

MINUTE ITEM
This Calendar Item No. C34 was approved as
Minute Item No. 34 by the California State Lands
Commission by a vote of 3 to 0 at its
8/24/06 meeting.

CALENDAR ITEM

C34

A 20

08/24/06

S 10

PRC 8370.1

J. McComas

REVISION OF RENT

LESSEE:

King and Lyons, a partnership

AREA, LAND TYPE, AND LOCATION:

0.07 acres, more or less, of submerged lands in Coyote Creek, near the city of Fremont, Alameda County.

AUTHORIZED USE:

Continued use and maintenance of four flap/slide-gate culverts.

LEASE TERM:

30 years, beginning January 31, 2002.

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 \$2,154 per year to \$2,340 per year, effective January 31, 2007.

The recommended rent is based on adjustment of the prior rent by application of the Consumer Price Index (CPI). The adjustment does not obligate the Commission to use the CPI to adjust future rents.

OTHER PERTINENT INFORMATION:

On January 30, 2002, the Commission issued a General Lease - Right of Way Use to the Lessee for the placement of four flap/slide-gate culverts.

EXHIBIT:

A. Site and Vicinity Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CALENDAR ITEM NO. C34 (CONT'D)

CEQA FINDING:

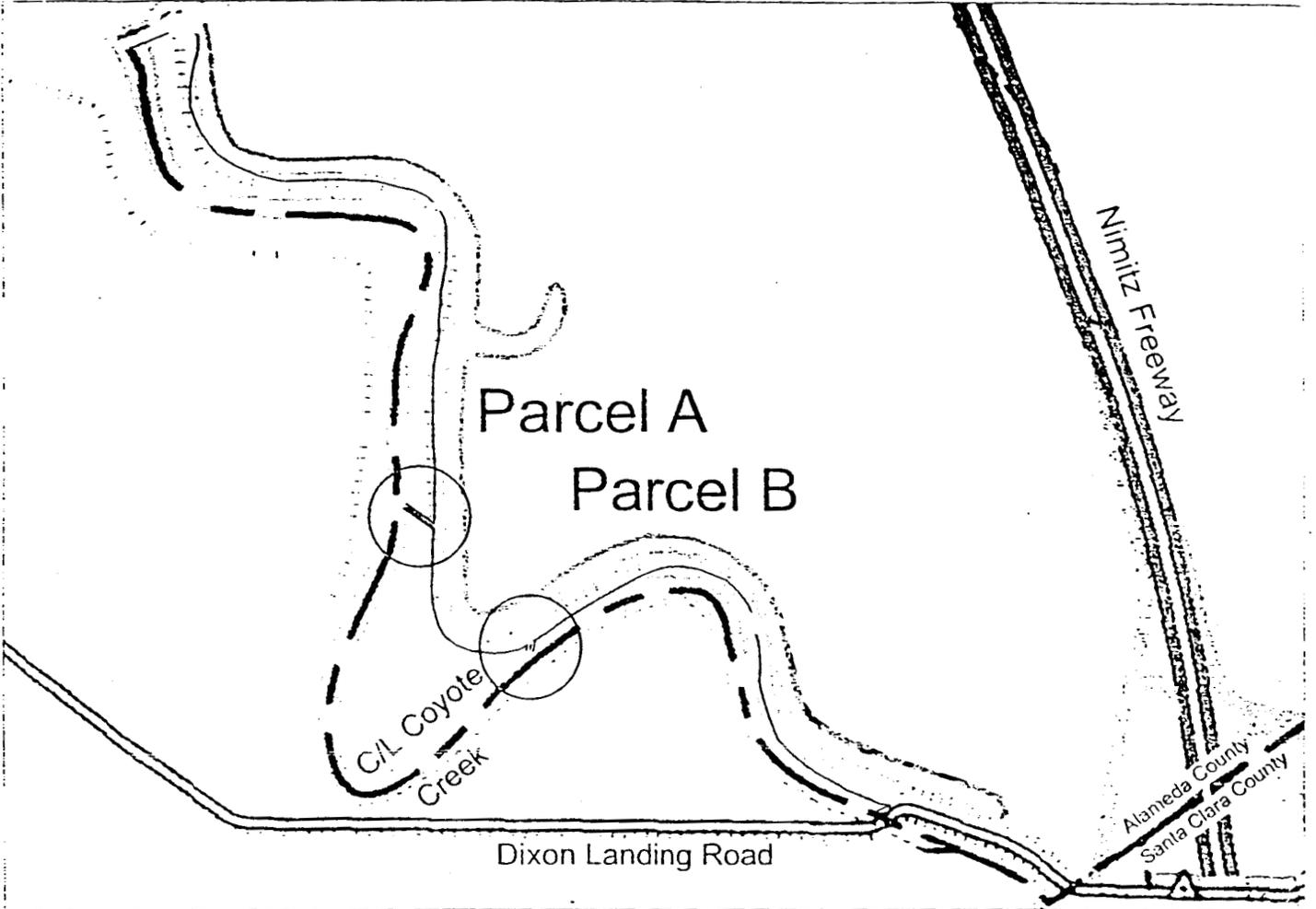
FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

AUTHORIZATION:

APPROVE THE REVISION OF RENT FOR LEASE NO. PRC 8370.1 FROM \$2,154 PER YEAR TO \$2,340 PER YEAR, EFFECTIVE JANUARY 31, 2007.

NO SCALE

SITE MAP



Bayside Business Park II, Fremont, CA

NO SCALE

LOCATION MAP

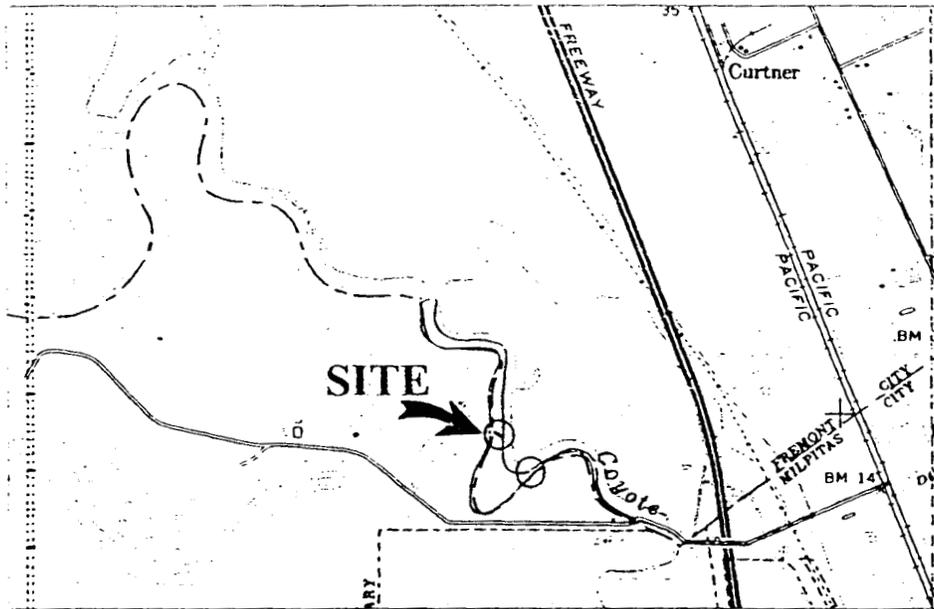


EXHIBIT A

PRC 8370.1

APN 519-0820-002-16

King & Lyons

Culvert Right of Way

Alameda County



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by Lessee or other parties, 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.