

MINUTE ITEM

8/28/6

16. ELEVEN-YEAR-AND-NINE-MONTH COMMERCIAL LEASE, SOVEREIGN LAND IN MOKELUMNE RIVER, SACRAMENTO COUNTY, FOR OPERATION OF AN EXISTING MARINA; WILLOW BERM (A CALIFORNIA CORPORATION) - W-4460, P.R.C. 4306.1.

After consideration of Calendar Item 25 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ISSUANCE TO WILLOW BERM, A CALIFORNIA CORPORATION, OF AN ELEVEN-YEAR-AND-NINE-MONTH COMMERCIAL LEASE FROM JULY 1, 1964, IN CONSIDERATION OF RENTAL IN THE AMOUNT OF \$8,666.50 TOTAL FOR FIRST FIVE YEARS; \$2,330.75 ON JULY 1, 1969; \$2,675.00 ON JULY 1 OF EACH OF THE YEARS 1970 TO 1974, INCLUSIVE; AND \$2,006.25 ON JULY 1, 1975; PROVISIONS OF A \$5,000 SURETY BOND TO BE EFFECTIVE APRIL 17, 1969, AND PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$500,000/\$1,000,000 FOR PERSONAL INJURY AND \$100,000 FOR PROPERTY DAMAGE, EFFECTIVE FROM FEBRUARY 1, 1968, FOR OPERATION OF AN EXISTING MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, WITH LESSEE'S RIGHT TO RENEW FOR ONE ADDITIONAL PERIOD OF 38 YEARS UPON SUCH REASONABLE TERMS AND CONDITIONS AS THE STATE MIGHT IMPOSE.

Attachment

Calendar Item 25 (3 pages)

CALENDAR ITEM

8/69
W-4460

25.

COMMERCIAL LEASE

APPLICANT: Willow Berm (a California corporation).

LOCATION: 10.96 acres of sovereign land in Mokelumne River approximately 3/4 mile upstream from confluence with San Joaquin River and easterly of Andrus Island, Sacramento County.

PROPOSED USE: The operation of an existing marina.

TERMS: Initial period: 11 years and 9 months, from July 1, 1964.
Renewal options: 1 additional period of 38 years.
Surety bond: \$5,000.00 to be effective April 17, 1969.
Public liability ins.: \$500,000/\$1,000,000 for personal injury and \$100,000 for property damage effective from February 1, 1968.

CONSIDERATION: \$8,666.50 total rental for first 5 years; \$2,380.75 on July 1, 1969; \$2,675.00 on July 1 of each of the years 1970 to 1974, inclusive; and \$2,006.25 on July 1, 1975.

BASIS FOR CONSIDERATION:

Comparison with existing leases in the area that carry a nominal rental.

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. 5, Articles 1 & 2 as amended May 10, 1969.

OTHER PERTINENT INFORMATION:

The rental escalates during the period July 1, 1964, to July 1, 1970, according to progressive construction of facilities occupying an enlarged area of State land.

EXHIBITS: A. Land description. B. Location map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO WILLOW BERM, A CALIFORNIA CORPORATION, OF AN ELEVEN-YEAR-AND-NINE-MONTH COMMERCIAL LEASE FROM JULY 1, 1964, IN CONSIDERATION OF RENTAL IN THE AMOUNT OF \$8,666.50 TOTAL FOR FIRST FIVE YEARS; \$2,380.75 ON JULY 1, 1969; \$2,675.00 ON JULY 1 OF EACH OF THE YEARS 1970 TO 1974, INCLUSIVE; AND \$2,006.25 ON JULY 1, 1975; PROVISIONS OF A \$5,000 SURETY BOND TO BE EFFECTIVE APRIL 17, 1969, AND PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$500,000/\$1,000,000 FOR PERSONAL INJURY AND \$100,000 FOR

CALENDAR ITEM 25 (CONFD.)

PROPERTY DAMAGE, EFFECTIVE FROM FEBRUARY 1, 1968, FOR OPERATION OF AN EXISTING MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, WITH LESSEE'S RIGHT TO RENEW FOR ONE ADDITIONAL PERIOD OF 38 YEARS UPON SUCH REASONABLE TERMS AND CONDITIONS AS THE STATE MIGHT IMPOSE.

Attachment: Exhibit 'A'

EXHIBIT "A"

A parcel of tide and submerged land in the bed of the Mokelumne River, Sacramento County, California, lying immediately adjacent to a berm known as Jackson or Willow Berm, said parcel recorded in the Sacramento office of the State Lands Commission Map No. CXB-4411 and more particularly described as follows:

COMMENCING at a point on the boundary recited in the description used in Amended Judgment No. 81526 recorded on July 24, 1952 in Judgment Book 117 at page 519, in the Office of the County Recorder of said Sacramento County, from which point an iron pipe monument stamped L.S. 1818 bears S. 32° 32' 20" W. 210.00 feet; thence from said point of commencement northwesterly along said Judgment Boundary N. 35° 21' 10" W. 362.94 feet to a point being the southerly terminous of the course designated N. 22° 26' W. 117.92 feet in the description of that certain 18.59 acre parcel of land described in action A. C. Korth, et ux vs. John Martin, et al, recorded in Book 1506 at page 440 of Official Records of said Sacramento County, said point also being the TRUE POINT OF BEGINNING; thence leaving said judgment boundary and said southerly terminous N. 46° 36' 14" W. 125.00 feet; thence N. 43° 23' 46" E. 105.00 feet; thence S. 46° 36' 14" E. 800.00 feet; thence N. 64° 19' 46" E. 230.00 feet; thence

S. 35° 03' 14" E. 174.96 feet; thence
 S. 43° 23' 11" E. 97.28 feet; thence
 S. 34° 44' 06" E. 456.32 feet; thence
 S. 25° 43' 49" E. 71.31 feet; thence
 S. 35° 03' 14" E. 242.10 feet; thence
 S. 60° 56' 46" W. 326.72 feet more or less to a point

on the above-mentioned judgment line; thence northwesterly along said judgment line N. 10° 30' 50" W. 57.91 feet; thence N. 76° W. 230.00 feet; thence

N. 25° W. 350.00 feet; thence
 N. 18° W. 150.00 feet; thence
 N. 38° W. 350.00 feet; thence
 N. 30° W. 160.00 feet; thence
 N. 45° W. 310.00 feet; thence
 N. 41° W. 210.00 feet; thence
 N. 77° W. 32.54 feet; thence
 S. 22° 26' E. 80.04 feet to the TRUE POINT OF BEGINNING.

Containing 10.96 acres, more or less.