

MINUTE ITEM

This Calendar Item No. C03
was approved as Minute Item
No. 3 by the State Lands
Commission by a vote of 2
to 0 at its 11-5-91
meeting.

CALENDAR ITEM

A 9
S 3

C 0 3

11/05/91
PRC 4632
N. Smith

**RENEWAL AND AMENDMENT OF
NON-COMMERCIAL LEASE PRC 4632**

LESSEE:

Belardo Company
50 Bon Air Center, Suite 200
Greenbrae, California 94904

AREA, TYPE LAND AND LOCATION:

A 0.061-acre parcel of tide and submerged in Corte Madera
Creek, Greenbrae, Marin County.

LAND USE:

Existing accommodation pier.

TERMS OF ORIGINAL LEASE:

Initial period:

Twenty (20) years beginning September 1, 1971.

Renewal options:

Two successive periods of ten years each.

Surety bond:

\$1,000.

Public liability insurance:

\$250,000/\$500,000 per occurrence for bodily injury and
\$50,000 for property damage.

Consideration:

\$552 per annum; five-year rent review.

TERMS OF PROPOSED RENEWAL:

Initial period:

Ten (10) years beginning September 1, 1991.

Surety bond:

\$1,000.

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Public liability insurance:

\$250,000/\$500,000 per occurrence for bodily injury and
\$50,000 for property damage.

CONSIDERATION:

\$397 per annum; with the State reserving the right to fix a
different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 884:

N/A

OTHER PERTINENT INFORMATION:

1. Lessee did not construct pier as originally planned; a smaller pier was constructed and, therefore, the lease area is to be amended with a corresponding decrease in rent.
2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 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.
3. 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.

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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. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. AUTHORIZE RENEWAL OF LEASE PRC 4632 FOR AMENDMENT OF A TEN-YEAR PERIOD, BEGINNING SEPTEMBER 1, 1991; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$397, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$1,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN THE AMOUNT OF \$250,000/\$500,000 PER OCCURRENCE FOR BODILY INJURY AND \$50,000 FOR PROPERTY DAMAGE, FOR AN ACCOMMODATION PIER.
4. AMEND THE LAND DESCRIPTION OF LEASE PRC 4632 AS DESCRIBED ON THE ATTACHED EXHIBIT "A" AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

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A parcel of tide and submerged land in Corte Madera Canal, Marin County, State of California, said parcel being more directly described as follows:

BEGINNING at the southwesterly corner of Lot 68, as said Lot is shown on the map of Bon Air Subdivision No. 5 and recorded in Volume 10 of maps Page 88, Marin County records. Said point of beginning is designated No. 226, and shown on Sheet 10 of the Record of Survey, Corte Madera Creek Flood Control Project, recorded in Book 6 of Surveys, Page 42, Marin County Records. Thence from said point of beginning S 16° 00' E, 54.00 feet; thence N 74° 00' E, 60.01 feet; thence N 06° 04' 20" E, 27.57 feet to the southeasterly corner of Lot 68; thence N 83° 29' 20" W, 75.90 feet to the point of beginning

END OF DESCRIPTION

PREPARED JULY, 1991 BY LLB

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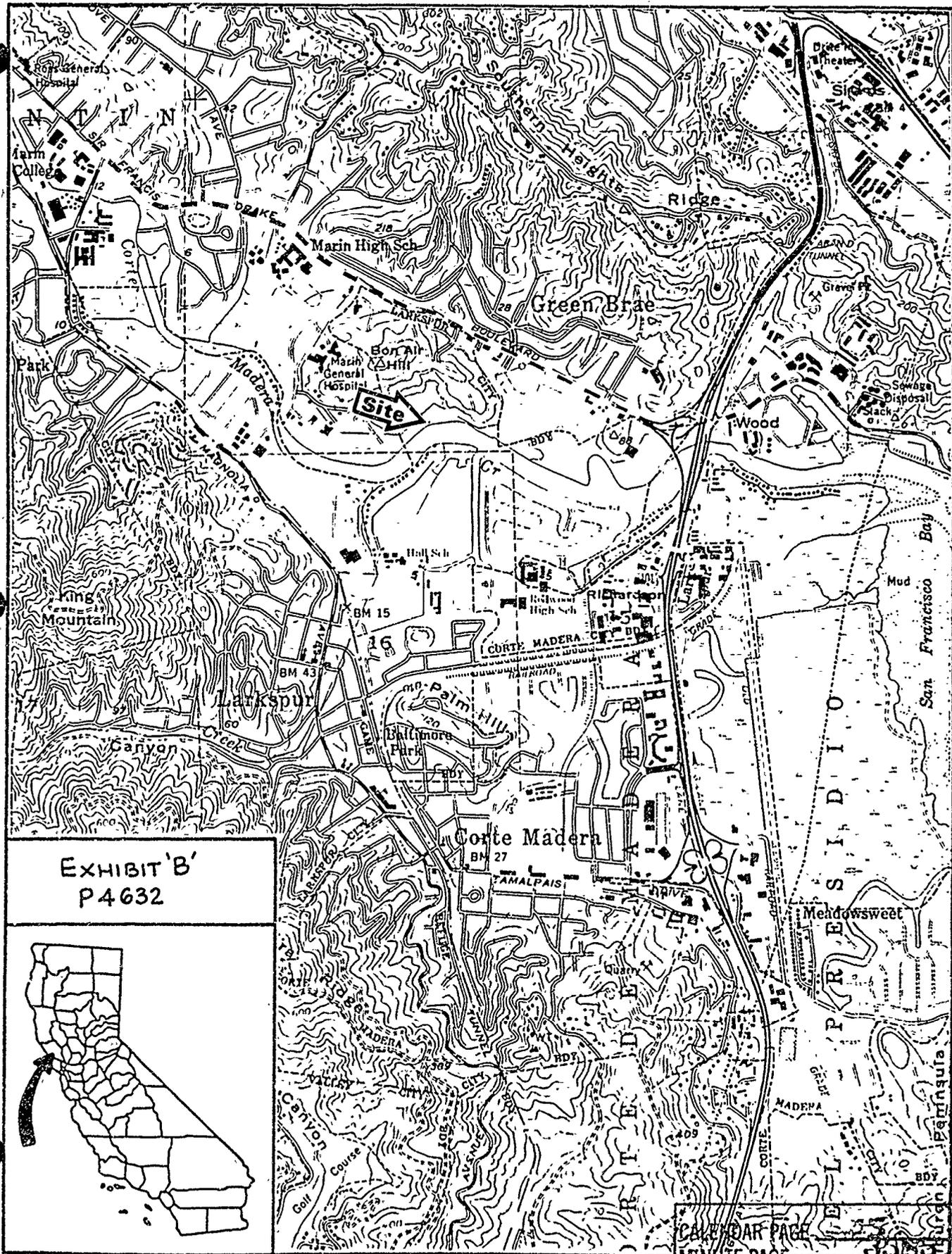


EXHIBIT 'B'
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