

**CALENDAR ITEM
C01**

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S 1

04/23/15
PRC 5516.1
M.J. Columbus

AMENDMENT OF LEASE AND REVISION OF RENT

LESSEE:

Beachcomber Inn Vacation Membership Association

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 999 Lake View Avenue, city of South Lake Tahoe, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, 12 mooring buoys, and two marker buoys.

LEASE TERM:

15 years, beginning June 3, 2010.

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 rent be revised from \$4,760 per year to \$4,763 per year, effective June 3, 2015.

PROPOSED AMENDMENT:

Amend the lease to replace the existing Land Description in Section 3 and Exhibit A, Site and Location Map, with the attached Exhibit A, Land Description, and Exhibit B, Site and Location Map (for reference purposes only). All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Lessee owns the upland adjoining the lease premises.
2. On October 29, 2010, the Commission authorized a General Lease – Commercial Use to Beachcomber Inn Vacation Membership Association, beginning June 3, 2010, for the continued use and maintenance of a pier,

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12 mooring buoys, and two marker buoys. The Lease will expire on June 2, 2025.

3. Staff conducted the rent review called for in the lease. Application of the updated benchmark, along with changes to the impact area resulted in a slight increase in rent from \$4,760 to \$4,763. Staff recommends the lease be amended to reflect the new impact area and recommends the rent be revised from \$4,760 to \$4,763.
4. The staff recommends that the Commission find that the subject lease amendment and revision of rent 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.

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the subject lease amendment and revision of rent 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.

AUTHORIZATION:

1. Authorize the amendment of Lease No. PRC 5516.1, a General Lease – Commercial Use, effective June 3, 2015, to replace the existing Land Description in Section 3 and Exhibit A, Site and Location Map, with the attached Exhibit A, Land Description, and Exhibit B, Site and Location Map (for reference purposes only); all other terms and conditions of the lease will remain in effect without amendment.
2. Approve the revision of rent for Lease No. PRC 5516.1 from \$4,760 per year to \$4,763 per year, effective June 3, 2015.

EXHIBIT A

PRC 5516.1

LAND DESCRIPTION

Two parcels of submerged land lying in the State owned bed of Lake Tahoe, County of El Dorado, State of California, more particularly described as follows:

PARCEL 1 – PIER

An 8 foot wide strip of submerged land lying in the State owned bed of Lake Tahoe, the centerline of which is more particularly described as follows:

BEGINNING at the centerline of the most southerly end of an existing pier lying adjacent to that parcel of land described in Quitclaim Deed recorded in Book 2633, Page 364 Official Records of El Dorado County, State of California; thence northerly along said centerline to the end of said pier.

EXCEPTING THEREFROM any portion lying landward of elevation 6223.0 feet, Lake Tahoe Datum.

PARCEL 2 – BUOY FIELD

A parcel of submerged land lying in the State owned bed of Lake Tahoe more particularly described as follows:

COMMENCING at the Southwest corner of that parcel of land described in Quitclaim Deed recorded in Book 2633, Page 364 Official Records of El Dorado County, State of California; thence northerly along the westerly line of Lots 6 and 11 of Block 8 of said Deed, and the prolongation thereof, 320 feet to the POINT OF BEGINNING; thence continuing along the prolongation of said westerly line 245 feet; thence easterly, and at right angles from the previous course, 175 feet; thence southerly, and parallel with said westerly line, 245 feet; thence westerly, and at right angles from the previous course, 175 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion lying landward of elevation 6223.0 feet, Lake Tahoe Datum.

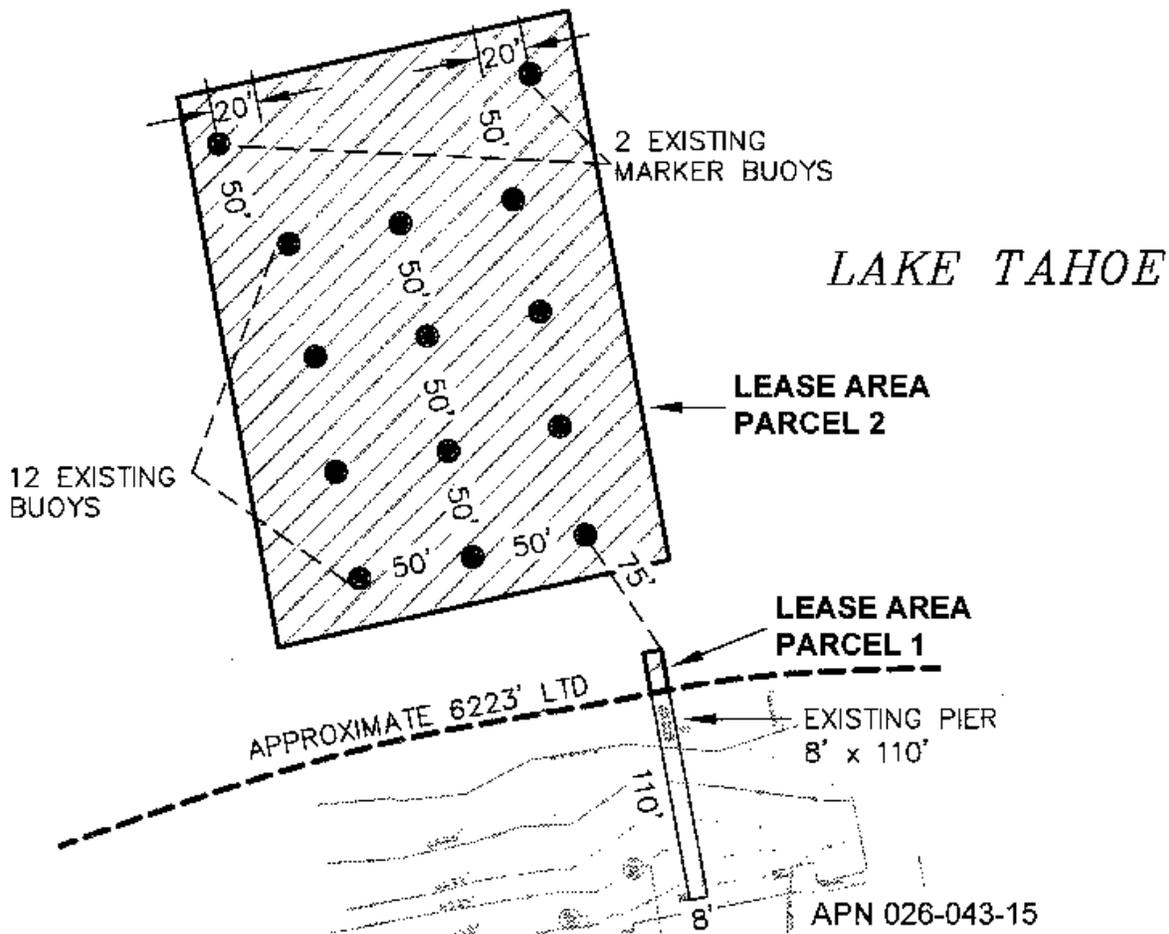
END OF DESCRIPTION

Prepared 03/17/2015 by the California State Lands Commission Boundary Unit.



NO SCALE

SITE



999 LAKEVIEW AVENUE, SOUTH LAKE TAHOE

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 5516.1
 BEACHCOMBER INN VACATION
 MEMBERSHIP ASSOCIATION, INC.
 APN 026-043-15
 GENERAL LEASE - COMMERCIAL
 USE
 EL DORADO 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.