

MINUTE ITEM

4/24/74
CRK

13. AMENDMENT OF INDUSTRIAL LEASE PRC 3453.1, TIDE AND SUBMERGED LAND IN SUISUN BAY, CONTRA COSTA COUNTY; PHILLIPS PETROLEUM COMPANY - W 4415, PRC 3453.1.

After consideration of Calendar Item 12 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ISSUANCE TO PHILLIPS PETROLEUM COMPANY OF AN AMENDMENT TO LEASE PRC 3453.1, COVERING THE SITE OF PETROLEUM WHARF "AMORCO" IN SUISUN BAY, CONTRA COSTA COUNTY; TO PROVIDE FOR FIRM ANNUAL RENTAL OF \$14,544.14 DURING THE PERIOD DECEMBER 19, 1961, TO DECEMBER 18, 1976: PROVIDED THAT ALL OTHER TERMS AND CONDITIONS OF LEASE PRC 3453.1 SHALL REMAIN IN FULL FORCE AND EFFECT.

Attachment:

Calendar Item 12 (1 page)

CALENDAR ITEM

4/74
CRK
W 4415

12.

AMENDMENT OF INDUSTRIAL LEASE PRC 3453.1

APPLICANT: Phillips Petroleum Company.

AREA, TYPE LAND AND LOCATION:
16 acres of tide and submerged land in Suisun Bay, Contra
Costa County.

LAND USE: "Amorco" wharf for transporting petroleum products.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years, from December 19, 1961.

Renewal options: 3 additional periods of 10 years each.

Surety bond: \$50,000.

CONSIDERATION: A tentative annual rental of \$999.64 is now in effect.
This amendment sets firm annual rental of \$14,544.14.

BASIS FOR CONSIDERATION:

(Firm rental only) 6% of the appraised land value.

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:

1. An environmental impact report is not required. The action involved herein is not a project.
2. When this lease was issued, there was disagreement between the parties as to the method for determining rental for petroleum wharf sites. The controversy continued until recently when Phillips agreed to accept the State's rental terms retroactive to December 19, 1961. The company has accordingly executed an amending document and remitted \$177,078.14 to cover additional rental due.

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO PHILLIPS PETROLEUM COMPANY OF AN AMENDMENT TO LEASE PRC 3453.1, COVERING THE SITE OF PETROLEUM WHARF "AMORCO" IN SUISUN BAY, CONTRA COSTA COUNTY; TO PROVIDE FOR FIRM ANNUAL RENTAL OF \$14,544.14 DURING THE PERIOD DECEMBER 19, 1961, TO DECEMBER 18, 1976; PROVIDED THAT ALL OTHER TERMS AND CONDITIONS OF LEASE PRC 3453.1 SHALL REMAIN IN FULL FORCE AND EFFECT.