

MINUTE ITEM
This Calendar Item No. C18
was approved as Minute Item
No. 18 by the State Lands
Commission by a vote of 3
to 0 at its 3/10/88
meeting.

CALENDAR ITEM

C 18

08/10/88
WP 5856 PRC 5856
Townsend

A 7

S 1

ASSIGNMENT OF GENERAL LEASE - COMMERCIAL USE

ASSIGNOR: North Tahoe Lands
P.O. Box 7740
Tahoe City, California 95730

ASSIGNEE: James Robert Walsh and Virginia Ann Walsh, as
the Co-trustees of The Walsh Trust of 1981
P.O. Box 7169
Tahoe City, California 95730

AREA, TYPE LAND AND LOCATION:
A 1.585-acre parcel of submerged land, located
in Lake Tahoe, Placer County.

LAND USE: Operation of a commercial marina.

TERMS OF ORIGINAL LEASE:

Initial period: 20 years beginning June 5,
1985.

Public liability insurance: Combined single
limit coverage of \$500,000.

Special consideration: Minimum annual rental of
\$750, against five-percent of
gross income derived from the
rental of boat docks and
moorings; \$.01 per gallon of
fuel sold during the reporting
period to a maximum of 100,000
gallons and \$.015 thereafter;
five-year rent review.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Adm. Code 2003.

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APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

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:

N/A.

OTHER PERTINENT INFORMATION:

1. Lease PRC 5856 was originally issued to Byron F. West and M. Stanley Rundel, dba Alpine Marina, beginning July 1, 1980 for the operation of a commercial marina. The lease was subsequently quitclaimed back to the State and a new lease issued to La Reserve, dba Alpine Marina, from May 6, 1983. Upon bankruptcy, the lease to La Reserve was terminated and a new lease issued to North Tahoe Lands, a California partnership, for a term of 20 years from June 5, 1985. The upland was owned by the partnership who operated the marina under the corporate structure of North Tahoe Marina, Inc.

Staff of the Commission has now received an application requesting assignment of the lease to James R. Walsh and Virginia A. Walsh, as sole co-trustees of The Walsh Trust of 1981. The Trust has purchased the upland. There have been no changes to the physical operation of the marina, which will continue to be operated under the basic corporate structure of North Tahoe Marina, Inc. Based on a review of the proposed assignees business and financial history, staff recommends assignment of the lease to The Walsh Trust of 1981.

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2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. The project, as proposed, is consistent with its use classification.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

APPROVALS OBTAINED:
N/A.

FURTHER APPROVALS REQUIRED:
N/A.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.
2. AUTHORIZE THE ASSIGNMENT OF LEASE PRC 5856 TO JAMES ROBERT WALSH AND VIRGINIA ANN WALSH, AS CO-TRUSTEES OF THE WALSH TRUST OF 1981, FROM NORTH TAHOE LANDS, A CALIFORNIA PARTNERSHIP, EFFECTIVE MARCH 15, 1988, WITH ALL OTHER TERMS OF THE LEASE REMAINING IN FULL FORCE AND EFFECT.

EXHIBIT "A"
LAND DESCRIPTION

WP 5856

PARCEL 1 - Marina

A parcel of submerged land lying in the bed of Lake Tahoe, Placer County, State of California, said parcel being adjacent to Lots 28, 29 and 30, in Block "B" as shown on the map entitled "Tahoe Vista-Subdivision No. 1" filed in Book B of maps at page 10, records of said county, described as follows:

BEGINNING at the intersection of the low water mark of Lake Tahoe between stations 462 and 463, as said low water mark is shown on map entitled "Survey of the Low Water Mark on the Shore of Lake Tahoe Vicinity of Tahoe Vista" filed for record in Book 2 of Survey at page 71, Placer County Records, with the southerly prolongation of the westerly line of said Lot 28; thence along said low water mark to a point which bears S 79° 43' 44" W, 37.02 feet from said station 463; thence S 27° E, 69.71 feet; thence N 83° 18' 10" E, 23.00 feet; thence S 14° 02' 10" E, 115.00 feet; thence N 75° 57' 50" E, 170.00 feet; thence N 13° W, 110 feet to the southerly prolongation of the easterly line of said Lot 30; thence along last prolongation and said easterly line N 21° 18' 20" W, 380 feet, more or less, to the northeast corner of said Lot 30, being on the southerly line of AGATAHOE BOULEVARD as shown on said map entitled "Tahoe Vista Subdivision No. 1"; thence along said southerly line S 68° 41' 40" W, 150.00 feet to said westerly line of Lot 28; thence along last said line and its southerly prolongation S 9° 03' 50" E, 276 feet to the point of beginning.

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

Bearings used herein are based on the California Coordinate System Zone 2.

PARCEL 2 - Buoys

Thirty-eight circular parcels of land, each being 40 feet in diameter and lying adjacent to the land described in the above-described Parcel 1.

END OF DESCRIPTION

REVISED OCTOBER 16, 1985 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

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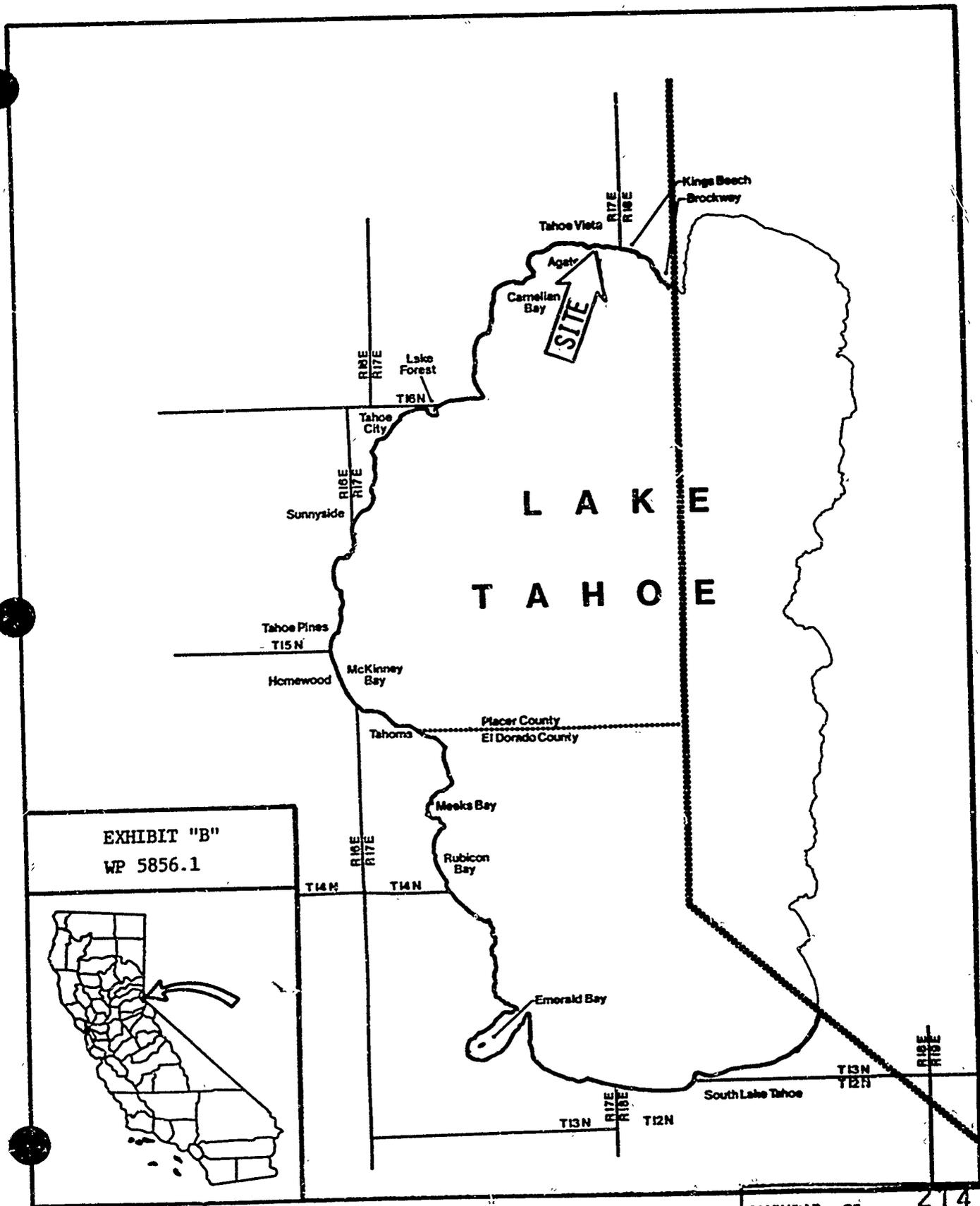


EXHIBIT "B"
WP 5856.1

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