13. FINDINGS CONCERNING FILLING AND IMPROVEMENT OF STATE LAND AT SITE OF ANZA PACIFIC BOUNDARY LINE AGREEMENT NO. 131; SAN MATEO COUNTY - W 8747, BLA 131.

After consideration of Calendar Item 11 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION FINDS THAT IN COMPLIANCE WITH PARAGRAPH 7 OF BOUNDARY LINE AND EXCHANGE AGREEMENT NO. 131, ANZA PACIFIC HAS FILLED AND IMPROVED PARCELS 1, 7, 8, 9, 10, 11, 12 AND 13, WITH THE EXCEPTION OF THOSE PORTIONS OF PARCELS 9, 10 AND 11 WHICH FORM THE LAGOON, TO A GRADE LEVEL EQUAL TO THAT OF THE ADJACENT LANDS OF ANZA PACIFIC.

Attachment: Calendar Item 11 (1 page) 11:

FINDINGS CONCERNING FILLING AND IMPROVEMENT OF STATE LAND AT SITE OF ANZA PACIFIC BOUNDARY LINE AGREEMENT NO. 131

BACKGROUND:

Under Minute Item 26, dated July 6, 1972, the Commission approved Anza Pacific Boundary Settlement and Exchange Agreement No. 131, and the issuance of 12 State leases.

As part of that agreement, Anza Pacific was required to accomplish certain acts and the Commission was required to make findings that these acts have been performed as required. Three of those requirements—lagoon construction (Agreement Paragraph 6), termination and reassessment of certain bonds (Agreement Paragraph 5), and termination of a public dedication for road and other purposes across State lands (Agreement Paragraph 8)—have been accomplished pursuant to the Agreement. The Commission subsequently made such findings in Minute Item 28, dated June 27, 1974.

At its meeting on June 27, 1974, the Commission also approved a commercial sublease under master lease PRC 4689 (Parcel No. 11 of the Agreement). The subleased premises will be used as a quality restaurant, together with necessary parking.

REPORT OF COMPLIANCE WITH PARAGRAPH 7 OF THE AGREEMENT:

Paragraph 7 of BLA No. 131 required Anza Pacific to fill and improve various parcels to a grade level equal to that of the adjacent lands of Anza Pacific. The provisions of Paragraph 7 of the BLA are to be accomplished within 36 months of the effective date of the Agreement.

Anza Pacific has informed the Commission staff that this requirement has been accomplished and has requested that the Commission make the findings required by said Agreement. The staff has independently verified that the requirements have been accomplished as required by the Agreement. Included are some areas of prior fill at higher than minimum elevations which predated the Agreement.

EXHIBITS: A. Location Map. B. Site Map.

IT I RECOMMENDED THAT THE COMMISSION FIND THAT IN COMPLIANCE WITH PARAGRAPH 7 OF BOUNDARY LINE AND EXCHANGE AGREEMENT NO. 131. ANZA PACIFIC HAS FILLED AND IMPROVED PARCELS 1, 7, 8, 9, 10, 11, 12 AND 13, WITH THE EXCEPTION OF THOSE PORTIONS OF PARCELS 9, 10 AND 11 WHICH FORM THE LAGOON, TO A GRADE LEVEL EQUAL TO THAT OF THE ADJACENT LANDS OF ANZA PACIFIC.