MINUTE ITEM

This Calendar Item No. C12
was approved as Minute Item
No. 12 by the State Lands
Commission by a vote of 3
at its 3-25-76
meeting.

CALENDAR ITEM

3/76
EPW
WP 2212

C12

RENEWAL OF A NON-COMMERCIAL LEASE

APPLICANT: Island Farms
9990 Santa Monica Blvd.
Beverly Hills, California 90212

AREA, TYPE LAND AND LOCATION:
An 0.07 acre parcel of tide and submerged land in San Joaquin River at Venice Island; San Joaquin County.

LAND USE: Floating dock and walkway.

TERMS OF ORIGINAL LEASE:
Initial period: 15 years, from July 1, 1958.

Renewal options: 2 successive periods of 10 years each.

Surety bond: $1,000.

Consideration: $100 per annum.

TERMS OF PROPOSED LEASE:
Initial period: 10 years, from July 31, 1973.

Renewal options: 1 successive period of 10 years each.

Surety bond: $1,000.

Public liability insurance: $100,000 per occurrence for bodily injury and $25,000 for property damage.

CONSIDERATION: $150 per annum pro-rated for the period July 31, 1973 to June 29, 1975; and $225 per annum pro-rated thereafter with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:
$150 minimum annual rental for t is type of lease for the period July 31, 1973 to June 30, 1975. $225 minimum annual rental for this type of lease commencing June 30, 1975.

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PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner of upland.

Rent in the amount of $600 has been received.

STATUTORY AND OTHER REFERENCES:
A. Public Resources Code, Div. 6, Parts 1 & 2.

B. Administrative Code: Title 2, Div. 3
Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:
1. This project is situated on State land identified as environmentally significant, pursuant to Public Resources Code 6370.1, and is classified a significant use category, Class B: Limited Use. Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

2. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(a) which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085, 14 CAL. ADM. CODE 15100 ET SEQ.; AND 2 CAL. ADM. CODE 2907(a).

2. DETERMINE THE GRANTING OF THE APPLICATION WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL VALUES IDENTIFIED PURSUANT TO SECTION 6370.1 ET SEQ.; OF THE PUBLIC RESOURCES CODE.

3. AUTHORIZE ISSUANCE TO ISLAND FARMS OF A 10-YEAR RENEWAL OF A NON-COMMERCIAL LEASE FROM JULY 31, 1973, WITH LESSEE'S OPTION TO RENEW FOR 1 SUCCESSIVE PERIOD OF 10 YEARS EACH, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $150, PRO-RATED FOR THE PERIOD JULY 31, 1973 to JUNE 29, 1975; and $225 PER ANNUM PRO-RATED THEREAFTER, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE, PROVISION OF A $1,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF $100,000

PER OCCURRENCE FOR BODILY INJURY AND $25,000 FOR PROPERTY DAMAGE; FOR A FLOATING DOCK AND WALKWAY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 2212

A parcel of tide and submerged land in the State-owned bed of the San Joaquin River, San Joaquin County, State of California, adjacent to Venice Island and within protracted Section 34, T3N, R4E, MDM. Said parcel being more particularly described as follows:

> COMMENCING at Bench Mark No. U565, as established by U.S.C.&G.S. and described in the National Geodetic Survey Vertical Control Data List, Quad No. 381215, dated January, 1975; thence N 25° 24' 54" E 19.90 feet to the TRUE POINT OF BEGINNING; thence S 85° 35' W 79.3 feet; thence N 04° 25' W 50.5 feet; thence N 85° 35' E 84.8 feet; thence S 01° 47' 56" W 50.80 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark.

The bearings of this description are based on True North.

END OF DESCRIPTION

Prepared _____ Checked _____

Reviewed _____ Date 7/17/75

LICENSED LAND SURVEYOR
JAMES COLVIN
No. 3842
STATE OF CALIFORNIA