

This Calendar Item No. 17  
was approved as Minute Item  
No. 97 by the State Lands  
Commission by a vote of 2  
to 0 at its 7-22-76  
meeting.

CALENDAR ITEM

7/76  
W 503.810  
MVB  
PRC 5166

41.  
NON-COMMERCIAL LEASE AND SETTLEMENT  
OF PEOPLE V. ELKHORN BOAT CLUB, INC.

On October 6, 1975, the State Lands Division staff filed suit against the Elkhorn Boat Club, Incorporated. The suit sought ejectment and damages for the unlawful use of State property.

Subsequently, the Division received a settlement offer of \$1,962 to settle the back rental and an agreement to enter into a lease for the future use of the State lands. The Division staff has received the sum of \$2,666 which represents the settlement offer plus rental for two years. The staff is of the opinion that the proposed settlement and lease is in the best interests of the State.

APPLICANT: Elkhorn Boat Club, Incorporated  
912 Cottage Drive  
Woodland, California 95605

LAND USE: Existing dock.

TERMS OF PROPOSED LEASE:  
Initial period: 15 years, from July 1, 1975.  
Liability insurance: \$100,000/\$300,000 for  
bodily injury and \$300,000  
single liability, \$50,000  
property damage.

RENEWAL OPTION: One successive period of 10 years.

SURETY BOND: \$2,000.

CONSIDERATION: \$352 per annum.

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

PREREQUISITE TERMS:  
Applicant is owner of upland.

EXHIBITS: A. Land Description.

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; AND 14 CAL. ADM. CODE 15101 AND 2 CAL. ADM. CODE 2907(A).
2. FIND THAT THE GRANTING OF THE LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1 OF THE PUBLIC RESOURCES CODE.

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CALENDAR ITEM NO. 41. (CONTD)

3. AUTHORIZE THE ISSUANCE TO THE ELKHORN BOAT CLUB, INC., OF A 15-YEAR NON-COMMERCIAL LEASE FROM JULY 1, 1975; IN CONSIDERATION OF ANNUAL RENTAL IN THE AMOUNT OF \$352 FOR THE USE OF TIDE AND SUBMERGED LANDS IN THE SACRAMENTO RIVER, YOLO COUNTY,; FOR DOCK FACILITIES ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.
4. AUTHORIZE THE STAFF TO EXECUTE A STIPULATION AND SETTLEMENT OF PEOPLE V. ELKHORN BOAT CLUB, INCORPORATED, YOLO COUNTY SUPERIOR COURT NO. 33247, IN CONSIDERATION OF THE RECEIPT OF \$1,962 IN BACK RENTAL.

Attachment: Exhibit "A"

EXHIBIT "A"

LAND DESCRIPTION

A parcel of sovereign land in the State-owned bed of the Sacramento River, Yolo County, State of California, described as follows:

COMMENCING at the most southerly corner of Lot 28 of Elkhorn Subdivision as said lot is shown on that map filed in the Office of the County Recorder of Yolo County, California, in Book 2 of Maps, Map No. 51; thence along the southwesterly boundary of Lots 28 and 27 of said subdivision N 45° 14' 30" W 622.28 feet to the most westerly corner of said lot 27; thence along the line between Lots 26 and 27 of said subdivision N 44° 45' 30" E 840 feet more or less to the northeasterly right-of-way line of Sacramento Northern Railroad; thence along said right-of-way line N 45° 14' 30" W 166 feet to the TRUE POINT OF BEGINNING; thence from said point of beginning along said right-of-way line N 45° 14' 30" W 282 feet; thence leaving said right-of-way line the following 3 courses:

1. N 55° 30' 00" E 198 feet
2. S 34° 36' 00" E 278 feet
3. S 55° 52' 12" W 145.93 feet to the true

point of beginning.

EXCEPTING from the above described parcel, any land southwesterly of the ordinary high water mark of the Sacramento River.

END OF DESCRIPTION

Prepared Rand D. L. Lane Checked [Signature]  
Reviewed J. Britton Date 3/12/75