

MINUTE ITEM
This Calendar Item No. C12
was approved as Minute Item
No. C12 by the State Lands
Commission by a vote of 2
to 0 at its 10/29/90
meeting.

CALENDAR ITEM

A 11
S 7

C 1 2

10/29/90
PRC 5040
Bancroft

RENEWAL OF LEASE PRC 5040

LESSEE: Pacific Gas and Electric Company
East Bay Land Department
1919 Webster Street
Oakland, California 94612

AREA, TYPE LAND AND LOCATION:
A three-acre parcel of tide and submerged land
in the beds of Pacheco Creek and Hastings
Slough, town of Crockett, county of Contra
Costa.

LAND USE: Continued use and maintenance of a 16-inch
pipeline.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years beginning August 1,
1975, and ending July 31,
1990.

Renewal options: Three (3) successive periods
of ten (10) years each.

Public liability insurance: \$1,000,000 per
occurrence for bodily injury
and property damage.

Consideration: \$4,590 per annum; five-year
rent review.

CALENDAR ITEM NO. C 1 2 (CONT'D)

TERMS OF PROPOSED FIRST TEN-YEAR RENEWAL:

Initial period: Ten (10) years beginning
August 1, 1990 through
July 31, 2000.

Consideration: \$5,040 per annum; five-year
rent review.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES, AND EXPENSES:

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Code Regs.: Title 2, Div. 3;
Title 14, Div. 6.

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 as a categorically exempt project. The project is exempt under Class 1, Existing Facilities, 2 Cal. Code Regs 2905(a)(2).

Authority: P.R.C. 21084, 14 Cal. Code Regs. 15061, and 2 Cal. Code Regs. 2905.

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 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 2 CAL. CODE REGS. 2905(a)(2).

CALENDAR ITEM NO. C 1 2 (CONT'D)

2. AUTHORIZE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A TEN-YEAR RENEWAL OF LEASE PRC 5040, BEGINNING AUGUST 1, 1990, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$5,040; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; FOR THE CONTINUED OPERATION AND MAINTENANCE OF A 16-INCH PIPELINE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

LAND DESCRIPTION

PRC 5040.1

PARCEL 1

A strip of tide and submerged land 50 feet wide in Contra Costa County, California, said strip extending across Walnut Creek, also known as Pacheco Creek, and lying 25 feet on each side of the following described centerline:

COMMENCING at a 2 - 1/2 inch brass cap in concrete marked "SKIMMER", having California Zone 3 Coordinates of $X = 1,548,119.10$, $Y = 562,459.72$; thence $S 70^{\circ} 16' 54'' W$, 3419.5 feet to the TRUE POINT OF BEGINNING; thence $N 71^{\circ} 19' 06'' E$, 750 feet and the end of the herein described centerline.

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

PARCEL 2

A strip of tide and submerged land 50 feet wide in Contra Costa County, California said strip extending across Hastings Slough, and lying 25 feet on each side of the following described centerline:

COMMENCING at a 2 - 1/2 inch brass cap set in $8'' \times 8''$ concrete marked "CLC 1947 Hastings #2", having California Zone 3 Coordinates of $X = 1,553,901.31$, $Y = 564,692.21$; thence $S 55^{\circ} 34' 54'' W$, 1173.1 feet to the TRUE POINT OF BEGINNING; thence $N 71^{\circ} 19' 30'' E$, 253 feet and the end of the herein described centerline.

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

PARCEL 3

A strip of land at Crockett, Contra Costa County, California, said strip is extending from the easterly boundary line of the parcel of land described and designated PARCEL II under Section 3, Land Description, in the un-recorded lease from State of California, State Lands Commission, to California and Hawaiian Sugar Company, dated July 24, 1975 (Lease P.R.C. No. 5026.1) easterly to (a) the westerly boundary line of the parcel of land described and designated PARCEL III in said lease dated July 24, 1975 and (b) the southerly boundary line of the railroad right of way of the Southern Pacific Transportation Company extending along the northerly boundary line of said parcels of land designated PARCEL II and PARCEL III and lying 15 feet on each side of the line which begins at a point in the easterly boundary line of said parcel of land designated PARCEL II and runs thence (1) $N 79^{\circ} 28.0' E$ approximately 15 feet to a point herein for convenience called Point "B"; thence (2) easterly on a curve to the right with a radius of 550.00 feet, tangent at the westerly terminus thereof to the preceding course, an arc distance of approximately 100 feet to a point in the southerly boundary line of said railroad right of way; said Point "B" bears $N 40^{\circ} 52.2' E$ 365.64 feet distant from the found brass disk (marked Sec. 31 & 32, T 3 N, R 3 W, Sec. 5 & 6, T 2 N, R 3 W) set in the top of a concrete block accepted as marking the northeast corner of Section 6, T 2 N, R 3 W, MDM.

PARCEL 4

A strip of land at Crockett, Contra Costa County, California said strip is extending from the southwesterly and northwesterly boundary lines of the parcel of land described and designated PARCEL NO. 2 in the quitclaim deed from Southern Pacific Transportation Company to California and Hawaiian Sugar Company dated June 18, 1975 and recorded in Book 7570 of Official Records at page 761, Contra Costa County Records, easterly to the northeasterly boundary line of said parcel of land designated PARCEL NO. 2 and lying 15 feet on each side of the line which begins at a point in the northwesterly boundary line of said parcel of land designated PARCEL NO. 2 and runs thence (1) N 87° 23.8' E approximately 15 feet to a point herein for convenience called Point "D"; thence (2) easterly on a curve to the left with a radius of 500.00 feet, through a central angle of 19° 43.0' and tangent at the westerly terminus thereof to the preceding course, an arc distance of 172.06 feet; thence (3) N 67° 40.8' E 61.93 feet; thence (4) easterly on a curve to the right with a radius of 500.00 feet, tangent at the westerly terminus thereof to the preceding course, an arc distance of approximately 80 feet to a point in the northeasterly boundary line of said parcel of land designated PARCEL NO. 2; said Point "D" bears N 76° 51.8' E 1268.29 feet distant from the found brass disk (marked Sec. 31 & 32, T 3 N, R 3 W, Sec. 5 & 6, T 2 N, R 3 W) set in the top of a concrete block accepted as marking the northeast corner of Section 6, T 2 N, R 3 W, MDM.

PARCEL 5

The portion of the parcel of land at Crockett, Contra Costa County, California said portion is described and designated PARCEL III under Section 3, Land Description, in the un-recorded lease from State of California, State Lands Commission, to California and Hawaiian Sugar Company dated July 24, 1975 (Lease P.R.C. No. 5026.1) lying within the boundary lines of the strip of land described as follows:

A strip of land bounded on the westerly side by the westerly boundary line of said parcel of land designated PARCEL III, bounded on the northerly side by the northerly boundary line of said parcel of land designated PARCEL III, bounded on the southeasterly side by the southeasterly boundary line of said parcel of land designated PARCEL III, and bounded on the southerly side by a line which is parallel with and distant 15 feet southerly from (measured at a right angle to) the line which begins at a point in the southerly boundary line of the railroad right of way of the Southern Pacific Transportation Company extending along the northerly boundary line of said parcel of land designated PARCEL III and the northerly boundary line of the parcel of land described and designated PARCEL II in said lease dated July 24, 1975, and runs thence (1) easterly on a curve to the right with a radius of 550.00 feet, tangent at the easterly terminus thereof to the succeeding course, an arc distance of approximately 70 feet to a point herein for convenience called Point "C"; thence (2) S 83° 08.2' E 374.89 feet; thence (3) easterly on a curve to the left with a radius of 500.00 feet, through a central angle of 23° 32.0' and tangent at the westerly terminus thereof to the preceding course, an arc distance of 205.37 feet; thence (4) N 73° 19.8' E 29.72 feet; thence (5) easterly on a curve to the right with a radius of 500.00 feet, through a central angle of 14° 04.0' and a tangent at the westerly terminus thereof to the preceding course, an arc distance of 122.75 feet; thence (6) N 87° 23.8' E approximately 90 feet to a point in the southerly boundary line of said railroad right of way; said Point "C" bears N 55° 12.2' E 493.84 feet distant from the found brass disk (marked Sec. 31 & 32, T 3 N, R 3 W, Sec. 5 and 6, T 2 N, R 3 W) set in the top of a concrete block accepted as marking the northeast corner of Section 6, Township 2 North, Range 3 West, MDM.

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

PARCEL 6

A strip of land at Crockett, Contra Costa County, California, said strip is of the uniform width of 30 feet extending from the southwesterly boundary line of the parcel of land described and designated PARCEL IV under Section 3, Land Description, in the un-recorded lease from State of California, State Lands Commission to California and Hawaiian Sugar Company dated July 24, 1975 (Lease P.R.C. No. 5026.1) northeasterly to the easterly boundary line of the parcel of land described and designated PARCEL II in said lease dated July 24, 1975 and lying 15 feet on each side of the line which begins at a point in the southwesterly boundary line of said parcel of land designated PARCEL IV and runs thence (1) N 51° 05.5' E approximately 60 feet to a point herein for convenience called Point "A"; thence (2) N 57° 49.0' E 371.94 feet; thence (3) easterly on a curve to the right with a radius of 720.00 feet, through a central angle of 21° 39.0', and tangent at the westerly terminus thereof to the preceding course, an arc distance of 272.06 feet; thence (4) N 79° 28.0' E approximately 210 feet to a point in the easterly boundary line of said parcel of land designated PARCEL II; said Point "A" bears S 83° 39.0' W 549.47 feet distant from the found brass disk (marked Sec. 31 & 32, T 3 N, R 3 W, Sec. 5 & 6, T 2 N, R 3 W) set in the top of a concrete block accepted as marking the northeast corner of Section 6, T 2 N, R 3 W, MDM.

PARCEL 7

A strip of land at Crockett, Contra Costa County, California, said strip is extending from the northeasterly boundary line of the parcel of land described and designated PARCEL NO. 2 in the quitclaim deed from Southern Pacific Transportation Company to California and Hawaiian Sugar Company dated June 18, 1975 and recorded in Book 7570 of Official Records at page 761, Contra Costa County Records, easterly to the ordinary high water mark of Carquinez Straits and lying 15 feet on each side of the following described centerline:

COMMENCING at the brass disk (marked Sec. 31 & 32, T 3 N, R 3 W, Sec. 5 & 6, T 2 N, R 3 W) set in the top of a concrete block accepted as marking the northeast corner of Section 6, T 2 N, R 3 W, MDM; thence N 76° 51.8' E 1268.29 feet; thence easterly on a curve to the left with a radius of 500.00 feet, the center of which bears N 2° 36.2' W, through a central angle of 19° 43.0', an arc distance of 172.06 feet; thence N 67° 40.8' E 61.93 feet; thence easterly on a curve to the right with a radius of 500.00 feet, tangent at the westerly terminus thereof to the preceding course, an arc distance of approximately 80 feet to a point in the northeasterly boundary line of said parcel of land designated PARCEL NO. 2 being the TRUE POINT OF BEGINNING of the herein described strip of land; thence continuing along said 500.00 foot radius curve an arc distance of 111.36 feet; thence N 89° 36.5' E 122.00 feet more or less to the ordinary high water mark of Carquinez Straits.

END OF DESCRIPTION

REVISED APRIL 25, 1990 BY SAS.

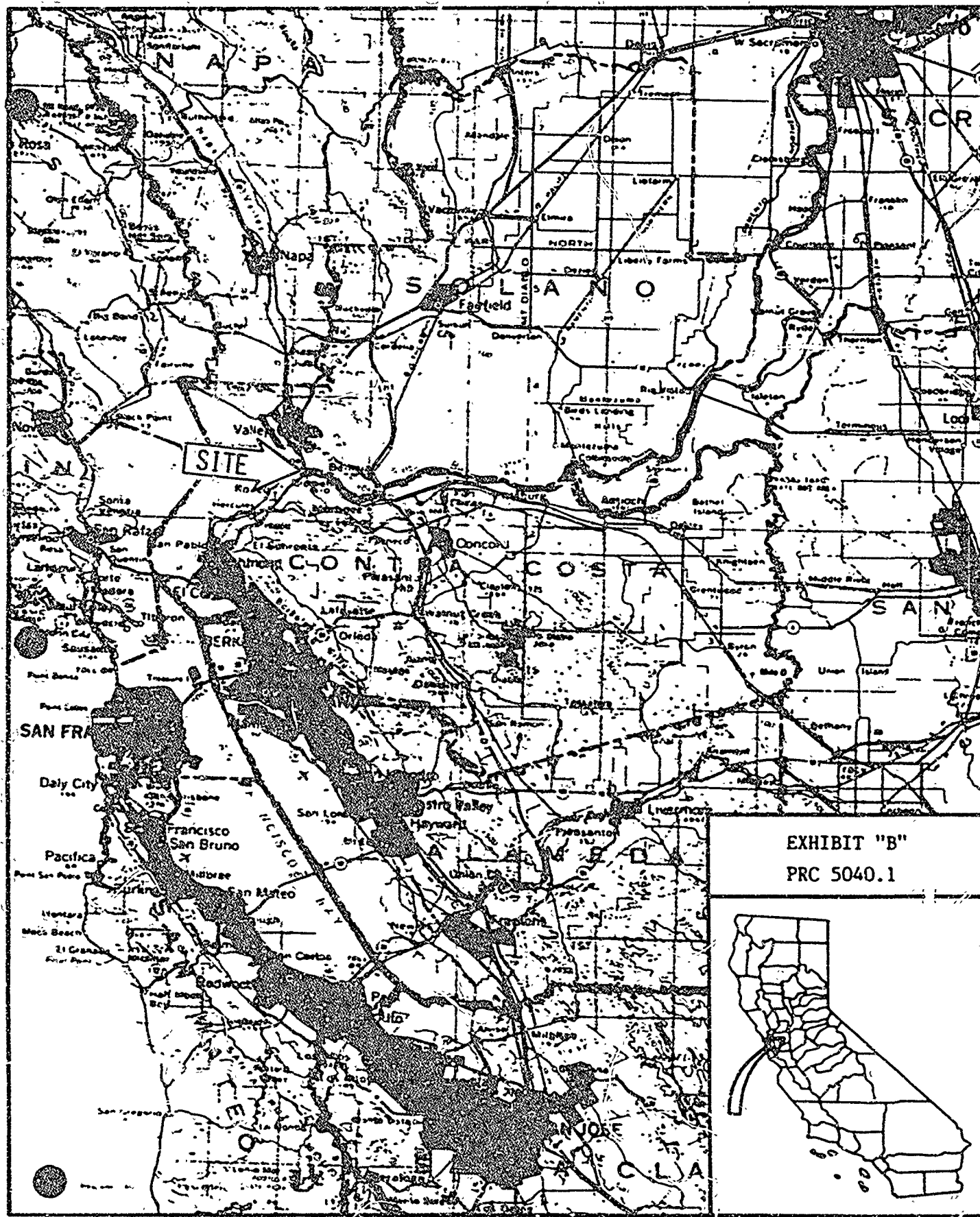


EXHIBIT "B"
 PRC 5040.1

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