

This Calendar Item No. C18 was approved as Minute Item No. 18 by the California State Lands Commission by a vote of 3 to 0 at its 04-05-04 meeting.

CALENDAR ITEM

C18

A 15, 17, 26

PRC 4082

04/05/04

S 5, 14

WP 4082.1

D. Jones

ASSIGNMENT OF GENERAL LEASE – COMMERCIAL USE

LESSEE/ASSIGNOR:

Tiki Lagun, Ltd., a California Limited Partnership
101 Central Way, Suite B
Fairfield, California 94534

ASSIGNEE:

Tiki Lagun Partners, LLC
3738 – 14 Mile Drive
Stockton, California 95219

AREA, LAND TYPE, AND LOCATION:

Eight acres, more or less, of tide and submerged lands in Whiskey Slough, near the city of Stockton, San Joaquin County.

AUTHORIZED USE:

Continued use and maintenance of approximately 212 berths (four covered boathouses), gas dock and gas pump, and ancillary facilities.

LEASE TERM:

35 years, beginning January 1, 1985.

CONSIDERATION:

The annual rent consists of a minimum annual rent of \$20,054 against a percentage of gross receipts, whichever is greater. The minimum annual rent is paid on a monthly basis.

SPECIFIC LEASE PROVISIONS:

Insurance:

\$1,000,000 Combined single Limit.

Bond:

\$25,000.

CALENDAR ITEM NO. C18 (CONT'D)

OTHER PERTINENT INFORMATION:

1. The Commission issued a 35-year General Lease – Commercial Use to Horst Hanf, beginning January 1, 1985, ending December 31, 2020, for a commercial marina. On August 21, 1996, the Commission approved an assignment between Horst Hanf and Tiki Lagun, Ltd., a California Limited Partnership. Tiki Lagun Partners, LLC, is purchasing the marina and has applied to the Commission for approval of an Assignment of the lease. The effective date of the Assignment will be the close of escrow but no later than July 1, 2004.
2. The facility has a Permit to Operate the gasoline dispensing facility and aboveground fuel storage tank, which serves its gasoline dispenser, from the San Joaquin Valley Air Pollution Control District.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it 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, sections 15060(c)(3) and 15378.

EXHIBIT:

- A. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

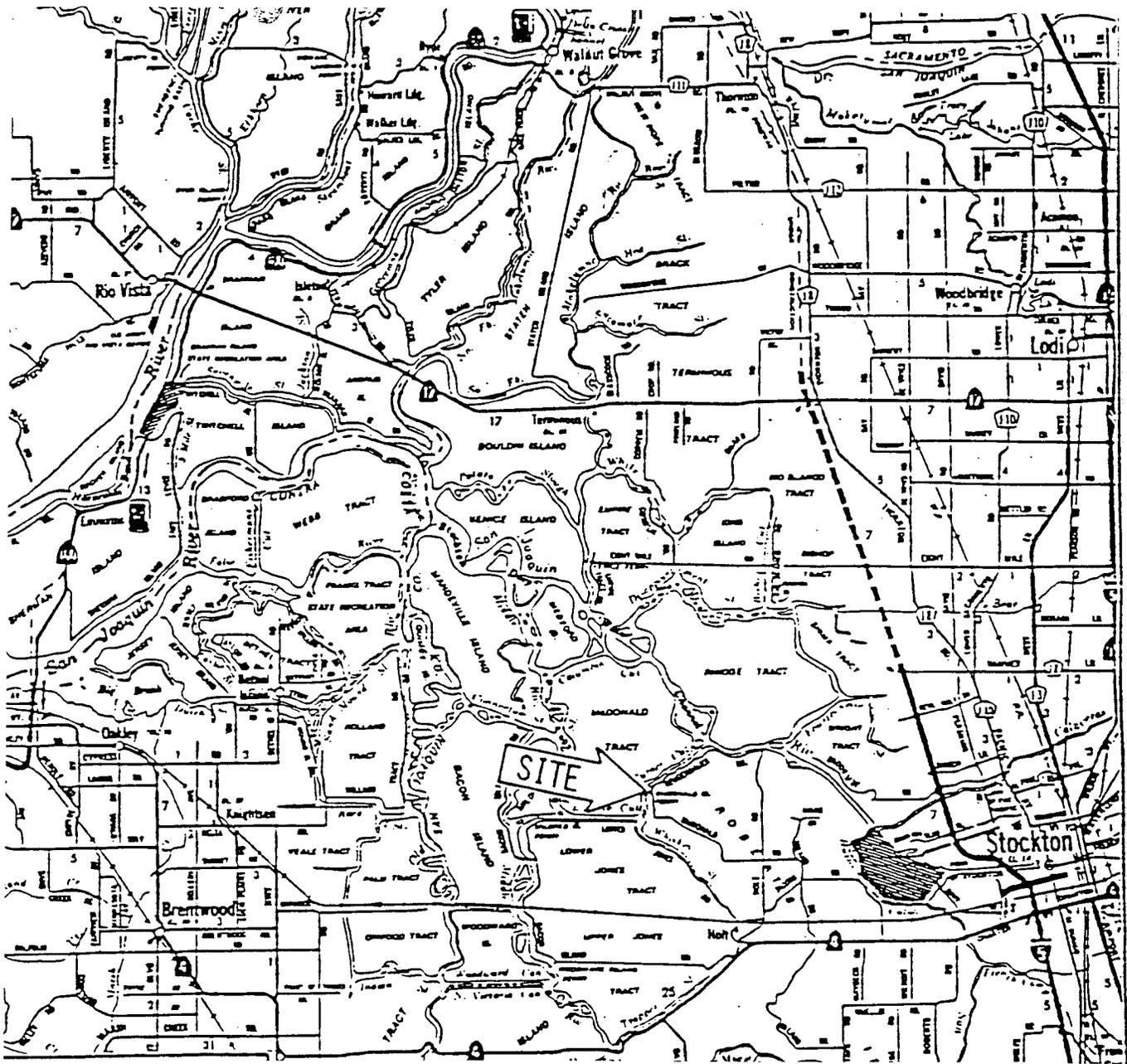
CEQA FINDING:

FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

CALENDAR ITEM NO. C18 (CONT'D)

AUTHORIZATION:

AUTHORIZE THE ASSIGNMENT OF LEASE NO. PRC 4082.1, A GENERAL LEASE - COMMERCIAL USE, OF TIDE AND SUBMERGED LANDS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, FROM TIKI LAGUN, LTD., A CALIFORNIA LIMITED PARTNERSHIP, TO TIKI LAGUN PARTNERS, LLC; EFFECTIVE ON THE DATE OF THE CLOSE OF ESCROW BUT NO LATER THAN JULY 1, 2004.



USGS
DJ

This exhibit is solely for purposes of generally defining the leased premises, is based on unverified information provided by lessee or other parties, and is not intended to be, nor shall it be construed to as a waiver or limitation of any state interest in the subject or any other property.

Exhibit A
PRC 4082.1