

MINUTE ITEM

This Calendar Item No. 43
was approved as Minute Item
No. 3 by the State Lands
Commission by a vote of 2
to 1 at its 3/12/86
meeting.

CALENDAR ITEM

A 9
S 3

003

02/27/86
PRC 4384
Townsend

TERMINATION OF GENERAL LEASE - INDUSTRIAL USE

LESSEES: Maurice J. Koch and
Judith R. Koch
P. O. Box 3245
San Rafael, California 94912

AREA, TYPE LAND AND LOCATION:
A 0.122-acre parcel of filled tide and
submerged land, located in San Rafael, Marin
County.

LAND USE: Vehicular parking and outside storage.

TERMS OF ORIGINAL LEASE:

Initial period: Ten years beginning January 1,
1976.

Renewal options: Three successive periods of
ten years each.

Surety bond: \$2,000.

Public liability insurance: \$100,000/\$300,000
per occurrence for bodily
injury and \$50,000 for
property damage.

Consideration: \$976 per annum; five-year
rent review.

APPLICANT STATUS:

Applicant is owner of upland.

CALENDAR ITEM NO. C 23 (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. Staff has been notified by the Lessees, in writing, that they do not wish to exercise the first, ten-year option to renew the Lease. Lessees have executed Lease Quitclaim Deeds releasing any and all interest in the Lease premises. The improvements, consisting of a fence surrounding the storage area, has been removed from the lease premises. A site inspection by staff confirms removal. Staff recommends termination of the Lease effective December 31, 1985.
2. 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 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. Adm. Code 15378.
3. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. However, the Commission has declared that all tide and submerged lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since such declaration of significance is not based upon the requirements and criteria of P.R.C. 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by 2 Cal. Adm. Code 2954 is not applicable.

CALENDAR ITEM NO. C 03 (CONT'D)

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. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.
2. FIND THAT THE SIGNIFICANT ENVIRONMENTAL VALUES ORIGINALLY IDENTIFIED PURSUANT TO P.R.C. 6370, ET SEQ., ARE NOT WITHIN THE PROJECT SITE AND WILL NOT BE AFFECTED BY THE PROPOSED PROJECT.
3. TERMINATE LEASE PRC 4384, EFFECTIVE DECEMBER 31, 1985, AND AUTHORIZE ACCEPTANCE AND RECORDATION OF A LEASE QUITCLAIM DEED FROM LESSEE FOR THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

(Non-Substantive Revision 03/12/86)

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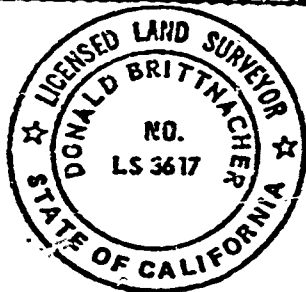
EXHIBIT "A"

WP 4384

A parcel of state owned land situate in the City of San Rafael, Marin County, California, said parcel being more particularly described as follows:

BEGINNING at the most southerly corner of Lot 35, as shown upon that certain Map entitled, "Map of Northgate Industrial Park", recorded August 8, 1965, in Map Book 12, at Page 11, Marin County Records; thence N $46^{\circ} 30'$ E., 59.10 feet; thence S $43^{\circ} 30'$ E, 100.00 feet; thence S $65^{\circ} 11' 47''$ W, 62.39 feet; thence N $43^{\circ} 30'$ W, 80.00 feet to the point of beginning.

Prepared: *John G. Jensen* Checked: *J. F. Zunnicke*
Reviewed: *Donald Brittnacher* Date: *5/19/76*



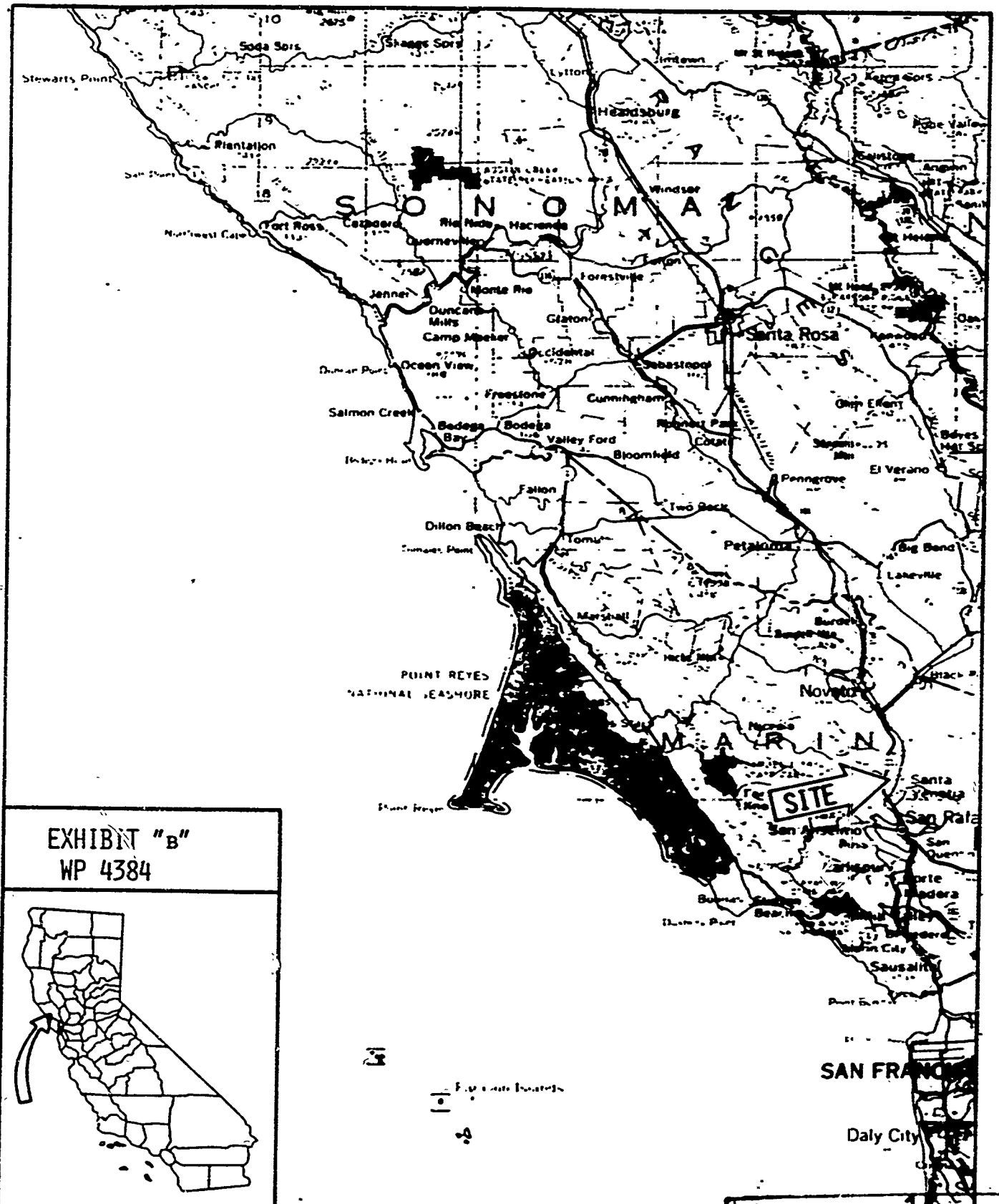


EXHIBIT "B"
WP 4384

An inset map of the state of California is shown in the bottom left corner, with a small rectangle in the northwestern corner indicating the geographic area covered by the main map.