

**CALENDAR ITEM  
C29**

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S 4

04/26/13  
PRC 7983.9  
PRC 7261.9  
W. Hall

**ACCEPTANCE OF TWO LEASE QUITCLAIM DEEDS AND  
ISSUANCE OF A GENERAL LEASE – PUBLIC AGENCY USE AND PROTECTIVE  
STRUCTURE**

**LESSEES:**

Raley's Corporation, a California Corporation (PRC 7261.9)  
City of West Sacramento (PRC 7893.9)

**LESSEE/APPLICANT:**

City of West Sacramento

**AREA, LAND TYPE, AND LOCATION:**

Filled and unfilled sovereign lands in the Sacramento River near 651 Waterfront Place, city of West Sacramento, Yolo County.

**AUTHORIZED USE:**

Continued use and maintenance of riverfront improvements, open space, public access, preservation and enhancement of riparian habitat, levee structure, and bank protection, associated with the West Sacramento Riverfront Improvement Project, also known as River Walk Park.

**LEASE TERM:**

30 years, beginning April 26, 2013.

**CONSIDERATION:**

The public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest in the lease.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the upland adjoining the lease premises.

CALENDAR ITEM NO. **C29** (CONT'D)

2. On August 10, 1988, the Commission authorized Lease No. PRC 7261.9, a 49-year General Permit – Protective Structure Use, with Thomas P. Raley, Trustee of Thomas P. Raley Trust, dated March 3, 1987, for the construction, maintenance, and operation of a levee structure. On July 6, 1995, the Commission authorized the assignment of Lease No. PRC 7261.9 to Raley's Corporation, a California Corporation (Raleys). On August 26, 1997, the Commission authorized an amendment of the lease to amend the lease area and legal description to exclude 0.12-acre. At the same meeting, the Commission authorized Lease No. PRC 7983.9, a 25-year General Lease – Public Agency Use, with the City of West Sacramento (City) for the above excluded .012-acre area for uses associated with Phase 1 of the then-proposed West Sacramento Riverfront Improvement Project.
3. On June 19, 1998, the Commission authorized an amendment to PRC 7261.9 (Raleys' lease) authorizing a 39-year sublease to the City for the proposed West Sacramento Riverfront Improvement Project. The amendment included authorization for park uses, open space, levee improvements; and amended the land description. At the same meeting, the Commission authorized an amendment to Lease No. PRC 7983.9 (City's lease) for the uses associated with Phase 2 of the West Sacramento Riverfront Improvement Project.
4. The City has acquired the upland ownership adjacent to the Lease Premises related to each lease. The City has submitted an application to consolidate both leases under Lease No. PRC 7983.9 and has submitted a Quitclaim Deed, executed by Raleys Corporation on December 22, 2011, releasing all right, claim, title, or interest in Lease No. PRC 7261.9 back to the Commission. That lease expires on August 9, 2023. The City also submitted a Quitclaim Deed executed by the City on March 20, 2013, releasing all right, claim, title, or interest in Lease No. PRC 7983.9 back to the Commission. That lease expires on July 31, 2022.
5. Staff is recommending acceptance of the two Quitclaim Deeds and issuance of a new 30-year General Lease - Public Agency Use and Protective Structure.
6. **Acceptance of Quitclaim Deeds for PRC 7261.9 and PRC 7983.9:** The staff recommends that the Commission find that the subject lease quitclaims do not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

CALENDAR ITEM NO. **C29** (CONT'D)

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

7. **Issuance of New Lease:** The staff recommends that the Commission find that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

8. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

**EXHIBITS:**

- A. Land Description
- B. Site and Location Map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

**Acceptance of Quitclaim Deeds for PRC 7261.9 and PRC 7983.9:** Find that the subject lease quitclaims are not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activities are not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

**Issuance of New Lease:** Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

CALENDAR ITEM NO. **C29** (CONT'D)

**SIGNIFICANT LANDS INVENTORY FINDING:**

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

**AUTHORIZATION:**

1. Authorize the acceptance of a Quitclaim Deed, effective April 25, 2013, executed by Raley's Corporation, a California Corporation, releasing all interest in Lease No. PRC 7261.9, a General Permit – Protective Structure Use, beginning August 10, 1988.
2. Authorize the acceptance of a Quitclaim Deed, effective April 25, 2013, executed by the City of West Sacramento, releasing all interest in Lease No. PRC 7983.9, a General Permit – Public Agency Use, beginning August 26, 1997.
3. Authorize issuance of a General Lease - Public Agency Use to the City of West Sacramento effective April 26, 2013, for a term of 30 years, for the continued use and maintenance of filled and unfilled lands for riverfront improvements, open space, public access, preservation and enhancement of riparian habitat, levee structure, and bank protection as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof, consideration being the public use and benefit; with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest.

EXHIBIT A

PRC 7983.9

LAND DESCRIPTION

LEASE PARCEL 1

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF WEST SACRAMENTO, COUNTY OF YOLO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THIRD STREET AND "G" STREET, FORMERLY MARGARET STREET, AS SHOWN ON THE OFFICIAL MAP OF THE TOWN OF WASHINGTON RECORDED IN BOOK "I" OF DEEDS AT PAGE 264, YOLO COUNTY RECORDS, FROM WHICH THE POINT OF INTERSECTION OF THIRD AND "E" STREETS BEARS NORTH 08°28'26" EAST 832.51 FEET; THENCE FROM SAID POINT OF COMMENCEMENT SOUTH 23°45'02" EAST 956.64 FEET TO A POINT ON THE "ORDINARY HIGH WATER AGREEMENT LINE", AS SHOWN ON EXHIBIT A OF BOOK 2028 PAGE 169, YOLO COUNTY RECORDS, AND THE TRUE POINT OF BEGINNING; THENCE ALONG SAID ORDINARY HIGH WATER AGREEMENT LINE THE FOLLOWING 9 COURSES: 1) NORTH 40°45'03" EAST 49.51 FEET; 2) ALONG A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 281.00 FEET, AN ARC LENGTH OF 151.42 FEET, THROUGH A CENTRAL ANGLE OF 30°52'25"; 3) NORTH 09°52'38" EAST 81.28 FEET; 4) ALONG A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 419.00 FEET, AN ARC LENGTH OF 79.78 FEET, THROUGH A CENTRAL ANGLE OF 10°54'33"; 5) NORTH 20°47'11" EAST 140.80 FEET; 6) ALONG A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 500.00 FEET, AN ARC LENGTH OF 58.13 FEET, THROUGH A CENTRAL ANGLE OF 06°39'40"; 7) ALONG A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 325.00 FEET, AN ARC LENGTH OF 138.60 FEET, THROUGH A CENTRAL ANGLE OF 24°26'04"; 8) ALONG A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 500.00 FEET, AN ARC LENGTH OF 47.03 FEET, THROUGH A CENTRAL ANGLE OF 05°23'20"; AND 9) NORTH 08°24'07" EAST 106.04 FEET; THENCE LEAVING SAID ORDINARY HIGH WATER AGREEMENT LINE SOUTH 81°35'53" EAST 5.00 FEET; THENCE PARALLEL WITH AND 5.00 FEET EASTERLY OF SAID ORDINARY HIGH WATER AGREEMENT LINE THE FOLLOWING 8 COURSES; 1) SOUTH 08°24'07" WEST 106.06 FEET; 2) ALONG A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 495.00 FEET, AN ARC LENGTH OF 46.56 FEET, THROUGH A CENTRAL ANGLE OF 05°23'20"; 3) ALONG A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 330.00 FEET, AN ARC LENGTH OF 140.73 FEET, THROUGH A CENTRAL ANGLE OF 24°26'04"; 4) ALONG A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 495.00 FEET, AN ARC LENGTH OF 57.55 FEET, THROUGH A CENTRAL ANGLE OF 06°39'40"; 5) SOUTH 20°47'11" WEST 140.80 FEET; 6) ALONG A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 414.00 FEET, AN ARC LENGTH OF 78.83 FEET, THROUGH A CENTRAL ANGLE OF 10°54'33"; 7) SOUTH 09°52'38" WEST 81.28 FEET; AND 8) ALONG A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 286.00 FEET, AN ARC LENGTH OF 114.37', THROUGH A CENTRAL ANGLE OF 22°54'44"; THENCE LEAVING SAID PARALLEL LINE SOUTH 21°33'08" WEST 81.69 FEET; THENCE NORTH 71°35'54" WEST 31.47 FEET TO THE POINT OF BEGINNING. CONTAINING 0.120 ACRES.

EXCEPTING THEREFROM THAT PORTION THEREOF LYING WITHIN THE BOUNDARIES OF THAT CERTAIN PARCEL ENTITLED "GENERAL LEASE -

COMMERCIAL USE" DESIGNATED PRC 6002.1 APPROVED BY THE STATE LANDS COMMISSION ON DECEMBER 17, 1981, EXECUTED MARCH 18, 1982, AS SUBSEQUENTLY AMENDED AT VARIOUS TIMES.

THE BASIS OF BEARINGS OF THIS DESCRIPTION IS CITY OF WEST SACRAMENTO MONUMENTS A14-01 AND A13-T1, BASED ON NORTH AMERICAN DATUM 1983, CALIFORNIA HIGH PRECISION GEODETIC NETWORK 1992, CALIFORNIA STATE COORDINATE SYSTEM ZONE 2.



ETP. 6/30/2000

## LEASE PARCEL 2

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF WEST SACRAMENTO, COUNTY OF YOLO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THIRD STREET AND "G" STREET, FORMERLY MARGARET STREET, AS SHOWN ON THE OFFICIAL MAP OF THE TOWN OF WASHINGTON RECORDED IN BOOK "I" OF DEEDS AT PAGE 264, YOLO COUNTY RECORDS, FROM WHICH THE POINT OF INTERSECTION OF THIRD AND "E" STREETS BEARS NORTH 08°28'26" EAST 832.51 FEET; THENCE FROM SAID POINT OF COMMENCEMENT SOUTH 23°45'02" EAST 956.64 FEET AND SOUTH 71°35'54" EAST 37.63 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING THE SOUTHEAST CORNER OF THAT PROPERTY DESCRIBED AS LEASE REMAINDER; THENCE ALONG THE EASTERLY LINE OF SAID LEASE REMAINDER THE FOLLOWING 15 COURSES; 1) NORTH 38°29'48" EAST 40.60 FEET; 2) ALONG A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 400.00 FEET, AN ARC LENGTH OF 181.51 FEET, THROUGH A CENTRAL ANGLE OF 25°59'58"; 3) NORTH 12°29'50" EAST 95.18 FEET; 4) ALONG A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 1000.00 FEET, AN ARC LENGTH OF 191.42 FEET, THROUGH A CENTRAL ANGLE OF 10°58'03"; 5) ALONG A REVERSE CURVE TO THE LEFT WITH A RADIUS OF 1000.00 FEET, AN ARC LENGTH OF 73.75 FEET, THROUGH A CENTRAL ANGLE OF 04°13'32"; 6) NORTH 19°14'21" EAST 128.17 FEET; 7) ALONG A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 400.00 FEET, AN ARC LENGTH OF 109.20 FEET, THROUGH A CENTRAL ANGLE OF 15°38'28"; 8) ALONG A REVERSE CURVE TO THE RIGHT WITH A RADIUS OF 150.00 FEET, AN ARC LENGTH OF 51.74 FEET, THROUGH A CENTRAL ANGLE OF 19°45'43"; 9) ALONG A REVERSE CURVE TO THE LEFT WITH A RADIUS OF 175.00 FEET, AN ARC LENGTH OF 87.29 FEET, THROUGH A CENTRAL ANGLE OF 28°34'43"; 10) ALONG A REVERSE CURVE TO THE RIGHT WITH A RADIUS OF 250.00 FEET, AN ARC LENGTH OF 234.58 FEET, THROUGH A CENTRAL ANGLE OF 30°50'38"; 11) ALONG A REVERSE CURVE TO THE LEFT WITH A RADIUS OF 150.00 FEET, AN ARC LENGTH OF 44.45 FEET, THROUGH A CENTRAL ANGLE OF 16°58'43"; 12) NORTH 08°38'48" EAST 167.36 FEET; 13) ALONG A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 500.00 FEET, AN ARC LENGTH OF 48.05 FEET, THROUGH A CENTRAL ANGLE OF 05°30'24"; 14) ALONG A REVERSE CURVE TO THE LEFT WITH A RADIUS OF 300.00 FEET, AN ARC LENGTH OF 119.91 FEET, THROUGH A CENTRAL ANGLE OF 22°54'03"; AND 15) ALONG A REVERSE CURVE TO THE RIGHT WITH A RADIUS OF 250.00 FEET, AN ARC LENGTH OF 166.18 FEET, THROUGH A CENTRAL ANGLE OF 38°05'11"; THENCE LEAVING SAID EAST LINE OF SAID LEASE REMAINDER SOUTH 81°31'38" EAST 85.43 FEET TO THE MEAN 18 FOOT CONTOUR LINE OF THE WESTERLY BANK OF THE SACRAMENTO RIVER; THENCE ALONG SAID 18 FOOT CONTOUR LINE THE FOLLOWING 7 COURSES; 1) SOUTH 08°28'21" WEST 283.44 FEET; 2) SOUTH 00°26'31" WEST 170.66 FEET; 3) SOUTH 15°59'55" WEST 157.65 FEET; 4) SOUTH 10°26'25" WEST 193.94 FEET; 5) SOUTH 15°30'12" WEST 145.00 FEET; 6) SOUTH 21°38'31" WEST 424.15 FEET; AND 7) SOUTH 23°39'16" WEST 270.00 FEET;

THENCE LEAVING SAID 18 FOOT CONTOUR NORTH 71°35'54" WEST 67.37 FEET TO THE POINT OF BEGINNING. CONTAINING 3.074 ACRES.

EXCEPTING THEREFROM THAT PORTION THEREOF LYING WITHIN THE BOUNDARIES OF THAT CERTAIN PARCEL ENTITLED "GENERAL LEASE - COMMERCIAL USE" DESIGNATED PRC 6002.1, APPROVED BY THE STATE LANDS COMMISSION ON DECEMBER 17, 1981, EXECUTED MARCH 18, 1982, AS SUBSEQUENTLY AMENDED AT VARIOUS TIMES.

THE BASIS OF BEARINGS OF THIS DESCRIPTION IS CITY OF WEST SACRAMENTO MONUMENTS A14-01 AND A13-T1, BASED ON NORTH AMERICAN DATUM 1983, CALIFORNIA HIGH PRECISION GEODETIC NETWORK 1992, CALIFORNIA STATE COORDINATE SYSTEM ZONE 2.



ETP. 6/30/2000

### LEASE PARCEL 3

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF WEST SACRAMENTO, COUNTY OF YOLO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

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250.00 FEET, AN ARC LENGTH OF 166.18 FEET, THROUGH A CENTRAL ANGLE OF 38°05'11", SAID CURVE BEING SUBTENDED BY A CHORD BEARING SOUTH 10°17'44" WEST 163.14 FEET; 2) ALONG A REVERSE CURVE TO THE RIGHT WITH A RADIUS OF 300.00 FEET, AN ARC LENGTH OF 119.91 FEET, THROUGH A CENTRAL ANGLE OF 22°54'03"; 3) ALONG A REVERSE CURVE TO THE LEFT WITH A RADIUS OF 500.00 FEET, AN ARC LENGTH OF 48.05 FEET, THROUGH A CENTRAL ANGLE OF 05°30'24"; 4) SOUTH 08°38'48" WEST 167.36 FEET; 5) ALONG A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 150.00 FEET, AN ARC LENGTH OF 44.45 FEET, THROUGH A CENTRAL ANGLE OF 16°58'43"; 6) ALONG A REVERSE CURVE TO THE LEFT WITH A RADIUS OF 250.00 FEET, AN ARC LENGTH OF 234.58 FEET, THROUGH A CENTRAL ANGLE OF 30°50'38"; 7) ALONG A REVERSE CURVE TO THE RIGHT WITH A RADIUS OF 175.00 FEET, AN ARC LENGTH OF 87.29 FEET, THROUGH A CENTRAL ANGLE OF 28°34'43"; 8) ALONG A REVERSE CURVE TO THE LEFT WITH A RADIUS OF 150.00 FEET, AN ARC LENGTH OF 51.74 FEET, THROUGH A CENTRAL ANGLE OF 19°45'43"; 9) ALONG A REVERSE CURVE TO THE RIGHT WITH A RADIUS OF 400.00 FEET, AN ARC LENGTH OF 109.20 FEET, THROUGH A CENTRAL ANGLE OF 15°38'28"; 10) SOUTH 19°14'21" WEST 128.17 FEET; 11) ALONG A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 1000.00 FEET, AN ARC LENGTH OF 73.75 FEET, THROUGH A CENTRAL ANGLE OF 04°13'32"; 12) ALONG A REVERSE CURVE TO THE LEFT WITH A RADIUS OF 1000.00 FEET, AN ARC LENGTH OF 191.42 FEET, THROUGH A CENTRAL ANGLE OF 10°58'03"; 13) SOUTH 12°29'50" WEST 95.18 FEET; 14) ALONG A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 400.00 FEET, AN ARC LENGTH OF 181.51 FEET, THROUGH A CENTRAL ANGLE OF 25°59'58"; AND 15) SOUTH 38°29'48" WEST 40.60 FEET; THENCE NORTH 71°35'54" WEST 6.16 FEET TO THE POINT OF BEGINNING. CONTAINING 1.815 ACRES.

EXCEPTING THEREFROM THAT PORTION THEREOF LYING WITHIN THE BOUNDARIES OF THAT CERTAIN PARCEL ENTITLED "GENERAL LEASE - COMMERCIAL USE" DESIGNATED PRC 6002.1, APPROVED BY THE STATE LANDS COMMISSION ON DECEMBER 17, 1981, EXECUTED MARCH 18, 1982, AS SUBSEQUENTLY AMENDED AT VARIOUS TIMES.

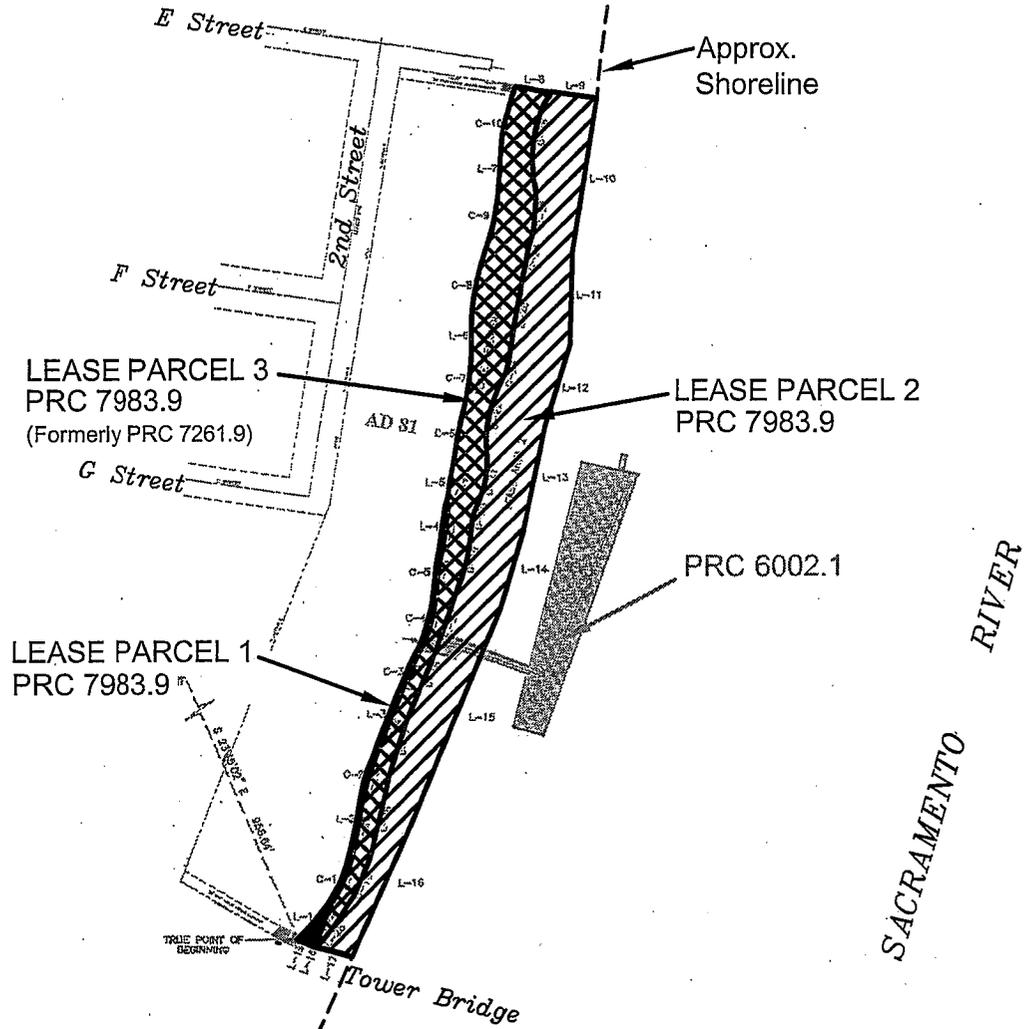
THE BASIS OF BEARINGS OF THIS DESCRIPTION IS CITY OF WEST SACRAMENTO MONUMENTS A14-01 AND A13-T1, BASED ON NORTH AMERICAN DATUM 1983, CALIFORNIA HIGH PRECISION GEODETIC NETWORK 1992, CALIFORNIA STATE COORDINATE SYSTEM ZONE 2.



649. 6/30/2000

NO SCALE

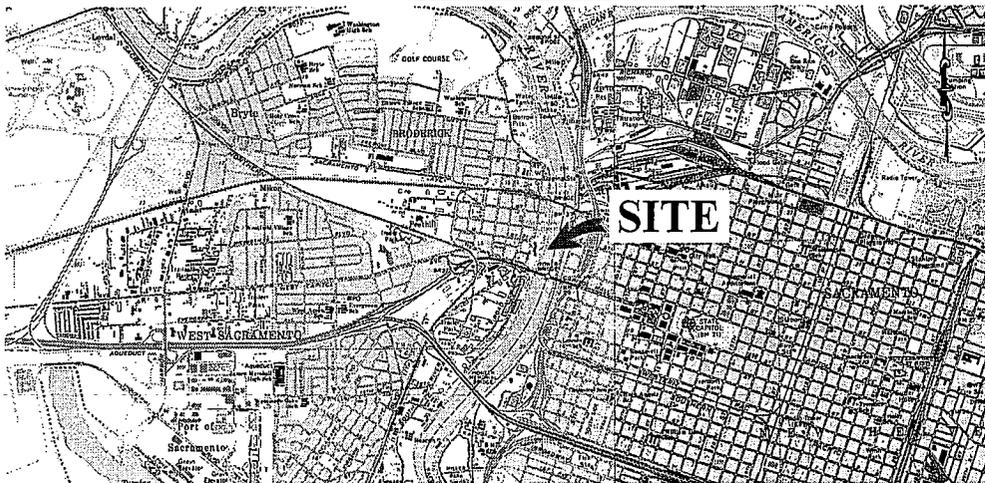
# SITE



651 WATERFRONT PLACE, WEST SACRAMENTO

NO SCALE

# LOCATION



MAP SOURCE: USGS QUAD

# Exhibit B

PRC 7983.9  
CITY OF WEST SACRAMENTO  
APNs 10-422-10, -13 &  
10-473-05, -08, -19  
GENERAL LEASE -  
PUBLIC AGENCY USE  
YOLO COUNTY



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.

TS 03/25/13