MINUTE ITEM

This Calendar Item No. C41 was approved as Minute Item No. 41 by the California State Lands Commission by a vote of 3 to 0 at its 10/20/03 meeting.

CALENDAR ITEM
C41

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10/20/03
PRC 7659.1
N. Smith

REVISION OF RENT AND AMENDMENT OF LEASE

LESSEE:

C&H Sugar Company, Inc.
Attn: Mr. Michael J. Laituri
830 Loring Avenue
Crockett, California 94525-1199

AREA, LAND TYPE, AND LOCATION:

28 acres, more or less, of sovereign lands in Carquinez Straits, in the town of Crockett, Contra Costa County.

AUTHORIZED USE:

Sugar refinery, dock and outfall lines.

LEASE TERM:

30 years, beginning September 23, 1992.

CONSIDERATION:

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease, and recommends that the rent be revised from $338,605 per year to $461,700 per year, effective September 23, 2002.

Lessee has requested that the rent be paid on a monthly basis, rather than an annual basis. Rent will be due no later than the 23rd day of each month of equal payments in the amount of $38,475. Staff recommends the Commission approve the request.

EXHIBIT:

A. Location Map

RECOMMENDED ACTION:
IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) 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:

APPROVE THE REVISION OF RENT FOR LEASE NO. PRC 7659.1 FROM $338,605 PER YEAR TO $461,700 PER YEAR OR MONTHLY PAYMENTS IN THE AMOUNT OF $38,475; EFFECTIVE SEPTEMBER 23, 2002.

AUTHORIZE THE AMENDMENT OF LEASE PRC 7659.1 GENERAL LEASE – INDUSTRIAL USE FOR RENT TO BE PAID ON A MONTHLY BASIS BEFORE THE 23rd DAY OF EACH MONTH, EFFECTIVE SEPTEMBER 23, 2003; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

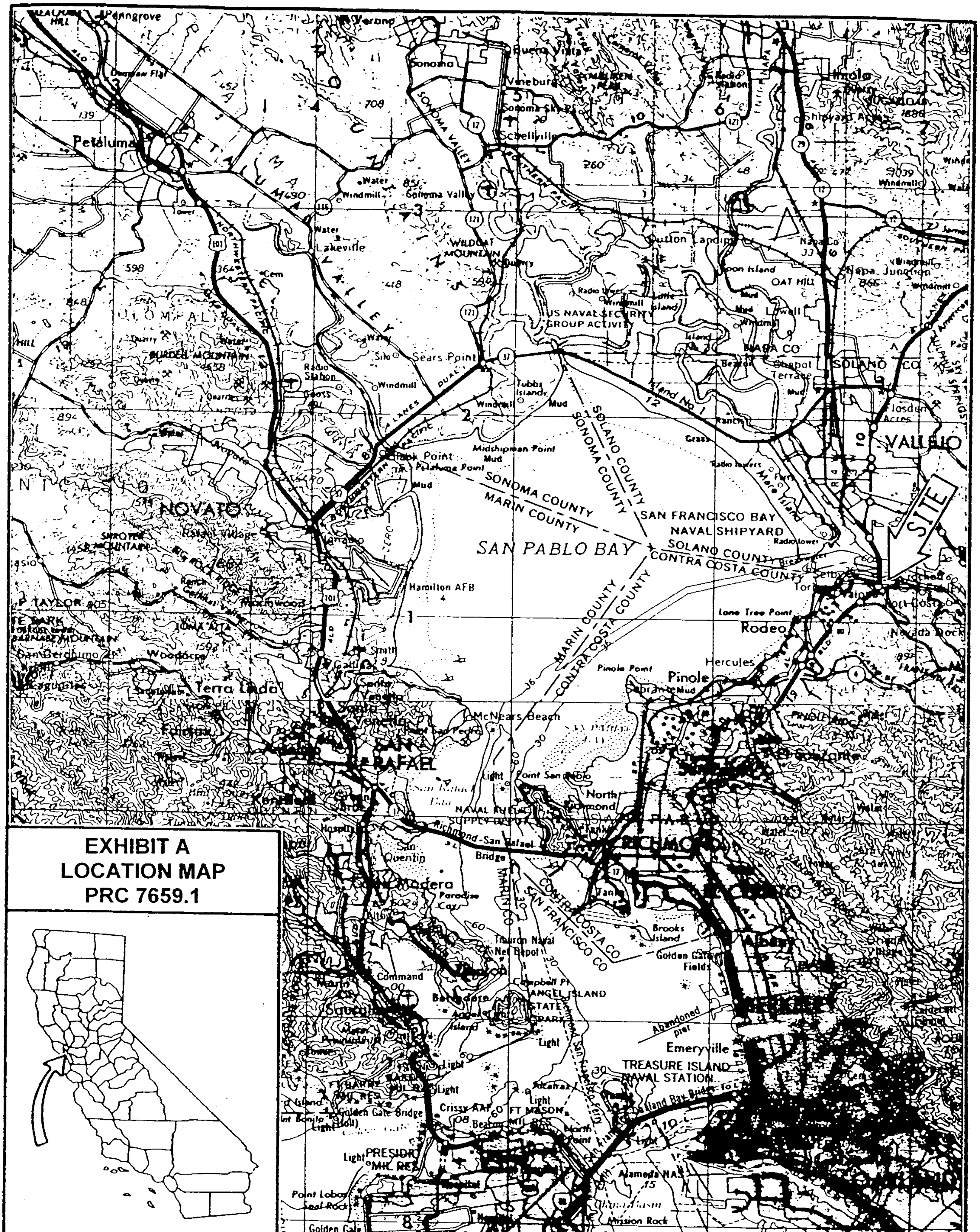

EXHIBIT A
LOCATION MAP
PRC 7659.1