

**MINUTE ITEM**  
This Calendar Item No. 16  
was approved as Minute Item  
No. 16 by the State Lands  
Commission by a vote of 3  
to 0 at its 9-23-87  
meeting.

**CALENDAR ITEM**

A 10  
S 5

C 16

09/23/87  
WP 7067 PRC 7067  
Maricle

**ASSIGNMENT OF GENERAL LEASE - COMMERCIAL USE**

**ASSIGNOR:** Jerrold J. Smith, Mitzi E. Smith, George M. Brahy and Michele M. Brahy  
c/o Mr. Jerrold J. Smith  
117 Grand Street  
Redwood City, California 94062

**ASSIGNEE:** Delta Bay Club, a California Corporation  
Attn: Mr. Stephen J. R. Goetz  
4906 El Camino Real  
Los Altos, California 94022

**AREA, TYPE LAND AND LOCATION:**  
An approximate 1.583-acre parcel of tide and submerged land, located in the San Joaquin River, at Andrus Island, Sacramento County.

**LAND USE:** Marina facility.

**TERMS OF EXISTING LEASE:**  
Initial period: 30 years beginning April 23, 1987.  
Surety bond: \$10,000.  
Public liability insurance: Combined single limit coverage of \$1,000,000.

**CONSIDERATION:** \$2,500 per annum; or six percent (6%) of gross income per annum, whichever is greater, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

CALENDAR ITEM NO. C 1 (CONT'D)

**BASIS FOR CONSIDERATION:**

Pursuant to 2 Cal. Adm. Code 2003.

**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. 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 because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

2. The Assignee is a California Corporation; its Articles of Incorporation were filed on June 3, 1987.

**APPROVALS OBTAINED:**

None

**FURTHER APPROVALS REQUIRED:**

None.

**EXHIBITS:**

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

CALENDAR ITEM NO. 16 (CONT'D)

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 THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.
2. AUTHORIZE THE ASSIGNMENT OF LEASE PRC 7067, EFFECTIVE SEPTEMBER 1, 1987, FROM JERROLD J. SMITH, MITZI E. SMITH, GEORGE M. BRAHY AND MICHELE M. BRAHY, ASSIGNOR, TO THE DELTA BAY CLUB, A CALIFORNIA CORPORATION, ASSIGNEE, ACCORDING TO THE TERMS AND CONDITIONS SET OUT IN SAID LEASE PRC 7067, FOR A CONTINUED MARINA OPERATION ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 7067

A parcel of tide and submerged land in the bed of the San Joaquin River adjacent to and southerly of Andrus Island, Sacramento County, California, said parcel being more particularly described as follows:

COMMENCING at the southeast corner of Parcel B as shown on the Parcel Map filed in Book 40 of Parcel Maps, Page 38, Official Records of Sacramento County; thence along the southerly line of said Parcel B, N 68°21'00" W, 54.31 feet; thence N 68°49'01" W, 69.75 feet to the TRUE POINT OF BEGINNING; thence leaving said southerly line and running into the San Joaquin River the following six courses:

1. S 17°25'00" W, 159.87 feet;
2. N 72°35'00" W, 479.00 feet;
3. S 17°25'00" W, 15.00 feet;
4. N 72°35'00" W, 477.79 feet;
5. S 88°45'00" W, 426.34 feet;
6. N 01°15'00" W, 176.80 feet to a point on said southerly line of Parcel B; thence along said southerly line the following eight courses:

7. N 77°38'53" E, 49.08 feet;
8. S 87°46'30" E, 314.48 feet;
9. N 82°49'22" E, 60.47 feet;
10. S 89°33'39" E, 122.38 feet;
11. S 64°21'00" E, 216.08 feet;
12. S 74°09'50" E, 204.06 feet;
13. S 73°16'44" E, 425.06 feet;
14. S 68°49'01" E, 56.42 feet to the point of beginning.

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

This description is based on the California Coordinate System of 1927, Zone 2.

END OF DESCRIPTION

REVIEWED AUGUST 24, 1987, BY BOUNDARY SERVICES UNIT, M.L. SHAFER, SUPERVISOR.

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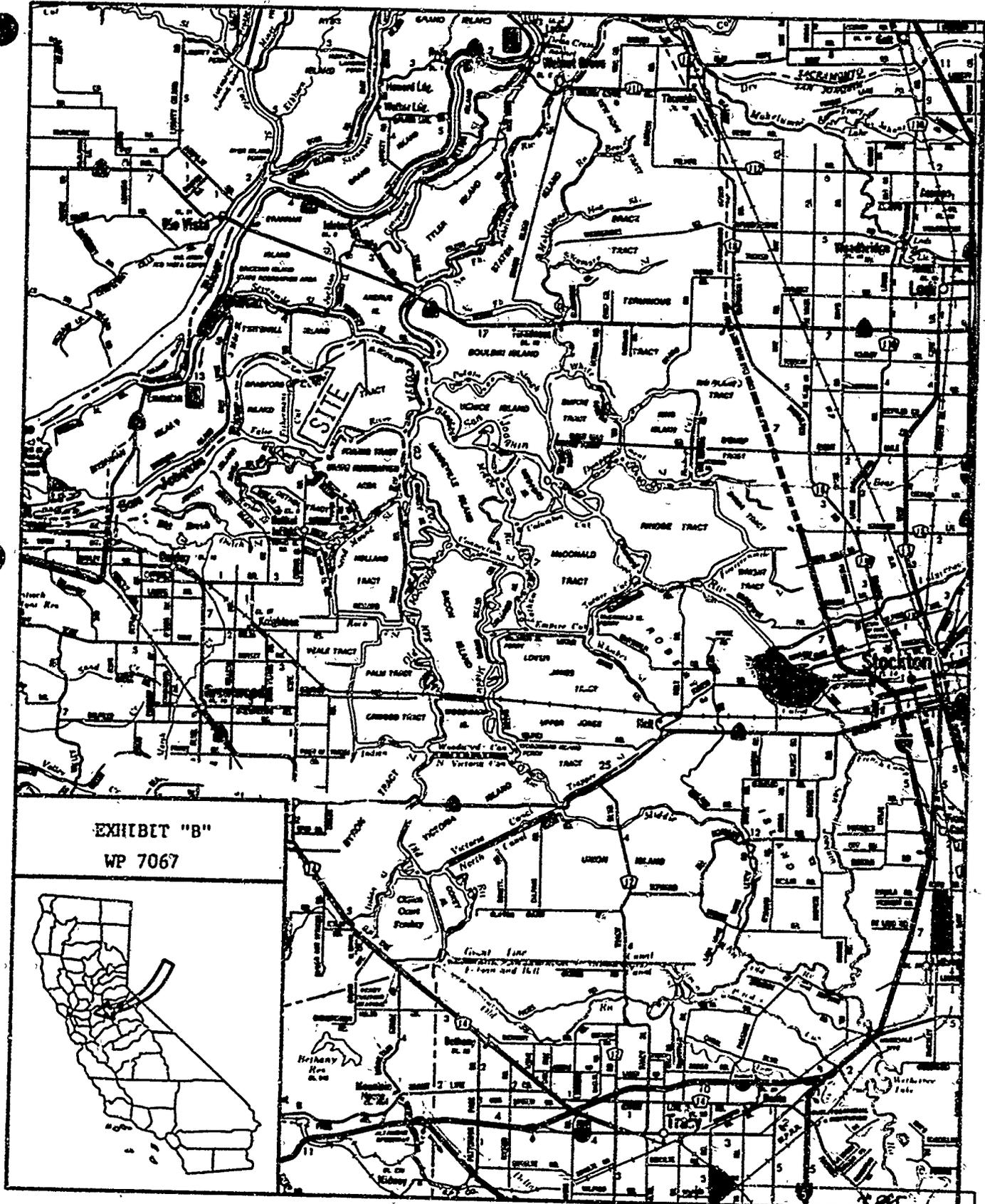


EXHIBIT "B"

WP 7067



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