

MINUTE ITEM

4/24/74
SR

5. 10-YEAR NON-COMMERCIAL LEASE, TIDE AND SUBMERGED LAND IN CORTE MADERA CREEK, MARIN COUNTY; BELARDO COMPANY - W 20353, PRC 4898.1.

After consideration of Calendar Item 4 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC SECTION 21085; 14 CAL. ADM. CODE SECTIONS 15100, ET SEQ.; AND 2 CAL. ADM. CODE SECTION 2910.
2. AUTHORIZES THE ISSUANCE TO BELARDO COMPANY OF A 10-YEAR NON-COMMERCIAL LEASE FROM MAY 1, 1974, WITH LESSEE'S OPTION TO RENEW FOR TWO ADDITIONAL PERIODS OF 10 YEARS EACH; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$231.60, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF \$2,000 SURETY BOND AND PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$100,000/\$300,000 FOR PERSONAL INJURY AND \$25,000 FOR PROPERTY DAMAGE; FOR THE CONSTRUCTION AND MAINTENANCE OF A PIER, RAMP AND FLOATING DOCK, ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 4 (3 pages)

CALENDAR ITEM

4.

4/74
SR
W 20353

NON-COMMERCIAL LEASE

APPLICANT: Belardo Company.

AREA, TYPE LAND AND LOCATION:

A .035-acre parcel of tide and submerged land in Corte Madera Creek adjacent to Lot 307, Bon Air Subdivision #8, Marin County.

LAND USE: Construction and maintenance of a pier, ramp and floating dock.

TERMS OF PROPOSED LEASE:

Initial period: 10 years, from May 1, 1974.

Renewal options: 2 additional periods of 10 years each.

Surety bond: \$2,000.

Public liability insurance:

\$100,000/\$300,000 for personal injury and
\$25,000 for property damage.

CONSIDERATION: \$231.60 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

6% of appraised value of land.

PREREQUISITE TERMS:

U. S. Army Corps of Engineers permit issued.

Applicant is lessee or permittee of upland.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Arts. 1, 2 and 10.

OTHER PERTINENT INFORMATION:

Inasmuch as the project will be a floating dock, restricted to non-commercial use, and will occupy less than 3,000 square feet of tide and submerged land including the area of use, it is determined to be categorically exempt from the requirements of CEQA under 2 Cal. Adm. Code Section 2910.

EXHIBITS:

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

CALENDAR ITEM NO. 4. (CONTD)

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC SECTION 21085; 14 CAL. ADM. CODE SECTIONS 15100, ET SEQ.; AND 2 CAL. ADM. CODE SECTION 2910.
2. AUTHORIZE THE ISSUANCE TO BELARDO COMPANY OF A 10-YEAR NON-COMMERCIAL LEASE FROM MAY 1, 1974; WITH LESSEE'S OPTION TO RENEW FOR TWO ADDITIONAL PERIODS OF 10 YEARS EACH; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$231.60, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF \$2,000 SURETY BOND AND PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$100,000/\$300,000 FOR PERSONAL INJURY AND \$25,000 FOR PROPERTY DAMAGE; FOR THE CONSTRUCTION AND MAINTENANCE OF A PIER, RAMP AND FLOATING DOCK, ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 20353

A parcel of tide and submerged land lying in the bed of Corte Madera Canal, situate in the City of Larkspur, County of Marin, State of California, being more particularly described as follows:

BEGINNING at the southwesterly corner of Lot 307, as said Lot is shown on that certain map entitled "MAP OF BON AIR SUB. NO. EIGHT AND RESUBDIVISION OF LOTS 200 AND 201 BON AIR SUB. NO. SEVEN, LARKSPUR, MARIN COUNTY, CALIF.", which map was filed in the office of the County Recorder of the County of Marin, State of California on July 9, 1969, in Volume 14 of Maps at page 56, which point lies in the northerly boundary line of Corte Madera Canal; as said northerly line is described in the Marin County Superior Court Case No. 14851; thence from said point of beginning S 5° 18' 17" W, 21.83 feet; S 79° 00' E, 60.00 feet; N 11° 00' E, 28.24 feet to said northerly boundary line of Corte Madera Canal and the southerly boundary of said Lot 307; thence N 84° 59' 20" W, 62.51 feet along said boundary line to the point of beginning.

This description is based on the California Coordinate System Zone 3.

END OF DESCRIPTION