

MINUTE ITEM

This Calendar Item No. C50
was approved as Minute Item
No. 50 by the State Lands
Commission by a vote of 3
to 0 at its 9/23/92
meeting.

CALENDAR ITEM

C 5 0

A 1

S 1

09/23/92
PRC 514
Reese

APPROVE SUPPLEMENTAL AGREEMENT NO. 2
PROVIDING A THREE-MONTH EXTENSION OF LEASE PRC 514

LESSEE:

United States Army Corps of Engineers
1325 "J" Street
Sacramento, California 95814

BACKGROUND

The United States Government has leased approximately 16,282 acres of school lands since 1942. These lands have been utilized as part of the Sierra Army Depot. On May 1, 1991, the State Lands Commission (SLC) approved the sale of the leased land for one million three hundred three thousand dollars (\$1,303,000). It also approved Supplemental Agreement No. 1. This agreement provided for a three-month lease extension from October 31, 1991 to December 31, 1991, for thirty thousand dollars (\$30,000), an option to purchase, and a provision to enter into a friendly condemnation regarding the reserved mineral interest.

CURRENT SITUATION

The government exercised its option to purchase, by letter dated December 31, 1991, and filed a friendly condemnation action on March 30, 1992, the date the government acquired title to the leased lands by eminent domain action. Therefore, the parties have agreed that the government remained in possession of the property as a holdover tenant for the period January 1, 1992 to March 31, 1992. The government has agreed to pay the SLC thirty thousand dollars (\$30,000) for the holdover tenancy.

Supplemental Agreement No. 2 sets forth the previously mentioned particulars, with regard to the period January 1, 1992 to March 30, 1992, as a modification to lease PRC 514 with all other terms and conditions to remain binding and in full force and effect.

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STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Code Regs.: Title 3, 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 consideration of the Supplemental Agreement 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. 15300, and 2 Cal. Code Regs. 2905.

EXHIBIT:

- A. Parcel Description

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).
- 2. APPROVE SUPPLEMENTAL AGREEMENT NO. 2, WHICH EXTENDS LEASE PRC 514 FROM JANUARY 1, 1992 TO MARCH 30, 1992 AND PROVIDES FOR A TOTAL PAYMENT OF \$30,000 FOR THIS EXTENSION.

EXHIBIT "A"

LAND DESCRIPTION

WP 514

Those portions of State-owned land in the County of Lassen, State of California, more particularly described as follows:

<u>Subdivision</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rg.</u>	<u>Meridian</u>
W $\frac{1}{2}$ of SW $\frac{1}{4}$	1	27N	16E	M.D.M.
Lots 2 and 3	2	"	"	"
N $\frac{1}{2}$, SE $\frac{1}{4}$, N $\frac{1}{2}$ of SW $\frac{1}{4}$, SW $\frac{1}{4}$ of SW $\frac{1}{4}$	4	"	"	"
NW $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$	9	"	"	"
NW $\frac{1}{4}$, E $\frac{1}{2}$ of SW $\frac{1}{4}$, NW $\frac{1}{4}$ of SE $\frac{1}{4}$	10	"	"	"
N $\frac{1}{2}$, NE $\frac{1}{4}$ of SE $\frac{1}{4}$, W $\frac{1}{2}$ of SE $\frac{1}{4}$, SW $\frac{1}{4}$	11	"	"	"
N $\frac{1}{2}$, NE $\frac{1}{4}$ of SE $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ of SE $\frac{1}{4}$	12	"	"	"
A11	13	"	"	"
A11	14	"	"	"
NW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$	15	"	"	"
Lots 1 and 2	16	"	"	"
NE $\frac{1}{4}$	22	"	"	"
A11	23	"	"	"
A11	24	"	"	"
A11	27	"	"	"
A11	34	"	"	"
A11, excepting therefrom 0.23 of an acre more particularly described as follows: "BEGINNING at a point which bears N 0° 22' 20" E, 100.58 feet from the northeast corner of the NW $\frac{1}{4}$ of Section 2, T26N, R16E, MDM and running thence N 89° 37' 40" W, 100 feet; thence N 0° 22' 20" E, 100 feet; thence S 89° 37' 40" E, 100 feet; thence S 0° 22' 20" W, 100 feet to the point of beginning.	35	"	"	"
Lots 1, 2, 3, 4, 5, 6, 7	6	27N	17E	M.D.M.
Lots 1, 2, 3, 4	7	"	"	"
A11	8	"	"	"
A11	17	"	"	"
A11	18	"	"	"
A11	19	"	"	"
A11	20	"	"	"
Lot 4	30	"	"	"
N $\frac{1}{2}$ of N $\frac{1}{2}$, S $\frac{1}{2}$ of NW $\frac{1}{4}$, N $\frac{1}{2}$ of SW $\frac{1}{4}$, S $\frac{1}{2}$ of S $\frac{1}{2}$	29	"	"	"
Portion N of W. Pac. RR R/W	31	"	"	"
" " " " " " "	32	"	"	"
E $\frac{1}{2}$ of SE $\frac{1}{4}$	20	28N	16E	M.D.M.
S $\frac{1}{2}$ of SE $\frac{1}{4}$	24	"	"	"
S $\frac{1}{2}$, E $\frac{1}{2}$ of NE $\frac{1}{4}$	25	"	"	"
SE $\frac{1}{4}$	26	"	"	"

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<u>Subdivision</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rg.</u>	<u>Meridian</u>
SE $\frac{1}{2}$	28	28N	16E	M.D.M.
N $\frac{1}{2}$ of NE $\frac{1}{2}$	33	"	"	"
S $\frac{1}{2}$, NW $\frac{1}{4}$	34	"	"	"
N $\frac{1}{2}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ of SW $\frac{1}{4}$	35	"	"	"
Lots 3, 4, & 6.74 Ac of Lot 2 So. of S.P.R/W	19	28N	17E	M.D.M.
Lots 1, 2, 3, 4, E $\frac{1}{2}$ of W $\frac{1}{2}$, SE $\frac{1}{4}$	30	"	"	"
S $\frac{1}{2}$ of SW $\frac{1}{4}$	29	"	"	"
AT1	31	"	"	"
W $\frac{1}{2}$, W $\frac{1}{2}$ of SE $\frac{1}{4}$	32	"	"	"

END OF DESCRIPTION

REVISED MARCH 19, 1985, BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

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