

**CALENDAR ITEM
C29**

A 1
S 1

08/15/14
PRC 5675.1
M. Schroeder

**CONSIDER ANNUAL PAYMENT PLAN AND
WAIVER OF PENALTY AND INTEREST**

LESSEE:

Alvina Patterson, as Trustee of the Alvina Patterson Family Trust dated February 10, 1990

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 7276 North Lake Boulevard, near Tahoe Vista, Placer County.

AUTHORIZED USE:

Continued use and maintenance of two existing mooring buoys.

LEASE TERM:

10 years, beginning April 1, 2013.

CONSIDERATION:

\$754 rent per year plus an additional \$71 installment per year for the remaining term of the lease. Combined payments of \$825 commencing on April 1, 2015, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

OTHER PERTINENT INFORMATION:

1. On April 26, 2013, the Commission authorized a General Lease – Recreational Use with Alvina Patterson for two existing mooring buoys effective April 1, 2013. Annual rent was set at \$754. Ms. Patterson’s prior lease for the two existing mooring buoys expired on March 31, 2011. The annual rent for the prior lease was \$186. In 2013, Ms. Patterson was invoiced for the prior rent and submitted payment of \$186 for the Lease. Because the new rent of \$754 became effective April 1, 2013, additional rent is due. Ms. Patterson owes \$567.95 for this period and has asked to extend the balance over the remaining term of the lease.

CALENDAR ITEM NO. **C29** (CONT'D)

2. Staff recommends that penalty and interest accrued, to date, on the \$567.95 balance be waived. Staff recommends an annual payment plan to cover the current rent due. The proposed payment plan would allow Ms. Patterson to repay the balance of \$567.95 on a pro rata basis over the remaining eight years of the lease term. This will add an additional \$71 to the current annual rent of \$754, making the new annual rental payment \$825. The repayment plan will end on April 1, 2022. Future late or insufficient payments will be subject to penalty and interest, and may entitle Lessor to other remedies as provided in the Lease.
3. The lease is still subject to a five-year rent review at its normal interval as outlined in the lease.
4. The staff recommends that the Commission find that the subject annual payment plan and waiver of late payment penalty and interest charges do not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and are, therefore, not projects 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, California Code of Regulations, Title 2, section 1911(c).

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the subject annual payment plan and waiver of late payment penalty and interest charges are not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activities are not projects as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

CALENDAR ITEM NO. **C29** (CONT'D)

AUTHORIZATION:

1. Waive penalty and interest accrued, to date, on the past due amount of \$567.95.
2. Authorize an annual payment plan for \$567.95, adding \$71 to all remaining payments under the lease, starting with the April 1, 2015 payment, and ending April 1, 2022. The combined annual payments to be \$825 per year, with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

EXHIBIT A

PRC 5675.1

LAND DESCRIPTION

Two (2) parcels of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 4 of fractional Section 13, Township 16 North, Range 17 East, MDM., as shown on Official Government Township Plat approved November 10, 1865, County of Placer, State of California, and more particularly described as follows:

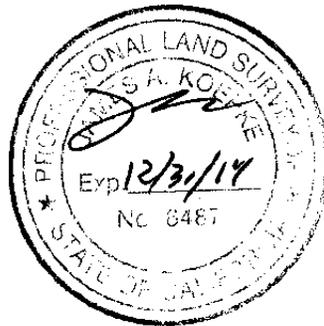
PARCEL 1 & 2 – BUOYS

Two (2) circular parcels of land, being 50 feet in diameter, underlying two (2) existing buoys lying adjacent to that parcel as described in Exhibit A of that Quit Claim Deed recorded July 2, 1990 as Document Number 90-042323 in Official Records of said County.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared February 26, 2013 by the California State Lands Commission Boundary Unit.



APN 117-110-019

APPROXIMATE

SHORELINE

6223'± LTD

125'

125'

EXISTING
BUOYS (2)

L A K E

T A H O E

EXHIBIT A

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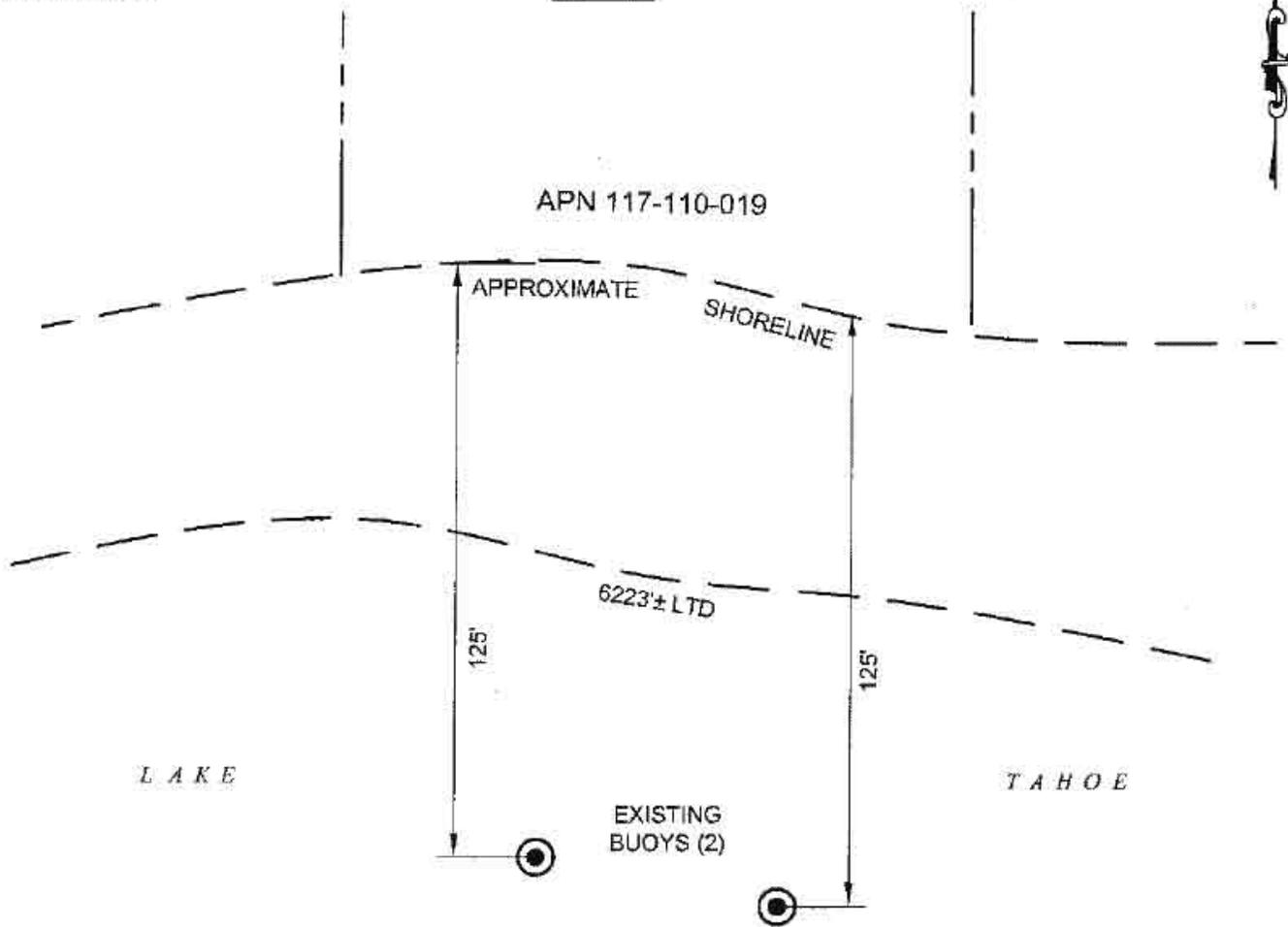
LAND DESCRIPTION PLAT
PRC 5675.1, PATTERSON TRUST
PLACER COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

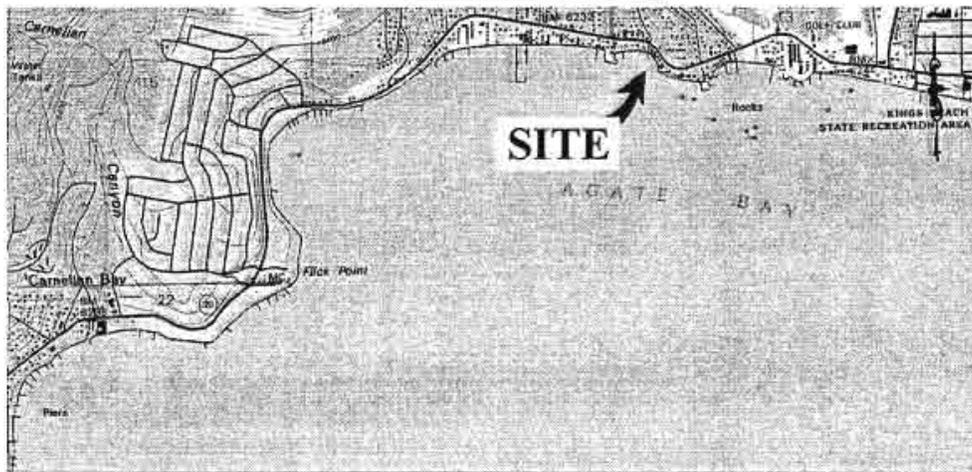
SITE



7276 NORTH LAKE BLVD., NEAR TAHOE VISTA

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

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

PRC 5675.1
 PATTERSON TRUST
 APN 117-110-019
 GENERAL LEASE -
 RECREATIONAL USE
 PLACER COUNTY



MJJ 02/25/13