

**CALENDAR ITEM  
C35**

A 4  
S 1

12/05/12  
PRC 7939.1  
B. Terry

**REVISION OF RENT**

**LESSEE:**

Brockway Springs of Tahoe Property Owners Association I and II, Inc.

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in Lake Tahoe, adjacent to 9200 Brockway Springs, near Kings Beach, Placer County.

**AUTHORIZED USE:**

Continued use and maintenance of 26 existing mooring buoys and two marker buoys.

**LEASE TERM:**

10 years, beginning February 12, 2007.

**CONSIDERATION:**

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff conducted a review of the rent under this lease, and recommends that rent be revised from \$8,890 per year to \$9,852 per year, effective February 12, 2013.

**OTHER PERTINENT INFORMATION:**

1. On June 1, 2009, the Commission authorized a General Lease - Recreational Use to Brockway Springs of Tahoe Property Owners Association I and II, Inc., for a term of 10 years. The Lease will expire on February 11, 2017. Staff conducted the rent review called for in the lease and recommends that the rent be increased.
  
2. The staff recommends that the Commission find that the subject revision of rent does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

CALENDAR ITEM NO. **C35** (CONT'D)

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

**EXHIBITS:**

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

**RECOMMENDED ACTION:**

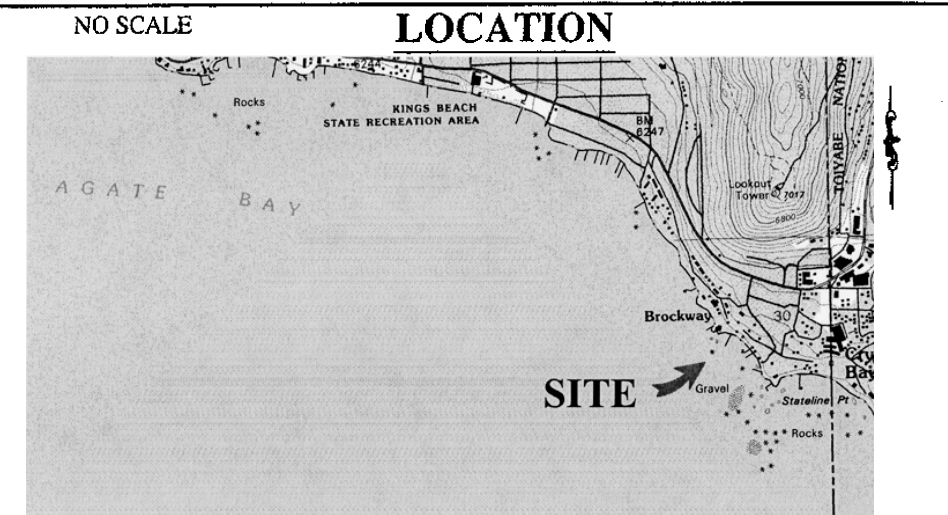
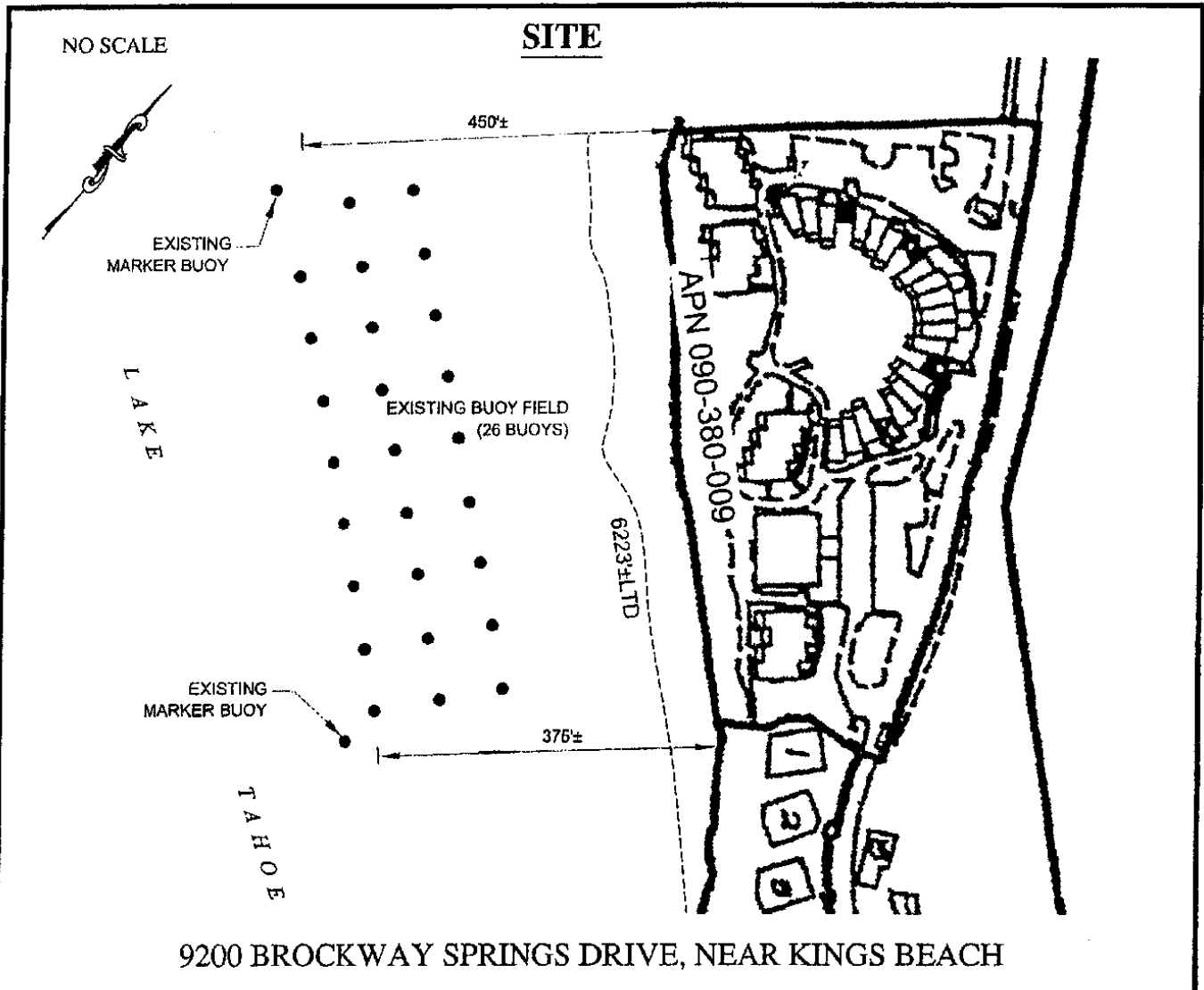
It is recommended that the Commission:

**CEQA FINDING:**

Find that the subject revision of rent is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378

**AUTHORIZATION:**

Approve the revision of rent for Lease No. PRC 7939.1 from \$8,890 per year to \$9,852 per year, effective February 12, 2013.



**Exhibit A**

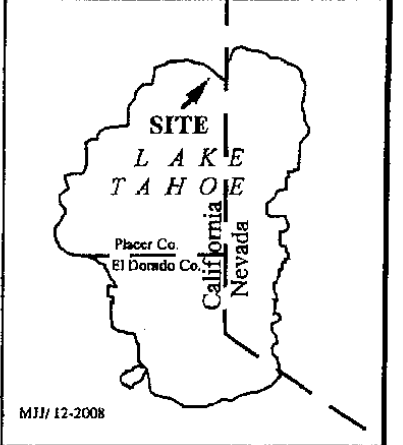
PRC 7939.1

BROCKWAY SPRINGS POA

APN 090-380-009

GENERAL LEASE-  
RECREATIONAL USE

PLACER COUNTY



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 7939.1**

**LAND DESCRIPTION**

Three parcels of submerged land in the bed of Lake Tahoe, situate in Placer County, State of California and lying adjacent to those certain parcels as described in Volume 1494, Page 291, Official Records Placer County, and described as follows:

**PARCEL 1 (Buoy Field)**

BEGINNING at the northwest corner of Parcel One as described in said Volume 1494, Page 291; thence along the southwesterly prolongation of the northerly line of said Parcel One, South 57°56'21" West 491.00 feet; thence South 39°20'31" East 750.97 feet; thence North 52°08'49" East 419.00 feet to the southwesterly corner of Parcel Two of said Volume 1494, Page 291; thence North 33°14'20" West 137.52 feet; thence North 41°33'17" West 180.43 feet; thence North 29°11'46" West 76.23 feet; thence North 30°43'08" West 127.07 feet; thence North 33°52'22" West 162.58 feet; thence North 07°20'00" West 23.68 feet to the point of beginning.

**PARCELS 2 AND 3**

Two circular parcels of submerged land 20 feet in diameter lying at or near the west and south corner of the hereinabove described Parcel 1.

EXCEPTING THEREFROM any portion lying landward of elevation 6223 foot Lake Tahoe Datum.

**END OF DESCRIPTION**

Prepared 05/13/2009 by the California State Lands Commission Boundary Unit.

