

MINUTE ITEM

This Calendar Item No. C4  
was approved at its meeting  
No. 4 by the State Lands  
Commission by a vote of 2  
to 0 at its 8/3/77  
meeting.

8/77  
WP 2771  
Scott  
PRC 2771

CALENDAR ITEM

C4.

GENERAL LEASE  
COMMERCIAL USE

APPLICANT: Port Stockton Roaters, Inc.  
P. O. Box 1744  
Stockton, California 95201

AREA, TYPE LAND AND LOCATION:  
A 3.797 acre parcel of partially filled  
tide and submerged land in the San Joaquin  
River, San Joaquin County.

LAND USE: Continued use of a floating boat dock and  
clubhouse on filled land.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years from September 1,  
1961.

Renewal options: 2 successive periods  
of 10 years each.

Surety bond: \$1,000.

Consideration: \$256.23 with 5 year review.

Special: Lease covered 13.60 acres.

TERMS OF PROPOSED AMENDED LEASE:

Initial period: 15 years from September 1,  
1976.

Renewal options: 2 successive periods  
of 10 years each.

Surety bond: \$2,000.

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

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CONSIDERATION: \$320 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

RASIS OF CONSIDERATION:  
8% of appraised value of land.

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. The lease area occupies a portion of the old channel of the San Joaquin River which was filled by spoil during the construction of the Stockton Deep Water Channel. Some of the Lessee's facilities occupy a part of the filled channel.
2. The original lease provided for 2 ten year renewal periods. When the first renewal period was to have been entered the lessee requested that the previous lease area be reduced to only that portion which was then occupied by existing facilities.
3. Because of lessee's request to reduce the area of the lease, staff prepared a new lease in the form presently being used by the Division.
4. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1B 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.
5. 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 use category, Class B which authorizes

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Limited Use.

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 GRANTING OF THE LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO PORT STOCKTON BOATER'S INC., OF A 15 YEAR GENERAL LEASE - COMMERCIAL USE FROM SEPTEMBER 1, 1976; WITH LESSEE'S OPTION TO RENEW FOR 2 SUCCESSIVE PERIODS OF 10 YEARS EACH, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$320, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$2,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN THE AMOUNT OF \$100,000 AS A SINGLE LIMIT FOR PROPERTY DAMAGE; FOR THE CONTINUED USE OF AN EXISTING FLOATING DOCK AND A CLUBHOUSE ON FILLED LAND ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 2771

A parcel of land situate in projected Section 13, T2N, R4E, MDM, San Joaquin County, California, and being a portion of the natural bed of the San Joaquin River, more particularly described as follows:

BEGINNING at a point on the easterly boundary of PARCEL SEVENTY-TWO as described in deed recorded in Volume 3329 of Official Records, page 1, San Joaquin County Records, said point being the southerly terminus of that certain course described as S 05° 36' E, 148.98 feet in said PARCEL SEVENTY-TWO; thence along said easterly boundary N 05° 36' W, 148.98 feet and N 23° 01' E, 350.00 feet; thence S 26° 23' 32" E, 352.20 feet; thence S 27° 44' W, 250.00 feet; thence S 17° 05' W, 159.40 feet; thence S 01° 43' E, 97.05 feet; thence S 86° 30' W, 280.00 feet; thence N 39° 57' 09" W, 51.00 feet to the point of beginning.

END OF DESCRIPTION

Prepared

Frank J. Turner

Checked

M. L. Shafman

Reviewed

A. H. Runnells

Date

9/13/77

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