

**CALENDAR ITEM  
C34**

A 4  
S 1

12/05/12  
PRC 3044.1  
B. Terry

**AMENDMENT OF LEASE**

**LESSEE:**

Chambers Landing No. 11 Homeowners Association  
P.O. Box 537  
Homewood, CA 96141

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in Lake Tahoe, adjacent to 6400 and 6500 West Lake Boulevard, near Homewood, Placer County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing pier, 46 mooring buoys, two swim areas, two swim floats, two marker buoys, and one speed limit buoy.

**LEASE TERM:**

10 years, beginning October 8, 2008.

**CONSIDERATION:**

\$18,448 per year, with the State reserving the right to fix a different rent periodically during the lease term as provided in the Lease.

**PROPOSED AMENDMENT:**

Amend the Lease to change the swim areas to seasonal use and revise the annual rent from \$18,448 to \$7,565 effective October 8, 2012; and to include additional special lease provisions related to the two swim areas. All other terms and conditions of the lease shall remain in effect without amendment.

**OTHER PERTINENT INFORMATION:**

1. Applicant owns the upland adjoining the lease premises.
2. On August 11, 2009, the Commission authorized a General Lease – Recreational Use with Chambers Landing No. 11 Homeowners Association for an existing pier, 46 mooring buoys, two swim areas, two marker buoys, and one speed limit buoy. On February 8, 2011, the

CALENDAR ITEM NO. **C34** (CONT'D)

Commission authorized an amendment to the Lease which revised the size and location of the two swim areas, included two swim floats, and increased the annual rent from \$15,036 to \$18,448, effective October 8, 2010.

3. In early 2011, the Lessee requested to meet with Commission staff to discuss possible alternatives to reduce the annual rent amount. Through negotiations between staff and the Lessee, the Lessee agreed to seasonal use for the two fully enclosed swim areas. Lessee will place the swim lines and anchors in the lake, no earlier than May 15 with removal no later than September 15. In accordance with this agreement, staff prorated the annual rent for the two swim areas based on four months usage of the swim areas within the Lease Premises.
4. Based on the amended lease agreement, staff recommends amending the lease to revise the annual rent from \$18,448 to \$7,565, effective October 8, 2012 and adding special lease provisions regarding the seasonal usage of the swim areas.
5. The staff recommends that the Commission find that the subject lease amendment does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

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

**EXHIBITS:**

- A. Site and Location Map
- B. Land Description

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

Find that the subject revision of rent is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

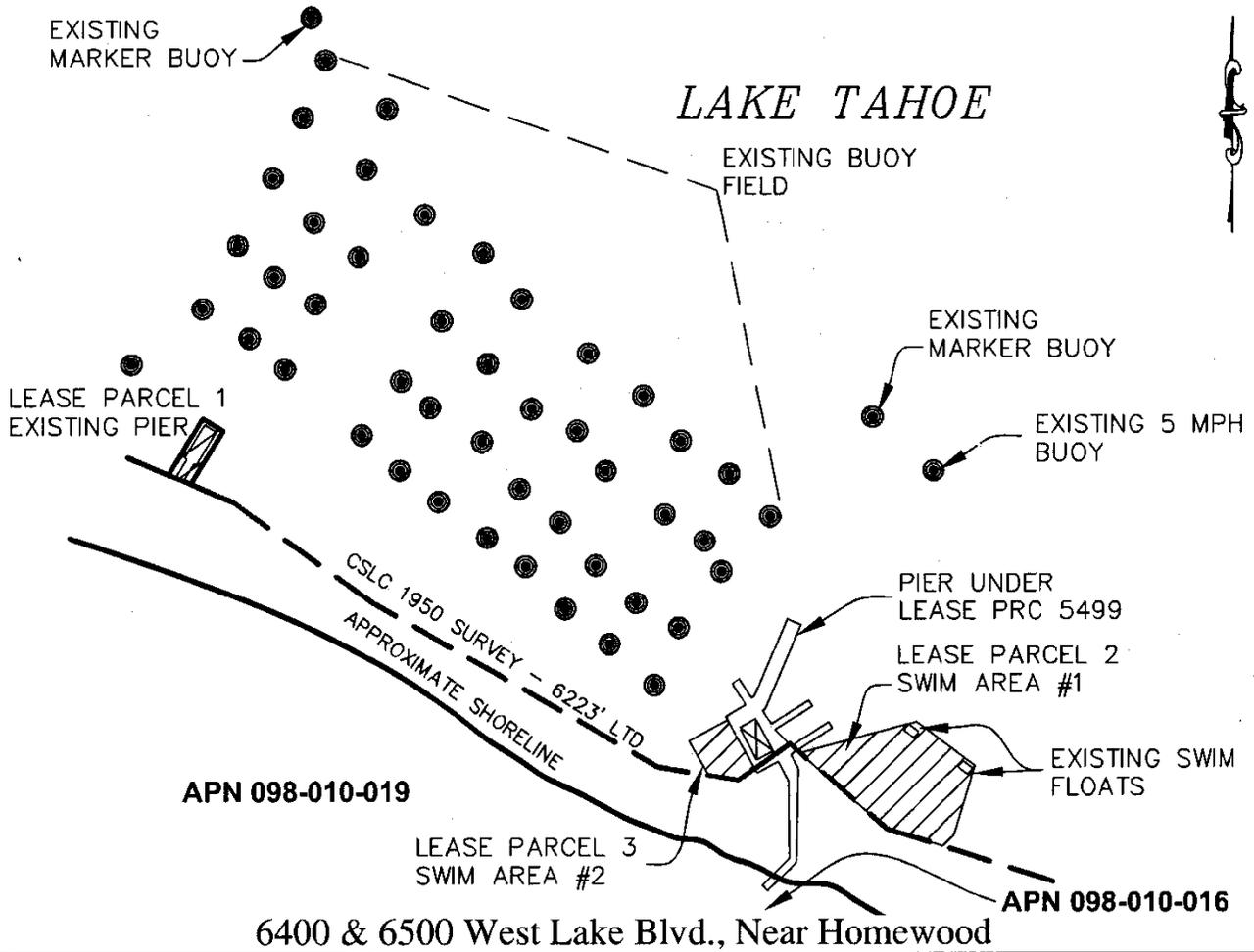
CALENDAR ITEM NO. **C34** (CONT'D)

**AUTHORIZATION:**

Authorize the Amendment of Lease No. PRC 3044.1, a General Lease – Recreational Use, effective December 5, 2012, to change the swim areas to seasonal use and revise the annual rent from \$18,448 per year to \$7,565 per year, effective October 8, 2012; and to include additional special lease provisions related to the swim areas; all other terms and conditions of the lease will remain in effect without amendment.

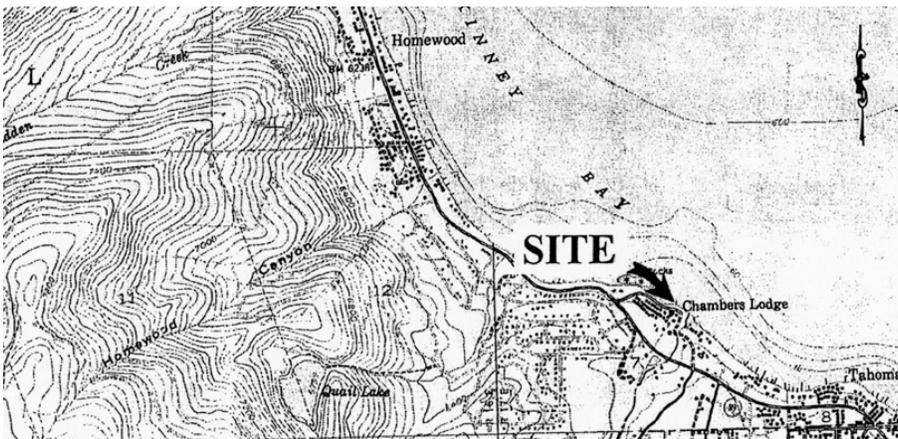
NO SCALE

# SITE



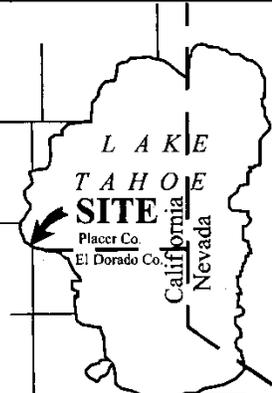
NO SCALE

# LOCATION



## Exhibit A

PRC 3044.1  
 CHAMBERS LANDING  
 HOA  
 APN 098-010-016 & 019  
 GENERAL LEASE  
 RECREATIONAL USE  
 PLACER COUNTY



DJF 11/03/10

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

## EXHIBIT B

PRC3044.1

### LAND DESCRIPTION

Fifty two (52) parcels of submerged land lying in the State owned bed of Lake Tahoe, Placer County, State of California, more particularly described as follows:

#### PARCEL 1 – PIER

A parcel of submerged land lying adjacent to the line between points 36 and 37 as shown on map sheet 3 of 22 of the survey performed by the State of California, State Lands Commission, State Lands Division, filed in Book 2 of Surveys, Page 71, Records of said County, said parcel described as follows:

COMMENCING at said point 36 having California Coordinate System, Zone 2, NAD 1927 coordinates of Northing (Y) = 518,225 feet and Easting (X) = 2,527,249 feet, as shown on said map; thence N 62°53'45" W a distance of 53.93 feet to the POINT OF BEGINNING; thence N 31°43'24" E 69.26 feet; thence N 58°16'36" W 28.00 feet; thence S 31°43'24" W 500.00 feet; thence S 58°16'36" E 28.00 feet; thence N 31°43'24" E 430.74 feet to the point of beginning.

EXCEPTING THEREFROM any portion of land lying landward of the Low Water Mark as shown on the Survey of the Low Water Mark on the Shore of Lake Tahoe Vicinity of Chambers Lodge, Placer County, sheet 3 of 22, surveyed by the State Lands Commission, Division of State Lands in September of 1950, filed in Book 2 of Surveys, Page 71, Records of said County.

#### PARCEL 2 – SWIM AREA #1

A parcel of submerged land lying adjacent to the line between points 30, 31 and 32 as shown on map sheet 3 of 22 of the survey performed by the State of California, State Lands Commission, State Lands Division, filed in Book 2 of Surveys, Page 71, Records of said County, said parcel described as follows:

BEGINNING at said point 31 having California Coordinate System, Zone 2, NAD 1927 coordinates of Northing (Y) = 517,838 feet and Easting (X) = 2,528,022 feet, as shown on said map; thence along the line of the Low Water Mark as shown on said survey S 72°15'57" E a distance of 69.99 feet; thence leaving said line N 46°47'04" E a distance of 16.42 feet; thence N 16°39'50" E a distance of 87.95 feet; thence N 53°09'11" W a distance of 85.70 feet; thence S 75°14'48" W a distance of 141.91 feet to a point on the line of said Low Water Mark; thence along said line S 48°44'35" E a distance of 135.63 feet to the point of beginning.

EXCEPTING THEREFROM any portion of land lying landward of the Low Water Mark as shown on the Survey of the Low Water Mark on the Shore of Lake Tahoe Vicinity of Chambers Lodge, Placer County, sheet 3 of 22, surveyed by the State Lands Commission, Division of State Lands in September of 1950, filed in Book 2 of Surveys, Page 71, Records of said County.

#### PARCEL 3 – SWIM AREA #2

A parcel of submerged land lying adjacent to the line between points 32, 33, and 34 as shown on map sheet 3 of 22 of the survey performed by the State of California, State Lands Commission, State Lands Division, filed in Book 2 of Surveys, Page 71, Records of said County, said parcel described as follows:

BEGINNING at said point 33 having California Coordinate System, Zone 2, NAD 1927 coordinates of Northing (Y) = 517,895 feet, and Easting (X) = 2,527,847 feet, as shown on said map; thence along the line of the Low Water Mark as shown on said survey N 54°49'09" E a distance of 24.31 feet; thence leaving said line N 29°51'50" W a distance of 65.42 feet; thence S 61°18'15" W a distance of 51.64 feet; thence S 30°33'25" E a distance of 46.65 feet to a point on the line of said Low Water Mark; thence along said line S 80°26'24" E a distance of 34.76 feet to the point of beginning.

EXCEPTING THEREFROM any portion of land lying landward of the Low Water Mark as shown on the Survey of the Low Water Mark on the Shore of Lake Tahoe Vicinity of Chambers Lodge, Placer County, sheet 3 of 22, surveyed by the State Lands Commission, Division of State Lands in September of 1950, filed in Book 2 of Surveys, Page 71, Records of said County.

#### PARCELS 4 THROUGH 52 – BUOYS

Forty nine (49) circular parcels of submerged land, each having a diameter of 20 feet, said parcels lying northerly and easterly of the above mentioned pier.

The BASIS OF BEARINGS of this description is the California Coordinate System of 1927, Zone 2. All distances are grid distances.

#### END OF DESCRIPTION

Prepared 11/03/2010 by the California State Lands Commission Boundary Unit.

