

MINUTE ITEM
This Calendar Item No. 016
was approved as Minute Item
No. 16 by the State Lands
Commission by a vote of 3
to 0 at its 2/6/89
meeting.

CALENDAR ITEM

A 9
S 3

016

02/06/89
PRC 7220
Bancroft

APPROVAL OF ENCUMBRANCING OF LEASE

APPLICANT: David and Karen Kenyon; Edward and Priscilla
Ghirardo; David Smith; Sahara Mobile
Village, Inc.
630 Davidson Street
Novato, California 94945

SECURED-PARTY LENDER:
Security Pacific National Bank
1 Embarcadero Center
San Francisco, California 94111

BACKGROUND:

On June 30, 1988, the State Lands Commission approved the issuance of a General Lease - Right-of-Way Use, covering a 1.40-acre parcel of sovereign tide and submerged land in Novato Creek, City of Novato, Marin County, for the construction and maintenance of a Bridge over Novato Creek to serve Golden Gate Business Park to be constructed on the upland.

CURRENT SITUATION:

Lessee has applied to Security Pacific National Bank for a loan to payoff an existing \$2,000,000 loan and finance the construction of Golden Gate Business Park to be located on the upland. As a condition for the loan, Security Pacific National Bank has requested that they be named as a secured-party lender under the subject lease.

AB 884: N/A

CALENDAR ITEM NO. C 16 (CONT'D)

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 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. Code Regs. 15378.

2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. but will not affect those significant lands.

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. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.
2. AUTHORIZE THE AGREEMENT AND CONSENT TO ENCUMBRANCING OF LESSEE'S RIGHTS, TITLE AND INTERESTS IN LEASE PRC 7220 IN FAVOR OF SECURITY PACIFIC NATIONAL BANK FOR THE PURPOSE OF OBTAINING A LOAN TO PAYOFF AN EXISTING LOAN AND TO PROVIDE CONSTRUCTION FUNDING FOR GOLDEN GATE BUSINESS PARK TO BE LOCATED ON THE UPLAND.

EXHIBIT "A"

LAND DESCRIPTION

PARCEL 1

Being a portion of the area described in deed to the State of California by Ronald F. Antonioli & Pamela Antonioli

Beginning at a point on the Northerly line of the parcel conveyed by Ronald F. Antonioli & Pamela Antonioli to the State of California June 29, 1984, recorded July 3, 1984, Recorder's Serial Number 84 032105 Marin County California, said point being S 77°23'00"E 609.17 feet from the Northwest corner of said parcel;

THENCE along said Northerly line S 77°23'00"E 160.00 feet;

THENCE leaving said Northerly line S 12°37'00"W 85.00 feet;

THENCE N 77°23'00"W 50.00 feet;

THENCE S 12°37'00"W 150.00 feet to the Southerly line of said parcel conveyed to the State of California (84 032105);

THENCE along said Southerly line N 77°23'00" W 60.00 feet;

THENCE leaving said Southerly line N 12°37'00"E 150.00 feet;

THENCE N 77°23'00"W 50.00 feet;

THENCE N 12°37'00"E 85.00 feet to the point of beginning

PARCEL 2

Together with a temporary construction easement described as follows:

Beginning at a point on the Northerly line of the parcel conveyed by Ronald F. Antonioli & Pamela Antonioli to the State of California June 29, 1984, recorded July 3, 1984, Recorder Serial Number 84 032105, Marin County California, said point being S 77°23'00"E 559.17 feet from the Northwest corner of said parcel;

THENCE along said Northerly line S 77°23'00"E 260.00 feet;

THENCE leaving said Northerly line, S 12°37'00"W 235.00 feet to the Southerly line of said parcel conveyed to the State of California (84 032105);

THENCE along said Southerly line N 77°23'00"W 260.00 feet;

THENCE leaving said Southerly line N 12°37'00"E 235.00 feet to the point of beginning.

Said construction easement to terminate ninety (90) days following the filing of Notice of Completion of Bridge Construction.

EXCEPTING THEREFROM any portion lying within Parcel 1 above.

END OF DESCRIPTION

REVIEWED JUNE 17, 1988 BY BIJ 1.

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