

13. (APPLICATION FOR RIGHT-OF-WAY EASEMENT, COYOTE AND SAUCELITO CANALS, MARIN COUNTY, DIVISION OF HIGHWAYS - W.O. 1810, P.R.C. 1375.9.) The Division of Highways has submitted plats of sovereign lands of the State that are required for a right of way for construction and protection of State Highway Road IV-Mrn-1-C and State Highway Road IV-Mrn-56-A, Marin County, requesting use of State lands for highway purposes pursuant to Section 101.5 of the Streets and Highways Code.

The Plat of Road IV-Mrn-1-C, in addition to the normal right of way for the freeway, requests use and closure of portions of Railroad Avenue and Petaluma, Bolinas, Humboldt, Coyote, Owhyee and Tulare Streets northerly from the City of Sausalito where said streets abut Coyote and Saucelito Canals. These streets and intervening blocks were laid out by the Tide Land Commissioners pursuant to an Act of the Legislature of March 30, 1868, as amended by Act approved April 1, 1870. This Act provided that the Commission could map lots, blocks, streets, and canals, and file a certified copy of the map with the Surveyor General of the State, which was done. The Commission sold the lots and blocks into private ownership pursuant to said Act. The Division of Highways has indicated that it will acquire the fee in the blocks within the area of the streets that are to be closed; namely, Blocks 175, 182, 183, 184, 185, and 281. The plan of the Division of Highways is to elevate the bridge over Saucelito Canal to a height of 39.8 feet above mean high water, thus eliminating any interference with navigation in this canal.

Section 6210.3 (First) of the Public Resources Code provides that the Commission may grant easements and right of way to the Department of Public Works for purposes of rights of way and protection of highways over any public lands of the State.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, IT WAS RESOLVED AS FOLLOWS:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE TO THE DIVISION OF HIGHWAYS, DEPARTMENT OF PUBLIC WORKS, PURSUANT TO SECTION 6210.3 (FIRST) OF THE PUBLIC RESOURCES CODE, A RIGHT-OF-WAY EASEMENT 150 FEET IN WIDTH OVER COYOTE CANAL, IN ACCORDANCE WITH MAP IV-Mrn-56-A; AND A RIGHT OF WAY 600 FEET IN WIDTH ACROSS COYOTE AND SAUCELITO CANALS AND 1,000 FEET IN WIDTH OVER RAILROAD AVENUE, PETALUMA, BOLINAS, HUMBOLDT, COYOTE, OWHYEE, AND TULARE STREETS, IN ACCORDANCE WITH MAP IV-Mrn-1-C, SUBJECT TO THE CONSTRUCTION OF BRIDGES WITH SUFFICIENT NAVIGATION CLEARANCE OVER COYOTE AND SAUCELITO CANALS, IN ACCORDANCE WITH THE REQUIREMENTS OF THE WAR DEPARTMENT, AND SUBJECT TO THE ACQUISITION BY THE DIVISION OF HIGHWAYS OF THE FEE IN THE LOTS IN BLOCKS 182, 183, 184, 185, 186, 194, 195 AND 281, AS PER MAP APPROVED MAY 11, 1871, BY THE SURVEYOR GENERAL AND NOW IN THE OFFICE OF THE STATE LANDS COMMISSION, AND FURTHER SUBJECT TO THE PROVISIONS AND RIGHTS ACQUIRED BY PERSONS PURSUANT TO THE ACT OF THE LEGISLATURE APPROVED MARCH 30, 1868 (CHAPTER 543, STATS. OF 1868), AS AMENDED BY THE ACT APPROVED APRIL 1, 1870 (CHAPTER 388, STATS. OF 1870).