

MINUTE ITEM

This Calendar Item No. C14
was approved as Minute Item
No. 14 by the State Lands
Commission by a vote of 2
to 0 at its 6/26/85
meeting.

CALENDAR ITEM

A 3
S 1

C14

06/26/85
WP 2175 PRC 2175
Omand

ASSIGNMENT OF A
GENERAL LEASE - COMMERCIAL USE.

ASSIGNORS: Robert F. and Patricia F. Horn
P. O. Box 214
Meridian, California 95957

ASSIGNEE: Earl L. Loveless
P. O. Box 214
Meridian, California 95957

AREA, TYPE LAND AND LOCATION:
A 0.786-acre parcel of submerged land, located
in the Sacramento River, near Meridian, Sutter
County.

LAND USE: Operation and maintenance of an existing marina.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years beginning January 1,
1978.

Renewal options: Three successive periods of
ten years each.

Surety bond: \$2,000.

Public liability insurance: Combined single
limit coverage of \$300,000.

CONSIDERATION: \$900 per annum; or five percent of gross income
per annum, plus 1 1/2 cents per gallon for
first 100,000 gallons and 2 cents per gallon
thereafter whichever is greater, with the State
reserving the right to fix a different rental
on each fifth anniversary of the lease.

CALENDAR ITEM NO. C 1 4 (CONT'D)

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:

Applicant is lessee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Processing cost has been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884:

N/A.

OTHER PERTINENT INFORMATION:

1. Robert F. Horn and Patricia F. Horn have sold the property to Earl L. Loveless. Pursuant to the terms of the lease, Mr. and Mrs. Horn now desire to assign said lease to Earl L. Loveless.

2. 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.

APPROVALS OBTAINED:

N/A.

FURTHER APPROVALS REQUIRED:

N/A.

EXHIBITS:

- A. Land Description.
- B. Location Map.

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3101

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CALENDAR ITEM NO. C 1.4 (CONT'D)

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 APPROVAL OF AN ASSIGNMENT TO EARL L. LOVELESS OF A 15-YEAR GENERAL LEASE - COMMERCIAL USE BEGINNING JANUARY 1, 1978; WITH LESSEE'S OPTION TO RENEW FOR THREE SUCCESSIVE PERIODS OF TEN YEARS EACH; IN CONSIDERATION OF A BASE ANNUAL RENT IN THE AMOUNT OF \$900 OR FIVE PERCENT OF GROSS INCOME PER ANNUM AND FUEL SALES AT 1 1/2 CENTS PER GALLON FOR FIRST 100,000 GALLONS, AND 2 CENTS PER GALLON OVER 100,000 GALLONS, WHICHEVER IS GREATER, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$2,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$300,000; FOR THE OPERATION AND MAINTENANCE OF AN EXISTING COMMERCIAL MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 2175

A parcel of submerged land lying in the bed and adjacent to the east bank of the Sacramento River, Sutter County, State of California, being a portion of Section 2, T15N, R1W, MDM described as follows:

COMMENCING at the southwest corner of a tract of land conveyed by Fred Stohlman to Reclamation District No. 70 by deed dated September 11, 1908, and recorded October 16, 1908, in Book 40 of Deeds, at page 407, Sutter County Records; thence north along the base of said reclamation district levee 465 feet; thence N 89° 48' 00" W, 305 feet to the TRUE POINT OF BEGINNING; thence continuing N 89° 48' 00" W, 95 feet; thence southerly, parallel with said east bank of the Sacramento River, 428 feet; thence S 89° 48' 00" E, 95 feet; thence northerly along top of bank of said river to the true point of beginning.

EXCEPTING THEREFROM any portion lying landward of the ordinary low water mark.

END OF DESCRIPTION

REVIEWED MAY 6, 1985 BY BOUNDARY SERVICES UNIT, M.L. SHAFER, SUPERVISOR

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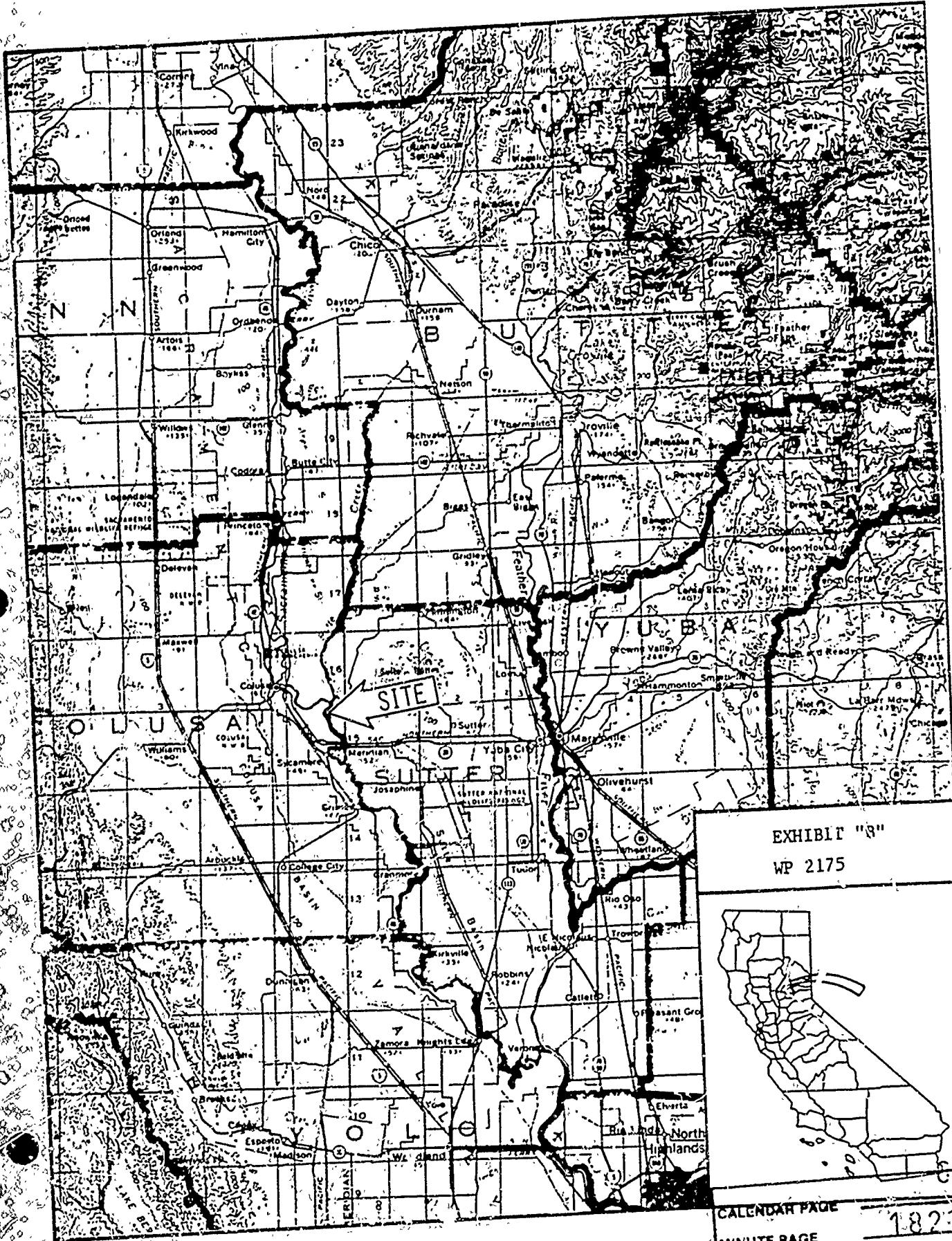


EXHIBIT "B"
WP 2175



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