MINUTE ITEM
This Calendar Item No. C39
was approved as Minute Item
No. 39 by the State Lands
Commission by a vote of 3
to 0 at its 02/12/97
meeting.

CALENDAR ITEM
C39

A 6

S 3

02/12/97
PRC 7077 WP 7077.9
J. Lam

GENERAL LEASE - PROTECTIVE STRUCTURE USE

LESSEE:

Peggy Homestead Trust
c/o James M. Schlecht, Trustee
801 Tahquitz Canyon Way, Suite 100
Palm Springs, California 92263-2744

AREA, LAND TYPE, AND LOCATION:

0.06 acres, more or less, of sovereign lands in Richardson Bay, city of Belvedere, Marin County.

AUTHORIZED USE:

Use and maintenance of existing riprap revetment for shoreline protection.

LEASE TERM:

Ten years, beginning March 1, 1997.

CONSIDERATION:

The public health and safety, with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance: Combined single limit coverage of $500,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises.

2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities. Title 2, California Code of Regulations, Section 2905 (a) (2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

3. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 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

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a) (2).

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO PEGGY HOMESTEAD TRUST, C/O JAMES M. SCHLECHT, TRUSTEE, OF A TEN-YEAR GENERAL LEASE - PROTECTIVE STRUCTURE USE, BEGINNING MARCH 1, 1997, IN CONSIDERATION OF THE PUBLIC HEALTH AND SAFETY, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY

RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $500,000; FOR THE USE AND MAINTENANCE OF EXISTING RIPRAP REVETMENT FOR SHORELINE PROTECTION AS SHOWN AND LOCATED ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT A

WP 7077

LAND DESCRIPTION

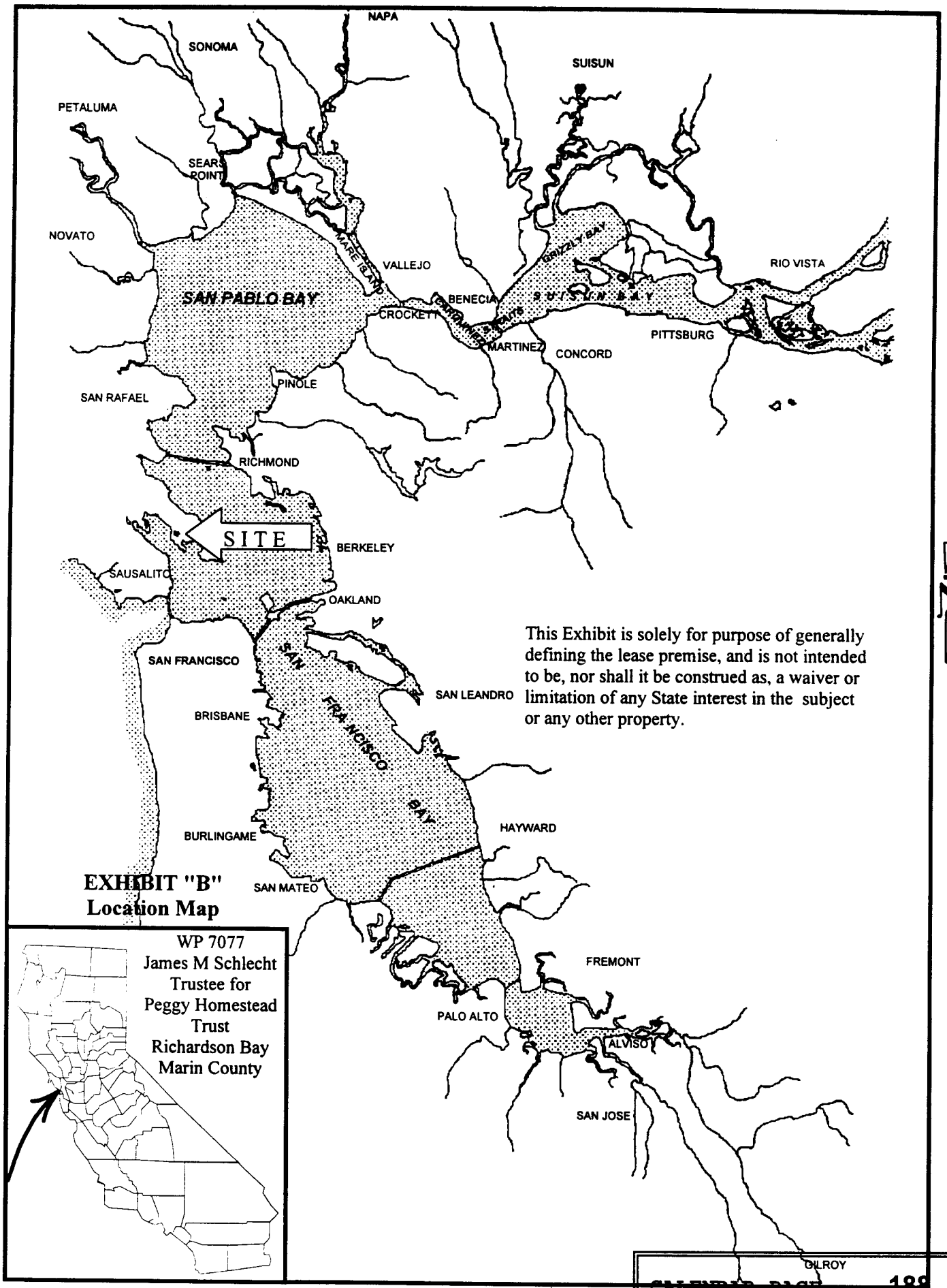
A parcel of tide and submerged land in the City of Belvedere, Marin County, California, more directly described as follows:

BEGINNING; at a point in the southwesterly line of the lands conveyed by the Quit Claim Deed from Jerry Ganz to Peggy Homestead Trust, James M. Schlecht, Trustee, which point is the most westerly corner of Lot 21, Block "A" as shown on that certain map entitled "Map of Resubdivision of Part of the City of Belvedere", recorded February 20, 1937 in Book 5 of Maps at page 68, Marin County Records; running thence from said point of beginning along the southwesterly line of said Lot 21, S 47° 15' E, 28.00 feet; thence S 37° 30' E, 75.377 feet to the most southerly corner of the aforesaid Quit Claim Deed to Peggy Homestead Trust ; thence leaving said line and running S 37° 52' W, 6.00 feet; thence N 51° 41' W, 89.15 feet; thence N 45° 00' W, 34.95 feet; and N 37° 52' E, 24.35 feet to a point in the southwesterly line of Lot 20, Block "A" map above mentioned, which point is the most westerly corner of the aforesaid Peggy Homestead Trust; thence along the southwesterly line of said Lot 20, S 47° 15' E, 23.086 feet to the true point of beginning.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark.

END OF DESCRIPTION

REVISED SEPT 10, 1996 BY SFBCC



This Exhibit is solely for purpose of generally defining the lease premise, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

EXHIBIT "B"
Location Map