MINUTE ITEM
This Calendar Item No. C17
was approved as Minute Item
No. 17 by the State Lands
Commission by a vote of 3
to 0 at its 12-12-90
meeting.

CALENDAR ITEM

A 9
S 2

C 17

12/12/90
PRC 564
Bancroft

RENEWAL OF LEASE PRC 564

APPLICANT: Horace W. and Dorothy K. Henris
P. O. Box 138
Petaluma, California 94952

AREA, TYPE LAND AND LOCATION:
A 0.210-acre parcel of tide and submerged land in the Petaluma River, City of Petaluma, Sonoma County.

LAND USE: Loading pier with dolphins for sand and gravel.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years beginning February 28, 1976.

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 $50,000 for property damage.

Consideration: $0.05 per ton of bulk commodities; minimum rental is $450 per annum; five-year rent review.

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TERMS OF PROPOSED FIRST TEN-YEAR RENEWAL:

Initial period: Ten (10) years beginning February 28, 1991 through February 27, 2001.

CONSIDERATION: $1,170 per annum; five-year rent review.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 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. 13.

B. Cal. Code Regs.: 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. 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.

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).

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CALENDAR ITEM NO. C 17 (CONT'D)

2. AUTHORIZE ISSUANCE TO HORACE E. AND DOROTHY K. HENRIS OF A TEN-YEAR RENEWAL OF LEASE PRC 564, BEGINNING FEBRUARY 29, 1991; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $1,170; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; ACTION TO BE IN THE STATE'S BEST INTEREST; FOR THE CONTINUED OPERATION OF A LOADING PIER WITH DOLPHINS FOR SAND AND GRAVEL ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

PRC 564

LAND DESCRIPTION

A parcel of tide and submerged land in the State owned bed of the Petaluma River, County of Sonoma, State of California, said parcel being adjacent to and northeasterly of a parcel of land owned by Horace W. & Dorothy K. Henris, more particularly described as follows:

COMMENCING at Engineers Station 917+01.42 on State Highway Sonoma Route 1, Section 'C' as recorded in Book 2 of Highway Maps at page 61; thence N 35° 17' E, 310.02 feet; thence N 58° 47' W, 153.47 feet; thence N 60° 39' E to the ordinary high water mark of the right bank of the Petaluma River and the TRUE POINT OF BEGINNING; thence northwesterly along said ordinary high water mark to a point from which the most westerly corner of the aforementioned parcel of Henris bears S 60° 39' W; thence southeasterly on a line parallel with and 55 feet distance from said ordinary high water mark to a point from which the true point of beginning bears S 60° 39' W; thence S 60° 39' W to the true point of beginning.

END OF DESCRIPTION

REVIEWED OCTOBER 12, 1990 BY LLB.

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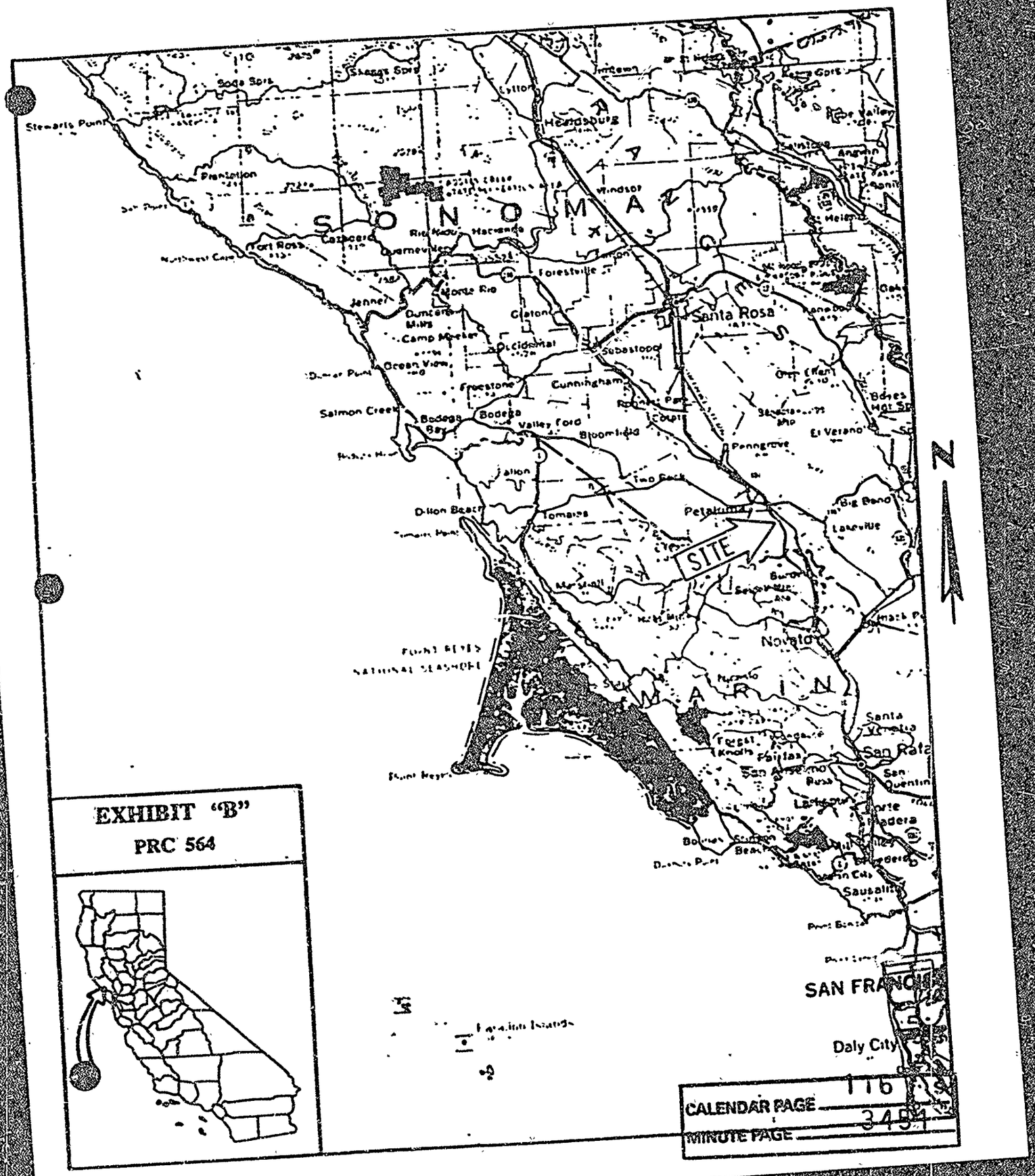

EXHIBIT "B"
PRC 564

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