

**CALENDAR ITEM
C23**

A 14
S 3

12/06/16
PRC 5925.1
V. Caldwell

ASSIGNMENT OF LEASE

LESSEE/ASSIGNOR:

William G. McInerney

APPLICANT/ASSIGNEE:

Orion Pritchard

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Mare Island Strait, adjacent to 39 Sandy Beach Road, near the city of Vallejo, Solano County.

AUTHORIZED USE:

Continued use and maintenance of a portion of an existing residence, deck, and appurtenant facilities.

LEASE TERM:

30 years, beginning February 9, 2016.

CONSIDERATION:

\$3,054 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:

Liability insurance in an amount of no less than \$1,000,000 per occurrence.

STAFF ANALYSIS AND RECOMMENDATION:

Authority:

Public Resources Code sections 6005, 6216, 6301, 6501.1, 6503.5, and 6505.5; California Code of Regulations, title 2, section 2000, subdivision (b).

Public Trust and State's Best Interests Analysis:

On February 9, 2016, the Commission authorized a 30-year General Lease – Recreational and Residential Use to William G. McInerney

CALENDAR ITEM NO. **C23** (CONT'D)

([Calendar Item C58, February 9, 2016](#)). That lease will expire on February 8, 2046. On September 16, 2016, the ownership of the upland property adjoining the lease premises transferred to Orion Pritchard. The Applicant is applying for an assignment of the existing lease. The proposed assignment will be effective on September 16, 2016.

Assignment of this lease from William G. McInerney to Orion Pritchard will not result in a change in the use of Public Trust resources or the impacts thereto. Commission staff believes approval of this assignment is consistent with the common law Public Trust Doctrine and is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. This action is consistent with Strategy 1.1 of the Commission's Strategic Plan to deliver the highest levels of public health and safety in the protection, preservation, and responsible economic use of the lands and resources under the Commission's jurisdiction.
2. Approving the lease assignment is not a project as defined by the California Environmental Quality Act because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, section 15378, subdivision (b)(5)

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed assignment will not impact the public rights to navigation and fishing or substantially interfere with the Public Trust needs and values at this location at this time and for the foreseeable term of the lease, is consistent with the common law Public Trust Doctrine, and is in the best interests of the State.

CALENDAR ITEM NO. **C23** (CONT'D)

AUTHORIZATION:

Authorize the assignment of Lease No. PRC 5925.1, a General Lease – Recreational and Residential Use, of sovereign land as described on Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof, from William G. McInerney to Orion Pritchard; effective September 16, 2016.

EXHIBIT A

PRC 5925.1

LAND DESCRIPTION

A parcel of submerged land situate in Mare Island Strait, City of Vallejo, County of Solano, State of California, lying adjacent to and within the external boundaries of Parcel 43 as shown on that certain Record of Survey titled "Sandy Beach Cabin Sites", filed February 14, 1944 in Book 1 of Maps, at Pages 1 and 2, Solano County Records, and being more particularly described as follows:

BEGINNING at the most northerly corner of said parcel; thence southwesterly along the northwesterly boundary and the southwesterly prolongation thereof, 147.5 feet; thence leaving said prolongation in a southeasterly direction perpendicular to said prolongation to a point on the southwesterly prolongation of the southeasterly boundary of said parcel; thence northeasterly along said southwesterly prolongation and the southeasterly boundary of said parcel, 156.6 feet to the southeasterly corner of said parcel; thence in a northwesterly direction along the northeasterly boundary of said parcel to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion lying landward of the ordinary low water mark of Mare Island Strait.

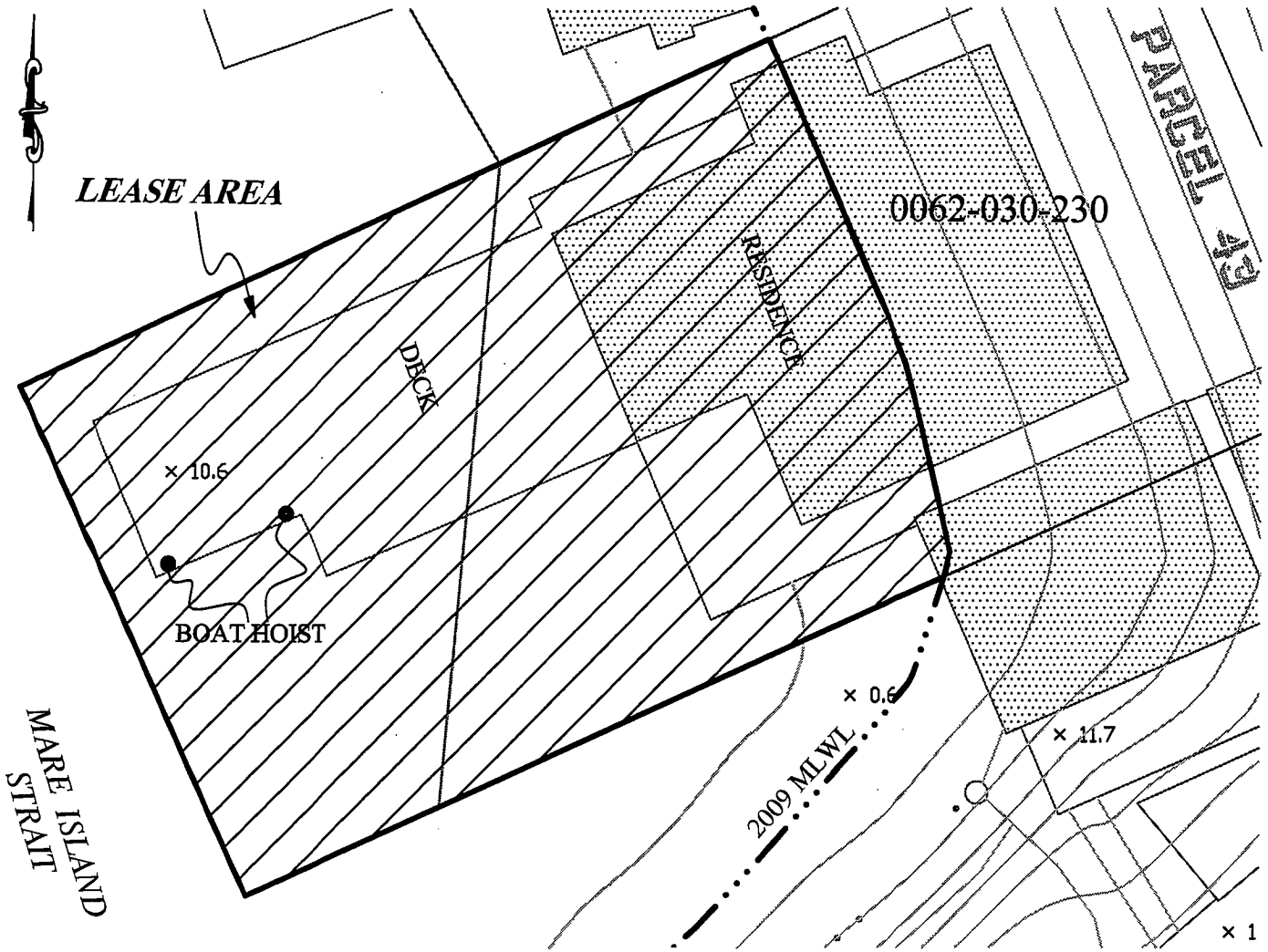
END OF DESCRIPTION

Prepared 11/10/2015 by the California State Lands Commission Boundary Unit.



NO SCALE

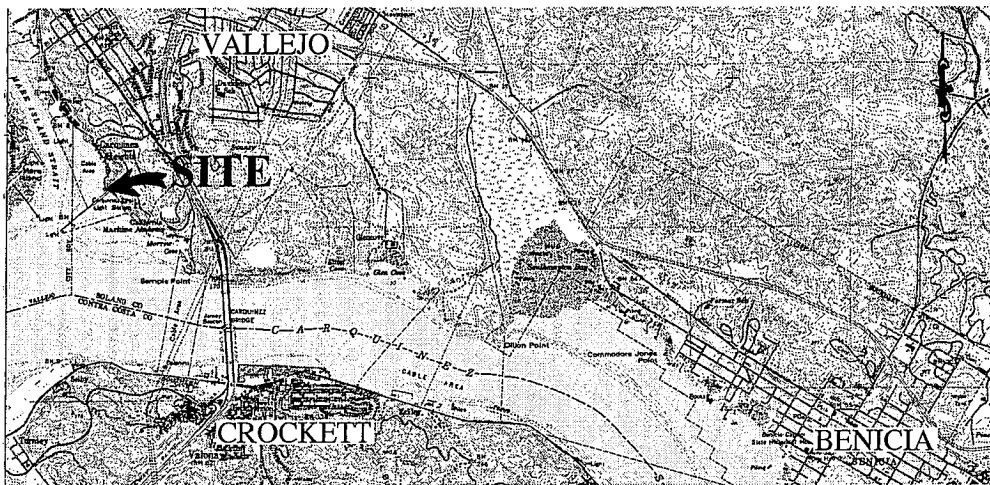
SITE



39 SANDY BEACH ROAD, VALLEJO

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 5925.1
 PRITCHARD
 APN 0062-030-230
 GENERAL LEASE -
 RESIDENTIAL &
 RECREATIONAL USE
 SOLANO 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.

TS 10/11/16