MINUTE ITEM

This Calendar Item No. C12 was approved as Minute Item No. 12 by the State Lands Commission by a vote of 3 to 0 at its 12/6/77 meeting.

CALENDAR ITEM

C12.

7/77
WP 2714
GDG
PRC 2714

AMENDMENT AND TEN YEAR RENEWAL OF NONCOMMERCIAL LEASE

APPLICANT: Pebble Beach Corporation
Pebble Beach, California 93953

AREA, TYPE LAND AND LOCATION:
An 0.205 acre parcel of coastal tide and submerged land situated in Carmel Bay at Stillwater Cove, Pebble Beach, Monterey County.

LAND USE: Maintenance of one pier facility.

TERMS OF ORIGINAL LEASE:
Initial period: 15 years from April 12, 1961.

Renewal options: 2 successive periods of 10 years each.

Surety bond: $2,000.

Consideration: $157.42 per annum.

TERMS OF AMENDED LEASE DURING THE FIRST RENEWAL PERIOD:
Initial period: 10 years from April 12, 1976.

Renewal option: One remaining successive period of 10 years.

Surety bond: $2,000.

Public liability insurance: $200,000/$600,000 per occurrence for bodily injury and $50,000 for property damage.

Special:

1. The amendment increases the annual rental and brings the provisions for monetary consideration and assignment into conformance with current requirements and standards.

2. All other terms and conditions of the lease remain in full force and effect.

CONSIDERATION: $170 per annum with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

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BASIS FOR CONSIDERATION:
2 Cal. Adm. Code 2006.

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

STATUTORY AND OTHER REFERENCES:
A. Public Resources Code: Div. 6, Parts 1 & 2.
B. Administrative Code: Title 2, Div. 3, Arts. 1, 2, 6.5, 10 & 11.

OTHER PERTINENT INFORMATION:

1. This activity is not a development within the meaning of Section 2503, Article 6.5, 2 Cal. Adm. Code and Section 30106 of the California Coastal Act.

2. This facility serves the membership of the Stillwater Yacht Club, which membership is restricted to adjacent landowners of lessee.

3. 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.

4. 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 ET SEQ., AND 2 CAL. ADM. CODE 2907.

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2. FIND THAT GRANTING OF THE AMENDMENT AND RENEWAL WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.

3. FIND THAT GRANTING OF THE AMENDMENT AND RENEWAL IS CONSISTENT WITH REGULATIONS CONTAINED IN ARTICLE 6.5 OF TITLE 2, OF THE CALIFORNIA ADMINISTRATIVE CODE.

4. AUTHORIZE THE AMENDMENT AND 10-YEAR RENEWAL OF NONCOMMERCIAL LEASE PRC 2714.1, EFFECTIVE APRIL 12, 1976; WITH LESSEE'S OPTION TO RENEW FOR 1 SUCCESSIVE PERIOD OF 10 YEARS; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $170 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; FOR MAINTENANCE OF ONE PIER FACILITY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 2714

BEGINNING at a point on the Mean High Water Line of the Pacific Ocean that bears S 50° 53' 30" W, 394.83 feet, S 88° 09' 30" E, 20.00 feet, and S 01° 50' 30" W, 72 feet more or less from the most westerly corner of that certain 1.620 acre parcel of land, so shown and so designated on "Record of Survey of a Portion of Rancho El Pescadero, Monterey County, California", recorded at Volume X-1, page 172 of Surveys, Monterey County; thence S 01° 50' 30" W, 199.00 feet, N 88° 09' 30" W, 55.54 feet, N 01° 50' 30" E, 41.33 feet, N 50° 51' 49" E, 20.58 feet; N 01° 50' 30" E, 156.17 feet to a point on said Mean High Water Line, thence easterly along said Mean High Water Line to the point of beginning, containing 0.205 acre, more or less.

END OF DESCRIPTION

Prepared [illegible] 11/17/75 Checked [illegible]

Reviewed [illegible] Date 11/17/75

LICENSED LAND SURVEYOR
DONALD BRITTNACHER
NO. LS 3617
STATE OF CALIFORNIA