

**CALENDAR ITEM
C05**

MINUTE ITEM
This Calendar Item No. C05
was approved as Minute Item
No. 05 by the State Lands
Commission by a vote of 3
to 0 at its 2-5-01
meeting.

A 5
S 6

02/05/01
WP 5188.1
L. Burks

ASSIGNMENT OF LEASE

LESSEE/ASSIGNOR:

June Dwyer, Sole Trustee of the Dwyer Family
Trust, under Declaration of Trust dated
July 21, 1986, and any amendments thereto
9043 Heather Ridge Court
Elk Grove, California 95624

ASSIGNEES:

Steven G. Kuhn and Carol A. Kuhn, Trustees
of the Kuhn and Van Bruggen Declaration of Trust
established February 19, 1998
1951 Garden Highway
Sacramento, California 95833

AREA, LAND TYPE, AND LOCATION:

0.30 acres, more or less, of sovereign lands in the Sacramento River, adjacent to
the Garden Highway, near the city of Sacramento, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing 350 foot commercial floating
dock.

LEASE TERM:

30 years, beginning July 1, 1982.

CONSIDERATION:

\$865 per year; with the State reserving the right to fix a different rent periodically
during the lease term, as provided in the lease.

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OTHER PERTINENT INFORMATION:

1. Assignee owns the uplands adjoining the lease premises.
2. On June 29, 1982, the Commission authorized a General Lease - Commercial Use with Wesley N. Dwyer and Sophia M. Dwyer. In 1987 Sophia Dwyer passed away. On October 17, 1995, the Commission authorized assignment of this lease from Wesley N. Dwyer to Wesley N. Dwyer and June Dwyer. Wesley Dwyer has subsequently passed away and June Dwyer has sold property to Steven Kuhn and Carol Kuhn.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California code of Regulations, section 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 the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15378.

EXHIBITS:

- A. Land Description
- B. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

AUTHORIZATION:

AUTHORIZE THE ASSIGNMENT OF LEASE NO. PRC 5188.1, A GENERAL LEASE - COMMERCIAL USE, OF SOVEREIGN LANDS

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CALENDAR ITEM NO. **C05** (CONT'D)

DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, FROM JUNE DWYER, SOLE TRUSTEE OF THE DWYER FAMILY TRUST, UNDER DECLARATION OF TRUST DATED JULY 21, 1986, TO STEVEN G. KUHN AND CAROL A. KUHN, TRUSTEES OF THE KUHN AND VAN BRUGGEN DECLARATION OF TRUST ESTABLISHED FEBRUARY 19, 1998; EFFECTIVE SEPTEMBER 26, 2000.

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EXHIBIT "A"

LAND DESCRIPTION

WP 5188

A parcel of tide and submerged land in the State-owned bed of the Sacramento River, situated adjacent to and southerly of fractional Section 27, T9N, R4E, MDM, Sacramento County, State of California, more particularly described as follows:

BEGINNING at the southwest corner of Lot 8 of the Natomas Riverside Subdivision No. 1, as called for in Grant Deed recorded in Volume 3709, page 45, Sacramento County records; thence S 29° 47' 40" E 45 feet; thence N 60° 12' 20" E 380 feet; thence N 29° 47' 40" W 45 feet; thence S 60° 12' 20" W 380 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the Sacramento River.

END OF DESCRIPTION

REVISED FEBRUARY 8, 1982 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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This exhibit is solely for purposes of generally defining the area to be used, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or other property.

Exhibit A
WP 5188

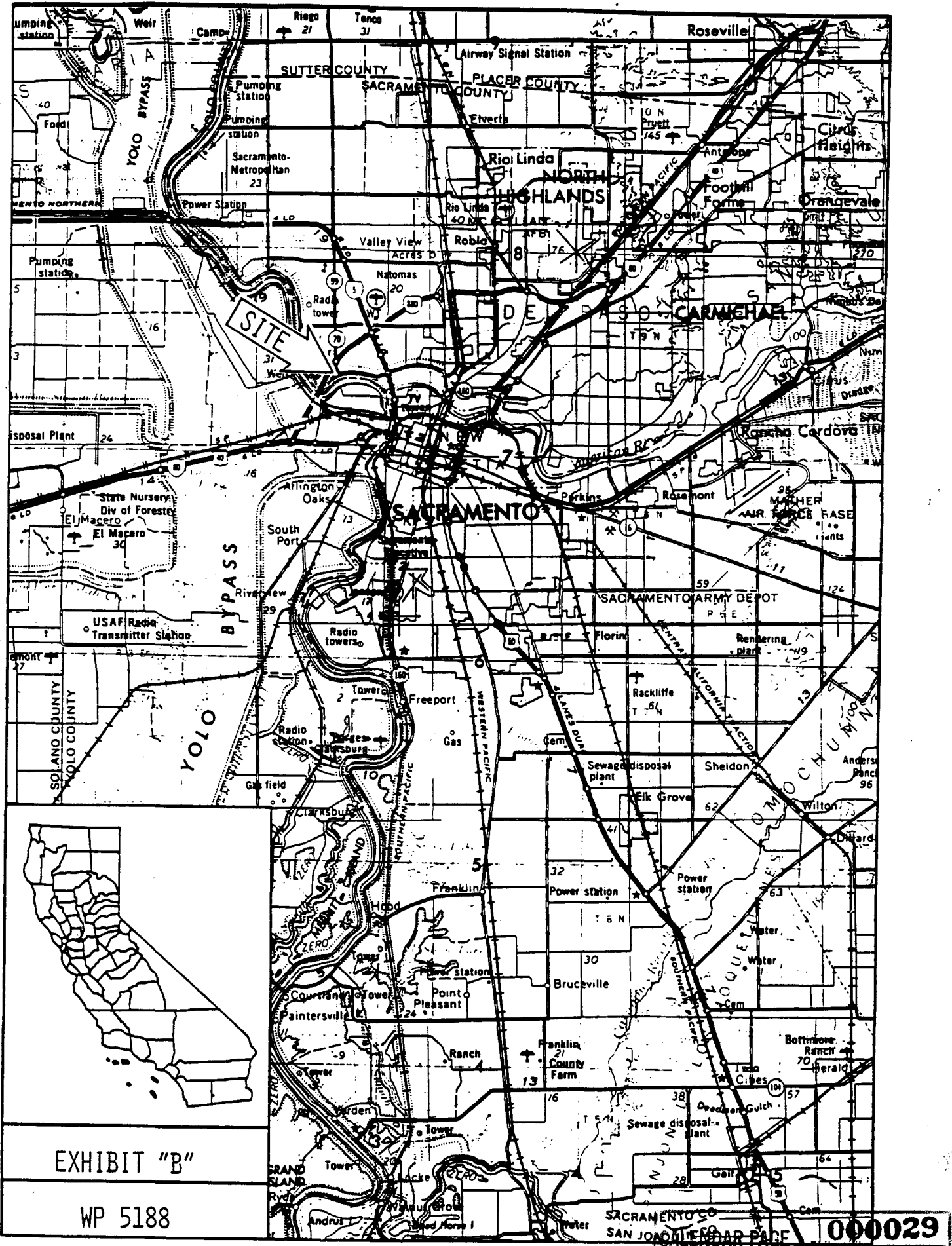


EXHIBIT "B"

WP 5188

SACRAMENTO CO. SAN JOAQUIN COUNTY 000029

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