

**CALENDAR ITEM
C11**

A 8, 15
S 5, 14

02/01/10
PRC 5349.1
M. Clark

REVISION OF RENT

LESSEE:

Barry Agri/Tech, Incorporated

AREA, LAND TYPE, AND LOCATION:

0.051 acres, more or less, of sovereign lands in the Georgiana Slough, adjacent to 14260 River Road, near the town of Walnut Grove, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing double-berth boat dock, gangplank, three pilings, and bank protection as shown on Exhibit A.

LEASE TERM:

Ten years, beginning March 23, 2004.

CONSIDERATION:

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease, and recommends that the rent be revised from \$280 per year to \$349 per year, effective March 23, 2010.

OTHER PERTINENT INFORMATION:

1. On August 8, 2005, the Commission authorized a General Lease – Recreational and Protective Structure Use, to Barry Agri/Tech Incorporated. The lease will expire March 22, 2014.
2. The Lessee does not qualify for the rent-free use of sovereign lands for the docking facilities, because the Lessee does not own the littoral property as a natural person pursuant to Public Resource Code section 6503.5.

EXHIBIT:

- A. Site and Location Map

CALENDAR ITEM NO. **C11** (CONT'D)

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

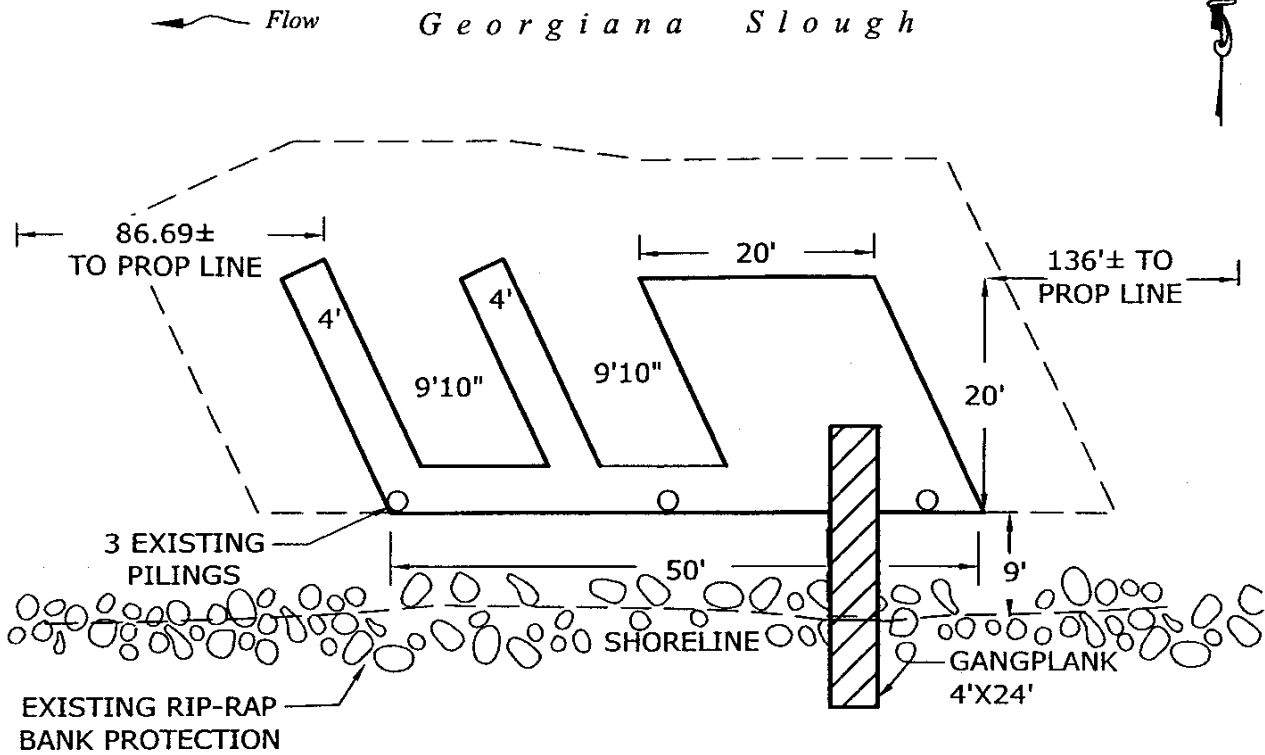
Find that the activity is not subject to the requirements of CEQA pursuant to title 14, California Code Of Regulations, section 15060(c)(3) because the activity is not a project as defined by Public Resources Code section 21065 and title 14, California Code Of Regulations, section 15378.

AUTHORIZATION:

Approve the revision of rent for Lease No. PRC 5349.1 from \$280 per year to \$349 per year, effective March 23, 2010.

NO SCALE

SITE



APN 146-0180-033-0000

14260 RIVER ROAD, GEORGIANA SLOUGH

NO SCALE

LOCATION



Exhibit A

PRC 5349.1
 BARRY AGRI/TECH, INC.
 APN 146-0180-067
 GEORGIANA SLOUGH
 SACRAMENTO CO.



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.