

MINUTE ITEM NO. 11
APPROVED 2 26 76

CALENDAR ITEM

2/76
DR
WP 2220

11.

COMMERCIAL LEASE

APPLICANT: Kenneth E. Grimes and Ursula E. Grimes
P. O. Box 344
Colusa, California 95932

AREA, TYPE LAND AND LOCATION:
An 0.964-acre parcel of inland submerged land, near
Butte Slough, vicinity of Meridian, in Colusa County.

LAND USE: A commercial boating facility.

TERMS OF ORIGINAL LEASE:

Initial Period: 15 years, from August 11, 1958.

Surety Bond: \$1,000.

Consideration: \$100 per annum.

TERMS OF REPLACEMENT LEASE:

Initial Period: 15 years, from August 11, 1973.

Surety bond: \$2,000.

Public Liability Insurance: \$100,000/\$300,000 per occurrence
for bodily injury and \$50,000 for
property damage.

CONSIDERATION:

\$160.34 per annum with the State reserving the
right to reset the rental, effective May 26, 1976,
and with the State reserving the right to fix a
different rental on each fifth anniversary of the
lease.

BASIS FOR CONSIDERATION:

1. \$160.34 per annum, from August 11, 1973 through
May 26, 1976, as authorized under the provisions
of Minute Item No. 35 dated March 28, 1968; and
2. Either 8% of the appraised land value, or \$450
minimum, whichever is greater, as to the rentals
on and after May 26, 1976.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is lessee of upland.

Filing fee has been received by the Division.

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STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 & 2.
- B. Administrative Code: Title 2, Div. 3,
Arts. 1, 2, 10 & 11.
- C. Administrative Code: Title 14, Section 15100
et seq.

OTHER PERTINENT INFORMATION:

1. The processing of this transaction was delayed because of Division priorities.
2. This project is situated on State Land identified as possessing significant environmental values, pursuant to Public Resources Code 6370.1, and is classified in a significant use category, Class B: Limited Use. Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.
3. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(a) which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907(a).
2. DETERMINE THE GRANTING OF THE APPLICATION WILL HAVE NO SIGNIFICANT EFFECTS UPON THE ENVIRONMENTAL VALUES IDENTIFIED PURSUANT TO SECTION 6370.1, ET SEQ.; OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO KENNETH E. AND URSULA E. GRIMES OF A 15-YEAR COMMERCIAL LEASE FROM AUGUST 11 1973, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$160.34 PER ANNUM, WITH THE STATE RESERVING THE RIGHT TO RESET THE RENTAL ON MAY 26, 1976 AND WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT

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RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE FOR A COMMERCIAL BOATING FACILITY ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

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A parcel of submerged land in the State-owned bed of the Sacramento River, Colusa County, State of California, situated in Section 35, T 16 N, R 1 W, MDM, being more particularly described as follows:

BEGINNING at the point of intersection to the left bank of the Sacramento River with the right bank of Butte Slough; thence northwesterly along the left bank of the Sacramento River 700 feet; thence southwesterly at right angles to said left bank 60 feet; thence southeasterly parallel to and 60 feet distant from said left bank 700 feet, more or less, to a point 60 feet distant and at right angles to said left bank and the point of beginning; thence northeasterly 60 feet to the point of beginning.

EXCEPTING THEREFROM any lands above the ordinary high water mark.

END OF DESCRIPTION