

MINUTE ITEM

This Calendar Item No. 32
was approved as Minute Item
No. 32 by the State Lands
Commission by a vote of 3
to 0 at its 11-5-91
meeting.

CALENDAR ITEM

32

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11/05/91
PRC 5617
N. Smith

RENT REVIEW

LESSEE:

Atchison, Topeka and Santa Fe
Railroad Company
740 East Carnegie Drive
San Bernardino, California 92408-3571

This is an Industrial Lease for a term of 49 years from
November 3, 1975, with an existing annual rent of \$7,080.00
covering 2.952 acres of tide and submerged land at Point
Richmond, Contra Costa County for an existing railroad freight
slip.

The lease set forth provides that the State may adjust the annual
rental to a different amount, effective on each fifth anniversary
or subsequent anniversary following the fifth anniversary of the
lease.

Staff has reviewed the lease in accordance with the Commission's
rental regulations (2 Cal. Code Regs. 2003) and is recommending
that the Commission approve the change in rent, as proposed.
Staff has notified the Lessee of the change in rent as
recommended herein within the time limits prescribed under the
lease and has afforded the Lessee the opportunity to comment on
the proposed change.

AB 884:

N/A

OTHER PERTINENT INFORMATION:

1. In 1985, Lessee requested that the annual rent
established in 1980 continue for what was anticipated
to be a short period during which Lessee planned to
sell its upland and abandon the lease premises.
Commission staff agreed to this request. Since that
time the property has not sold, therefore Commission

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staff recommends that the new rent of \$23,100, based on Fair Market Appraisal, be approved. Lessee is still hopeful of selling the upland within the next few months.

2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Code Regs. 15378.

EXHIBIT:

- A. Location Map

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.
2. APPROVE SETTING THE ANNUAL RENTAL FOR PRC 5617.1 AT \$23,100.00 FOR THE FOUR YEAR PERIOD BEGINNING NOVEMBER 3, 1991.

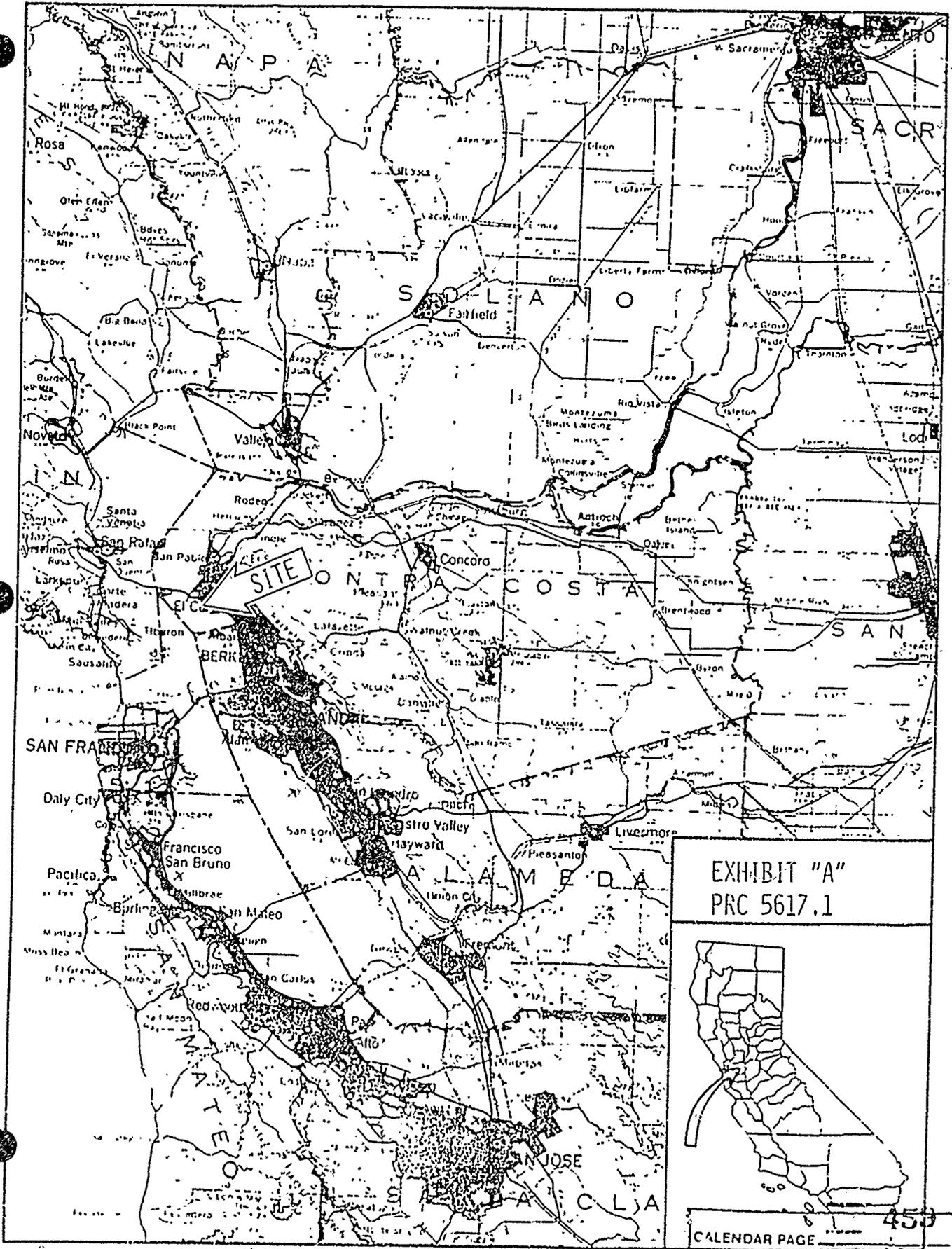


EXHIBIT "A"
 PRC 5617.1



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