

MINUTE ITEM

3. APPLICATION FOR BRIDGE EASEMENT OVER TIDE AND SUBMERGED LANDS OF SAN FRANCISCO, SAN MATEO, AND ALAMEDA COUNTIES; DIVISION OF SAN FRANCISCO BAY TOLL CROSSINGS - W.O. 4531, P.R.C. 2994.9.

After consideration of Calendar Item 5 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO EXECUTE AN AGREEMENT WITH THE DIVISION OF SAN FRANCISCO BAY TOLL BRIDGE CROSSINGS, PURSUANT TO SECTION 201.5 OF THE STREETS AND HIGHWAYS CODE, FOR AUTHORIZATION OF A RIGHT-OF-WAY OVER SUBMERGED LANDS OF SAN FRANCISCO BAY IN SAN MATEO AND ALAMEDA COUNTIES, IN ACCORDANCE WITH MAP ENTITLED "SAN MATEO-HAYWARD BRIDGE" NUMBERED M-5001-1, FOR THE WIDENING OF THE SAN MATEO-HAYWARD BRIDGE. THE CONSIDERATION FOR THE AGREEMENT IS TO BE THE PUBLIC USE AND BENEFIT.

Attachment
Calendar Item 5 (1 page)

CALENDAR ITEM

5.

APPLICATION FOR BRIDGE EASEMENT OVER TIDE AND SUBMERGED LANDS OF SAN FRANCISCO, SAN MATEO, AND ALAMEDA COUNTIES; DIVISION OF SAN FRANCISCO BAY TOLL CROSSINGS - W.O. 4531.

An application has been received from the State Division of San Francisco Bay Toll Crossings, pursuant to Section 101.5 of the Streets and Highways Code, for a right-of-way across tide and submerged lands of San Francisco Bay to provide for the widening of the San Mateo-Hayward Bridge, in accordance with map entitled "San Mateo-Hayward Bridge" numbered M-5001-1.

The 5.9 miles of bay bottom lands crossed between lines of Low Water include approximately 10,000 lineal feet of unconveyed submerged lands and approximately 21,000 lineal feet of submerged lands conveyed to private interests by the State Surveyor General. The validity of the private interest title to the submerged lands is open to question on the grounds that the Surveyor General had no authority to convey the State's title to lands lying below the mean low tide line. In the decades that record title has vested in private interests, the ownership has not been contested. However, it is proposed to issue an easement for the bridge crossing over all the bay lands between the low tide lines.

This easement will replace Easement P.R.C. 1829.9 authorized by the Commission on December 11, 1956, covering a narrower strip of land over only the unencumbered State land in the bay.

IT IS RECOMMENDED THAT THE EXECUTIVE OFFICER BE AUTHORIZED TO EXECUTE AN AGREEMENT WITH THE DIVISION OF SAN FRANCISCO BAY TOLL BRIDGE CROSSINGS, PURSUANT TO SECTION 101.5 OF THE STREETS AND HIGHWAYS CODE, FOR AUTHORIZATION OF A RIGHT-OF-WAY OVER SUBMERGED LANDS OF SAN FRANCISCO BAY IN SAN MATEO AND ALAMEDA COUNTIES, IN ACCORDANCE WITH MAP ENTITLED "SAN MATEO-HAYWARD BRIDGE" NUMBERED M-5001-1, FOR THE WIDENING OF THE SAN MATEO-HAYWARD BRIDGE. THE CONSIDERATION FOR THE AGREEMENT IS TO BE THE PUBLIC USE AND BENEFIT.