

MINUTE ITEM

This Calendar Item No. 64  
was approved as Minute Item  
No. 4 by the State Lands  
Commission by a vote of 3  
to 0 at its 6/29/82 CALENDAR ITEM  
meeting.

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6/29/82  
WP 5188  
Lane

AMENDMENT OF LEASE PRC 5188.1  
GENERAL LEASE - COMMERCIAL USE

APPLICANT: Wesley N. Dwyer and Sophia M. Dwyer  
1951 Garden Highway  
Sacramento, California 95833

AREA, TYPE LAND AND LOCATION:  
A 0.209-acre parcel of tide and submerged  
land, located in the Sacramento River,  
Sacramento County.

LAND USE: Use and maintenance of a floating dock.

TERMS OF ORIGINAL PERMIT:  
Initial period: Ten years from September 1,  
1976.

Area: A 0.209-acre parcel.

Surety bond: \$1,000.

Public liability insurance: Combined single  
limit coverage of \$300,000.

Consideration: \$225 per annum; five-year  
rent review.

TERMS OF AMENDED LEASE:  
Initial period: 30 years from July 1,  
1982.

Area: A 0.297-acre parcel.

Surety bond: \$1,000.

Public liability insurance: Combined single  
limit coverage of \$300,000.

CONSIDERATION: \$570 per annum with the State reserving  
the right to fix a different rental on  
each fifth anniversary of the lease.

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BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

Filing fee has 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:

2/9/83.

OTHER PERTINENT INFORMATION:

1. Original permit is being amended to reflect:

- A. Revised description.
- B. Conversion of a minor commercial use permit to a General Lease - Commercial Use.
- C. Increase of annual rental rate.
- D. Extension of term to 30 years.
- E. Generally to update the permit to the current lease format.

2. The lessee proposed to construct an additional 110 feet of floating dock, which is within the guidelines of the Master Delta Recreational Plan. The dock will be used for commercial docking of recreational vessels.

3. This project is exempt from CEQA because it involves an addition to an existing structure not exceeding 50 percent of original floor area, 14 Cal. Adm. Code, Div. 6, Section 15101(E).

4. The project is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in use category "B" which authorizes Limited Use. The project

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as proposed will not have a significant effect upon the identified environmental values.

APPROVALS OBTAINED:

The United States Army Corps of Engineers,  
Department of Water Resources and the Reclamation  
Board.

FURTHER APPROVALS REQUIRED:

County of Sacramento Building Permit.

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 15100 ET SEQ., AND 2 CAL. ADM. CODE 2905; AND FIND THAT THE PROJECT IS CONSISTENT WITH ITS USE CLASSIFICATION.
2. APPROVE THE AMENDMENT OF PRC 5188.1 TO CONVERT A MINOR COMMERCIAL LEASE TO A 30 YEAR GENERAL LEASE - COMMERCIAL USE TO WESLEY N. DWYER AND SOPHIA M. DWYER FROM JULY 1, 1982; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$570, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$1,000. SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$300,000; FOR USE AND MAINTENANCE OF A FLOATING BOAT DOCK ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 5188

A parcel of tide and submerged land in the State-owned bed of the Sacramento River, situated adjacent to and southerly of fractional Section 27, T9N, R4E, MDM, Sacramento County, State of California, more particularly described as follows:

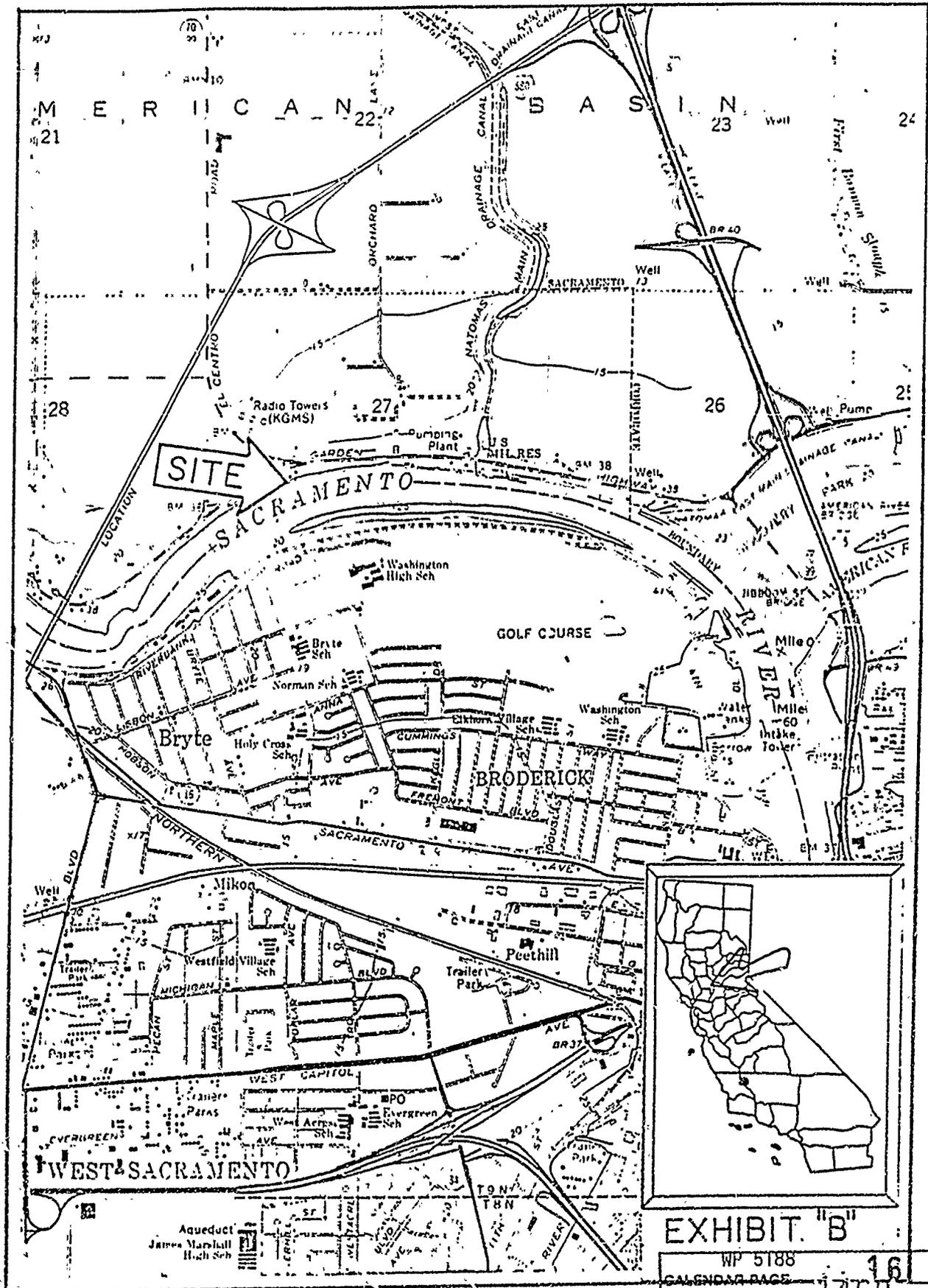
BEGINNING at the southwest corner of Lot 8 of the Natomas Riverside Subdivision No. 1, as called for in Grant Deed recorded in Volume 3709, page 45, Sacramento County records; thence S 29° 47' 40" E 45 feet; thence N 60° 12' 20" E 380 feet; thence N 29° 47' 40" W 45 feet; thence S 60° 12' 20" W 3.7 feet 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 FEBRUARY 6, 1982 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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**EXHIBIT "B"**

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