

MINUTE ITEM

This Calendar Item No. 51
was approved as Minute Item
No. 51 by the State Lands
Commission by a vote of 3
to 0 at its 10/28/82
meeting.

MINUTE ITEM
51

10/28/82
PRC 6127
Horn

TERMINATION OF LEASE
AND ISSUANCE OF A NEW
GENERAL LEASE - COMMERCIAL USE

During consideration of Calendar Item 51, attached, Commission-Alternate Morgan requested clarification as to why current standards for rent were not applied in negotiating this lease.

Assistant Executive Officer Trout assured Ms. Morgan that current standards were used, as the original lease was only in effect for three months. However, the normal five-year rent review was not a part of the negotiated lease package, with a fixed rent for three separate periods.

Mr. Trout stated that this new lease would be an advantage to the State because instead of having a fixed rent for 49 years, the fixed rent would be for 24 years.

There being no further discussion and upon motion duly made and carried, the resolution in Calendar Item 51 was approved as presented by a vote of 3-0.

Attachment: Calendar Item 51.

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CALENDAR ITEM

10/28/82
PRC 6127
Horn

51

TERMINATION OF LEASE
AND ISSUANCE OF A NEW
GENERAL LEASE - COMMERCIAL USE

APPLICANT: Burlingame Office Center, Ltd.

TERMS OF ORIGINAL LEASE:

Initial period: 49 years from July 1,
1982.

Public liability insurance: \$300,000/\$1,000,000
per occurrence for bodily
injury and \$200,000 for
property damage.

Consideration: \$1,000 per annum through
June 30, 1987; \$8,500
per annum through June 30,
2006; \$12,000 - balance
of term (2031).

TERMS OF PROPOSED LEASE:

Initial period: 24 years from July 1,
1982.

Public liability insurance: \$300,000/\$1,000,000
per occurrence for bodily
injury and \$200,000 for
property damage.

Consideration: \$1,000 per annum through
June 30, 1987; \$8,500
per annum through June 30,
2006.

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S 12 (Revised 10/28/82)

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CALENDAR ITEM NO. 51 (CONTD)

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

Processing fee has been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884:

N/A.

OTHER PERTINENT INFORMATION:

1. The Commission's lessee, Burlingame Office Center, Ltd has applied to the Commission to change the basic term of its lease so as to take advantage of certain federal income tax benefits provided by the Economic Recovery Act of 1981.

Staff believes that reduction of the basic lease is more advantageous to the State in that lease terms and conditions can be renegotiated midway through the term as apposed to the current 49-year lease situation.

2. This activity is exempt from CEQA because it is not a project within the meaning of CEQA and the State CEQA Guidelines; PRC 21065 and 14 Cal. Adm. Code 15037 and 15060.
3. The activity is situated on lands determined by the Commission to not contain significant environmental values pursuant to PRC 6370.1.

APPROVALS OBTAINED:

None required.

FURTHER APPROVALS REQUIRED:

None.

(Added 10/21/82)

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CALENDAR ITEM NO. 51 (CONTD)

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21065, 14 CAL. ADM. CODE 15037 AND 15060.
2. AUTHORIZE TERMINATION OF LEASE PRC 6127.1, EFFECTIVE JUNE 30, 1982; AND ACCEPTANCE AND RECORDATION OF A LEASE QUITCLAIM DEED THEREFOR.
3. AUTHORIZE ISSUANCE TO BURLINGAME OFFICE CENTER, LTD. OF A 24-YEAR GENERAL LEASE - COMMERCIAL USE, FROM JULY 1, 1982, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$1,000 THROUGH JUNE 30, 1987 AND \$8,500 PER ANNUM THROUGH JUNE 30, 2006; PROVISION OF PUBLIC LIABILITY INSURANCE IN THE AMOUNT OF \$300,000/ \$100,000 PER OCCURRENCE FOR BODILY INJURY AND \$200,000 FOR PROPERTY DAMAGE; FOR LANDSCAPING, PUBLIC ACCESS, BICYCLE PATHS AND OTHER LAWFUL PURPOSES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

(Added 10/21/82)

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EXHIBIT A
LAND DESCRIPTION

WP 6127

All that certain real property situate within the City of Burlingame, County of San Mateo, State of California, described as follows:

BEGINNING at the most southerly corner of Lot 13, Block 7, as said lot and block are shown on that certain map entitled, "ANZA AIRPORT PARK UNIT NO. 7, CITY OF BURLINGAME, SAN MATEO COUNTY, CALIFORNIA," which map was recorded in Volume 98 of Maps at pages 80, 81 and 92, on January 15, 1979, in the Office of the Recorder of San Mateo County, California; thence from said described point of beginning along the southerly line of said Block 7, S 85° 44' 23" E 998.97 feet; thence South 31.11 feet to the most southerly corner of said Block 7; thence along the easterly line of said Block 7 N 64° 00' E 19.88 feet; thence N 0° 17' 00" W 689.30 feet to the northeasterly corner of said Block 7; thence along the most easterly line of Parcel "E", as said Parcel "E" is shown on that certain Parcel Map entitled, "PARCEL MAP BEING A RESUBDIVISION OF LOTS 5 AND 6, BLOCK NO. 8; ANZA AIRPORT PARK - UNIT NO. 6 (R.S.M. VOL. 70, PG. 35) BURLINGAME, SAN MATEO COUNTY, CALIFORNIA" which Parcel Map was recorded in Volume 41 of Parcel Maps at page 13, on February 10, 1973, in the office of the Recorder of San Mateo County, California; thence continuing along last said course, along the said easterly line of Parcel "E", N 0° 17' 00" W 80.55 feet to the southeasterly corner of Parcel "D", as said Parcel "D" is shown on said described Parcel Map; thence along the south line of said Parcel "D", West 50.00 feet to a point; thence leaving said south line of Parcel "D", S 0° 17' 00" E 80.55 feet to a point on the northerly line of said Block 7; thence continuing along last said course, along a line within said Block 7, S 0° 17' 00" E 614.34 feet; thence N 85° 44' 23" W 971.30 feet to a point on the easterly line of said Lot 13; thence along said easterly line of said Lot 13, S 14° 49' 03" E 26.45 feet; thence S 4° 15' 37" W 25.00 feet to the said described point of beginning.

END OF DESCRIPTION

REVIEWED FEBRUARY 4, 1982 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

(Added 10/21/82)

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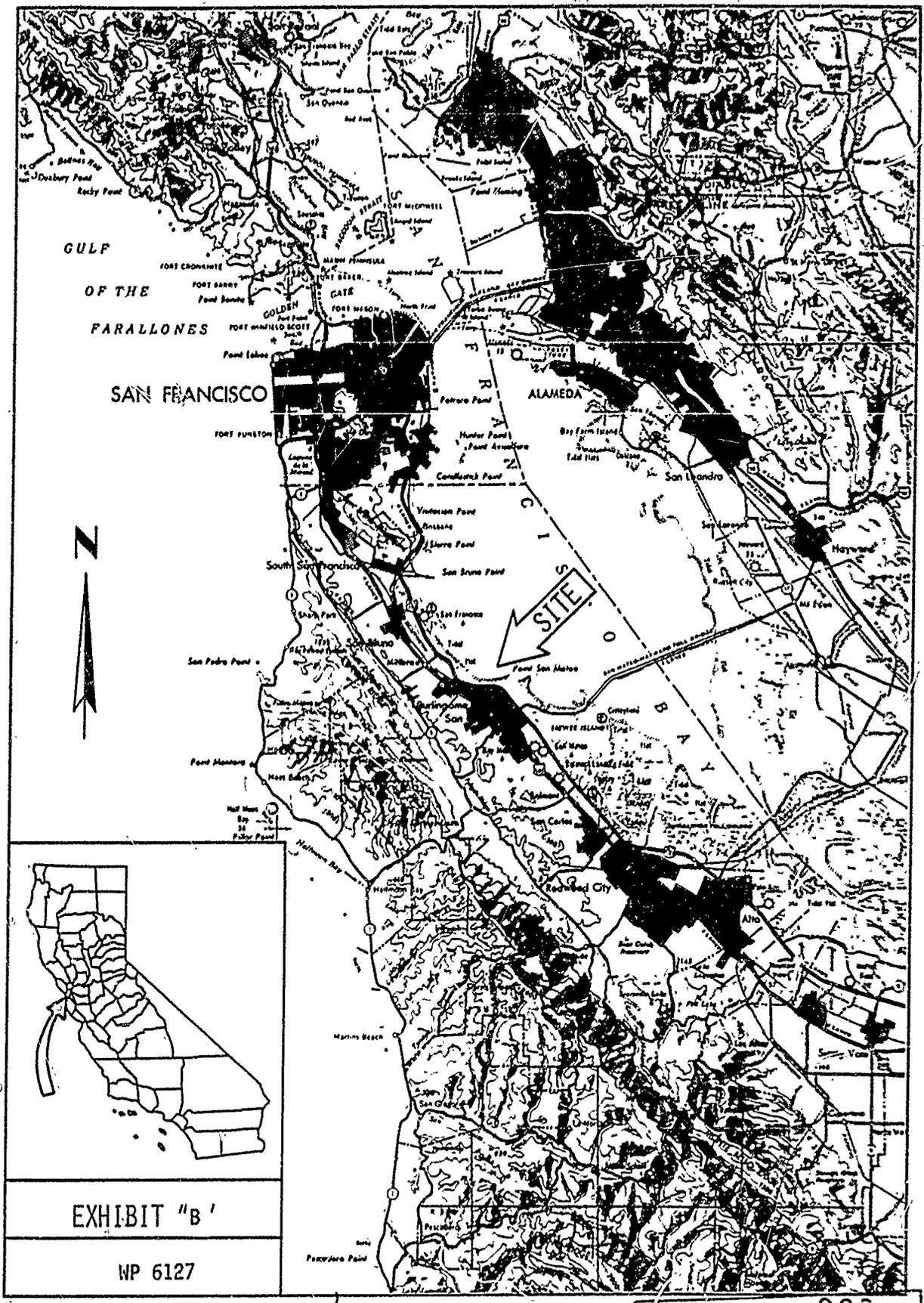


EXHIBIT "B"

WP 6127

(Added 10/21/82)

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