

MINUTE ITEM

10/25/73
CRK

12. TERMINATION OF LEASE PRC 2569.1, TIDE AND SUBMERGED LAND IN THE SAN JOAQUIN RIVER NEAR THE ANTIOCH BRIDGE, CONTRA COSTA COUNTY; ROBERT W. MCCUNE AND WAYNE WINTHER - W 8520, PRC 2569.1.

After consideration of Calendar Item 11 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION TERMINATES LEASE PRC 2569.1, EFFECTIVE APRIL 27, 1969, AND AUTHORIZES THE EXECUTION OF A NOTICE OF TERMINATION OF THE LEASE COVERING THE LEASEHOLD INTEREST OF ROBERT W. MCCUNE AND WAYNE WINTHER.

Attachment:

Calendar Item 11 (1 page)

CALENDAR ITEM

10/73
CRK
W 8520

11.

TERMINATION OF LEASE PRC 2569.1

APPLICANT: Robert W. McCune and Wayne Winther.

LOCATION: A 0.433-acre parcel of tide and submerged land in the San Joaquin River near the Antioch Bridge, Contra Costa County.

LAND USE: A proposed dock and restaurant (never built).

TERMS OF ORIGINAL LEASE:

Initial period: 15 years, from April 28, 1960.

Renewal options: 2 additional periods of 10 years each.

Surety bond: \$3,000.

Public liability insurance:
\$50,000/\$100,000 for personal injury.

CONSIDERATION: \$150 per annum.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Arts. 1 and 2,
as amended effective May 10, 1969.

OTHER PERTINENT INFORMATION:

1. The site has never been developed as proposed by the lessees.
2. The lessees are in default in regard to rent, bond and insurance provisions of the lease, and performance of the condition that a restaurant be constructed.
3. Attempts have been made by regular and certified mail to elicit rent, a bond and insurance, or a quitclaim deed from the lessees, to no avail.
4. In the opinion of the Division, it is in the best interest of the State to terminate this lease by filing a Notice of Termination to be effective as of the date the delinquency began: April 27, 1969.

IT IS RECOMMENDED THAT THE COMMISSION TERMINATE LEASE PRC 2569.1, EFFECTIVE APRIL 27, 1969, AND AUTHORIZE THE EXECUTION OF A NOTICE OF TERMINATION OF THE LEASE COVERING THE LEASEHOLD INTEREST OF ROBERT W. MCCUNE AND WAYNE WINTHER.