

3. 20-YEAR NONCOMMERCIAL LEASE, TIDE AND SUBMERGED LAND IN CORTE MADERA CREEK, MARIN COUNTY; BELARDO CO. - W 20027, PRC 4632.1.

After consideration of Calendar Item 1 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. FINDS THAT, IN ACCORDANCE WITH ENVIRONMENTAL IMPACT REPORT NO. 30 ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, A LEASE AS RECOMMENDED HEREIN WILL NOT HAVE A SIGNIFICANT DETRIMENTAL ENVIRONMENTAL EFFECT.
2. AUTHORIZES THE ISSUANCE TO BELARDO CO. OF A 20-YEAR NONCOMMERCIAL LEASE, FROM SEPTEMBER 1, 1971, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$552, WITH THE STATE RESERVING THE RIGHT TO RESET A REASONABLE RENTAL ON EACH FIFTH ANNIVERSARY; PROVISION OF A \$1000 SURETY BOND, PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$250,000/\$500,000 FOR PERSONAL INJURY AND \$50,000 FOR PROPERTY DAMAGE; FOR THE CONSTRUCTION AND MAINTENANCE OF AN ACCOMMODATION PIER ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 1 (3 pages)

CALENDAR ITEM

11/71
W 20027
EWC

1.

NONCOMMERCIAL LEASE

APPLICANT: Belardo Co.

LOCATION: A 0.082-acre parcel of tide and submerged land in Corte Madera Creek, Marin County.

LAND USE: Construction and maintenance of an accommodation pier.

TERMS: Initial period: 20 years, from September 1, 1971.
Renewal options: 2 additional periods of 10 years each.
Surety bond: \$1,000.
Public liability insurance: \$250,000/\$500,000 for personal injury and \$50,000 for property damage.

CONSIDERATION: \$552 per annum, with the State reserving the right to review and reset a reasonable rental on each fifth anniversary.

BASIS FOR CONSIDERATION:
6% of appraised value of land.

PREREQUISITE ITEMS:
U. S. Army Corps of Engineers permit issued.
Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:
a. Public Resources Code: Div. 6, Parts 1 and 2.
b. Administrative Code: Title 2, Div. 3, Articles 1 and 2 as amended effective May 10, 1969.

OTHER PERTINENT INFORMATION:
An environmental statement has been circulated to agencies and persons with expertise or jurisdiction. No adverse comments have been received. All necessary permits have been issued.

EXHIBITS: A. Land description. B. Location map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT, IN ACCORDANCE WITH ENVIRONMENTAL IMPACT REPORT NO. 30 ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, A LEASE AS RECOMMENDED HEREIN WILL NOT HAVE A SIGNIFICANT DETRIMENTAL ENVIRONMENTAL EFFECT.

CALENDAR ITEM 1. (CONTD.)

2. AUTHORIZE THE ISSUANCE TO BELARDO CO. OF A 20-YEAR NONCOMMERCIAL LEASE, FROM SEPTEMBER 1, 1971, IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$552, WITH THE STATE RESERVING THE RIGHT TO RESET A REASONABLE RENTAL ON EACH FIFTH ANNIVERSARY; PROVISION OF A \$1000 SURETY BOND, PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$250,000/\$500,000 FOR PERSONAL INJURY AND \$50,000 FOR PROPERTY DAMAGE; FOR THE CONSTRUCTION AND MAINTENANCE OF AN ACCOMMODATION PIER ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

A parcel of tide and submerged land in Corte Madera Canal, Marin County, State of California, said parcel described as follows:

BEGINNING at the southwesterly corner of Lot 68, as said Lot is shown on the map of Bon Air Subdivision No. 5 and recorded in Volume 10 of Maps, page 88, Marin County Records, said point of beginning being designated No. 226, and shown on Sheet 10 of the Record of Survey, Corte Madera Creek Flood Control Project, in Book 6 of Surveys, page 42, Marin County Records; thence from said point of beginning S. 16° 00' E., 16.00 feet; S. 74° 00' W., 6.00 feet; S. 16° 00' E., 15.00 feet; N. 74° 00' E., 6.00 feet; S. 16° 00' E., 37.00 feet; N. 74° 00' E., 54.33 feet; N. 6° 04' 20" E., 42.68 feet to the southeasterly corner of Lot 68; thence N. 83° 59' 20" W., 75.90 feet to the point of beginning.