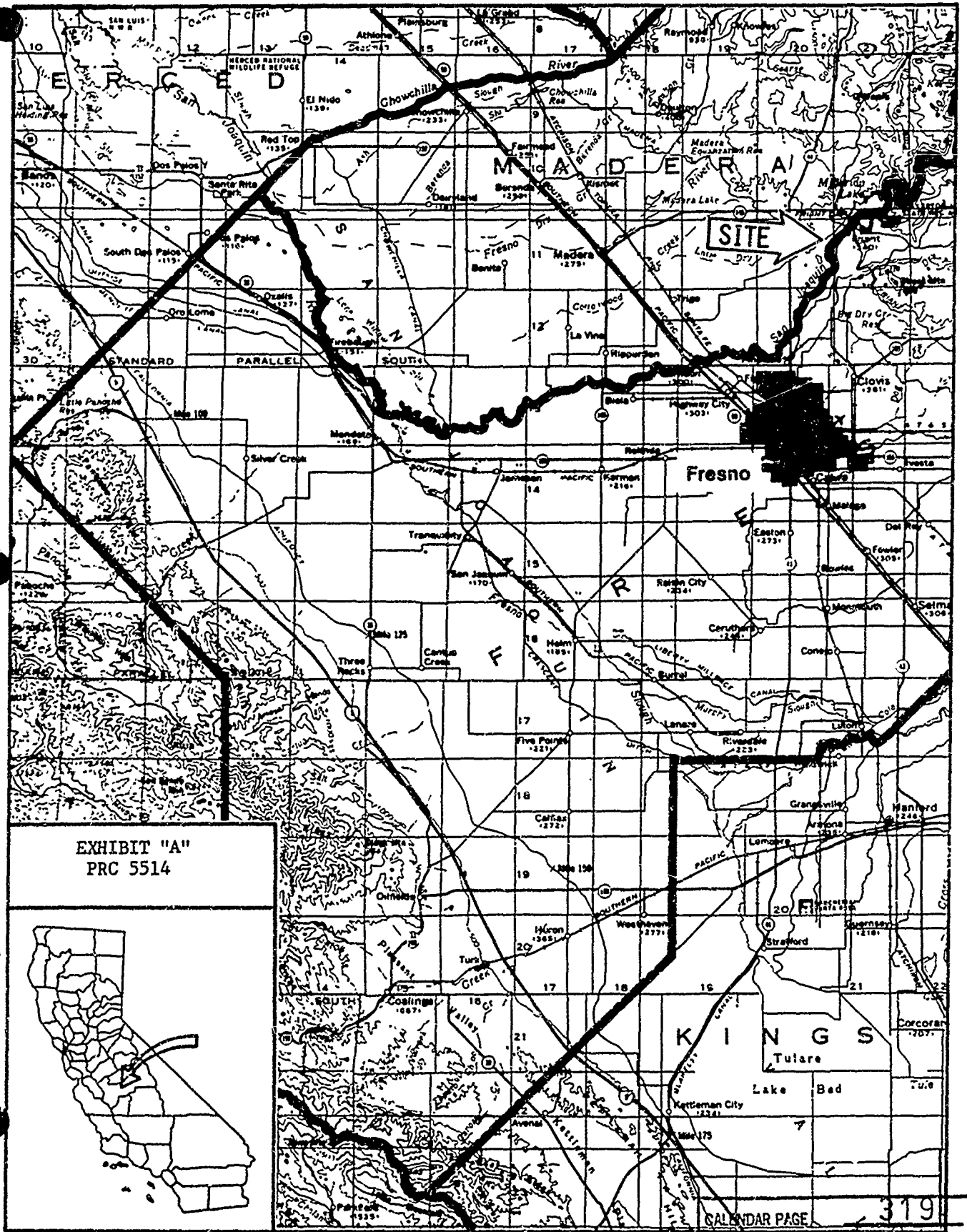


EXHIBIT "A"
PRC 5514



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