

MINUTE ITEM
This Calendar Item No. 20
was approved as Minute Item
No. 20 by the State Lands
Commission by a vote of 2
to 0 at its 5-9-88
meeting.

CALENDAR ITEM

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05/09/88
WP 600 PRC 600
Horn

EXTENSION AGREEMENT FOR USE AND OCCUPANCY
OF STATE-OWNED TIDE AND SUBMERGED LAND
IN SAN PABLO BAY

APPLICANT: Union Oil Company
Union Oil Center
Box 7600
Los Angeles, California 90017

AREA, TYPE LAND AND LOCATION:
A 16.607-acre parcel of filled and unfilled
tide and submerged land located in San Pablo
Bay at Davis Point, Contra Costa County.

EXPIRED LEASE:
General Lease - Industrial Use PRC 660 covering
a marine petroleum wharf and related
facilities. Lease expired March 31, 1986,
without further options to extend or renew.

CURRENT STATUS:

On May 27, 1986 (Minute Item 29) and again on October 23, 1986
(Minute Item 25), the Commission approved six-month extension
agreements allowing Union continued use of State-owned lands at
its San Francisco refinery. The extension agreements were to
provide some additional time for Union and the State to
determine if a new replacement lease could be negotiated by the
parties.

Union and the State have not yet concluded negotiations for a
replacement lease. In order to provide Union some assurance as
to its status regarding the lands they currently occupy, and to
provide the State some assurances regarding its rights under
the former lease, staff is recommending that one additional
18-month extension be approved.

(ADDED 05/06/88)

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CALENDAR ITEM NO. 20 (CONT'D)

Except as provided below, Union shall continue to use and occupy the lease premises from April 1, 1987 through September 30, 1988. Its use, equipment and occupancy will remain the same, and will serve the same purposes and be operated in accordance with the same terms and conditions of Lease PRC 600; including paragraph 14 of said lease regarding the removal of improvements at the expiration of the term of the lease.

Rental for the extension period shall be \$50,000 for each six-month period; provided that Union shall be entitled to a credit for sums paid as rental during the extension periods toward a finally determined rental in a replacement lease, if one is approved by the Commission.

AB 88A: 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 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, 14 Cal. Adm. Code 15300, and 2 Cal. Adm. Code 2905.

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.
2. AUTHORIZE THE EXECUTION OF AN 18-MONTH LEASE EXTENSION AGREEMENT WITH UNION OIL COMPANY BEGINNING APRIL 1, 1987, WITH CONSIDERATION DURING THE EXTENSION PERIOD BEING \$50,000 FOR EACH SIX-MONTH PERIOD; WITH SAID EXTENSION AGREEMENT BEING SUBJECT TO ALL THE TERMS AND CONDITIONS OF EXPIRED LEASE PRC 600, INCLUDING, BUT NOT LIMITED TO, LEASE

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PARAGRAPH 14 THEREOF REGARDING THE REMOVAL OF IMPROVEMENTS
AT THE EXPIRATION OF THE LEASE TERM, WHICH BY THIS
AGREEMENT IS EXTENDED TO SEPTEMBER 30, 1988.

(ADDED 05/06/88)

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EXHIBIT "A"

WP 600

Six parcels of land in the State owned bed of San Pablo Bay and Carquinez Strait, Contra Costa County, California, described as follows:

PARCEL 1

COMMENCING at United States Harbor line Station "U" the California Zone 3 co-ordinates of which are $Y=569,518.32$ and $X=1,493,752.14$ as shown on map of Harbor Lines for Carquinez Strait established by the Secretary of War and filed in the United States Engineer Office, San Francisco, from which United States Harbor Line Station "Ole", the California Zone 3 co-ordinates of which are $Y=569,549.09$ and $X=1,493,822.28$, bears $N 66^{\circ} 18' 48'' E$ a distance of 76.59 feet, said bearing and distance being calculated from said California co-ordinates of said stations; thence $N 79^{\circ} 04' 41'' W$ 850.54 feet to a point in the northerly line of Tide Lands Survey No. 58, Location 176, said last mentioned point being the southerly terminus of that certain course described in the deed from Patrick Tormey and Mary Tormey, his wife, to Union Oil Company of California, dated November 1, 1901, and recorded in Volume 90 of Deeds, at page 552, Records of Contra Costa County, as $S 35^{\circ} W$ 1.10 chains; said point being also the TRUE POINT OF BEGINNING of Parcel 1; thence $S 09^{\circ} 55' 20'' W$ 1254.10 feet to a point from which said Station "U" bears $N 44^{\circ} 22' 52'' E$ a distance of 1502.98 feet, and being also a point in the northerly line of Tide Land Survey No. 58, and the southwesterly terminus of that certain course, described in the deed from Patrick Tormey and Mary Tormey, his wife, to Union Oil Company of California, dated April 17, 1905, and recorded in

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PARCEL 1 (Cont.)

Volume 110 of Deeds, at page 468, Records of Contra Costa County, as N 45° 37' E 321.00 feet; thence along said northerly line of Tide Land Survey No. 58, N 46° 44' 10" E 321.00 feet; thence N 08° 17' 10" E 484.69 feet, said last mentioned course being the same course described in said deed dated April 17, 1905, as N 6-3/4° E 482.00 feet; thence along said northerly line of Tide Land Survey No. 58, N 09° 16' 41" W 542.81 feet, more or less, to the true point of beginning, containing 3.68 acres, more or less.

PARCEL 2 - Wharf and Pier

COMMENCING at United States Harbor Line Station "U" described in Parcel 1 above; thence N 26° 53' 40" W 344.30 feet; thence S 71° 05' 10" W 117.42 feet to a point on the northerly line of the land described in the Deed to Union Oil Company of California recorded in Book 90, Page 552 of Deeds, Contra Costa County Records, said point being also N 71° 05' 10" E along said northerly line 254.30 feet from the westerly terminus of that certain course described in said Deed as S 69° 45' W 5.68 chains, and being also the TRUE POINT OF BEGINNING of Parcel 2; thence along the following courses and distances:

S 71° 05' 10" W 102.48 feet and N 1° 10' 15" W 112.27 feet to the beginning of a tangent curve concave westerly having a radius of 650.27 feet; thence northerly along said curve through a central angle of 8° 19' 15" an arc distance of 94.44 feet; thence tangent to said curve N 9° 29' 30" W 1293.58 feet; thence along the following courses and distances:

S 80° 30' 30" W 30.00 feet; thence N 9° 29' 30" W 208.00 feet; S 77° 00' 30" W 622.01 feet; N 12° 59' 30" W 51.75 feet; N 67° 59' 30" W 90.95 feet; S 12° 59' 30" E 6.83 feet; S 77° 00' 30" W 5.50 feet; N 12° 59' 30" W 6.25 feet; S 77° 00' 30" W 6.50 feet; N 12° 59' 30" W 0.58 feet; S 77° 00' 30" W 33.50 feet; S 12° 59' 30" E 6.25 feet; S 77° 00' 30" W 5.50 feet; N 12° 59' 30" W 38.33 feet; N 77° 00' 30" E 1375.84 feet; S 12° 59' 30" E 136.00 feet; S 77° 00' 30" W 520.13 feet; S 9° 29' 30" E 726.19 feet; N 80° 30' 30" E 42.00 feet; S 9° 29' 30" E 134.00 feet; S 80° 30' 30" W 42.00 feet and S 9° 29' 30" E 836.40 feet to the true point of beginning, containing 7.403 acres, more or less.

PARCEL 3 - Ship Mooring Area

BEGINNING at the westerly terminus of that certain course described in Parcel 2 above as bearing N 77° 00' 30" E and having a length of 1375.84 feet; thence along the westerly prolongation of said course S 77° 00' 30" W 177.50 feet; thence along the following courses and distances:

N 12° 59' 30" W 115.00 feet; N 77° 00' 30" E 886.00 feet; S 12° 59' 30" E 13.00 feet; N 77° 00' 30" E 747.00 feet and S 12° 59' 30" E 102.00 feet to the easterly prolongation of that certain course above mentioned as bearing N 77° 00' 30" E and having a length of 1375.84 feet; thence along said prolonged course, and said course S 77° 00' 30" W 1455.50 feet to the point of beginning, containing 4.088 acres, more or less.

PARCEL 4 - Barge Mooring Area

BEGINNING at the northerly terminus of that certain course described in Parcel 2 above as bearing N 9° 29' 30" W and having a length of 208.00 feet; thence along the following courses and distances:

S 77° 00' 30" W 622.01 feet; S 12° 59' 30" E 50.00 feet; thence N 77° 00' 30" E 618.95 feet to said first above mentioned course; thence along said course N 9° 29' 30" W 50.09 feet to the point of beginning, containing 0.712 acres, more or less.

PARCEL 5 - Barge Mooring Area

BEGINNING at the northerly terminus of that certain course described in Parcel 2 above as bearing S 9° 29' 30" E and having a length of 726.19 feet; thence along the following courses and distances:

N 77° 00' 30" E, 600.00 feet; S 12° 59' 30" E, 50.00 feet; S 77° 00' 30" W 603.06 feet to said first above mentioned course; thence along said course N 9° 29' 30" W 50.09 feet to the point of beginning, containing 0.691 acres, more or less.

PARCEL 6 - Salt Water Intake Platform

COMMENCING at United States Harbor Line Station "U" described in Parcel 1 above; thence N 26° 53' 40" W 344.30 feet; thence

PARCEL 6 (Cont.)

S 71° 05' 10" W, 55.63 feet to a point on the northerly line of the land described in the Deed to Union Oil Company of California recorded in Book 90, page 552 of Deeds, Contra Costa County Records, said point being also N 71° 05' 10" E, along said northerly line 316.09 feet from the westerly terminus of that certain course described in said Deed as S 69° 45' W, 5.68 chains, and being also the TRUE POINT OF BEGINNING of Parcel 6; thence leaving said northerly line along the following courses and distances:

N 8° 52' 50" W, 30.59 feet; S 89° 07' 10" W, 6.00 feet;
N 8° 52' 50" W, 55.00 feet; N 81° 07' 10" E, 17.00 feet;
S 30° 52' 50" E, 3.00 feet; N 81° 07' 10" E, 14.00 feet;
S 8° 52' 50" E, 26.00 feet; S 81° 07' 10" W, 19.00 feet and
S 8° 52' 50" E, 56.38 feet to said northerly line; thence
S 71° 05' 10" W, along said northerly line 7.29 feet to the true point of beginning, containing 0.033 acres, more or less.

TOGETHER WITH any interests of the State of California in those lands lying between the northwesterly line of the Pinole Rancho and the waterward boundary of Tideland Location No. 176 located within the property described in the Deed to Union Oil Company of California recorded in Book 90, page 522 of Deeds, Contra Costa Records.

END OF DESCRIPTION

Prepared R. L. Blake Checked John K. Hering

Reviewed W. W. Kunnecke Date 2/5/76

Revised 3/31/78

REVIEWED AUGUST 6, 1987 BY BIU 1

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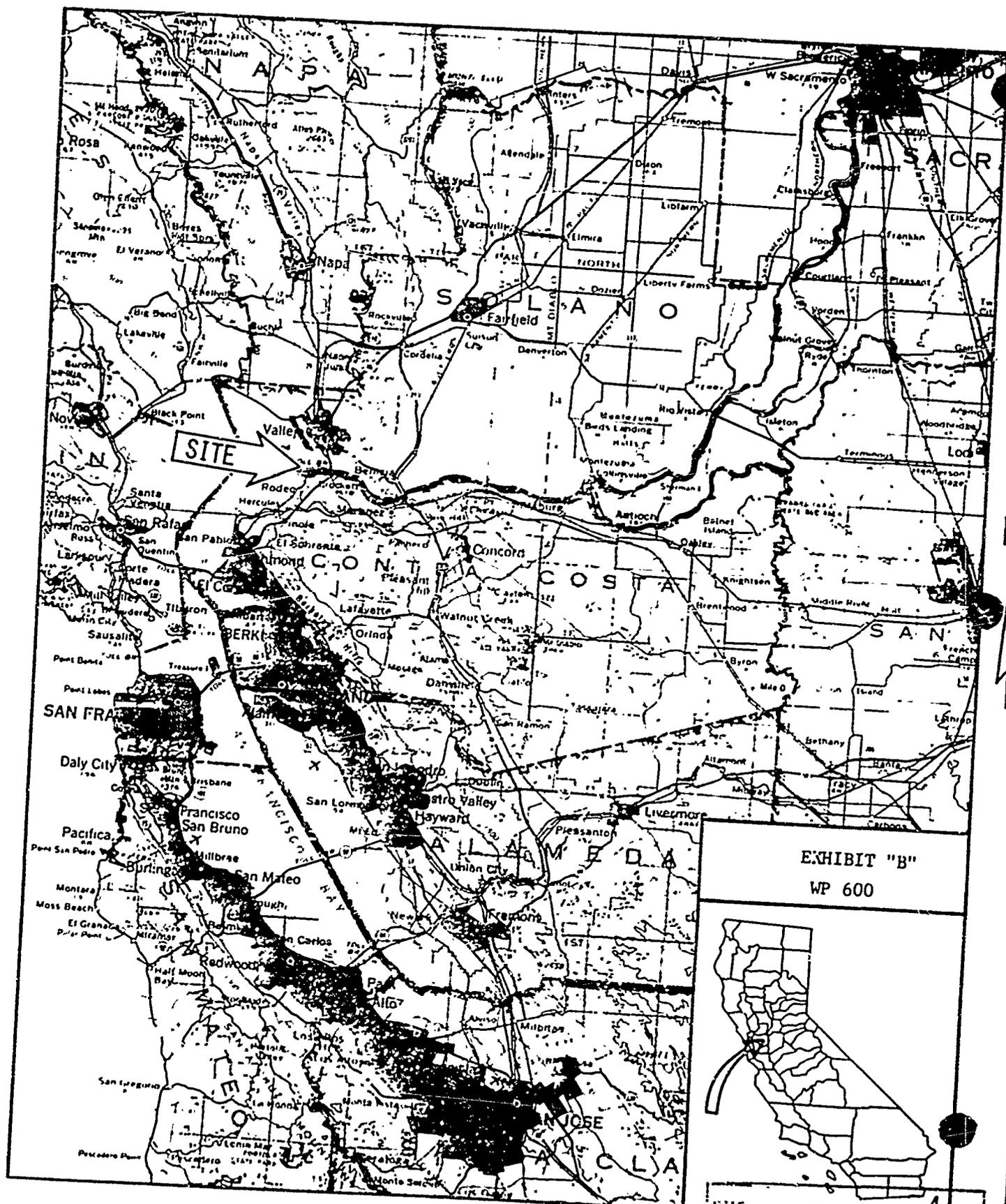


EXHIBIT "B"

WP 600



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