

MINUTE ITEM
This Calendar Item No. C19
was approved as Minute Item
No. 19 by the State Lands
Commission by a vote of 3
to 0 at its 7/10/89
meeting.

CALENDAR ITEM

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07/10/89
PRC 1992
Pelkofer
Maricle

AMENDMENT AND
TWO CONSECUTIVE ASSIGNMENTS OF
INDUSTRIAL LEASE PRC 1992

FIRST ASSIGNOR:

Lone Star Industries, Inc.,
a Delaware corporation
11555 Dublin Canyon Road
Pleasanton, California 94566

FIRST ASSIGNEE:

Lone Star California, Inc.,
a Delaware corporation, and
New York Trap Rock Corporation,
a Delaware corporation
c/o Linda L. Baker, Attorney at Law
Heller, Ehrman, White & McAuliffe
333 Bush Street
San Francisco, California 94104-2878

SECOND ASSIGNOR:

Lone Star California, Inc.
a Delaware corporation, and
New York Trap Rock Corporation,
a Delaware corporation
c/o Lindi L. Baker, Attorney at Law
Heller, Ehrman, White & McAuliffe
333 Bush Street
San Francisco, California 94104-2878

SECOND ASSIGNEE:

Lone Star California, a California general
partnership, now known as RMC Lone Star, a
California general partnership,
c/o Lindi L. Baker, Attorney at Law
Heller, Ehrman, White & McAuliffe
333 Bush Street
San Francisco, California 94104-2878

CALENDAR ITEM NO. C19 (CONT'D)

AREA, TYPE LAND AND LOCATION:

A 0.41-acre parcel of tide and submerged land,
Sacramento River, West Sacramento, Yolo County.

LAND USE: Existing dock and dolphins.

TERMS OF PRESENT LEASE:

Initial period: Ten years beginning August 29,
1982.

Renewal options: One additional period of ten
years.

Surety bond: \$5,000.

Public liability insurance: Combined single
limit coverage of \$1,000,000
for bodily injury and
\$100,000 for property damage.

Consideration: \$1,170 per annum; five-year
rent review.

BASIS FOR CONSIDERATION:

Pursuant to 2 Regs. Code 2003. Nine percent
(9%) of appraised value, pursuant to 2 Cal.
Regs. 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. Regs. 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 CEQA because
the activity is not a "project" as defined
by CEQA and the State CEQA Guidelines.

CALENDAR ITEM NO. C 1 9 (CONT'D)

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

2. The recommended assignment approvals presented herein are in two parts:
 - A. The first assignment to Lone Star California, Inc. and New York Trap Rock Corporation, as co-lessees, would be effective as of December 2, 1987;
 - B. The second assignment to Lone Star California, a California general partnership, would be effective as of December 3, 1987.
3. Under a Restated Partnership Agreement, dated December 31, 1987, Lone Star California, a California general partnership, later changed its name to RMC Lone Star, a California general partnership, and took on an additional partner at that time.
4. RMC Lone Star, as presently constituted, is a business entity comprised of the following three general partners:
 - Lone Star California, Inc.,
a Delaware corporation
 - New York Trap Rock,
a Delaware corporation
 - California Readymix, Inc.,
a Delaware corporation
5. The proposed agreement additionally amends the lease by defining terms and conditions under which an assignment, encumbrance, or subletting of the lease can be considered, including corporate changes, partnership interests, and bankruptcy petitions, giving the Commission greater assurance that approved third-party successors to the lease will have the ability to carry out the obligations of lease terms and conditions.

CALENDAR ITEM NO. C 1 9 (CONT'D)

APPROVALS OBTAINED:

None.

FURTHER APPROVALS REQUIRED:

None.

EXHIBIT:

A. Location Map.

IT 1. RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.
2. APPROVE ASSIGNMENT AND AMENDMENT OF LEASE PRC 1992, EFFECTIVE DECEMBER 2, 1987, FROM LONE STAR INDUSTRIES, INC., A DELAWARE CORPORATION, ASSIGNOR, TO LONE STAR CALIFORNIA INC., A DELAWARE CORPORATION, AND NEW YORK TRAP ROCK CORPORATION, A DELAWARE CORPORATION, ASSIGNEE.
3. APPROVE AN ASSIGNMENT AND AMENDMENT OF LEASE PRC 1992, EFFECTIVE DECEMBER 3, 1987, FROM LONE STAR CALIFORNIA, INC., A DELAWARE CORPORATION, AND NEW YORK TRAP ROCK CORPORATION, A DELAWARE CORPORATION, ASSIGNOR, TO LONE STAR CALIFORNIA, A CALIFORNIA GENERAL PARTNERSHIP, ASSIGNEE, NOW KNOWN AS RMC LONE STAR, A CALIFORNIA GENERAL PARTNERSHIP.

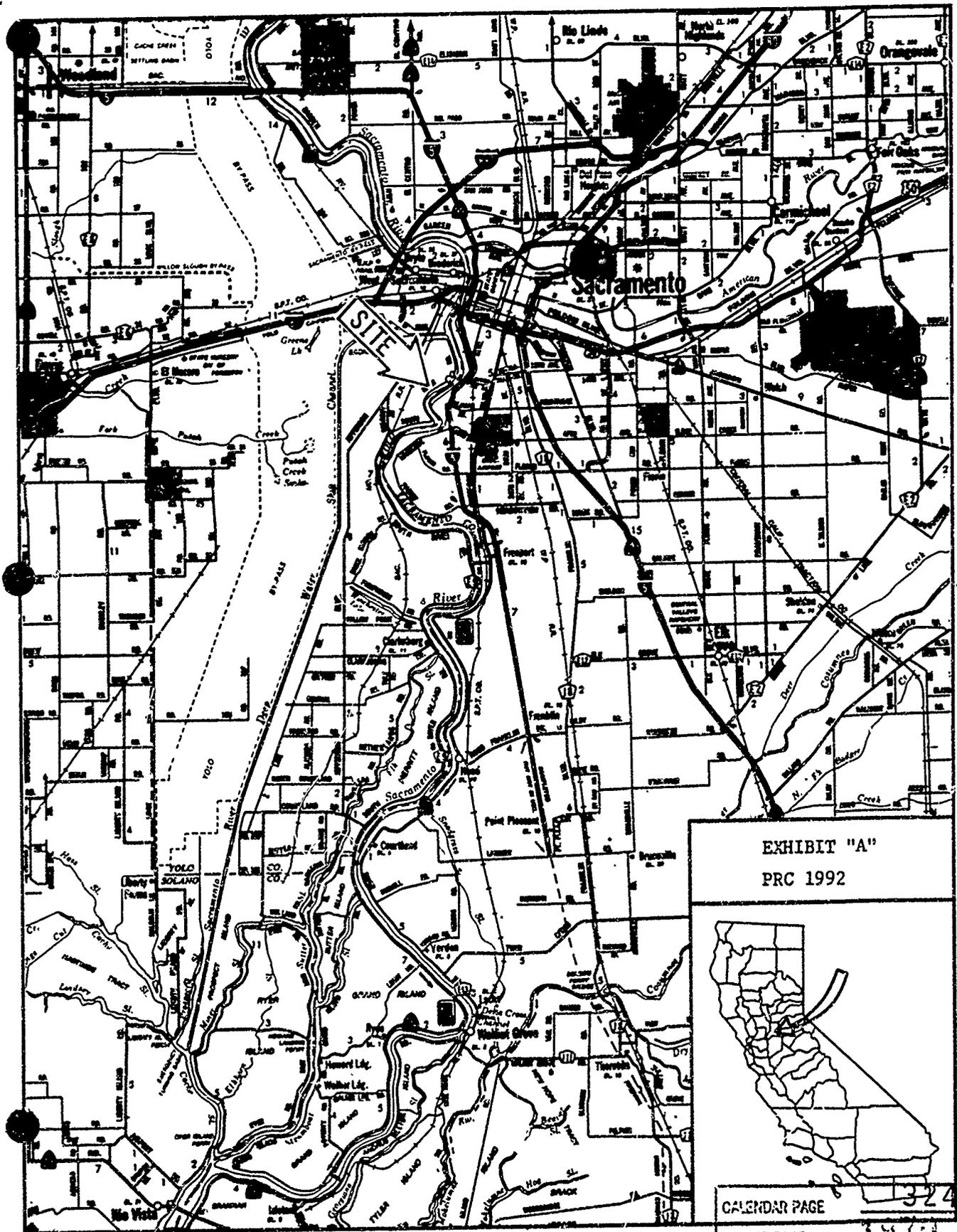


EXHIBIT "A"
PRC 1992



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