

MINUTE ITEM

8/28/68

16. INDUSTRIAL LEASE, TIDE AND SUBMERGED LAND IN HUMBOLDT BAY, HUMBOLDT COUNTY;
JOSEPH R. MAGINNIS - W.O. N-0138, P.R.C. 4016.1.

After consideration of Calendar Item 30 attached, and upon motion duly made
and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ISSUANCE TO JOSEPH R. MAGINNIS OF A 49-YEAR
INDUSTRIAL LEASE FROM AUGUST 1, 1968, IN CONSIDERATION OF ANNUAL RENT IN THE
AMOUNT OF \$1,401.30, WITH STATE RESERVING THE RIGHT TO REVIEW AND RESET A
REASONABLE RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE, PROVISION OF A
\$20,000 SURETY BOND AND PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF
\$200,000/\$500,000 FOR PERSONAL INJURY AND \$100,000 FOR PROPERTY DAMAGE, FOR
CONSTRUCTION AND OPERATION OF A PIER ON THE LAND DESCRIBED ON EXHIBIT "A"
ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment

Calendar Item 30 (2 pages)

*Rescinded by Minute Item 24,
Pg. 940, of 8/28/69. E. Denny*

CALENDAR ITEM

8/68
W.O. N-0138

30.

INDUSTRIAL LEASE

APPLICANT: Joseph R. Maginnis

LOCATION: A 5.19-acre parcel of tide and submerged land in Humboldt Bay near Fairhaven, Humboldt County

PROPOSED USE: The construction of a pier to be used for the loading of lumber products for water transport

TERMS: 49 years, from August 1, 1968
Surety bond: \$20,000; Public liability ins.: \$200,000/\$600,000 for personal injury and \$100,000 for property damage

CONSIDERATION: \$1,401.30 per annum during the first five years of the lease period, with State reserving the right to review the rental on each fifth anniversary of the lease

BASIS FOR CONSIDERATION:
6% of appraised value of land

PREREQUISITE ITEMS:

U.S.A. Corps of Engineers permit issued
Applicant is owner of upland

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Pt. 2, Ch. 1, Secs. 6501-6509
- b. Administrative Code: Title 2, Div. 3, Secs. 2000-2011
- c. Commission policy: Minute Item 18 of November 18, 1959

OTHER PERTINENT INFORMATION:

Initially the plans provided for dredging to accommodate the pier, which resulted in simultaneous filing of a dredging application. The location of the pier and its extension waterward now indicates dredging will not be required at the present time.

EXHIBITS: A. Legal description B. Location map

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO JOSEPH R. MAGINNIS OF A 49-YEAR INDUSTRIAL LEASE FROM AUGUST 1, 1968, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$1,401.30, WITH STATE RESERVING THE RIGHT TO REVIEW AND RESET A REASONABLE RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE, PROVISION OF A \$20,000 SURETY BOND AND PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$200,000/\$600,000 FOR PERSONAL INJURY AND \$100,000 FOR PROPERTY DAMAGE, FOR CONSTRUCTION AND OPERATION OF A PIER ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment
Exhibit "A"

EXHIBIT "A"

Lessee: Joseph R. Maginnis

W.O. N-0158

A parcel of submerged land lying in Humboldt Bay, adjacent to the easterly line of Section 21, T. 5 N., R. 1 W., H.B.M., in the county of Del Norte, State of California, and being more particularly described as follows:

BEGINNING at a point on the easterly boundary of Tideland Survey 75, said point being also on the easterly boundary of a certain parcel of land of Joseph R. Maginnis, said point being also on a line that bears N 10° 18' 47" E 343.77 feet more or less from the southeasterly corner of said property; thence the following courses:

- 1) S 60° 21' 37" E 482.93 feet
- 2) S 16° 08' 23" W 227.26 feet
- 3) S 73° 51' 37" E 160.00 feet
- 4) N 16° 08' 23" E 780.00 feet
- 5) N 73° 51' 37" W 160.00 feet
- 6) S 16° 08' 23" W 224.81 feet
- 7) N 87° 21' 37" W 493.42 feet to a point on

the easterly boundary of Tideland Survey 75, said point being also on the easterly boundary of the above-mentioned parcel of land of Joseph R. Maginnis; thence along the said easterly boundary of Tideland Survey 75 and said easterly boundary of Maginnis S 10° 18' 47" W 100.52 feet to the point of beginning containing 5.19 acres more or less.

The basis of bearings of this description is the California Coordinate System, Zone I.