

**CALENDAR ITEM
C52**

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06/29/15

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PRC 8578.1
G. Asimakopoulos

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Rio Viento RV Park, LLC
300 H Street, Suite D
Antioch, CA 94509

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in the Sacramento River, adjacent to 4460 West Sherman Island Road, on Sherman Island, near the city of Rio Vista, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of three existing pedestrian access ramps.

LEASE TERM:

10 years, beginning December 1, 2015

CONSIDERATION:

\$143 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On December 9, 2004, the Commission authorized a 10-year General Lease – Recreational Use with Anthony P. DeMattei and Gail J. DeMattei. The lease expired on November 30, 2014. On January 7, 2014, the upland was deeded to Rio Viento RV Park, LLC. The Applicant is now applying for a General Lease – Recreational Use.
3. The lease has been in holdover and the rent is paid through November 30, 2015. Staff recommends starting the lease at the next anniversary on December 1, 2015.

CALENDAR ITEM NO. **C52** (CONT'D)

4. The authorized improvements provide pedestrian access down the river bank from an upland RV park and campground located across West Sherman Island Road and owned by the Applicant. The RV park patrons use the ramps for windsurfing from the shore, launching small boats, and swimming.
5. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

CALENDAR ITEM NO. **C52** (CONT'D)

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational Use to Rio Viento RV Park, LLC, beginning December 1, 2015, for a term of 10 years, for the continued use and maintenance of three existing pedestrian access ramps, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$143, with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 8578.1

LAND DESCRIPTION

Three parcels of tide and submerged lands adjacent to Swamp and Overflowed Survey No. 534, patented on 3/23/1868, lying in the bed of the Sacramento River, County of Sacramento, State of California, described as follows:

PARCEL 1

A ten foot wide strip of land, the centerline of which is described as follows:

COMMENCING at the westerly corner of that parcel shown on Record of Survey titled "Portion of S.L.S. 534 in Proj. Sections 28, 29, 32 & 33, T. 3 N., R. 2 E., M.D.M. Situated on Sherman Island Sacramento County, California" recorded in Book 48, of surveys at Page 31 on February 6, 1991; thence from said point of commencement N 72°42'14" E 51.65 feet to the centerline of the southerly edge of and existing pedestrian access ramp, said point also being the POINT OF BEGINNING; thence from said point of beginning along the centerline of said access ramp N 44°39'57" W 50.00 feet to the end of said access ramp, and the terminus of said strip.

The sidelines of said strip shall be prolonged or shortened so as to commence at a line perpendicular to the point of beginning, and terminate at a line perpendicular to the terminus of said centerline.

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark of the left bank of the Sacramento River.

PARCEL 2

A ten foot wide strip of land, the centerline of which is described as follows:

COMMENCING at the westerly corner of that parcel shown on Record of Survey titled "Portion of S.L.S. 534 in Proj. Sections 28, 29, 32 & 33, T. 3 N., R. 2 E., M.D.M. Situated on Sherman Island Sacramento County, California" recorded in Book 48, of surveys at Page 31 on February 6, 1991; thence from said point of commencement N 52°56'26" E 300.17 feet to the centerline of the southerly edge of and existing pedestrian access ramp, said point also being the POINT OF BEGINNING; thence from said point of beginning along the centerline of said access ramp N 40°56'49" W 50.00 feet to the end of said access ramp, and the terminus of said strip.

The sidelines of said strip shall be prolonged or shortened so as to commence at a line perpendicular to the point of beginning, and terminate at a line perpendicular to the terminus of said centerline.

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark of the left bank of the Sacramento River.

PARCEL 3

A ten foot wide strip of land, the centerline of which is described as follows:

COMMENCING at the westerly corner of that parcel shown on Record of Survey titled "Portion of S.L.S. 534 in Proj. Sections 28, 29, 32 & 33, T. 3 N., R. 2 E., M.D.M. Situated on Sherman Island Sacramento County, California" recorded in Book 48, of surveys at Page 31 on February 6, 1991; thence from said point of commencement N 54°01'47" E 580.03 feet to the centerline of the southerly edge of and existing pedestrian access ramp, said point also being the POINT OF BEGINNING; thence from said point of beginning along the centerline of said access ramp N 22°25'53" W 40.00 feet to the end of said access ramp, and the terminus of said strip.

The sidelines of said strip shall be prolonged or shortened so as to commence at a line perpendicular to the point of beginning, and terminate at a line perpendicular to the terminus of said centerline.

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark of the left bank of the Sacramento River.

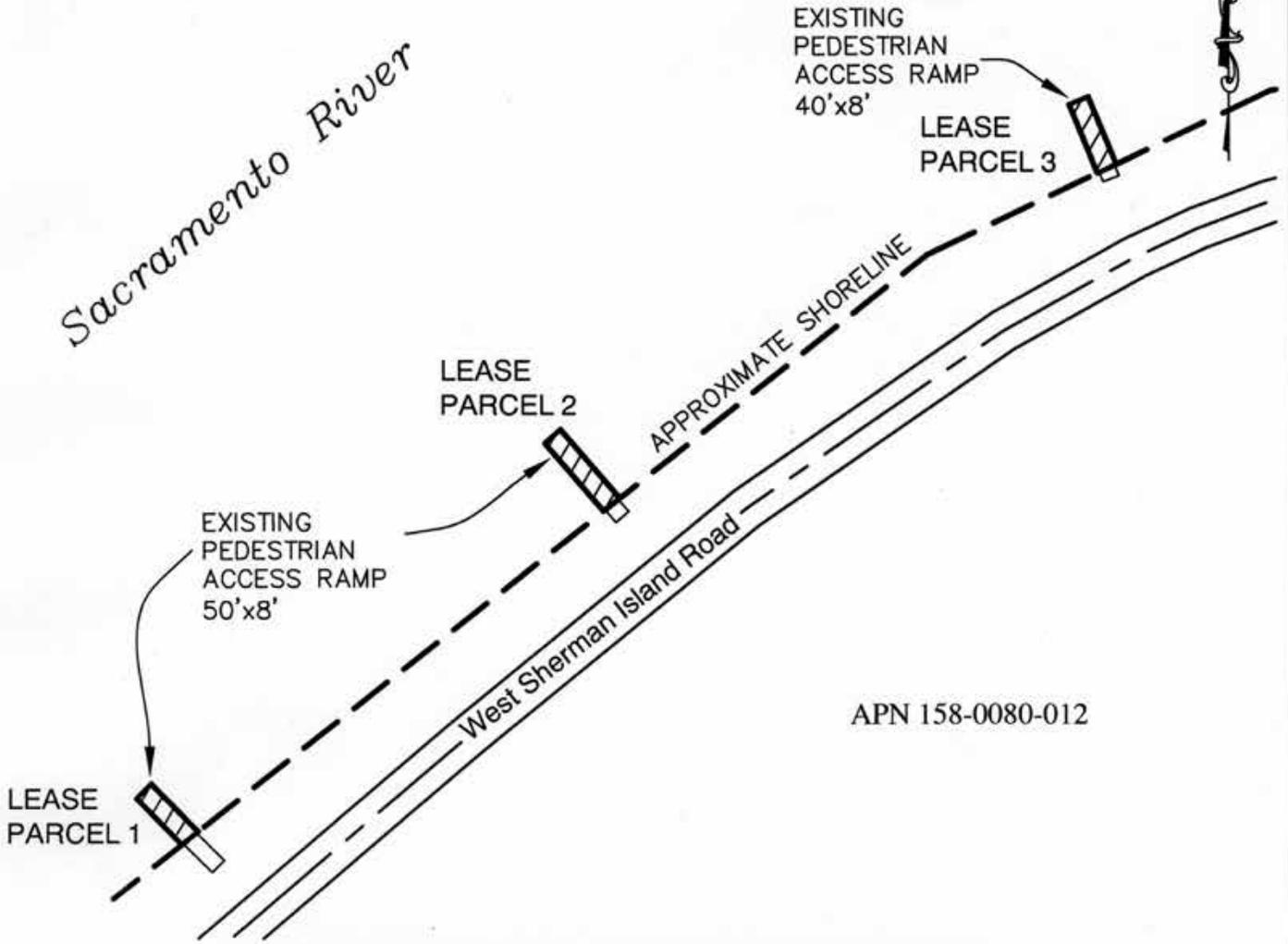
END OF DESCRIPTION

Prepared 5/7/2014 by the California State Lands Commission Boundary Unit.



NO SCALE

SITE



APN 158-0080-012

4460 WEST SHERMAN ISLAND ROAD, RIO VISTA

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 8578.1
 RIO VIENTO RV
 PARK, LLC.
 APN 158-0080-012
 GENERAL LEASE -
 RECREATIONAL USE
 SACRAMENTO COUNTY



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the 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 any other property.