

**STAFF REPORT
C46**

A 11

S 3

10/19/17
PRC 2851.1
N. Lavoie

REVISION OF RENT

LESSEE:

TA & JC Properties, LLC

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Seven Mile Slough, adjacent to 1100 West Brannan Island Road, near Isleton, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing commercial marina consisting of approximately 35 covered and uncovered berths and side ties.

LEASE TERM:

20 years, beginning December 1, 2004.

CONSIDERATION:

This lease provides that the Commission 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 minimum rent be revised from \$1,461 per year to \$3,689 per year, effective December 1, 2017.

OTHER PERTINENT INFORMATION:

1. On December 9, 2004, the Commission authorized a 20-year General Lease – Commercial Use to Alan and Peggy Martin for the continued use and maintenance of a commercial marina consisting of approximately 40 covered and uncovered berths and side ties ([Item C10, December 9, 2004](#)). On February 5, 2007, the Commission authorized an assignment of the lease to the Lessee; and amendment of the lease to include Best Management Practices; and approved an Agreement and Consent to Encumber the Lease ([Item C18, February 5, 2007](#)).
2. Between 2007 and 2010, the Lessee undertook repairs and renovations on the lease premises by replacing floats, updating the gangway, and improving marina functionality. As a result, the total number of berths and side ties went from 40 covered and uncovered down to 35 uncovered berths and side ties. On August 20, 2010, the Commission authorized

STAFF REPORT NO. **C46** (CONT'D)

amendment of the lease to update the authorized improvements from 40 covered and uncovered berths and side ties to 35 uncovered berths and side ties. The Commission authorized the termination of the existing Agreement and Consent to Encumbrancing and approval of a new Agreement and Consent to Encumbrancing of Lease ([Item C12, August 20, 2010](#)).

3. This action is consistent with Strategy 2.2 of the Commission's Strategic Plan to ensure timely receipt of revenues and royalties from the use and development of State lands and minerals.
4. Approving the revision of rent is not a project as defined by the California Environmental Quality Act because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, section 15378, subdivision (b)(5).

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

AUTHORIZATION:

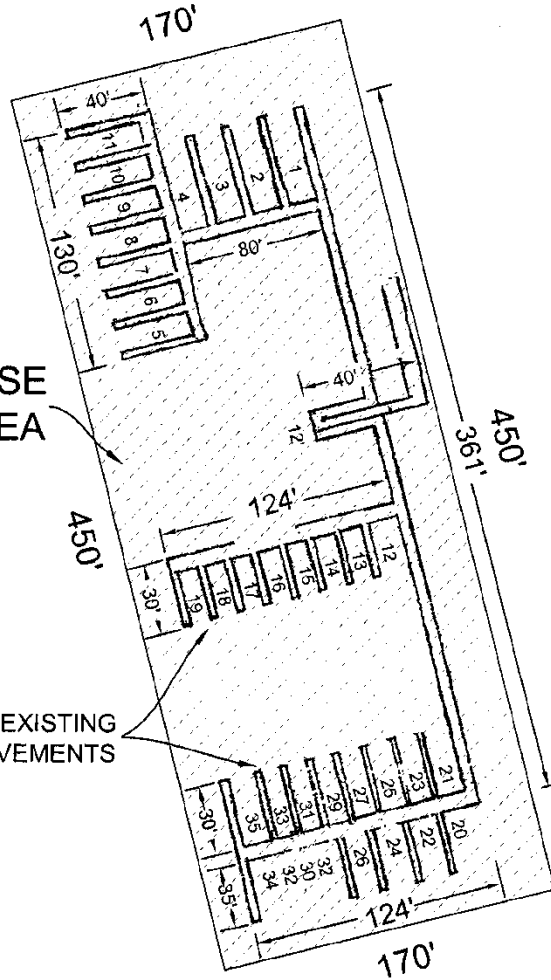
Approve the revision of the minimum annual rent for Lease No. PRC 2851.1 from \$1,461 per year to \$3,689 per year, effective December 1, 2017.

NO SCALE

SEVEN
MILE
SLOUGH

LEASE
AREA

EXISTING
IMPROVEMENTS



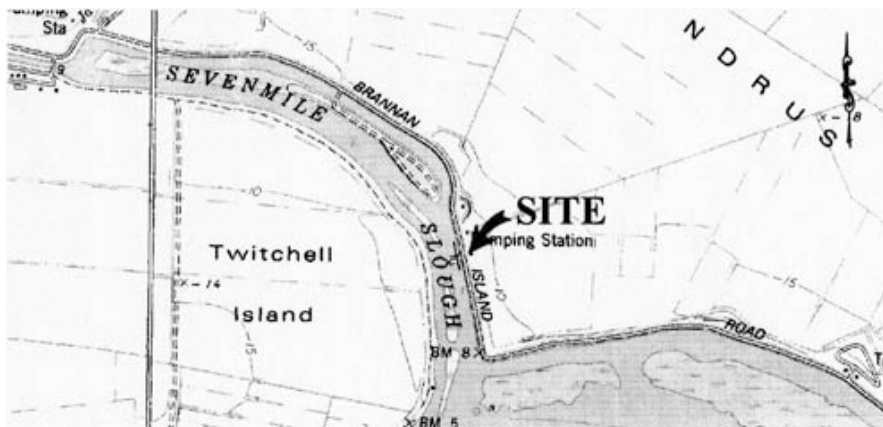
SITE

APN 156-0110-047

1100 WEST BRANNAN ISLAND ROAD, 7 MILE SLOUGH

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

WP 2851.1

TA & JC PROPERTIES, LLC

APN 156-0110-047

GENERAL LEASE

COMMERCIAL USE

SACRAMENTO COUNTY



MJJ 08/10

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.

EXHIBIT B

WP 2851

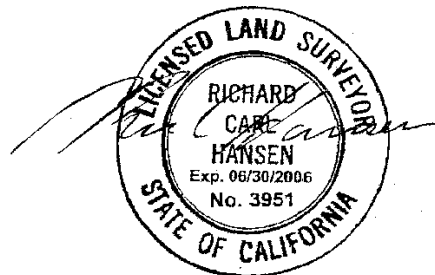
LAND DESCRIPTION

A parcel of tide and submerged land in the bed of Seven Mile Slough, Sacramento County, California, described as follows:

BEGINNING at a point on the easterly bank of the Seven Mile Slough, where the same is intersected by the westerly production of the center line of a 3 foot drainage ditch, which marks the northerly boundary line of the 51.57 acre tract described in deed dated January 14, 1929, recorded March 1, 1929, in Book 226 of Official Records, page 226, and which said point of beginning is further described as being located S 71 ° 30' W 160.60 feet and S 12° 08' 30" E 222.86 feet from the 3/4 inch brass pipe marking the southeasterly corner of the one acre tract, described in deed dated November 15, 1904, recorded January 12, 1905, in Book 217 of Deeds, at page 259, records of Sacramento County; thence along said easterly bank of the Seven Mile Slough S 12° 08' 30" E 60.00 feet; thence leaving said bank S 77° 51' 30" W 170 feet; thence N 12° 08' 30" W 450 feet; thence N 77° 51' 30" E 170 feet to said easterly bank of the Seven Mile Slough; thence along said easterly bank S 12° 08' 30" E 390 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of said Seven Mile Slough.

END OF DESCRIPTION



The above land description, prepared by Richard C. Hansen in November 2004, remains in effect for the Amended Lease approved by the California State Lands Commission August 20, 2010.