

MINUTE ITEM

This Calendar Item No. 41
was approved as Minute Item
No. 41 by the State Lands
Commission by a vote of 2
to 0 at its 8/29/85
meeting.

CALENDAR ITEM

A 14, 18, 19, 20, 21, 23 41

S 9, 10, 11, 13

08/29/85
W 20905
AD 29
Valentine

APPLICANT: Ideal Basic Industries, Inc.
c/o Pillsbury, Madison & Sutro
Attn: Emmett Stanton
P.O. Box 7880
San Francisco, California 94104

A boundary and title dispute exists between the State in its sovereign capacity and Ideal Basic Industries (Ideal), a Colorado corporation, concerning the location of boundaries between State-owned submerged lands and previously conveyed tidelands. This dispute concerns real property aggregating approximately 20,000 acres in and along South San Francisco Bay. The property is located in Alameda, San Mateo, and Santa Clara Counties. The real property is referred to as the subject property and is described in Exhibit "A", and depicted on Exhibit "B".

Ideal is the record owner of the subject property as successor-in-interest to State patents which characterized the subject property as tidelands.

The staff of the State Lands Commission has conducted a study of the evidence of title to the subject parcel and has had lengthy negotiations with representatives of Ideal.

Ideal has offered to resolve the title and boundary dispute by written agreement in compromise settlement of the legal and factual issues.

CALENDAR ITEM NO. 41 (CONT'D)

Staff hereby seeks authorization to conduct a public meeting or meetings in the bay area to seek the opinions of the local citizens and governmental bodies concerning this proposed settlement. Staff will then report back to the Commission and will submit its recommendation concerning the settlement proposed.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

- 1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority P.R.C. 21065 and 14 Cal. Adm. Code 15378.

- EXHIBITS:
- A. Description of Subject Property.
 - B. Plat of Subject Property.

IT IS RECOMMENDED THAT THE COMMISSION:

- 1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.
- 2. AUTHORIZE STAFF TO CONDUCT A PUBLIC MEETING OR MEETINGS TO INFORM MEMBERS OF THE PUBLIC AND LOCAL GOVERNMENTAL BODIES OF THE TERMS OF THE PROPOSED SETTLEMENT AND TO RECEIVE LOCAL OPINION CONCERNING THE PROPOSAL.
- 3. DIRECT STAFF TO RETURN TO THE COMMISSION WITH ITS RECOMMENDATION CONCERNING THE SETTLEMENT AT THE REGULARLY SCHEDULED SEPTEMBER 1985 MEETING.

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EXHIBIT A

All those portions of the Tide Land Locations and Tide Land Surveys within the present (May 1985) boundaries of Alameda County, California, described as follows:

Tide Land Location 85, patented March 14, 1892 and recorded March 29, 1892 in Book C of patents at page 39, Official Records of Alameda County.

Tide Land Location 89, patented July 6, 1895 and recorded April 6, 1896 in Book C of patents at page 137, Official Records of Alameda County.

Tide Land Location 91, patented March 14, 1892 and recorded March 29, 1892 in Book C of patents, at page 36, Official Records of Alameda County.

Tide Land Survey 103, patented March 10, 1879 and recorded July 22, 1879 in Book B of patents at page 192, Official Records of Alameda County.

Tide Land Surveys 105 and 110, patented January 9, 1879 and recorded July 22, 1879 in Book B of patents at page 190, Official Records of Alameda County.

Tide Land Survey 106, patented May 1, 1901 and recorded September 23, 1901 in Book C of patents at page 221, Official Records of Alameda County.

Tide Land Survey 107, patented March 14, 1892 and recorded March 29, 1892 in Book C of patents at page 38, Official Records of Alameda County.

Tide Land Survey 108, patented March 14, 1892 and recorded March 29, 1892 in Book C of patents at page 41, Official Records of Alameda County.

Tide Land Location 47, patented October 17, 1878 and recorded February 28, 1879 in Book C of patents at page 113, Official Records of Santa Clara County.

Tide Land Locations 48 and 50, patented October 17, 1878 and recorded March 19, 1879 in Book 2 of patents at page 20, Official Records of San Mateo County.

Tide Land Location 156, patented April 13, 1889 and recorded May 13, 1889 in Book 2 of patents at page 310, Official Records of San Mateo County.

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All those portions of the Tide Land Locations and Tide Land Surveys within the present (May 1985) boundaries of Santa Clara County, California described as follows:

Tide Land Survey 105, patented January 9, 1879 and recorded July 22, 1879 in Book B of patents at page 190, Official Records of Alameda County.

Tide Land Locations 47 and 49, patented October 17, 1878 and recorded February 28, 1879 in Book C of patents at page 113, Official Records of Santa Clara County.

Tide Land Location 163, patented August 11, 1890 and recorded September 27, 1890 in Book E of patents at page 38, Official Records of Santa Clara County.

Tide Land Location 164, patented August 11, 1890 and recorded September 27, 1890 in Book E of patents at page 40, Official Records of Santa Clara County.

Tide Land Survey 2, patented May 9, 1889 and recorded May 23, 1889 in Book D of patents at page 267, Official Records of Santa Clara County.

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All those portions of the Tide Land Locations and Tide Land Surveys within the present (May 1985) boundaries of San Mateo County, California described as follows:

Tide Land Locations 86 and 87, patented April 29, 1901 and recorded August 8, 1901 in Book C of patents at page 213, Official Records of Alameda County.

Tide Land Locations 88 and 90, patented April 29, 1901 and recorded August 8, 1901 in Book C of patents at page 211, Official Records of Alameda County.

Tide Land Location 89, patented July 6, 1895 and recorded April 6, 1896 in Book C of patents at page 137, Official Records of Alameda County.

Tide Land Location 91, patented March 14, 1892 and recorded March 29, 1892 in Book C of patents at page 36, Official Records of Alameda County.

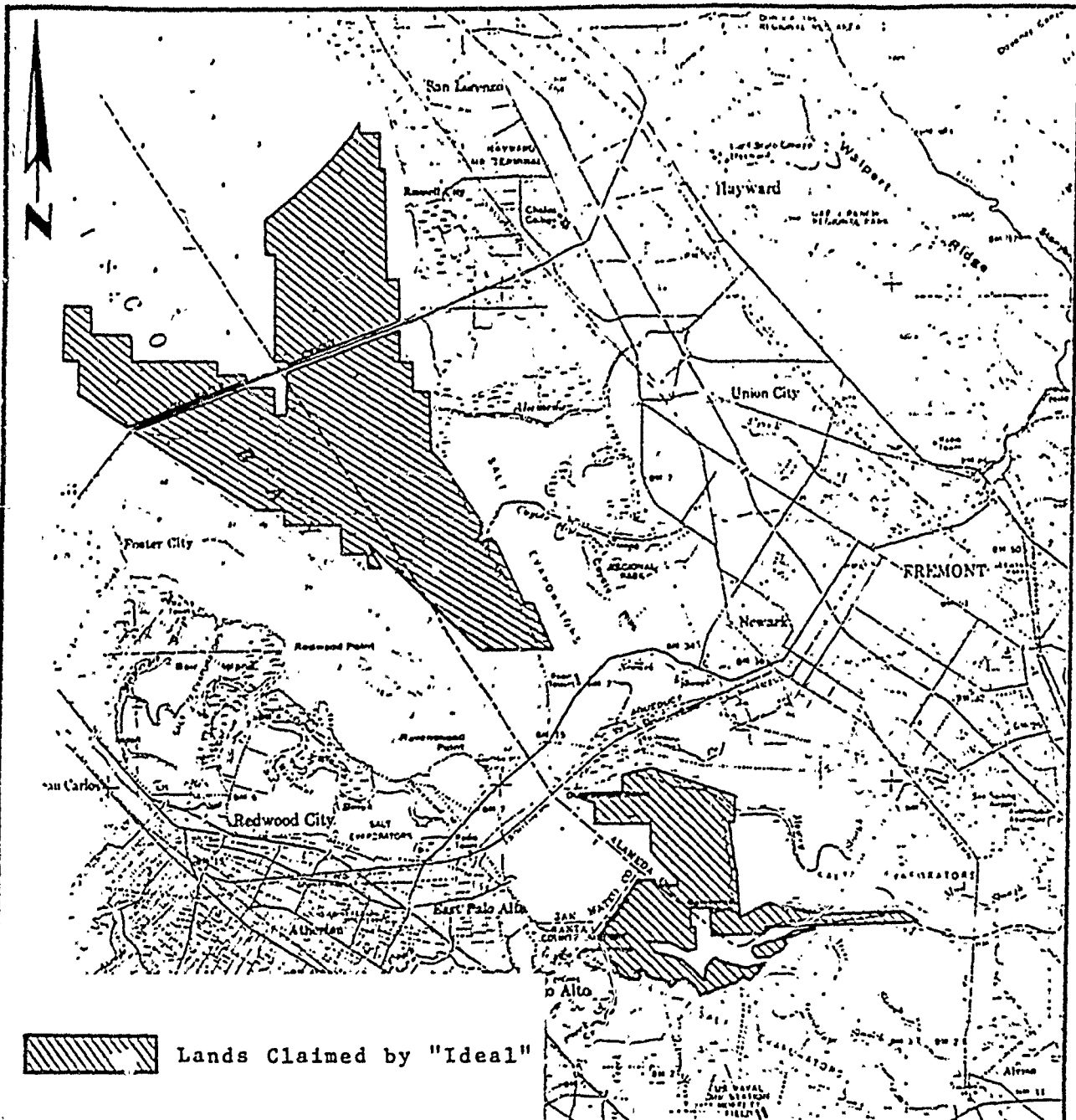
Tide Land Locations 92 and 94, patented April 29, 1901 and recorded September 4, 1901 in Book C of patents at page 215, Official Records of Alameda County.

Tide Land Location 93, patented July 6, 1895 and recorded April 6, 1896 in Book C of patents at page 135, Official Records of Alameda County.

Tide Land Location 95, patented May 1, 1901 and recorded September 4, 1901 in Book C of patents at page 218, Official Records of Alameda County.

Tide Land Survey 106, patented May 1, 1901 and recorded September 23, 1901 in Book C of patents at page 221, Official Records of Alameda County.

Tide Land Survey 108, patented March 14, 1892 and recorded March 29, 1892 in Book C of patents at page 41, Official Records of Alameda County.



STATE LANDS COMMISSION

Site Map of Lands Claimed by Ideal Basic Industries, Inc.

Prepared by: D. Plummer Date: 6/1/83

Title Study: Ideal Basic Industries, Inc.

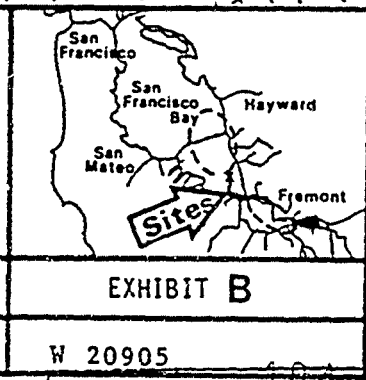


EXHIBIT B

W 20905

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