

MINUTE ITEM

8/21/67

4. RIGHT-OF-WAY EASEMENT ACROSS CARQUINEZ STRAIT BETWEEN BENICIA AND MARTINEZ, SOLANO AND CONTRA COSTA COUNTIES - W.O. 6664, P.R.C. 3811.1.

After consideration of Calendar Item 21 attached, and upon motion duly made and carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE TO SOUTHERN PACIFIC PIPE LINES, INC., AND HUMBLE PIPE LINE COMPANY, JOINTLY, A 15-YEAR RIGHT-OF-WAY EASEMENT, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$628.90, FOR INSTALLATION AND OPERATION OF THREE PIPE LINES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, WITH LESSEE'S RIGHT TO RENEW FOR THREE ADDITIONAL PERIODS OF TEN YEARS EACH UPON SUCH REASONABLE TERMS AND CONDITIONS AS THE STATE MIGHT IMPOSE; PROVIDED, THAT LESSEE SHALL PROVIDE A CONTINUING PERFORMANCE AND SURETY BOND IN THE AMOUNT OF \$25,000, AND PROVIDED FURTHER THAT LESSEE SHALL BE AUTHORIZED A SIX-MONTH RIGHT OF ENTRY FOR CONSTRUCTION WITHIN AN AREA 100 FEET ON EITHER SIDE OF THE CENTER LINE DESCRIBED IN EXHIBIT "A".

Attachment

Calendar Item 21 (3 pages)

CALENDAR ITEM

8/67
W.O. 6664

21.

RIGHT-OF-WAY EASEMENT

APPLICANT: Southern Pacific Pipe Lines, Inc., and Humble Pipe Line Company, jointly

LOCATION: Tide and submerged lands across Carquinez Strait between Benicia and Martinez, Solano and Contra Cost counties

PROPOSED USE: The installation and operation of three pipe lines (10", 14" and 20") for transportation of petroleum products

TERMS: Initial period: 15 years
Renewal options: 3 additional periods of 10 years each
Surety bond: \$25,000

CONSIDERATION: \$628.90 per annum

BASIS FOR CONSIDERATION:
6.62% of appraised value of land

PREREQUISITE ITEMS:
Applicant is owner, lessee, or permittee 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:
A U.S. Army Corps of Engineers permit has not been issued. However, a representative of the Corps has advised that an application for a permit has been affirmatively processed to the point of publication, and no objection is anticipated.

The application has been considered by the San Francisco Bay Conservation and Development Commission; no objection to a permit is anticipated.

EXHIBITS: A. Legal description B. Location map

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO ISSUE TO SOUTHERN PACIFIC PIPE LINES, INC., AND HUMBLE PIPE LINE COMPANY, JOINTLY, A 15-YEAR RIGHT-OF-WAY EASEMENT, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$628.90, FOR INSTALLATION AND OPERATION OF THREE PIPE LINES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, WITH LESSEE'S RIGHT TO RENEW FOR THREE ADDITIONAL PERIODS OF TEN YEARS EACH UPON SUCH REASONABLE TERMS AND CONDITIONS AS THE STATE MIGHT IMPOSE; PROVIDED, THAT LESSEE SHALL PROVIDE A CONTINUING PERFORMANCE AND SURETY BOND IN THE AMOUNT OF

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\$25,000, AND PROVIDED FURTHER THAT LESSEE SHALL BE AUTHORIZED A SIX-MONTH RIGHT OF ENTRY FOR CONSTRUCTION WITHIN AN AREA 100 FEET ON EITHER SIDE OF THE CENTER LINE DESCRIBED IN EXHIBIT "A".

Attachment: Exhibit "A"

EXHIBIT "A"

**** Legal Description ****

Lessee: Southern Pacific Pipe Lines, Inc., and Humble Pipe Line Company,
jointly

W.O.: 6664

A parcel of tide and submerged land in Carquinez Strait lying approximately 250 feet easterly of the Southern Pacific Railroad bridge connecting the City of Martinez, Contra Costa County, and the City of Benicia, Solano County, California; being a strip of land 50 feet wide lying 25 feet on each side of the following described center line:

COMMENCING at a point having coordinates $X = 1,966,570$ and $Y = 134,080$; from which point United States Coast & Geodetic Survey triangulation station "Suisun Point 2" bears North $34^{\circ} 06' 53''$ West 75 feet; thence from said point of commencement North $28^{\circ} 44' 51''$ West 390 feet more or less to the Ordinary High Water mark on the southerly bank of Carquinez Strait; said point being the TRUE POINT OF BEGINNING; thence from said TRUE POINT OF BEGINNING, North $28^{\circ} 44' 51''$ West 5942 feet more or less to a point on the Ordinary High Water mark on the northerly bank of Carquinez Strait and the end of the herein described center line; from which point United States Coast & Geodetic Survey triangulation station "Army Point 2" bears North $28^{\circ} 44' 51''$ East 10 feet and North $74^{\circ} 26' 35''$ West 749 feet distant.

Containing an area of 5.82 acres more or less.

Subject to any portion or portions thereof validly granted by the State.

Bearings, distances and coordinates in the above description are based on the "California Coordinate System, Zone II".