

MINUTE ITEM

This Calendar Item No. C15  
was approved as a Minute Item  
No. 15 by the State Lands  
Commission by a vote of 3  
to 0 at its 8/26/76  
meeting.

CALENDAR ITEM

8/76  
WP 2511  
AS

C15.

RIGHT OF WAY

APPLICANT: Alexander Hildebrand  
23443 South Hays Road  
Manteca, California 95336

AREA, TYPE LAND AND LOCATION: 50' x 160' (.184 ac.) strip of sovereign land  
in the abandoned channel of the San Joaquin  
River, San Joaquin County.

LAND USE: Continued maintenance of an existing access  
road and culvert.

TERMS OF PROPOSED LEASE: Initial period: 15 years, from January 5, 1975.

Renewal options: 3 successive periods of 10  
years each.

CONSIDERATION: \$460.27 being the first 5 years rental paid  
in advance, with the State reserving the  
right to fix a different rental on each fifth  
anniversary of the lease.

BASIS FOR CONSIDERATION: \$20 per year minimum through January 29, 1975,  
and \$100 minimum rental thereafter for this  
type of lease or permit.

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

Filing fee has been received.

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.

OTHER PERTINENT INFORMATION:

1. These facilities, comprised of an access  
road and culvert, were constructed pursuant  
to a lease issued in 1960. The facilities  
are maintained in good condition and no  
adverse effects to the environment have  
been evidenced.

2. This project is situated on State land  
identified as possessing significant

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environmental values, pursuant to Public Resources Code 6370.1, and is classified in a significant use category, Class B.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

3. 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.

EXHIBITS: A. Land Description. B. 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 PRG 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT GRANTING OF THE APPLICATION WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, ET SEQ. OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO ALEXANDER HILDEBRAND OF A 15-YEAR RIGHT OF WAY FROM JANUARY 5, 1975; WITH LESSEE'S OPTION TO RENEW FOR 3 SUCCESSIVE PERIODS OF 10 YEARS EACH; IN CONSIDERATION OF RENT IN THE AMOUNT OF \$460.27 BEING THE FIRST 5 YEARS RENTAL IN ADVANCE WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; FOR THE CONTINUED MAINTENANCE OF AN EXISTING ACCESS ROAD AND CULVERT ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 2511

A parcel of land in the State owned bed of the San Joaquin River situate in San Joaquin County, State of California, said parcel being more particularly described as follows:

A strip of land 50 feet in width, 25 feet on each side of a centerline further described as follows:

BEGINNING at a point on the right bank of the San Joaquin River said point being South 89° 05' 30" West 6606.1 feet, South 89° 00' West 2256.4 feet, North 17° 00' West 151.2 feet, North 38° 30' West 330.0 feet, North 54° 00' West 410.0 feet and North 83° 00' West 1545.0 feet from the northeast corner of Section 25, T 2 S, R 6 E, M.D. B&M, thence South 10° East 120 feet, more or less to a point on the left bank of said San Joaquin River and the end of the herein described line.

END OF DESCRIPTION

Prepared

*J. Colman*

Checked

*Daniel R. Sullivan*

Reviewed

*J. Colman*  
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Date

*6/9/76*