

**CALENDAR ITEM  
C56**

A 10  
S 2

12/02/13  
PRC 4673.1  
D. Simpkin

**GENERAL LEASE – RECREATIONAL USE**

**APPLICANT:**

The Landing Homeowners Association

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in Corte Madera Creek, adjacent to Assessor Parcel Numbers 022-550-01 through 07, near Greenbrae, Marin County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing floating boat dock and walkway previously authorized by the Commission; and use and maintenance of a gangway and two pilings not previously authorized by the Commission.

**LEASE TERM:**

10 years, beginning December 2, 2013.

**CONSIDERATION:**

\$154 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

**SPECIFIC LEASE PROVISIONS:**

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

**OTHER PERTINENT INFORMATION:**

1. Lessee is an unincorporated association comprised of homeowners of the adjacent upland condominium.
2. On December 3, 1999, the Commission authorized a Recreational Pier Lease with the Applicant. That lease expired on May 31, 2009. The Applicant is now applying for a new 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. **C56** (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 The Landing Homeowners Association beginning December 2, 2013, for a term of 10 years, for the continued use and maintenance of an existing floating boat dock and walkway previously authorized by the Commission; and the use and maintenance of an existing gangway and two pilings not previously authorized by the Commission, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference

CALENDAR ITEM NO. **C56** (CONT'D)

made a part hereof; annual rent in the amount of \$154 with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; and liability insurance with coverage of no less than \$1,000,000 per occurrence.

**EXHIBIT A**

**PRC 4673.1**

**LAND DESCRIPTION**

A parcel of tide and submerged land situate in the bed of the Corte Madera Canal, lying adjacent to filled and sold BTLC Lot 30, Section 9, T.1N., R.6W., MDM, Marin County, State of California and more particularly described as follows:

All those lands underlying an existing floating boat dock, ramp, gangway and two pilings adjacent to Lot 318, as shown on that Map of "BON AIR SUB. NO. EIGHT" recorded July 9, 1969 in Volume 14 of Maps at Page 56 in Official Records of said County.

TOGETHER WITH a 10' impact area.

EXCEPTING THEREFROM any portion lying landward of the NORTH CORTE MADERA CANAL LINE of the left bank of said canal as shown on "Plat of CORTE MADERA ARK SITES", filed June 26, 1942 in Volume 2 of Surveys at Page 99, Marin County Records.

Accompanying plat is hereby made part of this description.

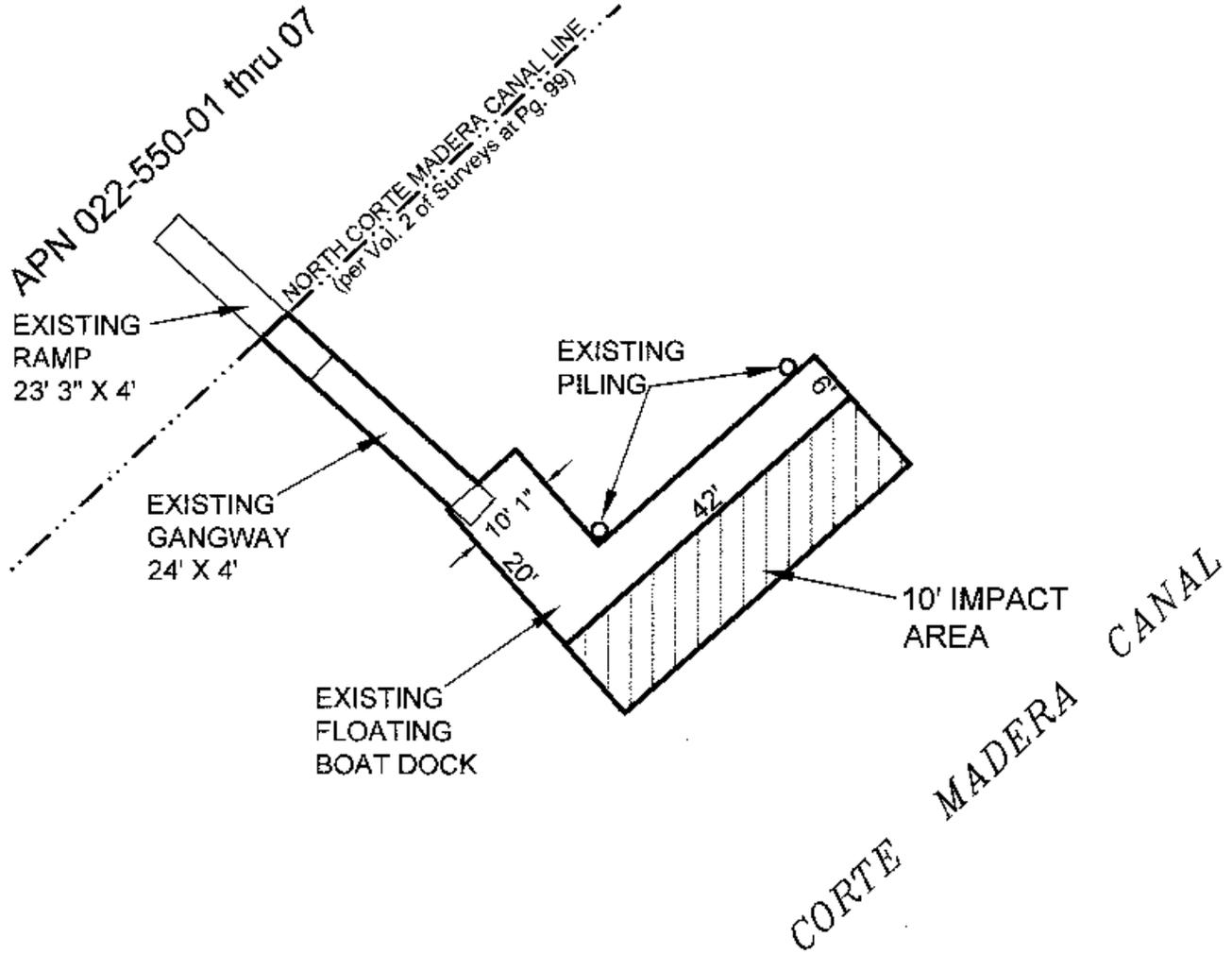
**END OF DESCRIPTION**

Prepared 08/20/13 by the California State Lands Commission Boundary Unit



NO SCALE

### SITE



705 SOUTH ELISEO DRIVE, GREENBRAE

NO SCALE

### LOCATION



MAP SOURCE: USGS QUAD

### Exhibit B

PRC 4673.1  
 THE LANDING HOA  
 APNs 022-550-01 thru 07  
 GENERAL LEASE -  
 RECREATIONAL USE  
 MARIN COUNTY



TS 08/20/13

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.