

DRAFT

AMENDMENT TO LEASE OF REAL PROPERTY

This "Amendment to Lease of Real Property" ("Amendment") is made on _____, 2010, by and between the County of El Dorado, a political subdivision of the State of California, hereinafter referred to as "Lessor", and the City of South Lake Tahoe, a municipal corporation, hereinafter referred to as "Lessee."

This Amendment amends the "Lease of Real Property" dated December 12, 1972, as previously amended of December 9, 1986 and April 14, 1987. (collectively, "the 1972 Lease.") The 1972 Lease covers a property commonly known as "The South Lake Tahoe- El Dorado Recreation Area" ~~and also known as "Lakeview Commons."~~ The 1972 Lease rescinded and superseded a previous lease for the same property dated July 1, 1968.

WHEREAS, the term of the 1972 Lease expires on June 30, 2023; and

WHEREAS, the City has applied for a grant from the California Tahoe Conservancy for funds to construct improvements a 4.74 acre portion of the leased property commonly known as El Dorado Beach, which is shown on Exhibit A and described in Exhibit B (hereinafter, "the El Dorado Beach Portion of the Leased Property"; and

WHEREAS, the City has applied for a grant from the Department of Boating and Waterways for funds to reconstruct the existing restroom facilities as shown in Exhibit C: and

WHEREAS, one of the conditions of the funding agreement with the California Tahoe Conservancy for the improvements shown in Exhibit A and B is that the City demonstrate that they have a proprietary right in the property and ability to maintain the El Dorado Beach Portion of the Leased Property for a period of 20 years after the completion of the improvements; and

WHEREAS, the Lessor and Lessee want the improvements to be constructed and maintained in accordance with the terms of the 1972 Lease; and

WHEREAS, the 1972 Lease requires that the "financing, maintenance and execution of the development of all facilities to be constructed or placed on said property, shall be the entire obligation of Lessee. Lessee shall, in addition, maintain all of the subject property at no cost to Lessor." (1972 Lease, p. 15).

WHEREAS, the 1972 Lease requires a Master Plan for the development of the subject property which was adopted for the southern portion the El Dorado Beach Portion in 1977; and

WHEREAS, the northern portion of the El Dorado Beach Portion (north of South Lake Tahoe Boulevard) has never adopted a Master Plan, and this Lease Amendment shall be considered the Master Plan for the northern portion of El Dorado Beach as set forth below; and

WHEREAS, the Master Plan for the southern portion of the El Dorado Beach Portion (south of South Lake Tahoe Boulevard) shall be amended by this Amendment to include the northern 4.74 acre lakefront portion.

FOR AND IN CONSIDERATION of the mutual promises, covenants and conditions set forth herein, IT IS HEREBY MUTUALLY AGREED as follows:

1. The term of the 1972 Lease is hereby extended for the El Dorado Beach Portion (north of South Lake Tahoe Boulevard and as more fully ~~described~~ shown in Exhibit A, which attached hereto and incorporated by reference) of the Leased Property. The Lease for the El Dorado Beach Portion of the Leased Property shall expire upon the earlier of the following events:

(1). Twenty years after the Lessee delivers to the County a notice of completion for the improvements described in the "El Dorado Beach Improvement Project" Exhibit B ~~(RUSS: NEED AN EXHIBIT WHERE IS A DESCRIPTION OF THE IMPROVEMENTS OTHER THAN THE ND?)~~

or (2): December 31, 2034.

2. All other provisions of the 1972 Lease shall remain in full force and effect.

IN WITNESS HEREOF, the parties hereto have executed this Amendment to Lease of Real Property in duplicate on the date and year set opposite their respective signatures.

COUNTY OF EL DORADO

Date _____

By _____
Chairman, Board of Supervisors

CITY OF SOUTH LAKE TAHOE

Date _____

By _____
Mayor

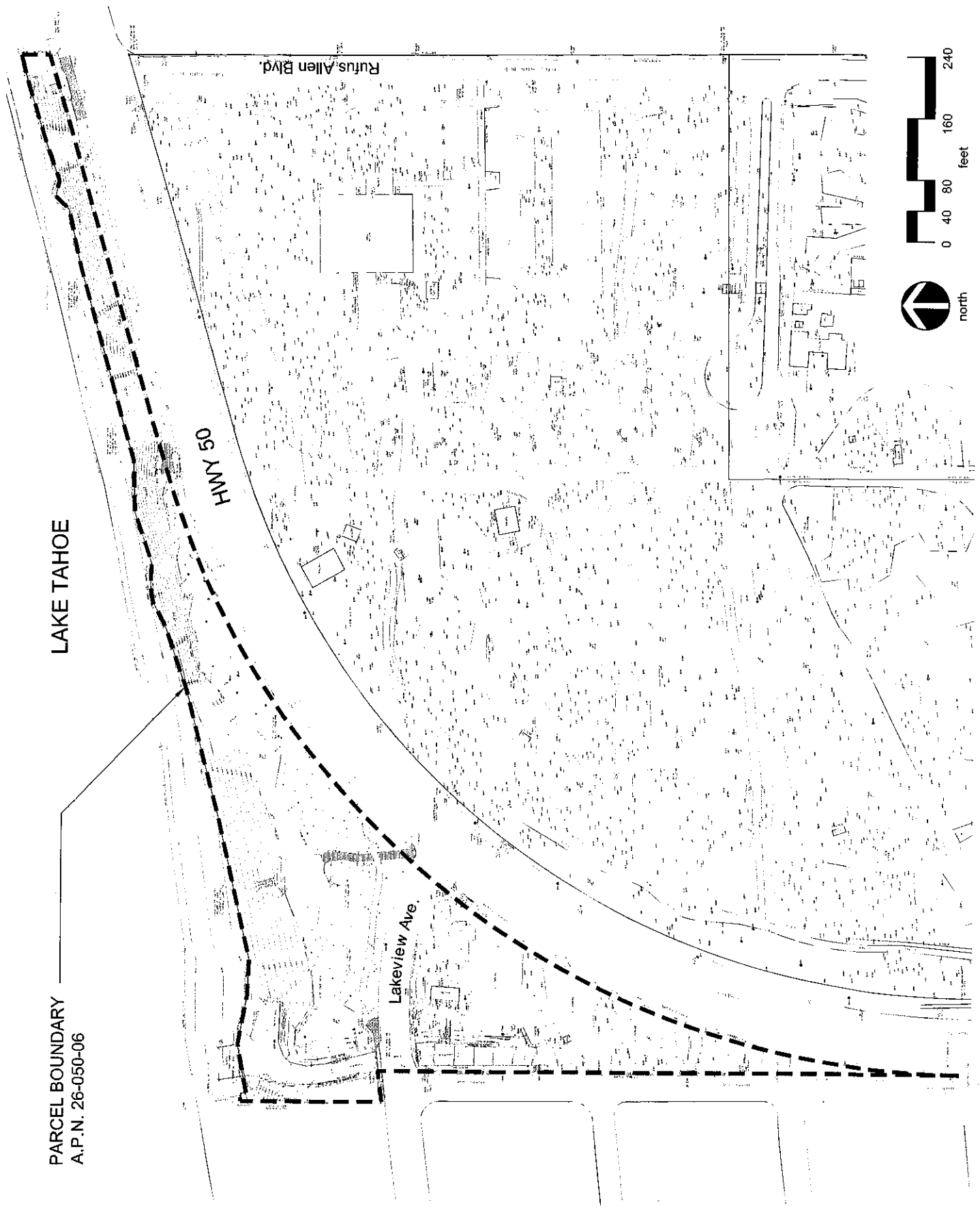
ATTEST:

Suzanne Allen de Sanchez

Clerk of the Board

By _____

Date: _____



PARCEL BOUNDARY
A.P.N. 26-050-06

Beach Improvement Project Description

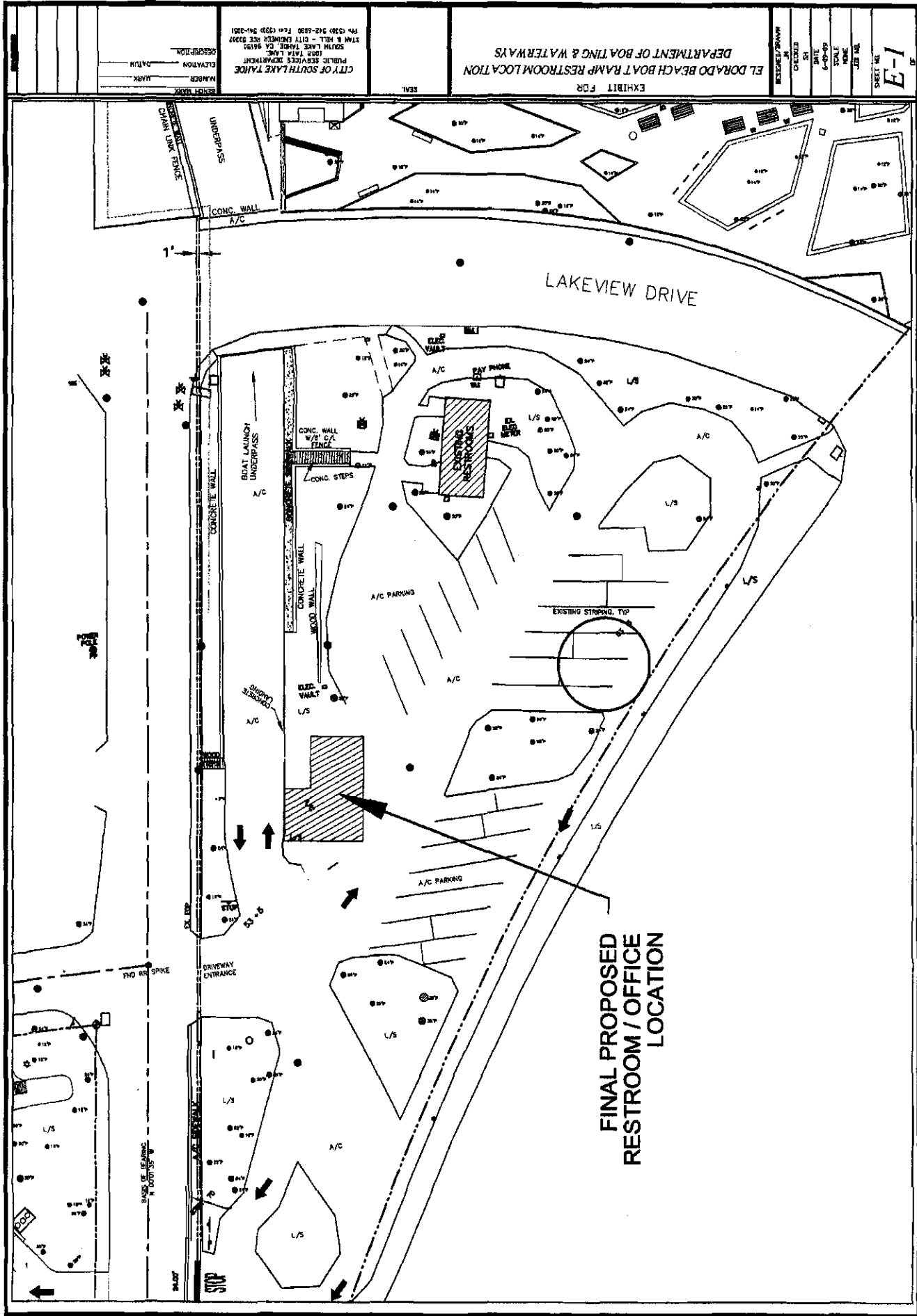
The proposed Beach Improvement Project will provide visitors and residents alike with a world class open space and gathering place. The project will be the centerpiece of the community's effort to develop a sustainable and vibrant environment and economy. Key elements of the project will include a boat launch, boat storage facility, concessions, restrooms, lake front open space, picnic and barbeque facilities, immediate beach access, and other civic and recreation facilities. The design and the management of the site will reflect the active sustainable mountain lifestyle with a careful respect for the area's natural setting. Therefore, project will utilize various strategies to clean and filter storm water run-off before allowing it to return to the natural water system, and will strive toward a zero carbon footprint with all of its new buildings, creating a fully sustainable complex. This project will be a model for sustainable design throughout the Lake Tahoe Region and beyond.

The proposed boathouse is located at the western edge of the recreational plaza and has two levels. The upper level is designed to be accessed from the east, north and south sides at the plaza elevation and includes men's and women's restrooms and a 'heat and serve' food concessionaire. The lower level is designed to be accessed from the west side at the boat ramp elevation and includes a non-motorized boat storage area for private use (with rental fee), a storage area for non-motorized boat rental, and a small office space. The boat storage facility will accommodate year-round non-motorized boat storage at lake level on the south shore. The storage space will provide for up to 50 kayaks or 30 canoes.

Restroom Relocation and Reconstruction Project

Reconstruction of existing restrooms to meet Americans with Disability Act requirements and standards for winterization: The restroom facility currently provides four women's toilet fixtures and two men's toilet fixtures and one urinal. It does not offer shower facilities. Reconstruction of the restroom is anticipated to include a new facility with up to six stalls for women and six facilities for men to accommodate the large number of users. The new restroom facility will need to meet all of the aesthetic requirements of both the City and TRPA. The restroom retrofit includes modification of the existing drinking fountain to make it wheelchair accessible. Some paving of pedestrian walkways/ramps will be required to get users to the restrooms. The City also proposes to place parking lot safety lighting that will assist users of the facility.

ATTACHMENT A



| | | | |
|---|---|---|------------------|
| MARK ELEVATION DESCRIPTION | CITY OF SOUTHLAKE TAJORE PUBLIC SERVICES DEPARTMENT 1205 TARA LANE SOUTH LAKE TAJORE, CA 94130 STAFF & HILL - CITY ENGINEER REG 22207 PH (415) 342-6229 FAX (415) 341-2021 | EXHIBIT FOR EL DORADO BEACH BOAT RAMP RESTROOM LOCATION DEPARTMENT OF BOATING & WATERWAYS | SHEET NO. 1-1 |
| RESUME/DRAWN CHECKED BY DATE SCALE NOISE JOB NO. | | | |