

MINUTE ITEM
This Calendar Item No. 09
was approved as Minute Item
No. 9 by the State Lands
Commission by a vote of 2
to 0 at its 11/20/86
meeting.

CALENDAR ITEM

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11/20/86

PRC 4306

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ASSIGNMENT OF A COMMERCIAL LEASE - PRC 4306

ASSIGNOR: Willow Berm Corporation
Route 1, Box 60
Isleton, California 95641

ASSIGNEE: Mr. Horst Hanf
P. O. Box 3178
San Rafael, California 94912

AREA, TYPE LAND AND LOCATION:
A 10.86-acre parcel of tide and submerged land,
located in the Mokelumne River, at
Andrus Island, Sacramento County.

LAND USE: Commercial Marina.

TERMS OF EXISTING LEASE:

Initial period: 25 years beginning January 1,
1978.

Renewal options: Two successive periods of
ten years each.

Surety bond: \$5,000.

Public liability insurance: \$500,000/\$1,000,000
per occurrence for bodily
injury and \$500,000 for
property damage, or combined
single limit coverage of
\$1,000,000.

CALENDAR ITEM NO. C09 (CONT'D)

CONSIDERATION: \$7,500 as rental for the period July 1, 1976 through December 31, 1977. Beginning January 1, 1978, 5% of gross income from berthing on State land plus one cent per gallon of fuel sales up to 100,000 gallons, less a \$5,000 annual minimum paid in advance.

BASIS FOR CONSIDERATION:
Percentage of gross income pursuant to 2 Cal. Adm. Code 2006 (b)(1).

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

1. Applicant is in the process of purchasing the upland property from the Assignor.
2. Processing costs have 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. 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.

2. This activity involves land identified as possessing significant environmental values pursuant to PRC 6370, et seq. but will not affect those significant lands.
3. The proposed assignee is presently the Commission's Lessee under lease PRC 4082, at Whiskey Slough, in San Joaquin County, and appears to be operating that commercial business successfully.

CALENDAR ITEM NO. C 09 (CONT'D)

APPROVALS OBTAINED:
None.

FURTHER APPROVALS REQUIRED:
None.

EXHIBIT: A. Location Map.

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 IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. AUTHORIZE THE ASSIGNMENT OF LEASE PRC 4306, EFFECTIVE CLOSE OF ESCROW, FROM WILLOW BERM CORPORATION TO HORST HANF, PROVIDING MR. HANF PROVIDES EVIDENCE OF UPLAND OWNERSHIP.

(REVISED 11/14/86)

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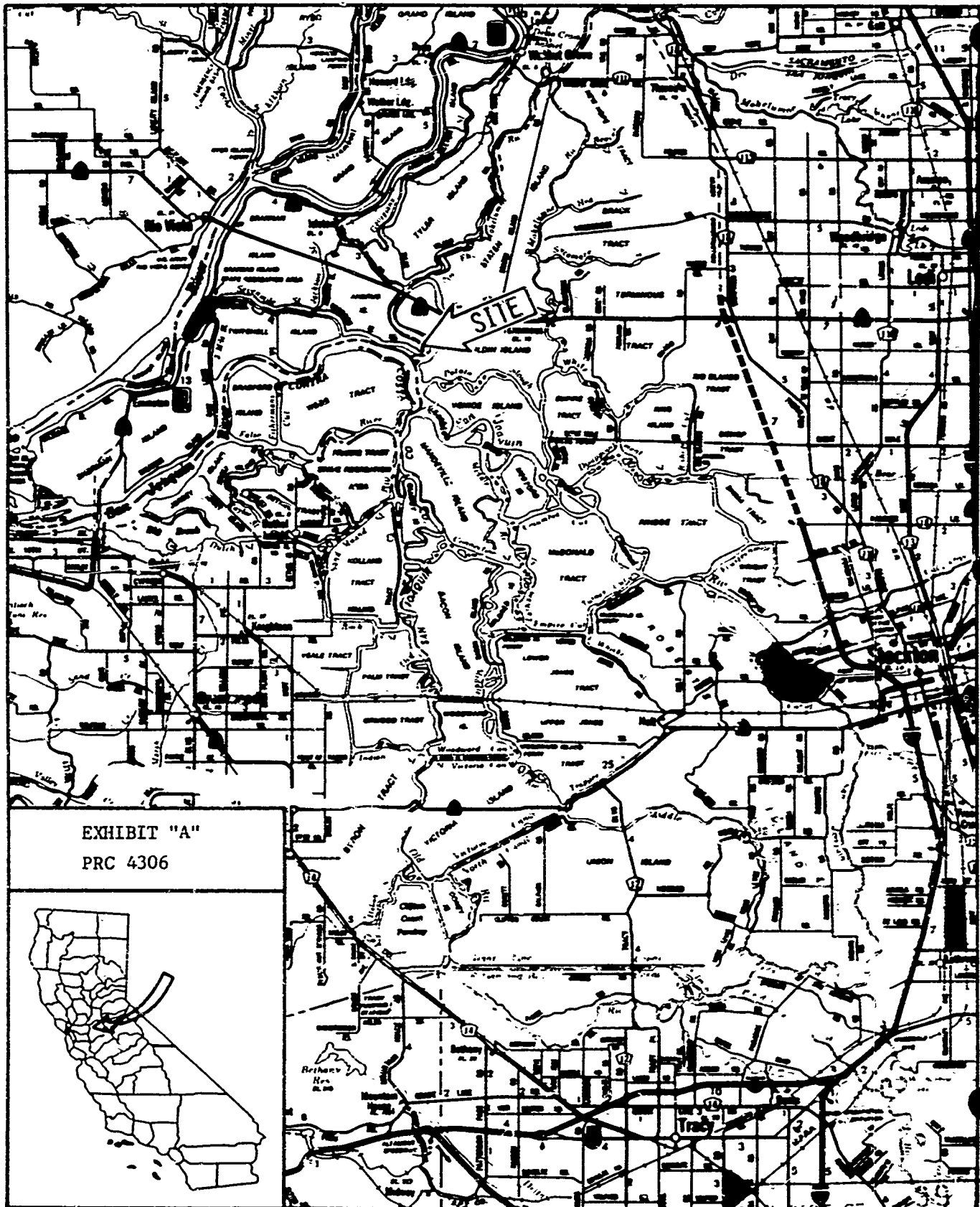


EXHIBIT "A"
 PRC 4306

