MINUTE ITEM
This Calendar Item No. C07
was approved as Minute Item
No. 2 by the State Lands
Commission by a vote of 3
to 0 at its 2/6/89
meeting.

CALENDAR ITEM

A 10

S 5, 7

C07

02/06/89
PRC 778
PRC 2529
N. Smith

ASSIGNMENT OF LEASES PRC 778 AND PRC 2529
GENERAL LEASE - RIGHT-OF-WAY USE

ASSIGNOR: Fibreboard Corporation
P.O. Box 4125
Concord, California 94524

ASSIGNEE: Gaylord Container Corporation
P.O. Box 10
Antioch, California 94509

AREA, TYPE LAND AND LOCATION:
A 0.09±-and 6.5±-acre parcels of tide and submerged lands, located in the San Joaquin River near Antioch, Contra Costa and Sacramento counties.

LAND USE: Maintenance and use of water pipelines associated with paper mill on adjacent upland property.

TERMS OF LEASE PRC 778:

Initial period:	49 years beginning December 5, 1952.
Surety bond:	$1,000.
Consideration:	$50 for the entire lease period.

TERMS OF LEASE PRC 2529:

Initial period: 49 years beginning February 25, 1960.

Consideration: $47.26 per annum.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES:

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

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

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. An Assignment and Assumption Agreement, dated March 29, 1988, was executed between Fibreboard Corporation and Gaylord Container Corporation.

2. 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.

EXHIBITS:

A-1. Land Description, PRC 778.
A-2. Land Description, PRC 2529
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. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.

2. APPROVE ASSIGNMENT OF LEASE PRC 778 AND PRC 2529, COVERING LAND DESCRIBED IN EXHIBITS "A-1 AND A-2" ATTACHED HERETO, FROM FIBREBOARD CORPORATION TO GAYLORD CONTAINER CORPORATION, EFFECTIVE MARCH 29, 1988.

3. ALL OTHER TERMS AND CONDITIONS OF THE LEASES SHALL REMAIN UNCHANGED.

EXHIBIT "A - 1"

PRC 778

LAND DESCRIPTION

A parcel of tide and submerged land in the San Joaquin River, Contra Costa County, California, more particularly described as follows:

BEGINNING at a point on the ordinary high water mark of the San Joaquin River which bears North 565.65 feet and N 33° 41' E 20.74 feet, more or less, from a 1 in. iron pipe at the intersection of the east line of the 50 foot wide Fiberboard Products, Inc. R/W, referred to in the deed from Lester Robinson to Marble D. Keeney dated January 4, 1892, and recorded January 9, 1892, in Book 62 of Deeds, page 12, Records of Contra Costa County, with the north line of the A.T.&S.F. Railroad Company R/W; thence along the ordinary high water mark N 53° 01' 38"W 77.93 feet; thence North 50.79 feet to a point in the San Joaquin River having California Coordinate System of 1927, Zone 3 coordinates X = 1,620,078.57, Y = 556,327.21; thence S 56° 23'E 105.99 feet to a point with coordinates X = 1.620,165.93, Y = 556,267.20; thence S 33° 41'W 46.86 feet to the point of beginning.

The basis of bearings is the deed call of north for the east line of the Fiberboard Products, Inc. R/W.

END OF DESCRIPTION

REVISED SEPTEMBER 13, 1988 BY BIU 1

EXHIBIT "A - 2"

PRC 2529.1

LAND DESCRIPTION

Two parcels of land located in the San Joaquin River, near Antioch, Contra Costa and Sacramento Counties, State of California, said parcels being more particularly described as follows:

PARCEL 1

BEGINNING at a point on the Ordinary High Water Mark of the left bank of the San Joaquin River, said point being N 59° 32' 10" E 512.49 feet and N 24° 47' 50"W 158.48 feet, more or less, from California Lands Commission Monument "Board 1947" and N 44° 43' 15" E 150.82 feet, more or less, from Station 4 as shown on the J.G. Barnard Plat entitled "Fibreboard Products Inc. - East Antioch - Parts of Sections 8,9,16 and 17, T2N R2E, MDM.", dated January 1948; thence N 24° 47' 50" W 2587.79 feet, more or less, to the Ordinary High Water Mark of the San Joaquin River, on the south bank of West Island; thence along said OHWM N 64° 29' 50" E 100.03 feet; thence S 24° 47' 50" E 2267.23 feet, S 65° 12' 10" w 24.82 feet, S 24° 47' 50" E 293.67 feet, more or less, to a point on said Ordinary High Water Mark; thence along said OHWM S 44° 43' 15" W 80.25 feet to the point of beginning.

PARCEL 2

A 100 foot strip of land being 50 feet on either side of a centerline described as follows:

BEGINNING at a point on the Ordinary High Water Mark of the San Joaquin River on the north bank of West Island, said point being S 64° 29'50" W 50.01 feet and N 24° 47' 50" W 903.33 feet, more or less, from the most northerly point in Parcel 1 above; thence continuing N 24° 47' 50" W 335.67 feet.

END OF DESCRIPTION

REVISED SEPTEMBER 12, 1988 BY BIU 1

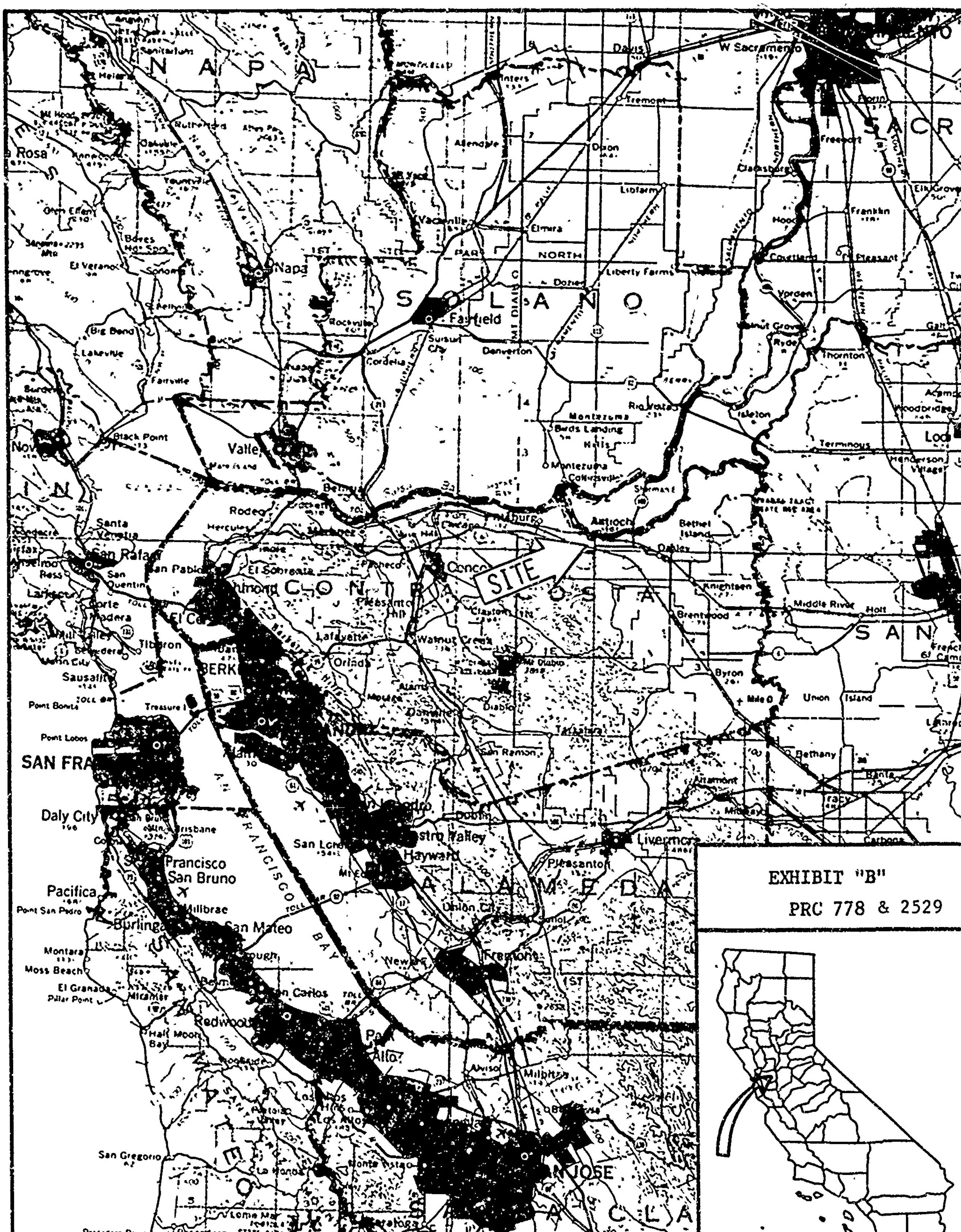

EXHIBIT "B"

PRC 778 & 2529

CALENDAR PAGE 34

MINUTE PAGE 045