

MINUTE ITEM

This Calendar Item No. C5
was approved as Minute Item
No. 5 by the State Lands
Commission by a vote of 3
to 0 at its 9/25/86
meeting.

A 10

S 6

CALENDAR ITEM

C 05

09/25/86
PRC 6015
Grimmett

AGREEMENT AND CONSENT TO ENCUMBER
GENERAL LEASE - COMMERCIAL USE

APPLICANT: River View Marina
A Limited Partnership
901 Tamalpais Avenue, Suite 200
San Rafael, California 94901

SECURED PARTY LENDER:
Westamerica Bank
1177 Francisco Boulevard
San Rafael, California 94901

AREA, TYPE LAND AND LOCATION:
A 3.86-acre parcel of tide and submerged land,
located in the Sacramento River and in the
City of Sacramento, Sacramento County.

LAND USE: Commercial marina.

TERMS OF LEASE:
Initial period: 30 years beginning January 1,
1981.
Surety bond: \$5,000.
Public liability insurance: Combined single
limit coverage of \$1,000,000.
Consideration: \$3,500 per annum; or a
percentage of the gross
income, whichever is greater.

APPLICANT STATUS:
Applicant is owner of upland.

CALENDAR ITEM NO. C 05 (CONT'D)

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. By minute Item 24 of June 24, 1981, the State Lands Commission authorized issuance of a General Lease - Commercial Use to River View Marina on the Sacramento River. Mr. Edmund J. Coyne, a General Partner of River View Marina, has arranged a refinancing loan, partially secured by the leased premises, with Westamerica Bank in San Rafael and requests that Commission approve the Agreement and Consent to Encumbrancing of Lease document on file in the offices of the Commission. The funds will be used to complete construction on the upland and marina. Staff has no objections to the Agreement.

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.

3. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. but will not affect those significant lands.

EXHIBIT: A. Location Map.

(REVISED 09/17/86)

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CALENDAR ITEM NO. C 0 5 (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. FIND THAT THIS ACTIVITY WILL INVOLVE LANDS IDENTIFIED AS POSSESSING SIGNIFICANT ENVIRONMENTAL VALUES PURSUANT TO P.R.C. 6370, ET SEQ., BUT THAT SUCH ACTIVITY WILL HAVE NO DIRECT OR INDIRECT EFFECT ON SUCH LANDS.
3. AUTHORIZE EXECUTION OF THE AGREEMENT AND CONSENT TO ENCUMBRANCING OF LESSEE'S RIGHT, TITLE AND INTERESTS IN THE COMMISSION'S LEASE NO. PRC 6015 TO RIVERVIEW MARINA IN FAVOR OF WESTAMERICA BANK AS A RESULT OF REFINANCING PURPOSES AND AUTHORIZE THE EXECUTIVE OFFICER OR HER DESIGNEE TO PROVIDE ALL FURTHER STATE APPROVALS OR DISAPPROVALS UNDER THE ENCUMBRANCING AGREEMENT.

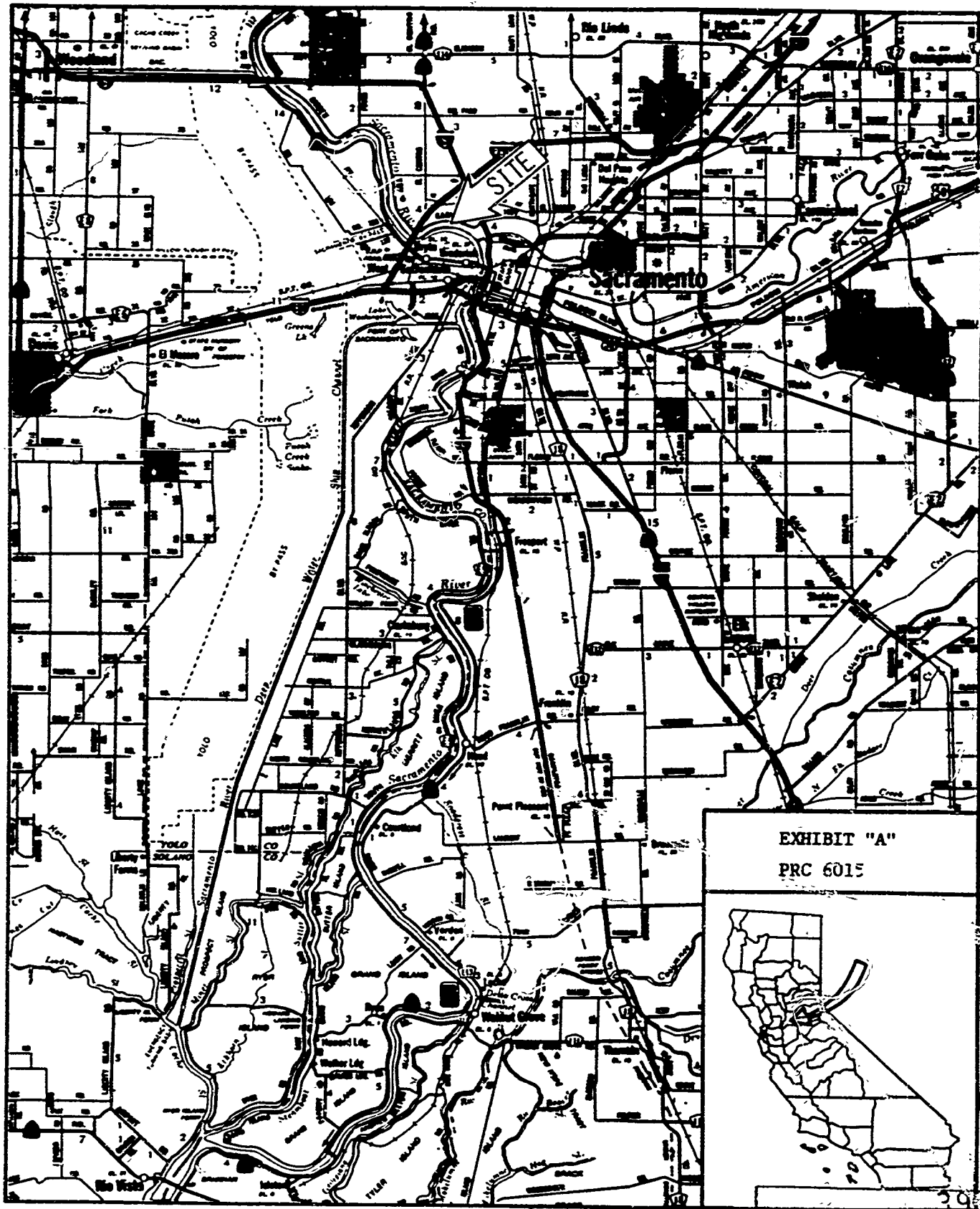


EXHIBIT "A"
 PRC 6015



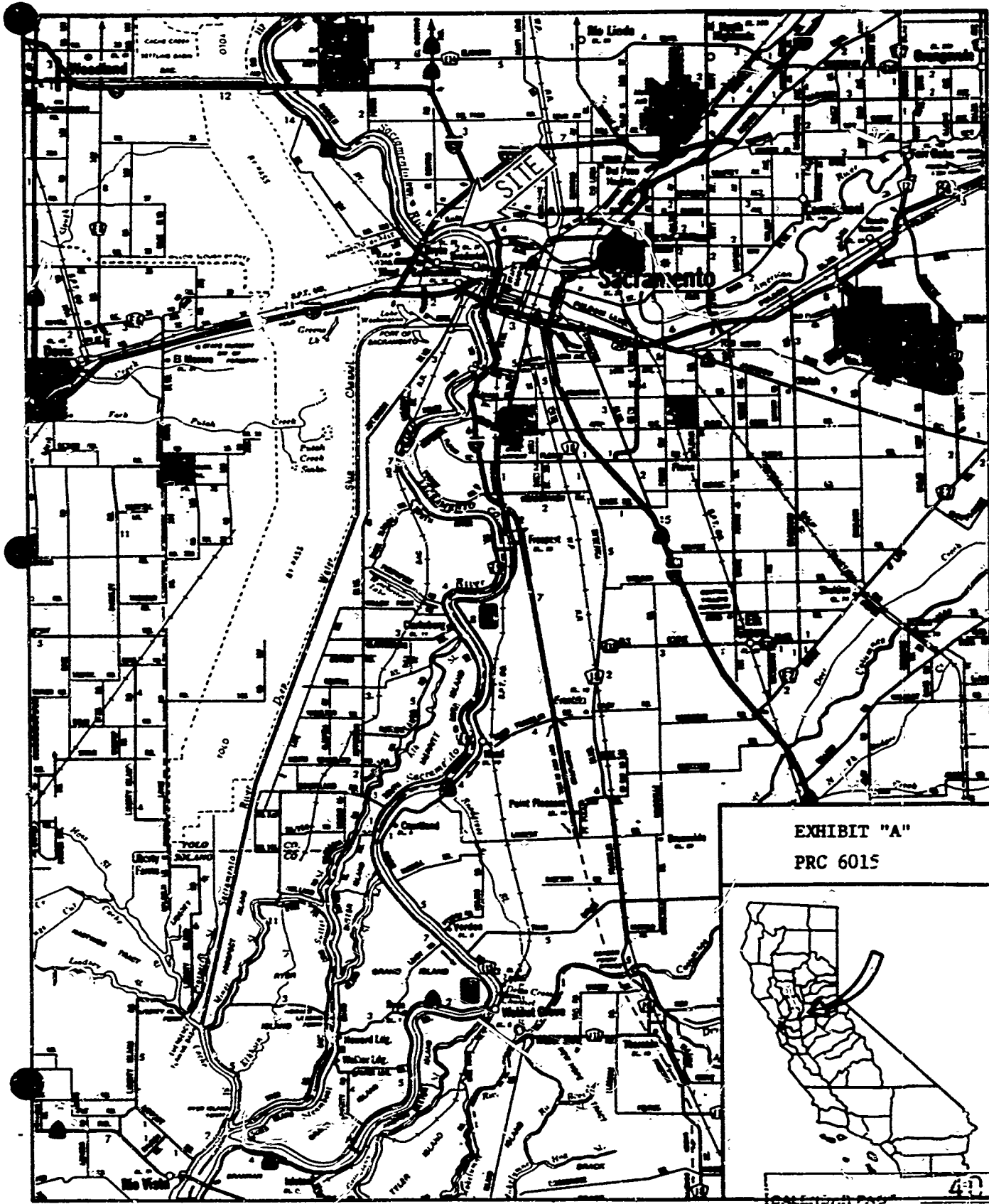


EXHIBIT "A"
PRC 6015

