

MINUTE ITEM

This Calendar Item No. 47
was approved as Minute Item
No. 47 by the State Lands
Commission by a vote of 3
to 0 at its 3/26/87
meeting.

CALENDAR ITEM

47

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AUTHORIZATION TO PURCHASE WITH KAPILOFF LAND BANK
TRUST FUNDS A PARCEL OF LAND ON RICHARDSON BAY
IN THE TOWN OF TIBURON, MARIN COUNTY

APPLICANT: Honorable Albert Arambaru, Supervisor
County of Marin Board of Supervisors
County Administration Building
Civic Center
San Rafael, California 94903

The citizens of the Tiburon community, Town of Tiburon, and the Marin County Open Space District, have been working for some time to purchase a 1+-acre parcel on the Richardson Bay front which sits between the Tiburon Bike Path and the Belvedere shoreline path in the city of Tiburon, -Marin County. Both paths are extremely popular and heavily used during the week, and especially on weekends, by local, as well as other bay area residents. Hikers, joggers, bicyclists, dog walkers, and roller skaters enjoy clear, unobstructed bay views while moving along the path and while resting on the benches.

The parcel, known as the Hobbs property, includes one residence and has been preliminarily approved for the construction of an additional 3,000 square-foot residence. The existing property is now fenced for privacy and blocks views to the bay. If the second house is constructed, the residences would be the only structures impeding an otherwise open shoreline for thousands of feet north or south.

The subject parcel is entirely located within Assessor Parcel Numbers 055-262-02 and 055-262-05. The Tiburon Peninsula Foundation is spearheading local fund raising efforts to raise \$850,000 needed for the acquisition. The State Lands Commission, acting as trustee for the Kapiloff Land Bank Fund, has been asked by the county of Marin to donate \$100,000. In

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(ADDED 03/20/87)

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return, the entire one-acre parcel will be held by the State as land of the legal character of tide and submerged lands subject to the public trust under the jurisdiction of the State Lands Commission, pursuant to the provisions of Division 6 (commencing with Section 6001).

Staff has concluded that this parcel is useful for the public trust purposes of public access to the bay and recreation. The subject parcel will be leased to the City of Tiburon for its management. The City will assume all liability for the property.

The \$100,000 offer will be deemed to be revoked without further Commission action, if commitments for the total purchase price of \$850,000 are not made in writing by September 26, 1987.

AB 684: 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 as an acquisition under the Kapiloff Land Bank Act pursuant to P.R.C. Section 8631.

Authority: P.R.C. 8631.

- EXHIBITS:
- A. Location Map.
 - B. Plat of Land Bank Acquisition Parcel.

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 AS A STATUTORY EXEMPT PROJECT PURSUANT TO P.R.C. 8631, AN ACTION TAKEN PURSUANT TO THE KAPILOFF LAND BANK ACT, P.R.C. 8600, ET SEQ.
2. FIND THAT THE VALUE OF THE INTEREST TO BE ACQUIRED BY THE STATE IN LANDS DEPICTED IN EXHIBIT "B" IS GREATER THAN \$100,000.

(ADDED 03/20/87)

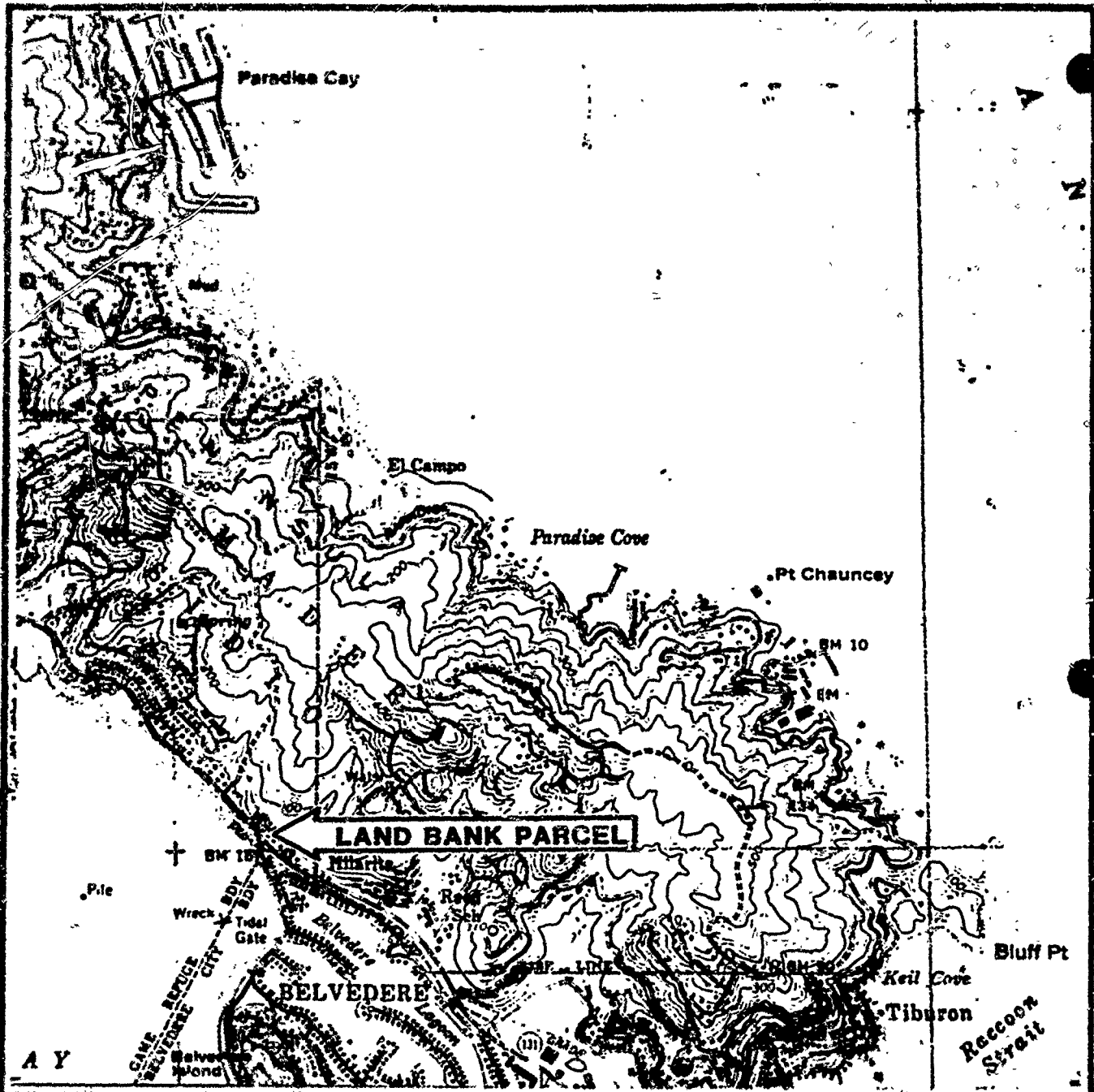
CALENDAR ITEM NO. 47 (CONT'D)

3. APPROVE THE EXPENDITURE OF \$100,000 FROM THE KAPILOFF LAND BANK TOWARD PURCHASE OF THE LANDS DEPICTED IN EXHIBIT "B", PROVIDED THAT THE STATE WILL THEREBY ACQUIRE THE ENTIRE FEE INTEREST IN SAID LANDS AND WILL HOLD SAID LANDS AS SOJEREIGN LANDS OF THE STATE; AND PROVIDED FURTHER THAT THIS OFFER TO EXPEND LAND BANK FUNDS WILL BE DEEMED TO BE REVOKED WITHOUT FURTHER COMMISSION ACTION IF COMMITMENTS FOR THE TOTAL PURCHASE PRICE OF \$850,000 ARE NOT MET IN WRITING BY SEPTEMBER 26, 1987.
4. AUTHORIZE THE STAFF AND THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL FURTHER STEPS NECESSARY TO IMPLEMENT ACQUISITION OF THE PROPERTY ACCORDING TO THE TERMS SET FORTH ABOVE, INCLUDING, BUT NOT LIMITED TO, PREPARATION, EXECUTION, ACCEPTANCE, AND RECORDATION OF ALL NECESSARY DOCUMENTS, DEEDS, MAPS, PLATS, AND LEGAL DESCRIPTIONS.
5. DIRECT THE STAFF OF THE STATE LANDS COMMISSION TO NEGOTIATE A PUBLIC AGENCY LEASE FOR A TERM OF 49 YEARS TO THE CITY OF TIBURON, TO MANAGE THE PROPERTY DEPICTED IN EXHIBIT "B" FOR THE PURPOSE OF PUBLIC ACCESS RECREATION, SHOULD SAID LANDS BE ACQUIRED AS SET FORTH ABOVE.

(ADDED 03/20/87)

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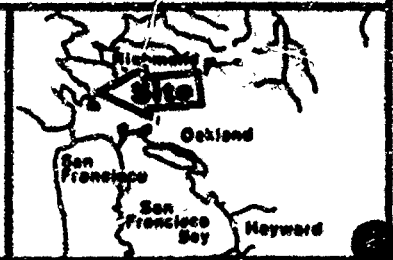
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STATE LANDS, COMMISSION

POTENTIAL LAND BANK PARCEL

Portion of USGS Quadrangle, San Quentin,
1959, P.R.1980



Prepared by: JKHering Date: 2-5-87 A:9 S:3

EXHIBIT A

Hobbs Property

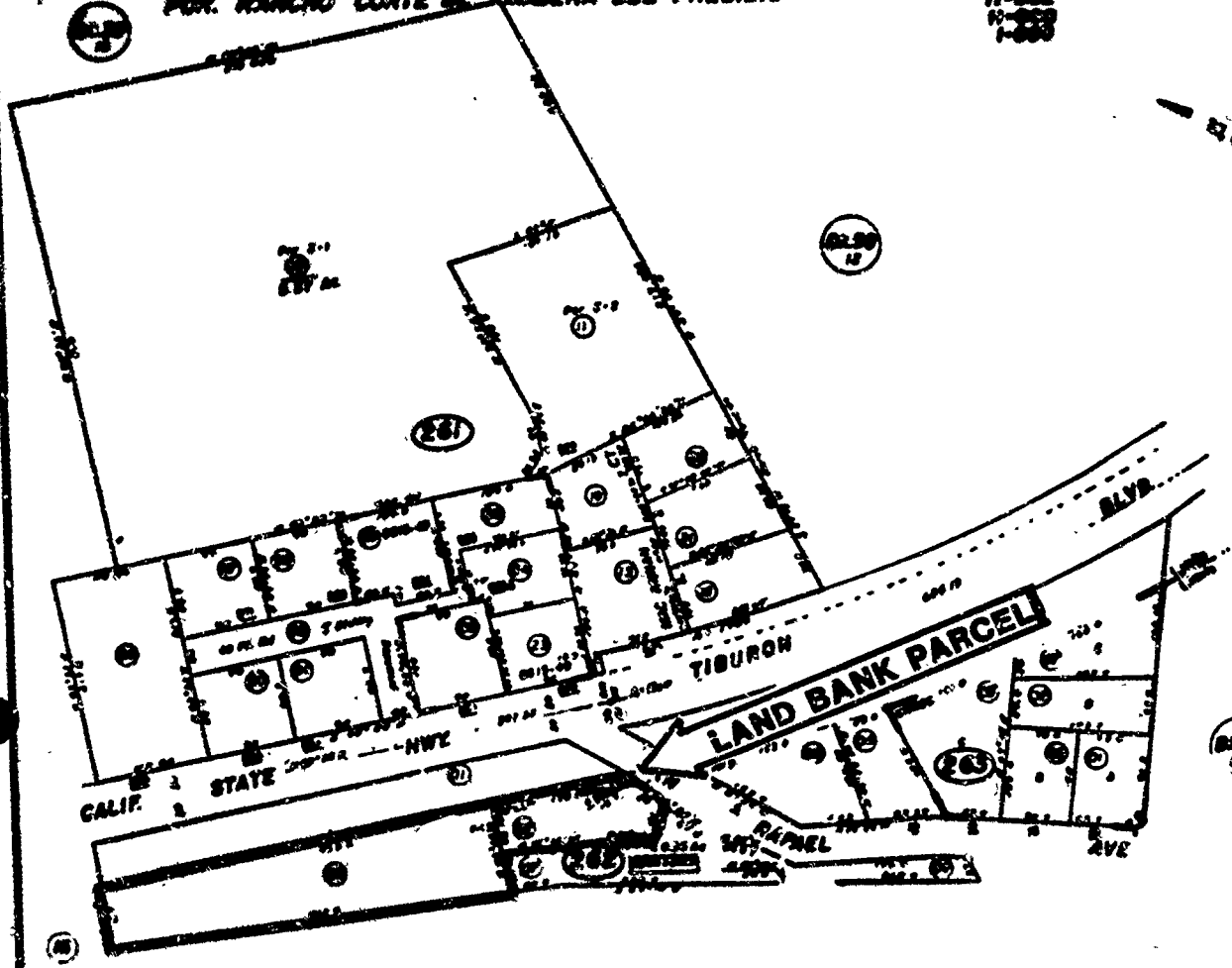
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POR. RANCHO CORTE DE MADERA DEL PRESIDIO

San Francisco
11-052
10-252
1-300

55-2



Richardson Bay

STATE LANDS COMMISSION

POTENTIAL LAND BANK PARCEL

Portion of Marin Co. Assessor's Map, Book 52,
page 26. (2, 5)



Prepared by: JKHering Date: 2-5-87 A: 9 S: 3

Hobbs Property W

EXHIBIT B

Z 3-N51-E 143 144.4
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