

**CALENDAR ITEM
C34**

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09/20/13
PRC 9071.1
N. Lee

AMENDMENT OF GENERAL LEASE - RECREATIONAL USE

LESSEE:

Homewood Villas, LLC, a California Limited Liability Company

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 5130 West Lake Boulevard, near Homewood, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier.

LEASE TERM:

10 years, beginning June 21, 2013.

CONSIDERATION:

\$1,749 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 Lease No. PRC 9071.1 to replace Exhibit A (Land Description) and Exhibit B (Site and Location Map) with a new Exhibit A (Land Description) and Exhibit B (Site and Location Map). All other terms and conditions of the lease shall remain in effect without amendment.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland, Assessor Parcel Number (APN) 097-130-028, adjoining the lease premises.
2. On June 21, 2013, the Commission authorized a General Lease – Recreational Use, Lease No. PRC 9071.1, with Homewood Villas, LLC for a pier. The Commission also authorized an amendment of Lease No.

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

PRC 5857.1 issued to Nathan Topol, dba Homewood Resort, to remove the pier from the authorized improvements and accept a quitclaim deed for the lease area associated with the pier.

3. Nathan Topol requested that the land description made part of Lease No. PRC 9071.1 and the quitclaim deed for Lease No. PRC 5857.1 be replaced with a revised land description based on a recent survey. As a result, staff recommends amending Lease No. PRC 9071.1 to replace the land description and the site and location map with a revised land description and site and location map. A staff report and recommendation is also on the September agenda to accept a new quitclaim deed with the revised land description for Lease No. PRC 5857.1.
4. 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. Land Description
- B. Site and Location

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the subject lease amendment 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.

AUTHORIZATION:

Authorize the Amendment of Lease No. PRC 9071.1, a General Lease – Recreational Use, effective September 20, 2013, to replace Exhibit A (Land Description) and Exhibit B (Site and Location Map) with a new Exhibit A (Land Description) and Exhibit B (Site and Location Map)

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

attached and by this reference made a part hereof; all other terms and conditions of the lease will remain in effect without amendment.

EXHIBIT "A"

PIER AREA DESCRIPTION

PRC 9071.1

Being a parcel of submerged land, situate in the bed of Lake Tahoe, lying adjacent to Lot 3, of Tract 799, Harborside at Homewood, as filed in Book U of Maps at Page 39, Official Records of Placer County, California and more particularly described as follows:

Beginning at a point on the easterly line of said Lot 3, which bears North 22°29'08" West, 44.36 feet from the southeasterly corner of said Lot 3; thence from said point of beginning, departing said easterly line of said Lot 3, North 70°33'24" East, 75.39 feet; thence North 19°42'27" West, 11.95 feet; thence South 70°34'12" West, 75.97 feet, to a point on the said easterly line of said Lot 3; thence southeasterly along said easterly line of said Lot 3 South 22°29'41" East, 11.98 feet more or less to the point of beginning.

Above described parcel contains 905 square feet, more or less.

TOGETHER WITH a ten foot impact area.

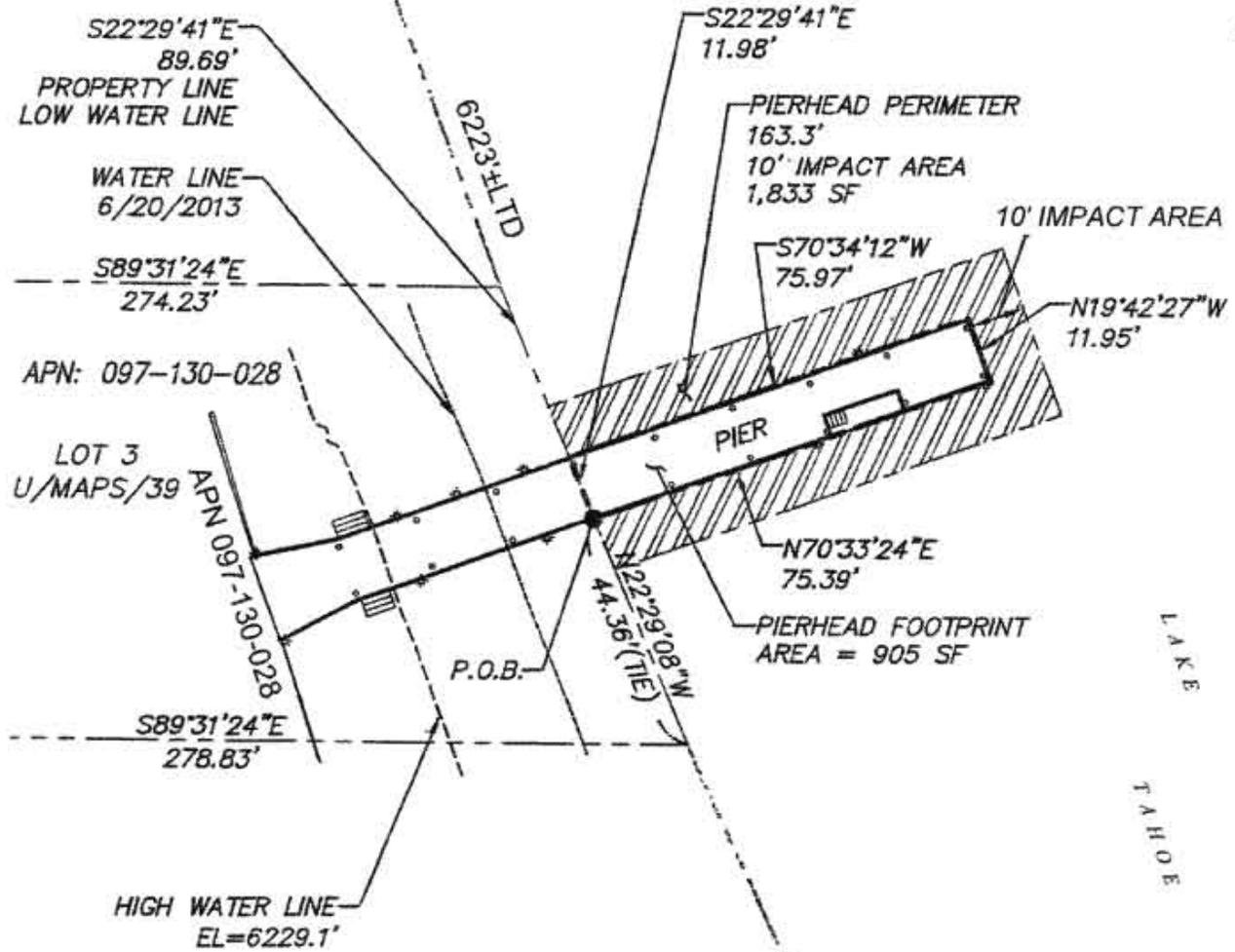
EXCEPTING THEREFROM any portion lying landward of elevation 6223 LTD on the shoreline of Lake Tahoe.



8/12/13

NO SCALE

SITE



5130 WEST LAKE BLVD., NEAR HOMEWOOD

NO SCALE

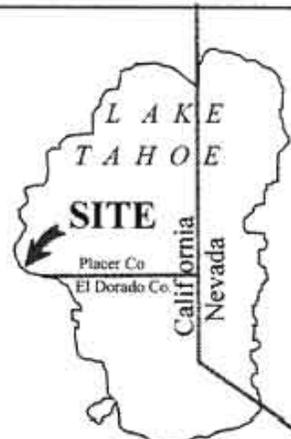
LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 9071.1
 HOMEWOOD VILLAS, LLC
 APN 097-130-028
 GENERAL LEASE -
 RECREATIONAL USE
 PLACER COUNTY



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.

MIJ 08/15/13