

MINUTE ITEM

This Calendar Item No. C6  
was approved as Minute Item  
No. 6 by the State Lands  
Commission by a vote of 3  
to 0 at its 4-7-81  
meeting.

CALENDAR ITEM

C 0 6

3/81  
WP 5372  
Graham  
PRC 5372

ACCEPTANCE OF QUITCLAIM DEED  
AND ISSUANCE OF A  
GENERAL LEASE - COMMERCIAL USE

APPLICANT: Eugene J. and Elaine L. Brazil  
and Nadene R. Tempel  
dba Hawaiian Gardens Fishing Resort  
Route 1, Box 144  
Glenn, California 95943

AREA, TYPE LAND AND LOCATION:  
0.362-acre parcel of submerged land in  
the Sacramento River, near Glenn, Glenn  
County.

LAND USE: Operation and maintenance of a small boat  
marina.

TERMS OF EXISTING LEASE:

Initial period: 15 years from September 1,  
1973.

Renewal options: three successive periods  
of 10 years each.

Surety bond: \$1,000.

Public liability insurance: combined single  
limit coverage of \$300,000.

Consideration: \$225 per annum; 5-year  
rent review.

TERMS OF PROPOSED LEASE:

Initial period: 30 years from September 1,  
1980.

Surety bond: \$1,000.

Public liability insurance: combined single  
limit coverage of \$300,000.

CONSIDERATION: \$225 per annum, with the State reserving  
the right to fix a different rental on  
each fifth anniversary of the lease.

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**BASIS FOR CONSIDERATION:**

Pursuant to 2 Cal. Adm. Code 2005.

**PREREQUISITE TERMS, FEES AND EXPENSES:**

Applicant is owner of upland.

Filing fee has been received.

**STATUTORY AND OTHER REFERENCES:**

A. P.R.C. : Div. 6, Parts 1 & 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

**OTHER PERTINENT INFORMATION:**

1. The current lessees, James C. and Myra B. Cranley, have sold the Hawaiian Gardens Fishing Resort marina located on the Sacramento River near Glenn, Glenn County to Eugene J. and Elaine L. Brazil and Nadene R. Tempel.
2. The current lessees wish to terminate and quitclaim their interests in lease PRC 5372.1 to the new owners, Eugene J. and Elaine L. Brazil and Nadene R. Tempel. The proposed lease will be effective September 1, 1980.
3. 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.
4. 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:

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environmental values. This is an existing facility for which no adverse comments have been received.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. AUTHORIZE ACCEPTANCE OF A QUITCLAIM DEED FROM JAMES C. AND MYRA B. CRANLEY FOR THE 0.362 ACRES (TWO PANELS) OF SUBMERGED LAND IN THE SACRAMENTO RIVER, GLENN COUNTY AS DESCRIBED IN THE QUITCLAIM DEED ON FILE WITH THE OFFICE OF THE STATE LANDS COMMISSION.
3. FIND THAT GRANTING OF THE LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.
4. AUTHORIZE ISSUANCE TO EUGENE J. AND ELAINE L. BRAZIL AND NADENE R. TEMPEL, dba HAWAIIAN GARDENS FISHING RESORT OF A 30-YEAR GENERAL LEASE - COMMERCIAL USE FROM SEPTEMBER 1, 1980; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$225, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$1,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$300,000; FOR OPERATION AND MAINTENANCE OF A SMALL BOAT MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

wp 5372

Two parcels of submerged land lying in the State owned bed and along the right bank of the Sacramento River and being waterward of that certain parcel as described in the deed recorded in Book 565, Page 283 of the Official Records of Glenn County, State of California, said parcels being immediately beneath and extending 10 feet on the north, east, and south sides of two existing piers and bounded on the west by the ordinary high water mark of the Sacramento River.

END OF DESCRIPTION

Prepared M. L. Chap Checked N. Hill  
 Reviewed A. J. Fennicke Date 7/7/76  
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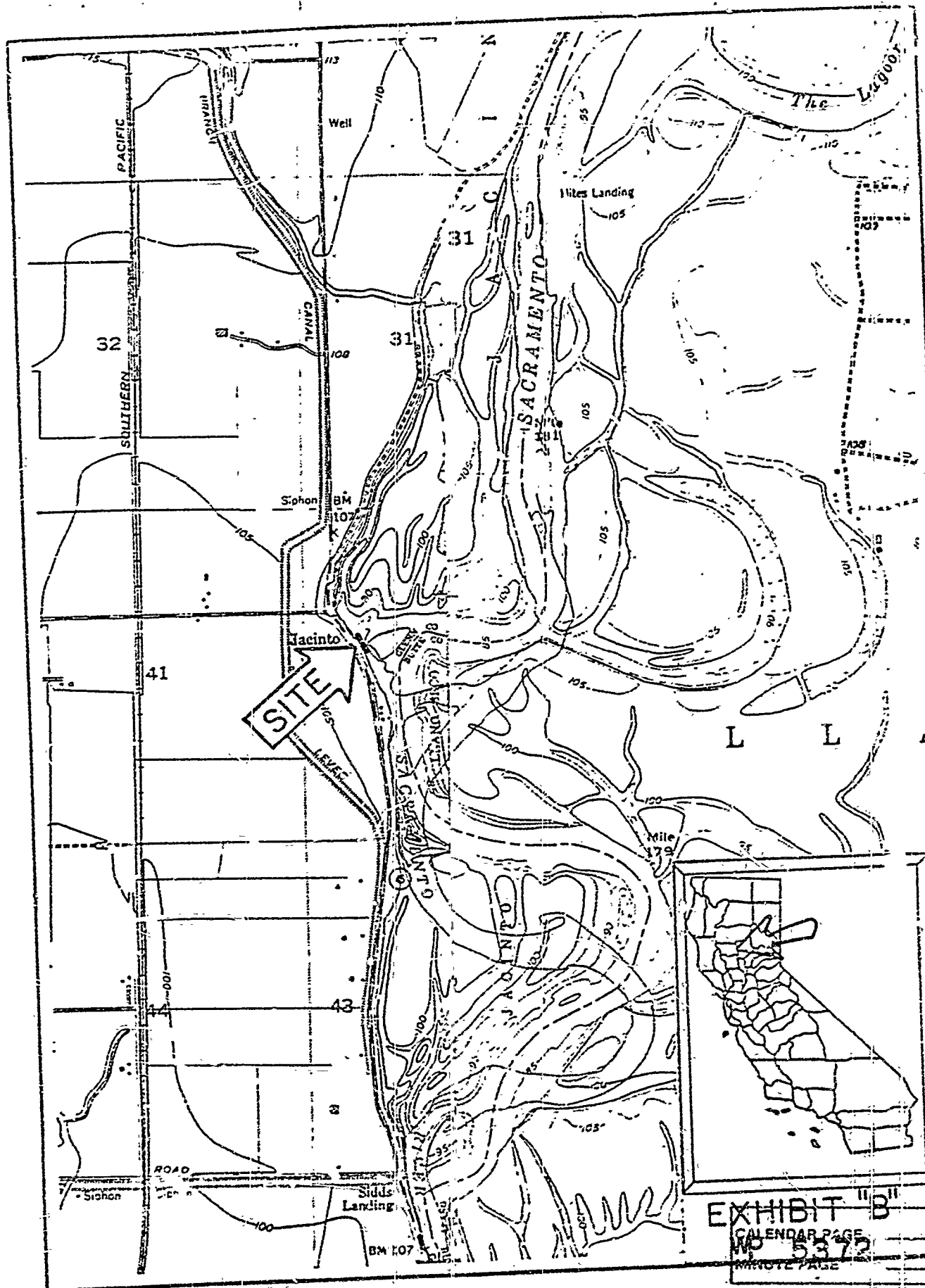


EXHIBIT "B"

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