MINUTE ITEM

1/30/75
GDG

9. 10-YEAR RENEWAL AND AMENDMENT OF LEASE PRC 3994, SUBMERGED LAND IN LAKE TAHOE, PLACER COUNTY; AGATE BAY PROPERTIES, INC. - W 20498, PRC 3994.

After consideration of Calendar Item 7 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. DETERMINES THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2910(a).

2. AUTHORIZES THE ISSUANCE TO AGATE BAY PROPERTIES, INC., OF A 10-YEAR RENEWAL AND AMENDMENT OF NONCOMMERCIAL LEASE PRC 3994 FROM AUGUST 23, 1971, WITH LESSEE'S OPTION TO RENEW FOR 2 SUCCESSIVE PERIODS OF 10 YEARS EACH; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $480, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; THE PROVISION OF $5,000 SURETY BOND, PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF $100,000/$300,000 FOR PERSONAL INJURY AND $50,000 FOR PROPERTY DAMAGE; FOR THE MAINTENANCE OF AN EXISTING PIER; ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:
Calendar Item 7 (3 pages)

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S 1

CALENDAR ITEM

1/75
GDG
W 20498

7.

RENEWAL AND AMENDMENT OF LEASE PRC 3994

APPLICANT: Agate Bay Properties, Inc.

AREA, TYPE LAND AND LOCATION:
A 0.13-acre parcel of submerged land in Lake Tahoe, Placer County.

LAND USE: Maintenance of an existing pier.

TERMS OF ORIGINAL LEASE:

Period:	5 years, from August 23, 1966.
Renewal options:	3 successive periods of 10 years each.
Surety bond:	$2,000.
Consideration:	$150 per annum.

TERMS OF LEASE DURING FIRST RENEWAL PERIOD:

Period:	10 years, from August 23, 1971.
Renewal options:	2 remaining periods of 10 years each.
Surety bond:	$5,000.
Public liability insurance:	$100,000/$300,000 for personal injury and $50,000 for property damage.

CONSIDERATION: $480 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:
6% of appraised value of land.

PREREQUISITE TERMS:
Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:
a. Public Resources Code: Div. 6, Parts 1 and 2.
b. Administrative Code: Title 2, Div. 3, Arts. 1, 2 & 10.

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OTHER PERTINENT INFORMATION:

An environmental impact report is not required for this transaction as it is within the purview of 2 Cal. Adm. Code 2910(a) which exempts an existing structure that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085; 14 CAL. ADM. CODE 15100, ET SEQ.; AND 2 CAL. ADM. CODE 2910(a).

2. AUTHORIZE THE ISSUANCE TO AGATE BAY PROPERTIES, INC., OF A 10-YEAR RENEWAL AND AMENDMENT OF NONCOMMERCIAL LEASE PRC 3994 FROM AUGUST 23, 1971, WITH LESSEE'S OPTION TO RENEW FOR 2 SUCCESSIVE PERIODS OF 10 YEARS EACH; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $480, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; THE PROVISION OF $5,000 SURETY BOND, PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF $100,000/$300,000 FOR PERSONAL INJURY AND $50,000 FOR PROPERTY DAMAGE; FOR THE MAINTENANCE OF AN EXISTING PIER; ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 20498

A parcel of submerged land in the bed of Lake Tahoe, Placer County, State of California, being immediately adjacent to and contiguous with Lot 13, Agate Bay Shore Subdivision, as shown on that certain map recorded in Book "E" of Maps, page 16, in the Office of the Recorder of said County, said parcel being immediately beneath and extending 10 feet on all sides of an existing pier.

EXCEPTING THEREFROM any portion lying landward of the ordinary low water mark.

END OF DESCRIPTION