MINUTE ITEM
This Calendar Item No. C43 was approved as Minute Item No. 43 by the California State Lands Commission by a vote of 3 to 0 at its 9-3-99 meeting.

CALENDAR ITEM
C43

A 25

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PRC 5514.1

09/03/99
WP 5514.1
J. Smith

ASSIGNMENT AND AMENDMENT OF LEASE

LESSEE/ASSIGNOR:

RMC Lonestar, a California general partnership
P.O. Box 5252
Pleasanton, California 94566

ASSIGNEE:

RMC Pacific Materials, Inc.
P.O. Box 5252
Pleasanton, California 94566

AREA, LAND TYPE, AND LOCATION:

0.918 acres, more or less, of sovereign lands in the San Joaquin River, near Friant, Fresno and Madera counties.

AUTHORIZED USE:

Maintenance of an existing bridge crossing, approach embankments and associated riprap bank protection.

LEASE TERM:

25 years, beginning July 1, 1977; with two successive ten-year renewal options.

CONSIDERATION:

$1,000 per year or the number of tons of bulk commodities (sand and gravel) passing over State land multiplied by $0.002278; whichever is the greater.

PROPOSED AMENDMENT:

The land description contained in Section 4 of Lease No. PRC 5514.1 shall be superceded by the land description attached as Exhibit A. All other terms and conditions of the lease shall remain in full force and effect without amendment.

OTHER PERTINENT INFORMATION:

1. Assignee owns the mineral rights and also has a right to use certain lands adjoining the lease premises.

2. The current Lessee, RMC Lonestar, a California general partnership, has requested that the Commission assign all of its rights and obligations under Lease No. PRC 5514.1 to RMP Pacific Materials, a new corporation in common ownership with RMC Lonestar, a California general partnership.

3. In order to more accurately describe the leased lands, staff is recommending that the land description in Section 4 of the lease be superceded by the description attached as Exhibit A.

4. 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.

EXHIBITS:

A. Land Description
B. Location and Site 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.

AUTHORIZATION:

AUTHORIZE THE ASSIGNMENT AND AMENDMENT OF LEASE NO. PRC 5514.1, A GENERAL LEASE - RIGHT OF WAY USE, OF SOVEREIGN LANDS DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, FROM RMC LONESTAR, A CALIFORNIA GENERAL PARTNERSHIP TO RMC PACIFIC MATERIALS, INC.; EFFECTIVE SEPTEMBER 1, 1999; THE LAND DESCRIPTION CONTAINED IN SECTION 4 OF LEASE NO. PRC 5514.1 SHALL BE SUPERCEDED BY THE LAND DESCRIPTION ATTACHED AS EXHIBIT A; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

WP 5514.1

EXHIBIT A

A strip of Sovereign submerged land 100.00 feet in width lying in the bed of the San Joaquin River, and lying within the exterior boundaries of Section 25, T 11 S, R 20 E, M. D. M., situated in the County of Fresno and the County of Madera, State of California, the centerline of said strip is described as follows:

BEGINNING at a point in the Low Water Line on the left bank of the San Joaquin River as said line is shown on Sheet 6 of the Administrative Maps of the San Joaquin River, dated April 1992, on file in the Office of the State Lands Commission, Sacramento, California, distant along said Low Water Line S 65°18'33" W, 120.52 feet from point numbered 4219 as shown on said Administrative Maps, said point of beginning having California Coordinate System, Zone 4 (NAD 83) coordinates of N = 2,227,016.610 feet and E = 6,345,577.709 feet ; thence N 27°32'20" E, 68.76 feet; thence N 30°57'09" E, 181.31 feet; thence N 24°56'09" E, 194.40 feet; thence N 17°25'53" E, 92.82 feet; thence N 11°24'43" E, 57.25 feet; thence N 9°24'06" E, 78.80 feet; thence N 10°43'16" E, 144.10 feet to a point in the Low Water Line on the right bank of the San Joaquin River as shown on said Sheet 6, distant along last said line S 74°13'08" E, 24.92 feet from point numbered 7561 of last said line.

The side lines of said strip are to be prolonged or shortened to terminate on the said Low Water Lines.

Coordinates, bearings and distances used in the above description are based on the California Coordinate System, Zone 4 (NAD 83).

END OF DESCRIPTION

Prepared August 11, 1999

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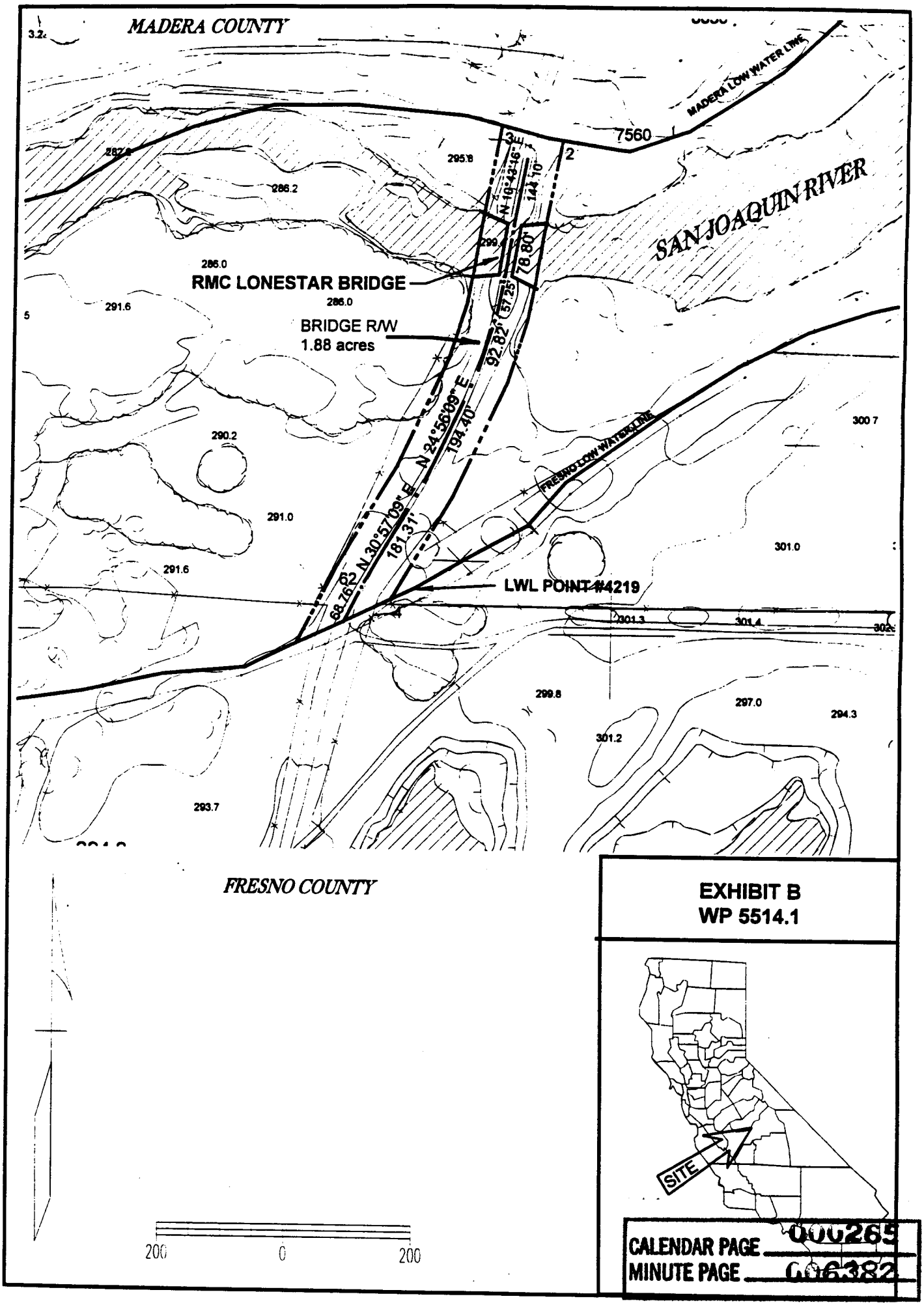

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