MINUTE ITEM
This Calendar Item No. C05 was approved as Minute Item No. 05 by the California State Lands Commission by a vote of 3 to 0 at its 4-20-00 meeting.

CALENDAR ITEM
C04

A 15

S 7

PRC 6846.1

04/20/00
WP 6846.1
L. Burks

TERMINATION OF GENERAL LEASE - COMMERCIAL USE LEASE NO. PRC 6846.1 AND ISSUANCE OF A NEW GENERAL LEASE - COMMERCIAL USE

LESSEE:

Investors of King Island, Inc.
22 South Santa Cruz Avenue, Second Floor
Los Gatos, California 95030

AREA, LAND TYPE, AND LOCATION:

0.39 acres, more or less, of tide and submerged lands in Old River at King's Island, near Byron, San Joaquin County.

AUTHORIZED USE:

Continued use and maintenance of four 20 foot by 64 foot six-berth open multiple use floating docks and two 20 foot by 24 foot single-berth floating docks.

LEASE TERM:

15 years, beginning January 1, 1999.

CONSIDERATION:

$2,120 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Combined single limit coverage of no less than $1,000,000.

Bond:

$5,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.

2. On June 26, 1985, the Commission approved issuance to Naomie King of a 15 year General Lease - Commercial Use, Lease No. PRC 6846.1, beginning July 1, 1985, for construction and maintenance of four multiple use floating docks in Old River at King's Island, near Byron, San Joaquin County. Upon the death of Naomie King on August 25, 1993, the Commission assigned the lease to Wilfred O'Neill, Administrator to the Estate of Naomie King, effective March 10, 1994. In addition, the lease was amended to include the land underlying two single-berth floating docks under Lease No. PRC 6711.1, issued to Caroll and Rita Deaton. The property was sold on December 30, 1998, and title transferred to Investors of King Island, Inc.

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 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; Title 2, California Code of Regulations, section 2905 (a)(2).

   Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

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.

EXHIBITS:

A. Site Plan
B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

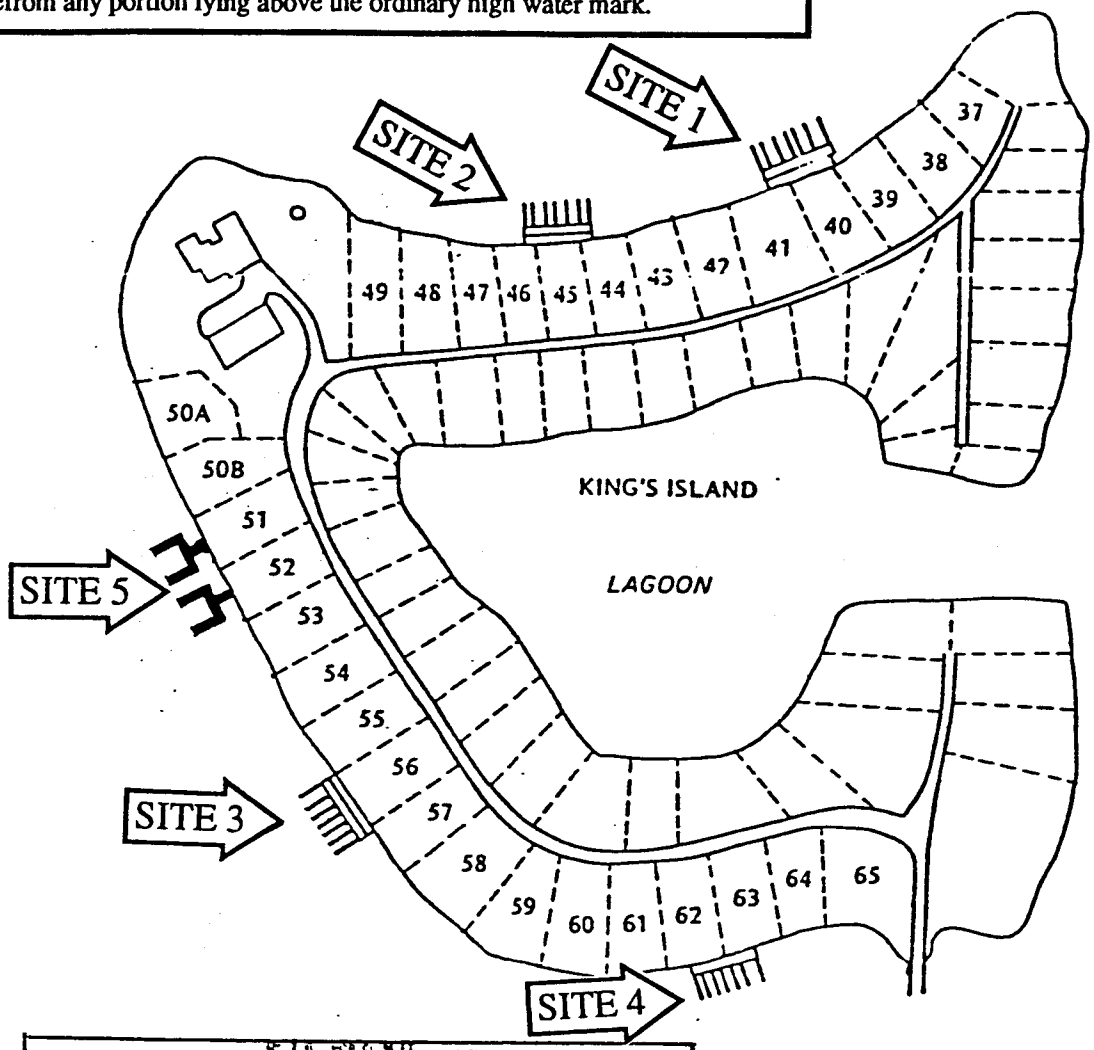
FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

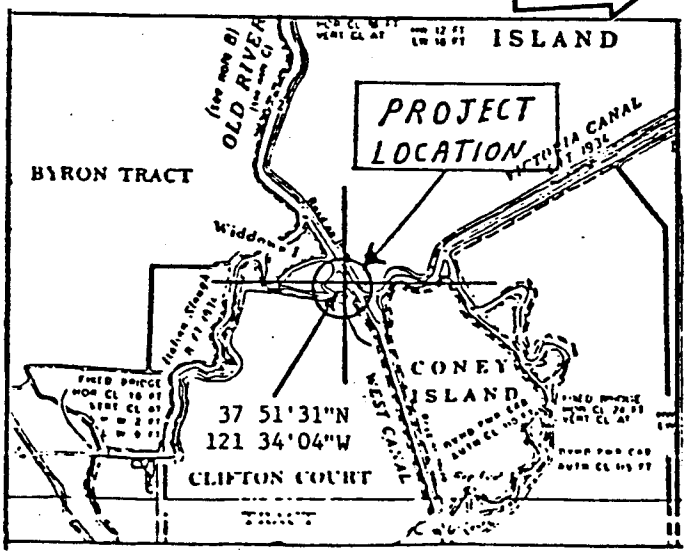
AUTHORIZATION:

AUTHORIZE TERMINATION OF GENERAL LEASE – COMMERCIAL USE LEASE NO. PRC 6846.1, EFFECTIVE DECEMBER 31, 1998, ISSUED TO WILFRED O'NEILL, ADMINISTRATOR TO THE ESTATE OF NAOMIE KING, AND APPROVED BY THE COMMISSION ON MAY 26, 1994, MINUTE ITEM NO. 5.

AUTHORIZE ISSUANCE TO INVESTORS OF KING ISLAND, INC. OF A GENERAL LEASE – COMMERCIAL USE, BEGINNING JANUARY 1, 1999, FOR A TERM OF 15 YEARS, FOR CONTINUED USE AND MAINTENANCE OF FOUR 6-BERTH OPEN MULTIPLE USE FLOATING DOCKS AND TWO SINGLE-BERTH FLOATING DOCKS ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT IN THE AMOUNT OF $2,120, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIDOCALLY DURING THE LEASE TERM, AS PROVIDED IN THE LEASE; LIABILITY INSURANCE WITH A COMBINED SINGLE LIMIT COVERAGE OF NO LESS THAN $1,000,000; SURETY IN THE AMOUNT OF $5,000.

Area to be leased lies directly beneath dock and walkway, plus a necessary use area 10 feet in width around the entire dock and walkway. Excepting therefrom any portion lying above the ordinary high water mark.



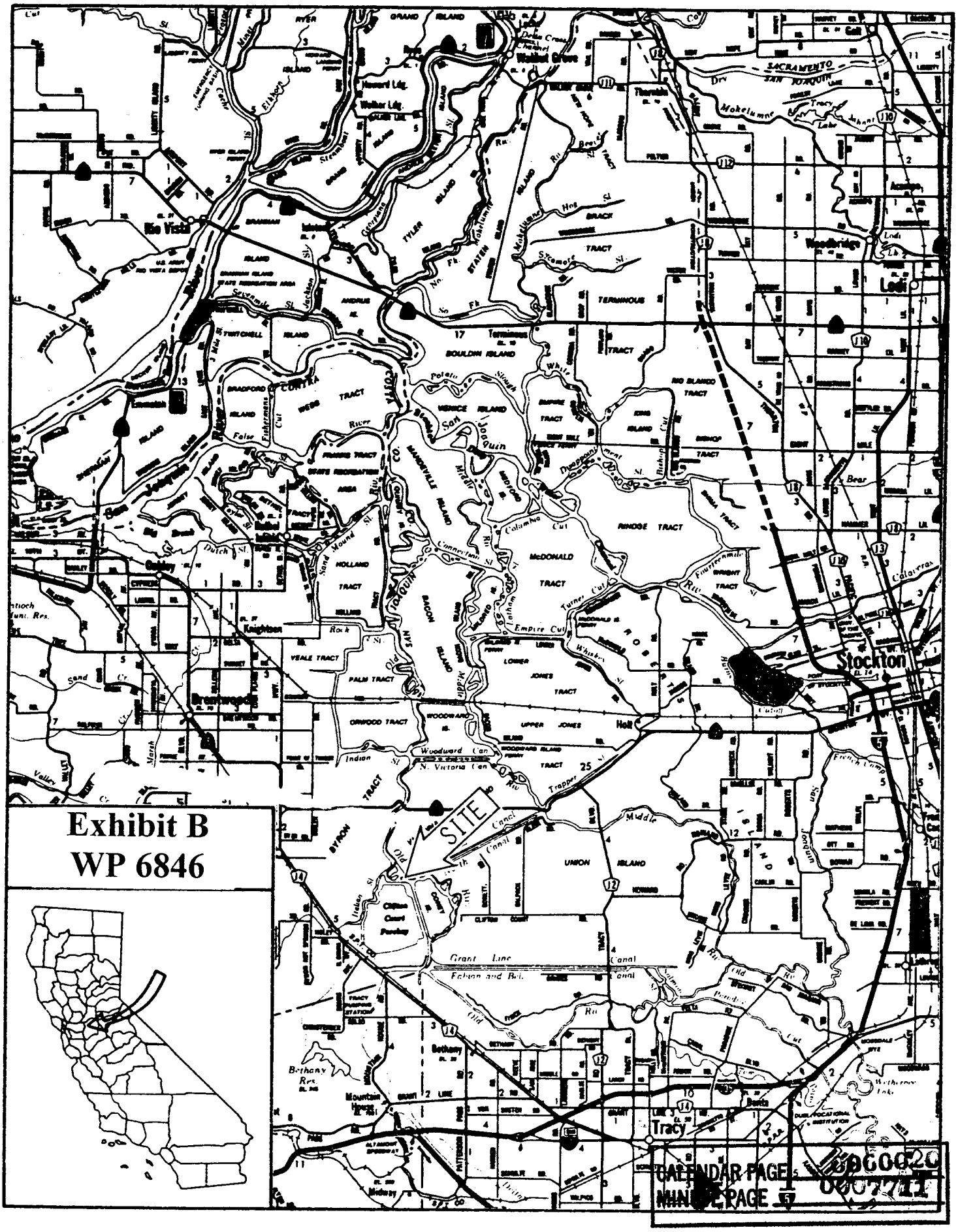


NOT TO SCALE

CALENDAR PAGE 0000019
MINUTE PAGE 0007710

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 any other property.

EXHIBIT "A"
WP-6846



CALENDAR PAGE 1
MINUTE PAGE 57
006020
007711