

MINUTE ITEM

This Calendar Item No. C5
was approved as Minute Item
5 by the State Lands
Commission by a vote of 2
to 0 at its 8/25/83
meeting.

CALENDAR ITEM

8/25/83
WP 2175
Lane

AUTHORIZATION TO AMEND LEASE RENTAL RATE

LESSEE: Robert F. and Patricia F. Horn
P. O. Box 214
Meridian, California 95957

BACKGROUND: By Calendar Item 02 of its meeting on June 29,
1982, the State Lands Commission approved
an amendment of Lease PRC 2175.1, a 15-year
General Lease - Commercial Use, from January 1,
1978, covering a 0.786-acre parcel of tide
and submerged land in the Sacramento River,
Sutter County. The consideration as approved
is a minimum \$900 per annum against five percent
of annual gross income, with a five-year
Rent Review.

CURRENT SITUATION:

After further negotiation, staff recommends
that the consideration be modified to minimum
\$900 per annum against five percent of
annual gross income from boat dockage on
State land, plus one and one-half cents
per gallon fuel sales up to and including
100,000 gallons and two cents per gallon
thereafter.

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(Revised 8/22/83)

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CALENDAR ITEM NO. 005 (CONTD)

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT THE PROPOSED ACTION IS NOT A PROJECT.
P.R.C. 21065, 14 CAL. ADM. CODE 15037 AND 15060.
2. APPROVE THE AMENDMENT OF CONSIDERATION UNDER LEASE
PRC 2175.1 TO FIVE PERCENT OF ANNUAL GROSS INCOME FROM
BOAT DOCKAGE PLUS ONE AND ONE-HALF CENTS PER GALLON
FUEL SALES UP TO AND INCLUDING 100,000 GALLONS AND
TWO CENTS PER GALLON THEREAFTER, AGAINST A \$900 ANNUAL
MINIMUM RENTAL PAID IN ADVANCE. ALL OTHER TERMS AND
CONDITIONS TO REMAIN THE SAME.

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EXHIBIT "A"

LAND DESCRIPTION

WP2175

A parcel of submerged land lying in the bed and adjacent to the east bank of the Sacramento River, Sutter County, State of California, being a portion of Section 2, T15N, R1W, MDM described as follows:

COMMENCING at the southwest corner of a tract of land conveyed by Fred Stohlman to Reclamation District No. 70 by deed dated September 11, 1908, and recorded October 16, 1908, in Book 40 of Deeds, at page 407, Sutter County Records; thence north along the base of said reclamation district levee 465 feet; thence N 89° 48' 00" W, 305 feet to the TRUE POINT OF BEGINNING; thence continuing N 89° 48' 00" W, 95 feet; thence southerly, parallel with said east bank of the Sacramento River, 428 feet; thence S 89° 48' 00" E, 95 feet; thence northerly along top of bank of said river to the true point of beginning.

EXCEPTING THEREFROM any portion lying landward of the ordinary low water mark.

END OF DESCRIPTION

REVIEWED JULY 26, 1983 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.

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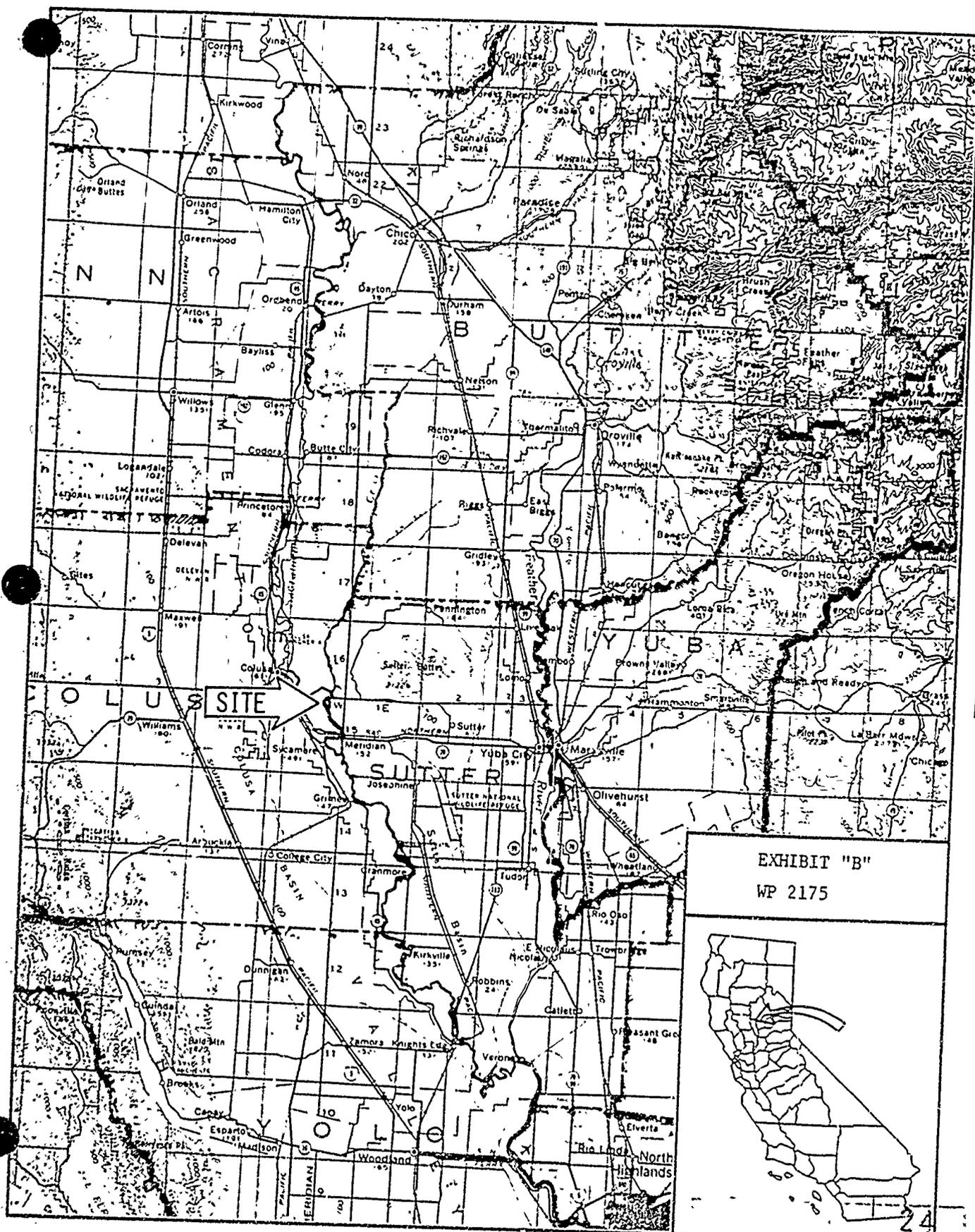


EXHIBIT "B"
 WP 2175

