

MINUTE ITEM

10/22/70
EWC

11. AMENDMENT AND TEN-YEAR RENEWAL OF LEASE P.R.C. 1522.1, SUBMERGED LAND IN HUMBOLDT BAY, HUMBOLDT COUNTY - W-8708.

After consideration of Calendar Item 5 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ISSUANCE TO OLSON TERMINAL, INC., OF A 10-YEAR RENEWAL OF AND AMENDMENT TO LEASE P.R.C. 1522.1 FROM JUNE 3, 1970, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$1,296, WITH THE STATE RESERVING THE RIGHT TO RESET A REASONABLE RENTAL ON EACH FIFTH ANNIVERSARY, PROVISION OF A \$30,000 SURETY BOND, PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$500,000/\$1,000,000 FOR PERSONAL INJURY AND \$250,000 FOR PROPERTY DAMAGE, FOR THE OPERATION AND MAINTENANCE OF AN EXISTING DOLPHIN, WHARF, AND TWO RAMPS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, BEING AN AMENDED DESCRIPTION OF THE LEASED PREMISES; PROVIDED THAT ALL OTHER TERMS AND CONDITIONS OF SAID LEASE SHALL REMAIN IN FULL FORCE AND EFFECT.

Attachment:

Calendar Item 5 (3 pages)

CALENDAR ITEM

10/70
W-8708
EWC

5.

AMENDMENT AND RENEWAL OF LEASE P.R.C. 1522.1

APPLICANT: Olson Terminal, Inc.

LOCATION: A 3.069-acre parcel of submerged land in Humboldt Bay at Fields Landing, Humboldt County.

LAND USE: The operation and maintenance of an existing dolphin, wharf, and two ramps.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years from June 3, 1955.
Renewal options: 2 additional periods of 10 years each.
Surety bond: \$30,000.

CONSIDERATION OF ORIGINAL LEASE:

\$100.00 per annum.

TERMS OF FIRST 10-YEAR RENEWAL:

Surety bond: \$30,000.
Public liability insurance: \$500,000/\$1,000,000 for personal injury and \$250,000 for property damage.
Special: Legal description has been amended.

CONSIDERATION OF FIRST 10-YEAR RENEWAL:

\$1,296 per annum, with State reserving the right to review and reset a reasonable rental on each fifth anniversary.

BASIS FOR CONSIDERATION:

6% of appraised value of land.

PREREQUISITE ITEMS:

U. S. Army Corps of Engineers permit issued.
Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Articles 1 and 2 as amended effective May 10, 1969.

OTHER PERTINENT INFORMATION:

The original lease, entered into prior to the passage of Section 6008, Public Resources Code, erroneously omitted mention of some additional area used at the time it was executed by the lessee. The lessee's use of State lands has not expanded since the lease was signed, and this amendment will permit no expansion of use.

CALENDAR ITEM 5. (CONTD.)

EXHIBITS: A. Land Description. B. Location map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO OLSON TERMINAL, INC., OF A 10-YEAR RENEWAL OF AND AMENDMENT TO LEASE P.R.C. 1522.1 FROM JUNE 3, 1970, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$1,296, WITH THE STATE RESERVING THE RIGHT TO RESET A REASONABLE RENTAL ON EACH FIFTH ANNIVERSARY, PROVISION OF A \$30,000 SURETY BOND, PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$500,000/\$1,000,000 FOR PERSONAL INJURY AND \$250,000 FOR PROPERTY DAMAGE, FOR THE OPERATION AND MAINTENANCE OF AN EXISTING DOLPHIN, WHARF, AND TWO RAMPS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, BEING AN AMENDED DESCRIPTION OF THE LEASED PREMISES; PROVIDED THAT ALL OTHER TERMS AND CONDITIONS OF SAID LEASE SHALL REMAIN IN FULL FORCE AND EFFECT.

Attachment: Exhibit "A"

EXHIBIT "A"

A parcel of submerged land in Humboldt Bay, Humboldt County, State of California, said parcel being immediately beneath an existing wharf and ramps being immediately adjacent to a portion of Tide Land Survey No. 101 owned by Olson Terminal, Inc., as said Olson Terminal property is recorded by Deed dated July 20, 1967, in Book 929, page 5, Official Records of said Humboldt County.