MINUTE ITEM
This Calendar Item No. C02 was approved as Minute Item No. 02 by the California State Lands Commission by a vote of 3 to 0 at its 04-07-03 meeting.

CALENDAR ITEM
C02

A 4

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PRC 3994

04/07/03
WP 3994.1
M. Hays

ASSIGNMENT OF LEASE

LESSEE/ASSIGNOR:
Agate Bay Properties, Inc.
P. O. Box 444
Carnelian Bay, CA 96140

ASSIGNEE:
Agate Bay Pier and Swim Club, Inc.
P. O. Box 1705
Carnelian Bay, CA 96140

AREA, LAND TYPE, AND LOCATION:
0.57 acres, more or less, of sovereign lands in Lake Tahoe, Agate Bay, Placer County.

AUTHORIZED USE:
Continued use and maintenance of an existing pier, one swim float and 14 mooring buoys.

LEASE TERM:
20 years, beginning July 1, 1998.

CONSIDERATION:
$2,629 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

OTHER PERTINENT INFORMATION:

1. Lessee/Assignor owns the uplands adjoining the lease premises.

2. Currently, Assignee is in the process of acquiring the uplands adjoining the lease premises from the Lessee/Assignor. On December 16, 1998,

the Commission approved a 20-year lease, which will expire on June 30, 2018.

3. The Assignee is an optional private membership club formed in 1962 to administer the recreational facilities created by the developer of Agate Bay Shores Subdivision, Agate Bay Properties, Inc. (Lessee/Assignor). The membership is limited to property owners of the upland development. Agate Bay Pier and Swim Club (Club) was a "DBA" of the Lessee/Assignor until February 9, 2000 when the Club incorporated as a separate entity in anticipation of the acquisition of the recreational facilities. In addition to the recreational facilities located on the lease premises, the Club is acquiring the upland recreational facility sites and related equipment.

4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it is not a "project" as defined by the CEQA and the State CEQA Guidelines.

   Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, sections 15060 (c)(3) and 15378.

EXHIBIT:

A. Site and Location

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

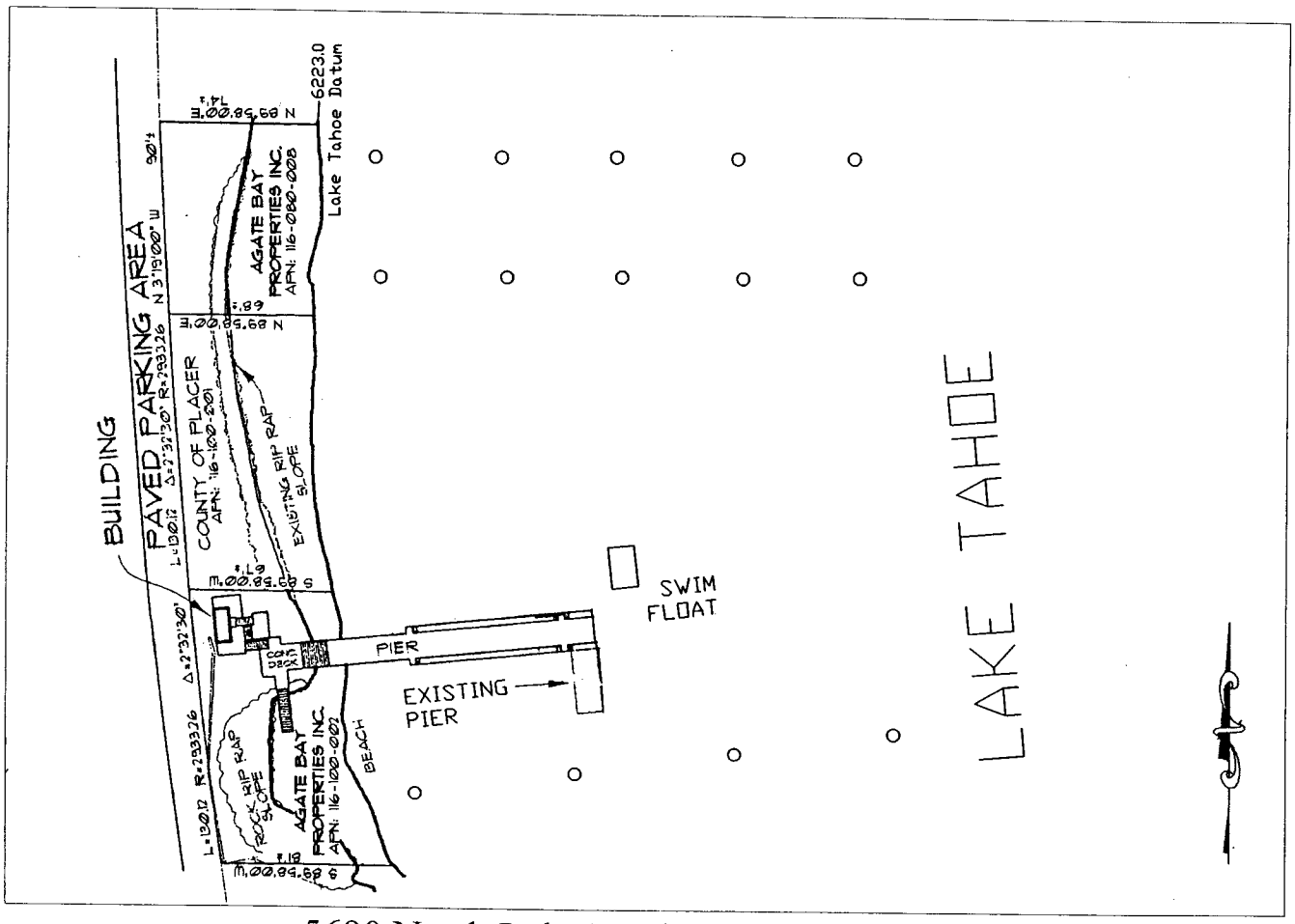
FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

AUTHORIZATION:

AUTHORIZE THE ASSIGNMENT OF LEASE NO. PRC 3994.1, A GENERAL LEASE - RECREATIONAL USE, OF SOVEREIGN LANDS AS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, FROM AGATE BAY PROPERTIES, INC. TO AGATE BAY PIER AND SWIM CLUB, INC.; EFFECTIVE APRIL 15, 2003.

NO SCALE

SITE MAP



5690 North Lake Boulevard, Agate Bay

NO SCALE

LOCATION MAP

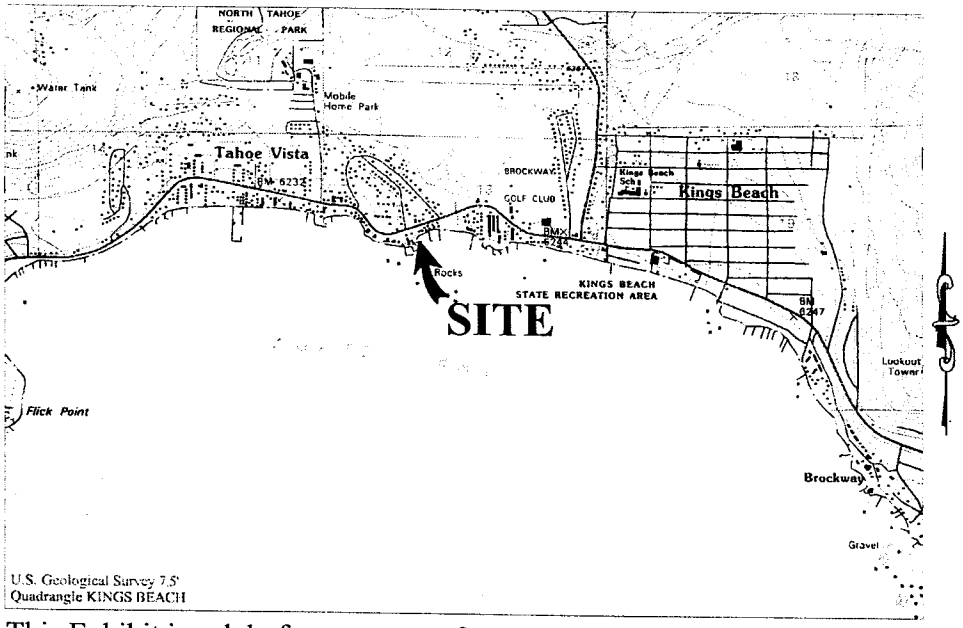
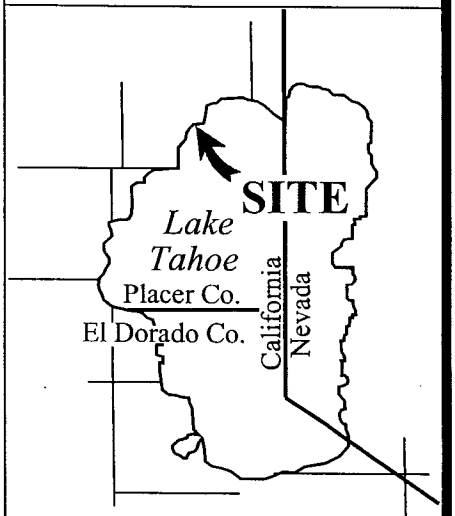


EXHIBIT A

PRC 3994.1
APN 116-100-002
APN 116-080-008
Lake Tahoe
PLACER COUNTY



DWC 03-10-03

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by 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.