

MINUTE ITEM
This Calendar Item No. C42 was approved as
Minute Item No. 42 by the California State Lands
Commission by a vote of 3 to 0 at its
6-20-05 meeting.

**CALENDAR ITEM
C42**

A 67

S 35

PRC 3169

06/20/05
WP 3169.1
S. Young

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Marguerite M. Morrison, Trustee of the Morrison Decedent's Trust established October 4, 1993; Marguerite M. Morrison, Trustee of the Morrison Marital Trust established October 4, 1993; and Marguerite M. Morrison, Trustee of the Morrison Survivor's Trust established October 4, 1993

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Huntington Harbour, Huntington Beach, Orange County.

AUTHORIZED USE:

(1) The continued use and maintenance of an existing boat dock and access ramp; and (2) the use and maintenance of a cantilevered deck.

LEASE TERM:

Ten years, beginning June 27, 2004.

CONSIDERATION:

As to the boat dock and access ramp, no monetary consideration pursuant to Public Resources Code section 6503.5; as to the use and maintenance of the existing cantilevered deck, \$1,053 per year, effective June 27, 2005, 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:

Liability insurance in the amount of no less than \$1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. On November 15, 1994, the Commission authorized a Recreational Pier Lease for a ten-year term, effective date of June 27, 1994, to Richard H.

CALENDAR ITEM NO. C42 (CONT'D)

Morrison and Marguerite M. Morrison. On February 28, 2000, the littoral land, Lot 35 of Tract 4677, was quitclaimed to Marguerite M. Morrison, Trustee of the Morrison Marital Trust; Marguerite M. Morrison, Trustee of the Morrison Decedent's Trust and Marguerite M. Morrison, Trustee of the Morrison Survivor's Trust (Applicant). Applicant is now applying for a new General Lease - Recreational Use for the existing boat dock and access ramp as well as for the existing cantilevered deck not previously authorized by the Commission. A portion of the existing deck extends over the State's fee title ownership in the Main Channel of Huntington Harbour. As the cantilevered deck does not qualify for a rent-free lease, that portion of the deck extending over State fee ownership within the Harbour is subject to annual rent effective June 27, 2005. The existing boat dock and access ramp are rent-free because the Applicant is a natural person who has improved the littoral land with, and uses the upland for a single-family dwelling.

3. As to the existing boat dock and access ramp, 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).

As to the cantilevered deck, pursuant to the Commission's delegation of authority and the State CEQA Guideline (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 3, New Construction of Small Structures; Title 2, California Code of Regulations, section 2905 (c)(1).

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.

CALENDAR ITEM NO. C42 (CONT'D)

EXHIBITS:

- A. Location and Site Map
- B. Land Description

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

AS TO THE BOAT DOCK AND ACCESS RAMP, 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).

AS TO THE CANTILEVERED DECK, 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 3, NEW CONSTRUCTION OF SMALL STRUCTURES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (c)(1).

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:

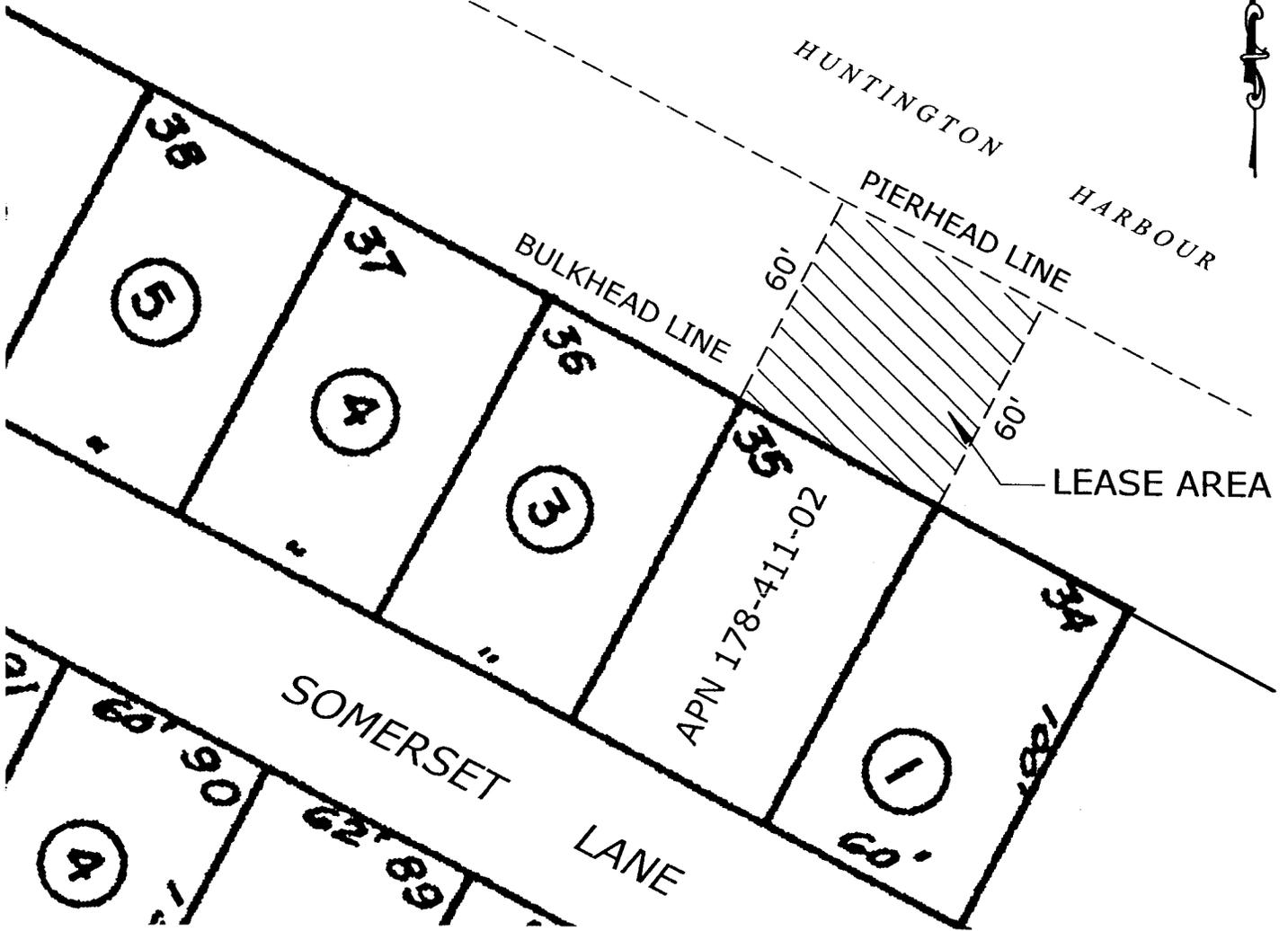
AUTHORIZE ISSUANCE TO MARGUERITE M. MORRISON, TRUSTEE OF THE MORRISON DECEDENT'S TRUST ESTABLISHED OCTOBER 4, 1993; MARGUERITE M. MORRISON, TRUSTEE OF THE MORRISON MARITAL TRUST ESTABLISHED OCTOBER 4, 1993; AND MARGUERITE M. MORRISON, TRUSTEE OF THE MORRISON SURVIVOR'S TRUST ESTABLISHED OCTOBER 4, 1993, OF A TEN-YEAR GENERAL LEASE – RECREATIONAL USE, BEGINNING

CALENDAR ITEM NO. C42 (CONT'D)

JUNE 27, 2004, FOR CONTINUED USE AND MAINTENANCE OF AN EXISTING BOAT DOCK, ACCESS RAMP, AND CANTILEVERED DECK ON THE LAND SHOWN ON EXHIBIT A AND AS DESCRIBED ON EXHIBIT B ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; AS TO THE BOAT DOCK, AND ACCESS RAMP, NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; AS TO THE USE AND MAINTENANCE OF THE CANTILEVERED DECK, \$1,053 PER YEAR EFFECTIVE, JUNE 27, 2005, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE LEASE TERM; LIABILITY INSURANCE IN THE AMOUNT OF NO LESS THAN \$1,000,000.

NO SCALE

SITE



16582 SOMERSET LANE, HUNTINGTON BEACH

NO SCALE

LOCATION

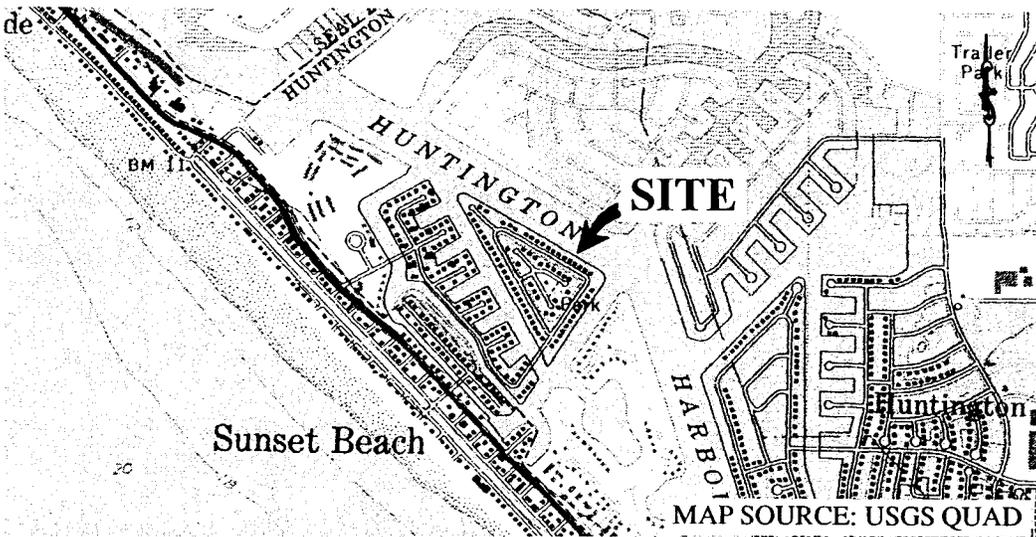


Exhibit A
 MARGUERITE M. MORRISON,
 TRUSTEE
 WP 3169.1
 GENERAL LEASE
 RECREATIONAL USE
 HUNTINGTON HARBOUR
 ORANGE COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties 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 B

PRC 3169

LAND DESCRIPTION

A parcel of submerged land in Huntington Harbour, in the City of Huntington Beach, Orange County, California, described as follows:

Beginning at the most northerly corner of Lot 35, as said lot is shown and so designated on that certain map of Tract No. 4677 filed in Map Book 168, Pages 14 through 18, Official Records of said County; thence along the northeasterly extension of the northwesterly line of said lot 60.00 feet, more or less, to the pierhead line as said pierhead line is described in Resolution No. 5908, passed and adopted August 1, 1988 by the City Council of said City; thence southeasterly along said pierhead line to the northeasterly extension of the southeasterly line of said lot; thence southwesterly along said extension 60.00 feet, more or less, to the most easterly corner of said lot; thence northwesterly along the northeasterly line of said lot to the point of beginning.

END OF DESCRIPTION

Prepared 06/06/2005 by the California State Lands Commission Boundary Unit



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