

14. COMMERCIAL LEASE, SOVEREIGN LAND, WHISKEY SLOUGH, SAN JOAQUIN COUNTY, FOR OPERATION OF AN EXISTING MARINA; HAROLD CLAUDE TAYLOR AND CAROL G. TAYLOR, dba TIKI-LAGUN MARINA - W.O. 4618, P.R.C. 4032.1.

After consideration of Calendar Item 11 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ISSUANCE TO HAROLD CLAUDE TAYLOR AND CAROL G. TAYLOR, dba TIKI LAGUN MARINA, OF A 14-YEAR COMMERCIAL LEASE, FROM JANUARY 1, 1963, IN CONSIDERATION OF \$1,427.76 UPON EXECUTION OF LEASE, BEING RENTAL FOR THE FIRST FIVE YEARS; \$574.59 ON JANUARY 1, 1969; \$661.65 ON JANUARY 1, 1970; \$783.53 ON JANUARY 1, 1971; \$870.59 ON JANUARY 1, 1972; AND ON LIKE DATES THEREAFTER; PROVISION OF A \$5,000 SURETY BOND AND OF PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$300,000/\$600,000 FOR PERSONAL INJURY AND OF \$100,000 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 THIRTY-FIVE YEARS UPON SUCH REASONABLE TERMS AND CONDITIONS AS THE STATE MIGHT IMPOSE.

Attachment

Calendar Item 11 (3 pages)

CALENDAR ITEM

11/68
W.O. 4618

11.

COMMERCIAL LEASE

APPLICANT: Harold Claude Taylor and Carol G. Taylor, dba Tiki-Lagun Marina

LOCATION: 4.591 acres of sovereign land in Whiskey Slough at Roberts Island near Stockton, San Joaquin County

PROPOSED USE: The operation of an existing marina

TERMS: Initial period: 14 years, from January 1, 1963
Renewal options: 1 additional period of 35 years
Surety bond: \$5,000
Public liability ins.: \$300,000/\$600,000 for personal injury and \$100,000 for property damage

CONSIDERATION: \$1,427.76 upon execution of lease, being rental for the first five years; \$574.59 on January 1, 1969; \$661.65 on January 1, 1970; \$783.53 on January 1, 1971; \$870.59 on January 1, 1972, and on like dates thereafter

BASIS FOR CONSIDERATION:

Existing leases in the area that carry a nominal rental, 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
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
- d. Commission policy: Minute Item 28 of March 28, 1968

OTHER PERTINENT INFORMATION:

The lease is not intended to constitute the establishment of the State's boundary, and is to be without prejudice to any boundary claims that may be asserted in the future. The escalated rental reflects past and estimated future construction of berthing facilities on the State land.

EXHIBITS: A. Land description B. Location map

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO HAROLD CLAUDE TAYLOR AND CAROL G. TAYLOR, dba TIKI LAGUN MARINA, OF A 14-YEAR COMMERCIAL LEASE, FROM JANUARY 1, 1963, IN CONSIDERATION OF \$1,427.76 UPON EXECUTION OF LEASE,

CALENDAR ITEM 11. (CONTD.)

BEING RENTAL FOR THE FIRST FIVE YEARS; \$574.59 ON JANUARY 1, 1969; \$661.65 ON JANUARY 1, 1970; \$783.53 ON JANUARY 1, 1971; \$870.59 ON JANUARY 1, 1972; AND ON LIKE DATES THEREAFTER; PROVISION OF A \$5,000 SURETY BOND AND OF PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$300,000/\$600,000 FOR PERSONAL INJURY AND OF \$100,000 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 THIRTY-FIVE YEARS UPON SUCH REASONABLE TERMS AND CONDITIONS AS THE STATE MIGHT IMPOSE.

Attachment: Exhibit "A"

EXHIBIT "A"

All that tide and submerged land located in the bed of Whiskey Slough in San Joaquin County, California, located immediately adjacent to Roberts Island more particularly described as follows:

BEGINNING at the intersection of the centerline of the McDonald Island Road with the ordinary high water line comprising the westerly boundary of Roberts Island (in projected Section 31, T. 1 N., R. 5 E., M.D.M.) which intersection was designated the "POINT OF COMMENCEMENT" in the deeds from Marie Pezzi, et al., to Harold Claude Taylor, et ux., dated June 27, 1962, recorded in Book 2570, Pages 273 through 276, Official Records of San Joaquin County, California; thence from said POINT OF BEGINNING, southerly along said ordinary high water line 1,280 feet, more or less, to the southerly boundary of the 4.287 acre parcel described in said deeds; thence, leaving said line, N. 65° W., 150 feet; thence N. 37° E., 450 feet; thence N. 25° W., 200 feet; thence N. 50° W., 450 feet; thence North 100 feet, more or less, to a point which bears S. 67° W. from said point of beginning hereof; thence N. 87° E., 155 feet, more or less, to said point of beginning, containing 4.591 acres, more or less.