

**CALENDAR ITEM  
C05**

A 1  
S 1

04/23/15  
PRC 8979.1  
M. J. Columbus

**ASSIGNMENT OF LEASE**

**LESSEE/ASSIGNOR:**

Kaya Tuncer and Mary Mills Tuncer, Trustees of The Tuncer Family Trust dated October 2, 2001

**ASSIGNEE:**

Deniz Tuncer as Trustee, or any Successor Trustee(s), of the Cressman/Tuncer Family Trust, Under Declaration of Trust dated January 25, 2006; and Ayshe Tuncer, as Trustee, or any Successor Trustee(s) of the Tuncer Anderson Revocable Trust, under Declaration of Trust dated May 20, 2011

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

Sovereign land in Lake Tahoe, adjacent to 3170 Edgewater Drive, near Tahoe City, Placer County.

**AUTHORIZED USE:**

Continued use and maintenance of two existing mooring buoys.

**LEASE TERM:**

10 years, beginning March 29, 2012.

**CONSIDERATION:**

\$680 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:**

Insurance:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

Other:

1. If Lessee does not have valid Tahoe Regional Planning Agency (TRPA) buoy permits, Lessee is required to obtain such authorization for the mooring buoys within two years after the adoption of a Final Environmental Impact Statement (FEIS) for the Lake Tahoe Shorezone Ordinance Amendments and approval of the amended ordinances. If

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Lessee is unable to obtain such authorization within the time limit, they must remove the buoys.

2. Lessee expressly acknowledges and agrees that issuance of a lease does not substitute for, or provide preference in, obtaining authorizations from TRPA or any other regulatory agency for the improvements authorized by the Commission.

**OTHER PERTINENT INFORMATION:**

1. Assignee owns the upland adjoining the lease premises.
2. On March 29, 2012, the Commission authorized a General Lease - Recreational Use with Kaya Tuncer and Mary Mills Tuncer, Trustees of The Tuncer Family Trust dated October 2, 2001, for two existing mooring buoys. That lease will expire on March 28, 2022. On July 19, 2013, the upland parcel was deeded to Deniz Tuncer as Trustee, or any Successor Trustee(s), of the Cressman/Tuncer Family Trust, Under Declaration of Trust dated January 25, 2006; and Ayshe Tuncer, as Trustee, or any Successor Trustee(s) of the Tuncer Anderson Revocable Trust, under Declaration of Trust dated May 20, 2011. The Applicant is now applying for an assignment of the lease.
3. The staff recommends that the Commission find that the subject lease assignment does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, sections 15060 (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 assignment is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as

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defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

**AUTHORIZATION:**

Authorize the assignment of Lease No. PRC 8979.1, a General Lease – Recreational Use, of sovereign land as described in Exhibit A and shown on Exhibit B (for reference purposes only), from Kaya Tuncer and Mary Mills Tuncer, Trustees of The Tuncer Family Trust dated October 2, 2001, to Deniz Tuncer as Trustee, or any Successor Trustee(s), of the Cressman/Tuncer Family Trust, Under Declaration of Trust dated January 25, 2006; and Ayshe Tuncer, as Trustee, or any Successor Trustee(s) of the Tuncer Anderson Revocable Trust, under Declaration of Trust dated May 20, 2011; effective July 19, 2013.

**EXHIBIT A**

**PRC 8979.1**

**LAND DESCRIPTION**

Two parcels of submerged lands situated in the bed of Lake Tahoe, lying adjacent to Lot 7 of fractional Section 33, Township 16 North, Range 17 East, M.D.B.&M., as shown on Official Government Township Plat approved November 10, 1865, County of Placer, State of California, more particularly described as follows:

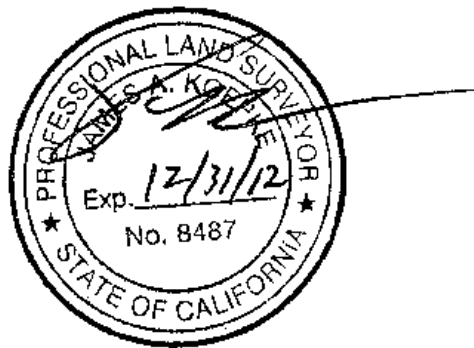
**PARCEL 1 & 2 – BUOYS**

Two circular parcels of land, each being 50 feet in diameter, underlying two existing buoys lying adjacent to the Parcel II as described in Grand Deed recorded September 28, 2010 as Document Number 2010-0076948 in Official Records of said County.

Accompanying plat is hereby made part of this description.

**END OF DESCRIPTION**

Prepared 01/17/2012 by the California State Lands Commission Boundary Unit.



NO SCALE

APN 093-072-038

Approximate  
Shoreline



LAKE

TAHOE

475'

6223' ± LTD

EXISTING  
BUOYS (2)

150'

EXHIBIT A

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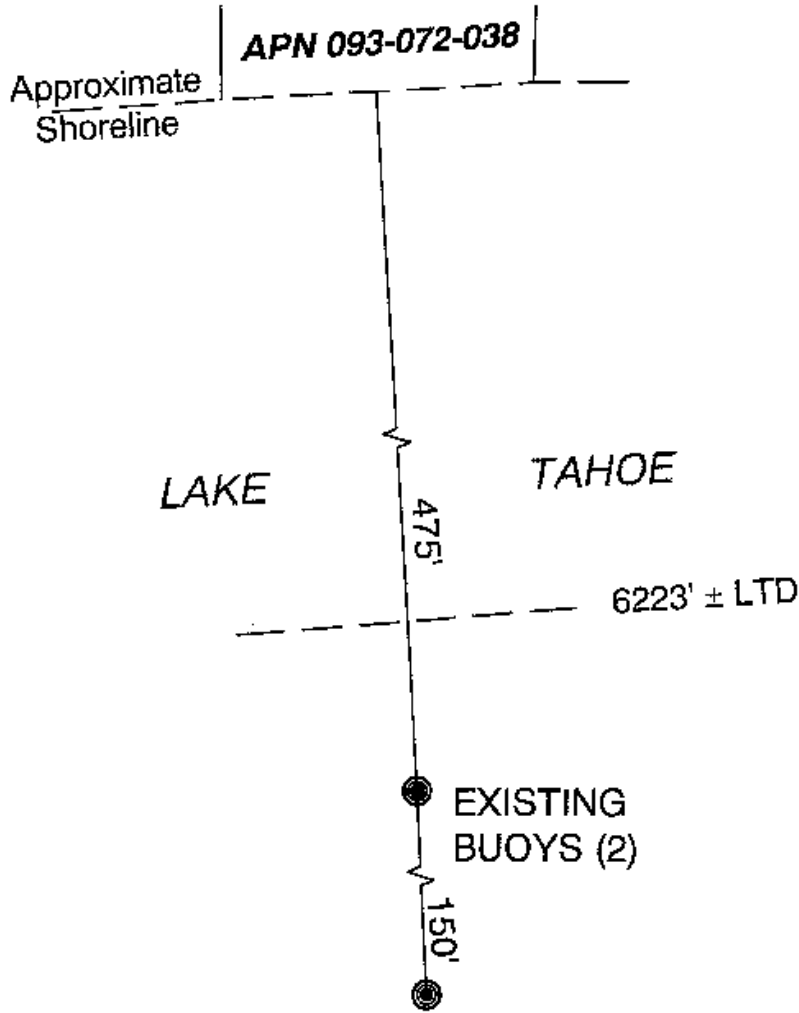
LAND DESCRIPTION PLAT  
PRC 8979.1, TUNCER  
PLACER COUNTY

CALIFORNIA STATE  
LANDS COMMISSION



NO SCALE

# SITE



3170 EDGEWATER DRIVE, NEAR TAHOE CITY

NO SCALE

# LOCATION

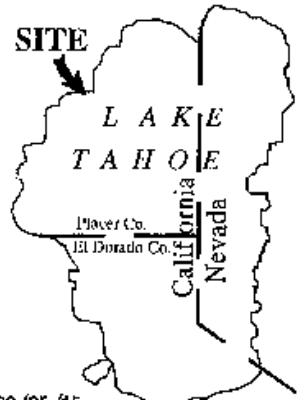


MAP SOURCE: USGS QUAD

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 8979.1  
 TUNCER  
 APN 093-072-038  
 GENERAL LEASE -  
 RECREATIONAL USE  
 PLACER COUNTY



TS 02/05/15