MINUTE ITEM
This Calendar Item No. C26 was approved as Minute Item No. 26 by the California State Lands Commission by a vote of 3 to 0 at its 1-29-99 meeting.

CALENDAR ITEM
C26

A 19

S 8

01/29/99
PRC 5363.9
D. Plummer

AMENDMENT OF LEASE

LESSEE:

First American Title Insurance Company
2640 Cordova Lane, Suite 103
Rancho Cordova, California 95670
Attn: Mr. Roy Minnick, Assistant Vice President

AREA, LAND TYPE, AND LOCATION:

Sovereign land in San Francisco Bay adjacent to the shoreline and from the shoreline to East Third Avenue in the cities of Foster City and San Mateo, San Mateo County.

AUTHORIZED USE:

Access way for ingress and egress and the passage of vehicles, utilities, equipment and pedestrians.

LEASE TERM:

66 years beginning July 28, 1977.

PROPOSED AMENDMENT:

Amend the current lease description to include lands required for the relocated access easement and delete that portion of the existing easement from the lease description that will be abandoned pursuant to this transaction. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. First American Title Insurance Company has requested that a portion of the right of way under lease from the Commission be relocated to provide a direct route from East Third Avenue, the closest public road, to the shoreline access parcel.

2. First American Title Insurance Company will make a deposit in the amount of $30,000 to the Kapiloff Land Bank Fund to be used for purposes consistent with Public Resources Code section 8625 (c) which includes projects to provide for management and improvement of real property held by the trustee to provide open space, habitat for plants and animals, and public access.

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 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 the CEQA and the State CEQA Guidelines.

   Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15378.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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.

EXHIBITS:

A. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

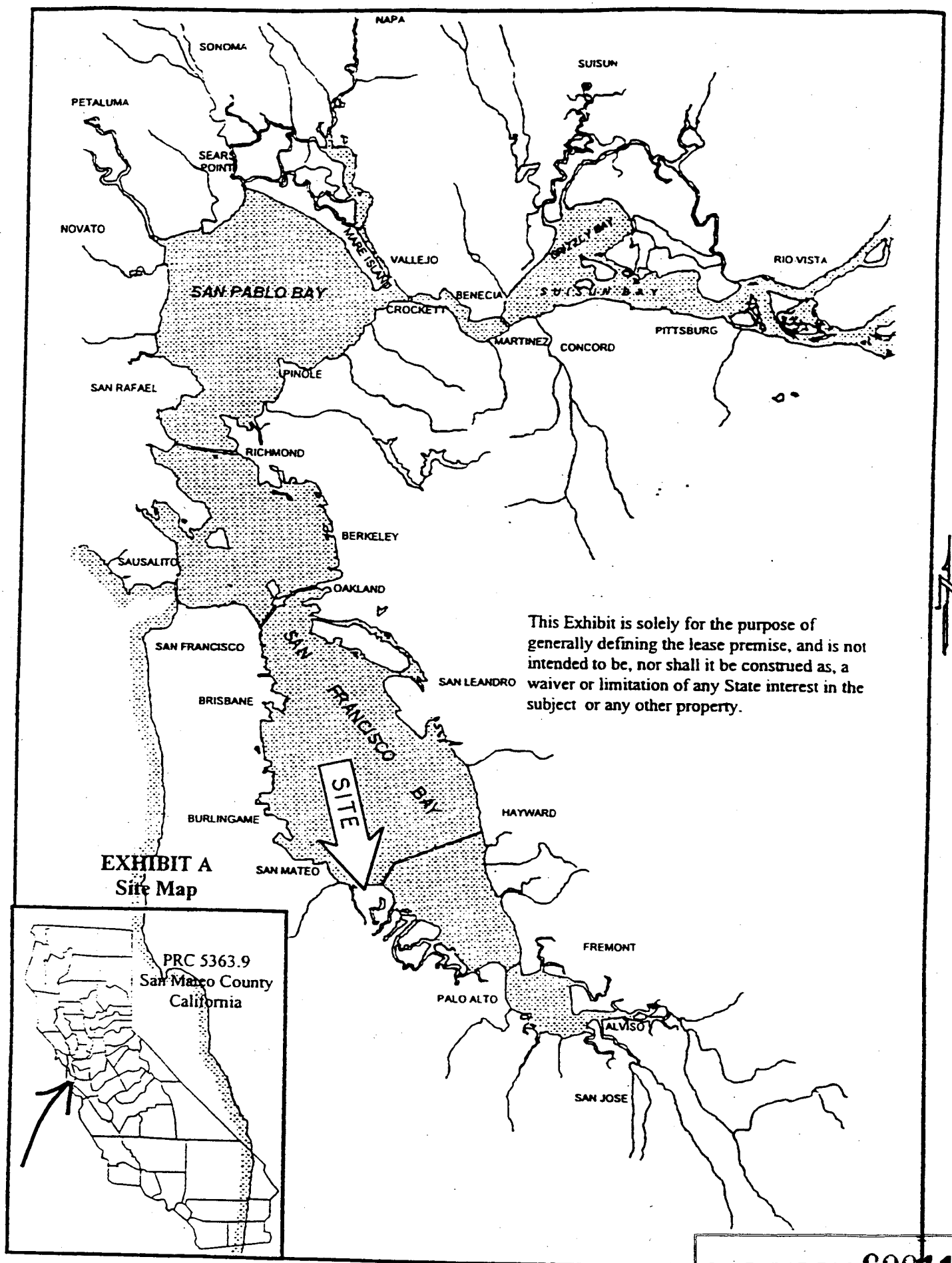
SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 5363.9, GENERAL LEASE-RIGHT OF WAY USE OF SOVEREIGN LANDS IN SAN FRANCISCO BAY, IN THE CITIES OF FOSTER CITY AND SAN MATEO, SAN MATEO COUNTY; TO AMEND THE LEASE DESCRIPTION TO REFLECT THE RELOCATION OF A PORTION OF THE EASEMENT. ALL OTHER TERMS AND CONDITIONS OF THE LEASE SHALL REMAIN UNCHANGED.

AUTHORIZE ACCEPTANCE OF $30,000 INTO THE KAPILOFF LAND BANK FUND PURSUANT TO PUBLIC RESOURCES CODE SECTION 8625 (c).



This Exhibit is solely for the purpose of generally defining the lease premise, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

EXHIBIT A
Site Map