

MINUTE ITEM  
52

5/27/82  
Grimmett  
W 20732

AUTHORIZATION OF LITIGATION  
FOR EJECTMENT AND DAMAGES FOR  
UNAUTHORIZED OCCUPATION OF  
STATE-OWNED LAND

Calendar Item 52 was pulled from the agenda prior to the meeting.

Attachment: Calendar Item 52.

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CALENDAR ITEM

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Grimmett

AUTHORIZATION OF LITIGATION  
FOR EJECTMENT AND DAMAGES FOR  
UNAUTHORIZED OCCUPATION OF  
STATE-OWNED LAND

PROSPECTIVE DEFENDANT:

Robert L. Breeze,  
Playmate Resort Marinas, et al.  
730 S. Cypress  
La Habra, California 90631

AREA, TYPE LAND AND LOCATION:

A 1.13<sup>±</sup> acre parcel of tide and submerged  
land in Disappointment Slough, San Joaquin  
County.

LAND USE:

Commercial marina known as Paradise Point  
Marina.

BACKGROUND:

On or about September 24, 1979, Mr. Robert  
L. Breeze assumed the operation of Paradise  
Point Marina, a portion of which occupies  
State-owned land in Disappointment Slough.  
Prior to Mr. Breeze's operation, staff  
had negotiated a proposed lease with Mr. Robert  
Torrey, which was not consummated.

By letter dated January 22, 1980, Mr. Breeze  
was advised to apply for a State Lands  
Commission lease pursuant to United States  
Army Corps of Engineers Public Notice 5191F,  
dated January 7, 1980.

By letter dated October 29, 1981, the General  
Manager of Paradise Point Marina was provided  
a set of lease application forms to be  
forwarded to Mr. Breeze.

By previous telephone calls and by letter  
of March 19, 1982, Mr. Jerry Kelly, Vice  
President of Playmate Resort Marinas and  
designated as leasing agent of Paradise  
Point Marina, was advised of the necessity  
to apply for a lease to use State-owned

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land in Disappointment Slough. (Playmate Resort Marinas appears to be the operator of several commercial marinas owned or controlled by Mr. Robert L. Breeze.)

By letter of April 30, 1982, to Mr. Robert Breeze, Mr. Jerry Kelly and Playmate Resort Marinas, the parties were notified by certified mail that they must apply for a lease to use State-owned land.

**CURRENT SITUATION:**

The Commission staff has diligently attempted to bring Mr. Breeze under lease for the use of State land, but has not been successful.

To date there has been no response from Mr. Breeze or his organization.

AB 884: N/A.

EXHIBIT: A. Location Map.

**IT IS RECOMMENDED THAT THE COMMISSION:**

1. AUTHORIZE STAFF COUNSEL AND/OR THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL STEPS NECESSARY, INCLUDING LITIGATION, TO TERMINATE THE CONTINUING UNAUTHORIZED OCCUPATION OF MR. ROBERT L. BREEZE AND PLAYMATE RESORT MARINAS, ET AL. AND ANY OTHER NECESSARY PARTIES ON STATE-OWNED TIDE AND SUBMERGED LAND IN DISAPPOINTMENT SLOUGH, SAN JOAQUIN COUNTY, AND TO COLLECT REASONABLE COMPENSATION FOR THE UNAUTHORIZED USE OF SAID LANDS.



Stockton 10 Mi.

EXHIBIT "A"  
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