

MINUTE ITEM

10/3/74
ACS

7. 16-YEAR NONCOMMERCIAL LEASE, TIDE AND SUBMERGED LAND IN DISCOVERY CHANNEL, HUNTINGTON HARBOUR, ORANGE COUNTY; HUNTINGTON HARBOUR CORPORATION - W 20759, PRC 4953.1.

During consideration of Calendar Item 5 attached, Commissioner Verne Orr requested the staff to come back at the next Commission meeting with a suggested revision to the basic rental rate which would be more reasonable than the existing six percent of appraised market value.

Upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THIS PROJECT AND CERTIFIED BY THE CITY OF HUNTINGTON BEACH ON FEBRUARY 1, 1974.
2. CERTIFIES THAT THE INFORMATION CONTAINED IN THE ENVIRONMENTAL IMPACT REPORT OF THE CITY OF HUNTINGTON BEACH HAS BEEN REVIEWED AND CONSIDERED BY THE COMMISSION.
3. DETERMINES THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZES THE ISSUANCE TO HUNTINGTON HARBOUR CORPORATION OF A 16-YEAR NONCOMMERCIAL LEASE FROM OCTOBER 1, 1974, WITH THE LESSEE'S OPTION TO RENEW FOR 3 ADDITIONAL PERIODS OF 11 YEARS EACH; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$4,875.67, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; THE PROVISION OF \$10,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$500,000/\$1,000,000 FOR PERSONAL INJURY AND \$200,000 FOR PROPERTY DAMAGE; FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF BOAT BERTHING FACILITIES ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 5 (3 pages)

CALENDAR ITEM

9/74
ACS
W 20759

5.

NONCOMMERCIAL LEASE

APPLICANT: Huntington Harbour Corporation.

AREA, TYPE LAND AND LOCATION:
A 0.533-acre parcel of tide and submerged land in
Discovery Channel, Huntington Harbour, Orange County.

LAND USE: Construction, operation and maintenance of boat berthing
facilities.

TERMS OF PROPOSED LEASE:

Initial period: 16 years, from October 1, 1974.

Renewal options: 3 additional periods of 11 years each.

Surety bond: \$10,000.

Public liability insurance:
\$500,000/\$1,000,000 for personal injury
and \$200,000 for property damage.

CONSIDERATION: \$4,875.67 per annum, with the State reserving the right to
fix a different rental on each fifth anniversary of the
lease.

BASIS FOR CONSIDERATION:

6% of appraised value of land.

PREREQUISITE TERMS:

Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Arts. 1, 2 & 10.

OTHER PERTINENT INFORMATION:

1. An environmental impact report was circulated in
November 1972, covering a larger project; the
development of Tract 8039, Huntington Harbour; of
which this project is part. The City of Huntington
Beach certified on February 1, 1974, that the project
would not have a significant effect on the environ-
ment.
2. The acceptance of the final environmental impact report
prepared by the City of Huntington Beach is based on
advice from the office of the Attorney General.

CALENDAR ITEM NO. 5. (CONTD)

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THIS PROJECT AND CERTIFIED BY THE CITY OF HUNTINGTON BEACH ON FEBRUARY 1, 1974.
2. CERTIFY THAT THE INFORMATION CONTAINED IN THE ENVIRONMENTAL IMPACT REPORT OF THE CITY OF HUNTINGTON BEACH HAS BEEN REVIEWED AND CONSIDERED BY THE COMMISSION.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZE THE ISSUANCE TO HUNTINGTON HARBOUR CORPORATION OF A 16-YEAR NONCOMMERCIAL LEASE FROM OCTOBER 1, 1974, WITH THE LESSEE'S OPTION TO RENEW FOR 3 ADDITIONAL PERIODS OF 11 YEARS EACH; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$4,875.67, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; THE PROVISION OF \$10,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$500,000/\$1,000,000 FOR PERSONAL INJURY AND \$200,000 FOR PROPERTY DAMAGE; FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF BOAT BERTHING FACILITIES ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 20759

A parcel of submerged land being a portion of the land deeded to the State of California in the City of Huntington Beach, as per Deed recorded in Book 6368, page 411 of Official Records of Orange County, State of California.

BEGINNING at the southeast corner of Tract No. 8039 as per map recorded in Book 334, pages 12 through 14 inclusive of Miscellaneous Maps, records of said Orange County; thence northwesterly along the northeasterly line of said Tract No. 8039 N 19° 00' 00" W, 580.23 feet to the northeast corner of Lot B of said Tract No. 8039; thence leaving said northeasterly line N 71° 00' 00" E, 40.00 feet; thence S 19° 00' 00" E, 580.23 feet; thence S 71° 00' 00" W, 40.00 feet to the point of beginning.

END OF DESCRIPTION