

MINUTE ITEM

This Calendar Item No. 36  
was approved as Minute Item  
No. 36 by the State Lands  
Commission by a vote of 2  
to 0 at its 10/26/78  
meeting.

MINUTE ITEM

10/78  
Sandefur  
W 21584  
PRC 5586

36. GENERAL PERMIT - PUBLIC AGENCY USE

During consideration of Calendar Item 36, attached, Resolution #4 was amended.

Calendar Item 36 was approved by a vote of 2-0 with the following amendment to Resolution #4.

4. AUTHORIZE ISSUANCE TO EAST BAY REGIONAL PARK DISTRICT OF A 49-YEAR GENERAL PERMIT - PUBLIC AGENCY USE FROM OCTOBER 1, 1977, THE PUBLIC USE 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~~ LESSEE AGREEING TO APPLY ALL NET REVENUES DERIVED FROM THE LEASED LANDS TO THE IMPROVEMENT OR MAINTENANCE OF THE SAN LEANDRO REGIONAL SHORELINE PARK; FOR REGIONAL PARK, RECREATIONAL AND OPEN SPACE LANDS FOR THE OPERATION OF A SHORELINE PARK ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Calendar Item 36 (10 pages)

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CALENDAR ITEM

36.

10/78  
W 21584  
Sandefur

GENERAL PERMIT  
PUBLIC AGENCY USE

APPLICANT: East Bay Regional Park District  
11500 Skyline Boulevard  
Oakland, California 94619

AREA, TYPE LAND AND LOCATION:  
A 565 acre parcel of salt marsh, tide and  
submergd land in Alameda County.

LAND USE: Regional Park, recreational and open space  
lands for the operation of a shoreline  
park at San Leandro Bay.

TERMS OF PROPOSED PERMIT:  
Initial period: 49 years from October 1,  
1977.

Special: The lands within the  
perimeter description  
of this permit are referred  
to in a lease between  
the permittee and the  
City of Oakland, entered  
into April 1, 1976 and  
recorded on May 13, 1976  
under Recorder's Serial  
Number 76-75085 in the  
Official Records of Alameda  
County. Some State salt  
marsh and tidelands which  
were encompassed within  
this area were granted  
to the City under Chapter  
654, Statutes of 1911,  
but they were never defined  
by survey, and other  
sovereign lands within  
San Leandro Bay were  
not granted to the city.  
Thus any lease of the  
area granted by the City  
of Oakland may be defective

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and a permit from the  
State Lands Commission  
is needed to utilize  
State sovereign lands.

CONSIDERATION: The public use 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.

PREREQUISITE TERMS, FEES AND EXPENSES:  
Applicant is lessee of upland.

Fees and costs have been waived.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 & 2.

B. Cal. Adm. Code: Title 2, Div. 3.

OTHER PERTINENT INFORMATION:

1. A final EIR was prepared by the permittee,  
pursuant to CEQA and implementing regu-  
lations.
2. This project is situated on State land  
identified as possessing significant  
environmental values pursuant to P.R.C.  
6370.1, and is classified in a use  
category, Class A, which authorizes  
Restricted Use.

Permittee has coordinated this project  
with those agencies and organizations  
who nominated the site as containing  
significant environmental values. They  
have found this project to be compatible  
with their nomination.

APPROVALS OBTAINED:

San Francisco Bay Conservation and Development  
Commission.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS BEEN PREPARED FOR THIS PROJECT  
AND CERTIFIED BY EAST BAY REGIONAL PARK DISTRICT ON  
MARCH 22, 1977.

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2. CERTIFY THAT THE INFORMATION CONTAINED IN THE EIR OF EAST BAY REGIONAL PARK DISTRICT HAS BEEN REVIEWED AND CONSIDERED BY THE COMMISSION.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZE ISSUANCE TO EAST BAY REGIONAL PARK DISTRICT OF A 49-YEAR GENERAL PERMIT - PUBLIC AGENCY USE FROM OCTOBER 1, 1977, THE PUBLIC USE 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; FOR REGIONAL PARK, RECREATIONAL AND OPEN SPACE LANDS FOR THE OPERATION OF A SHORELINE PARK ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT A

W 21574

LAND DESCRIPTION

PARCEL ONE

Commencing at a concrete monument at the intersection of the southwestern boundary line of the easement, 50 feet wide, as described in the reservation to the South Pacific Coast Railway Company, a corporation, the Southern Pacific Company, a corporation, and the City of Oakland, acting by and through its Board of Port Commissioners, in the Agreement and Conveyance dated January 31, 1931, recorded October 14, 1932, in Volume 2888, at Page 98, Official Records of Alameda County, with the northwestern boundary line of Maitland Drive (formerly County Road No. 1434); thence North 55°10'41" West, along the southwesterly line of said 50-foot easement, said bearing being taken for the purpose of this description, 2303.507 feet; thence North 34°49'19" East 150 feet to a point on the northeasterly right of way line of Doolittle Drive, 100 feet in width, as said line was established and described in Port Ordinance No. 582 adopted September 22, 1947, said point being the TRUE POINT OF BEGINNING of the area being described; said point also being on the northwestern line of the right of way reserve for the proposed street known as Swan Way; thence along last said line North 34°49'19" East 477.90 feet; thence northwesterly along the arc of a curve with a radius of 45 feet through a central angle of 90° for an arc distance of 70.69 feet to a point on the southwestern line of a future street reserve; thence along last said line in a general

northwesterly direction the following courses: along the arc of a reverse curve, concave to the northeast with a radius of 1,000 feet, through a central angle of 16°25'41" for an arc distance of 286.72 feet; North 38°45' West 104.52 feet; along the arc of a curve concave to the northeast with a radius of 1,000 feet through a central angle of 20°45' for an arc distance of 362.16 feet; North 18° West 1,442.17 feet; along the arc of a curve concave to the northeast with a radius of 135 feet through a central angle of 73°07'16" for an arc distance of 172.29 feet; North 55°07'16" East 215.59 feet; along the arc of a curve concave to the southwest with a radius of 50 feet through a central angle of 83°09'28" for an arc distance of 72.57 feet to a point on the southwesterly line of the future extension of Pardee Drive 100 feet in width; thence along the general westerly line of said Pardee Drive extension the following courses: North 28°02'12" West 214.09 feet; northerly along the arc of a curve concave to the east with a radius of 800 feet, through a central angle of 44°14'31" for an arc distance of 617.74 feet to a point of compound curve; along said compound curve with a radius of 900 feet through a central angle of 46°54'56" for an arc distance of 736.95 feet to point where said Pardee Drive extension is 118 feet in width; thence continuing on the northwesterly line of said Pardee Drive North 63°07'16" East 146.86 feet; northeasterly along the arc of a curve concave to the northwest with a radius of 541 feet through a central angle of 7°15'38" for an arc distance of 68.56 feet to a point on the southwestern boundary of that certain 20.3049 acre strip of land 186 feet in width described as Parcel One in the Deed to Alameda County Flood Control & Water Conservation District which was recorded April 29, 1974, in Reel 3664 at Image 818 Official Records of Alameda County, said point herein for convenience is being designated as Station 'A'; thence along the southwestern, northwestern, and northeastern boundary of last said parcel which is also known as the San Leandro Creek Channel Reserve, the following courses: North 34°52'44" West 562.30 feet; North 55°07'16" East 186 feet; South 34°52'44" East 128.73 feet to a point on the northwesterly line of the reserve for Elmhurst Channel and continuing South 34°52'44" East 104.27 feet to the most westerly corner of the access parcel, along the southeasterly side of the Elmhurst Channel Reserve, which parcel is described as Parcel Two in the hereinabove referred to Deed (RE 3664 IM 818); thence along the northwestern boundary of last said parcel North 55°07'16" East 809.28 feet and North 84°22'25" East 57.24 feet to a point on the southwestern line of Edgewater Drive, 126 feet in width; thence along last said line North 34°52'44" West 132.24 feet to a point on a line which is parallel with and 1,003.61 feet northwesterly of the northwestern line of Roland Way, said parallel line is also the northwestern boundary of the reserve for Elmhurst Channel; thence continuing North 34°52'44" West 80 feet; thence along a line parallel with and 80 feet northwesterly of last said Elmhurst Channel Reserve South 55°07'16" West 518.22 feet; thence North 34°52'44" West 785.22 feet; to a point on a line which is parallel with and 2.16 feet northwesterly of the centerline of Hassler Way, produced southwesterly 60 feet in width, said point herein for convenience is being designated as Station 'B'; thence South 55°07'16" West, along last said parallel line, 111.78 feet; thence North 34°52'44" West 12.0 feet to the most southern corner of that certain 29.4092 acre parcel described in the First Supplemental Agreement amending the lease to the City of Oakland, for the City Service Center and the Bay Park Refuge, which was recorded March 12, 1973, in Reel 3361 at Image 619 Official Records of Alameda County; thence along the general southwestern and northwestern boundaries of last said parcel the following courses: North 34°52'44" West 1,520 feet; South 55°07'16" West 70 feet; North 34°52'44" West 80 feet; North 55°07'16" East 65.73 feet;

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North 27°22'44" West 276.21 feet; North 34°52'44" West 165 feet and North 55°07'16" East 598.22 feet to a point on the north-eastern boundary of the hereinabove referred to 29.4092 acre Parcel (RE 3361 IM 619); thence along last said line South 34°52'44" East 247 feet; thence North 55°07'16" East 66.61 feet to a point on the proposed southwestern line of the extension of Edgewater Drive; thence along last said line in a general northwesterly direction the following courses: North 14°52'44" West 167.08 feet to a point on a line parallel with and 90 feet southeasterly of the Reserve for Damon Channel 170 feet in width, said point herein for convenience is designated as Station 'C'; continuing along said southwestern line of the proposed Edgewater Drive extension North 14°52'44" West 431.55 feet; along the arc of a curve concave to the southwest with a radius of 1,000 feet through a central angle of 17°39'45" for an arc distance of 308.27 feet and North 32°32'29" West 131.94 feet to a point on the southeastern boundary of that certain parcel of land containing 127.1 acres, more or less, described as Parcel One in the Deed to the East Bay Municipal Utility District which was recorded April 28, 1964, in Reel 1188 at Image 608, said point is distant thereon South 55°07'16" West 894.79 feet from the most eastern corner of last said Parcel One (RE 1188 IM 608); thence along the southeastern, southwestern and northwestern boundary of last said Parcel One the following courses: South 55°07'16" West 993.22 feet; South 89°49'48" West 54.73 feet; North 34°52'44" West 2,360.72 feet; North 22°07'52" West 277.23 feet and North 35°35'18" East 900.20 feet to a point on the boundary line between the lands of Pacific Gas & Electric Company in East Creek Slough and the Salt Marsh tide and submerged lands of the City of Oakland in San Leandro Bay as said boundary line is described in paragraph designated First in that certain Agreement and Conveyance dated January 18, 1955, between the City of Oakland and Pacific Gas and Electric Company which was recorded April 5, 1955, in Book 7621 at Page 111 Official Records of Alameda County, said point is on the northwesterly boundary line of Tide Lot No. 12 of Section 17 Township 2 South Range 3 West, Mount Diablo Base & Meridian, distant thereon South 35°35'18" West 400 feet from Tide Land Survey Point No. 212; thence along said boundary line common to Pacific Gas & Electric Company and City of Oakland (7621 OR 111) North 48°22'52" West 489.78 feet, more or less, to an angle point in the western boundary of said property; thence South 47°28'38" West 314.70 feet to an angle point on the Swamp and Tide Land Survey of San Leandro Bay, said point being known as T.L.S. Sta. 214; thence along said Tide Land Survey line, also being the boundary of the Rancho San Antonio, the following courses: South 35°58'54" West 226.70 feet; South 27°53'48" West 248.51 feet to T.L.S. Sta. 216; thence along the southern boundary of Tide Lots 11 and 10 of said Section 17 (T2S, R3W MDB&M) the following courses: South 48°20'49" West 247.97 feet and South 89°36'18" West 164.90 feet to the most southeasterly corner of the lands acquired by the United States Government for the Tidal Canal Project, said corner being the most easterly corner of the parcel acquired by the Government from M. Crooks; thence along the southern boundary of said Government lands, South 89°36'18" West 511.70 feet to a point on the centerline of the Tidal Canal Channel, said point also being on the City boundary line common to Oakland and Alameda; thence along said common boundary line and centerline of the Tidal Canal Channel South 00°17'21" East 1,277 feet, more or less, to an angle point in said City boundary line; thence along said line South 18°26'05" West 2,562 feet, more or less, to the northeast corner of Lot 1 of Section 19, Township 2 South Range 3 West MDB&M as said Lot and Section is delineated on Sale Map No. 10 of Salt Marsh and Tidelands which was filed on June 9, 1898, in Map Book 17, Page 30, Official Records of Alameda County; thence continuing along said City boundary line and along the section line common to Sections 19 and 20

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of T2S, R3W, MDB&M South 00°05'39" West 902.90 feet to a point on the northern right of way line for Doolittle Drive, 160 feet in width as said line is described in Parcel 2 of Port Ordinance No. 472 adopted May 21, 1945; thence along last said northern line North 87°12'29" East 849.33 feet to a point on the southwestern boundary line of the hereinabove referred to Southern Pacific Company easement, 50 feet in width (2888 OR 98); thence along last said line South 33°13'34" East 34.80 feet; thence North 87°12'29" East 57.99 feet to a point on the northeastern line of last said 50-foot wide easement, said point being on the northern right of way line of Doolittle Drive, 100 feet in width as said line is described in the hereinabove referred to Port Ordinance No. 582; thence along last said line in a general easterly direction the following courses: North 87°12'29" East 223.29 feet; along the arc of a curve concave to the southwest with a radius of 1,150 feet, through a central angle of 59°33'57" for an arc distance of 1,195.56 feet; South 33°13'34" East 3,307.20 feet; along the arc of a curve concave to the southwest with a radius of 1,512.17 feet, through a central angle of 12°55'13" for an arc distance of 341.00 feet; South 20°18'21" East 1,471.08 feet; along the arc of a curve concave to the northeast with a radius of 694.29 feet, through a central angle of 25°10' for an arc distance of 304.96 feet to a point where the existing right of way width narrows to 51 feet; thence along the existing boundary line which is along a radial to last said curve South 44°31'39" West 42.26 feet to a point on the proposed right of way line for widening Doolittle Drive northerly of Swan Way; said point being on the arc of a curve concave to the northeast with a radius of 791 feet from which the radial bears North 44°58'28" East; thence southeasterly along last said curve through a central angle of 12°19'49" for an arc distance of 170.23 feet; and South 57°21'21" East 435.00 feet to a point on the existing right of way boundary; thence along last said boundary North 34°49'19" East 27.00 feet and South 55°10'41" East 164.99 feet to the point of beginning.

Containing a gross area of 550.37133 acres, more or less.

#### PARCEL TWO

BEGINNING at the point designated as Station 'B' in the hereinabove described Parcel One; thence North 55°07'16" East 518.22 feet to a point on the southwestern right of way line of Edgewater Drive, 125 feet in width; thence along last said line North 34°52'44" West 12 feet to the most easterly corner of the hereinabove referred to lease to the City of Oakland (RE 3361 IM 619), continuing North 34°52'44" West 8.0 feet; thence South 55°07'16" West, along a line which is southeasterly of the existing fence line of the City Service Center, 518.22 feet to a point on the division line between the City Service Center and Bay Park Refuge; thence along last said division line the following courses: North 34°52'44" West 503.50 feet; North 87°48'21" West 56.40 feet; North 34°52'44" West 606.35 feet; North 19°05'37" East 68.01 feet; North 34°52'44" West 410 feet; North 39°16'53" East 256.46 feet; North 34°52'44" West 120 feet; and North 55°07'16" East 261.50 feet; thence North 34°52'44" West 247 feet; thence South 55°07'16" West 598.22 feet; thence South 34°52'44" East 165 feet; thence South 27°22'44" East 276.21 feet; thence South 55°07'16" West 65.73 feet; thence South 34°52'44" East 80 feet; thence North 55°07'16" East 70 feet; thence South 34°52'44" East 1,532 feet; thence North 55°07'16" East 111.79 feet to the point of beginning.

Containing a gross area of 8.71647 acres, more or less.

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PARCEL THREE

Commencing at the point designated as Station 'C' in the hereinabove described Parcel One; thence along a line parallel with and 90 feet southeasterly of the reserve for Damon Channel, North 55°07'16" East 106.418 feet to a point on the northeastern line of the proposed future extension of Edgewater Drive, said point being the TRUE POINT OF BEGINNING of the area being described; thence northwesterly along said future line of Edgewater Drive the following courses: North 14°52'44" West 376.31 feet; along the arc of a curve concave to the northeast with a radius of 250 feet through a central angle of 44°02'02" for an arc distance of 192.14 feet to a point on the southwestern boundary of the 20-foot reserve for the railroad drill track, said point being on a curve concave to the northeast from which point the radial bears North 49°54'16" East; thence in a general southeasterly direction, along said southwestern line of the railroad drill track reserve, the following courses: along the arc of last said curve with a radius of 392.24 feet through a central angle of 34°56'52" for an arc distance of 239.25 feet; South 75°02'36" East 74.45 feet; along the arc of a curve concave to the southwest with a radius of 372.24 feet through a central angle of 36°51'51" for an arc distance of 239.50 feet to a point on a line that bears North 55°07'16" East from the point of beginning; thence along last said line South 55°07'16" West 480.22 feet to the point of beginning.

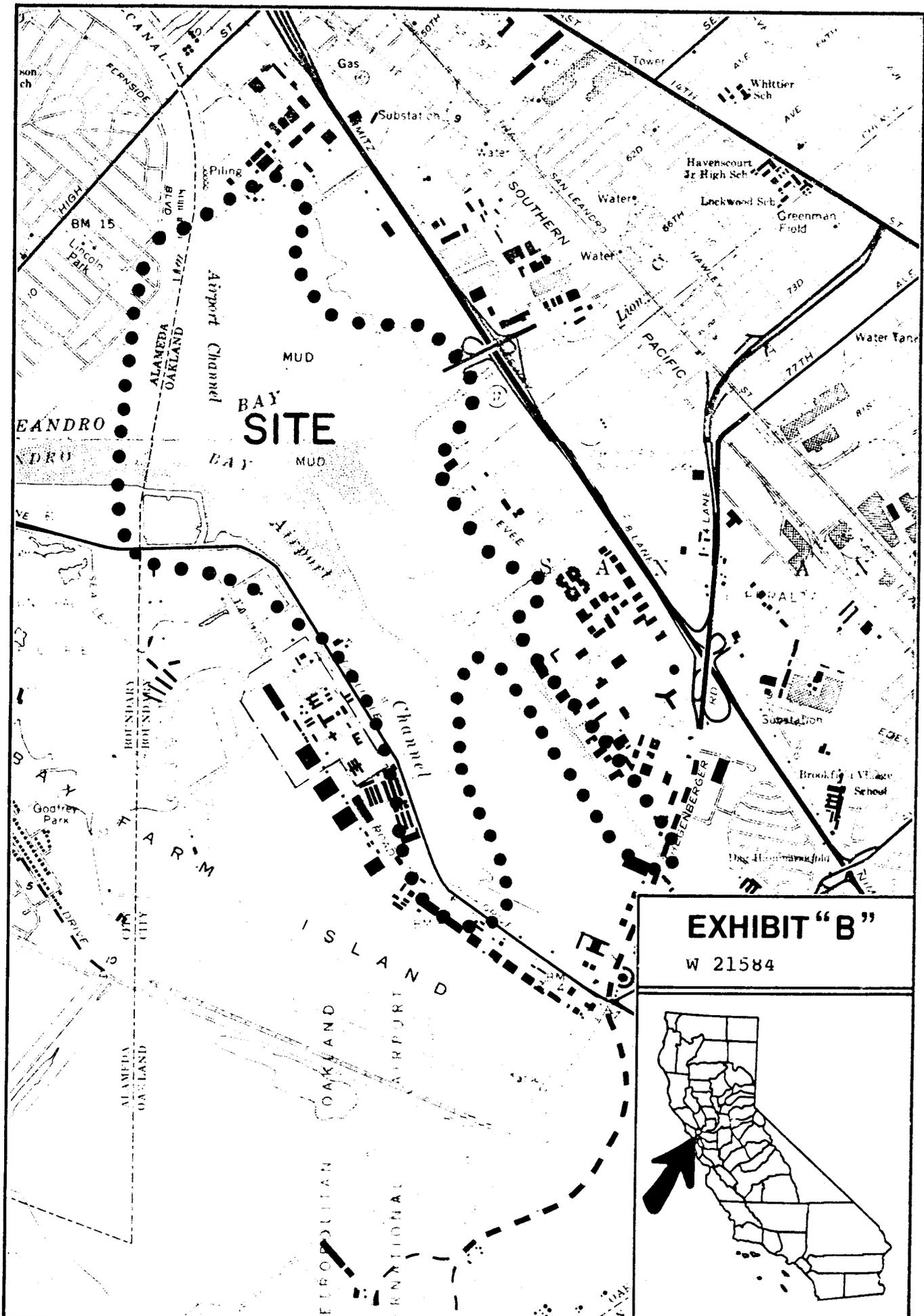
Containing a gross area of 3.09 acres, more or less.

PARCEL FOUR

Commencing at the point designated as Station 'A' in the hereinabove described Parcel One, said Station 'A' being on the hereinabove referred to southwestern boundary of that certain 20.3049 acre parcel (RE 3664 IM 818); thence along last said boundary South 34°52'44" East 118.008 feet to a point on the southeasterly line of the proposed Pardee Drive extension, said point being the TRUE POINT OF BEGINNING of the area to be described; thence in a general southeasterly direction along said southwestern boundary of the hereinabove referred to 20.3049 acre parcel, known as the San Leandro Creek Channel Reserve, the following courses: South 34°52'44" East 3,834.25 feet along the arc of a curve concave to the northeast with a radius of 433 feet through a central angle of 35°36'12" for an arc distance of 269.06 feet and South 70°28'56" East 21.91 feet to a point on the westerly right of way line of Hegenberger Road, 120 feet in width; thence along last said line South 19°54'54" West 25.16 feet; thence North 70°05'06" West 24.91 feet to a point on a line that is parallel and concentric with and 25 feet southwesterly of the hereinabove referred to southwestern boundary of San Leandro Creek Channel Reserve; thence northwesterly along said parallel and concentric line the following courses: along the arc of a curve concave to the northeast with a radius of 458 feet through a central angle of 35°12'22" for an arc distance of 281.42 feet and North 34°52'44" West 3,514.48 feet; thence along the arc of a curve concave to the southwest with a radius of 406.407 feet through a central angle of 35° for an arc distance of 248.26 feet; thence North 69°52'44" West 70 feet; thence along the arc of a curve concave to the northeast with a radius of 384.407 feet through a central angle of 8°12'49" for an arc distance of 55.11 feet to a point on the hereinabove referred to southeasterly line of the proposed Pardee Drive extension; thence along last said line the following courses: North 63°

07'16" East 82.99 feet and along the arc of a curve concave to the northwest with a radius of 659 feet through a central angle of 7°23'34" for an arc distance of 85.03 feet to the point of beginning.

Containing 2.73 acres, more or less.



**EXHIBIT "B"**  
 W 21584

