

MINUTE ITEM

9/27/73
EWC

3. AMENDMENT OF LEASE PRC 4743.9, TIDE AND SUBMERGED LAND IN THE BED OF PACHECO CREEK, CONTRA COSTA COUNTY; CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT - WP 4743, PRC 4743.9.

After consideration of Calendar Item 1 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ISSUANCE TO CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT OF AN AMENDMENT TO LEASE PRC 4743.9 THAT WILL CHANGE THE LEGAL DESCRIPTION TO THAT IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF. ALL OTHER TERMS AND CONDITIONS ARE TO REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

Attachment:

Calendar Item 1 (4 pages)

CALENDAR ITEM

9/73
EWC
WP 4743

1.

AMENDMENT OF LEASE PRC 4743.9

APPLICANT: Contra Costa County Flood Control and Water Conservation District.

LOCATION: A parcel of tide and submerged land in the bed of Pacheco Creek, Contra Costa County.

LAND USE: Flood control channel maintenance.

TERMS OF ORIGINAL LEASE:

Initial period: 49 years, from May 1, 1973.

CONSIDERATION: Public safety and benefit, with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

TERMS OF PROPOSED AMENDMENT:

Change the legal description to that in Exhibit "A" attached.

STATUTORY AND OTHER REFERENCES:

- a. Public Resources Code: Div. 6, Parts 1 and 2.
- b. Administrative Code: Title 2, Div. 3, Arts. 1 and 2.

OTHER PERTINENT INFORMATION:

This amendment will effect a correction of the legal description to conform with that of an adjoining Boundary Line Agreement. The basic purpose of the lease is not changed and therefore an environmental impact report is not required.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ISSUANCE TO CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT OF AN AMENDMENT TO LEASE PRC 4743.9 THAT WILL CHANGE THE LEGAL DESCRIPTION TO THAT IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF. ALL OTHER TERMS AND CONDITIONS ARE TO REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 4743

Those parcels of tide and submerged land lying in the bed of Walnut Creek, formerly known as Pacheco Slough, Contra Costa County, State of California, being more particularly described as follows:

PARCEL A:

BEGINNING at the point of intersection of the northerly line of Tide-land Survey No. 207 with that certain line described in Boundary Line Agreement No. 7, between the State of California and Tidewater Associated Oil Company dated February 27, 1950, and recorded in Book 1732, Official Records, page 35, records of said county, said point of intersection bears N 88° 44' 53" E, 1563.93 feet from California State Lands Commission bronze monument stamped "Lands End" having California Coordinates of X = 1,543,798.11, Y = 565,926.78; thence along said Boundary Line Agreement No. 7 the following 12 courses:

1. S 06° 41' 46" E, 506.26 feet;
2. S 20° 13' 11" E, 519.48 feet;
3. S 10° 28' 57" E, 191.84 feet;
4. S 27° 26' 22" E, 300.58 feet;
5. S 48° 53' 18" E, 316.83 feet;
6. S 43° 53' 23" E, 222.85 feet;
7. S 31° 21' 37" E, 292.53 feet;
8. S 25° 31' 13" E, 321.07 feet;
9. S 27° 47' 20" E, 275.73 feet;
10. S 40° 42' 07" E, 1451.68 feet;
11. S 45° 29' 14" E, 507.49 feet;
12. S 59° 02' 55" E, 409.71 feet to a point on the north right-of-way line of the county road, leading from Martinez to Port Chicago, said point bears N 65° 28' 56" W, 292.29 feet from the State Lands Commission monument "AVON" thence leaving said Boundary Line Agreement No. 7 and along the north line of said county road S 71° 20' 30" W, 128.17 feet to the intersection of said northerly line with that certain line described in Boundary Line Agreement No. 8, between the State of California and United Towing Company, dated July 10, 1950, recorded in Book 1732 at page 37; thence along said Boundary Line Agreement No. 8 the following 19 courses:

13. N 64° 08' 41" W, 145.29 feet;
14. N 55° 53' 13" W, 178.75 feet;
15. N 46° 16' 29" W, 505.61 feet;
16. N 41° 49' 22" W, 429.46 feet;
17. N 34° 06' 43" W, 56.71 feet;
18. N 41° 25' 30" W, 170.71 feet;
19. N 39° 09' 32" W, 479.19 feet;
20. N 40° 41' 14" W, 369.65 feet;

21. N 30° 28' 53" W, 190.20 feet;
22. N 25° 40' 08" W, 462.09 feet;
23. N 32° 31' 22" W, 198.33 feet;
24. N 39° 23' 01" W, 168.06 feet;
25. N 52° 24' 13" W, 166.04 feet;
26. N 43° 49' 18" W, 257.94 feet;
27. N 29° 23' 09" W, 241.76 feet;
28. N 18° 39' 23" W, 329.52 feet;
29. N 10° 29' 39" W, 179.34 feet;
30. N 19° 48' 21" W, 769.77 feet;
31. N 72° 06' 30" E, 201.86 feet.

PARCEL B:

BEGINNING at the point of intersection of the aforementioned Boundary Line Agreement No. 7 with the north right-of-way line of the county road leading from Martinez to Port Chicago, said point bears N 65° 28' 56", 292.29 feet from California State Lands Commission monument "AVON"; thence N 34° 07' E, 81.29 feet to the northeasterly right-of-way line of the Contra Costa County Flood Control and Water Conservation District, Walnut Creek Channel; thence along said right-of-way the following 18 courses:

1. S 55° 52' 53" E, 832.39 feet;
2. S 63° 29' 21" E, 11.44 feet;
3. S 57° 16' 49" E, 1634.71 feet;
4. S 61° 45' 37" E, 50.35 feet;
5. S 58° 50' 42" E, 81.92 feet;
6. S 53° 52' 34" E, 86.87 feet;
7. S 49° 42' 36" E, 666.59 feet;
8. S 36° 09' 03" E, 63.47 feet;
9. S 45° 41' 25" E, 64.03 feet;
10. S 19° 23' 29" E, 424.45 feet;
11. S 03° 32' 29" E, 183.22 feet;
12. S 19° 46' 02" W, 72.81 feet;
13. S 17° 54' 30" E, 52.41 feet;
14. S 03° 32' 45" E, 50.00 feet;
15. N 86° 27' 15" E, 15.00 feet;
16. S 03° 32' 45" E, 80.00 feet;
17. N 86° 27' 15" E, 12.00 feet;
18. S 03° 32' 45" E, 304.92 feet; thence leaving said right-of-way line S 86° 27' 15" W, 638.84 feet to a point on the easterly line of that certain Parcel No. 1 described in lease designated as PRC 4215.9 between the State of California and the above-mentioned Flood Control District, dated June 24, 1969, and recorded in Book 5918 on page 493 of said county records; thence N 40° 33' 10" W, 265 feet to a point on the northerly line of said Parcel No. 1, said point being at the end of a curve concave to the southwest, said point also being radius of 397.17 feet, an arc distance of 367.84 feet to the point of a compound curve; thence along said curve, through a central angle of 52° 20' 08", a radius of 660 feet, an arc distance of 602.86 feet; thence N 55° 52' 53" W, 3323.48 feet to the intersection with the northerly right-of-way of the above-mentioned county road; thence along said northerly right-of-way N 71° 20' 30" E, 651.53 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water line of Pacheco Creek.

ALSO EXCEPTING THEREFROM any portion described in the above mentioned 'RC 4215.9. This description is based upon the California Coordinate System, Zone 3.

END OF DESCRIPTION