

19

19

7/12/84

CALENDAR ITEM

A 10

S 6

07/12/84  
W 21136  
J. Ludlow  
Hadly

AUTHORIZATION FOR LITIGATION  
FOR EJECTMENT AND DAMAGES  
FOR UNAUTHORIZED OCCUPATION  
OF STATE-OWNED LAND

PARTY: Leo H. Schuering, Jr.; An Individual  
c/o Weintraub, Genshlea, Hardy, Erich  
and Brown  
1000 "G" Street, Suite 300  
Sacramento, California 95814

AREA, TYPE LAND AND LOCATION:  
An 0.053-acre parcel of tide and submerged land  
in bed of the Sacramento River, adjacent to  
4475 Garden Highway, Assessor's Parcel No.  
225-102-30, Sacramento County.

- UNAUTHORIZED USE:
1. Nature of Use. Boathouse.
  2. Appropriate authorization: PRC 6503.5, Recreational Pier Permit.
  3. Duration of use: From June 6, 1972 to present.

- DEMANDS:
1. Written: By certified letters dated March 23, 1976; August 19, 1976; October 30, 1981 and October 27, 1982 and letters dated June 6, 1972, May 13, 1976, January 1, 1977, June 6, 1977, March 29, 1983; June 21, 1983; and September 6, 1983, defendant notified of the requirement for a lease or permit or removal of structures.
  2. Oral: Phone calls; November 25, 1981.

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CURRENT STATUS:

The Commission staff has diligently attempted to bring Mr. Leo Schuering under permit for the use of State lands but has been unsuccessful to date.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

AB 884: N/A.

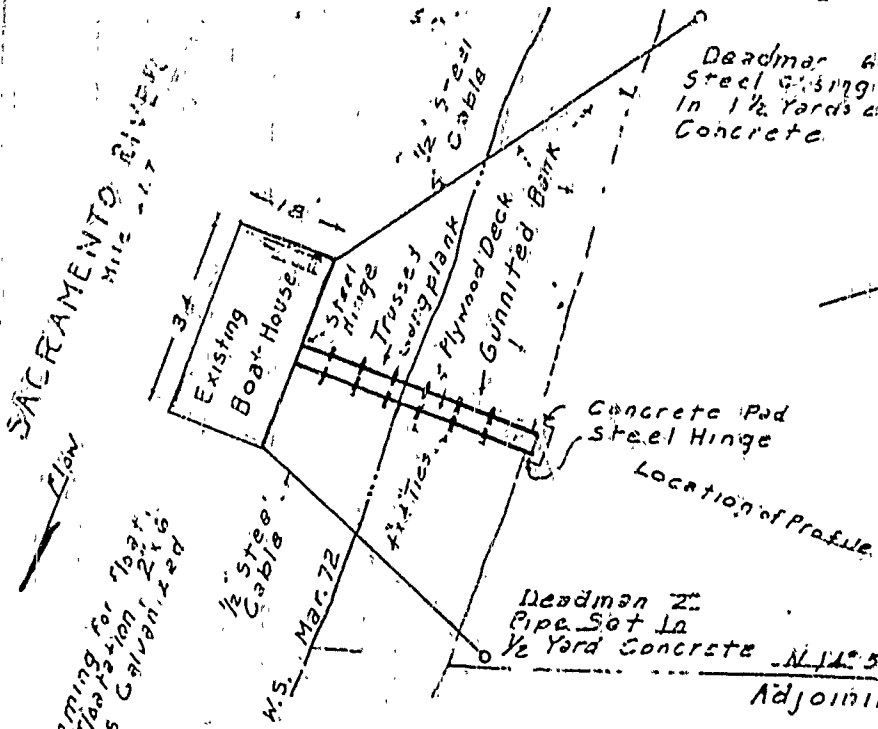
EXHIBITS: A. Site Map.  
B. Legal Description.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.
2. AUTHORIZE STAFF COUNSEL AND/OR THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL STEPS NECESSARY, INCLUDING LITIGATION, TO TERMINATE THE CONTINUING UNAUTHORIZED OCCUPATION OF STATE-OWNED TIDE AND SUBMERGED LAND IN THE BED OF THE SACRAMENTO RIVER, SACRAMENTO COUNTY, BY MR. SCHUERING AND ANY OTHER NECESSARY PARTIES AND TO COLLECT REASONABLE COMPENSATION FOR THE USE OF SUCH LANDS AND FOR WHATEVER OTHER LEGAL OR EQUITABLE REMEDIES THAT MAY BE NECESSARY OR APPROPRIATE.

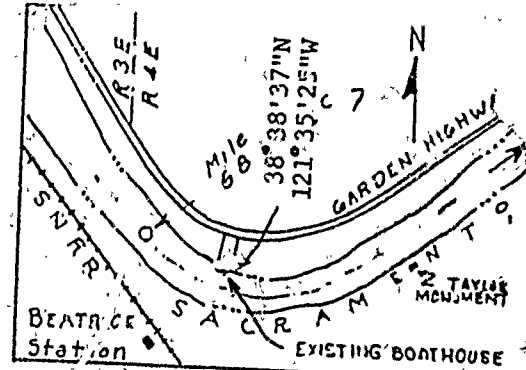
No. 4248VA

2 MAY 1972



$N 13^{\circ} 14' 40'' E 297.52$  to Garden Highway  
 Adjoining Owner Jack Newton

Deadman 6"  
 Steel Hinge Set  
 In 1 1/2 Yards of  
 Concrete.



LOCATION MAP  
 Scale 1" = 2000'  
 From U.S.G.S Quad Map  
 Taylor Monument

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2x12" Framing for floor,  
 floor joists, ribation, 2x6  
 hardware galvanized

W.S. Mar 72  
 1/2 Steel Cable

Deadman 2"  
 Pipe Set In  
 1/2 Yard Concrete

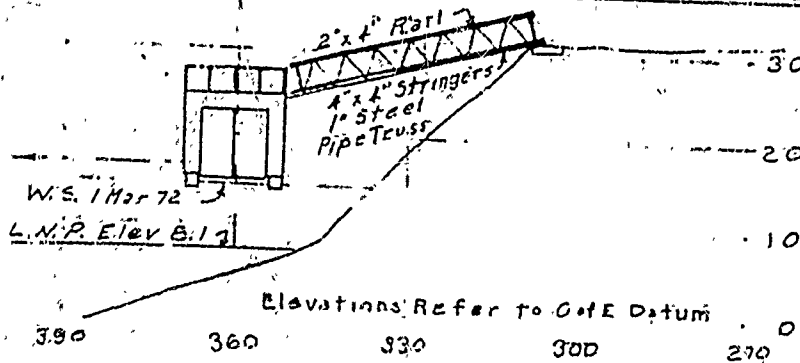
$N 14^{\circ} 56' 58'' E 332.18$  To Garden Highway  
 Adjoining Owner Leo Schuering

Portion of Lot 37 Natoma's  
 Riverside Subdivision No. 3  
 Section 7, T 4 N R 4 E M D B 8 N  
 Assessors Tract 225-02-30

PLAN VIEW  
 Scale 1" = 30'

Flood Plane Elevation 37.07

Distance to  
 Opposite Bank  
 450 Feet



W.S. Mar 72  
 L.N.P. Elev 8.17

Elevations Refer to C&E Datum  
 390 360 330 300 270

PROFILE VIEW  
 Scale 1" = 30' Horiz.  
 1" = 20' Vert

EXISTING  
 BOAT HOUSE  
 AND  
 WALKWAY  
 Application  
 By  
 LEO H. SCHUERING  
 4475 GARDEN HWY  
 Sacramento Ca.

EXHIBIT "A"  
 LAND DESCRIPTION

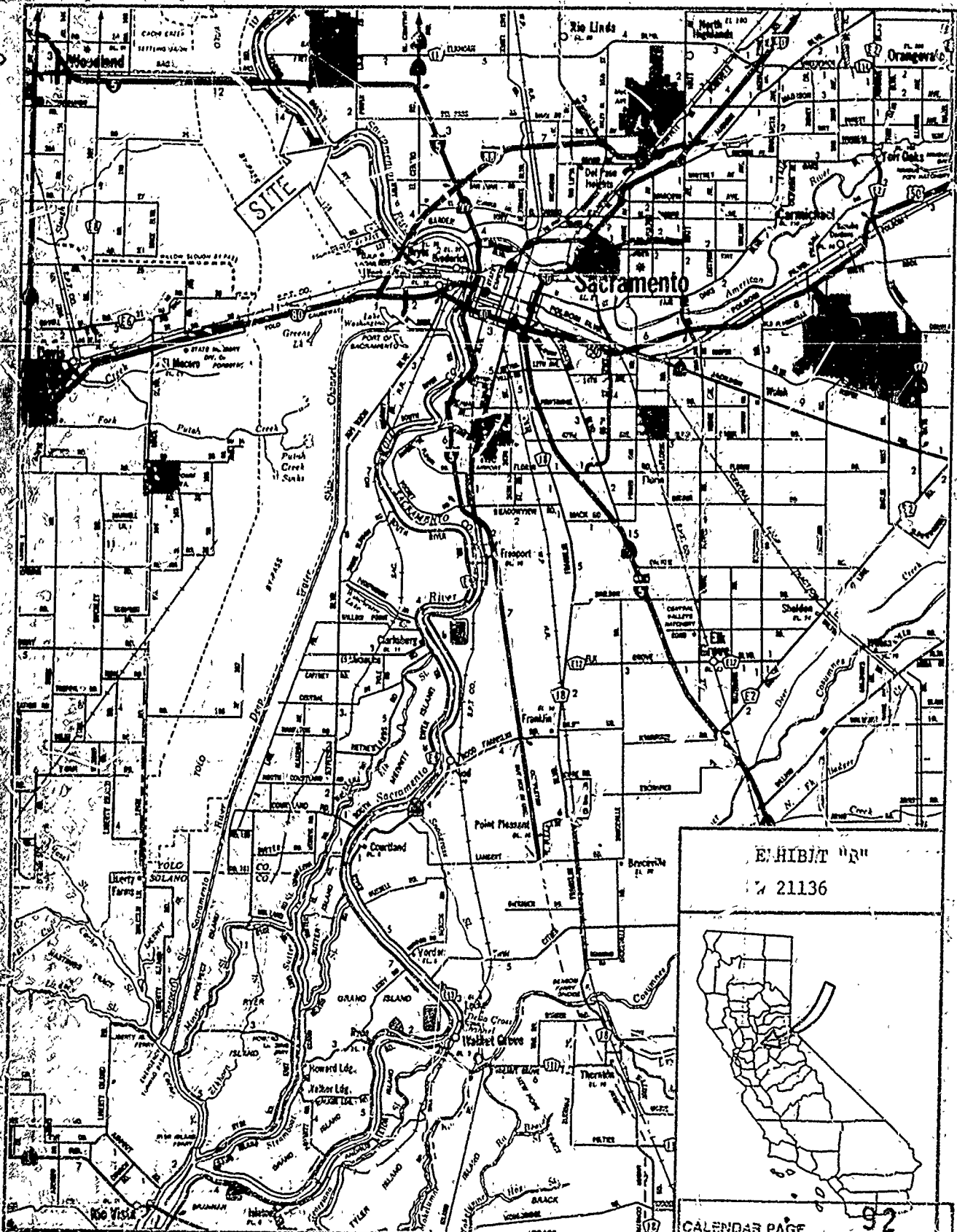


EXHIBIT "R"  
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