

MINUTE ITEM

This Calendar Item No. 17.
was approved as Minute Item
No. 17 by the State Lands
Commission by a vote of 3
to 0 at its 2-28-80
meeting.

CALENDAR ITEM

17.

2/80
WP 3221
Reese
PRC 3221.1

GENERAL LEASE
COMMERCIAL USE

APPLICANT: Marconi Cove Marina, Inc.
79 West Shore Road
Belvedere, California 94920

AREA, TYPE LAND AND LOCATION:
3.40 acre parcel of submerged land in Marconi
Cove on the Northeast side of Tomales Bay,
Marin County.

LAND USE: Commercial Marina.

TERMS OF ORIGINAL LEASE

Initial period: 15 years from December 4,
1964.

Renewal options: Three (3) successive
periods of ten (10) years
each.

Surety bond: \$3000.

Consideration: \$470.81.

TERMS OF PROPOSED AMENDMENT AND RENEWAL:

Initial period: 20 years from December 4,
1979.

Surety bond: \$5,000.

Public liability insurance: Combined single
limit coverage of \$500,000.

CONSIDERATION: \$500 per annum or 5% of gross income per
annum, whichever is greater, with the State
reserving the right to fix a different
rental on each fifth anniversary of the
lease.

PREREQUISITE TERMS:

Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 & 2.

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B. Cal. Adm. Code: Title 2, Div. 3.

OTHER PERTINENT INFORMATION:

1. The original lease is being amended to reflect the following:
 - a. Extend initial 10 year renewal to a 20 year term.
 - b. Inclusion of insurance requirements.
 - c. Rental and surety bond update.
 - d. Generally to bring the original lease format into current leasing policy.
2. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1(B), 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.
3. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class B, which authorizes Limited Use.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. DETERMINE THAT THIS PROJECT IS EXEMPT FROM THE REQUIREMENTS OF ARTICLE 6.5, OF TITLE 2, OF THE CAL. ADM. CODE BECAUSE THIS PROJECT IS NOT A DEVELOPMENT WITHIN THE MEANING OF SECTION 2503, OF TITLE 2, OF THE CAL. ADM. CODE AND SECTION 30105 OF THE P.R.C.
3. FIND THAT APPROVAL OF THE AMENDMENT AND RENEWAL WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.

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4. AUTHORIZE APPROVAL OF A RENEWAL AND AMENDMENT TO MARCONI COVE MARINA, INC. IN THE FORM OF A 20-YEAR GENERAL LEASE - COMMERCIAL USE FROM DECEMBER 4, 1979; IN CONSIDERATION OF A BASE ANNUAL RENT IN THE AMOUNT OF \$500 OR 3% OF GROSS INCOME PER ANNUM, WHICHEVER IS GREATER, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$5000 SURETY BOND; AND PROVISION OF PUBLIC LIABILITY INSURANCE COMBINED SINGLE LIMIT COVERAGE OF \$500,000. FOR A COMMERCIAL MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"

LAND DESCRIPTION

WP 3221

A parcel of submerged land in Marconi Cove on the northeast side of Tomales Bay, Marin County, California; being more particularly described as follows:

BEGINNING at a point on the ordinary low water mark of Tomales Bay which bears S 59° 45' W 78 feet, from a 6-inch iron pipe with concrete plug tagged 1... 2535, said monument being on the north line of the Tomasini Ranch; and shown on a map of "Proposed Harbor Site" prepared by Morgan Noble Engineering and approved by the State Lands Commission on July 9, 1962, said map filed in the State Lands Office under Map No. LPS 370; thence from said point of beginning the following four courses and distances:

- 1. S 32° 40' W, 378.40 feet;
- 2. S 63° 10' E, 90.81 feet;
- 3. S 22° 15' E, 232.98 feet;
- 4. N 59° 45' E, 307.88 feet to the ordinary low water mark station No. 20 of said map approved by the State Lands Commission on July 9, 1962; thence along said ordinary low water mark the following 7 courses and distances:

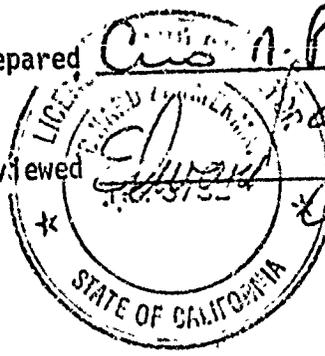
- 5. N 5° 27' 35" W 219.56 feet;
- 6. N 11° 58' 25" W 38.92 feet;
- 7. N 29° 30' 38" W 37.93 feet;
- 8. N 40° 01' 16" W 40.92 feet;
- 9. N 48° 33' 00" W 51.88 feet;
- 10. N 55° 18' 46" W 96.82 feet;
- 11. N 76° 20' 48" W 34.95 feet to the point of beginning.

EXCEPTING THEREFROM any land lying landward of the ordinary low water mark.

END OF DESCRIPTION

Prepared C. A. Paz Checked Rolando C. Paz

Reviewed [Signature] Date 9/21/79



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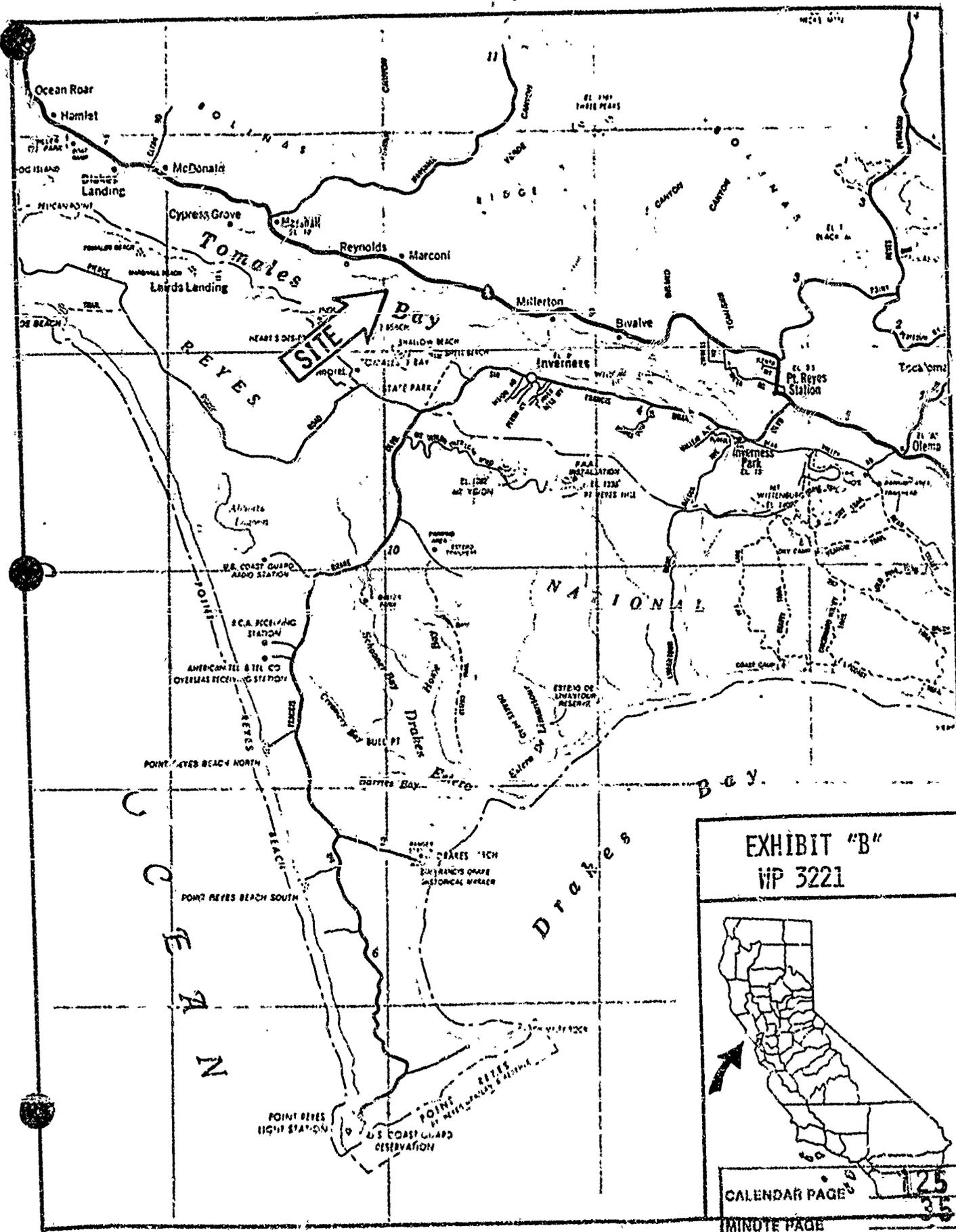


EXHIBIT "B"
VP 3221



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