

MINUTE ITEM

This Calendar Item No. 007
is approved as Minute Item
No. 7 by the State Lands
Commission by a vote of 3
to 0 at its 1/23/84
meeting.

CALENDAR ITEM

007

1/23/83
WP 4898
Reese
PRC 4898

APPROVAL OF TERMINATION OF ORIGINAL
LEASE PRC 4898.1 AND ISSUANCE
OF A GENERAL PERMIT - RECREATIONAL USE

LESSEE: Belardo Company, a Co-Partnership
147 Bon Air Center
Greenbrae, CA 94908

AREA, TYPE LAND AND LOCATION:
An 0.035-acre parcel of tide and submerged
land in Corte Madera Creek, Marin County.

LAND USE: Accommodation small boat facility.

TERMS OF ORIGINAL LEASE:

Initial period: Ten years from May 1,
1974.

Renewal Options: Two successive periods
of ten years each.

Surety bond: \$2,000.

Public liability insurance: \$300,000
per occurrence for bodily
injury and \$25,000 for
property damage.

CONSIDERATION: \$231.60 per annum, five-year rent review.

TERMS OF PROPOSED PERMIT:

Initial period: Twenty years from May 1,
1984.

Surety bond: \$2,000.

Public liability insurance: Combined
single limit coverage
of \$300,000.

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

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:

Applicant is lessee of upland.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. The original lease is being terminated and a replacement lease is being issued to reflect the following:
 - a. Replacement of a Noncommercial Lease with a General Permit - Recreational Use.
 - b. Combination of the two ten-year renewal options.
 - c. Revised description.
 - d. Currently approved permit format.
 - e. Inclusion of upland lease binder in Section 2.
2. Termination and replacement of the State's lease PRC 4898.1 is for administrative purposes only, and does not change or enlarge the estate or use from that granted in the original lease.
3. This activity is exempt from CEQA because it is not a project pursuant to P.R.C. 21065, 14 Cal. Adm. Code 15378.

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4. This activity is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1 and is classified in a use category "C" which authorizes Multiple Use. The activity as proposed will not have a significant effect upon the identified environmental values.

APPROVALS OBTAINED:
N/A.

FURTHER APPROVALS REQUIRED:
N/A.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF CEQA PURSUANT TO 14 CAL. ADM. CODE 15061(b)(1), BECAUSE IT IS NOT A PROJECT AS DEFINED IN P.R.C. 21065, AND 14 CAL. ADM. CODE 15378, AND FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE LAND'S USE CLASSIFICATION PURSUANT TO P.R.C. 6370.1.
2. AUTHORIZE TERMINATION OF ORIGINAL LEASE PRC 4898.1 DATED JUNE 28, 1974, EFFECTIVE APRIL 30, 1984; AND ISSUANCE TO BELARDO COMPANY, A CO-PARTNERSHIP OF A 20-YEAR GENERAL PERMIT - RECREATIONAL USE FROM MAY 1, 1984, 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 PERMIT; PROVISION OF A \$2,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$300,000; FOR AN EXISTING PIER, RAMP AND FLOATING DOCK ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 4898

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

REVIEWED OCTOBER 24, 1983 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.

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EXHIBIT "B"
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