

MINUTE ITEM

This Calendar Item No. 29
 was approved as Minute Item
 No. 29 by the State Lands
 Commission by a vote of 3
 to 0 at its 3-5-81
 meeting.

CALENDAR ITEM

29

2/81
 W 22121
 Cook

AUTHORIZE ACCEPTANCE OF LEED FROM THE TRUST FOR
 PUBLIC LAND TO THE STATE DONATING THE REMAINING
 UNDIVIDED .7475% INTEREST IN THE LAND BANK
 PARCEL ALONG SUISUN BAY AND NEAR THE MOUTH OF
 PACHECO CREEK IN CONTRA COSTA COUNTY, CALIFORNIA

By Minute Item 25 of its regular meeting of September 26,
 1979, the Commission authorized a Land Bank Agreement between
 the State and The Trust for Public Land (TPL) whereby undivided
 interests in the Land Bank Parcel totaling 441 acres, more
 or less, of valuable Bay area marshlands were to be conveyed
 to the State from time to time as a part of various compromise
 settlements of title to other real property or for mitigation
 requirements of other public agencies, at a total price
 of \$200,000, being equivalent to about \$453 per acre.

The Land Bank parcel is described and depicted in the attached
 DESCRIPTION OF LAND BANK PARCEL and on the attached LAND
 BANK PARCEL PLAT.

Pursuant to the Land Bank Agreement, grant deeds have been
 delivered to the State, and recorded, for title settlements
 or mitigation as follow:

Jensen & Reynolds	3.75%	W 22121
San Mateo Mitigation Fund	19.00%	W 22121
Union City - Del Conte	6.00%	W 22121
Yohanan	57.50%	W 22224
P G & E - Mira Monte Marina	.0025%	W 22553
Oakland Airport Business Park (APS)	1.50%	W 22523
Pickleweed*	1.50%	W 21858
	<hr/>	
Sub-Total	99.2525%	
Outstanding	.7475%	
	<hr/>	
Total	100%	

*Note: Escrow in the Pickleweed settlement has
 not closed at the time this Calendar Item
 was prepared, however, it is scheduled

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to close prior to the March 5, 1981 Commission meeting. The proposed gift is contingent upon close of the Pickleweed transaction.

There remains an outstanding undivided interest of .7475% in the Land Bank parcel, title to which has not passed to the State.

While there are other settlements pending which require exchange of real property before they can be completed, they are all in excess of the remaining .7475% interest figure. As the State does not yet have another Land Bank parcel, the remaining interest in the subject Land Bank parcel cannot now be closed out by means of any pending settlement or mitigation.

The Trust for Public Land has offered to donate the remaining .7475% interest to the State as land owned by the State in its sovereign capacity as tidelands and submerged lands under the public trust.

At present, the State (99.2525%) and The Trust for Public Land (.7475%) are owners in common of the Land Bank parcel. The proposed donation will clear the State's title to 100% of the Land Bank parcel as anticipated by the Land Bank Agreement, and the staff recommends that the donation be accepted as being in the best interests of the State.

In the belief that success in much of the Commission's program of title settlements would, in substantial measure, have been much more difficult or impossible without The Trust for Public Land having made the parcel available for the Land Bank, your staff believes that they should be commended for their cooperation and public spirit in both the Land Bank Agreement and the present donation.

ATTACHMENTS:

Description of Land Bank Parcel
Land Bank Parcel Plat

IT IS THEREFORE RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE PROPOSED DONATION IS IN THE BEST INTERESTS OF THE STATE AND SHOULD BE ACCEPTED.

CALENDAR ITEM NO. 29 (CONTD)

2. ACCEPT THE DEED TO THE STATE FROM THE TRUST FOR PUBLIC LAND OF AN UNDIVIDED .7475% INTEREST IN THE REAL PROPERTY IN CONTRA COSTA COUNTY, CALIFORNIA, DESCRIBED IN THE ATTACHED DESCRIPTION OF THE LAND BANK PARCEL, TOGETHER WITH A QUITCLAIM BY THE TRUST FOR PUBLIC LAND TO THE STATE OF ANY AND ALL OTHER RIGHT, TITLE OR INTEREST IT MAY HAVE THEREIN, AND AUTHORIZE THE RECORDATION OF THE DEED THEREOF TO THE STATE.
3. 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, 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; AND TO APPEAR ON BEHALF OF THE COMMISSION IN ANY LEGAL PROCEEDINGS RELATING TO THE SUBJECT MATTER THEREOF.
4. FIND AND DETERMINE THAT SETTLEMENT OF THIS TITLE DISPUTE 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 2901(d), CAL. ADMIN. CODE), PURSUANT TO THE PROVISIONS OF THE STATE EIR GUIDELINES, INCLUDING TITLE 14, DIV. 6, CH. 3, ARTICLE 5, SEC. 15050 (c) (2) (c) ARTICLE 8, SEC. 15100.4, WHICH AUTHORIZE PUBLIC AGENCIES TO LIST EXEMPT ACTIVITIES.

DESCRIPTION OF LAND BANK PARCEL

W 22121

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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- (8) South $52^{\circ} 37'$ West 541 feet;
- (9) South $41^{\circ} 46'$ West 650 feet;
- (10) South $26^{\circ} 20'$ West 398 feet;
- (11) South $62^{\circ} 31'$ West 624 feet;
- (12) South $88^{\circ} 20' 15''$ 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 $61^{\circ} 54' 15''$ West 652.74 feet along said low water line to the Northeasterly line of the 106 99 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 $18^{\circ} 15'$ East 1244.83 feet;
- (15) South $36^{\circ} 05'$ East 170.93 feet;
- (16) North $22^{\circ} 51'$ East 316.39 feet, and
- (17) North $55^{\circ} 00'$ 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 $51^{\circ} 48'$ 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 $70^{\circ} 25'$ 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:

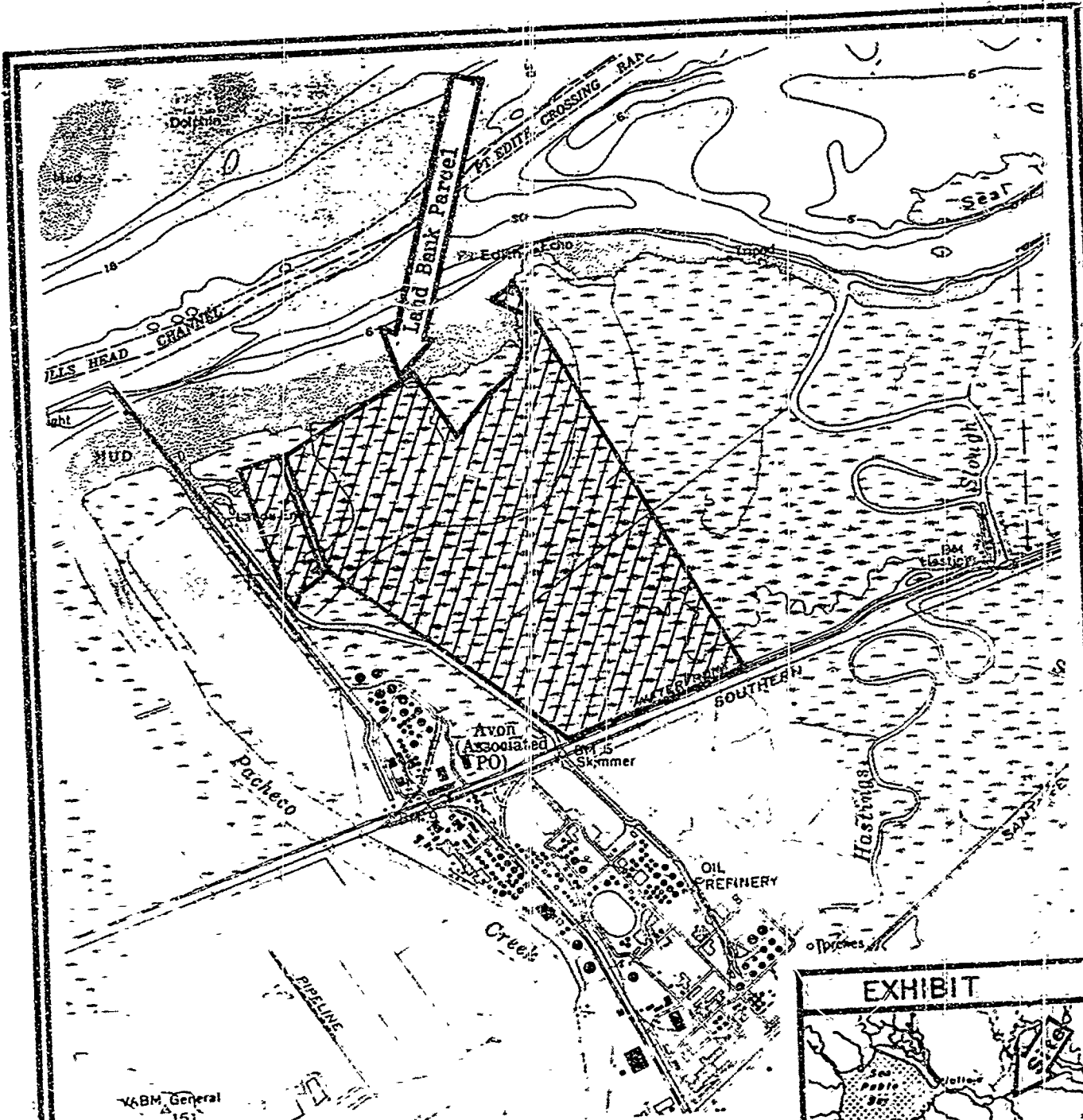
Beginning at Point "C";

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.

DESCRIPTION OF LAND BANK PARCEL
W 22121, STATE LANDS COMMISSION
September 3, 1980



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

STATE LANDS COMMISSION

LAND BANK PARCEL PLAT

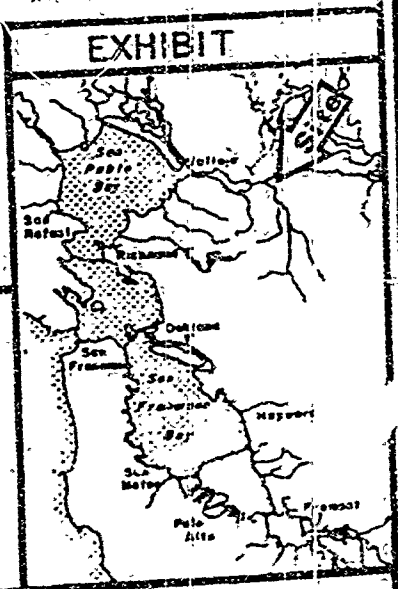
Agreement approved per SLC Minute Item 25 of Sept. 26, 1979. Parcel contains 441 ± acres and has 1.24 ± miles of water boundary.

Prepared by : Plummer

Date: 9/3/80

Title Study: T.P.L - KNUDSON PARCEL

W 22121



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