

MINUTE ITEM

This Calendar Item No. C9
was approved as Minute Item
No. 9 by the State Lands Commission by a vote of 3
to 0 at its 9/29/77
meeting.

C9.

9/77
WP 4627
Bjornsen
PRC 4627

GENERAL LEASE
RIGHT-OF-WAY USE

APPLICANT: The Anaconda Company
c/o Carl L. Wilson, Manager Affiliated
Properties
1849 W. North Temple
Salt Lake City, Utah 84116

AREA, TYPE LAND AND LOCATION:
A 12.97 acre parcel of school lands in
the west half of Section 16, T19S, R41E,
M.D.M., in Inyo County, approximately 3
airline miles northeasterly of Darwin.

LAND USE: Operation and maintenance of existing utility
lines consisting of a 4" water pipeline,
an electric power line and a telephone
line.

TERMS OF ORIGINAL LEASE:

Initial period: 11 years from May 9, 1966.
Surety bond: \$1,000.
Consideration: \$146.40 with 5-year review.
Special: A provision stating:
This Agreement shall
not operate to restrict
public passage over and
upon the demised premises
and the Lessee shall
not erect a fence or
similar structure there
upon.

TERMS OF PROPOSED LEASE:

Initial period: 15 years from May 9, 1977.
Renewal options: 1 successive period of
10 years,
Surety bond: \$3,000.

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Public Liability Insurance: For bodily injury and property damage for a combined single limit in the amount of \$150,000.

Special: A provision stating: This Agreement shall not operate to restrict public passage over and upon the demised premises and the Lessee shall not erect a fence or similar structure there upon.

CONSIDERATION: \$359.60 per annum with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION: \$359.60 minimum rental for the powerline and telephone line easements and 1½ cents per diameter inch per lineal foot of waterline.

PREREQUISITE TERMS, FEES AND EXPENSES:
Filing fee has been received.

First year's rental in the amount of \$359.60 has been deposited with the Division.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 & 2.
- B. Administrative Code: Title 2, Div. 3, Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:

1. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(a) which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.
2. This project is situated on State land identified as possessing significant

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environmental values pursuant to Public Resources Code 6370.1, and is classified in a use category, Class B which authorizes Limited Use.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

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 PRC 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT GRANTING OF THE LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO THE ANACONDA COMPANY OF A 15-YEAR REPLACEMENT OF RIGHT-OR-WAY LEASE PRC 4627.2 FROM MAY 9, 1977; WITH LESSEE'S OPTION TO RENEW FOR ONE SUCCESSIVE PERIOD OF 10 YEARS; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$359.60 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$3,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR BODILY INJURY AND PROPERTY DAMAGE FOR A COMBINED SINGLE LIMIT IN THE AMOUNT OF \$150,000; FOR THE OPERATION AND MAINTENANCE OF EXISTING UTILITY LINES CONSISTING OF A 4-INCH WATER PIPELINE, AN ELECTRIC POWER LINE AND A TELEPHONE LINE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 4627

A parcel of California State School Land situated in Section 16, T19S, R41E, MDN, Inyo County, California, said parcel more particularly described as follows:

BEGINNING at the West 1/4 corner of Section 16, T19S, R41E, MDN; thence S 0° 31' 20" W, 185.85 feet; thence N 85° 13' 40" E, 2625.47 feet; thence N 39° 29' E, 80.62 feet along the NW side line of the Reddy Millsite; thence N 86° 42' 50" W, 1669.07 feet; thence S 78° 22' W, 315.17 feet; thence S 86° 52' 20" W, 691.16 feet; thence S 0° 31' 20" W, 89.23 feet to West 1/4 corner and point of beginning.

END OF DESCRIPTION

Prepared M. J. Shal Checked R. J. Hill

Reviewed A. J. Runnicle Date 7/14/77

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