

**CALENDAR ITEM  
C33**

A 1  
S 1

06/21/13  
W 26649  
N. Lee

**GENERAL LEASE - RECREATIONAL USE**

**APPLICANT:**

Homewood Villas, LLC, a California limited liability company

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in Lake Tahoe, adjacent to 5130 West Lake Boulevard, near Homewood, Placer County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing pier.

**LEASE TERM:**

10 years, beginning June 21, 2013.

**CONSIDERATION:**

\$1,749 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, Assessor Parcel Number (APN) 097-130-028, adjoining the lease premises.
2. On February 7, 2011, Homewood Villas, LLC, a California limited liability company (Homewood Villas), was deeded ownership of APN 097-130-028 (also known as Lot 3). Lease No. PRC 5857.1, a General Lease – Commercial Use, issued to Nathan Topol, dba Homewood Resort, authorizes an existing pier adjacent to Lot 3 as well as 30 mooring buoys adjacent to several other neighboring upland parcels. On October 8, 2004, the users of the pier recorded an agreement, which established that the owner of Lot 3 would be responsible for applying for and maintaining a

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lease for the pier. As a result, Homewood Villas is applying for a new General Lease – Recreational Use for the existing pier.

3. There are two related calendar items on the June 21<sup>st</sup> agenda for Lease No. PRC 5857.1 issued to Mr. Topol for the pier and 30 mooring buoys. One item is for an amendment of Lease No. PRC 5857.1 to remove the pier from the authorized improvements and accept a quitclaim for the lease area associated with the pier. The other item is for default and termination of Lease No. PRC 5857.1. One of these items will move forward at the meeting for Commission action and the other will be pulled depending on Mr. Topol's response. In either scenario, the Commission staff recommends issuance of a General Lease - Recreational Use for the pier to Homewood Villas.
4. 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.

5. 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).

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**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 Homewood Villas, LLC, a California limited liability company, beginning June 21, 2013, for a term of 10 years, for the continued use and maintenance of an existing pier 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 \$1,749, 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**

**W26649**

**LAND DESCRIPTION**

One (1) parcel of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 4 of fractional Section 1, Township 14 North, Range 16 East, MDM., as shown on Official Government Township Plat approved January 17, 1886, County of Placer, State of California, and more particularly described as follows:

**PARCEL 1 – PIER**

All those lands underlying an existing pier adjacent to those Lots as described in Exhibit "A" of that Grant Deed recorded February 7, 2011 in Document Number 2011-0010601 of Official Records of said County.

TOGETHER WITH a ten foot impact area.

EXCEPTING THEREFROM any portion lying landward of elevation 6223 feet LTD on the shoreline of said Lake Tahoe.

Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

Prepared June 4, 2013 by the California State Lands Commission Boundary Unit.





L A K E

A P P R O X I M A T E

E X I S T I N G P I E R

10' I M P A C T A R E A

12'

147.5'

T A H O E

62234 LTD

S H O R E L I N E

A P N 0 9 7 - 1 3 0 - 0 2 8

# EXHIBIT A

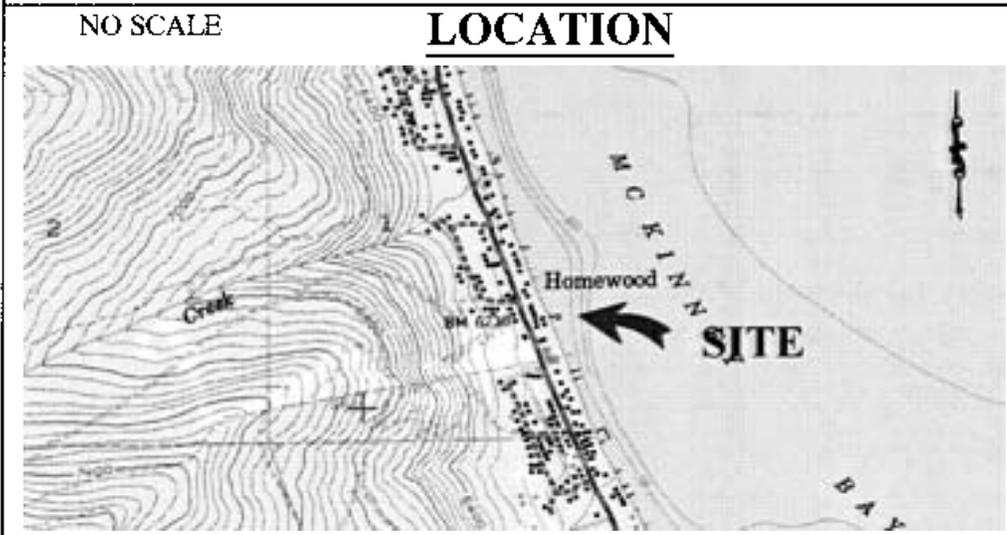
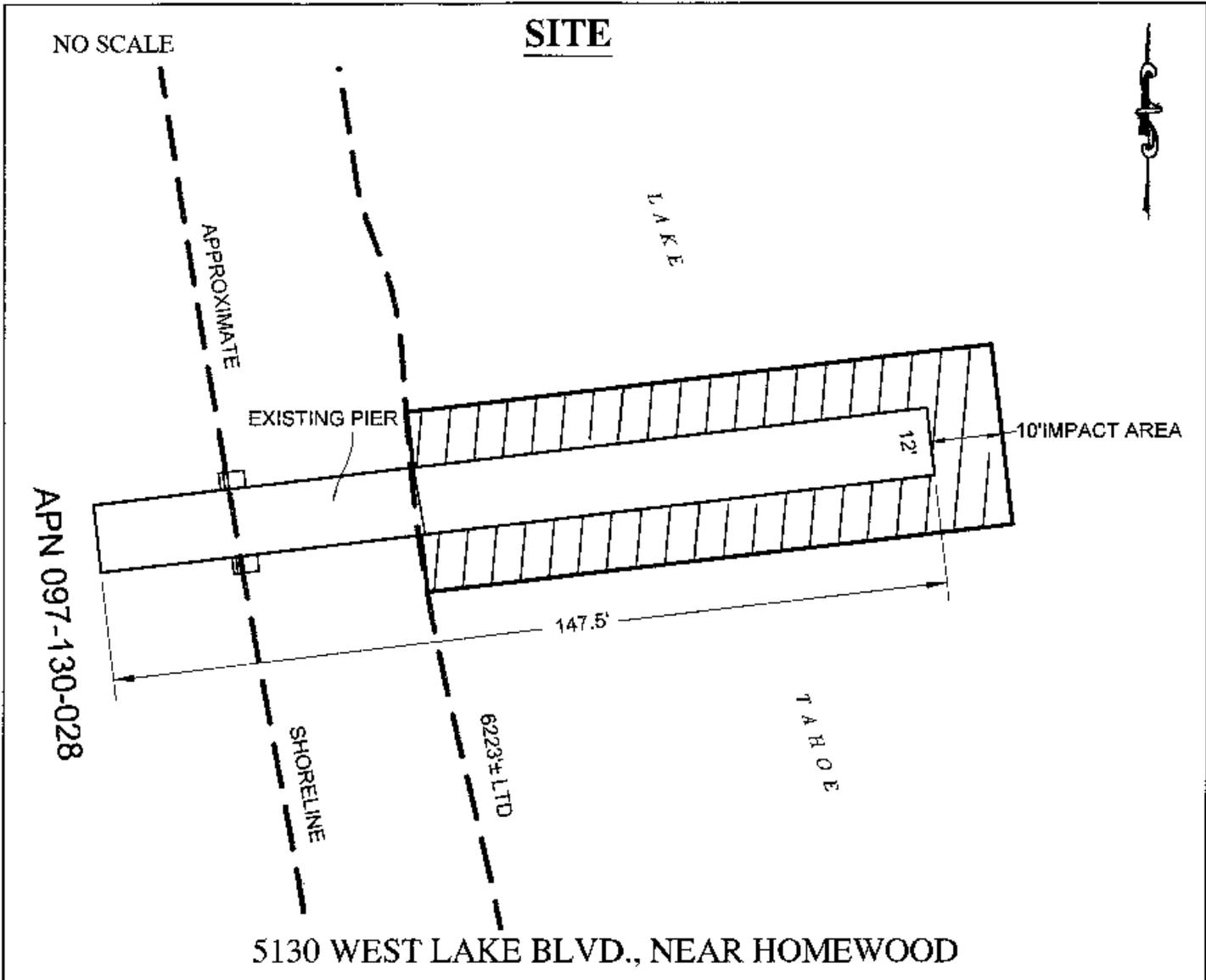
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MJJ 06/04/13

LAND DESCRIPTION PLAT  
W 26649, HOMEWOOD VILLAS, LLC  
PLACER COUNTY

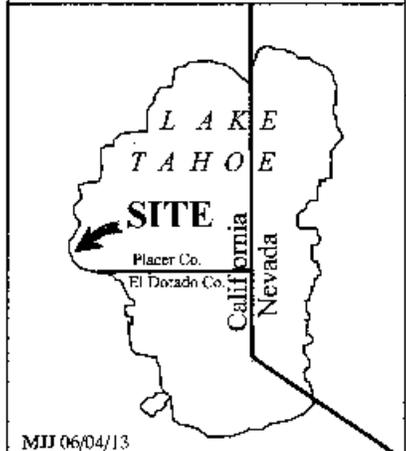
CALIFORNIA STATE  
LANDS COMMISSION





MAP SOURCE: USGS QUAD

**Exhibit B**  
 W 26649  
 HOMEWOOD VILLAS, LLC  
 APN 097-130-028  
 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.