

MINUTE ITEM

This Calendar Item No. C5
was approved as Minute Item
No. 2 by the State Lands
Commission by a vote of 5-2
to 2 at its 7-22-76
meeting.

CALENDAR ITEM

C5.

7/76
WP 3511
SA

RIGHT OF WAY

APPLICANT: Morrison and Weatherly Chemical Products
P. O. Box 296
Lone Pine, California 93545

AREA, TYPE LAND AND LOCATION: A 49.89 acre parcel in the dry lake bed of
Owens Lake, Inyo County.

LAND USE: For the continued maintenance of a right of
way for a road and drainage ditches.

TERMS OF ORIGINAL LEASE:
Initial period: 10 years from July 12, 1966.
Renewal options: Three successive periods of
10 years each, and one addi-
tional period of 9 years.
Consideration: \$157.50.

TERMS OF PROPOSED AMENDMENT RENEWAL:
Initial period: 10 years, from July 12, 1976.
Renewal options: Two successive periods of 10
years each, and one additional
period of 9 years.
Surety bond \$2,000.
Public liability insurance: \$1,000,000 single
limit for bodily injury and
property damage.

CONSIDERATION: \$400 per annum, with the State reserving the
right to fix a different rental on each fifth
anniversary of the lease.

BASIS FOR CONSIDERATION:
8% of appraised value of land.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:
A. Public Resources Code: Div. 6, Parts 1 & 2.
B. Administrative Code: Title 2, Div. 3,
Arts. 1, 2, 10 & 11.

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CALENDAR ITEM NO. C5. (CONTD)

OTHER PERTINENT INFORMATION:

1. This lease, for right of way purposes, to Morrison and Weatherly covers an existing facility which is used in conjunction with their operation of a chemical processing plant, all of which is maintained in a good and acceptable manner.
2. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(a) which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. AUTHORIZE ISSUANCE TO MORRISON AND WEATHERLY CHEMICAL PRODUCTS OF A 10-YEAR RIGHT OF WAY LEASE FROM JULY 12, 1976, WITH LESSEE'S OPTION TO RENEW FOR TWO SUCCESSIVE PERIODS OF 10 YEARS EACH, AND ONE ADDITIONAL PERIOD OF 9 YEARS; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$400, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$2,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$1,000,000 FOR BODILY INJURY AND PROPERTY DAMAGE; FOR THE CONTINUED MAINTENANCE OF A RIGHT OF WAY FOR A ROAD AND DRAINAGE DITCHES ON THE LAND SHOWN ON EXHIBIT "A" ON FILE WITH THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF.