

MINUTE ITEM

This Calendar Item No. 27
was approved as a Calendar Item
No. 27 by the State Lands
Commission by a vote of 7
to 0 at its 4/24/79 CALENDAR ITEM
meeting.

27.

4/79
W 503.585
Eagan

AUTHORIZATION TO ENTER STIPULATION FOR ENTRY OF
JUDGMENT IN SETTLEMENT OF DELTA FARMS RECLAMATION
DISTRICT NO. 2028 v. STATE OF CALIFORNIA, SAN JOAQUIN
COUNTY SUPERIOR COURT NO. 97183

The State of California is defendant in a quiet title action entitled Delta Farms Reclamation District No. 2028 v. State of California, San Joaquin County Superior No. 97183. The property in question is a berm in Old River lying offshore of Bacon Island in San Joaquin County. The Reclamation District claims the berm as successor under a patent from the State of swamp and overflowed land. The State claims that the berm is sovereign land or, in the alternative, that it was not included in the swamp and overflowed land patent.

The litigation involves the resolution of various disputed issues of fact and law, and its outcome, were it to be pursued to final judgment in court, is uncertain. Accordingly, the District and the Commission's staff have arrived at a compromise settlement whereby title to a portion of the berm above the existing ordinary high water mark will be quieted in the State, to be held subject to the public trust for commerce, navigation, and fishery. Title to the remainder of the berm above the existing ordinary high water mark will be quieted in the Reclamation District. Roughly 3/5 of the 49-acre berm will be in State ownership as a result of the settlement.

The settlement will be accomplished by entry into a stipulation for entry of judgment. A copy of the proposed stipulation for entry of judgment is on file in the office of the State Lands Commission in Sacramento. The stipulation has been reviewed and approved by the Office of the Attorney General. In the opinion of the Commission's staff and of the Office of the Attorney General, the proposed settlement is in the best interests of the State and the public.

EXHIBITS: A. Location Map. B. Boundary Plat.

IT IS RECOMMENDED THAT THE COMMISSION:

1. AUTHORIZE EXECUTION BY THE EXECUTIVE OFFICER OF THE STIPULATION FOR ENTRY OF JUDGMENT ON FILE IN THE OFFICE

A. 26

S. 13

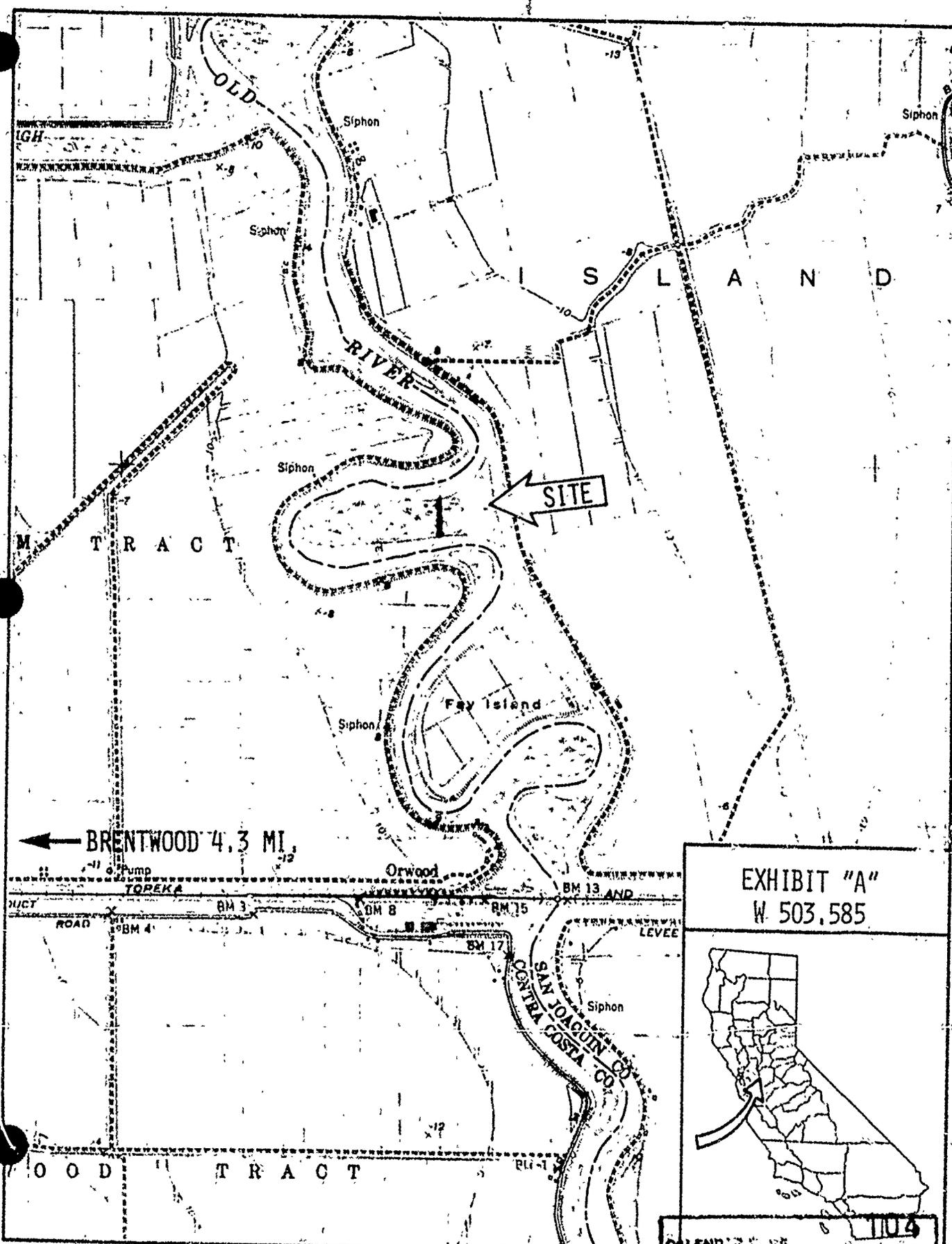
CALENDAR PAGE	102
MINUTE PAGE	749

CALENDAR ITEM NO. 27. (CONTD)

OF THE STATE LANDS COMMISSION IN DELTA FARMS RECLAMATION
DISTRICT NO. 2028 v. STATE OF CALIFORNIA, SAN JOAQUIN
COUNTY SUPERIOR COURT NO. 97183.

2. AUTHORIZE THE EXECUTIVE OFFICER AND THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL STEPS NECESSARY, INCLUDING LITIGATION, IN ORDER TO IMPLEMENT THE STIPULATION FOR ENTRY OF JUDGMENT.
3. AUTHORIZE THE APPROVAL OF THE PLAT TITLED "BOUNDARY LINE ON BERM N ESTABLISHED BY STIPULATED JUDGEMENT IN SAN JOAQUIN COUNTY SUPERIOR COURT CASE NO. 97183".
4. AUTHORIZE THE FILING OF THE PLAT REFERRED TO IN NO. 3 ABOVE WITH THE COUNTY SURVEYOR OR COUNTY RECORDER OF SAN JOAQUIN COUNTY.

CALENDAR PAGE	103
MINUTE PAGE	750



← BRENTWOOD 4.3 MI.

EXHIBIT "A"
W 503,585



CALENDAR PLATE 1104
MINUTE 754

BASE OF SURVEY
 The monument is described in the following manner: (1) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (2) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (3) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (4) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (5) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (6) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (7) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (8) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (9) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (10) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project.

NOTES
 1. Found monument as described in the following manner: (1) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (2) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (3) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (4) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (5) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (6) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (7) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (8) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (9) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (10) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project.

LEGEND
 1. Part of Section 16
 2. Part of Section 17
 3. Part of Section 18
 4. Part of Section 19
 5. Part of Section 20
 6. Part of Section 21
 7. Part of Section 22
 8. Part of Section 23
 9. Part of Section 24
 10. Part of Section 25
 11. Part of Section 26
 12. Part of Section 27
 13. Part of Section 28
 14. Part of Section 29
 15. Part of Section 30

SURVEYOR'S CERTIFICATE
 This map correctly represents a survey made by me or under my direction, in accordance with the requirements of the Land Surveyor's Act of the State of California, and I am a duly Licensed Surveyor in the State of California.

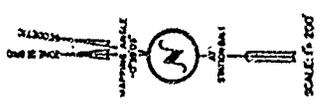
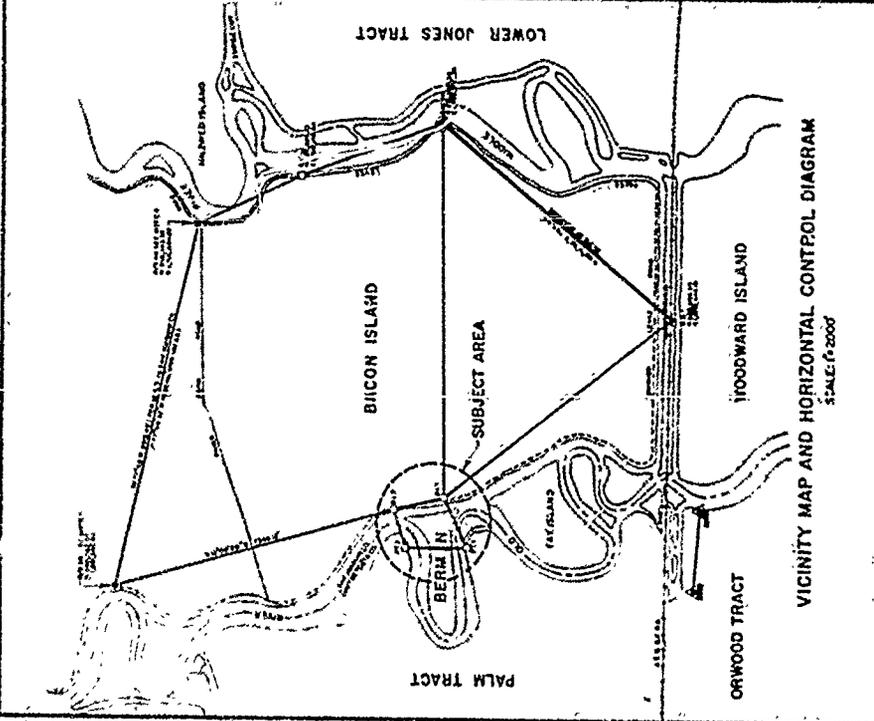
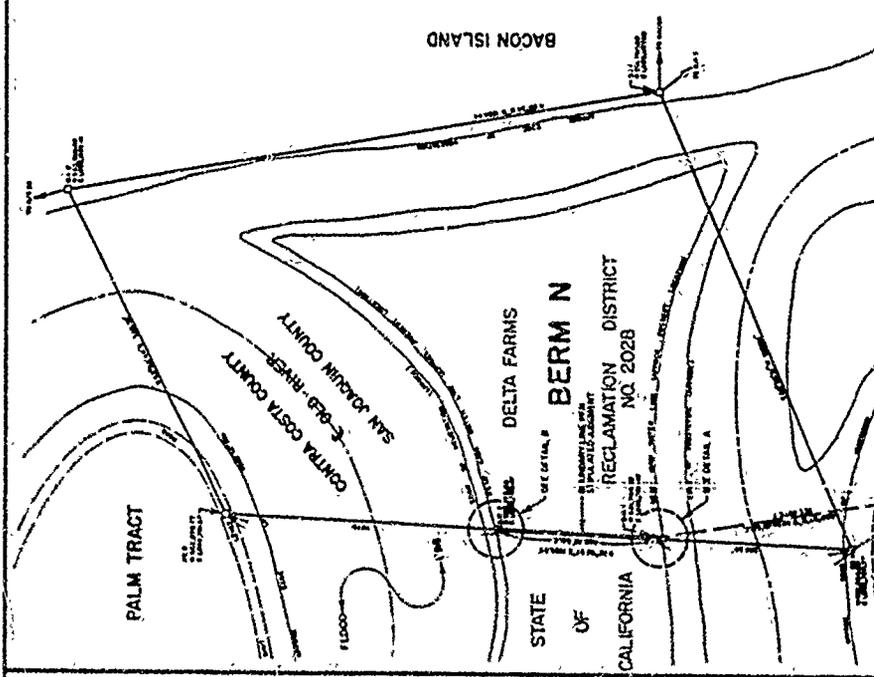
APPROVED: _____
 Meeting of _____
 By: _____
 WILLIAM F. NORTHROP, Executive Officer

COUNTY SURVEYOR'S CERTIFICATE
 This map has been examined for conformance with the requirements of the Land Surveyor's Act, this _____ day of _____, 19____.
 Signed: _____
 County Surveyor

EXHIBIT "B" W 503.585
BOUNDARY LINE ON BERM N
ESTABLISHED BY STIPULATED JUDGMENT
IN SAN JOAQUIN COUNTY SUPERIOR COURT
CASE NO. 97183

IN PROTRACTED SECTION 5
 T.1N., R.4 E., M.D.B. & M.
 VICINITY OF BACON ISLAND
 SAN JOAQUIN COUNTY, CALIFORNIA
 SHEET 1071
 SEPT. 1974

STATE OF CALIFORNIA
 STATE LANDS COMMISSION STATE LANDS DIVISION



MONUMENTS
 1. A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (2) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (3) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (4) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (5) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (6) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (7) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (8) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (9) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (10) A monument is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project.

STATION
 1. A station is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (2) A station is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (3) A station is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (4) A station is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (5) A station is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (6) A station is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (7) A station is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (8) A station is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (9) A station is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project, (10) A station is located at the intersection of the line of the California Central Water Project and the line of the California Central Water Project.

MINUTE PAGE
 50
 52