

**CALENDAR ITEM  
C51**

A 72  
S 34

02/07/17  
PRC 3570.1  
L. Pino

**ASSIGNMENT OF LEASE**

**ASSIGNOR:**

John R. Keefner and Lori Schaffer

**ASSIGNEE:**

Flavio S. Jaen

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in the Main Channel of Huntington Harbor, adjacent to 17011 Bolero Lane, city of Huntington Beach, Orange County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing boat dock, access ramp, and cantilevered deck.

**LEASE TERM:**

10 years, beginning December 17, 2014

**CONSIDERATION:**

\$1,778 per year, with an annual Consumer Price Index adjustment.

**SPECIFIC LEASE PROVISIONS:**

Liability insurance in an amount no less than \$1,000,000 per occurrence.

**STAFF ANALYSIS AND RECOMMENDATION:**

**Authority:**

Public Resources Code sections 6005, 6216, 6301, and 6503.5; California Code of Regulations, title 2, section 2000, subdivision (b).

**Public Trust and State's Best Interests Analysis:**

On December 17, 2014, the Commission authorized the issuance of Lease No. PRC 3570.1, a General Lease – Recreational Use, to John R. Keefner and Lori Schaffer for a term of 10 years ([Calendar Item C51, December 17, 2014](#)). The lease will expire on December 16, 2024. On

CALENDAR ITEM NO. **C51** (CONT'D)

September 29, 2016, ownership of the upland property was transferred to Flavio S. Jaen, who is now applying for an assignment of the lease.

Assignment of this lease will not result in a change in the use of or impacts to Public Trust resources. Commission staff believes approval of this assignment is consistent with the common law Public Trust Doctrine and is in the best interests of the State.

**OTHER PERTINENT INFORMATION:**

1. This action is consistent with Strategy 1.1 of the Commission's Strategic Plan to deliver the highest levels of public health and safety in the protection, preservation, and responsible economic use of the lands and resources under the Commission's jurisdiction.
2. Approving the lease assignment is not a project as defined by the California Environmental Quality Act because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, sections 15378, subdivision (b)(5).

**EXHIBITS:**

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

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**PUBLIC TRUST AND STATE'S BEST INTERESTS:**

Find that the proposed lease assignment will not substantially impair the public rights to navigation and fishing or substantially interfere with the Public Trust needs and values at this location at this time; is consistent with the common law Public Trust Doctrine; and is in the best interests of the State.

**AUTHORIZATION:**

Authorize the assignment of Lease No. PRC 3570.1, a 10-year General Lease – Recreational Use, of sovereign land located in the Main Channel of Huntington Harbor, as described in Exhibit A and as shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof, from John R. Keefner and Lori Schaffer to Flavio S. Jaen; effective September 29, 2016.

**EXHIBIT A**

**PRC 3570.1**

**LAND DESCRIPTION**

A parcel of submerged land in Huntington Harbour, in the City of Huntington Beach, Orange County, California, described as follows:

Beginning at the most southerly corner of Lot 35, as said lot is shown and so designated on that certain map of Tract No. 5264 filed in Book 185, Pages 27 through 34 of Miscellaneous Maps, Official Records of said County; thence along the southwesterly extension of the southeasterly line of said lot 50.00 feet; thence northwesterly and parallel with the southwesterly line of said lot 50.00 feet to the southwesterly extension of the northwesterly line of said lot; thence northeasterly along said extension to the most westerly corner of said lot; thence southeasterly along said southwesterly line of said lot to the point of beginning.

**END OF DESCRIPTION**

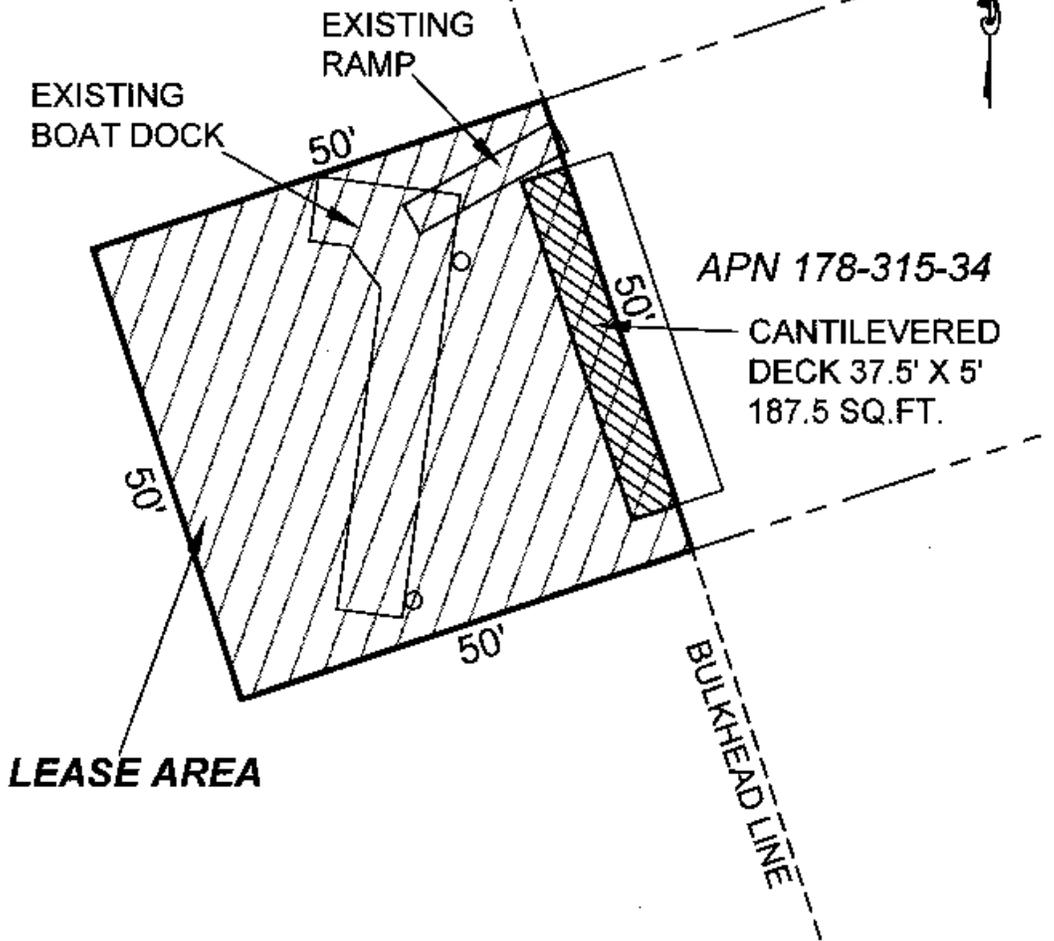
Prepared 09/18/13 by the California State Lands Commission Boundary Unit



NO SCALE

### SITE

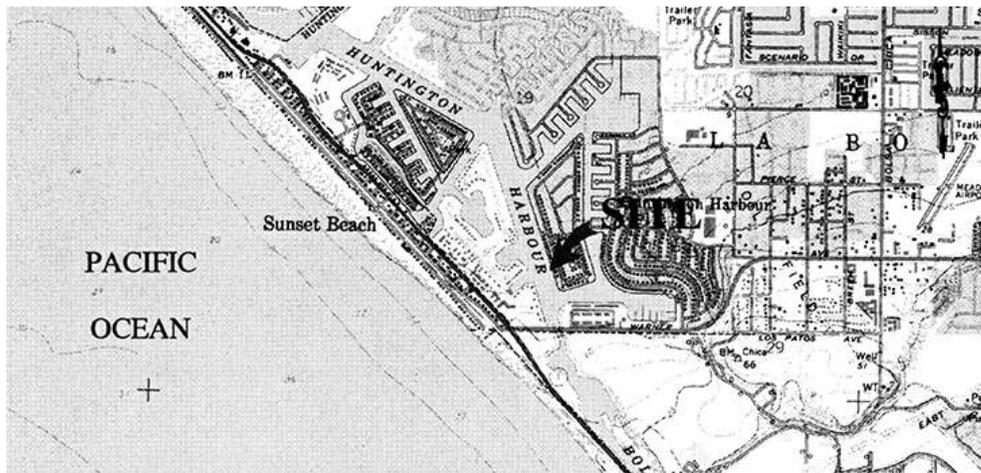
STATE OF CALIFORNIA 400' CHANNEL



17011 BOLERO LANE, HUNTINGTON BEACH

NO SCALE

### LOCATION



MAP SOURCE: USGS QUAD

### **Exhibit B**

PRC 3570.1

JAEN

APN 178-315-34

GENERAL LEASE-  
RECREATIONAL USE  
ORANGE COUNTY



TS 11/02/16

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.