

MINUTE ITEM

This Calendar Item No. 58
was approved as Minute Item
No. 58 by the State Lands
Commission by a vote of 3
to 0 at its 3/27/90
meeting.

CALENDAR ITEM

58

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Okikawa

EXTENSION OF THE EFFECTIVE RECORDING DATE OF A
COMPROMISE TITLE SETTLEMENT AGREEMENT CONCERNING LANDS
WITHIN THE CITY OF SAUSALITO, MARIN COUNTY

APPLICANTS: Angeles Partners XV, a limited partnership
Attn: Tamara Edwards
10301 West Pico Boulevard
Los Angeles, California 90064

City of Sausalito
Attn: Leland Jordan, City Attorney
420 Litho Street
Sausalito, California 94965

On June 30, 1987, the State Lands Commission approved a settlement agreement involving a title dispute between the City of Sausalito ("City"), Angeles Partners XV ("Angeles"), and the State of California ("State") regarding a parcel of real property located in the City of Sausalito, County of Marin. The State and City also asserted a fee and/or public trust easement interest over the property based upon its historic character as tideland and submerged land. Angeles claimed title to the property as successors to the recipients of deeds from the State Board of Tideland Commissioners.

For purposes of the settlement agreement, the parcel was divided into the Upland, Marina, and Richardson Bay parcels. These parcels are depicted for illustration purposes only on:

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CALENDAR ITEM NO. 58 (CONT'D)

Exhibit "A", attached hereto and by this reference incorporated herein. Angeles, the State, and the City settled their dispute in the form of an agreement whereby the State will receive a cash sum of \$12,500 payable to the Kapiloff Land Bank, a public trust easement over the Marina and Richardson Bay parcels, and a public access easement across the Upland Parcel from a public road to the Marina Parcel. A copy of the settlement agreement is on file in the offices of the State Lands Commission.

Under Paragraph 24 of the settlement agreement, the agreement must have been recorded by December 31, 1989 for this agreement to be effective. Due to an asserted technical omission, the County Recorder of Marin refused to record the proper documents on that date and the escrow failed to close. However, there was, in fact, no technical omission.

There have been no changes in the proposed settlement, substantive terms of the agreement, or any other circumstances surrounding the property.

Staff therefore requests that the Commission authorize an extension of the final date for recording the subject settlement agreement until and including May 1, 1990.

AB 884: N/A.

EXHIBIT: A. Settlement Plat.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.
2. ALLOW AN EXTENSION TO AND INCLUDING MAY 1, 1990, OF THE FINAL DATE FOR RECORDATION OF THAT SETTLEMENT AGREEMENT BETWEEN THE STATE, THE CITY OF SAUSALITO, AND ANGELES PARTNERS XU, REGARDING THE REAL PROPERTY DEPICTED ON EXHIBIT "A" ATTACHED HERETO.

