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meeting

CALENDAR ITBM
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W 20604
ACS
PRC 5226

NONCOMMERCIAL LEASE

APPLICANTS: Harry A. & Jennie E. Sergent, his wife
Warren E. Sergent
dba Tunnel Trailer Park
Route 1, Box 10-A
Walnut Grove, California 95690

AREA, TYPE LAND AND LOCATION: An 0.43-acre (82' x 230') parcel of tide and submerged land in the bed of the Sacramento River near Ryde, Sacramento County.

LAND USE: Continued maintenance of existing floating dock, fixed walkway and associate pilings.

TERMS OF PROPOSED LEASE: Initial period: 15 years from December 1, 1974.

Renewal options: 1 successive period of 10 years.

Surety bond: \$1,000.

Public liability insurance: \$300,000 single limit per occurrence for bodily injury and property damage.

CONSIDERATION: \$631.64 for the period December 1, 1974 through November 30, 1977 and \$225 per annum thereafter; with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION: \$225 minimum rental for this type of lease.

PREREQUISITE TERMS, FEES AND EXPENSES: Applicant is owner of upland.

Filing fee is received.

STATUTORY AND OTHER REFERENCES:

A. Public Resources Code: Div. 6, Parts 1 & 2.

B. Administrative Code: Title 2, Div. 3, Arts. 1, 2, 10 & 11.

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CALENDAR ITEM NO. C10 (CONTD)

OTHER PERTINENT INFORMATION:

1. This project is situated on State land identified as possessing significant environmental values, pursuant to Public Resources Code 6370.1, and is classified in a significant use category, Class B, which authorizes limited use.

Staff review indicates that there will be no significant effect upon the identified environmental values. This project has been coordinated with those agencies and organizations making nomination. They have found this project to be compatible with their nominations.

2. A negative declaration was prepared by Sacramento County, pursuant to CEQA and implementing regulations. A Notice of Determination has been received.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS PROJECT BUT THAT A NEGATIVE DECLARATION HAS BEEN PREPARED BY SACRAMENTO COUNTY, ON FEBRUARY 5, 1974.
2. CERTIFY THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE NEGATIVE DECLARATION.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. FIND THAT GRANTING OF THE APPLICATION WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 ET SEQ., OF THE PUBLIC RESOURCES CODE.
5. AUTHORIZE ISSUANCE TO HARRY A. AND JENNIE E. SERGENT, HIS WIFE; AND WARREN E. SERGENT, DBA TUNNEL TRAILER PARK, OF A 15-YEAR NONCOMMERCIAL LEASE, FROM DECEMBER 1, 1974, WITH LESSEE'S OPTION TO RENEW FOR ONE SUCCESSIVE PERIOD OF 10 YEARS; IN CONSIDERATION OF RENT IN THE AMOUNT OF \$631.64 FOR THE PERIOD DECEMBER 1, 1974 THROUGH NOVEMBER 30, 1977; AND \$225 PER ANNUM THEREAFTER; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$1,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNT OF \$300,000 SINGLE LIMIT PER OCCURRENCE FOR BODILY INJURY AND PROPERTY DAMAGE; FOR THE CONTINUED MAINTENANCE OF A FLOATING DOCK, FIXED WALKWAY AND ASSOCIATE FILINGS, ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachments: Exhibit "A" -2-

EXHIBIT "A"

W 20604

A parcel of land lying in the State owned bed of the Sacramento River, in protracted Section 4, T4N, R4E, M.D.M., County of Sacramento, State of California, being more particularly described as follows:

COMMENCING at the northwest corner of that tract of land conveyed to Harry A. Sergent, Jennie E. Sergent, Warren E. Sergent, and Karen S. Sergent by Grant Deed dated October 16, 1970, and recorded November 30, 1970, in Book 70-11-30, page 246, of the Official Records of Sacramento County, California; thence S 0° 54' 30" E 10 feet; thence N 89° 05' 30" E parallel with and 10 feet southerly, measured at right angles to the northerly boundary of the aforementioned tract of land, 320 feet to the TRUE POINT OF BEGINNING; thence along the following four courses:

1. S 0° 54' 30" E 230 feet; thence
2. N 89° 05' 30" E 82 feet; thence
3. N 0° 54' 30" W 230 feet; thence
4. S 89° 05' 30" W 82 feet to the true point of beginning.

EXCEPTING THEREFROM any portion lying landward of the Ordinary High Water Mark.

END OF DESCRIPTION

Prepared *John C. Clark* Checked *John C. Clark*
Reviewed *[Signature]* Date *6/13/75*

