

STAFF REPORT

09

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12/06/19
PRC 4058.1
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ASSIGNMENT OF LEASE

LESSEE/ASSIGNOR:

Skylandia, LLC, a California limited liability company

APPLICANT/ASSIGNEE:

Eric W. Stille and Kathleen Riley Stille, as Trustees of the Eric and Kate Stille Family Trust dated 7-8-05

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 3740 North Lake Boulevard, near Carnelian Bay, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boathouse, boat hoist, sundeck with stairs, and two mooring buoys.

LEASE TERM:

10 years, beginning April 5, 2016.

CONSIDERATION:

\$2,174 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 General Lease - Recreational Use to Skylandia, LLC, a California limited liability company, for an existing pier, boathouse, boat hoist, sundeck with stairs, and two mooring buoys ([Item C16, April 5, 2016](#)). The lease will expire on April 4,

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2026. On June 15, 2018, ownership of the upland parcel transferred to Eric W. Stille and Kathleen Riley Stille, as Trustees of the Eric and Kate Stille Family Trust dated 7-5-08. The Applicant is now applying for an assignment of the lease, effective June 15, 2018.

Staff recommends an assignment of the lease to reflect the change in ownership of the upland property from the Assignor to the Assignee. The Assignment will be effective as of the date of transfer, June 15, 2018. The Assignee agrees to perform and be bound by the terms, conditions, covenants, and agreements contained within the lease.

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 Public Trust needs and values, and is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. Approval or denial of the application is a discretionary action by the Commission. Each time the Commission approves or rejects a use of sovereign land, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Trust lands as authorized by law. Upon expiration or prior termination of the lease, the lessee has no right to a new lease or to renewal of any previous lease.
2. 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.
3. Assignment of lease is not a project as defined by the California Environmental Quality Act because it is an 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

STAFF REPORT NO. **09** (CONT'D)

RECOMMENDED ACTION:

It is recommended that the Commission:

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed assignment will not impact the public rights to navigation and fishing or substantially interfere with the Public Trust needs and values at this location, at this time, and for the foreseeable term of the lease; and is in the best interests of the State.

AUTHORIZATION:

Authorize the assignment of Lease No. PRC 4058.1, 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 Skylandia, LLC, a California limited liability company, to Eric W. Stille and Kathleen Riley Stille, as Trustees of the Eric and Kate Stille Family Trust dated 7-5-08; effective June 15, 2018.

EXHIBIT A

PRC 4058.1

LAND DESCRIPTION

Three (3) parcels of submerged land situate in the bed of Lake Tahoe, lying adjacent to Lot 3 fractional Section 28, Township 16 North, Range 17 East, MDM., as shown on Official Government Township Plat approved November 10, 1865, County of Placer, State of California, and more particularly described as follows:

PARCEL 1 – PIER

All those lands underlying an existing pier, one (1) boathouse with sundeck and stairs and one (1) boat hoist lying adjacent to Parcel One described in Exhibit “A” of that Grant Deed recorded April 15, 2015 in Document Number 2015-0029843 in Official Records of said County.

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 Parcel One as described in said Grant Deed.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared June 17, 2015 by the California State Lands Commission Boundary Unit.



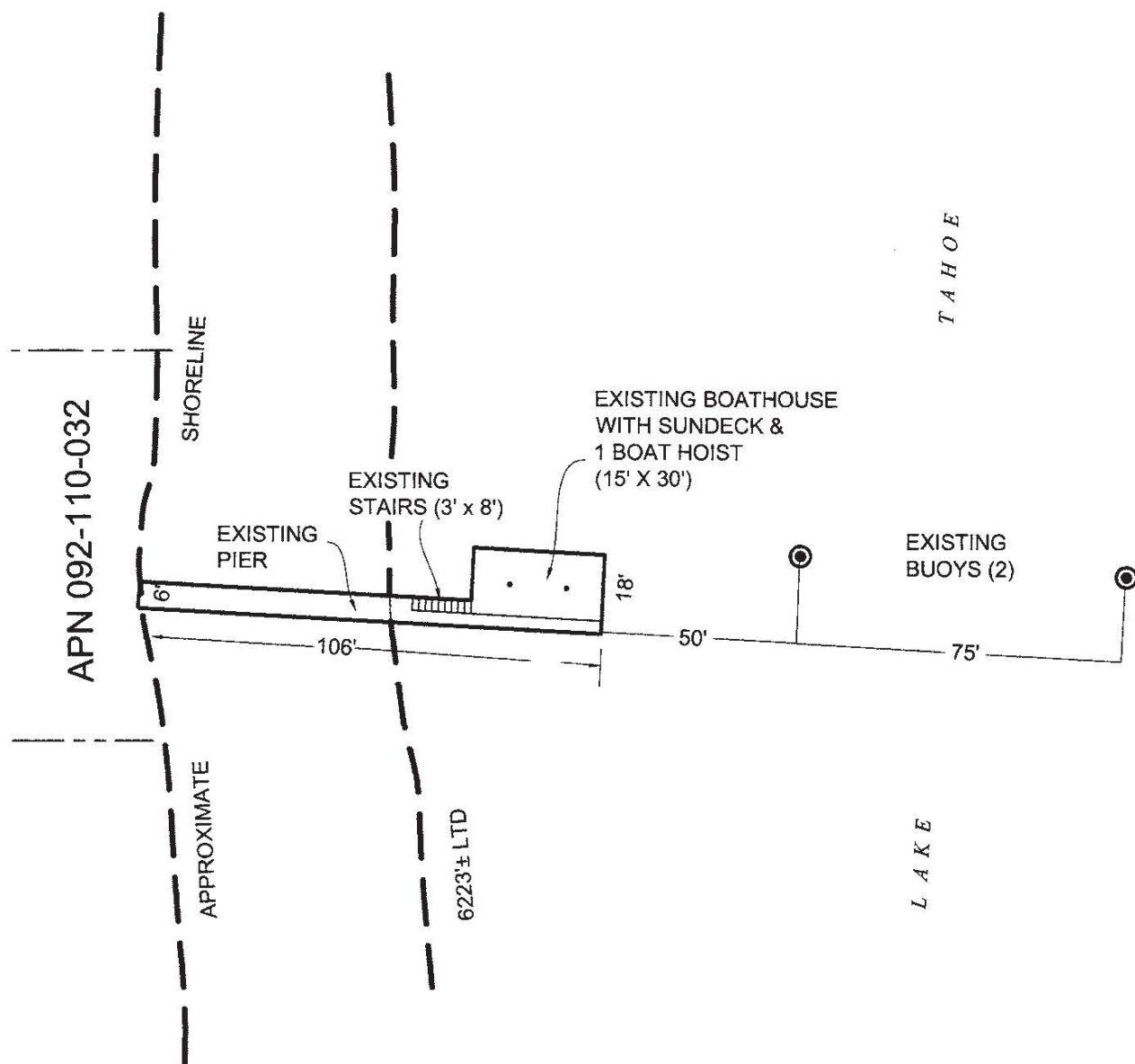


EXHIBIT A

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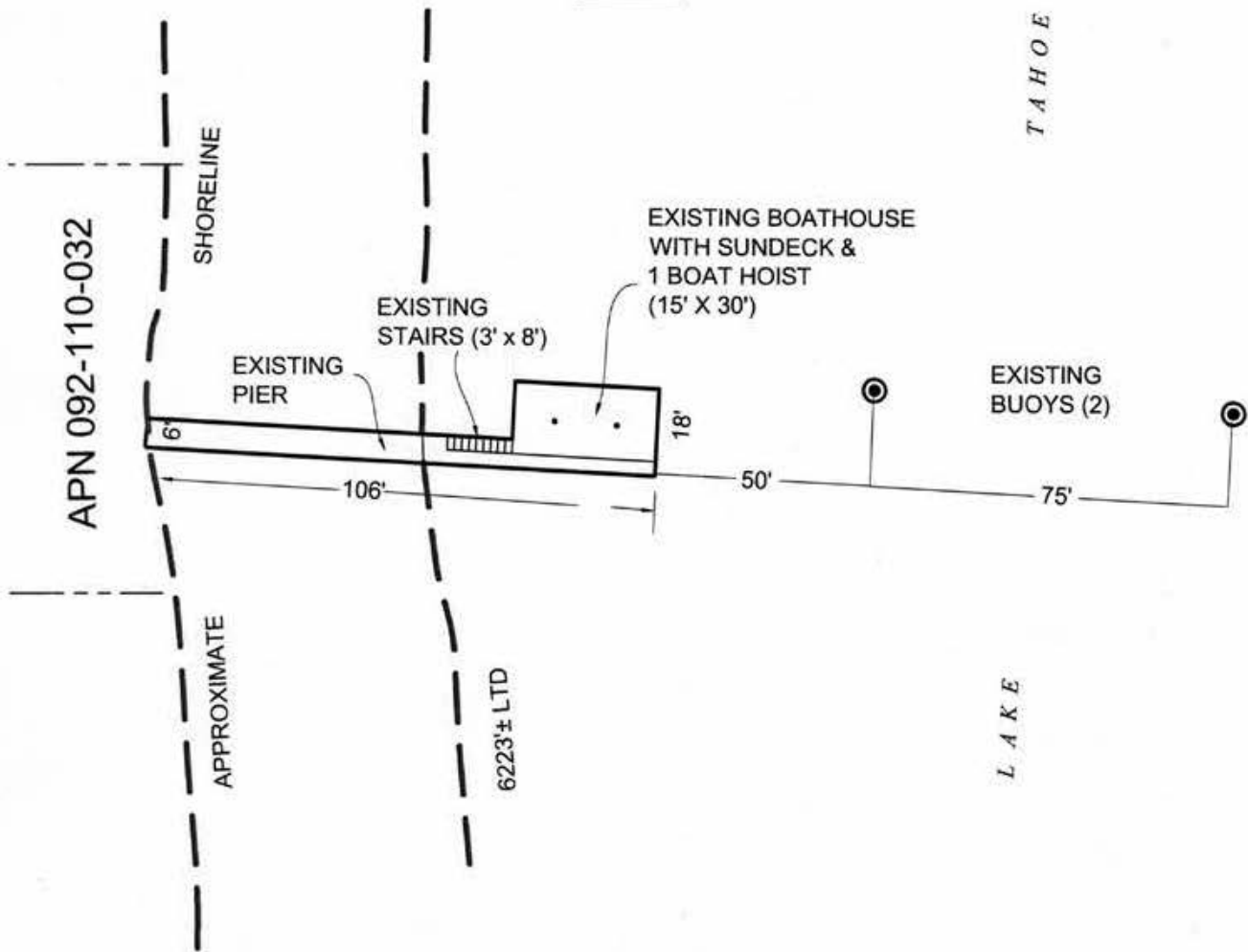
LAND DESCRIPTION PLAT
PRC 4058.1, SKYLANDIA, LLC
PLACER COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

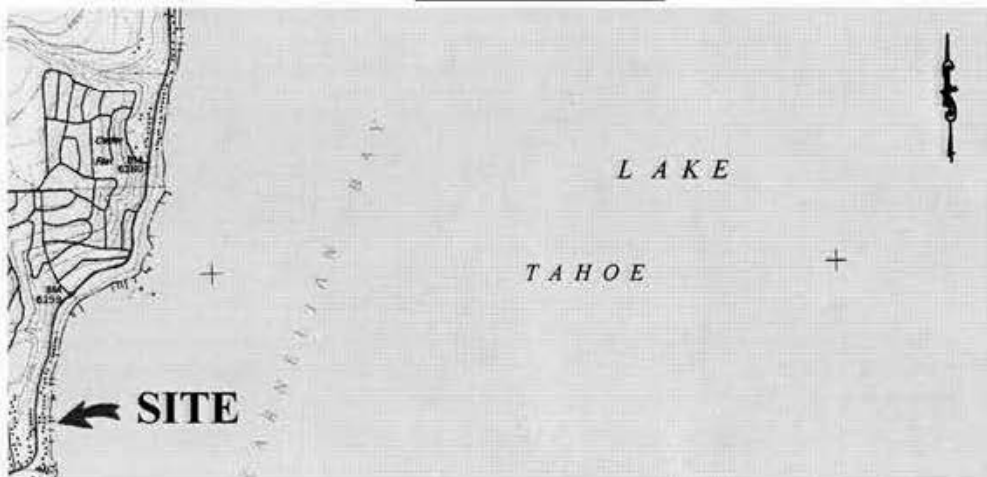
SITE



3740 NORTH LAKE BLVD., NEAR CARNELIAN 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 4058.1
SKYLANDIA, LLC
APN 092-110-032
GENERAL LEASE -
RECREATIONAL USE
PLACER COUNTY



MJJ 12/21/15