

**CALENDAR ITEM  
C11**

A 7  
S 6

06/21/13  
PRC 5347.1  
V. Caldwell

**GENERAL LEASE – RECREATIONAL USE**

**APPLICANT:**

Olympia Mortgage Fund, LLC

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

Sovereign land in the Sacramento River, adjacent to 3083 Garden Highway, near the city of Sacramento, Sacramento County.

**AUTHORIZED USE:**

Continued use and maintenance of two existing three-pile wood dolphins and two wood pilings.

**LEASE TERM:**

10 years beginning March 2, 2011.

**CONSIDERATION:**

\$156 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

**SPECIFIC LEASE PROVISIONS:**

Liability insurance in an amount no less than \$1,000,000 per occurrence.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the upland adjoining the lease premises.
2. On June 26, 1977, the Commission authorized a 10-year General Lease-Recreational Use to Don H. Morgan and Ava V. Morgan for the use and maintenance of a floating boathouse and residence. The lease expired on April 27, 1987. After expiration, staff attempted to bring the owners under lease. However, the property transferred several times and eventually the facilities were removed except the dolphins and wood pilings. On March 2, 2011, the upland property was acquired by a Deed-in-Lieu of Foreclosure in the name of Olympia Mortgage Funds, LLC.

CALENDAR ITEM NO. **C11** (CONT'D)

3. The Applicant is now applying for a new General Lease – Recreational Use for the use of the Sacramento River for the remaining dolphins and pilings. The upland parcel is a vacant lot, and the Applicant will continue to hold the upland property for a future sale and proposed future dock facility using the existing pilings and dolphins.
4. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (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.

5. 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:**

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).

**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.

CALENDAR ITEM NO. **C11** (CONT'D)

**AUTHORIZATION:**

Authorize issuance of a General Lease – Recreational Use to Olympia Mortgage Fund, LLC, beginning March 2, 2011, for a term of 10 years, for the continued use and maintenance of two existing three-pile wood dolphins and two wood pilings as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$156 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; and liability insurance in an amount no less than \$1,000,000 per occurrence.

**EXHIBIT A**

**PRC 5347.1**

**LAND DESCRIPTION**

A parcel of tide and submerged land situate in the bed of the Sacramento River, lying adjacent to Swamp and Overflowed Land Survey 284, certificate of purchase dated March 12, 1860, County of Sacramento, State of California and more particularly described as follows:

All those lands underlying two existing 3-pile wood dolphins and two wood pilings lying adjacent to that parcel described in Deed-in-Lieu of Foreclosure, recorded March 2, 2011 in Book 20110302 at Page 0802 in Official Records of said County.

Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

Prepared 04/02/13 by the California State Lands Commission Boundary Unit

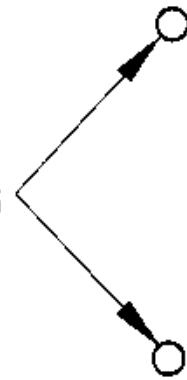


SACRAMENTO RIVER

EXISTING  
3-PILE WOOD  
DOLPHIN



EXISTING  
WOOD  
PILINGS



EXISTING  
3-PILE WOOD  
DOLPHIN



APPROX.  
SHORELINE

APN 225-0200-012



### EXHIBIT A

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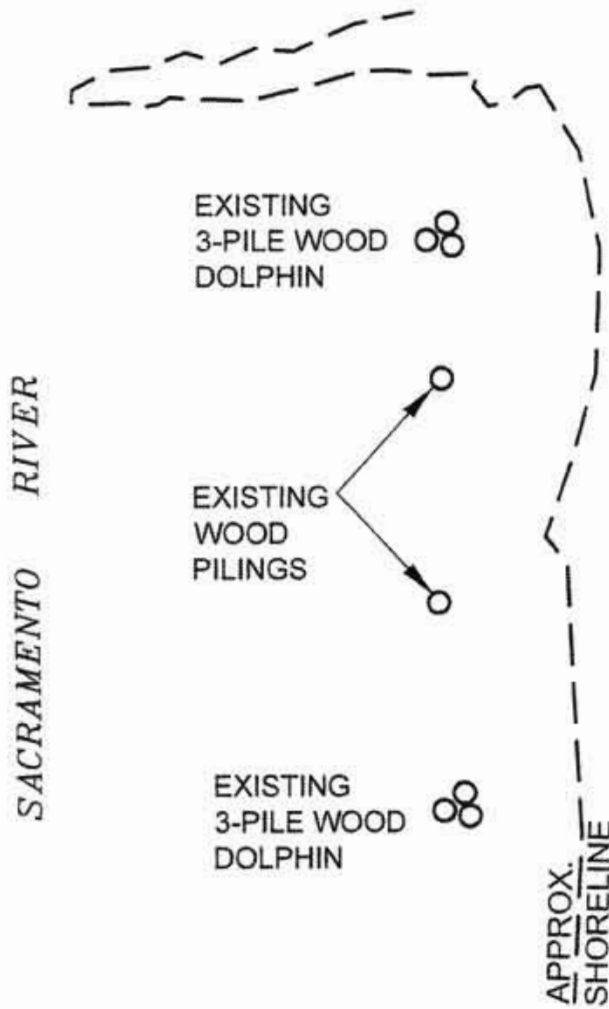
LAND DESCRIPTION PLAT  
PRC 5347.1, OLYMPIA MORTGAGE  
FUNDS, LLC  
SACRAMENTO COUNTY

CALIFORNIA STATE  
LANDS COMMISSION



NO SCALE

### SITE



APN 225-0200-012

3083 GARDEN HIGHWAY, SACRAMENTO

NO SCALE

### LOCATION



MAP SOURCE: USGS QUAD

### **Exhibit B**

PRC 5347.1  
 OLYMPIA MORTGAGE FUNDS, LLC  
 APN 225-0200-012  
 GENERAL LEASE-RECREATIONAL USE  
 SACRAMENTO 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