

**CALENDAR ITEM  
C20**

A 2, 5  
S 4, 6

03/29/12  
WP 6382.1  
V. Caldwell

**ACCEPTANCE OF A LEASE QUITCLAIM DEED,  
TERMINATION AND ISSUANCE OF A GENERAL LEASE – RECREATIONAL USE**

**LESSEE:**

Jeanne C. Taylor, as Trustee of the Jeanne C. Taylor Revocable Trust  
established July 9, 2008

**APPLICANTS:**

Eric Stuart Merrill and Michele Maguire Merrill, Trustees of the Merrill Trust,  
dated July 1, 2005

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in the Sacramento River, adjacent to 11779 State Highway 160,  
near the town of Courtland, Sacramento County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing uncovered floating boat dock, two  
dolphins, two wood pilings, gangway, and deck.

**LEASE TERM:**

10 years, beginning March 29, 2012.

**CONSIDERATION:**

\$956 per year, with the State reserving the right to fix a different rent periodically  
during the lease term, as provided in the lease.

**SPECIFIC LEASE PROVISIONS:**

Liability insurance in the amount of no less than \$1,000,000.

**OTHER PERTINENT INFORMATION:**

1. Applicants own the upland adjoining the lease premises.
2. On April 9, 2009, the Commission authorized a General Lease –  
Recreational Use to Jeanne C. Taylor, as Trustee of the Jeanne C. Taylor

CALENDAR ITEM NO. **C20** (CONT'D)

Revocable Trust established July 9, 2008, for an existing uncovered floating boat dock, two dolphins, two wood pilings, gangway, and deck. The lease expires on April 8, 2019. On September 27, 2011, the upland property transferred to Eric Stuart Merrill and Michele Maguire Merrill, Trustees of the Merrill Trust, dated July 1, 2005. Applicants are now applying for a new General Lease – Recreational Use. In addition, Jeanne Taylor provided the Commission with a lease quitclaim deed. Staff recommends acceptance of the lease quitclaim deed executed by Ms. Taylor, termination of the existing lease, and issuance of a new lease.

3. **Termination of Existing Lease:** The staff recommends that the Commission find that the subject termination of existing lease does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

4. **Issuance of a New Lease:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Cal. Code Regs., tit. 14, §15061), the staff has determined that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

**EXHIBITS:**

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

CALENDAR ITEM NO. **C20** (CONT'D)

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

**Termination of Existing Lease:** Find that the subject termination of existing lease is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

**Issuance of a New Lease:** Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; Title 2, California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

**SIGNIFICANT LANDS INVENTORY FINDING:**

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370, et seq.

**AUTHORIZATION:**

1. Authorize acceptance of a Lease Quitclaim Deed and termination of Lease No. PRC 6382.1, a General Lease – Recreational Use, effective March 28, 2012.
2. Authorize issuance of a General Lease – Recreational Use to Eric Stuart Merrill and Michelle Maguire Merrill, Trustees of the Merrill Trust, dated July 1, 2005, beginning March 29, 2012, for a term of 10 years, for the continued use and maintenance of an existing uncovered floating boat dock, two dolphins, two wood pilings, gangway, and deck as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration: \$956 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; and liability insurance in the amount of no less than \$1,000,000.

**EXHIBIT A**

**PRC 6382.1**

**LAND DESCRIPTION**

Three parcels of tide and submerged land situate in the bed of the Sacramento River, lying adjacent to Section 32, T6N, R4E, MDM., as shown on Official Government Township Plat approved June 18, 1859, County of Sacramento, State of California, and more particularly described as follows:

Parcel 1 - Deck

COMMENCING at NGS monument Courtland (PID JS4311); thence S 39° 58' 00" W 4669.08 feet more or less, to the intersection of the ordinary high water mark of the Sacramento river with the northeasterly line of an existing deck, said intersection also being the POINT OF BEGINNING of the herein described parcel; thence leaving said ordinary high water mark along said existing deck N 57°01'15" W 5.17 feet; thence S 33°05'18" W 32.04 feet; thence S 56°15'20" E 10.18 feet to said ordinary high water mark; thence N 24°14'18" E 32.55 feet along said ordinary high water mark to the POINT OF BEGINNING.

Parcel 2 - Gangway

COMMENCING at NGS monument Courtland (PID JS4311); thence S 39°42'35" W 4744.66 feet more or less, to the intersection of the ordinary high water mark of the Sacramento River with the northeasterly line of an existing gangway, said intersection also being the POINT OF BEGINNING of the herein described parcel; thence leaving said ordinary high water mark along said existing gangway N 50°22'22" W 34.17 feet to a point hereinafter described as "Point A", said point also being the intersection of said existing gangway with the southeasterly line of an existing dock; thence along said existing dock S 36°02'27" W 3.01 feet; thence leaving said dock and continuing along said gangway S 50°22'22" E 34.81 feet to said ordinary high water mark; thence along said ordinary high water mark N 24°14'18" E 3.12 feet to the POINT OF BEGINNING.

Parcel 3 - Dock

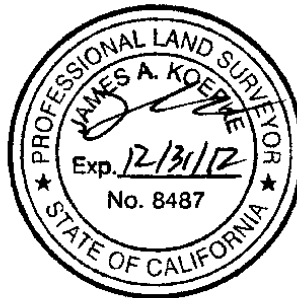
COMMENCING at above described "Point A", said point also being the POINT OF BEGINNING of the herein described parcel; thence along said existing dock N 36°02'27" E 6.35 feet; thence N 33°19'53" W 7.49 feet; thence N 36°02'27" E

97.74 feet; thence N 53°57'33" W 6.70 feet; thence S 36°02'27" W 120.17 feet;  
thence S 53°57'33" E 8.03 feet; thence N 84°21'01" E 7.60 feet; thence  
N 36°02'27" E 8.39 feet to THE POINT OF BEGINNING.

TOGETHER WITH a ten (10) foot use area around the northeasterly,  
northwesterly, and southwesterly sides of said existing dock.

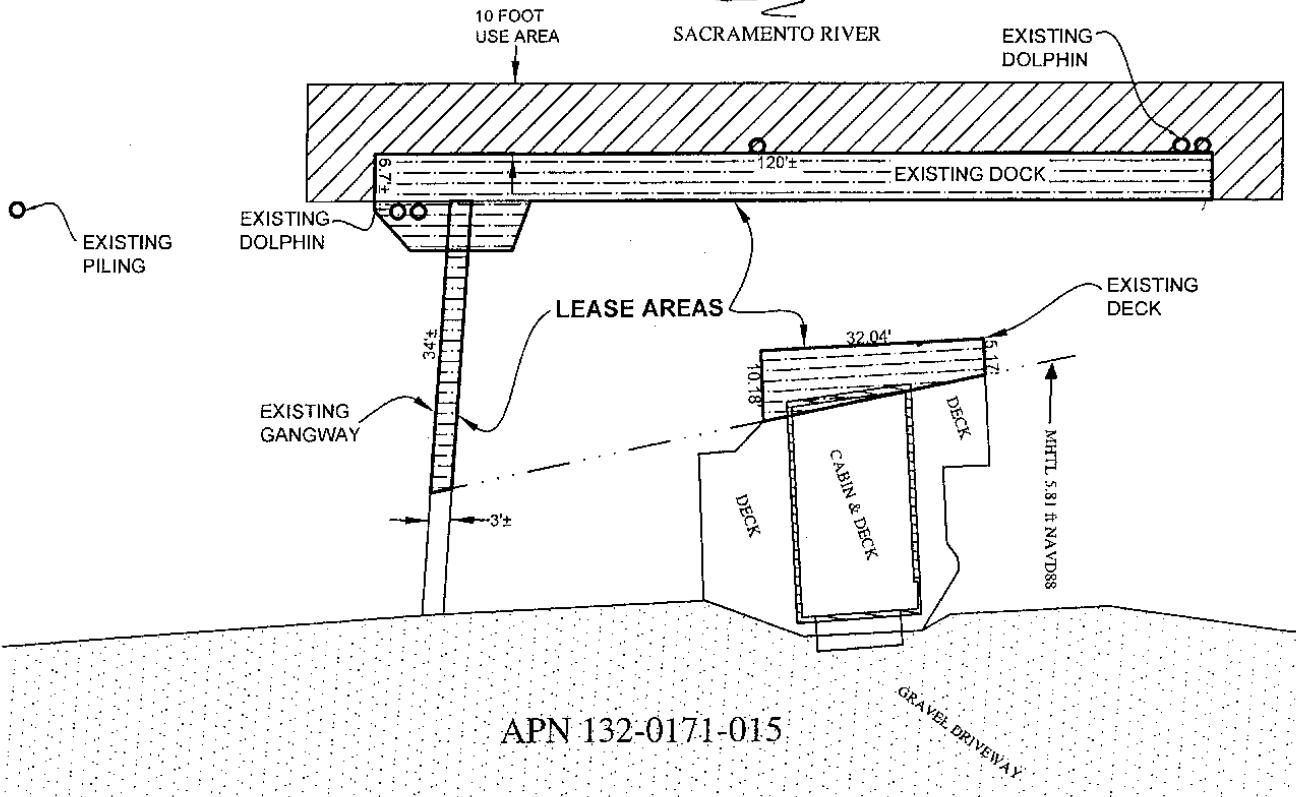
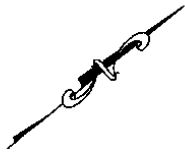
**END OF DESCRIPTION**

Prepared February 21, 2012 by the California State Lands Commission Boundary Unit.



NO SCALE

# SITE

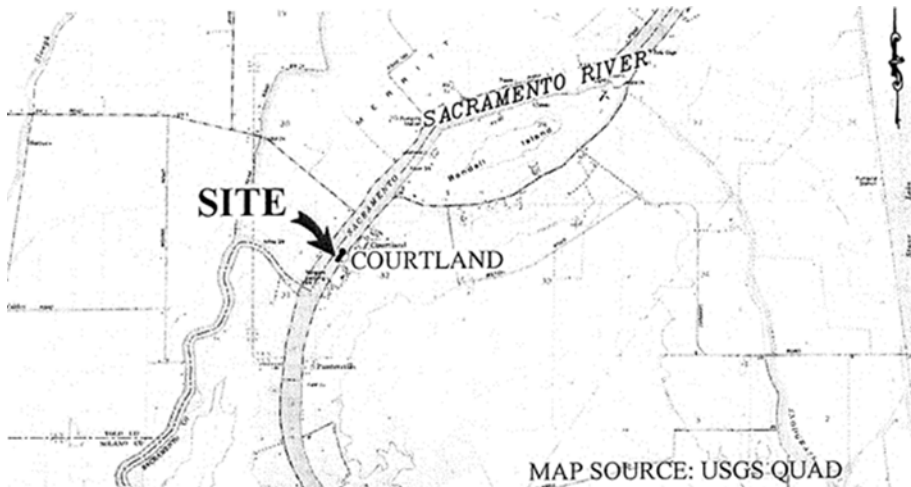


APN 132-0171-015

11779 HIGHWAY 160, COURTLAND, CA

NO SCALE

# LOCATION



## Exhibit B

PRC 6382.1  
 MERRILL  
 APN 132-0171-015  
 GENERAL LEASE -  
 RECREATIONAL USE  
 SACRAMENTO COUNTY



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.