

**CALENDAR ITEM
C04**

A 1
S 1

04/23/15
PRC 5913.1
M.J. Columbus

AMENDMENT OF LEASE AND REVISION OF RENT

LESSEE:

Gates Tahoe House, LLC, a California Limited Liability Company

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 1320 West Lake Boulevard, near Tahoe City, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boathouse, boat lift, sundeck with stairs, and two mooring buoys.

LEASE TERM:

10 years, beginning June 1, 2010.

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 rent be revised from \$3,916 per year to \$2,461 per year, effective June 1, 2015.

PROPOSED AMENDMENT:

Amend the lease to replace the existing Site and Location Map in Section 3 with the attached Exhibit A, Land Description, and Exhibit B, Site and Location Map (for reference purposes only). All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Lessee owns the upland adjoining the lease premises.

2. On June 28, 2010, the Commission authorized a General Lease – Recreational Use to Gates Tahoe House, LLC, a California Limited Liability Company, beginning June 1, 2010, for the continued use and maintenance of a pier,

CALENDAR ITEM NO. **C04** (CONT'D)

boathouse, boat lift, sundeck with stairs, and two mooring buoys. The Lease will expire on May 31, 2020.

3. Staff conducted the rent review called for in the lease. Due to changes in the impact areas surrounding the pier, staff recommends the rent be reduced.
4. The staff recommends that the Commission find that the subject lease amendment and revision of rent do not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and are, therefore, not projects in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the subject lease amendment and revision of rent are not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activities are not projects as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

1. Authorize the amendment of Lease No. PRC 5913.1, a General Lease – Recreational Use, effective June 1, 2015, to replace the existing Site and Location Map in Section 3 with the attached Exhibit A, Land Description, and Exhibit B, Site and Location Map (for reference purposes only); all other terms and conditions of the lease will remain in effect without amendment.
2. Approve the revision of rent for Lease No. PRC 5913.1 from \$3,916 per year to \$2,461 per year, effective June 1, 2015.

EXHIBIT A

PRC 5913.1

LAND DESCRIPTION

Three (3) parcels of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 3 of fractional Section 18, Township 15 North, Range 17 East, MDM., as shown on Official Government Township Plat approved November 9, 1866, County of Placer, State of California, and more particularly described as follows:

PARCEL 1 – PIER

All those lands underlying an existing pier, boathouse, sundeck, stairs, boat hoist and three (3) catwalks lying adjacent to that parcel as described in Exhibit A of that Grant Deed recorded January 30, 2006 in Document Number 20060009882 of said County.

TOGETHER WITH any applicable impact area(s).

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

PARCEL 2 & 3 – BUOYS (2)

Two (2) circular parcels of land being 50 feet in diameter, underlying two (2) existing buoys adjacent to said parcel.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared March 11, 2015 by the California State Lands Commission Boundary Unit.



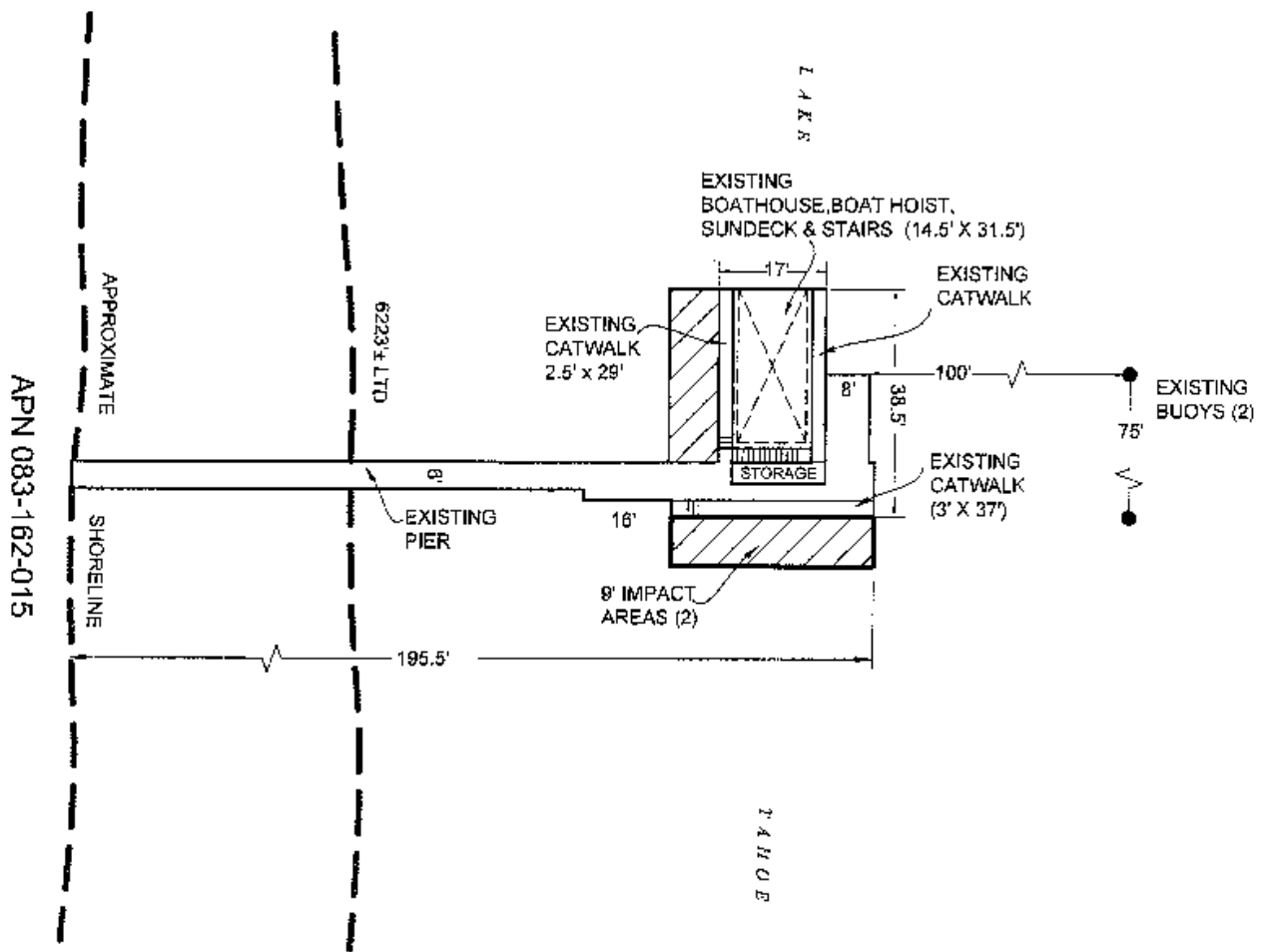


EXHIBIT A

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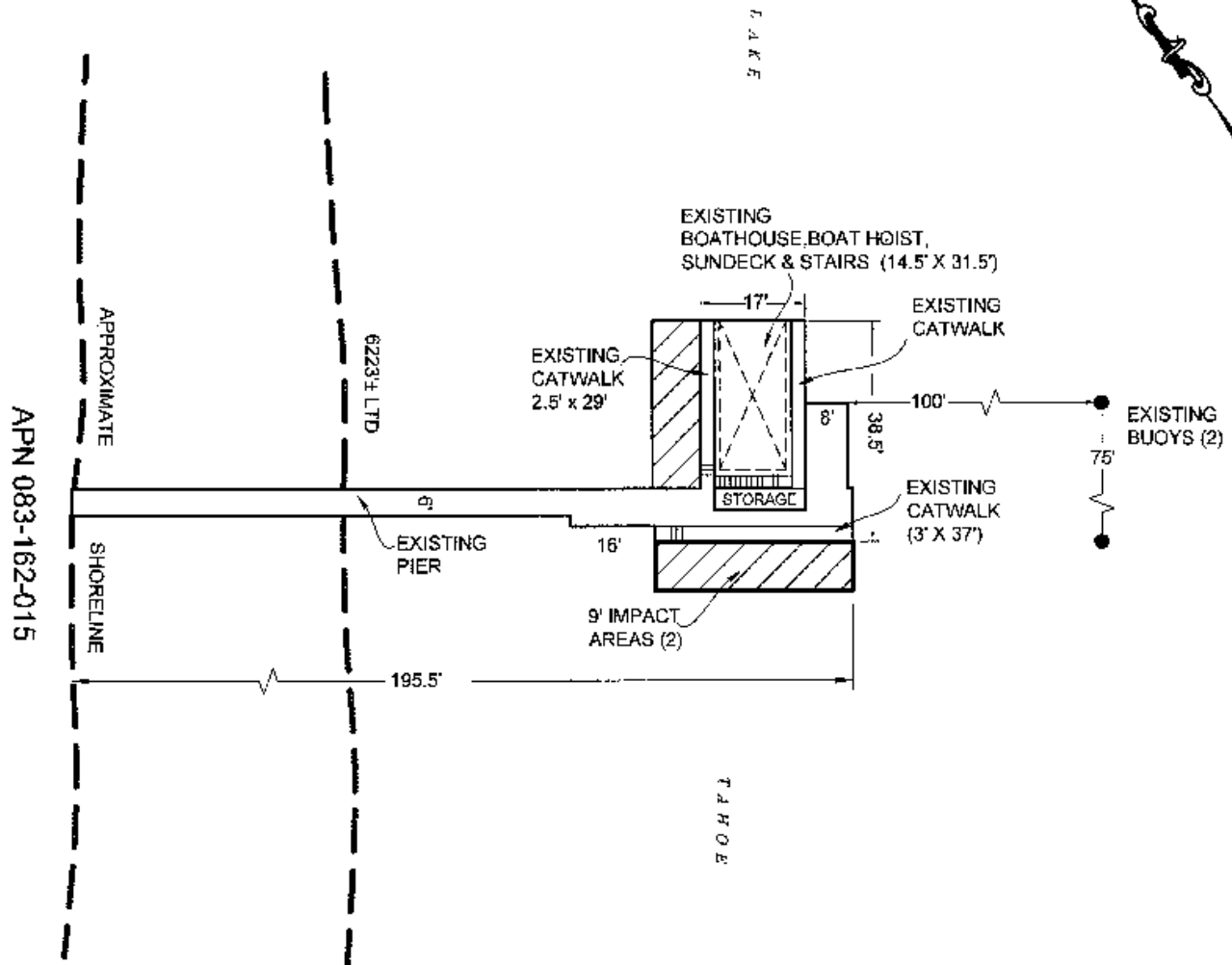
LAND DESCRIPTION PLAT
PRC 5913.1, GATES TAHOE HOUSE LLC
PLACER COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

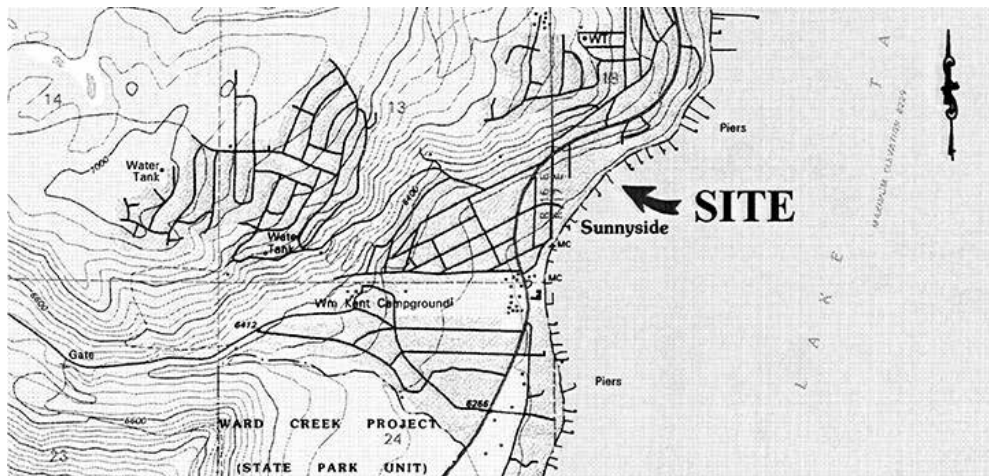
SITE



1320 WEST LAKE BLVD., NEAR TAHOE CITY

NO SCALE

LOCATION

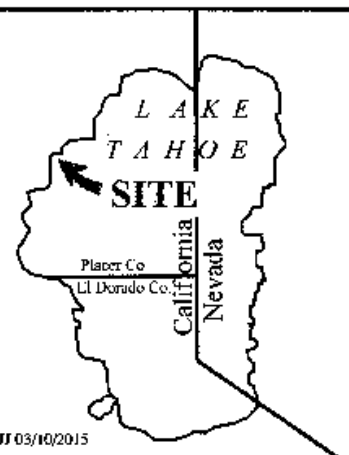


MAP SOURCE: USGS QUAD

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.

Exhibit B

PRC 5913.1
GATES TAHOE HOUSE LLC
 APN 083-162-015
 GENERAL LEASE -
 RECREATIONAL USE
 PLACER COUNTY



MJJ 03/10/2015