

MINUTE ITEM

5. APPLICATION FOR LEASE OF 13.60 ACRES OF TIDE AND SUBMERGED LANDS IN OLD CHANNEL, SAN JOAQUIN RIVER, ADJOINING TULE ISLAND, SAN JOAQUIN COUNTY; PORT STOCKTON BOATERS, INC. - W.O. 4057, P.R.C. 2771.1.

After consideration of Calendar Item 12 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE TO PORT STOCKTON BOATERS, INC., A CALIFORNIA CORPORATION, A 15-YEAR LEASE FOR THE CONSTRUCTION AND MAINTENANCE OF A SMALL BOAT HARBOR AND RELATED FACILITIES. THE LEASE IS TO PROVIDE FOR:

1. LAND RENTAL OF \$256.23 ANNUALLY, THE FIRST AND LAST YEARS' RENTAL PAYABLE IN ADVANCE;
2. TWO RENEWAL PERIODS OF TEN YEARS EACH UPON SUCH REASONABLE TERMS AND CONDITIONS AS THE COMMISSION MAY IMPOSE;
3. A SURETY BOND IN THE AMOUNT OF \$1,000 TO GUARANTEE PERFORMANCE OF THE LEASE CONDITIONS; AND
4. AGREEMENT BY LESSEE TO ERECT NO STRUCTURES NOR TO MAKE ANY PHYSICAL CHANGES IN OR ON THE EXISTING PARCEL OF LAND WITHOUT PRIOR WRITTEN PERMISSION OF THE STATE.

THE PARCEL TO BE LEASED, 24C-S, IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY LINE OF THE 750' STOCKTON DEEP WATER CHANNEL RIGHT OF WAY STRIP AND THE LOW WATER LINE ALONG THE EASTERLY SIDE OF MEADREACH ISLAND OF THE LEFT OR SOUTHERLY BANK OF THE OLD CHANNEL OF THE SAN JOAQUIN RIVER, SAID POINT OF BEGINNING BEARING S. 53° 35' E. 762.00 FEET FROM A POINT WHICH BEARS S. 38° 05' 53" E. 5388.86 FEET FROM U.S.E.D. MONUMENT 158 D.W.; THENCE FROM A POINT OF BEGINNING AND FOLLOWING SAID LOW WATER LINE AT ITS INTERSECTION WITH THE SOUTHERLY STOCKTON DEEP WATER CHANNEL LINE, SAID INTERSECTION BEARS N. 25° 52' E. 147.49 FEET FROM A POINT OF BEGINNING; THENCE LEAVING SAID LOW WATER LINE AND FOLLOWING SAID SOUTHERLY CHANNEL LINE, CROSSING SAID OLD CHANNEL, S. 53° 35' E. 425.01 FEET, MORE OR LESS, TO THE INTERSECTION OF SAID SOUTHERLY CHANNEL LINE WITH THE LOW WATER LINE ALONG THE WESTERLY SIDE OF TULE ISLAND OF THE RIGHT, OR NORTHERLY BANK OF THE OLD CHANNEL OF THE SAN JOAQUIN RIVER; THENCE LEAVING SAID SOUTHERLY CHANNEL LINE AND FOLLOWING SAID LAST MENTIONED LOW WATER LINE UPSTREAM, TO ITS INTERSECTION WITH SAID SOUTHERLY BOUNDARY LINE, SAID INTERSECTION BEARING S. 21° 22' W. 150.16 FEET, MORE OR LESS, FROM THE LAST MENTIONED INTERSECTION; THENCE CONTINUING ALONG SAID LOW WATER LINE ALONG THE WESTERLY SIDE OF A BERM BORDERING THE NORTHERLY SIDE OF TULE ISLAND, SAID LOW WATER LINE PASSING THROUGH POINTS CONNECTED BY THE FOLLOWING COURSES AND DISTANCES S. 19° 31' W. 636.31 FEET, MORE OR LESS; THENCE S. 25° 26' W. 387.37 FEET, MORE OR LESS; THENCE S. 75° 16' W. 129.28 FEET, MORE OR LESS; THENCE S. 75° 47' W. 60.88

F E E T, M O R E O R L E S S; T H E N C E S. 26° 51' W. 434.70 F E E T, M O R E O R L E S S;  
T H E N C E S. 6° 04' W. 114.63 F E E T, M O R E O R L E S S, T O T H E S O U T H E R L Y  
P O I N T O F S A I D B E R M; T H E N C E L E A V I N G S A I D L A S T M E N T I O N E D L O W W A T E R  
L I N E A N D C R O S S I N G T H E M O U T H O F S A I D O L D C H A N N E L S. 80° 42' W. 149.28  
F E E T, M O R E O R L E S S; T O T H E L O W W A T E R L I N E O F T H E L E F T, O R S O U T H E R L Y  
B A N K O F T H E O L D C H A N N E L O F T H E S A N J O A Q U I N R I V E R A L O N G T H E E A S T E R L Y  
S I D E O F H E A D R E A C H I S L A N D; T H E N C E F O L L O W I N G S A I D L A S T M E N T I O N E D L O W  
W A T E R L I N E O F T H E P O I N T O F B E G I N N I N G, S A I D L O W W A T E R L I N E P A S S I N G  
T H R O U G H P O I N T S C O N N E C T E D B Y T H E F O L L O W I N G C O U R S E S A N D D I S T A N C E S  
N. 5° 36' W. 148.98 F E E T, M O R E O R L E S S; T H E N C E N. 23° 01' E. 982.86  
F E E T, M O R E O R L E S S; T H E N C E N. 15° 07' E. 756.15 F E E T, M O R E O R L E S S,  
T O T H E P O I N T O F B E G I N N I N G A N D C O N T A I N I N G 13.60 A C R E S, M O R E O R L E S S.

Attachment

Calendar Item 12 (2 pages)

CALENDAR ITEM

12.

APPLICATION FOR LEASE OF 13.60 ACRES OF TIDE AND SUBMERGED LANDS IN OLD CHANNEL, SAN JOAQUIN RIVER, ADJOINING TULE ISLAND, SAN JOAQUIN COUNTY; PORT STOCKTON BOATERS, INC. - W.O. 4057.

An application has been received from Port Stockton Boaters, Inc., a California corporation composed of small boat enthusiasts organized for nonprofit recreational purposes, for a lease of Parcel 24C-S in the old channel of the San Joaquin River between Tule Island and Headreach Island. Parcel 24C-S, containing 13.60 acres, more or less, was leased under Recreational Permit P.R.C. 2608.1 to Jack Benton for five years at \$50 per year. Mr. Benton has submitted a request for cancellation of this lease in order that Port Stockton Boaters, Inc., may lease the parcel. Port Stockton Boaters, Inc., propose to use this area for boating purposes; they plan to dredge a small boat harbor, to place floating wharves therein, and to develop a picnic area on available dry land.

Based upon a staff appraisal and a field investigation, the land rental for a 15-year period would be at the rate of \$256.23 per year, the lease to contain the following conditions:

1. First and last years' rental payable in advance.
2. A surety bond in the amount of \$1,000 to be furnished to guarantee compliance with lease conditions.
3. Lessee to erect no structures nor to make any physical changes in or on the existing parcel of land without prior written permission of the State.

The statutory filing fee and the expense deposit have been paid.

IT IS RECOMMENDED THAT THE EXECUTIVE OFFICER BE AUTHORIZED TO ISSUE TO PORT STOCKTON BOATERS, INC., A CALIFORNIA CORPORATION, A 15-YEAR LEASE FOR THE CONSTRUCTION AND MAINTENANCE OF A SMALL BOAT HARBOR AND RELATED FACILITIES. THE LEASE IS TO PROVIDE FOR:

1. LAND RENTAL OF \$256.23 ANNUALLY, THE FIRST AND LAST YEARS' RENTAL PAYABLE IN ADVANCE;
2. TWO RENEWAL PERIODS OF TEN YEARS EACH UPON SUCH REASONABLE TERMS AND CONDITIONS AS THE COMMISSION MAY IMPOSE;
3. A SURETY BOND IN THE AMOUNT OF \$1,000 TO GUARANTEE PERFORMANCE OF THE LEASE CONDITIONS; AND
4. AGREEMENT BY LESSEE TO ERECT NO STRUCTURES NOR TO MAKE ANY PHYSICAL CHANGES IN OR ON THE EXISTING PARCEL OF LAND WITHOUT PRIOR WRITTEN PERMISSION OF THE STATE.

CALENDAR ITEM 12. (CONTD.)

THE PARCEL TO BE LEASED, 24C-S, IS DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY LINE OF THE 750' STOCKTON DEEP WATER CHANNEL RIGHT OF WAY STRIP AND THE LOW WATER LINE ALONG THE EASTERLY SIDE OF HEADREACH ISLAND OF THE LEFT OR SOUTHERLY BANK OF THE OLD CHANNEL OF THE SAN JOAQUIN RIVER, SAID POINT OF BEGINNING BEARING S. 53° 35' E. 702.00 FEET FROM A POINT WHICH BEARS S. 38° 05' 53" E. 5388.86 FEET FROM U.S.E.D. MONUMENT 158 D.W.; THENCE FROM A POINT OF BEGINNING AND FOLLOWING SAID LOW WATER LINE AT ITS INTERSECTION WITH THE SOUTHERLY STOCKTON DEEP WATER CHANNEL LINE, SAID INTERSECTION BEARS N. 25° 52' E. 147.49 FEET FROM A POINT OF BEGINNING; THENCE LEAVING SAID LOW WATER LINE AND FOLLOWING SAID SOUTHERLY CHANNEL LINE, CROSSING SAID OLD CHANNEL, S. 53° 35' E. 425.01 FEET, MORE OR LESS, TO THE INTERSECTION OF SAID SOUTHERLY CHANNEL LINE WITH THE LOW WATER LINE ALONG THE WESTERLY SIDE OF TULE ISLAND OF THE RIGHT, OR NORTHERLY BANK OF THE OLD CHANNEL OF THE SAN JOAQUIN RIVER; THENCE LEAVING SAID SOUTHERLY CHANNEL LINE AND FOLLOWING SAID LAST MENTIONED LOW WATER LINE UPSTREAM, TO ITS INTERSECTION WITH SAID SOUTHERLY BOUNDARY LINE, SAID INTERSECTION BEARING S. 21° 22' W. 150.16 FEET, MORE OR LESS, FROM THE LAST MENTIONED INTERSECTION; THENCE CONTINUING ALONG SAID LOW WATER LINE ALONG THE WESTERLY SIDE OF A BERM BORDERING THE NORTHERLY SIDE OF TULE ISLAND, SAID LOW WATER LINE PASSING THROUGH POINTS CONNECTED BY THE FOLLOWING COURSES AND DISTANCES S. 19° 31' W. 636.31 FEET, MORE OR LESS; THENCE S. 25° 26' W. 387.37 FEET, MORE OR LESS; THENCE S. 75° 16' W. 129.28 FEET, MORE OR LESS; THENCE S. 75° 47' W. 60.88 FEET, MORE OR LESS; THENCE S. 26° 51' W. 434.70 FEET, MORE OR LESS; THENCE S. 6° 04' W. 114.63 FEET, MORE OR LESS, TO THE SOUTHERLY POINT OF SAID BERM; THENCE LEAVING SAID LAST MENTIONED LOW WATER LINE AND CROSSING THE MOUTH OF SAID OLD CHANNEL S. 80° 42' W. 149.28 FEET, MORE OR LESS; TO THE LOW WATER LINE OF THE LEFT, OR SOUTHERLY BANK OF THE OLD CHANNEL OF THE SAN JOAQUIN RIVER ALONG THE EASTERLY SIDE OF HEADREACH ISLAND; THENCE FOLLOWING SAID LAST MENTIONED LOW WATER LINE OF THE POINT OF BEGINNING, SAID LOW WATER LINE PASSING THROUGH POINTS CONNECTED BY THE FOLLOWING COURSES AND DISTANCES N. 5° 36' W. 148.98 FEET, MORE OR LESS; THENCE N. 23° 01' E. 982.86 FEET, MORE OR LESS; THENCE N. 15° 07' E. 756.15 FEET, MORE OR LESS, TO THE POINT OF BEGINNING AND CONTAINING 13.60 ACRES, MORE OR LESS.