

MINUTE ITEM

This Calendar Item No. 64  
was approved as Minute Item  
by the State Lands  
Commission by a vote of 3  
to 0 at its 10/30/81  
meeting.

CALENDAR ITEM

C 09

10/30/81  
WP 4157  
Reese

ASSIGNMENT OF LEASE PRC 4157.1

ASSIGNOR: Freeport Marina, Inc.  
8209 Freeport Boulevard  
Sacramento, California 95823

ASSIGNEE: George I. Benny  
115 Red Rock Way  
San Francisco, California 94131

ASSIGNOR: George I. Benny  
115 Red Rock Way  
San Francisco, California 94131

ASSIGNEE: Mary Ann Benny  
115 Red Rock Way  
San Francisco, California 94131

AREA, TYPE LAND AND LOCATION:  
A 2.39-acre parcel of tide and submerged  
land in the Sacramento River at Freeport,  
Sacramento County.

LAND USE: Commercial marina.

TERMS OF CURRENT LEASE:  
Initial period: Ten years from November 15,  
1980.  
Renewal options: One successive period  
of ten years.  
Surety bond: \$2,000.  
Public liability insurance: Combined single  
limit coverage of \$500,000.

CONSIDERATION: \$2,500; rental will increase to \$3,000  
per annum on November 15, 1985.

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CALENDAR ITEM NO. C 0.9 (CONTD)

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2005.

PREREQUISITE TERMS, FEES AND EXPENSES:

Assignees are owner of upland.

Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES:

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

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

AB 884:

N/A.

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.

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. 21065, 14 CAL. ADM. CODE 15037 AND 15060 AND 2 CAL. ADM. CODE 2903(d).

CALENDAR ITEM NO. C 09 (CONTD)

2. FIND THAT APPROVAL OF THE ASSIGNMENT OF LEASE PRC 4157.1 WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.
3. AUTHORIZE APPROVAL OF THE ASSIGNMENT FROM FREEPORT MARINA, INC. TO GEORGE I. BENNY AND SUBSEQUENTLY THE ASSIGNMENT FROM GEORGE I. BENNY TO MARY ANN BENNY OF A TEN-YEAR GENERAL LEASE - COMMERCIAL USE FROM NOVEMBER 15, 1980, WITH LESSEE'S OPTION TO RENEW FOR ONE SUCCESSIVE PERIOD OF TEN YEARS; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$2,500; RENTAL WILL INCREASE TO \$3,000 PER ANNUM ON NOVEMBER 15, 1985; PROVISION OF A \$2,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$500,000; FOR AN EXISTING COMMERCIAL MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

WP 4157

A parcel of tide and submerged land in the State owned bed of the Sacramento River, immediately north of the Freeport Bridge at Freeport, Sacramento County, California, more particularly described as follows:

COMMENCING at a point on the westerly right of way line of the Southern Pacific Railroad, Walnut Grove Branch, where said line intersects the prolongation of the Freeport Bridge centerline, said point being described as the "point of beginning" of Parcel No. 1 in a deed from Anna J. Hack to County of Sacramento and recorded May 2, 1928 in Book 181, Page 322 of the Official Records of Sacramento County, from which U.S.C.&G.S. triangulation station "CONTENT" bears S 1° 58' 30" E 4109.11 feet more or less; thence along the centerline of the Freeport Bridge S 77° 55' 30" W 35 feet; thence N 12° 04' 30" W 65 feet to the TRUE POINT OF BEGINNING; thence continuing N 12° 04' 30" W 1330 feet; thence S 77° 55' 30" W 193.99 feet; thence S 16° 04' 30" E 487.21 feet; thence S 12° 04' 30" E 843.98 feet; thence N 77° 55' 30" E 160 feet to the true point of beginning.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark.

END OF DESCRIPTION

Prepared

*John K. Martin*

Checked

*James A. Walker*

Reviewed

*A. H. Finnecke*

Date

*12/13/75*

# SACRAMENTO

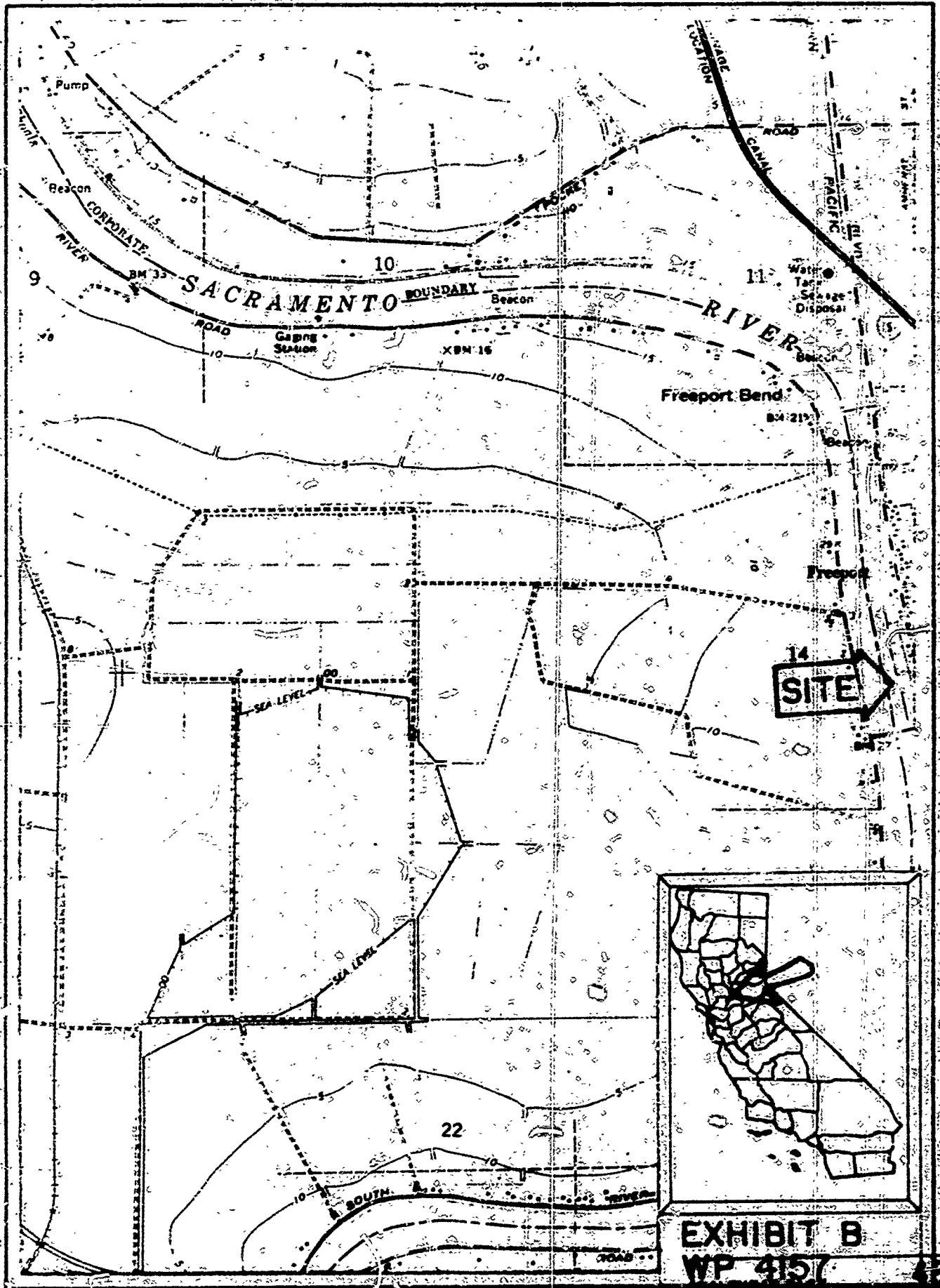


EXHIBIT B

WP 4157

ANNEX PAGE

15  
2007