

**CALENDAR ITEM
C100**

A	80	12/02/13
S	40	W 26714 J. Porter

GENERAL LEASE - INDUSTRIAL USE

APPLICANT:

Brosamer & Wall, Inc.
1777 Oakland Blvd., Suite 110
Walnut Creek, CA 94596

AREA, LAND TYPE, AND LOCATION:

0.82 acre, more or less, of State school lands located in Section 36, Township 9 South, Range 13 East, SBM, north of Niland, Imperial County.

AUTHORIZED USE:

Continued use and maintenance of an unimproved parking area surrounded by a chain link fence.

LEASE TERM:

Five years, beginning December 2, 2013.

CONSIDERATION:

\$250 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance: Liability insurance in the amount of no less than \$1,000,000 per occurrence.

Bond: \$5,000.

OTHER PERTINENT INFORMATION:

1. In April, 2013, staff was informed by an official of the U. S. Bureau of Reclamation that a possible trespass was occurring on State school lands adjacent to the Coachella Canal in Imperial County. A subsequent investigation by staff determined that a commercial construction company was parking construction equipment on the property. Staff located the owner of the equipment, Brosamer & Wall, Inc., and informed them of the

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trespass situation. Brosamer & Wall, Inc. is now applying for a lease for continued use of the parking area. No other improvements will be made to the land.

2. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

3. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq.; however, the Commission has declared that all lands are “significant” by nature of their public ownership (as opposed to “environmentally significant”). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code section 6370 et seq., use classifications for such lands have not been designated. Therefore, the finding of the project’s consistency with the use classification as required by California Code of Regulations, Title 2, section 2954 is not applicable.

EXHIBITS:

- A. Land Description
- B. Site Map and Location

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

AUTHORIZATION:

Authorize issuance of a General Lease – Industrial Use to Brosamer & Wall, Inc. beginning December 2, 2013, for a term of 5 years, for continued use and maintenance of an unimproved parking area surrounded by a chain link fence, for the lands as described on Exhibit A

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and as shown on Exhibit B (for reference purposes only), attached and by this reference made a part hereof; annual rent in the amount of \$250, with the State reserving the right to fix a different rent periodically during the lease term as provided in the lease; liability insurance in an amount no less than \$1,000,000 per occurrence, and surety in the amount of \$5,000.

EXHIBIT A

W 26714

LAND DESCRIPTION

A parcel of State School Lands, being a portion of Section 36 Township 9 South, Range 13 East, San Bernardino Meridian, County of Imperial, State of California, more particularly described as follows:

BEGINNING at the point having a Geographic Coordinate of 33° 21' 06.46" North Latitude and 115° 34' 07.64" West Longitude NAD 1983; thence from said point of beginning in a clockwise direction through the following four (4) points:

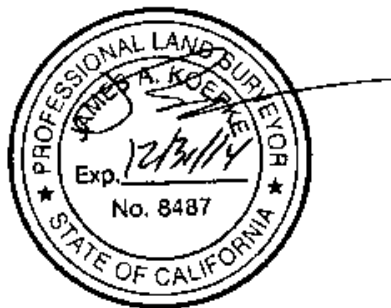
1. 33° 21' 05.60" North Latitude 115° 34' 05.68" West Longitude NAD 1983;
2. 33° 21' 04.56" North Latitude 115° 34' 06.43" West Longitude NAD 1983;
3. 33° 21' 03.87" North Latitude 115° 34' 07.12" West Longitude NAD 1983;
4. 33° 21' 05.22" North Latitude 115° 34' 08.73" West Longitude NAD 1983;

thence continuing to the POINT OF BEGINNING.

END OF DESCRIPTION

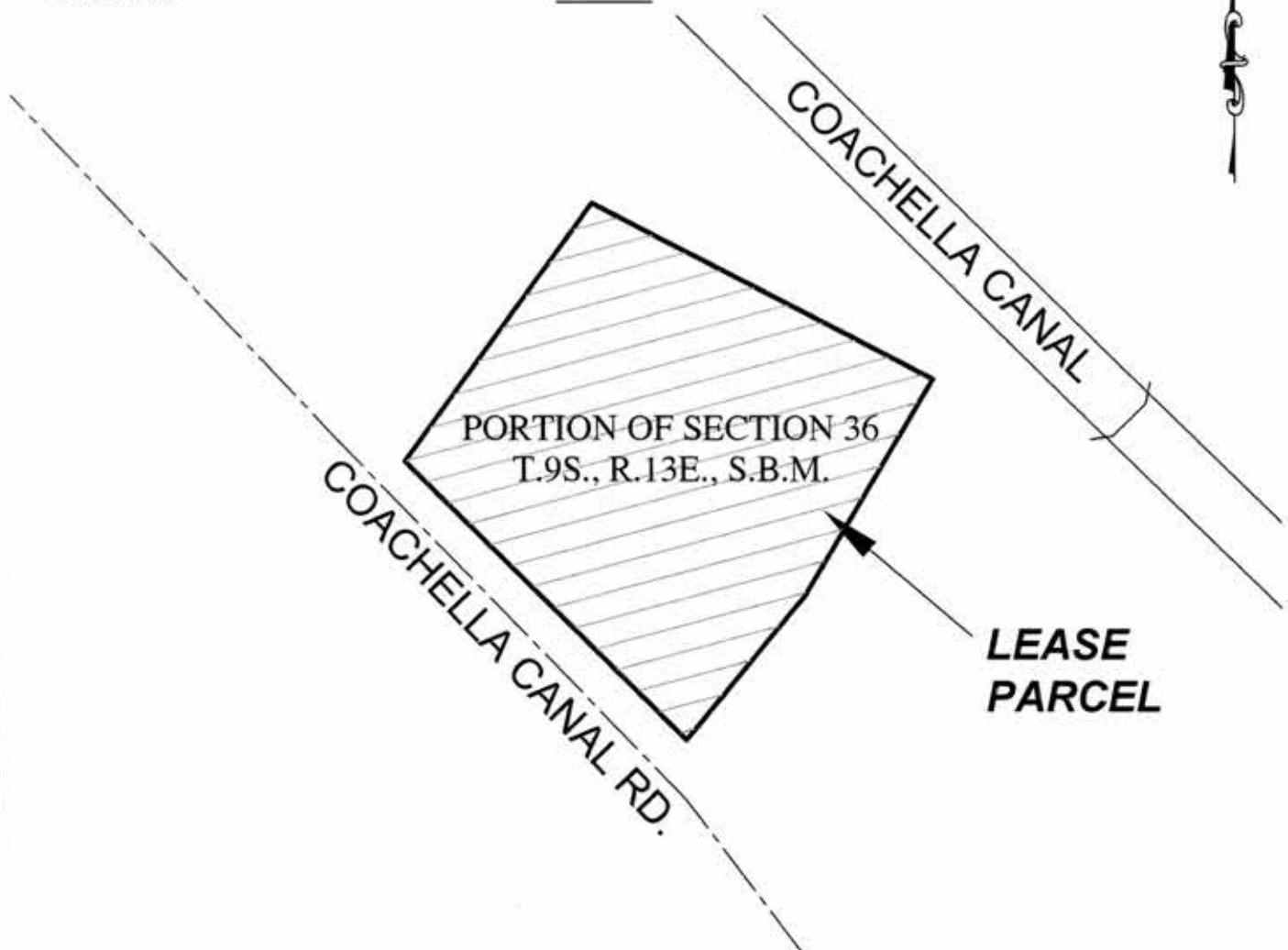
The North American Datum 1983 Geographic Coordinates provided by the Brosamer & Wall, Inc.

Prepared 10/22/2013 by the California State Lands Commission Boundary Unit.



NO SCALE

SITE



PORTION OF SECTION 36 T.9S., R.13E., S.B.M., IMPERIAL COUNTY

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

W 26714
 BROSAMER & WALL, INC.
 GENERAL LEASE -
 INDUSTRIAL USE
 IMPERIAL COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

TS 10/22/13