

Construction

9. (EXCHANGE OF TIDE AND SUBMERGED LANDS IN CORTE MADERA CANAL, MARIN COUNTY, FOR OTHER LAND, SCHULTZ CO. - W.O. 394.) By Chapter 18, Statutes of 1952, approved April 16, 1952, the Commission was authorized to grant certain lands in Marin County in exchange for other lands of equal or greater value, the Commission being authorized to accept cash in lieu of land for the purpose of equalizing values. Section 6307, Public Resources Code, amended by Chapter 433, Statutes of 1949, provides for the exchange of lands of equal value for the improvement of navigation, aid in reclamation, and for flood control protection on navigable waters, the land so acquired to have the same status as to administration, control and disposition as the lands for which it is exchanged.

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Pursuant to the above acts, the Schultz Co., real estate operators in Marin County, has applied for the exchange of certain lands adjacent to Corte Madera Canal for tide and submerged lands in that canal. Some of the lands within the Canal are unquestionably State lands; title to other lands in the Canal may be clouded. Mr. Walter S. Ries of Oakland has appraised the lands subject to the proposed exchange at a valuation of \$220 per acre. The Staff has calculated the value of the State's interest in the land with a possible clouded title at one-half the appraised value, or \$110 per acre. The area of State land in the Canal for which application has been received amounts to approximately 25.3 acres, 12.6 acres of which may be clouded. Value of this land, 12.7 acres at \$220 per acre and 12.6 acres at \$110 per acre, amounts to \$4,180. In exchange for this land the Schultz Co. offers approximately 6.0 acres, valued at \$220 per acre, or \$1,320, and \$2,860 in cash to equalize values. The land received by the State and the dredged channel to be constructed thereon will have the same status of navigability, administration, control, and disposition as the land in the Canal granted by the State. The purpose of the exchange is to straighten the channel, improve navigation, and aid reclamation.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE EXECUTIVE OFFICER TO PREPARE AND EXECUTE AN AGREEMENT WITH THE SCHULTZ CO. PROVIDING FOR THE EXCHANGE OF ALL RIGHT, TITLE AND INTEREST OF THE STATE COVERING APPROXIMATELY 25.3 ACRES OF TIDE AND SUBMERGED LANDS IN CORTE MADERA CANAL, MARIN COUNTY, FOR ALL RIGHT, TITLE AND INTEREST OF THE SCHULTZ CO. COVERING APPROXIMATELY 6.0 ACRES OF LAND NEAR AND ADJACENT TO CORTE MADERA CANAL, PLUS A SUM OF \$2,860.

10. (PROPOSED LEGISLATION FOR 1953 REGULAR SESSION - W.O. 1141.) In addition to the items presented to the Commission at its meetings of October 24, 1952, and December 5, 1952, the following items were presented for consideration:

(1) COLORADO RIVER BOUNDARY COMMISSION

Preliminary informal discussions have been held with representatives of Arizona with respect to legislation by each State setting up a board of three State officials for each State, this board to investigate jointly and report to the respective Governors and Legislatures on procedures for establishing the boundary and the advisability of a boundary compact between California and Arizona. The report is to be made prior to the 1955 Session of the Legislature. A bill was drafted in Phoenix, Arizona, on December 29, 1952 (copy of which is quoted following this minute item). Californians present were: State Engineer A. D. Edmonston, Assistant Attorney General Arvin H. Shaw, Deputy Attorney General Gilbert Nelson,