

MINUTE ITEM

10. APPLICATION TO LEASE TIDE AND SUBMERGED LANDS OF PETALUMA CREEK, 1,500 FEET UPSTREAM FROM HIGHWAY 101 BRIDGE, NEAR PETALUMA, SONOMA COUNTY, TORNELL-MALONE COMPANY - W.O. 3338, P.R.C. 2522.1.

After consideration of Calendar Item 17 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE A 15-YEAR LEASE TO TORNELL-MALONE COMPANY, A PARTNERSHIP, FOR A STRIP OF TIDE AND SUBMERGED LANDS ALONG THE RIGHT BANK OF PETALUMA CREEK APPROXIMATELY 1,187 FEET IN LENGTH AND 65 FEET IN WIDTH RIVERWARD AND DESCRIBED AS FOLLOWS:

A PARCEL OF TIDE AND SUBMERGED LAND ADJACENT TO THE RIGHT BANK OF PETALUMA CREEK, SECTION 34, T. 5 N., R. 7 W., M.D.M., AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE MEAN HIGH TIDE LINE OF THE RIGHT BANK OF PETALUMA CREEK WHICH BEARS S. 66° 56' 36" E., 245.45 FEET FROM STATION 25 OF THE U. S. CORPS OF ENGINEERS CONTROL TRAVERSE LINE AS SHOWN UPON "CONTOUR MAP OF THE McNEAR PROPERTY SOUTH OF PETALUMA, SONOMA COUNTY", S-11,029, JULY, 1959, BY G. P. ROEMER, LLS 2701; SAID POINT OF BEGINNING BEING THE NORTHWESTERLY CORNER OF THE 2.59 ACRE PARCEL OF LAND CONVEYED TO SHELL OIL COMPANY, INC. BY DEED RECORDED APRIL 15, 1941 IN BOOK 521 OF OFFICIAL RECORDS, PAGE 262, SONOMA COUNTY RECORDS; THENCE FROM SAID POINT OF BEGINNING N. 25° 50' E., 65 FEET TO A POINT IN PETALUMA CREEK; THENCE N. 64° 10' W., 235.0 FEET; THENCE N. 76° 30' W., 952.2 FEET; THENCE S. 13° 30' W., 65.2 FEET TO A POINT ON THE MEAN HIGH TIDE LINE OF THE RIGHT BANK OF THE PETALUMA CREEK; THENCE ALONG SAID LINE THE FOLLOWING BEARINGS AND DISTANCES:

N. 87° 34' E., 38.0 FEET
S. 72° 09' E., 140.5 FEET
S. 76° 36' E., 101.5 FEET
S. 81° 54' E., 99.0 FEET
S. 79° 10' E., 300.5 FEET
S. 75° 38' E., 99.5 FEET
S. 72° 04' E., 96.0 FEET
S. 68° 02' E., 63.0 FEET
S. 72° 41' E., 39.0 FEET
S. 69° 54' E., 94.0 FEET
S. 61° 38' E., 72.5 FEET
S. 42° 09' E., 38.0 FEET TO THE

POINT OF BEGINNING, CONTAINING 1.455 ACRES.

THE AREA WOULD BE UTILIZED FOR THE CONSTRUCTION, USE AND MAINTENANCE OF A SMALL BOAT MOORING FACILITY WITH APPURTENANT STRUCTURES.

THE LEASE IS TO PROVIDE FOR:

- (A) AN ANNUAL RENTAL OF \$150;
- (B) A SURETY BOND FOR \$2,000;
- (C) CERTIFICATE OF LIABILITY INSURANCE FOR NOT LESS THAN \$100,000/\$300,000;
- (D) TWO RENEWAL PERIODS OF 10 YEARS EACH UPON SUCH REASONABLE TERMS AND CONDITIONS AS THE COMMISSION SHALL IMPOSE.

Attachment
Calendar Item 17 (2 pages)

CALENDAR ITEM

17.

APPLICATION TO LEASE TIDE AND SUBMERGED LANDS OF PETALUMA CREEK, 1,500 FEET UPSTREAM FROM HIGHWAY 101 BRIDGE, NEAR PETALUMA, SONOMA COUNTY - W.O. 3338.

An application has been received from Tornell-Malone Company, a partnership, the upland owners, to lease a strip of tide and submerged lands of Petaluma Creek along the right bank thereof in Section 34, T. 5 N., R. 7 W., M.D.M., 1,187 feet in length and containing 1.455 acres, for a small boat mooring facility.

The lease would provide for an initial term of 15 years with two renewal periods of 10 years each upon such reasonable terms and conditions as the Commission may then impose, a surety bond for \$2,000 to guarantee performance of the lease terms and conditions, and a certificate of liability insurance with limits of \$100,000/\$300,000 to be supplied by the applicants. As the estimated value of the site is \$1,400 per acre, the minimum rental of \$150 per year would apply. The expense deposit and statutory filing fee have been paid.

IT IS RECOMMENDED THAT THE EXECUTIVE OFFICER BE AUTHORIZED TO ISSUE A 15-YEAR LEASE TO TORNELL-MALONE COMPANY, A PARTNERSHIP, FOR A STRIP OF TIDE AND SUBMERGED LANDS ALONG THE RIGHT BANK OF PETALUMA CREEK APPROXIMATELY 1,187 FEET IN LENGTH AND 65 FEET IN WIDTH RIVER WARD AND DESCRIBED AS FOLLOWS:

A PARCEL OF TIDE AND SUBMERGED LAND ADJACENT TO THE RIGHT BANK OF PETALUMA CREEK, SECTION 34, T. 5 N., R. 7 W., M.D.M., AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE MEAN HIGH TIDE LINE OF THE RIGHT BANK OF PETALUMA CREEK WHICH BEARS S. 66° 56' 36" E., 245.45 FEET FROM STATION 26 OF THE U. S. CORPS OF ENGINEERS CONTROL TRAVERSE LINE AS SHOWN UPON "CONTOUR MAP OF THE McNEAR PROPERTY SOUTH OF PETALUMA, SONOMA COUNTY", S-11,029, JULY, 1959, BY G. P. ROEMER, LLS 2701; SAID POINT OF BEGINNING BEING THE NORTHWESTERLY CORNER OF THE 2.59 ACRE PARCEL OF LAND CONVEYED TO SHELL OIL COMPANY, INC. BY DEED RECORDED APRIL 15, 1941 IN BOOK 521 OF OFFICIAL RECORDS, PAGE 262, SONOMA COUNTY RECORDS; THENCE FROM SAID POINT OF BEGINNING N. 25° 50' E., 65 FEET TO A POINT IN PETALUMA CREEK; THENCE N. 64° 10' W., 235.0 FEET; THENCE N. 76° 30' W., 952.2 FEET; THENCE S. 13° 30' W., 65.2 FEET TO A POINT ON THE MEAN HIGH TIDE LINE OF THE RIGHT BANK OF THE PETALUMA CREEK; THENCE ALONG SAID LINE THE FOLLOWING BEARINGS AND DISTANCES:

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CALENDAR ITEM 17 (CONTD.)

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- (D) TWO RENEWAL PERIODS OF 10 YEARS EACH UPON SUCH REASONABLE TERMS AND CONDITIONS AS THE COMMISSION SHALL IMPOSE.