

MINUTE ITEM

This Calendar item No. C06
was approved as Minute Item
No. 6 by the State Lands
Commission by a vote of 2
to 0 at its 6/21/84
meeting.

CALENDAR ITEM

A 9
S 5

C06 1

06/21/84
WP 5211
Reese

APPROVAL OF TERMINATION OF
ORIGINAL LEASE PRC 5211.1 AND
ISSUANCE OF A
GENERAL PERMIT - RECREATIONAL USE

LESSEE: Millbrae Highlands Company,
a co-partnership
147 Bon Air Center
Greenbrae, California 94904

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

LAND USE: Accommodation dock for small boats.

TERMS OF ORIGINAL LEASE:

Initial period: Ten years from October 1,
1974.

Renewal options: Two successive periods of
five years each.

Surety bond: \$3,000.

Public liability insurance: \$300,000/600,000
per occurrence for bodily
injury and \$50,000 for
property damage.

Consideration: \$247.13 per annum; five-year
rent review.

TERMS OF PROPOSED PERMIT:

Initial period: Ten years from October 1,
1984.

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Surety bond: \$3,000.

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

CONSIDERATION: \$247.13 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 owner 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 Non-Commercial Lease
with a General Permit - Recreational Use.
 - b. Combination of the two five-year
renewal options.
 - c. Revised description.
 - d. Currently approved permit format.
2. Termination and Replacement of the State's
Lease PRC 5211.1 is for administrative
purposes only, and does not change or
enlarge the estate or use from that granted
in the original lease.
3. Pursuant to the Commission's delegation of
authority and the State CEQA Guidelines (14
Cal. Adm. Code 15061), the staff has

determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

4. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. AUTHORIZE TERMINATION OF ORIGINAL LEASE PRC 5211.1, DATED FEBRUARY 28, 1977, EFFECTIVE SEPTEMBER 30, 1984, AND ISSUANCE TO MILLBRAE HIGHLANDS COMPANY, A CO-PARTNERSHIP, OF A TEN-YEAR GENERAL PERMIT - RECREATIONAL USE, FROM OCTOBER 1, 1984; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$247.13, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE PERMIT; PROVISION OF A \$3,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$300,000; FOR AN EXISTING PIER AND RAMP ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

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All that real property situated in the State of California, County of Marin, City of Larkspur, more particularly described as follows:

BEGINNING at a point in the northerly boundary line of Corte Madera Canal as described in Superior Court Case #14851, Marin County, and the southerly boundary line of Lot 305, 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 a page 56, which point bears S 84° 59' 20" E, 1.914 feet from the southwesterly corner of said Lot 305; thence from said point of beginning S 12° 30' W, 8.685 feet, S 77° 30' E, 100.00 feet, N 12° 30' E, 21.832 feet to said northerly boundary line of Corte Madera Canal and the southerly boundary line of Lot 306, as said lot is shown on said, "MAP OF BON AIR SUB. NO. EIGHT"; thence along said boundary line of Corte Madera Canal and the southerly boundary line of said Lots 305 and 306 N 84° 59' 20" W 100.86 feet to the point of beginning.

The Meridian used in the above description is that of the California Coordinate System Zone 3. The distances are ground distances.

END OF DESCRIPTION

REVIEWED APRIL 4, 1984 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.

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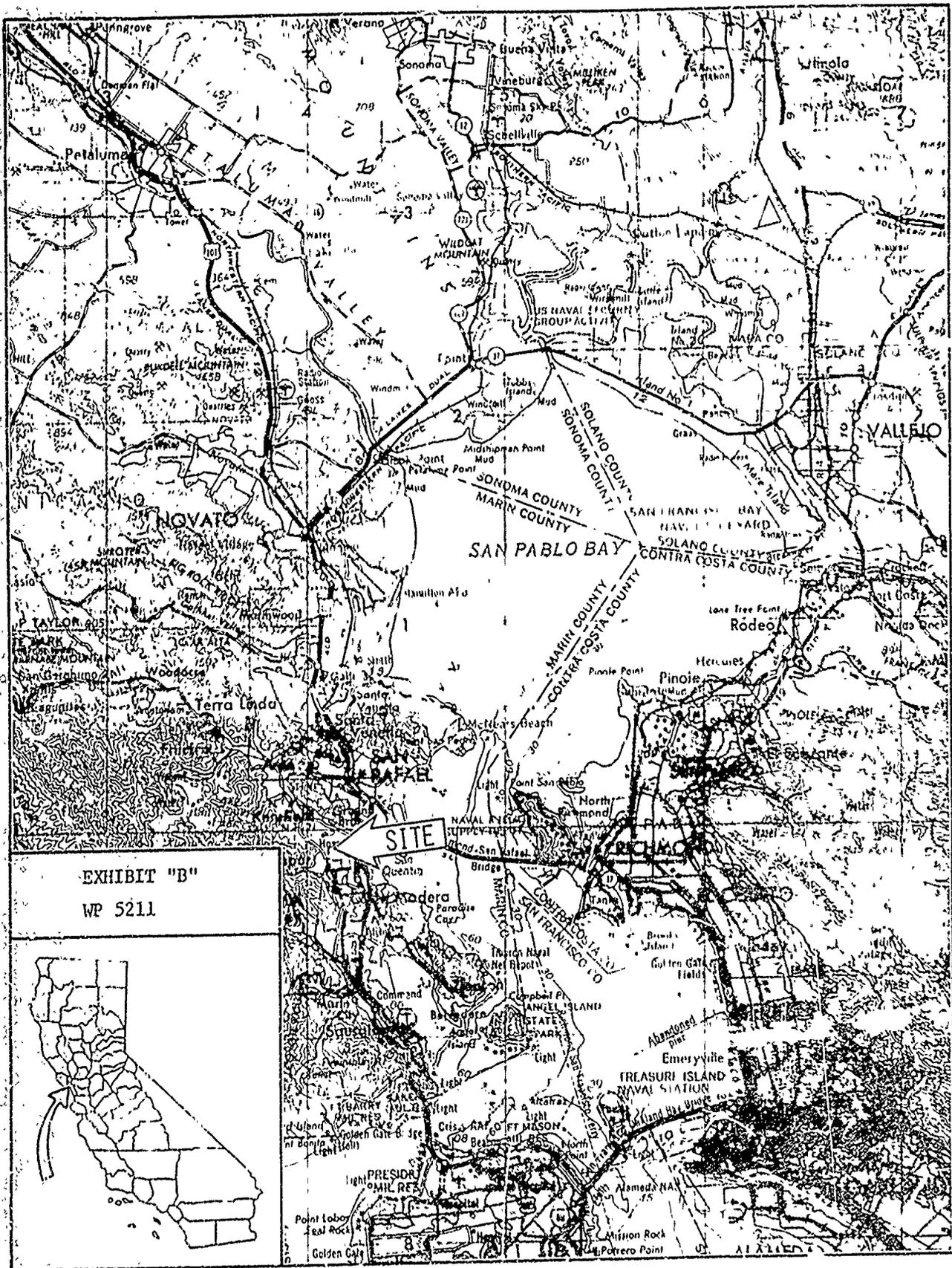


EXHIBIT "B"
WP 5211

