

MINUTE ITEM

This Calendar Item No. C10
was approved as Minute Item
No. C10 by the State Lands
Commission by a vote of 3
to 0 at its 6/11/90
meeting.

CALENDAR ITEM

A 9
S 2, 3

C 1 0

06/11/90
PRC 5650
Bancroft

ASSIGNMENT OF AND AMENDMENT TO
GENERAL LEASE - RIGHT-OF-WAY USE

ASSIGNOR: Granite Construction Company, a
California corporation
P. O. Box 900
Watsonville, California 95077

ASSIGNEE: Port Sonoma-Marin, a
California corporation
P. O. Box 847
Mill Valley, California 92942

AREA, TYPE LAND AND LOCATION:

A 1.546-acre parcel of tide and submerged land
located in the Petaluma River, Marin and Sonoma
counties.

LAND USE:

Use and maintenance of a two-and-one-half-inch
water line extending from the North Marin
County Water District to the Port Sonoma Marina
and public access easement.

TERMS OF ORIGINAL LEASE:

Initial period: Forty-nine (49) years
beginning 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.

CALENDAR ITEM NO. C 1 0 (CONT'D)

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.

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.

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

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.

APPROVALS OBTAINED:

None.

FURTHER APPROVALS REQUIRED:

None.

EXHIBITS:

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

CALENDAR ITEM NO. C 10 (CONT'D)

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 15378.
2. AUTHORIZE APPROVAL OF THE ASSIGNMENT OF LEASE PRC 5650, GENERAL LEASE - RIGHT-OF-WAY USE FROM GRANITE CONSTRUCTION COMPANY, A CALIFORNIA CORPORATION, TO PORT SONOMA-MARIN, A CALIFORNIA CORPORATION, EFFECTIVE DECEMBER 20, 1989. ALL OTHER TERMS AND CONDITIONS OF THE LEASE SHALL REMAIN UNCHANGED.
3. AUTHORIZE AMENDMENT TO THE DESCRIPTION OF LEASE PRC 5650, AS SHOWN IN EXHIBIT "A", TO REFLECT THAT THE BOUNDARY BETWEEN THE STATE OWNED LANDS IN THE BED OF THE PETALUMA RIVER AND THE PRIVATELY OWNED UPLANDS ON THE NORTHEASTERLY BANK OF THE RIVER WAS DEFINED AND FIXED BY COURT JUDGEMENT.

EXHIBIT "A"
LAND DESCRIPTION

PRC 5650

Two parcels of tide and submerged land, in the Petaluma River described as follows:

PARCEL 1

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 24° 34' 28" E 11.90 feet from a point designated "A", the intersection of said boundary with the southeasterly line of State Highway 37; thence S 45° 00' 22" 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 5° 47' 42" 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 mark on the southwesterly side of the Petaluma River.

ALSO EXCEPTING THEREFROM any portion on the northeasterly side of the Petaluma River lying landward of the adjudicated line as described in SCC 49449, Recorded in Book 2495, page 406 Official Records of Sonoma County.

PARCEL 2

A parcel of filled tide and submerged land in the Petaluma River, Sonoma County, California described as follows:

BEGINNING at the point designated "A" in Parcel 1 above; thence along the southwesterly boundary of said Parcel Map No. 4704, said boundary being the adjudicated line as described in SCC 49449, as Recorded in Book 2495, page 406 Official Records of Sonoma County, S 24° 34' 38" E, 92.05 feet (record N 24° 22' 46" W, 92.03 feet); thence S 72° 30' 49" E, 40.28 feet (record N 72° 23' 27" W, 40.16 feet); thence S 41° 29' 47" E, 130.75 feet (record N 41° 18' 46" W, 130.60 feet); thence S 53° 43' 09" E (record N 53° 33' 14" W), 202.00 feet; thence leaving said boundary S 42° 38' 00" W, 140.23 feet; thence N 47° 22' 00" W, 460 feet to the southeasterly line of said State Highway 37, thence along said line N 45° 38' 00" E, 150.00 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying within Parcel 1 above.

Bearings in the above description are based on Parcel Map No. 4704, Book 233 of Maps, Page 16, Sonoma County Records.

END OF DESCRIPTION

REVISED MAY 25, 1990 BY LLB.

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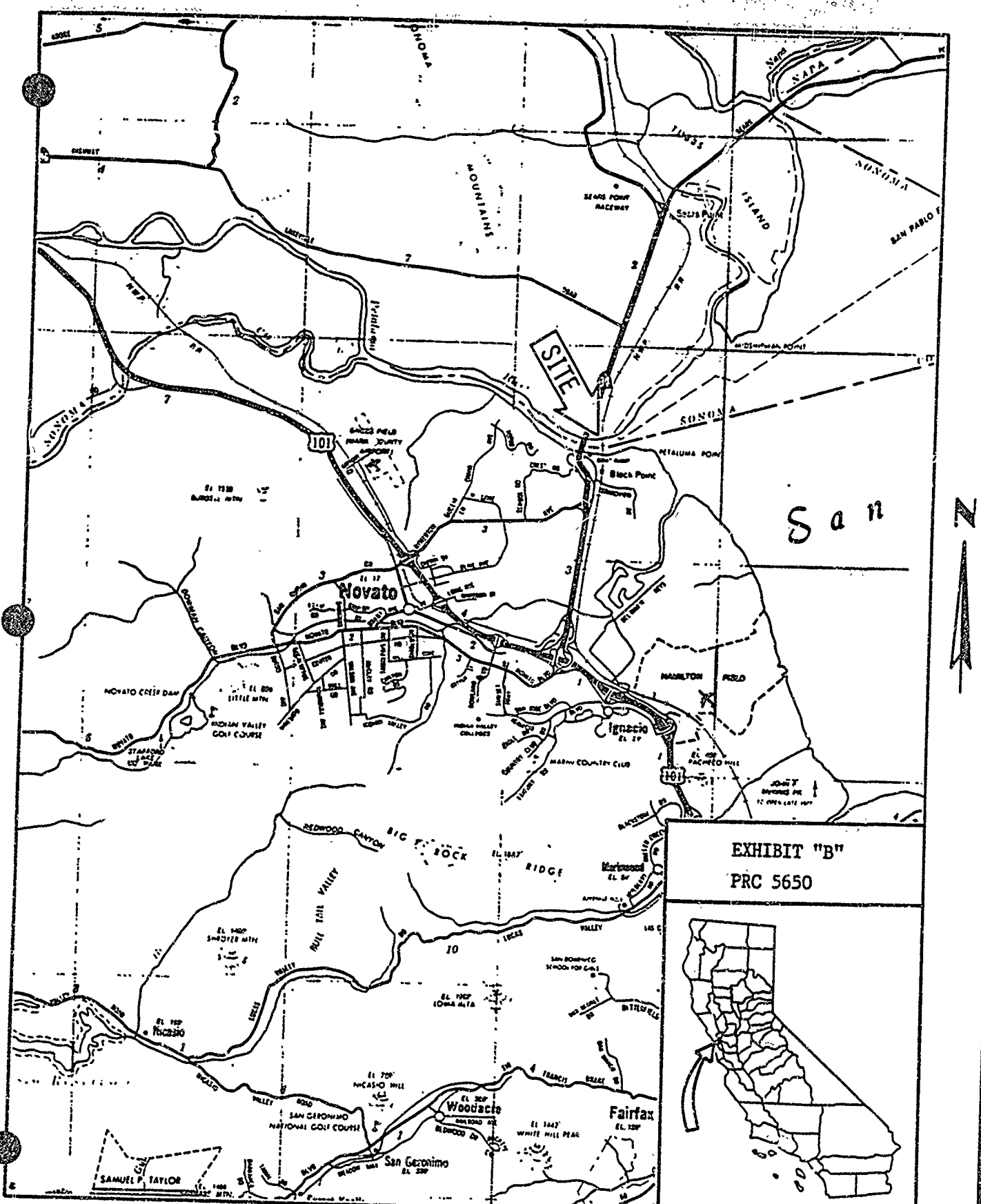


EXHIBIT "B"
 PRC 5650

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