

MINUTE ITEM

This Calendar Item No. 39
was approved as Minute Item
39 by the State Lands
Commission by a vote of 2
0 at its 2/25/85
meeting.

CALENDAR ITEM

A 20
S 11

39

02/28/85
W 22171 PRC 6812
Valentine

APPROVAL OF A PUBLIC AGENCY LEASE TO
CITY OF BELMONT

APPLICANT: City of Belmont
1365 Fifth Avenue
Belmont, California 94002

AREA, TYPE LAND AND LOCATION:
A 0.66-acre parcel of reclaimed tideland,
located in and along O'Neill Slough, city of
Belmont, San Mateo County.

LAND USE: Public park.

TERMS OF PROPOSED LEASE:
Initial period: 49 years beginning on date of
recordation.

CONSIDERATION: The public use and benefit associated with a
public park; with the State reserving the right
at any time to set a monetary rental if
lessee's operation of the premises results in a
profit; the park is to be available for use by
all members of the public.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:
Applicant is owner of underlying fee, subject
to public trust easement, of adjacent property
which will be developed as a park.

CALENDAR ITEM NO. 3/9 (CONT'D)

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884:

N/A.

OTHER PERTINENT INFORMATION:

1. The applicant plans to develop its park facilities on adjacent property which is the subject of a title settlement (S.L. 109) with the Commission. That settlement was approved by the Commission on September 28, 1983 by Calendar Item 32 and has not yet been consummated.
2. The only environmental effect would be landscaping of the subject parcel and use for public access along O'Neill Slough.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from requirements of the CEQA as a statutory exempt project. The project is exempt because it involves settlements of title and boundary problems.

Authority: P.R.C. 21080.11.

In addition, the lease is in connection with and needed to effectuate the terms of the existing title settlement agreement, P.R.C. Sec. 21080.11.

4. The State retains the obligation and right to locate a 100-foot wide right-of-way across said Parcel as required by the terms of BLA 169.

EXHIBITS:

- A. Land Description.
- B. Site Plat.
- C. Location Plat.

CALENDAR ITEM NO. 39 (CONT'D)

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS AS A STATUTORY EXEMPT PROJECT PURSUANT TO P.R.C. 21030.11, SETTLEMENT OF TITLE AND BOUNDARY PROBLEMS.
2. AUTHORIZE ISSUANCE TO THE CITY OF BELMONT OF A 49-YEAR LEASE BEGINNING ON THE DATE THE LEASE IS RECORDED FOR PARK FACILITIES; IN CONSIDERATION FOR WHICH THE STATE SHALL RECEIVE THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF A PROFIT IS REALIZED FROM THE PROPERTY BY THE CITY.
3. AUTHORIZE STAFF TO EXECUTE ALL DOCUMENTS NECESSARY TO INCLUSION OF THE SUBJECT PARCEL IN THE PARK PLANNED BY THE CITY OF BELMONT INCLUDING APPLICATIONS TO THE BAY CONSERVATION AND DEVELOPMENT COMMISSION AND PERMITS FOR ACCESS AND RIGHTS-OF-WAY.

EXHIBIT "A"

LAND DESCRIPTION.

W 22171

That certain real property in the County of San Mateo, State of California,
more particularly described as:

PARCEL D of that certain Record of Survey filed in the Office
of the San Mateo County Recorder on 12-6-1978 in Volume 8 of
L.L.S. maps at page 114.

END OF DESCRIPTION

PREPARED FEBRUARY 7, 1985 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

CALENDAR PAGE	163
MINUTE PAGE	850

