

MINUTE ITEM

This Calendar Item No. 22  
was presented at the Board  
Meeting No. 22 of the Board of  
County Commissioners on 9/27/78  
at the 0 meeting.

MINUTE ITEM

9/78  
Atkins

22. GENERAL LEASE - COMMERCIAL USE - WP 4432

During consideration of Calendar Item 22, attached, Commission-Alternate Betty Jo Smith raised the question as to whether or not the parties to the contract had agreed to assign their interest to the corporation. Mr. Robert Hight, Chief Counsel, answered that they had.

Therefore, the Commission adopted the resolution as presented in Calendar Item 22 with the stipulation that the parties to the contract have assigned their interest to the corporation, by a vote of 2-0.

Attachment: Calendar Item 22 (6 pages)

A 73

S 36

CALENDAR ITEM

22.

9/78  
WP 4432  
Atkins  
PRC 4432

GENERAL LEASE  
COMMERCIAL USE

APPLICANT: The Marina Racquetball Club, a Corporation  
222 Main Street  
Seal Beach, California 90740

AREA, TYPE LAND AND LOCATION:  
A 2.78 acre parcel of sovereign land in  
the City of Seal Beach, Orange County.

LAND USE: The construction and operation of a commercial  
recreational sports complex and associated  
business which shall be open to the public.

TERMS OF PROPOSED LEASE:

Initial period: 49 years from October 1,  
1978.

Surety bond: \$20,000.

Public liability insurance: Combined single  
limit coverage of \$2,000,000.

CONSIDERATION: Five percent of the "Gross Income" from  
the facility with a minimum annual rental  
of \$450 for the first 2 years, \$10,000  
the third year, \$25,000 the fourth year  
and \$38,000 thereafter.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 & 2.

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

OTHER PERTINENT INFORMATION:

1. A negative declaration was prepared  
by the Commission's staff, pursuant  
to CEQA and implementing regulations.  
This negative declaration was approved  
by the Commission at its meeting on  
August 31, 1978.
2. This project is situated on State land  
not identified as possessing significant

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environmental values. A staff review of available environmental information indicates no reason to identify the subject State lands parcel as having such values at this time.

3. This development will be open to the public on a first come first serve pay as you play basis. Public recreational facilities will generally conform to coastal guidelines under Article 3, Section 30020 - 30224 of the Coastal Act.
4. The lease document has been reviewed by the State Attorney General's Office.
5. The applicant, The Marina Racquetball Club, a corporation, will issue shares to the following individuals: Larry Applegate, Ronald Bennet, Al Harbour, Bruce Conn and Mark Annerl.

The Commission's staff has previously only worked with Mark Annerl and Bruce Conn as the applicant. The additional individuals became involved during the process of assembling the necessary project financing, and the corporation was formed for financing purposes.

6. The Commission at its meeting on March 30, 1978 selected Bruce Conn et al as the developer for this parcel. This selection was made from a group of proposals that had been submitted to the Commission.

FURTHER APPROVALS REQUIRED:

City of Seal Beach, Coastal Commission.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT A NEGATIVE DECLARATION WAS APPROVED FOR THE SUBJECT PROJECT BY THE COMMISSION AT ITS AUGUST 31, 1978 MEETING, CALENDAR ITEM 29.

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2. DETERMINE THAT THE PROJECT IS CONSISTENT WITH THE PROVISIONS OF ARTICLE 6.5, TITLE 2, OF THE CAL. ADM. CODE.
3. AUTHORIZE ISSUANCE TO THE MARINA RACQUETBALL CLUB, A CORPORATION, OF A 49-YEAR GENERAL LEASE - COMMERCIAL USE FROM OCTOBER 1, 1978; IN CONSIDERATION OF 5% OF THE GROSS INCOME WITH A MINIMUM ANNUAL RENTAL OF \$450 FOR THE FIRST 2 YEARS, \$10,000 THE THIRD YEAR, \$25,000 THE FOURTH YEAR AND \$38,000 THEREAFTER; PROVISION OF \$20,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN COMBINED SINGLE LIMIT COVERAGE OF \$2,000,000; FOR THE CONSTRUCTION AND OPERATION OF A COMMERCIAL RECREATIONAL SPORTS COMPLEX AND ASSOCIATED BUSINESSES WHICH SHALL BE OPEN TO THE PUBLIC ON THE LAND DESCRIBED ON EXHIBIT A ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

WP 4432

Three parcels (Parcel 1, Parcel 2, and Parcel 3) of State owned land, situated in the County of Orange, California, described in Book 9272 page 219, Official Records of Orange County, said parcels more particularly described as follows:

Basis of Bearings for Parcels 1, 2 & 3.

(The bearing of N 37° 52' 11.9" W, for the line between stations 50 and 51 of the Rancho Los Alamitos, a portion of which line is also the centerline of Pacific Coast Highway, based on California Grid System, Zone 7, Status of 1962 Supplemented 1965, being the Basis of Bearings as per C.L.B. DRG E243.03 filed in the City Engineers Office of the City of Long Beach, California, certified by Francois D. Uzes, L.S.)

Parcel 1

That portion of the area labeled San Gabriel River and those portions of Lots 1 and 2 of the San Gabriel Extension of Naples, in the City of Seal Beach, County of Orange, State of California as per map recorded in Book 7. page 31 of Miscellaneous Maps in the Office of the County Recorder of said county, described as a whole as follows:

BEGINNING at a point on the boundary line of the Rancho Los Alamitos between stations 50 and 51, said point being N 37° 52' 11.9" W, 100.09 feet from said station 50; thence N 37° 52' 11.9" W, 115.26 feet; thence S 47° 51' 19" W, 97.40 feet; thence N 70° 54' 26" W, 164.98 feet; thence N 50° 24' 11" W, to its intersection with the boundary line between Los Angeles County and Orange County as delineated on a map filed in Book 90, pages 23-30 inclusive of record of Surveys of said county; thence along said boundary line S 56° 59' 37" W, to its intersection with the curved east line of the Pacific Coast Highway, 100 feet wide, said curve being concave to the west with a radius of 2050 feet, as described in deed to the State of California recorded December 2, 1929, in Book 332, page 237 of Official Records; thence southerly along said curve to the southerly terminus thereof; thence S 1° 25' 35" E, 15.96 feet along the east line of said Pacific Coast Highway to a point that bears

S 73° 26' 04" E, 38.76 feet from the southerly terminus of that certain line shown on said C.L.B. DRG E243.03 as "N 46° 24' 00" W, 988.60'"; thence S 73° 26' 04" E, 271.11 feet; thence S 85° 56' 46" E, to its intersection with a line Parallel with and 100.00 feet northwesterly from the line between stations 49 and 50 of said Rancho; thence N 54° 37' 35" E, along said Parallel line to the point of beginning.

EXCEPTING THEREFROM the northwesterly 100.00 feet.

Parcel 2

That portion of the area labeled San Gabriel River and of Lot 1 of the San Gabriel Extension of Naples, in the City of Seal Beach County of Orange, State of California, as per map recorded in Book 7, page 31 of Miscellaneous Maps, in the office of the county recorder of said county, described as a whole as follows:

BEGINNING at a point on the boundary line of the Rancho Los Alamitos between stations 50 and 51, said point being N 37° 52' 11.9" W, 215.35 feet from said station 50; thence S 47° 51' 19" W, 97.40 feet; thence N 70° 54' 26" W, 164.98 feet; thence N 50° 24' 11" W to its intersection with the boundary line between Los Angeles County and Orange County as delineated on a map filed in Book 90, pages 23-30 inclusive of Record of Surveys of said county thence along said boundary line N 56° 59' 37" E to its intersection with said Rancho line; thence S 37° 52' 11.9" E, to the point of beginning.

EXCEPTING THEREFROM the northwesterly 100.00 feet.

Parcel 3

That portion of the area labeled San Gabriel River and of Lot 2 of the San Gabriel Extension of Naples, in the City of Seal Beach, County of Orange, State of California, as per map recorded in Book 7, page 31 of Miscellaneous Maps, in the office of the county recorder of said county, described as a whole as follows:

BEGINNING at said station 50; thence S 54° 37' 35" W, 613.45 feet along the line between stations 49 and 50 of said rancho to the Pacific Coast Highway, 100 feet wide, as described in Deed to the State of California, recorded December 2, 1929 in book 332, page 237 of Official Records; thence along said highway N 1° 25' 35" W, 425.05 feet to a point on a line that bears S 73° 26' 04" E, 38.76 feet from the southerly terminus of that certain line shown on said C.L.B. DRG E243.03 as "N 46° 24' 00" W, 988.60'"; thence S 73° 26' 04" E, 271.11 feet;

thence S 85° 56' 46" E, 197.84 feet; thence N 55° 17' 27" E, 49.89 feet to said first mentioned rancho line; thence S 37° 52' 11.9" E, 17.89 feet to the point of beginning.

EXCEPTING THEREFROM that portion lying southeasterly of a line parallel with and 100.00 feet northwesterly of the rancho line between said stations 49 and 50.

Said three parcels of land are included within the area shown on a map filed in the office of the County Recorder of said Orange County, in Book 90, page 28, Record of Surveys.

END OF DESCRIPTION

Prepared *M. D. [Signature]* Checked *Neil Foll*  
Reviewed *J. H. [Signature]* Date *9/29/76*  
*JHB*

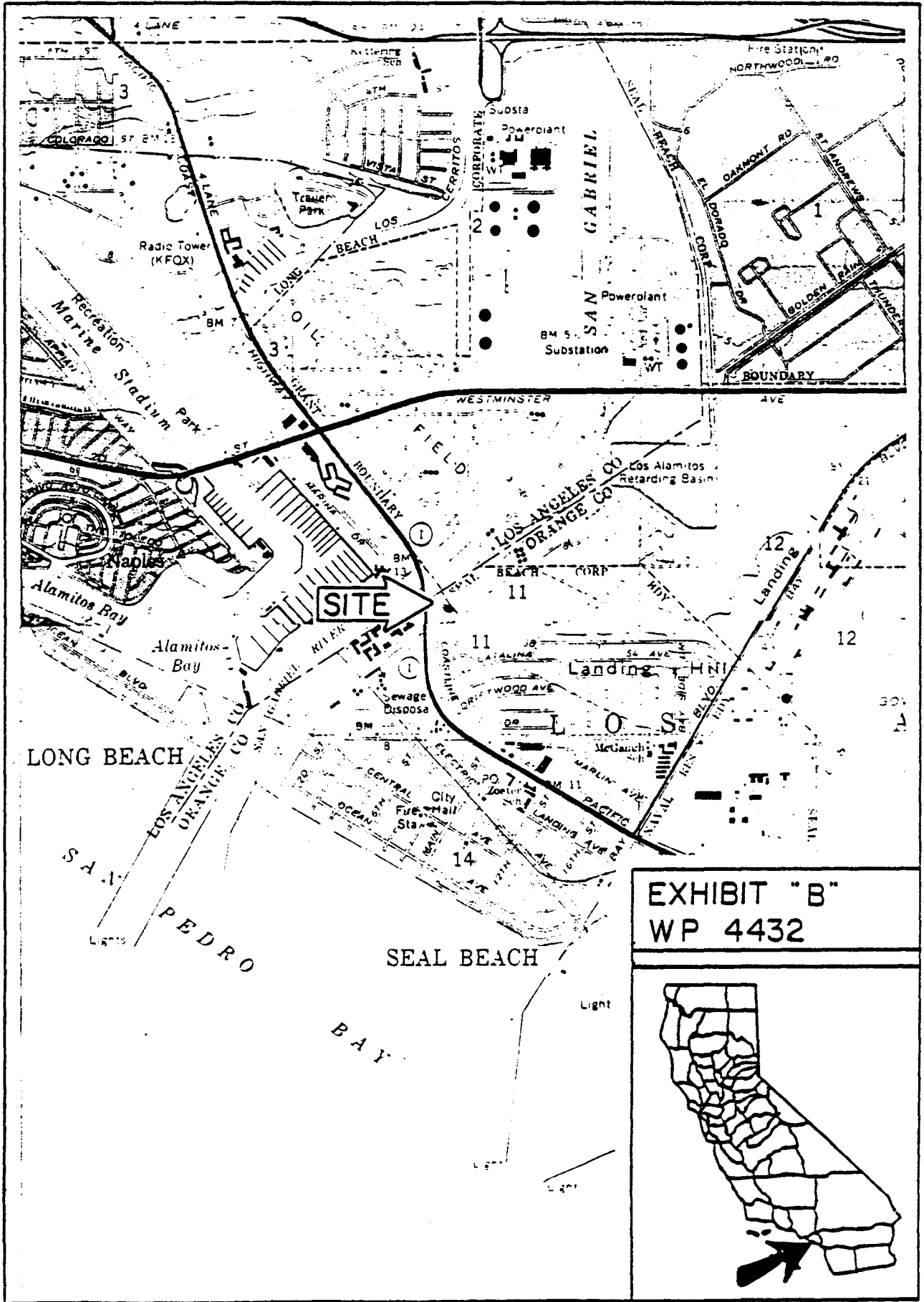


EXHIBIT "B"  
WP 4432

