MINUTE ITEM
This Calendar Item No. C10
was approved as Minute Item
No. 10 by the State Lands
Commission by a vote of 3
to 0 at its 9/27/89
meeting.

CALENDAR ITEM

A 1
S 2

C10

09/27/89
PRC 5987
J. Ludlow

LEASE TERMINATION AND
ACCEPTANCE OF QUITCLAIM DEED

LESSEE: H. Henry Nakazato, M.D.
and Hiroko L. Nakazato
1336 Arlington Boulevard
El Cerrito, California 94530

AREA, TYPE LAND AND LOCATION:
A 0.083-acre parcel of land located in the old bed of the Sacramento River near the town of Tehama, Tehama County.

LAND USE: Road right-of-way.

TERMS OF EXISTING LEASE:
Initial period: 25-years beginning October 1, 1980.

Public liability insurance: Combined single limit coverage of $100,000.

CONSIDERATION: $100 per annum; with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

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MINUTE ITEM
This Calendar Item No. C10
was approved as Minute Item
No. 10 by the State Lands
Commission by a vote of 3
to 0 at its 4/27/89
meeting.

BACKGROUND:

By Minute Item 6, approved by the State Lands Commission on April 29, 1981, the State issued to Henry and Hiroko Nakazato a General Lease - Right-of-Way Use for the construction, use, and maintenance of a gravel road providing access to the island owned by the lessee near the town of Tehama. The island is surrounded by the old bed of the Sacramento River, which has water only during the winter months. Dr. and Mrs. Nakazato, in order to farm the island, needed to cross this historic bed of the river with vehicles and farm equipment.

In early 1988, the lessees were unable to continue farming the island and in September 1988, Dr. Nakazato passed away. His wishes were to return the land to its natural state and sell it to the United States Fish and Wildlife Service.

Due to the heavy winter rains, the road has washed away and nothing remains at the site.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Code Regs.: 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. 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.

2. Hiroko L. Nakazato has executed a lease quitclaim deed transferring any and all right, title, and interest in the leasehold designated as PRC 5987 back to the State of California.

EXHIBIT: A. MINUTE ITEM NO. 6.

CALENDAR ITEM NO. C10 (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. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.

2. TERMINATE LEASE NO. PRC 5987 ISSUED TO H. HENRY NAKAZATO, M.D. AND HIROKO L. NAKAZATO AND ACCEPT AND APPROVE A QUITCLAIM DEED FROM HIROKO NAKAZATO TRANSFERRING HER INTEREST IN THE LEASEHOLD BACK TO THE STATE OF CALIFORNIA, EFFECTIVE SEPTEMBER 30, 1989.

MINUTE ITEM

This Calendar Item No. 6C was approved as Minute Item No. 6 by the State Lands Commission by a vote of — to 0 at its 4-29-81 meeting.

EXHIBIT "A"

PRC 5987.1

CALENDAR ITEM

4/81
W 22609
Graham
PRC 5987

5 C 06

GENERAL LEASE - RIGHT-OF-WAY

APPLICANT: H. Henry Nakazato, M.D. and
Hiroko L. Nakazato
1330 Tara Hills Drive, Suite E
Pinole, California 94564

AREA, TYPE LAND AND LOCATION:
0.083-acre parcel of land in the old bed of the Sacramento River, near the Town of Tehama, Tehama County.

LAND USE: Road Right-of-Way.

TERMS OF PROPOSED LEASE:
Initial period: 25 years from October 1, 1980.

Public liability insurance: combined single limit coverage of $100,000.

CONSIDERATION: $100 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 2005.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner and permittee of upland.

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 & 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

OTHER PERTINENT INFORMATION:
1. Dr. and Mrs. Nakazato are the owners of an island in Tehama County near the Town of Tehama. The island is surrounded by the old bed of the Sacramento River, which has water only during the winter

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months. Dr. and Mrs. Nakazato, in order to farm the upland on the island, must cross this historic bed with vehicles and farm machinery.

2. This project is exempt from CEQA; continuation of an existing use.

Authority: Cal. Adm. Code, Section 15101.

3. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class B, which authorizes Limited Use.

Staff has coordinated this project with those agencies and organizations which nominated the site as containing significant environmental values. They have found this project to be compatible with their nomination.

APPROVALS OBTAINED:
California Department of Fish and Game, Reclamation Board.

FURTHER APPROVALS REQUIRED:
None.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.

2. FIND THAT GRANTING OF THE LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.

3. AUTHORIZE ISSUANCE TO H. HENRY NAKAZATO, M.D. AND HIROKO L. NAKAZATO OF A 25-YEAR GENERAL LEASE - RIGHT-OF-WAY USE FROM OCTOBER 1, 1980; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $100, WITH THE STATE RESERVING

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CALENDAR ITEM NO. C 0 6 (CONTD)

THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE, FOR A ROAD RIGHT-OF-WAY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

LAND DESCRIPTION W 22609

A strip of land lying across the State-owned bed of the Sacramento River, Tehama County, California, T25N, R2W, MDM, said strip being ten feet on each side of the following described center line:

COMMENCING at the intersection of the Southward extension of the west boundary of Block 19 of the Town of Tehama, with the eastward extension of the south boundary of the county road known as the Tehama-Paskenta Road, from which the southwest corner of said Block 19 bears N 7°15'W, 1435.2 feet; thence N 73°05'E, 636.9 feet to a point on the right bank of the Sacramento River; thence S 26°34'E, 335.4 feet; thence S 43°44'E, 636.6 feet; thence S 72°35'E crossing the most westerly channel of said river, 995.6 feet; thence N 88°21'E, 400 feet to the TRUE POINT OF BEGINNING; thence from said point of beginning S 23°E, 160 feet to the end of the herein-described center line.

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

END OF DESCRIPTION

PREPARED NOVEMBER 14, 1980 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR

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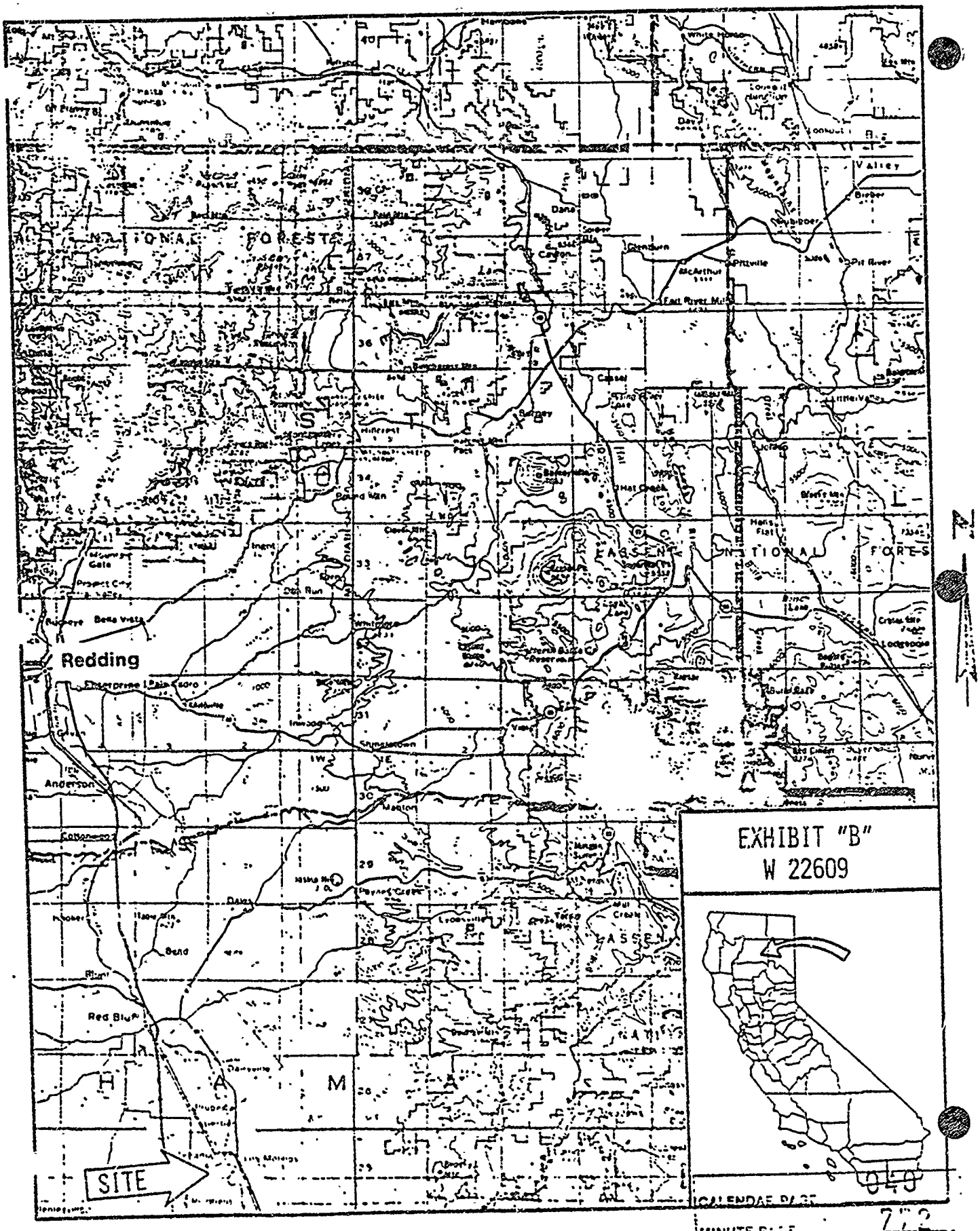

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