

**CALENDAR ITEM
C23**

A 2
S 2

04/05/16
PRC 5414.1
B. Terry

ASSIGNMENT OF LEASE

LESSEE/ASSIGNOR:

Arthur L. Narvaez, dba Schooner's Landing RV Park, Marina, and Campground

ASSIGNEE:

Gabriella Levine, as Trustee of the Gabriella Levine Living Trust, E/A dated August 6, 2014, dba Schooner's Landing RV Park, Marina, and Campground

AREA, LAND TYPE, AND LOCATION:

0.975 acre, more or less, of sovereign land in the Albion River, adjacent to Assessor's Parcel Numbers 123-060-10 and 123-060-14, near Albion, Mendocino County.

AUTHORIZED USE:

Continued operation, use and maintenance of an existing commercial marina consisting of an existing boat launch ramp, three floating docks, one landing, pilings, two fish cleaning stations, and bulkhead previously authorized by the Commission.

LEASE TERM:

20 years, beginning August 1, 2014.

CONSIDERATION:

\$1,147 per year, with an annual Consumer Price Index adjustment, and the State reserving the right to adjust the rent at the 10-year anniversary, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

Surety bond or other security in the amount of \$5,000.

CALENDAR ITEM NO. **C23** (CONT'D)

Lessee agrees to implementation of the Commission's "Best Management Practices for Marina Owners/Operators" and "Best Management Practices for Guest Dock Users and Boaters, including additional Best Management Practices (BMPs) the Commission subsequently deems appropriate for either of the above categories. Lessee shall post the BMPs in prominent places within the lease premises. The Lessee shall provide the Commission, on the first anniversary of the lease and tri-annually thereafter, a report on compliance with all BMPs.

OTHER PERTINENT INFORMATION:

1. Assignee owns the upland adjoining the lease premises.
2. On October 14, 2014, the Commission authorized a General Lease – Commercial Use to Arthur L. Narvaez, dba Schooner's Landing RV Park, Marina, and Campground. That lease will expire on July 31, 2034. On September 3, 2015, the upland parcels were deeded to Gabriella Levine, as Trustee of the Gabriella Levine Living Trust, E/A dated August 6, 2014. The Applicant is now applying for an assignment of the lease.
3. Staff recommends assignment of the existing lease, as it promotes Strategy 1.1 of the Commission's Strategic Plan to deliver the highest levels of public health and safety in the protection, preservation, and responsible economic use of the lands and resources under the Commission's jurisdiction.
4. Assignment of the lease is not a project as defined by the California Environmental Quality Act (CEQA) 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. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

AUTHORIZATION:

Authorize the assignment of Lease No. PRC 5414.1, a General Lease – Commercial Use, of sovereign land as described in Exhibit A and shown on Exhibit B (for reference purposes only), attached and by this reference

CALENDAR ITEM NO. **C23** (CONT'D)

made a part hereof, from Arthur L. Narvaez, dba Schooner's Landing RV Park, Marina, and Campground, to Gabriella Levine, as Trustee of the Gabriella Levine Living Trust, E/A dated August 6, 2014, dba Schooner's Landing RV Park, Marina, and Campground; effective September 3, 2015.

EXHIBIT A

PRC 5414.1

LAND DESCRIPTION

Three (3) parcels of tide and submerged land, situate in the bed of the Albion River lying adjacent to Section 21, T16N, R17W, MDM as shown on the Official Government Plat approved April 16th, 1873, County of Mendocino, State of California and more particularly described as follows:

PARCEL 1

BEGINNING at a point on the right bank of the Albion River, having the following CCS83, Zone 2 coordinates N(Y)=2215787.41 feet, E(X)=6063291.65 feet from which Continuous Operating Reference Station (CORS) LILRVRAIR_CN2006 CORS ARP bears North 17°02'28" East 10,614.09 feet, thence along said bank North 43°40'25" East 154.24 feet; thence South 82°07'11" East 268.38 feet; thence South 67°25'40" East 234.55 feet; thence leaving said bank South 22°54'35" West 63.86 feet; thence the following eight (8) courses:

- 1) North 67°05'25" West 151.13 feet;
- 2) North 76°15'19" West 18.77 feet;
- 3) North 83°33'43" West 161.60 feet;
- 4) South 88°52'27" West 86.19 feet;
- 5) South 44°42'06" West 86.71 feet;
- 6) South 19°36'42" West 149.92 feet;
- 7) North 70°52'29" West 26.32 feet;
- 8) North 19°36'52" East 131.45 feet;

Thence North 46°19'35" West 93.79 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the right bank of said river.

PARCEL 2

BEGINNING at a point on the right bank of the Albion River, having the following CCS83, Zone 2 coordinates N(Y)=2215370.62 feet, E(X)=6063091.54 feet from which Continuous Operating Reference Station (CORS) LILRVRAIR_CN2006 CORS ARP bears North 17°23'57" East 11,071.44 feet, thence along said bank North 03°00'00" West 68.37 feet; thence leaving said bank South 50°00'00" East 106.63 feet; thence South 40°00'00" West 50.00 feet; thence North 50°00'00" West 60.00 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the right bank of said river.

PARCEL 3

A fifty (50) foot wide strip of land lying easterly and southeasterly of the following described line:

BEGINNING at a point on the right bank of the Albion River, having the following CCS83, Zone 2 coordinates N(Y)=2215787.41 feet, E(X)=6063291.65 feet from which Continuous Operating Reference Station (CORS) LILRVRAIR_CN2006 CORS ARP bears North 17°02'28" East 10,614.09 feet, thence along said bank South 43°40'25" West 264.60 feet; thence continuing along said bank the following seventeen (17) courses:

- 1) Along a 150 foot radius curve to the left, through a central angle of 54°30'30" an arc length of 142.70 feet;
- 2) South 03°36'50" East 166.77 feet;
- 3) Along a 100 foot radius curve to the right, through a central angle of 68°43'24" an arc length of 119.94 feet;
- 4) South 69°34'34" West 304.47 feet;
- 5) Along a 450 foot radius curve to the left, through a central angle of 17°01'16" an arc length of 133.68 feet;
- 6) South 49°18'16" West 113.04 feet;
- 7) South 34°09'58" West 161.58 feet;
- 8) South 31°52'46" West 176.29 feet;
- 9) Along a 300 foot radius curve to the left, through a central angle of 24°12'00" an arc length of 126.71 feet;
- 10) South 05°17'02" West 63.87 feet;
- 11) Along a 300 foot radius curve to the right, through a central angle of 11°50'42" an arc length of 62.02 feet;
- 12) South 14°15'42" West 102.55 feet;
- 13) Along a 250 foot radius curve to the left, through a central angle of 13°51'19" an arc length of 60.46 feet to a point of reverse curvature;
- 14) Along a 250 foot radius curve to the right, though a central angle of 57°52'36" an arc length of 252.53 feet;
- 15) South 44°21'56" West 249.16 feet;
- 16) Along a 500 foot radius curve to the right, through a central angel of 09°44'52' an arc length of 85.07 feet;
- 17) South 54°54'48" West 115.32 feet;

Thence South 64°58'37" West 85.42 feet to the POINT OF TERMINATION of said strip.

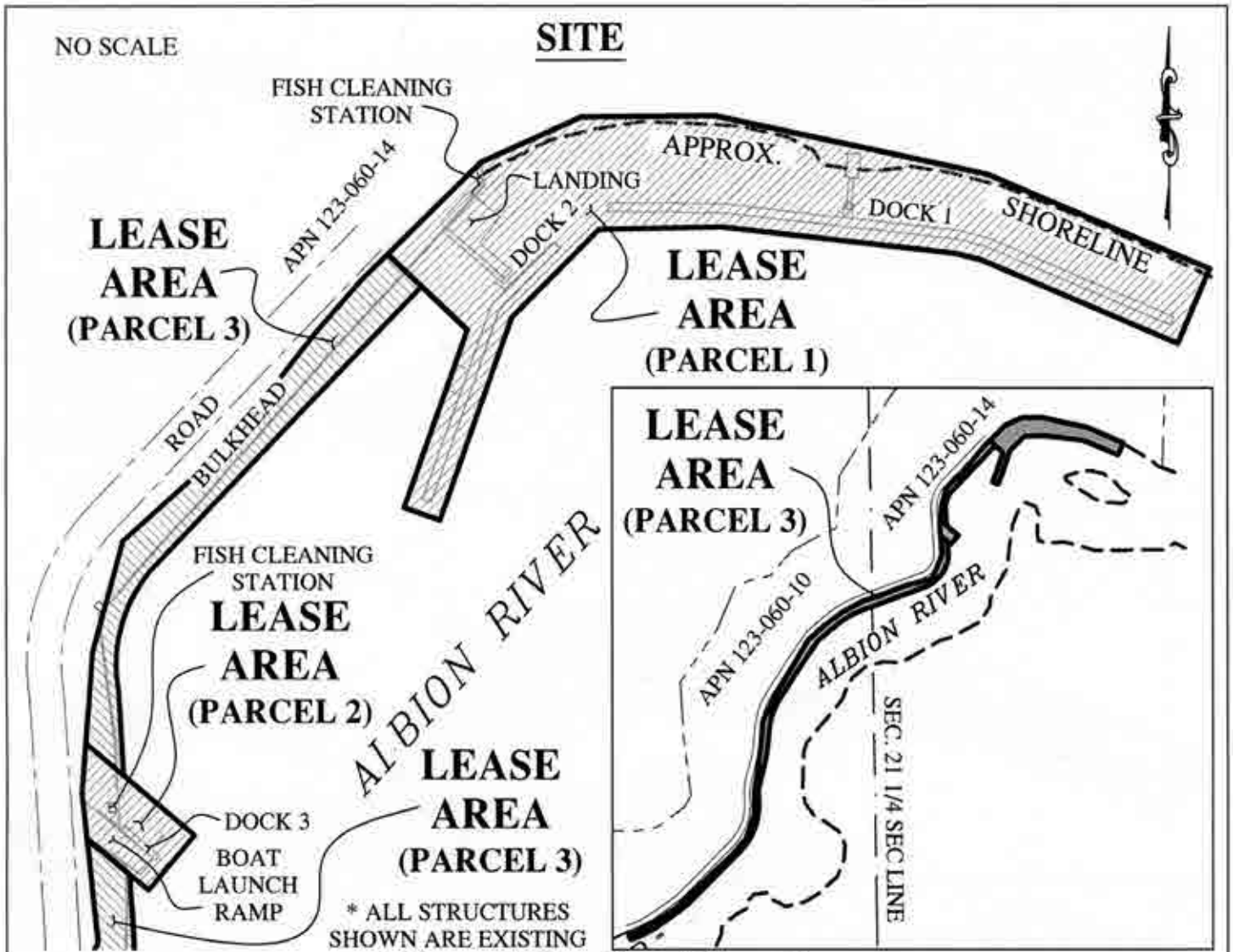
EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the right bank of said river.

The Basis of Bearings is CCS83, Zone 2 (Epoch 2010.000) as determined locally by a line between Continuous Operating Reference Stations (CORS) LILRVRAIR_CN2006 CORS ARP and POTRVLYSCHCN2005 CORS ARP bearing North 84°14'32" East as derived from geodetic values published by the National Geodetic Survey (NGS). All distances are grid and in U.S. survey feet.

END OF DESCRIPTION

PREPARED 9/11/14 BY THE CALIFORNIA STATE LANDS COMMISSION BOUNDARY UNIT





Schooner's Landing, Albion River

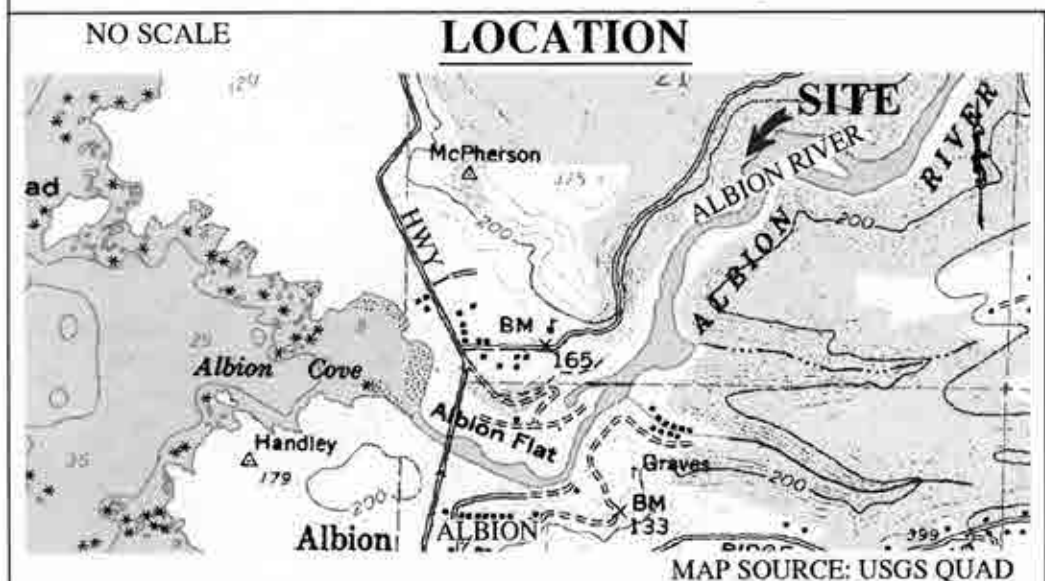


Exhibit B
 PRC 5414.1
 LEVINE
 APN 123-060-10,14
 GENERAL LEASE -
 COMMERCIAL USE
 MENDOCINO COUNTY



MJF 02/18/16

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.