MINUTE ITEM
This Calendar Item No. C9
was approved as Minute Item
No. 9 by the State Lands
Commission by a vote of 2
to 0 at its 9/14/88
meeting

CALENDAR ITEM

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09/14/88
PRC 4035
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ACKNOWLEDGEMENT OF LEASE TERMINATION AND
ACCEPTANCE OF QUITCLAIM DEED

LESSEE: ABC Marine World, Inc.
c/o Mr. Phillip Ensor
Executive Vice President
Marine World Africa, USA
Marine World Parkway
Vallejo, California 94589

AREA, TYPE LAND AND LOCATION:
Two sites, aggregating 0.02 acre, tide and submerged land, Belmont Slough, San Mateo County.

FORMER LAND USE: Water intake and discharge pipeline facilities for a lagoon circulation system.

TERMS OF TERMINATED LEASE:
(Authorization: Minute Item No. 7, 09/26/68; Minute Item No. 10, 03/26/70; and Minute Item No. 17, 07/24/75.)

Initial period: 49 years beginning September 26, 1968.

Consideration: $100 per annum; five-year rent review.

TERMS OF PROPOSED ACTION:
Acknowledgment of lease termination and acceptance of quitclaim deed.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

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

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. 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.

2. The Lessee has executed and delivered a quitclaim deed dated February 25, 1988. Site clearance and removal of all previously authorized pipeline facilities from sovereign lands were confirmed, in writing, on December 29, 1987 by a registered Civil Engineer with the consulting firm of Brian, Kangas and Foulk. At an earlier date, the Lessee conveyed the adjacent uplands to another entity, and actual site clearance occurred approximately in February 1987, according to verbal confirmations by the consultant's representative. The staff believes that it is therefore appropriate to acknowledge lease termination effective as of February 25, 1987.

APPROVALS OBTAINED:

None.

FURTHER APPROVALS REQUIRED:

None.

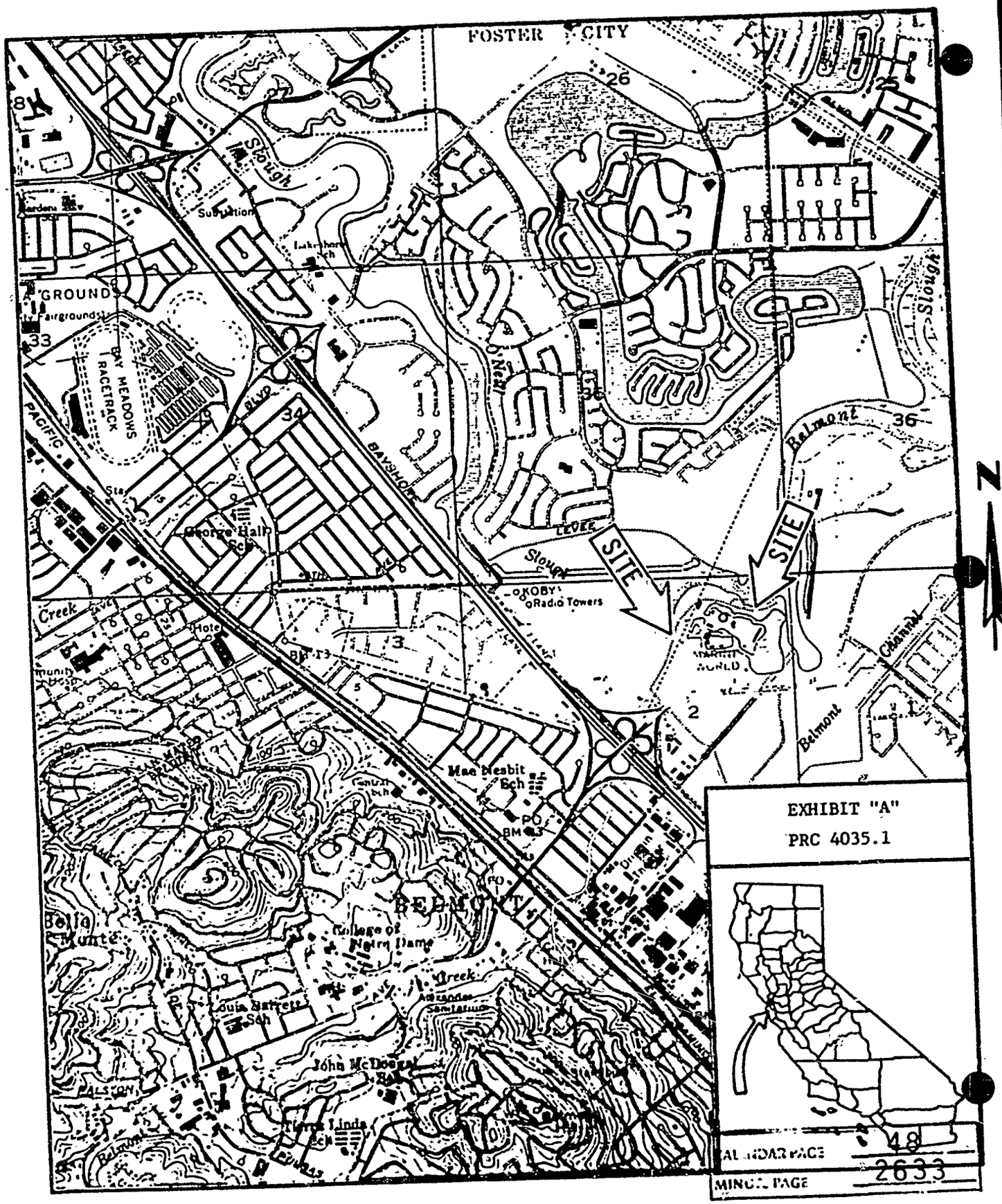
EXHIBIT: A. Location Map.

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. ACKNOWLEDGE THAT THE LESSEE'S SITE CLEARANCE ACTIONS SERVE AS NOTICE OF INTENT TO TERMINATE LEASE PRC 4035, EFFECTIVE FEBRUARY 25, 1987.

3. ACCEPT A QUITCLAIM DEED FROM ABC MARINE WORLD, INC. AS TO THE LANDS DESCRIBED IN SAID LEASE PRC 4035, SHOWN ON EXHIBIT "A", ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.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LEVEE
SITE
SITE
Belmont
Slough
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