

MINUTE ITEM

6/28/73  
RJS

3. 66-YEAR PUBLIC AGENCY EASEMENT, TIDE AND SUBMERGED LAND AT HAMILTON AIR FORCE BASE, SAN PABLO BAY, MARIN COUNTY; UNITED STATES OF AMERICA, DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS - W 3556, PRC 4773.9.

After consideration of Calendar Item 2 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. AUTHORIZES THE EXECUTION OF AN EASEMENT DEED, IN THE FORM OF A PROPOSED DOCUMENT ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, TO THE U.S. DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS, SACRAMENTO DISTRICT; FOR A PERIOD OF 66 YEARS FROM THE DATE OF EXECUTION; FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF AN APPROACH LIGHTING SYSTEM AND GLIDE PLANE APPROACH ZONE ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; PROVIDED SUCH EASEMENT DEED DOES NOT ESTABLISH THE STATE'S BOUNDARY AND IS WITHOUT PREJUDICE TO ANY LAND CLAIMS OF THE STATE LANDS COMMISSION.
2. FINDS THAT THE TERM OF 66 YEARS AS RECOMMENDED ABOVE IS IN THE STATE'S BEST INTERESTS BECAUSE OF THE BENEFIT THAT WILL ACCRUE BY FEDERAL RECOGNITION OF STATE OWNERSHIP AS TO THE SUBJECT PARCEL.

Attachment:

Calendar Item 2 (4 pages)

CALENDAR ITEM

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2.

PUBLIC AGENCY EASEMENT

- APPLICANT: United States of America, Department of the Army, Corps of Engineers.
- LOCATION: Two parcels totalling 11.394 acres of tide and submerged land at Hamilton Air Force Base, San Pablo Bay, Marin County.
- LAND USE: Construction, operation and maintenance of an approach lighting system and glide plane approach zone.
- CONSIDERATION: The public use and benefit.
- STATUTORY AND OTHER REFERENCES:
- a. Public Resources Code: Division 6, Parts 1 and 2.
  - b. Administrative Code: Title 2, Division 3, Articles 1 and 2.
- OTHER PERTINENT INFORMATION:
1. The annual rental value of the site is estimated to be \$3,500.
  2. The subject transaction covers an area occupied by certain facilities at Hamilton Air Force Base. This is a portion of the area occupied and does not include all of the base located within an area of disputed jurisdiction. It is the position of the Division that a portion of the Base encroaches on lands under the jurisdiction of the State Lands Commission. Boundary settlement negotiations have been pending for several years. The federal government is now willing to recognize a certain amount of State interest in the area and has agreed to obtain a permit from the State to the areas that are agreed to be in State ownership. It is the intention of both the U.S.A. and the State to continue negotiations and to resolve the matter as promptly as manpower limitations will allow. This transaction is not to constitute the establishment of the State's boundary and is to be without prejudice to the claim of the State Lands Commission to the area of disputed jurisdiction.
  3. The proposed interim permit is an integral part of negotiations leading to resolution of title and

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boundary problems in the subject area, and in the opinion of the office of the Attorney General, as such does not require an environmental impact report pursuant to Section 6371 of the Public Resources Code.

- EXHIBITS:
- A. Land Description.
  - B. Location Map.
  - C. Form of Easement Deed.

IT IS RECOMMENDED THAT THE COMMISSION:

1. AUTHORIZE THE EXECUTION OF AN EASEMENT DEED, IN THE FORM OF A PROPOSED DOCUMENT ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, TO THE U.S. DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS, SACRAMENTO DISTRICT; FOR A PERIOD OF 66 YEARS FROM THE DATE OF EXECUTION; FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF AN APPROACH LIGHTING SYSTEM AND GLIDE PLANE APPROACH ZONE ON THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; PROVIDED SUCH EASEMENT DEED DOES NOT ESTABLISH THE STATE'S BOUNDARY AND IS WITHOUT PREJUDICE TO ANY LAND CLAIMS OF THE STATE LANDS COMMISSION.
2. FIND THAT THE TERM OF 66 YEARS AS RECOMMENDED ABOVE IS IN THE STATE'S BEST INTERESTS BECAUSE OF THE BENEFIT THAT WILL ACCRUE BY FEDERAL RECOGNITION OF STATE OWNERSHIP AS TO THE SUBJECT PARCEL.

Attachment: Exhibit "A"

EXHIBIT "A"

W 3556

PARCEL 1:

A portion of the swamp and overflowed land in San Pablo Bay, Section 2, T 2 N, R 6 W, MDM, County of Marin, State of California, and being more particularly described as follows:

BEGINNING at the southeast corner of that certain tract described in the Deed dated February 13, 1932, and recorded March 17, 1932, in Volume 246 of Official Records on page 175, Marin County records. The said southeast corner is further described as being the southeast corner of the parcel of land described in the Quitclaim Deed to the Roman Catholic Archbishop of San Francisco by the United States of America, dated September 9, 1937, and recorded September 29, 1937, in Volume 349, of Official Records on page 109, Marin County records; thence from said point of beginning the following 5 courses:

1. N 05° 30' 00" W, 59.78 feet, along the easterly boundary of the aforesaid parcel of land quitclaimed to the Roman Catholic Archbishop of San Francisco; thence leaving last said easterly boundary line;
2. S 44° 56' 36" E, 906.96 feet;
3. S 45° 03' 24" W, 50.00 feet;
4. N 44° 56' 36" W, 872.79 feet, to a point on the southerly line of the aforesaid parcel of land quitclaimed to the Roman Catholic Archbishop of San Francisco; thence
5. East, 16.98 feet, along the last said southerly line to the point of beginning.

PARCEL 2:

A portion of the swamp and overflowed land in San Pablo Bay, Section 2, T 2 N, R 6 W, MDM, County of Marin, State of California, and being more particularly described as follows:

BEGINNING at a point on the easterly line of the aforesaid parcel of land quitclaimed to the Roman Catholic Archbishop of San Francisco; said point of beginning bears N 05° 30' 00" W, 59.78 feet from the southeast corner of the aforesaid parcel of land quitclaimed to the Roman Catholic Archbishop of San Francisco; thence from said point of beginning the following 8 courses:

1. N 05° 30' 00" W, 275.46 feet, along aforesaid easterly line and the easterly line of a tract of land deeded to the United States of America by the County of Marin dated February 13, 1932, and recorded March 17, 1932, in Book 246 of Official Records on page 175, Marin County records; thence leaving last said easterly line;
2. S 44° 56' 36" E, 1387.13 feet; thence
3. S 45° 03' 24" W, 400.00 feet; thence
4. N 44° 56' 36" W, 1314.88 feet, to the southerly line of the aforesaid parcel of land quitclaimed to the Roman Catholic Archbishop of San Francisco; thence along last said southerly line
5. East, 247.24 feet; thence
6. S 44° 56' 36" E, 872.79 feet; thence
7. N 45° 03' 24" E, 50.00 feet; thence
8. N 44° 56' 36" W, 906.96 feet, to the point of beginning.

The bearings of this description are based upon the south line of the above-mentioned parcel quitclaimed to the Roman Catholic Archbishop of San Francisco.

END OF DESCRIPTION