

MINUTE ITEM

28. APPLICATION TO LEASE PARCEL OF TIDE AND SUBMERGED LANDS IN SANTA BARBARA CHANNEL NEAR PORT HUENEME, VENTURA COUNTY; VALLEY CITIES INVESTMENT CORPORATION AND ALBERT BERGER - W.O. 5177, P.R.C. 3220.1.

After consideration of Calendar Item 6 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE TO VALLEY CITIES INVESTMENT CORPORATION AND ALBERT BERGER A 15-YEAR LEASE, AT AN ANNUAL RENTAL OF \$238.32, WITH THE FIRST AND LAST YEARS' RENTALS PAYABLE IN ADVANCE, THE LEASE TO REQUIRE THE DEPOSIT OF A \$1,000 SURETY BOND, AND TO PROVIDE FOR THREE 10-YEAR RENEWAL OPTIONS SUBJECT TO SUCH REASONABLE TERMS AND CONDITIONS AS THE STATE OR ITS SUCCESSOR MAY THEN IMPOSE. THE LEASE WILL COVER:

A PARCEL OF TIDE AND SUBMERGED LAND IN THE SANTA BARBARA CHANNEL, SITUATE NEAR PORT HUENEME, VENTURA COUNTY, CALIFORNIA; BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE ORDINARY HIGH WATER MARK OF 1939 AS SAID ORDINARY HIGH WATER MARK IS SHOWN ON A "PLAT OF THE ORDINARY HIGH WATER MARK VICINITY OF PORT HUENEME", SHEET 3 OF 10, DATED MARCH TO MAY 1939, AND FILED AS DOCUMENT NO. 37063 IN BOOK 28, PAGES 76 THROUGH 85, RECORDS OF SURVEYS, RECORDS OF VENTURA COUNTY; SAID POINT OF BEGINNING BEARS N. 49° 25' 06" W. 15.90 FEET AND S. 44° 17' 24" W. 582.70 FEET MORE OR LESS FROM THE INTERSECTION OF THE CENTERLINE OF ORMOND BOULEVARD AND THE CENTERLINE OF HERMOSA AVENUE AS SAID STREET INTERSECTION IS SHOWN ON A "MAP OF PART OF SUBDIVISION NO. 84 RANCHO EL RIO DE SANTA CLARA O'LA COLONIA", RECORDED IN BOOK 8 AT PAGES 71 AND 72, RECORDS OF SURVEYS, RECORDS OF VENTURA COUNTY; THENCE FROM SAID POINT OF BEGINNING ALONG THE ORDINARY HIGH WATER MARK S. 48° 11' 28" E. 20.02 FEET; THENCE LEAVING SAID ORDINARY HIGH WATER MARK S. 44° 17' 24" W. 21.61 FEET; S. 45° 42' 36" E. 40.00 FEET; S. 44° 17' 24" W. 140.00 FEET; N. 45° 42' 36" W. 140.00 FEET; N. 44° 17' 44" E. 140.00 FEET; S. 45° 42' 36" E. 40.00 FEET; THENCE N. 44° 17' 24" E. 19.01 FEET TO THE AFOREMENTIONED ORDINARY HIGH WATER MARK; THENCE ALONG SAID ORDINARY HIGH WATER MARK S. 48° 11' 28" E. 40.04 FEET TO THE POINT OF BEGINNING; SAID PARCEL CONTAINING 0.478 ACRE MORE OR LESS.

BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM ZONE 5.

Attachment  
Calendar Item 6 (2 pages)

CALENDAR ITEM

6.

APPLICATION TO LEASE PARCEL OF TIDE AND SUBMERGED LANDS IN SANTA BARBARA CHANNEL NEAR PORT HUENEME, VENTURA COUNTY; VALLEY CITIES INVESTMENT CORPORATION AND ALBERT BERGER - W.O. 5177.

Valley Cities Investment Corporation and Albert Berger have applied to lease 0.478 acre of State-owned tide and submerged lands in the Santa Barbara Channel, situate near Port Hueneme, Ventura County (see Exhibits "A" and "B"), for the construction of a pier to be used by the public for swimming and fishing.

The applicants are legal owners of the adjacent upland area, and plan to use the lease area to supplement the proposed upland development (see Exhibit "B").

The applicants desire a 15-year lease, with the right of renewal for three periods of 10 years each subject to such reasonable terms and conditions as the State or its successor may then impose.

Based on a staff appraisal, the annual rental for the initial 15-year period would be \$238.32, the first and last years' rentals to be payable in advance.

A surety bond of \$1,000 would be required.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO ISSUE TO VALLEY CITIES INVESTMENT COMPANY AND ALBERT BERGER A 15-YEAR LEASE, AT AN ANNUAL RENTAL OF \$238.32, WITH THE FIRST AND LAST YEARS' RENTALS PAYABLE IN ADVANCE. THE LEASE TO REQUIRE THE DEPOSIT OF A \$1,000 SURETY BOND, AND TO PROVIDE FOR THREE 10-YEAR RENEWAL OPTIONS SUBJECT TO SUCH REASONABLE TERMS AND CONDITIONS AS THE STATE OR ITS SUCCESSOR MAY THEN IMPOSE. THE LEASE WOULD COVER:

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CALENDAR ITEM 6. (CONTD.)

ORDINARY HIGH WATER MARK S.  $48^{\circ} 11' 28''$  E. 20.02 FEET; THENCE LEAVING SAID ORDINARY HIGH WATER MARK S.  $44^{\circ} 17' 24''$  W. 21.61 FEET; S.  $45^{\circ} 42' 36''$  E. 40.00 FEET; S.  $44^{\circ} 17' 24''$  W. 140.00 FEET; N.  $45^{\circ} 42' 36''$  W. 140.00 FEET; N.  $44^{\circ} 17' 44''$  E. 140.00 FEET; S.  $45^{\circ} 42' 36''$  E. 40.00 FEET; THENCE N.  $44^{\circ} 17' 24''$  E. 19.01 FEET TO THE AFOREMENTIONED ORDINARY HIGH WATER MARK; THENCE ALONG SAID ORDINARY HIGH WATER MARK S.  $48^{\circ} 11' 28''$  E. 40.04 FEET TO THE POINT OF BEGINNING; SAID PARCEL CONTAINING 0.478 ACRE MORE OR LESS.

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