

**CALENDAR ITEM
C44**

A 10
S 2

06/19/14
PRC 5211.1
D. Simpkin

GENERAL LEASE – RECREATIONAL USE

APPLICANT:

Millbrae Highlands Co., L.P.

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Corte Madera Creek, adjacent to 1005 South Eliseo Drive, near Greenbrae, Marin County.

AUTHORIZED USE:

Use and maintenance of an existing floating boat dock.

LEASE TERM:

10 years, beginning October 1, 2014.

CONSIDERATION:

\$156 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 an amount no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On August 17, 2004, the Commission authorized issuance of Lease No. PRC 5211.1, a General Lease – Recreational Use, to Millbrae Highlands Co., L.P. for a period of 10 years, for use and maintenance of an existing floating boat dock, ramp, and cables. The lease will expire on September 30, 2014. The Applicant is now applying for a new lease.
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. **C44** (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 Millbrae Highlands Co., L.P. beginning October 1, 2014, for a term of 10 years, for the use and maintenance of an existing floating boat dock as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$156 with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 5211.1

LAND DESCRIPTION

A parcel of State-owned land in Corte Madera Creek, City of Larkspur, County of Marin, State of California, more particularly described as follows:

BEGINNING at a point in the northerly boundary line of Corte Madera Canal as described in Superior Court Case #14851, Filed November 7, 1945 in Book 25, Page 8 of Judgments, Marin County, and the southerly boundary line of Lot 305, as said lot is shown on that certain map entitled, "MAP OF BON AIR SUB. NO EIGHT AND RE-SUBDIVISION OF LOTS 200 AND 201 BON AIR SUB. NO SEVEN, LARKSPUR, MARIN COUNTY, CALIF.", which map was filed in the office of the County Recorder of the County of Marin, State of California on July 9, 1969, in Volume 14 of Maps at page 56, which point bears S 84° 59' 20" E, 1.91 feet from the southwesterly corner of said Lot 305; thence from said point of beginning, and leaving said boundary line of Corte Madera Canal and said Lot Line and said Judgment Line, S 12° 30' W, 8.68 feet, S 77° 30' E, 100.00 feet, N 12° 30' E, 21.83 feet to said northerly boundary line of Corte Madera Canal and said Judgment Line and the southerly boundary line of Lot 306, as said lot is shown on said, "MAP OF BON AIR SUB. NO. EIGHT"; thence along said boundary line of Corte Madera Canal and said Judgment line and the southerly boundary line of said Lots 305 and 306 N 84° 59' 20" W 100.86 feet to the point of beginning.

The basis of bearings for the above description is the California Coordinate System, Zone 3, 1927 NAD. Distances are ground, multiply by scale factor of .999935 to obtain grid distances.

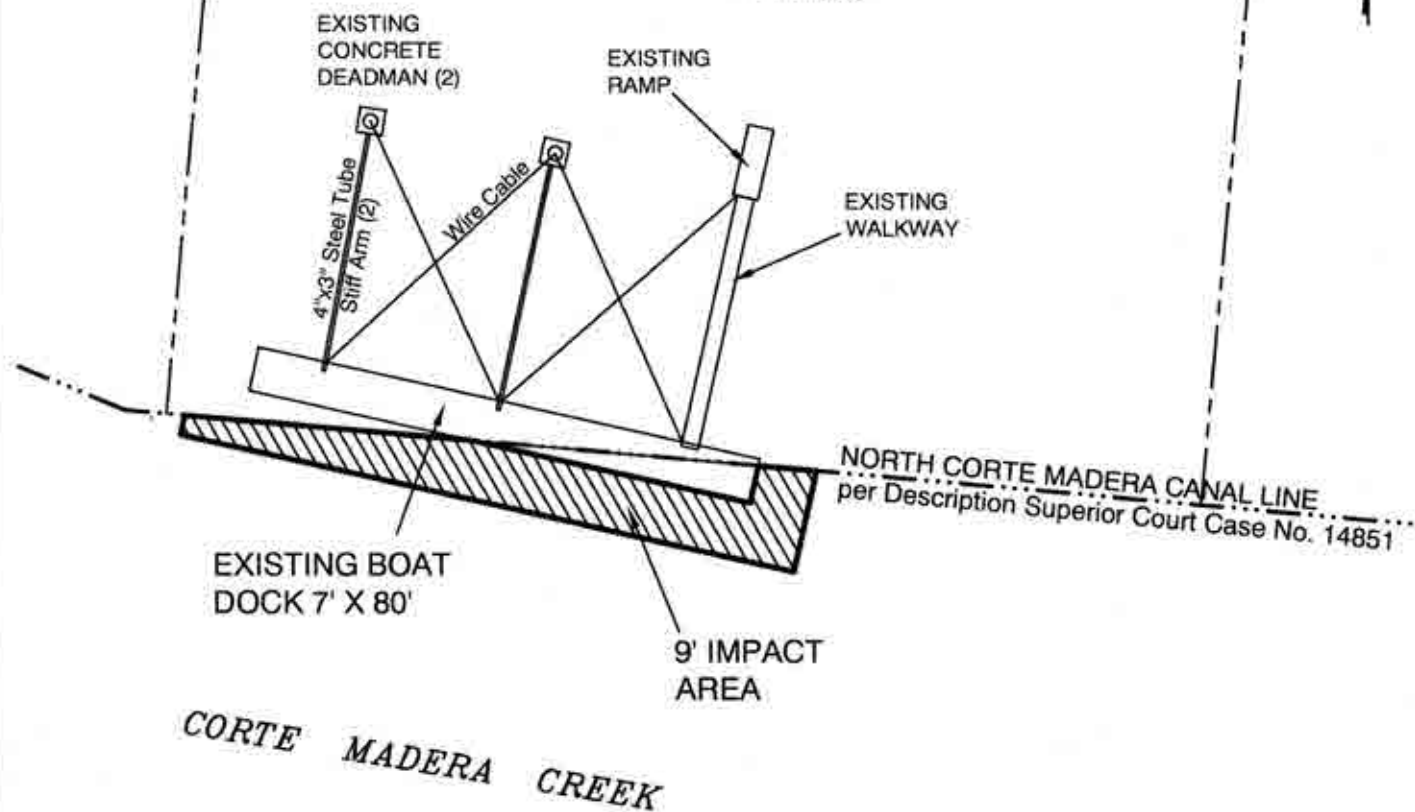
END OF DESCRIPTION

The above description is a duplicate of that original description prepared by CSLC Boundary and Title Unit on July 17, 1974 as found in PRC 5211 file, Calendar Item C7.

NO SCALE

SITE

APNs 022-281-06 & 07



1005 S. ELISEO DRIVE, GREENBRAE

NO SCALE

LOCATION



Exhibit B

PRC 5211.1
 MILLBRAE HIGHLANDS CO.
 APNs 022-281-06 & 07
 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.