

**CALENDAR ITEM
C19**

A 10
S 2

12/17/14
PRC 8435.1
G. Asimakopoulos

GENERAL LEASE – RECREATIONAL USE

APPLICANTS:

Kim Desenberg and Anna Desenberg, Trustees of the Desenberg Trust dated June 22, 2002

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Tomales Bay, adjacent to 12884 Sir Francis Drake Boulevard, near Inverness, Marin County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier with platform, ramp, floating boat dock, and four pilings.

LEASE TERM:

10 years, beginning June 22, 2012.

CONSIDERATION:

\$186 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

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

OTHER PERTINENT INFORMATION:

1. Applicants own the upland adjoining the lease premises.
2. On December 16, 2002, the Commission authorized a 10-year Recreational Pier Lease with Kim Desenberg and Anna Desenberg, Trustees of the Desenberg Trust dated June 22, 2002. The lease expired on June 21, 2012. The Applicants are now applying for a 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,

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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 Kim Desenberg and Anna Desenberg, Trustees of the Desenberg Trust dated June 22, 2002, beginning June 22, 2012, for a term of 10 years, for the continued use and maintenance of an existing pier with platform, ramp, floating boat dock, and four pilings, 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 \$186, with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 8435.1

LAND DESCRIPTION

Two parcels of submerged land situate in the bed of Tomales Bay, City of Inverness, lying adjacent to Rancho Punta de Los Reyes, patented June 4, 1860, Marin County, State of California and more particularly described as follows:

Parcel 1

All those lands underlying an existing floating boat dock, ramp, pier, platform and four pilings lying adjacent to that parcel as described in Exhibit "A" of Deed of Realty in Trust, recorded July 31, 2002 in Document Number 2002-0066636 in Official Records of said County.

Parcel 2

All those lands underlying an existing piling adjacent to that parcel as described in Exhibit "A" of Deed of Realty in Trust, recorded July 31, 2002 in Document Number 2002-0066636 in Official Records of said County.

EXCEPTING THEREFROM any portion lying landward of the low water mark of said Tomales Bay.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 10/29/14 by the California State Lands Commission Boundary Unit



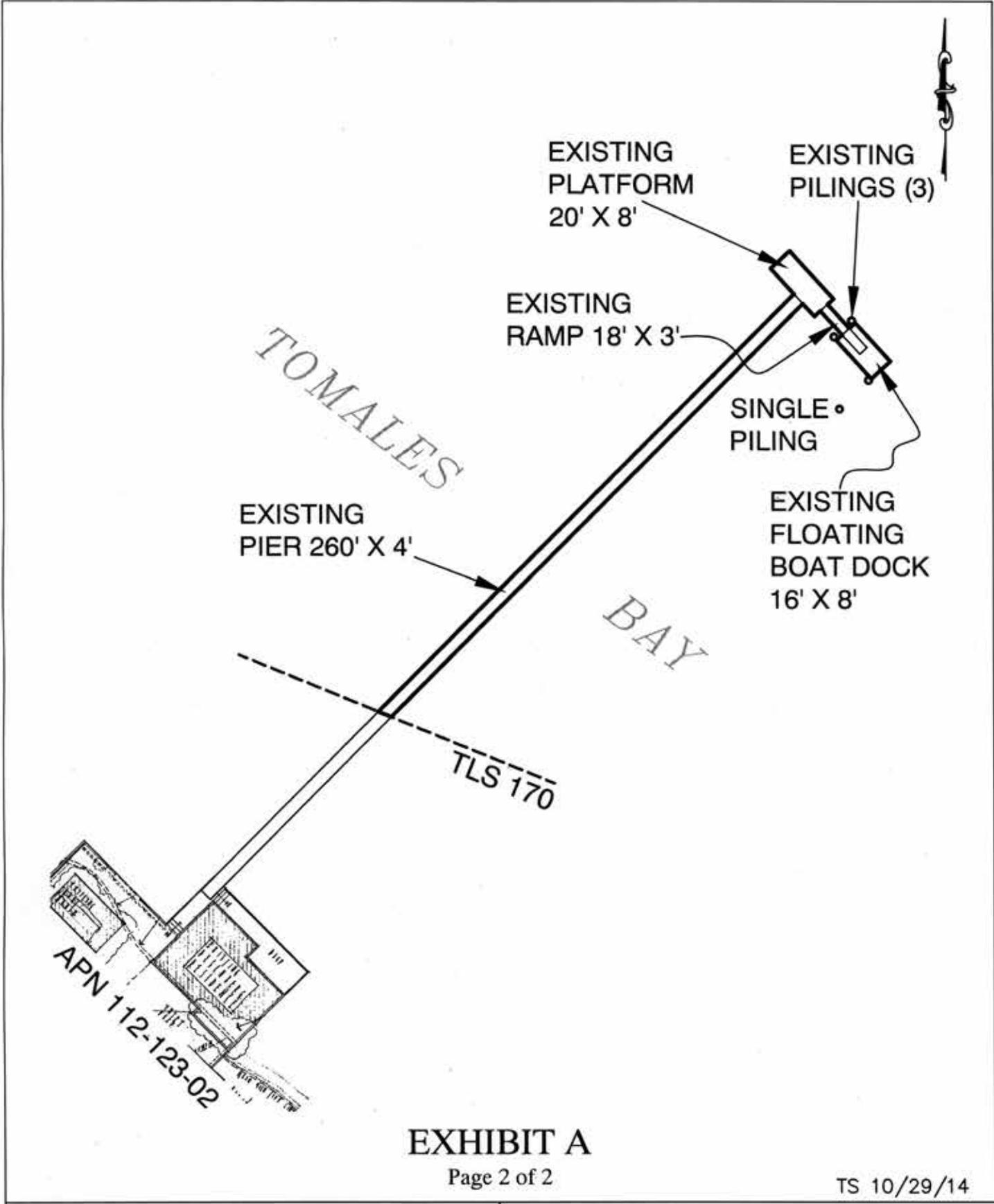
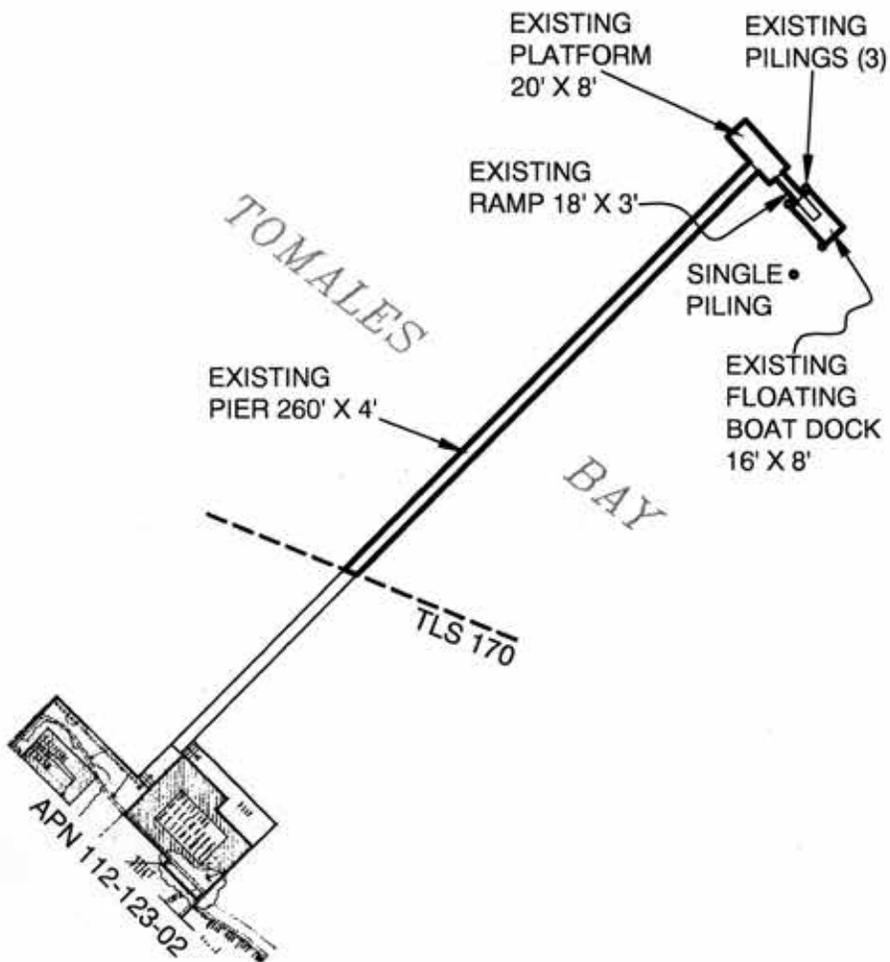


EXHIBIT A

NO SCALE

SITE



12884 SIR FRANCIS DRAKE BLVD., INVERNESS

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 8435.1
 DESEMBERG TRUST
 APN 112-123-02
 GENERAL LEASE -
 RECREATIONAL USE
 MARIN COUNTY



TS 10/29/14

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.