

**AMENDMENT TO LEASE OF REAL PROPERTY**

This "Amendment to Lease of Real Property" ("Amendment") is made on January 26, 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 The 1972 Lease covers a property commonly known as "The South Lake Tahoe- El Dorado Recreation Area" The 1972 Lease rescinded and superseded a previous lease for the same property dated July 1, 1968.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 grants from the California Tahoe Conservancy and the Department of Boating and Waterways for funds to construct improvements on a 4.74 acre portion of the leased property commonly known as El Dorado Beach, which is more fully described in Exhibit A and shown on Exhibit B (APN 026-050-06) (hereinafter, "the El Dorado Beach Portion of the Leased Property"); and

WHEREAS, the 1972 Lease requires a Master Plan for the development of the subject property; and

WHEREAS, in 1977, a Master Plan was adopted; the Master Plan identified improvements for the portion of South Lake Tahoe - El Dorado Recreation Area south of Highway 50 but did not identify improvements for the El Dorado Beach Portion of the Leased Property; and

WHEREAS, the County and City have agreed that the El Dorado Beach Improvements, as described in Exhibits C and E and shown on Exhibits D and F, shall serve as an amendment to the 1977 Master Plan for the South Lake Tahoe - El Dorado Recreation Area; and

WHEREAS, the County and City agree that nothing in this Lease Amendment relieves the City from its obligations to amend the Master Plan prior to commencing any improvements, other than those shown on Exhibits C, D, E, and F, anywhere on the South Lake Tahoe - El Dorado Recreation Area; and

WHEREAS, one of the conditions of the funding agreement with the California Tahoe Conservancy 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).

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 of the Leased Property, as more fully described in Exhibit A and shown on Exhibit B, which is attached hereto and incorporated by reference. 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 C and shown on Exhibit D.

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 1/26/10

By *Norma Santiago*  
Chair, Board of Supervisors

CITY OF SOUTH LAKE TAHOE

Date \_\_\_\_\_

By *Kathryn Lovell*  
Mayor



ATTEST:

*Susan Alessi*  
Susan Alessi, City Clerk

ATTEST:

Suzanne Allen de Sanchez

Clerk of the Board

By

*Marc MacFarland*

Date: 1/26/10

## **Exhibit "A"**

All that real property in the County of El Dorado, State of California, located in Lot 1 and the Southeast quarter of the Southeast quarter of Section 32, Township 13 North, Range 18 East, M.D.B. & M. and being more particularly described as follows:

Tract B of that Record of Survey entitled "Lot 1, Section 32, T.13 N., R.18 E., M.D.M. recorded in Book 16 of Record of Surveys at Page 30, El Dorado County Recorders Office, Document #65452, on November 16, 1988: containing 4.74 acres more or less.

APN 026-050-06



## **Exhibit “C”**

### **El Dorado Beach Improvement Project**

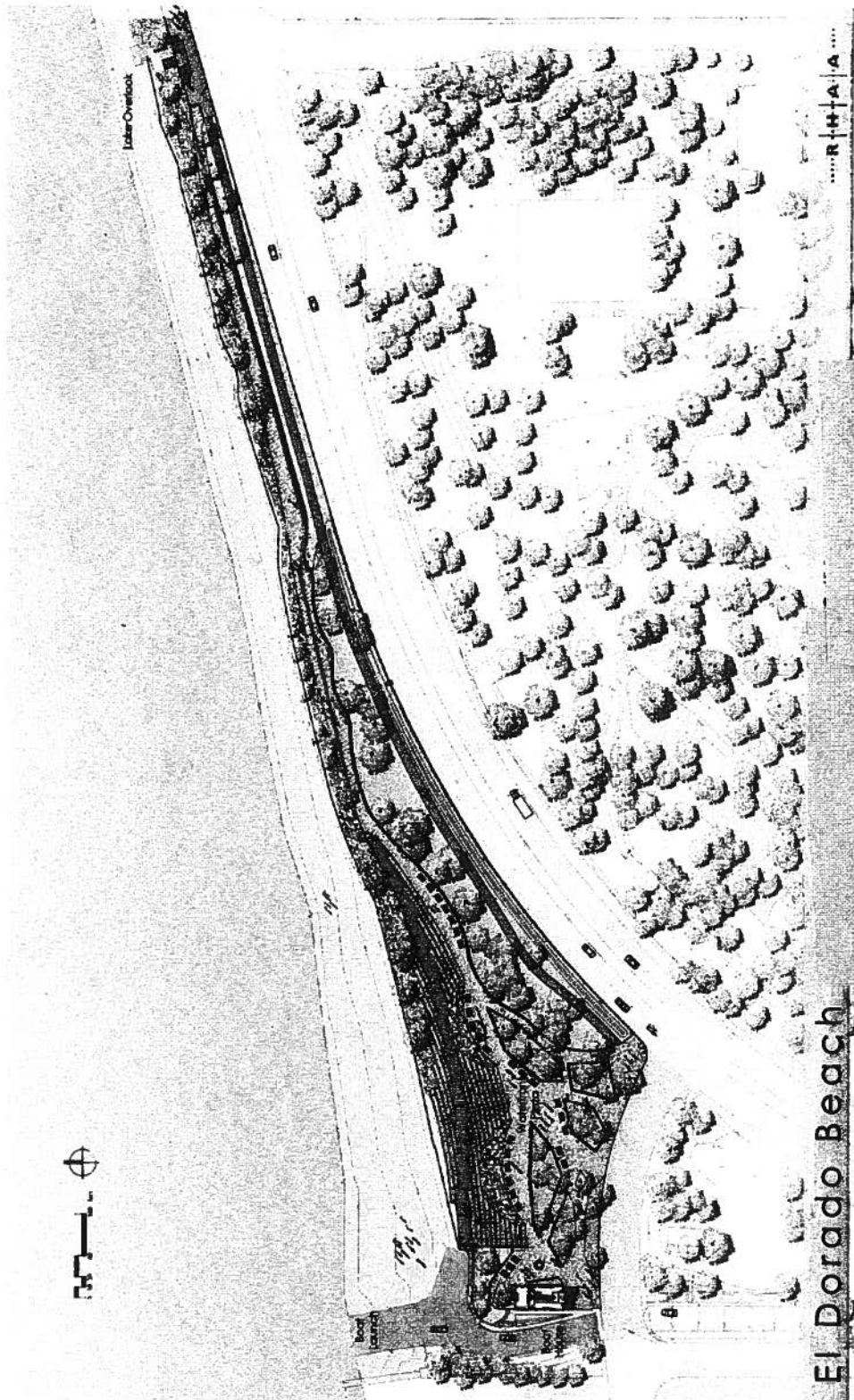
#### **Description**

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 a variety of non-motorized boats, such as up to 50 kayaks or 30 canoes or some combination that could include peddle boats.

# Exhibit "D"

## El Dorado Beach Improvement Project



## **Exhibit “E”**

### **Restroom Relocation and Reconstruction Project**

#### **Description**

Reconstruction of the existing restrooms to meet Americans with Disability Act (ADA) 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 numbers of users. The new restroom facility will need to meet all of the aesthetic requirements of the City, the County, and TRPA. The restroom retrofit includes modificatiojn of the existing drinking fountain to make it wheelchair accessible. Some paving of pedestrian walkways/ramps will be required to get users to the new restrooms. The City also proposes to place parking lot safety lighting that will assist users of the facility.



# Exhibit "F"

## Restroom Relocation and Reconstruction Project

