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is Calendar Item No. 003
from
to 0 10/26/83
meeting.

CALENDAR ITEM

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10/26/83
WP 4847
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PRC 4847

APPROVAL OF GENERAL LEASE -
RIGHT-OF-WAY USE

APPLICANT: Tele-Vue Systems, Inc.
1211 Avenue of the Americas
New York, New York 10036

AREA, TYPE LAND AND LOCATION:
A 0.064-acre parcel of tide and submerged
land in Napa River, Napa County.

LAND USE: Continued operation and maintenance of
two overhead television cables.

TERMS OF ORIGINAL LEASE:
Initial period: Ten years from December 1,
1973.

Consideration: \$20 per annum; five-year
rent review.

TERMS OF PROPOSED LEASE:
Initial period: Ten years from December 1,
1983.

CONSIDERATION: \$100 per annum, with the State reserving
the right to fix a different rental on
each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

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PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is permittee of upland.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AZ 884:

N/A.

OTHER PERTINENT INFORMATION:

1. By Calendar Item 13 at its December 1973 meeting, the Commission approved the issuance to Napa Valley Cablevision, Inc., of a ten-year General Lease - Right-of-Way Use. Subsequently this lease was amended and assigned to Tele-Vue Systems, Inc. The original lease expires on November 30, 1983, and Tele-Vue Systems, Inc. wishes to continue using the State-owned land; therefore, Commission approval for a replacement lease is requested.
2. This project is exempt from CEQA because it is within the purview of 2 Cal. Adm. Code 2095, Class 1, which exempts existing facilities.
3. The project is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1 and is classified in a use category "B" which authorizes Limited Use. The project as proposed will not have a significant effect upon the identified environmental values.

APPROVALS OBTAINED:

United States Army Corps of Engineers permit issued. Permission to use PGandE power poles has been granted.

EXHIBITS:

- A. Land Description.
- B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT

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REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15300 ET SEQ., AND 2 CAL. ADM. CODE 2905; AND FIND THAT THE PROJECT IS CONSISTENT WITH ITS USE CLASSIFICATION.

2. AUTHORIZE ISSUANCE TO TELE-VUE SYSTEMS, INC. OF A TEN-YEAR GENERAL LEASE - RIGHT-OF-WAY USE, FROM DECEMBER 1, 1983; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$100, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; FOR CONTINUED OPERATION AND MAINTENANCE OF TWO OVERHEAD TELEVISION CABLES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

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A strip of tide and submerged land 10 feet wide extending across the Napa River, approximately 45 feet northerly of and parallel with the Maxwell Bridge lift span on Imola Ave West, Napa, Napa County, California, said strip lying 5 feet on each side of the following described centerline:

COMMENCING at S.L.C. Monument "IMOLA", having coordinates X = 1,919,077.75, Y = 224,021.00; thence S 06° 08' W 14.5 feet, to the TRUE POINT OF BEGINNING; thence N 83° 52' W 800 feet across the Napa River and the end of the herein described centerline.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark.

This description is based on the California Coordinate System, Zone 2.

END OF DESCRIPTION

REVIEWED AUGUST 22, 1983 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.

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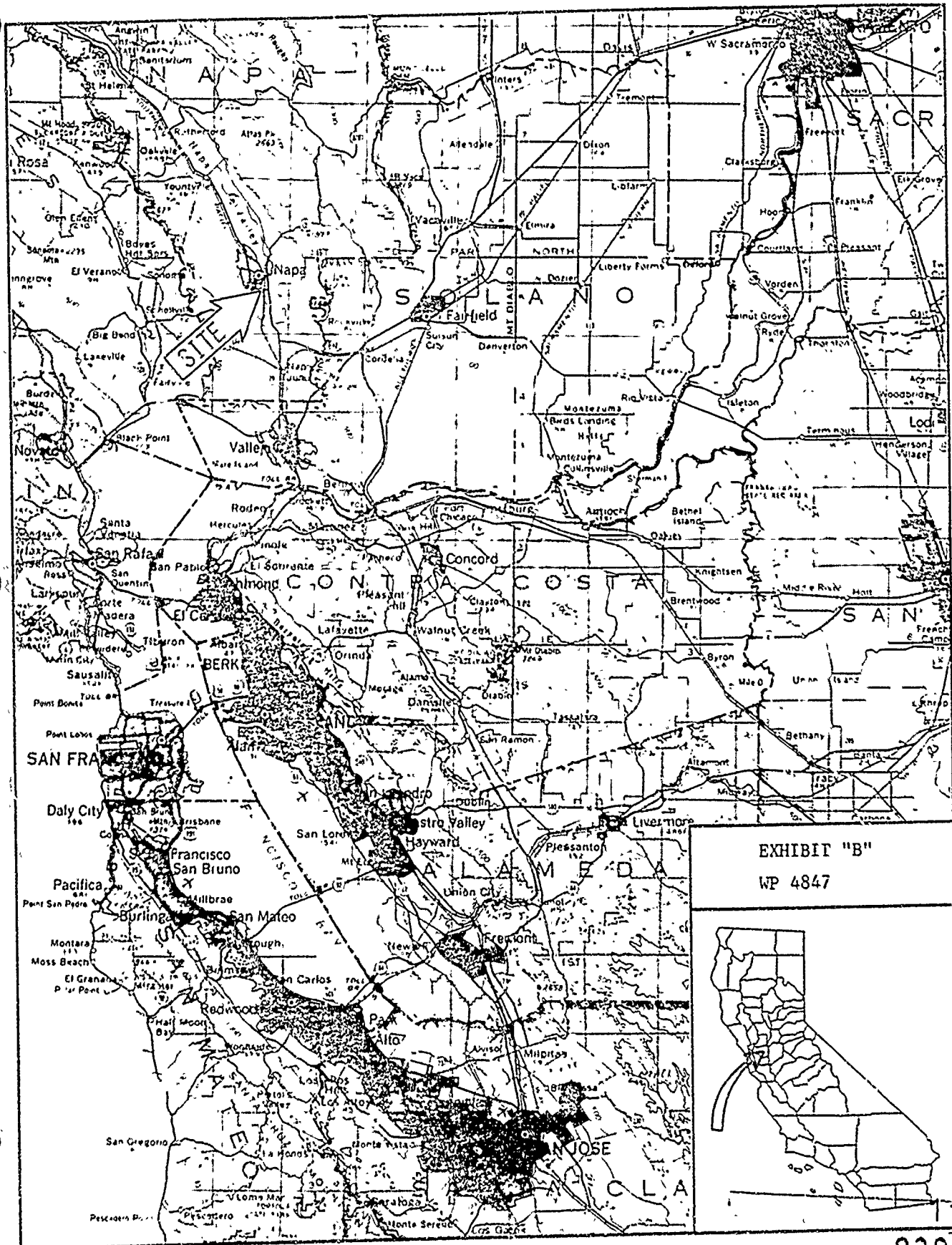


EXHIBIT "B"
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