

42. ESTABLISHMENT BY BOUNDARY LINE AGREEMENT OF THE ORDINARY LOW WATER MARK OF SAN PABLO BAY IN THE VICINITY OF POINT PINOLE, CONTRA COSTA COUNTY; ATLAS CHEMICAL INDUSTRIES, INC., AND BETHLEHEM STEEL CORPORATION - S.W.O. 8048, B.L.A. 70, 73

After consideration of Calendar Item 25 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO EXECUTE A BOUNDARY LINE AGREEMENT WITH ATLAS CHEMICAL INDUSTRIES, INC., AND BETHLEHEM STEEL CORPORATION, AS AUTHORIZED BY SECTION 6357 OF THE PUBLIC RESOURCES CODE, FOR THE PURPOSE OF ESTABLISHING A PERMANENT COMMON BOUNDARY BETWEEN PROPERTIES OF SAID CORPORATIONS AND THE ADJACENT SOVEREIGN LANDS OWNED BY THE STATE OF CALIFORNIA, ALONG A LINE DESCRIBED AS FOLLOWS:

THAT CERTAIN BOUNDARY LINE SITUATE IN THE COUNTY OF CONTRA COSTA, PARTLY IN THE CITY OF RICHMOND, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF LOT 18, SECTION 26, T. 2 N., R. 5 W., M.D.M., AS SHOWN ON "MAP NO. 1 OF SALT MARSH AND TIDE LANDS, SITUATE IN THE COUNTY OF CONTRA COSTA", APPROVED BY THE BOARD OF TIDE LAND COMMISSIONERS, JULY 5, 1872, SAID CORNER BEING LOCATED NORTH 88° 38' 05" WEST, 5,565.87 FEET, MORE OR LESS, FROM A TWO-INCH IRON PIPE AT THE NORTHWESTERLY CORNER OF PARCHESTER VILLAGE UNIT NO. 1, AS SHOWN UPON THE MAP OF SAID SUBDIVISION FILED JANUARY 24, 1950, IN THE OFFICE OF THE RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, IN BOOK 38 OF MAPS AT PAGE 48, SAID IRON PIPE HAVING COORDINATES X = 1,465,233.046, Y = 547,295.196; THENCE FROM SAID POINT OF BEGINNING NORTH 27° 08' 15" EAST, 3,004.34 FEET, MORE OR LESS, TO A POINT LOCATED NORTH 56° 12' 46" WEST, 5,046.17 FEET FROM THE AFORESAID TWO-INCH IRON PIPE AT THE NORTHWESTERLY CORNER OF SAID PARCHESTER VILLAGE UNIT NO. 1; THENCE NORTH 11° 27' 15" EAST, 4,343.02 FEET TO A SIX-INCH CONCRETE PIPE HAVING COORDINATES X = 1,461,901.576, Y = 554,357.945; THENCE CONTINUING NORTH 11° 27' 15" EAST, 1,938.58 FEET TO A SIX-INCH CONCRETE PIPE HAVING COORDINATES X = 1,462,286.551, Y = 556,257.915, FROM WHICH THE UNITED STATES COAST AND GEODETIC SURVEY TRIANGULATION STATION "POINT PINOLE 4, 1940", BEARS SOUTH 26° 48' 25" EAST, 538.26 FEET; THENCE NORTH 53° 12' 17" EAST, 396.00 FEET TO A SIX-INCH CONCRETE PIPE HAVING COORDINATES X = 1,462,603.660, Y = 556,495.102; THENCE SOUTH 87° 47' 43" EAST, 659.13 FEET TO A SIX-INCH CONCRETE PIPE HAVING COORDINATES X = 1,463,262.298, Y = 556,469.745; THENCE SOUTH 51° 47' 43" EAST, 1,781.75 FEET TO A POINT HAVING COORDINATES X = 1,464,662.411, Y = 555,367.779; THENCE SOUTH 89° 05' 48" EAST, 1,068.29 FEET TO A POINT HAVING COORDINATES X = 1,465,730.571, Y = 555,350.938; THENCE SOUTH 65° 36' 59" EAST, 6,728.88 FEET TO A POINT HAVING COORDINATES X = 1,471,859.249, Y = 552,572.961; THENCE NORTH 88° 32' 41" EAST, 661.55 FEET, MORE OR LESS, TO A POINT ON THE SOUTHWESTERLY BOUNDARY OF TIDE LAND LOCATION 124.

THE BASIS OF BEARINGS USED HEREIN IS THE NORTHWESTERLY LINE OF SAID PARCHESTER VILLAGE UNIT NO. 1, WHICH IS RECORDED AS BEING A COURSE BEARING NORTH 81° 20' 20" EAST ROTATED 1° 14' 20" CLOCKWISE TO COINCIDE WITH THE CALIFORNIA COORDINATE SYSTEM ZONE III BEARING OF NORTH 82° 34' 40" EAST FOR SAID LINE.

ALL COORDINATES GIVEN HEREIN ARE REFERRED TO ZONE III, CALIFORNIA COORDINATE SYSTEM, AND ARE SECONDARY TO THE OTHER BEARINGS AND DISTANCES HEREIN.

Attachment

Calendar Item 25 (2 pages)

ESTABLISHMENT BY BOUNDARY LINE AGREEMENT OF THE ORDINARY LOW WATER MARK OF SAN PABLO BAY IN THE VICINITY OF POINT PINOLE, CONTRA COSTA COUNTY; ATLAS CHEMICAL INDUSTRIES, INC., AND BETHLEHEM STEEL CORPORATION - S.W.O. 8048.

In the course of a recent transfer of title for tidelands that had been sold and patented by the State many years ago, it was found that the waterward line of the various surveys extended beyond the low water mark in some places and did not reach the natural position of the low water mark at other places. Accordingly, after a study of the hydrographic data showing the various historical positions of low water marks for the area southerly and easterly from Point Pinole, a line has been proposed that appears to represent the best available determination of the last-known natural position of the low water mark, which the Commission is authorized to determine under Section 6357, Public Resources Code.

Since before the turn of the century, there have been many artificial conditions in San Pablo Bay that have contributed to changes in the topography of the tidal area.

The line recommended herein results in a net reduction of the acreage that the applicants hold according to the original survey records and is agreeable to them.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE A BOUNDARY LINE AGREEMENT WITH ATLAS CHEMICAL INDUSTRIES, INC., AND BETHLEHEM STEEL CORPORATION, AS AUTHORIZED BY SECTION 6357 OF THE PUBLIC RESOURCES CODE, FOR THE PURPOSE OF ESTABLISHING A PERMANENT COMMON BOUNDARY BETWEEN PROPERTIES OF SAID CORPORATIONS AND THE ADJACENT SOVEREIGN LANDS OWNED BY THE STATE OF CALIFORNIA, ALONG A LINE DESCRIBED AS FOLLOWS:

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FEET TO A POINT HAVING COORDINATES X = 1,464,662.411, Y = 555,367.779; THENCE SOUTH 89° 05' 48" EAST, 1,068.29 FEET TO A POINT HAVING COORDINATES X = 1,465,730.571, Y = 555,350.938; THENCE SOUTH 65° 36' 59" EAST, 6,728.88 FEET TO A POINT HAVING COORDINATES X = 1,471,859.249, Y = 552,572.961; THENCE NORTH 88° 32' 41" EAST, 661.55 FEET, MORE OR LESS, TO A POINT ON THE SOUTHWESTERLY BOUNDARY OF TIDE LAND LOCATION 124.

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