MINUTE ITEM
This Calendar Item No. C02
was approved as Minute Item
No. 2 by the State Lands
Commission by a vote of 3
to 0 at its 9/23/82
meeting.

CALENDAR ITEM

C 0 2

9/23/82
WP 5226
Lipphardt

PRC 5226

APPROVAL OF
TERMINATION OF ORIGINAL LEASE PRC 5226.1
AND APPROVAL OF A REPLACEMENT
GENERAL LEASE - COMMERCIAL USE

LESSEE: Earl Maben
1736 San Jose Street
Fairfield, California 94533

AREA, TYPE LAND AND LOCATION:
A 0.175-acre parcel of tide and submerged land, located in the Sacramento River near Ryde, Sacramento County.

LAND USE: Maintenance and operation of an existing docking facility.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years from December 1, 1974.

Renewal options: One successive period of ten years.

Surety bond: $1,000.

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

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

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TERMS OF PROPOSED LEASE:

Initial period: 15 years from December 1, 1982.

Surety bond: $1,000.

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

CONSIDERATION: $267.75 per annum with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:
Nine percent of appraised value, 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 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. This activity is exempt from CEQA because it is not considered to be a project pursuant to P.R.C. 21065, 14 Cal. Adm. Code 15037 and 15060.

2. The activity is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1 and is classified in a use category "B" which authorizes Limited Use. The activity as proposed will not have a significant effect upon the identified environmental values.

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 15057 AND 15060; AND FIND THAT THE ACTIVITY IS CONSISTENT WITH ITS USE CLASSIFICATION.

2. AUTHORIZE TERMINATION OF ORIGINAL LEASE PRC 5226.1, SAID TERMINATION TO BE EFFECTIVE NOVEMBER 30, 1982 AND ISSUANCE TO EARL MABEN OF A 15-YEAR GENERAL LEASE - COMMERCIAL USE FROM DECEMBER 1, 1982, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $267.75, 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 MAINTENANCE AND OPERATION OF AN EXISTING DOCKING FACILITY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION PRC 5226

A parcel of tide and submerged land in the bed of the Sacramento River, in protracted Section 4, T4N, R4E, MDM, County of Sacramento, State of California, described as follows:

COMMENCING at the northwest corner of that tract of land conveyed to Harry A. Sergent, Jennie E. Sergent, Warren E. Sergent, and Karen S. Sergent by Grant Deed dated October 16, 1970, and recorded November 30, 1970, in Book 70-11-30, page 246, of the Official Records of Sacramento County, California; thence S 0° 54' 30" E 10 feet; thence N 89° 05' 30" E parallel with and 10 feet southerly, measured at right angles to the northerly boundary of the aforementioned tract of land, 320 feet and S 00° 54' 30" E 103 feet to the POINT OF BEGINNING; thence the following eight courses:

1. N 89° 05' 30" E 64 feet;
2. N 00° 54' 30" W 103 feet;
3. N 89° 05' 30" E 28 feet;
4. S 00° 54' 30" E 230 feet;
5. S 89° 05' 30" W 28 feet;
6. N 00° 54' 30" W 103 feet;
7. S 89° 05' 30" W 64 feet; and
8. N 00° 54' 30" W 14 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 MAY 13, 1982 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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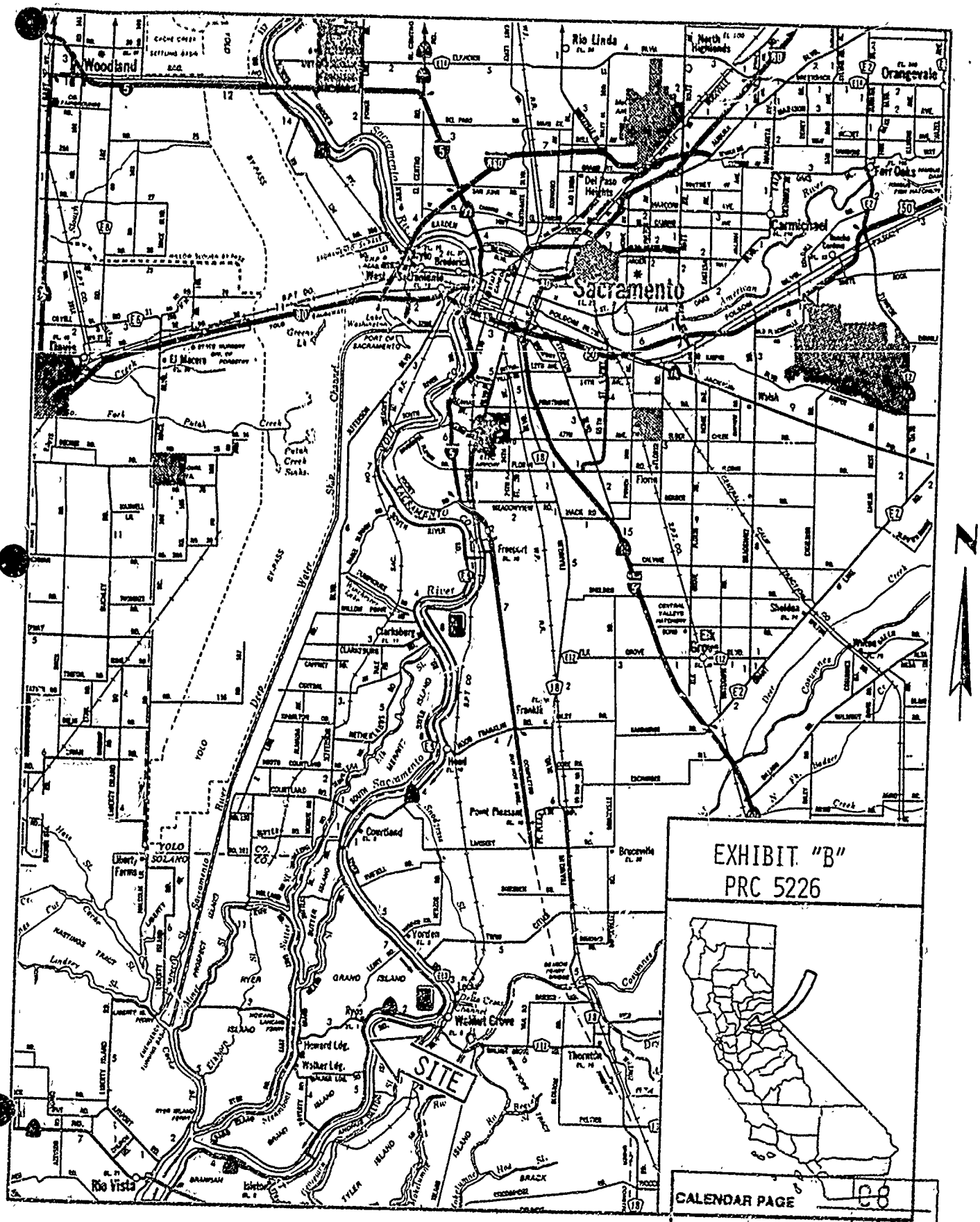

EXHIBIT "B"
PRC 5226

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