

MINUTE ITEM
Calendar Item No. C04
was approved as Minute Item
No. 04 by the State Lands
Commission by a vote of 3
to 0 at its 9-9-93
meeting.

CALENDAR ITEM

C04

A 7
S 2

09/09/93
WP 4847 PRC 4847
Burks

GENERAL LEASE - RIGHT OF WAY USE

APPLICANT:

Tele-Vue Systems, Inc.
2260 Brown Street
Napa, California 94558

AREA, TYPE LAND AND LOCATION:

A 0.07-acre parcel of tide and submerged land across Napa River, adjacent to and north of Maxwell Bridge, just south of City of Napa, Napa County.

LAND USE:

Continued use and maintenance of two (2) existing overhead television transmission cables.

CURRENT LEASE TERMS:

Lease period:

10 years beginning December 1, 1983.

Consideration:

\$100 per annum; five-year rent review.

PROPOSED LEASE TERMS:

Lease period:

10 years beginning December 1, 1993.

Consideration:

\$160 per annum; with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

Basis for Consideration:

Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:

Applicant is permittee of upland.

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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 3, 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. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, 2905(a)(2), existing facilities.
2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

Lessee will provide Lessor with a current copy of the General CATV Pole Contact Agreement with Pacific Gas and Electric (existing agreement expires on December 31, 1996).

FURTHER APPROVALS REQUIRED:

State Lands Commission.

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. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, 2905(a)(2), 14 CAL. CODE REGS. 21084.

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2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. AUTHORIZE ISSUANCE TO TELE-VUE SYSTEMS, INC. OF A 10-YEAR GENERAL LEASE - RIGHT OF WAY USE BEGINNING DECEMBER 1, 1993; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$160, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; FOR CONTINUED USE AND MAINTENANCE OF TWO (2) OVERHEAD TELEVISION TRANSMISSION CABLES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

WP 4847

LAND DESCRIPTION

A strip of tide and submerged land 10 feet wide in the bed of the Napa River at the City of Napa, Napa County, California, and lying 5 feet on each side of the following described centerline:

The centerline of said strip being 45.5 feet northerly of and parallel with the centerline of that certain right-of-way easement 100 feet in width granted to the County of Napa, (Imola Avenue, State Route 121) on file at the California, State Lands Commission as Lease P.R.C. No. 372, on March 19, 1948 and amended June 25, 1948. Said 100 foot easement also on file in the office of the County Engineer, Napa County entitled, "Napa River Crossing, Imola Avenue to Foster Road", said strip extending from the ordinary high water mark on the easterly (left) bank of the Napa River to the ordinary high water mark on the westerly (right) bank of the Napa River.

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

END OF DESCRIPTION

PREPARED May, 1993 BY SFBCC

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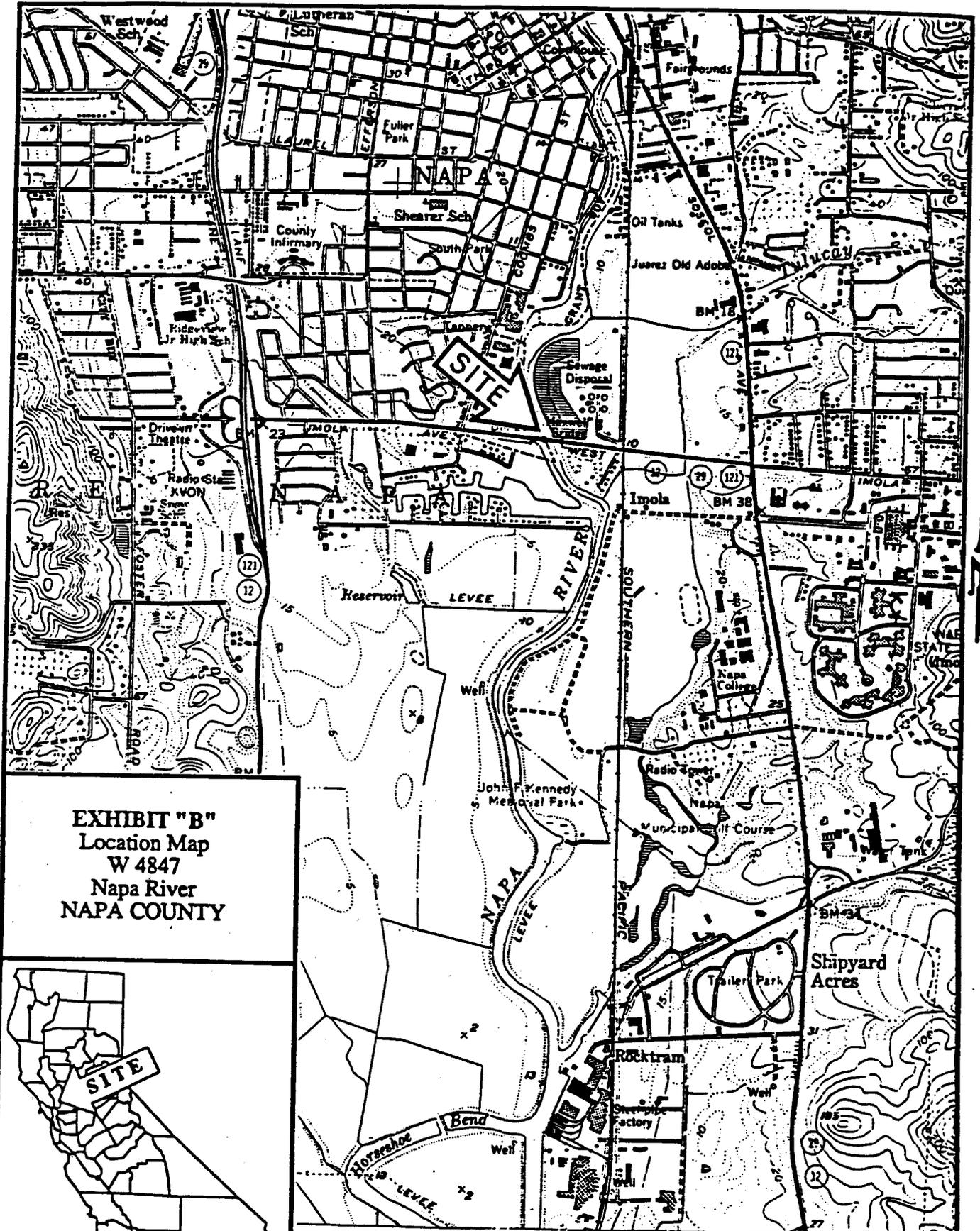


EXHIBIT "B"
 Location Map
 W 4847
 Napa River
 NAPA COUNTY



NOTE:
 THIS EXHIBIT IS NOT A SURVEY, NOR
 DOES ANY LINE APPEARING HEREON
 REPRESENT A BOUNDARY LINE.