

**CALENDAR ITEM
C49**

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03/29/12
WP 5314.1
D. Simpkin

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Bon Air Seven Co. L.P., a California Limited Partnership

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Corte Madera Creek, adjacent to 875 South Eliseo Drive, Greenbrae, Marin County.

AUTHORIZED USE:

Continued use and maintenance of an existing floating boat dock, access ramp, and cables.

LEASE TERM:

10 years, beginning June 1, 2012.

CONSIDERATION:

Annual rent in the amount of \$656, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

1. Insurance:
Liability insurance in the amount of no less than \$1,000,000.
2. Bond:
Surety Bond in the amount of \$3,000.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On April 9, 2002, the Commission authorized the issuance of a General Lease – Recreational Use, Lease No. PRC 5314.1, to Bon Air Seven Co. L.P., a California Limited Partnership, for a term of 10 years, effective June 1, 2002. The lease will expire on May 31, 2012. The Lessee is now applying for a new General Lease – Recreational Use for the existing floating boat dock, access ramp, and cables.

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3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15061), the staff has determined that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 1, 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 Bon Air Seven Co. L.P., a California Limited Partnership, for a term of 10 years, beginning June 1, 2012, for the continued use and maintenance of an existing floating boat dock, access ramp, 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; consideration in the amount of

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\$656 per year, with the State reserving the right to fix a different rent periodically during the term as provided in the lease; combined single-limit liability insurance coverage in the amount of \$1,000,000; and surety bond in the amount of \$3,000.

EXHIBIT A

PRC 5314.1

LAND DESCRIPTION

A parcel of tide and submerged land lying in the bed of Corte Madera Creek, adjacent to Lot 311, as said lot is shown on that certain map entitled, "Map of Bon Air Sub. No. Eight and Resubdivision of Lots 200 and 201 Bon Air Sub. No. Seven", said map filed in the office of the County Recorder of County of Marin on July 9, 1969, in Volume 14 of Maps at page 56, State of California, more particularly described as follows:

BEGINNING at the most southerly corner of said Lot 311; thence southeasterly along the southeasterly prolongation of the westerly line of said Lot to the intersection with a line parallel with and 10 feet southeasterly of the most southeasterly edge of an existing Boat Dock; thence northeasterly along said parallel line to the intersection with a line parallel with and 10 feet northeasterly of the most northeasterly edge of said Boat Dock; thence northwesterly along said parallel line to a point on the Corte Madera Canal Line, as said Canal Line is shown on that certain map entitled, "Map of State Sovereign Lands in Corte Madera Creek, Vicinity of Green Brae, Marin County, California", said map on file in the Sacramento Office of the California State Lands Commission; thence southwesterly along said Canal Line to the POINT OF BEGINNING.

END OF DESCRIPTION

Prepared 2/1/2012 by the California State Lands Commission Boundary Unit.



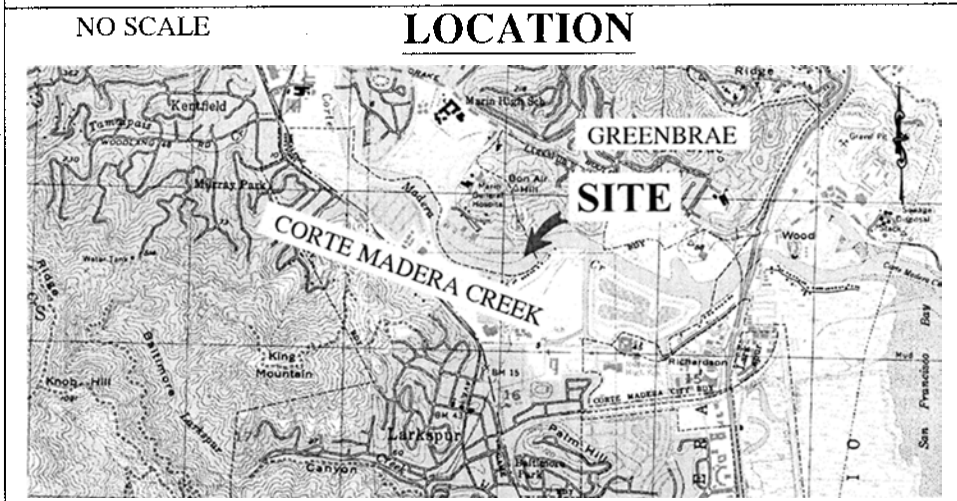
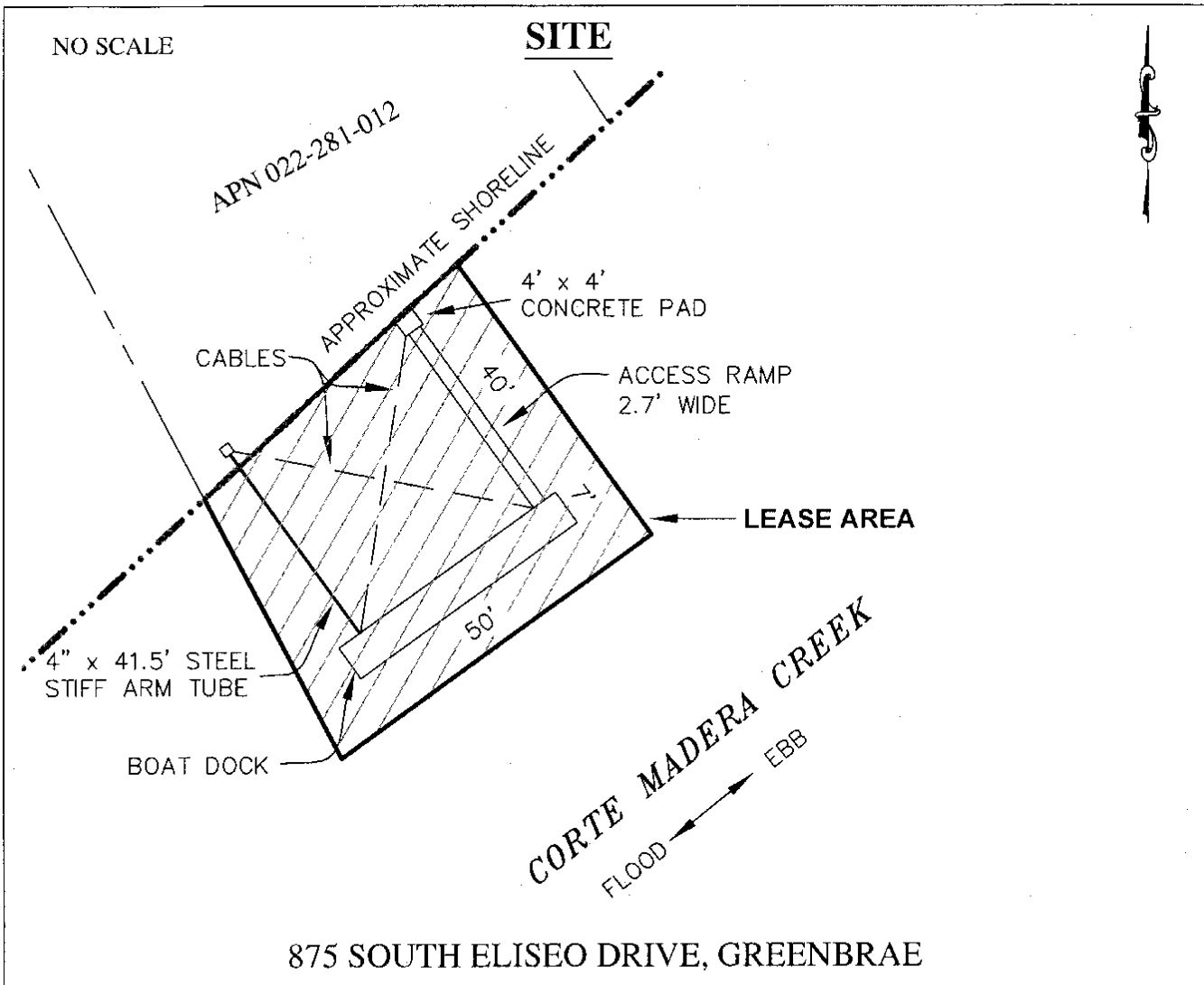


Exhibit B
 PRC 5314.1
 BON AIR SEVEN CO., L.P.
 APN 022-281-012
 GENERAL LEASE -
 RECREATIONAL USE
 MARIN COUNTY



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.