

MINUTE ITEM

This Calendar Item No. C17 was approved as Minute Item No. 17 by the California State Lands Commission by a vote of 3 to 0 at its 12/7/95 meeting.

CALENDAR ITEM

C17

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12/07/95

S 4

PRC 6108.1

D. Jones

AMENDMENT OF GENERAL LEASE - COMMERCIAL USE

APPLICANT/LESSEE:

Allan and Peggy Martin
5140 Sherman Island Road
Rio Vista, California 94571

LOCATION:

A 3.063 acre parcel of tide and submerged land in Mayberry Slough near Sherman Island, Sacramento County.

EXHIBIT:

A. Site Map

CONSIDERATION:

\$1,620 minimum annual rental, or a percentage of gross income from operations on State land, whichever is greater, with the State reserving the right to fix a different rental on each anniversary of the lease; 1.5 cents per gallon for fuel sales up to 100,000 gallons and 2 cents per gallon for fuel sales over 100,000 gallons.

AB 884:

N/A

OTHER PERTINENT INFORMATION:

1. At its October 17, 1995, meeting, the Commission terminated the existing 20-year General Lease - Commercial Use for PRC 6108.1 and authorized a new 25-year General Lease - Commercial Use, PRC 6108.1, for the existing and expanded marina facility. The Lessee owes back rent in the

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amount of \$1,240, plus interest. The Lessees, Allan and Peggy Martin, desire to amend their lease to enter into a payment plan for the rent. They also desire to amend their lease to establish a quarterly payment plan for the minimum annual rental.

CEQA

FINDING:

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 PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL. CODE REGS. 15378.

SIGNIFICANT LANDS

INVENTORY FINDINGS:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTION 6370, ET SEQ.

RECOMMENDED

ACTION:

1. AUTHORIZE THE AMENDMENT OF GENERAL LEASE - COMMERCIAL USE, PRC 6108.1, EFFECTIVE APRIL 1, 1995, TO AUTHORIZE A PAYMENT PLAN FOR THE PAYMENT OF BACK RENT AND INTEREST (PENALTY WAIVED), CURRENT RENT, AND FUTURE MINIMUM ANNUAL RENT, AS SET FORTH IN THE AMENDMENT TO LEASE ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF.

2. ALL OTHER TERMS AND CONDITIONS OF SAID LEASE PRC 6108.1 SHALL REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

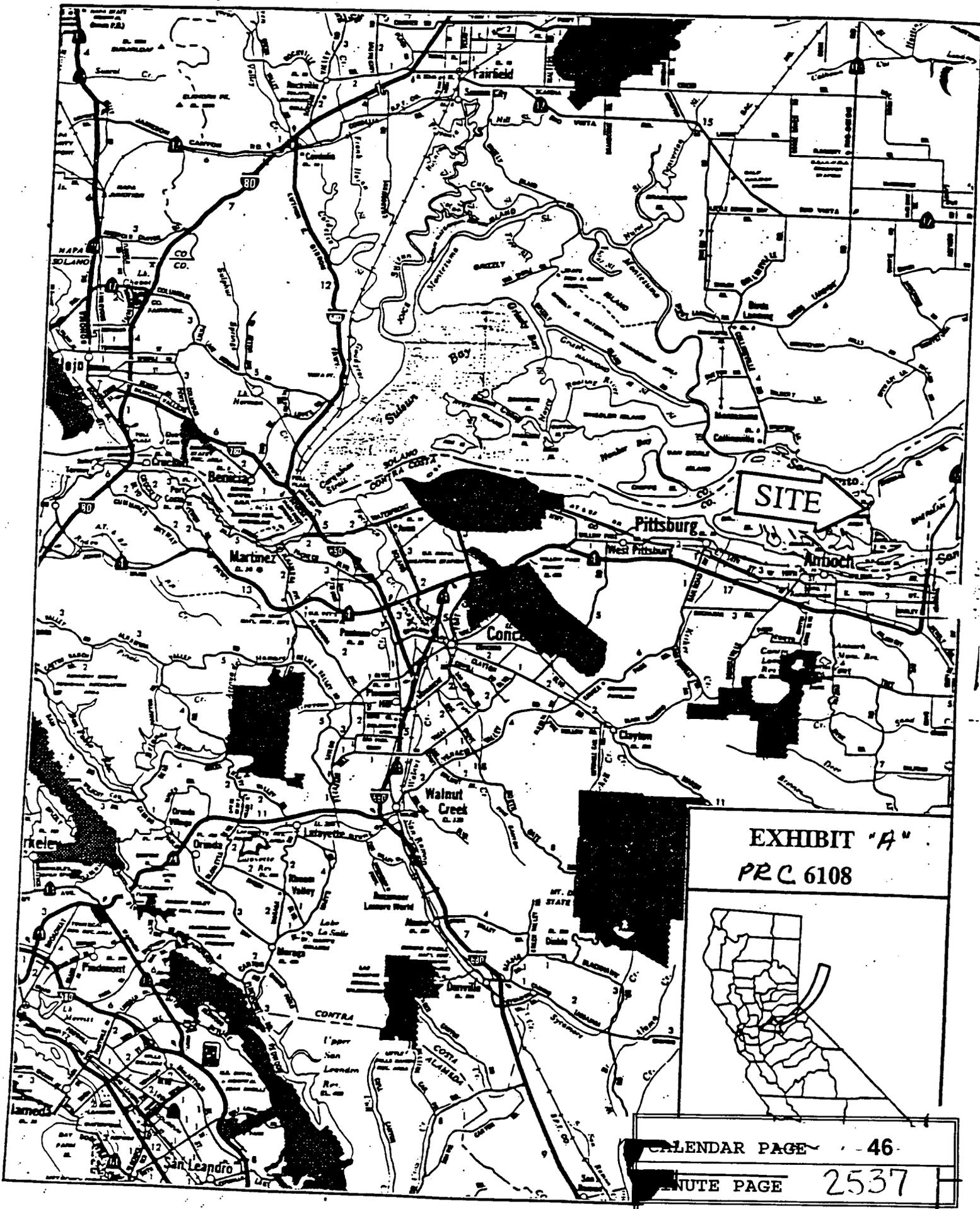


EXHIBIT "A"
 PRC 6108



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