

MIRUTE ITEM

5. APPLICATION FOR APPROVAL OF SUBLEASE AS AMENDED, TIDE AND SUBMERGED LANDS OF BUCKLEY COVE, SAN JOAQUIN COUNTY, LEASE P.R.C. 1976.1, ISSUED TO CITY OF STOCKTON - W.O. 4735.

After consideration of Calendar Item 8 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO APPROVE THE SUBLEASE AS AMENDED, BETWEEN THE CITY OF STOCKTON AND JACK BENTON, COVERING TIDE AND SUBMERGED LANDS OF BUCKLEY COVE, SAN JOAQUIN COUNTY, CURRENTLY LEASED TO THE CITY OF STOCKTON UNDER LEASE P.R.C. 1976.1.

Attachment

Calendar Item 8 (1 page)

CALENDAR ITEM

8.

APPLICATION FOR APPROVAL OF SUBLEASE AS AMENDED, TIDE AND SUBMERGED LANDS OF BUCKLEY COVE, SAN JOAQUIN COUNTY, LEASE P.R.C. 1976.1, ISSUED TO CITY OF STOCKTON - W.O. 4735.

State Lease P.R.C. 1976.1, covering an area of tide and submerged lands in Buckley Cove, San Joaquin County, was issued to the City of Stockton, beginning August 8, 1957, for a fifteen-year term, with two ten-year renewal options.

The City of Stockton has negotiated a lease for City-owned property adjacent to P.R.C. 1976.1 and a sublease and subsequent amendment of said sublease with one Jack Benton, who is to construct and operate a small boat harbor and appurtenant facilities.

Paragraph 6 of Lease P.R.C. 1976.1 states "that the lessee shall not transfer nor assign this agreement and shall not sublet said land nor any part thereof except upon the prior written consent of the State first had and obtained."

The City of Stockton has complied with a staff request that the term of the sublease conform to the base lease and has forwarded copies of the amended sublease for approval of the State Lands Commission. Staff Counsel has reviewed the form of amended sublease and finds it legally sufficient.

IT IS RECOMMENDED THAT THE EXECUTIVE OFFICER BE AUTHORIZED TO APPROVE THE SUBLEASE AS AMENDED, BETWEEN THE CITY OF STOCKTON AND JACK BENTON, COVERING TIDE AND SUBMERGED LANDS OF BUCKLEY COVE, SAN JOAQUIN COUNTY, CURRENTLY LEASED TO THE CITY OF STOCKTON UNDER LEASE P.R.C. 1976.1.