

**CALENDAR ITEM
C43**

A 34
S 18

10/27/11
WP 2984.2
J. Porter

GENERAL LEASE - RIGHT-OF-WAY USE

APPLICANT:

AT&T Corp., a Wholly-Owned Subsidiary of SBC Communications, Inc.
3001 Cobb Parkway
Atlanta, GA 30339

AREA, LAND TYPE, AND LOCATION:

0.457 acres, more or less, of State school lands located in Section 36, Township 12 North, Range 5 East, SBM, southwest of Baker, San Bernardino County.

AUTHORIZED USE:

Continued use and maintenance of one existing underground coaxial telephone cable.

LEASE TERM:

20 years, beginning April 15, 2012.

CONSIDERATION:

\$100 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in the amount of no less than \$1,000,000.

Bond:

\$10,000.

OTHER PERTINENT INFORMATION:

1. On February 28, 1963, the Commission authorized a coaxial cable easement to American Telephone and Telegraph Company for a term of 49 years. That easement expires on April 14, 2012. AT&T Corp., a Wholly-Owned Subsidiary of SBC Communications, Inc., is the successor

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in interest to American Telephone and Telegraph Company, and now is applying for a new General Lease – Right-of-Way Use.

2. The improvements within the lease premises consist of one underground coaxial telephone cable. No additions or changes are proposed to the improvements within the lease premises.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Cal. Code Regs., Tit. 14, § 15061), the staff has determined that this activity is exempt from the requirements of 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 which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code section 6370, et seq. However, the Commission has declared that all lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code section 6370, et. seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by Title 2, California Code of Regulations, section 2954 is not applicable.

EXHIBITS:

- A. Location and Site Map
- B. Land Description

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that this activity is exempt from the requirements of 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).

CALENDAR ITEM NO. **C43** (CONT'D)

AUTHORIZATION:

Authorize issuance of a General Lease – Right-of-Way Use to AT&T Corp., a Wholly-Owned Subsidiary of SBC Communications, Inc., beginning April 15, 2012, for a term of 20 years, for the continued use and maintenance of one existing underground coaxial telephone cable, for the lands as shown on Exhibit A (for reference purposes only) and as described on Exhibit B, both attached and by this reference made a part hereof; annual rent in the amount of \$100 with the State reserving the right to fix a different rent periodically during the lease term as provided in the lease; liability insurance with coverage of no less than \$1,000,000, and surety in the amount of \$10,000.

NO SCALE

SITE

SECTION 36
APN 0543-091-18

LEASE AREA
0.457 ACRES

INTERSTATE 15

Section 36, T12N, R5E, SBM

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

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

Exhibit A

WP 2984.2
AT&T
APN 0543-091-18
GENERAL LEASE -
RIGHT-OF-WAY USE
SAN BERNARDINO COUNTY



MJF 9/9/11

EXHIBIT B

PRC 2984.2

A STRIP OF LAND 20 FEET IN WIDTH, WITHIN SECTION 36, T. 12 N., R. 5 E., S.B.M., SAN BERNARDINO COUNTY, THE CENTERLINE BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERN LINE OF SAID SECTION 36, WHICH BEARS N. 85° 47' 03" E., 3,809.22 FEET FROM THE SOUTHWEST CORNER THEREOF, THENCE N. 62° 09' 10" E., 111.53 FEET; THENCE N. 88° 41' 07" E., 883.37 FEET TO SAID SOUTHERN LINE, CONTAINING 0.457 ACRE MORE OR LESS.

BEARINGS USED HEREIN ARE BASED UPON A VALUE OF N. 85° 47' 03" E., FOR THE SOUTHERN LINE OF SECTION 36.