

**CALENDAR ITEM
C15**

A 1
S 1

06/29/15
PRC 5598.1
S. Kreuzburg

AMENDMENT OF LEASE

LESSEE:

Roland A. von Metzsch and Christine Wente von Metzsch, Trustees of the Christine and Roland von Metzsch Family Trust dated October 11, 2010, and Eric P. Wente, Trustee of the Christine and Roland von Metzsch 2012 Irrevocable Trust.

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 2220 Sunnyside Lane, near Tahoe City, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, open-sided boathouse, two boat hoists, and two mooring buoys.

LEASE TERM:

10 years, beginning October 1, 2012.

CONSIDERATION:

\$2,800 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

PROPOSED AMENDMENT:

Amend the lease to revise the annual rent from \$2,800 per year to \$1,926 per year; and replace the existing Exhibit A, Land Description, and Exhibit B, Site and Location Map, 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 uplands adjoining the lease premises.
2. On December 2, 2013, the Commission authorized a 10-year General Lease – Recreational Use with Roland A. von Metzsch and Christine Wente von Metzsch, Trustees of the Christine and Roland von Metzsch Family Trust dated October 11, 2010, and Eric P. Wente, Trustee of the

CALENDAR ITEM NO. **C15** (CONT'D)

Christine and Roland von Metzsch 2012 Irrevocable Trust. That lease will expire on September 30, 2022.

3. Lessee has applied for a lease amendment to revise the impact area surrounding the pier and reduce the annual rent. Lessee contacted Commission staff in August 2014 to amend the lease. Lessee requested the revised rent be effective October 1, 2014. Staff recommends the lease be amended to reflect the changes to the impact area and annual rent effective October 1, 2014, because the delay in bringing this item to the Commission primarily resulted from delays in staff processing the request.
4. The staff recommends that the Commission find that the subject lease amendment 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 California Code of Regulations, Title 14, section 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 lease amendment 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 defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

Authorize the amendment of Lease No. PRC 5598.1, a General Lease – Recreational Use, effective October 1, 2014, to revise the annual rent from \$2,800 per year to \$1,926 per year and to replace the existing Exhibit A, Land Description, and Exhibit B, Site and Location Map, 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.

EXHIBIT A

PRC 5598.1

LAND DESCRIPTION

Three (3) parcels of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 3 fractional Section 24, Township 15 North, Range 16 East, MDM., as shown on Official Government Township Plat approved April 11, 1884, County of Placer, State of California, and more particularly described as follows:

PARCEL 1 – PIER

All of the lands underlying an existing pier, open-sided boathouse with two (2) boat hoists, and catwalks lying adjacent to those Parcels as described in Exhibit “A” of that Grant Deed, recorded May 31, 2012 as Document Number 2012-0048596 of Official Records of said County.

TOGETHER WITH any applicable impact area(s).

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

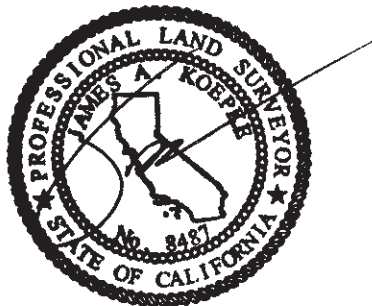
PARCELS 2 & 3 – BUOYS

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

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared April 30, 2015 by the California State Lands Commission Boundary Unit.



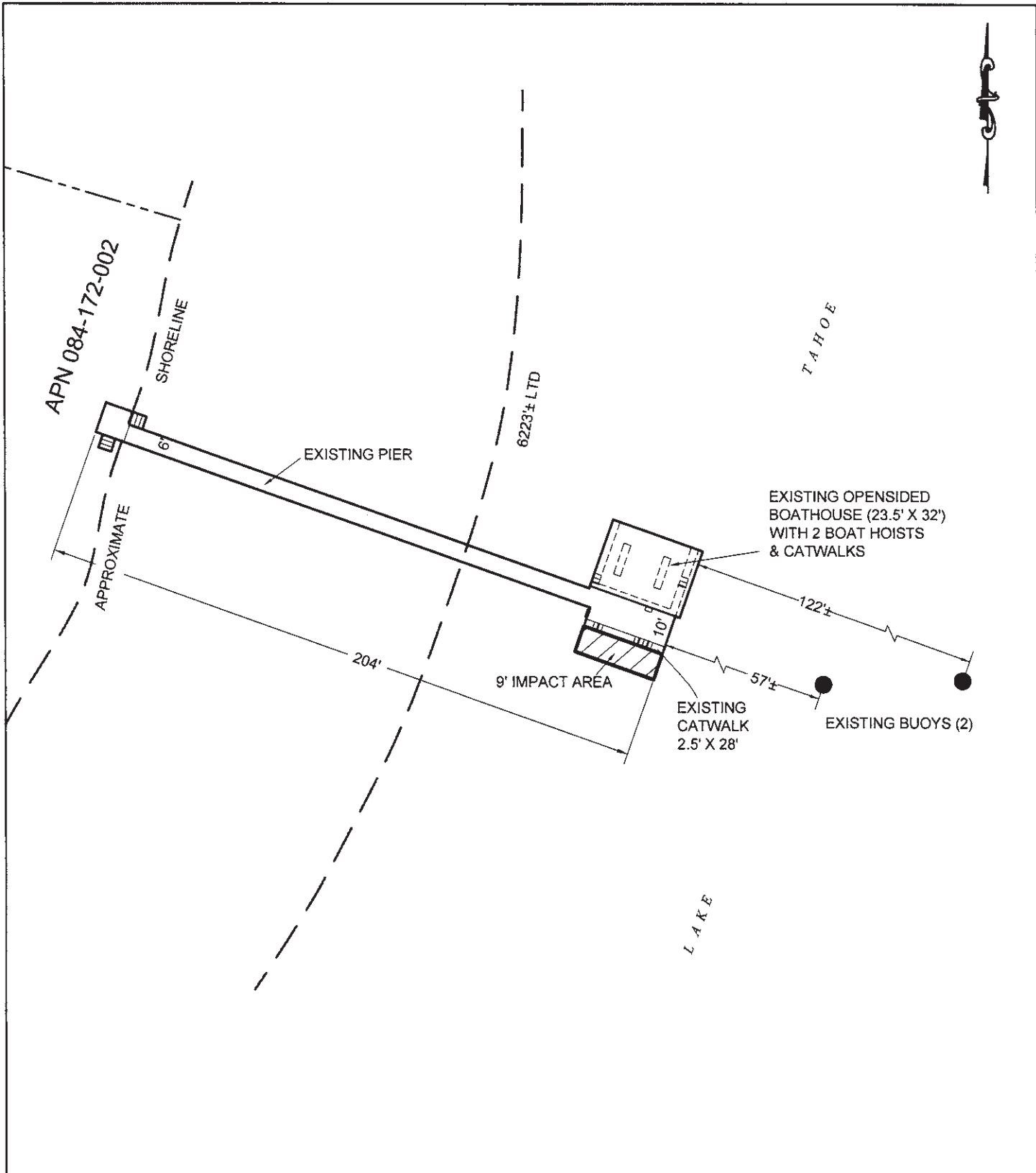


EXHIBIT A

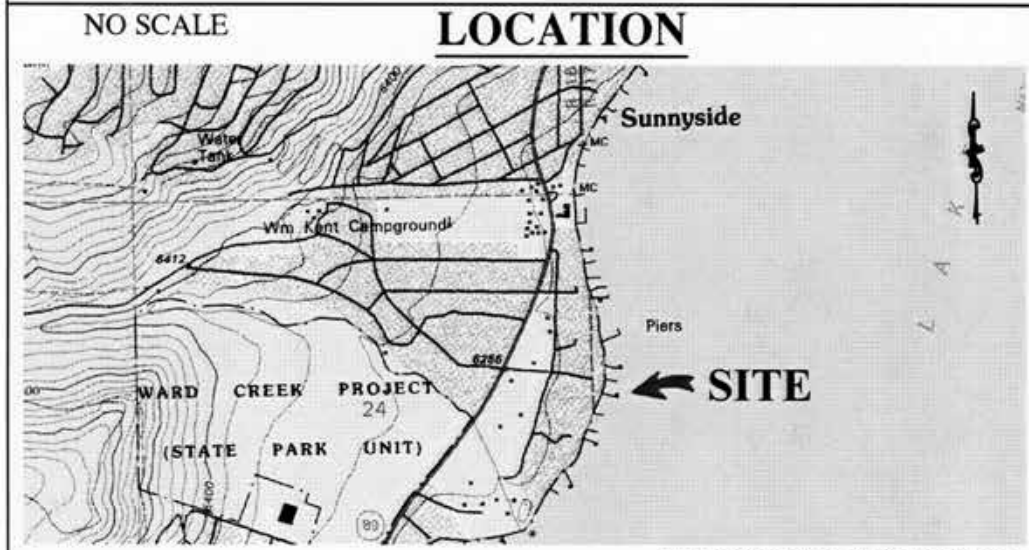
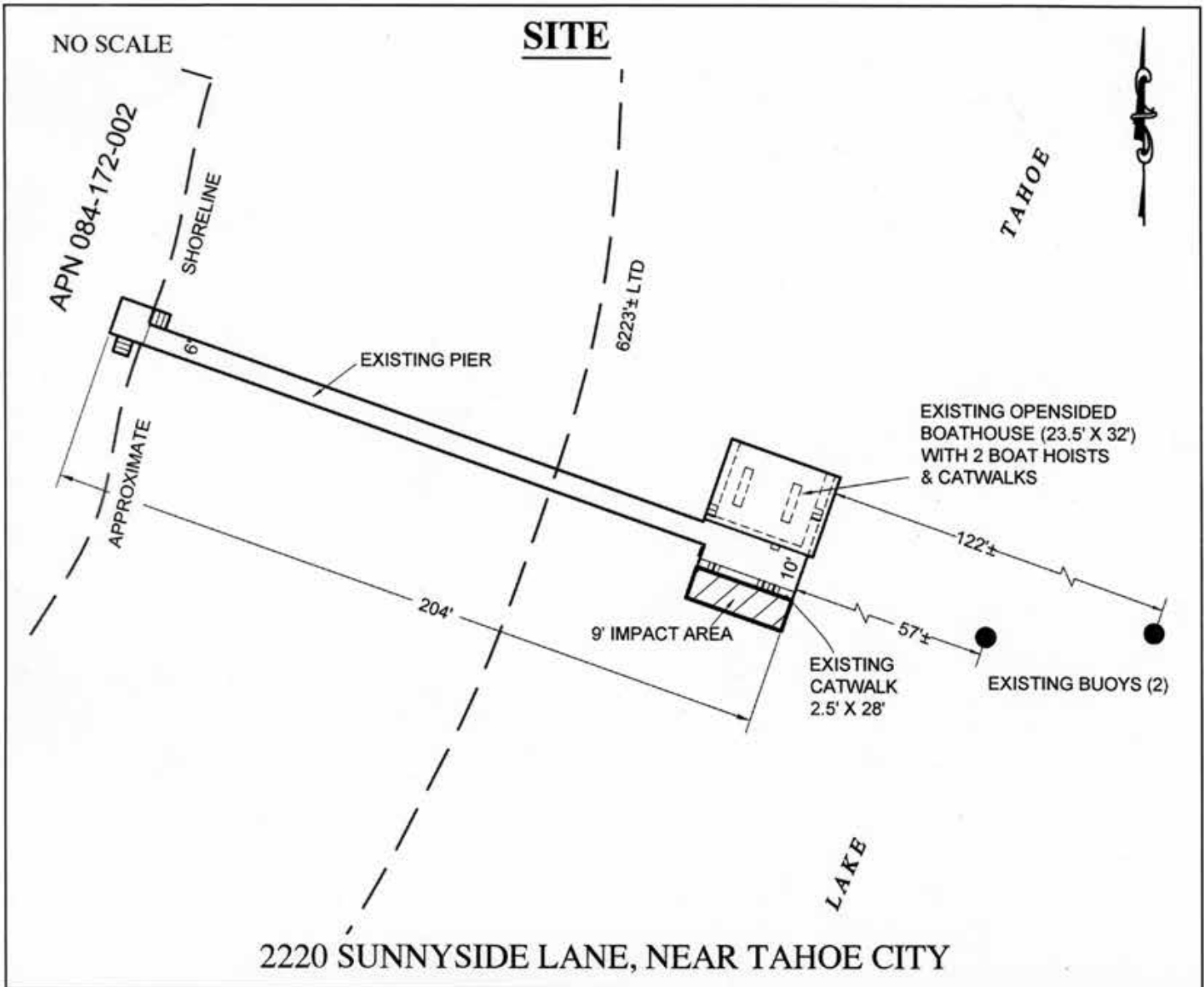
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MJJ 04/30/15

LAND DESCRIPTION PLAT
 PRC 5598.1, VON METZSCH TRUST
 PLACER COUNTY

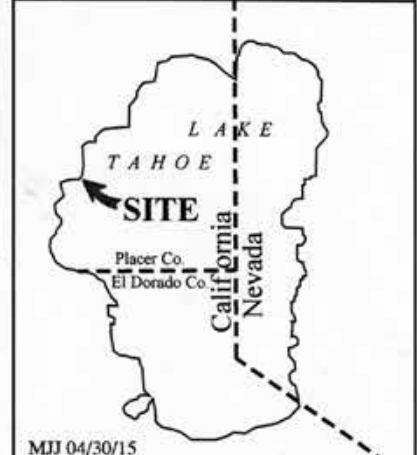
CALIFORNIA STATE
 LANDS COMMISSION





MAP SOURCE: USGS QUAD

Exhibit B
 PRC 5598.1
 VON METZSCH TRUST
 APN 084-172-002
 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.