

MINUTE ITEM

This Calendar Item No. 34
was approved as Minute Item
No. 34 by the State Lands
Commission by a vote of 3
to 0 at its 8/21/76
meeting.

CALENDAR ITEM

34.

GENERAL LEASE
COMMERCIAL USE

8/78
WP 4082
Scott

PRC 4082

APPLICANT: Harold Claude and Carrol G. Taylor
dba Tiki - Lagun Marina
12988 West McDonald Road
Stockton, California 95206

AREA, TYPE LAND AND LOCATION: A 4.591 acre parcel of tide and submerged
land in the bed of Whiskey Slough, San
Joaquin County.

LAND USE: Continued operation and maintenance of
an existing commercial marina.

TERMS OF ORIGINAL LEASE:

Initial Period: 14 years from January 1,
1963.

Renewal options: 1 successive period of
35 years.

Surety bond: \$5,000.

Public liability insurance: \$300,000/\$600,000
per occurrence for bodily
injury and \$100,000 for
property damage.

Consideration: 1,477.76 for first 5
years, \$574.59 sixth
year, \$661.65 seventh
year, \$783.53 eighth
year, 870.59 annually
thereafter.

TERMS OF PROPOSED LEASE RENEWAL:

Initial period: 35 years from January 1,
1977.

Surety bond: \$5,000.

Public liability insurance: \$300,000/\$600,000
per occurrence for bodily
injury and \$100,000 for
property damage.

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CONSIDERATION: \$1,836,40 per annum with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION: Eight percent of appraised value of land.

PREREQUISITE TERMS, FEES AND EXPENSES: Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:

A. Public Resources Code: Div. 6, Parts 1 & 2.

B. Adm. Code: Title 2, Div. 3.

OTHER PERTINENT INFORMATION:

1. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1B, which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.

2. This project is situated on State land identified as possessing significant environmental values pursuant to Public Resources Code 6370.1, and is classified in a use category, Class B, which authorizes Limited Use.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.

2. FIND THAT GRANTING OF THE LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED

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PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE,

4. AUTHORIZE ISSUANCE TO HAROLD CLAUDE AND CAROL G. TAYLOR DBA TIKI - LAGUN MARINA OF A 35-YEAR RENEWAL OF GENERAL LEASE - COMMERCIAL USE FROM JANUARY 1, 1977, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$1,836.40; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$5,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNT OF \$300,000/\$600,000 PER OCCURRENCE FOR BODILY INJURY AND \$100,000 FOR PROPERTY DAMAGE, FOR THE CONTINUED OPERATION AND MAINTENANCE OF AN EXISTING COMMERCIAL MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

WP 4082

A parcel of tide and submerged land located in the bed of Whiskey Slough in San Joaquin County, California, located immediately adjacent to Roberts Island more particularly described as follows:

BEGINNING at the intersection of the centerline of the McDonald Island Road with the ordinary high water line comprising the westerly boundary of Roberts Island (in projected Section 31, T1N, R5E, MDM) which intersection was designated the "point of commencement" in the deeds from Marie Pezzi, et al, to Harold Claude Taylor, et al, dated June 27, 1962, recorded in Book 2570, pages 273 through 276 Official Records of San Joaquin County, California; thence from said point of beginning southerly along said ordinary high water line 1,280 feet, more or less, to the southerly boundary of the 4.287 acre parcel described in said deeds; thence, leaving said line, N 65° W, 150 feet; thence N 37° E, 450 feet; thence N 25° W, 200 feet; thence N 50° W, 450 feet; thence North 100 feet, more or less, to a point which bears S 87° W from said point of beginning hereof; thence N 87° E, 155 feet, more or less, to said point of beginning.

END OF DESCRIPTION

Prepared

M. J. Shaf

Checked

John K. Gering

Reviewed

J. G. K. K. K. K. K.

Date

12/7/76

J. G.

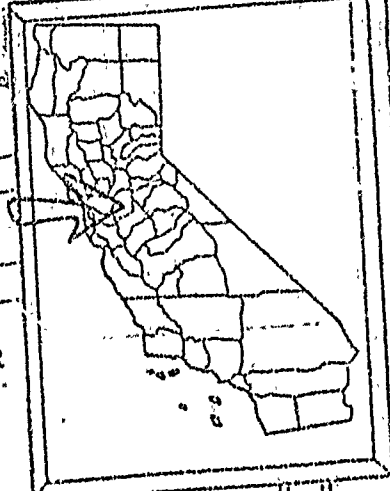
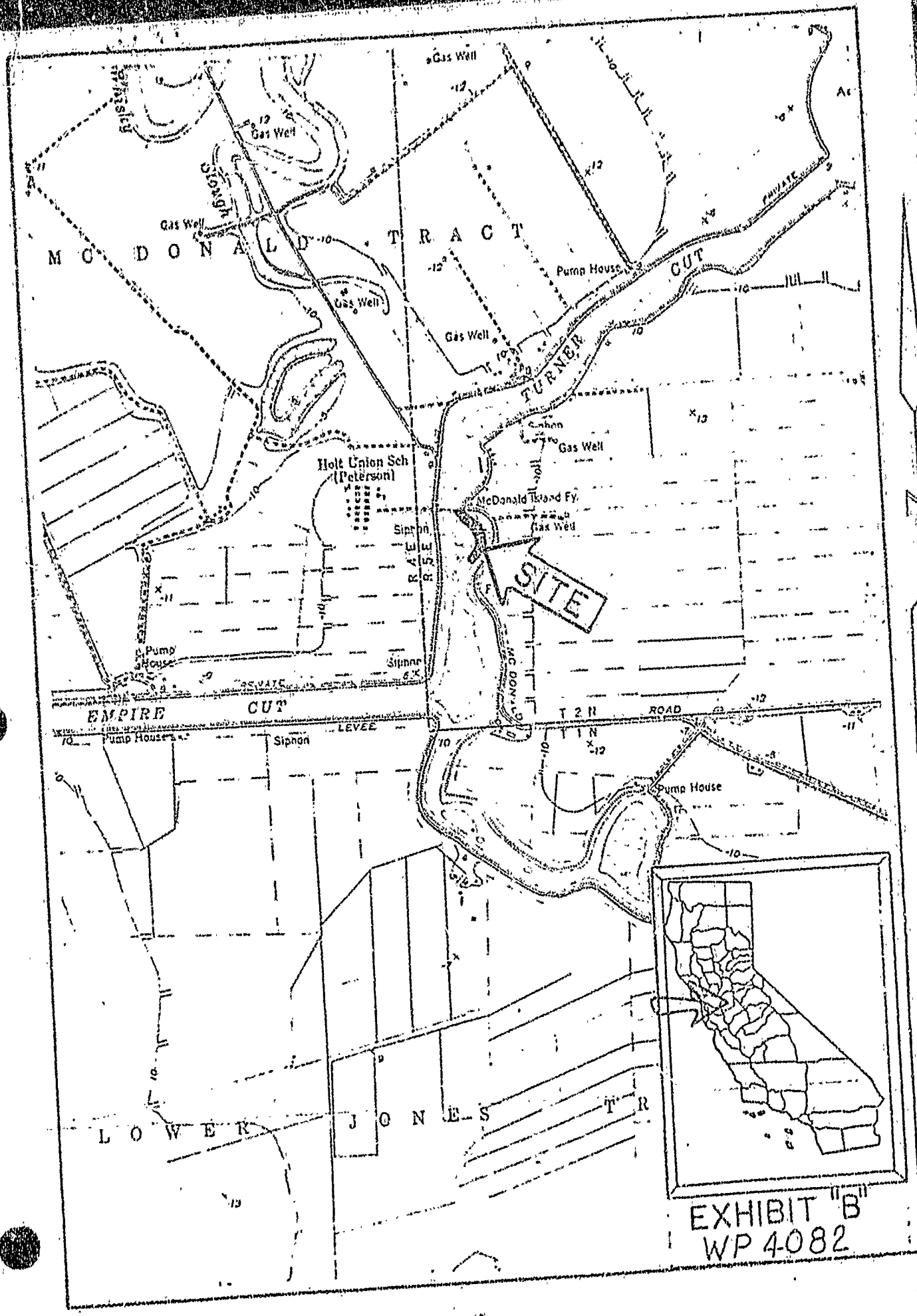


EXHIBIT "B"
WP 4082