MINUTE ITEM
This Calendar Item No. C69 was approved as Minute Item No. 69 by the California State Lands Commission by a vote of 3 to Ø at its 4-24-01 meeting.

CALENDAR ITEM
C69

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04/24/01
PRC 7723 WP 7723.1
F. Singer

TERMINATION OF EXISTING GENERAL LEASE - RIGHT OF WAY USE AND APPROVAL OF A GENERAL LEASE - PUBLIC AGENCY USE

LESSEES:

Redwood Shores Properties
c/o Dudnick, Detwiler, Rivin and Stikker, LLP
351 California Street, Fifteenth Floor
San Francisco, California 94104

City of Redwood City
1017 Middlefield Road
Redwood City, California 94064

AREA, LAND TYPE, AND LOCATION:

0.32 acres, more or less, of sovereign lands in Steinberger Slough, near the city of Redwood City, San Mateo County.

AUTHORIZED USE:

Continued use and maintenance of an existing 30-inch diameter concrete water circulation pipe that carries salt water from Redwood Shores Lagoon to 120 feet into Steinberger Slough.

LEASE TERM:

Twenty-five years, beginning December 13, 1999.

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

OTHER PERTINENT INFORMATION:

1. This Calendar Item will terminate a General Lease - Right of Way Use that was issued for the original concrete discharge pipe and issue a new General Lease - Public Agency Use for the concrete water circulation pipe, effective December 12, 1999. On November 9, 1993, the Commission authorized a General Lease - Right of Way Use with Redwood Shores Properties. That lease will expire on November 9, 2018. On December 13, 1999, Redwood Shores Properties deeded the littoral land and pipeline to the city of Redwood City. The city of Redwood City is now applying for a new General Lease - Public Agency Use.

2. As to the termination of the General Lease – Right of Way Use, 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.

3. As to the new General Lease - Public Agency Use, 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 as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

   Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

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
B. Legal Description

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

AS TO THE TERMINATION OF THE GENERAL LEASE – RIGHT OF WAY USE, 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.

AS TO THE NEW GENERAL LEASE - PUBLIC AGENCY USE, FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

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 TERMINATION OF THE EXISTING GENERAL LEASE – RIGHT OF WAY USE WITH REDWOOD SHORES PROPERTIES EFFECTIVE DECEMBER 12, 1999.

AUTHORIZE ISSUANCE TO THE CITY OF REDWOOD CITY OF A GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING DECEMBER 13, 1999, FOR A TERM OF TWENTY-FIVE YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF A CONCRETE WATER CIRCULATION PIPE ON THE LAND DESCRIBED ON EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION BEING THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST.

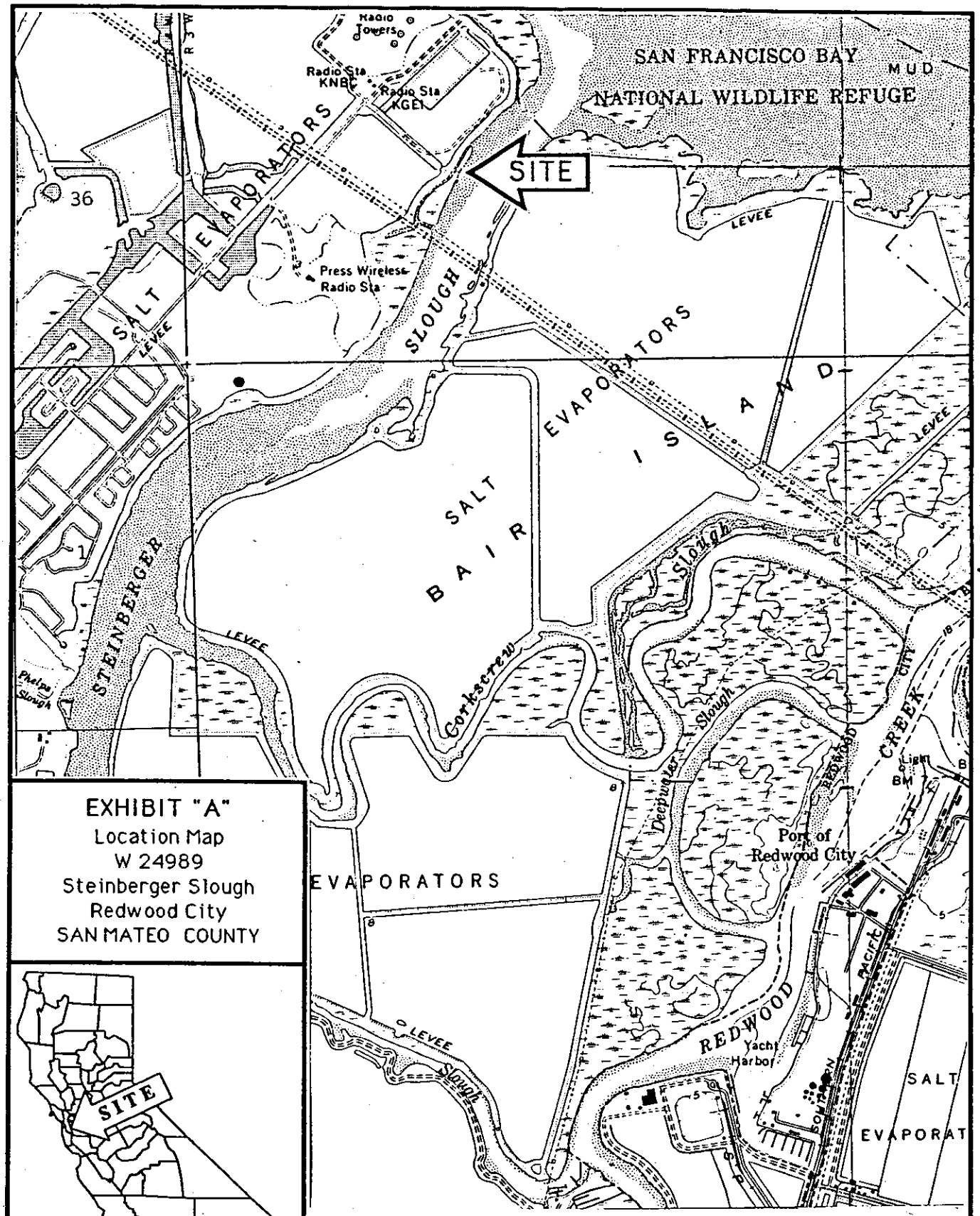

EXHIBIT "A"
Location Map
W 24989
Steinberger Slough
Redwood City
SAN MATEO COUNTY

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

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CT 7/95

Brian Kangas Foulk

January 7, 1992
Job No. RR0604.10

EXHIBIT "B"

LEGAL DESCRIPTION
for
DRAINAGE AND WATER CIRCULATION EASEMENT

Consulting Engineers
540 Price Avenue
Redwood City, CA 94063
415/365-0412
FAX 415/365-1260

SITUATE in the City of Redwood City, County of San Mateo, State of California and described as follows:

BEING a strip of land of uniform width of 100.00 feet by perpendicular measurement, said strip being a portion of land lying within Steinberger Slough the perimeter of said portion being more particularly described as follows:

COMMENCING at a point on that certain northwesterly line of the Lands of the State of California as said Lands are described in the Grant Deed recorded February 4, 1974 in Volume 6557 of Official Records at Page 633, San Mateo County Records lying distant North 46° 27' 18" East 122.13 feet from the most southeasterly corner of Lot 5 as said lot is shown on that certain map entitled "LAKESIDE SUBDIVISION UNIT NO. 2" filed October 14, 1990 in Book 122 of Maps at Pages 1 through 6 inclusive in the Office of the Recorder of San Mateo County, State of California;

THENCE South 60° 00' 00" East 315.52 feet leaving said POINT OF COMMENCEMENT and line to a point in the southeasterly line of said Grant Deed, said point being the POINT OF BEGINNING of the easement described herein;

THENCE from said POINT OF BEGINNING and leaving said line South 60° 00' 00" East 142.85 feet along the southeasterly prolongation of last called course having a bearing and distance of South 60° 00' 00" East 315.52 feet;

THENCE South 30° 00' 00" West 100.00 feet;

THENCE North 60° 00' 00" West 135.00 feet to a point in the southeasterly line of said Grant Deed;

THENCE along said line North 25° 00' 44" East 95.15 feet and North 34° 40' 13" East 5.23 feet returning to the POINT OF BEGINNING and containing 13,934 square feet of land more or less.

Description Prepared by:

Rex A. Betz, L.S. 5251
License Expires 12/31/95

Signed Rex A. Betz

Dated Jan. 7, 1992

RAB:bc

LICENSED LAND SURVEYOR
REX ALLEN BETZ
L. S. 5251
EXP. 12-31-95
STATE OF CALIFORNIA

REVIEWED SEPTEMBER, 1993
CTG, SFBCC

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