

was approved by the State Lands  
No. 28 by the State Lands  
Commission by a vote of 6  
to 0 at its 6/30/87  
meeting.

CALENDAR ITEM

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28

06/30/87  
WP 2587  
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GENERAL LEASE - COMMERCIAL USE

APPLICANT:

The River Bank Village  
A California Limited  
Partnership  
c/o Riverbank Holding Company  
Attn: Mr. Thomas Westley  
1371 Garden Highway, Suite 200  
Sacramento, California 95833

AREA, TYPE LAND AND LOCATION:

Approximately 0.400-acre parcel of tide and  
submerged land, located in the Sacramento River,  
Sacramento County.

LAND USE:

Existing berthing, marina operation, presently  
in trespass.

TERMS OF PROPOSED LEASE;

Initial period: Ten years beginning April 25,  
1985.

Surety bond: \$1,000.

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

CONSIDERATION:

\$1,062 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.

APPLICANT STATUS:

Applicant is owner of upland.

(ADDED 6/25/87)

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2300

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PREREQUISITE CONDITIONS, FEES AND EXPENSES:  
Filing fee has 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: 12/15/87.

OTHER PERTINENT INFORMATION:

1. Chronology

- a. The present improvements were originally authorized under Lease PRC 2065, which expired December 31, 1959.
- b. Under Minute Item 10, May 24, 1960, the Commission authorized a new Lease, PRC 2587 (for the subject area), beginning April 4, 1960, to James A. Lloyd and Kenneth W. Hilt. (15 years) (0.64 acre)
- c. Under Minute Item No. 24, September 25, 1967, the Commission authorized an assignment of Lease PRC 2587, to Robert G. Hussey.
- d. The lease expired May 31, 1975, and has never been renewed. During attempted settlement, and subsequent litigation, the land area claim was increased to 1.29 acres. Subsequent flood damage removed part of the docks and reduced the area of use.
- e. By Grant Deed recorded April 26, 1985, the adjacent upland parcel was acquired by The River Bank Village, A California Limited Partnership.

(ADDED 6/25/87)

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2. Present Situation

- a. The existing improvements are in operation without a permit or lease, and occupy an approximate 0.400-acre parcel.
- b. The applicant has a completed application.
- c. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA, as a categorical exempt project. The project is exempt under Class 1, Existing Facilities.

2 Cal. Adm. Code 2905(a)(2).

Authority: P.R.C. 21084 and 14 Cal. Adm. Code 15300.

- d. This transaction does not appear to be affected by the Commission's moratorium. The agreement involves existing improvements only, and does not authorize any new construction or expansion.
- e. Staff and the applicant have agreed to the Lease terms herein and commend them to the Commission for review and consideration.

APPROVALS OBTAINED:

United States Army Corps of Engineers.

FURTHER APPROVALS REQUIRED:

States Lands Commission.

EXHIBITS:

- A. Land Description.
- B. Location Map.

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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 (AS A CATEGORICAL EXEMPT PROJECT, CLASS I, EXISTING FACILITIES, 2 CAL. ADM. CODE 2905(a)(2)).
2. AUTHORIZE ISSUANCE TO THE RIVER BANK VILLAGE, A CALIFORNIA LIMITED PARTNERSHIP OF A TEN-YEAR GENERAL LEASE - COMMERCIAL USE, BEGINNING APRIL 25, 1985; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$1,062 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 \$1,000,000; FOR THE CONTINUED OPERATION AND MAINTENANCE OF THE EXISTING BERTHING FACILITIES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

WP 2587

LAND DESCRIPTION

A parcel of tide and submerged land in the bed of the Sacramento River, Sacramento County, California, said parcel lying immediately beneath a dock, ramp, and moored houseboat adjacent to and waterward of the land described in the Grant Deed recorded April 26, 1985 in Book 85-04-26, Page 0239, Official Records of Sacramento County; TOGETHER WITH a necessary use area extending 10 feet from the extremities of said facilities.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the Sacramento River.

END OF DESCRIPTION

REVISED JUNE 24, 1987 BY BOUNDARY SERVICES UNIT, M. L. SHAFER,  
SUPERVISOR.

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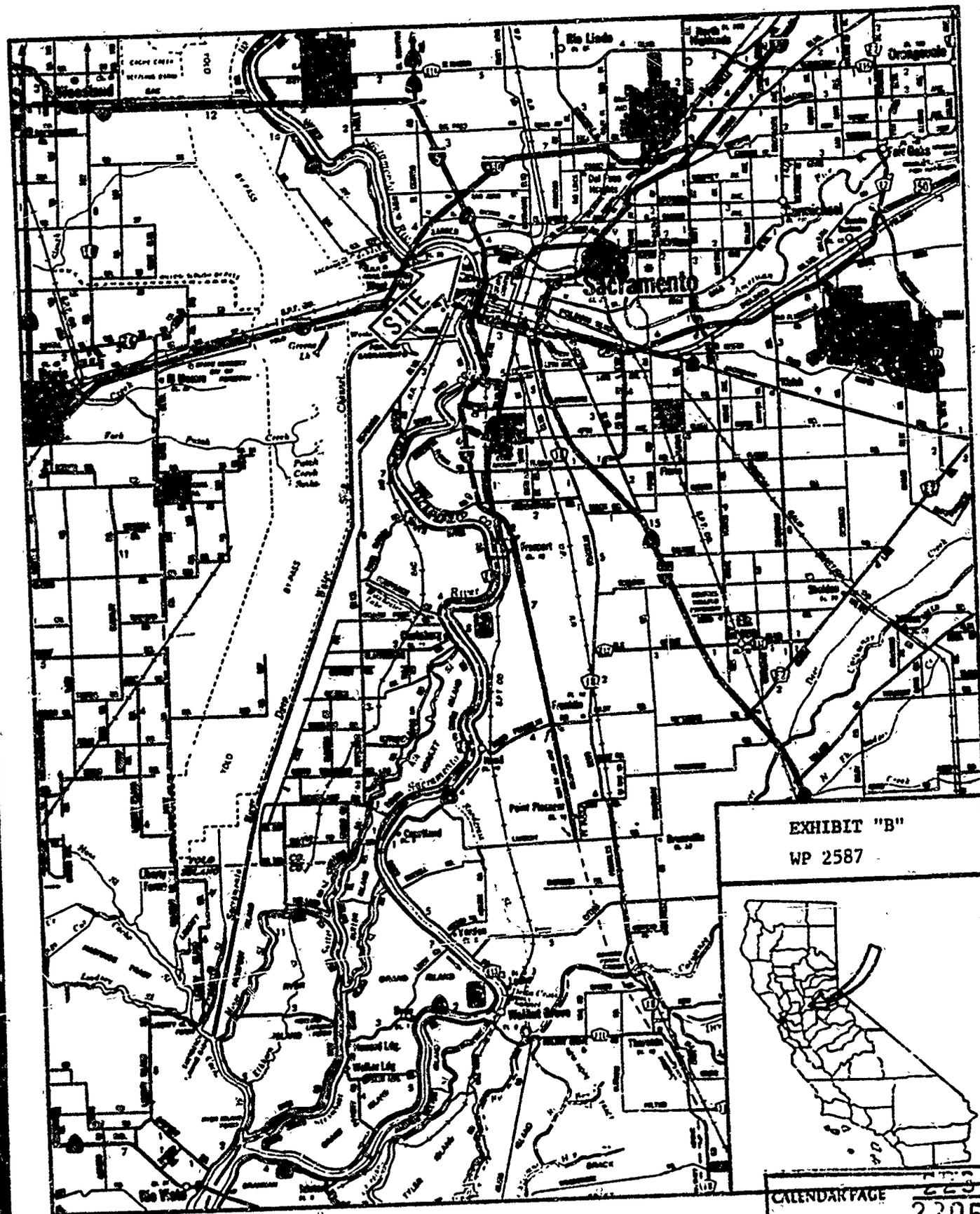


EXHIBIT "B"  
WP 2587



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