

**CALENDAR ITEM
C32**

A 10
S 2

12/17/14
PRC 4632.1
D. Simpkin

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Bel West, L.P.

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Corte Madera Creek, adjacent to 599 South Eliseo Drive, near Greenbrae, Marin County.

AUTHORIZED USE:

Use and maintenance of an existing walkway, boat dock and cables.

LEASE TERM:

10 years, beginning December 17, 2014.

CONSIDERATION:

\$305 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. Applicant owns the upland adjoining the lease premises.
2. On November 5, 1991, the Commission authorized issuance of Lease No. PRC 4632.1, a General Lease – Recreational Use, to Belardo Co., for a period of 10 years, for use and maintenance of an existing accommodation pier. The lease expired on August 31, 2001. Ownership of the upland was deeded to Bel West, L.P. on May 23, 2011. The Applicant is 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,

CALENDAR ITEM NO. **C32** (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 Bel West, L.P. beginning December 17, 2014, for a term of 10 years, for the use and maintenance of an existing walkway, boat dock and cables 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 \$305, with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 4632.1

LAND DESCRIPTION

A parcel of tide and submerged land situate in the bed of the Corte Madera Creek, County of Marin, State of California, and being more particularly described as follows:

BEGINNING at point at the southwesterly corner of Lot 68, as said Lot is shown on the "Map of Bon Air Sub. No. Five" recorded in Vol. 10 of Maps, Page 88, Marin County records, said point is on the northerly boundary line of the Corte Madera Canal as described in Superior Court Case No. 14851, filed November 7, 1945 in Book 25, Page 8 of Judgments, Marin County; thence from said point of beginning, South 16°00' East 54.00 feet; thence North 74°00' East 60.01 feet; thence North 06°04'20" East 27.57 feet to the southeasterly corner of said Lot 68 and point on said northerly boundary line; thence along said northerly boundary line and southerly boundary of said Lot 68, North 83°59'20" West 75.90 feet to the point of beginning.

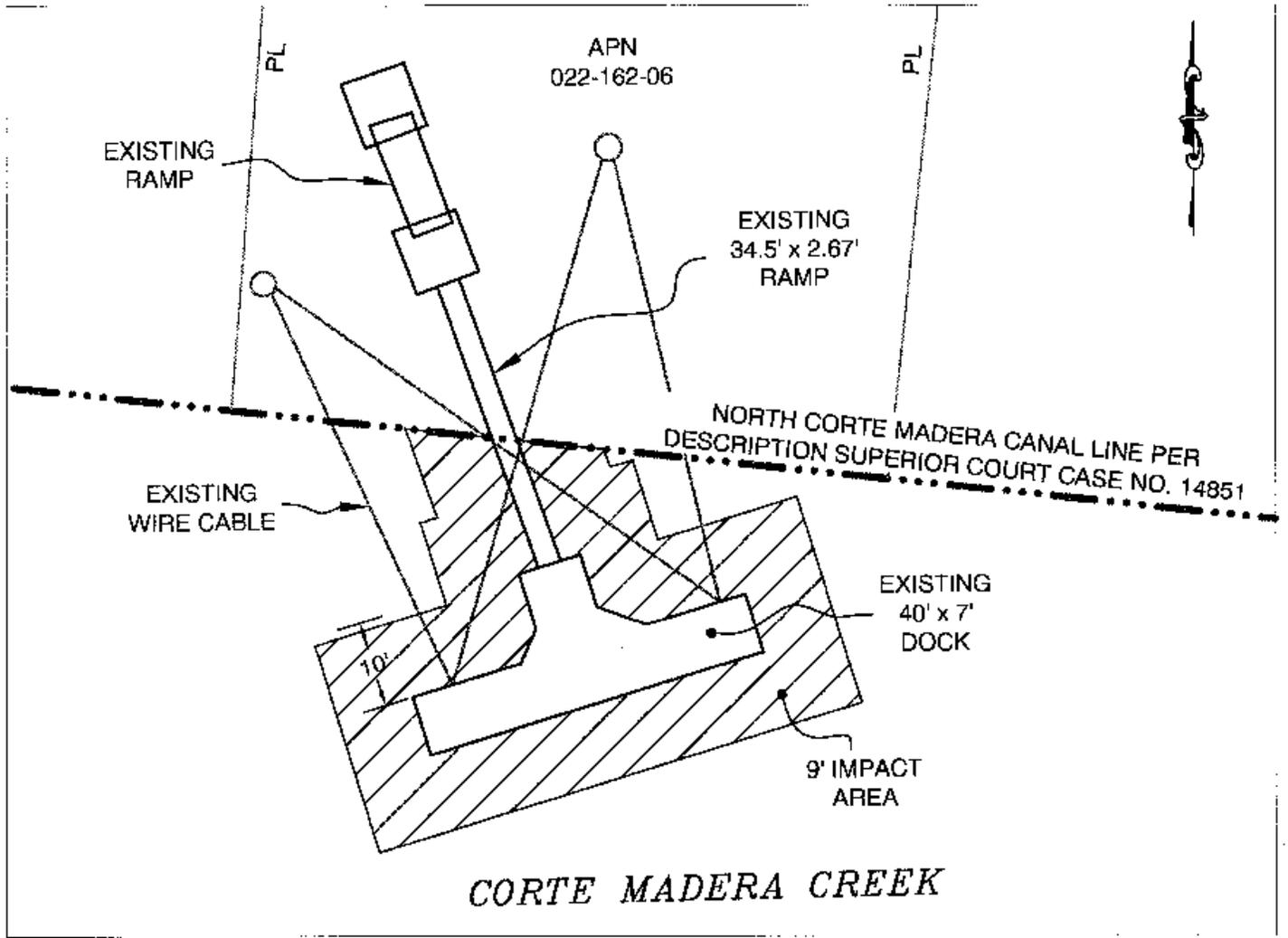
END OF DESCRIPTION

The above description was revised by the California State Lands Commission Boundary Unit, October 16, 2014. Original description prepared by CSLC staff in 1991 as found in PRC 4632.1 file, Calendar Item C35.



NO SCALE

SITE



599 S. ELISEO DRIVE, GREENBRAE

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 4632.1
 BEL WEST, L.P.
 APN 022-162-06
 GENERAL LEASE -
 RECREATIONAL USE
 MARIN COUNTY



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.