

MINUTE ITEM

This Calendar Item No. C11
was approved as Minute Item
No. C11 by the State Lands
Commission by a vote of 3
to 0 at its 8-22-90
meeting.

CALENDAR ITEM

A 10, 26
S 5

C 1 1

08/22/90
PRC 5028
Gordon

**TERMINATE RIGHT-OF-WAY LEASE AND
ISSUE GENERAL LEASE - RIGHT-OF-WAY USE**

APPLICANT: The Woodbridge Golf & Country Club
P. O. Box 806
Woodbridge, California 95258

AREA, TYPE LAND AND LOCATION:
A 0.109-acre parcel of tide and submerged land
located in the Mokelumne River at Woodbridge,
San Joaquin County.

LAND USE: Maintenance of an existing pedestrian bridge
serving recreational golfing activities.

TERMS OF ORIGINAL LEASE:

Initial period: Fifteen (15) years beginning
August 1, 1975.

Renewal options: Three (3) successive periods
of ten (10) years each.

Surety bond: \$2,000.

Public liability insurance: \$300,000 per
occurrence for bodily injury
and \$100,000 for property
damage.

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

CALENDAR PAGE	98
MINUTE PAGE	1557

CALENDAR ITEM NO. 077 CONT'D

Special: (1) Lessor reserves the right to terminate the lease upon Lessee's conveyance of the upland.

(2) For purposes of lease renewal or extension, Lessee agrees to pay the rate of interest on any unpaid retroactive rents payable, as specified in Public Resources Code §224.

TERMS OF PROPOSED LEASE:

Initial period: Thirty (30) years beginning August 1, 1990.

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

Special: (1) Lessor reserves the right to terminate the lease upon Lessee's conveyance of any of its interest in the littoral upland.

CONSIDERATION: \$100 per annum; with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES, AND EXPENSES:

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. Code Regs.: Title 2, Div. 3;
Title 14, Div. 6.

AB 884:

N/A.

CALENDAR ITEM NO. 011 CONT'D

OTHER PERTINENT INFORMATION:

1. At its meeting on July 24, 1975, the State Lands Commission, in Minute Item No. 16, approved the issuance of Right-of-Way Lease PRC 5028 to The Woodbridge Golf & Country Club for a pedestrian bridge. As the provisions and format of the lease do not conform to the Commission's present policies, rules and regulations, termination of this lease is recommended.
2. Lessee is a California corporation organized to promote the social relations of its members and to provide athletic conveniences for their use. This is an application to exercise Applicant's option to renew its lease which expired July 31, 1990.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities, 2 Cal. Code Regs 2905(a)(2).

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

4. 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.

EXHIBITS: 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. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 2 CAL. CODE REGS. 2905(a)(2).

CALENDAR ITEM NO. 011 CONT'D

2. AUTHORIZE TERMINATION OF RIGHT-OF-WAY LEASE PRC 5028, DATED AUGUST 18, 1975, EFFECTIVE AUGUST 1, 1990.
3. AUTHORIZE ISSUANCE TO THE WOODBRIDGE GOLF & COUNTRY CLUB OF A 30-YEAR GENERAL LEASE - RIGHT-OF-WAY USE, BEGINNING AUGUST 1, 1990; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$100, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; AND WITH PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000; FOR MAINTENANCE OF A PEDESTRIAN BRIDGE SERVING RECREATIONAL GOLFING ACTIVITIES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

CALENDAR PAGE	48.3
MINUTE PAGE	1890

EXHIBIT "A"

PRC 5028

LAND DESCRIPTION

A strip of tide and submerged land, being 34 feet in width, lying in the State-owned bed of the Mokelumne River, San Joaquin County, State of California, the centerline of said strip being more particularly described as follows:

COMMENCING at the northwest corner of the northeast quarter of Section 34, T4N, R6E, MDM; thence along the west line of said quarter section S 01° 34' E, 548.26 feet; thence S 82° 10' 41" E, 1092.64 feet to the TRUE POINT OF BEGINNING; thence N 22° 41' 40" E, 170 feet to the end of the herein-described centerline.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark.

END OF DESCRIPTION

REVIEWED MAY 30, 1990 BY LLB.

CALENDAR PAGE	<u>98</u>
MINUTE PAGE	<u>1891</u>

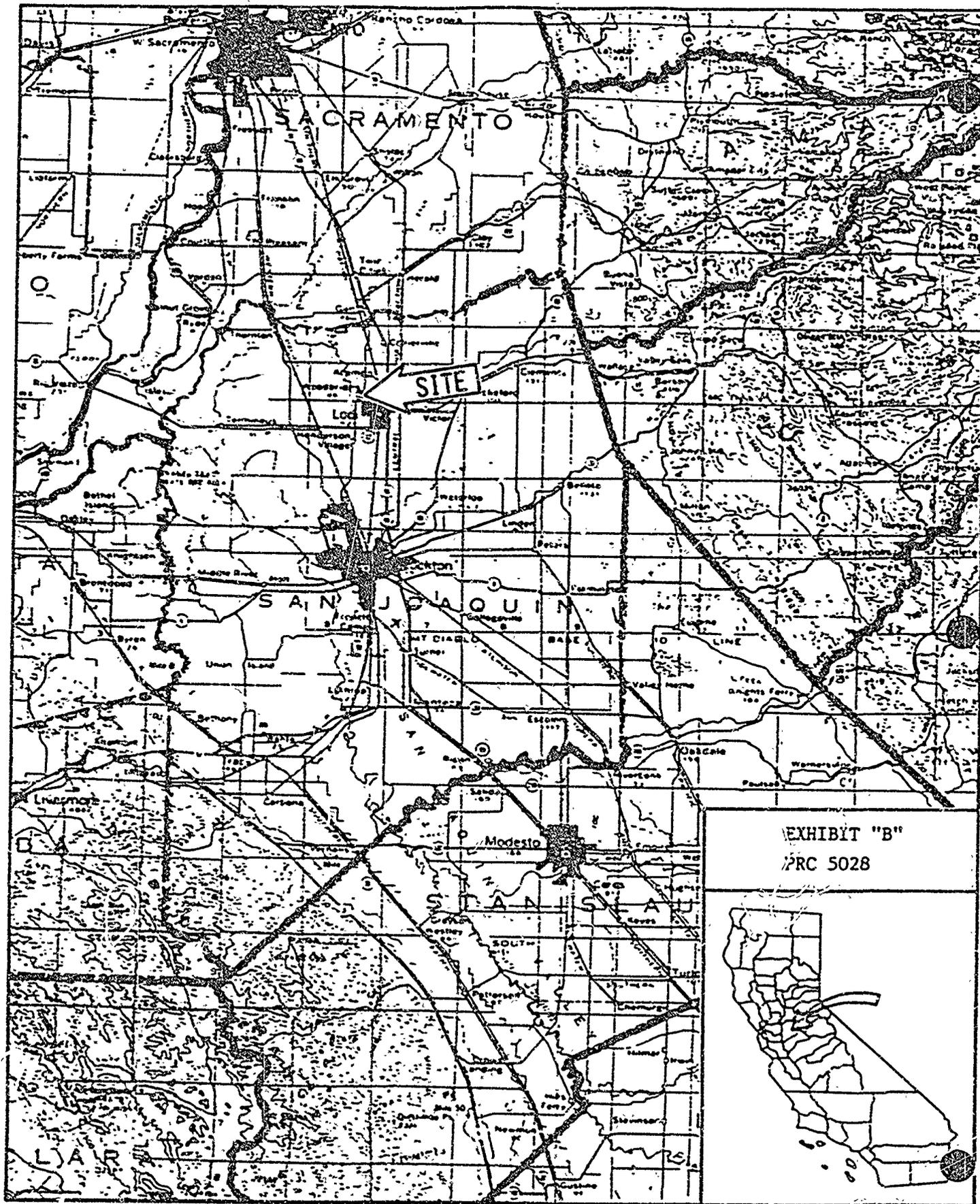


EXHIBIT "B"
 PRC 5028

CALENDAR PAGE	98
MINUTE PAGE	1892