

MINUTE ITEM NO. 12
APPROVED 2-26-76

CALENDAR ITEM

12.

2/76
EPW
WP 4812

ASSIGNMENT OF COMMERCIAL LEASE
PRC 4812.1

ASSIGNOR: Charles E. Brown, dba Metro Yacht Harbor
Route 1
Humansville, Missouri 65674

ASSIGNEES: James O. and Lilac C. Muncill
5871 Garden Highway
Sacramento, California 95837

ARLA, TYPE LAND AND LOCATION:
A 1.08 acre parcel of tide and submerged land
in the Sacramento River, Sacramento, Sacramento
County.

LAND USE: Commercial Marina.

TERMS OF ORIGINAL LEASE:
Initial period: 15 years, from September 1, 1972.

Surety bond: \$2,000.

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

Consideration: \$312.13 with 5-year review.

TERMS OF ASSIGNED LEASE:
Initial period: 15 years, from September 1, 1972.

Surety bond: \$2,000.

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

CONSIDERATION: \$744 per annum, with the State reserving the
right to fix a different rental on each fifth
anniversary of the lease.

BASIS FOR CONSIDERATION:
8% of appraised value of land.

A 5

S 3

CALENDAR ITEM NO. 12.(CONTD)

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

Processing costs of \$300 have been received.

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.

OTHER PERTINENT INFORMATION:

1. The Division recently approved a new rent of \$744 per annum effective November 14, 1975.
2. 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.
3. This project is situated on State land identified as environmentally significant, 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.

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 THAT THE GRANTING OF THE APPLICATION WILL HAVE NO SIGNIFICANT EFFECT UPON THE ENVIRONMENTAL VALUES IDENTIFIED PURSUANT TO PRC 6370.1, ET SEQ.

CALENDAR ITEM NO. 12. (CONTD)

3. AUTHORIZE THE APPROVAL OF AN ASSIGNMENT OF A 15 YEAR COMMERCIAL LEASE PRC 4812.1 BEGINNING SEPTEMBER 1, 1972, FROM CHARLES E. BROWN, DBA METRO YACHT HARBOR, ASSIGNOR. TO JAMES O. AND LILAC C. MUNCILL, ASSIGNEES; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$744 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$2,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$100,000/300,000 PER OCCURRENCE FOR BODILY INJURY AND \$50,000 FOR PROPERTY DAMAGE; FOR THE MAINTENANCE OF A COMMERCIAL MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 4812

A parcel of tide and submerged land in the State owned bed of the Sacramento River adjacent to the east bank in Sacramento County, State of California, more particularly described as follows:

COMMENCING at a concrete monument marking the intersection of the boundary line between Swamp and Overflowed Survey 898, Sacramento County; and Lot 23 of Natomas Elkhorn Subdivision with the easterly boundary line of the river levee right-of-way of Reclamation District No. 1000, said concrete monument being shown on the official "Map of Natomas Elkhorn Subdivision" recorded in the Office of the County Recorder of Sacramento County, February 26, 1918, in Book 15 of Maps, Map No. 42; thence the following 4 courses:

S 52° 30' 30" W 314.2 feet;
N 45° 57' 30" W 545.00 feet;
N 39° 30' 00" W 300.5 feet;
N 35° 38' 00" W 46.7 feet

to the TRUE POINT OF BEGINNING; thence the following 9 courses:

S 55° 26' 05" W 5.00 feet;
S 76° 00' 00" W 40.00 feet;
S 53° 32' 00" W 16.00 feet;
N 65° 30' 00" W 187.50 feet;
N 40° 32' 00" W 173.40 feet;
N 49° 28' 00" E 115.00 feet;
N 65° 35' 19" E 67.62 feet;
S 30° 23' 30" E 159.20 feet;

S 35° 38' 00" E 188.10 feet to the point of
beginning.

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

END OF DESCRIPTION.

Prepared John K. Geary Checked R. L. Blake
Reviewed Donald B. Burtch Date 1/22/76

