

**CALENDAR ITEM
C10**

A 5
S 1

08/19/15
PRC 4852.1
M.J. Columbus

AMENDMENT OF LEASE AND REVISION OF RENT

LESSEE:

She's Such a Lady, LLC, a California Limited Liability Company

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 221 Paradise Flat Lane, near Rubicon Bay, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boat lift, swim float, and two mooring buoys.

LEASE TERM:

10 years, beginning December 31, 2008.

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 \$2,301 per year to \$1,865 per year, effective December 31, 2015.

PROPOSED AMENDMENT:

Amend the lease to replace the existing Site and Location Map in Section 3 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 December 10, 2010, the Commission authorized a General Lease – Recreational Use to She's Such a Lady, LLC, a California Limited Liability Company, beginning December 31, 2008, for the continued use and maintenance of a pier, boat lift, swim float, and two mooring buoys. The Lease will expire on December 30, 2018.

CALENDAR ITEM NO. **C10** (CONT'D)

3. Staff conducted the rent review called for in the lease. Due to changes in the impact area surrounding the pier, staff recommends the rent be reduced.
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 4852.1, a General Lease – Recreational Use, effective December 31, 2015, to replace the existing Site and Location Map in Section 3 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 4852.1 from \$2,301 per year to \$1,865 per year, effective December 31, 2015.

EXHIBIT A

PRC 4852.1

LAND DESCRIPTION

Four (4) parcels of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 3 fractional Section 4, Township 13 North, Range 17 East, MDM., as shown on Official Government Township Plat approved May 19, 1875, County of El Dorado, State of California, and more particularly described as follows:

PARCEL 1 – PIER

All those lands underlying an existing pier, one (1) catwalk, and one (1) boatlift lying adjacent to that parcel described in Exhibit “A” of that Grant Deed recorded December 29, 2008 in Document Number 2008-0060921 in Official Records of said County.

TOGETHER WITH any applicable impact area(s).

EXCEPTING THEREFROM any portion(s) lying landward of elevation 6223 feet LTD on the shoreline of said Lake Tahoe.

PARCELS 2 & 3 – BUOYS (2)

Two (2) circular parcels of land, being 50 feet in diameter, underlying two (2) existing buoys lying adjacent to that parcel as described in said Grant Deed.

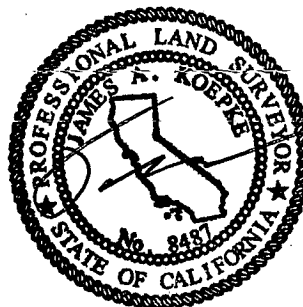
PARCEL 4- SWIM FLOAT

An 8' x 10' swim float lying adjacent to that parcel as described in said Grant Deed.

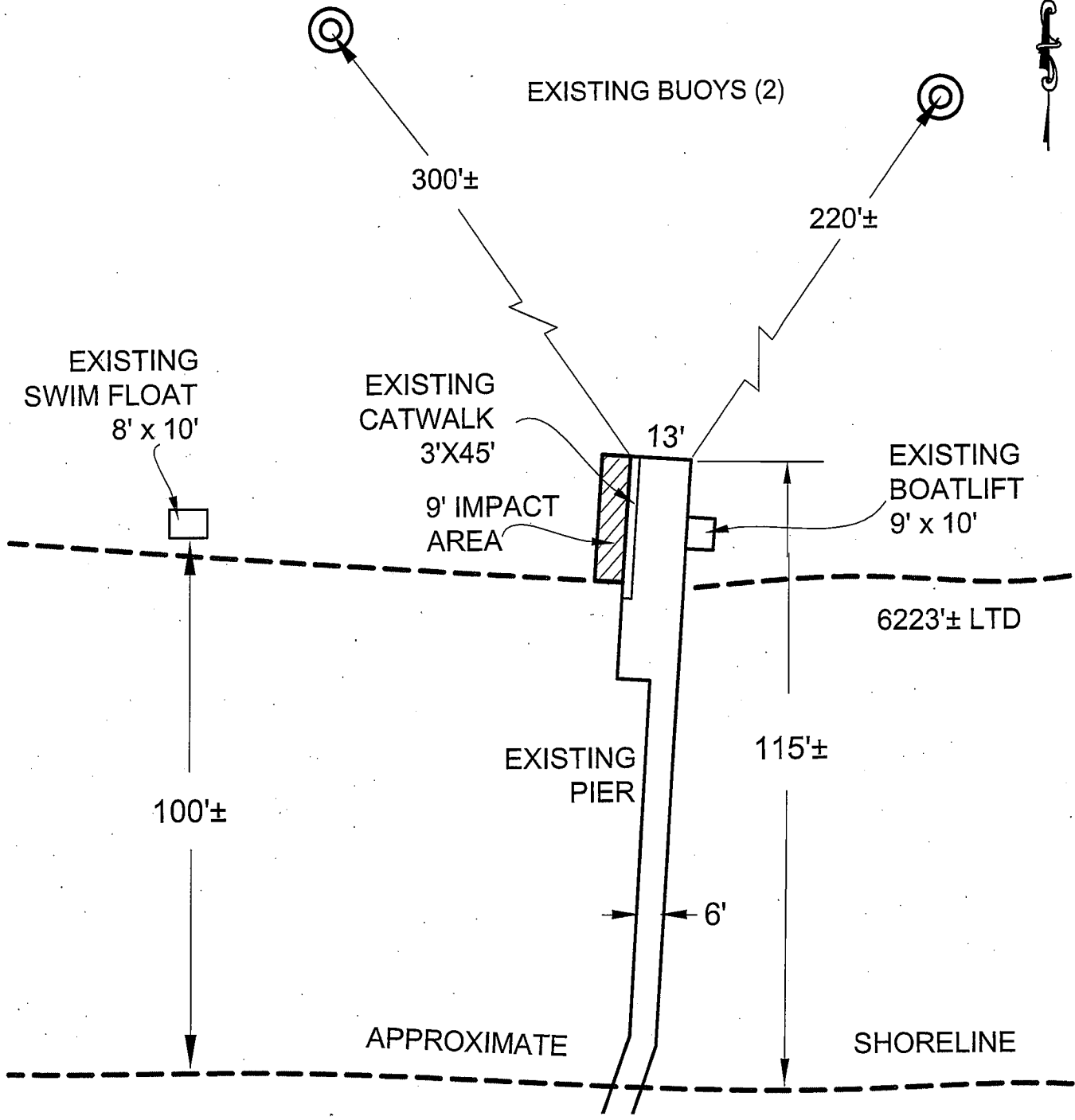
Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared May 22, 2015 by the California State Lands Commission Boundary Unit.



L A K E T A H O E



APN 017-021-06

EXHIBIT A

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MJJ 05/22/15

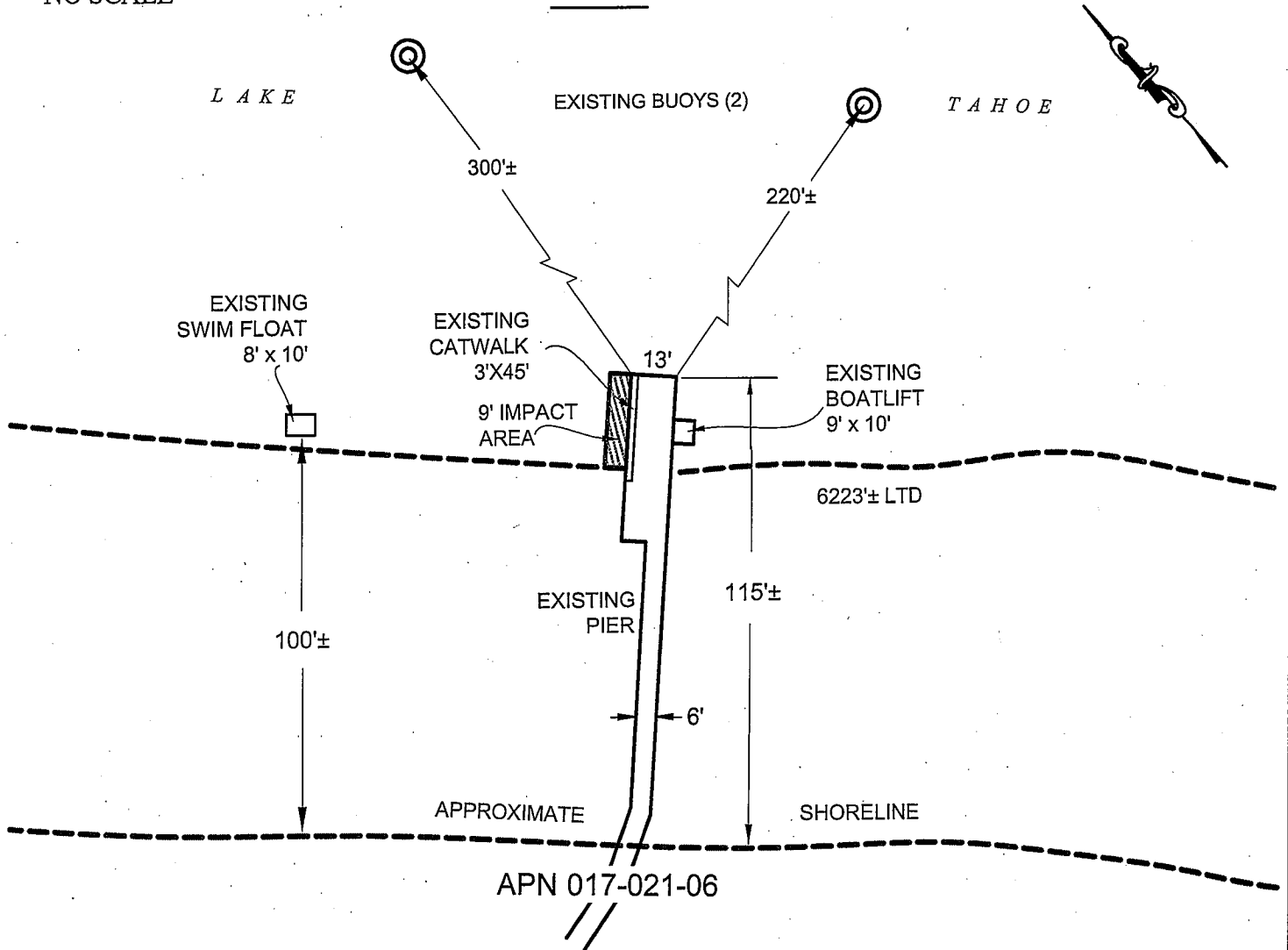
LAND DESCRIPTION PLAT
PRC 4852.1, SHE'S SUCH A LADY LLC
EL DORADO COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

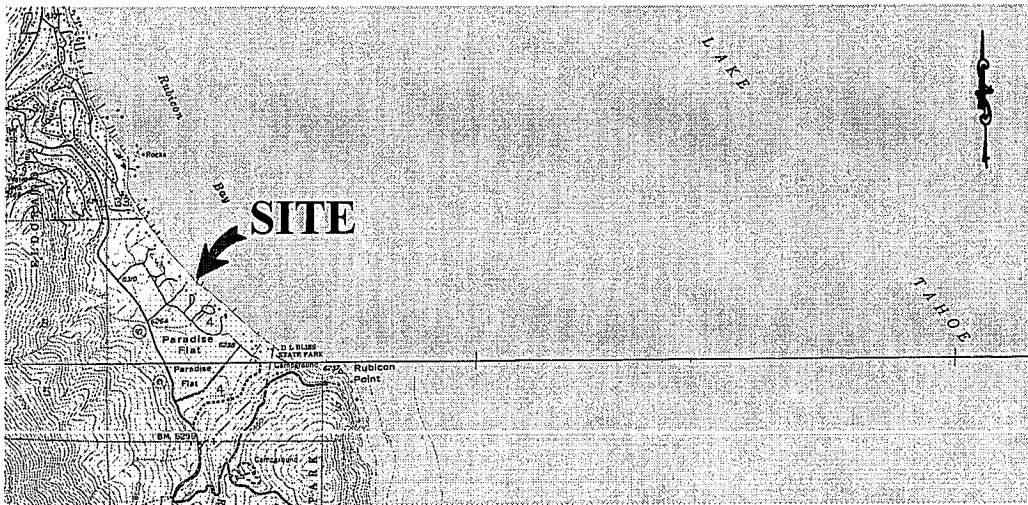
SITE



221 PARADISE FLAT LANE, NEAR RUBICON BAY

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

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.

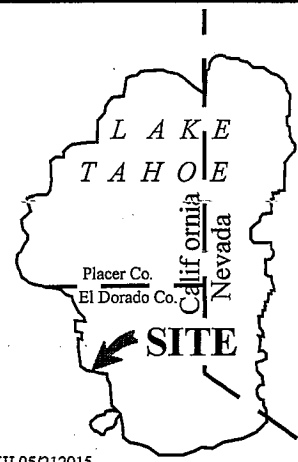
Exhibit B

PRC 4852.1

SHE'S SUCH A LADY LLC

APN 017-021-06

GENERAL LEASE -
RECREATIONAL USE
EL DORADO COUNTY



MJI 05/212015