

MINUTE ITEM

This Calendar Item No. 21.
was approved as Minute Item
No. 21 by the State Lands
Commission by a vote of 3
to 0 at its 11-20-79
meeting.

MINUTE ITEM

11/79
Sandefur
PRC 5779

21. TITLE SETTLEMENT AGREEMENT; SCENIC LANDS PROPERTIES,
INC.; BLA 193, W 21870.

During consideration of Calendar Item 21 attached, Mr. James F. Trout, Assistant Executive Officer, requested that revised Exhibits D and F be inserted in the item as they more accurately define the monument. The Commission consented to this substitution.

Upon motion duly made and carried, the Commission approved the resolution as presented by a vote of 3-0.

Attachment:
Calendar Item 21

2, 8
5

2328

CALENDAR ITEM

21.

TITLE SETTLEMENT AGREEMENT
SCENIC LANDS PROPERTIES, INC.
(BLA 193)

11/79
W 21870
Sandefur
BLA 193
SD 79-10-29

A title dispute exists between the State, in its sovereign capacity, and Scenic Lands Properties, Inc. (hereinafter referred to as Scenic Lands), concerning a portion of a parcel of real property of 18⁺ acres located in City of Petaluma, Sonoma County, more particularly described in the attached EXHIBIT A, and graphically shown on EXHIBIT B, and is herein called the Subject Parcel.

Scenic Lands claims the disputed portion of the subject parcel as successors in interest to the State's Swamp and Overflow Patent No. 13, survey date March 1, 1860, Patent date, December 24, 1862, and the remaining uplands as successors in interest to a Federal public lands patent.

Scenic Lands contends that the portion of the subject parcel land area in dispute is of the legal character of Swamp and Overflowed Lands under the Federal Arkansas Swamp Land Act approved September 28, 1850; that the said patent conveyed all right, title, and interest of the State within the subject parcel without any reservations, express or implied; and that they now hold title to said real property in fee simple absolute, free and clear of any State right, title, or interest therein.

The State Lands Commission staff has conducted a study of the evidence of title to the subject parcel and has concluded that:

1. The undisputed portion of the subject parcel, approximately 15 acres was uplands, patented to predecessors in interest to Scenic Lands by the Federal Government without any reserved State interest.
2. The disputed portion of the subject property (about 3.18 acres) bounds the Petaluma River in its present and historic condition, and was patented by the State as Swamp and Overflowed Lands when in fact the evidence indicates a reasonable probability that said lands were tidelands, (subject to the daily ordinary tides of San Pablo Bay) and as such would be subject to the public trust easement for commerce navigation, fishery, and recreation.

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S 5

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3. The parcel to be conveyed to the private party (the Patent Parcel as hereafter described) is no longer a part of said waterway by reason of artificial changes.

The private parties have offered to resolve the title dispute by a compromise settlement agreement of such title dispute. The State Lands Commission staff recommends approval of the settlement.

The compromise title settlement agreement is now on file at the Office of State Lands Commission. While the agreement sets forth all the specific terms and conditions of the settlement, for purposes of convenience, the settlement is graphically depicted on the attached EXHIBIT C, showing the Patent Parcel, the Public Walkway Parcel and Public Access Parcels. A brief summary of some of the principal terms and conditions of the settlement is set forth below:

1. The State will convey all its right, title, and interest within the Patent Parcel as described in the incorporated Exhibit D to claimants, reserving access to the Public Walkway parcel by the Public Access Parcel's as described in the incorporated Exhibit E.
2. Scenic Lands will convey all its right, title, and interest within the Public Walkway Parcel as said parcel is described in the attached and incorporated Exhibit F to the State.
3. Scenic Lands will convey a non-exclusive easement for public access to the State (public access parcels). Said easements are described in the attached and incorporated Exhibit E.
4. Scenic Lands also agrees to quitclaim all right, title, and interest, if any, to that area lying northerly of the Public Walkway Parcel and extending to the center line of the Petaluma River (hereinafter referred to as the Petaluma River Parcel).
5. Scenic Lands also agrees to convey or cause to be conveyed by grant deed to the State an undivided 14.25% interest in the Knudson parcel, (equivalent to approximately 63 acres) the land bank parcel, acquisition of which was approved by the Commission at its regular meeting

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on September 26, 1979 Minute Item No. 25. The Knudson Parcel is described in the attached and incorporated Exhibit "G" and graphically shown on the attached and incorporated Exhibit "H".

6. State agrees to lease without monetary rental for a period of 49 years the Public Walkway Parcel to Scenic Lands, Inc. In consideration for issuance of this lease, Scenic Lands, and its successors and assigns to the Patent Parcel, agree to construct, maintain, repair, and replace the following improvements on the Public Walkway Parcel for the duration of the lease: 1270 feet long by 6' wide meandering all-weather pathway along the shoreline, a fishing pier, an irrigation system, and landscaping pursuant to the requirements of the Superintendent of Public Works and the Architectural and Site Design Review Committee for the City of Petaluma and the Sonoma County Water Agency.
7. Scenic lands and its successors and assigns to the Patent Parcel agree to hold and maintain the Public Walkway Parcel and the Public Access Parcel open to the public free of charge, for walking, boating, bicycling, viewing, fishing, picnicking, sitting and related purposes. Public access signs shall be installed and permanently maintained at the entrances to the Public Access Parcels and at the entrances to the Public Walkway Parcels.
8. The Public Walkway Parcel the Petaluma River Parcel and the 14.25% undivided interest in the Knudson parcel shall be held by the State in its sovereign capacity in fee as Tidelands and Submerged lands subject to the public trust for commerce, navigation, recreation and fisheries, as defined in the case of Marks v. Whitney, 6 Cal 3rd 251.
9. Scenic Lands and its successors and assigns to the Patent Parcel will assume all liability and agree to indemnify the State against all claims pursuant to 2 Cal. Adm. Code Section 1911.
10. Scenic Lands will provide a standard form of CLTA title insurance in the amount of \$50,000 to the State insuring the State's title to the Public Walkway Parcel, title insurance in the amount of \$50,000 insuring the State's public access easement rights on, over, and across the public access easement parcels and title insurance in the amount of \$28,500 insuring the State's title to the Knudson parcel.

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11. The State will receive the mineral rights in the Public
lkway Parcel the Petaluma River Parcel and the 14.25%
undivided interest in the Knudson parcel being conveyed
to the State, and, pursuant to 6307 of the P.R.C.,
is releasing the mineral rights which the State may
have due to its sovereign ownership claims in the Patent
Parcel.
12. The agreement and conveyances thereunder are authorized
by Div. 6 of the P.R.C., with particular reference
to Section 6107 and 6307.

Since the exchange is for the purpose of settling a title
dispute, it is exempt from the preparation of an EIR.

The Settlement will consolidate State titles in a manner
which will be beneficial to the environment and ecology.

An evaluation has been made by the Commission's staff which
indicates that the State will receive lands and interests
in land equal or greater in value than those lands and
interests in lands claimed by the State and to be surrendered
by this agreement.

The agreement has been reviewed and approved by the Office
of the Attorney General.

The proposed exchange is for the purpose of settling a
title dispute, and Scenic Lands remains subject to all
lawful requirements of public agencies for permits, mitigation,
use, or otherwise, independent of this agreement.

The staff believes the proposal is in the best interests
of the State.

- EXHIBITS:
- A. Legal description of subject parcel.
 - B. Exhibit plat of subject parcel.
 - C. Exhibit Plat of Title Settlement Parcels.
 - D. Legal description of Patent Parcel.
 - E. Legal description of Public Access
Parcels.

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F. Legal description of Public Walkway Parcel.

G. Legal description of Knudson Parcel.

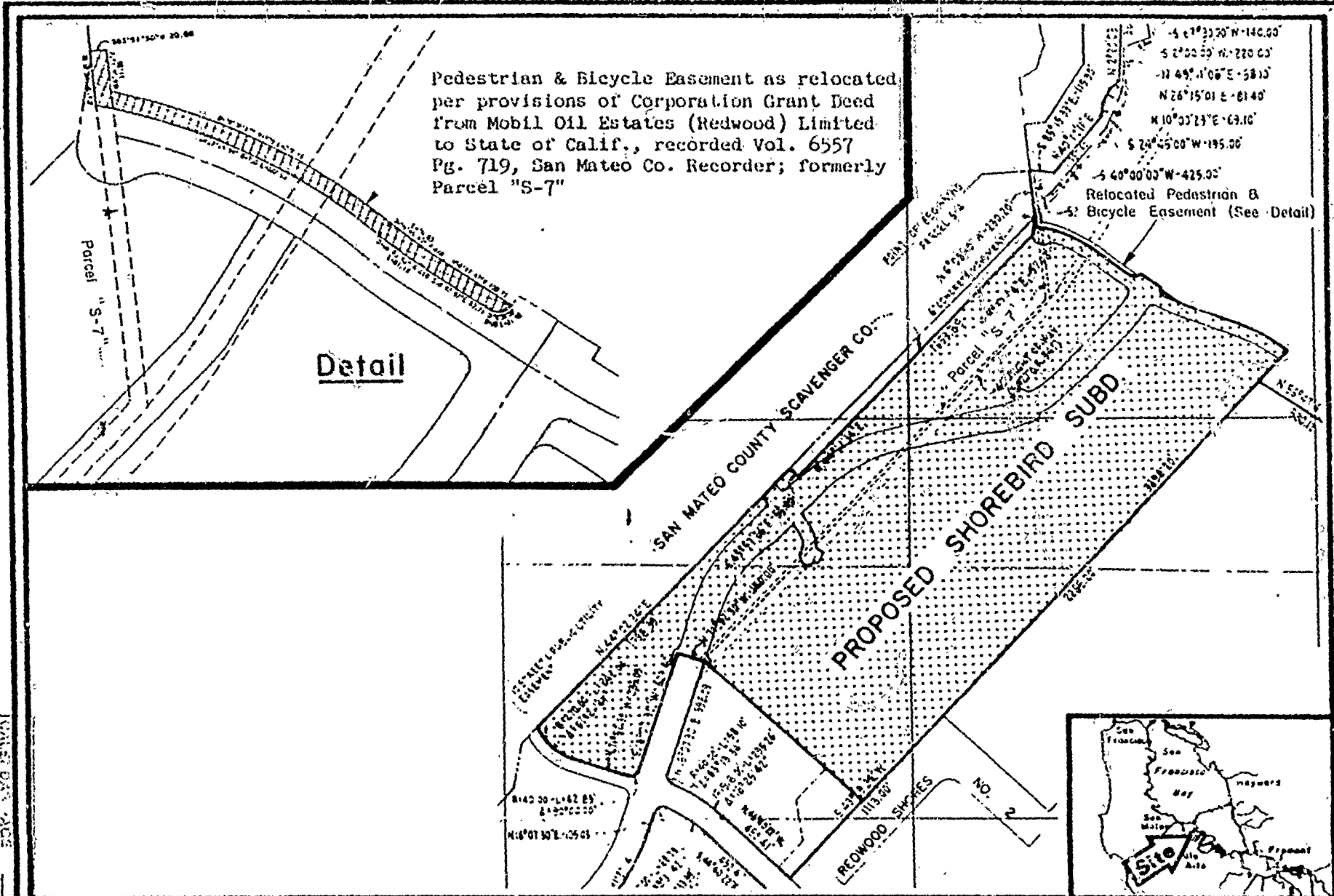
H. Exhibit Plat of Knudson Parcel.

IT IS RECOMMENDED THAT THE COMMISSION:

1. APPROVE THE EXCHANGE AS PROPOSED, AND AUTHORIZE THE EXECUTION OF THE COMPROMISE TITLE SETTLEMENT AGREEMENT (BLA 193) BETWEEN THE COMMISSION, AND SCENIC LANDS, IN SUBSTANTIALLY THE FORM OF THE COPY OF THE AGREEMENT ON FILE WITH THE COMMISSION.
2. FIND THAT THE EXCHANGE OF LANDS, INTERESTS IN LANDS, AND RIGHTS SET FORTH IN THE AGREEMENT REFERRED TO IN PARAGRAPH 1 ABOVE, ARE IN THE BEST INTEREST OF THE STATE FOR AID IN RECLAMATION; THAT IT WILL NOT SUBSTANTIALLY INTERFERE WITH THE RIGHTS OF NAVIGATION AND FISHING IN THE WATERS INVOLVED; AND THAT THE STATE WILL RECEIVE LANDS AND INTERESTS IN LANDS EQUAL TO OR GREATER IN VALUE THAN ANY LANDS OR INTERESTS IN LANDS RELINQUISHED BY THE STATE PURSUANT TO SAID AGREEMENT.
3. ACCEPT AND AUTHORIZE THE RECORDATION OF A GRANT DEED TO THE STATE OF CALIFORNIA OF THE PUBLIC WALKWAY PARCEL AS DESCRIBED IN EXHIBIT "F" AND DEPICTED ON EXHIBIT "C".
4. ACCEPT AND AUTHORIZE THE RECORDATION OF A NONEXCLUSIVE EASEMENT TO THE STATE OF CALIFORNIA FOR PUBLIC ACCESS AS DESCRIBED IN EXHIBIT "E".
5. ACCEPT AND AUTHORIZE THE RECORDATION OF A QUITCLAIM DEED TO THE STATE OF CALIFORNIA OF THE AREA LYING NORTHERLY OF THE PUBLIC WALKWAY PARCEL AND EXTENDING TO THE CENTER LINE OF THE PETALUMA RIVER.
6. ACCEPT AND AUTHORIZE THE RECORDATION OF A GRANT DEED TO THE STATE OF CALIFORNIA OF THE 14.25% UNDIVIDED INTEREST IN THE KNUDSON PARCEL AS DESCRIBED IN EXHIBIT "G" AND DEPICTED ON EXHIBIT "H".

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7. AUTHORIZE EXECUTION AND DELIVERY OF A STATE PATENT OF ITS SOVEREIGN INTERESTS TO SCENIC LANDS, INC. IN THE PATENT PARCEL AS DESCRIBED IN EXHIBIT "D" AND DEPICTED ON EXHIBIT "C".
8. FIND AND DECLARE THAT UPON THE DELIVERY OF THE PATENT, AND THE RECORDATION THEREOF IN THE OFFICE OF THE COUNTY RECORDER OF SONOMA COUNTY, THE REAL PROPERTY DESCRIBED IN SAID PATENT:
 - a. HAS BEEN CUT OFF FROM NAVIGABLE WATERS, IMPROVED, FILLED, AND RECLAIMED BY THE PRIVATE PARTY OR PREDECESSORS IN INTEREST;
 - b. HAS THEREBY BEEN SEVERED FROM THE PUBLIC CHANNELS AND WATERWAYS, AND IS NO LONGER AVAILABLE OR USEFUL OR SUSCEPTIBLE OF BEING USED FOR COMMERCE, NAVIGATION, AND FISHING, AND IS NO LONGER IN FACT TIDELANDS OR SUBMERGED LANDS, AND THEREFORE SHALL BE FREED FROM THE PUBLIC TRUST.
9. AUTHORIZE THE STATE LANDS COMMISSION STAFF AND/OR THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL FURTHER STEPS NECESSARY TO IMPLEMENT THE TRANSACTION DESCRIBED ABOVE, INCLUDING, BUT NOT LIMITED TO, EXECUTION OF DOCUMENTS OF TITLE AND ESCROW INSTRUCTIONS AND APPEARANCES IN ANY LEGAL PROCEEDINGS BROUGHT CONCERNING THE ABOVE TRANSACTION.
10. FIND THAT BECAUSE THIS TRANSACTION IS IN SETTLEMENT OF TITLE AND BOUNDARY DISPUTE THE PROVISIONS OF CEQA ARE INAPPLICABLE. (PRC 6371).



DATE: 11-7-79
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Prepared by: jsf Date: 11-7-79 ZNE: 3-38-149 SD 79-10-29 EXHIBIT C

TITLE STUDY: MOBIL - SHOREBIRD SUBDIVISION

SUBJECT PARCEL

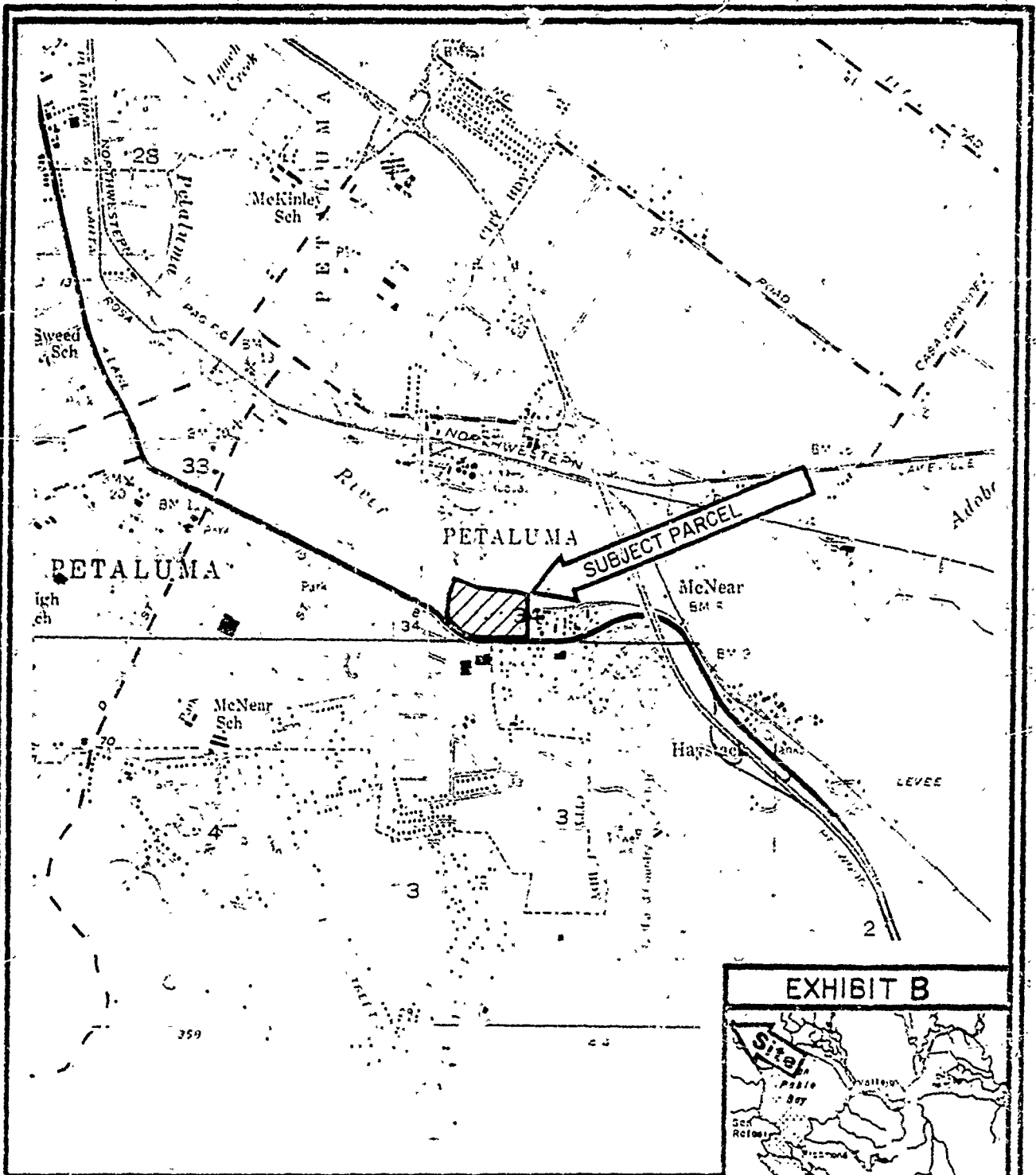
A portion of the Southwest quarter of Section 34 Township 5 North, Range 7 West, and a portion of the Northwest quarter of Section 3, Township 4 North Range 7 West, M.D.M., said portion being more particularly described as follows:

Beginning at a point on the Northerly line of the State Highway leading from Petaluma to San Rafael; said point being the point of intersection of the division line between the lands conveyed by R.J. Harris and wife to A.W. Baker by Deed recorded May 28, 1926 in Book 138 of Official Records, page 306 and the Westerly line of the 23.50 acre tract of land described in the Deed of Gift from Geo. P. McNear to Ida B. McNear dated April 19, 1923 and recorded April 23, 1923 in Book 39 of Official Records, page 136, Sonoma County Records; thence from said point of beginning North 12° 10' East and along said division line to the Northeasterly corner of said parcel of land; thence North 13° 53' East along the Easterly line of the lands conveyed by Martin H. Poehmann, a single man to A.W. Baker and wife by deed recorded June 18, 1945 in Book 638 of Official Records, page 467, Recorder's Serial No. B-95156, Sonoma County Records, a distance of 161.90 feet; more or less, to the Southerly bank of Petaluma Creek; thence Easterly and along the Southerly bank of Petaluma Creek, 1170 feet, more or less, to the Northwesterly corner of the 2.59 acre parcel of land conveyed to Shell Oil Company, Inc., by deed recorded April 15, 1941 in Book 521 of Official Records, page 262, Sonoma County Records; thence South 0° 42' East and along the Westerly line of said lands of Shell Oil Company, Inc., a distance of 505.50 feet, more or less, to the Northerly line of the former State Highway, (now County Road); thence Westerly along the Northerly line of the Highway, a distance of 1345 feet, more or less, to the point of beginning, and commonly known as "The Home Place"

EXHIBIT "A"

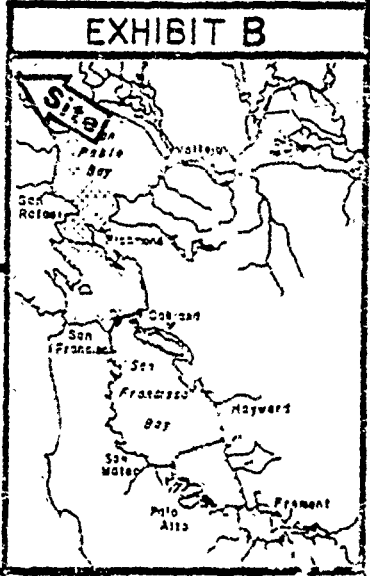
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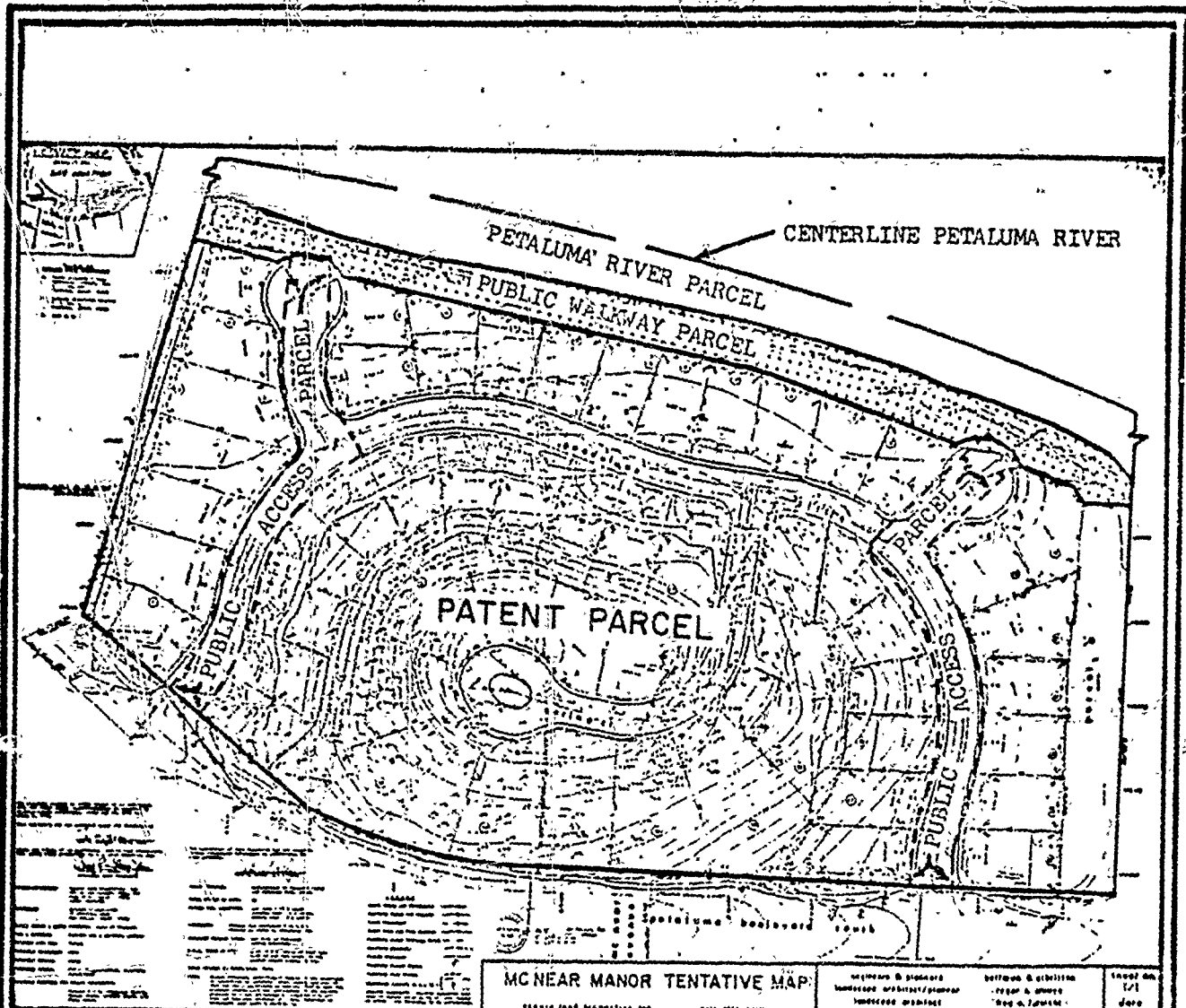
STATE LANDS COMMISSION
 PORTION OF U.S.G.S. QUADRANGLES
 PETALUMA 1953, PETALUMA RIVER 1954
 PHOTOREVISED 1968 & 1973



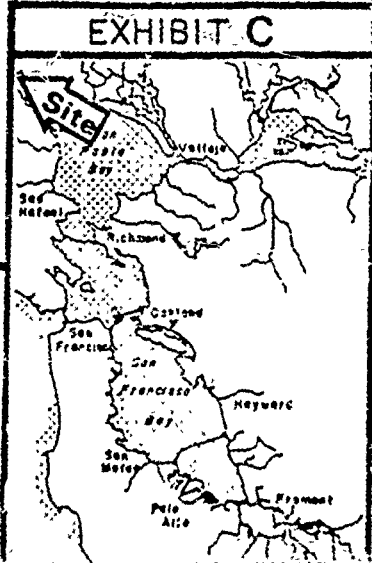
Prepared by: Alexander Date: 11/7/79
 Title Study: SCENIC LAND—PETALUMA RIVER W21870 22-N 20-E 182 138

(Rev. 11/19/79)

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STATE LANDS COMMISSION
TITLE SETTLEMENT PARCELS



Prepared by: Alexander

Date: 11/7/79

Title Study: SCENIC LAND - PETALUMA RIVER

W21870

Z 2-N 20-E 182

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2338

Scenic Lands

EASEMENT PARCEL

A portion of the Southwest quarter of Section 34 Township 5 North, Range 7 West, and a portion of the Northwest quarter of Section 3, Township 4 North Range 7 West, M.D.M., said portion being more particularly described as follows:

Beginning at a point on the Northerly line of the State Highway leading from Petaluma to San Rafael; said point being the point of intersection of the division line between the lands conveyed by R.J. Harris and wife to M.W. Baker by Deed recorded May 28, 1926 in Book 138 of Official Records, page 306 and the Westerly line of the 23.50 acre tract of land described in the Deed of Gift from Geo. P. McNear to Ida B. McNear dated April 19, 1923 and recorded April 23, 1923 in Book 39 of Official Records, page 136, Sonoma County Records; thence from said point of beginning North 13° 10' East and along said division line to the Northeasterly corner of said parcel of land; thence North 13° 53' East along the Easterly line of the lands conveyed by Martin H. Pohlmann, a single man to A.W. Baker and wife by deed recorded June 18, 1945 in Book 638 of Official Records, page 467, Recorder's Serial No. B-95156, Sonoma County Records, a distance of 161.90 feet; more or less, to the Southerly bank of Petaluma Creek; thence Easterly and along the Southerly bank of Petaluma Creek, 1170 feet, more or less, to the Northwesterly corner of the 2.59 acre parcel of land conveyed to Shell Oil Company, Inc., by deed recorded April 15, 1941 in Book 521 of Official Records, page 262, Sonoma County Records; thence South 0° 42' East and along the Westerly line of said lands of Shell Oil Company, Inc., a distance of 505.50 feet, more or less, to the Northerly line of the former State Highway, (now County Road); thence Westerly along the Northerly line of the Highway, a distance of 1245 feet, more or less, to the point of beginning, and commonly known as "The Home Place"

EXCEPTING and RESERVING THEREFROM:

A portion of the Southwest quarter of Section 34 Township 5 North, Range 7 West, and a portion of the Northwest quarter of Section 3, Township 4 North Range 7 West, M.D.M., said portion being more particularly described as follows:

Beginning at a point on the right bank of Petaluma Creek which bears S 36° 56' 36" E 245.45 feet from Station 26 of the U. S. Corps of Engineers control traverse line, said point of beginning being the Northwest corner of the 2.59 acre parcel of land conveyed to Shell Oil Company, Inc. by deed recorded April 15, 1941 in Book 521 of Official Records at Page 262, Sonoma County Records:

thence from said point of beginning along the right bank of the Petaluma Creek the following bearings and distances, N 42°09' W 38.00 feet, N 61°38' W 72.50 feet, N 69° 54' W 94.00 feet, N 72°-1' W 39.00 feet, N 68°02' W 63.00 feet, N 72°04' W 96.00 feet, N 75°38' W 99.50 feet, N 79°10' W 300.50 feet, N 81°54' W 99.00 feet, N 76°36' W 01.50 feet, N 72°09' W 140.50 feet, S 87°34' W 24.54 feet; thence leaving said right bank S 15°59' W 48.00 feet to a point, said point being on the easterly line of the lands conveyed by Martin H. Poehlmann, to A. W. Baker and wife by deed recorded June 18, 1945 in Book 638 of Official Records, page 467, Sonoma County Records and said point bears N 15°59' E 104.81 feet from the Northeastly corner of the lands conveyed by R. J. Harris and wife to A. W. Baker by deed recorded May 28, 1926 in Book 138 of Official Records, page 306, Sonoma County Records; thence S 75°04'28" E 107.37 feet; thence on a curve to the right whose center bears S 36°52'12" E with a radius of 50.00 feet a central angle of 99°32'12", an arc length of 86.86 feet; thence S 78°13'36" E 514.40 feet; thence S 70°29'25" E 247.46 feet; thence on a curve to the right whose center bears S 31°00' E with a radius of 50.00 feet a central angle of 101°08'45", an arc length of 88.27 feet; thence S 70°00'03" E 69.52 feet; thence S 34°18' E 24.00 feet; thence S 88°36' E 57.00 feet to the Westerly boundary of the said Shell Oil Company property; thence along said boundary line N 1°24' E 29.00 feet to the point of beginning, containing 1.38 acres more or less.

ALSO EXCEPTING and RESERVING THEREFROM

A fifty (50) foot easement lying twenty-five (25) feet on each side of the following described lines.

Access Easement A.

Beginning at a point which lies S50°15'E 156.60 feet from the southwest corner of the lands of Scenic Land Properties described in Book 3335 of Official Records at Page 538 Sonoma County Records said point of beginning being on the northerly right of way of Petaluma Boulevard South, a public right of way; thence from said point of beginning N39°45'E 29.12 feet; thence on a curve to the left tangent to the preceding course with a radius of 180.00 feet, a central angle of 28°29', an arc length of 39.48 feet; thence N11°16'E 32.56 feet; thence on a curve to the right tangent to the preceding course with a radius of 268.00 feet, a central angle of 45°00', an arc length of 210.49 feet; thence N33°44'W 24.07 feet; thence on a curve to the right tangent to the preceding course with a radius of 120.00 feet, a central angle of 37°50'09" an arc length of 79.24 feet; thence N4°06'09"E 115.75 feet to the Petaluma River.

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Access Easement B.

Beginning at a point which lies N88°04'W 212.16 feet from the southeast corner of the above described property, said point of beginning being on the northerly right of way of Petaluma Boulevard South, a public right of way; thence from said point of beginning N1°56'E 41.17 feet; thence on a curve to the right tangent to the preceding course with a radius of 270.00 feet, a central angle of 15°13', an arc length of 72.10 feet; thence N17°14'E 15.74 feet; thence on a curve to the left tangent to the preceding course with a radius of 270.00 feet, a central angle of 58°20', an arc length of 274.89 feet to a point of compound curvature thence on a curve to the left tangent to the preceding curve with a radius of 244.00 feet, a central angle of 4°54', an arc length of 20.87 feet; thence N44°00'E 173.72 feet to the Petaluma River.

Description of a public access easement to Petaluma River situate in the City of Petaluma, County of Sonoma, State of California, described as follows:

A fifty (50) foot easement lying twenty-five (25) feet on each side of the following described lines.

Access Easement A.

Beginning at a point which lies S50°15'E 156.60 feet from the southwest corner of the lands of Scenic Land Properties described in Book 3335 of Official Records at Page 538 Sonoma County Records said point of beginning being on the northerly right of way of Petaluma Boulevard South, a public right of way; thence from said point of beginning N39°45'E 29.12 feet; thence on a curve to the left tangent to the preceding course with a radius of 180.00 feet, a central angle of 28°29', an arc length of 89.48 feet; thence N11°16'E 32.56 feet; thence on a curve to the right tangent to the preceding course with a radius of 268.00 feet, a central angle of 45°00', an arc length of 210.49 feet; thence N33°44'W 44.07 feet; thence on a curve to the right tangent to the preceding course with a radius of 120.00 feet, a central angle of 37°50'09" an arc length of 79.24 feet; thence N4°06'09"E 115.75 feet to the Petaluma River.

Access Easement B.

Beginning at a point which lies N88°04'W 212.16 feet from the southeast corner of the above described property, said point of beginning being on the northerly right of way of Petaluma Boulevard South, a public right of way; thence from said point of beginning N1°56'E 41.17 feet; thence on a curve to the right tangent to the preceding course with a radius of 270.00 feet, a central angle of 15°18', an arc length of 72.10 feet; thence N17°14'E 15.74 feet; thence on a curve to the left tangent to the preceding course with a radius of 270.00 feet, a central angle of 58°20', an arc length of 274.89 feet to a point of compound curvature thence on a curve to the left tangent to the preceding curve with a radius of 244.00 feet, a central angle of 4°54', an arc length of 20.87 feet; thence N44°00'E 173.72 feet to the Petaluma River.

EXHIBIT "C"

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PUBLIC WALKWAY PARCEL

A portion of the Southwest quarter of Section 34 Township 5 North, Range 7 West, and a portion of the Northwest quarter of Section 3, Township 4 North Range 7 West, M.D.M., said portion being more particularly described as follows:

Beginning at a point on the right bank of Petaluma Creek which bears S 36°56'36" E 245.45 feet from Station 26 of the U. S. Corps of Engineers control traverse line, said point of beginning being the Northwest corner of the 2.59 acre parcel of land conveyed to Shell Oil Company, Inc. by deed recorded April 15, 1941 in Book 521 of Official Records at Page 262, Sonoma County Records; thence from said point of beginning along the right bank of the Petaluma Creek the following bearings and distances, N 42°09' W 38.00 feet, N 61'38' W 72.50 feet, N 69° 54' W 94.00 feet, N 72°41' W 39.00 feet, N 68°02' W 63.00 feet, N 72°04' W 96.00 feet, N 75°38' W 99.50 feet, N 79°10' W 300.50 feet, N 81°54' W 99.00 feet, N 76°36' W 101.50 feet, N 72°09' W 140.50 feet, S 87°34' W 24.54 feet; thence leaving said right bank S 15°59' W 48.00 feet to a point, said point being on the easterly line of the lands conveyed by Martin H. Poehlmann, to A. W. Baker and wife by deed recorded June 18, 1945 in Book 638 of Official Records, page 467, Sonoma County Records and said point bears N 15°59' E 104.81 feet from the Northeasterly corner of the lands conveyed by R. J. Harris and wife to A. W. Baker by deed recorded May 28, 1926 in Book 138 of Official Records, page 306, Sonoma County Records; thence S 75°04'28" E 107.37 feet; thence on a curve to the right whose center bears S 36°52'.2" E with a radius of 50.00 feet a central angle of 99°32'12", an arc length of 86.86 feet; thence S 78°13'36" E 514.40 feet; thence S 70°29'25" E 247.46 feet; thence on a curve to the right whose center bears S 31°00' E with a radius of 50.00 feet a central angle of 101°08'45", an arc length of 88.27 feet; thence S 70°00'03" E 69.52 feet; thence S 34°18' E 24.00 feet; thence S 88°36' E 57.00 feet to the Westerly boundary of the said Shell Oil Company property; thence along said boundary line N 1°24' E 29.00 feet to the point of beginning, containing 1.38 acres more or less.

EXHIBIT "F"

PARCEL ONE

All that portion of Swamp and Overflow Surveys Nos. 87, 88 and 89; that portion of Tide Land Survey No. 207, and that portion of the 976.04 acre parcel described in the deed to C. A. Hooper & Co. recorded June 1, 1932, in Book 310, page 498 of Official Records of Contra Costa County, California, all within unincorporated territory of said county and described as a whole as follows:

Commencing at the Northwesterly corner of the 273.183 acre parcel of land awarded to the United States of America in the Final Judgement in condemnation under Action No. C-69-369 in the United States District Court, entitled United States of America, plaintiff, vs. V. P. Baker et al., defendants, a certified copy of which was recorded November 19, 1973, in Book 7094, page 482, of said Official Records;

Thence South $27^{\circ} 48' 59''$ East 5930.49 feet along the Southwesterly line of said 273.183 acre parcel of land to the Southwesterly corner thereof in the Northerly line of the 200 foot wide strip of land firstly described in the deed recorded June 18, 1913 in Book 205, page 141 of deeds of said Official Records;

Thence South $70^{\circ} 25'$ West 1665.13 feet along said Northerly line to the Point of Beginning of this description;

- (1) Thence North $27^{\circ} 48' 59''$ West 6102.91 feet, parallel with the above mentioned Southwesterly line of the 273.183 acre parcel of land, to the mean high tide line of Suisun Bay;

Thence meandering along said mean high tide line the following courses:

- (2) South $5^{\circ} 14' 30''$ West 70.80 feet;
- (3) South $57^{\circ} 32'$ West 307.74 feet, and
- (4) South $62^{\circ} 59'$ East 302.68 feet;
- (5) Thence South $69^{\circ} 26'$ East 129.42 feet to the low water line of Suisun Bay;

Thence meandering along said low water line the following courses:

- (6) South $4^{\circ} 07'$ East 311 feet;
- (7) South $19^{\circ} 13'$ West 516 feet;

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EXHIBIT "G"

- (8) South 52° 37' West 541 feet;
- (9) South 41° 46' West 650 feet;
- (10) South 26° 20' West 398 feet;
- (11) South 62° 31' West 624 feet;
- (12) South 88° 20' 15" West 1438.90 Feet to the Easterly line of the 30.00 foot wide strip of land described as Parcel One in the deed to Monsanto Chemical Company, recorded June 30, 1952, in Book 1954, page 245 of said Official Records, said point hereinafter being referred to as Point "A";
- (13) Thence South 61° 54' 15" West 652.74 feet along said low water line to the Northeasterly line of the 106.09 acre parcel described in the deed to Associated Oil Company recorded March 28, 1913, in Book 201, page 65 of Deeds, and the Northeasterly line of the tract of land described as Parcel Two in the deed to Tide Water Associated Oil Company, recorded December 17, 1941, in Book 635, page 396 of said Official Records;

Thence along said Northeasterly lines and along the Southerly line of the above mentioned Tide Land Survey No. 207 the following courses:

- (14) South 18° 15' East 1244.83 feet;
- (15) South 36° 05' East 170.93 feet;
- (16) North 22° 51' East 316.39 feet, and
- (17) North 55° 00' East 380 feet to the above mentioned Easterly line of the 30.00 foot wide strip of land to Monsanto Chemical Company, said point hereinafter being referred to as Point "B";
- (18) Thence South 51° 48' East 3934.18 Feet along the Northeasterly line of said 30.00 foot wide strip of land to the above mentioned Northerly line of the 200 foot wide strip of land firstly described in the deed recorded in Book 205, page 141 of Deeds, of said Official Records;
- (19) Thence North 70° 25' East 2603.38 feet along said Northerly line to the Point of Beginning.

EXCEPTING therefrom that portion of the above mentioned 30.00 foot wide strip of land to Monsanto Chemical Company, the Easterly line being described as follows:

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Beginning at Point "A" referred to in Course (12) above;
Thence South $17^{\circ} 19' 30''$ East 1171.38 feet to Point "B"
referred to in Course (17) above, the sidelines of said
30.00 foot wide strip of land to be lengthened or shortened
to terminate in Courses (13 and 17) above.

Containing 391.184 acres, more or less, after deducting
area of excepted 30.00 foot wide strip of land.

PARCEL TWO

All that portion of Tide Land Survey No. 207 in unincorporated
territory of the County of Contra Costa, State of California,
described as follows:

Beginning at the intersection of the Northwesterly line
of said Tide Land Survey No. 207 with the Easterly line
of the 30 foot wide strip of land described as Parcel One
in the deed to Monsanto Chemical Company recorded June 30,
1952 in Book 1954, page 245 of Official Records of said
County, said point being hereinafter referred to as Point "C";

- (1) Thence North $71^{\circ} 51'$ East 103.88 feet and
- (2) North $58^{\circ} 15'$ East 1905.93 feet along said Northwesterly
line;
- (3) Thence South $31^{\circ} 45'$ East 1003.90 feet, leaving said
Northwesterly line, to the low water line of Suisun
Bay;

Thence meandering along said low water line the following
courses:

- (4) South $26^{\circ} 20'$ West 298.86 feet,
- (5) South $62^{\circ} 31'$ West 624 feet and
- (6) South $88^{\circ} 20' 15''$ West 1438.90 feet to said Easterly
line of the 30 foot wide strip of land, said point
being hereinafter referred to as Point "A";
- (7) Thence South $61^{\circ} 54' 15''$ West 652.74 feet along said
low water line to the Northeasterly line to the 106.09
acre parcel described in the deed to Associated Oil
Company recorded March 28, 1913 in Book 201, page
65 of deeds, and the Northeasterly line of the tract
of land described as Parcel Two in the deed to Tide
Water Associated Oil Company recorded December 17,
1941 in Book 635, page 396 of said Official Records;

- (8) Thence North $18^{\circ} 15'$ West 540 feet along said Northeasterly lines to said Northwesterly line of Tide Land Survey No. 207.
- (9) Thence North $71^{\circ} 51'$ East 655.52 feet along said Northwesterly line to the Point of Beginning.

EXCEPTING therefrom that portion of said 30 foot wide strip of land described in deed recorded in Book 1954, page 245 of Official Records, the Easterly line being described as follows:

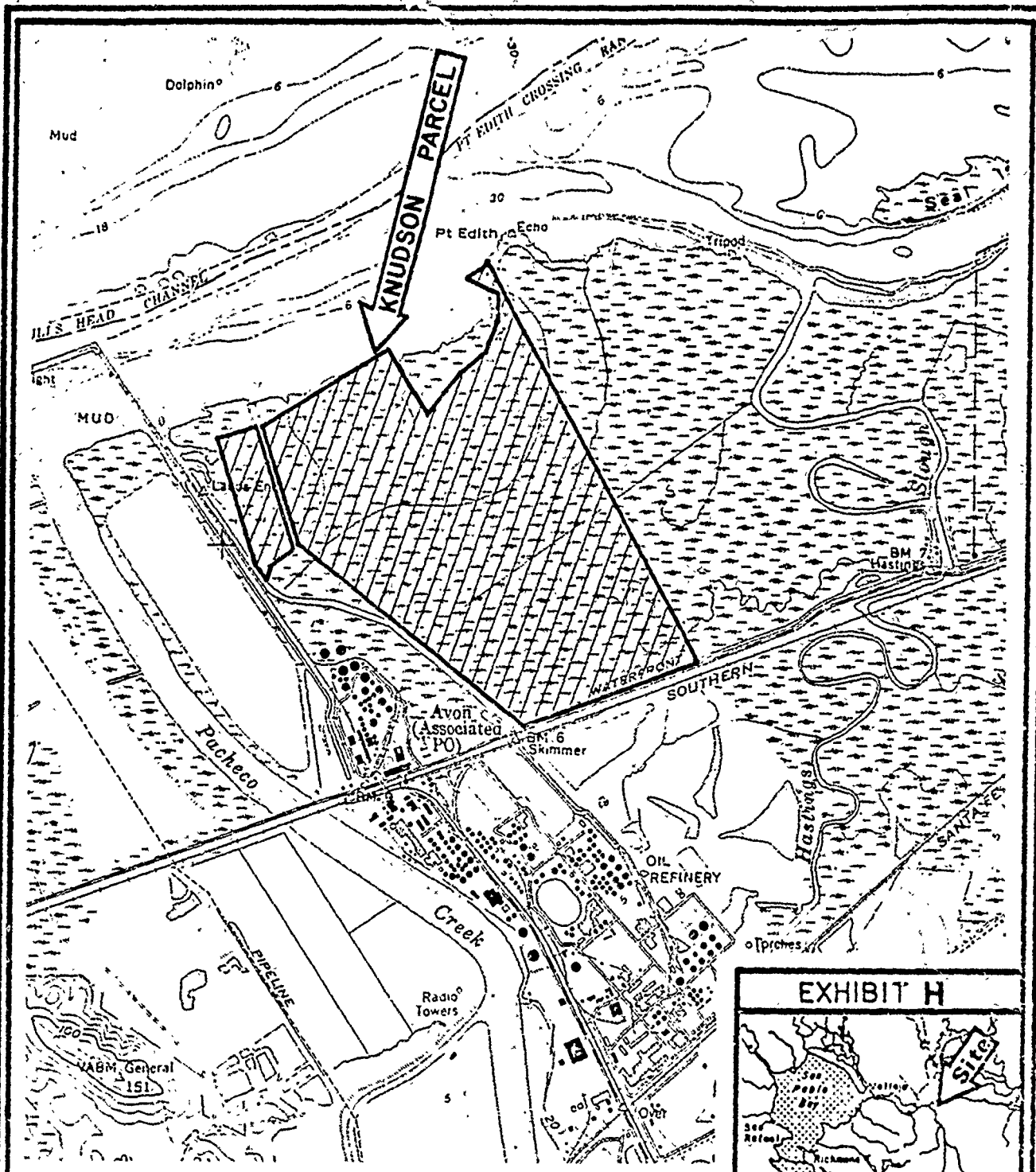
Beginning at Point "C";

Thence South $17^{\circ} 19' 30''$ East 427.27 feet to Point "A", the sidelines of said 30 foot wide strip of land being lengthened or shortened so as to terminate in Courses (7) and (9).

Containing 50.234 acres, more or less, after deducting the area of the excepted 30 foot wide strip of land.

Subject to easements, rights-of-way and restrictions of record.

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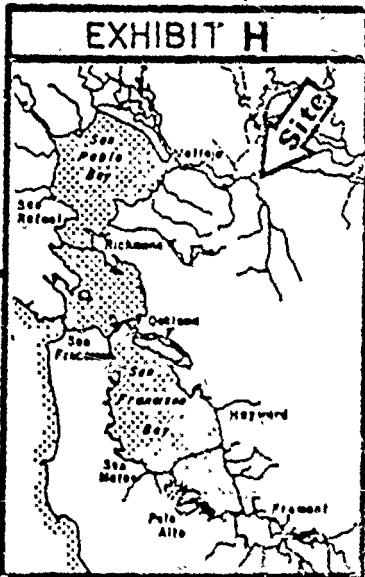
STATE LANDS COMMISSION
 PORTION OF U.S.G.S. QUADRANGLES
 PORT CHICAGO 1959
 PHOTOREVISED 1968

Prepared by: Alexander

Date: 4/13/79

Title Study: T.P.L.—KNUDSON PARCEL

W 22121



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