

Staff Report 45

LESSEE:

AT&T Corp., Subsidiary of SBC Communications, Inc.

PROPOSED ACTION:

Revision of Rent

AREA, LAND TYPE, AND LOCATION:

0.457 acre of State-owned school land in a portion of Section 36, Township 12 North, Range 5 East, SBM, southwest of Baker, San Bernardino County.

AUTHORIZED USE:

Continued use and maintenance of an underground single coaxial telephone cable.

TERM:

20 years, beginning April 15, 2012.

CONSIDERATION:

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease and recommends that rent be revised from \$450 per year to \$503 per year, effective April 15, 2022.

OTHER PERTINENT INFORMATION:

1. Approval or denial of the revision of rent is a discretionary action by the Commission. Each time the Commission approves or rejects a revision of rent, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Lands as authorized by law. Upon expiration or prior termination of the lease, the Lessee has no right to a new lease or to renewal of any previous lease.

2. On October 27, 2011, the Commission authorized a General Lease – Right-of-Way Use to AT&T, Corp, a Subsidiary of SBC Communications, Inc., for an existing underground single coaxial telephone cable ([Item 43, October 27, 2011](#)). On February 7, 2017, the Commission approved an increase in the annual rent from \$100 to \$450, effective April 15, 2017 ([Item 17, February 7, 2017](#)). The lease will expire on April 14, 2032.
3. This action is consistent with addressing the challenges and opportunities described in the Commission's 2021-25 Strategic Plan to "Embrace and safeguard multi-benefit School Lands and resource management stewardship that equitably balances responsible local and regional economic development, supports living wages, environmental protection, and revenue generation."
4. Approving the revision of rent is not a project as defined by the California Environmental Quality Act because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, section 15378, subdivision (b)(5).

EXHIBIT:

A. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

AUTHORIZATION:

Approve the revision of rent for Lease PRC 2984 from \$450 per year to \$503 per year, effective April 15, 2022.

NO SCALE

SITE

SECTION 36
APN 0543-091-18

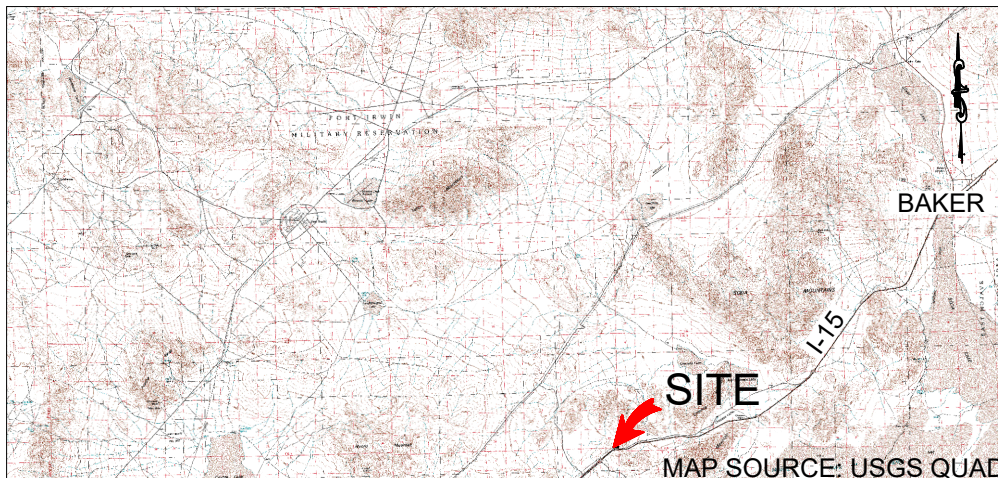
LEASE AREA
(0.457 ACRES)

INTERSTATE 15

PORTION OF SECTION 36, T.12N., R.5E., S.B.M.

NO SCALE

LOCATION



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

PRC 2984
AT&T
APN 0543-091-18
GENERAL LEASE -
RIGHT-OF-WAY USE
SAN BERNARDINO COUNTY



TS 02/01/2022