

100-2-11
No. 2
Com. 2
to 2 7/21/83
meeting.

CALENDAR ITEM

COG 2

7/21/83
PRC 3265.1
Louie
Townsend

ASSIGNMENT OF GENERAL LEASE - COMMERCIAL USE
OF LEASE PRC 3265.1

ASSIGNOR: Mr. Ron Schirmer
16196 Mt. Craig Circle
Fountain Valley, California 92708

ASSIGNEE: Mariner's Centre, Ltd., a Joint Venture;
Mr. Carl Grewe, General Partner
3901 MacArthur Boulevard, No. 201
Newport Beach, California 92660

AREA, TYPE LAND AND LOCATION:
A 0.115-acre parcel of tide and submerged
land; Sunset Bay, Orange County.

LAND USE: Marine fueling facility.

TERMS OF ORIGINAL LEASE:
Initial period: Ten years from April 1,
1980.
Renewal options: Two successive periods
of ten years each.
Surety bond: \$7,500.
Public liability insurance: Combined single
limit coverage of \$1,000,000.

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1487

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Consideration: Annually, \$0.01 per gallon of fuel sold, to a maximum of 100,000 gallons, and \$0.015 per gallon for each additional gallon sold thereafter. The minimum annual rental is \$3,600. The State reserves the right to fix a different rental on each fifth anniversary of the lease.

TERMS OF PROPOSED LEASE:

All existing terms and conditions of the lease shall remain in full force and effect.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

Filing fee and processing costs have been received.

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.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. Lease PRC 3265.1 was originally issued to Shell Oil Company beginning April 1, 1965. Effective April 1, 1980, the lease was amended and assigned to Ron Schirmer. Commencing in June 1982, a number of transactions have taken place concerning the adjacent upland property. Mr. Schirmer sold the property to James Salter in June 1982, who then entered into a limited partnership vested under the name of Mariner's Centre, Ltd., with Carl Grewe, et al., in July 1982. Mr. Salter has subsequently released his interests in the Joint

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Venture, and has been replaced as General Partner by Mr. Grewe. The proposed assignment of the lease will be from Ron Schirmer to Mariner's Centre, Ltd., with Carl Grewe as General Partner.

2. It is the intention of the new owners, Mariner's Centre, Ltd., to remove the Shell Gas Station, which is now closed, and the supply store, and develop the upland with a three-story mixed use retail and office building. The marine fueling docks, under lease by the State, will stay in operation with no changes.
3. This project is exempt from CEQA because it is not an activity which will have a significant environmental effect, pursuant to 14 Cal. Adm. Code 15060.
4. The project is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1 and is classified in a use category "C" which authorizes Multiple Use. The project as proposed will not have a significant effect upon the identified environmental values.

APPROVALS OBTAINED:

N/A.

FURTHER APPROVALS REQUIRED:

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. 2110, 14 CAL. ADM. CODE 15060; AND FIND THAT THE PROJECT IS CONSISTENT WITH ITS USE CLASSIFICATION.
2. AUTHORIZE THE ASSIGNMENT OF LEASE PRC 3265.1 TO MARINER'S CENTRE, LTD., FROM MR. RON SCHIRMER, EFFECTIVE JUNE 1, 1982, WITH ALL TERMS OF THE LEASE REMAINING IN FULL FORCE AND EFFECT.

Revised 7/19/83.

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EXHIBIT "A"

A parcel of submerged land in Sunset Bay, Orange County, State of California, situate adjacent to tide land location No. 141 and being further described as follows:

Beginning at the terminal point of the last course recited in that boundary line agreement between the State of California and the Lincoln Fidelity Corporation, said agreement being on file with the State Lands Commission as "Boundary Line Agreement No. 46", said last course having a bearing of N. $52^{\circ} 45' 00''$ W. and a length of 850.25 feet; thence from said point of beginning proceeding into Sunset Bay N. $37^{\circ} 15'$ E. 50 feet, S. $52^{\circ} 45'$ E. 100 feet; thence S. $37^{\circ} 15'$ W. 50 feet to the aforementioned agreed boundary line; thence along said line N. $52^{\circ} 45'$ W. 100 feet to the point of beginning; containing 0.115 acre more or less.

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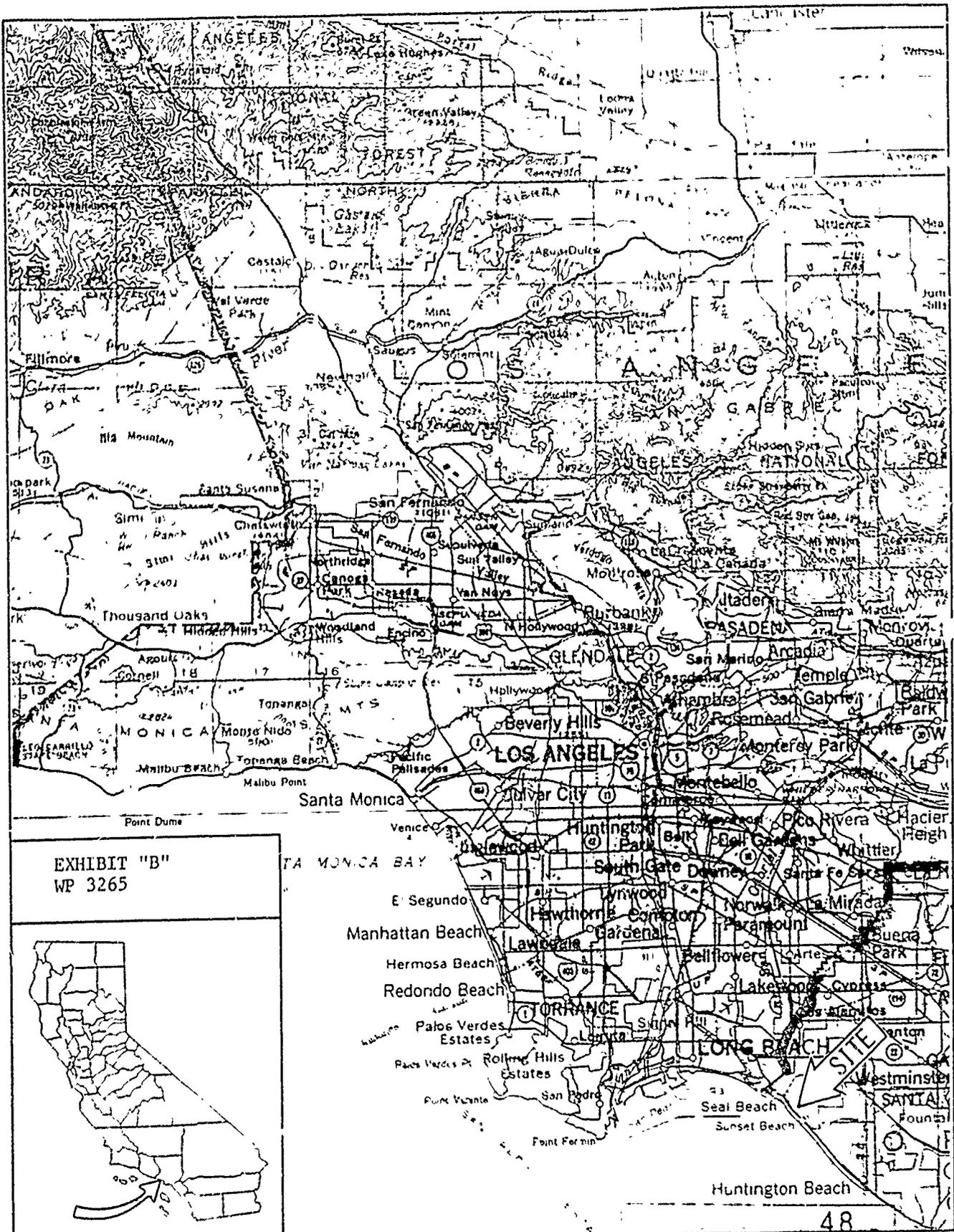


EXHIBIT "B"
WP 3265

