

**MINUTE ITEM**

This Calendar Item No. C106 was approved as Minute Item No. 106 by the California State Lands Commission by a vote of 3 to 2 at its 6-19-98 meeting.

**CALENDAR ITEM  
C106**

A 6  
S 3

06/19/1998  
SLL 87  
B. Stevenson  
D. Plummer

**REQUEST FOR AUTHORIZATION TO RELOCATE VEHICULAR ACCESS  
EASEMENT; MARINA PLAZA PROPERTIES, INC., A DELAWARE CORPORATION;  
CITY OF SAUSALITO, MARIN COUNTY**

**APPLICANT:**

Marina Plaza Properties, Inc.  
c/o Real Estate Law Group, LLP  
Attn.: Jana L. Cole  
2330 Marinship Way, Suite 211  
Sausalito, California 94965

**INFORMATION:**

At its meeting of March 27, 1990, the California State Lands Commission ("Commission") approved a title settlement agreement (the "Agreement") involving land in the record ownership of Angeles Partners XV, a California Limited Partnership, in the City of Sausalito, Marin County. The Agreement was executed and was recorded in the Official Records of Marin County on April 16, 1990, as Instrument No. 90-22167. The private property in the Agreement has since been sold to Marina Plaza Properties, Inc., a Delaware corporation (the "Private Party").

The Agreement provided that Angeles Partners XV would deed a public access easement for both pedestrian and vehicular purposes to the State extending through the property subject to the Agreement to Richardson Bay. This was done through a grant of easement recorded simultaneously with the Agreement as Instrument No. 90-22170 (the "Original Easement").

The Original Easement is suitable for pedestrians, and has been improved by making a cut in the sidewalk along Marinship Way so that the public may have better access to traverse the property to Richardson Bay. However, the Original Easement's connection to Marinship Way is not suitable for vehicular use, given that the vehicular entrance to the property has been constructed to the southeast of the Original Easement.

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Authority is requested to vacate vehicular (but not pedestrian) access within the portion of the Original Easement as depicted on Exhibit A (attached to this calendar item and incorporated by reference as a part of it), in exchange for the grant to the State of a new vehicular access easement in the location shown on Exhibit B (also attached to this calendar item and incorporated as a part of it). This vacation will be achieved by execution and recordation of a "Quitclaim of Vehicular Access Easement" now on file in the offices of the California State Lands Commission. In exchange, the Private Party will simultaneously make a "Grant of Vehicular Access Easement" (also on file) in the relocated vehicular easement. Escrow instructions to implement this transaction will require that title insurance be issued showing the State's easement in the new location, subject only to those exceptions to title acceptable to the State.

**STATUTORY AND OTHER REFERENCES:**

- A. Public Resources Code: Div. 6, Parts 1 and 2; Div. 13.
- B. California Code of Regulations: Title 2, Div.3; Title 14, Div. 6.

**PERMIT STREAMLINING ACT DEADLINE:**

N/A

**OTHER PERTINENT INFORMATION:**

- 1. 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: Public Resources Code section 21080.11.

**EXHIBITS:**

- A. Site Map of the Portion of the Existing Vehicular Easement to be Quitclaimed by the State.
- B. Site Map of the Location of the New Vehicular Easement to be Granted by the Private Party.

CALENDAR ITEM NO. C106 (CONT'D)

**RECOMMENDED ACTION**

IT IS RECOMMENDED THAT THE COMMISSION:

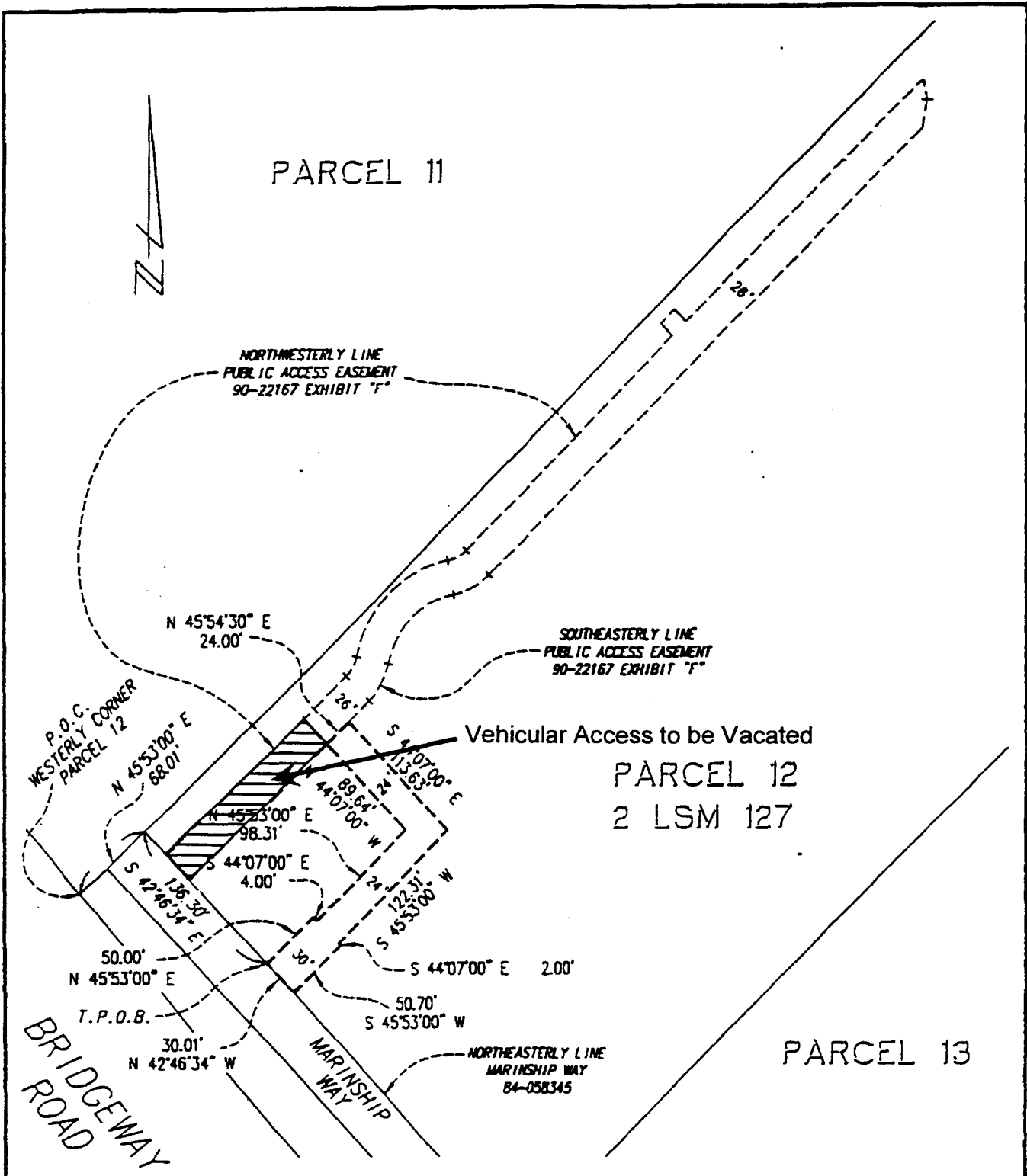
**CEQA FINDING:**

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 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 AN EASEMENT ON BEHALF OF THE STATE IN THE RELOCATED PUBLIC VEHICULAR ACCESS EASEMENT.

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 VEHICULAR ACCESS EASEMENT TO THE RELOCATED PUBLIC VEHICULAR ACCESS EASEMENT; AND TO APPEAR ON BEHALF OF THE COMMISSION IN ANY LEGAL PROCEEDINGS RELATING TO THE SUBJECT MATTER OF THE RELOCATION.



PLAT TO ACCOMPANY LEGAL DESCRIPTION

CITY OF SAUSALITO MARIN COUNTY CALIFORNIA

EXHIBIT A  
 VACATED VEHICULAR ACCESS  
 MARINA PLAZA



**KIER & WRIGHT**  
 CIVIL ENGINEERS & SURVEYORS, INC.  
 5880 West Las Puentes Boulevard  
 Pleasanton, California 94588  
 (510)734-8080 Fax (510)734-8084

DATE OCTOBER 1997

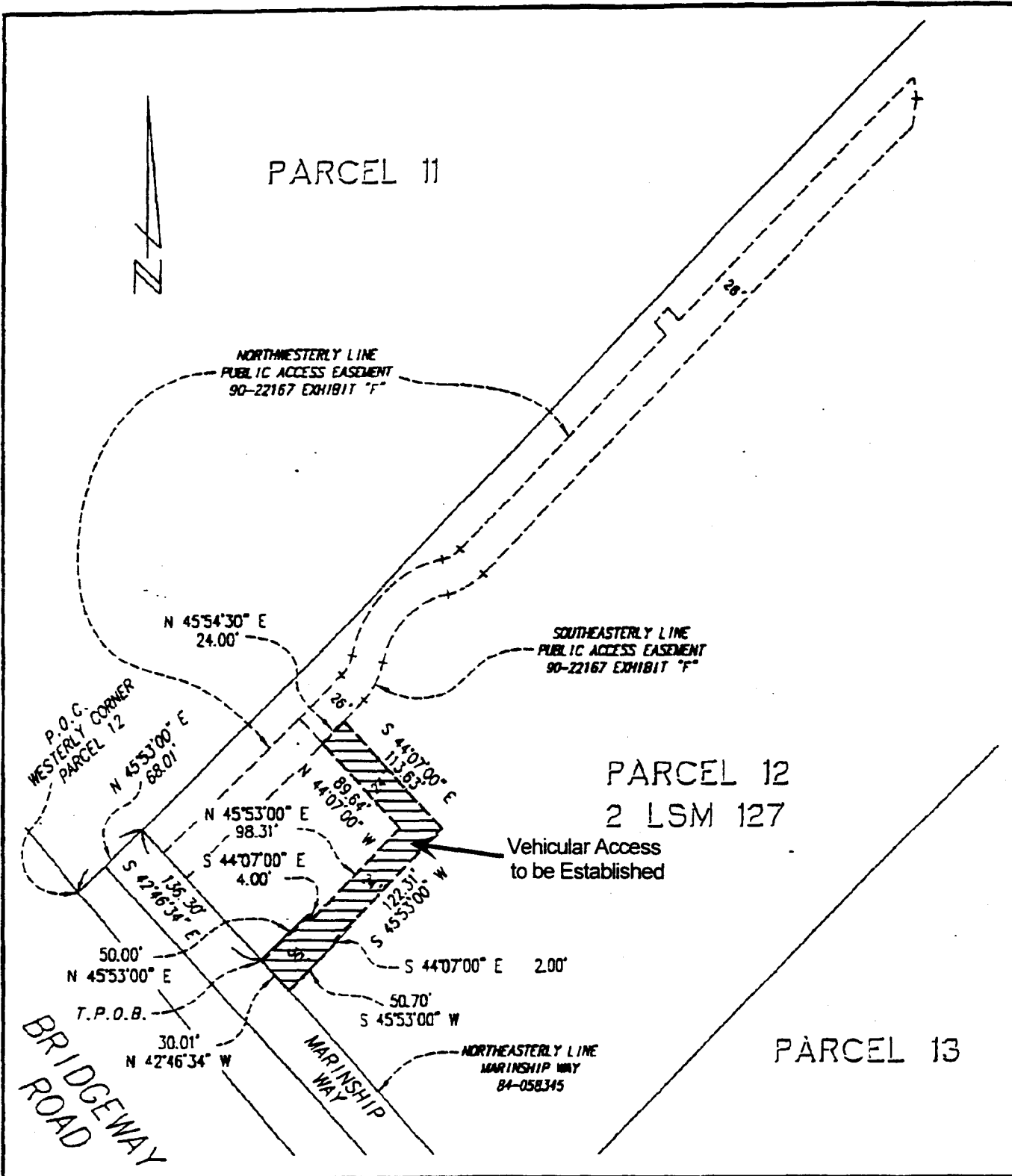
SCALE 1"=100'

DR. BY ACR

JOB 98532

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PLAT TO ACCOMPANY LEGAL DESCRIPTION  
CITY OF SAUSALITO MARIN COUNTY CALIFORNIA

DATE	OCTOBER 1997
SCALE	1"=100'
DR. BY	ACR
JOB	98532

EXHIBIT B  
NEW VEHICULAR EASEMENT  
MARINA PLAZA

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