

MINUTE ITEM

8/28/69

41. BOUNDARY AGREEMENT BETWEEN THE STATE OF CALIFORNIA, LUIGI MARRE LAND AND CATTLE COMPANY, SAN LUIS OBISPO BAY PROPERTIES, INC., AND PACIFIC GAS AND ELECTRIC COMPANY FOR THE PURPOSE OF FIXING THE BOUNDARY OF TIDE AND SUBMERGED LANDS AT DIABLO CANYON, SAN LUIS OBISPO COUNTY - W-9001, B.L.A. 113.

After consideration of Calendar Item 33 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE EXECUTION OF A BOUNDARY LINE AGREEMENT, WHICH IS ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND, BY REFERENCE MADE A PART HEREOF, BETWEEN THE STATE OF CALIFORNIA, LUIGI MARRE LAND AND CATTLE COMPANY, SAN LUIS OBISPO BAY PROPERTIES, INC., AND PACIFIC GAS AND ELECTRIC COMPANY, FOR THE PURPOSE OF FIXING THE COMMON BOUNDARY OF UNGRANTED TIDE AND SUBMERGED LANDS IN SAN LUIS OBISPO COUNTY AND THOSE UPLANDS OWNED BY LUIGI MARRE LAND AND CATTLE COMPANY. THE BOUNDARY LINE AGREED UPON IS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.

Attachment

Calendar Item 33 (5 pages)

33.

PROPOSED BOUNDARY AGREEMENT BETWEEN THE STATE OF CALIFORNIA, LUIGI MARRÉ LAND AND CATTLE COMPANY, SAN LUIS OBISPO BAY PROPERTIES, INC., AND PACIFIC GAS AND ELECTRIC COMPANY FOR THE PURPOSE OF FIXING THE BOUNDARY OF TIDE AND SUBMERGED LANDS AT DIABLO CANYON, SAN LUIS OBISPO COUNTY - W-9001, B.L.A. 113.

Luigi Marré Land and Cattle Company is the owner of uplands adjoining State-owned tide and submerged lands at Diablo Canyon, San Luis Obispo County, which are proposed to be leased to Pacific Gas and Electric Company for the construction of intake structures and other facilities related to the operation of an atomic-fueled power plant.

Luigi Marré Land and Cattle Company has leased the uplands to San Luis Obispo Bay Properties, Inc., which in turn has subleased to Pacific Gas and Electric Company for a term of 99 years.

As part of its construction program, Pacific Gas and Electric Company plans to deposit approximately 250,000 cubic yards of fill on the tide and submerged lands lease area to elevation plus 20 feet M.L.L.W. datum, thus obliterating the natural boundary between the uplands and the tide and submerged lands.

Under the circumstances, it is desirable for the State and Luigi Marré Land and Cattle Company, the upland owner; San Luis Obispo Bay Properties, Inc., the lessee of the upland; and Pacific Gas and Electric Company, the sublessee, to enter into a boundary line agreement that will fix the line and define the common boundaries between the State and the upland owner.

Authority for the State Lands Commission to establish the ordinary high water mark by agreement is contained in Section 6357 of the Public Resources Code.

The proposed boundary line agreement has been approved by the Attorney General's Office, and the property description has been approved by staff engineers as the best line for agreement, based upon all of the circumstances and evidence available (Exhibit "B").

The present tide line is a naturally fluctuating line, and the boundary agreement contains a subsequent condition that it shall be null and void unless within 36 months construction artificially fixes or substantially obliterates at least 50% of the waterfront.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTION OF A BOUNDARY LINE AGREEMENT, WHICH IS ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, BETWEEN THE STATE OF CALIFORNIA, LUIGI MARRÉ LAND AND CATTLE COMPANY, SAN LUIS OBISPO BAY PROPERTIES, INC., AND PACIFIC GAS AND ELECTRIC COMPANY, FOR THE PURPOSE OF FIXING THE COMMON BOUNDARY OF UNGRANTED

CALENDAR ITEM 33. (CONTD.)

TIDE AND SUBMERGED LANDS IN SAN LUIS OBISPO COUNTY AND THOSE UPLANDS OWNED BY LUIGI MARRÉ LAND AND CATTLE COMPANY. THE BOUNDARY LINE AGREED UPON IS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

Beginning at a point from which the United States Coast and Geodetic Survey Triangulation Station 'Cove' (coordinates N = 633,993.238 and E = 1,146,621.796) bears north 17° 41' 05.6" west 136.305 feet distant and running thence the following ninety-three (93) courses:

Course	Station to Station		Bearing	Distance (feet)
1	534	16	N. 67° 59' 26.4" E.	84.037
2	16	17	S. 33° 24' 02.2" E.	39.528
3	17	18	N. 87° 43' 26.9" E.	58.406
4	18	19	N. 89° 29' 45.6" E.	114.905
5	19	20	S. 40° 51' 55.4" E.	45.898
6	20	21	N. 76° 01' 50.0" E.	41.384
7	21	22	S. 52° 51' 06.1" E.	58.125
8	22	23	S. 62° 01' 53.4" E.	73.969
9	23	24	S. 83° 24' 19.6" E.	64.950
10	24	25	N. 10° 43' 09.5" W.	34.247
11	25	26	N. 22° 47' 42.1" E.	32.238
12	26	27	N. 72° 15' 20.3" E.	12.862
13	27	28	N. 26° 31' 28.3" E.	25.326
14	28	29	N. 84° 45' 00.7" E.	28.198
15	29	30	S. 80° 28' 12.7" E.	91.929
16	30	31	S. 04° 18' 04.5" W.	56.930
17	31	32	S. 65° 13' 50.2" W.	12.533
18	32	33	S. 30° 32' 42.3" E.	15.013
19	33	34	S. 63° 53' 42.9" W.	27.316
20	34	35	S. 56° 04' 34.3" E.	51.158
21	35	36	S. 61° 33' 00.5" E.	12.386
22	36	37	S. 81° 59' 38.7" E.	31.588
23	37	38	S. 02° 34' 47.8" W.	35.325
24	38	39	S. 65° 31' 46.6" W.	30.203
25	39	40	S. 12° 12' 59.9" E.	15.500
26	40	41	N. 83° 47' 52.0" E.	50.908
27	41	42	S. 85° 12' 00.7" E.	43.031
28	42	43	N. 34° 39' 52.4" E.	30.469
29	43	44	S. 72° 38' 00.7" E.	21.479
30	44	45	S. 30° 28' 08.2" E.	16.033
31	45	46	S. 76° 39' 18.0" E.	29.507
32	46	47	N. 37° 00' 38.7" E.	20.100
33	47	48	N. 78° 05' 59.2" E.	18.957
34	48	49	N. 39° 56' 40.9" E.	17.740
35	49	50	S. 69° 55' 18.9" E.	17.972
36	50	51	S. 21° 02' 51.4" E.	19.491
37	51	52	S. 65° 04' 16.6" E.	25.220
38	52	53	S. 75° 19' 44.6" E.	24.519
39	53	54	S. 27° 24' 33.2" W.	3.646
40	54	55	S. 50° 10' 08.6" E.	22.528
41	55	56	S. 85° 56' 38.0" E.	45.243

Course	Station to Station		Bearing	Distance (feet)
42	56	57	S. 88° 01' 40.0" E.	70.912
43	57	58	N. 77° 40' 26.3" E.	28.999
44	58	59	S. 36° 28' 41.3" W.	18.368
45	59	60	S. 49° 16' 28.9" W.	29.122
46	60	61	S. 47° 08' 29.8" E.	16.834
47	61	62	S. 75° 53' 14.8" E.	25.881
48	62	63	S. 56° 09' 49.5" E.	22.826
49	63	64	N. 54° 09' 15.3" E.	12.842
50	64	65	S. 42° 35' 41.9" E.	23.256
51	65	66	S. 88° 53' 30.5" E.	74.984
52	66	67	N. 11° 23' 04.5" E.	94.785
53	67	68	S. 79° 37' 21.0" E.	80.995
54	68	69	S. 45° 57' 30.6" E.	39.731
55	69	70	S. 81° 34' 47.7" E.	28.204
56	70	71	N. 76° 23' 54.1" E.	25.979
57	71	72	N. 70° 17' 56.4" E.	27.500
58	72	73	S. 18° 38' 04.1" W.	19.154
59	73	74	S. 53° 58' 23.6" E.	13.329
60	74	75	N. 66° 43' 40.8" E.	17.994
61	75	76	S. 22° 40' 21.9" E.	12.453
62	76	77	S. 55° 39' 24.0" E.	17.283
63	77	78	S. 16° 00' 31.3" E.	10.226
64	78	79	S. 45° 20' 21.2" E.	18.952
65	79	80	S. 18° 25' 37.0" W.	22.145
66	80	81	S. 62° 08' 57.1" E.	25.730
67	81	82	S. 26° 53' 33.4" E.	37.584
68	82	83	S. 24° 41' 59.7" W.	23.093
69	83	84	S. 27° 33' 07.2" E.	21.057
70	84	85	S. 01° 38' 18.4" E.	16.087
71	85	86	N. 88° 16' 02.0" W.	44.310
72	86	87	S. 60° 05' 04.5" W.	19.209
73	87	88	S. 15° 42' 00.4" E.	18.957
74	88	89	S. 74° 07' 51.1" W.	27.207
75	89	90	N. 84° 19' 36.7" W.	44.297
76	90	91	S. 26° 49' 33.8" W.	31.444
77	91	92	S. 04° 23' 57.7" E.	65.835
78	92	93	N. 82° 15' 16.4" W.	41.034
79	93	94	S. 15° 29' 00.7" W.	27.570
80	94	95	S. 56° 49' 34.4" E.	37.813
81	95	96	S. 11° 05' 13.1" W.	44.358
82	96	97	S. 86° 12' 59.9" W.	36.660
83	97	98	S. 25° 49' 27.8" W.	53.281
84	98	99	S. 51° 57' 05.2" E.	39.899
85	99	100	S. 87° 29' 01.2" E.	58.767
86	100	101	S. 34° 57' 05.4" E.	38.420
87	101	102	S. 26° 14' 39.3" W.	52.691
88	102	103	S. 24° 32' 33.5" E.	21.162
89	103	104	S. 82° 43' 51.4" E.	22.128

Course	Station to Station		Bearing	Distance (feet)
90	104	105	S. 34° 21' 55.2" E.	66.824
91	105	106	S. 60° 36' 00.1" W.	44.650
92	106	107	S. 71° 45' 26.1" W.	23.291
93	107	500	S. 32° 09' 16.8" E.	27.140

to a point from which the United States Coast and Geodetic Survey Triangulation Station "Patton" (coordinates N = 633,169.174 and E = 1,148,540.161) bears north 59° 16' 43.2" east 519.723 feet distant.

A 12 inch oak with tag (stamped L.S. 2685) set in the north-easterly boundary line of Rancho Canada De Los Osos Y Pecho Y Islay marking corner LO No. 15 of said rancho bears north 84° 56' 21.1" east 14533.372 feet distant from said Triangulation Station "Cove" and bears north 80° 28' 47.3" east 12733.727 feet distant from said Triangulation Station "Patton".

The bearings, distances and coordinates used in the above description are on the California Coordinate System, Zone V.