

MINUTE ITEM
This Calendar Item No. C51
was approved as Minute Item
No. 51 by the State Lands
Commission by a vote of 2
to 0 at its 7/11/97
meeting.

CALENDAR ITEM
C51

A 27
S 15

07/11/97
W 25360
N. Smith
PRC 7971

GENERAL LEASE - PROTECTIVE STRUCTURE USE

LESSEE:

Thomas W. and Jeanne B. Smith
4660 Opal Cliff Drive
Santa Cruz, California 95062

AREA, LAND TYPE, AND LOCATION:

Sovereign lands, in the Pacific Ocean, near the city of Santa Cruz, Santa Cruz County.

AUTHORIZED USE:

Construction and maintenance of a seawall (288 linear feet).

LEASE TERM:

Ten years, beginning June 15, 1997.

CONSIDERATION:

The public health and safety; with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance: Combined single limit coverage of \$500,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. A Mitigated Negative Declaration was prepared and adopted for this project by Santa Cruz County. The California State Lands Commission's staff has reviewed such document.
3. A Mitigation Monitoring Program was adopted by Santa Cruz County.

CALENDAR ITEM NO. C51 (CONT'D)

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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 project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

County of Santa Cruz and Regional Water Quality Control Board.

FURTHER APPROVALS REQUIRED:

California State Lands Commission, United States Army Corps of Engineers, Monterey Bay Sanctuary, and California Coastal Commission.

EXHIBITS:

- A. Land Description
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

November 18, 1997.

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM WERE PREPARED AND ADOPTED FOR THIS PROJECT BY SANTA CRUZ COUNTY AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO THOMAS W. AND JEANNE B. SMITH OF A GENERAL LEASE - PROTECTIVE STRUCTURE USE, BEGINNING

CALENDAR ITEM NO. **C51** (CONT'D)

JUNE 15, 1997, FOR A TERM OF TEN YEARS, FOR CONSTRUCTION AND MAINTENANCE OF A SEAWALL ON THE LAND DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION BEING THE PUBLIC HEALTH AND SAFETY, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; LIABILITY INSURANCE WITH COMBINED SINGLE LIMIT COVERAGE OF \$500,000.

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File No. 20409
 Drawn By TAM
 Checked By DRS
 18 April 1997
 APN 33-132-06
 APN 33-132-05
 APN 33-132-04

Thomas A. Mason

THOMAS A. MASON RCE 16652 RENEWAL DATE 6/30/97

DESCRIPTION OF LAND LEASE OVER LANDS OF THE STATE OF CALIFORNIA

SITUATE IN THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA, and more particularly described as follows to wit:

BEING a portion of the Rancho Arroyo Del Rodeo and being a portion of Lots 11, 12, 13, and 14, Block A of Opal Cliffs Subdivision recorded March 6, 1930 in Volume 25 at Page 12 of Maps Santa Cruz County Records, and

BEING a land lease for installation and maintenance of a Coastal Erosion Control wall over the following described property located below mean high tide in the Bay of Monterey,

BEGINNING at the most Northerly corner of said Lot 11, thence along Southeasterly along the common lot line between lot 10 and 11 of said map South 44°02' East, 318.86 Feet; to the True Place of Beginning.

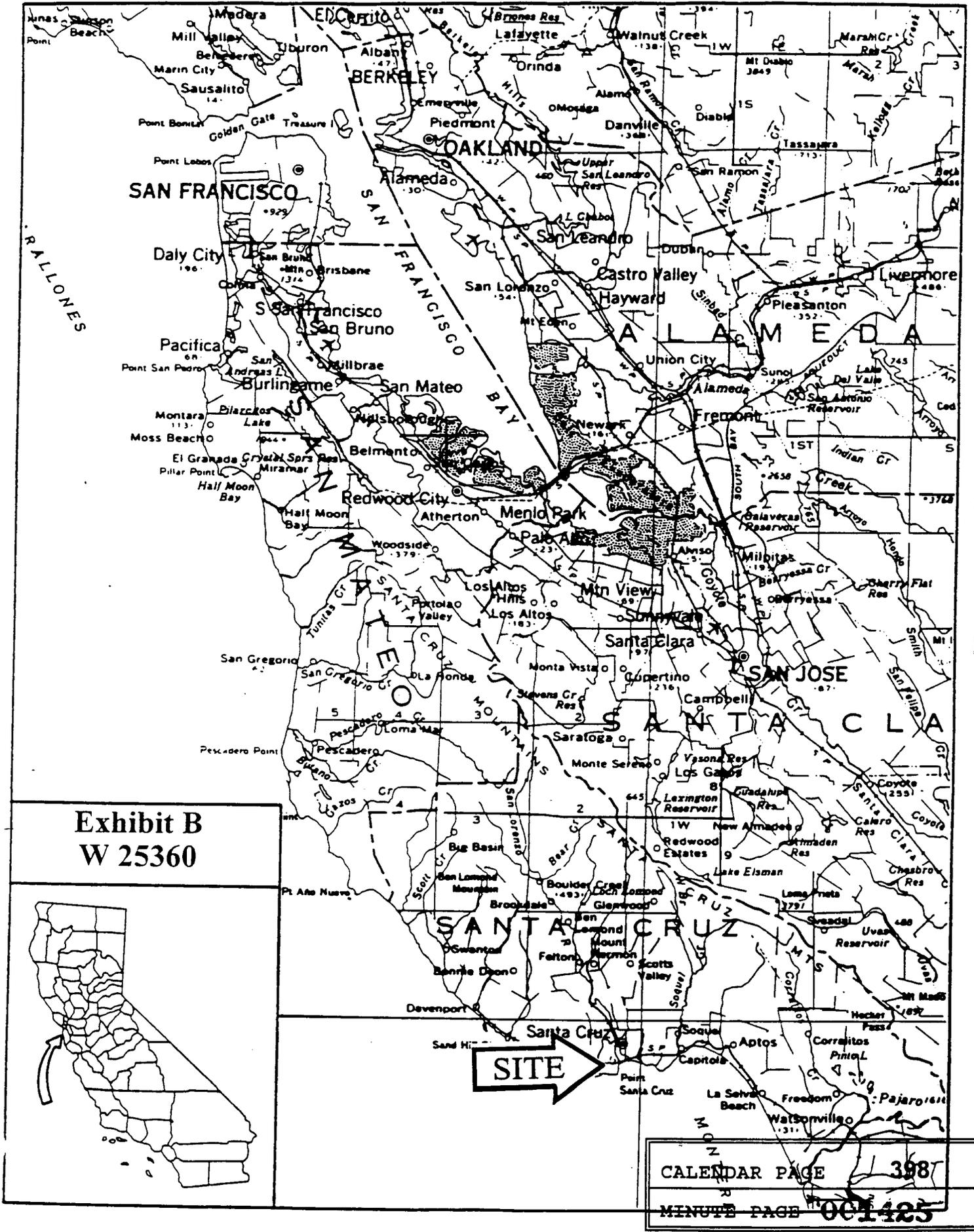
THENCE FROM SAID TRUE PLACE OF BEGINNING, leaving said boundary and along the Bay of Monterey the following courses and distances;

South 75°18' West, 17.33 Feet;
 South 9°19' East, 3.00 Feet;
 South 48°09' West, 13.93 Feet;
 South 16°19' West, 43.50 Feet;
 South 18°51' East, 18.21 Feet;
 South 16°38' West, 20.95 Feet;
 South 84°12' West, 42.24 Feet;
 South 72°32' West, 24.00 Feet;
 South 53°15' East, 26.41 Feet;
 North 82°39' West, 40.20 Feet;
 North 46°55' West, 26.47 Feet;
 South 67°00' West, 16.01 Feet; a little more or less to a point on the Southwesterly line of Parcel One as described in the deed to Thomas W. Smith Et Ux from Ralph L. Reynolds Et Ex, recorded in Book 1635 at Page 2, Santa Cruz County Records; Thence along the seaward projection of said Southwesterly line of said Parcel One, South 44°02' East 71.00 Feet, thence leaving said line and Northeasterly along the Bay of Monterey as shown on the aforementioned map the following courses North 63°25' East, 180.34 Feet; thence North 2°13' East, 61.91 Feet, a little more or less to the aforementioned common lot line;
 Thence along said last mentioned line North 44°02' West, 20.14 Feet to the True Place of Beginning.

COMPILED IN MARCH 1997 BY BOWMAN & WILLIAMS CONSULTING CIVIL ENGINEERS JOB NO. 20409 J:\wp60\docs\tom\desc\20409.1

This exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or other property.

Exhibit A
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**Exhibit B
W 25360**

SITE →

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