

**CALENDAR ITEM
C42**

A 29
S 17

08/15/14
PRC 7344.1
D. Oetzel

REVISION OF RENT

LESSEES:

Stephen Murray Dart, Trustee of the Guy Michael Dart Family Trust dated March 23, 1988; Jane Dart Tucker, Trustee of the Jane Dart Tucker Revocable Trust dated April 19, 2000; and Stephen M. Dart, Trustee of the Stephen M. Dart 2001 Family Trust dated July 12, 2001.

LAND TYPE AND LOCATION:

0.015 acre, more or less, of sovereign land in the Pacific Ocean, adjacent to 3168 17 Mile Drive, Assessor's Parcel Number (APN) 008-491-021, near Pebble Beach and Cypress Point, Monterey County.

AUTHORIZED USE:

The continued use and maintenance of two concrete-grouted rock revetment shoreline protective structures.

LEASE TERM:

10 years, beginning October 1, 2009.

CONSIDERATION:

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff conducted a review of the rent under this lease and recommends that rent be revised from \$2,161 per year to \$2,351 per year, effective October 1, 2014.

OTHER PERTINENT INFORMATION:

1. Lessees own the uplands adjacent to the Lease Premises.
2. On June 28, 2010, the Commission authorized a General Lease – Protective Structure Use to Stephen Murray Dart et al., for the continued, use and maintenance of a two concrete-grouted rock revetment shoreline protective structures. That lease will expire on September 30, 2019.

CALENDAR ITEM NO. **C42** (CONT'D)

3. Staff conducted the rent review called for in the lease and recommends the rent increase.
4. Staff recommends that the Commission find that the subject revision of rent 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.

EXHIBIT:

- A. Site And Location Map

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.

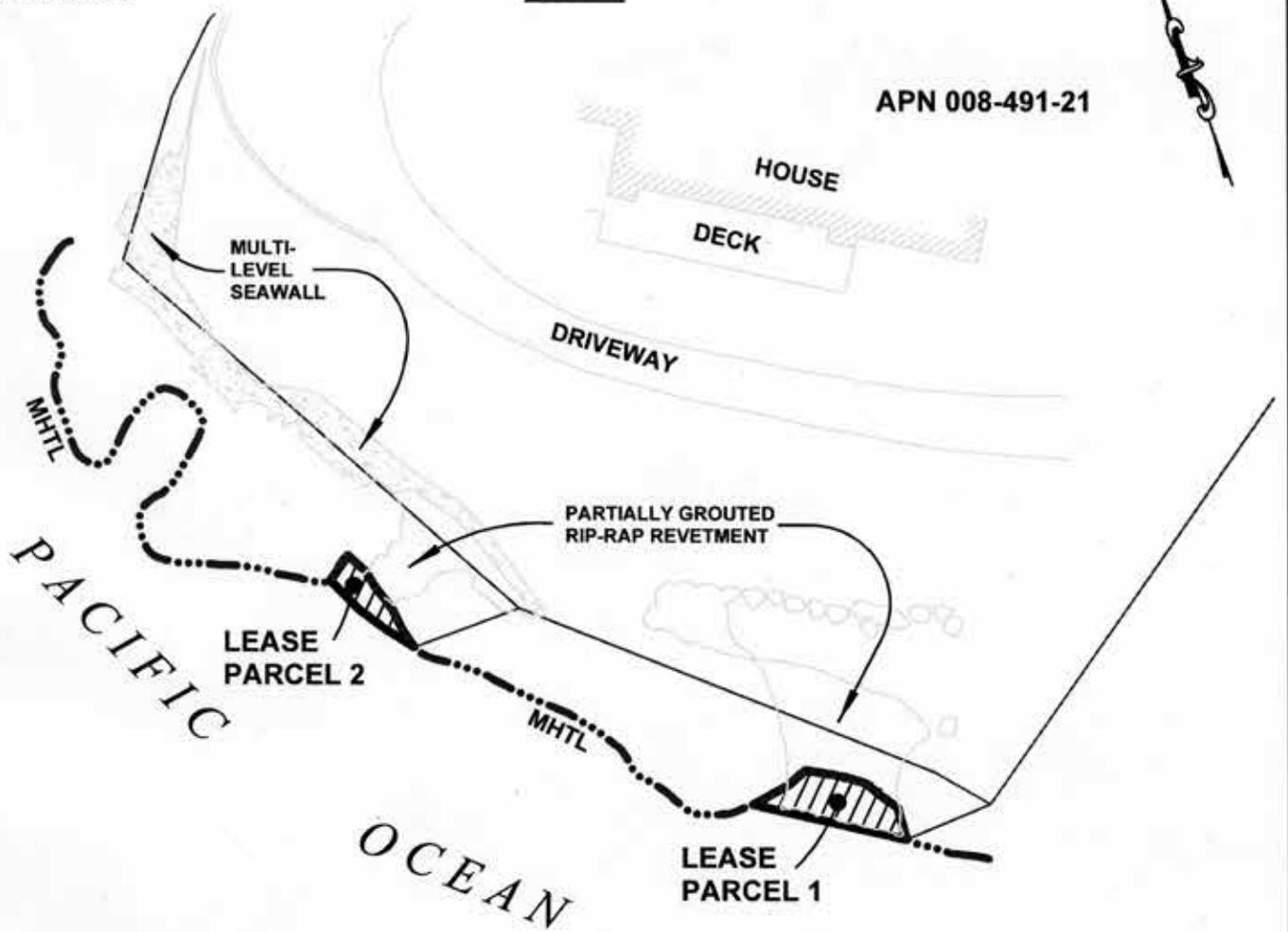
AUTHORIZATION:

Approve the revision of rent for Lease No. PRC 7344.1 from \$2,161 per year to \$2,351 per year, effective October 1, 2014.

NO SCALE

SITE

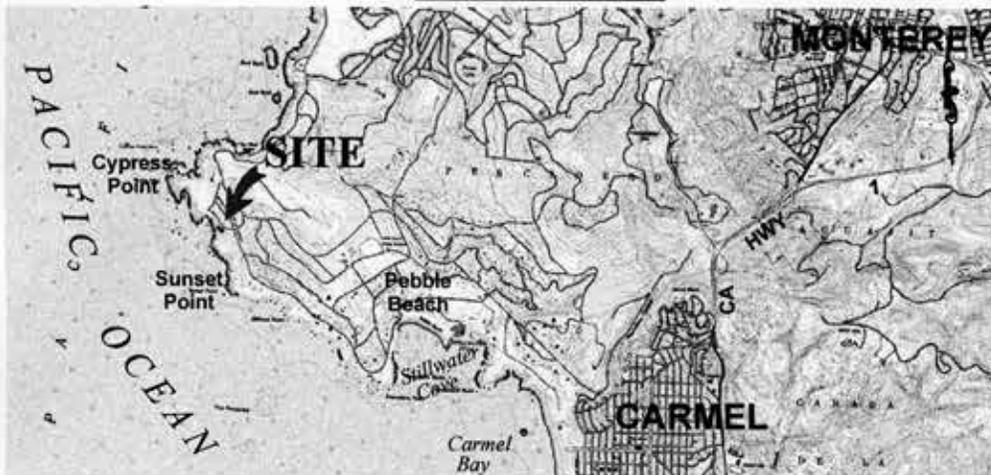
APN 008-491-21



DART REVETMENT, PEBBLE BEACH

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

PRC 7344.1
 STEPHEN DART ET AL
 APN 008-491-21
 GENERAL LEASE
 PROTECTIVE STRUCTURE
 MONTEREY COUNTY



SITE

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.