

**CALENDAR ITEM
C25**

A 6
S 3

02/08/11
PRC 5605.1
D. Simpkin

CONTINUATION OF RENT

LESSEE:

Eugene John Maffucci, Trustee, Eugene John Maffucci 1998 Revocable Trust

AREA, LAND TYPE, AND LOCATION:

0.051 acres, more or less, of sovereign land in Tomales Bay, near the city of Marconi, Marin County.

AUTHORIZED USE:

Continued use and maintenance of an existing private wharf.

LEASE TERM:

10 years, beginning July 15, 2005.

CONSIDERATION:

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease, and recommends that the rent be continued at \$351 per year, effective July 15, 2011.

OTHER PERTINENT INFORMATION:

1. On June 20, 2005, the Commission authorized a General Lease - Recreational Use to Eugene John Maffucci, Trustee, Eugene John Maffucci 1998 Revocable Trust, for a term of 10 years. This lease will expire on July 14, 2015.
2. The Lessee does not qualify for rent-free use of the private wharf because ownership of the upland property is divided between nine individuals who do not make up an association pursuant to Public Resources Code 6503.5. The private wharf is adjacent to and used exclusively by the Lessee.

EXHIBIT:

- A. Site and Location Map

CALENDAR ITEM NO. **C25** (CONT'D)

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is not subject to the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15060(c)(3) because the activity is not a project as defined by Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15378.

AUTHORIZATION:

Approve the continuation of rent for lease no. PRC 5605.1 at \$351 per year, effective July 15, 2011.