

MINUTE ITEM

This Calendar Item No. C39 was approved as Minute Item No. 39 by the California State Lands Commission by a vote of 3 to 0 at its 6-27-00 meeting.

CALENDAR ITEM

C39

A 26

June 27, 2000

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PRC 2511.1 WP 2511.1
F. Singer

GENERAL LEASE - RIGHT OF WAY USE

LESSEES:

Alexander Hildebrand and Barbara F. Hildebrand,
Trustees of the Hildebrand Family Trust, Dated March 1, 1995
23443 South Hays Road
Manteca, California 95337

AREA, LAND TYPE, AND LOCATION:

0.184 acres, more or less, of sovereign lands in an oxbow of the San Joaquin River, near Manteca, San Joaquin County.

AUTHORIZED USE:

Continued use and maintenance of an existing 50 foot by 160 foot access road and culvert.

LEASE TERM:

Ten years, beginning January 1, 2000.

CONSIDERATION:

\$100 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

OTHER PERTINENT INFORMATION:

1. Applicants own the uplands adjoining the lease premises.
2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 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; Title 2, California Code of Regulations, section 2905 (a)(2).

CALENDAR PAGE	0222
MINUTE PAGE	8595

CALENDAR ITEM NO. C39 (CONT'D)

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

3. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
4. This lease renewal constitutes the second of three Renewal Options held by the lessee by virtue of that lease authorized by the State Lands Commission on August 26, 1976, between the State Lands Commission as Lessor, and Alexander Hildebrand and Barbara Hildebrand as Lessees.

EXHIBITS:

- A. Legal Description
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

CALENDAR PAGE	0223
MINUTE PAGE	8596

CALENDAR ITEM NO. C39 (CONT'D)

AUTHORIZATION:

AUTHORIZE ISSUANCE TO ALEXANDER HILDEBRAND AND BARBARA F. HILDEBRAND, TRUSTEES OF THE HILDEBRAND FAMILY TRUST, DATED MARCH 1, 1995, OF A GENERAL LEASE - RIGHT-OF-WAY USE, BEGINNING JANUARY 1, 2000, FOR A TERM OF TEN YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING ACCESS ROAD AND CULVERT ON THE LAND DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF \$100, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE.

CALENDAR PAGE	0224
MINUTE PAGE	8597

EXHIBIT "A"

PRC 2511.1

LAND DESCRIPTION

A strip of land 50 feet wide in the State owned bed of the San Joaquin River, in San Joaquin County, California, said strip lying 25 feet on each side of the following described centerline:

BEGINNING at a point on the right bank of the San Joaquin River, said point being S 89° 05' 30" W 6606.1 feet, S 89° 50' W 2256.4 feet, N 17° 00' W 151.2 feet, N 38° 30' W 330.0 feet, N 54° 00' W 410.0 feet, and N 83° 00' W 1545.0 feet from the northeast corner of Section 25, T 2 S, R 6 E, MDM; thence S 10° E 160 feet, more or less to a point on the left bank of said San Joaquin River and the end of the herein described line.

END OF DESCRIPTION

REVIEWED JULY 24, 1989 BY BIU 1.

CALENDAR PAGE	0225
MINUTE PAGE	8598

