

27. APPLICATION OF CITY OF CORONADO FOR FIFTEEN-YEAR LEASE OF ALL TIDE AND SUBMERGED LANDS WITHIN THE CITY LIMITS AND EXTENDING ONE GEOGRAPHICAL MILE INTO THE PACIFIC OCEAN FROM THE LINE OF ORDINARY HIGH TIDE; SAN DIEGO COUNTY - W.O. 4535, P.R.C. 363.1, P.R.C. 3691.1.

After consideration of Calendar Item 12 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE EXECUTIVE OFFICER TO ISSUE TO THE CITY OF CORONADO A 15-YEAR LEASE COMMENCING MAY 27, 1963, AND ENDING MAY 27, 1978, IN CONSIDERATION OF THE PUBLIC BENEFIT AND LESSEE'S COMPLIANCE WITH TERMS, COVENANTS, AND CONDITIONS OF EXHIBIT "A" CONSISTING OF A LEASE AND SUPPLEMENTARY AGREEMENT, AND A RENTAL IN THE TOTAL SUM OF \$10, COVERING THE FOLLOWING-DESCRIBED PROPERTY:

ALL OF THE TIDE AND SUBMERGED LANDS BETWEEN THE EASTERLY AND WESTERLY BOUNDARIES OF THE CITY OF CORONADO, EXTENDED SOUTHERLY INTO THE PACIFIC OCEAN ONE GEOGRAPHICAL MILE FROM THE LINE OF ORDINARY HIGH TIDE OF THE PACIFIC OCEAN AND BETWEEN SAID LINE OF ORDINARY HIGH TIDE AND A LINE EVERY POINT OF WHICH IS LOCATED ONE GEOGRAPHICAL MILE SEAWARD FROM SAID LINE OF ORDINARY HIGH TIDE.

Attachment

Calendar Item 12 (1 page)

12.

APPLICATION OF CITY OF CORONADO FOR FIFTEEN-YEAR LEASE OF ALL TIDE AND SUBMERGED LANDS WITHIN THE CITY LIMITS AND EXTENDING ONE GEOGRAPHICAL MILE INTO THE PACIFIC OCEAN FROM THE LINE OF ORDINARY HIGH TIDE; SAN DIEGO COUNTY - W.O. 4535, P.R.C. 363-1.

On May 27, 1948, the State Lands Commission issued to the City of Coronado a 15-year lease, of all of the tide and submerged lands lying between the easterly and westerly boundaries of the city. On August 30, 1962, the City notified the State Lands Commission of its election to exercise its option in said lease to renew it for another 10 years and asked for the same terms and conditions.

On May 17, 1961, in the case of State of California v. Coronado Beach Company (San Diego Superior Court Case No. 251089), the Superior Court determined boundaries to tidelands lying to the south of the Hotel del Coronado. This raised questions concerning proper boundaries of the leased premises, and the lease renewal has been in suspense pending determination of the boundary. The negotiated boundary agreement is a separate item on this calendar for the Commission's approval.

Attached hereto as Exhibit "A" are the new lease and the Supplementary Agreement that were reached as part of the boundary negotiations in lieu of renewal of the old lease. The attached Supplementary Agreement covers the part of the tidelands in which a question may still exist as to the State's title. These documents were prepared by the Attorney General's Office as a part of the negotiations and settlement of the tideland boundary dispute.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO ISSUE TO THE CITY OF CORONADO A 15-YEAR LEASE COMMENCING MAY 27, 1963, AND ENDING MAY 27, 1978, IN CONSIDERATION OF THE PUBLIC BENEFIT AND LESSEE'S COMPLIANCE WITH TERMS, COVENANTS, AND CONDITIONS OF EXHIBIT "A" CONSISTING OF A LEASE AND SUPPLEMENTARY AGREEMENT, AND A RENTAL IN THE TOTAL SUM OF \$10, COVERING THE FOLLOWING-DESCRIBED PROPERTY:

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