

MINUTE ITEM

11/19/70
E.

11. FIVE-YEAR USE PERMIT, TEN-YEAR RIGHT-OF-WAY PERMIT, AND TEN-YEAR RECREATIONAL PIER PERMIT, TIDE AND SUBMERGED LAND IN CALAVERAS RIVER AT SCHENKEL ISLAND, SAN JOAQUIN COUNTY; SAMUEL E. BISTLINE - W 8750, PRC 4545.1, PRC 4546.1, PRC 4547.9.

After consideration of Calendar Item 13 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ISSUANCE TO SAMUEL E. BISTLINE OF A FIVE-YEAR USE PERMIT, A TEN-YEAR RIGHT-OF-WAY PERMIT, AND A TEN-YEAR RECREATIONAL PIER PERMIT, ALL FROM APRIL 29, 1970, IN CONSIDERATION OF TOTAL ANNUAL RENT IN THE AMOUNT OF \$70 AND PROVISION OF A \$500 SURETY BOND, FOR THE MAINTENANCE OF AN EXISTING FERRY CROSSING, EXISTING GAS AND WATER LINES, AND EXISTING BOATHOUSE AND FLOAT ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 13 (3 pages)

CALENDAR ITEM

11/70
W 8750
EWC

13.

USE PERMIT, RIGHT-OF-WAY AND RECREATIONAL PIER PERMIT

APPLICANT: Samuel E. Bistline.

LOCATION: Three parcels of tide and submerged land in the Calaveras River at Schenkel Island, San Joaquin County.

LAND USE: A private ferry crossing, a right-of-way for submerged gas and water lines, and a boathouse and float to serve the applicant's residence on Schenkel Island.

TERMS OF USE PERMIT:

5 years from April 29, 1970.
Surety bond: \$500.

TERMS OF RIGHT OF WAY:

10 years from April 29, 1970.
Surety bond: \$500 (same bond will cover both permits).

TERMS OF RECREATIONAL PIER PERMIT:

10 years from April 29, 1970.
Surety bond: None.

TOTAL CONSIDERATION:

\$70 per annum (\$50.00 for the use permit; \$20.00 for right-of-way; no charge for recreational pier permit per Section 6503, Public Resources Code).

BASIS FOR CONSIDERATION:

\$70 minimum rental for these types of permits.

PREREQUISITE ITEMS:

U.S. Army Corps of Engineers permit issued.
Applicant is littoral owner of upland as defined in Section 6503, Public Resources Code, and has paid the \$25 filing fee.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Articles 1 & 2 as amended effective May 10, 1969.

OTHER PERTINENT INFORMATION:

The applicant's residence is on Schenkel Island. He has an easement for access and for other services from the mainland. The ferry will operate on a cable installed on the river bottom.

EXHIBITS: A. Land description. B. Location map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO SAMUEL E. BISTLINE OF A FIVE-YEAR USE PERMIT, A TEN-YEAR RIGHT-OF-WAY PERMIT, AND A TEN-YEAR

CALENDAR ITEM 13. (CONTD.)

RECREATIONAL PIER PERMIT, ALL FROM APRIL 29, 1970, IN CONSIDERATION OF TOTAL ANNUAL RENT IN THE AMOUNT OF \$70 AND PROVISION OF A \$500 SURETY BOND, FOR THE MAINTENANCE OF AN EXISTING FERRY CROSSING, EXISTING GAS AND WATER LINES, AND EXISTING BOATHOUSE AND FLOAT ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

Three parcels of tide and submerged land lying in the bed of the old channel of the Calaveras River, 2500 feet upstream from the confluence of above said river and the San Joaquin River, San Joaquin County, California, more particularly described as follows:

Parcel 1: A strip of land 10 feet in width, for use as a private ferry crossing, extending across the old channel of the Calaveras River between Schenkel Island and the Stockton Golf and Country Club;

Parcel 2: A strip of land 10 feet in width, for a gas and water pipe crossing, extending across the old channel of the Calaveras River between Schenkel Island and the Stockton Golf and Country Club;

Parcel 3: A parcel of land immediately beneath an existing boathouse and float, being immediately adjacent to Schenkel Island as said island is described in Grant Deed to Samuel E. Bistline, et. ux., recorded February 17, 1964, in Book 2788, page 412 of Official Records San Joaquin County.