

**CALENDAR ITEM**

**C58**

A 10

09/20/13

S 2

PRC 4900.1

D. Simpkin

**GENERAL LEASE – RECREATIONAL USE**

**LESSEE:**

Eliseo Cove Homeowners Association

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in Corte Madera Creek, adjacent to 655 South Eliseo Drive, near Greenbrae, Marin County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing boat dock, access ramp, and two concrete deadmen.

**LEASE TERM:**

10 years, beginning October 1, 2013.

**CONSIDERATION:**

\$136 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

**SPECIFIC LEASE PROVISIONS:**

Liability insurance in the amount of no less than \$1,000,000 per occurrence.

**OTHER PERTINENT INFORMATION:**

1. Lessee is an unincorporated association comprised of homeowners of the adjacent upland condominium.
2. On February 2, 2004, the Commission authorized a Recreational Pier Lease with the Lessee. That lease will expire on September 30, 2013. The Lessee is now applying for a new General Lease – Recreational Use.
3. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1,

CALENDAR ITEM NO. **C58** (CONT'D)

Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

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

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. 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. Site and Location Map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

**SIGNIFICANT LANDS INVENTORY FINDING:**

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

**AUTHORIZATION:**

Authorize issuance of a General Lease – Recreational Use to the Eliseo Cove Homeowners Association beginning October 1, 2013, for a term of 10 years, for the continued use and maintenance of an existing boat dock, access ramp and two concrete deadmen as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$136 with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; and liability insurance with coverage of no less than \$1,000,000 per occurrence.

## **EXHIBIT A**

**PRC 4900.1**

### **LAND DESCRIPTION**

A parcel of tide and submerged land situate in the bed of the Corte Madera Canal, lying adjacent to filled and sold BTLC Lot 30, Section 9, T.1N., R.6W., MDM, Marin County, State of California and more particularly described as follows:

All those lands underlying the existing boat dock, ramp, bridge and two concrete deadmen with two wire cables, lying adjacent to Lot 71, as shown on that Map of "BON AIR SUB. NO. FIVE" recorded November 10, 1960 in Volume 10 of Maps at Page 88 in Official Records of said County.

TOGETHER WITH a 10' impact area.

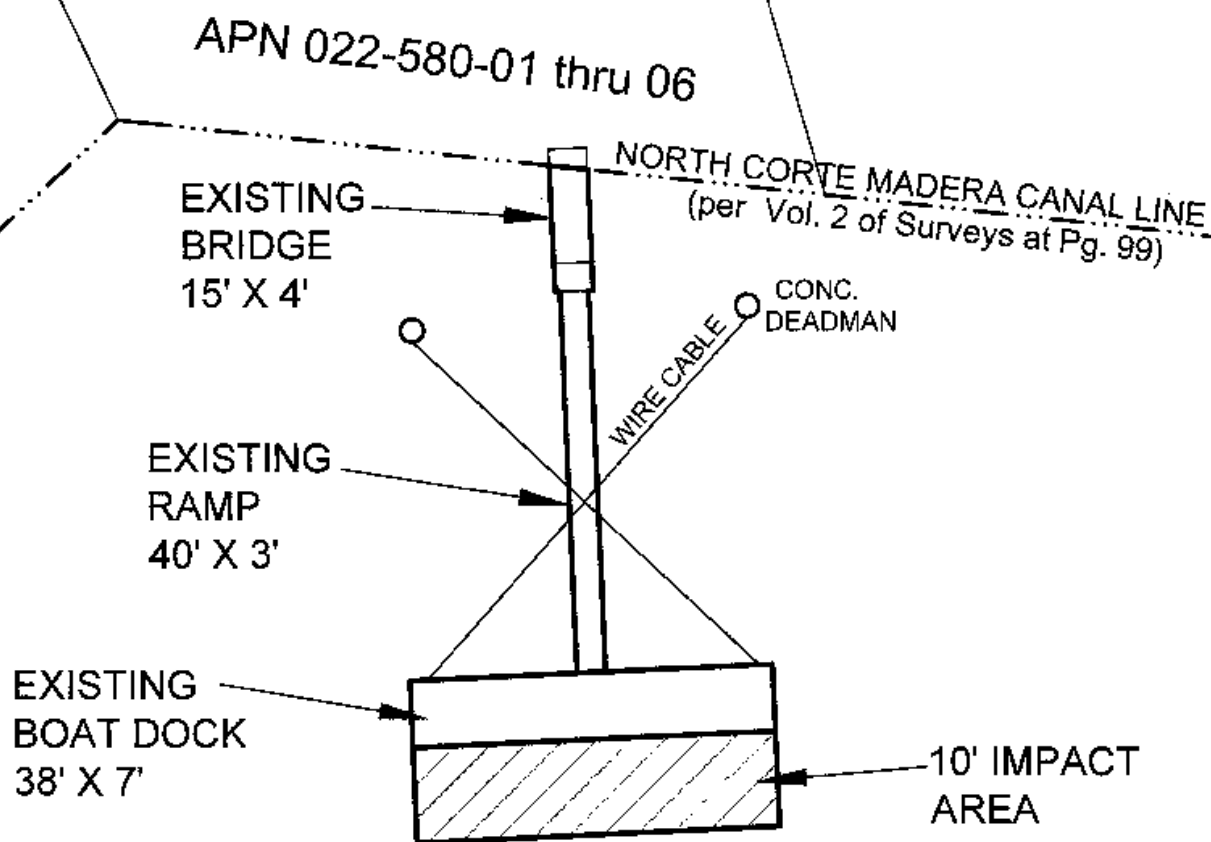
EXCEPTING THEREFROM any portion lying landward of the NORTH CORTE MADERA CANAL LINE of the left bank of said canal as shown on "Plat of CORTE MADERA ARK SITES", filed June 26, 1942 in Volume 2 of Surveys at Page 99, Marin County Records.

Accompanying plat is hereby made part of this description.

### **END OF DESCRIPTION**

Prepared 06/20/13 by the California State Lands Commission Boundary Unit





*CORTE MADERA CANAL*

## EXHIBIT A

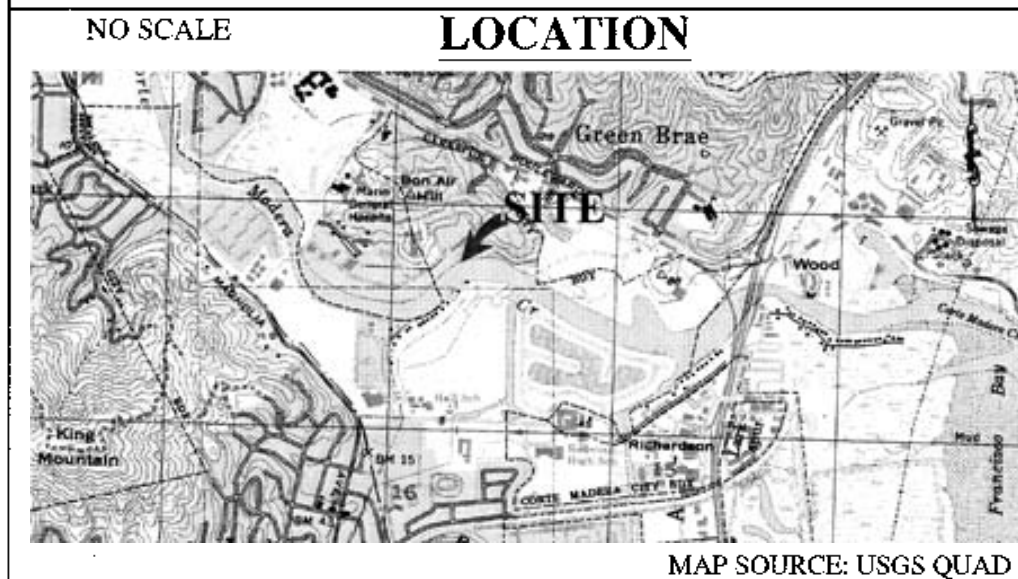
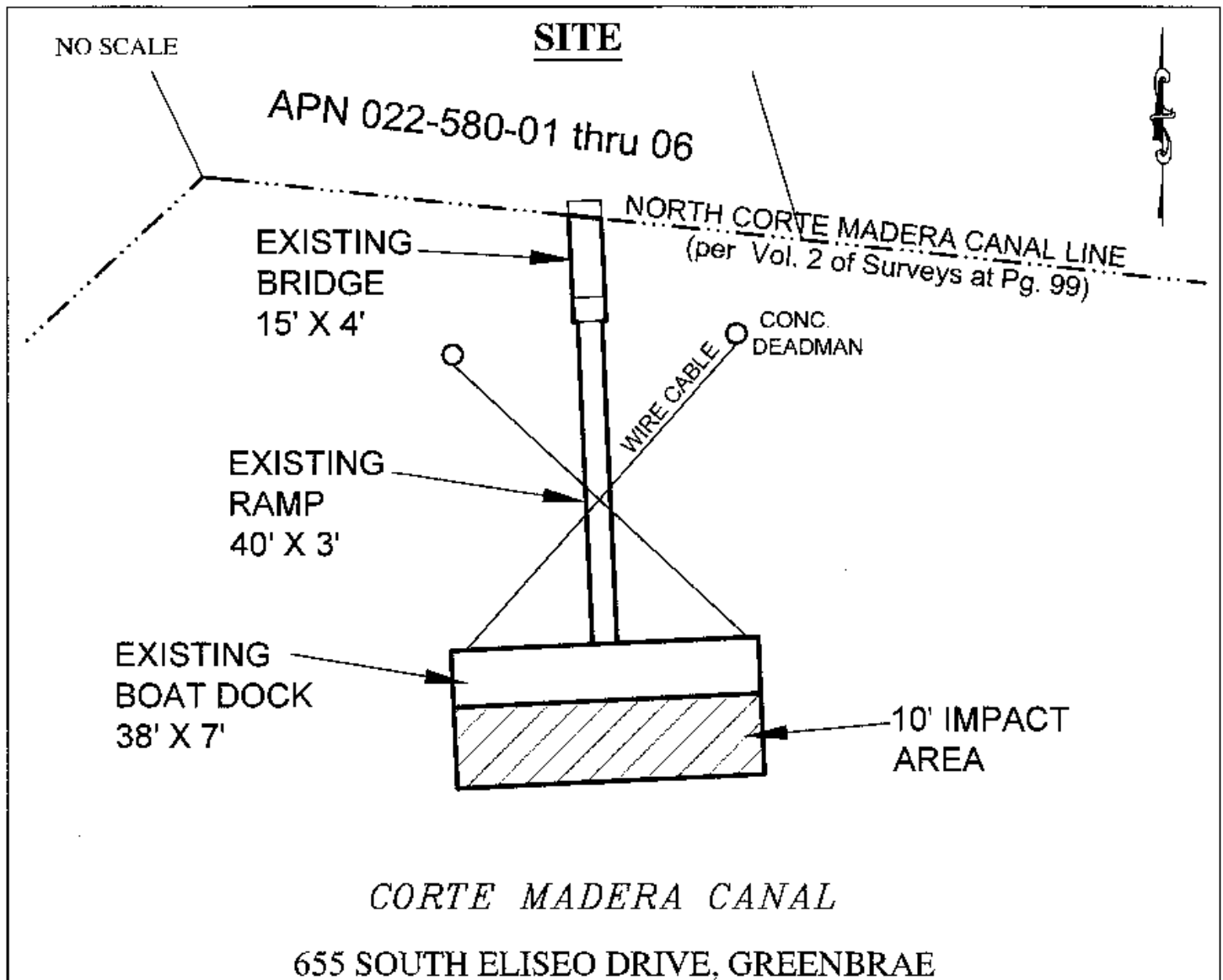
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LAND DESCRIPTION PLAT  
PRC 4900.1, ELISEO COVE HOA  
MARIN COUNTY

CALIFORNIA STATE  
LANDS COMMISSION





This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties 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**

PRC 4900.1

ELISEO COVE HOA

APN 022-580-01 thru 06

GENERAL LEASE -  
RECREATIONAL USE

MARIN COUNTY

