

MINUTE ITEM

This Calendar Item No. C33 was approved as Minute Item No. 33 by the California State Lands Commission by a vote of 3 to 0 at its 02/05/07 meeting.

CALENDAR ITEM
C33

A 11
S 7

02/05/07
PRC 8372 WP 8372.1
N. Smith

AMENDMENT OF LEASE

LESSEE:

Kiewit Pacific Co.
Attn: Mr. Paul White
One Thousand Kiewit Plaza
Omaha, Nebraska 68131

AREA, LAND TYPE, AND LOCATION:

3.21 acres, more or less, of filled sovereign lands on the east side of the new Benicia-Martinez Bridge, city of Martinez, Contra Costa County.

AUTHORIZED USE:

Construct a temporary fence around the lease premises which will be used for a batch plant, lay down area and an assembly area for forms as part of the construction of the new Benicia-Martinez Bridge.

LEASE TERM:

Three years, beginning January 30, 2002, with additional lease term of two years ending January 30, 2007.

CONSIDERATION:

\$69,250 with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

PROPOSED AMENDMENT:

Extension of lease for an additional seven months ending August 31, 2007. The prorated rent for the seven months shall be \$40,400. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

- 1. Lessee has a right to use the lands adjoining the lease premises.

CALENDAR ITEM NO. C33 (CONT'D)

2. The Lessee is a contractor for Caltrans and use of the lease premises is in support of the construction of the new Benicia-Martinez Bridge.
3. Lessee is preparing a plan for restoration of the lease premises and upon Commission staff approval shall implement the restoration plan prior to expiration of the Lease.
4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 14, California Code of Regulations, section 15301.

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Site Map
- B. Land Description

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15301.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE

CALENDAR ITEM NO. C33 (CONT'D)

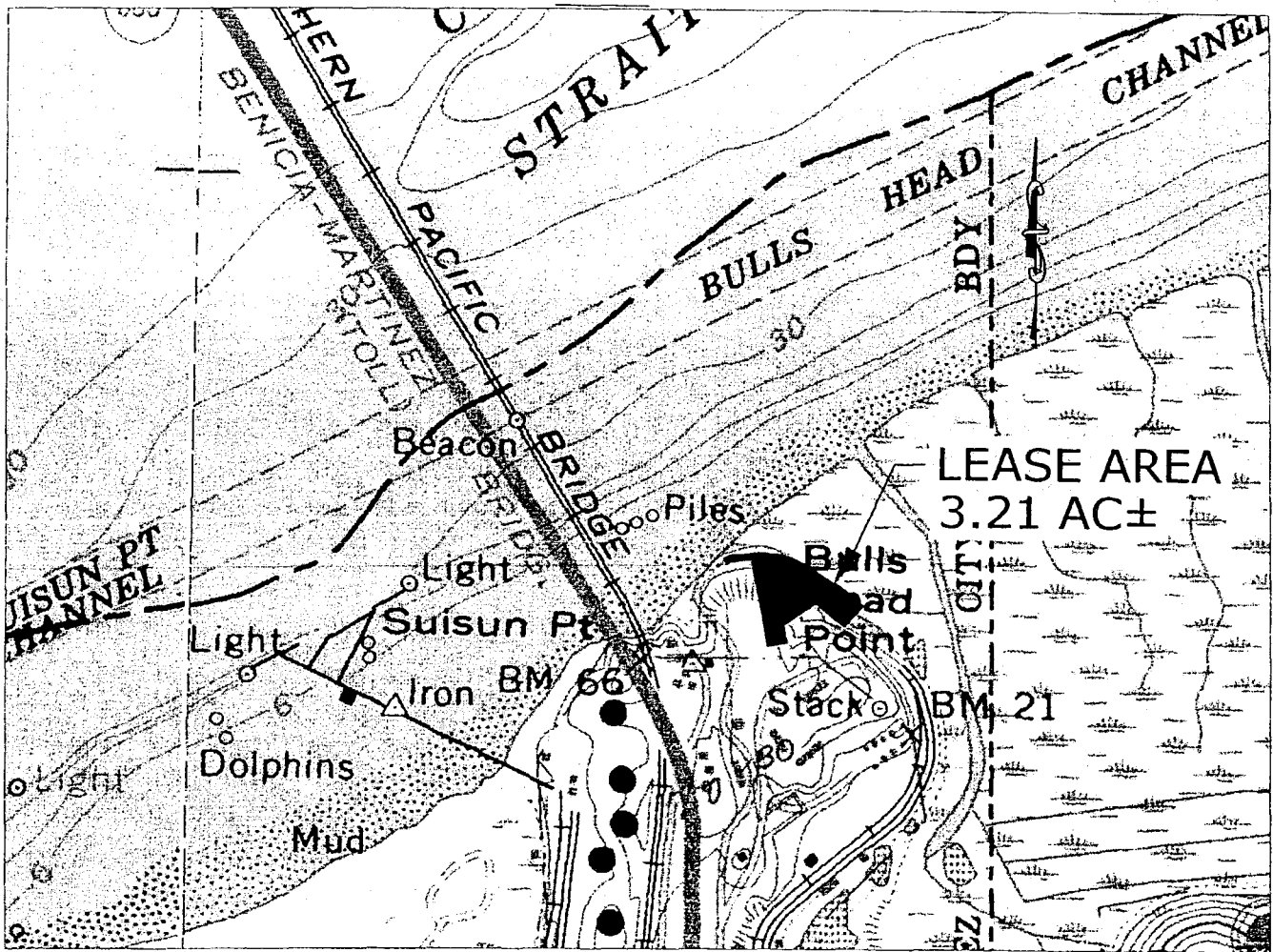
LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370,
ET SEQ.

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 8372.1, A
GENERAL LEASE - INDUSTRIAL USE, OF LANDS DESCRIBED ON
EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART
HEREOF, TO EXTEND THE LEASE TERM FOR A PERIOD OF SEVEN
MONTHS ENDING AUGUST 31, 2007; ANNUAL RENT IS PRORATED
FOR THE SEVEN MONTHS TO \$40,400; ALL OTHER TERMS AND
CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT
AMENDMENT.

NO SCALE

SITE



NO SCALE

LOCATION

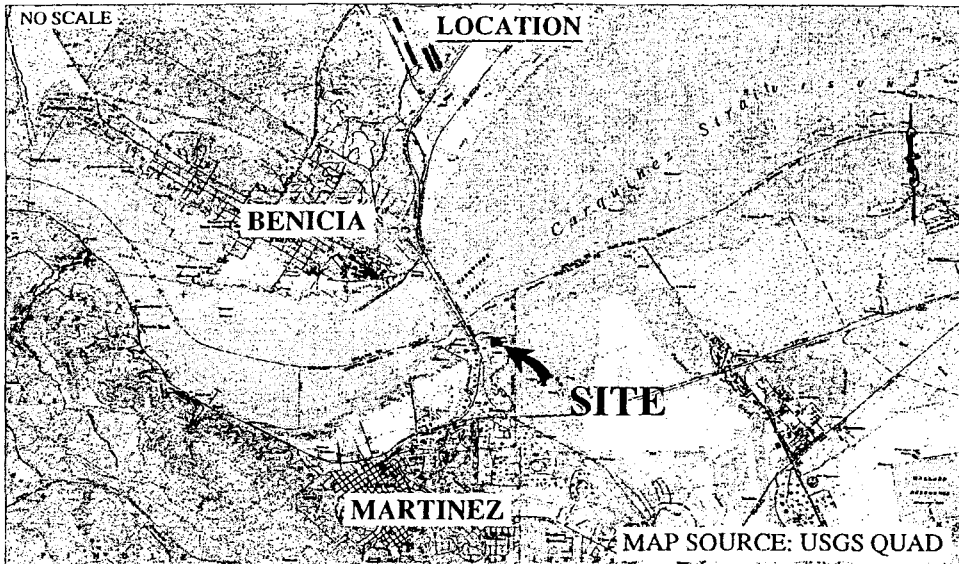


Exhibit A
 WP8372
 KIEWIT PACIFIC CO.
 GENERAL LEASE-INDUSTRIAL USE
 BENICIA-MARTINEZ BRIDGE VICINITY
 CONTRA COSTA COUNTY



MJJ 07/04

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.

000153

CALENDAR PAGE

000187

MINUTE PAGE

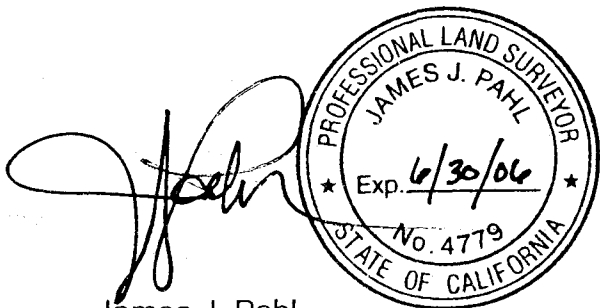
Exhibit B
Land Description

A portion of Parcel A as shown on Page 1 of 2 of the John S, Peters "Record of Survey of a portion of Rancho Las Juntas" as recorded in pages 49 and 50 of Book 53 of the LSM in Contra Costa County, State of California and as bounded by the following described line.

Beginning at a point identified as a USC&GS Triangulation Point named Zinc and shown on Page 2 of 2 of the above referenced Peters Record of Survey which bears North 51° 51' 14" West a distance of 2449.55 measured (2449.47 record) from a found Granite monument as shown on said Record of Survey. Said Bearing and Monuments are the Basis of Bearings for this description

Thence North 42° 22' 01" West a distance of 2620.44 feet to the True Point of Beginning of said described line,

Thence North 50° 22' 50" West a distance of 149.91 feet; thence North 56° 49' 40" West a distance of 211.12 feet; thence North 63° 31' 57" West a distance of 78.23 feet; thence North 75° 16' 51" West a distance of 57.70 feet; thence North 81° 08' 04" West a distance of 15.40 feet; thence North 85° 31' 45" West a distance of 85.14 feet; thence South 89° 15' 01" West a distance of 19.80 feet; thence North 87° 27' 31" West a distance of 17.00 feet; thence South 79° 50' 56" West a distance of 18.24 feet; thence South 84° 29' 29" West a distance of 17.13 feet more or less to a point on the Easterly Right of Way of Interstate 680; said point being a cusp on a curve concave to the West having a radius of 3520.33 feet and a central angle of 7°56'05" and being subtended by a chord which bears South 11°11'46" East a distance of 487.13 feet; thence southerly along said Easterly Right of Way curve, a distance of 487.52 feet to a point of cusp; thence leaving the Right of Way, North 63° 52' 21" East a distance of 107.68 feet; thence North 8° 16' 14" West a distance of 62.07 feet; thence North 55° 12' 25" East a distance of 205.03 feet; thence South 49° 58' 55" East a distance of 186.68 feet; thence North 42° 01' 36" East a distance of 143.74 feet to the True Point of Beginning and the terminus of said described line and containing 3.21 acres more or less.



James J. Pahl
August 16, 2004