

MINUTE ITEM

7/25/74
SCL

25. AUTHORIZATION FOR THE QUIET TITLE AND EJECTION OF R. J. NAYLOR, DBA REDROCK MARINA, FROM THE SITE OF HIS TRESPASS IN SAN PABLO BAY, CONTRA COSTA COUNTY - W 8770.

After consideration of Calendar Item 23 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE STAFF OF THE STATE LANDS DIVISION AND OF THE OFFICE OF THE ATTORNEY GENERAL TO TAKE SUCH ACTION AS IS NECESSARY TO QUIET TITLE AND TO EJECT R. J. NAYLOR, DBA REDROCK MARINA, FROM THE SITE OF HIS TRESPASS IN SAN PABLO BAY, CONTRA COSTA COUNTY.

Attachment:

Calendar Item 23 (1 page)

CALENDAR ITEM

23.

7/74
SCL
W 8770

COMPLAINT TO QUIET TITLE AND EJECTMENT;
R. J. NAYLER, DBA REDROCK MARINA

R. J. Naylor, dba Redrock Marina, has been operating a marina, drydock, and salvage operation under a lease from the State Lands Commission. However, adjacent to his authorized lease, Naylor has been trespassing upon sovereign tide and submerged lands. He has driven pilings and sunk barges to serve as a breakwater and has thus created a small boat marina. This has all been done without proper approval. The total area of trespass is 21 acres, more or less.

Secondly, Naylor claims to own in fee simple a strip of tidelands adjacent to the northern edge of the trespass. He claims ownership to this parcel by virtue of a deed issued to Redrock Marina in 1964 from the Department of Public Works. It is the opinion of the staff of the State Lands Division and of the Office of the Attorney General that this deed is an illegal conveyance of sovereign lands by an agency that had no power to make such a transfer and is thus void. However, an action must be filed to set aside this conveyance.

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE STAFF OF THE STATE LANDS DIVISION AND OF THE OFFICE OF THE ATTORNEY GENERAL TO TAKE SUCH ACTION AS IS NECESSARY TO QUIET TITLE AND TO EJECT R. J. NAYLOR, DBA REDROCK MARINA, FROM THE SITE OF HIS TRESPASS IN SAN PABLO BAY, CONTRA COSTA COUNTY.