

**CALENDAR ITEM
C77**

A 67
S 35

06/21/13
PRC 7986.1
D. Simpkin

ASSIGNMENT OF LEASE

LESSEE/ASSIGNOR:

Angelo Zaby, Trustee of the Angelo Zaby Trust, dated September 9, 1983

ASSIGNEE:

Ida Zaby

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Huntington Harbour, adjacent to 3632 Venture Drive, city of Huntington Beach, Orange County

AUTHORIZED USE:

The continued use and maintenance of an existing boat dock, access ramp, and cantilevered deck extending no more than five feet waterward of the bulkhead.

LEASE TERM:

10 years, beginning April 6, 2011.

CONSIDERATION:

Boat dock and access ramp: No monetary consideration pursuant to Public Resources Code section 6503.5.

Cantilevered deck: Annual rent in the amount of \$860, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

OTHER PERTINENT INFORMATION:

1. Assignee owns the upland adjoining the lease premises.
2. On April 6, 2011, the Commission authorized a General Lease – Recreational Use to the Lessee for an existing boat dock, access ramp, and cantilevered deck. That lease will expire on April 5, 2021. On February 25, 2011 the Lessee passed away. The lease was executed by

CALENDAR ITEM NO. **C77** (CONT'D)

a Trustee of the Lessee's Trust. Title to the upland was transferred to the Assignee, who is requesting Commission authorization for an assignment of the lease.

3. The staff recommends that the Commission find that the subject lease assignment does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the subject lease assignment is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

Authorize the Assignment of Lease No. PRC 7986.1, a General Lease – Recreational Use, of sovereign land located in Huntington Harbour as shown on Exhibit A attached and by this reference made a part hereof, from Angelo Zaby, Trustee of the Angelo Zaby Trust, dated September 9, 1983 to Ida Zaby; effective June 21, 2013.

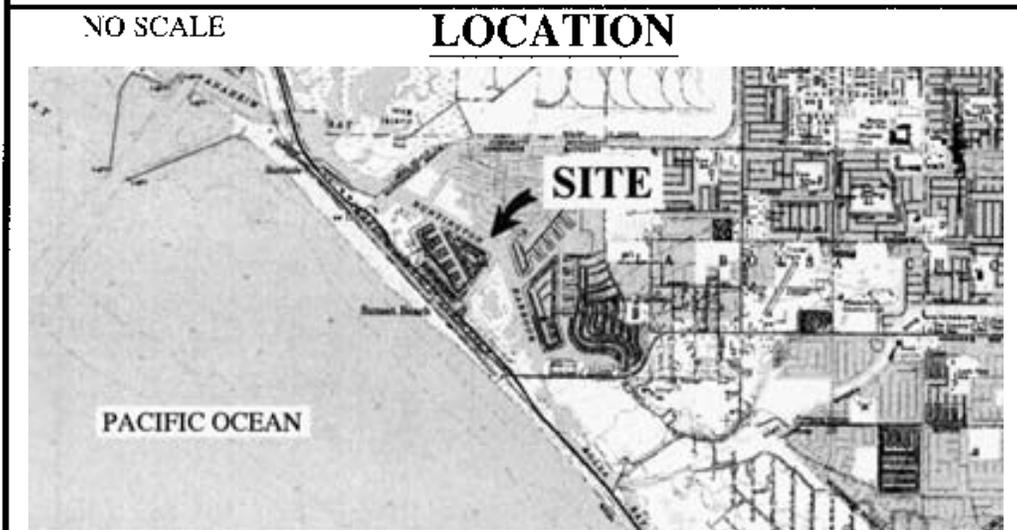
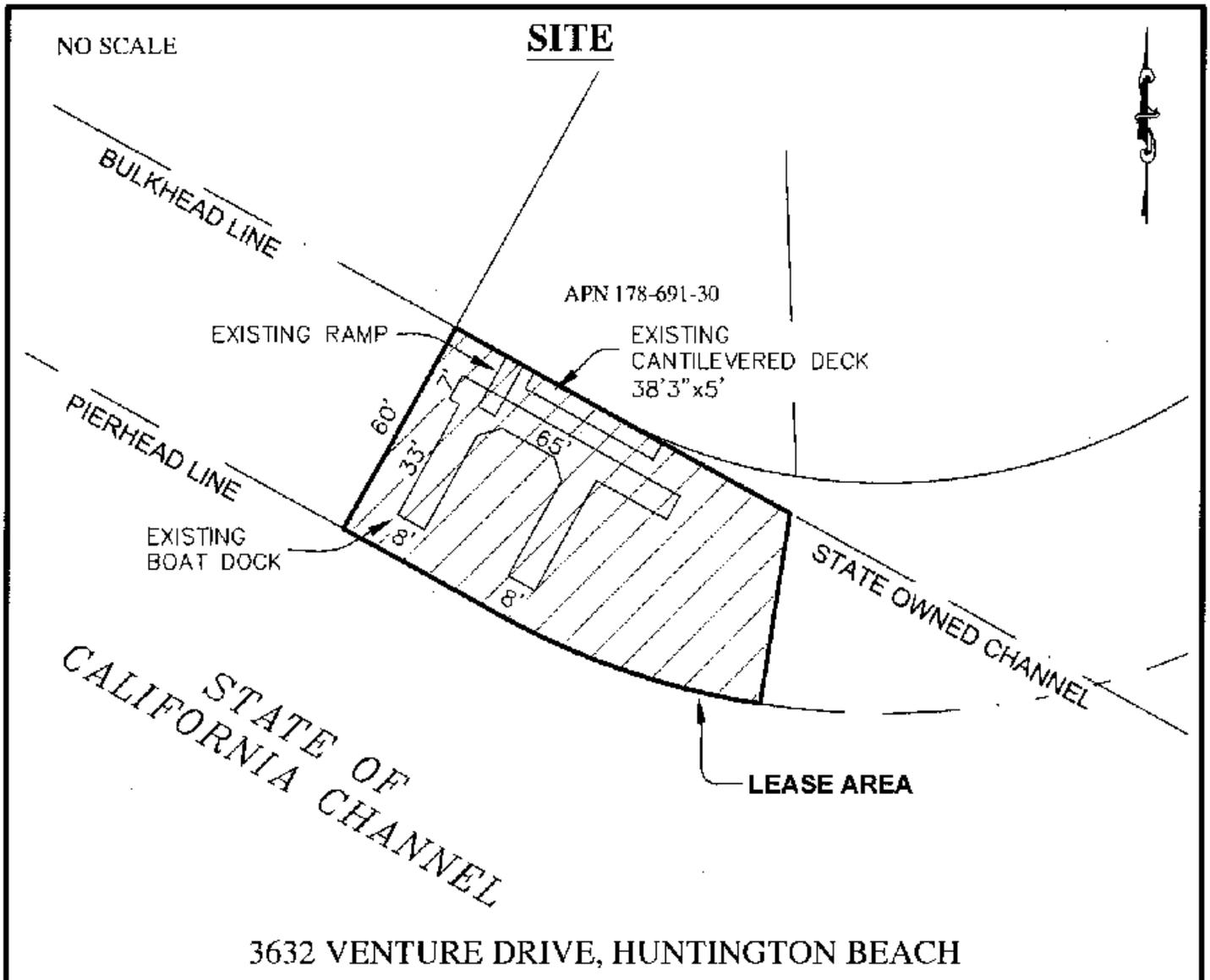


Exhibit A
 PRC 7986.1
 ZABY
 APN 178-691-30
 GENERAL LEASE -
 RECREATIONAL USE
 ORANGE COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.