

MINUTE ITEM

This Calendar Item No. 22
was approved as Minute Item
No. 22 by the State Lands Commission by a vote of 3
to 0 at its 6/30/77
meeting.

CALENDAR ITEM

22.

6/77
W 1839.28
Study File #37
WC

REQUEST FOR AUTHORITY TO CONDUCT PUBLIC HEARINGS ON
PROPOSED COMPROMISE AGREEMENT WITH WESTBAY COMMUNITY ASSOCIATION
IN PARTIAL SETTLEMENT OF PENDING LITIGATION RELATING TO
DISPUTED TITLES TO REAL PROPERTY IN
SOUTH SAN FRANCISCO BAY, SAN MATEO COUNTY

The Office of the Attorney General and the staff of the State Lands Division have submitted a proposed partial compromise settlement of this lawsuit, and, due to the extensive nature of the issues and the real property involved, recommend that the Commission authorize staff and the Office of the Attorney General to conduct a public hearing, or hearings, in San Mateo County, to inform the public of the proposal, and to encourage public comment and discussion prior to the matter being presented to the Commission at a subsequent public hearing (regular meeting) for final action on the proposal.

In brief, the proposal calls for agreement on the location of the ordinary low water mark. Bayward of the agreed ordinary low water mark, the public ownership will be confirmed in fee. Shoreward of the agreed ordinary low water mark, the respective ownership interests of the parties will be the underlying fee title in Westbay, and the tidelands trust easement in the public. The proposal also includes a settlement of title problems related to the Legislative Trust Grant to the County of San Mateo.

The proposed settlement excludes certain Westbay claimed parcels. Questions of title to the excluded parcels will remain for later resolution by agreement or by the court. These parcels total about 468 acres out of the 10,000 acres in the litigation.

Exhibits: A-1, A-2, and A-3 - Settlement Maps.
B-1 - Grant Settlement Map.

A 19, 20, 21

S 6, 10

CALENDAR ITEM NO. 22. (CONTD)

IT IS RECOMMENDED THAT THE STATE LANDS COMMISSION:

1. AUTHORIZE THE EXECUTIVE OFFICER, LAND OPERATIONS MANAGER, AND STAFF COUNSEL OF THE STATE LANDS DIVISION, AND THE OFFICE OF THE ATTORNEY GENERAL, TO CONDUCT A PUBLIC HEARING, OR HEARINGS, ON BEHALF OF THE STATE LANDS COMMISSION IN SAN MATEO COUNTY, FOR THE PURPOSE OF PRESENTING AND EXPLAINING THE PARTIAL C. PROMISE AGREEMENT PROPOSED IN SETTLEMENT OF THE CASE OF STATE V. SAN MATEO COUNTY, ET AL, SAN MATEO COUNTY SUPERIOR COURT, ACTION NO. 144,257, TO RECEIVE COMMENTS BY INTERESTED MEMBERS OF THE PUBLIC, PUBLIC AGENCIES, OR OTHER ENTITIES; TO REDUCE THE MINUTES OF SUCH HEARING, OR HEARINGS, TO WRITING, TO MAKE A SUMMARY THEREOF, AND TO SUBMIT THE SAME FOR FURTHER HEARING BY THE COMMISSION.