

MINUTE ITEM

10/75
EPW

12. INDUSTRIAL LEASE; TIDE AND SUBMERGED LAND IN THE BED OF THE SACRAMENTO RIVER, SACRAMENTO COUNTY; GLENN L. MAXEY; WP 388; PRC 5072.

After consideration of Calendar Item 10 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES 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.
2. AUTHORIZES ISSUANCE TO GLENN L. MAXEY OF A 10-YEAR INDUSTRIAL LEASE FROM MARCH 15, 1975, WITH LESSEE'S OPTION TO RENEW FOR 1 SUCCESSIVE PERIOD OF 5 YEARS EACH, IN CONSIDERATION OF RENT IN THE AMOUNT OF \$88.65 FOR THE PERIOD OF MARCH 15, 1975 TO JUNE 29, 1975; \$318.08 FOR THE PERIOD OF JUNE 30, 1975 TO MARCH 14, 1976 AND \$450 PER ANNUM THEREAFTER WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON MARCH 15, 1976 AND ON EACH FIFTH ANNIVERSARY OF THE LEASE FOR THE MAINTENANCE OF AN EXISTING LOADING DOCK AND 9 DOLPHINS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 10 (3 pages)

CALENDAR ITEM

10/75
EPW
WP 388

10.

INDUSTRIAL LEASE

APPLICANT: Glenn L. Maxey
P.O. Box 458
Isleton, California 95641

AREA, TYPE LAND AND LOCATION:
An 0.48-acre parcel of tide and submerged
land in the bed of the Sacramento River at
Isleton, Sacramento County.

LAND USE: For the maintenance of an existing loading
dock.

TERMS OF PROPOSED LEASE:

Initial period: 10 years from March 15, 1975.

Renewal options: 1 successive period of 5 years.

Surety bond: \$3,000.

Public liability
insurance: \$500,000 per occurrence for
bodily injury and \$500,000 for
property damage.

CONSIDERATION:

\$88.65 for the period of March 15, 1975 to
June 29, 1975; \$318.08 for the period of
June 30, 1975 to March 14, 1976; thereafter,
\$450 per annum with the State reserving the
right to fix a different rental on August 1,
1976 and on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

6.3% of appraised value of land, prorated for
the period of March 15, 1975 to June 29, 1975.
\$450 minimum rental for this type of lease or
permit prorated for the period of June 30, 1975
to March 14, 1976.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of the upland.

A rental deposit in the amount of \$406.73 has
been deposited with the State Lands Division.

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CALENDAR ITEM NO. 10. (CONTD)

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 & 2.
- b. Administrative Code: Title 2, Div. 3,
Arts. 1, 2 & 10.

OTHER PERTINENT INFORMATION:

1. This facility was formerly covered under Lease PRC 388 which expired December 9, 1973. The intervening period of December 10, 1973 to March 14, 1975 is covered under a separate Calendar Item.
2. This project is situated on State land identified as environmentally significant, pursuant to Public Resources Code 6370, and is classified in a significant use category. The project is determined to be a compatible use consistent with identified significant environmental values. Notwithstanding, 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 type 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.
2. AUTHORIZE ISSUANCE TO GLEN L. MAXEY OF A 10-YEAR INDUSTRIAL LEASE FROM MARCH 15, 1975, WITH LESSEE'S OPTION TO RENEW FOR 1 SUCCESSIVE PERIOD OF 5 YEARS EACH, IN CONSIDERATION OF RENT IN THE AMOUNT OF \$88.65 FOR THE PERIOD OF MARCH 15, 1975 TO JUNE 29, 1975; \$318.08 FOR THE PERIOD OF JUNE 30, 1975 TO MARCH 14, 1976 AND \$450 PER ANNUM THEREAFTER WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON MARCH 15, 1976 AND ON EACH FIFTH ANNIVERSARY OF THE LEASE FOR THE MAINTENANCE OF AN EXISTING LOADING DOCK AND 9 DOLPHINS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 388

A parcel of tide and submerged land lying in the bed of the Sacramento River, in the vicinity of the town of Isleton, Sacramento County, State of California, being more particularly described as follows:

COMMENCING at a monument set at the intersection of the northerly line of the State Highway 160 with westerly boundary of the town of Isleton, as the same existed in 1928; thence N 17° 56' E 101.20 feet to the northeast corner of that certain parcel described as the second tract in the deed dated October 3, 1928 and recorded in Volume 216 at page 392 of Official records of said County said corner being on the said westerly boundary of the town of Isleton, said corner also being the TRUE POINT OF BEGINNING; THENCE S 89° 27' W along the north boundary of said second tract, 37.73 feet to the northwest corner thereof and the northeast corner of that certain tract conveyed by deed dated July 18, 1929 and recorded in Volume 245, Page 444 of the Official Records of Sacramento County; thence S 82° 48' W along the north boundary of said tract recorded in Volume 245 65.3 feet; more or less, to the west side of an existing warehouse; thence N 4° 07' W 15 feet; thence N 85° 53' E 40.5 feet; thence N 4° 07' W 21.0 feet; thence S 85° 53' W 22.0 feet; thence N 4° 07' W 20 feet; thence N 85° 53' E 54 feet; thence S 4° 07' E 5 feet; thence N 85° 53' E 41 feet; thence S 8° 10' W 50 feet, more or less, to the point of beginning.

TOGETHER WITH those portions of block 55, as shown on the official map of the City of Isleton recorded November 9, 1935 in Book 20 of Maps, Page 23, Records of said County, lying between the ordinary low water mark and the ordinary high water mark.

END OF DESCRIPTION