

MINUTE ITEM

This Calendar Item No. 07
was approved as Minute Item
No. 7 by the State Lands
Commission by a vote of 7
to 0 at its 4-2-81
meeting.

CALENDAR ITEM

07

4/81
WP 4485
Graham

GENERAL LEASE - COMMERCIAL USE

APPLICANT: 4-Jay Investment Inc.
dba Rio Ramaza Marina
10,000 Garden Highway
Sacramento, California 95837

AREA, TYPE LAND AND LOCATION:
3.50 acres of tide and submerged land in
the Sacramento River near Verona, Sutter
County.

LAND USE: Operation and maintenance of an existing
commercial marina.

TERMS OF ORIGINAL LEASE:

Initial period: 20 years from August 1,
1977.

Surety bond: \$5,000.

Public liability insurance: Combined single
limit coverage of \$500,000.

Consideration: 5% of gross revenue derived
from berthing, launching
and the merchandise sold
on State land, against
a \$1,500 minimum annual
revenue paid in advance
on August 1, of each
year of the lease; one (1)
cent per gallon of fuel
sold, up to and including
100,000 gallons, and
one and one-half (1½)
cents per gallon in excess
of 100,000 gallons.

TERMS OF AMENDED LEASE:

Other than increasing the leased area,
all terms and conditions remain unchanged.

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CALENDAR PAGE	041
MINUTE PAGE	773

CALENDAR ITEM NO. 07 (CONT'D)

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 & 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

OTHER PERTINENT INFORMATION:

1. In March of 1978, Louis and Marian Halasz purchased, through a stock purchase and deed back agreement, 4-Jay Investment, Inc. The purchase consisted of the acquisition of Rio Ramaza Marina and an approximate 600 foot strip of upland adjacent to the Marina.
2. The sole source of income to the marina operation is generated from facilities located on the State-owned land. There are no improvements on the uplands. The uplands are primarily used for boat-trailer parking and storage.
3. At its January 24, 1980 meeting, the State Lands Commission authorized amendment of the General Lease - Commercial Use, to provide for an amended term of 20 years from August 1, 1979 in consideration of 5% of gross revenue derived from berthing, launching, and merchandise sold on State land, against a \$1,500 minimum annual rental paid in advance on August 1, of each year of the lease plus one (1) cent a gallon of fuel sales up to and including 100,000 gallons and one and one-half (1½) cents per gallon thereafter; provision of public liability insurance with a combined single limit coverage of \$500,000.

CALENDAR ITEM NO. 07 (CONTD)

4. The lessee seeks to increase the lease area from 3.25 acres to 3.50 acres to accommodate the addition of a marina operations center on a floating barge. Previously, the operations were conducted from the uplands.
5. This project is exempt from CEQA pursuant to Section 15103 Class 3(E), new construction of small accessory structures.
6. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class B, which authorizes Limited Use.

Staff has coordinated this project with those agencies and organizations which nominated the site as containing significant environmental values. They have found this project to be compatible with their nomination.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 1500 ET SEQ., 2 CAL. ADM. CODE 2907.
2. FIND THAT THE AMENDMENT OF THIS LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.
3. AUTHORIZE AMENDMENT OF LEASE PRC 4485.1 TO 4-JAY INVESTMENT INC. TO PROVIDE FOR AN INCREASE IN SIZE OF LEASE AREA OF A 20-YEAR GENERAL LEASE - COMMERCIAL USE FROM AUGUST 1, 1979; IN CONSIDERATION OF 5% OF GROSS REVENUE DERIVED FROM BERTHING, LAUNCHING, AND MERCHANDISE SOLD ON STATE LAND AGAINST A \$1,500 MINIMUM ANNUAL RENTAL PAID IN ADVANCE ON AUGUST 1, OF EACH YEAR OF THE LEASE PLUS ONE (1) CENT A GALLON OF FUEL SALES UP TO AND INCLUDING 100,000 GALLONS AND ONE AND ONE-HALF (1½) CENTS PER

CALENDAR ITEM NO. C 07 (CONTD)

GALLON THEREAFTER; PROVISION OF PUBLIC LIABILITY INSURANCE WITH A COMBINED SINGLE LIMIT COVERAGE OF \$500,000; PROVISION FOR A \$5,000 SURETY BOND; FOR OPERATION AND MAINTENANCE OF AN EXISTING COMMERCIAL MARINA ON LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

A parcel of tide and submerged land situated in the Sacramento River, Sutter County, State of California, at Mile 76.5, approximately 7 miles west of the town of Riego, being more particularly described as follows:

COMMENCING at the intersection of the northeasterly prolongation of the southeasterly right of way line of Garden Highway with the center line of Riego Road, as shown on that unrecorded plat of survey by William H. Raupp, L.S. 2720, dated September, 1960, filed with the staff of the State Lands Commission, thence S 88° 07' 30" W 391 feet, more or less, to a point on the water line of the Sacramento River as shown on said map and the TRUE POINT OF BEGINNING; thence along said water line the following eleven courses:

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|-----|---|-----------------------------|
| 1. | S 28° 37' 45" W | 34.82 feet; |
| 2. | S 30° 13' W | 69.80 feet; |
| 3. | S 14° 10' W | 66.00 feet; |
| 4. | S 27° 36' W | 340.00 feet; |
| 5. | S 18° 50' W | 96.00 feet; |
| 6. | S 42° 08' W | 124.40 feet; |
| 7. | S 23° 27' W | 401.00 feet; |
| 8. | S 30° 29' W | 99.00 feet; |
| 9. | S 22° 31' W | 185.00 feet; |
| 10. | S 35° 22' W | 81.00 feet; |
| 11. | S 29° 09' W | 170.00 feet; thence leaving |
| | said water line the following four courses: | |
| 12. | S 85° 19' 20" W | 82.80 feet; |
| 13. | N 25° 10' E | 948.00 feet; |
| 14. | N 28° 34' 31" E | 710.22 feet; |
| 15. | N 88° 07' 30" E | 90.00 feet to the point of |
| | beginning. | |

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the Sacramento River.

END OF DESCRIPTION

REVISED MARCH 6, 1987 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

CALENDAR PAGE	045
MINUTE PAGE	777

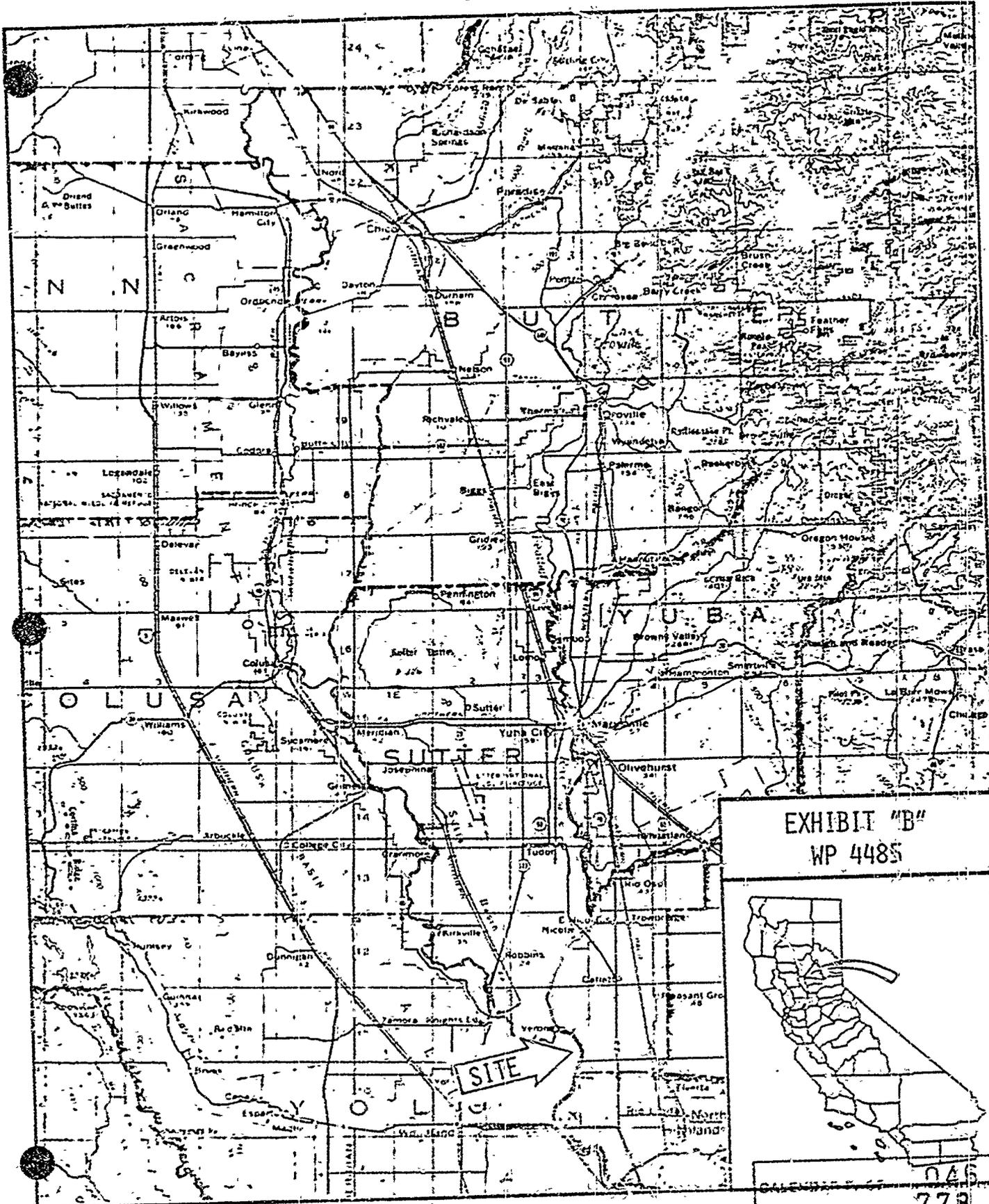


EXHIBIT "B"
 WP 4485

046
 778

MINUTE PLY GC