

MINUTE ITEM
This Calendar Item No. 001
was approved as Minute Item
No. 1 by the State Lands
Commission by a vote of 3
to 0 at its 7/16/87
meeting.

CALENDAR ITEM

A 9
S 2

001

07/16/87
WP 3142 PRC 3142
Lane

TERMINATION OF PRC 3142 GENERAL LEASE - INDUSTRIAL
USE AND ACCEPTANCE OF A QUITCLAIM DEED

APPLICANT: Ron L. and Mary Jane Shorter
P. O. Box 4669
Petaluma, California 94953

AREA, TYPE LAND AND LOCATION:
A 0.23-acre parcel of tide and submerged land
in the Petaluma River south of Petaluma, Sonoma
County.

LAND USE: For maintenance of two five-pile and two
seven-pile dolphins and a delivery dock.

TERMS OF ORIGINAL LEASE:

Initial period: 20 years beginning May 28,
1979.

Renewal options: One successive period of ten
years.

Surety bond: \$5,000.

Public liability insurance: Combined single
limit coverage of \$500,000.

Consideration: \$558.90 per annum; five-year
rent review.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:

Lessee is owner of upland.

CALENDAR ITEM NO. C 01 (CONT'D)

PREREQUISITE ITEMS: FEES AND EXPENSES:

- A. Lease Quitclaim Deed has been duly executed by Lessee.
- B. An inspection of the State parcel was conducted and the facilities were removed.
- C. All rental payments were current upon the Lessee's notification to terminate.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

- 1. The Lessee has constructed a new bulkhead landward of the State's jurisdiction and no longer requires the dolphins and delivery dock covered by Lease PRC 3142 to conduct his business operations. Therefore, he removed the structures after obtaining a United States Army Corps of Engineers' permit and notifying SLC staff of his intention. Removal was completed prior to the lease anniversary date, however, document processing delayed presentation of the item to the State Lands Commission for termination approval. Therefore, staff believes that no additional rent is owed.
- 2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

CALENDAR ITEM NO. C01 (CONT'D)

APPROVALS OBTAINED:

United States Army Corps of Engineers.

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

- A. Land Description.
- B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.
2. APPROVE TERMINATION OF PRC 3142, GENERAL LEASE - INDUSTRIAL USE ISSUED MAY 28, 1979 AND AUTHORIZE ACCEPTANCE OF A QUITCLAIM DEED EFFECTIVE JUNE 29, 1987 (A COPY OF WHICH IS ON FILE IN THE OFFICE OF THE COMMISSION), FOR THE LAND AS DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 3142

A parcel of tide and submerged land in Petaluma Creek, approximately one mile southeasterly of the City of Petaluma, Sonoma County, State of California, more particularly described as follows:

COMMENCING at a 1/2" iron pipe monument located at the most westerly corner of the 5.95 acre parcel of land belonging to the Oil Terminals Company and as described in that certain deed recorded in Deed Book 1929, Page 813 of Official Records of Sonoma County; thence along the northeasterly line of said parcel N 61° 49' E, 514.49 feet to the POINT OF BEGINNING; thence continuing along the northeasterly line of said 5.95 acre parcel N 61° 49' E 16 feet to the northeast corner of said 5.95 acre parcel; thence N 37° 21' E 55 feet; thence S 52° 39' E 137 feet; thence S 37° 21' W 70 feet; thence N 52° 28' 33" W 143.6 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water line of Petaluma Creek.

END OF DESCRIPTION

Prepared

Cris D. P. [Signature]

Checked

[Signature]

Reviewed

Date

10/10/79

| | |
|---------------|------|
| CALENDAR PAGE | 04 |
| MINUTE PAGE | 2278 |

