

MINUTE ITEM

This Calendar Item No. 72
was approved as Minute Item
No. 72 by the State Lands
Commission by a vote of 3
to 0 at its 8-22-90
meeting.

CALENDAR ITEM

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08/22/90
PRC 6427
Maricle

APPROVAL OF THREE SUBLEASES

SUBLESSOR: Riverbank Holding Company
1371 Garden Highway, Suite 200
Sacramento, California 95831

SUBLESSEES: Allen Mason
dba Mobile Marine Maintenance
380 Cedar River Way
Sacramento, California 95821

Pearl-Hewitt Group, Inc.
1401 Garden Highway, Suite 200
Sacramento, California 95833

UYC Development Corporation
dba Leisure Time Boats, Mr. Dale Nattress
P. O. Box 13584
South Lake Tahoe, California 95702

AREA, TYPE LAND AND LOCATION:
A 5.326-acre parcel of tide and submerged land,
Sacramento River, Sacramento County.

LAND USE: Commercial marina, floating restaurant,
harbormaster office, boat sales office, debris
deflector, and all appurtenant facilities
related thereto.

TERMS OF EXISTING LEASE:
Initial period: 20 years beginning August 1,
1984.

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Surety bond: \$10,000.

Public liability insurance: Combined single limit coverage of \$1,000,000.

CONSIDERATION: ANNUAL RENTAL:
Six percent of the gross income derived from the rental of boat docks and moorings. Three percent of the gross income derived from the operation of restaurant and bar. Twenty-five percent of the gross income derived from the operation of coin-operated vending and electronic game machines. A percentage of the gross income derived from boat sales (yacht brokerage). Ten percent of the gross income derived from sources exclusive of those described thereof. A minimum annual rental of \$4,000 for the period August 1, 1984 through July 31, 1985 and a minimum annual rental of \$15,000 thereafter.

PROPOSED ACTION: (SUBLEASE APPROVAL)
Validation of a tenancy between the Lessee and three parties, as covered below in Other Pertinent Information.

APPLICANT STATUS:
Applicant is owner of upland and is Master Lessee in PRC 6427.

PREREQUISITE CONDITIONS, FEES, AND EXPENSES:
Filing fee has been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
B. Cal. Code Regs.: Title 2, Div. 3;
Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:
1. Sublease to Allen Mason dba Mobile Marine Maintenance

Initial period: Three years beginning April 15, 1990.

Rent to Sublessor: \$330 per month.

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Insurance: \$1,000,000 combined single
limit coverage.
Purpose: Marine repair, boat detailing
and boat cleaning, offsite.

2. Sublease to Pearl-Hewitt Group, Inc.

Initial period: Three years beginning
December 1, 1990.

Rent to Sublessor: \$1,293.30 per month.
Insurance: \$1,000,000 combined single
limit coverage.
Purpose: Marina, water sport, and
recreation and marina
promotion.

3. Sublease to UYC Development Corporation dba
Leisure Time Boats

Initial period: Three years beginning
August 1, 1990.
Rent to Sublessor: \$662.30 per month.
Insurance: \$1,000,000 combined single
limit coverage.
Purpose: Boat rental to general public.

4. Compensation to State
In addition to the rental paid to the
Commission by the Sublessor, the Commission
will receive ten percent (10%) of the above
monies.

5. A lawsuit has been filed by the Lessee,
Riverbank Holding Company, against the
Commission. Approval of these three
subleases will not affect the lawsuit.

6. Environmental Considerations

A. The Commission authorized the issuance
of lease PRC 6427 on July 12, 1984. At
that time, the Commission found that an
EIR was prepared and adopted for the
Sublessor's marina project by the City
of Sacramento Planning Department and
that the Commission had reviewed and
considered the information contained

therein.

- B. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA under the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The staff believes there is no possibility that this project may have a significant effect on the environment.

Authority: 14 Cal. Code
Regs. 15061(b)(3).

APPROVALS OBTAINED:
None.

FURTHER APPROVALS REQUIRED:
None.

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THERE IS NO POSSIBILITY THAT THE ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. [14 CAL. CODE REGS. 15061(b)(3)]
2. APPROVE, BY ENDORSEMENT, THE SUBLEASE TO MR. ALLEN MASON, EFFECTIVE APRIL 15, 1990, THE SUBLEASE TO THE PEARL-HEWITT GROUP, INC. EFFECTIVE DECEMBER 1, 1990, AND THE SUBLEASE TO THE UYC DEVELOPMENT CORPORATION, EFFECTIVE AUGUST 1, 1990.

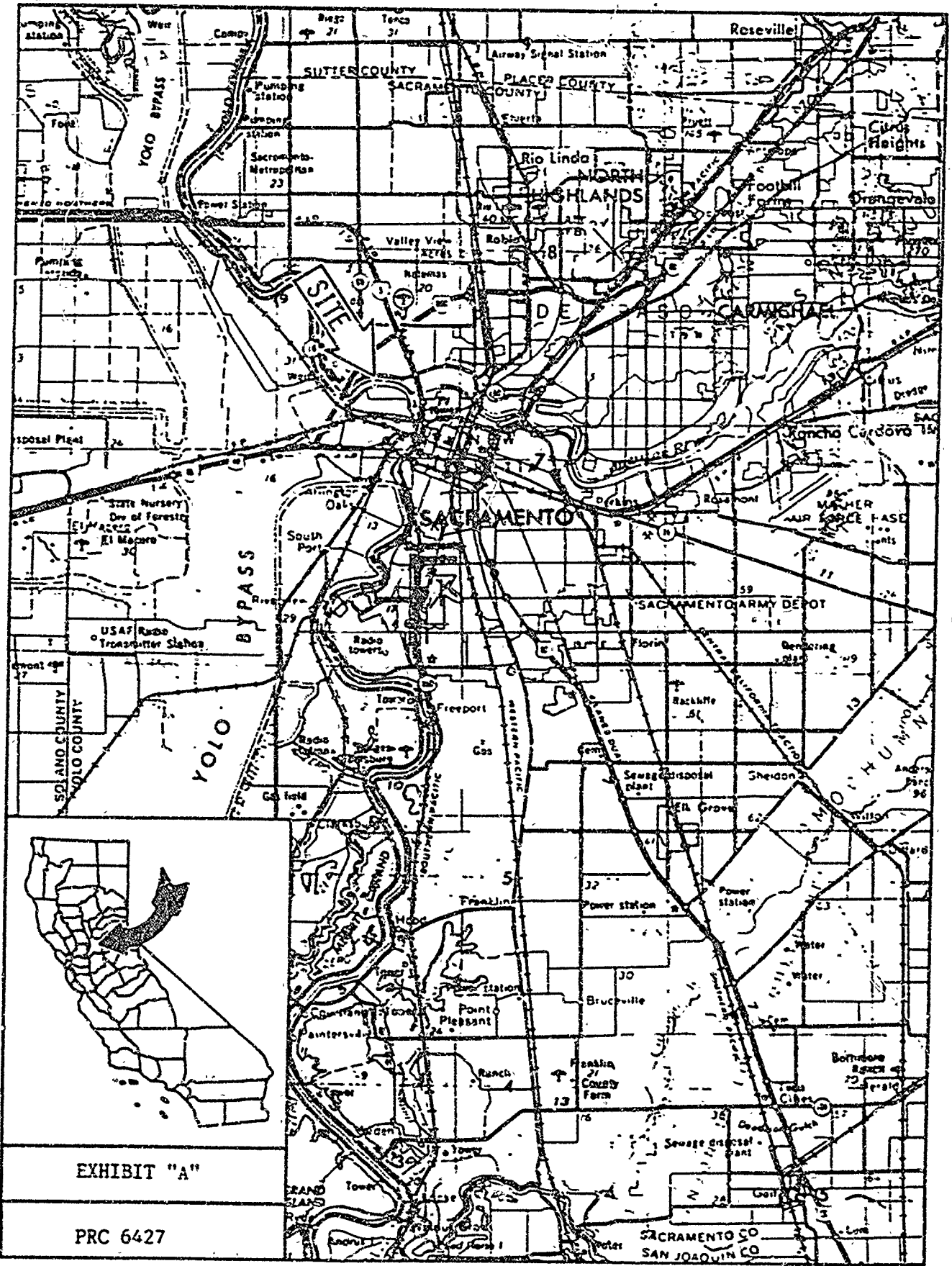


EXHIBIT "A"

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