

This Calendar Item No. C23 was approved as Minute Item No. 23 by the California State Lands Commission by a vote of 3 to 2 at its 04-05-04 meeting.

CALENDAR ITEM

C23

A 9

04/05/04

S 5

PRC 494.1

T. Lipscomb

CONSIDER ACCEPTANCE OF LEASE QUITCLAIM DEED AND TERMINATION OF GENERAL LEASE-COMMERCIAL USE, PRC 494.1

LESSEE:

Gene Celli

AREA, LAND TYPE, AND LOCATION:

1.05 acres, more or less, of tide and submerged lands in the Sacramento River, Sherman Island, Sacramento County.

AUTHORIZED USE:

Commercial marina.

LEASE TERM:

30 years, beginning February 9, 1985.

CONSIDERATION:

\$1,755 per annum.

SPECIFIC LEASE PROVISIONS:

Insurance:

\$500,000 Combined Single Limit.

Bond:

\$10,000 Surety Bond.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.
2. On January 17, 1990, the Commission authorized a 30 year General Lease-Commercial Use to Gene Celli for a commercial marina. The rent has been kept current and is paid through February 9, 2005. In 2003, staff was advised of the death of Gene Celli and of the family wishes to terminate the marina lease. All marina pilings within the water were removed at or below the mudline of the River by crane barge between

CALENDAR ITEM NO. C23 (CONT'D)

October 13, 2003, and November 21, 2003. On March 3, 2004, Mrs. Josephine Celli, Executrix of the Estate of Gene Celli, executed a Lease Quitclaim Deed quitclaiming all right, title, and interest in the lease to the State.

Since all structures within the water of the marina have been removed and the Lease Quitclaim Deed has been executed, the staff is recommending that the lease be terminated, effective March 3, 2004.

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it is not a "project" as defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, sections 15060 (c)(3) and 15378.

EXHIBIT:

- A. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

CALENDAR ITEM NO. C23 (CONT'D)

AUTHORIZATION:

AUTHORIZE ACCEPTANCE OF THE LEASE QUITCLAIM DEED AND
TERMINATION OF GENERAL LEASE-COMMERCIAL USE, PRC 494.1
TO GENE CELLI, EFFECTIVE MARCH 3, 2004.

Location Map

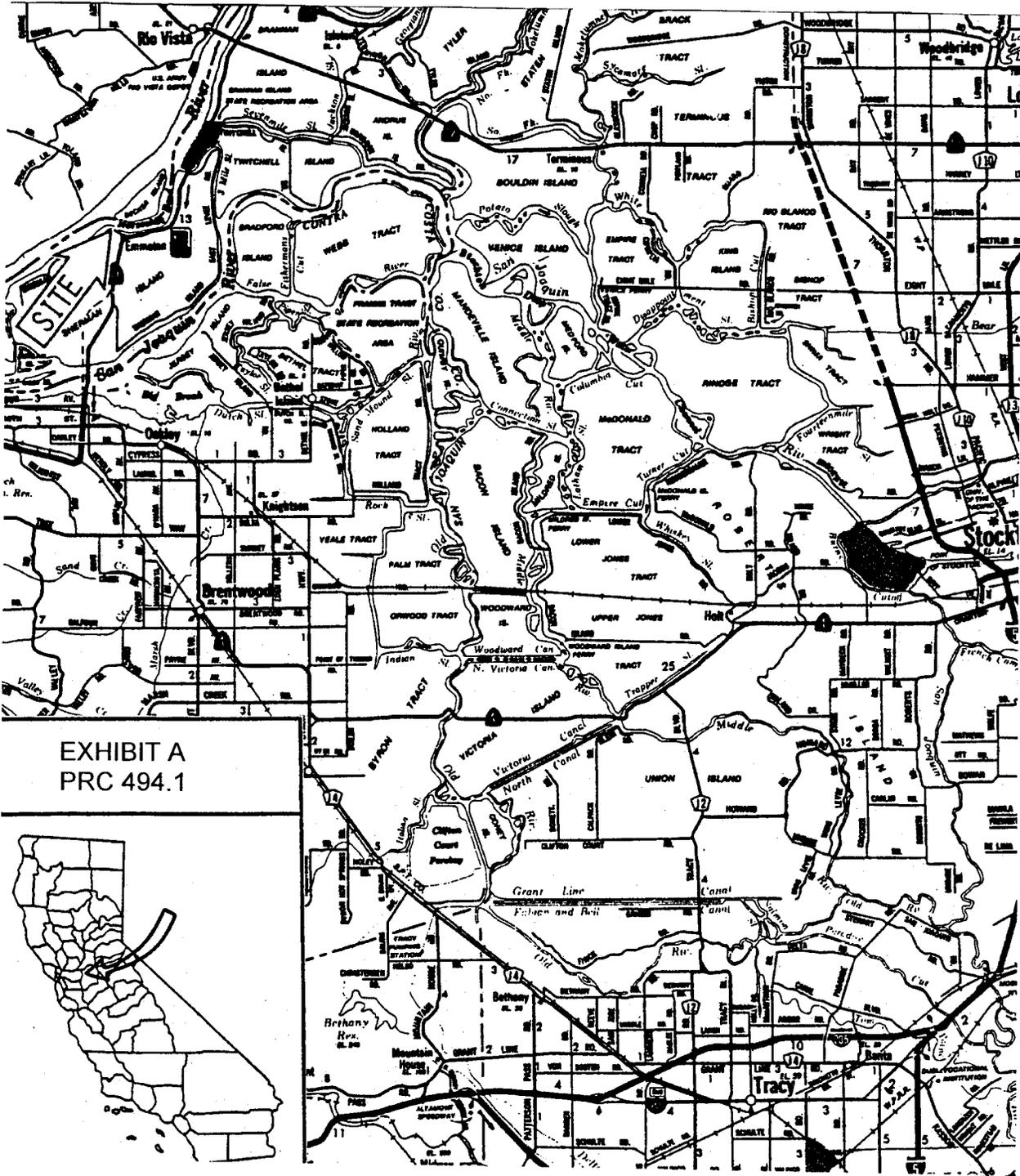


EXHIBIT A
PRC 494.1



EXHIBIT CONSTRUCTED FROM USGS QUAD

This exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by Lessee or other parties, and is not intended to be, nor shall it be construed as, a waiver or limitation of any state interest in the subject or other property.

EXHIBIT A
PRC 494.1

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TKL 3/9/2004