

MINUTE ITEM

This Calendar Item No. C25
was approved as Minute Item
No. 25 by the State Lands
Commission by a vote of 3
0 at its 4/27/77
meeting.

CALENDAR ITEM

C25

4/77
WP 4647
RSA
PRC 4647

AMENDMENT AND CONVERSION OF NONCOMMERCIAL LEASE
PRC 4647.1 TO A GENERAL PERMIT

APPLICANT: Silver Pavilion Homeowner's Association
679 South Eliseo Drive
Greenbrae, California 94904

AREA, TYPE LAND AND LOCATION: An 0.152 acre parcel of tide and submerged
land in the bed of Corte Madera Canal at
Greenbrae, Marin County.

LAND USE: Continued maintenance of an accommodation pier.

TERMS OF ORIGINAL LEASE:

Initial period: 20 years from April 25, 1972.

Renewal options: 2 successive periods of 10
years each.

Surety bond: \$1,000.

Public liability insurance: \$500,000 per
occurrence for bodily injury
and \$50,000 for property
damage.

Consideration: \$765 with 5-year review.

TERMS OF PROPOSED LEASE:

Initial period: 25 years from April 26, 1977.

Surety bond: \$1,000.

Public liability insurance: \$500,000 per
occurrence for bodily injury
and \$50,000 for property damage.

CONSIDERATION: \$130 per annum, with the State reserving the
right to fix a different rental on each fifth
anniversary of the lease.

BASIS FOR CONSIDERATION:

Annual rental based on General Permit schedule
which became effective March 1, 1977.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

A 7

S 4

CALENDAR ITEM NO. C25 (CONTD)

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 & 2.
- B. Administrative Code: Title 2, Div. 3,
Arts. 1, 2, 6.5, 10 & 11.

OTHER PERTINENT INFORMATION:

An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907(a) which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation. This project is situated on State lands identified as possessing significant environmental values pursuant to Public Resources Code 6370.1, and is classified in a use category, Class C which authorizes multiple use. Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRG 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT GRANTING OF THE PERMIT OR LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO SILVER PAVILION HOMEOWNERS ASSOCIATION OF A 25 YEAR GENERAL PERMIT FROM APRIL 26, 1977; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$130, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$1,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$500,000 PER OCCURRENCE FOR BODILY INJURY AND \$50,000 FOR PROPERTY DAMAGE; FOR THE CONTINUED MAINTENANCE OF AN EXISTING ACCOMMODATION PIER ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

LAND DESCRIPTION

Silver Pavilion Association

A parcel of tide and submerged land lying in the bed of Corte Madera Canal, in Marin County, California, immediately adjacent to Lots 72 and 73 as shown on the map entitled "Map of Bon Air Sub. No. Five", which map was filed in the office of the County Recorder of said County in Volume 10 of Maps at Page 88, and being more particularly described as follows:

COMMENCING on the northerly line of Corte Madera Creek at the southeasterly corner of Lot 72 as described in the above mentioned map, said corner having California Coordinate System Zone 3 coordinates $Y = 532,346.82$ feet, and $X = 1,414,957.17$ feet and shown on the map entitled "Plat of Corte Madera Ark Sites" and recorded in Marin County Licensed Surveys Vol. 2, Page 98; thence, S. $47^{\circ} 04' 20''$ W., 147.37 feet to the southwest corner of Lot 73 as described on the hereinbefore mentioned map of Bon Air Sub. No. Five; thence along said northerly line of Corte Madera Canal N. $47^{\circ} 04' 20''$ E., 5.00 feet to the TRUE POINT OF BEGINNING, thence the following three courses:

1. S. $40^{\circ} 33'$ E., 81.00 feet;
2. N. $50^{\circ} 45'$ E., 80.00 feet;
3. N. $39^{\circ} 15'$ W., 86.24 feet to the said northerly line of the Corte Madera Canal, thence S. $47^{\circ} 04' 20''$ W., 82.00 feet along said northerly line to the true point of beginning.

END OF DESCRIPTION