

MINUTE ITEM

This Calendar Item No. 208
was approved as Minute Item
No. 8 by the State Lands
Commission by a vote of 3
to 0 at its 5/2/84
meeting.

CALENDAR ITEM

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05/07/84
WP 5650
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ASSIGNMENT OF PRC 5650.1
GENERAL LEASE - RIGHT-OF-WAY USE

ASSIGNOR:

Shellmaker, Inc.
250 Sears Point Road
Petaluma, California 94952

ASSIGNEE:

Port Sonoma Marina Investors, Limited
900 Fulton Avenue, Suite 100
Sacramento, California 95825

AREA, TYPE LAND AND LOCATION:

A 0.2385-acre parcel of tide and submerged land
in the Petaluma River, two, more or less, miles
east of Novato, Marin and Sonoma Counties.

LAND USE:

Use and maintenance of an existing private
2-1/2-inch waterline from the North Marin
County Water District to the Port Sonoma Marina.

TERMS OF ORIGINAL LEASE:

Initial period: 49 years from April 1, 1979.

Surety bond: \$1,000.

Public liability insurance: Combined single
limit coverage of \$300,000.

Consideration: \$100 per annum; five-year
rent review.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and processing costs have been
received.

CALENDAR ITEM NO. C 08 (CONT'D)

STATUTORY AND OTHER REFERENCES:

- A P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.
2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. but will not affect those significant lands.

Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

EXHIBITS:

- A. Land Description.
- B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM CODE 15178.
2. FIND THAT THIS ACTIVITY WILL INVOLVE LANDS IDENTIFIED AS POSSESSING SIGNIFICANT ENVIRONMENTAL VALUES PURSUANT TO P.R.C. 6370, ET SEQ., BUT THAT SUCH ACTIVITY WILL HAVE NO DIRECT OR INDIRECT EFFECT ON SUCH LANDS.
3. AUTHORIZE APPROVAL OF THE ASSIGNMENT OF LEASE PRC 5650.1, GENERAL LEASE - RIGHT-OF-WAY, FROM SHELLMAKER, INC. TO PORT SONOMA MARINA INVESTORS, LIMITED, EFFECTIVE DECEMBER 24, 1982. ALL OTHER TERMS AND CONDITIONS OF THE LEASE SHALL REMAIN UNCHANGED.

WP 5650

EXHIBIT "A"

LAND DESCRIPTION

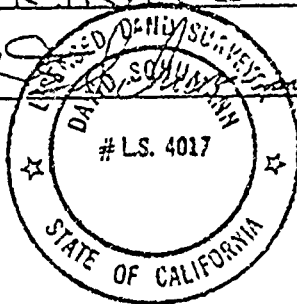
A strip of tide and submerged land 10 feet wide in the Petaluma River, located in Marin and Sonoma Counties, California, said strip lying 5 feet on each side of the following described centerline:

BEGINNING at a point on the southwesterly boundary of the lands of Shellmaker, Inc., as shown on Parcel Map No. 4704, recorded in Book 233 of Maps, page 16, Sonoma County Records, bearing S 23° 18' 40" E 11.90 feet from the intersection of said boundary with the southeasterly line of State Highway 37; thence S 46° 16' 10" W 1,039.18 feet to a point on the easterly side of the lands described as Parcel 3 in Deed to County of Marin, recorded in Book 1344 of Official Records, page 189, Marin County Records, and shown on Sheet 3 of Record of Survey Map recorded in Book 13 of Surveys, page 13, Marin County Records, said point bearing S 7° 03' 30" W 35.04 feet from the intersection of said line with said southeasterly line of State Highway 37, said point being the end of the above-described centerline.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water marks of the Petaluma River.

END OF DESCRIPTION

Prepared K. P. Schumann Checked John K. Schumann
Reviewed John K. Schumann Date January 12, 1979



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