

MINUTE ITEM

17. (APPLICATION TO AMEND LEASE P.R.C. 835.1, COVERING CERTAIN TIDE AND SUBMERGED LANDS IN SAN FRANCISCO BAY AT HUNTERS POINT TO FACILITATE A STATE SALE OF THE AREA TO THE CITY AND COUNTY OF SAN FRANCISCO - W. O. 2795.)

After presentation of Calendar Item 7 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE DECEMBER 12, 1957 ACTION TAKEN UNDER MINUTE ITEM 8, PAGE 3668, IS RESCINDED. FURTHER, THE EXECUTIVE OFFICER IS AUTHORIZED TO AMEND LEASE P.R.C. 835.1, ISSUED TO PIOMBO CONSTRUCTION COMPANY AND CHARLES L. HARNEY, TO DELETE APPROXIMATELY 12.26 ACRES IN ONE PARCEL AND TO ADD ANOTHER PARCEL OF STATE TIDE AND SUBMERGED LAND CONTAINING APPROXIMATELY 0.68 ACRE IN SAN FRANCISCO BAY AT HUNTERS POINT, THE TOTAL ANNUAL RENTAL TO BE REDUCED FROM \$954.40 TO \$501.53, EFFECTIVE OCTOBER 27, 1958, THE DUE DATE OF THE ANNUAL RENTAL; FURTHER, THE LESSEE IS ALLOWED A CREDIT AGAINST SAID RENTAL OF \$452.87, MAKING THE NET RENTAL DUE OCTOBER 27, 1958 \$48.66. SAID CREDIT IS COMPUTED AS FOLLOWS:

LAST YEAR'S RENTAL PAID IN ADVANCE	\$954.40
LAST YEAR'S RENTAL PER THIS ACTION	<u>501.53</u>
CREDIT DUE LESSEE	\$452.87

ALSO, THE REQUIREMENT CONTAINED IN LEASE P.R.C. 835.1 THAT THE LESSEE ANNUALLY FILL 200 FEET OF SUBMERGED LANDS FOR A TOTAL OF 2400 FEET IS AMENDED TO REQUIRE 150 FEET OF FILL ANNUALLY FOR A TOTAL OF 1500 FEET, AND THE SURETY BOND REQUIREMENT IS REDUCED FROM \$5,000 TO \$2,000.

Attachment
Calendar Item 7 (2 pages)

CALENDAR ITEM

MISCELLANEOUS

7.

(APPLICATION TO AMEND LEASE P.R.C. 835.1 COVERING CERTAIN TIDE AND SUBMERGED LANDS IN SAN FRANCISCO BAY AT HUNTERS POINT TO FACILITATE A STATE SALE OF THE AREA TO THE CITY AND COUNTY OF SAN FRANCISCO - W. O. 2795.)

On December 12, 1957 (Minute Item 8, page 3668) the Commission authorized an amendment to Lease P.R.C. 835.1 and the issuance of a lease to the City and County of San Francisco for that portion of the tide and submerged lands to be deleted from P.R.C. 835.1, as well as approximately 26.89 acres of underwater streets. This amendment and the new lease were not executed.

By Chapter 2, Statutes of 1958, First Extra Session, the Legislature directed the Commission to sell to the City and County of San Francisco certain lands including those the Commission had authorized for lease.

To proceed with the sale, the action taken by the Commission on December 12, 1958 should be rescinded, and new action taken to authorize the amending of Lease P.R.C. 835.1 issued to the Piombo Construction Company and Chas. L. Harney, effective October 27, 1953 for a 15-year term, to delete approximately 12.26 acres and reduce the annual rental by \$621.07.

The lessee has requested that the lease be further amended to include an additional parcel of State land containing approximately 0.68 acre for an annual rental of \$168.20 based on the appraised value, making the total annual rental \$501.53. Negotiations for the 0.68-acre parcel were commenced in 1956 but action was delayed until the applicant recently obtained the consent of the adjacent property owner in the form of a quitclaim deed.

The changing of the leased area necessitates amending the requirement that the lessee fill 200 feet of the leased area annually for a total of 2,400 feet by 1968, to 150 feet annually for a total of 1,500 feet by 1968.

Due to the reduction in the leased area, the lessee has requested that the \$5,000 surety bond requirement be reduced to \$2,000.

IT IS RECOMMENDED THAT THE DECEMBER 12, 1957 ACTION TAKEN UNDER MINUTE ITEM 8, PAGE 3668, BE RESCINDED. IT IS RECOMMENDED FURTHER THAT THE EXECUTIVE OFFICER BE AUTHORIZED TO AMEND LEASE P.R.C. 835.1, ISSUED TO PIOMBO CONSTRUCTION COMPANY AND CHARLES L. HARNEY, TO DELETE APPROXIMATELY 12.26 ACRES IN ONE PARCEL AND TO ADD ANOTHER PARCEL OF STATE TIDE AND SUBMERGED LAND CONTAINING APPROXIMATELY 0.68 ACRE IN SAN FRANCISCO BAY AT HUNTERS POINT, THE TOTAL ANNUAL RENTAL TO BE REDUCED FROM \$954.40 TO \$501.53, EFFECTIVE OCTOBER 27, 1958, THE DUE DATE OF THE ANNUAL RENTAL; FURTHER, THAT THE LESSEE BE ALLOWED A CREDIT AGAINST SAID RENTAL OF \$452.87, MAKING THE NET RENTAL DUE OCTOBER 27, 1958 \$48.66. SAID CREDIT IS COMPUTED AS FOLLOWS:

MISCELLANEOUS 7. (CONTD.)

LAST YEAR'S RENTAL PAID IN ADVANCE	\$954.40
LAST YEAR'S RENTAL PER THIS ACTION	<u>501.53</u>
CREDIT DUE LESSEE	\$452.87

IT IS ALSO RECOMMENDED THAT THE REQUIREMENT CONTAINED IN LEASE P.R.C. 835.1 THAT THE LESSEE ANNUALLY FILL 200 FEET OF SUBMERGED LANDS FOR A TOTAL OF 2400 FEET BE AMENDED TO REQUIRE 150 FEET OF FILL ANNUALLY FOR A TOTAL OF 1500 FEET, AND THAT THE SURETY BOND REQUIREMENT BE REDUCED FROM \$5,000 TO \$2,000.