

MINUTE ITEM

4/28/69

8. 49-YEAR COMMERCIAL LEASE, TIDE AND SUBMERGED LAND, LITTLE POTATO SLOUGH, SAN JOAQUIN COUNTY; LAURENCE K. IRWIN AND L. C. PETERSON, dba TOWER PARK MARINA RESORT - W.O. N-0393, P.R.C. 4194.1.

After consideration of Calendar Item 43 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ISSUANCE TO LAURENCE K. IRWIN AND L. C. PETERSON, dba TOWER PARK MARINA RESORT, OF A 49-YEAR COMMERCIAL LEASE FROM MARCH 1, 1969, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$603, WITH THE STATE RESERVING THE RIGHT TO REVIEW AND RESET A REASONABLE RENT ON EACH FIFTH ANNIVERSARY; PROVISION OF A \$3000 SURETY BOND AND PUBLIC LIABILITY INSURANCE EFFECTIVE MARCH 1, 1969, IN THE AMOUNTS OF \$200,000/\$600,000 FOR PERSONAL INJURY AND \$100,000 FOR PROPERTY DAMAGE, FOR CONSTRUCTION AND OPERATION OF A MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment

Calendar Item 43 (3 pages)

CALENDAR ITEM

4/69
W.C. N-0393

43.

COMMERCIAL LEASE

APPLICANTS: Laurence K. Irwin and L. C. Peterson,
dba Tower Park Marina Resort.

LOCATION: A 1.34-acre parcel of tide and submerged land in Little Potato
Slough at Terminous, San Joaquin County.

LAND USE: The construction and operation of a marina utilizing pre-
existing structures.

TERMS: 49 years, from March 1, 1969.
Surety bond: \$3000
Public liability ins.: \$200,000/\$600,000 for personal injury
and \$100,000 for property damage, effec-
tive March 1, 1969.

CONSIDERATION: \$603 per annum during first five years, with State reserving the
right to review and reset a reasonable rental on each fifth
anniversary. The consideration applied hereto does not reflect
application of the new schedules adopted April 1, 1969, as these
do not become effective until 30 days after filing with the
Secretary of State.

BASIS FOR CONSIDERATION:
6% of appraised value of land.

PREREQUISITE ITEMS:
U. S. Army Corps of Engineers permit issued.
One of the applicants is owner of upland.

STATUTORY AND OTHER REFERENCES:
a. Public Resources Code: Div. 6, Pt. 2, Ch. 1, Secs. 6501-6509.
b. Administrative Code: Title 2, Div. 3, Secs. 2000-2011.
c. Commission policy: Minute Item 18 of November 18, 1959.

OTHER PERTINENT INFORMATION:
Two warehouses, built previously by Western Pacific Railroad
and partially on sovereign land, will be utilized in the marina
operation. The applicant plans to add a boat launcher, a gas
pump and dockside moorage facilities.

EXHIBITS: A. Land description. B. Location map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO LAURENCE K. IRWIN
AND L. C. PETERSON, dba TOWER PARK MARINA RESORT, OF A 49-YEAR COMMERCIAL LEASE
FROM MARCH 1, 1969, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$603, WITH

CALENDAR ITEM 43. (CONTD.)

THE STATE RESERVING THE RIGHT TO REVIEW AND RESET A REASONABLE RENT ON EACH FIFTH ANNIVERSARY; PROVISION OF A \$3000 SURETY BOND AND PUBLIC LIABILITY INSURANCE EFFECTIVE MARCH 1, 1969, IN THE AMOUNTS OF \$200,000/\$600,000 FOR PERSONAL INJURY AND \$100,000 FOR PROPERTY DAMAGE, FOR CONSTRUCTION AND OPERATION OF A MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

A parcel of tide and submerged land in the bed of Potato Slough, San Joaquin County, California, said parcel being further described as lying waterward of the ordinary high water line immediately below existing structures lying immediately adjacent to the following-described parcel of land:

That parcel of land described in Deed, recorded in Book 3254 of Official Records at page 665 of said County of San Joaquin.

TOGETHER WITH such areas additional to the dimensions of water sides of the structures as may be necessary to its use.