MINUTE ITEM

This Calendar Item No. C2 was approved as Minute Item No. 2 by the State Lands Commission by a vote of 2-0 at its 4/28/83 meeting.

CALENDAR ITEM

C02

4/28/83
WP 2049
Reese

PRC 2049

APPROVAL OF
TERMINATION OF LEASE PRC 2049.1,
DATED SEPTEMBER 12, 1958; AND
ISSUANCE OF A
GENERAL LEASE - COMMERCIAL USE

APPLICANT: Dale Dorn,
dba Ko-Ket Resort
14174 Isleton Road
Isleton, California 95641

AREA, TYPE LAND AND LOCATION:
A 0.760-acre parcel of tide and submerged land, located in the Sacramento River, Andrus Island, Sacramento County.

LAND USE: Boating facilities.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years from December 18, 1957.

Renewal options: Two (2) successive periods of ten (10) years each.

Surety bond: $1,000.

Consideration: $100 per annum.

TERMS OF PROPOSED REPLACEMENT LEASE:

Initial period: 30 years from December 18, 1982.

Surety bond: $1,000.

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

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CONSIDERATION: $1,231.20 per annum 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:
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. Staff and lessee have agreed to replace the existing lease in order to reflect the current Commission-approved lease format, new rental, revised description and new term.

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

3. This 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. This 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 15037 AND 15060, AND FIND THAT THIS ACTIVITY IS CONSISTENT WITH ITS USE CLASSIFICATION.

2. AUTHORIZE TERMINATION OF LEASE PRC 2049.1, EFFECTIVE DECEMBER 17, 1982 AND ISSUANCE TO DALE DORN, dba KO-KET RESORT OF A 30-YEAR GENERAL LEASE - COMMERCIAL USE, FROM DECEMBER 18, 1982; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT $1,231.20, 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 $750,000; FOR EXISTING BOATING FACILITIES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION . W 20455

Three parcels of tide and submerged land in the bed of the Sacramento River in Section 33, T5N, R4E, MDM, Sacramento County, California, across the river from the community of Ryde, more particularly described as follows:

PARCEL 1

COMMENCING at a 1 1/2 inch iron pipe shown on a record of survey of a portion of the property of Llewellyn A. Brown, filed as Map No. 41 of Book 4 of Surveys, Official Records of Sacramento County, said pipe lying N 81° 38' W 25.90 feet from the southeast corner of said survey; thence along the following six courses:

1. S 81° 38' 00" E 25.90 feet;
2. S 18° 15' 00" E 825.35 feet;
3. S 89° 56' 00" E 1711.45 feet;
4. N 10° 14' 43" W 2600.76 feet;
5. N 79° 45' 17" E 100.00 feet;
6. N 10° 14' 43" W 94.27 feet to the TRUE POINT OF BEGINNING;

thence S 85° 10' 07" W 132.62 feet to a point designated "A"; thence N 7° 29' 52" W 45.40 feet; thence N 82° 30' 08" E 130.00 feet; thence S 10° 14' 43" E 51.62 feet to the point of beginning.

PARCEL 2

COMMENCING at the point designated "A" in Parcel 1 above; thence S 81° 09' 28" W 20.42 feet to the TRUE POINT OF BEGINNING; thence along the following four courses:

1. S 81° 09' 28" W 252.04 feet;
2. S 87° 57' 16" W 168.11 feet;
3. S 66° 34' 17" W 98.09 feet;
4. S 72° 15' 19" W 52.50 feet to a point designated "B";

thence along the following five courses:

5. N 22° 33' 45" W 35.84 feet;
6. N 67° 26' 15" E 153.50 feet;
7. N 87° 02' 37" E 213.28 feet;
8. N 79° 22' 49" E 211.74 feet;
9. S 10° 37' 11" E 43.02 feet to the point of beginning.

PARCEL 3

COMMENCING at the point designated "B" in Parcel 2 above; thence S 65° 08' 28" W 86.37 feet to the TRUE POINT OF BEGINNING; thence along the following eight courses:

1. S 63° 37' 52" W 24.13 feet;
2. N 32° 14' 12" W 23.53 feet;
3. S 57° 45' 48" W 42.00 feet;

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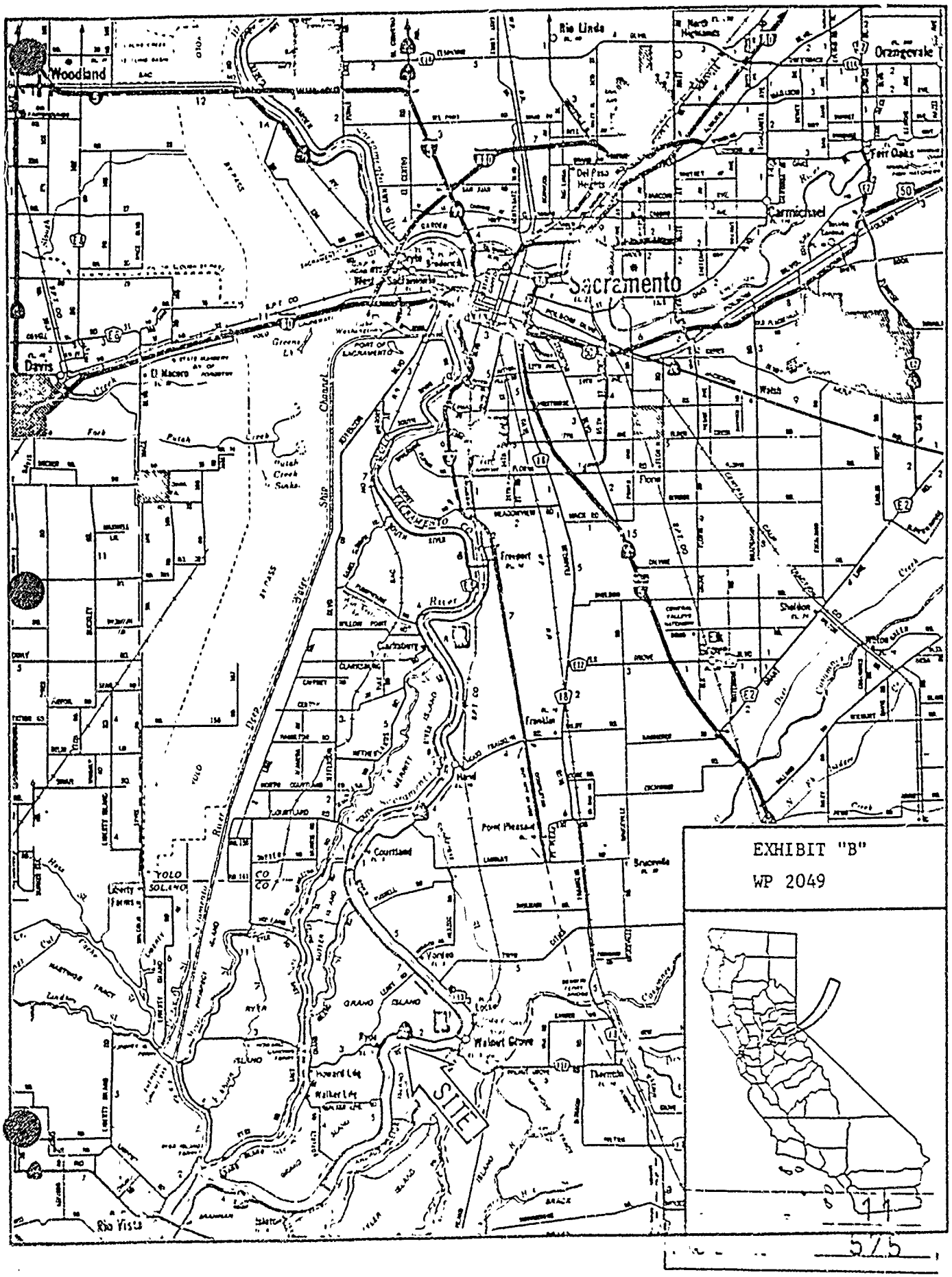
4. N 32° 14' 12" W 28.00 feet;
5. N 57° 45' 48" E 130.00 feet;
6. S 32° 14' 12" E 28.00 feet;
7. S 57° 45' 48" W 64.00 feet;
8. S 32° 14' 12" E 26.00 feet to the point of beginning.

EXCEPTING THEREFROM any portion of the above described Parcels 1, 2, and 3, lying landward of the ordinary high water mark of the Sacramento River.

The basis for bearings in this description is the description in the deed recorded in Book 983, Page 110, Official Records of Sacramento County.

END OF DESCRIPTION

REVISED DEC. 6, 1982 BY BOUNDARY AND TITLE UNIT. LEROY WEED, SUPERVISOR.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Point Pleasant
Walnut Grove
Rio Vista
SITE
EXHIBIT "B"
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