

MINUTE ITEM

12

04/24/86
W 21213
Lane

APPROVAL OF A GENERAL LEASE - COMMERCIAL USE

Calendar Item 12, attached, was pulled from the agenda prior to the meeting.

Attachment: Calendar Item 12.

CALENDAR PAGE

MINUTE PAGE

921

CALENDAR ITEM

A 8
S 4

C 12

04/24/86
W 21213
Lane

APPROVAL OF A GENERAL LEASE - COMMERCIAL USE

APPLICANTS: William R. and Louise Wilcoxson
1998 Milton Road
Napa, California 94558

AREA, TYPE LAND AND LOCATION:
A 0.311-acre parcel of tide and submerged land,
located in the Napa River, Napa County.

LAND USE: Operation and maintenance of a boat ramp and
docking facilities.

TERMS OF PROPOSED LEASE:

Initial period: 20 years beginning May 1,
1986.

Surety bond: \$3,000.

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

CONSIDERATION: \$364 per annum; with the State reserving the
right to fix a different rental on each fifth
anniversary of the lease.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee has been received.

CALENDAR ITEM NO. C12 (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: 04/25/86.

OTHER PERTINENT INFORMATION:

1. The applicant proposes to retain existing floating boat docks and a launch ramp in a cove in the Napa River. An application for the facilities was filed with SLC in 1979; however, it was denied by the Commission due to incompleteness. Staff believes that back rent should be collected due to the continued use of the site, but penalties and interest should be waived because the applicant has continued to carry out negotiations.
2. Lessor hereby consents to Lessee's subletting of all or any portion of the lease premises for berthing or mooring purposes in conjunction with normal commercial marina subleasing practices for terms of one year or less.
3. 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 as a categorical exempt project. The project is exempt under Class 1, Existing Facilities and Class 4, Minor Alteration to Land, 2 Cal. Adm. Code 2905(a)(2), and 2905(d)(2).

Authority: P.R.C. 21084, 14 Cal. Adm. Code 15300, and 2 Cal. Adm. Code 2905.

4. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the

CALENDAR ITEM NO. C12 (CONT'D)

persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

United States Army Corps of Engineers and
Department of Fish and Game.

FURTHER APPROVALS REQUIRED:

Bay Area Conservation and Development
Commission.

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 AS A CATEGORICAL EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES AND CLASS 4, MINOR ALTERATION TO LAND, 2 CAL. ADM. CODE 2905(a)(2) AND 2905(d)(2).
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. AUTHORIZE ISSUANCE TO WILLIAM R. AND LOUISE WILCOXSON OF A 20-YEAR GENERAL LEASE - COMMERCIAL USE BEGINNING MAY 1, 1986; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$364, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; COLLECTION OF BACK RENT IN THE AMOUNT OF \$300 PER YEAR FOR YEARS MAY 1, 1979 THROUGH APRIL 31, 1986 PAYABLE IN ANNUAL INSTALLMENTS OF \$300 PER YEAR; WAIVE PENALTY AND/OR INTEREST PROVISION OF A \$3,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$300,000; FOR OPERATION AND MAINTENANCE OF A BOAT RAMP AND DOCKING FACILITIES; ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

W 21213

Those parcels of tide and submerged land in the beds of the Napa River and Mud Slough adjacent to Edgerly Island, Napa County, California, lying immediately beneath an existing boat dock, boat ramp, and float, TOGETHER WITH a necessary use area extending 10 feet from the extremities of said structures, said structures being adjacent to and waterward of the following described line:

COMMENCING at the most southerly corner of Lot No. 8, Block No. 5, as shown on Map No. 3170, filed April 28, 1950, Book 5 of Maps, page 25, said point also being the point of commencement of the land described in Decree No. 13422 rendered October 6, 1953, in the Superior court of California, Napa County quieting title to a 5.48-acre parcel of land; thence along the adjudicated boundary line of said decree the following six courses:

1. N 68° 18' E 94.17 feet;
2. S 22° 19' E 250.48 feet;
3. S 11° 20' E 107.72 feet;
4. S 15° 57' W 106.32 feet;
5. S 15° 30' E 106.79 feet;
6. S 36° 05' E 70.52 feet to the TRUE POINT OF BEGINNING;

thence continuing along said adjudicated boundary line the following three courses:

7. S 01° 19' W 103.13 feet;
8. S 86° 21' W 319.72 feet;
9. N 48° 27' W 100.00 feet to the end of the herein described

line.

END OF DESCRIPTION

REVISED OCTOBER 23, 1985, BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

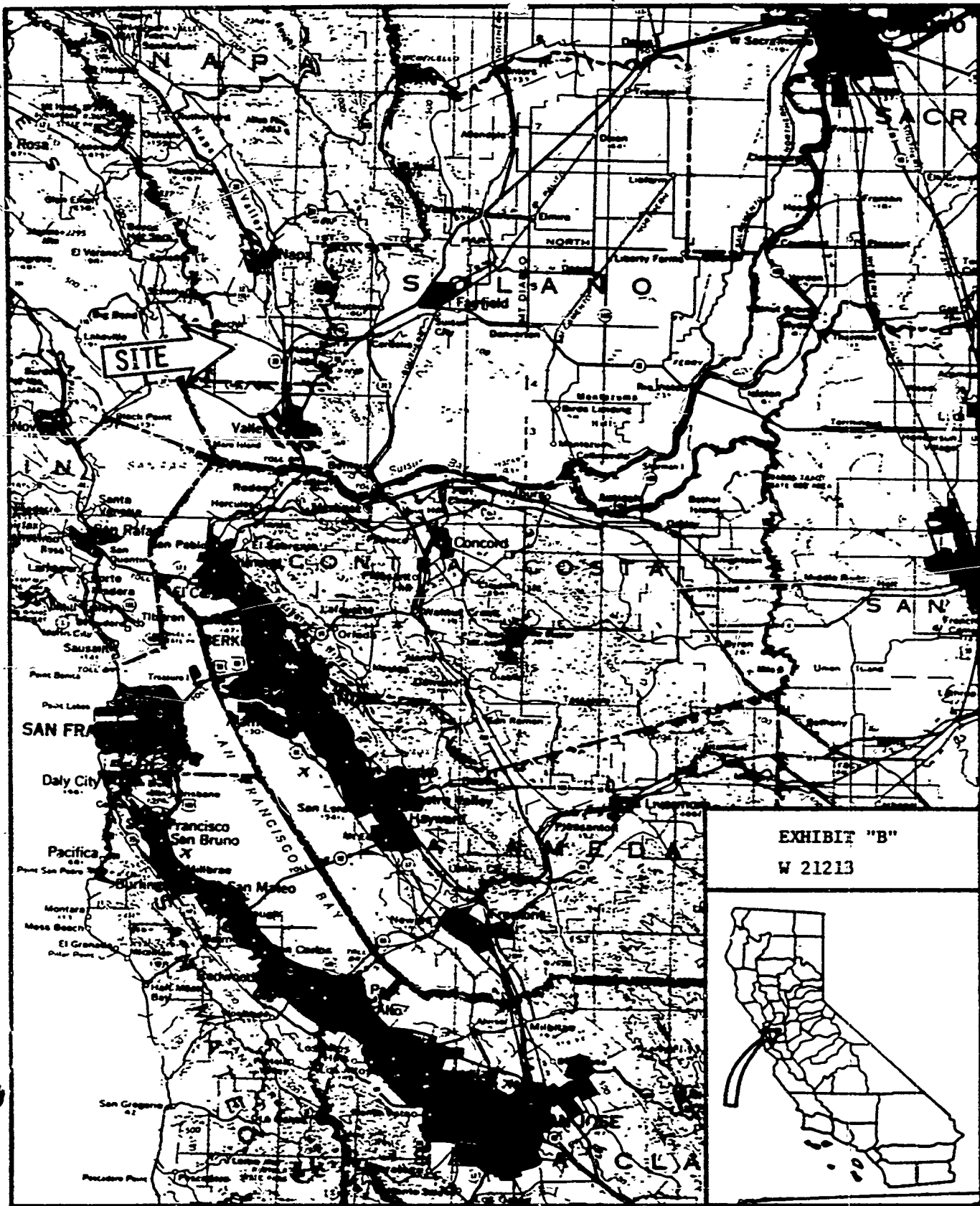


EXHIBIT "B"
W 21213

