

MINUTE ITEM

This Calendar Item No. C7  
was approved as Minute Item  
No. 2 by the State Lands  
Commission by a vote of 3  
to 0 at its 6/29/82  
meeting.

CALENDAR ITEM

C 0 7

6/29/82  
WP 5441 PRC 5441  
Reese

TERMINATION OF A  
GENERAL LEASE - COMMERCIAL USE  
AND ISSUANCE OF A REPLACEMENT LEASE

LESSEE: Halvor G. and Toni Schultz  
P. O. Box 635  
Broderick, California 95605

AREA, TYPE LAND AND LOCATION:  
A 2.623-acre parcel of tide and submerged  
lands, located in Sacramento River, Yolo  
County.

LAND USE: Commercial marina.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years from January 1,  
1978.

Surety bond: \$15,000.

Public liability insurance: Combined single  
limit coverage of \$1,000,000.

Consideration: \$450 per year payable  
in advance on the beginning  
date of the lease and  
each anniversary thereafter  
or five percent of annual  
gross income derived  
from berthing and dock  
facilities paid quarterly,  
whichever is the greater;  
five-year rent review.

TERMS OF REPLACEMENT LEASE:

Initial period: 15 years from January 1,  
1978.

Surety bond: \$5,000.

Public liability insurance: Combined single  
limit coverage of \$750,000.

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CONSIDERATION: \$450 per annum or five percent of gross income per annum; paid annually, whichever is greater, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:  
Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:  
Lessee is owner of upland.

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. a. The original lease is being terminated and replaced in order to clarify percentage of gross income language and payment schedule and;  
b. Re-set insurance and surety bond requirements in line with comparable leases in the area and;  
c. Generally, to bring the standard covenants in conformance with currently approved format.
2. This project is exempt from CEQA because it is not a project pursuant to P.R.C. 21065, 14 Cal. Adm. Code 15037 and 15060.
3. 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 as proposed will not have a significant effect on identified environmental values.

CALENDAR ITEM NO. C 0 7 (CONTD)

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. 21065, 14 CAL. ADM. CODE 15037 AND 15060.
2. AUTHORIZE TERMINATION OF LEASE PRC 5441.1, AUTHORIZED BY THE STATE LANDS COMMISSION ON JANUARY 26, 1978 AND ISSUANCE OF A REPLACEMENT LEASE TO HALVOR G. AND TONI SCHULTZ OF A 15-YEAR GENERAL LEASE - COMMERCIAL USE, FROM JANUARY 1, 1978; IN CONSIDERATION OF A BASE ANNUAL RENTAL IN THE AMOUNT OF \$450 OR FIVE PERCENT OF GROSS INCOME PER ANNUM, WHICHEVER IS GREATER, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$5,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$750,000; FOR AN EXISTING COMMERCIAL MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

## EXHIBIT "A"

## LAND DESCRIPTION

PRC 5441.1

All that certain parcel of land within the State-owned bed of the Sacramento River, being in the County of Yolo, State of California, more particularly described as follows:

COMMENCING at a point in the centerline of the east levee of Reclamation District No. 811, said point being the northwesterly corner of Parcel A, as shown on that certain Record of Survey map entitled "Portion of Land lying between S.L.S. No. 653 and S.L.S. No. 354 near Broderick", filed in Book 9 of Maps and Surveys, at page 82, in the office of the Yolo County Recorder; thence N 47° 09' E, a distance of 474.0 feet more or less along the northwesterly line of said Parcel A and the northeasterly prolongation thereof to a point on the high water mark on the right bank of the Sacramento River said point being the TRUE POINT OF BEGINNING; thence

N 47° 09' E a distance of 25 feet; thence  
 S 36° 00' E a distance of 82 feet; thence  
 N 54° 05' E a distance of 96 feet; thence  
 S 37° 05' E a distance of 149 feet; thence  
 N 52° 40' E a distance of 68 feet; thence  
 S 38° 10' E a distance of 318 feet; thence  
 S 27° 25' E a distance of 216 feet; thence  
 S 60° 53' 37' W a distance of 169.83 feet, more or less,

to the high water mark on the right bank of the Sacramento River; thence meandering upstream along the high water mark on the right bank of the Sacramento River to the point of beginning.

Containing 2.623 acres. Basis of bearings for this description is the centerline of the east levee of said Reclamation District No. 811, being the southwesterly line of the aforementioned Parcel A, said line being shown as N 28° 00' W on said Record of Survey.

END OF DESCRIPTION

REVIEWED MAY 25, 1982 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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