

MINUTE ITEM

This Calendar Item No. C10 was approved as
Minute Item No. 10 by the California State Lands
Commission by a vote of 2 to 0 at its
06/07/04 meeting.

**CALENDAR ITEM
C10**

A 2
S 4

06/07/04
PRC 2175 WP 2175.1
L. Burks

ASSIGNMENT OF GENERAL LEASE – COMMERCIAL USE

LESSEE/ASSIGNOR:

Joyce Loveless, as Independent Administratrix
of the Estate of Earl L. Loveless under Letters
of Independent Administration, Matters of
Probate, Montgomery County, Texas, Cause
No. 02-20, 203-P

ASSIGNEE:

Gerald A. Pearson
d.b.a. Lovey's Landing
3474 N. Meridian Road
Meridian, CA 95957

AREA, LAND TYPE, AND LOCATION:

0.79 acres, more or less, of sovereign lands in the Sacramento River, near the
town of Meridian, Sutter County.

AUTHORIZED USE:

Continued use and maintenance of an existing commercial marina.

LEASE TERM:

20 years, beginning January 1, 1993.

CONSIDERATION:

A Minimum Annual Rent of \$900 against five percent (5%) of gross income
derived from the rental of boat docks and moorings, whichever is greater, and
one and one-half cents per gallon of fuel sold annually up to the first 100,000
gallons and two cents per gallon thereafter.

CALENDAR ITEM NO. C10 (CONT'D)

The lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under the lease and recommends that the rent be continued as stated above, effective January 1, 2004.

SPECIFIC LEASE PROVISIONS:

Liability insurance with coverage of no less than \$1,000,000.

Bond: \$5,000

OTHER PERTINENT INFORMATION:

1. Assignee owns the uplands adjoining the lease premises.
2. The Commission issued a 20 year General Lease - Commercial Use to Earl L. Loveless, beginning January 1, 1993, ending December 31, 2012, for a commercial marina. On April 1, 2002, Gerald A. Pearson took title to the property. Mr. Pearson has applied to the Commission for assignment of the leasehold.
3. There are no permits required to operate a gasoline dispensing facility and aboveground fuel storage tank from the Regional Water Quality Control Board on tanks smaller than 660 gallons. The existing tank is 450 gallons. An annual permit is required by the Feather River Air Quality Management District. The District inspects the tank, equipment and maintenance records annually. No known violations have occurred on this fuel storage tank.
4. 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.

EXHIBITS:

- A. Site Plan
- B. Location Map

CALENDAR ITEM NO. C10 (CONT'D)

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

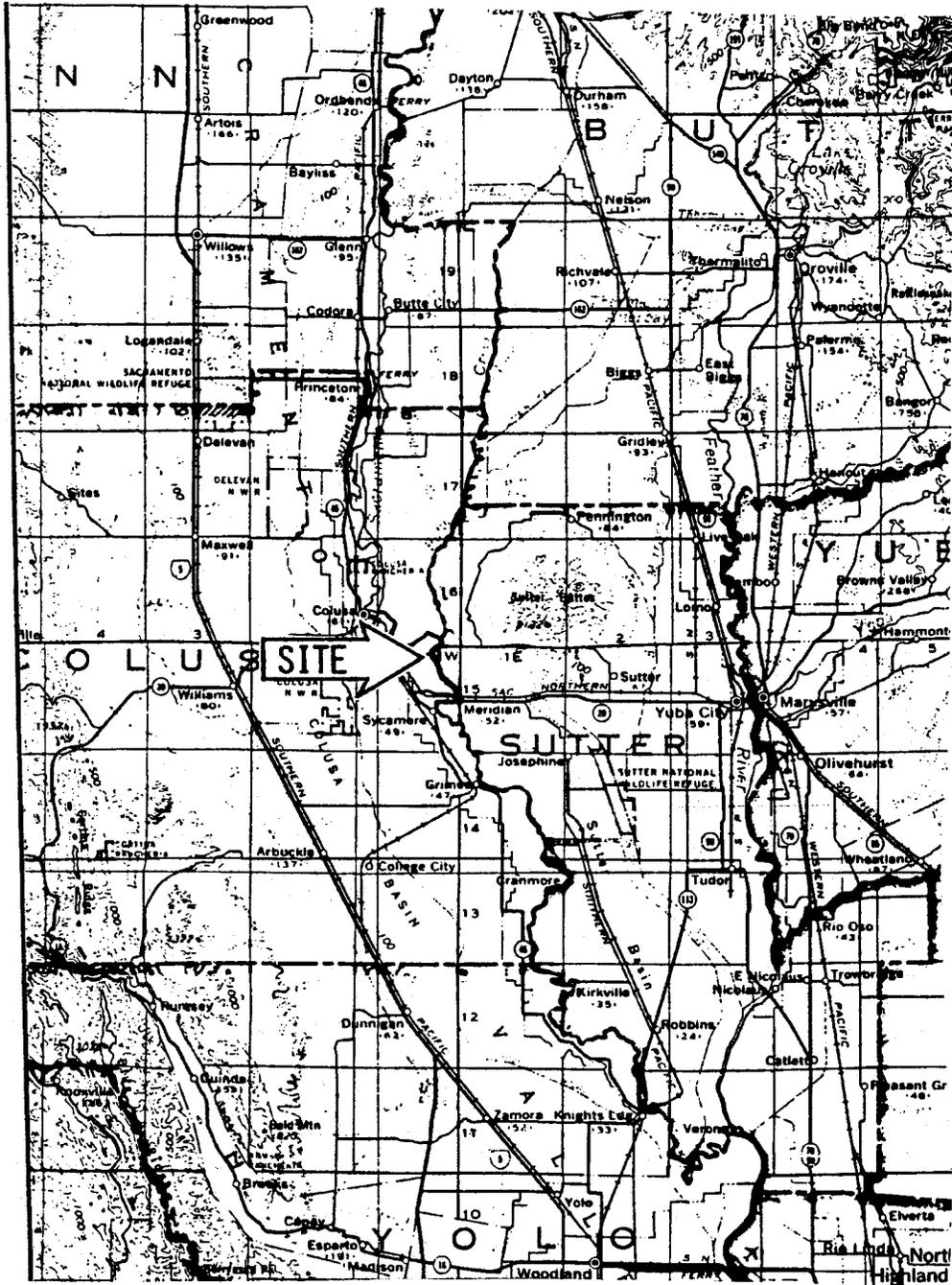
CEQA FINDING:

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.

AUTHORIZATION:

1. AUTHORIZE THE ASSIGNMENT OF LEASE NO. PRC 2175.1, A GENERAL LEASE - COMMERCIAL USE, OF SOVEREIGN LANDS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, FROM JOYCE LOVELESS, AS INDEPENDENT ADMINISTRATRIX OF THE ESTATE OF EARL L. LOVELESS UNDER LETTERS OF INDEPENDENT ADMINISTRATION, MATTERS OF PROBATE, MONTGOMERY COUNTY, TEXAS, CAUSE NO. 02-20, 203-P TO GERALD A. PEARSON; EFFECTIVE APRIL 2, 2002.

2. APPROVE THE CONTINUATION OF RENT FOR LEASE NO. PRC 2175.1 AT A MINIMUM ANNUAL RENT OF \$900 AGAINST FIVE PERCENT (5%) OF GROSS INCOME DERIVED FROM THE RENTAL OF BOAT DOCKS AND MOORINGS, WHICHEVER IS GREATER, AND ONE AND ONE-HALF CENTS PER GALLON OF FUEL SOLD ANNUALLY UP TO THE FIRST 100,000 GALLONS AND TWO CENTS PER GALLON THEREAFTER.



Meridian 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 B
WP 2175**

LMB 4/19/04

000040
CALENDAR PAGE

000740
MINUTE PAGE