

MINUTE ITEM

5/29/69

3. 49-YEAR PUBLIC AGENCY PERMIT, T&S LAND IN PACHECO CREEK, CONTRA COSTA COUNTY, FOR SEWER PIPELINE; CENTRAL CONTRA COSTA SANITARY DISTRICT - W-8389, P.R.C. 4214.9.

After consideration of Calendar Item 2 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES ISSUANCE TO THE CENTRAL CONTRA COSTA SANITARY DISTRICT OF A 49-YEAR PUBLIC AGENCY PERMIT FOR A RIGHT-OF-WAY, FROM MARCH 1, 1969, IN CONSIDERATION OF THE PUBLIC HEALTH AND BENEFIT, FOR THE CONSTRUCTION AND OPERATION OF A SEWER PIPELINE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment

Calendar Item 2 (2 pages)

CALENDAR ITEM

5/69  
W-8389

2.

PUBLIC AGENCY PERMIT

APPLICANT: Central Contra Costa Sanitary District.

LOCATION: A 20- x 248-foot strip of tide and submerged land in Pacheco Creek, formerly known as Walnut Creek, easterly of Martinez, Contra Costa County.

LAND USE: The construction and operation of a 20" force-main-sewer pipeline.

TERM: 49 years, from March 1, 1969,

CONSIDERATION: No charge (the public health and benefit).

PREREQUISITE ITEMS:  
U.S. Army Corps of Engineers permit issued.

Applicant has secured necessary rights of way from affected owners of adjacent property, including the Contra Costa County Flood Control and Water Conservation District.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Pt. 2, Ch. 1, Secs. 6501-6509.
- b. Administrative Code: Title 2, Div. 3, Arts. 1 & 2 as amended, effective May 10, 1969.

OTHER PERTINENT INFORMATION:

- (1) The annual rental value of the site is estimated to be \$49.60.
- (2) A nonmonetary consideration is justified for this permit on the basis of a policy that, in general, free easements across State lands for sewage disposal contribute to State-wide protection of the public health.

EXHIBITS: A. Land description. B. Location map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE ISSUANCE TO THE CENTRAL CONTRA COSTA SANITARY DISTRICT OF A 49-YEAR PUBLIC AGENCY PERMIT FOR A RIGHT-OF-WAY, FROM MARCH 1, 1969, IN CONSIDERATION OF THE PUBLIC HEALTH AND BENEFIT, FOR THE CONSTRUCTION AND OPERATION OF A SEWER PIPELINE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

All that real property situate in Contra Costa County, State of California, said property being a portion of Rancho Las Juntas and a portion of Swamp and Overflow Survey No. 267, said property further described as a strip of land 20 feet in width lying 10 feet on each side of the following described center line:

COMMENCING at the most southerly corner of that certain Parcel Two described in the deed to Harry O. Henry recorded in Book 4650, page 115 of said County; thence from said point of commencement along the southerly line of said Parcel Two N.  $77^{\circ} 28'$  E. 105.2 feet to a point on a curve in the northwestern line of the Contra Costa County Flood Control and Water Conservation District, Pacheco Creek right-of-way is described in the Lis Pendens, recorded in Volume 5352, page 543, Official Records of said County; thence northeasterly along said northwestern line, along a curve to the left, having a radius of 1390 feet, an arc distance of 41.14 feet to the TRUE POINT OF BEGINNING of the herein described center line; thence from said true point of beginning S.  $85^{\circ} 20' 12''$  E. 248.72 feet to a point in the southeast line of said Flood Control right-of-way, said last mentioned point being the end of the herein described center line.

To the extent that the same shall cross the tide and submerged land of the State of California within the bed of Pacheco Creek.