MINUTE ITEM

2/23/78
Atkins

23. AUTHORIZATION TO RELEASE ASSIGNOR FROM ANY LIABILITY UNDER PRC 1395.1; HOLLYWOOD TURF CLUB (ASSIGNOR); HANNA-BARBERA MARINELAND (ASSIGNEE); WP 1395; PRC 1395.1.

During consideration of Calendar Item 23 attached, the Commission questioned the policy of releasing assignors from their liability under a lease. In that line, Chairman Kenneth Cory instructed the staff to calendar for the next agenda a discussion of this whole policy question and determine whether any objective standards can be applied. The Commission decided to defer the item until they had reviewed this matter.

Attachment: Calendar Item 23 (3 pages)

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CALENDAR ITEM

23.

2/78
WP 1395
Atkins

AUTHORIZATION TO RELEASE ASSIGNOR FROM
ANY LIABILITY UNDER PRC 1395.1

BACKGROUND: The Commission, at its meeting on November 24, 1977, authorized the amendment and assignment of PRC 1395.1, from Hollywood Turf Club (Assignor) to Hanna-Barbera Marineland (Assignee); a 0.501 acre parcel of tide and submerged land in the Pacific Ocean at Long Point, Palos Verdes Peninsula, Los Angeles County. The amended and assigned lease was for a period of 15 years beginning December 1, 1977, with one 10 year option to renew. Provision was also made for a surety bond and public liability insurance. Annual consideration is to be $2,960, with the State reserving the right to set a different rental every 5 years.

CURRENT SITUATION:

Subsequent to the Commission's approval of this transaction, Commission's Staff was contacted by the parties involved expressing their desire that the assignor, Hollywood Turf Club, not be held liable under the terms of the assigned lease.

The Staff explained that the Commission would have to approve this situation. The assignee, Hanna-Barbera Marineland, is a partnership of National Corporations which includes Taft Broadcasting Company and the Kroger Company, both of which are listed on the New York Stock Exchange. Upon review of this situation, staff considers the assignee to be fully capable of meeting the terms of this lease, and recommends that the assignor be released from liability.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVI-

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SIONS OF PRC 21065, 14 CAL. ADM. CODE 15037 AND 2 CAL. ADM. CODE 2903(d).

2. AUTHORIZE THE RELEASE OF THE ASSIGNOR, HOLLYWOOD TURF CLUB, FROM ANY LIABILITY UNDER PRC 1395.1; LOS ANGELES COUNTY.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 1395

A strip of tide and submerged land 56 feet in width, in Angeles County, California, and lying 28 feet on each side of the following described centerline:

COMMENCING at U.S.C. & G.S. Station "NA REAR", said station having California Coordinate System Zone 5 coordinates, Y=88,075.17 and X=1,880,592.14; thence S 06° 10' 49" E, 897.57 feet to the POINT OF BEGINNING of the herein described centerline; thence S 13° 27' 05" W, 490.00 feet to the end of the herein described centerline.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the Pacific Ocean.

END OF DESCRIPTION

Prepared John K. Hedrin Checked Frank T. Carey

Reviewed W. W. Kunnecke Date 10/26/77