

**CALENDAR ITEM
C45**

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S 2

06/19/14
PRC 4898.1
D. Simpkin

GENERAL LEASE – RECREATIONAL USE

LESSEE:

Belardo Co., L.P.

APPLICANT:

Bel West, L.P.

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Corte Madera Creek, adjacent to 975 South Eliseo Drive, near Greenbrae, Marin County.

AUTHORIZED USE:

Use and maintenance of an existing floating boat dock, anchor cables, and walkway.

LEASE TERM:

10 years, beginning May 1, 2014.

CONSIDERATION:

\$210 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 April 5, 2004, the Commission authorized issuance of Lease No. PRC 4898.1, a General Lease – Recreational Use, to Belardo Co., L.P. for a period of 10 years, for use and maintenance of an existing floating boat dock, anchor cables, and walkway. The cables anchor the dock to concrete deadmen (anchors) on the upland. The lease expired on April 30,

CALENDAR ITEM NO. **C45** (CONT'D)

2014. The Applicant is the successor to Belardo Co., L.P. and 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, 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.

CALENDAR ITEM NO. **C45** (CONT'D)

AUTHORIZATION:

Authorize issuance of a General Lease – Recreational Use to Bel West, L.P. beginning May 1, 2014, for a term of 10 years, for the use and maintenance of an existing floating boat dock, anchor cables, and walkway 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 \$210 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 4898.1

LAND DESCRIPTION

A parcel of tide and submerged land lying in the bed of Corte Madera Canal, situate in the City of Larkspur, County of Marin, State of California, being more particularly described as follows:

BEGINNING at the southwesterly corner of Lot 307, as said Lot is shown on that certain map entitled "MAP OF BON AIR SUB. NO. EIGHT AND RESUBDIVISION 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 lies in the northerly boundary line of Corte Madera Canal; as said northerly line is described in the Marin County Superior Court Case No. 14851; thence from said point of beginning S 5° 18' 17" W, 21.83 feet; S 79° 00' E, 60.00 feet; N 11° 00' E, 28.24 feet to said northerly boundary line of Corte Madera Canal and the southerly boundary of said Lot 307; thence N 84° 59' 20" W, 62.51 feet along said boundary line to the point of beginning.

This description is based on the California Coordinate System Zone 3.

END OF DESCRIPTION

The above description is a duplicate of that original description prepared by CSLC Boundary and Title Unit in 1974 as found in PRC 4898 file, Calendar Item 4.

NO SCALE

SITE



APN 022-281-08

EXISTING RAMP

EXISTING WALKWAY

EXISTING CONCRETE DEADMAN (2)

Wire Cable

NORTH CORTE MADERA CANAL LINE
per Description Superior Court Case No. 14851

EXISTING BOAT DOCK 7' X 40'

9' IMPACT AREA

CORTE MADERA CREEK

975 S. ELISEO DRIVE, GREENBRAE

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 4898.1
BEL WEST, L.P.
APN 022-281-08
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.

TS 04/24/14