

MINUTE ITEM

8/29/74
DJB

19. APPROVAL OF PLAT AND DESCRIPTION OF TIDE AND SUBMERGED LANDS WITHIN THE BOUNDARIES OF POINT REYES NATIONAL SEASHORE, MARIN COUNTY, GRANTED TO THE UNITED STATES, BY CHAPTER 983, STATUTES OF 1965 - W 20308.

After consideration of Calendar Item 18 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

AUTHORIZES APPROVAL OF THE PLAT CONSISTING OF SIX SHEETS AND ENTITLED "PLAT OF CALIFORNIA STATE TIDE AND SUBMERGED LANDS WITHIN THE POINT REYES NATIONAL SEASHORE, MARIN COUNTY, GRANTED TO THE UNITED STATES BY THE CALIFORNIA LEGISLATURE STATUTES OF 1965, CHAPTER 983" ON THE CONDITION THAT SAID PLAT BE RECORDED IN THE OFFICE OF THE MARIN COUNTY RECORDER BY THE UNITED STATES WITHIN 90 CALENDAR DAYS OF APPROVAL BY THE STATE LANDS COMMISSION

Attachment:

Calendar Item 18 (2 pages)

APPROVAL OF PLAT AND DESCRIPTION OF TIDE AND SUBMERGED LANDS
WITHIN THE BOUNDARIES OF POINT REYES NATIONAL SEASHORE,
MARIN COUNTY, GRANTED TO THE UNITED STATES, BY CHAPTER 983,
STATUTES OF 1965

The Point Reyes National Seashore, Marin County, California, was established and described by an act of the United States Congress, September 13, 1962, Public Law 87-657, 76 Stat. 538. Section 3(a) of the above-named act, authorized the acquisition of State-owned lands within the described boundaries of the Point Reyes National Seashore only with the concurrence of the State.

By Chapter 983, Statutes of 1965, approved July 9, 1965, the California Legislature granted to the United States "all of the right, title and interest of the State of California held by the State by virtue of its sovereignty in and to all of the tide and submerged lands or other lands beneath navigable waters situated within the boundaries of the Point Reyes National Seashore" subject to the following conditions:

- Sec. 2: All minerals including oil and gas are excepted and reserved by the State.
- Sec. 3: Reservation of public right to fish "in the waters underlying" the granted lands.
- Sec. 4: Reversion of grant if the granted lands are not used for public purposes.
- Sec. 5: The United States shall survey and monument the granted lands and record a description and plat thereof in the Office of the County Recorder of Marin County.

In order to comply with Section 5 of Chapter 983, Statutes of 1965, the United States contracted with Mr. Howard W. Waite, Consulting Engineer, to survey, monument, prepare and record a plat and description of the granted lands.

The survey, plat and description have been completed by the United States. Although Chapter 983, Statutes of 1965, does not specifically require State Lands Commission approval, State Lands Division staff has reviewed the plat and description and found that they comply with Section 5 of said statute.

Briefly, it is the intent of the plat and description to show and describe by metes and bounds the previously ungranted tide and submerged lands of the State conveyed to the United States by Chapter 983, together with any remaining right, title and interest of the State within the record patent area of Tideland Surveys 175, 176, 177, 178, 179, 180, 181, 182, 183

CALENDAR ITEM NO. 18. (CONTD)

and 184. Where the monumented line established by this survey bisects tidelands, said line is intended to be the oceanward limit of tidelands included within the descriptions contained in State patents issued as a result of the aforementioned tideland surveys. In certain locations landward of said monumented line, there are submerged lands as to which the State's title was unaffected by said patents and which lands are therefore included within Parcel A of the Grant Description on page 4 of said plat (said Parcel A being a description of all sovereign tide and submerged lands, the State's title to which was not affected by any State patents). The State's title interests remaining in the tidelands located landward of said monumented line and within the aforementioned tideland surveys, which title interests include (but are not limited to) the public trust easement for purposes of commerce, navigation and fisheries), are granted pursuant to Parcel B of said Grant Description.

EXHIBITS: A. Location Map. B. Plat of Grant and Description.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE APPROVAL OF THE PLAT CONSISTING OF SIX SHEETS AND ENTITLED "PLAT OF CALIFORNIA STATE TIDE AND SUBMERGED LANDS WITHIN THE POINT REYES NATIONAL SEASHORE, MARIN COUNTY, GRANTED TO THE UNITED STATES BY THE CALIFORNIA LEGISLATURE STATUTES OF 1965, CHAPTER 983" ON THE CONDITION THAT SAID PLAT BE RECORDED IN THE OFFICE OF THE MARIN COUNTY RECORDER BY THE UNITED STATES WITHIN 90 CALENDAR DAYS OF APPROVAL BY THE STATE LANDS COMMISSION.