

MINUTE ITEM

This Calendar Item No. C8
was approved as Minute Item
8 by the State Lands
Commission by a vote of 2
to 0 at its 5-28-81
meeting.

CALENDAR ITEM

C 08

5/81
WP 4082
Gordon

ASSIGNMENT OF GENERAL LEASE
COMMERCIAL USE
PRC 4082.1

ASSIGNOR: Harold Claude Taylor and Carol G. Taylor
9732 Springfield Way
Stockton, California 95212

ASSIGNEE: Recreation and Marina Properties, Inc.,
Jerry C. Graham and Betty A. Graham
12988 West McDonald Road
Stockton, California 95206

AREA, TYPE LAND AND LOCATION:
A 4.591-acre parcel of tide and submerged
lands in the bed of Whiskey Slough, San Joaquin
County.

LAND USE: Maintenance of a commercial marina.

TERMS OF EXISTING LEASE:
Initial period: 35 years from January 1,
1977.

Surety bond: \$5,000.

Public liability insurance: \$300,000/\$600,000
per occurrence for bodily
injury and \$100,000 for
property damage.

CONSIDERATION: \$1,836.40 per annum with the State reserving
the right to fix a different rental on
each fifth anniversary of the lease.

PREREQUISITE TERMS, FEES AND EXPENSES:
Assignee holds an interest in the upland
pursuant to a conditional sale contract.

Filing fee and processing costs have been
received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 & 2.

B. Cal. Adm. Code: Title 2, Div. 3.

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OTHER PERTINENT INFORMATION:

1. This transaction is occasioned by the conveyance of an interest in the upland pursuant to an Executory Agreement for the Purchase and Sale of Property dated April 10, 1980. Assignor reserves a security interest in the real and personal property subject to said agreement. Upon timely completion of the conditions of the agreement, assignor will issue a grant deed to assignee.

2. Assignors have filed with staff an express statement objecting to the words and phrases in the Commission's assignment document which bind the assignors, for the remaining term of the lease, to the faithful performance of any and all future obligations in the same degree as the effective lessee. Assignors desire to be released from this liability.

By the act of entering into said agreement, assignees bind themselves to the obligations of the original lessees. Staff considers assignees to be capable of fulfilling the obligations of the lease, and recommends that assignors be released from said liability.

3. This activity is exempt from CEQA because it does not constitute a project; PRC 21065, 14 Cal. Adm. Code 15037 and 15060, and 2 Cal. m. Code 2903(d).

4. This activity is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class B, which authorizes 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.

CALENDAR ITEM NO. C 0 8 (CONTD)

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISION OF P.R.C. 21065, 14 CAL. ADM. CODE 15037 AND 15060, AND 2 CAL. ADM. CODE 2903(d).
2. FIND THAT APPROVAL OF THE ASSIGNMENT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.
- AUTHORIZE, EFFECTIVE MAY 28, 1981, THE RELEASE OF HAROLD CLUADE TAYLOR AND CAROL G. TAYLOR, AS ASSIGNORS, FROM ANY FUTURE LIABILITY UNDER GENERAL LEASE - COMMERCIAL USE PRC 4082.1.
4. APPROVE, EFFECTIVE MAY 28, 1981, THE ASSIGNMENT OF GENERAL LEASE - COMMERCIAL USE PRC 4082.1, COVERING MAINTENANCE OF A COMMERCIAL MARINA, FROM HAROLD CLAUDE TAYLOR AND CAROL G. TAYLOR TO RECREATION AND MARINA PROPERTIES, INC., JERRY C. GRAHAM AND BETTY A. GRAHAM.

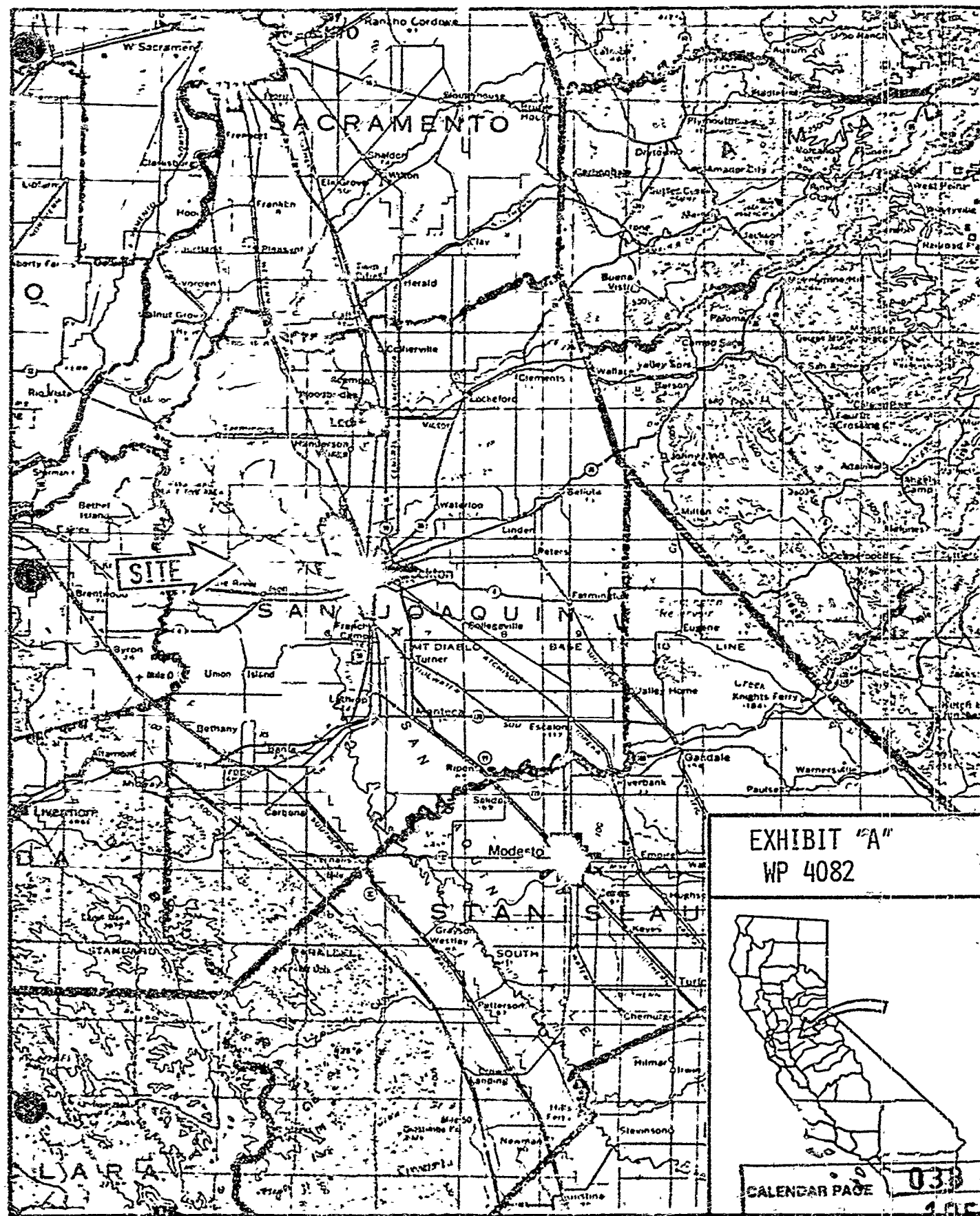


EXHIBIT "A"
WP 4082



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