

**CALENDAR ITEM
C101**

A 72

12/18/15

S 34

W 26936
D. Simpkin

ISSUANCE OF A GENERAL LEASE – RECREATIONAL USE

APPLICANTS:

Albert Soliman and Enas Farid

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in the Main Channel of Huntington Harbour, adjacent to 16861 Bolero Lane, Huntington Beach, Orange County.

AUTHORIZED USE:

The continued use and maintenance of a boat dock, access ramp, and cantilevered deck; and the replacement of a glass guardrail.

LEASE TERM:

10 years, beginning December 18, 2015.

CONSIDERATION:

Annual rent in the amount of \$2,007 with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

Other:

No permanent roof or other enclosure will be constructed on the Lease Premises. Applicants agree that any proposed use of the Lease Premises that includes an extension of the actual living quarters constitutes residential use and is prohibited.

OTHER PERTINENT INFORMATION:

1. The Applicants own the upland adjoining the lease premises.
2. The Applicants are applying for a General Lease – Recreational Use for the continued use and maintenance of an existing boat dock, access ramp

CALENDAR ITEM NO. **C101** (CONT'D)

and cantilevered deck. In addition, the Applicants are requesting authorization to replace a glass guardrail located on the portion of the cantilevered deck within the Commission's jurisdiction. The improvements at this location have not previously been under lease.

3. The State of California acquired fee ownership of the Huntington Harbour Main and Midway Channels in 1962 as a result of a land exchange entered into between the Commission and the Huntington Harbour Corporation, recorded as the Amended Agreement for the Exchange of Lands in the Sunset Beach Area, Orange County, California, and recorded on March 7, 1963, in Book 6457, Page 819, Official Records, Orange County, California. Projects, including new development or maintenance of existing facilities, extending into these Channels beyond the bulkhead line require a lease from the Commission pursuant to Public Resources Code section 6501.1. The Applicants' upland property is located along the Main Channel of Huntington Harbour.
4. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

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

CALENDAR ITEM NO. **C101** (CONT'D)

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational Use to Albert Soliman and Enas Farid beginning December 18, 2015, for a term of 10 years, for the continued use and maintenance of a boat dock, access ramp and cantilevered deck and the replacement of a glass guardrail, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$2,007, with an annual CPI adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

W 26936

LAND DESCRIPTION

A parcel of submerged land in Huntington Harbour, in the City of Huntington Beach, Orange County, California, described as follows:

Beginning at the most southerly corner of Lot 50, as said lot is shown and so designated on that certain map of Tract No. 5264 filed in Book 185, Pages 27 through 34 of Miscellaneous Maps, Official Records of said County; thence along the southwesterly extension of the southeasterly line of said lot 60.00 feet; thence parallel with the southwesterly line of said lot northwesterly 50.00 feet to the southwesterly extension of the northwesterly line of said lot; thence along said southwesterly extension to the most northerly corner of said lot; thence southeasterly along said southwesterly line 50.00 feet to the point of beginning.

END OF DESCRIPTION

Prepared November 6, 2015 by the California State Lands Commission Boundary Unit.

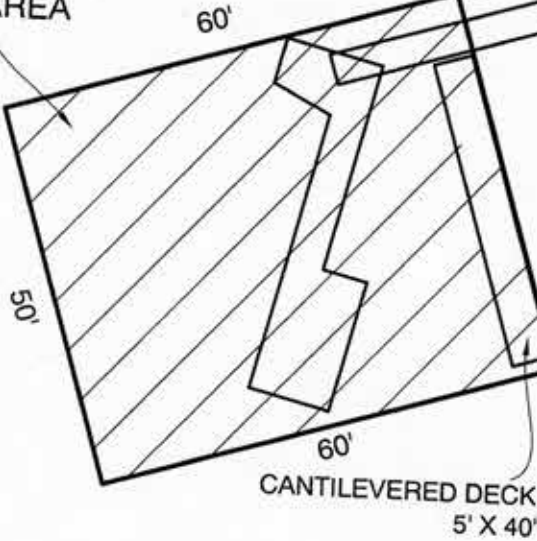


NO SCALE

SITE

STATE OF CALIFORNIA
400' CHANNEL

LEASE AREA



APN 178-315-49

16861 BOLERO LANE, HUNTINGTON BEACH

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

W 26936
 SOLIMAN & FARID
 APN 178-315-49
 GENERAL LEASE -
 RECREATIONAL USE
 ORANGE COUNTY



MJJ 11/05/2015

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.