

MINUTE ITEM

This Calendar Item No. 49  
was approved as Minute Item  
No. 49 by the State Lands  
Commission by a vote of 3  
0 at its 6-26-80  
meeting.

CALENDAR ITEM

49.

AMENDMENT TO TITLE SETTLEMENT AGREEMENT

6/80  
W 21858  
Cook  
BLA 184

EXISTING AGREEMENT:

By Minute Item No. 17 of its regular monthly meeting on January 25, 1979, the Commission approved a Title Settlement Agreement with Pickleweed Associates (referred to as PICKLEWEED) in resolution of a title dispute concerning a parcel of real property in Mill Valley, Marin County, (referred to as the SUBJECT PARCEL) which included the former bed of the Arroyo Principal del Corte de Madera del Presidio, a tributary of Richardson Bay. Basically, the Agreement provided for PICKLEWEED to receive clear title to portions of the SUBJECT PARCEL in exchange for their conveyance to the State of other portions of the SUBJECT PARCEL as well as an undivided 11.481% interest in Brown's Island, Contra Costa County. The total private value of the parcels passing to the State was established at \$28,000 with \$12,500 allocated to the on-site parcels and \$15,500 allocated to the Brown's Island interest. Slightly less than \$8,500 was allocated out of the \$12,500 to the on-site exchange parcel "D" which was to pass to the State. In addition, the parties agreed that the underlying fee title to EASEMENT PARCEL would be held by PICKLEWEED, with the State being the owner of the Public Trust Easement. The on site portion of the Settlement is depicted on the plat attached as Exhibit A. The Brown's Island Parcel is depicted on Exhibit B.

The Agreement was fully executed on June 19, 1979, and the State's Escrow Instructions (dated August 2, 1979) with the required conveyances were sent to First American Title Co., 500 Fifth Avenue, San Rafael, California 94902, Escrow No. 105976. The real property descriptions used for the Agreement and conveyances were supplied by PICKLEWEED and were based on the record.

A field survey by PICKLEWEED, however, resulted in a reduction in size of the SUBJECT PARCEL, and in the State's Parcel "D", from that described in the Agreement. Based on the area requirements for its proposed Condominium Development, the PICKLEWEED portions of the SUBJECT PARCEL were also extended into the State's Parcel "D" which was therefore further reduced in size.

A 9

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By its terms, the Agreement became effective and binding on June 19, 1979, the date of its execution. The conveyances provided therein were to be subsequently delivered out of escrow. PICKLEWEED is obligated to convey Parcel "D" as originally described, but is not prepared to do so, and disputes the State's assertions, and is prepared to only convey the smaller Parcel "D". The State's possible options include: 1) Litigation for breach; 2) Withdrawal from the Agreement as provided by its terms; 3) Unilateral Rescission; or 4) Amendment of the Agreement to make the State whole.

It is believed that litigation would be costly, time consuming and uncertain of result; and the withdrawal or rescission would lose the State's benefits from the Agreement and from the Staff work already expended on the Settlement and would also likely lead to further litigation. For these reasons it is believed that an amendment of the Agreement is in the best interest of the State, so long as the State is made whole for any reduction in the value of the exchange consideration it is entitled to receive by the terms of the existing Agreement.

It is also pointed out that the Agreement was entered into with knowledge of the parties of the pendency before the California Supreme Court of the Murphy Case at the Berkeley waterfront and constituted a good faith attempt to compromise the title dispute at the SUBJECT PARCEL on the basis of the knowledge then available and on the probabilities of the results of litigation. The Agreement became binding by its terms on its execution prior to recording at the request of PICKLEWEED. It is binding at this time despite any changes in the parties legal position which might result after the subsequent Murphy Case decision, and the State is entitled to rely on, and PICKLEWEED is obligated to perform, the provisions of the Agreement. Should the agreement be terminated, it is possible, as a result of the Murphy Case, that the State's position would be prejudiced on further negotiations or litigation which might be necessary to resolve the State/private titles within the SUBJECT PARCEL.

PICKLEWEED has proposed that the Agreement be amended to provide for a reduction in the size of Parcel "D" from 8,316 sq. ft. to 5,357 sq. ft. and that in exchange for this loss to the State, PICKLEWEED will provide the State with an additional exchange parcel of a value of \$3,000.

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Based on the amount of the reduction in the size of the State parcel and a prorata adjustment in value from the original allocation of about \$8,500 for the 8,316 sq. ft., the Staff is of the opinion that an exchange parcel of equivalent to \$3,000 would provide the State with equal or greater value than the value of the portion of Parcel "D" it is giving up; and that the State would be made whole for any loss to which it is entitled under the existing Agreement.

By Minute Item No. 25 of its meeting on September 26, 1979, the Commission approved a Land Bank and Option Agreement with the Trust for Public Land concerning real property in Contra Costa County near the mouth of Pacheco Creek and Point Edith, depicted on Exhibit C and described in Exhibit G, whereby private parties may purchase undivided interests equal to the percentage the amount paid bears to \$200,000, for conveyance to the State to complete an exchange.

To effectuate its proposal, PICKLEWEED has agreed to purchase and cause an undivided 1.5% interest (\$3,000 purchase price equivalent to about 6.615 acres) in the TPL-Knudson Land Bank Parcel to be conveyed to the State.

In addition to the foregoing, the existing agreement descriptions of the other parcels within the SUBJECT PARCEL which pass to the State (Parcel A, B, C, E, and the EASEMENT PARCEL) will need to be changed to conform to the survey. The differences in these descriptions result only in miniscule changes in areas which are insufficient to require any change in the consideration in the existing Agreement. The descriptions of the portions of the SUBJECT PARCEL required by the Agreement to be patented to PICKLEWEED will also need to be changed to conform to the survey. The amended descriptions of all such parcels are attached hereto. The terms and conditions of the proposed amendment are embodied in the Amendment to Compromise Title Settlement Agreement, a copy of which is on file with the Commission. Except as amended, the Agreement of June 19, 1979 shall remain in full force and effect.

This Settlement will result in the following:

SUBJECT PARCEL:

6.0+ acres cleared in private fee ownership  
3.26 acres cleared in State trust fee ownership, value \$9,500  
0.13 acre cleared in State Trust Easement Ownership

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Brown's Island Land Bank Parcel:

68.35 acres (prorata) cleared in State ownership of  
a value of \$15,500  
0.6+ miles (prorata) water boundary cleared

TPL - Knudson-Land Bank Parcel:

6.6 acres (prorata) cleared in State trust ownership  
of a value of \$3,000  
0.02 mile (prorata) water boundary cleared

- A. Plat of SUBJECT PARCEL Settlement Plat
- B. Plat of Brown's Island Parcel
- C. Plat of TPL - Knudson Land Bank Parcel
- D. Descriptions of Parcels A, B, C, D, E, and the  
EASEMENT PARCEL
- E. Description of Patent Parcels
- F. Description of Brown's Island Parcel (not changed)
- G. Description of TPL - Knudson Land Bank Parcel

IT IS THEREFORE RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE PROPOSED AMENDMENT TO COMPROMISE TITLE SETTLEMENT AGREEMENT, INCLUDING THE AMENDED EXCHANGE OF THE STATE'S INTEREST IN THE SUBJECT PARCEL, IS IN THE BEST INTERESTS OF THE STATE FOR THE IMPROVEMENT OF NAVIGATION; AID IN RECLAMATION; FOR FLOOD CONTROL PROTECTION; TO ENHANCE THE CONFIGURATION OF THE SHORELINE FOR THE IMPROVEMENT OF THE WATER AND UPLAND; FOR THE PROTECTION, PRESERVATION AND ENHANCEMENT OF THE TIDELANDS AND SUBMERGED LANDS AND PUBLIC ACCESS THERETO AND PUBLIC USE THEREOF PURSUANT TO THE PUBLIC TRUST; THAT IT WILL NOT SUBSTANTIALLY INTERFERE WITH THE RIGHTS OF NAVIGATION AND FISHING IN THE WATERS INVOLVED; AND THAT THE REAL PROPERTY RECEIVED BY THE STATE IS OF A VALUE EQUAL TO OR GREATER THAN THE VALUE OF THE INTERESTS IN THE SUBJECT PARCEL BEING RELINQUISHED BY THE STATE.
2. FIND THAT THE PARTIES HAVE A GOOD FAITH AND BONA FIDE DISPUTE RESPECTING THEIR OBLIGATIONS UNDER SAID TITLE SETTLEMENT AGREEMENT OF JUNE 19, 1979; THAT THE PROPOSED AMENDMENT CONSTITUTES A COMPROMISE OF THE CONTESTED ISSUES OF LAW AND EVIDENCE UPON WHICH THE DISPUTE IS BASED; THAT IT IS IN LIEU OF THE COSTS, DELAYS AND UNCERTAINTIES OF TITLE LITIGATION; THAT IT IS CONSISTENT WITH AND IS AUTHORIZED BY THE REQUIREMENTS OF LAW, INCLUDING SECTION 6307 OF THE PUBLIC RESOURCES CODE,

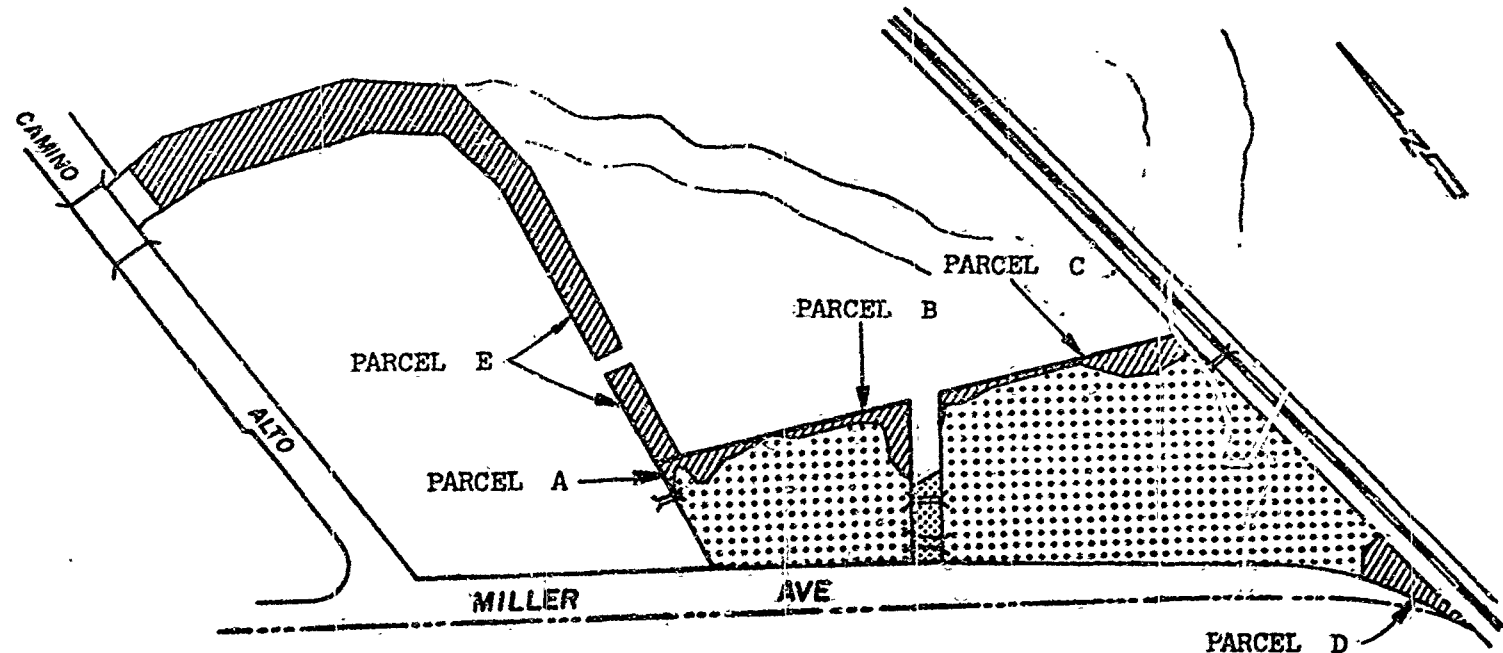
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AS WELL AS THE OTHER PROVISIONS OF DIVISION SIX THEREOF, AND IS CONSISTENT WITH THE STATE'S POWER TO RESOLVE AND SETTLE A CONTROVERSY IN LIEU OF LITIGATION; THAT ON THE RECORDING OF CONVEYANCES ON CLOSE OF ESCROW AND CONSISTENT WITH THE TERMS OF THE AGREEMENT AS AMENDED THE PORTIONS OF THE SUBJECT PARCEL PASSING TO PICKLEWEED WILL NO LONGER BE NECESSARY OR USEFUL FOR THE PURPOSES OF THE PUBLIC TRUST AND THE PUBLIC TRUST MAY BE TERMINATED THEREON; THAT THE PROPOSED AMENDMENT IS IN THE BEST INTERESTS OF THE STATE; AND THAT, EXCEPT AS AMENDED HEREBY, THE TERMS AND CONDITIONS OF THE COMPROMISE TITLE SETTLEMENT AGREEMENT SHALL REMAIN IN FULL FORCE AND EFFECT.

3. FIND AND DETERMINE THAT AMENDMENT OF THE COMPROMISE TITLE SETTLEMENT AGREEMENT IN LIEU OF LITIGATION IS NOT A PROJECT WITHIN THE REQUIREMENTS OF CEQA AS PROVIDED BY SECTION 6371, PUBLIC RESOURCES CODE, AND AS EXPRESSLY PROVIDED BY THE REGULATIONS OF THE COMMISSION ADOPTED AT ITS REGULAR PUBLIC MEETING ON MARCH 30, 1978, MINUTE ITEM NO. 19 (TITLE 2, DIV. 3, ARTICLE 10, SECTION 2903(d), CAL. ADM. CODE), PURSUANT TO THE PROVISIONS OF THE STATE EIR GUIDELINES, INCLUDING TITLE 14, DIV. 6, CHAPTER 3, ARTICLE 5, SECTION 10505(c)(1)(c) AND ARTICLE 8, SECTION 15100.4, WHICH AUTHORIZE PUBLIC AGENCIES TO LIST EXEMPT ACTIVITIES.
4. RESCIND AND TERMINATE THE PREVIOUSLY EXECUTED STATE PATENT AND CERTIFICATES OF ACCEPTANCE HERETOFORE SUBMITTED INTO ESCROW AND APPROVE AND AUTHORIZE THE EXECUTION, ACKNOWLEDGEMENT AND RECORDATION ON BEHALF OF THE COMMISSION OF THE FOLLOWING DOCUMENTS:
  - A. THE AMENDMENT TO COMPROMISE TITLE SETTLEMENT AGREEMENT IN SUBSTANTIALLY THE FORM OF THE COPY OF SUCH AGREEMENT ON FILE WITH THE COMMISSION.
  - B. A PATENT CERTIFICATE AND A PATENT OF THE PORTIONS OF THE SUBJECT PARCEL PASSING TO PICKLEWEED IN MARIN COUNTY, CALIFORNIA, DESCRIBED IN EXHIBIT E, FOREVER FREE OF THE PUBLIC TRUST.
  - C. A CERTIFICATE OF ACCEPTANCE AND CONSENT TO RECORDING OF THE CONVEYANCES TO THE STATE IN MARIN AND CONTRA COSTA COUNTIES AS PROVIDED IN THE AGREEMENT AS AMENDED HEREBY, DESCRIBED IN EXHIBITS D, F, & G, AS REAL PROPERTY OF THE LEGAL CHARACTER OF TIDELANDS AND SUBMERGED LANDS, OWNED BY THE STATE BY REASON OF ITS SOVEREIGNTY UNDER THE PUBLIC TRUST.

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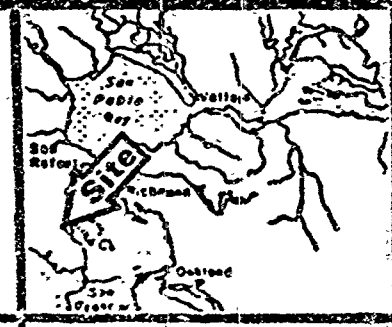
5. AUTHORIZE AND DIRECT THE STAFF OF THE STATE LANDS COMMISSION, AND/OR THE CALIFORNIA ATTORNEY GENERAL TO TAKE ALL NECESSARY OR APPROPRIATE ACTION ON BEHALF OF THE STATE LANDS COMMISSION, INCLUDING THE EXECUTION, ACKNOWLEDGEMENT AND RECORDATION OF DOCUMENTS OF TITLE, CONVEYANCES, STIPULATIONS, WITHDRAWAL, AMENDMENT OR NEW ESCROW INSTRUCTIONS, DEEDS, AGREEMENTS, CERTIFICATES OF ACCEPTANCE AND CONSENTS TO RECORDATION, AND SUCH OTHER DOCUMENTS AS MAY BE REASONABLE AND CONVENIENT TO CARRY OUT THE SAID COMPROMISE TITLE SETTLEMENT AGREEMENT; TO APPEAR ON BEHALF OF THE COMMISSION IN ANY LEGAL PROCEEDINGS RELATING TO THE SUBJECT MATTER THEREOF.



-  Parcels to be deeded to State (Deed Parcels)
-  Parcels to be patented to Pickleweed & Assoc. (Patent Parcels)
-  Parcel to be patented to Pickleweed & Assoc., reserving Trust Easement to State (Easement Parcel)

**STATE LANDS COMMISSION**

Plat showing lands to be deeded to State & lands to be patented to Pickleweed and Assoc.



CALIFORNIA PLAT  
 MINUTE PAGE

Prepared by: jsf

Date: 1-8-79

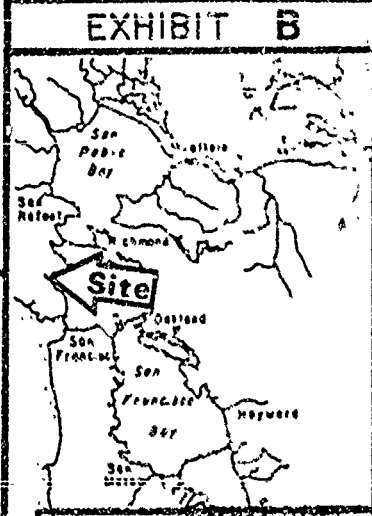
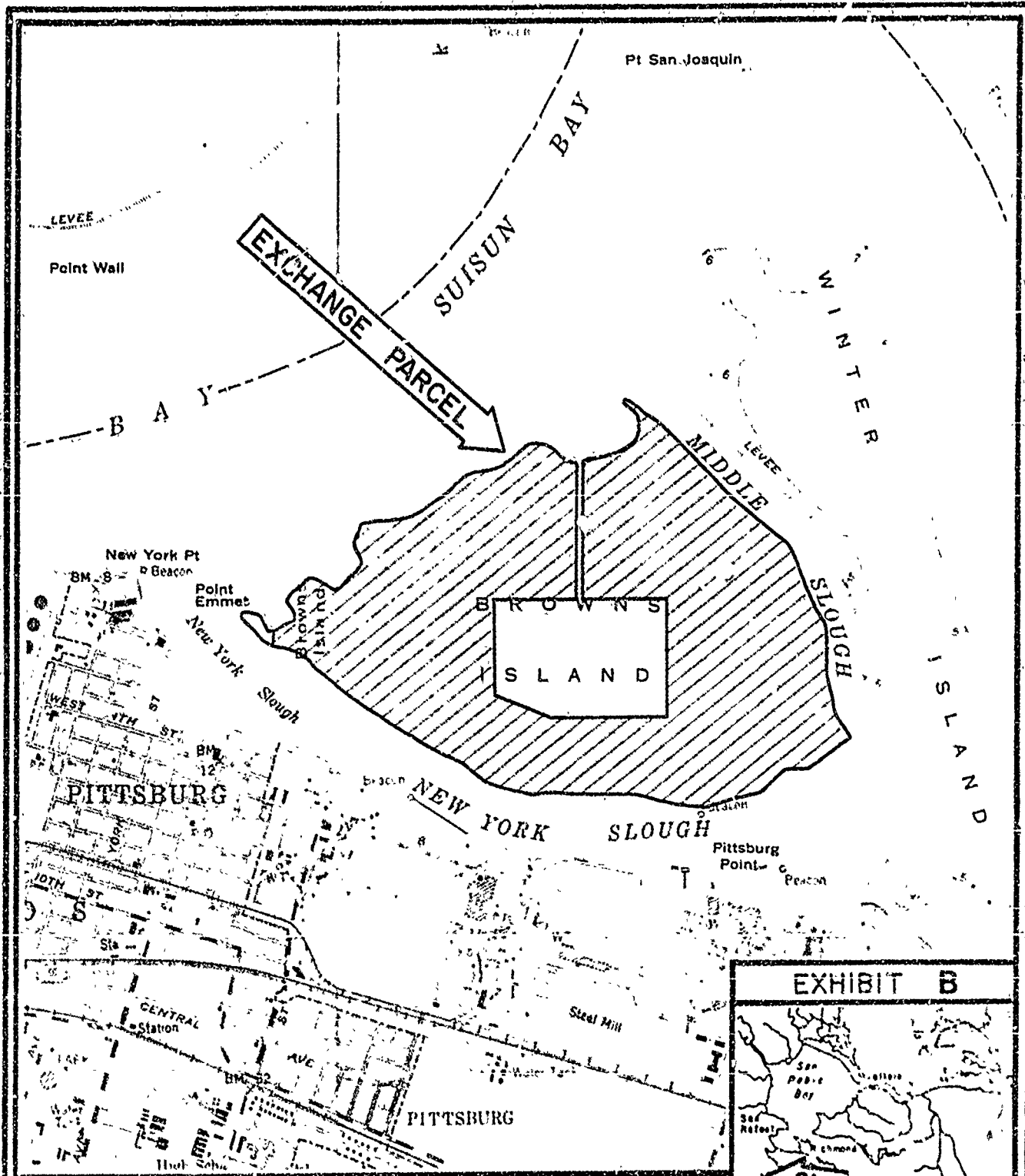
Title Study: Pickleweed & Assoc.

W 21858

EXHIBIT A

Z 3 - N 51 - E 141

12



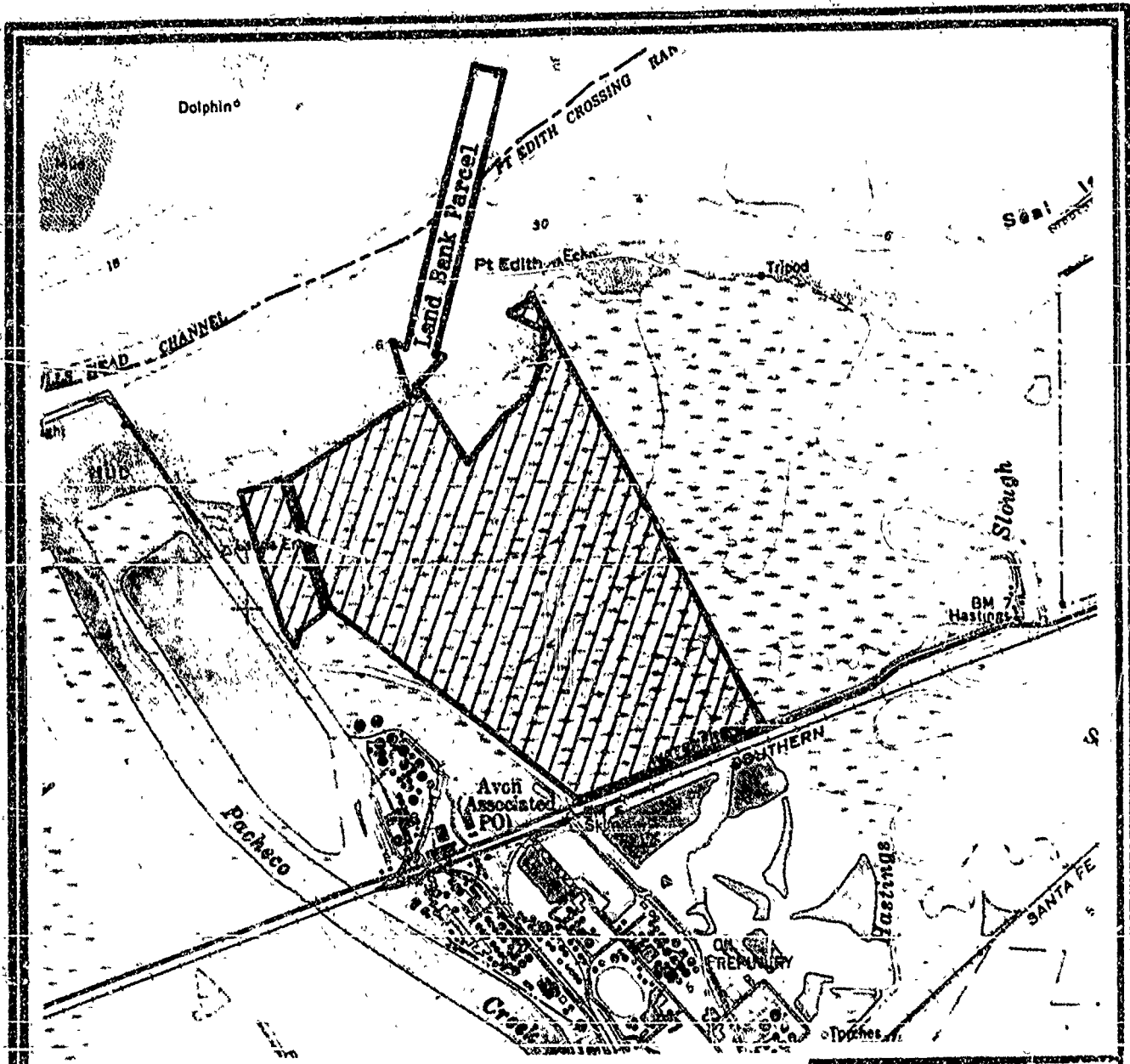
STATE LANDS COMMISSION  
 PORTION OF U.S.G.S. QUADRANGLES  
 ANTIOCH NORTH (1953), HONKER BAY  
 PHOTOREVISED 1968 & 1973

Prepared by: [unclear] Date 1-25-79

Title Study PLAT of BROWN'S ISLAND W 21858

CALIFORNIA PUBLIC LANDS  
 23-N 5-E 15  
 53  
 480





**Pickleweed (W21858) Settlement**

6.6 ± acres (pro-rata equivalent) to State  
 0.02 ± miles (pro-rata equivalent) of bound-  
 ary established

NOTE: Base sheet from USGS Quadrangle PORT  
 CHICAGO 1959, photorevised 1968

**STATE LANDS COMMISSION**

**LAND BANK PARCEL PLAT**

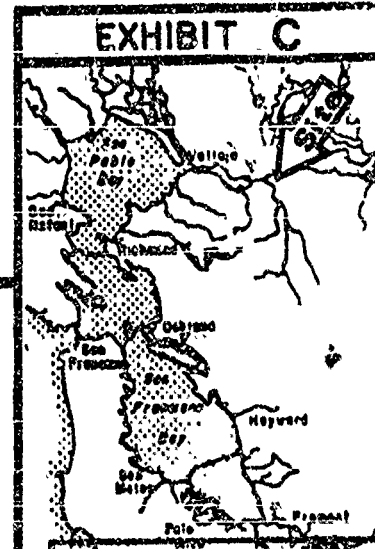
Agreement approved per SLC Minute Item 25 of Sept. 26,  
 1979. Parcel contains 441 ± acres and has 1.24 ± miles  
 of water boundary.

Prepared by : Alexander

Date: 4/13/79

Title Study: T.P.L. - KNUDSON PARCEL

W 22121



CALENDAR PAGE 154  
 15071

DESCRIPTION OF PARCELS A,B,C,D,E EXHIBIT "D"  
and EASEMENT PARCEL

All that certain Real Property situate in the City of Mill Valley, County of Marin, State of California, described as follows:

PARCEL A:

BEGINNING at the Northerly corner of Parcel Three, as said parcel is described in the Deed from First American Title Company of Marin, a California Corporation, to Pickleweed Associates, a limited partnership, recorded February 7, 1979 in Book 3499 of Official Records, at Page 596, Marin County Records; thence from said point of beginning, North 66° 47' 40" West 33.111 feet (North 68° 03' West as described under Exhibit "C" in the boundary line Agreement between the City of Mill Valley, and Herbert H. Shapiro, et ux, recorded September 12, 1957 in Book 1140 of Official Records, at Page 269, Marin County Records) to a point on the Westerly boundary line of Parcel Two as described in the above mentioned deed to Pickleweed Associates, recorded in Book 3499 of Official Records, at Page 596, which point bears North 9° 31' 05" East 206.207 feet from the most Southwesterly corner of said Parcel Two (3499 O.R. 596); thence along said Westerly line of said Parcel Two, South 9° 31' 05" West 50.024 feet (North 8° 15' East in said Deed-3499 O.R. 596); thence leaving said Westerly line, North 34° 33' 32" East 27.132 feet; North 73° 23' 54" East 7.81 feet; South 42° 01' 15" East 14.32 feet, South 0° 32' 33" East 27.31 feet, South 52° 45' 29" East 16.49 feet, North 75° 51' 21" East 47.80 feet, South 77° 40' 10" East 26.48 feet and South 86° 35' 54" East 53.14 feet to a point on the Northerly line of Parcel Three, deed first hereinabove mentioned (3499 O.R. 596), which point bears South 66° 47' 40" East 144.067 feet from the point of beginning; thence along said Northerly line, North 66° 47' 40" West 144.067 feet (North 68° 03' West in said deed first hereinabove described-3499 O.R. 596) to the point of beginning.

BEARINGS are based on the California Coordinate System Zone III.

PARCEL B:

BEGINNING at the most Easterly corner of Parcel Three, as said parcel is described in the Deed from First American Title Company of Marin, a California Corporation, to Pickleweed Associates, a limited partnership, recorded February 7, 1979 in Book 3499 of Official Records, at Page 596, Marin County Records; thence along the Northeasterly line of said Parcel Three, North 66° 47' 40" West 245.00 feet (North 68° 03' West in said deed); thence leaving said Northeasterly line, South 50° 50' 56" East 43.68 feet, South 62° 58' 52" East 45.10 feet, South 67° 57' 46" East 49.01 feet, South 55° 54' 39" East 26.48 feet, South 49° 51' 58" East 27.381 feet, South 16° 26' 37" West 72.839 feet, South 0° 42' 29" West 37.29 feet to a point on the Southeasterly line of said Parcel Three (3499 O.R. 596) being also the Northwesterly line of a 50 foot road; thence along said line, North 37° 27' 00" East 138.00 feet (South 36° 11' 40" West in said deed-3499 O.R. 596) to the point of beginning.

BEARINGS are based on the California Coordinate System Zone III.

EXHIBIT D

PARCEL C:

BEGINNING at the Northerly corner of Parcel One, as said parcel is described in the Deed from First American Title Company of Marin, a California Corporation, to Pickleweed Associates, a limited partnership, recorded February 7, 1979 in Book 3499 of Official Records, at Page 596, Marin County Records; thence along the Northwesterly line of said Parcel One, South 37° 27' 00" West 60.574 feet to a point, (South 36° 11' 40" East in said deed); thence leaving said Northwesterly line, North 46° 25' 19" East 17.709 feet, North 43° 08' 50" East 20.10 feet, North 82° 27' 28" East 9.91 feet, South 57° 46' 48" East 22.58 feet, South 76° 15' 27" East 30.41 feet, South 71° 01' 49" East 27.07 feet, South 77° 05' 58" East 33.54 feet, South 67° 21' 22" East 102.01 feet, South 71° 59' 16" East 22.09 feet, South 30° 46' 01" East 27.20 feet, South 37° 26' 15" East 55.07 feet, South 62° 33' 27" East 54.15 feet, South 85° 13' 47" East 47.43 feet, South 71° 36' 57" East 8.10 feet, South 39° 40' 51" East 23.20 feet to a point on the Easterly line of said Parcel One, deed hereinabove mentioned (3499 O.R. 596), being also the Westerly line of the Northwestern Pacific Railroad right of way; thence along said line, North 6° 13' 08" West 55.00 feet, (South 7° 30' East in said deed-3499 O.R. 596) to the most Northeasterly corner of said Parcel One (3499 O.R. 596); thence along the Northerly line of said Parcel One, North 66° 47' 40" West 414.441 feet (North 68° 03' West in said Deed) to the point of beginning.

BEARINGS are based on the California Coordinate System Zone III.

PARCEL D:

BEGINNING at the Southerly point of Parcel One, as said parcel is described in the Deed from First American Title Company of Marin, a California Corporation, to Pickleweed Associates, a limited partnership, recorded February 7, 1979 in Book 3499 of Official Records, at Page 596, Marin County Records; said point of beginning being also the point of intersection of the Westerly line of the Northwestern Pacific Railroad right of way, with the Easterly terminus of the curve having a radius of 668.06 feet, an arc length of 278.81 feet, as said course is described in the Grant Deed and Easement from Bothin Real Estate Company, to San Rafael Land Title Company, recorded June 5, 1952 in Book 746 of Official Records, at Page 368, Marin County Records; thence from said point of beginning Northwesterly along said circular curve, having a radius of 668.06 feet, the center of which bears South 56° 18' 08" West through a central angle of 0° 17' 57" an arc length of 3.488 feet to a point; thence from said point and along the Northerly line of Miller Avenue extension, as described in that certain Grant of Easement and Right of Way between San Rafael Land Title Company and the County of Marin, recorded September 12, 1957 in Book 1140 of Official Records, at Page 253, Marin County Records, on a curve to the left, with a radius of 572.850 feet, whose center bears South 56° 00' 11" West, through a central angle of 16° 49' 26" an arc length of 168.207 feet; thence leaving said Northerly line of Miller Avenue extension (1140 O.R. 253), North 53° 46' 52" East 40.529 feet and North 83° 46' 52" East 28.934 feet to a point on the Easterly line of said Parcel One, deed first hereinabove described (3499 O.R. 596), being also the Westerly line of the Northwestern Pacific Railroad right of way; thence along said line, South 6° 13' 08" East 178.904 feet (South 7° 30' East in the deed first hereinabove described (3488 O.R. 596) to the point of beginning.

BEARINGS are based on the California Coordinate System Zone III.

PARCEL E:

BEING a portion of Parcel Two, as said parcel is described in the Deed from First American Title Company of Marin, a California Corporation, to Pickleweed Associates, a limited partnership, recorded February 7, 1979 in Book 3499 of Official Records, at Page 596, Marin County Records, more particularly described as follows:

BEGINNING at the most Southwesterly corner of Parcel Two, deed hereinabove mentioned, said point being the intersection of the course described as "South 8° 15' West 12.31 chains" in the deed from Anna T. C. Rue, to Bothin Real Estate Company, recorded April 3, 1923 in Book 18 of Official Records, at Page 264, Marin County Records, with the Northeasterly line of Miller Avenue Extension, as described in the Deed from Bothin Real Estate Company to the County of Marin, recorded April 12, 1954 in Book 860 of Official Records, at Page 335, Marin County Records; and running thence from said Southwesterly corner (3488 O.R. 596) and along the Westerly boundary of said Parcel Two (3499 O.R. 596); North 9° 31' 05" East 206.207 feet (based on California Coordinate System Zone III) (North 8° 15' East in said deed first hereinabove mentioned-3499 O.R. 596) to the True Point of Beginning of the parcel to be herein described; thence from said True Point of Beginning, North 9° 31' 05" East (based on California Coordinate System Zone III) (North 8° 15' East in said deed first hereinabove mentioned-3499 O.R. 596) 534.873 feet, North 10° 14' West 133.37 feet, North 52° 30' West 130.02 feet, North 71° 00' West 277.20 feet, North 88° 00' West 137.28 feet, and South 64° 45' West 20 feet, more or less, to the Easterly line of the County Road known as Camino Alto; thence Northerly along the aforesaid Easterly line of Camino Alto, on a curve, concave Easterly, having a radius of 9,970.00 feet, through an angle of 0° 30' 33", a distance of 88.60 feet, to a point on the Northerly bank of the Arroyo Corte Madera del Presidio, as the same is described as Parcel One in the Deed from the First Methodist Episcopal Church of Mill Valley, to the City of Mill Valley, recorded March 3, 1965 in Book 1915 of Official Records, at Page 345, Marin County Records; thence along said Northerly bank, North 83° 15' East 130 feet, more or less, to the Westerly extremity of the course, South 72° 00' East 319.44 feet, as the same is described under Exhibit "C" in that certain boundary line Agreement between the City of Mill Valley and Herbert H. Shapiro, et ux, recorded September 12, 1957 in Book 1140 of Official Records, at Page 269, Marin County Records; thence continuing along the courses set forth in the above mentioned Agreement, South 72° 00' East 319.44 feet, South 50° 45' East 187.44 feet, South 6° 45' East 192.72 feet; thence along the course South 11° 15' 20" West (based on California Coordinate System Zone III) (South 10° 00' West in said Agreement-1140 O.R. 269) 552.24 feet, more or less, to the point which is the intersection of the calls "North 10° 00' East 90.00 feet and South 68° 03' East 404.16 feet" as the same are set forth in Parcel Two of the deed from the City of Mill Valley to Herbert H. Shapiro, et ux, recorded September 12, 1957 in Book 1140 of Official Records, at Page 279, Marin County Records; thence North 66° 47' 40" West (based on California Coordinate System Zone III) (North 68° 03' West in said Agreement hereinabove mentioned-1140 O.R. 269), 33.111 feet to the True Point of Beginning.

EXCEPTING THEREFROM that portion lying within the 30 foot strip of land conveyed to the City of Mill Valley by Deed recorded March 13, 1926 in Book 91 of Official Records, at Page 341, Marin County Records.

EXCEPTING THEREFROM the following described parcel of land:

THAT PORTION of the lands as conveyed to Western Title Guaranty Company, Marin County Division, a corporation, by Deed from Herbert H. Shapiro, et ux, recorded in Book 2065 of Official Records, at Page 526, Marin County Records, more particularly described as follows:

BEGINNING at the intersection of the Easterly line of Camino Alto with the Northerly line of the land conveyed to Bothin Real Estate Company, from Anna T. C. Rue, by Deed recorded April 3, 1923 in Book 18 of Official Records, at Page 264, Marin County Records; thence along said Northerly line (18 O.R. 264) North 66° 00' 20" East (South 64° 45' West in said deed-18 O.R. 264), 13.70 feet; thence South 86° 44' 40" East (North 88° 00' West in said deed-18 O.R. 264) 51.83 feet; thence leaving said Northerly line, North 0° 02' 08" East 92.12 feet to the Northerly bank of Arroyo Corte Madera del Presidio, as the same is described in Parcel One in the deed from the First Methodist Episcopal Church of Mill Valley to the City of Mill Valley, recorded March 3, 1965 in Book 1915 of Official Records, at Page 345, Marin County Records; thence along said Northerly bank, South 84° 29' 00" West (North 83° 15' East in the deed first hereinabove mentioned-2065 O.R. 526), 63.67 feet, to a point on the Easterly line of Camino Alto, said point being on a curve, concave Easterly, having a radius of 9,970.00 feet; thence leaving said Northerly bank and running Southerly along said Easterly line of Camino Alto, through an angle of 0° 30' 33", a distance of 88.60 feet to the point of beginning.

EASEMENT PARCEL

BEGINNING at a point which point bears South 80° 29' 40" East 165.83 feet from the intersection of the courses South 41° 15' East 210.54 feet and South 81° 45' East 321.42 feet as said courses are set forth in that certain boundary agreement between Herbert H. Shapiro, et al., and the City of Mill Valley, dated August 7, 1957 and recorded September 12, 1957 in Book 1140 of Official Records, at Page 257, Marin County Records; running thence South 37° 27' 00" West 104.04 feet to the Northeasterly line of Miller Avenue extension; thence Southeasterly along said line, South 54° 31' 40" East 22.986 feet; thence South 52° 32' 40" East 27.027 feet; thence leaving said line, North 37° 27' 00" East 130.57 feet; thence North 80° 29' 40" West 56.60 feet to the point of beginning.

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## DESCRIPTION of PATENT PARCELS

All that certain Real Property situate in the City of Mill Valley, County of Marin, State of California, described as follows:

PARCEL ONE:

BEGINNING at the most Northerly corner of Parcel One, as said parcel is described in the Deed from First American Title Company of Marin, a California Corporation, to Pickleweed Associates, a limited partnership, recorded February 7, 1979 in Book 3499 of Official Records, at Page 596, Marin County Records; and running thence along the Northerly line of said parcel, South 66° 47' 40" East 414.441 feet (South 68° 03' East in said Deed) to the Westerly line of the Northwestern Pacific Railroad right of way; thence Southerly along said right of way South 6° 13' 08" East 670.904 feet (South 7° 30' East in said Deed) to a point of intersection with the Easterly terminus of the course having a radius of 668.06 feet and an arc length of 278.81 feet, as said course is described in the Grant Deed and Easement from Bothin Real Estate Company to San Rafael Land Title Company, recorded June 5, 1952 in Book 746 of Official Records, at Page 368, Marin County Records; thence Northwesterly along said circular curve having a radius of 668.06 feet, whose center bears South 56° 18' 08" West through a central angle of 0° 17' 57" an arc length of 3.488 feet to a point of intersection with the Easterly terminus of the course having a radius of 572.85 feet as said course is set forth in that certain Grant of Easement and Right of Way between San Rafael Land Title Company and the County of Marin, recorded September 12, 1957 in Book 1140 of Official Records, at Page 253, Marin County Records; thence from said point and along the Northerly line of Miller Avenue extension (1140 O.R. 253) on a curve to the left, having a radius of 572.85 feet, whose center bears South 70° 19' 46" West through a central angle of 32° 52' 26" an arc length of 328.677 feet to the Easterly terminus of the course South 52° 32' 40" East 550.718 feet (South 53° 48' East in the Deed first hereinabove mentioned-3499 O.R. 596); thence continuing along said Miller Avenue extension North 52° 32' 40" West 550.718 feet to the most Southerly corner of the parcel of land described as Exhibit "A", Street & Highway Easement, between Herbert H. Shapiro, et ux, and the City of Mill Valley, recorded September 12, 1957 in Book 1140 of Official Records, at Page 263, Marin County Records; and thence along the Southeasterly line of the last mentioned parcel (1140 O.R. 263) and its Northeasterly extension, North 37° 27' 00" East 290.382 feet, (North 36° 11' 40" East in the Deed first hereinabove mentioned-3499 O.R. 596), to the point of beginning.

BEARINGS are based on the California Coordinate System Zone III.

EXCEPTING THEREFROM the following described parcel of land:

BEGINNING at the Northerly corner of Parcel One, as said parcel is described in the Deed from First American Title Company of Marin, a California Corporation, to Pickleweed Associates, a limited partnership, recorded February 7, 1979 in Book 3499 of Official Records, at Page 596, Marin County Records; thence along the Northwesterly line of said Parcel One, South 37° 27' 00" West 60.574 feet to a point, (South 36° 11' 40" East in said deed); thence leaving said Northwesterly line, North 46° 25' 19" East 17.709 feet, North 43° 08' 50" East 20.10 feet, North 82° 27' 28" East 9.91 feet, South 57° 46' 43" East 22.58 feet, South 76° 15' 27" East 30.41 feet, South 71° 01' 49" East 27.07 feet, South 77° 05' 58" East 33.54 feet, South 67° 21' 22" East 102.01 feet, South 71° 59' 16" East 22.09 feet, South 30° 46' 01" East 27.20 feet, South 37° 26' 15" East 55.07 feet, South

62° 33' 27" East 54.15 feet, South 85° 13' 47" East 47.43 feet, South 71° 36' 57" East 8.10 feet, South 39° 40' 51" East 23.20 feet to a point on the Easterly line of said Parcel One, deed hereinabove mentioned (3499 O.R. 596), being also the Westerly line of the Northwestern Pacific Railroad right of way; thence along said line, North 6° 13' 08" West 55.00 feet, (South 7° 30' East in said deed-3499 O.R. 596) to the most Northeasterly corner of said Parcel One (3499 O.R. 596); thence along the Northerly line of said Parcel One, North 66° 47' 40" West 414.441 feet (North 68° 03' West in said deed) to the point of beginning.

BEARINGS are based on the California Coordinate System Zone III.

ALSO EXCEPTING THEREFROM the following described parcel of land:

BEGINNING at the Southerly point of Parcel One, as said parcel is described in the Deed from First American Title Company of Marin, a California Corporation, to Pickleweed Associates, a limited partnership, recorded February 7, 1979 in Book 3499 of Official Records, at Page 596, Marin County Records; said point of beginning being also the point of intersection of the Westerly line of the Northwestern Pacific Railroad right of way, with the Easterly terminus of the curve having a radius of 668.06 feet, an arc length of 278.81 feet, as said course is described in the Grant Deed and Easement from Bothin Real Estate Company, to San Rafael Land Title Company, recorded June 5, 1952 in Book 746 of Official Records, at Page 368, Marin County Records; thence from said point of beginning Northwesterly along said circular curve, having a radius of 668.06 feet, the center of which bears South 56° 18' 08" West through a central angle of 0° 17' 57" an arc length of 3.488 feet to a point; thence from said point and along the Northerly line of Miller Avenue extension, as described in that certain Grant of Easement and Right of Way between San Rafael Land Title Company and the County of Marin, recorded September 12, 1957 in Book 1140 of Official Records, at Page 253, Marin County Records, curve to the left, with a radius of 572.850 feet, whose center bears South 56° 00' 11" West, through a central angle of 16° 49' 26" an arc length of 168.207 feet; thence leaving said Northerly line of Miller Avenue extension (1140 O.R. 253), North 53° 46' 52" East 40.529 feet and North 83° 46' 52" East 28.934 feet to a point on the Easterly line of said Parcel One, deed first hereinabove described (3499 O.R. 596), being also the Westerly line of the Northwestern Pacific Railroad right of way; thence along said line, South 6° 13' 08" East 176.004 feet (South 7° 30' East in the deed first hereinabove described (3488 O.R. 596) to the point of beginning.

BEARINGS are based on the California Coordinate System Zone III.

PARCEL TWO:

BEGINNING at the most Southwesterly corner of Parcel Two, as said parcel is described in the Deed from First American Title Company of Marin, a California Corporation, to Pickleweed Associates, a limited partnership, recorded February 7, 1979 in Book 3499 of Official Records, at Page 596, Marin County Records; said point being the intersection of the course described as "South 8° 15' West 12.31 chains" in the Deed from Anna T. C. Rue, to Bothin Real Estate Company, recorded April 3, 1923 in Book 18 of Official Records, at Page 264, Marin County Records, with the Northeasterly line of Miller Avenue Extension, as described in the Deed from Bothin Real Estate Company to the County of Marin, recorded April 12, 1954 in Book 860 of Official Records, at Page 335, Marin County Records, and running thence from said Southwesterly corner (3499 O.R. 596) and along the Westerly boundary of said Parcel Two, deed first hereinabove mentioned (3499 O.R. 596) North 9° 31' 05" East 741.08 feet (based on California Coordinate System Zone III) (North 8° 15' East

in said deed first hereinabove mentioned-3499 O.R. 596); North 10° 14' West 133.37 feet, North 52° 30' West 130.02 feet, North 71° 00' West 277.20 feet, North 88° 00' West 137.28 feet and South 64° 45' West 20 feet, more or less, to the Easterly line of the County Road, known as Camino Alto; thence Northerly along the aforesaid Easterly line of Camino Alto, on a curve, concave Easterly, having a radius of 9,970.00 feet, through an angle of 0° 30' 33", a distance of 88.60 feet to a point on the Northerly bank of the Arroyo Corte Madera del Presidio, as the same is described as Parcel One in the Deed from the First Methodist Episcopal Church of Mill Valley to the City of Mill Valley, recorded March 3, 1965 in Book 1915 of Official Records, at Page 345, Marin County Records; thence along said Northerly bank, North 83° 15' East 130 feet, more or less, to the Westerly extremity of the course, South 72° 00' East 319.44 feet, as the same is described under Exhibit "C" in that certain boundary line Agreement between the City of Mill Valley, and Herbert H. Shapiro, et ux, recorded September 12, 1957 in Book 1140 of Official Records, at Page 269, Marin County Records; thence continuing along the courses set forth in the above mentioned Agreement, South 72° 00' East 319.44 feet, South 50° 45' East 187.44 feet, South 6° 45' East 192.72 feet; thence South 11° 15' 20" West (based on California Coordinate System Zone III) (South 10° 00' West in said Agreement-1140 O.R. 269) 760 feet, more or less, to the Northeasterly line of Miller Avenue Extension (860 O.R. 335), and thence Westerly along said Northeasterly line of Miller Avenue Extension, North 54° 31' 40" West 28.663 feet, (based on California Coordinate System Zone III) to the point of beginning.

EXCEPTING THEREFROM the following described parcel of land:

BEING a portion of Parcel Two, as said parcel is described in the Deed from First American Title Company of Marin, a California Corporation, to Pickleweed Associates, a limited partnership, recorded February 7, 1979 in Book 3499 of Official Records, at Page 596, Marin County Records, more particularly described as follows:

BEGINNING at the most Southwesterly corner of Parcel Two, deed hereinabove mentioned, said point being the intersection of the course described as "South 8° 15' West 12.31 chains" in the deed from Anna T. C. Rue, to Bothin Real Estate Company, recorded April 3, 1923 in Book 18 of Official Records, at Page 264, Marin County Records, with the Northeasterly line of Miller Avenue Extension, as described in the Deed from Bothin Real Estate Company to the County of Marin, recorded April 12, 1954 in Book 860 of Official Records, at Page 335, Marin County Records; and running thence from said Southwesterly corner (3488 O.R. 596) and along the Westerly boundary of said Parcel Two (3499 O.R. 596); North 9° 31' 05" East 206.207 feet (based on California Coordinate System Zone III) (North 8° 15' East in said deed first hereinabove mentioned-3499 O.R. 596) to the True Point of Beginning of the parcel to be herein described; thence from said True Point of Beginning, North 9° 31' 05" East (based on California Coordinate System Zone III) (North 8° 15' East in said deed first hereinabove mentioned-3499 O.R. 596) 534.873 feet, North 10° 14' West 133.37 feet, North 52° 30' West 130.02 feet, North 71° 00' West 277.20 feet, North 88° 00' West 137.28 feet, and South 64° 45' West 20 feet, more or less, to the Easterly line of the County Road known as Camino Alto; thence Northerly along the aforesaid Easterly line of Camino Alto, on a curve, concave Easterly, having a radius of 9,970.00 feet, through an angle of 0° 30' 33", a distance of 88.60 feet, to a point on the Northerly bank of the Arroyo Corte Madera del Presidio, as the same is described as Parcel One in the Deed from the First Methodist Episcopal Church of Mill Valley, to the City of Mill Valley, recorded March 3, 1965 in Book 1915 of Official Records, at Page 345, Marin County Records; thence along said Northerly bank, North 83° 15' East 130 feet, more or less, to the Westerly



extremity of the course, South 72° 00' East 319.44 feet, as the same is described under Exhibit "C" in that certain boundary line Agreement between the City of Mill Valley and Herbert H. Shapiro, et ux, recorded September 12, 1957 in Book 1140 of Official Records, at Page 269, Marin County Records; thence continuing along the courses set forth in the above mentioned Agreement, South 72° 00' East 319.44 feet, South 50° 45' East 187.44 feet, South 6° 45' East 192.72 feet; thence along the course South 11° 15' 20" West (based on California Coordinate System Zone III) (South 10° 00' West in said Agreement-1140 O.R. 269) 552.24 feet, more or less, to the point which is the intersection of the calls "North 10° 00' East 90.00 feet and South 68° 03' East 404.16 feet" as the same are set forth in Parcel Two of the deed from the City of Mill Valley to Herbert H. Shapiro, et ux, recorded September 12, 1957 in Book 1140 of Official Records, at Page 279, Marin County Records; thence North 66° 47' 40" West (based on California Coordinate System Zone III) (North 68° 03' West in said Agreement hereinabove mentioned-1140 O.R. 269), 33.111 feet to the True Point of Beginning.

PARCEL THREE:

BEGINNING at the most Northerly corner of Parcel Three, as described in the Deed from First American Title Company of Marin, a California Corporation, to Pickleweed Associates, a limited partnership, recorded February 7, 1979 in Book 3499 of Official Records, at Page 596, Marin County Records; said point being the intersection of the calls "North 10° 00' East 90.0 feet and South 68° 03' East 404.16 feet, as set forth in Parcel 2 of the Deed from the City of Mill Valley to Herbert H. Shapiro, et ux, recorded September 12, 1957 in Book 1140 of Official Records, at Page 279, Marin County Records; and running thence from said Northerly corner (3499 O.R. 596), South 66° 47' 40" East 404.16 feet (South 68° 03' East in said Deed-3499 O.R. 596) to the Northwesterly line of a 50 foot road; thence along said line, South 37° 27' 00" West 278.479 feet, (South 36° 11' 40" West in the Deed first hereinabove mentioned-3499 O.R. 596) to the Northwesterly line of Miller Avenue extension, as described in the Deed from Bothin Real Estate Company to the County of Marin, recorded April 12, 1954 in Book 860 of Official Records, at Page 335, Marin County Records; thence Northwesterly along said Miller Avenue extension, North 54° 31' 40" West 298.767 feet, and thence North 11° 15' 20" East 211.014 feet (North 10° 00' East in said deed first hereinabove described-3499 O.R. 596) to the point of beginning.

BEARINGS are based on the California Coordinate System Zone III.

EXCEPTING THEREFROM the following described parcel of land:

BEGINNING at the Northerly corner of Parcel Three, as said parcel is described in the Deed from First American Title Company of Marin, a California Corporation, to Pickleweed Associates, a limited partnership, recorded February 7, 1979 in Book 3499 of Official Records, at Page 596, Marin County Records; thence from said point of beginning, North 66° 47' 40" West 33.111 feet (North 68° 03' West as described under Exhibit "C" in the boundary line Agreement between the City of Mill Valley, and Herbert H. Shapiro, et ux, recorded September 12, 1957 in Book 1140 of Official Records, at Page 269, Marin County Records) to a point on the Westerly boundary line of Parcel Two as described in the above mentioned deed to Pickleweed Associates, recorded in Book 3499 of Official Records, at Page 596, which point bears North 9° 31' 05" East 206.207 feet from the most Southwesterly corner of said Parcel Two (3499 O.R. 596); thence along said Westerly line of said Parcel Two, South 9° 31' 05" West 50.024 feet (North 8° 15' East in said Deed-3499 O.R. 596); thence

leaving said Westerly line, North 34° 31' 32" East 27.132 feet; North 73° 23' 54" East 7.81 feet; South 42° 01' 15" East 14.32 feet, South 0° 32' 33" East 27.31 feet, South 52° 45' 29" East 16.49 feet, North 75° 51' 21" East 47.80 feet, South 77° 40' 10" East 26.48 feet and South 86° 35' 54" East 53.14 feet to a point on the Northerly line of Parcel Three, deed first hereinabove mentioned (3499 O.R. 596), which point bears South 66° 47' 40" East 144.067 feet from the point of beginning; thence along said Northerly line, North 66° 47' 40" West 144.067 feet (North 68° 03' West in said deed first hereinabove described-3499 O.R. 596) to the point of beginning.

BEARINGS are based on the California Coordinate System Zone III.

ALSO EXCEPTING THEREFROM the following described parcel of land:

BEGINNING at the most Easterly corner of Parcel Three, as said parcel is described in the Deed from First American Title Company of Marin, a California Corporation, to Pickleweed Associates, a limited partnership, recorded February 7, 1979 in Book 3499 of Official Records, at Page 596, Marin County Records, thence along the Northeasterly line of said Parcel Three, North 66° 47' 40" West 245.00 feet (North 68° 03' West in said deed); thence leaving said Northeasterly line, South 50° 50' 56" East 43.68 feet, South 62° 58' 52" East 45.10 feet, South 67° 57' 46" East 49.01 feet, South 55° 54' 39" East 26.48 feet, South 49° 51' 58" East 27.38 feet, South 16° 26' 37" West 72.839 feet, South 0° 42' 29" West 37.29 feet to a point on the Southeasterly line of said Parcel Three (3499 O.R. 596), being also the Northwesterly line of a 50 foot road; thence along said line, North 37° 27' 00" East 138.00 feet (South 36° 11' 40" West in said deed-3499 O.R. 596) to the point of beginning.

BEARINGS are based on the California Coordinate System Zone III.

Real Property Description  
(Brown's Island Parcel)

All that certain real property situated in the State of California, County of Contra Costa, City of Pittsburg, described as follows:

Surveys Nos. 176, 177, 178, 179 and 180, Swamp and Overflowed Lands, Contra Costa County, Township 2 North, Range 1 East, Mount Diablo Base and Meridian, as particularly described in the patents from the State of California, recorded in Book 1 of Patents, pages 144, 151, 142, 146 and 161, respectively, in the office of the County Recorder of Contra Costa County, reference being hereby made to the record thereof for a complete description.

EXCEPTING THEREFROM: The following described parcel, being the parcel conveyed by C. A. Hooper & Co. to City of Stockton by deed dated July 15, 1929, recorded August 6, 1929, in Book 191 of Official Records, page 271, in the office of the County Recorder of Contra Costa County, and containing, according to said deed, 100 acres, more or less, and particularly described as follows:

"All that certain real property in the County of Contra Costa, State of California, described as follows:

Sections 3, 4, 9 and 10, Township 2 North, Range 1 East, Mount Diablo Base and Meridian, as delineated in Book 23 of Deeds, page 550 Contra Costa County Records, being portions of Lots "D", "E", "F", "G", "H", "K", "L", "M", and "N", of New York Island, lying on the northerly side of New York Slough and more particularly described as follows:

Beginning at a point on the boundary line between Lots "C" and "D" 1150 feet northerly, measured along said boundary line from the low water line of New York Slough; thence from said point of beginning, continuing in a northerly direction along said boundary line and along said boundary line extended, a distance of 1355 feet; thence east 1325 feet more or less, to the boundary line between Lots "M" and "L"; thence in a northerly direction along said boundary line between Lots "M" and "L", 1925 feet, more or less, to the low water line of Suisun Bay; thence in an easterly direction, along the low water line of Suisun Bay to a point

(Brown' Island Parcel cont'd)

on a line parallel to and 50 feet distant from said boundary line between Lots "M" and "L"; thence leaving the low water line of Suisun Bay in a southerly direction, along said line parallel to and 50 feet distant from said boundary line between Lots "M" and "I", 1925 feet, more or less, to a point of intersection with the above mentioned course, "East 1325 feet", extended; thence east 1250 feet, more or less, to a point on the northerly portion of the boundary line between Lots "F" and "G", extended; thence in a southerly direction along said extension of boundary line and along the boundary line between Lots "F" and "G", 1675 feet; thence West 1775 feet; thence North  $69^{\circ} 22'$  West, 908.2 feet, more or less, to the point of beginning."

ALSO EXCEPTING THEREFROM: The following described real property situated in the County of Contra Costa, State of California, being more particularly described as follows:

Commencing at the most southerly corner of Survey No. 180 Swamp and Overflowed Lands, Contra Costa County; thence northwesterly along the southwesterly line of said survey, North  $54^{\circ} 06'$  West, 1023.00 feet; thence North  $53^{\circ} 04'$  West, 563.64 feet; thence North  $65^{\circ} 51'$  West, 366.12 feet; thence leaving said southwesterly line North  $15^{\circ} 36' 05''$  East, 69.54 feet to the point of beginning for this description (basis of bearing for this description is the Lambert Grid, Zone 3, State of California); thence from said point of beginning South  $15^{\circ} 36' 05''$  West, 69.54 feet to a point on the aforesaid S. & O. Survey 180; thence westerly and northeasterly along said survey line North  $65^{\circ} 51'$  West, 113.70 feet; thence North  $48^{\circ} 16'$  West, 539.22 feet; thence North  $35^{\circ} 29'$  East, 107.58 feet; thence North  $81^{\circ} 54'$  East, 217.80 feet; thence South  $36^{\circ} 11'$  East, 374.22 feet; thence North  $65^{\circ} 29'$  East, 86.96 feet to a point; thence leaving said survey line South  $15^{\circ} 36' 05''$  West, 198.11 feet to the point of beginning.

Being the westerly portion of aforesaid S. & O. Survey No. 180 and situated in Section 8, Township.2 North, Range 1 East, Mount Diablo Base and Meridian, Contra Costa County, California.

TOGETHER WITH any and all other right, title, or interest of East Bay Regional Park District acquired by reason of that certain deed recorded August 11, 1977 in Book 8459, page 25, Official Records of Contra Costa County.

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DESCRIPTION of TPL - KNUDSON  
LAND BANK PARCEL

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  $69^{\circ} 36'$  East 138.42 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  $19^{\circ} 18'$  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:

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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