

**MINUTE ITEM**

This Calendar Item No. C41 was approved as Minute Item No. 41 by the California State Lands Commission by a vote of 3 to 2 at its 10/20/03 meeting.

**CALENDAR ITEM  
C41**

A 11  
S 7

10/20/03  
PRC 7659.1  
N. Smith

**REVISION OF RENT AND AMENDMENT OF LEASE**

**LESSEE:**

C&H Sugar Company, Inc.  
Attn: Mr. Michael J. Laituri  
830 Loring Avenue  
Crockett, California 94525-1199

**AREA, LAND TYPE, AND LOCATION:**

28 acres, more or less, of sovereign lands in Carquinez Straits, in the town of Crockett, Contra Costa County.

**AUTHORIZED USE:**

Sugar refinery, dock and outfall lines.

**LEASE TERM:**

30 years, beginning September 23, 1992.

**CONSIDERATION:**

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease, and recommends that the rent be revised from \$338,605 per year to \$461,700 per year, effective September 23, 2002.

Lessee has requested that the rent be paid on a monthly basis, rather than an annual basis. Rent will be due no later than the 23<sup>rd</sup> day of each month of equal payments in the amount of \$38,475. Staff recommends the Commission approve the request.

**EXHIBIT:**

A. Location Map

CALENDAR ITEM NO. C41 (CONT'D)

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

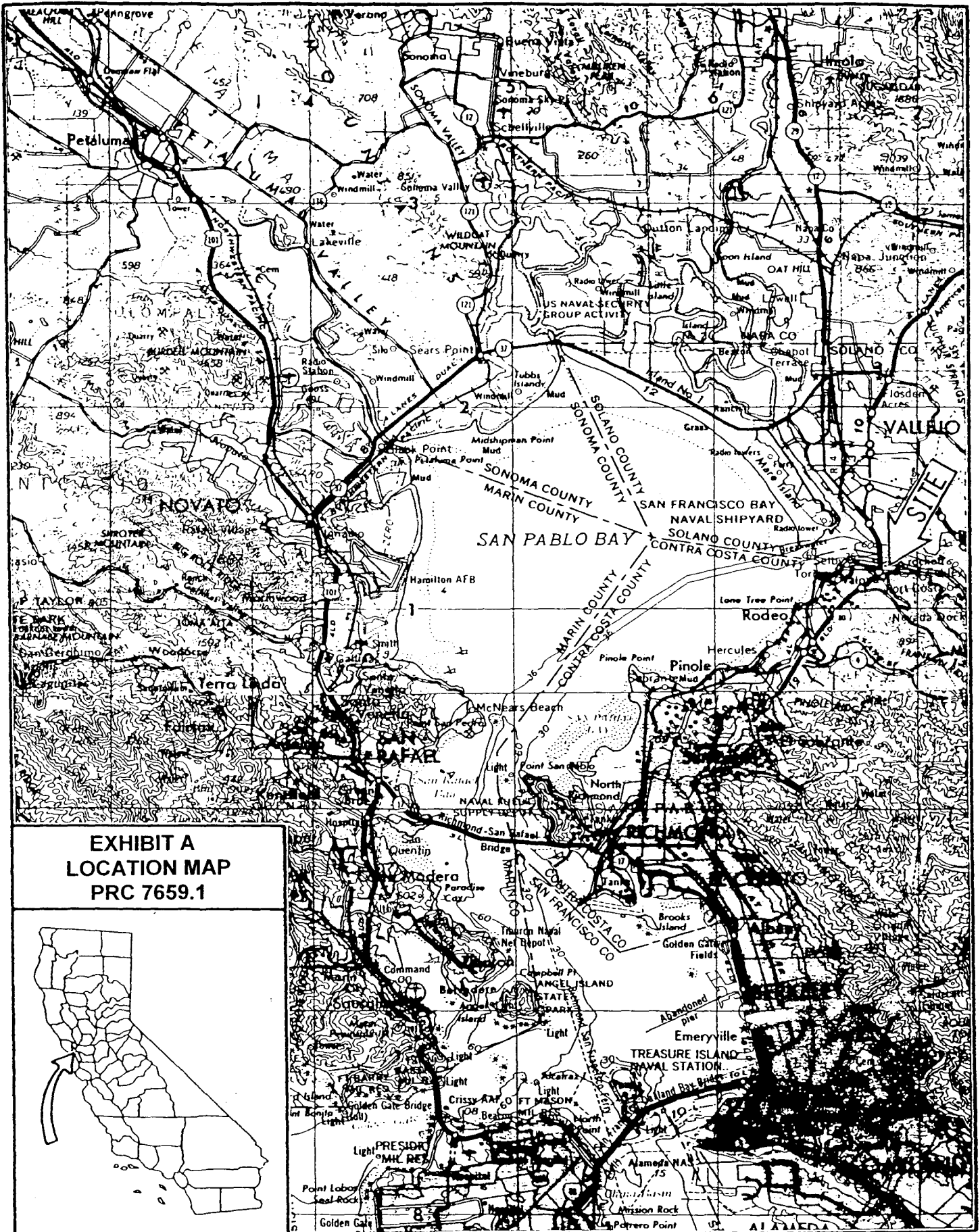
**CEQA FINDING:**

FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

**AUTHORIZATION:**

APPROVE THE REVISION OF RENT FOR LEASE NO. PRC 7659.1 FROM \$338,605 PER YEAR TO \$461,700 PER YEAR OR MONTHLY PAYMENTS IN THE AMOUNT OF \$38,475; EFFECTIVE SEPTEMBER 23, 2002.

AUTHORIZE THE AMENDMENT OF LEASE PRC 7659.1 GENERAL LEASE – INDUSTRIAL USE FOR RENT TO BE PAID ON A MONTHLY BASIS BEFORE THE 23<sup>rd</sup> DAY OF EACH MONTH, EFFECTIVE SEPTEMBER 23, 2003; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.



**EXHIBIT A  
LOCATION MAP  
PRC 7659.1**