

MINUTE ITEM

19

01/21/88
PRC 6131
Lane

TERMINATION OF LEASE PRC 6131 AND
ACCEPTANCE OF A QUITCLAIM DEED

Calendar Item 19, attached, was pulled from the agenda prior to the meeting.

Attachment: Calendar Item 19.

CALENDAR PAGE

MINUTE PAGE

179

CALENDAR ITEM

A 4

19

01/21/88
PRC 6131
Lane

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TERMINATION OF LEASE PRC 6/31 AND
ACCEPTANCE OF A QUITCLAIM DEED

LESSEE: Frank P. and Adel F. Vitalie
DBA Collinsville Fishing Resort
1066 Collinsville Road
Suisun, California 94585

AREA, TYPE LAND AND LOCATION:
A 0.10-acre parcel of tide and submerged land
in Suisun Bay at Collinsville, Solano County.

LAND USE: Use and maintenance of a floating dock, walkway
and launching ramp.

TERMS OF ORIGINAL LEASE:

Initial period: Ten years beginning January 1,
1982.

Surety bond: \$1,000.

Public liability insurance: Combined single
limit coverage of \$100,000.

Consideration: \$250 per annum; five-year
rent review.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

LESSEE STATUS: Lessee leased the upland from Pacific Gas &
Electric Company but that lease expired and was
not renewed.

(CALENDAR ITEM NO. 1 (CONT'D))

PREREQUISITE ITEMS:

- A. Lease Quitclaim Deed has been duly executed by Lessee.
- B. All rental payments were current at the lessee's notification to terminate.
- C. Pacific Gas & Electric Company has agreed in writing to assume responsibility for facility removal.

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. The terminated 42-acre upland lease property is owned by PG&E who has agreed to remove the remaining structures from the State's tide and submerged land. The State's Lessee notified staff, in writing, that they wanted to terminate Lease PRC 6131.1 due to increased insurance coverage costs which made their business unfeasible to operate. PG&E has filed an application with BCDC for authorization to remove the structures from the Suisun Marsh. State Lands staff believes they should be removed as promptly as possible because they are in a hazardous state and present a public liability to the State.
2. 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 4, Minor Alteration to Land, specifically removal of derelict or hazardous structures on State waterways or school lands.

Authority: 2 Cal. Adm. Code 2905(d)(3).

APPROVALS REQUIRED: BCDC.

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 4, MINOR ALTERATION TO LAND, 2 CAL. ADM. CODE 2905..
2. APPROVE TERMINATION OF PRC 6131, GENERAL LEASE - COMMERCIAL USE ISSUED MAY 5, 1982, AND AUTHORIZE ACCEPTANCE OF A QUITCLAIM DEED EFFECTIVE DECEMBER 31, 1987 (A COPY OF WHICH IS ON FILE IN THE OFFICE OF THE COMMISSION), FOR THE LAND AS DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.
3. APPROVE A LETTER OF UNDERSTANDING BETWEEN STATE LANDS COMMISSION AND PACIFIC GAS AND ELECTRIC COMPANY WHEREBY THE COMPANY WILL ASSUME THE LESSEE'S RESPONSIBILITY TO REMOVE EXISTING STRUCTURES FROM THE STATE'S LEASE PARCEL.

EXHIBIT "A"

LAND DESCRIPTION-

PRC 6131

A parcel of tide and submerged land in Suisun Bay at the Collinsville Resort, Solano County, California, extending 10 feet on all sides of a ramp, walkway, and dock located at approximate California Coordinate System, Zone 3 coordinates of $x = 1,615,000$ and $y = 576,400$.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of Suisun Bay.

END OF DESCRIPTION

PREPARED JANUARY 14, 1982 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

CALENDAR PAGE	168
MINUTE PAGE	183

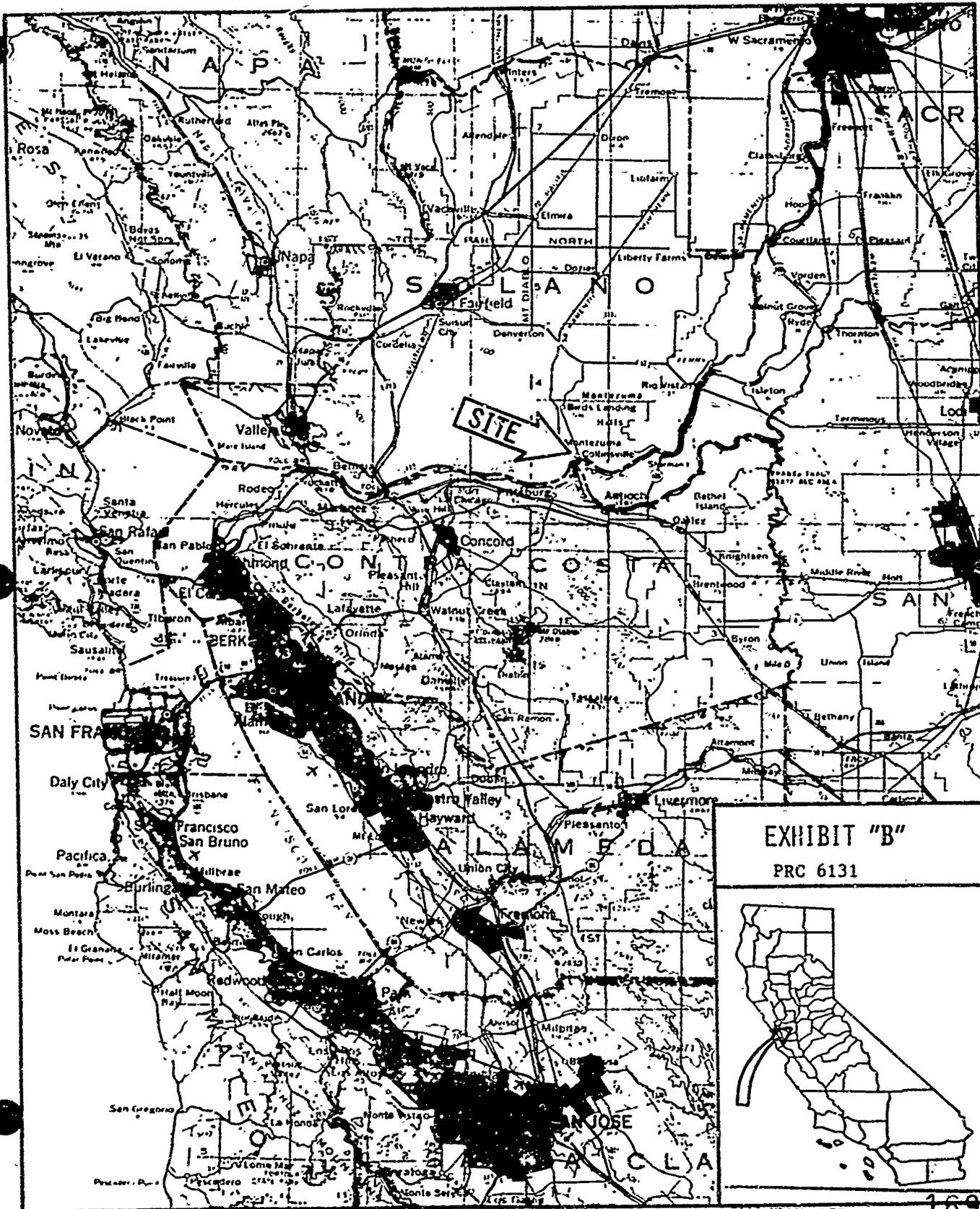


EXHIBIT "B"

PRC 6131



CALIFORNIA PAGE

169

MINUTE PAGE

184