

MINUTE ITEM
This Calendar Item No. C16 was approved as
Minute Item No. 16 by the California State Lands
Commission by a vote of 3 to 0 at its
8/24/06 meeting.

CALENDAR ITEM

C16

A 4

08/24/06
PRC 4204 WP 4204.1

S 1

R. Barham

ASSIGNMENT OF LEASE

LESSEE/ASSIGNOR:

Alexander Court L.L.C., A Delaware Limited Liability Company
c/o Gelfand, Rennert and Feldman
1880 Century Park East, Suite 1600
Los Angeles, CA 90067

ASSIGNEE:

Paula Turteltaub, Trustee U/T/A dtd. June 13, 2001

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.

SPECIFIC LEASE PROVISIONS:

Insurance:

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

Other:

This lease is conditioned on the Assignee 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.

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OTHER PERTINENT INFORMATION:

1. Assignee owns 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 Company. That Lease will expire on November 30, 2015. Subsequently, the Lessee transferred an undivided two-thirds interest in the littorial property to Alexander Court, L.L.C., A Delaware Limited Liability Company and an undivided one-third interest in the littorial 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. This assignment of the lease was approved by the Commission on February 9, 2006.
3. On May 4, 2006, Alexander Court, L.L.C., A Delaware Limited Liability Company, transferred it's undivided two-thirds interest in the littorial property to Paula Turteltaub, Trustee U/T/A dtd. June 13, 2001, who is now applying for an assignment of the lease effective May 4, 2006.
4. Assignee does not qualify for a rent-free lease pursuant to Public Resources Code 6503.5 because the adjacent littorial property is not improved with a single family dwelling.
5. 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

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CALENDAR ITEM NO. C16 (CONT'D)

CEQA FINDING:

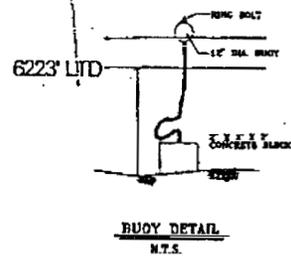
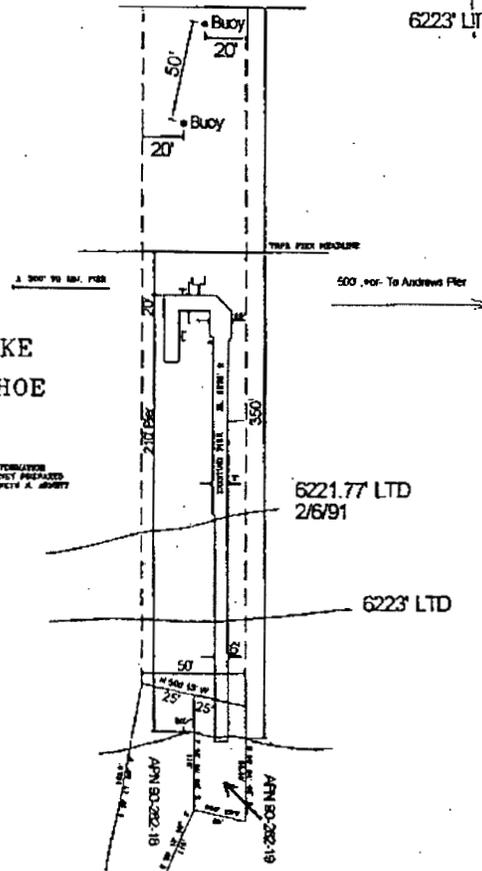
FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

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 DELAWARE LIMITED LIABILITY COMPANY, TO PAULA TURTLETAUB, TRUSTEE U/T/A DTD JUNE 13, 2001; SAID ASSIGNEE TO TAKE HER INTEREST AS TENANTS IN COMMON AND SAID ASSIGNMENT TO BE EFFECTIVE MAY 4, 2006.

NO SCALE

SITE MAP

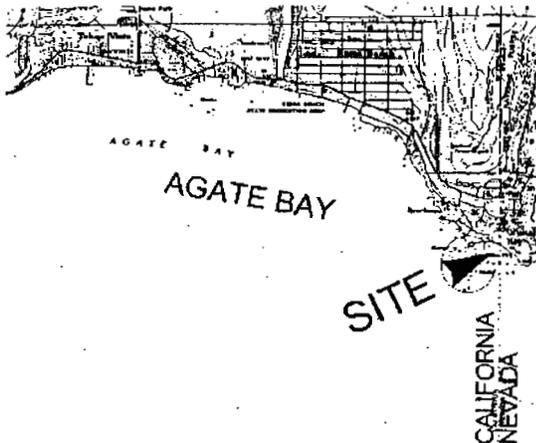


125 Speedboat Avenue, Kings Beach

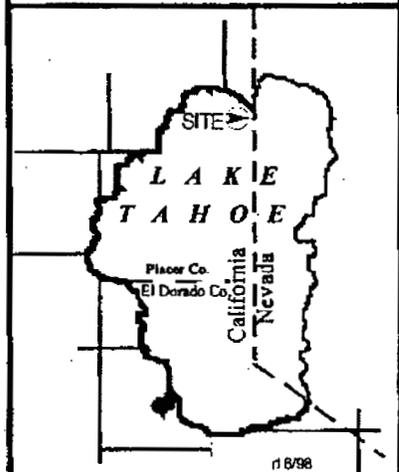
NO SCALE

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.

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