

15. AMENDMENT AND RENEWAL OF COMMERCIAL LEASE P.R.C. 623.1, SOVEREIGN LAND OF SACRAMENTO RIVER AT SACRAMENTO, SACRAMENTO COUNTY, FOR EXISTING FLOATING WHARF WITH RESTAURANT; CHARLES M. AND DOROTHY LOVETT, DBA THE CAPTAIN'S TABLE - W.O. 6170, P.R.C. 623.1.

After consideration of Calendar Item 11 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ISSUANCE TO CHARLES M. AND DOROTHY LOVETT, DBA THE CAPTAIN'S TABLE, OF AN AMENDMENT TO AND A 10-YEAR RENEWAL OF LEASE P.R.C. 623.1, FROM JUNE 21, 1966, IN CONSIDERATION OF ANNUAL RENTALS IN THE AMOUNTS OF \$75 FROM JUNE 21, 1966, TO JUNE 30, 1968; \$520.79 FROM JULY 1, 1968, TO NOVEMBER 14, 1975, AND \$1,394.75 FROM NOVEMBER 15, 1975, TO JUNE 20, 1976; WITH PROVISION OF A \$3000 SURETY BOND AND OF PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$250,000/\$750,000 FOR PERSONAL INJURY AND \$50,000 COVERING PROPERTY DAMAGE; FOR OPERATION OF A FLOATING WHARF HOUSING A RESTAURANT AND OF A MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment

Calendar Item 11 (3 pages)

CALENDAR ITEM

7/68
W.O. 6170

11.

AMENDMENT AND RENEWAL OF COMMERCIAL LEASE P.R.C. 623.1

APPLICANT: Charles M. and Dorothy Lovett, dba 'The Captain's Table

LOCATION: A 1.802-acre parcel of sovereign land in the Sacramento River at Sacramento, Sacramento County

PROPOSED USE: The operation of an existing floating wharf with restaurant thereon

TERMS OF BASIC LEASE:

Initial period: 15 years, from June 21, 1951, and ending June 20, 1966

Renewal option: 1 additional period of 10 years from June 21, 1966, to June 20, 1976

TO BE ADDED BY AMENDMENT:

Surety bond: \$3,000

Public liability insurance: \$250,000/\$750,000 for personal injury and \$50,000 for property damage

CONSIDERATION AND BASIS THEREFOR:

<u>Period</u>	<u>Annual Rental</u>	<u>Basis</u>
6-21-66 to 6-30-68	\$ 75.00	Holdover rate
7-1-68 to 11-14-75	520.79	Based upon rentals for existing leases in the area which carry a nominal rental.
11-15-75 to 6-20-76	1,394.75	\$1,394.75 per annum, being 6% of the appraised land value

PREREQUISITE ITEM:

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
- d. Commission policy: Minute Item 35 of March 28, 1968

EXHIBITS: A. Legal description B. Location map

CALENDAR ITEM 11. (CONTD.)

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO CHARLES M. AND DOROTHY LOVETT, dba THE CAPTAIN'S TABLE, OF AN AMENDMENT TO AND A 10-YEAR RENEWAL OF LEASE P.R.C. 623.1, FROM JUNE 21, 1966, IN CONSIDERATION OF ANNUAL RENTALS IN THE AMOUNTS OF \$75 FROM JUNE 21, 1966, TO JUNE 30, 1968; \$520.79 FROM JULY 1, 1968, TO NOVEMBER 14, 1975, AND \$1,394.75 FROM NOVEMBER 15, 1975, TO JUNE 20, 1976; WITH PROVISION OF A \$3,000 SURETY BOND AND OF PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$250,000/\$750,000 FOR PERSONAL INJURY AND \$50,000 COVERING PROPERTY DAMAGE; FOR OPERATION OF A FLOATING WHARF HOUSING A RESTAURANT AND OF A MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

Legal Description

P.R.C.: 623.1
W.O.: 6170

A parcel of submerged land lying in the bed of the Sacramento River, County of Sacramento, State of California, situate in Section 23, Township 8 North, Range 4 East, M.D.M., and being more particularly described as follows:

COMMENCING at a crosscut in the concrete pavement marking the most easterly corner of "Rio Acres" as shown on the official plat recorded in the Office of the Recorder of Sacramento County on March 17, 1925, in Book 18 of Maps, Map No. 31, said crosscut being also the southeast corner of the certain tract of land shown on the official "Plat of Estate of Thomas Edwards located near Sutterville", recorded in the Office of the Recorder of Sacramento County on January 12, 1900, in Book 3 of Maps, Map No. 36; thence along the most northerly line of the so-called "Rio Acres" North 51° 21' West 815.48 feet to the most southeasterly point of the lands recorded in the grant deed conveyed by John H. Shaw and Marie M. Shaw, his wife, to Charles M. Lovett and Dorothy Lovett, as tenants in common, on June 20, 1956, and recorded in Book 3104, Official Records of Sacramento County, page 457; thence continuing North 51° 21' West along the most northerly line of the so-called "Rio Acres", said bearing being also the most southerly line of the lands so called as conveyed by John H. Shaw, et ux., to Charles M. Lovett, et ux., 109 feet, more or less, to a point on the mean high tide line of the easterly bank of the Sacramento River, said point being the TRUE POINT OF BEGINNING of this description; thence upstream along said mean high tide line 810 feet, more or less; thence South 52° 55' East, 97 feet, more or less, to a point in the Sacramento River; thence downstream South 59° 51' West, 800 feet; thence South 15° 21' West, 61 feet, more or less, to the TRUE POINT OF BEGINNING.

Containing 1.802 acres, more or less.