MINUTE ITEM
This Calendar Item No. C19
was approved as Minute Item
No. 19 by the State Lands
Commission by a vote of 2
to 0 at its 12/13/88
meeting.

CALENDAR ITEM

A 10, 11

C19

12/13/88
PRC 7230
Bancroft

S 7

APPROVAL OF ENCUMBRANCING OF LEASE

LESSEE: GWF Power Systems Company, Inc.
17780 Fitch Street, Suite 240
Irvine, California 92714

SECURED-PARTY LENDER:
Security Pacific National Bank
Merchant Banking Group
333 South Hope Street, H-14-17
Los Angeles, California 90071

BACKGROUND:

On August 10, 1988, the State Lands Commission approved the issuance of a General Lease - Right-of-Way Use, covering three (3) sites of 500 sq. ft. each located within tide and submerged land; two in the San Joaquin River and one in Suisun Bay, Contra Costa County.

CURRENT SITUATION:

Lessee has applied to Security Pacific National Bank for a loan to construct the facilities authorized under lease PRC 7230; three (3) electric power generating plants to be located on upland properties owned by the lessee. As a condition for the loan, Security Pacific National Bank has requested that they be named as a secured-party lender under the subject lease. Lessee and Security Pacific National Bank have signed the Agreement and Consent to Encumbrancing Lease and said document is on file in the offices of the State Lands Commission.

(ADDED 12/12/88 - pgs. 85-85.3)

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

   Authority: P.R.C. 21065 and 14 Cal. Code Regs. 15378.

2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. but will not affect those significant lands.

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. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.

2. AUTHORIZE THE AGREEMENT AND CONSENT TO ENCUMBRANCING OF LESSEE'S RIGHTS, TITLE AND INTERESTS IN LEASE PRC 7230, IN FAVOR OF SECURITY PACIFIC NATIONAL BANK FOR THE PURPOSE OF OBTAINING A LOAN TO CONSTRUCT FACILITIES AUTHORIZED UNDER LEASE PRC 7203.

EXHIBIT "A"

W 24169

LAND DESCRIPTION

Three strips of tide and submerged land each 10 feet wide in Contra Costa County, California, the centerlines of said strips being described as follows:

PARCEL 1 (Site 3)

BEGINNING at a point having coordinates of N=554,110, E=1,631,430; thence North 50 feet to the end of the herein described line.

PARCEL 2 (Site 4)

BEGINNING at a point having coordinates of N=555,800, E=1,638,180; thence North 50 feet to the end of the herein described line.

PARCEL 3 (Site 5)

BEGINNING at a point having coordinates of N=568,650, E=1,571,770; thence North 50 feet to the end of the herein described line.

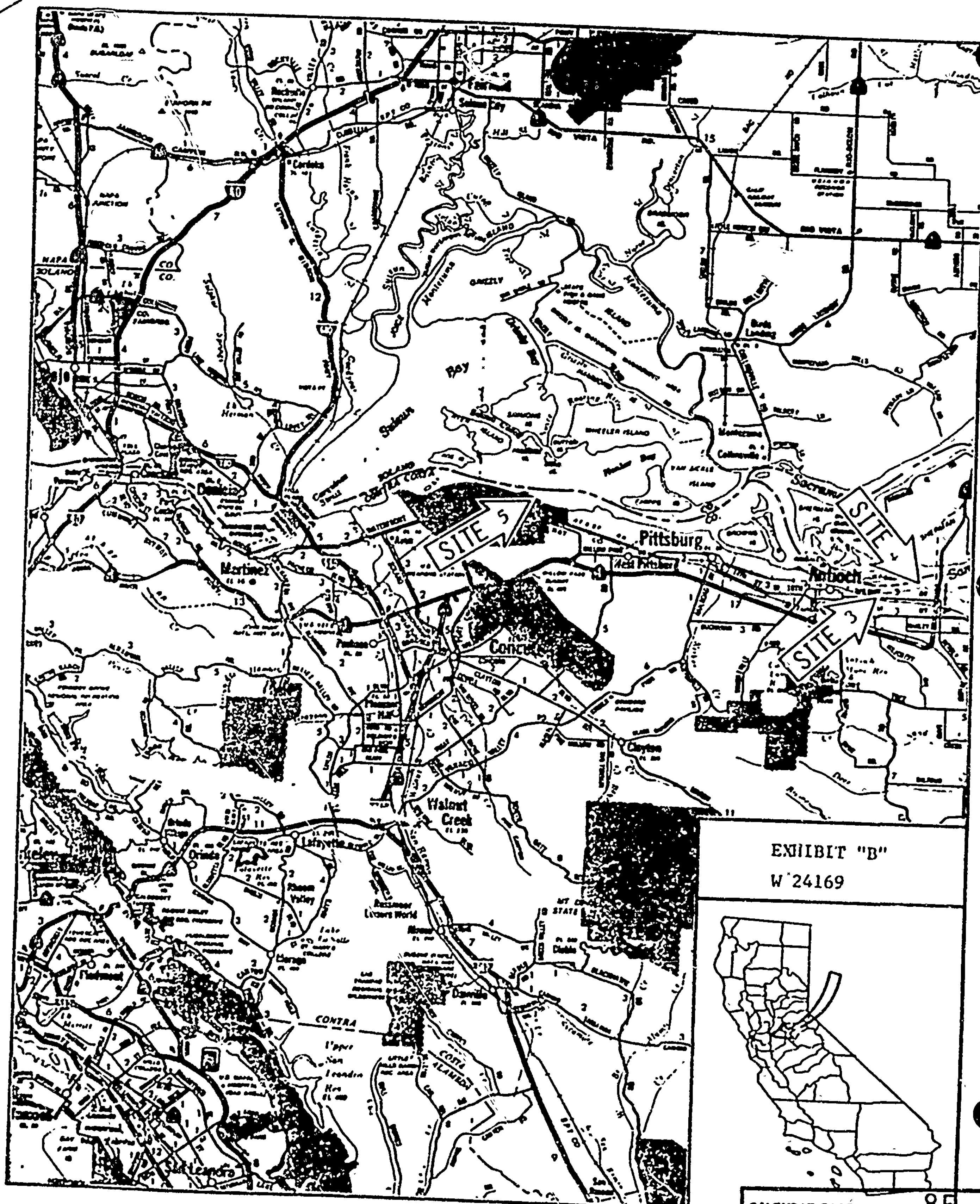
EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark.

This description is based on the California Coordinate System of 1927, Zone 3.

END OF DESCRIPTION

PREPARED JUNE 6, 1988 BY BIU 1.

EXHIBIT "B"
W 24169



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