

MINUTE ITEM

This Calendar Item No. C26 was approved as Minute Item No. 26 by the California State Lands Commission by a vote of 3 to 0 at its 02-09-26 meeting.

CALENDAR ITEM
C26

A 4
S 1

02/09/06
PRC 3495.1
B. Dugal

GENERAL LEASE - COMMERCIAL USE

APPLICANT:

Judith K. Topol
dba The Lighthouse Shopping Center

AREA, LAND TYPE, AND LOCATION:

1.60 acres, more or less, of sovereign lands in Lake Tahoe, near Tahoe City, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier.

LEASE TERM:

20 years, beginning January 1, 2006.

CONSIDERATION:

\$2,142 per year; with the State reserving the right to fix a different rent periodically during the lease term, as provided in the lease.

SPECIFIC LEASE PROVISIONS:

Liability insurance: Combined single limit coverage of no less than \$3,000,000.

Bond: \$20,000

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the uplands adjoining the lease premises.
2. On June 30, 1992, the Commission authorized the issuance of a General Lease – Commercial Use with Judith K. Topol (Applicant). The lease authorized the use of the existing pier for various commercial uses including parasailing and small watercraft rentals to the public. Subsequently, on May 9, 1996, the Commission approved the amendment

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of the lease to authorize the operation of the "Tahoe Gal" tour boat from the pier. The lease expired December 31, 2005.

3. North Tahoe Cruises, Inc., operates the "Tahoe Gal" under a sublease with the Applicant. Staff reviewed that arrangement and recommended that separate leases be issued for the pier and the tour boat operations. The Applicant and the operator of the "Tahoe Gal" agreed and both parties submitted separate lease applications. There is a separate Calendar Item on the Commission's Agenda for consideration of the issuance of a General Lease – Commercial Use for the "Tahoe Gal".
4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

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

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT

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PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA
CODE OF REGULATIONS, SECTION 2905 (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE
CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE
LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370,
ET SEQ.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO JUDITH K. TOPOL, DBA THE
LIGHTHOUSE SHOPPING CENTER, OF A GENERAL LEASE –
COMMERCIAL USE, BEGINNING JANUARY 1, 2006, FOR A TERM OF
20 YEARS, FOR THE CONTINUED USE AND MAINTENANCE OF AN
EXISTING PIER ON THE LAND SHOWN ON EXHIBIT A ATTACHED
AND BY THIS REFERENCE MADE A PART HEREOF; ANNUAL RENT
IN THE AMOUNT OF \$2,142, WITH THE STATE RESERVING THE
RIGHT TO FIX A DIFFERENT RENT PERIODICALLY DURING THE
LEASE TERM, AS PROVIDED IN THE LEASE; COMBINED SINGLE
LIMIT LIABILITY COVERAGE OF NO LESS THAN \$3,000,000; SURETY
IN THE AMOUNT OF \$20,000.

EXHIBIT B

PRC 3495.1

LAND DESCRIPTION

All that portion of California State owned submerged land in the bed of Lake Tahoe lying waterward of elevation 6223.0 feet LTD (Lake Tahoe Datum) contiguous to and southeasterly of Lot 5, Lot 6, and East Street (abandoned) as shown on that certain Map entitled "Plat of Bittencourt Tract, Tahoe City"; filed October 16, 1874 in the County Recorder's Office for Placer County, California, in Book A of Field Notes, Pages 83 and 84, and is more particularly described as follows:

BEGINNING at a point on the northeasterly line of said Lot 6 of said Bittencourt Tract, from which the most southeasterly corner of Parcel One as recorded by deed on March 30, 2001 in the County Recorder's Office for said County, as Document No. 2001-0029057, bears N 44°46'50" W 176 feet more or less; thence S 44°46'50" E on a projection of the northeasterly line of said Lot 6 a distance of 114 feet more or less; thence S 41°36'24" W 475 feet more or less to a point on the southeasterly prolongation of the southwesterly line of said Lot 5 of said Bittencourt Tract; thence N 45°23'00" W on said prolongation a distance of 164 feet more or less to a point on the southwesterly boundary of said Lot 5 from which the most northwesterly corner of said Lot 5 bears N 45°23'00" W 278 feet more or less; thence northeasterly along elevation 6223.0 feet Lake Tahoe Datum the following four courses;

- 1 N 29°06'46" E 96 feet more or less
- 2 N 51°50'11" E 133 feet more or less
- 3 N 47°53'12" E 111 feet more or less
- 4 N 55°50'01" E 143 feet more or less

to the point of beginning.

EXCEPTING THEREFROM any portion lying landward of elevation 6223.0 LTD.

The Basis of Bearings for this description is identical to the Grant Deed for Property Development Associates, Inc. recorded in Document No. 2001-0029057 of Official Records, County of Placer, California.

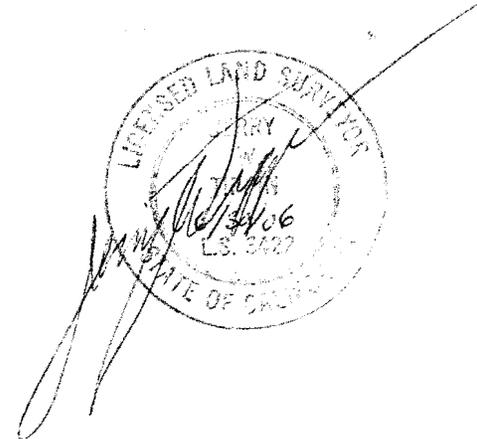
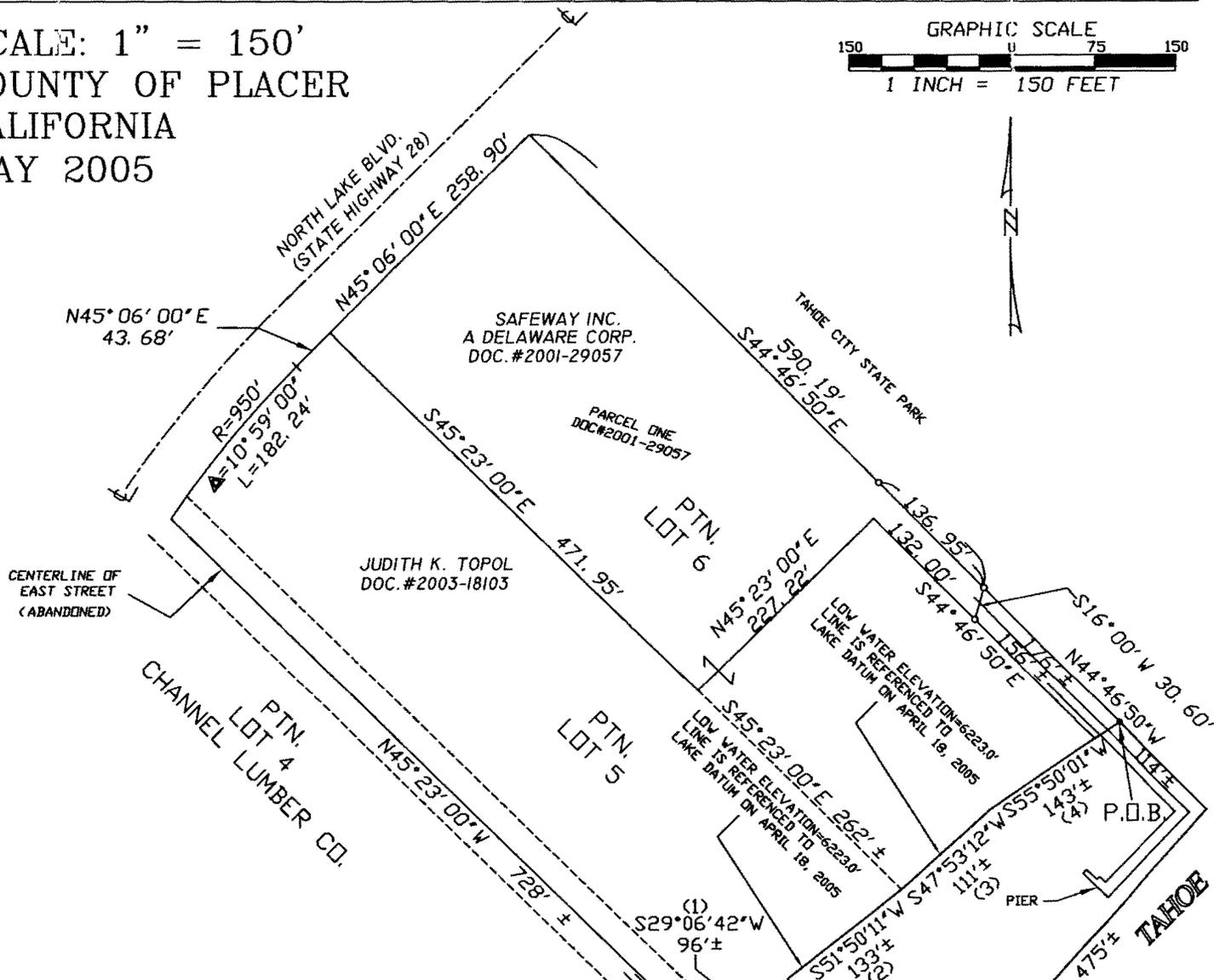
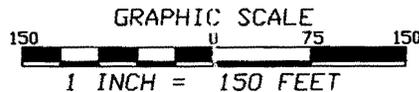


EXHIBIT 'B'

EXHIBIT TO ACCOMPANY A DESCRIPTION

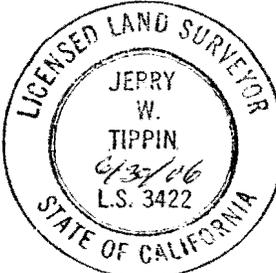
BEING A PORTION OF CALIFORNIA STATE OWNED LAND LYING WATERWARD OF LAKE TAHOE DATUM ELEVATION 6223.0, CONTIGUOUS TO LOTS 5&6, AND EAST STREET ABANDONED OF THE BITTENCOURT TRACT AS FILED IN BK. A OF FIELD NOTES, PG'S 83,84 P.C.R.

SCALE: 1" = 150'
COUNTY OF PLACER
CALIFORNIA
MAY 2005



THE PROPERTY LINES SHOWN HERE ON ARE EITHER FROM THOSE CERTAIN GRANT DEEDS RECORDED AS DOCUMENT NOS. 2003-00;8103 & 2001-0029057; UNRECORDED SURVEY BY COLEMAN-PINSON & COLEMAN DATED JULY 1961 OR THE UNRECORDED SURVEY BY MAPTEC DATED DECEMBER 2004.

This map was Prepared by me or under my direct supervision



[Signature] P. L. S. 3422
[Signature] Date: 5/29/05

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000287

* THIS EXHIBIT IS FOR REFERENCE PURPOSES ONLY. SEE ACCOMPANYING LAND DESCRIPTION FOR CONTROLLING BOUNDARY INFORMATION. *

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