MINUTE ITEM
C5

4/28/83
WP 5258
Louie/
Townsend

GENERAL PERMIT

Calendar Item C5, attached, was pulled from the agenda prior to the meeting.

Attachment: Calendar Item C5.

CALENDAR ITEM

C05

4/28/83
WP 5258
Louie
Townsend

GENERAL PERMIT

LESSEE: Trinidad Island Homeowners Association
P. O. Box 1761
Huntington Beach, California 92647

AREA, TYPE LAND AND LOCATION:
A 1.39-acre parcel of tide and submerged land in the main channel of Huntington Harbour, Orange County.

LAND USE: Operation and maintenance of docks, wharfage facilities and bulkheads.

TERMS OF ORIGINAL PERMIT:

Initial period: 15 years from June 1, 1977.

Renewal options: One successive period of ten years.

Public liability insurance:
$600,000 per occurrence for bodily injury and $400,000 for property damage or combined single limit coverage of $1,000,000.

Consideration: $1,412 per annum; five-year rent review.

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TERMS OF PROPOSED AMENDED PERMIT:

Initial period: 15 years from June 1, 1977.

Public liability insurance: $600,000 per occurrence for bodily injury and $400,000 for property damage or combined single limit coverage of $1,000,000.

CONSIDERATION: $7,560 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the permit.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is permittee of upland.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

OTHER PERTINENT INFORMATION:

1. On February 24, 1977, the Commission approved a lease to Trinidad Island Homeowners Association, beginning June 1, 1977, for wharfage facilities for use by all members of the Association.

2. The proposed amendment will include the following:

   a) This amendment does not enlarge or enhance the estate of use of the site by the Lessee. It merely changes the land description to more accurately reflect the use area of the wharfage facilities.

   b) Lease PRC 5258.1 provides that the State may adjust the annual rental on each fifth anniversary of the beginning date or on any subsequent anniversary if no adjustment was made on the fifth anniversary.

Staff has reviewed the Lease in accordance with the Commission's rental regulations (2 Cal. Adm. Code 2003) and is recommending that the Commission adjust the annual rental to $7,560, effective June 1, 1983, the sixth anniversary of the Lease. Rental is based on the appraised value of the land.

The Lessee was notified of the amount within the time limits prescribed under the Lease.

3. This activity is not considered to be a project pursuant to 14 Cal. Adm. Code, Section 15037.

AB 884: N/A.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21065, 14 CAL. ADM. CODE 15037 AND 15060; AND FIND THAT THE PROJECT IS CONSISTENT WITH ITS USE CLASSIFICATION.

2. AUTHORIZE THE AMENDMENT OF LEASE PRC 5258.1, IN CONSIDERATION OF $7,560 PER ANNUM, EFFECTIVE JUNE 1, 1983; SAID AMENDMENT TO PROVIDE FOR A NEW LAND DESCRIPTION AS SHOWN ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

3. ALL OTHER TERMS AND CONDITIONS OF LEASE PRC 5258.1 SHALL REMAIN IN FULL FORCE AND EFFECT. THIS AMENDMENT SHALL BE EFFECTIVE ON JUNE 1, 1983.

EXHIBIT "A" WP 5258

LAND DESCRIPTION

A parcel of submerged land in the State owned channel of Huntington Harbour, being a portion of fractional Section 19, T5S, R11W, SBM, County of Orange, California, per the map filed in Book 51, page 13 of Miscellaneous Maps, Orange County Records, said parcel being more particularly described as follows:

COMMENCING at the most westerly corner of Lot 70 of Tract No. 9168, per the map filed in Book 371, pages 16 through 20 of Miscellaneous Maps, Orange County Records; thence N 61° 00' 00" W, 740.00 feet, along the northerly boundary of the 400 foot channel described as Strip A in the deed recorded in Book 6368, pages 411 through 413, to the TRUE POINT OF BEGINNING; thence continuing along said northerly boundary of the 400 foot channel, N 61° 00' 00" W, 1139.56 feet to a point in a non-tangent curve concave to the northeast with a radius of 165 feet and a central angle of 48° 11' 23" and from which the radius point of said curve bears N 77° 11' 23" E; thence southeasterly along said curve 138.78 feet: thence S 61° 00' 00" E, 1016.58 feet; thence N 29° 00' 00" E, 55.00 feet to the point of beginning.

END OF DESCRIPTION

REVISED FEBRUARY 4, 1983 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.

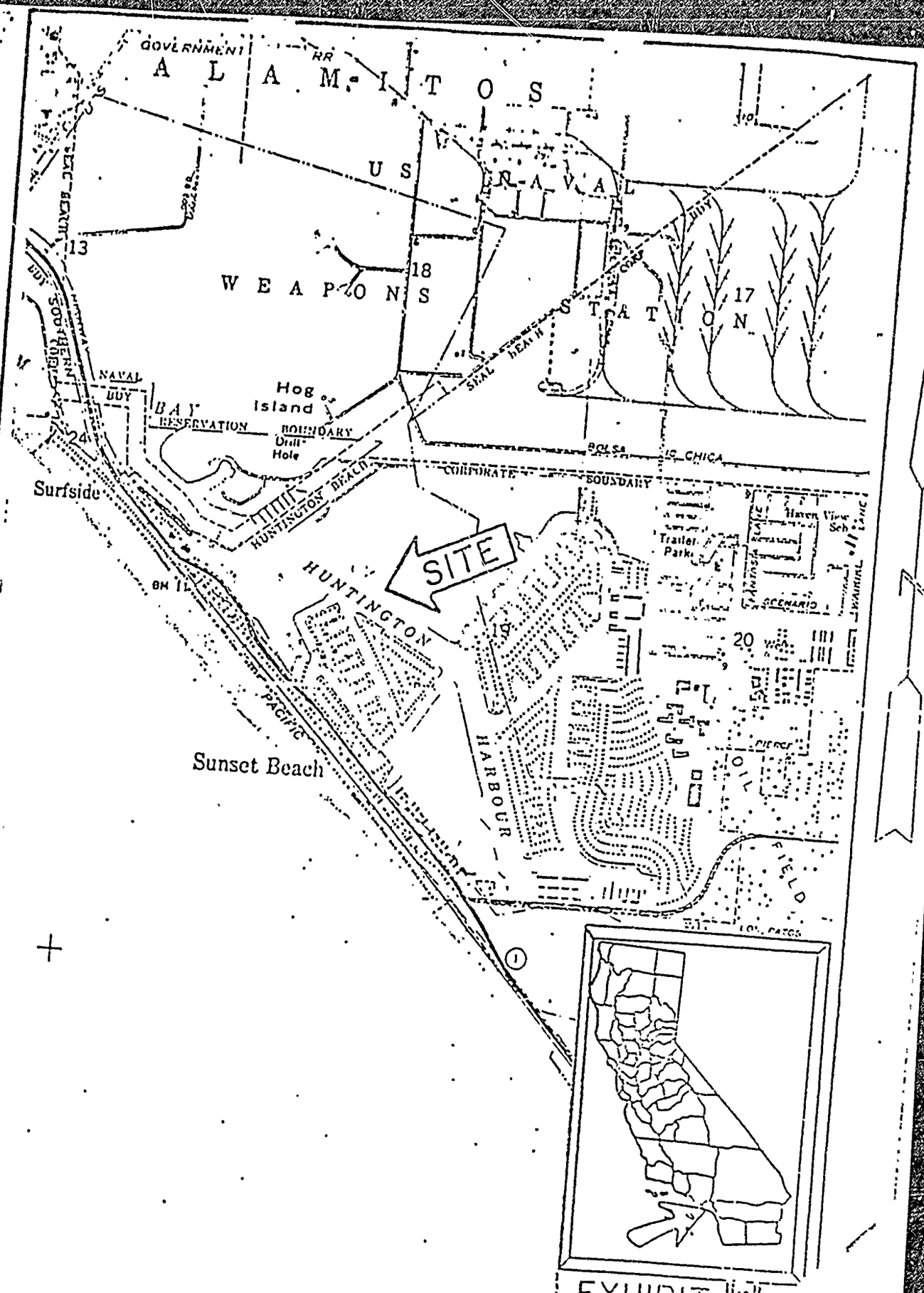

EXHIBIT "B"
W 21265

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