MINUTE ITEM

This Calendar Item No. ____ was approved as Minute Item No. ____ by the State Lands Commission by a vote of ____ to ____ at its ____ meeting.

CALENDAR ITEM

C 04

7/22/82
WP 5739
Gordon

ASSIGNMENT AND AMENDMENT
OF GENERAL LEASE - COMMERCIAL USE
PRC 5739.1

ASSIGNOR: Tahoe Vista Marina, Ltd.
P. O. Box 236
Tahoe Vista, California 95732

ASSIGNEE: Tahoe Vista Inn and Marina
P. O. Box 236
Tahoe Vista, California 95732

AREA, TYPE LAND AND LOCATION:
An aggregate of 0.760-acre consisting of a 0.241-acre area and 18 circular areas totalling 0.519 acre, all parcels of submerged lands in Agate Bay at Tahoe Vista, Lake Tahoe, Placer County.

LAND USE: Maintenance of commercial facilities utilized in the operation of a marina.

TERMS OF EXISTING LEASE:

Initial period: 15 years from May 24, 1977.

Public liability insurance: $900,000 per occurrence for bodily injury and $100,000 for property damage, or combined single limit coverage of $1,000,000.

Consideration: $1,400 per annum; five-year rent review.

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CALENDAR PAGE 18
MINUTE PAGE 1689

The Commission authorized the continuation of the lease rent, effective May 24, 1982, at the first five-year review.

TERMS OF PROPOSED AMENDED LEASE:

Initial period: 15 years from May 24, 1977.

Public liability insurance: $900,000 per occurrence for bodily injury and $100,000 for property damage, or combined single limit coverage of $1,000,000.

Special:

1. The amendment adds 18 existing mooring buoys, increases the area of use, and conforms the lease to the Lyon/Fogerty decision.

2. All other terms and conditions of the lease remain in full force and effect.

CONSIDERATION: $1,400 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner of upland.

Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES;

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 6/11/83.

OTHER PERTINENT INFORMATION:

1. The assignment is occasioned by the dissolution of Tahoe Vista Marina,

Ltd., a California corporation, and the conveyance of the upland to Tahoe Vista Inn and Marina, a general partnership. The 18 existing mooring buoys have been in trespass status for many years. Assignee has requested that they be added to the existing lease. The current rent, approved at the March 23, 1982 meeting and effective May 24, 1982, considered the marina as well as the buoys. This is a relatively small commercial operation with the rental based on comparable marinas.

2. This project is exempt from CEQA pursuant to 2 Cal. Adm. Code 2905(a) Class 1: Existing Facilities. These are existing facilities that are in an acceptable state of repair.

3. The project is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in use category "B" which authorizes Limited Use. The project as proposed will not have a significant effect upon the identified environmental values.

APPROVALS REQUIRED AND OBTAINED:

These facilities are subject to the jurisdiction of the California Tahoe Regional Planning Agency, Tahoe Regional Planning Agency, the United States Army Corps of Engineers, California Department of Fish and Game, Lahontan Regional Water Quality Control Board and the County of Placer. The lease is conditioned on the approval of all agencies having jurisdiction.

EXHIBITS:

A. Land Description.
B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2905; AND FIND THAT THE PROJECT IS CONSISTENT WITH ITS USE CLASSIFICATION.

2. APPROVE, EFFECTIVE JULY 1, 1982, THE ASSIGNMENT OF GENERAL LEASE - COMMERCIAL USE, PRC 5739.1, COVERING THE SUBJECT FACILITIES, FROM TAHOE VISTA MARINA, LTD. TO TAHOE VISTA INN AND MARINA.

3. AUTHORIZE THE AMENDMENT OF GENERAL LEASE - COMMERCIAL USE, PRC 5739.1, EFFECTIVE JULY 1, 1982, TO ADD 18 EXISTING MOORING BUOYS; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF $1,400, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; AND WITH PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF $900,000 PER OCCURRENCE FOR BODILY INJURY AND $100,000 FOR PROPERTY DAMAGE, OR COMBINED SINGLE LIMIT COVERAGE OF $1,000,000; FOR MAINTENANCE OF COMMERCIAL FACILITIES UTILIZED IN THE OPERATION OF A MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION

WP 5739

Nineteen (19) parcels of land in the State owned bed of Lake Tahoe, Placer County, California, more particularly described as follows:

PARCEL 1 - Marina

COMMENCING at the northeast corner of Lot 40, Block B, as shown on that certain map entitled "Tahoe Vista Subdivision", filed February 7, 1911, in Book "B" of Maps, Page 10, Placer County records; thence from said point of commencement N 56° 37' W 61.85 feet to the POINT OF BEGINNING of this description; thence S 28° 32' W 74 feet; thence S 05° 30' W 75 feet; thence S 87° 30' W 41.97 feet; thence N 66° W, 163.28 feet; thence N 23° E, 48 feet; thence N 55° 30' E 87 feet; thence N 25° 26' E 40 feet; thence N 50° 53' E 48.53 feet; thence S 41° 46' E 47.6 feet; thence S 48° 47' E, 75.3 feet to the true point of beginning.

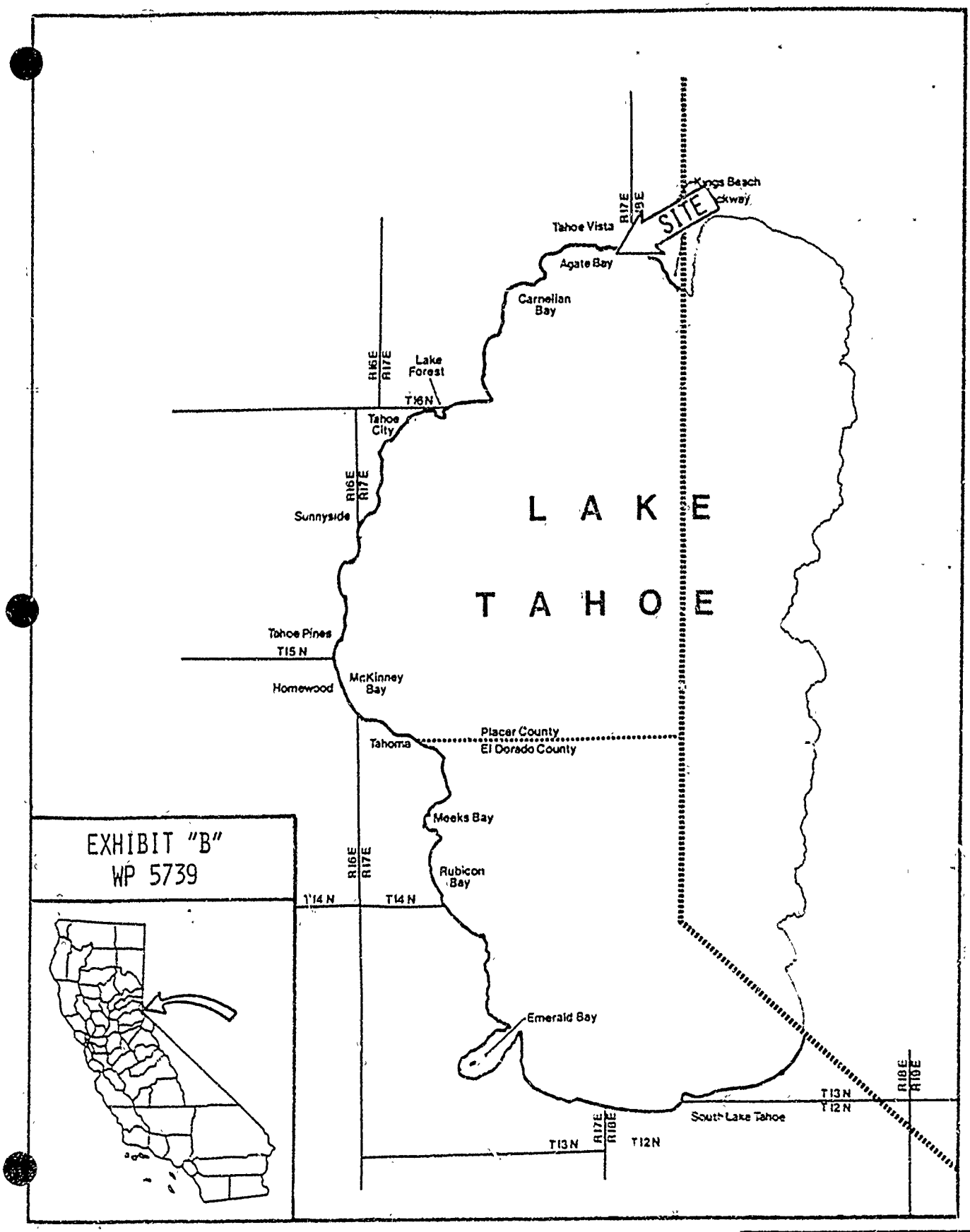
PARCELS 2-19 - Buoys

Eighteen (18) circular parcels of land 40 feet in diameter to accomodate 18 mooring buoys, the center points of said circular parcels are located at 50 foot grid intervals within a 225 foot square area lying waterward and normal to the shore from Parcel 1 above.

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

END OF DESCRIPTION

REVISED FEBRUARY 1, 1982 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.


SITE
Kings Beach
Tahoe Vista
Agate Bay
Carnelian Bay
Lake Forest
T16N
Tahoe City
Sunnyside
LAKE TAHOE
Tahoe Pines
T15N
Homewood
McKinney Bay
Tahoma
Placer County
El Dorado County
Meeks Bay
Rubicon Bay
T14N
Emerald Bay
South Lake Tahoe
T13N
T12N
R16E
R17E
R18E
N
EXHIBIT "B"
WP 5739