

MINUTE ITEM

This Calendar Item No. C38 was approved as
Minute Item No. 38 by the California State Lands
Commission by a vote of 3 to 0 at its
11/07/97 meeting.

CALENDAR ITEM

C38

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D. Plummer

**CONSIDER REQUEST FOR AUTHORIZATION TO RELOCATE A RIGHT-OF-WAY
EASEMENT TO SAN FRANCISCO BAY**

APPLICANT:

Ryland Homes
c/o Brian Kangus Foulk
540 Price Avenue
Redwood City, California 94063


LOCATION:

A right-of-way easement for road purposes at Redwood Shores, in the city of
Redwood City, San Mateo County.

BACKGROUND:

In February, 1968, Leslie Properties, Inc. (Grantor) entered into an agreement
which granted a right-of-way easement for road purposes to Westbay
Community Associates (Grantee) to provide access to Grantee's property. The
agreement provided that the easement could be relocated from time to time by
Grantor upon approval of Grantee. The State of California, acting by and
through the State Lands Commission, became successor in interest to the lands
of Grantee in July, 1977, pursuant to a Compromise Title Settlement Agreement.
As successor in interest, the State is the beneficiary of the easement. Recently,
Ryland Homes acquired title from the successor in interest of Grantor, and now
desires to relocate the easement to enable development of its property.

Staff has reviewed the proposed relocation of the easement and has determined
that the State's ability to access its property will not be adversely impacted by the
relocated easement. The relocation will be completed through deeds between
the State and Ryland Homes conveying the State's rights in the existing
easement, upon the simultaneous granting of the relocated easement by Ryland
Homes.

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OTHER PERTINENT INFORMATION:

Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a statutorily exempt project. The project is exempt because it involves settlements of title and boundary problems.

Authority: Title 14, California Code of Regulations, section 15061 (b) (3) and Public Resources Code section 21080.11.

EXHIBIT:

A. Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, 15061 AS A STATUTORILY EXEMPT PROJECT PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.11, SETTLEMENT OF TITLE AND BOUNDARY PROBLEMS.

AUTHORIZATION:

AUTHORIZE THE EXECUTIVE OFFICER OR HIS DESIGNEE TO EXECUTE A DEED CONVEYING THE EXISTING EASEMENT, AND TO ACCEPT A GRANT OF THE RELOCATED EASEMENT ON BEHALF OF THE STATE.

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, ACKNOWLEDGMENT, ACCEPTANCE, AND RECORDATION OF ALL DOCUMENTS AS MAY BE NECESSARY OR CONVENIENT TO CARRY OUT THE RELOCATION OF THE EXISTING EASEMENT; AND TO APPEAR ON BEHALF OF THE COMMISSION IN ANY LEGAL PROCEEDINGS RELATING TO THE SUBJECT MATTER OF THE RELOCATION.

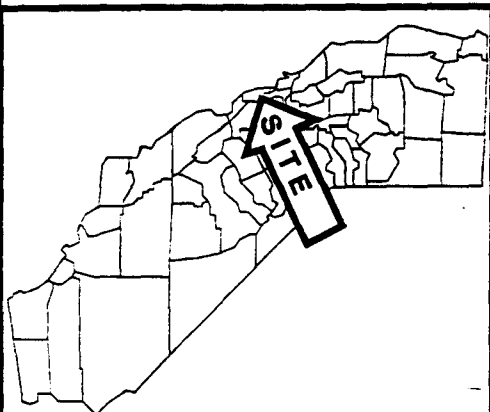


PROPOSED STATE LANDS EASEMENT

EXISTING STATE LANDS EASEMENT

PROPOSED GOSSAMER VILLAGE SUBDIVISION

ASBACK WAY



Redwood City
SAN MATEO COUNTY

Existing Easement
Realignment

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Exhibit A

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