

12. COMMERCIAL LEASE, TIDE AND SUBMERGED LAND, THREE MILE SLOUGH, SACRAMENTO COUNTY; JOHN H. PIETZ - W.O. 6353, P.R.C. 3934.1.

After consideration of Calendar Item 29 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ISSUANCE TO JOHN H. PIETZ OF A 49-YEAR COMMERCIAL LEASE, FROM APRIL 25, 1968, IN CONSIDERATION OF ANNUAL RENT OF \$180.90 DURING THE FIRST FIVE YEARS OF THE LEASE TERM, PROVISION OF A \$2,000 SURETY BOND, AND PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$200,000/\$600,000 FOR PERSONAL INJURY AND \$25,000 FOR PROPERTY DAMAGE, FOR OPERATION OF A MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; AND PROVIDING THAT THE STATE SHALL RESERVE THE RIGHT TO REVIEW AND RESET A REASONABLE RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE.

Attachment

Calendar Item 29 (2 pages)

COMMERCIAL LEASE

APPLICANT: John H. Pietz

LOCATION: A 0.67-acre parcel of tide and submerged land in Three Mile Slough adjacent to Sherman Island, Sacramento County

PROPOSED USE: The operation of a marina known as The Outrigger

TERM: Initial Period: 49 years, from April 25, 1968
 Surety Bond: \$2,000
 Public Liability Insurance: \$200,000/\$600,000 for personal injury
 Property Damage: \$25,000

CONSIDERATION: \$180.90 per annum during first five years of term

BASIS FOR CONSIDERATION:
 6% of appraised value of land

PREREQUISITE ITEMS:
 U.S.A. Corps of Engineers Permit issued
 Applicant is owner of upland

STATUTORY AND OTHER REFERENCES:
 a. Public Resources Code: Div. 6, Pt. 2, Ch. 1, Secs. 6501-6509
 b. Administrative Code: Title 2, Div. 3, Secs. 2000-2011
 c. Commission policy: Minute Item 18 of November 18, 1959

OTHER PERTINENT INFORMATION:
 The State will reserve the right to review and reset a reasonable rental on each fifth anniversary of the lease

EXHIBITS: A. Legal description B. Location map

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO JOHN H. PIETZ OF A 49-YEAR COMMERCIAL LEASE, FROM APRIL 25, 1968, IN CONSIDERATION OF ANNUAL RENT OF \$180.90 DURING THE FIRST FIVE YEARS OF THE LEASE TERM, PROVISION OF A \$2,000 SURETY BOND, AND PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$200,000/\$600,000 FOR PERSONAL INJURY AND \$25,000 FOR PROPERTY DAMAGE, FOR OPERATION OF A MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; AND PROVIDING THAT THE STATE SHALL RESERVE THE RIGHT TO REVIEW AND RESET A REASONABLE RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE.

Attachment: Exhibit "A"

EXHIBIT "A"

Lessee: John H. Pietz

All that certain tide and submerged land in Three Mile Slough adjacent to Sherman Island, Sacramento County, lying within the following described boundary:

BEGINNING at a point on the bank of Three Mile Slough, from which the southwest corner of a parcel described in a deed to Louis Patrick recorded in Book 1541 OR page 513 of Sacramento County bears S. 36° 16' 04" W. 4812.36 feet; thence along said bank the following three courses:

- 1) S. 32° 37' E. 267.13 feet
- 2) S. 0° 01' E. 70.00 feet
- 3) S. 5° 09' W. 190.00 feet; thence into said Slough the following six courses:

- 1) S. 84° 51' E. 145.00 feet
- 2) N. 5° 09' E. 100.00 feet
- 3) N. 84° 51' W. 30.00 feet
- 4) N. 5° 09' E. 176.37 feet
- 5) N. 37° 20' 00" W. 350.00 feet
- 6) S. 42° 29' 22" W. 80.00 feet to the point of beginning.