

MINUTE ITEM

5/29/69

9. USE PERMIT FOR CONSTRUCTION OF TEMPORARY COFFERDAM IN HUNTINGTON HARBOUR, CITY OF HUNTINGTON BEACH, ORANGE COUNTY - HUNTINGTON HARBOR PROPERTIES, INC. - W.O. 7357, P.R.C. 4219.1.

After consideration of Calendar Item 17 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ISSUANCE TO HUNTINGTON HARBOR PROPERTIES, INC., OF A PERMIT FOR THE INSTALLATION OF A TEMPORARY, SHEET-PILE COFFERDAM, IN CONSIDERATION OF MONTHLY RENTAL OF \$145 DUE AND PAYABLE IN ADVANCE ON THE 29TH DAY OF EACH MONTH, BEGINNING ON MAY 29, 1969, THROUGH NOVEMBER 29, 1969; BUT, IN THE EVENT THAT THE STRUCTURE IS REMOVED AND THE SITE CLEARED TO THE SATISFACTION OF THE STATE LANDS DIVISION, NO RENT SHALL BE DUE ON THE 29TH DAY OF THE MONTH IN WHICH SATISFACTORY SITE CLEARANCE HAS BEEN ACCOMPLISHED, AND THE PERMIT SHALL TERMINATE.

THE PERMIT SHALL REQUIRE A SURETY BOND OF \$2000 AND PUBLIC LIABILITY INSURANCE OF \$100,000/\$300,000, TO BE EFFECTIVE AT OR PRIOR TO EXECUTION ON BEHALF OF THE STATE LANDS COMMISSION.

THE LAND IS DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment

Calendar Item 17 (3 pages)

Minute item 9, adopted on 5/29/69 FILED
by minute item 8, adopted on 3/26/70. Stahl
(initials)

CALENDAR ITEM

5/69
W.O. 7357

17.

USE PERMIT

APPLICANT: Huntington Harbor Properties, Inc.

LOCATION: Huntington Harbour, City of Huntington Beach, Orange County.

PROPOSED USE: The construction of a temporary, sheet-pile cofferdam.

TERMS: Maximum of 7 months from May 29, 1969.
Surety bond: \$2000.
Public liability insurance: \$100,000/\$300,000.

CONSIDERATION: \$145 per month.

BASIS FOR CONSIDERATION:
6% annually of appraised value of land.

PREREQUISITE ITEM:
Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Pt. 2, Ch. 1, Secs. 6501-6509.
- b. Administrative Code: Title 2, Div. 3, Articles 1 and 2 as amended effective May 10, 1969.
- c. Commission policy: Minute Item 18 of November 18, 1959.

OTHER PERTINENT INFORMATION:

The purpose of the cofferdam is to permit the construction of a concrete bulkhead wall on the applicant's property along the south side of the State-owned 400-foot-wide channel in Huntington Harbour. The bulkhead on the main channel is a continuation of a bulkhead to be constructed on the applicant's upland property in connection with the creation of a small-boat basin.

The upland property, currently owned by Gulf Oil Corporation, is in escrow. Application was initiated by Gulf on behalf of Huntington Harbor Properties, Inc., which will become the grantee in a conveyance by Gulf Oil Corporation.

The U. S. Army Corps of Engineers advises that a public notice will not be required and that the Corps has no objection.

The applicant states that the cofferdam will be required for a construction period of not more than three months and will be removed promptly from the property upon completion of construction.

CALENDAR ITEM 17. (CONTD.)

Due to the uncertain date as to the commencement of construction, the applicant has requested that the permit be issued for the period May 29, 1969, to December 29, 1969. Also, because of the duration and nature of the tenancy, the applicant will be obligated for rents at a monthly rate of \$145 from May 29, 1969, through December 29, 1969, or to the date of site clearance if such should occur sooner. The amount of monthly rental was derived from estimated annual ground rent of \$1,740 for the one-third acre area.

EXHIBITS: A. Legal description. B. Location map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO HUNTINGTON HARBOR PROPERTIES, INC., OF A PERMIT FOR THE INSTALLATION OF A TEMPORARY, SHEET-PILE COFFERDAM, IN CONSIDERATION OF MONTHLY RENTAL OF \$145 DUE AND PAYABLE IN ADVANCE ON THE 29TH DAY OF EACH MONTH, BEGINNING ON MAY 29, 1969, THROUGH NOVEMBER 29, 1969; BUT, IN THE EVENT THAT THE STRUCTURE IS REMOVED AND THE SITE CLEARED TO THE SATISFACTION OF THE STATE LANDS DIVISION, NO RENT SHALL BE DUE ON THE 29TH DAY OF THE MONTH IN WHICH SATISFACTORY SITE CLEARANCE HAS BEEN ACCOMPLISHED, AND THE PERMIT SHALL TERMINATE.

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THE LAND IS DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

A 30-foot-wide by 485.00-foot-long strip in the 400-foot-wide channel in the City of Huntington Beach, County of Orange, State of California, said channel being a parcel of land transferred to the State of California by deed recorded in Book 6368, page 411 of Official Records of said County, the southwesterly line of said strip being described as follows:

Beginning at the most northerly point of Tract No. 4499 as shown on a map recorded in Book 161, pages 11 to 15 of Miscellaneous Maps, Records of said County, said point being a point on the southwesterly line of said 400-foot channel, thence along said southwesterly line N. 61° 00' 00" W. 70.00 feet to the true point of beginning; thence N. 61° 00' 00" W. 485.00 feet, containing 0.334 acres more or less.

The bearing N. 61° 00' 00" W. shown for a portion of the northern boundary of said Tract No. 4499 of the City of Huntington Beach, California, was used as the basis of bearings for this description.