

MINUTE ITEM

18

04/23/87
WP 550
PRC 550
Louie
Small

ASSIGNMENT, AMENDMENT, AND RENEWAL OF
GENERAL LEASE - INDUSTRIAL USE

The Commission deferred action on Calendar Item 18.

Attachment: Calendar Item 18

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CALENDAR ITEM

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S 18

18

04/23/87
WP 550
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PRC 550

ASSIGNMENT, AMENDMENT AND RENEWAL OF GENERAL
LEASE - INDUSTRIAL USE, LEASE PRC 550

ASSIGNOR: Texaco Trading and
Transportation, Inc.
P. O. Box 2087
Bakersfield, California 93303

ASSIGNEE: Gaviota Terminal Company
P. O. Box 5568 T. A.
Denver, Colorado 30217

AREA, TYPE LAND AND LOCATION:
A 23.489-acre parcel of tide and submerged
land, located in the Pacific Ocean at Gaviota,
Santa Barbara County.

LAND USE: Existing marine terminal

TERMS OF ORIGINAL LEASE:

Initial period: Ten years beginning January 1,
1976.

Renewal options: One additional period of
ten years.

Surety bond: \$25,000.

Public liability insurance: \$200,000/600,000
per occurrence for bodily
injury and \$2,500,000 for
property damage.

Consideration: \$34,000 per annum; five-year
rent review.

CALENDAR ITEM NO. 18 (CONT'D)

TERMS OF PROPOSED AMENDMENT:

Initial period: One-year four-months
beginning January 1, 1986
ending April 30, 1987.

Special: Should there be no new
interim marine terminal lease
in effect at the expiration
of this lease, lessor and
lessee may negotiate a
renewal of this lease for an
additional period not to
exceed eight years
eight months.

CONSIDERATION: \$89,333 for the period January 1, 1986 through
and including April 30, 1987.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:

Applicant is owner of upland.

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. Lease PRC 550 covering an existing marine terminal expired December 31, 1985. In the course of negotiating a renewal with Texaco Trading and Transportation, Inc., the facilities were transferred to Gaviota Terminal Company, a General Partnership. Gaviota Terminal Company then applied for a lease to cover a proposed new interim marine terminal. The proposed interim terminal is the subject of a separate calendar item.

CALENDAR ITEM NO. 18 (CONT'D)

2. The amended land description covers an additional mooring buoy and the relocation of an existing buoy which were installed solely for safety purposes and were the subject of a temporary license authorized by the State Lands Commission. The temporary license also expired December 31, 1985.

3. 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 CEQA as a categorical exempt project. The project is exempt under Class 1, Existing Facilities, 2 Cal. Adm. Code 2905(a)(2).

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

2 Cal. Adm. Code 2905(a)(2).

Authority: P.R.C. 21084, 14 Cal. Adm. Code 15300, and 2 Cal. Adm. Code 2905.

4. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. This activity involves existing facilities which were in place prior to the environmental inventory and no data has been received to indicate adverse impacts to identified environmental values.

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 CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 2 CAL. ADM. CODE 2905(a)(2).

CALENDAR ITEM NO. 18 (CONT'D)

2. FIND THAT THIS ACTIVITY IS NOT INCONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. AUTHORIZE ISSUANCE TO TEXACO TRADING AND TRANSPORTATION, INC. OF A ONE-YEAR FOUR-MONTH RENEWAL AND AMENDMENT OF LEASE PRC 550 BEGINNING JANUARY 1, 1986; WITH LESSEE'S OPTION TO RENEW FOR ONE ADDITIONAL PERIOD OF EIGHT YEARS EIGHT MONTHS IF A LEASE FOR A NEW INTERIM MARINE TERMINAL IS NOT ISSUED; IN CONSIDERATION OF RENT IN THE AMOUNT OF \$89,333 FOR THE PERIOD JANUARY 1, 1986 THROUGH AND INCLUDING APRIL 30, 1987; FOR AN EXISTING MARINE TERMINAL ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF. ALL OTHER TERMS AND CONDITIONS OF LEASE PRC 550 SHALL REMAIN IN FULL FORCE AND EFFECT.
4. AUTHORIZE THE ASSIGNMENT OF LEASE PRC 550 FROM TEXACO TRADING AND TRANSPORTATION, INC TO GAVIOTA TERMINAL COMPANY, A GENERAL PARTNERSHIP, EFFECTIVE SEPTEMBER 1, 1986.

EXHIBIT A

LAND DESCRIPTION

WP 550

Four parcels of tide and submerged land in the Pacific Ocean approximately one half mile east of Gaviota, Santa Barbara County, California, said parcels being described as follows:

PARCEL 1 - PIPELINES

A strip of tide and submerged land 100 feet wide, the centerline of which is described as follows:

BEGINNING at a point designated as Point "A" which bears S 87° 55' 28" E, 3,868.43 feet from United States Coast and Geodetic Survey Monument "TANK, 1933", as shown upon Sheet 19 of 39, of certain maps prepared by the State Lands Division entitled "Survey of the Mean High Tide Line Along the Shore of the Pacific Ocean", said maps being filed for record in Book 41 of Miscellaneous Maps, pages 12-50, inclusive, on April 20, 1959, in the Office of the County Recorder of Santa Barbara County; thence South 2600 feet into the Pacific Ocean and the end of the herein described centerline.

PARCEL 2 - BUOYS

A circular parcel of submerged land 1000 feet in diameter, the center point of which is located as follows:

BEGINNING at the point designated "A" in Parcel 1 above; thence South 2720 feet; thence S 52° 00' E, 160 feet to said center point.

PARCEL 3 - BUOY

A parcel of submerged land described as follows:

COMMENCING at the point designated "A" in Parcel 1 above; thence South 2200 feet; thence West 50 feet to the TRUE POINT OF BEGINNING; thence continuing West 120 feet; thence South 215.60 feet, to the northwesterly line of Parcel 2 above; thence northeasterly along said line 136.93 feet to the west line of Parcel 1 above; thence North along last said line 150.54 feet to the point of beginning.

PARCEL 4 - BUOY

A circular parcel of submerged land 20 feet in diameter, the center point of which is located as follows:

BEGINNING at the point designated "A" in Parcel 1 above; thence South 2720 feet; thence N 52° 00' W, 1600 feet to said center point.

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EXCEPTING FROM above described Parcel 1 any portion thereof lying within above described Parcel 2 and any portion thereof lying landward of the ordinary high water mark.

The basis of bearing in the above description is referenced to the true meridian.

END OF DESCRIPTION

REVISED MARCH 8, 1985, BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

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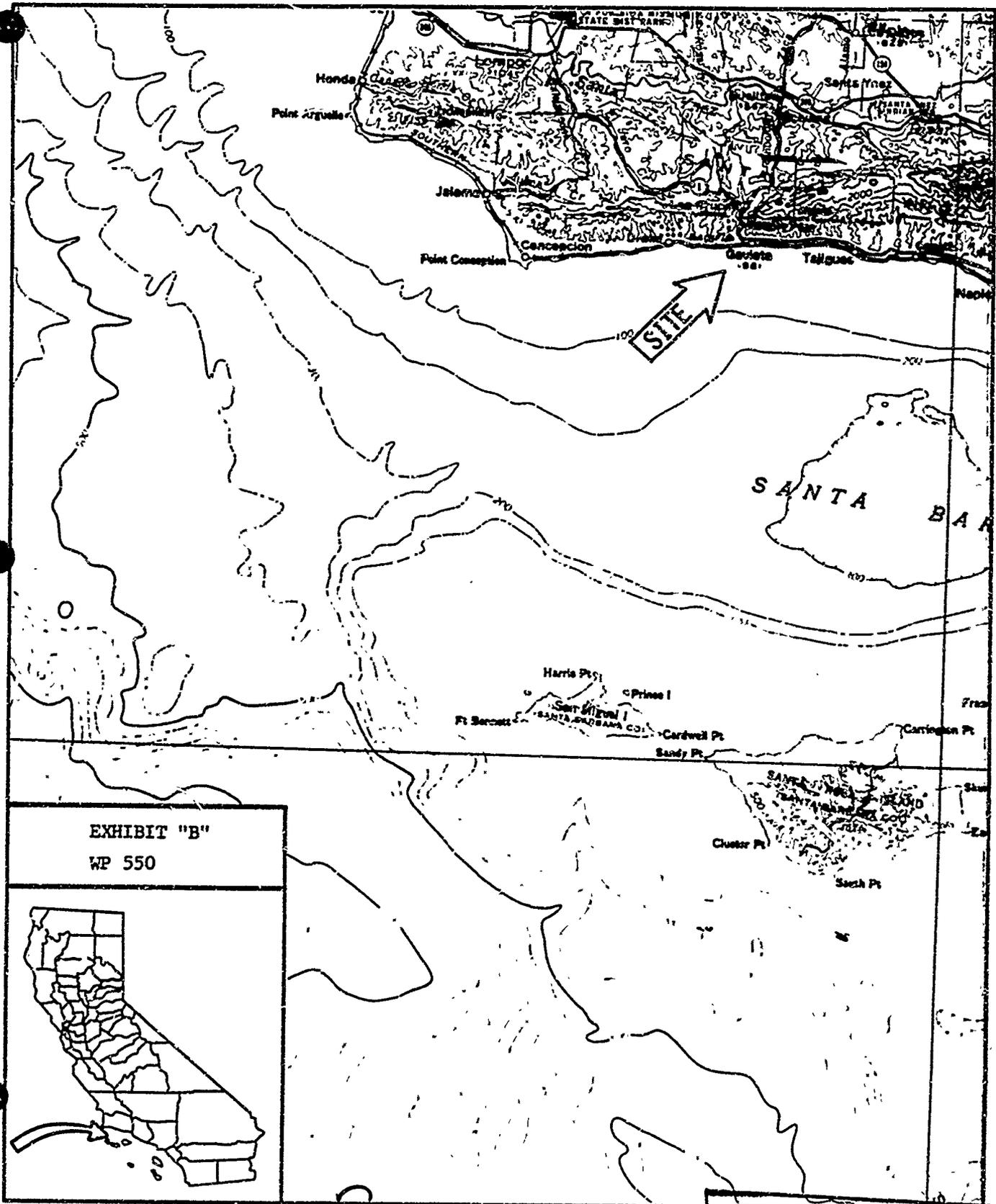


EXHIBIT "B"

WP 550



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