

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 2/25/84
meeting.

CALENDAR ITEM

C 12 4

A 11

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03/25/84
WP 2546
Maricle

ASSIGNMENT OF LEASE PRC 2546.1 AND
AMENDMENT OF LEASE 2546.1

ASSIGNOR:

California and Hawaiian Sugar Company
One California Street
San Francisco, California 94106

ASSIGNEE:

Crockett Marine Service, Inc.
P.O. Box 367
Crockett, California 94525

AREA, TYPE LAND AND LOCATION:

Ten acres, more or less, tide and submerged
lands, Carquinez Strait, Crockett, Contra Costa
County.

LAND USE:

Boat harbor, marine repair, restaurant and sea
scout facility.

TERMS OF ORIGINAL LEASE PROPOSED FOR ASSIGNMENT:

Initial period: 25 years beginning August 20,
1960.
Renewal options: Two successive periods of ten
years each.
Surety bond: \$5,000.
Consideration: \$3,330 per annum.
Land Area: 11.90 acres (Parcel A, ten
acres; Parcel B, 1.90 acres).

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TERMS OF PROPOSED AMENDMENT:

Initial period: 49 years beginning August 20, 1960.

Surety bond: \$100,000.

Public liability insurance: Combined single limit coverage of \$1,000,000.

Land area: ten acres (Parcel A, Ten acres; Parcel B, deleted).

CONSIDERATION: \$8,100 per annum; effective August 20, 1984, with the State reserving the right to fix a different rental on each fifth anniversary of the lease thereafter.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:

Applicant is permittee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee has 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. This transaction includes two actions and two documents. Under the first document, Lease PRC 2546.1 is being assigned by the California and Hawaiian Sugar Company to Crockett Marine Service, Inc. Under the second document, the lease is being amended by the Commission and Crockett Marine Service, Inc., to provide for the terms and conditions described above.

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2. In addition to the boat repair and boat harbor uses, the State's land is improved with an existing restaurant operation and a Sea Scout facility. Crockett Marine Service anticipates sublease agreements with the restaurant operator and the Sea Scouts subsequent to the approval of the assignment and amendment actions presented herein. The sublease agreements will be presented to the Commission for approval after they have been drawn up.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class I, existing facilities 2 Cal. Adm. Code 2905(a)(2).
4. The land area subject to rental herein includes an approximate 5.03 acre portion presently unimproved, except for an existing Sea Scout shed. Crockett Marine Service has agreed to quitclaim said area, excepting that part occupied by the Sea Scout facility, if it fails to submit an application to the Commission, on or before August 20, 1986, and to all other permitting jurisdictions, providing for a specific plan to construct lawful improvements in the unoccupied portion.

This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. but will not affect those significant lands.

APPROVALS OBTAINED:
None.

FURTHER APPROVALS REQUIRED:
None.

CALENDAR ITEM NO. 12 (CONT'D)

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS ACTIVITY WILL INVOLVE LANDS IDENTIFIED AS POSSESSING SIGNIFICANT ENVIRONMENTAL VALUES PURSUANT TO P.R.C. 6370, ET SEQ. BUT THAT SUCH ACTIVITY WILL HAVE NO DIRECT OR INDIRECT EFFECT ON SUCH LANDS.
2. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES 2 CAL. ADM. CODE 2905.
3. AUTHORIZE ASSIGNMENT OF LEASE PRC 2546.1 BY THE CALIFORNIA AND HAWAIIAN SUGAR COMPANY TO CROCKETT MARINE SERVICE, INC.
4. AUTHORIZE AMENDMENT OF LEASE PRC 2546.1 BETWEEN THE COMMISSION AND CROCKETT MARINE SERVICE, INC. TO PROVIDE FOR A 49-YEAR LEASE TERM BEGINNING AUGUST 20 1960; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$8,100, EFFECTIVE AUGUST 20, 1984, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE THEREAFTER; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000; AND THE DELETION OF PARCEL B FROM THE DEMISED PREMISES FOR A BOAT HARBOR AND MARINE REPAIR SERVICE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF. 1

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EXHIBIT "A"

WP 2546

Those certain State-owned tide and submerged lands, situated in the County of Contra Costa, State of California, more particularly described as follows:

COMMENCING at a monument formerly set and marked by the California and Hawaiian Sugar Company as No. 258, but since adopted by the United States Army Engineers as their Harbor Line Monument No. 33, and so marked by them on a brass plate set in the concrete filling of a six inch pipe, and shown on that certain map entitled "Harbor Lines for Carquinez Strait, California", dated June 10, 1924, and marked File 4, Div. 4, Sheet 6, which said Harbor Line Monument and point of commencement is located 435.28 feet North and 254.71 feet East of the corner common to Sections 31 and 32, T3N, R3W, MDM, and Sections 5 and 6, T2N, R3W, MDM, said corner common to said Sections 31, 32, 5 and 6, being marked by a point in a bronze plate set in the top of a concrete pyramid approximately 10 feet high resting on piles driven into the earth, thence N 83°15'30"W 255.96 feet to a point; thence due North 145.66 feet to a point on the United States Bulkhead Line of 1888; thence N 89°03'15"W along the said United States Bulkhead Line of 1888, 536.35 feet to the TRUE POINT OF BEGINNING of this description, said true point of beginning bears 617.44 feet North and 536.28 feet West of the aforesaid Section Corner common to Sections 31, 32, 5 and 6, thence due North 462.81 feet to a point in the waters of Carquinez Strait located on the United States Bulkhead Line as shown on the aforesaid map entitled "Harbor Lines for Carquinez Strait, California"; thence N 87°07'22"W along said United States Bulkhead line 927.72 feet to a point, thence S 7°40'W 468.06 feet to a point on the northerly right-of-way line of the Southern Pacific Railroad Company, thence S 83°14'45"E along the said northerly right-of-way line of the Southern Pacific Railroad Company 257.58 feet to a point; thence continuing along said northerly right-of-way line of the Southern Pacific Railroad Company which right-of-way line is also the United States Bulkhead Line of 1888, S 89°03'15"E 684.46 feet more or less to the true point of beginning and containing 10.0 acres of land more or less.

END OF DESCRIPTION

PREPARED MAY 7, 1980 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR

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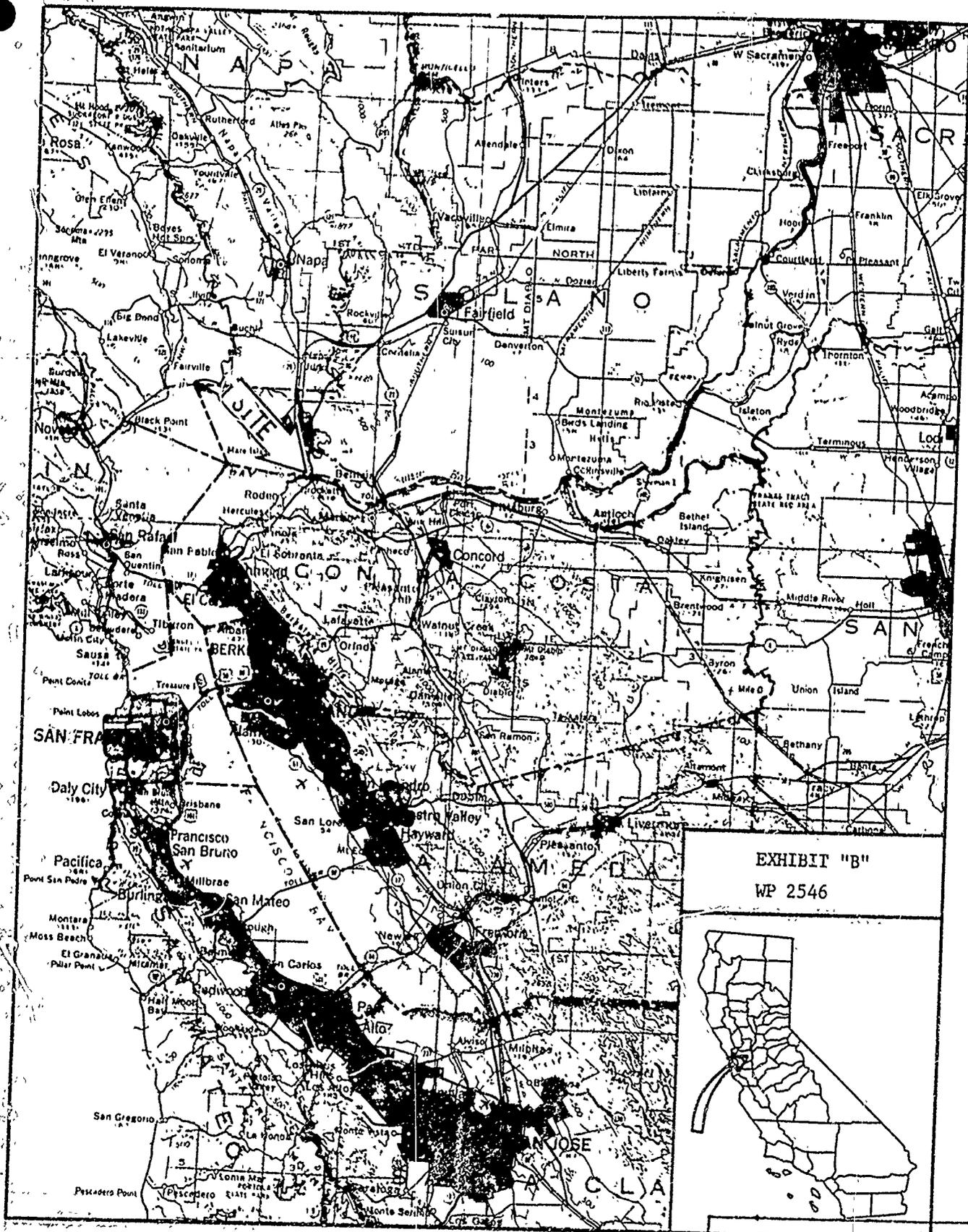


EXHIBIT "B"
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