

MINUTE ITEM

This Calendar Item No. C21 was approved as Minute Item No. 21 by the California State Lands Commission by a vote of 3 to 0 at its 9-17-01 meeting.

**CALENDAR ITEM
C21**

A 67
S 35

09/17/01
PRC 8284.1
M. Hays

ASSIGNMENT OF LEASE

LESSEE/ASSIGNOR:

Marlene Cheng Dauger, Trustee of the Marlene Cheng Dauger Qualified Personal Residence Trust dated May 20, 1999
3582 Venture Drive
Huntington Beach, CA 92649

ASSIGNEES:

Marlene Cheng Dauger, Trustee of the Marlene Cheng Dauger Qualified Personal Residence Trust dated May 20, 1999 and Alan B. Dauger, Trustee of the Alan B. Dauger Qualified Personal Residence Trust dated May 20, 1999
3582 Venture Drive
Huntington Beach, CA 92649

AREA, LAND TYPE, AND LOCATION:

A strip of state owned submerged lands ten feet in width lying adjacent to and waterward of an existing bulkhead located waterward of Lot 46 Tract 9335, in Huntington Harbour, city of Huntington Beach, Orange County.

AUTHORIZED USE:

Repair of an existing bulkhead that may include all or some of the following: (1) existing pile repair; (2) placement of sheet pile; and (3) installation of rock slope protection.

LEASE TERM:

Ten years, beginning April 1, 2001.

CONSIDERATION:

The public health and safety, with the State reserving the right at any time to set a monetary rent if the Commission finds it to be in the State's best interest.

OTHER PERTINENT INFORMATION:

1. Assignee owns the uplands adjoining the lease premises.

CALENDAR PAGE	0000125
MINUTE PAGE	0001477

CALENDAR ITEM NO. C21 (CONT'D)

2. A general lease-protective structure use was approved by the Commission on April 24, 2001 for bulkhead repairs. The lease was issued to Marlene Cheng Dauger, Trustee of the Marlene Cheng Dauger Qualified Personal Residence Trust dated May 20, 1999. After approval of the existing lease staff discovered that the upland ownership is held in the name of the lessee and Alan B. Dauger, Trustee of the Alan B. Dauger Qualified Personal Residence Trust dated May 20, 1999. Staff is recommending approval of the assignment.

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

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15378.

EXHIBIT:

- A. Land Description

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, BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

AUTHORIZATION:

AUTHORIZE THE ASSIGNMENT OF LEASE NO. PRC 8284.1, A GENERAL LEASE-PROTECTIVE STRUCTURE, OF SOVEREIGN LANDS DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, FROM MARLENE CHENG

	0000126
CALENDAR PAGE	
MINUTE PAGE	001478

CALENDAR ITEM NO. C21 (CONT'D)

DAUGER, TRUSTEE OF THE MARLENE CHENG DAUGER QUALIFIED PERSONAL RESIDENCE TRUST DATED MAY 20, 1999 TO MARLENE CHENG DAUGER, TRUSTEE OF THE MARLENE CHENG DAUGER QUALIFIED PERSONAL RESIDENCE TRUST DATED MAY 20, 1999 AND ALAN B. DAUGER, TRUSTEE OF THE ALAN B. DAUGER QUALIFIED PERSONAL RESIDENCE DATED MAY 20, 1999; EFFECTIVE JUNE 1, 2001.

CALENDAR PAGE

0000127

MINUTE PAGE

0001479

EXHIBIT A

LAND DESCRIPTION

Parcel 1—(adjacent to APN 178-713-07)

A parcel of tide and submerged land situate in the City of Huntington Beach, Orange County, California and more particularly described as follows:

Beginning at the most southerly corner of Lot 46, as said lot is shown on that certain map entitled Tract No. 9335, filed in Book 386 of Miscellaneous Maps at Pages 32 to 33, Orange County Records; thence along the southwesterly line of said Lot 46, North 61° 00' 00" West, 60.00 feet to the most westerly corner of said lot; thence along the southwesterly prolongation of the northwesterly line of said lot, South 29° 00' 00" West, 10.00 feet to a line which is parallel with and distant 10.00 feet southwesterly from said southwesterly line of said lot; thence along said parallel line, South 61° 00' 00" East 60.00 feet to the southwesterly prolongation of the southeasterly line of said lot ; thence along said prolongation, North 29° 00' 00" East, 10.00 feet to the point of beginning.

Prepared in February, 2001 from record data.

