

MINUTE ITEM

This Calendar Item No. C18 was approved as Minute Item No. 18 by the California State Lands Commission by a vote of 3 to 0 at its 02-09-06 meeting.

CALENDAR ITEM  
C18

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02/09/06  
PRC 4204 WP 4204.1  
R. Barham

ASSIGNMENT OF LEASE

LESSEE/ASSIGNOR:

Alexander Court L.L.C., A Ltd. Liability Co.  
c/o Gelfand, Rennert and Feldman  
1779 Century Park East, Suite 1600  
Los Angeles, CA 90067

ASSIGNEES:

Alexander Court L.L.C., A Delaware Limited Liability Company  
c/o Gelfand, Rennert and Feldman  
1779 Century Park East, Suite 1600  
Los Angeles, CA 90067

Robert J. Whalen and Kirsten J. Whalen, Trustees of the Robert J. Whalen and Kirsten J. Whalen Family Trust dated February 10, 1987  
c/o Straddling, Yocca, Carlson and Rauth  
660 Newport Center Drive, Suite 1600  
Newport Beach, CA 92660

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in Lake Tahoe, near Kings Beach, Placer County.

AUTHORIZED USE:

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

LEASE TERM:

Ten years, beginning December 1, 2005.

CONSIDERATION:

\$1,115 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

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**SPECIFIC LEASE PROVISIONS:**

Insurance:

Liability insurance in the amount of no less than \$500,000.

Other:

This lease is conditioned on the Assignees obtaining authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoys within two years after the adoption of the Lake Tahoe Shorezone Amendments-Draft Environmental Impact Statement (EIS) and approval of the ordinances based on the EIS.

**OTHER PERTINENT INFORMATION:**

1. Assignees own the uplands adjoining the lease premises.
2. On December 8, 2005, the Commission authorized a General Lease – Recreational Use with Alexander Court, L.L.C., A Ltd. Liability Co. That lease will expire on November 30, 2015. On November 30, 2005, Lessee transferred a two-thirds interest in the littoral property to Alexander Court, L.L.C., A Delaware Limited Liability Company, and a one-third interest in the littoral property to Robert J. Whalen and Kirsten J. Whalen, Trustees of The Robert J. Whalen and Kirsten J. Whalen Family Trust dated February 10, 1987, who are now applying for an assignment of General Lease – Recreational Use No. PRC 4204.1, effective November 30, 2005.
3. 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 Map

CALENDAR ITEM NO. C18 (CONT'D)

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

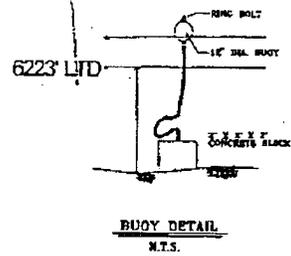
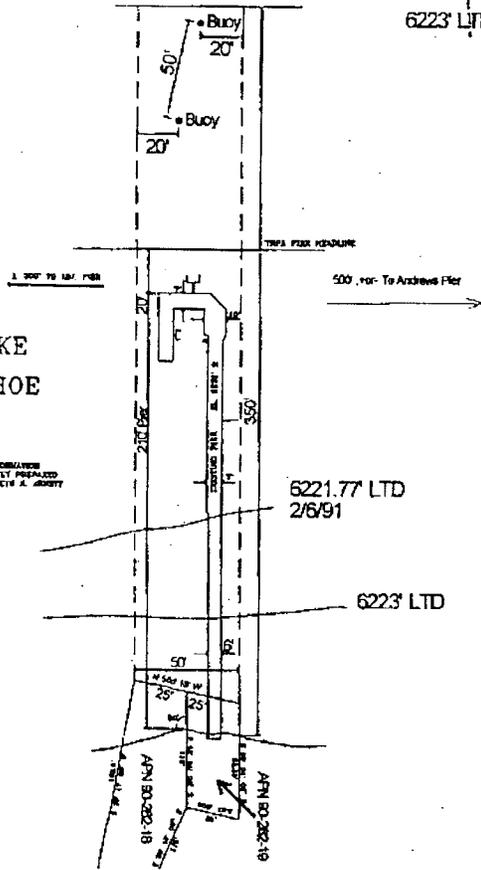
FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

**AUTHORIZATION:**

AUTHORIZE THE ASSIGNMENT OF AN UNDIVIDED TWO-THIRDS INTEREST IN LEASE NO. PRC 4204.1, A GENERAL LEASE – RECREATIONAL USE, OF SOVEREIGN LANDS SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, FROM ALEXANDER COURT, L.L.C., A LTD. LIABILITY CO. TO ALEXANDER COURT, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY AND AN UNDIVIDED ONE-THIRD INTEREST IN LEASE NO. PRC 4204.1 TO ROBERT J. WHALEN AND KIRSTEN J. WHALEN, TRUSTEES OF THE ROBERT J. WHALEN AND KIRSTEN J. WHALEN FAMILY TRUST DATED FEBRUARY 10, 1987; SAID ASSIGNEES TO TAKE THEIR INTERESTS AS TENANTS IN COMMON AND SAID ASSIGNMENTS TO BE EFFECTIVE NOVEMBER 30, 2005.

NO SCALE

### SITE MAP

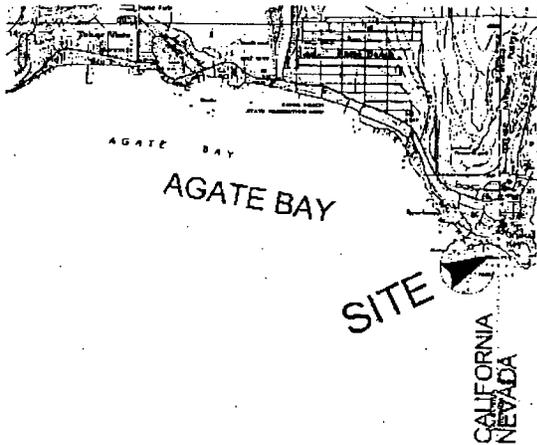


125 Speedboat Avenue, Kings Beach

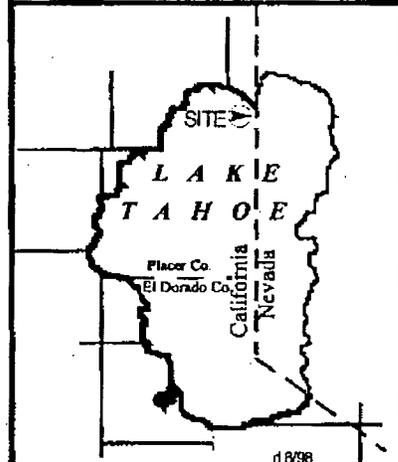
NO SCALE

### LOCATION MAP

Lake  
Tahoe



Section 3  
 Exhibit A  
 PRC 4204.1  
 APN 090-282-018  
 Lake Tahoe  
 PLACER COUNTY



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.

1/8/98

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