

**STAFF REPORT
C17**

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02/04/19
PRC 9321.1
M.J. Columbus

ASSIGNMENT OF LEASE

LESSEE/ASSIGNOR:

Adolph A. Schonder and Kathleen M. Schonder, Trustees of the Adolph and Kathleen Schonder Revocable Trust, dated March 7, 2005

APPLICANT/ASSIGNEE:

Amjad Munim

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Lake Tahoe, adjacent to 735 Lakeview Avenue, in the city of South Lake Tahoe, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of two existing mooring buoys.

LEASE TERM:

10 years, beginning April 5, 2016.

CONSIDERATION:

\$754 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

STAFF ANALYSIS AND RECOMMENDATION:

Authority:

Public Resources Code sections 6005, 6216, 6301, 6501.1, 6503, and 6503.5; California Code of Regulations, title 2, sections 2000 and 2003

Public Trust and State's Best Interests Analysis:

On April 5, 2016, the Commission authorized a 10-year General Lease – Recreational Use to the Lessee, for two existing mooring buoys ([Item C02, April 5, 2016](#)). That lease will expire on April 4, 2026.

On June 30, 2017, ownership interest in the upland parcel was transferred to Amjad Munim. The Applicant is now applying for an assignment of the lease and agrees to perform and be bound by the terms, conditions,

STAFF REPORT NO. **C17** (CONT'D)

covenants, and agreements contained in the lease. Staff recommends an assignment of the lease to reflect the change in ownership of the upland properties from the Assignor to the Assignee. The assignment will be effective as of the date of transfer, June 30, 2017.

The lease assignment will not result in a change in the use of, or impacts to, Public Trust resources. Staff believes approval of this assignment will not substantially interfere with the common law Public Trust Doctrine; and is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. This action is consistent with Strategy 1.1 of the Commission's Strategic Plan to deliver the highest levels of public health and safety in the protection, preservation and responsible economic use of the lands and resources under the Commission's jurisdiction.
2. On October 24, 2018, the Tahoe Regional Planning Agency's Governing Board certified a new Final Environmental Impact Statement and adopted Lake Tahoe Shorezone Ordinance Amendments.
3. Approving the lease assignment is not a project as defined by the California Environmental Quality Act because they are administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, sections 15378, subdivision (b)(5).

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed action will not substantially interfere with the Public Trust needs and values at this location, at this time, and for the foreseeable term of the lease; is consistent with the common law Public Trust Doctrine; and is in the best interests of the State.

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AUTHORIZATION:

Authorize the assignment of Lease No. PRC 9321.1, a General Lease – Recreational Use, of sovereign land as described in Exhibit A, Land Description, and shown on Exhibit B, Site and Location Map (for reference purposes only), attached and by this reference made a part hereof, from Adolph A. Schonder and Kathleen M. Schonder, Trustees of the Adolph and Kathleen Schonder Revocable Trust, dated March 7, 2005, to Amjad Munim; effective June 30, 2017.

EXHIBIT A

PRC 9321.1

LAND DESCRIPTION

Two parcels of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 4 fractional Section 32, Township 13 North, Range 18 East, MDM., as shown on Official Government Township Plat approved July 8, 1875, County of El Dorado, State of California and more particularly described as follows:

Two (2) circular parcels of land, being 50 feet in diameter underlying two (2) existing buoys lying adjacent to a lot described in that Grant Deed recorded June 30, 2017 as Document Number 2017-0026806 in Official Records of said County.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared December 13, 2018, by the California State Lands Commission Boundary Unit.



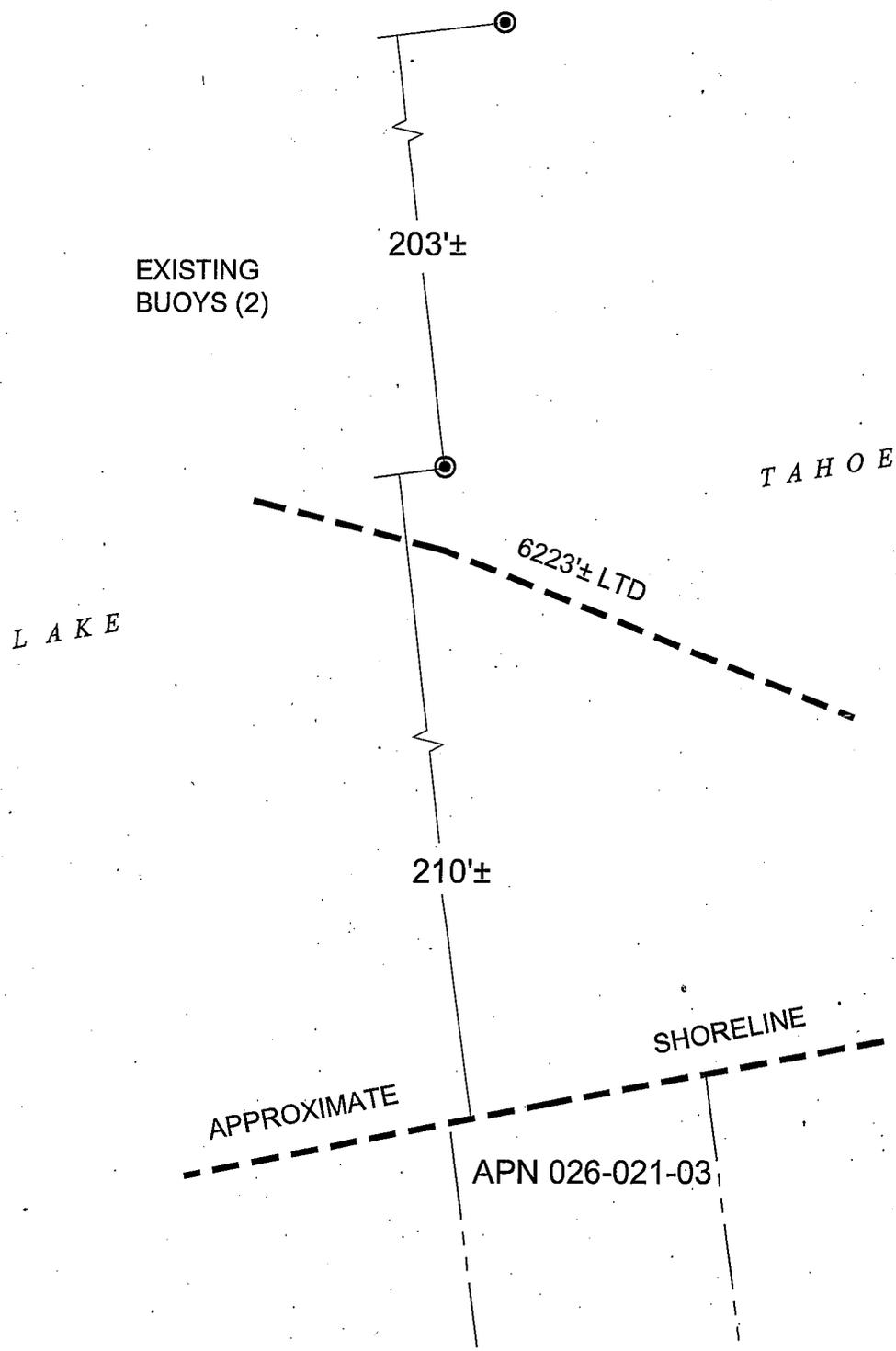


EXHIBIT A

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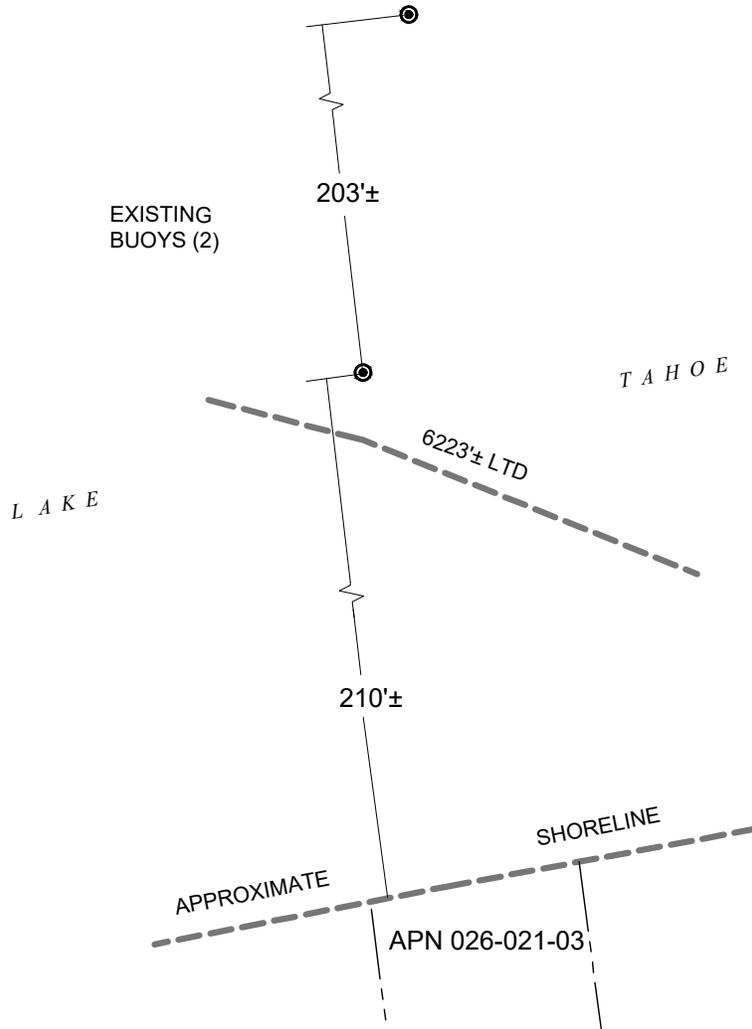
LAND DESCRIPTION PLAT
 PRC 9321.1, MUNIM
 EL DORADO COUNTY

CALIFORNIA STATE
 LANDS COMMISSION



NO SCALE

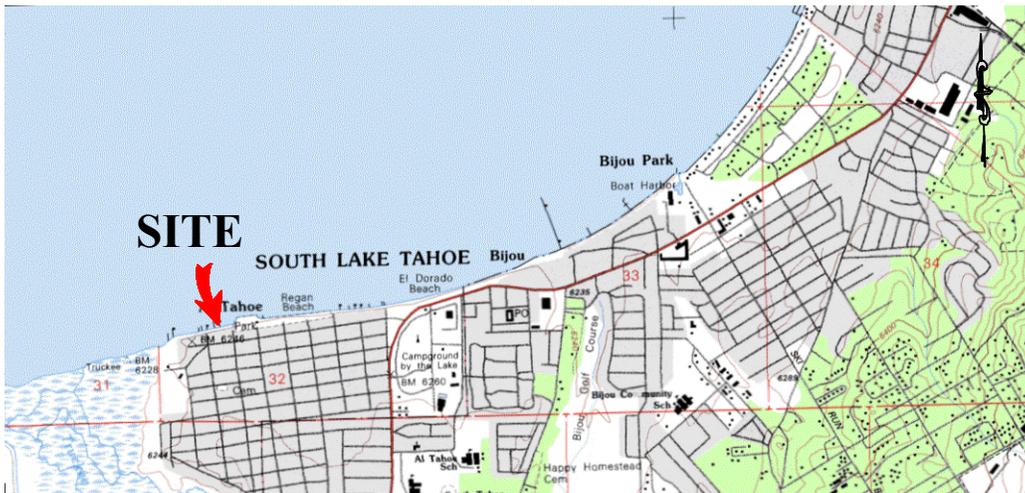
SITE



735 LAKEVIEW AVE., NEAR SOUTH LAKE TAHOE

NO SCALE

LOCATION

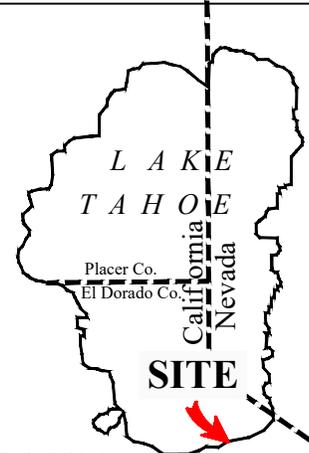


MAP SOURCE: USGS QUAD

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 9321.1
MUNIM
APN 026-021-03
GENERAL LEASE -
RECREATIONAL USE
EL DORADO COUNTY



MJJ 12/13/2018