

MINUTE ITEM

This Calendar Item No. 30 was approved as Minute Item No. 30 by the State Lands Commission by a vote of 2 to 0 at its 8-23-79 meeting.

CALENDAR ITEM  
30.

8/79  
W 21295  
W 503.847  
W 20400  
Sandefur  
PRC 5713

GENERAL PERMIT  
PUBLIC AGENCY USE

APPLICANT: California Department of  
Fish and Game  
1416 Ninth Street  
Sacramento, California 95814

AREA, TYPE LAND AND LOCATION:  
9.112 acre parcel located near Marine World  
in San Mateo County and a 58<sup>±</sup> acre parcel  
located in Redwood City near Marine World,  
San Mateo County.

LAND USE: Wildlife habitat.

TERMS OF PROPOSED PERMIT:  
Initial period: 66 years from September 1,  
1979.

CONSIDERATION: The public use and benefit, with the State  
reserving the right at any time to set  
a monetary rental if the Commission finds  
such action to be in the State's best interest.

STATUTORY AND OTHER REFERENCES:  
A. P.R.C.: Div. 6, Parts 1 & 2.  
B. Cal. Adm. Code: Title 2, Div. 3.  
C. Cal. Adm. Code: Title 14, Div. 6.

OTHER PERTINENT INFORMATION:  
1. This project is exempt from CEQA.  
Authority: Title 14, Cal. Adm. Code,  
Section 15100 et seq.  
2. This project is situated on State land  
identified as possessing significant  
environmental values pursuant to P.R.C.  
6370.1, and is classified in a use  
category, Class C, which authorizes  
Multiple Use.

A 10, 15, 11, 20

S 20, 7, 8, 10

CALENDAR ITEM NO. 30. (CONTD)

Staff has coordinated this project with those agencies and organizations who nominated the site as containing significant environmental values. They have found this project to be compatible with their nomination.

- EXHIBITS:
- A. Land Description - Marina Gardens.
  - B. Land Description - Parkwood 101.
  - C. Location Map - Marina Gardens.
  - D. Location Map - Parkwood 101.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.
3. AUTHORIZE ISSUANCE TO CALIFORNIA DEPARTMENT OF FISH AND GAME OF A 66-YEAR GENERAL PERMIT - PUBLIC AGENCY USE FROM SEPTEMBER 1, 1979; COVERING THE LANDS DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; SAID WILL BE FOR WILDLIFE MANAGEMENT AND/OR PUBLIC RECREATION AND/OR OTHER LIKE PURPOSE CONSISTENT WITH THE PUBLIC TRUST.
4. AUTHORIZE WAIVER OF FILING FEE AND PROCESSING COSTS IN THAT THIS IS A COMMISSION SPONSORED TRANSACTION.
5. FIND THAT ISSUANCE OF THE LEASE FOR 66 YEARS IS IN THE BEST INTERESTS OF THE STATE AS PROVIDED BY 2 CAL. ADM. CODE SECTION 2003.

Marina Gardens Transaction

All that certain real property in the County of San Mateo, State of California, more particularly described as follows:

Parcels B, C, D, and E of that certain Record of Survey recorded in the Office of the San Mateo County Recorder on December 6, 1978, in Volume 8 of L.L.S. Maps at page 114.

Together with the State's interest, if any, in those non-motorized easements for public access as shown in said Record of Survey.

Subject to the following exceptions:

1. RIGHTS AND EASEMENTS for commerce, navigation and fishery in favor of the public or the federal, state or municipal government as to that portion of said land, if any, now or hereafter inundated by the waters of the Pacific Ocean in San Francisco Bay.
2. RESERVATION of a private road crossing at grade, 20 feet in width, as contained in Deed  
from : Adele O'Neill Helvey, as Guardian of the person and estate of E. J. O'Neill, an incompetent person  
to : Western Pacific California Railroad Company, a corporation  
dated : December 5, 1931  
recorded : December 10, 1931  
File No. : 98240-B  
Book 547 of Official Records at page 280, Records of San Mateo County, California  
The exact location of said crossing is not disclosed of record.  
Affects Parcel II.
3. Any adverse claim based upon the assertion that some portion of said land has been created by artificial means or has accreted to such portion so created.
4. EASEMENT FOR DRAINAGE within any creek or stream traversing the herein described property, together with the rights of the public in and to the waters and use of such creeks or streams, to the high water mark.
5. ANY CLAIM OR LOSS OF TITLE based upon the assertion that all or some of the land was located within the excluded areas specified in the several State of California Acts, authorizing disposition and sale of swamp and overflowed land.

6. AGREEMENT by the Grantee therein that it will construct, install and maintain for the use of the grantor, a private road crossing at grade, 20 feet in width, as recited in the Deed  
from : San Mateo County Title Company, a corporation  
to : Western Pacific California Railroad Company, a corporation  
dated : July 28, 1931  
recorded : July 29, 1931  
File No. : 89636-B  
Book 527 of Official Records at page 443, Records of San Mateo County, California.

7. PROVISIONS of the Final Order of Condemnation had in the Superior Court of San Mateo County, Case No. 36129, in the Action entitled "The People of the State of California vs. Northern Counties Title Insurance Company, et al,"  
dated : April 10, 1946, a certified copy of which was  
recorded : April 10, 1946  
File No. : 97582-F  
Book 1267 of Official Records at page 214, Records of San Mateo County, California, which are as follows: "Together with any appurtenant rights of ingress to or egress from the remaining portion of the property of said California Pacific Title & Trust Company to or from the above described parcel of land, over and across the Northeasterly line of said parcel of land."  
Affects Parcel I.

8. EASEMENT over the herein described property, as granted in Deed  
from : Paul H. Gardiner and Susan B. Gardiner, his wife, and Jessie M. Alford  
to : D. A. Morrison, a married man, and Felisa P. Morrison his wife  
dated : October 7, 1947  
recorded : March 29, 1948  
File No. : 22965-II  
Book 1451 of Official Records at page 493, Records of San Mateo County, California.

Grants Easement for ingress and egress and public utilities over 50 foot right of way parallel and adjacent to Northeasterly line of Bayshore and 50 foot right of way parallel to and Northeasterly 820 feet from the Northeasterly line of Bayshore.

9. EASEMENT over the herein described property, as granted in Deed  
from : Paul H. Gardiner and Susan B. Gardiner, his wife, and Jessie M. Alford, a widow  
to : Amphlett Printing Company, a corporation  
dated : February 11, 1947  
recorded : February 11, 1947  
File No. : 49762-G  
Book 1318 of Official Records at page 351, Records of San Mateo County, California.

Grants Easement for ingress and egress and public utilities over 50 foot right of way parallel and adjacent to Northeasterly line of Bayshore and 50 foot right of way parallel to and Northeasterly 820 feet from the Northeasterly line of Bayshore.

Parkwood 101 Transaction

All that certain real property situate in the City of Foster City, County of San Mateo, State of California, being a portion of Section 36, Township 4 South, Range 4 West, Mount Diablo Base Meridian, and a portion of Section 1, Township 5 South, Range 4 West, Mount Diablo Base Meridian; said real property being more particularly described as follows:

PARCEL A

All of Parcel 3 as said parcel is shown on that certain PARCEL MAP 33-77, filed for record on November 21, 1977 in Volume 39 of Parcel Maps at Pages 35 and 36, San Mateo County Records, and containing 13.847 acres of land, more or less.

All that certain real property situate in the City of Redwood City, County of San Mateo, State of California, being a portion of Section 36, Township 4 South, Range 4 West, Mount Diablo Base Meridian, and a portion of Section 1, Township 5 South, Range 4 West, Mount Diablo Base Meridian; said real property being more particularly described as follows:

PARCEL B

A portion of that certain Parcel 4 as last said parcel is shown on the above mentioned Parcel Map 33-77 and being more particularly described as follows:

BEGINNING at the southwest corner of said Section 36, Township 4 South, Range 4 West, Mount Diablo Base Meridian, as shown on said Parcel Map;

THENCE from said Point of Beginning northerly along the westerly line of said Section 36 N. 1° 07' 26" E. 209.99 feet to a point thereon;

THENCE leaving said westerly line of Section 36 easterly along the general southeasterly line of said Parcel 3 of Parcel Map 33-77 the following courses:

S. 89° 16' 36" E. 123.52 feet,  
N. 4° 42' 00" W. 1,000.00 feet,  
N. 6° 42' 00" E. 700.00 feet,  
N. 30° 18' 00" E. 400.00 feet,  
N. 51° 47' 00" E. 270.00 feet,  
N. 57° 09' 00" E. 230.00 feet,  
N. 81° 57' 00" E. 300.00 feet,  
S. 84° 35' 00" E. 450.00 feet,  
S. 64° 35' 00" E. 500.00 feet,  
S. 61° 20' 00" E. 400.00 feet,  
S. 80° 53' 56" E. 250.00 feet,  
N. 65° 16' 48" E. 200.00 feet to the most easterly corner of said Parcel 3;

CALENDAR PAGE	207
MINUTE PAGE	1534

THENCE southerly along the easterly line of said Parcel 4 S. 6°01'10" W. 445.44 feet to a point thereon;

THENCE leaving last said line in a general westerly and southerly direction the following courses:

S. 71°37'24" W. 403.31 feet,  
S. 67°30'23" W. 298.26 feet,  
N. 67°37'53" W. 113.99 feet,  
N. 23°03'30" W. 227.22 feet,  
N. 20°34'01" W. 185.68 feet,  
N. 52°05'07" W. 267.81 feet,  
N. 70°53'05" W. 364.54 feet,  
N. 79°04'11" W. 109.12 feet,  
S. 70°48'18" W. 88.61 feet,  
S. 57°35'25" W. 255.96 feet,  
S. 54°14'48" W. 508.08 feet,  
S. 10°25'00" W. 611.71 feet,  
S. 7°56'53" W. 198.21 feet,  
S. 9°11'27" W. 214.64 feet,  
S. 3°33'33" E. 211.52 feet,  
S. 0°55'54" W. 463.17 feet,  
S. 7°11'20" W. 102.36 feet,  
S. 19°52'33" W. 102.75 feet,  
S. 10°54'35" W. 235.12 feet,  
S. 8°18'38" W. 195.10 feet,  
S. 1°45'48" W. 201.66 feet,  
S. 3°29'04" E. 89.70 feet,  
S. 11°10'03" E. 142.02 feet,  
and S. 13°14'14" E. 53.68 feet to a point on the general southerly line of said Parcel 4

THENCE in a general westerly and northerly direction along the general southerly and westerly line of said Parcel 4 the following courses:

S. 9°02'40" W. 89.83 feet,  
S. 43°19'30" W. 162.26 feet,  
N. 46°40'22" W. 124.92 feet,  
and N. 1°04'00" E. 1,154.60 feet to the Point of Beginning and containing 44.229 acres of land, more or less.

The California Coordinate System, Zone 3, has been used as Basis of Bearings. All bearings are grid bearings. All distances are grid distances. To convert grid distances to ground distance multiply grid distances by scale factor 1.000053.

EXCEPTING from Parcel B above described, all oil, gas and mineral substances which may be beneath the surface of that portion of said Parcel B described in Deed from Leslie Salt Co., a Delaware corporation, to San Mateo County Scavenger Company, a California corporation, dated April 30, 1952 and recorded July 7, 1952 in Book 2262 of Official Records at page 740 (File No. 14413-K), Records of San Mateo County, California, as reserved in said Deed.

PARCEL C

A 50.00 foot wide non-motorized easement for public access along Belmont Slough herein described as follows:

COMMENCING at the most easterly corner of Parcel 4, as said Parcel is shown on that certain PARCEL MAP 33-77, filed for record on November 21, 1977 in Volume 39 of Parcel Maps at Pages 35 and 36, San Mateo County Records;

THENCE from said Point of Commencement southerly along the easterly line of said Parcel 4 S. 9° 32' 04" W. 97.07 feet;

THENCE in a general southwesterly direction along the southeasterly line said Parcel 4 the following courses:

S. 44° 02' 34" W. 1,659.89 feet,  
N. 45° 57' 26" W. 55.00 feet,  
and S. 44° 02' 34" W. 1,920.87 feet to the True Point of Beginning.

THENCE from said True Point of Beginning along the easterly line of said easement the following courses:

N. 11° 10' 03" W. 74.11 feet,  
N. 03° 29' 04" W. 84.07 feet,  
N. 01° 45' 48" E. 196.50 feet,  
N. 08° 18' 38" E. 191.10 feet,  
N. 10° 54' 35" E. 230.47 feet,  
N. 18° 58' 38" E. 110.39 feet,  
N. 07° 11' 20" E. 110.24 feet,  
N. 00° 55' 54" E. 467.88 feet,  
N. 03° 33' 33" W. 207.89 feet,  
N. 09° 11' 27" E. 209.64 feet,  
N. 07° 56' 53" E. 197.65 feet,  
and N. 10° 25' 00" E. 662.70 feet; thence leaving said easterly line and continuing in a southerly and westerly direction the following courses:

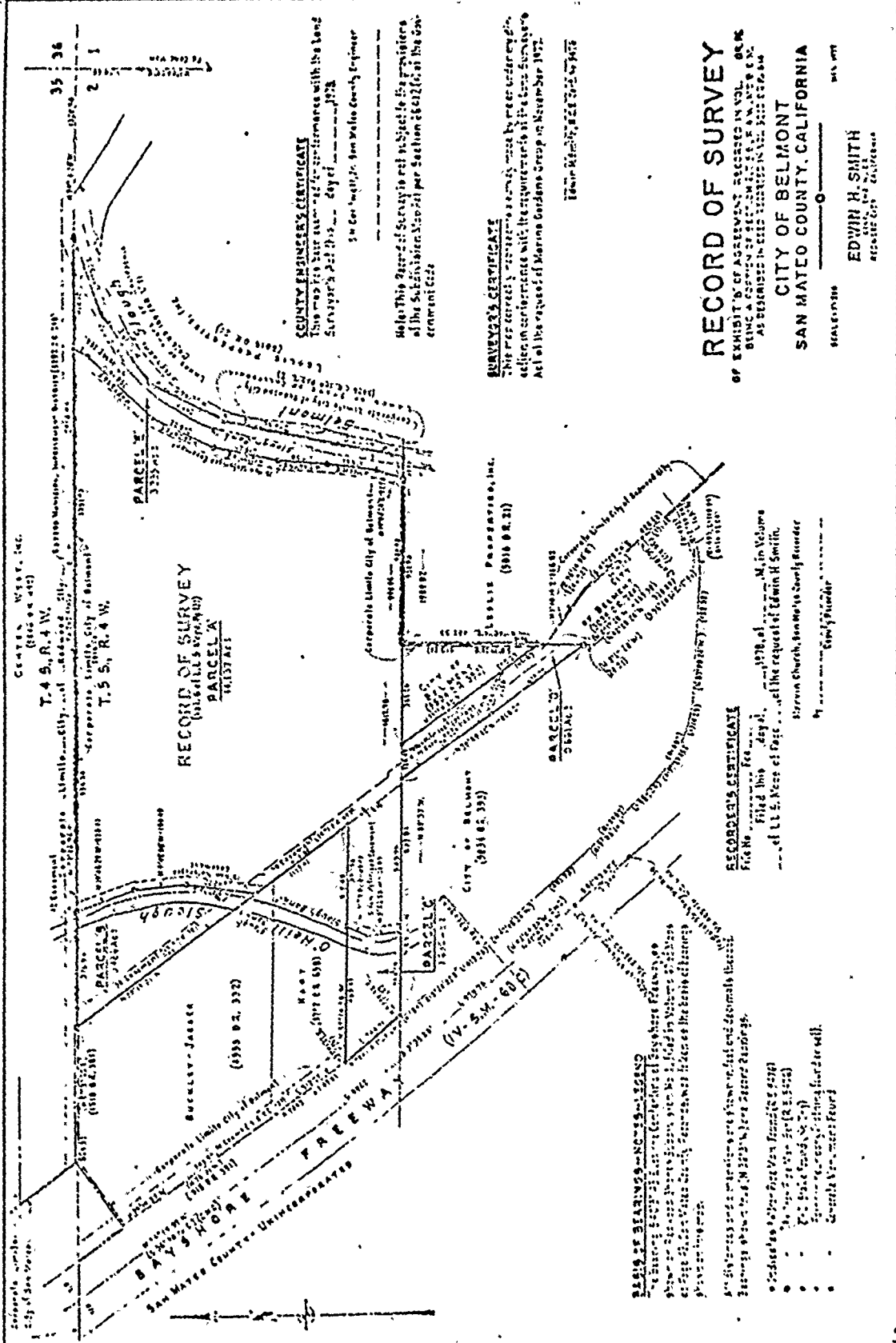
S. 54° 14' 48" W. 72.20 feet,  
S. 10° 25' 00" W. 611.71 feet,  
S. 07° 56' 53" W. 198.21 feet,  
S. 09° 11' 27" W. 214.64 feet,  
S. 03° 33' 33" E. 211.52 feet,  
S. 00° 55' 54" W. 463.17 feet,  
S. 07° 11' 20" W. 102.36 feet,  
S. 18° 58' 38" W. 108.75 feet,  
S. 10° 54' 35" W. 235.12 feet,  
S. 08° 18' 38" W. 195.10 feet,  
S. 01° 45' 48" W. 201.66 feet,  
S. 03° 29' 04" E. 89.70 feet,  
S. 11° 10' 03" E. 142.02 feet,  
S. 18° 14' 14" E. 53.68 feet,  
N. 09° 02' 48" E. 125.54 feet,  
and N. 44° 02' 34" E. 0.02 feet to the True Point of Beginning.

Together with the State's interest, if any, in a non-motorized easement for public access along Belmont Slough, on, over, and across Parcel 2 as said Parcel is shown on that certain Parcel Map 33-77, filed for record on November 21, 1977 in Volume 39 of Parcel Maps at pages 35 and 36, San Mateo County Records.

Subject to the following exceptions:

1. Rights and easements for commerce, navigation, and fishery.
2. Any adverse claim based upon the assertion that some portion of said land is tide or submerged lands, or has been created by artificial means, or has accreted to such portion so created.
3. Rights of ingress and egress for the purpose of exploring for and removing oil, gas or mineral substances beneath the surface of the land, as reserved in the deed from Leslie Salt Co., a Delaware Corporation, to San Mateo County Scavenger Company, a California Corporation, dated April 30, 1952, and recorded Jul. 7, 1952 in Book 2262 Official Records, page 740 (14413-K). Affects that portion of Parcel B herein described in said deed.
4. Easements for public drainage and waterway purposes, including levee construction, levee and waterway maintenance and construction of a maintenance roadway, and including the right to perform waterway dredging and related work in connection therewith, and an easement for a public recreational pathway system for pedestrian and bicycle usage along the levee, together with the right to construct and maintain landscaping, benches, lighting, and other facilities related to said pathway, in favor of the City of Redwood City, as described in that certain Final Order of Condemnation, recorded February 26, 1969, in Book 5604 Official Records of San Mateo County, page 117 (15941-AC).
5. Easements for public drainage and waterway purposes, including levee construction, levee and waterway maintenance and construction of a maintenance roadway, and including the right to perform waterway dredging and related work in connection therewith, and an easement for a public recreational pathway system for pedestrian and bicycle usage along the levee, together with the right to construct and maintain landscaping, benches, lighting and other facilities related to said pathway, in favor of the City of Redwood City, as described in that certain Final Order of Condemnation, recorded February 26, 1969, in Book 5604 Official Records of San Mateo County, page 128 (15942-AC).
6. Agreement executed by and between San Mateo County Scavenger Co., a California Corporation, and Leslie Properties, Inc., a California Corporation, dated June 23, 1970, recorded June 25, 1970, Book 5793 Official Records of San Mateo County, page 699 (27424-AD) which, among other things, provides for permanent cease of all garbage fill and cover collection disposal and related activities on all or any portion of premises herein described.





**COUNTY ENGINEER'S CERTIFICATE**  
 This map is in accordance with the land Surveyor's Act of the City of Belmont, California, Chapter 100, Section 100.01, and the City Engineer's Act of the City of Belmont, California, Chapter 100, Section 100.02.

Note: This Record of Survey is not subject to the provisions of the Subdivision Map Act per Section 66012 of the Government Code.

**RECORDER'S CERTIFICATE**  
 This map correctly represents a survey made by me or under my direction in accordance with the requirements of the State Surveyor's Act of the request of Marina Gardens Group in November 1972.

Edwin H. Smith, Recorder

**RECORD OF SURVEY**  
 OF EXHIBIT C OF AGREEMENT, SIGNED IN VOL. 206 BEING A SUBDIVISION MAP OF PARCELS A, B, C AND D AS DESCRIBED IN THIS CERTIFICATE IN THE CITY OF BELMONT, CALIFORNIA  
**CITY OF BELMONT**  
**SAN MATEO COUNTY, CALIFORNIA**  
 SCALE: 1" = 100'

**EDWIN H. SMITH**  
 Recorder

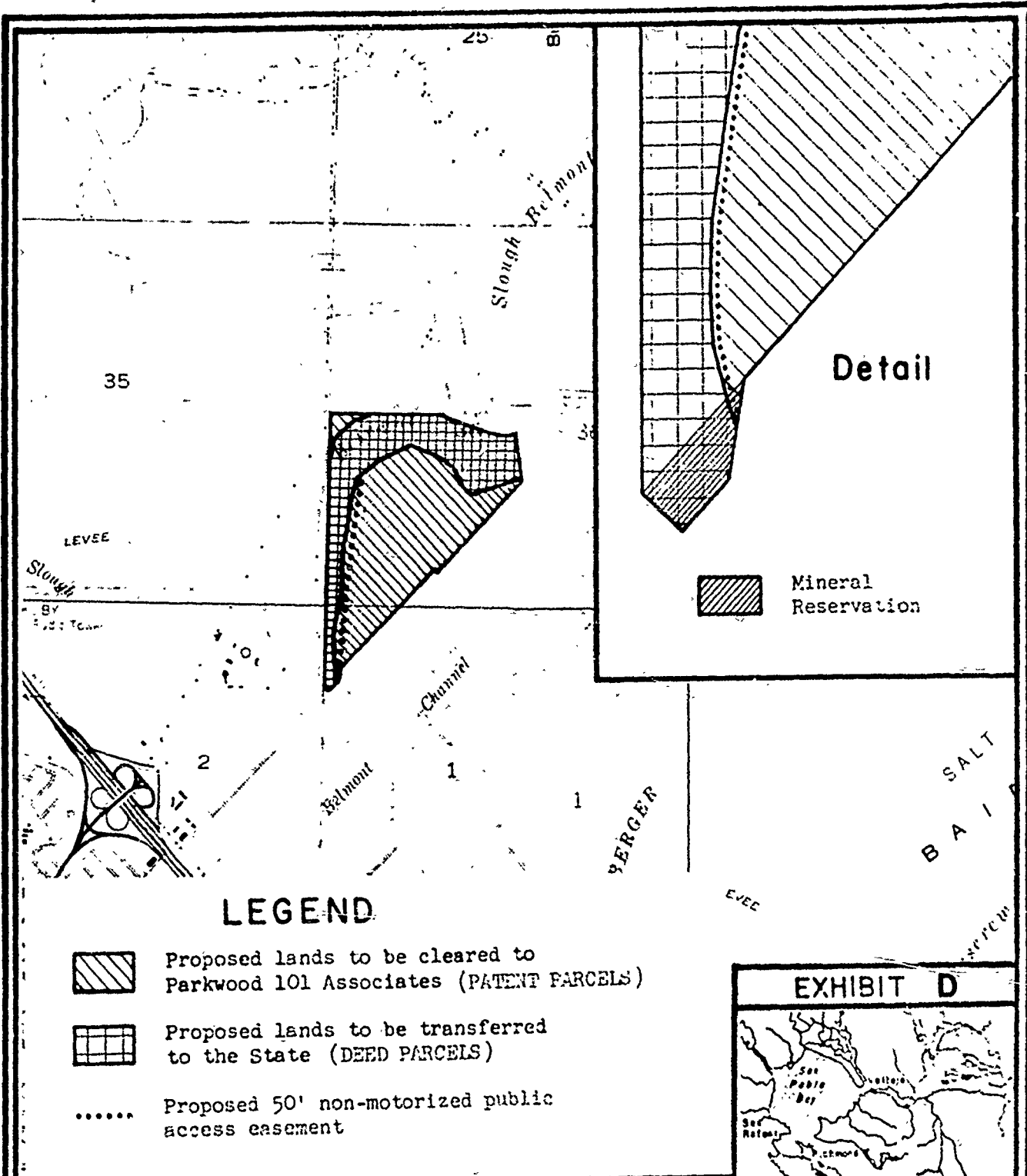
JUL 1973

**RECORDER'S CERTIFICATE**  
 File No. \_\_\_\_\_ Fee \_\_\_\_\_  
 Filed this \_\_\_\_\_ day of \_\_\_\_\_, 1973, at the request of Edwin H. Smith, Recorder, Belmont, San Mateo County, California.




- LIST OF BEARINGS AND DISTANCES**
- The bearings were taken by me or under my direction.
  - The distances were taken by me or under my direction.
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**EXHIBIT C**

CALENDAR PAGE	211
MINUTE PAGE	1538



**LEGEND**

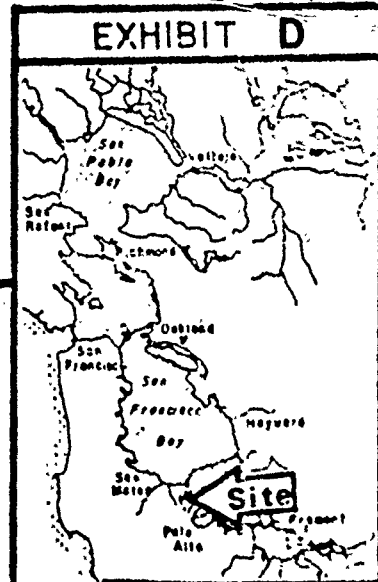
-  Proposed lands to be cleared to Parkwood 101 Associates (PATENT PARCELS)
-  Proposed lands to be transferred to the State (DEED PARCELS)
-  Proposed 50' non-motorized public access easement

STATE LANDS COMMISSION

**PORTION OF U.S.G.S. QUADRANGLES**

**REDWOOD POINT 1959 , SAN MATEO 1956**

**PHOTOREVISED 1968 & 1973**



Prepared by: jsf

Date: 10-26-78

Title Study: **PARKWOOD 101**

**W 21295**

Z 3 - **MCBERNARD PAGE**

MINUTE PAGE

212  
639