

MINUTE ITEM

May 29, 1980
WP 2546
Maricle

26. SUBLEASE OF A 10 ACRE PORTION OF LEASE PRC 2546.1

Calendar Item 26 attached was pulled from the agenda prior to the meeting.

Attachment: Calendar Item 26

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CALENDAR ITEM

26.

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Maricle

SUBLEASE OF A 10 ACRE PORTION
OF LEASE PRC 2546.1

SUBLESSOR: California and Hawaiian Sugar Company
One California Street
San Francisco, California 94106

PROPOSED SUBLESSEE: Crockett Marine Service, Inc.
P.O. Box 367
Crockett, California 94525

AGENT FOR SUBLESSEE: John O. Mack, Esq.
221 Pine Street, Suite 500
San Francisco, California 94104

AREA, TYPE LAND AND LOCATION:
10 acres, tide and submerged lands, Carquinez
Strait, Crockett, Contra Costa County.

LAND USE: Marine repair and boat harbor, restaurant
and Sea Scout Base.

SUMMARY OF PROPOSAL:

The California and Hawaiian Sugar Company and Crockett Marine Service, Inc., seek to revise their present sublease arrangement. The current 4.97 acres which Crockett Marine now uses will be expanded to 10 acres.

The California and Hawaiian Sugar Company will continue to pay \$3,330 per annum to the State of California as required in Lease PRC 2546.1, and will continue to stand as Master Lessee until the lease is terminated. This 25 year lease commenced on August 20, 1960 and ends on August 19, 1985. The total acreage of the demised premises of the Master Lease is 11.90 acres.

Prior transactions concerning the subject land are itemized in Parts I through IV below. Part V below concerns the proposed sublease presented now for approval.

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- I. TERMS OF MASTER LEASE: 11.90 acres total, Lease PRC 2546.1.
- Lessor: State of California.
- Lessee: California and Hawaiian Sugar Company.
- Initial period: 25 years, from August 20, 1960.
- Renewal options: 2 additional periods of 10 years each.
- Surety bond: \$5,000.
- Consideration: \$3,330 per annum, payable to the State of California.
- Authorization: Minute Item No. 8, March 24, 1960.
- II. TERMS OF PREVIOUSLY APPROVED SUBLEASE: 4.97 acres, portion of Lease PRC 2546.1.
- Sublessor: California and Hawaiian Sugar Company.
- Sublessee: Dowrelio Boat Works.
(Later assigned; see IV below)
- Initial period: 25 years, from August 20, 1960.
- Renewal options: 2 additional periods of 10 years each.
- Surety bond: \$5,000. Lessee agrees to take out and keep in force during term of sublease a policy of public liability insurance acceptable to California and Hawaiian Sugar Company.

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Consideration: \$1,391 per annum, payable to California and Hawaiian Sugar Company.

Authorization: Minute Item No. 33, December 22, 1960.

III. TERMS OF PREVIOUSLY APPROVED LEASING OF A PORTION OF SUBLEASE AREA

By Dowrelia 2000 square foot portion of 4.97 acres.

Lessor: Dowrelia Boat Works.

Lessee: The Hayden Company. (Restaurant Use)

Initial period: 5 years, from April 1, 1974.

Renewal options: 1 additional period of 5 years.

Consideration: A. \$6,000 per annum payable to Dowrelia by Hayden.
B. \$762 per annum payable to the State by Dowrelia.

Authorization: Minute Item No. 29, April 4, 1974.

IV. TERMS OF PREVIOUSLY APPROVED ASSIGNMENT OF SUBLEASE

Assignment of Sublease: 4.97 acres, portion of Lease PRC 2546.1.

Assignor: Dowrelia Boat Works.

Assignee: Crockett Marine Service, Inc.

Terms: As in II preceding.

Authorization: Minute Item No. 19, November 27, 1978.

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V. PRESENT PROPOSAL

Sublease of 10 acres, a portion of Master Lease PRC 2546.1.

Sublessor: California and Hawaiian
Sugar Company.

Sublessee: Crockett Marine Service, Inc.

Effective Date: May 29, 1980.

TERMS: Rental: \$2,800 per annum payable
to California and Hawaiian
Sugar Company.

Insurance: Lessee to maintain public
liability coverage; State
to be named as additional
insured.

Existing 4.97
Acre Sublease: To be superseded by terms
of the present proposal.

Rental basis: Pro-rata portion of rental
established for 11.90
acres in Master Lease.
(\$280.00 per acre, per
year)

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. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1(B), 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

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environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class C, which authorizes Multiple 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 FIR 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 APPROVAL OF THE SUBLEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.
3. AUTHORIZE, BY ENDORSEMENT EFFECTIVE MAY 29, 1980, THE SUBLEASE BETWEEN THE CALIFORNIA AND HAWAIIAN SUGAR COMPANY, COVERING A 10 ACRE PARCEL, BEING A PORTION OF THE LAND COVERED IN MASTER LEASE PRC 2546.1, WITH THE STATE OF CALIFORNIA TO BE NAMED AS ADDITIONAL INSURED IN PUBLIC LIABILITY INSURANCE TO BE SECURED BY CROCKETT MARINE SERVICE, INC., FOR MARINE REPAIR, BOAT HARBOR, RESTAUPANT AND SEA SCOUT PURPOSES, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

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Those certain State-owned tide and submerged lands, situated in the County of Contra Costa, State of California, more particularly described as follows:

COMMENCING at a monument formerly set and marked by the California and Hawaiian Sugar Company as No. 258, but since adopted by the United States Army Engineers as their Harbor Line Monument No. 33, and so marked by them on a brass plate set in the concrete filling of a six inch pipe, and shown on that certain map entitled "Harbor Lines for Carquinez Strait, California", dated June 10, 1924, and marked File 4, Div. 4, Sheet 6, which said Harbor Line Monument and point of commencement is located 435.28 feet North and 254.71 feet East of the corner common to Sections 31 and 32, T3N, R3W, MDM, and Sections 5 and 6, T2N, R3W, MDM, said corner common to said Sections 31, 32, 5 and 6, being marked by a point in a bronze plate set in the top of a concrete pyramid approximately 10 feet high resting on piles driven into the earth, thence N 83°15'30"W 255.96 feet to a point; thence due North 145.66 feet to a point on the United States Bulkhead Line of 1888; thence N 89°03'15"W along the said United States Bulkhead Line of 1888, 536.35 feet to the TRUE POINT OF BEGINNING of this description, said true point of beginning bears 617.44 feet North and 536.28 feet West of the aforesaid Section Corner common to Sections 31, 32, 5 and 6, thence due North 462.81 feet to a point in the waters of Carquinez Strait located on the United States Bulkhead Line as shown on the aforesaid map entitled "Harbor Lines for Carquinez Strait, California"; thence N 87°07'22"W along said United States Bulkhead line 927.72 feet to a point, thence S 1°40'W 468.06 feet to a point on the northerly right-of-way line of the Southern Pacific Railroad Company, thence S 83°14'45"E along the said northerly right-of-way line of the Southern Pacific Railroad Company 257.58 feet to a point; thence continuing along said northerly right-of-way line of the Southern Pacific Railroad Company which right-of-way line is also the United States Bulkhead Line of 1888, S 89°03'15"E 684.46 feet more or less to the true point of beginning and containing 10.0 acres of land more or less.

END OF DESCRIPTION

PREPARED MAY 7, 1980 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR

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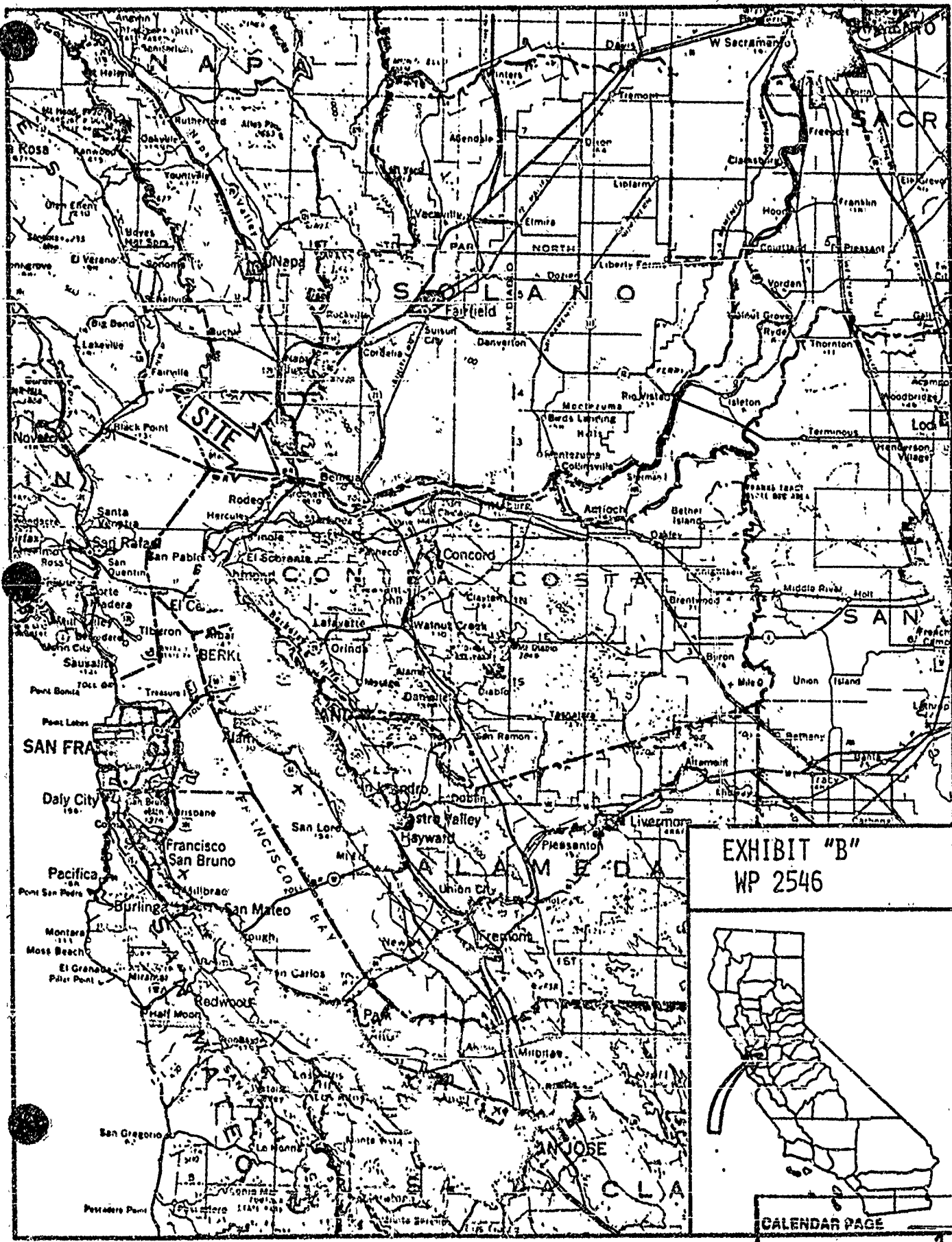


EXHIBIT "B"
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