

**MINUTE ITEM**

This Calendar Item No. C05  
was approved as Minute Item  
No. CS by the State Lands  
Commission by a vote of 3  
to 0 at its 9-9-93  
meeting.

**CALENDAR ITEM**

**C05**

A 20

S 10

09/09/93

WP 7541 PRC 7541

Burks

**TERMINATION OF RIGHT OF ENTRY PRC 7541 AND  
ISSUANCE OF A GENERAL PERMIT - PUBLIC AGENCY USE**

**APPLICANT:**

California Department of Transportation  
Attn: Harry T. Yahata  
Deputy District Director  
P. O. Box 7310  
San Francisco, California 94120-7310

**LESSEE:**

Santa Clara County Traffic Authority  
Attn: Donna Harrison  
1762 Technology Drive, Suite 122  
San Jose, California 95110

**AREA, TYPE LAND AND LOCATION:**

A 0.787-acre parcel of sovereign land, at Highway 237,  
Guadalupe River crossing, Alviso District, San Jose, Santa  
Clara County.

**LAND USE:**

Highway purposes pursuant to Section 101.5 of the Streets  
and Highways Code, specifically for use and occupation of  
lands underlying Highway 237, Guadalupe River crossing,  
Alviso District, San Jose.

**TERMS OF ORIGINAL LEASE:**

Beginning May 23, 1991 until replaced by a permit provided  
for in Section 101.5 of the Streets and Highways Code.

**TERMS OF PROPOSED PERMIT:**

Indefinite period from date the permit is executed on behalf  
of the State Lands Commission.

**CONSIDERATION:**

As set forth by Section 101.5, Streets and Highways Code and  
the public use and benefit.

CALENDAR PAGE	16
MINUTE PAGE	1856

CALENDAR ITEM NO. C05 (CONT'D)

**BASIS FOR CONSIDERATION:**

Pursuant to 2 Cal. Code Regs. 2003.

**PREREQUISITE CONDITIONS, FEES AND EXPENSES:**

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.
- C. Section 101.5 of the Streets and Highways Code.

**AB 884:**

N/A

**OTHER PERTINENT INFORMATION:**

- 1. PRC 7541 was issued to Santa Clara County Traffic Authority for right of entry to widen Highway 237 to eight lanes for improved traffic flow. Santa Clara County Traffic Authority has completed the construction for the California Department of Transportation (DOT). Thus, under Section 101.5 of the Streets and Highways Code, a SLC permit for continuous use of the site for highway purposes is required.
- 2. An Environmental Impact Report/Statement (SCH 89012409) was prepared and adopted for this project by the Federal Highway Administration and the California Department of Transportation. The State Lands Commission's staff has reviewed such document.

**APPROVALS OBTAINED:**

N/A

**FURTHER APPROVALS REQUIRED:**

State Lands Commission

**EXHIBITS:**

- A. Land Description (DOT map filed pursuant to S+H Code Section 101.5.
- B. Location Map

CALENDAR PAGE	17
MINUTE PAGE	1857

11

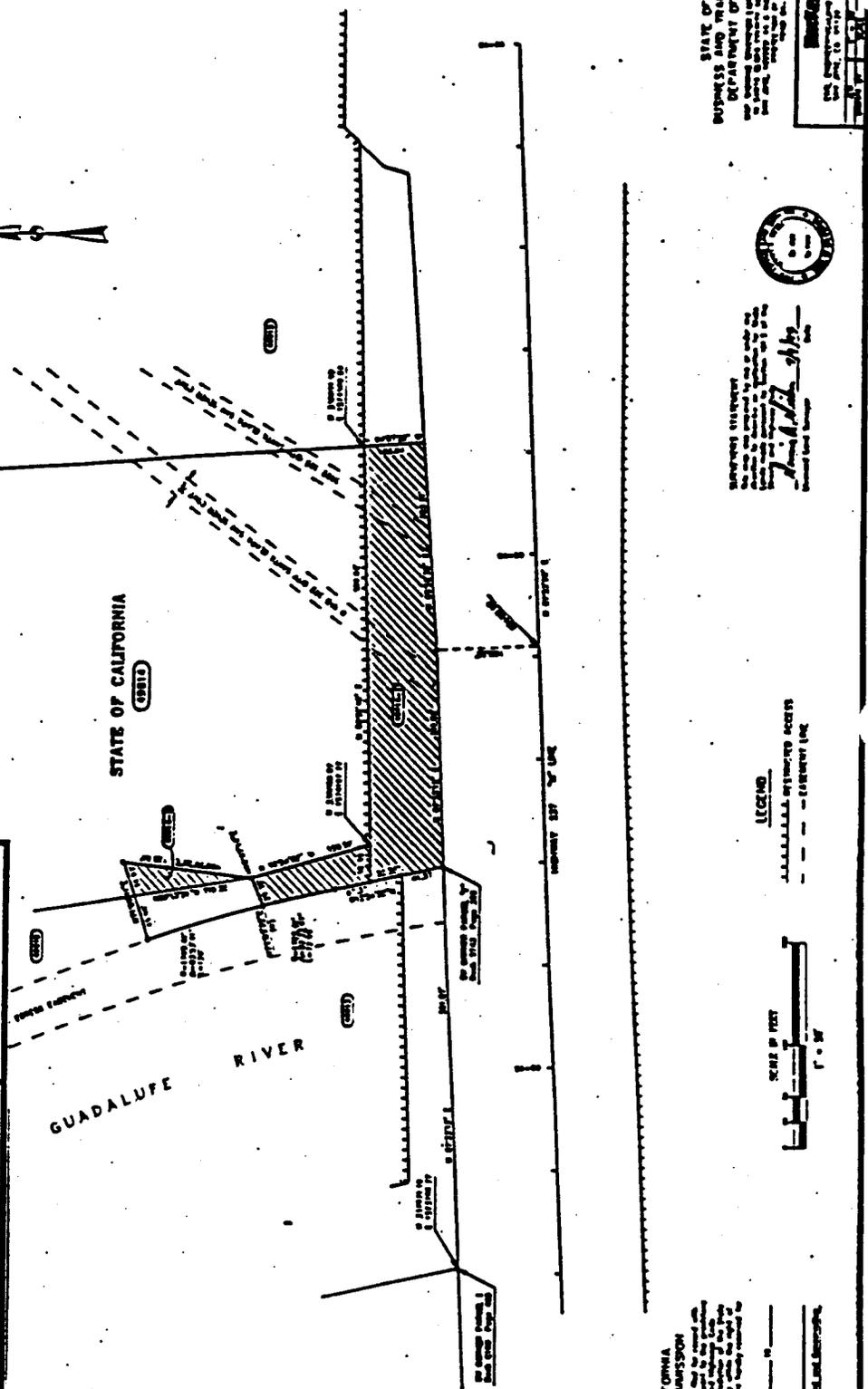
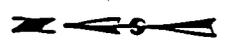
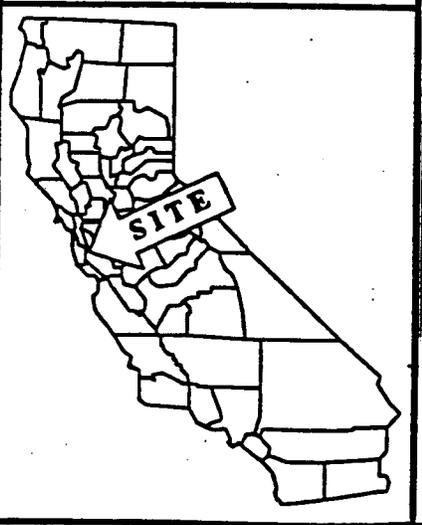
CALENDAR ITEM NO. C05 (CONT'D)

**IT IS RECOMMENDED THAT THE COMMISSION:**

1. FIND THAT A JOINT EIR/EIS WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE FEDERAL HIGHWAY ADMINISTRATION AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, SCH 89012409, AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. ADOPT THE FINDINGS AND THE STATEMENT OF OVERRIDING CONSIDERATIONS MADE IN CONFORMANCE WITH SECTION 15096(h) OF THE STATE CEQA GUIDELINES, WHICH ARE ON FILE IN THE SACRAMENTO OFFICE OF THE COMMISSION AND INCORPORATED HEREIN BY THIS REFERENCE.
3. APPROVE THE MAP FILED BY CALIFORNIA DEPARTMENT OF TRANSPORTATION PURSUANT TO SECTION 101.5 OF THE STREETS AND HIGHWAYS CODE, AS SHOWN ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.
4. AUTHORIZE ISSUANCE TO CALIFORNIA DEPARTMENT OF TRANSPORTATION OF A PUBLIC AGENCY PERMIT FOR AN INDEFINITE PERIOD FROM THE DATE THE PERMIT IS EXECUTED ON BEHALF OF THE STATE LANDS COMMISSION FOR HIGHWAY PURPOSES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.
5. TERMINATE LEASE PRC 7541 FOR A RIGHT OF ENTRY ISSUED TO SANTA CLARA COUNTY TRAFFIC AUTHORITY EFFECTIVE FROM THE DATE THE PERMIT TO CALIFORNIA DEPARTMENT OF TRANSPORTATION IS EXECUTED ON BEHALF OF THE STATE LANDS COMMISSION.

CALENDAR PAGE	18
MINUTE PAGE	1858

**EXHIBIT "A"**  
 Land Description; Exhibit  
 WP 7541  
 Highway 237 &  
 Guadalupe River  
 SANTA CLARA COUNTY



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

STATE OF CALIFORNIA  
 BUSINESS AND TRANSPORTATION AGENCY  
 DEPARTMENT OF TRANSPORTATION  
 THE ABOVE DESCRIBED LAND IS THE BASIS OF RECORD  
 AND THE STATE OF CALIFORNIA HAS NO CLAIM TO THE  
 LAND DESCRIBED HEREIN.  
 DATE: 06-17-2011

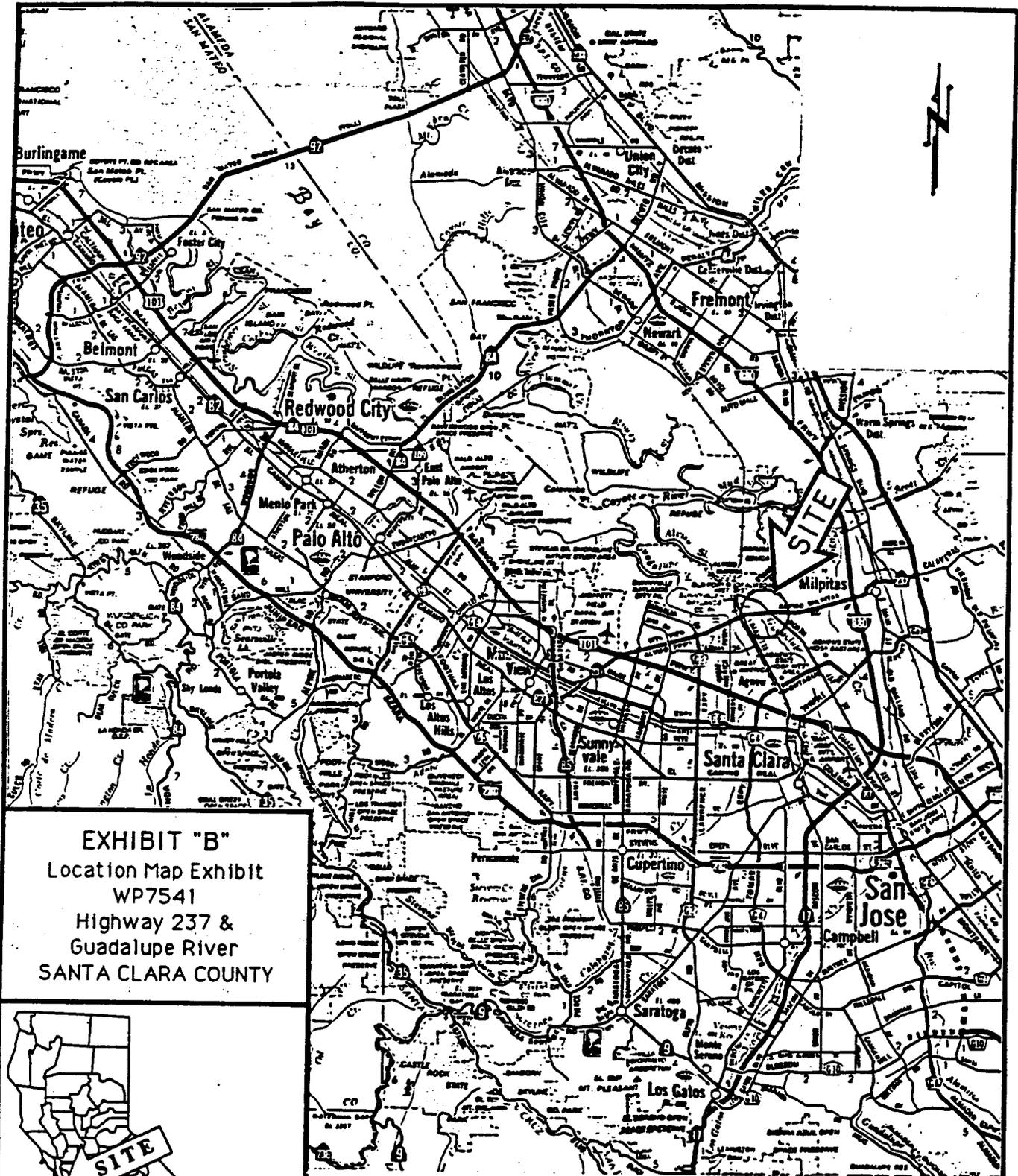


RECORDED BY  
 J. M. [Signature]  
 5/17/11

**LEGEND**  
 - - - - - EASEMENT  
 - - - - - EASEMENT



STATE OF CALIFORNIA  
 STATE LANDS COMMISSION  
 THE ABOVE DESCRIBED LAND IS THE BASIS OF RECORD  
 AND THE STATE OF CALIFORNIA HAS NO CLAIM TO THE  
 LAND DESCRIBED HEREIN.  
 DATE: 06-17-2011



**EXHIBIT "B"**  
 Location Map Exhibit  
 WP7541  
 Highway 237 &  
 Guadalupe River  
 SANTA CLARA COUNTY



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

CALENDAR PAGE	20
MINUTE PAGE	1860