

16. RIGHT-OF-WAY EASEMENT, SOVEREIGN LAND OF OLD BED OF PETALUMA CREEK NEAR PETALUMA, SONOMA COUNTY, FOR MAINTENANCE OF EXISTING TOWER LINE; PACIFIC GAS AND ELECTRIC COMPANY - W.O. 4960, P.R.C. 3995.1.

After consideration of Calendar Item 17 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 49-YEAR RIGHT-OF-WAY EASEMENT FROM NOVEMBER 8, 1963, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$27.60, FOR MAINTENANCE OF A TOWER LINE FOR TRANSMISSION OF ELECTRICITY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; PROVIDED, THAT, AFTER THE FIRST 10-YEAR PERIOD AND ON EACH SUBSEQUENT FIFTH ANNIVERSARY, THE STATE SHALL BE ENTITLED TO FIX A DIFFERENT RENTAL FOR THE FOLLOWING PERIOD.

Attachment

Calendar Item 17 (2 pages)

CALENDAR ITEM

7/68
W.O. 4960

17.

RIGHT-OF-WAY EASEMENT

APPLICANT: Pacific Gas and Electric Company

LOCATION: Two parcels (0.192 and 0.231 acre) of sovereign land in the old bed of Petaluma Creek one mile easterly of Petaluma, Sonoma County

PROPOSED USE: The maintenance of an existing 60 KV tower line

TERM: 49 years, from November 8, 1963

CONSIDERATION: \$276 total for the first ten years

BASIS FOR CONSIDERATION:
6% of appraised value of land

PREREQUISITE ITEM:
Applicant is 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:
The tower line has been installed since 1937; however, it was not until November 8, 1963, that ownership of the land was firmly established to the point of a lease application.

EXHIBITS: A. Legal description B. Location map

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 49-YEAR RIGHT-OF-WAY EASEMENT FROM NOVEMBER 8, 1963, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$27.60, FOR MAINTENANCE OF A TOWER LINE FOR TRANSMISSION OF ELECTRICITY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; PROVIDED, THAT, AFTER THE FIRST 10-YEAR PERIOD AND ON EACH SUBSEQUENT FIFTH ANNIVERSARY, THE STATE SHALL BE ENTITLED TO FIX A DIFFERENT RENTAL FOR THE FOLLOWING PERIOD.

Attachment: Exhibit "A"

EXHIBIT "A"

W.O.: 4960

Proposed Lease: Pacific Gas and Electric Company

Two parcels of tide and submerged land in the natural bed of Petaluma Creek situated about one mile easterly of the City of Petaluma, Sonoma County, California, being further described as follows:

PARCEL NO. 1

BEGINNING at a point on the ordinary high water mark of the southerly bank of Petaluma Creek as shown on sheet 1 of 1 of a map of a "Survey of the Ordinary High Water Mark on the banks of Petaluma Creek" dated January, 1950 and filed in Book 67 of maps at Page 7 in the office of the County Recorder of the County of Sonoma; said point of beginning bears South 59° 09' 03" West 6,653.55 feet more or less from U.S.C. & G.S. triangulation station "PETAL" which has California Zone 3 coordinate values of X = 1,399,275.97; Y = 638,720.84; thence from the point of beginning along the said ordinary high water mark North 31° 01' 25" West 27.48 feet; thence leaving the ordinary high water mark North 15° 40' 24" East 220.07 feet more or less to the ordinary high water mark on the northerly bank of Petaluma Creek; thence along said ordinary high water mark South 18° 01' 19" East 72.10 feet; thence leaving the ordinary high water mark South 15° 40' 24" West 197.79 feet more or less to the ordinary high water mark on the southerly bank of said river; thence North 31° 01' 25" West 27.48 feet to the POINT OF BEGINNING; containing 0.192 acre more or less.

PARCEL NO. 2

BEGINNING at a point on the ordinary high water mark on the left bank of Petaluma Creek; said point is approximately 1000 feet northerly from above described Parcel 1 and bears South 67° 38' 21" West 5,943.93 feet from U.S.C. & G.S. triangulation station "PETAL" which has California Zone 3 coordinate values of X = 1,399,275.97; Y = 638,720.84; thence from the point of beginning along the ordinary high water mark South 47° 48' 10" West 30.01 feet; thence leaving the ordinary high water mark North 06° 00' 24" East 294.52 feet more or less to said ordinary high water mark; thence along said ordinary high water mark South 45° 05' 26" East 51.40 feet; thence leaving the ordinary high water mark South 06° 00' 24" West 194.93 feet to said ordinary high water mark; thence along said ordinary high water mark South 26° 33' 54" West 41.53 feet and along same South 47° 48' 10" West 8.13 feet to the POINT OF BEGINNING; containing 0.231 acre more or less.

The bearings and distances used in the above descriptions conform with California Coordinate System, Zone 3.