

MINUTE ITEM

This Calendar Item No. 14
was approved as Minute Item
No. 14 by the State Lands
Commission by a vote of 3
to 0 at its 6-24-76
meeting.

CALENDAR ITEM

14.

6/76
WP 4384
GRH

INDUSTRIAL LEASE

APPLICANT: Maurice J. and Judith R. Koch
P. O. Box 3317
San Rafael, California 94902

AREA, TYPE LAND AND LOCATION: An 0.122 acre parcel of filled tide and submerged land in San Rafael, Marin County.

LAND USE: Vehicular parking and outside storage.

TERMS OF ORIGINAL LEASE:

Initial period: 5 years, from January 1, 1970.

Public liability insurance: \$100,000/300,000 per occurrence for bodily injury and \$50,000 for property damage.

Consideration: \$300 per annum.

Special: Any fill and surfacing placed on the leased land shall become the property of the State upon termination of the lease.

TERMS OF PROPOSED LEASE:

Initial period: 10 years, from January 1, 1976.

Renewal options: 3 successive periods of 10 years each.

Surety bond: \$2,000.

Public liability insurance: \$100,000/\$300,000 per occurrence for bodily injury and \$50,000 for property damage.

CONSIDERATION: \$450 per annum with the State reserving the right to fix a different rental on each fifth anniversary of the Lease.

BASIS FOR CONSIDERATION:

\$450 minimum rental for this type of lease.

STATUTORY AND OTHER REFERENCES:

Applicant is owner of upland.

Filing fee has been received.

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CALENDAR ITEM NO. 14 (CONTD)

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 & 2.
- B. Administrative Code: Title 2, Div. 3,
Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:

1. This site was originally leased to Mrs. Marie McMurray as an adjunct to her light industrial lot in Northgate Industrial Park in San Rafael. Mrs. McMurray notified the Division that she had sold her lot to the subject applicant and requested that her lease be allowed to terminate on December 31, 1975, as per terms of Lease PRC 4384.1. The new owners, Mr. and Mrs. Koch, now wish to lease the site.
2. This project is not situated on State land identified as environmentally significant, pursuant to Public Resources Code 6570.1, and is not classified in a significant use category.
3. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(a), 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.

EXHIBITS: A. Land Description. B. Location Map.

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 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. AUTHORIZE ISSUANCE TO MAURICE J. AND JUDITH R. KOCH OF A 10-YEAR INDUSTRIAL LEASE FROM JANUARY 1, 1976; WITH LESSEE'S OPTION TO RENEW FOR 3 SUCCESSIVE PERIODS OF 10 YEARS EACH; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$450 WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$2,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$100,000/\$300,000 PER OCCURRENCE FOR BODILY INJURY AND \$50,000 FOR PROPERTY DAMAGE; FOR VEHICULAR PARKING AND OUTSIDE STORAGE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A".

EXHIBIT "A"

WP 4384

A parcel of state owned land situate in the City of San Rafael, Marin County, California, said parcel being more particularly described as follows:

BEGINNING at the most southerly corner of Lot 35, as shown upon that certain Map entitled, "Map of Northgate Industrial Park", recorded August 8, 1965, in Map Book 12, at Page 11, Marin County Records; thence N 46° 30' E., 59.10 feet; thence S 43° 30' E, 100.00 feet; thence S 65° 11' 47" W, 62.39 feet; thence N 43° 30' W, 80.00 feet to the point of beginning.

Prepared: *John B. Spring* Checked: *J. K. Zinnecke*
Reviewed: *Donald Brittnacher* Date: *5/19/76*

