

MINUTE ITEM

This Calendar Item No. C14
was approved as Minute Item
No. 14 by the State Lands
Commission by a vote of 3
to 0 at its 11/27/78
meeting.

CALENDAR ITEM

C14.

11/78
W 20394
Maricle
PRC 1992.1

AMENDMENT AND RENEWAL OF
INDUSTRIAL LEASE PRC 1992.1

APPLICANT: Ideal Basic Industries, Inc.
P. O. Box 8789
Denver, Colorado 80201

Messrs. Hal E. Wilmunder and
Leslie H. Wilmunder
(Ideal's Permittee)
P. O. Box 491
Carmichael, California 95608

AREA, TYPE LAND AND LOCATION:
0.41 acres, tide and submerged land, Sacramento
River, Yolo County, vicinity of West Sacramento.

LAND USE: Existing concrete dock and dolphins.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years from August 29,
1957.

Renewal options: 3 successive periods
of 10 years each.

Surety bond: \$5,000.

Consideration: \$331.20 per annum.

Land Area: 2.8 acres.

TERMS OF PROPOSED AMENDMENT AND RENEWAL:

Initial period: 10 years from August 29,
1972.

Public liability insurance: Combined single
limit coverage of \$1,000,000
and \$100,000 for property
damage.

Land Area: Reduced to 0.41 acres
to cover actual area
of use.

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CONSIDERATION: \$541.20 per annum from August 29, 1972 through June 29, 1975; \$721.60 per annum from June 30, 1975, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:
6% of appraised value of land, from August 29, 1972 and 8% from June 30, 1975.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner of upland.
Filing fee has been received.

NON-EXCLUSIVE USE PERMIT:
Ideal to Wilmunder.

Term: October 1, 1978 through August 28, 1982.

Permit Fee: \$720 per annum, from October 1, 1978 through September 30, 1981; \$660 per annum from October 1, 1981; through August 28, 1982.

Purpose: Use of dock for maintenance of ferry boat.

Hold Harmless: Permittee to hold Ideal and State Harmless.

Termination: On 60 days notice by either Ideal or Wilmunder.

Other Obligations and Costs to Wilmunder:
50% of the bond premiums and insurance coverage required under the terms of renewal of lease
PRC 1992.1.

Payment of property taxes imposed by taxing authority on the dock and dolphins within the lease premises.

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STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 & 2.
- B. Cal. Adm. Code: Title 2, Div. 3.
- C. Cal. Adm. Code: Title 14, Section 15100 et seq.

OTHER PERTINENT INFORMATION:

- 1. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1(B), 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.
- 2. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C 6370.1, and is classified in a use category, Class B, which authorizes 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.

- 3. Ideal Basic Industries anticipates active use of the dock sometime after 1980. Ideal has no objection to Wilmunder's use thereof until such time as market conditions render the dock a more economically useable facility than present conditions warrant. Wilmunder will use the dock structure solely for maintenance and repair purposes of his newly constructed vessel and will pay to Ideal rent equal to the amount of rent paid by Ideal to the State Lands Commission.

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The Wilmunder vessel is a stream-driven paddle wheel boat which will carry passengers to the Bay Area, and to Colusa County, from the Sacramento vicinity. The Ideal Dock will not be used for passenger boarding.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT GRANTING OF THIS RENEWAL/AMENDMENT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.
3. AUTHORIZE ISSUANCE TO IDEAL BASIC INDUSTRIES, INC., AN AMENDMENT AND RENEWAL OF LEASE PRC 1992.1, FOR A 10-YEAR TERM FROM AUGUST 29, 1972; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$541.20, FROM AUGUST 29, 1972 THROUGH JUNE 29, 1975 AND \$721.60 PER ANNUM FROM JUNE 30, 1975, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF PUBLIC LIABILITY INSURANCE IN THE AMOUNT OF \$1,000,000 FOR BODILY INJURY, COMBINED SINGLE LIMIT COVERAGE, AND \$100,000 FOR PROPERTY DAMAGE; FOR THE USE AND MAINTENANCE OF AN EXISTING DOCK AND DOLPHINS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.
4. CONSENT, BY ENDORSEMENT, TO A NON-EXCLUSIVE USE PERMIT BETWEEN IDEAL BASIC INDUSTRIES, INC., AND HAL E. WILMUNDER AND LESLIE H. WILMUNDER, FOR THE PERIOD EXTENDING FROM OCTOBER 1, 1978 THROUGH AUGUST 28, 1982, FOR THE MAINTENANCE OF A FERRY BOAT, ACCORDING TO THE TERMS AND CONDITIONS SET FORTH IN SAID PERMIT, ON THE LAND DESCRIBED ON EXHIBIT "A".

EXHIBIT "A"

Lessee: Ideal Basic Industries, Inc.

W20394

Two strips of tide and submerged land lying in the bed of the Sacramento River, adjacent to the community of West Sacramento, Yolo County, State of California, and being more particularly described as follows:

STRIP 1

A strip of tide and submerged land 55.0 feet wide and lying 27.5 feet on each side of the following described centerline:

COMMENCING at the northwest corner of that certain parcel described in a Grant Deed recorded on June 2, 1944, in Volume 201 of Official Records, page 46, Yolo County Records; thence along the following 3 courses:

1. S 81° 04' E 120 feet;
2. S 73° 58' E 604.0 feet;
3. S 42° 49' 30" W 302.0 feet to the TRUE POINT OF BEGINNING; thence S 47° 10' 30" E, 155.0 feet to a point designated as Point "A" lying in the Sacramento River and being the terminous of the herein described centerline.

STRIP 2

A strip of tide and submerged land 60.0 feet wide and lying 30.0 feet on each side of the following described centerline:

COMMENCING at a point in the Sacramento River heretofore designated as Point "A"; thence S 47° 10' 30" E 30.0 feet; thence N 42° 49' 30" E, 135.0 feet to the TRUE POINT OF BEGINNING; thence S 42° 49' 30" W, 220.0 feet to a point in the Sacramento River and being the terminous of the herein described centerline.

EXCEPTING from Strips 1 and 2 any portion lying landward of the ordinary high water mark.

END OF DESCRIPTION

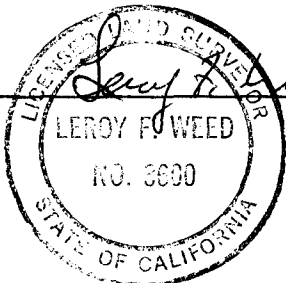
Prepared

Law

Checked

J. Collins

Reviewed



See Deed 6/13/74

