

MINUTE ITEM

4/24/74
GRH

8. 10-YEAR RIGHT-OF-WAY, TIDE AND SUBMERGED LAND IN THE BED OF COYOTE HILLS SLOUGH, ALAMEDA COUNTY; LESLIE SALT CO. - WP 375, PRC 375.1.

After consideration of Calendar Item 7 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC SECTION 21085; 14 CAL. ADM. CODE SECTIONS 15100, ET SEQ.; AND 2 CAL. ADM. CODE SECTION 2910.
2. AUTHORIZES THE ISSUANCE TO LESLIE SALT CO. OF A 10-YEAR RIGHT-OF-WAY FROM AUGUST 19, 1973, WITH LESSEE'S OPTION TO RENEW FOR 2 ADDITIONAL PERIODS OF 10 YEARS EACH; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$20, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; FOR THE CONTINUED MAINTENANCE OF ONE 18" RUBBER PIPELINE FOR TRANSMISSION OF SALT BRINE ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 7 (3 pages)

CALENDAR ITEM

7.

4/74
GRH
WP 375

RIGHT-OF-WAY

APPLICANT: Leslie Salt Co.

AREA, TYPE LAND AND LOCATION:
A 2,600 square foot parcel of tide and submerged land in the bed of Coyote Hills Slough, Alameda County.

LAND USE: One 18" rubber pipeline for transmission of salt brine.

TERMS OF PROPOSED LEASE:

Initial period: 10 years, from August 19, 1973.

Renewal options: 2 additional periods of 10 years each.

CONSIDERATION: \$20 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

\$20 minimum rental for this type of lease or permit.

PREREQUISITE TERMS:

U. S. Army Corps of Engineers permit issued.

Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Arts. 1, 2 and 10.

OTHER PERTINENT INFORMATION:

This site was previously covered by Lease PRC 375.1 which expired on August 18, 1973. Inasmuch as the pipeline is an existing facility that is maintained in an acceptable state of repair, and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other type of environmental degradation, an environmental impact report is not required.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRG SECTION 21085; 14 CAL. ADM. CODE SECTIONS 15100, ET SEQ.; AND 2 CAL. ADM. CODE SECTION 2910.

CALENDAR ITEM NO. 7. (CONTD)

2. AUTHORIZE THE ISSUANCE TO LESLIE SALT CO. OF A 10-YEAR RIGHT-OF-WAY FROM AUGUST 19, 1973, WITH LESSEE'S OPTION TO RENEW FOR 2 ADDITIONAL PERIODS OF 10 YEARS EACH; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$20, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; FOR THE CONTINUED MAINTENANCE OF ONE 18" RUBBER PIPELINE FOR TRANSMISSION OF SALT BRINE ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 375

A parcel of submerged land lying in the former bed of Patterson Creek, situated in the Cities of Fremont and Hayward, County of Alameda, State of California being more particularly described as follows:

COMMENCING at the intersection of the centerline of Lowry Road 60 feet wide, with the centerline of Newark Boulevard, formerly Marsh Road and running thence along the last named line S 54° 29' 16" E, 679.80 feet; thence leaving said centerline S 35° 02' 30" W, 98.70 feet; thence along the arc of a tangent curve to the right with a radius of 2100 feet, through an angle of 42° 47' 21" for a distance of 1568.30 feet;

thence S 71° 06' 52" W, 1026.04 feet;
 thence S 77° 49' 51" W, 600.00 feet;
 thence N 12° 10' 09" W, 10.00 feet;
 thence S 77° 49' 51" W, 763.62 feet;

thence along the arc of a tangent curve to the right with a radius of 2810 feet, through an angle of 20° 38' 23" for a distance of 1012.25 feet; thence N 81° 31' 46" W, 2576.36 feet; thence along the arc of a tangent curve to the right with a radius of 2510 feet, through an angle of 13° 51' 51" for a distance of 607.36 feet;

thence N 67° 39' 55" W, 147.54 feet;
 thence N 38° 51' 16" W, 228.25 feet;
 thence N 67° 39' 55" W, 850.00 feet;
 thence S 22° 20' 05" W, 230.00 feet;
 thence N 67° 39' 55" W, 3575.00 feet;
 thence N 9° 31' 50" E, 338.42 feet;
 thence N 22° 20' 05" E, 398.23 feet

to the intersection with the southerly line of Parcel "R", described in the deed from Leslie Salt Co. to the State of California, recorded on Reel 2119 of Official Records of Alameda County, Image 305, said point of intersection being the TRUE POINT OF BEGINNING of the parcel herein described; thence along the southerly line of said Parcel "R", S 55° 15' 55" E, 25.60 feet; thence N 22° 20' 05" E, 47.94 feet to the intersection with the northerly line of Parcel "R"; thence along said northerly line, N 37° 20' 58" W, 21.36 feet and N 63° 06' 14" W, 31.66 feet; thence S 22° 20' 05" W, 50.25 feet to the intersection with afore-mentioned southerly line of Parcel "R"; thence along said southerly line, S 55° 15' 55" E, 25.60 feet to the true point of beginning.

This description is based on the California Coordinate System Zone 3.

END OF DESCRIPTION