

**MINUTE ITEM**

This Calendar Item No. 28  
was approved as Minute Item  
No. 28 by the State Lands  
Commission by a vote of 3  
0 at its 5/31/89  
meeting.

**CALENDAR ITEM**

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05/31/89  
PRC 2851  
Grimmett  
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**AUTHORIZATION FOR LITIGATION FOR TERMINATION OF LEASE,  
EJECTION AND DAMAGES FOR NON-PAYMENT OF RENT**

**APPLICANT:** Skyline Associates #2  
P.O. Box 747  
Isleton, California 95641

**AREA, TYPE LAND AND LOCATION:**  
A 1.14-acre parcel of tide and submerged land  
in Seven Mile Slough at Andrus Island,  
Sacramento County.

**LAND USE:** Commercial marina.

**TERMS OF LEASE:**  
Initial period: Thirty (30) years beginning  
March 21, 1980.  
Surety bond: \$2,000.  
Public liability insurance: Combined single  
limit coverage of \$500,000.  
Consideration: \$2,110 per annum; five-year  
rent review.

**BACKGROUND**

According to information in the file, Rainbow Marketing, Inc., operates the marina premises leased to Skyline Associates #2. Lynda Rose, the general partner of Skyline Associates #2 and the principal officer of Rainbow Marketing, Inc., filed for bankruptcy under Chapter 7 (Liquidation) on February 17, 1988. The State did not receive notice of that action except for the

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final Discharge of Debtor. That discharge covered her personally, as well as six other aka's (i.e., businesses) that included Skyline Associates #2.

Staff finally arranged a meeting with Lynda Rose on January 6, 1989, during which the bankruptcy and the financial problems of the marina were discussed. At the end of this meeting, staff asked Rose to submit a proposal for a payment plan, which she agreed to do.

Since the January meeting, staff has had no response from Lynda Rose to its follow up letters of February 6, 1989, March 24, 1989, or May 12, 1989.

Currently, back rent in the amount of \$4,405 is due, computed from the date of the bankruptcy discharge.

**OTHER PERTINENT INFORMATION:**

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 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. Code Regs. 15378.

AB 884: N/A.

EXHIBITS: A. Legal Description.  
B. Site Map.

**IT IS RECOMMENDED THAT THE COMMISSION:**

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.
2. AUTHORIZE STAFF COUNSEL AND/OR THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL STEPS NECESSARY, INCLUDING LITIGATION, FOR EJECTMENT AND TO TERMINATE LEASE PRC 2851 AND FOR RECOVERY OF DAMAGES FROM SKYLINE ASSOCIATES #2.

EXHIBIT "A"

LAND DESCRIPTION

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A parcel of tide and submerged land in the bed of the Seven Mile Slough, Sacramento County, California, approximately 2,000 feet north of the junction with the San Joaquin River, and more particularly described as follows:

BEGINNING at a point on the mean high water mark on the bank of Seven Mile Slough along the westerly side of Andrus Island, said point of beginning having coordinates of  $x = 2,111,387.0$  feet and  $y = 162,289.0$  feet; thence from said point of beginning S  $76^{\circ} 50'$  W 141 feet; thence S  $13^{\circ} 10'$  E 350 feet; thence N  $76^{\circ} 50'$  E 143 feet more or less to the mean high water mark on said bank of Seven Mile Slough; thence northerly along said mean high water mark 350 feet more or less to the point of beginning.

This description is based upon the California Coordinate System, Zone 2.

END OF DESCRIPTION

REVISED FEBRUARY 1, 1982 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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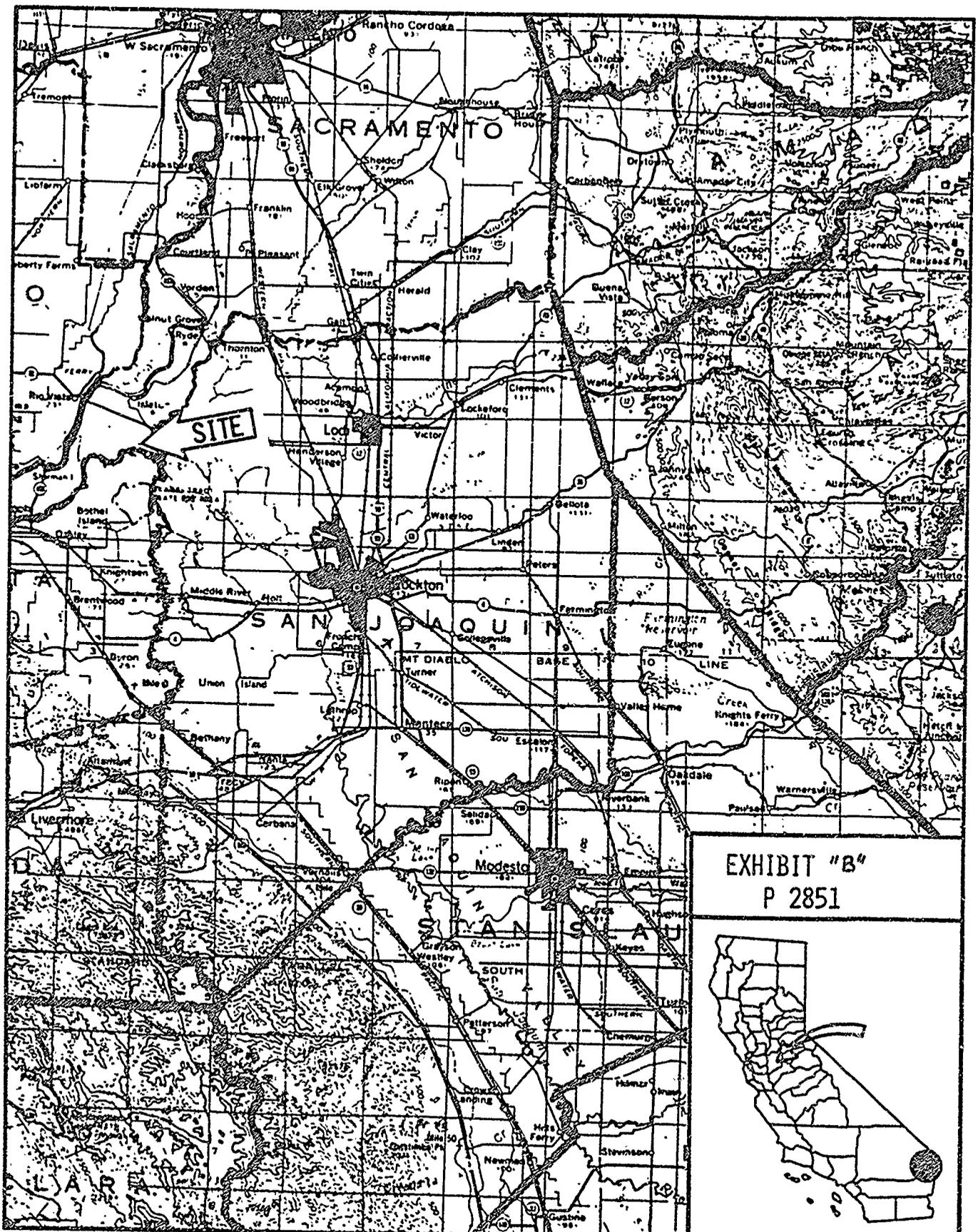


EXHIBIT "B"  
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