

12. COMMERCIAL LEASE, SOVEREIGN LAND, WHISKEY SLOUGH, SAN JOAQUIN COUNTY, FOR OPERATION OF A MARINA; DARRELL B. HANNAN, ET AL., dba TURNER CUT RESORT - W.O. H-0172, P.R.C. 4080.1.

After consideration of Calendar Item 9 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ISSUANCE TO DARRELL B. AND FLORENCE M. HANNAN, CLYDE F. AND LUCILLE M. HOGG, AND SANTO SAM AND MARY VACARO, dba TURNER CUT RESORT, OF A 9-YEAR COMMERCIAL LEASE, FROM FEBRUARY 27, 1968, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$419.08, AND PROVISION OF A \$5,000 SURETY BOND AND PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$200,000/\$600,000 FOR PERSONAL INJURY AND OF \$100,000 FOR PROPERTY DAMAGE, FOR OPERATION OF A MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, WITH LESSEE'S RIGHT TO RENEW FOR ONE ADDITIONAL PERIOD OF FORTY YEARS UPON SUCH REASONABLE TERMS AND CONDITIONS AS THE STATE MIGHT IMPOSE.

Attachment

Calendar Item 9 (2 pages)

COMMERCIAL LEASE

APPLICANT: Darrell B. Hannan, et al., a copartnership, dba Turner Cut Resort

LOCATION: 2.21 acres of sovereign land in Whiskey Slough at Turner Cut, northerly of McDonald Island Ferry, San Joaquin County

PRESENT USE: The operation of a marina

TERMS: Initial period: 9 years, from February 27, 1968
 Renewal options: 1 additional period of 40 years
 Surety bond: \$5,000
 Public liability ins.: \$200,000/\$600,000 for personal injury and \$100,000 for property damage

CONSIDERATION: \$419.08 per annum, based upon comparable leases in the area that carry nominal rentals, and not based upon fee value in order to avoid hardship due to competition with other nearby marina operators (see reference d. below)

PREREQUISITE ITEMS:

U.S. Army Corps of Engineers permit issued
 Applicants are owners 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
- d. Commission policy: Minute Item 35 of March 28, 1968

EXHIBITS: A. Land description B. Location map

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO DARRELL B. AND FLORENCE M. HANNAN, CLYDE F. AND LUCILLE M. HOGG, AND SANTO SAM AND MARY VACARO, dba TURNER CUT RESORT, OF A 9-YEAR COMMERCIAL LEASE, FROM FEBRUARY 27, 1968, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$419.08, AND PROVISION OF A \$5,000 SURETY BOND AND PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$200,000/\$600,000 FOR PERSONAL INJURY AND OF \$100,000 FOR PROPERTY DAMAGE, FOR OPERATION OF A MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, WITH LESSEE'S RIGHT TO RENEW FOR ONE ADDITIONAL PERIOD OF FORTY YEARS UPON SUCH REASONABLE TERMS AND CONDITIONS AS THE STATE MIGHT IMPOSE.

Attachment: Exhibit "A"

EXHIBIT "A"

A parcel of tide and submerged land in the bed of Whiskey Slough, San Joaquin County, California, said parcel more particularly described as follows:

Bounded on the south by the westerly projection of the south line of Parcel 3 recorded in Book 3163 of Official Records at page 456, said San Joaquin County; bounded on the north by a line normal to said Whiskey Slough and beginning at the intersection of the most northerly corner of the above-mentioned Parcel 3;

Containing an area of 2.21 acres, more or less.

EXCEPTING that portion lying above the ordinary high water line of Whiskey Slough as would exist under natural conditions.