

MINUTE ITEM

10/28/71
HAM

9. AMENDMENT OF LEASE PRC 3977.1 TO REDUCE AREA AND ANNUAL RENTAL, SUBMERGED LANDS, LAKE COUNTY; RIVIERA SUNSET COVE, INC. - W 20004, PRC 3977.1.

After consideration of Calendar Item 1 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ISSUANCE TO RIVIERA SUNSET COVE, INC., OF AN AMENDMENT TO LEASE PRC 3977.1 TO PROVIDE THAT:

1. THE PROPERTY DESCRIPTION NOW APPEARING ON EXHIBIT "A" OF SAID LEASE BE DELETED AS OF NOVEMBER 23, 1970, AND THAT THERE BE SUBSTITUTED THEREFOR THE PROPERTY DESCRIPTION SHOWN ON EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.
2. EFFECTIVE NOVEMBER 23, 1970, THE ANNUAL RENTAL SHALL BE \$150 INSTEAD OF \$188.52.

ALL OTHER TERMS AND CONDITIONS OF LEASE PRC 3977.1 ARE TO REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

Attachment:

Calendar Item 1 (3 pages)

CALENDAR ITEM

10/71
W 20004
HAM

1.

AMENDMENT OF LEASE PRC 3977.1

APPLICANT: Riviera Sunset Cove, Inc.

LOCATION: Clear Lake near Lucerne, Lake County.

LAND USE: Pier.

PURPOSE OF AMENDMENT:

To reduce lease area from 6,284 square feet to 4,028.5 square feet, and to reduce the annual rental.

TERMS OF ORIGINAL LEASE:

15 years, from June 1, 1968.

CONSIDERATION OF ORIGINAL LEASE:

\$188.52 per annum, with the State reserving the right to review and reset a reasonable rental on each fifth anniversary.

BASIS FOR CONSIDERATION:

6% of appraised value of land.

CONSIDERATION OF AMENDED LEASE:

\$150 per annum.

BASIS FOR CONSIDERATION:

Minimum rent for this type of lease.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Articles 1 and 2 as amended effective May 10, 1969.

OTHER PERTINENT INFORMATION:

The original lease covered 6,284 square feet. The lessee advised by letter dated November 23, 1970, that the actual use area is less than the area described in the original lease, and requested a reduced lease area and an adjustment in the lease rate. The staff concurs in this request. In all other respects Lease PRC 3977.1 will remain unchanged. Legal counsel has advised that there is no change of use. Since the reduced lease area reflects the actual use area as opposed to the use area originally anticipated, an environmental impact report is not required.

EXHIBITS:

- A. Land description.
- B. Location map.

CALENDAR ITEM 1. (CONTD.)

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO RIVIERA SUNSET COVE, INC., OF AN AMENDMENT TO LEASE PRC 3977.1 TO PROVIDE THAT:

1. THE PROPERTY DESCRIPTION NOW APPEARING ON EXHIBIT "A" OF SAID LEASE BE DELETED AS OF NOVEMBER 23, 1970, AND THAT THERE BE SUBSTITUTED THEREFOR THE PROPERTY DESCRIPTION SHOWN ON EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.
2. EFFECTIVE NOVEMBER 23, 1970, THE ANNUAL RENTAL SHALL BE \$150 INSTEAD OF \$188.52.

ALL OTHER TERMS AND CONDITIONS OF LEASE PRC 3977.1 ARE TO REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

Attachment: Exhibit "A"

EXHIBIT "A"

All that certain submerged land in Clear Lake, Lake County, adjacent to Section 18, T. 14 N., R. 8 W., M.D.M., being immediately adjacent to the following-described land:

That certain parcel of land described in Corporation Grant Deed to Riviera Sunset Cove, Inc., as recorded in Book 546 at page 558, Records of Lake County, California.

EXCEPTING from the above description any land lying above or landward of the Zero Rumsey Line of Clear Lake, and also further excepting all that submerged land lying outside of a line 10 feet equidistant from the side lines of the existing structure.