

MINUTE ITEM

1/7/70
CRK

16. AMENDMENT AND 10-YEAR RENEWAL OF COMMERCIAL LEASE P.R.C. 2409.1, TIDE AND SUBMERGED LAND IN SAN JOAQUIN RIVER, SACRAMENTO COUNTY; HARRY C. SCHILLING, d.b.a. SPINDRIFT MARINA - W-5111.

After consideration of Calendar Item 4 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ISSUANCE TO HARRY C. SCHILLING, d.b.a. SPINDRIFT MARINA, OF AN AMENDMENT TO AND A TEN-YEAR RENEWAL OF LEASE P.R.C. 2409.1 FROM MAY 28, 1969, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$760, WITH THE STATE RESERVING THE RIGHT TO RESET A REASONABLE RENTAL ON APRIL 28, 1976, FOR CONTINUED OPERATION OF A MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, SAME BEING A REVISED DESCRIPTION OF THE PROPERTY COVERED BY SAID LEASE; ALL OTHER TERMS AND CONDITIONS OF THE LEASE TO REMAIN IN FULL FORCE AND EFFECT.

Attachment

Calendar Item 4 (3 pages)

CALENDAR ITEM

12/69
W-5111

4.

AMENDMENT AND RENEWAL OF COMMERCIAL LEASE P.R.C. 2409.1

APPLICANT: Harry C. Schilling, d.b.a. Spindrift Marina.

LOCATION: 3.04 acres of tide and submerged land in the San Joaquin River adjacent to Andrus Island, Sacramento County.

LAND USE: The operation of a marina.

TERMS OF BASIC LEASE AS AMENDED:

Initial period: 10 years, from May 28, 1959.

Renewal options: 3 additional periods of 10 years each.

Surety bond: \$5,000.

Public liability insurance: \$100,000/\$300,000 for personal injury. \$25,000 is provided for property damage but not required.

CONSIDERATION: \$760 per annum during the period May 28, 1969, to April 27, 1976; with State reserving the right to review and reset a reasonable rental from April 28, 1976, to May 27, 1979.

BASIS FOR CONSIDERATION:

Comparison with nominal rentals applying to existing leases in the area.

PREREQUISITE ITEMS:

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

OTHER PERTINENT INFORMATION:

This amendment includes an enlargement of the leased area from 2.86 to 3.04 acres.

EXHIBIT 'A'

A parcel of tide and submerged land in the bed of the San Joaquin River, County of Sacramento, State of California, more particularly described as follows:

Bounded on the northwest by the northwesterly line and the southwesterly projection thereof of Lot 54 'Plat of San Andreas Park' recorded in November 21, 1946, in Book 24 of Maps, Map No. 44, recorded in the office of the County recorder of said County of Sacramento;

Bounded on the southwest by a line 10 feet waterward of the existing structures;

Bounded on the southeast by the southeasterly line and the southwesterly projection thereof, of Lot 35 of the above-mentioned "Plat of San Andreas Park;"

Bounded on the northeast by the State's boundary.