

**CALENDAR ITEM
C49**

A 7
S 6

02/20/15
PRC 8799.9
V. Caldwell

ASSIGNMENT OF LEASE

LESSEE/ASSIGNOR:

Thomas D. Klauer, Jr., Trustee of the Thomas D. Klauer Revocable Trust,
established May 24, 2006

APPLICANT/ASSIGNEE:

Steven Schule

AREA, LAND TYPE, AND LOCATION:

Sovereign land located on the Sacramento River, adjacent to 6029 Garden
Highway, near the city of Sacramento, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing covered single-berth floating boat
dock with boat lift and debris diverter, three pilings, personal watercraft float, and
gangway.

LEASE TERM:

10 years, beginning October 16, 2008.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$300,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Lessee/Assignee owns the upland adjoining the lease premises.
2. On October 16, 2008, the Commission authorized a Recreational Pier Lease to Thomas D. Klauer, Jr., Trustee of the Thomas D. Klauer Revocable Trust, established May 24, 2006. That Lease will expire on October 15, 2018. On November 14, 2014, the upland parcel was deeded

CALENDAR ITEM NO. **C49** (CONT'D)

to Steven Schule. The Applicant is now applying for an assignment of the lease.

3. The lease was authorized by the Commission prior to the enactment of Chapter 585, Statutes of 2011, which replaced the rent-free provision of a prior version of Public Resources Code section 6503.5 with a requirement to charge rent for private recreational piers constructed on state lands. Consequently, no rent is charged under the current lease.
4. The staff recommends that the Commission find that the subject assignment of 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.

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the subject assignment of 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.

AUTHORIZATION:

Authorize assignment of Lease No. PRC 8799.9, a Recreational Pier Lease, of sovereign land as described in Exhibit A and shown on Exhibit B (for reference purposes only), attached and by this reference made a part thereof, from Thomas D. Klauer, Jr., Trustee of the Thomas D. Klauer Revocable Trust, established May 24, 2006, to Steven Schule; effective November 14, 2014.

EXHIBIT A

PRC 8799

LAND DESCRIPTION

One parcel of tide and submerged land situated in the bed of the Sacramento River, lying adjacent to Swamp and Overflow Lands survey 898, patented January 24, 1868, County of Sacramento, State of California, more particularly described as follows:

All those lands underlying an existing covered single berth floating boat dock, boat lift, three pilings, ramp, personal watercraft float, and debris diverter lying adjacent to that parcel described in Grant Deed recorded November 14, 2014 as Document Number 20141114 at Page 813 in Official Records of Sacramento County.

TOGETHER WITH any applicable impact area.

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

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

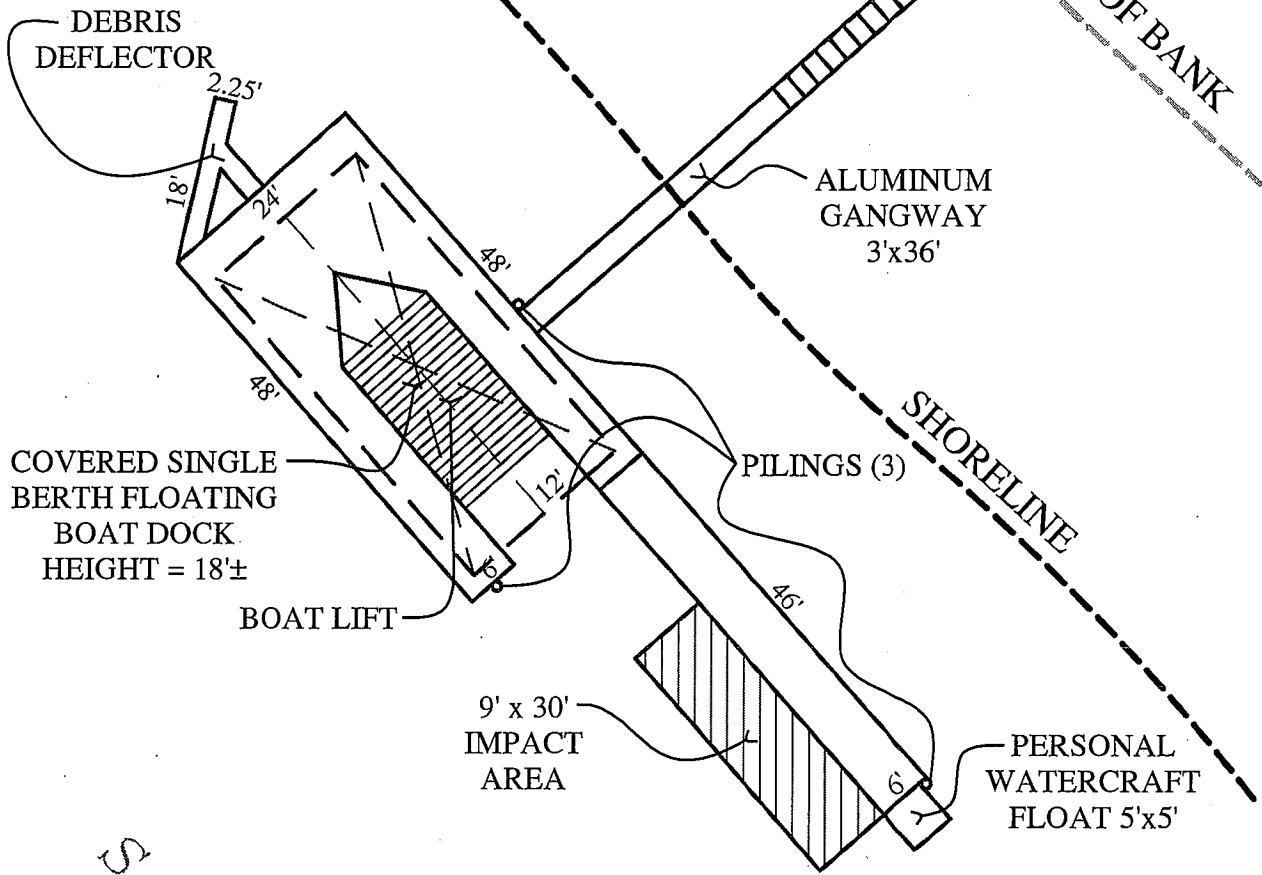
Prepared 12/24/2014 by the California State Lands Commission Boundary Unit.



APN
201-0280-008



*ALL STRUCTURES ARE EXISTING



SACRAMENTO
RIVER

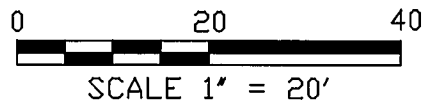


EXHIBIT A

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RGB 12/12/14

LAND DESCRIPTION PLAT
PRC 8799, SHULE
SACRAMENTO COUNTY

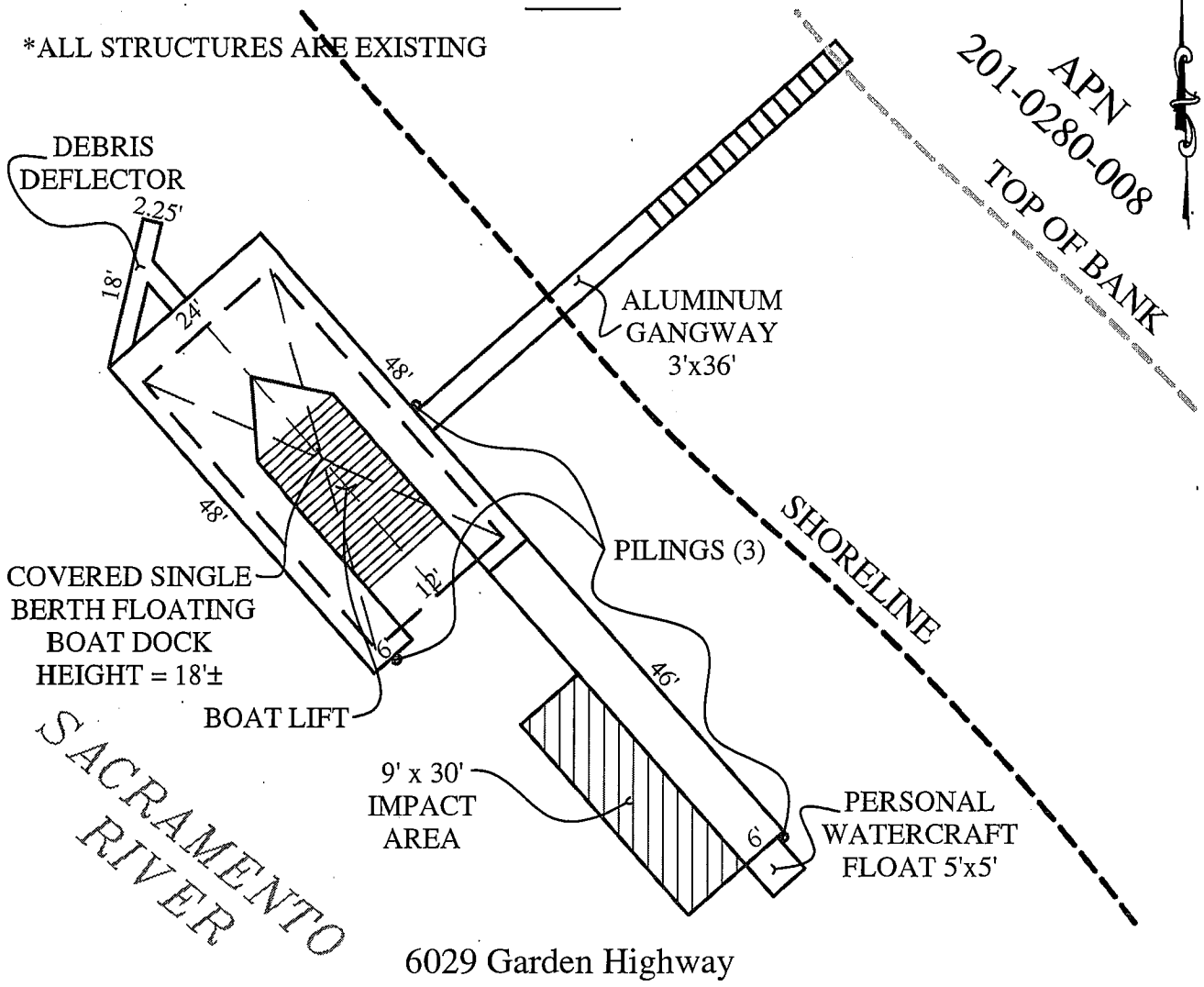
CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

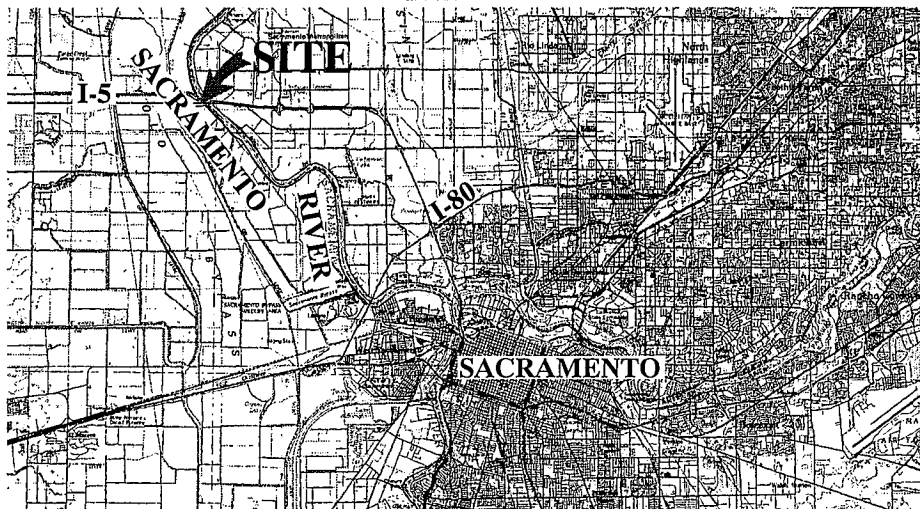
SITE

*ALL STRUCTURES ARE EXISTING



NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 8799

SHULE

APN 201-0280-008

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.