

MINUTE ITEM

This Calendar Item No. C45 was approved as Minute Item No. 45 by the California State Lands Commission by a vote of 3 to 0 at its 4-24-01 meeting.

**CALENDAR ITEM
C45**

A 4
S 1

04/24/01
PRC 3905.1
N. Lee

CONTINUATION OF RENT

LESSEES:

James Hetfield
c/o Provident Financial Management
2020 Union Street
San Francisco, CA 94123

Wiedemann Ranch, Inc.
2303 Norris Canyon Road
San Ramon, CA 94583

AREA, LAND TYPE, AND LOCATION:

0.12 acres, more or less, of sovereign lands in Lake Tahoe, near Tahoe Pines, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boat lift and two mooring buoys as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning October 7, 1996.

CONSIDERATION:

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease, and recommends that the rent be continued at \$186.00 per year, effective October 6, 2001.

OTHER PERTINENT INFORMATION:

1. On February 27, 1998, the Commission authorized a General Lease - Recreational Use with James Hetfield and Wiedemann Ranch, Inc. for a "joint-use" pier, boat lift and two mooring buoys. That lease will expire on October 6, 2006. The Lessees do not qualify for a rent-free Recreational

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Pier Lease because Lessee, Wiedemann Ranch, Inc., is not a natural person and, therefore, does not qualify for "rent-free" status pursuant to Section 6503.5 of the Public Resources Code.

2. The annual rental for this lease was calculated in recognition that Lessee, James Hetfield, does qualify for "rent-free" status under Section 6503.5. James Hetfield holds two-third (2/3) interest in the pier and boat lift facilities while Wiedemann Ranch, Inc. holds a one-third (1/3) interest. Per the Lessees' "Pier Agreement," the buoys are owned by James Hetfield, are for his sole use and are not shared improvements. Therefore, rental is not charged for the buoys. The annual rental is based on the non-qualifying one-third (1/3) interest of the pier and boat lift facilities.

EXHIBIT:

- A. Location and Site Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

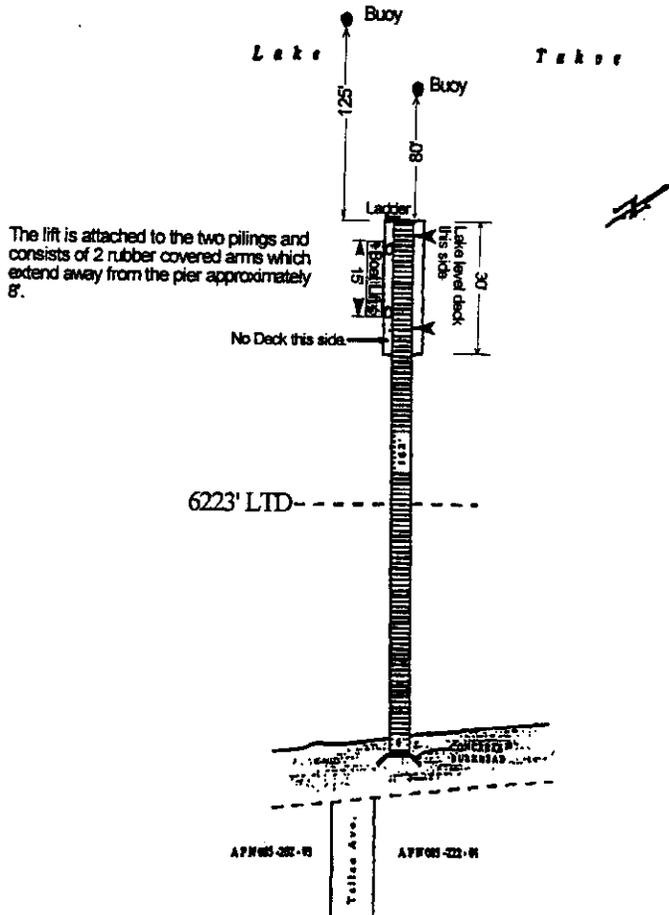
FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

AUTHORIZATION:

APPROVE THE CONTINUATION OF RENT FOR LEASE NO. PRC 3905.1 AT \$186.00 PER YEAR, EFFECTIVE OCTOBER 6, 2001.

NO SCALE

SITE MAP



3915 Bellevue Ave.

NO SCALE

LOCATION MAP

Lake Tahoe

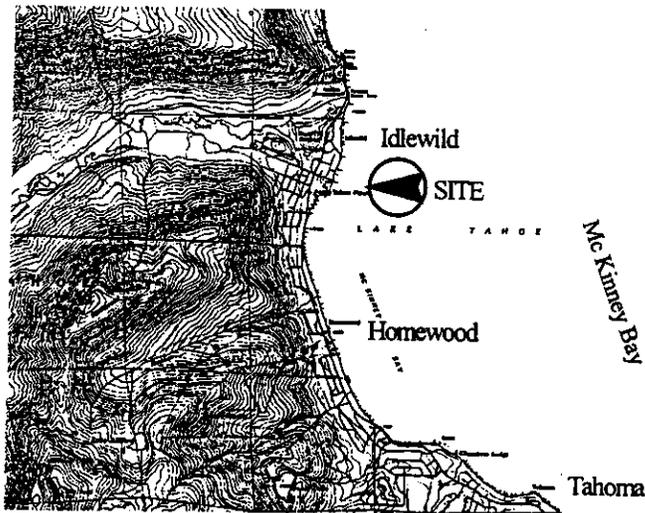


Exhibit A
 PRC 3905
 APN 085-222-001
 Lake Tahoe
 PLACER COUNTY

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This Exhibit is solely for purposes of generally defining the lease premises, 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.