MINUTE ITEM

This Calendar Item No. C7 was approved as Minute Item No 7 by the State Lands Commission by a vote of 3 to 0 at its 3/22/84 meeting.

CALENDAR ITEM

C07

3/22/84
PRC 5626
Bjornsen

GENERAL LEASE

BACKGROUND: In 1978 the United States of America obtained, through leasehold condemnation Civil No. 77-1159 JWC, the right to the exclusive use and occupancy of 21,120 acres of State school land, located within Fort Irwin Military Reservation, San Bernardino County. The just compensation awarded was the amount of $21,120 per annum. A term of years, beginning April 3, 1977 and ending March 31, 1978, was extendible yearly thereafter at the election of the United States until March 31, 1982, without the right of extension thereafter.

On January 8, 1982, the Department of the Army, Los Angeles District, Corps of Engineers requested an interim voluntary lease of the 21,120 acres of school land within Fort Irwin, because completion of a proposed exchange of such State land with the United States General Services Administration was quite unlikely prior to the March 31, 1982 expiration date of the leasehold condemnation. The lease rental offerred and accepted was $21,120 per annum. An interim voluntary

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lease approved by the Commission (Minute Item C1, February 25, 1982) was for a term of one year with the option to extend the lease for one additional year. Subsequently the said lease was extended through March 31, 1984.

In December 1983, Commission staff was advised by the United States General Services Administration no further work would be undertaken on the exchange of 362 acres of Federal land located near Camarillo and Dixon for the 21,120 acres of school land within Fort Irwin. The National Communication Agency decided to retain the 160 acres near Dixon which upset the equal value element required for exchange. GSA is unwilling to restructure the exchange using other property.

Following the above development, the Army Corps of Engineers revealed its interest in the outright purchase of the school land in Fort Irwin, informing staff that funding for the purchase would be placed in the Department's budget proposal for the 1985 fiscal year. In the meanwhile, the Department will continue to lease the State land within Fort Irwin from the Commission, as follows:

PROSPOSED LEASE:

Term: One year, beginning April 1, 1984 and ending March 31, 1985; however, the lessee shall have the option to extend the lease for two additional one-year periods by giving written notice to the Commission at least (30) days prior to expiration date of the extended lease.

Consideration: $21,120 per annum, payable on or before April 1, 1984, and on or before said anniversary date for each extension of the lease.

Termination: Lease shall terminate, upon fee title in the lease premises passing to the United States with a proration of rental based on date such title passes, and a refund of rental allocatable for the period of time between lease termination and the stated lease expiration date.

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. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of The California Environmental Quality Act (CEQA) as a categorical exempt project. The project is exempt under Section 15301-Operation of Existing Facilities, 14 Cal. Adm. Code, Div. 6.

   Authority: P.R.C. 21084 and 14 Cal. Adm. Code 15300.

2. This activity involves 40 parcels of land; only two have been identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating the two parcels and through the CEQA review process it is the staff's opinion that the project is consistent with its use classification. The legal description of the two parcels follows:

   Class A: NW-1/4, S½ of Section 16, T16N, R6E, SBM, 480± acres.

   Class B: All of Section 16, T14N, R2E, SBM, 640± acres.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, SECTION 15301-OPERATION OF EXISTING FACILITIES, 14 CAL. ADM. CODE, DIV. 6.

2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.

3. AUTHORIZE ISSUANCE TO THE UNITED STATES OF AMERICA, ACTING BY AND THROUGH THE DEPARTMENT OF THE ARMY, LOS ANGELES DISTRICT, CORPS OF ENGINEERS, OF A ONE-YEAR GENERAL LEASE FROM APRIL 1, 1984, WITH LESSEE'S OPTION TO RENEW FOR TWO PERIODS OF ONE YEAR; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $21,120, FOR EXCLUSIVE USE AND ENJOYMENT FOR THE ESTABLISHMENT OF FACILITIES FOR THE USE OF THE DEPARTMENT OF THE ARMY AND FOR OTHER MILITARY USES INCIDENT THERETO ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION PRC 5626

Those certain 40 parcels of land situated in San Bernardino County, State of California, more particularly described as follows:

PARCEL 1 - TRACT 5

Section 36, T18N, R2E, SBM, containing 640 acres more or less.

PARCEL 2 - TRACT 6

S-1/2 of Section 36, T17N, R1E, SBM, containing 320 acres more or less.

PARCEL 3 - TRACT 7

N-1/2 of Section 16, T17N, R2E, SBM, containing 320 acres more or less.

PARCEL 4 - TRACT 8

Section 16, T17N, R3E, SBM, containing 640 acres more or less.

PARCEL 5 - TRACT 9

E-1/2 of Section 16, T16N, R1E, SBM, containing 320 acres more or less.

PARCEL 6 - TRACT 10

Section 36, T16N, R1E, SBM, containing 640 acres more or less.

PARCEL 7 - TRACT 11

Section 16, T16N, R2E, SBM, containing 640 acres more or less.

PARCEL 8 - TRACT 12

Section 36, T16N, R2E, SBM, containing 640 acres more or less.

PARCEL 9 - TRACT 13

S-1/2 of Section 36, T16N, R3E, SBM, containing 320 acres more or less.

PARCEL 10 - TRACT 14

NW-1/4 of Section 16, T16N, R4 E, SBM, containing 160 acres more or less.

PARCEL 11 - TRACT 15

N-1/2 of Section 36, T16N, R4E, SBM, containing 320 acres more or less.

PARCEL 12 - TRACT 16

NE-1/4 of Section 16, T16N, R5E, SBM, containing 160 acres more or less.

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PARCEL 13 - TRACT 17

Section 36, T16N, R5E, SBM, containing 640 acres more or less.

PARCEL 14 - TRACT 18

NW-1/4 and S-1/2 of Section 16, T16N, R6E, SBM, containing 480 acres more or less.

PARCEL 15 - TRACT 19

Section 16, T15N, R1E, SBM, containing 640 acres more or less.

PARCEL 16 - TRACT 20

Section 36, T15N, R1E, SBM, containing 640 acres more or less.

PARCEL 17 - TRACT 21

Section 16, T15N, R2E, SBM, containing 640 acres more or less.

PARCEL 18 - TRACT 22

Section 36, T15N, R3E, SBM, conatining 640 acres more or less.

PARCEL 19 - TRACT 23

Section 16, T15N, R4E, SBM, containing 540 acres more or less.

PARCEL 20 - TRACT 24

Section 36, T15N, R4E, SBM, containing 640 acres more or less.

PARCEL 21 - TRACT 25

Section 16, T15N, R5E, SBM, containing 640 acres more or less.

PARCEL 22 - TRACT 26

Section 36, T15N, R5E, SBM, containing 640 acres more or less.

PARCEL 23 - TRACT 27

Section 16, T15N, R6E, SBM, containing 640 acres more or less.

PARCEL 24 - TRACT 28

Section 16, T14N, R2E, SBM, containing 640 acres more or less.

PARCEL 25 - TRACT 29

S-1/2 of Section 36, T14N, R2E, SBM, containing 320 acres more or less.

PARCEL 26 - TRACT 30

Section 16, T14N, R3E, SBM, containing 640 acres more or less.

PARCEL 27 - TRACT 31

SW-1/4 of Section 36, T14N, R3E, SBM, containing 160 acres more or less.

PARCEL 28 - TRACT 32

NW-1/4 of Section 16, T14N, R4E, SBM, containing 160 acres more or less.

PARCEL 29 - TRACT 33

Section 16, T14N, R5E, SBM, containing 640 acres more or less.

PARCEL 30 - TRACT 34

Section 36, T14N, R5E, SBM containing 640 acres more or less.

PARCEL 31 - TRACT 35

Section 16, T14N, R6E, SBM, containing 640 acres more or less.

PARCEL 32 - TRACT 36

Section 16, T13N, R2E, SBM, containing 640 acres more or less.

PARCEL 33 - TRACT 37

Section 36, T13N, R2E, SBM, containing 640 acres more or less.

PARCEL 34 - TRACT 38

Section 16, T13N, R3E, SBM, containing 640 acres more or less.

PARCEL 35 - TRACT 39

Section 16, T13N, R3E, SBM, containing 640 acres more or less.

PARCEL 36 - TRACT 40

Section 16, T13N, R4E, SBM, containing 640 acres more or less.

PARCEL 37 - TRACT 41

Section 36, T13N, R4E, SBM, Containing 640 acres more or less.

PARCEL 38 - TRACT 42

Section 16, T13N, R5E, SBM, containing 640 acres more or less.

PARCEL 39 - TRACT 43

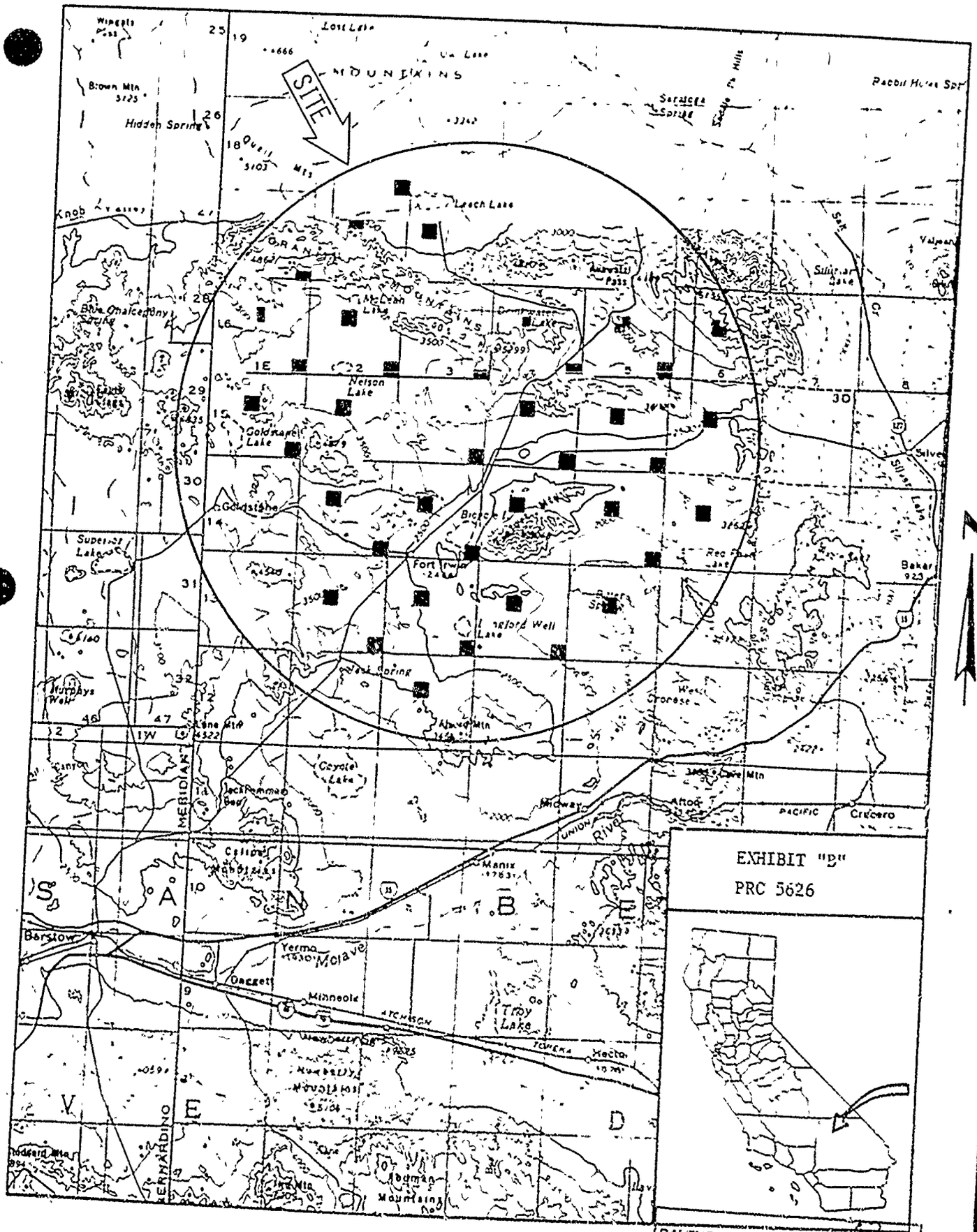
Section 16, T12N, R3E, SBM, containing 640 acres more or less.

PARCEL 40 - TRACT 144

SW-1/4 of Section 16, T16N, R5E, SBM, containing 160 acres more or less.

END OF DESCRIPTION

REVIEWED FEBRUARY 22, 1984 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.



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