

MINUTE ITEM

This Calendar Item No. 28  
was approved as Minute Item  
No. 28 by the State Lands  
Commission by a vote of 2  
to 0 at its 7-22-76  
meeting.

Minute item 28, meeting of 7/22/76 rescinded  
by minute item 14, meeting of 3/6/86 js  
Wich

CALENDAR ITEM

7/76  
WP 2363  
EPW

28.

NON-COMMERCIAL LEASE

APPLICANT: Roy Jacopetti and Velma F. Jacopetti  
1628 West Bowman Road  
French Camp, California 95231

AREA, TYPE LAND AND LOCATION:  
An 0.09 acre parcel of tide and submerged land  
in the bed of the San Joaquin River, French  
Camp, San Joaquin County.

LAND USE: Maintenance of a floating pier and walkway.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years, from February 24, 1959.

Renewal options: 2 successive periods of 10  
years each.

Surety bond: \$1,000.

Consideration: \$100 per annum.

TERMS OF REPLACEMENT LEASE:

Initial period: 10 years, from February 24, 1974.

Renewal options: One successive period of 10  
years.

Surety bond: \$1,000.

Public liability insurance: \$100,000 combined  
single limit for bodily injury  
and property damage.

CONSIDERATION: \$150 per annum prorated for the period February  
24, 1974 to June 29, 1975 and \$225 per annum  
prorated for the period June 30, 1975 to  
February 23, 1976 and \$225 per annum thereafter  
with the State reserving the right to fix a  
different rental on each fifth anniversary of  
the lease.

BASIS FOR CONSIDERATION:

8% of appraised value of land.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland. A \$338 rental  
deposit has been received. Applicant indicates  
balance of \$236.11 will be forwarded in 30 days.

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STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 & 2.
- B. Administrative Code: Title 2, Div. 3,  
Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:

1. Inasmuch as Paragraphs 19 and 20 of the parent lease PRC 2363.1, executed September 25, 1959, provides for changes, amendments and such other reasonable terms and conditions as the State might impose, staff recommends that all amendments to the terms and conditions of the existing lease document, and amendments thereto, be accomplished by the issuance of a lease document in current use, a copy of which is on file in the office of the State Lands Commission. A condition of the lease is the mutual consent to terminate the former lease upon approval of this replacement lease.

2. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(a) which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.

3. This project is situated on State land identified as possessing significant environmental values, pursuant to Public Resources Code 6370.1, and is classified in a significant use category, Class B.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

- 1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
- 2. FIND THAT THE GRANTING OF THIS APPLICATION WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS

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IDENTIFIED BY THE COMMISSION AT ITS DECEMBER 1, 1975 MEETING.

3. AUTHORIZE ISSUANCE TO ROY JACOPETTI AND VELMA F. JACOPETTI OF A 10-YEAR NON-COMMERCIAL LEASE FROM FEBRUARY 24, 1974; WITH LESSEE'S OPTION TO RENEW FOR ONE SUCCESSIVE PERIOD OF 10 YEARS IN CONSIDERATION OF RENT IN THE AMOUNT OF \$150 PER ANNUM PRORATED FOR THE PERIOD FEBRUARY 24, 1974 TO JUNE 29, 1975 AND \$225 PER ANNUM PRORATED FOR THE PERIOD JUNE 30, 1975 TO FEBRUARY 23, 1976 AND \$225 PER ANNUM THEREAFTER WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$1,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNT OF \$100,000 COMBINED SINGLE LIMIT FOR BODILY INJURY AND PROPERTY DAMAGE FOR THE MAINTENANCE OF A FLOATING PIER AND WALKWAY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 2363

COMMENCING at a steel axle marking the NW corner of a 6.45  
acre parcel of land deeded to Robert Barrymore, said axle  
bears N 84° 29' 53" W 4992.42 feet from the center of Section 10,  
T 1 S, R 6 E, M.D.M, thence S 46° 56' 05" W 483.78 feet to the  
TRUE POINT OF BEGINNING, thence S 11° 09' E 48.4 feet, S 01° 32' W  
107.93 feet, N 88° 28' W 35.00 feet, N 02° 17' 49" W 150.00 feet  
and N 82° 28' 38" E 34.83 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying above the ordinary high water  
mark.

END OF DESCRIPTION

Prepared A. A. Kunnicke Checked John K. Jensen  
Reviewed L. Brittnaler Date 6/2/76

