

17. AMENDMENT OF LEASE P.R.C. 4086.1, T&S LANDS IN PACHECO CREEK NEAR AVON, CONTRA COSTA COUNTY, FOR THREE PIPELINES; SOUTHERN PACIFIC PIPE LINES, INC. - W.O. N-0013, P.R.C. 4086.1.

After consideration of Calendar Item 18 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AMENDS ITS RESOLUTION OF NOVEMBER 21, 1968 (MINUTE ITEM 18, PG. 1343), WHICH AUTHORIZED THE ISSUANCE TO SOUTHERN PACIFIC PIPE LINES, INC., OF A 49-YEAR RIGHT-OF-WAY, BY THE SUBSTITUTION OF A CORRECTED ANNUAL RENT IN THE AMOUNT OF \$168.06 IN LIEU OF \$335.34 AS PREVIOUSLY AUTHORIZED, FOR THE MAINTENANCE OF ONE 14" PIPELINE ON PARCELS 1, 2 AND 3, AND OF TWO 12" PIPELINES ON PARCELS 4, 5 AND 6, AS DESCRIBED IN SAID RESOLUTION.

Attachment

Calendar Item 18 (1 page)

18.

AMENDMENT OF AUTHORITY TO ISSUE LEASE P.R.C. 4086.1,
A RIGHT-OF-WAY

APPLICANT: Southern Pacific Pipe Lines, Inc.

LOCATION: Six 10-foot-wide strips of tide and submerged land totaling 882.47 lineal feet in Pacheco Creek (a.k.a. Walnut Creek) near Avon, Contra Costa County

PROPOSED USE: The maintenance of two 12" pipelines in three strips totaling 445.08 lineal feet, and of one 14" line in three strips totaling 437.39 lineal feet

TERMS AS PREVIOUSLY AUTHORIZED:

Initial period: 49 years, from November 2, 1967
Surety bond: \$5000

CONSIDERATION AS CORRECTED:

\$168.06 per annum

BASIS FOR CONSIDERATION:

One cent per-pipe-diameter-inch-per-lineal-foot

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:

By resolution of November 21, 1968 (Minute Item 18, p. 1343), the Commission authorized issuance of the subject right-of-way in consideration of \$335.34 annual rent. This later was found to be incorrect due to a misunderstanding as to the number and location of the pipelines as installed. This amendment effects the necessary correction.

EXHIBIT: A. Location map

IT IS RECOMMENDED THAT THE COMMISSION AMEND ITS RESOLUTION OF NOVEMBER 21, 1968 (MINUTE ITEM 18, P. 1343), WHICH AUTHORIZED THE ISSUANCE TO SOUTHERN PACIFIC PIPE LINES, INC., OF A 49-YEAR RIGHT-OF-WAY, BY THE SUBSTITUTION OF A CORRECTED ANNUAL RENT IN THE AMOUNT OF \$168.06 IN LIEU OF \$335.34 AS PREVIOUSLY AUTHORIZED, FOR THE MAINTENANCE OF ONE 14" PIPELINE ON PARCELS 1, 2 AND 3, AND OF TWO 12" PIPELINES ON PARCELS 4, 5 AND 6, AS DESCRIBED IN SAID RESOLUTION.