MINUTE ITEM
This Calendar Item No. C3
was approved as Minute Item
No. [illegible] by the [illegible]
Commission by a vote of 2
to 0 at its 12/23/96
meeting.

CALENDAR ITEM
C03

A 26

S 5

12/23/96
WP 2832
Gordon

SECOND RENEWAL OF GENERAL LEASE -
RECREATIONAL USE PRC 2832

APPLICANT: Madaline Scannavino
5463 Cherokee Road
Stockton, California 95206

AREA, TYPE LAND AND LOCATION:
A 24.94-acre area of tide and submerged land located in the historic bed of the San Joaquin River adjacent to Hog Island, San Joaquin County.

LAND USE: Maintenance of a floating dock and partially filled tide and submerged land, all utilized for recreational purposes.

TERMS OF ORIGINAL LEASE:
Initial period: 15 years beginning January 22, 1962.

Renewal options: Two successive periods of ten years each.

Consideration: $662 per annum.

TERMS OF FIRST LEASE RENEWAL AND AMENDMENT:
Initial period: Ten years beginning January 22, 1977.

Renewal options: Two successive periods of ten years each.

Public liability insurance: [illegible] limit coverage of [illegible]

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Consideration: $1,496 per annum; ten-year rent review.

PROPOSED TERMS OF SECOND LEASE RENEWAL:

Initial period: Ten years beginning January 22, 1987.

Public liability insurance: Combined single limit coverage of $[illegible]

Special: 1. The renewal is [illegible] conditioned on the [illegible] the United States [illegible] to place spoil [illegible] the premises, [illegible] all other rights [illegible] conveyed by the State [illegible] California for the San [illegible] River and Stockton [illegible] project.

CONSIDERATION: $42 per annum, as to the dock; and $5,141 per annum, as to the partially filled tide and submerged land; with the State reserving the right to fix a different rental on each tenth anniversary of the lease.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:

Applicant is owner 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. [illegible]

B. Cal. Adm. Code: Title 2, Div. [illegible] Div. 6.

AB 884: 04/09/86.

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OTHER PERTINENT INFORMATION:

1. This is an application to exercise the second ten-year renewal option of the subject lease. The terms of the lease amendment waived the standard five-year rent review. The partially filled tide and submerged land continues to be utilized for lawn and garden purposes.

2. 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 1, Existing Facilities, 2 Cal. Adm. Code 2905(a)(2).

   Authority: P.R.C. 21084, 14 Cal. Adm. Code 15300, and 2 Cal. Adm. Code 2905.

3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the activity is consistent with its use classification.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. 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(a)(2).

2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LANDS PURSUANT TO P.R.C. 6370, ET SEQ.

CALENDAR ITEM NO. C08 (CONT'D)

3. AUTHORIZE ISSUANCE TO MADALINE SCANNAVINO OF A SECOND RENEWAL OF GENERAL LEASE - RECREATIONAL USE PRC 2832 FOR A PERIOD OF TEN YEARS BEGINNING JANUARY 22, 1987; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $42, AS TO THE DOCK; AND $3,141 AS TO THE PARTIALLY FILLED TIDE AND SUBMERGED LAND; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH TENTH ANNIVERSARY OF THE LEASE; WITH PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $100,000; FOR MAINTENANCE OF A FLOATING DOCK AND PARTIALLY FILLED TIDE AND SUBMERGED LAND TO BE UTILIZED FOR RECREATIONAL PURPOSES ON THE LANDS DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

Two parcels of land in the bed of the San Joaquin River adjoining Hog Island, San Joaquin County, California, said parcels being more particularly described as follows:

PARCEL A

All of Parcel 17-C-3 as shown upon U. S. Engineer's map entitled "Property to be acquired from State of California for Use on the Stockton Deep Water Channel".

PARCEL B

That portion of Parcel 17-A-5 as shown upon the aforementioned U. S. Engineer's parcel map, described as follows:

BEGINNING at a point on the left bank of the San Joaquin River which bears S69°21'02"W, 1837.[illegible] feet from U.S.E.D. Mon. No. 154 D.W.; thence along said left bank the following courses and distances:

N89°15'E, 282.03 feet,
S67°19'E, 338.00 feet,
S33°20'E, 337.82 feet,
S 4°41'E, 472.70 feet,
S 5°57'W, 390.06 feet,
S26°03'W, 433.82 feet,
S43°58'W, 403.84 feet, and
S41°13'W, 519.27 feet to a point on the northerly boundary line of the 750-foot Stockton Deep Water Channel right of way strip (said point being on the arc of a circular curve concave northeasterly, the center of which curve bears N54°43'[illegible]"E, 4625 feet); thence southeasterly along said right of way strip 185.96 feet; thence leaving said right of way strip and along the following courses and distances:

N45°18'E, 505.00 feet,
N40°[illegible]'E, 615.00 feet,
N21°[illegible]'E, 490.00 feet,
N 3°42'E, 340.00 feet,
N 4°14'W, 619.69 feet,
N42°30'W, 450.00 feet,
N73°52'W, 39[illegible].00 feet, and
S77°55'W, 401.21 feet to a point on the northerly boundary line of said Parcel 17-C-3; thence along said Parcel 17-C-3, S40°[illegible]'E, 13[illegible] feet to the point of beginning.

END OF DESCRIPTION

REVIEWED SEPTEMBER 4, 1985 BY BOUNDARY SERVICES UNIT, [illegible] SUPERVISOR.

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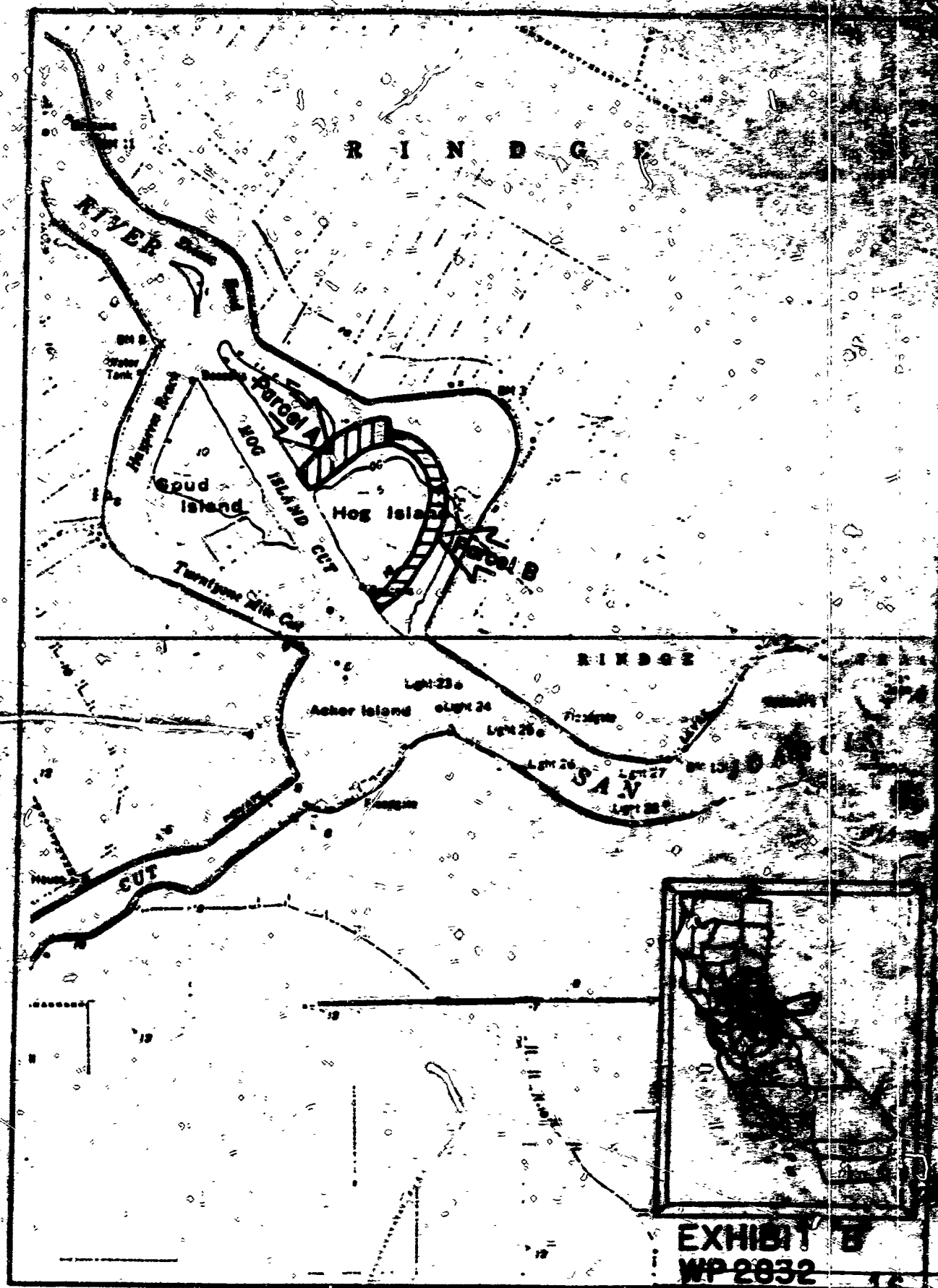

EXHIBIT "B"
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