

CALENDAR ITEM

C45

A 4

06/23/11

S 1

PRC 3554.1

C. Hudson

REVISION OF RENT

LESSEES:

Andrew MacKenzie, as Trustee of the MacKenzie Family 1994 Trust; R. Alan Cotton and Cynthia A. Cotton; Mary Louise Banta, as Trustee of the Mary Louise Banta 1997 Trust; and Michael Griffus and Melissa Griffus, Trustees of the Michael and Melissa Griffus Trust dated January 14, 2002

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Lake Tahoe, adjacent to 5758 North Lake Boulevard, near Carnelian Bay, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boathouse with boat lift and sundeck, and two mooring buoys as shown on the attached Exhibit A.

LEASE TERM:

10 years, beginning May 1, 2006.

CONSIDERATION:

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease, and recommends that the rent be revised from \$59 per year to \$220 per year, effective May 1, 2011.

OTHER PERTINENT INFORMATION:

1. On April 17, 2006, the Commission authorized a General Lease - Recreational Use with Andrew MacKenzie, as Trustee of the MacKenzie Family 1994 Trust; R. Alan Cotton and Cynthia A. Cotton; Mary Louise Banta, as Trustee of the Mary Louise Banta 1997 Trust; and Michael Griffus and Melissa Griffus, Trustees of the Michael and Melissa Griffus Trust dated January 14, 2002. That lease will expire on April 30, 2016.
2. The pier, boathouse, boat lift, and two mooring buoys are exempt from monetary consideration pursuant to the Public Resources Code section

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

6503.5. However, the sundeck, which has been in existence since at least 1966, does not qualify for rent-free status because it is not used for the docking and mooring of boats.

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

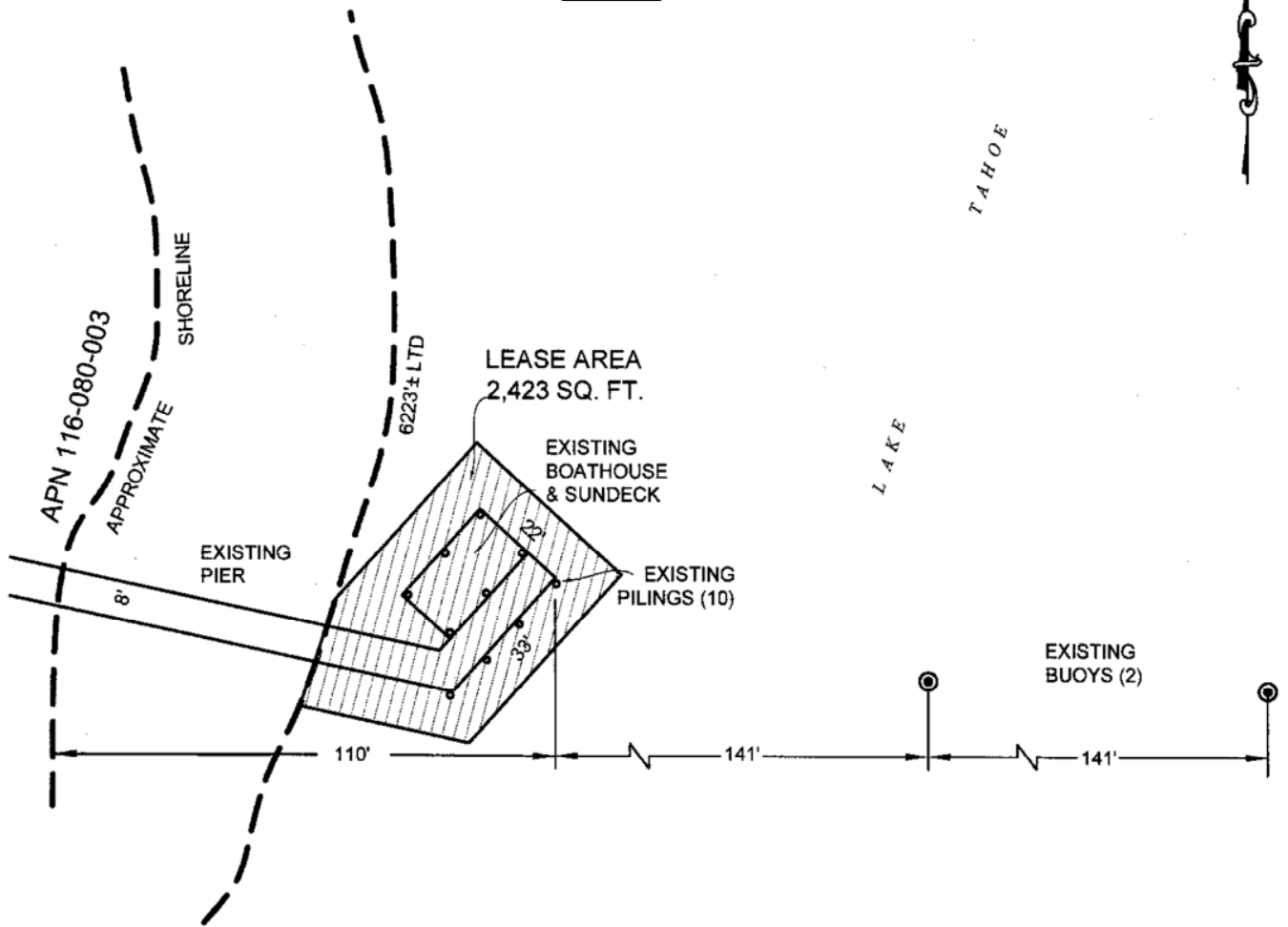
Find that the activity is not subject to the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15060(c)(3) because the activity is not a project as defined by Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15378.

AUTHORIZATION:

Approve the revision of rent for Lease No. PRC 3554.1 from \$59 per year to \$220 per year, effective May 1, 2011.

NO SCALE

SITE



5758 NORTH LAKE BLVD., NEAR CARNELIAN BAY

NO SCALE

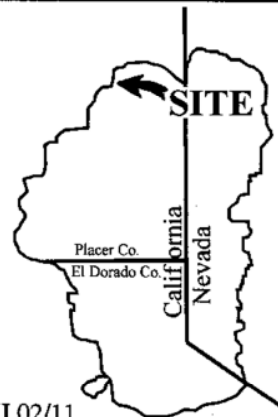
LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

PRC 3554.1
 MacKENZIE, COTTON
 GRIFFUS & BANTAS
 APN 116-080-003
 GENERAL LEASE
 RECREATIONAL USE
 PLACER 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.

MJJ 02/11