MINUTE ITEM

This Calendar Item No. C7. was approved as Minute Item No. 7 by the State Lands Commission by a vote of 3 to 0 at its 10.29.79 meeting.

CALENDER ITEM
C7.

GENERAL LEASE
COMMERCIAL USE

10/79
W 21441
Reese
PRC 5738

APPLICANT: Robert A. Klemmedson and
Clarence J. Richard,
dba Port Suisun
14 Orinda Way
Orinda, California 94563

AREA, TYPE LAND AND LOCATION:
1.99 acre parcel of tide and submerged land, in the bed of Suisun Slough, Suisun City, Solano County.

LAND USE: Commercial marina.

TERMS OF PROPOSED LEASE:
Initial period: 10-years from July 1, 1978.

Surety bond: $5000.

Public Liability insurance: $300,000. combined single limit coverage.

CONSIDERATION: $550 per annum, or 5% of gross income per annum, whichever is greater, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION: 2 Cal. Adm. Code 2005.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner of upland.
Filing fee has been received.
Base rental from July 1, 1978 - June 30, 1980, $1,100, has been received. Applicant will furnish staff with income statements and payments of % of gross over and above minimum from July 1, 1978.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 & 2.

B. Cal. Adm. Code: Title 2, Div. 3.

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OTHER PERTINENT INFORMATION:

1. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1(B), 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 P.R.C. 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 EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21085, 14 CAL. ADM. CODE 15100 ET SEQ., 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 P.R.C.

3. AUTHORIZE ISSUANCE TO ROBERT A. KLEMMEDSON AND CLARENCE J. RICHARD OF A 10-YEAR GENERAL LEASE - COMMERCIAL USE FROM JULY 1, 1978, IN CONSIDERATION OF A BASE ANNUAL RENT IN THE AMOUNT OF $550 OR 5% OF GROSS INCOME PER ANNUM, WHICHEVER IS GREATER, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A $5,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN THE AMOUNT OF $300,000 FOR COMBINED SINGLE LIMIT COVERAGE; FOR A COMMERCIAL MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION W 21441

A parcel of tide and submerged land, in the bed of Suisun Slough, Suisun City, Solano County, California, lying within the following described parcel of land:

BEGINNING at a rebar monument marked RCE 7538 found at the southeast corner of Parcel "B" as shown on that certain parcel map entitled, "Division of Block 14 and a Portion NW 1/4 Section 36, T5N, R2W, MDB&M", recorded October 27, 1969, in Book 3 of Parcel Maps, Page 82, Solano County Recorder's Office; thence the following four courses:

1. N 00° 09' E 705.00 feet;
2. S 76° 29' 30" E 225.00 feet;
3. S 10° 21' 18" E 664.15 feet;
4. N 89° 51' W 340.00 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the westerly bank of Suisun Slough.

END OF DESCRIPTION

Prepared _____ Checked Edward B. Zimmerman

Reviewed _____ Date 6/28/79

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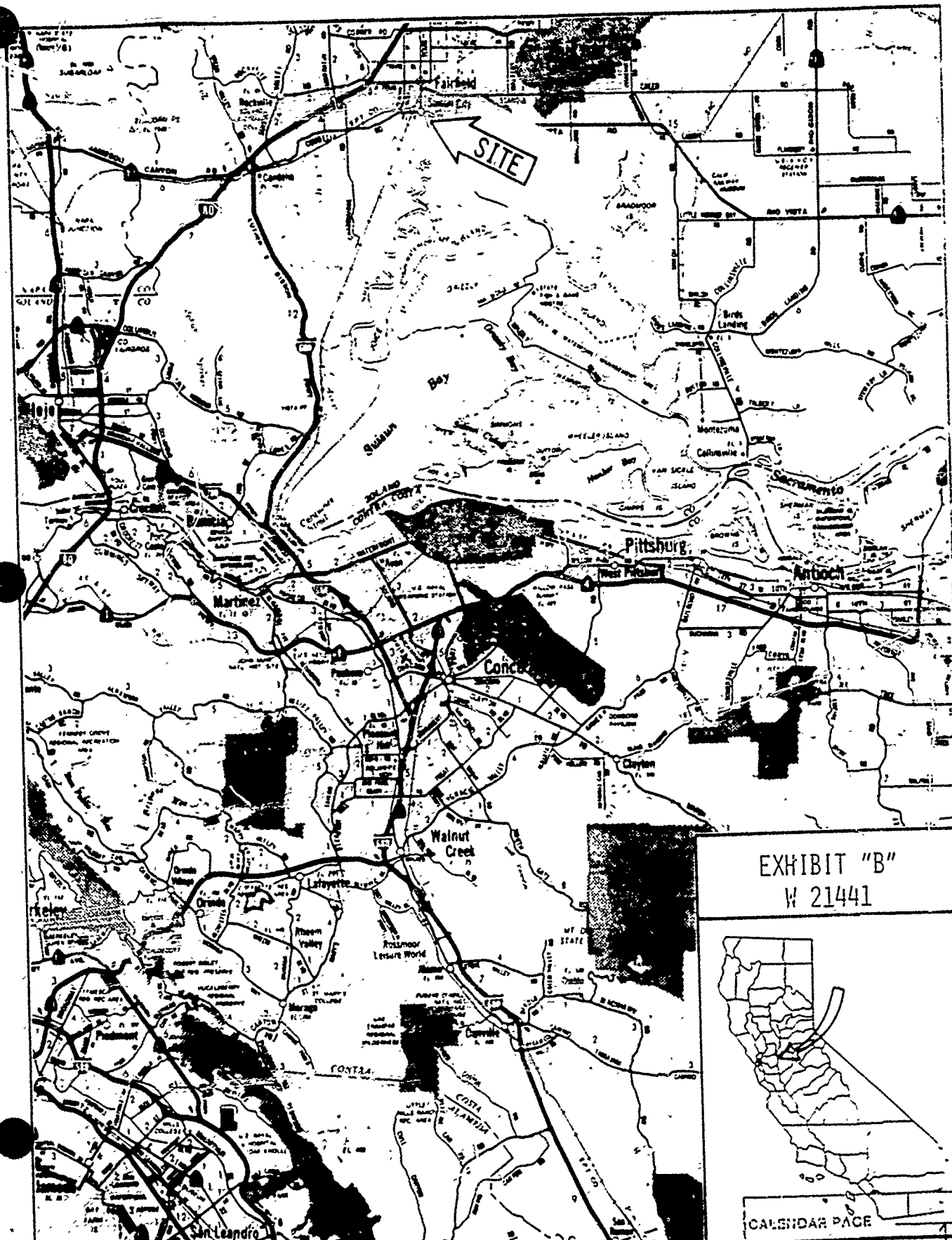

EXHIBIT "B"
W 21441

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