

MINUTE ITEM  
This Calendar Item No. 39  
was approved as Minute Item  
No. 39 by the State Lands  
Commission by a vote of 2  
to 0 at its 12/13/88  
meeting.

CALENDAR ITEM

A 11  
S 7

39

12/13/88  
PRC 5735  
Bancroft

LESSEE: Wickland Oil Terminals, a  
California corporation  
PO Box 13648  
Sacramento California 95853

SECURED-PARTY LENDER:  
First National Bank of Boston  
100 Federal Street  
Boston, Massachusetts 02110

BACKGROUND

On September 26, 1979, the State Lands Commission approved the issuance of two (2) General Leases - Industrial Use for an initial period of 25 years commencing January 1, 1980, plus one successive 20-year renewal option of filled and unfilled tide and submerged land, located at Selby, San Pablo Bay, Contra Costa County. Lease PRC 5735 (5.8± acres) is for the marine petroleum warf - PRC 3536 (35± acres) is for the slag heap.

On July 21, 1983, the State Lands Commission approved an Agreement and Consent to Encumbrancing of these leases in the aggregate amount of \$60,000,000.

CURRENT SITUATION

The following applies to PRC 5735 only. The Lessee has applied to First National Bank of Boston for a loan for the purposes of

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(ADDED 12/12/88 - pgs. 179-179.3)

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CALENDAR ITEM NO. 39 (CONT'D)

refinancing existing improvements in the aggregate amount of \$15,000,000. First National Bank of Boston has requested that they be named as a secured-party lender under the subject lease. An Agreement and Consent to Encumbrancing of Lease is in the process of being signed by Lessee and First National Bank of Boston.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Code Regs. 15378.

2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. but will not affect those significant lands.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.
2. AUTHORIZE THE AGREEMENT AND CONSENT TO ENCUMBRANCING OF LESSEE'S RIGHTS, TITLE, AND INTERESTS IN LEASE PRC 5735, IN FAVOR OF FIRST NATIONAL BANK OF BOSTON, FOR THE PURPOSE OF REFINANCING EXISTING IMPROVEMENTS ON LEASE PRC 5735.

EXHIBIT "A"

PRC 5735.1

LAND DESCRIPTION

A parcel of tide and submerged land in Section 36, T3N, R4W, MDM; and Section 31, T3N, R3W, MDM, Contra Costa County, California, described as follows:

COMMENCING at the southeast corner of said section 36; thence north along the line common to said Sections 36 and 31, a distance of 1310.10 feet to the northeast corner of Tide Land Survey No. 19 and the POINT OF BEGINNING; thence S 68° 09' 30" W 38.46 feet, to a point on the Bulkhead Line as shown on U.S. Engineers map of Harbor Lines for Carquinez Strait, dated March 1, 1940; thence N 79° 00' 00" W 40 feet; thence N 45° 00' 00" E 425.00 feet; thence N 83° 00' 00" E 800.00 feet; thence S 32° 30' 00" E 575 feet more or less to the mean high tide line of San Pablo Bay; thence westerly along the mean high tide line 590 feet more or less to a point on the north boundary of Tide Land Survey No. 12; thence along said boundary S 59° 09' 30" W 165 feet more or less to an angle point in said boundary; thence continuing along said north boundary N 64° 05' 30" W 314.79 feet; thence N 89° 35' 30" W 313.50 to the true point on beginning.

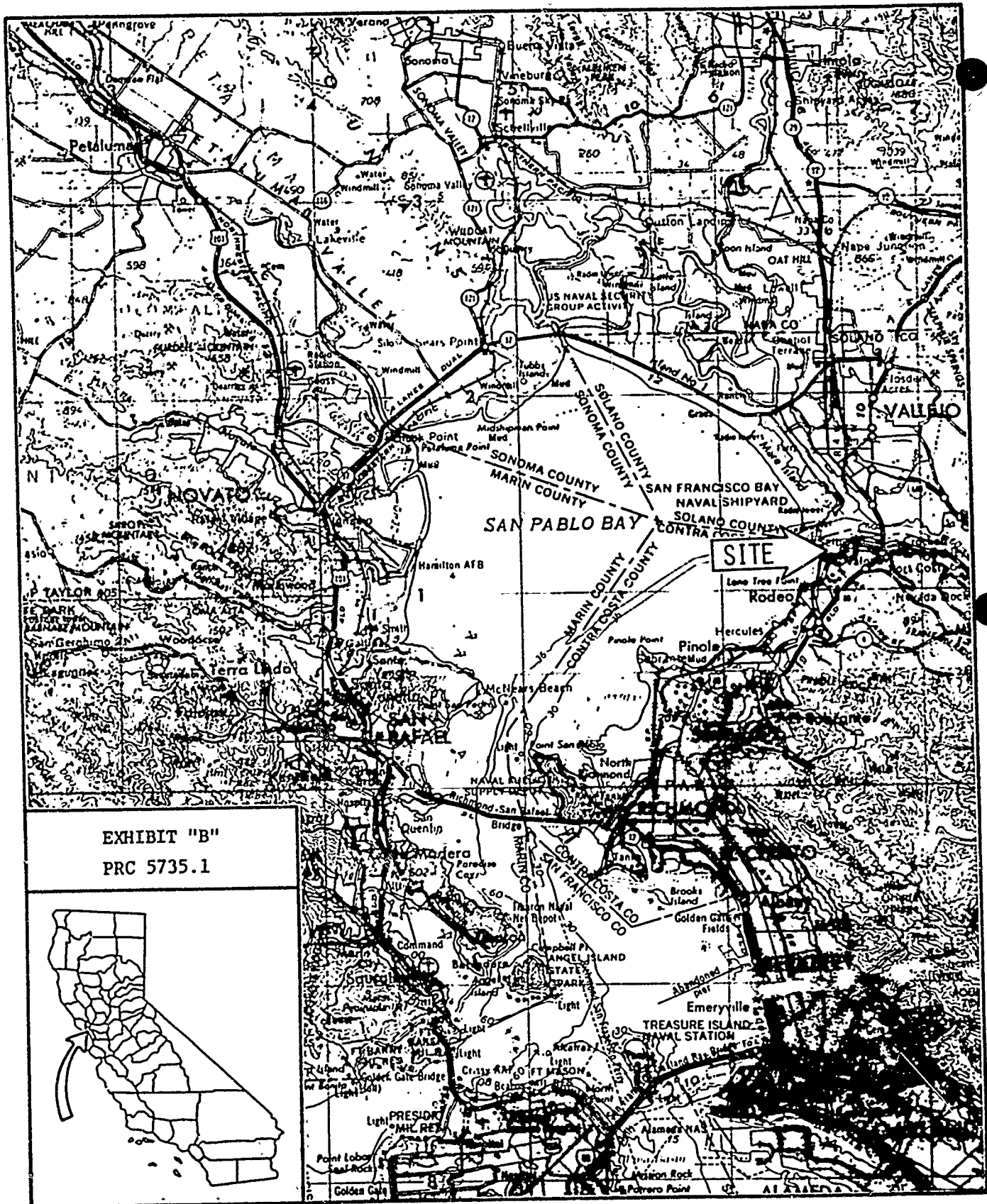
Record bearings were rotated 1° 09' 30" clockwise.

TOGETHER WITH the sovereign interests in Tideland Survey Nos. 12 and 19 abutting the above described parcel.

END OF DESCRIPTION

REVISED NOVEMBER 18, 1988 BY BIJ 1.

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**EXHIBIT "B"**  
**PRC 5735.1**