MINUTE ITEM

12/4/72
EWC

6. RENEWAL AND AMENDMENT OF LEASE PRC 415.1, TIDE AND SUBMERGED LAND IN THE SAN JOAQUIN RIVER NEAR ANTIOCH, CONTRA COSTA COUNTY; PACIFIC GAS AND ELECTRIC COMPANY - W 8544, PRC 415.1.

After consideration of Calendar Item 4 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 10-YEAR RENEWAL OF LEASE PRC 415.1 FROM JUNE 14, 1969, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $887.40, AND AN AMENDMENT OF THE LEGAL DESCRIPTION TO THAT SHOWN ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, FOR THE MAINTENANCE AND OPERATION OF A COOLING WATER INTAKE STRUCTURE AND APPURTENANCES ON THE LAND DESCRIBED. ALL OTHER TERMS AND CONDITIONS OF LEASE PRC 415.1 ARE TO REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

Attachment:
Calendar Item 4 (3 pages)

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CALENDAR ITEM

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4.

RENEWAL AND AMENDMENT OF LEASE PRC 415.1

APPLICANT: Pacific Gas and Electric Company.

LOCATION: A 0.87-acre parcel of tide and submerged land in the San Joaquin River near Antioch, Contra Costa County.

LAND USE: Maintenance and operation of a cooling water intake structure and appurtenances.

TERMS OF ORIGINAL LEASE:

Initial period: 20 years, from June 14, 1949.

Renewal options: 3 additional periods of 10 years each.

Surety bond: $5,000.

Consideration: $46.68 per annum.

NOTE: The legal description has been amended several times during the term. The proposed parcel as described is slightly larger because of a re-survey, but it accommodates only existing structures approved under the original lease.

TERMS OF FIRST 10-YEAR RENEWAL - June 14, 1969, to June 13, 1979:

Legal description: Changed to that contained in Exhibit "A".

Consideration: $887.40 per annum.

BASIS FOR CONSIDERATION:

6% of appraised value of land.

PREREQUISITE TERMS:

U.S. Army Corps of Engineers permit issued.

Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:

a. Public Resources Code: Division 6, Parts 1 and 2.
b. Administrative Code: Title 2, Division 3, Articles 1 and 2.

OTHER PERTINENT INFORMATION:

This is a renewal authorized in the original lease, and since the slight increase in parcel size is a technical one and not

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a change in the basic purpose of the lease, an impact report is not required, according to an informal opinion from the Attorney General's Office dated December 10, 1970.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO PACIFIC GAS AND ELECTRIC COMPANY OF A 10-YEAR RENEWAL OF LEASE PRC 415.1 FROM JUNE 14, 1969, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $887.40, AND AN AMENDMENT OF THE LEGAL DESCRIPTION TO THAT SHOWN ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, FOR THE MAINTENANCE AND OPERATION OF A COOLING WATER INTAKE STRUCTURE AND APPURTENANCES ON THE LAND DESCRIBED. ALL OTHER TERMS AND CONDITIONS OF LEASE PRC 415.1 ARE TO REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

Attachment: Exhibit "A"

EXHIBIT "A"

W 8544

A parcel of tide and submerged land in the bed of the San Joaquin River, in Section 16, T. 2 N., R. 2 E., M.D.M., Contra Costa County, California, described as follows:

BEGINNING at a point in the northwesterly boundary line of the 15.172-acre parcel of land described and designated PARCEL TWO in the deed from American Securities Company to Pacific Gas and Electric Company dated September 28, 1948, and recorded in the office of the County Recorder of said County of Contra Costa in Book 1304 of Official Records at page 308 from which the southwesterly terminus of a course in the boundary line of said 15.172-acre parcel of land, which course has a bearing of S. 73° 05' W. and a length of 981.22 feet, said southwesterly terminus also being the southwesterly terminus of a course in the boundary line of the parcel of land designated Tide Land Location No. 271 on the map of the Survey of Lot 2 of Section 16, T. 2 N., R. 2 E., M.D.M., Contra Costa County, California, filed for record in the office of said County Recorder in Book 16 of Surveys at page 21, said course is designated on said map as N. 73° 05' E., 981.22 feet, bears S. 73° 05' W., 272.40 feet distant and running thence the following sixteen courses, namely:

1. N. 73° 05' E., along the boundary line of said 15.172-acre parcel of land, 160.97 feet;
2. N. 27.83 feet;
3. W. 40.00 feet;
4. N. 276.79 feet;
5. E. 5.00 feet;
6. N. 6.00 feet;
7. W. 5.00 feet;
8. N. 16.00 feet;
9. W. 100.00 feet;
10. S. 16.00 feet;
11. W. 5.00 feet;
12. S. 6.00 feet;
13. E. 5.00 feet;
14. S. 272.21 feet;
15. W. 14.00 feet; and
16. S. 79.26 feet, more or less, to the point of beginning; containing 0.870 acre.

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

END OF DESCRIPTION

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