

MINUTE ITEM

This Calendar Item No. C3
was approved as Minute Item
No. 3 by the State Lands
Commission by vote of 2
to 0 at its 4/28/83
meeting.

CALENDAR ITEM

C 0 3

4/28/83
WP 3821
Reese
PRC 3821

TERMINATION OF LEASE PRC 3821.1,
DATED JUNE 18, 1969 AND ISSUANCE OF A
GENERAL LEASE - COMMERCIAL USE

APPLICANT: Mira Monte Marina, Inc.
P. O. Box 727
Novato, California 94947

AREA, TYPE LAND AND LOCATION:
0.85-acre parcel of tide and submerged
land, located in San Antonio Creek, Marin
County.

LAND USE: Commercial marina.

TERMS OF ORIGINAL LEASE:

Initial period: Fifteen (15) years from
January 1, 1966.

Renewal options: Three (3) successive
periods of ten (10) years
each.

Surety bond: \$1,000.

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

Consideration: \$180 per annum.

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TERMS OF PROPOSED REPLACEMENT LEASE:

Initial period: Thirty (30) years from
January 1, 1981.

Surety bond: \$1,000.

Combined single limit coverage of \$300,000.

CONSIDERATION: \$180 per annum for the period January 1, 1981, to December 31, 1983; \$684 per annum thereafter, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is record owner of upland.

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.

OTHER PERTINENT INFORMATION:

1. Lessee was advised that Lease PRC 3821.1 would expire on December 31, 1980. Lessor and Lessee agreed to combine the three ten-year renewal periods into a new lease document reflecting the current Commission-approved lease format. Due to extensive negotiations in regard to a new rental, Lease, PRC 3821.1 has been in a holdover status for the past 2⁺ years.
2. This activity is exempt from CEQA because it is not a project pursuant to P.R.C. 21065, 14 Cal. Adm. Code 15037 and 15060.
3. This activity is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1 and is classified in a use category "B" which authorizes Limited Use. The activity proposed will not have a significant effect upon the identified environmental values.

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4. This replacement lease does not enlarge or expand the estate of use previously granted under PRC 3821.1.

AB 884: N/A.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21065, 14 CAL. ADM. CODE 15037 AND 15060, AND FIND THAT THE ACTIVITY IS CONSISTENT WITH ITS USE CLASSIFICATION.
2. AUTHORIZE TERMINATION OF LEASE PRC 3821.1, EFFECTIVE DECEMBER 31, 1980, AND ISSUANCE TO MIRA MONTE MARINA, INC., OF A 30-YEAR GENERAL LEASE - COMMERCIAL USE, FROM JANUARY 1, 1981; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$180 FOR THE PERIOD JANUARY 1, 1981, TO DECEMBER 31, 1983; \$684 PER ANNUM THEREAFTER, 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 FOR COMBINED SINGLE LIMIT COVERAGE OF \$300,000; FOR AN EXISTING MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 3821

A parcel of tide and submerged land in San Antonio Creek, Marin County, State of California, situated approximately six miles southeasterly from the City of Petaluma, more particularly described as follows:

BEGINNING at a point on the south bank of San Antonio Creek, which bears S 74°08'38"W 1,421.84 feet more or less from California State Lands Commission Triangulation Station, "SAN 2, 1958," said station having California Coordinate System Zone 3 coordinates of X = 1,412,431.02 and Y = 610,148.21; thence from said point of beginning along the southerly bank of San Antonio Creek the following 3 courses:

1. N 73°07'W 362.56 feet;
2. N 64°37'W 245.30 feet;
3. N 76°12'W 322.40 feet; thence leaving the southerly bank of San Antonio Creek the following 5 courses:

4. N 13°48'E 40.00 feet;
5. S 76°12'E 322.40 feet;
6. S 64°37'E 247.52 feet;
7. S 73°07'E 362.56 feet;
8. S 16°53'W 40.00 feet to the point of beginning.

END OF DESCRIPTION

PREPARED DECEMBER 2, 1980 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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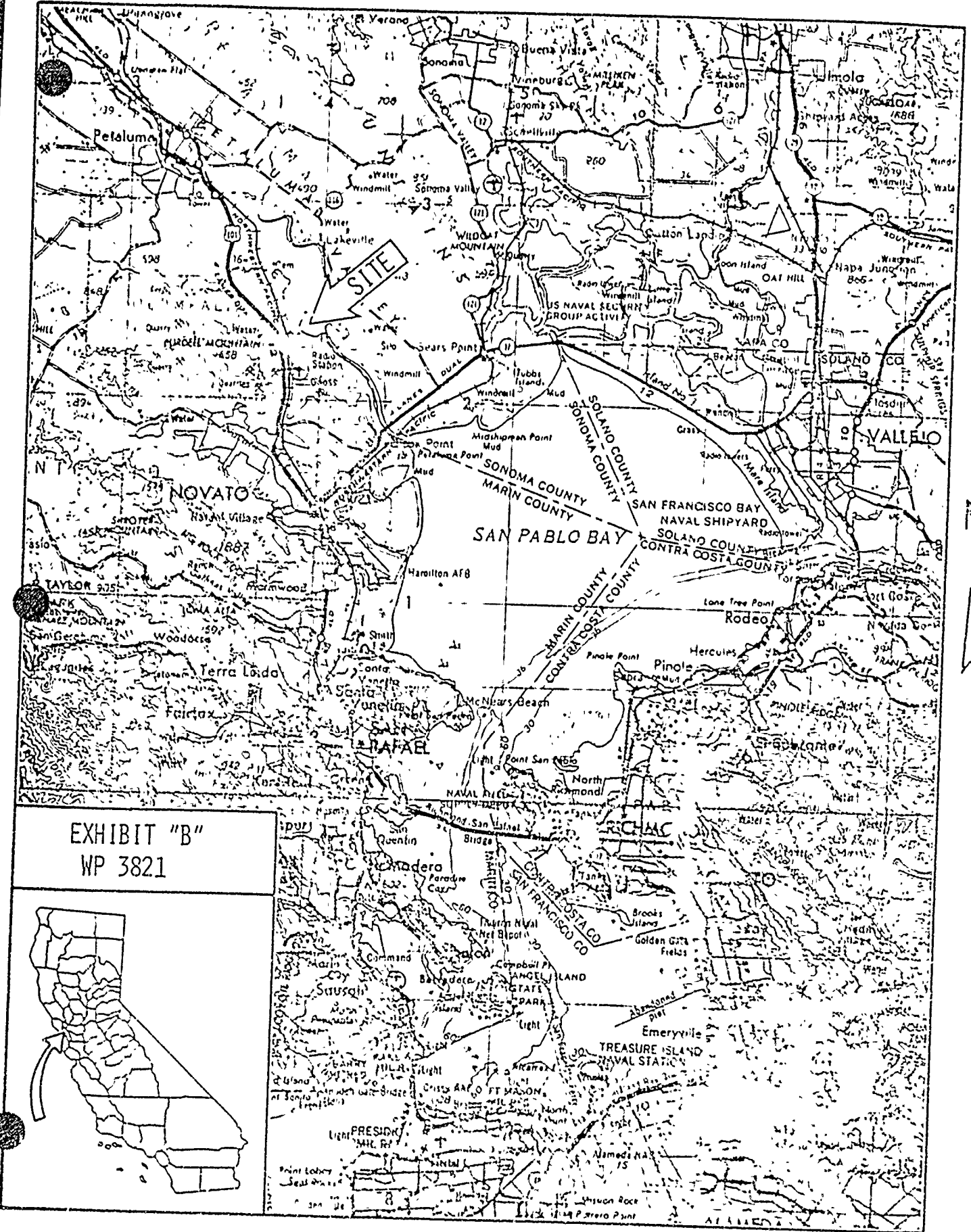


EXHIBIT "B"
WP 3821

