

MINUTE ITEM

This Calendar Item No. C94 was approved as Minute Item No. 94 by the California State Lands Commission by a vote of 3 to 0 at its 12/16/98 meeting.

**CALENDAR ITEM
C94**

A 6
S 3

PRC 6978 12/16/98
WP 6978.1
N. Smith

GENERAL LEASE - COMMERCIAL USE

LESSEE:

Lawson's Landing, Inc.
Attn: Mr. Carl Vogler
P.O. Box 67
Dillon Beach, CA 94929

AREA, LAND TYPE, AND LOCATION:

15.18 acres, more or less, of sovereign lands in Tomales Bay, near Dillon Beach, Marin County.

AUTHORIZED USE:

Existing commercial marina with 35 moorings (12 float side ties and 23 pole), pier, boat launch facility and seawall.

LEASE TERM:

25 years, beginning January 1, 1999.

CONSIDERATION:

\$2,625 per annum; or five (5) percent of gross income derived from moorings, 10 (ten) percent of gross income from all other sources of income in the lease area, and 1.5 cents per gallon of fuel sold to a maximum of 100,000 gallons and 2 cents per gallon thereafter per annum, whichever is greater, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

SPECIFIC LEASE PROVISIONS:

Insurance:

Combined single limit liability insurance coverage of \$1,000,000

Bond:

\$3,000

OTHER PERTINENT INFORMATION:

1. Applicant owns the uplands adjoining the lease premises and has been under lease since January 1, 1979.

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2. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, existing facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

3. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. 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. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (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 SECTIONS 6370, ET SEQ.

CALENDAR ITEM NO. C94 (CONT'D)

AUTHORIZATION:

AUTHORIZE ISSUANCE TO LAWSON'S LANDING, INC. OF A GENERAL LEASE - COMMERCIAL USE, BEGINNING JANUARY 1, 1999, FOR A TERM OF TWENTY-FIVE YEARS, FOR AN EXISTING COMMERCIAL MARINA WITH 35 MOORINGS, PIER, BOAT LAUNCH FACILITY AND SEAWALL ON THE LAND DESCRIBED ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; A BASE ANNUAL RENT IN THE AMOUNT \$2,625 PER ANNUM; OR FIVE (5) PERCENT OF GROSS INCOME DERIVED FROM MOORINGS, 10 (TEN) PERCENT OF GROSS INCOME FROM ALL OTHER SOURCES OF INCOME IN THE LEASE AREA, AND 1.5 CENTS PER GALLON OF FUEL SOLD TO A MAXIMUM OF 100,000 GALLONS AND 2 CENTS PER GALLON THEREAFTER PER ANNUM, WHICHEVER IS GREATER, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000; AND SURETY IN THE AMOUNT OF \$3,000.

EXHIBIT "A"

LAND DESCRIPTION

W320.496

A parcel of tide and submerged land in the bed of Tomales Bay, situated southerly of fractional Section 33, T5N, R10W, MDM, County of Marin, California, said parcel more particularly described as follows:

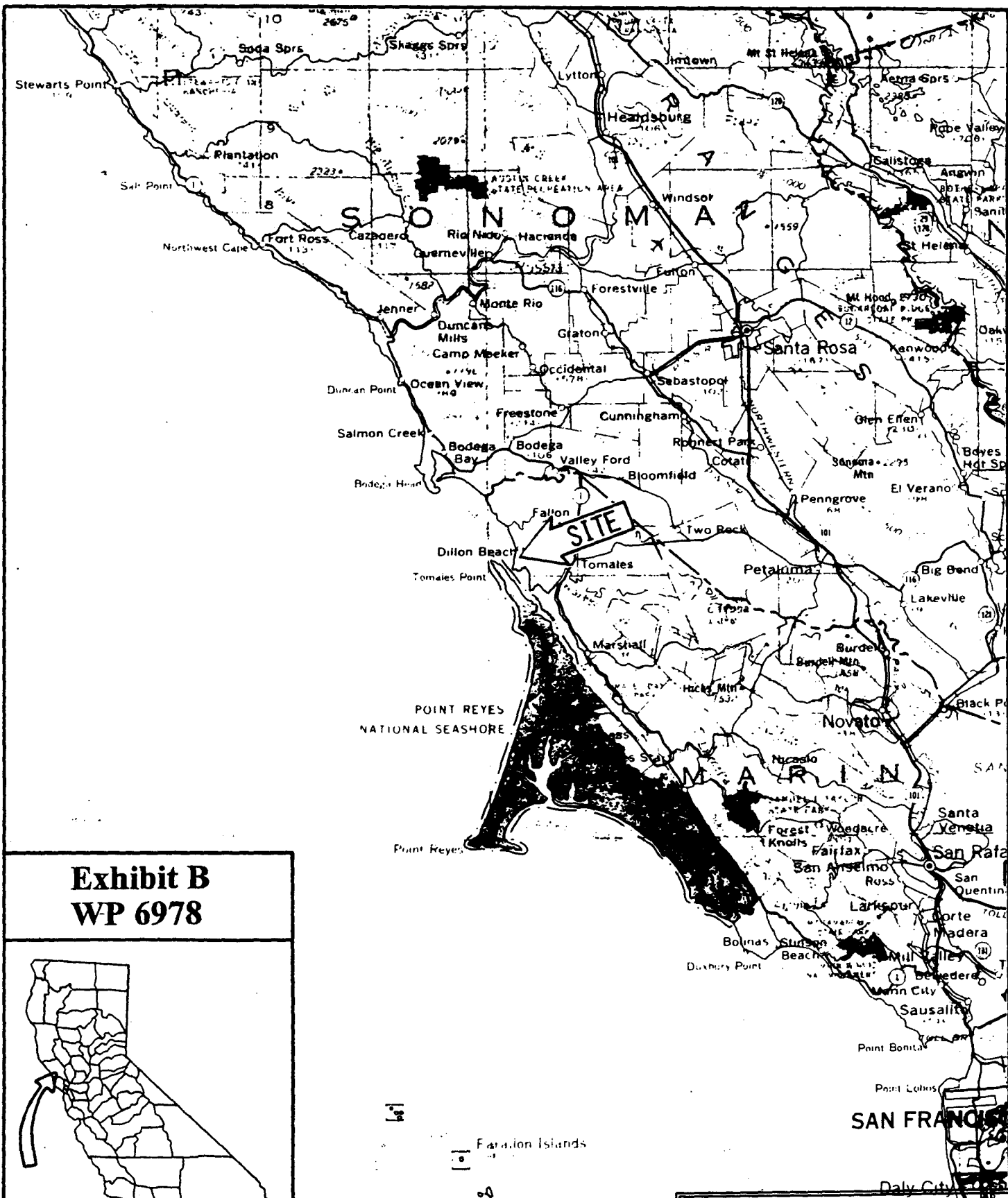
COMMENCING at the northwesterly corner of an existing pier, located 1,500 feet, more or less, easterly of Sand Point as shown on the 7.5 minute Tomales Quadrangle map, 1954 edition; thence westerly on a line perpendicular to the westerly edge of said pier, 500 feet to the POINT OF BEGINNING; thence northeasterly along a line parallel with and 500 feet westerly of the westerly edge of said pier and northerly projection thereof, 220 feet; thence southeasterly at right angles to said parallel line, 2,000 feet, more or less, to a point which is 1,500 feet easterly of, measured at right angles, the northerly projection of the westerly edge of said pier; thence southwesterly on a line 1,500 feet easterly of and parallel with said pier and northerly and southerly projection thereof, 100 feet, thence northwesterly at right angles to said parallel line 550 feet; thence southwesterly on a line 950 feet easterly of and parallel with said pier and northerly and southerly projections thereof, 560 feet; thence northwesterly at right angles to said parallel line 1,450 feet, more or less, to a point from which the point of beginning lies northeasterly, 440 feet measured on a line parallel with and 500 feet westerly of the westerly edge of said pier and southerly prolongation thereof; thence northeasterly 440 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of Tomales Bay.

END OF DESCRIPTION

PREPARED NOVEMBER 18, 1985, BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

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**Exhibit B
WP 6978**

