

MINUTE ITEM

1/23/69

5. ASSIGNMENT, AMENDMENT AND RENEWAL OF COMMERCIAL LEASE P.R.C. 653.1, SUBMERGED LAND IN LAKE TAHOE, PLACER COUNTY; OBEXER & SON, INC. - W.O. 6289, P.R.C. 653.1.

After consideration of Calendar Item 10 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE APPROVAL OF AN ASSIGNMENT OF LEASE P.R.C. 653.1 FROM J. P. OBEXER TO OBEXER & SON, INC., A CALIFORNIA CORPORATION, AND THE ISSUANCE TO OBEXER & SON, INC., OF AN AMENDMENT AND A 10-YEAR RENEWAL OF SAID LEASE FROM SEPTEMBER 20, 1966, IN CONSIDERATION OF ANNUAL RENTAL IN THE AMOUNT OF \$783.86 AND PROVISION OF PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$200,000/\$600,000 FOR PERSONAL INJURY AND \$100,000 COVERING PROPERTY DAMAGE, FOR THE CONTINUED OPERATION AND MAINTENANCE OF A MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, WHICH CONSTITUTES AN AMENDMENT TO THE PROPERTY DESCRIPTION PREVIOUSLY INCLUDED IN SAID LEASE P.R.C. 653.1.

Attachment

Calendar Item 10 (3 pages)

CALENDAR ITEM

1/69
W.O. 6289

10.

ASSIGNMENT, AMENDMENT & RENEWAL OF COMMERCIAL LEASE P.R.C. 653.1

APPLICANT: Obexer & Son, Inc.

LOCATION: A 0.64-acre parcel of submerged land in Lake Tahoe at Homewood, Placer County

PRESENT USE: The operation of an existing marina

TERM OF BASIC LEASE:

Initial period: 15 years, from September 20, 1951
Renewal option: 1 additional period of 10 years
To be added by amendment:
Surety bond: \$1,000
Public liability ins.: \$200,000/\$600,000 for personal injury
and \$100,000 for property damage

CONSIDERATION DURING RENEWAL PERIOD BEGINNING
SEPTEMBER 20, 1966, AND ENDING SEPTEMBER 19, 1976:
\$783.86 per annum

BASIS FOR CONSIDERATION:

6.3% of appraised value of land

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Pt. 2, Ch. 1, Secs. 6501-6509
- b. Administrative Code: Title 2, Div. 3, Secs. 2000-2011
- c. Commission policy: Minute Item 18 of November 18, 1959

OTHER PERTINENT INFORMATION:

1. The basic lease was issued to J. P. Obexer, who later sold the upland and marina operation to Obexer & Son, Inc. Mr. Obexer has executed an assignment of the lease and now requests Commission approval thereof.
2. The lessee has expanded his occupancy of State land, and this is reflected in the amended property description shown on Exhibit "A".
3. The County of Placer has filed suit in court, claiming ownership of the littoral land at this site. The claim stems from a recorded subdivision map that shows the area to be a county road. The County, however, by letter of November 29, 1968, has consented to maintenance of the boating facilities on the State land described on Exhibit "A".

EXHIBITS:

- A. Legal description B. Location map

CALENDAR ITEM 10. (CONTD.)

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE APPROVAL OF AN ASSIGNMENT OF LEASE P.R.C. 653.1 FROM J. P. OBEXER TO OBEXER & SON, INC., A CALIFORNIA CORPORATION, AND THE ISSUANCE TO OBEXER & SON, INC., OF AN AMENDMENT AND A 10-YEAR RENEWAL OF SAID LEASE FROM SEPTEMBER 20, 1966, IN CONSIDERATION OF ANNUAL RENTAL IN THE AMOUNT OF \$783.86 AND PROVISION OF PUBLIC LIABILITY INSURANCE IN THE AMOUNTS OF \$200,000/\$600,000 FOR PERSONAL INJURY AND \$100,000 COVERING PROPERTY DAMAGE, FOR THE CONTINUED OPERATION AND MAINTENANCE OF A MARINA ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, WHICH CONSTITUTES AN AMENDMENT TO THE PROPERTY DESCRIPTION PREVIOUSLY INCLUDED IN SAID LEASE P.R.C. 653.1.

Attachment: Exhibit "A"

EXHIBIT "A"

Description of Property for Obexer Lease from State Lands Commission

That portion of the sovereign lands comprising the bed of Lake Tahoe, lying easterly of a portion of the "McKinney Tract, Subdivision No. 1" (as per the plat thereof filed July 10, 1909 in Book "C" of Maps at page 13, Placer County Records) in Section 12, Township 14 North, Range 16 East, M.D.M. and also easterly of a portion of "Lakeside on Lake Tahoe" (as per the plat thereof filed July 28, 1896 in Book "A" of Maps at page 13, Placer County Records) in Section 1, Township 14 North, Range 16 East, M.D.M. (being a strip of land averaging approximately 82.0 feet in width and 340.0 feet in length), more particularly bounded and described as follows:

Beginning at a point in the line of the low water mark of Lake Tahoe, as per the 1950 Survey thereof, approved by the State Lands Commission December 22, 1953, the plats of which survey (WO 283) were filed for record May 6, 1965 in Book 2 of Records of Survey at page 12, et seq., Document No. 7365, Records of Placer County, and from said point the 5/8 inch iron pin set by L.S. 2515 to mark the retraced southwest corner of the intersection of South Street with Lake Boulevard, as per said Plat of the McKinney Tract, bears South 63° 48' West 93.56 feet; thence from said point of beginning along said low water line, as per said 1950 Survey, and Sheet 4 of 22 of said plats thereof, North 26° 12' West 15.00 feet; thence leaving said low water line and running North 63° 48' East 87.27 feet; thence South 24° 30' East 340.27 feet; thence South 64° 05' 03" West 77.51 feet to a point in said low water line, as per said survey and plats thereof; thence along the last said line on the following two (2) consecutive courses: (1) North 25° 54' 57" West 65.56 feet to the point designated Station 54 of the above mentioned 1950 Survey and plats thereof, and (2) North 26° 12' West 259.19 feet to the point of beginning.

Said parcel of land contains 27,960 square feet, more or less.

The basis of the bearings herein is Zone II of the California Coordinate System, as per said survey and the plats thereof.