

MINUTE ITEM

is Calendar Item No. 27
was approved as Minute Item
No. 27 by the State Lands
Commission by a vote of 3
to C at its ... 12/16/82
meeting.

CALENDAR ITEM

27

12/16/82
W 503.944
W 8891
R. Ludlow
J. Rusconi
A. Scott
PPC 6523
BLA 197

MODIFICATION OF PRIOR APPROVAL OF
SETTLEMENT OF QUIET TITLE LITIGATION
GUARD C. DARRAH V. STATE OF CALIFORNIA
ON A PORTION OF THE CALAVERAS RIVER
IN THE CITY OF STOCKTON,
SAN JOAQUIN COUNTY

BACKGROUND:

On April 10, 1978, a suit to quiet title was filed against the State in San Joaquin County Superior Court as Case No. 137481. This suit attempted to quiet title to a portion of the old channel of the Calaveras River which had been filled. This portion of the Calaveras River was historically tidal and had been severed due to the creation of a man-made realignment. Staff of the Commission and the office of the Attorney General began negotiations with Mr. Darrah in order to resolve the disputed title in this area without the need of lengthy, complex and expensive litigation. Prior forms of a proposed settlement were approved by the Commission on December 24, 1979 and January 26, 1981.

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MINUTE PAGE	<u>3256</u>

CALENDAR ITEM NO. 27 (CONTD)

CURRENT SITUATION:

An agreement has now been reached which staff believes will finally result in settlement of this litigation. Basically, the agreement calls for the State to release its interest in a portion of the filled section of the old channel of the Calaveras River. In return, the Darrahs will convey to the State fee title in Darrah Island and their access rights from the upland, subject to a life estate in Mr. Darrah. Darrah Island is approximately one acre in size and located downstream in the Calaveras River from the complaint parcel. It is surrounded by water with access from the nearby upland. Darrah Island is more suitable for public use and ownership than the filled old channel of the Calaveras River located within the complaint parcel. The State is also receiving quitclaims from the Darrahs to any interest which they may have in a portion of the present channel of the Calaveras River plus an acknowledgement of the public trust over all parts of the River which are adjacent to or flow over Darrah's property. Mr. Darrah will receive a 49-year permit for a 30-foot access easement which will be rent free for the life of Mr. Darrah or ten years whichever is the least, and the right to repair or to replace structures currently existing within the area described in Exhibit "A1".

All of the above terms and conditions of settlement are more fully contained in a proposed settlement agreement on file in the Sacramento office of the State Lands Commission.

This activity is situated on lands not identified as possessing significant environmental values pursuant to P.R.C. 6370.1.

AB 884:

N/A.

EXHIBITS:

- A. Lands cleared to Darrah (Trust Retained).
- A1. Trust Area.
- A2. Permit and Quitclaim to Darrah.

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- B. Island granted to State.
- B1. Prescriptive access quitclaimed to State.
- B2. Parcels quitclaimed to State.
- B3. Parcel quitclaimed to State.
- C. Parcel Quitclaimed to State.
- D. Detailed Exhibit Map of Parcels.
- F. Site Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE PROPOSED SETTLEMENT AGREEMENT IS IN THE BEST INTEREST OF THE STATE.
2. FIND THAT THE LAND AND INTERESTS IN LANDS TO BE RECEIVED BY THE STATE IS OF GREATER OR EQUAL VALUE WHEN COMPARED TO THE LAND AND INTERESTS IN LANDS BEING CLEARED TO PRIVATE PARTIES.
3. FIND AND DECLARE THAT THE LANDS BEING CLEARED HAVE BEEN IMPROVED, FILLED, AND RECLAIMED, AND HAVE THEREBY BEEN EXCLUDED FROM THE PUBLIC CHANNELS AND ARE NO LONGER AVAILABLE OR SUSCEPTIBLE OF BEING USED FOR NAVIGATION AND FISHING, AND ARE NO LONGER, IN FACT, TIDELANDS OR SUBMERGED LANDS AND THEREFORE PURSUANT TO THE TERMS OF THE AGREEMENT ARE FREED FROM THE PUBLIC TRUST FOR NAVIGATION AND FISHING.
4. AUTHORIZE THE EXECUTION AND RECORDATION ON BEHALF OF THE COMMISSION OF A SETTLEMENT AND EXCHANGE AGREEMENT BETWEEN GUARD C. DARRAH AND LOIS DARRAH AND THE STATE IN SUBSTANTIALLY THE FORM OF THE AGREEMENT ON FILE IN THE OFFICE OF THE COMMISSION.
5. AUTHORIZE THE STAFF OF THE STATE LANDS COMMISSION AND THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL FURTHER STEPS NECESSARY TO IMPLEMENT THE TERMS AND PROVISIONS OF THIS AGREEMENT, INCLUDING, BUT NOT LIMITED TO, ISSUANCE OF A 49-YEAR PERMIT FOR ACCESS, RENT FREE FOR THE LIFE OF GUARD C. DARRAH OR TEN YEARS, WHICHEVER IS LESS, EXECUTION OF ALL DOCUMENTS, MAPS, DEEDS, TITLE AND ESCROW INSTRUCTIONS, CERTIFICATE OF ACCEPTANCE AND CONSENT TO RECORD AND APPEARANCES IN ANY LEGAL PROCEEDINGS NECESSARY TO FINALIZE THE AGREEMENT.
6. AUTHORIZE THE OFFICE OF THE ATTORNEY GENERAL TO FILE, IN ANY PENDING ACTION TO QUIET TITLE BROUGHT BY THE DARRAH'S, OR IN ANY FUTURE ACTION TO QUIET TITLE BROUGHT

CALENDAR ITEM NO. 27 (CONTD)

BY THE DARRAH'S PURSUANT TO THE PROPOSED EXCHANGE AGREEMENT,
A DISCLAIMER BY THE STATE OF CALIFORNIA ON BEHALF OF
THE STATE LANDS COMMISSION OF ANY RIGHT, TITLE OR INTEREST
IN OR TO THOSE LANDS BEING CLEARED BY THE SETTLEMENT
AGREEMENT.

7. FIND THAT THE PROPOSED EXCHANGE AGREEMENT IS IN SETTLEMENT
OF TITLE AND BOUNDARY LITIGATION AND PROVISIONS OF
CEQA ARE INAPPLICABLE.

EXHIBIT "A"

LAND DESCRIPTION

W 503,944

That portion of Section 5, Township 1 North, Range 6 East, Mount Diablo Base and Meridian, and a portion of Section 31, Township 2 North, Range 6 East, Mount Diablo Base and Meridian, and more particularly described as follows:

COMMENCING at the steel axle monument at the intersection of River Drive with the center line of Wisconsin Avenue as said monument is shown on Sheet No. 3 of Calaveras Yacht and Country Club Estates, Unit No. 2, according to the Official Map thereof filed for record in Vol. 10 of Maps, page 124, San Joaquin County Records; thence along River Drive as shown on above mentioned map; as follows: North 43°30' East 72.00 feet to an iron bolt; North 15°30' East 550.50 feet to an iron bolt; thence North 83°07' West 25.29 feet to a 2 inch diameter iron pipe in the Westerly line of River Drive; thence South 75°47'30" West 23.16 feet to the most Easterly corner and TRUE POINT OF BEGINNING of the within described tract of land:

Thence continue South 75°47'30" West 103.34 feet to a 2 inch diameter iron pipe; thence South 70°53' West 108.0 feet to a 2 inch diameter iron pipe; thence running North 19°08'20" West 181.2 feet to a point in the Southerly bank of the present existing channel or dredger cut known as the Calaveras River; thence along said Southerly bank as follows: South 48°32' West 180 feet; South 41°35' West 200 feet; South 46°00' West 175 feet; South 48°40' West 605 feet; South 52°40' West 121 feet; South 60°50' West 108.5 feet; South 49°40' West 387 feet to the Northeast corner of that certain 60 acre tract now owned by the Stockton Golf and Country Club, and described in deed from J. C. Smith Co. to R. E. Wilhoit, recorded in Book "A" of Deeds, Vol. 380 at page 233, San Joaquin County Records; thence Northeasterly along the Northerly line of Rainier Avenue, as shown on Calaveras Yacht and Country Club Estates Unit No. 1 as per map filed in Book of Maps, Vol. 10, page 122, San Joaquin County Records, to the Northwest corner of Lot 21 in Block 1 of said Calaveras Yacht and Country Club Estates, Unit No. 1; thence in a general Easterly direction along the Northerly line of said Block 1 of said Calaveras Yacht and Country Club Estates, Unit No. 1, the Northerly line of said above mentioned block being marked Southerly Bank of Calaveras River on said map of Calaveras Yacht and Country Club Estates, Unit No. 1, to the Northeast corner of said Lot 1, being also the most Westerly corner of Lot 1A, in Block 37A of said Calaveras Yacht and Country Club Estates, Unit No. 2; thence along the Westerly boundary line of said Lot 1A in Block 37A of said Calaveras Yacht and Country Club Estates, Unit No. 2, as shown on the recorded map thereof, on which levee River Drive is located, as follows; North 54°42' East 30.42 feet; North 31°30' East 44.82 feet; North 16°57'50" East 487.59 feet; North 4°05'40" East 35.93 feet to the true point of beginning.

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EXHIBIT "A"

W 503.944

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EXCEPTING THEREFROM a strip of land 30 feet wide lying 15 feet on each side of the following described centerline:

COMMENCING at said steel axle monument at the intersection of River Drive with the centerline of Wisconsin Avenue; thence N 69° 34' 02" W 68.25 feet to the TRUE POINT OF BEGINNING of said centerline; thence along said centerline (1) S 87° 51' 30" W 148.05 feet; (2) N 57° 08' 30" W 139.00 feet; (3) N 50° 08' 30" W 145.00 feet, and (4) N 72° 08' 30" W 150.00 feet more or less to a point on the northwesterly boundary of the parcel herein before described, said point being the end of the herein described centerline and bearing S 48° 40' W 102.20 feet from the beginning point of the course in said northwesterly boundary described as S 48° 40" W 605 feet, said thirty (30) foot wide strip of land for use by Reclamation District 1614 as an out-fall drain.

ALSO EXCEPTING THEREFROM two parcels of land lying in the former bed of the Calaveras River between the said northwesterly boundary of the herein before described parcel and the high water mark on the southerly bank of the present channel of the Calaveras River, aforesaid two parcels being specifically described as follows:

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EXHIBIT "A"

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COMMENCING at said steel axle monument at the inter-
section of River Drive with the centerline of Wisconsin
Avenue; thence (1) N 9° 34' 02" W 68.25 feet; (2) S 87°
51' 30" W 148.05 feet; (3) N 57° 08' 30" W 139.00 feet;
(4) N 50° 08' 30" W 145.00 feet; (5) S 72° 08' 30" W
150.00 feet more or less to a point on said northwesterly
boundary of the herein described parcel, and (6) S 48°
40" W 187.00 feet along said boundary to a point herein
designated Point "A"; thence continuing along said north-
westerly boundary (7) S 48° 40' W 484.80 feet; (8) S 52°
40' W 121.00 feet; (9) S 60° 50' W 108.50 feet, and
(10) S 49° 40' W 108.00 feet to a point herein designated
Point "B"; the boundaries of said Parcel No. 1 and
Parcel No. 2 being more particularly described as follows:

PARCEL 1

BEGINNING at the point herein before designated Point "A";
thence the following ten courses:

- 1. S 48° 40' 00" W 245.00 feet;
- 2. S 10° 52' 39" W 94.89 feet;
- 3. N 56° 53' 05" E 69.98 feet;
- 4. N 48° 54' 59" E 83.00 feet;
- 5. N 22° 28' 38" E 40.03 feet;
- 6. N 62° 05' 13" E 29.98 feet;
- 7. S 84° 51' 43" E 27.96 feet;
- 8. N 41° 20' 01" E 115.02 feet;
- 9. N 55° 03' 30" W 26.05 feet;

EXHIBIT "A"

W 503.944

10. N 72° 08' 30" W 44.00 feet to the point of
beginning of said Parcel 1.

PARCEL 2

BEGINNING at the point herein before designated Point "B";
thence the following four courses:

1. S 49° 40' 00" W 275.00 feet;
2. N 65° 27' 16" E 217.65 feet;
3. N 53° 06' 21" W 30.52 feet;
4. N 83° 34' 01" W 40.43 feet to the point of
beginning of said Parcel 2.

END OF DESCRIPTION

PREPARED DECEMBER 29, 1981 BY TECHNICAL SERVICES UNIT,
ROY MINNICK, SUPERVISOR.

EXHIBIT A-1

LAND DESCRIPTION

W 503.944

PARCEL 1

COMMENCING at that certain point designated "A" and described herein above in Exhibit "A"; thence N 48° 40' E 34.92 feet along said northwesterly boundary as described in said Exhibit "A", to the POINT OF BEGINNING; thence S 72° 08' 30" E 67.37 feet to a point on the southerly shoreline of the present channel of the Calaveras River; thence along the said shoreline the following six courses:

1. N 41° 20' 00" E 51.92 feet;
2. N 39° 33' 22" E 145.24 feet;
3. N 43° 53' 02" E 131.00 feet;
4. N 33° 47' 00" E 94.00 feet;
5. N 51° 02' 59" E 68.00 feet;

6. N 45° 30' 00" E 110.00 feet to a point on the easterly line of the parcel of land described in said Exhibit "A"; thence N 19° 08' 20" W 25.00 feet along said line to the most northerly corner of said parcel; thence N 44° 30' 00" W 37.41 feet to a point on a line 60.00 feet northerly of and parallel with the said southerly shoreline of the present channel of the Calaveras River, thence along said parallel line the following six courses:

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9. S 45° 30' 00" W 117.80 feet;
10. S 51° 02' 59" W 74.20 feet;
11. S 33° 47' 00" W 97.81 feet;
12. S 43° 53' 02" W 127.96 feet;
13. S 39° 33' 22" W 146.58 feet;
14. S 42° 39' 22" W 77.85 feet to the point of

beginning of said Parcel 1.

PARCEL 2

COMMENCING at that certain point designated "A" and described herein above in Exhibit "A"; thence the following three courses:

1. S 72° 08' 30" E 44.00 feet;
2. S 55° 03' 30" E 26.05 feet;
3. S 41° 20' 01" W 115.02 feet to the POINT OF

BEGINNING on the southerly shoreline of the present channel of the Calaveras River; thence along the said shoreline the following two courses:

4. S 60° 07' 50" W 47.28 feet;
5. S 48° 55' 00" W 38.00 feet; thence leaving said

shoreline the following three courses:

6. N 22° 28' 38" E 40.03 feet;
7. N 62° 05' 13" E 29.98 feet;
8. S 84° 51' 43" E 27.96 feet to the point of

beginning of said Parcel 2 .

PARCEL 3

BEGINNING at that certain point designated "B" and described herein above in Exhibit "A"; thence N 86° 15' 04" W 74.79 feet to a point on a line 60.00 feet northerly of and parallel with the aforesaid southerly shoreline of the present channel of the Calaveras River; thence along said parallel line the following eight courses:

1. N 53° 29' 11" E 85.00 feet;
2. N 46° 37' 59" E 77.92 feet;
3. N 64° 39' 17" E 65.10 feet;
4. N 59° 53' 00" E 78.48 feet;
5. N 57° 56' 00" E 112.74 feet;
6. N 65° 07' 00" E 49.66 feet;
7. N 57° 17' 00" E 88.78 feet;

8. N 56° 53' 00" E 21.47 feet; thence leaving said parallel line N 48° 40' 00" E 57.84 feet to the northwesterly corner of that certain parcel of land described herein above in Exhibit "A" as exception Parcel 1; thence S 10° 52' 39" W 94.89 feet along the westerly line of said exception Parcel 1 to a point on the aforesaid southerly shoreline of the present channel of the Calaveras River; thence along said southerly shoreline the following eight courses:

9. S 56° 53' 00" W 13.02 feet;
10. S 57° 17' 00" W 93.10 feet;
11. S 65° 07' 00" W 50.00 feet;

12. S 57° 56' 00" W 110.00 feet;
13. S 59° 53' 00" W 82.00 feet;
14. S 64° 39' 17" W 58.08 feet;
15. S 46° 38' 00" W 72.00 feet;
16. S 29° 37' 03" E 16.00 feet; thence leaving said southerly shoreline N 83° 34' 00" W 40.43 feet to the point of beginning of said Parcel 3.

END OF DESCRIPTION

GALSHDAR PAGE	116
MINUTE PAGE	3267

1 ATTACHED TO AND MADE A PART OF THE DARRAH-STATE EXCHANGE
2 AGREEMENT

3 EXHIBIT "A2"

4 An open and unobstructed roadway easement rent free
5 for Darrah's life or ten years on and over:

6 1. The southerly thirty feet of the land described
7 as Parcel 2 in judgment dated December 14, 1956 recorded as
8 instrument Number 5835 in Book 1837, page 521, San Joaquin
9 County Records, over which said 30 feet of land the judgment
granted a continuous easement for purposes of ingress and
egress, running with said land described as Parcel 1 therein
for the period of 49 years only, and

10 A quitclaim to:

11 2. Lot 1A in Block 37A, as shown on Sheet 3 of
12 "Calaveras Yacht and County Club Estates Unit No. 2, being
13 a resubdivision of part of the recorded Map of Pacific Gardens"
14 according to the official map thereof filed in Volume 10 of
15 Maps, page 124, San Joaquin County Records. EXCEPT that por-
tion of said lot 1, Block 37A conveyed to Stockton Yacht Club,
Inc. by deed recorded October 25, 1957 in Book of Official
Records, Volume 011, Page 491, San Joaquin County Records.

16 Said easements being continuous and appurtenant to
the adjacent "Darrah Lands".

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EXHIBIT "A2"

COURT PAPER
STATE OF CALIFORNIA
STD 113 (REV. 5-72)

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EXHIBIT "B"

LAND DESCRIPTION

W 503.944

All that certain real property situate in the County of San Joaquin, State of California, described as follows:

A portion of the northeast quarter of Section 6, Township 1 North, Range 6 East, Mount Diablo Base and Meridian, in the County of San Joaquin, State of California, described as follows:

That certain island which was land cut off from the Sargent Barnhart tract about 1898 or 1900, lying downstream in the Calaveras River from the easterly boundary line of the Stockton Golf and Country Club extended northerly to intersect the Calaveras and upstream from the westerly boundary line of said Stockton Golf and Country Club extended northerly to intersect said Calaveras River; said island being bounded northerly by the dredger cut and southerly by the old course of the Calaveras River, and lying generally between the old J. C. Smith tract, the portion now owned by the Stockton Golf and Country Club and the Sargent Barnhart tract.

END OF DESCRIPTION

THIS DESCRIPTION PREPARED BY OTHERS AND REVIEWED BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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1 ATTACHED TO AND MADE A PART OF THE DARRAH-STATE EXCHANGE
2 AGREEMENT

3 EXHIBIT "B1"

4 QUITCLAIM TO STATE

5 DARRAH will grant to STATE without warranting that
6 Title Insurance will be written thereon DARRAH'S prescriptive
7 upland right of access to DARRAH ISLAND, via the existing
8 small road running from the San Joaquin County maintained
9 road known as River Drive down the bank of the Calaveras River
10 to the water's edge opposite said DARRAH ISLAND. Said River
11 Drive runs near the northerly boundary and through the land
12 owned by the Stockton Golf and Country Club. DARRAH'S access
13 easement road runs through and across land more specifically
14 known as Parcel #109-020-06, San Joaquin County Assessor's
15 Map, a copy of which Assessor's map is attached. DARRAH ISLAND
16 is shown as Assessor's Parcel No. 2 and is shown as being sur-
17 rounded by the Calaveras River on said Assessor's map. The
18 land of the Stockton Golf and Country Club is shown as Parcel
19 6 on said Assessor's map, attached.
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EXHIBIT "B1"

QUITCLAIM TO STATE

Two parcels of land in San Joaquin County described as follows:

1. A strip of land 30 feet wide lying 15 feet on each side of the following described centerline:

COMMENCING at said steel axle monument at the intersection of River Drive with the centerline of Wisconsin Avenue; thence N 69 degrees 34' 02" W 68.25 feet to the TRUE POINT OF BEGINNING of said centerline; thence along said centerline (1) S 87 degrees 51' 30" W 148.05 feet; (2) N 57 degrees 08' 30" W 139.00 feet; (3) N 50 degrees 08' 30" W 145.00 feet, and (4) N 72 degrees 08' 30" W 150.00 feet more or less to a point on the northwesterly boundary of the parcel herein before described, said point being the end of the herein described centerline and bearing S 48 degrees 40' W 102.20 feet from the beginning point of the course in said northwesterly boundary described as S 48 degrees 40" W 605 feet, said thirty (30) foot wide strip of land for use by Reclamation District 1614 as an outfall drain.

2. Two parcels of land lying in the former bed of the Calaveras River between the said northwesterly boundary of the herein before described parcel and the high water mark on the southerly bank of the present channel of the Calaveras River, aforesaid two parcels being specifically described as follows:

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EXHIBIT "B2"

W 503.944

1 COMMENCING at said steel axle monument at the inter-
 2 section of River Drive with the centerline of Wisconsin
 3 Avenue; thence (1) N 69° 34' 02" W 68.25 feet; (2) S 87°
 4 51' 30" W 148.05 feet; (3) N 57° 08' 30" W 139.00 feet;
 5 (4) N 50° 08' 30" W 145.00 feet; (5) N 72° 08' 30" W
 6 150.00 feet more or less to a point on said northwesterly
 7 boundary of the herein described parcel, and (6) S 48°
 8 40" W 18.00 feet along said boundary to a point herein
 9 designated Point "A"; thence continuing along said north-
 10 westerly boundary (7) S 48° 40' W 484.80 feet; (8) S 52°
 11 40' W 121.00 feet; (9) S 60° 50' W 108.50 feet, and
 12 (10) S 49° 40' W 108.00 feet to a point herein designated
 13 Point "B"; the boundaries of said Parcel No. 1 and
 14 Parcel No. 2 being more particularly described as follows:
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PARCEL 1

16 BEGINNING at the point herein before designated Point "A";
 17 thence the following ten courses:
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|----|----|-----------------|--------------|
| 19 | 1. | S 48° 40' 00" W | 245.00 feet; |
| 20 | 2. | S 10° 52' 39" W | 94.89 feet; |
| 21 | 3. | N 56° 53' 05" E | 69.98 feet; |
| 22 | 4. | N 48° 54' 59" E | 83.00 feet; |
| 23 | 5. | N 22° 28' 38" E | 40.03 feet; |
| 24 | 6. | N 62° 05' 13" E | 29.98 feet; |
| 25 | 7. | S 84° 51' 43" E | 27.96 feet; |
| 26 | 8. | N 41° 20' 01" E | 115.02 feet; |
| 27 | 9. | N 55° 03' 30" W | 26.05 feet; |

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10. N 72° 08' 30" W 44.00 feet to the point of beginning of said Parcel 1.

PARCEL 2

BEGINNING at the point herein before designated Point "B"; thence the following four courses:

- 1. S 49° 40' 00" W 175.00 feet;
- 2. N 65° 27' 16" E 217.65 feet;
- 3. N 53° 06' 21" W 30.52 feet;
- 4. N 83° 34' 01" W 40.43 feet to the point of

beginning of said Parcel 2.

END OF DESCRIPTION

PREPARED DECEMBER 29, 1981 BY TECHNICAL SERVICES UNIT,
ROY MINNICK, SUPERVISOR.

EXHIBIT "B-3"

LAND DESCRIPTION

W 503.944

COMMENCING at the most northerly corner of the parcel of land described herein above in Exhibit "A"; thence N 44° 30' 00" W 37.41 feet to the POINT OF BEGINNING on a line 60.00 feet northerly of and parallel with the southerly shoreline of the present channel of the Calaveras River; thence N 44° 30' 00" W 173.00 feet to a point on the northerly shoreline of the present channel of the Calaveras River; thence along said northerly shoreline the following seventeen courses:

1. S 28° 54' 00" W 140.00 feet;
2. S 12° 08' 00" W 78.00 feet;
3. S 27° 58' 00" W 83.00 feet;
4. S 34° 22' 00" W 117.00 feet;
5. S 47° 20' 00" W 78.00 feet;
6. S 51° 09' 00" W 52.00 feet;
7. S 44° 43' 16" W 177.23 feet;
8. S 48° 33' 00" W 95.00 feet;
9. S 50° 27' 00" W 103.00 feet;
10. S 54° 06' 00" W 128.00 feet;
11. S 57° 15' 00" W 121.00 feet;
12. S 54° 45' 00" W 88.00 feet;
13. S 60° 10' 00" W 80.00 feet;
14. S 53° 55' 00" W 137.00 feet;
15. S 58° 58' 00" W 129.00 feet;
16. S 60° 42' 00" W 122.00 feet;

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17. S 61° 55' 00" W 44.00 feet; thence leaving said northerly shoreline S 30° 24' 00" E 150.00 feet to the said southerly shoreline of the present channel of the Calaveras River; thence along said southerly shoreline the following two courses:

18. N 59° 36' 00" E 46.00 feet;

19. N 65° 35' 00" E 58.00 feet to a point on the northerly line of that certain parcel of land described in said Exhibit "A"; thence N 49° 40' 00" E 175.00 feet along said northerly line to the most northerly corner of that certain parcel of land described herein above in Exhibit "A" as exception Parcel 2; thence N 86° 15' 04" W 74.79 feet to a point on a line 60.00 feet northerly of and parallel with the said southerly shoreline of the present channel of the Calaveras River; thence along said parallel line the following eight courses:

20. N 53° 29' 11" E 85.00 feet;

21. N 46° 38' 00" E 77.92 feet;

22. N 64° 39' 17" E 65.10 feet;

23. N 59° 53' 00" E 78.48 feet;

24. N 57° 56' 00" E 112.75 feet;

25. N 65° 07' 00" E 49.66 feet;

26. N 57° 17' 00" E 88.78 feet;

27. N 56° 53' 00" E 21.47 feet, to a point on the northerly line of that certain parcel of land described in

said Exhibit "A"; thence along said northerly line
N 48° 40' 00" E 337.77 feet to a point on a line 60.00 feet
northerly of and parallel with the said southerly shoreline
of the present channel of Calaveras River; thence along said
parallel line the following six courses:

28. N 42° 39' 22" E 77.85 feet;
29. N 39° 33' 22" E 146.58 feet;
30. N 43° 53' 02" E 127.97 feet;
31. N 33° 47' 00" E 97.81 feet;
32. N 51° 02' 59" E 74.20 feet;
33. N 45° 30' 00" E 117.80 feet to the point of
beginning.

END OF DESCRIPTION

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ATTACHED TO AND MADE A PART OF THE DARRAH-STATE EXCHANGE AGREEMENT

EXHIBIT "C"
LAND DESCRIPTION

A portion of land situated in Section 6, T1N, R6E, MDM and Section 31, T2N, R6E, MDM, San Joaquin County, State of California, being more particularly described as follows:

All that portion of the present channel of the Calaveras River lying upstream easterly from the westerly boundary line and westerly downstream from the easterly boundary line of the Stockton Golf and Country Club extended northerly through and across said Calaveras River, as said boundary lines are described in a deed from J.C. Smith Co. to R.E. Wilhoit recorded in Book A of deeds, Volumd 380, page 233, San Joaquin County Records.

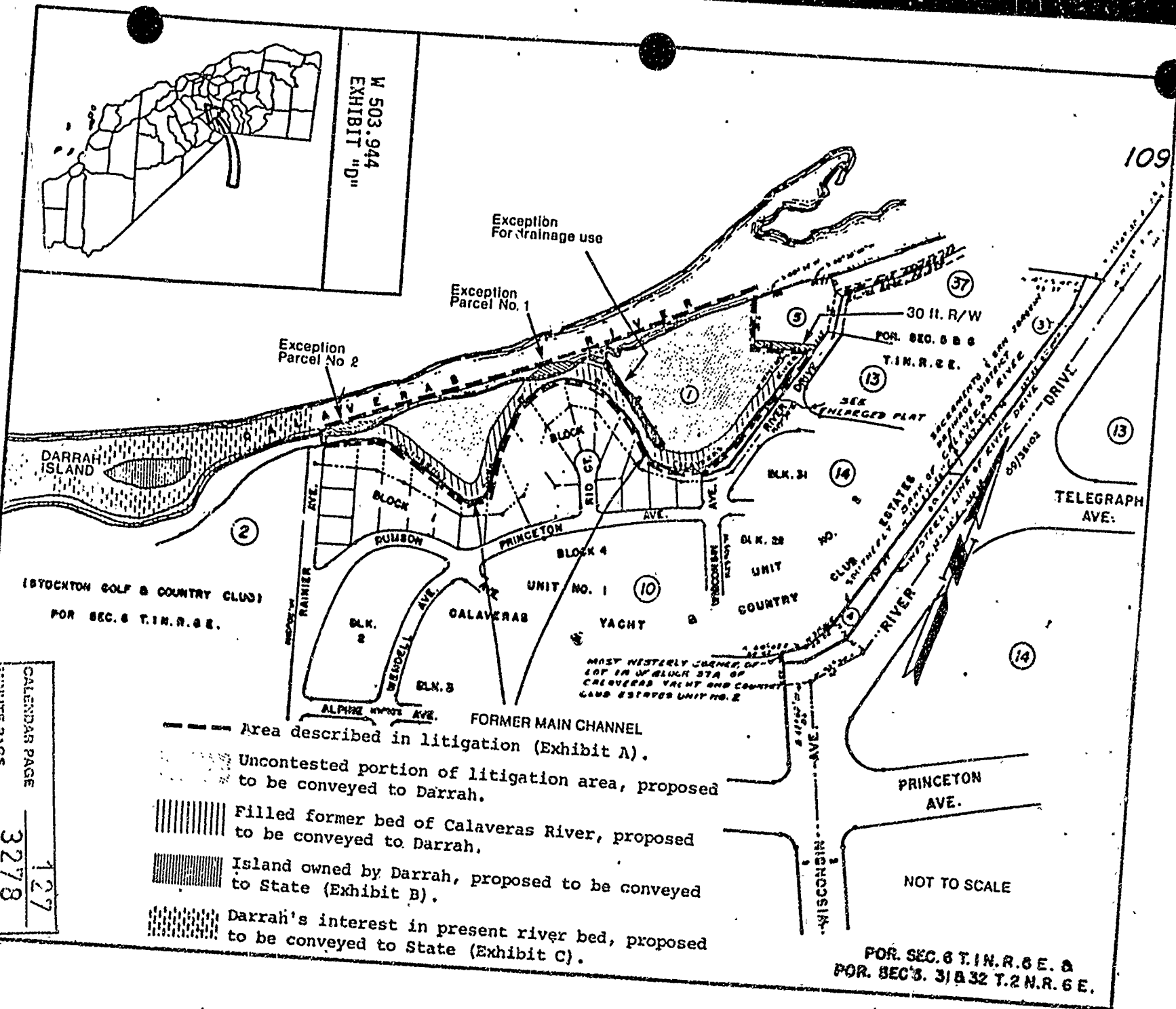
EXCEPT any portions thereof that are used in connection with Darrah Lands described in Exhibit "A" above or are littoral thereto.

END OF DESCRIPTION

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M 503.944
EXHIBIT "D"

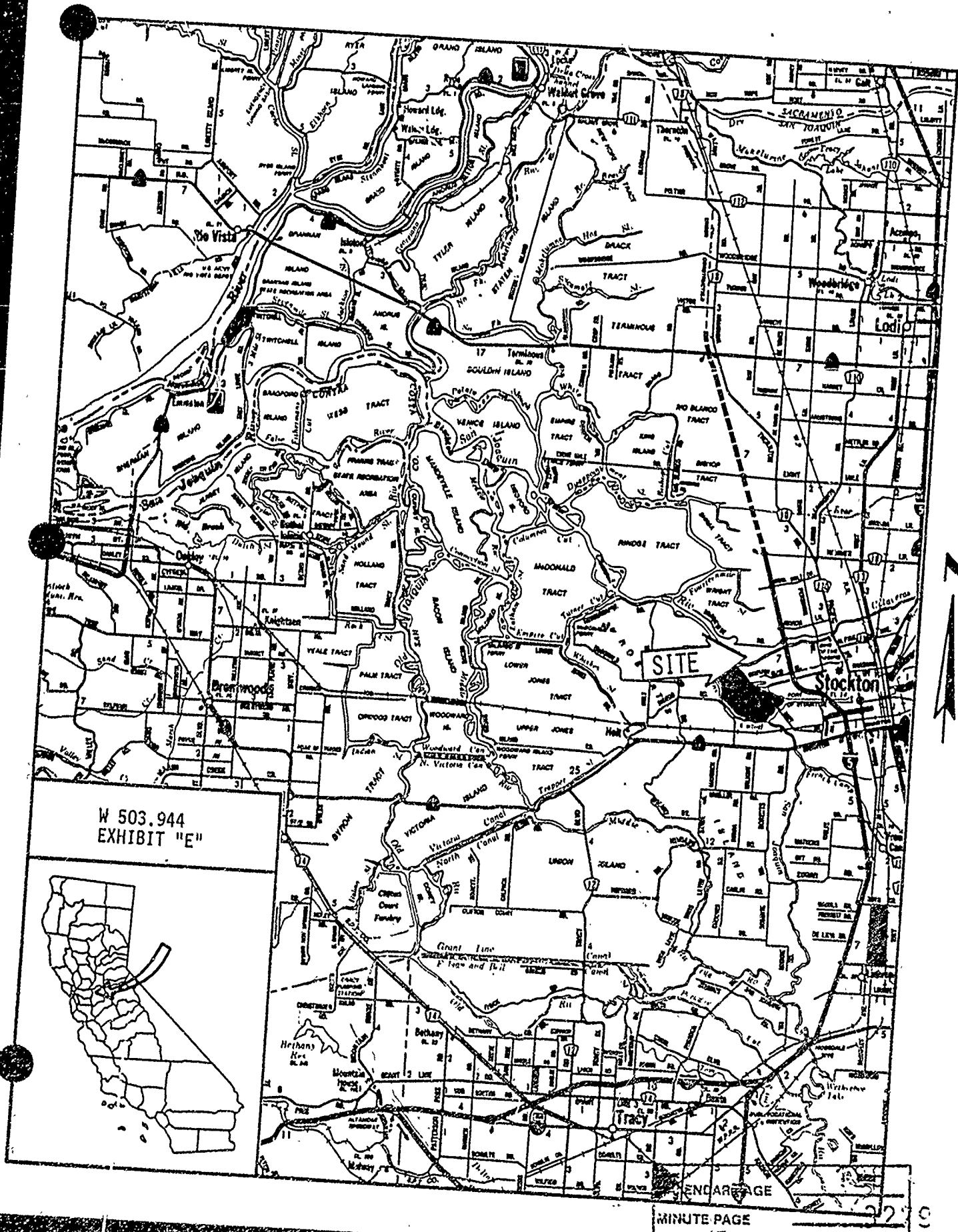


- Area described in litigation (Exhibit A).
- [Stippled pattern] Uncontested portion of litigation area, proposed to be conveyed to Darrah.
- [Vertical lines pattern] Filled former bed of Calaveras River, proposed to be conveyed to Darrah.
- [Horizontal lines pattern] Island owned by Darrah, proposed to be conveyed to State (Exhibit B).
- [Dotted pattern] Darrah's interest in present river bed, proposed to be conveyed to State (Exhibit C).

FOR. SEC. 6 T.1N.R.6E. &
FOR. SEC. 3, 31 & 32 T.2N.R.6E.

NOT TO SCALE

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W 503.944
EXHIBIT "E"



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