MINUTE ITEM
This Calendar Item No. C14
was approved as Minute Item
No. 14 by the State Lands
Commission by a vote of 2
to 2 at its 5/28/87
meeting.

CALENDAR ITEM

A 10

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C 14

05/28/87
WP 6427
Maricle

SUBLEASE APPROVAL

SUBLESSOR: Riverbank Holding Company
Attn: Mr. Thomas C. Westley
General Manager
1361 Garden Highway
Sacramento, California 95833

SUBLESSEE: Recreational Rowers
1401 Garden Highway Suite 150
Sacramento, California 95833

AREA, TYPE LAND AND LOCATION: LEASE PRC 6427, MASTER LEASE. A 5.326-acre parcel of tide and submerged land, Sacramento River, Sacramento County.

LAND USE: Commercial marina, floating restaurant, harbor master office, boat sales office, debris deflector, and all appurtenant facilities related thereto.

TERMS OF EXISTING LEASE PRC 6427:

Initial period: 20 years beginning August 1, 1984.

Surety bond: $10,000.

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

CONSIDERATION: ANNUAL RENTAL:

Six percent of the gross income derived from the rental of boat docks and moorings. Three percent of the gross income derived from the operation of restaurant and bar. Twenty-five percent of the gross income derived from the

(ADDED 05/27/87)

operation of coin-operated vending and electronic game machines. A percentage of the gross income derived from boat sales (yacht brokerage). Ten percent of the gross income derived from sources exclusive of those described above. A minimum annual rental of $4,000 for the period August 1, 1984 through July 31, 1985 and a minimum annual rental of $15,000 thereafter.

PROPOSED ACTION: (SUBLEASE APPROVAL)

Validation of a tenancy between the Lessee and Recreational Rowers, covered in Paragraph No. 1 of Other Pertinent Information.

APPLICANT STATUS:
Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Processing costs have 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: N/A.

OTHER PERTINENT INFORMATION:

1. Approve sublease by Endorsement

   Sublessor: Riverbank Holding Company

   Sublessee: Recreational Rowers

2. Terms of sublease:

   TERM: Five years, from April 1, 1987

(ADDED 05/27/87)

CALENDAR ITEM NO. C14 (CONT'D)

RENT: $ 826.50 (4/1/87 - 3/31/88)
895.38 (4/1/88 - 3/31/89)
964.25 (4/1/89 - 3/31/90) MINIMUM
1,033.12 (4/1/90 - 3/31/91) RENTS
1,102.00 (4/1/91 - 3/31/92)

AREA: 551 sq. ft. of tenant space

PERCENTAGE OF GROSS ADJUSTMENT TO RENT
Minimum rent to be increased, by any amount, by which 10% of Sublessee's gross income from this sublease exceeds the minimum.

INSURANCE:
$1,000,000: Liability
$250,000: Property Damage

Purpose: Rowing Instructions and related office uses to conduct business therefrom. Sublessee to provide lessons in rowing and the rental of a boat to be rowed on waters near the marina..

The staff has reviewed this sublease and finds it acceptable, provided that the State of California, its officers, agents, and employed, be named as additional insured on certificates of coverage to be provided to the Commission by the sublessee.

3. Compensation to State: 10% of the amount paid by Recreational Rowers to the Riverbank Holding Company or minimum, whichever is greater.

(ADDED 05/27/87)

4. Environmental Considerations

A. The Commission authorized the issuance of Lease PRC 6427 on July 12, 1984. At that time, the Commission found that an EIR was prepared and adopted for the Sublessor's marina project by the City of Sacramento Planning Department and that the Commission had reviewed and considered the information contained therein.

B. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that the rowing instruction activity covered herein is exempt from the requirements of the CEQA under the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The staff believes there is no possibility that this activity may have a significant effect on the environment.

Authority: 14 Cal. Adm. Code 15061(b)(3).

APPROVALS OBTAINED:
None.

FURTHER APPROVALS REQUIRED:
None.

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THERE IS NO POSSIBILITY THAT THE ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. (14 CAL. ADM. CODE 15061(b)(3))

(ADDED 05/27/87)

2. APPROVE, BY ENDORSEMENT, EFFECTIVE APRIL 1, 1987, THE SUBLEASE AGREEMENT BETWEEN RIVERBANK HOLDING COMPANY (SUBLESSOR) AND RECREATIONAL ROWERS, (SUBLESSEE), PROVIDED THAT THE STATE OF CALIFORNIA IS NAMED AS ADDITIONAL INSURED ON CERTIFICATES OF LIABILITY INSURANCE COVERAGE TO BE PROVIDED TO THE COMMISSION BY SAID SUBLESSEE. SAID SUBLEASE IS ON FILE IN THE OFFICE OF THE COMMISSION.

(ADDED 05/27/87)

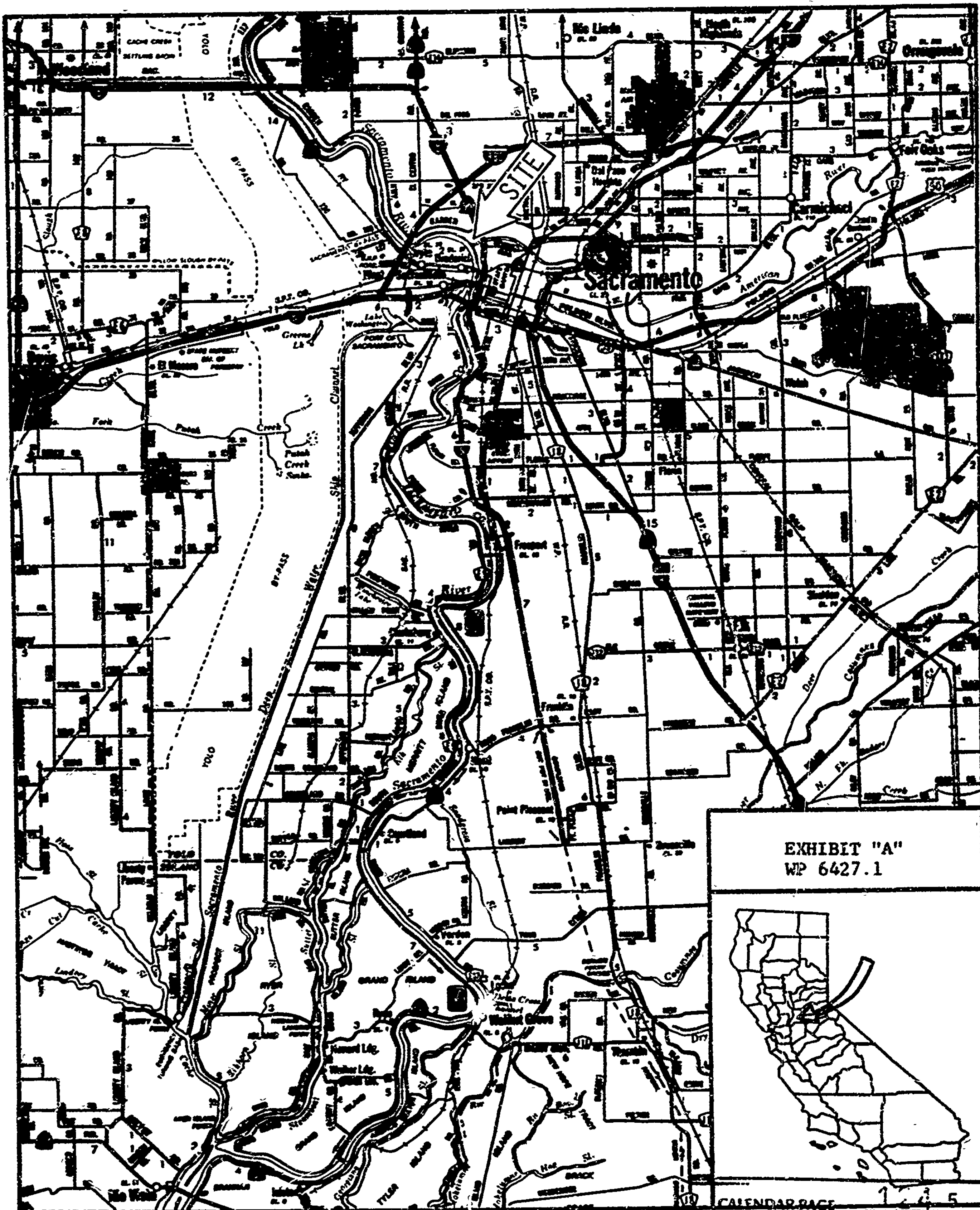

EXHIBIT "A"
WP 6427.1

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