

**CALENDAR ITEM
C44**

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10/29/10
PRC 5357.1
B. Terry

REVISION OF RENT

LESSEES:

Donald Macleod and Mary L. Macleod, Trustees of the Macleod Family Trust, dated January 31, 2005; and David R. Shelton and Jennifer L. Shelton, Co-Trustees of the David and Jennifer Shelton Trust, U.T.D. dated June 6, 2003

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 3800 and 3810 North Lake Boulevard, near Carnelian Bay, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing joint-use pier, unenclosed boathouse with sundeck, and four mooring buoys as shown on the attached Exhibit A.

LEASE TERM:

Ten years, beginning December 16, 2005.

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 revised from \$115 per year to \$429 per year, effective December 16, 2010.

OTHER PERTINENT INFORMATION:

1. On December 8, 2005, the Commission authorized a General Lease – Recreational Use with Donald Macleod and Mary L. Macleod, Trustees of the Macleod Family Trust, dated January 31, 2005; and David R. Shelton and Jennifer L. Shelton, Co-Trustees of the David and Jennifer Shelton Trust, U.T.D. dated June 6, 2003, for the continued use and maintenance of an existing joint-use pier, unenclosed boathouse with sundeck, and four mooring buoys.

CALENDAR ITEM NO. **C44** (CONT'D)

2. The Lessees are natural persons who own the upland parcels that are improved with single-family dwellings. Therefore, pursuant to Public Resources Code Section 6503.5, no monetary consideration is required for the pier, boathouse, and four mooring buoys. However, the sundeck does not qualify for rent-free status because it is not used for the docking or mooring of boats.

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is not subject to the requirements of 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:

Approve the revision of rent for Lease No. PRC 5357.1 from \$115 per year to \$429 per year, effective December 16, 2010.