

MINUTE ITEM

This Calendar Item No. C3
was approved as Minute Item
No. 3 by the State Lands
Commission by a vote of 2
to 0 at its 2/17/87
meeting.

CALENDAR ITEM

003

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02/17/87
PRC 5436
Gordon

**ACCEPTANCE OF QUITCLAIM DEED AND
TERMINATION OF GENERAL LEASE - COMMERCIAL USE PRC 5436**

APPLICANT:

The Equitable Life Assurance
Society of the United States
c/o William K. Irish, Equitable
Agri-Business, Inc.
3050 Citrus Circle, Suite 120
Walnut Creek, California 94598

LESSEE:

Bankers Land Company
P. O. Box 1458
McFarland, California 93250

AREA, TYPE LAND AND LOCATION:

A 0.071-acre parcel of tide and submerged land,
located in Turner Cut adjacent to McDonald
Tract, San Joaquin County.

LAND USE:

Maintenance of an existing marina utilized for
commercial purposes.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years beginning August 1,
1983.

Surety bond: \$5,000.

Public liability insurance: Combined single
limit coverage of \$600,000.

Consideration: \$250 per annum paid through
July 31, 1987; five-year rent
review.

CALENDAR ITEM NO. 603 (CONT'D)

Special: 1. The lease consents to lessee's subletting the lease premises for berthing or mooring purposes for terms of one year or less.

APPLICANT STATUS:

Applicant is owner 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.

AB 884:

N/A.

OTHER PERTINENT INFORMATION:

1. At its August 21, 1984 meeting (Minute Item 28), the Commission authorized issuance of the subject lease for reconstruction and maintenance of the subject facilities to Bankers Land Company. Pursuant to a Trustee's Deed Upon Sale recorded August 15, 1985 in San Joaquin County, of which a copy is on file in the office of the Commission and by reference made a part hereof, applicant acquired title to Lessee's littoral upland located adjacent to the subject lease premises. Following applicant's September 11, 1986 notice to terminate the lease, applicant and lessee executed the required quitclaim deed. The facilities have been removed from the lease site by applicant.
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 because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

CALENDAR ITEM NO. 003 (CONT'D)

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. 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 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. AUTHORIZE, EFFECTIVE FEBRUARY 17, 1987, ACCEPTANCE OF A QUITCLAIM DEED TERMINATING GENERAL LEASE - COMMERCIAL USE PRC 5436 WHICH WAS AUTHORIZED AUGUST 21, 1984.
4. AUTHORIZE TERMINATION OF GENERAL LEASE - COMMERCIAL USE PRC 5436 EFFECTIVE FEBRUARY 17, 1987.

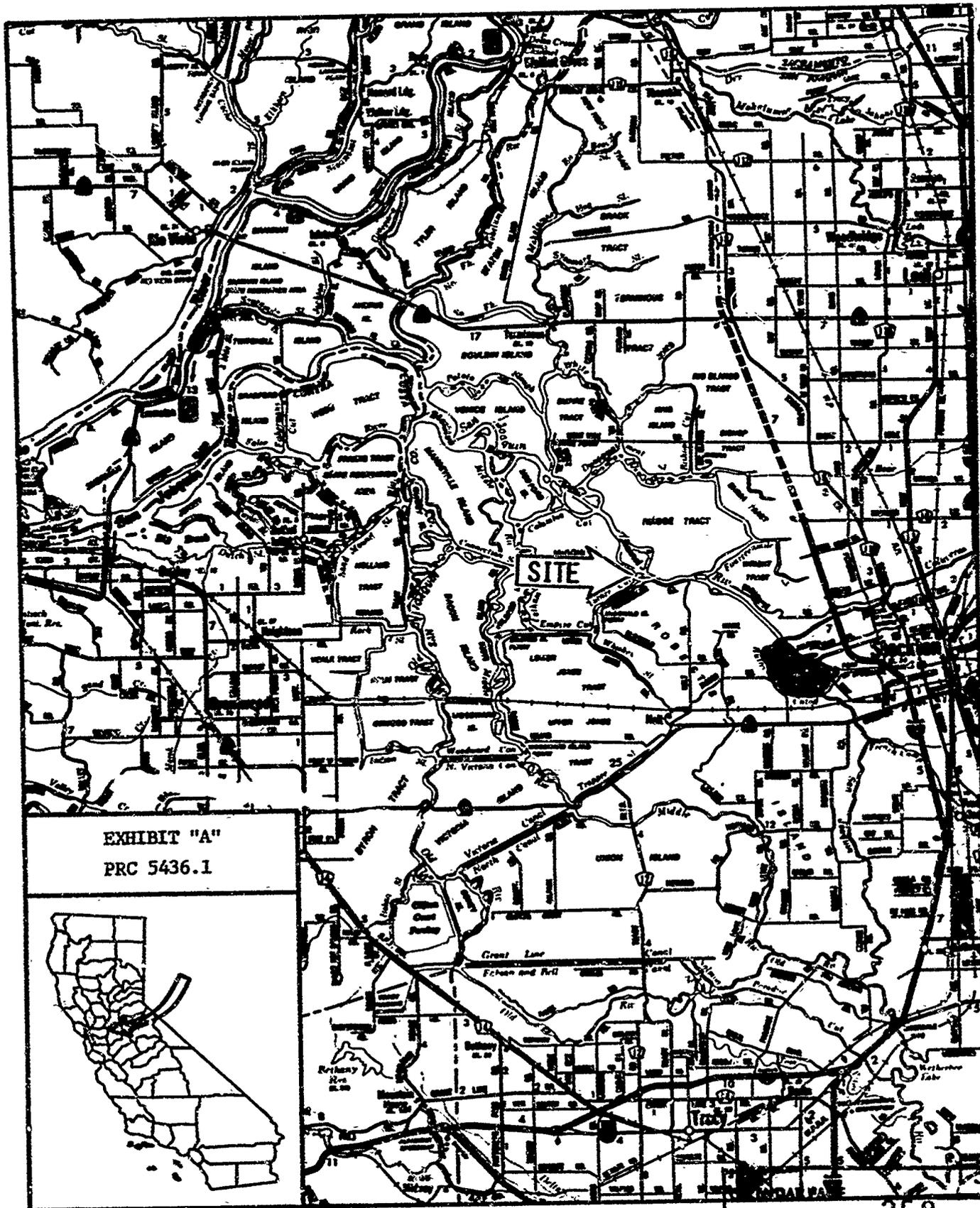


EXHIBIT "A"
PRC 5436.1

