

MINUTE ITEM

7
Was approved as Minute Item
by the State Lands
Commission by a vote of 3
to 0 at its 3/24/77
meeting.

CALENDAR ITEM

2/77
WP 4052
OR
PRC 4052

C10.

NONCOMMERCIAL LEASE

APPLICANT: Richard W. & Diane J. Tesene
2240 Loch Lane
Walnut Creek, California 94598

AREA, TYPE LAND AND LOCATION: An 0.094 acre parcel of tide and submerged
land in Montezuma Slough, Solano County.

LAND USE: Maintenance of an existing covered boathouse,
float and walkway.

TERMS OF ORIGINAL LEASE:

Initial period: 10 years from October 8, 1966.

Surety bond: \$2,000.

Public liability insurance: \$300,000/\$600,000
per occurrence for bodily
injury and \$100,000 for pro-
perty damage.

Consideration: \$150.

TERMS OF PROPOSED LEASE:

Initial period: 10 years from October 8, 1976.

Renewal options: 2 successive periods of 10
years each.

Surety bond: \$1,000.

Public liability insurance: \$100,000 per
occurrence for bodily injury
and \$50,000 for property damage.

CONSIDERATION: \$225 per annum, with the State reserving the
right to fix a different rental on each fifth
anniversary of the lease.

BASIS FOR CONSIDERATION:

\$225 minimum rental for this type of lease.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

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CALENDAR ITEM NO. C10(CONTD)

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. 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.
2. This project is situated on State land identified as possessing significant environmental values pursuant to Public Resources Code 6370.1, and is classified in a use category, Class B., which authorizes 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.

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

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 IT SEC., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT GRANTING OF THE LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO RICHARD W. & DIANE J. TESENE OF A 10-YEAR NONCOMMERCIAL LEASE FROM OCTOBER 8, 1976; WITH LESSEE'S OPTION TO RENEW FOR 2 SUCCESSIVE PERIODS OF 10 YEARS EACH; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$225 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 \$50,000 FOR PROPERTY DAMAGE; FOR MAINTENANCE OF AN EXISTING COVERED BOATHOUSE, FLOAT AND

CALENDAR ITEM NO. C10. (CONTD)

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

Attachment: Exhibit "A"

EXHIBIT "A"

WP 4052

A parcel of tide and submerged land in the bed of Montezuma Slough lying adjacent to a portion of Lot 12 of Grizzly Island, Solano County, State of California, and being more particularly described as follows:

BEGINNING at a point on the southerly bank of Montezuma Slough which bears S 68° 27' W 5570 feet more or less from USCGGS triangulation station "Montezuma Slough South Transmission Tower 1922", said station having grid coordinates $x = 1,993,045$ $y = 182,808$; thence southwesterly along the bank of Montezuma Slough 13.5 feet; thence the following courses:

- 1) N 55° W 86 feet
- 2) N 35° E 63 feet
- 3) S 55° E 86 feet to a point on the bank of Montezuma Slough; thence southwesterly along the bank of Montezuma Slough 51.5 feet more or less to the point of beginning.

EXCEPTING THEREFROM any portion lying landward of the mean high tide line.

The basis of bearings of this description is the California Coordinate System, Zone II.

Prepared: Jack Doner

Date: Nov. 1, 66

Check: 1/ Approved: _____

Approved as good between parties only.
This is not a legal description.