

MINUTE ITEM

This Calendar Item No. 22
was approved as Minute Item
No. 22 by the State Lands
Commission by a vote of 2
to 0 at its 2126/81
meeting.

CALENDAR ITEM

22

8/20/81
W 22627
Weldon
BLA 141
PRC 4888

EXCHANGE AGREEMENT
SUMMARY OF AGREEMENT

The State Lands Commission approved, at the September 1973 meeting, a Boundary Settlement and Land Exchange, Minute Item No. 25. Resulting from this exchange was BLA 141. As a portion of this exchange, the STATE received, from MOEIL OIL ESTATES (REDWOOD) LIMITED, Fee Title to two access areas within a 400-foot area along the northerly edge of Parcel S-1 of said exchange. The adjoining owner, now known as REDWOOD SHORES, INC. (REDWOOD) has submitted development plans for the upland parcels to Redwood City Planning Department. Redwood City pointed out that one of the State-owned access areas could not be utilized for public vehicle access because it would be so close to an existing intersection as to create a safety hazard. The more easterly access area, however, would meet the required 1000-foot spacing for intersections and could be developed for vehicular access. REDWOOD has submitted to the staff of the State Lands Commission a proposal in which the State conveys fee title to Parcel A and terminates the public trust on PARCEL A, as shown on attached EXHIBIT 2, in exchange for a Grant Deed from REDWOOD to PARCELS B and C, as shown on EXHIBIT 2. As part of this exchange, PARCEL D will be enhanced by the addition of improvements which will greatly benefit public access to Steinberger Slough and to those areas under State Lands Commission (STATE) Lease to State Department of Fish and Game. The relationship between PARCELS A B, and C, and the State lands leased to the Department of Fish and Game (Parcel S-1) is shown on Exhibit 2.

The parcel the State proposes releasing is virtually equal in size to the combined area of the two parcels being obtained from REDWOOD. The TRUST TERMINATION PARCEL A contains 1.049 acres of real estate of the legal character of tide and submerged land which the STATE is authorized by Division 6 of the P.R.C., including Section 6307 thereof, to exchange under specified circumstances, its interests in real property by reason of its sovereignty for interests in other lands of equal or greater value. An appraisal and study by staff of the State Lands Commission of the EXCHANGE PARCELS B and C, containing 1.050 acres, has shown their value is equal to or greater than the value of the TRUST TERMINATION PARCEL A. Staff has also determined that PARCEL A is filled and is therefore no longer needed for Public Trust purposes of Commerce, Navigation and Fisheries.

A 20
S 10

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Implementation of the exchange does not change the total net acreage of property subject to the public trust.

As part of this exchange of the TRUST TERMINATION PARCEL A for the EXCHANGE PARCELS B and C, REDWOOD will, at no expense to the STATE, construct or provide the following in accordance with the specifications and subject to the approval of the staff of the State Lands Commission:

- a. A gravel road across PARCEL D as depicted on Exhibit 3;
- b. Two trash receptacles at or near the location where Parcel D meets the public road as depicted on Exhibit 3;
- c. Regular garbage pick-up of the trash receptacles;
- d. A gravel parking area at the landward end of Parcel D with posts and chains to restrict vehicular access in the area southerly of the gravel road to only the parking area;
- e. Plant picnic areas with low maintenance native vegetation along both sides of access across Parcel D as depicted on Exhibit 3.

The State Department of Fish and Game has reviewed the details of the proposed exchange, and is in favor of its implementation.

The STATE reserved the right to relocate access easements in Minute Item No. 25, September 1973, resulting in BLA 141, and therefore the staff has determined that this project is exempt from the requirements of CEQA.

SUMMARY of main provisions of agreement recommended to the STATE LANDS COMMISSION:

1. Parcel A to be patented to REDWOOD, free of the Public Trust Easement, along with the mineral rights to said Parcel A as shown on Exhibit 2.
2. Parcels B and C will be Grant Deeded to the STATE together with mineral rights, free and clear of all of REDWOOD's right, title and interest to said Parcel B and C as shown on Exhibit 2.
3. Parcels B and C shall be held by STATE in its sovereign capacity as real property of the legal character of tide and submerged land held under

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the public trust for commerce, navigation and fisheries.

4. Prior to the recordation of the PATENT and GRANT DEEDS herein referred to in this Agreement, REDWOOD agrees to improve Parcel B, C and D as depicted on Exhibit 3 as follows:
 - a. construct a gravel road across Parcel D as depicted on Exhibit 3;
 - b. construct two trash receptacles at or near the location where Parcel D meets the public road, as depicted on Exhibit 3;
 - c. provide for regular garbage pick-up of the trash receptacles;
 - d. construct a gravel parking area at the landward end of Parcel D with posts and chains to restrict vehicular access to parking area, as depicted on Exhibit 3;
 - e. plant picnic areas with low maintenance native vegetation along both sides of access across Parcel D as depicted on Exhibit 3.
5. REDWOOD shall, at no expense to the STATE, provide a Title Insurance Policy in the amount of \$160,000 to the STATE for Parcels B and C.

The specific terms and conditions of the exchange are set forth in the proposed form of agreement a copy of which is on file with the State Lands Commission.

AB 884: N/A.

AUTHORITY: PRC 21065; 14 Cal. Adm. 15037 and 15060; and 2 Cal. Adm. 2963(d).

EXHIBITS: 1. Land Descriptions: Parcel A, Parcel B, and Parcel C.
2. Exhibit Plat.
3. Improvement Plat.

IT IS RECOMMENDED THAT THE COMMISSION:

1. APPROVE AND AUTHORIZE THE AGREEMENT IN SUBSTANTIALLY THE FORM OF THE AGREEMENT ON FILE.

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2. FINDS AND DECLARES THAT PARCEL A HAS BEEN IMPROVED, FILLED AND RECLAIMED, AND HAS THEREBY BEEN EXCLUDED FROM THE PUBLIC CHANNELS AND IS NO LONGER AVAILABLE OR USEFUL OR SUSCEPTIBLE OF BEING USED FOR NAVIGATION AND FISHING, AND IS NO LONGER IN FACT TIDELANDS OR SUBMERGED LANDS, AND SHALL THEREUPON BE FREE FROM THE PUBLIC TRUST FOR NAVIGATION AND FISHING. THE PUBLIC TRUST THUS REMOVED IS CORRESPONDINGLY APPLIED TO BOTH PARCELS B AND C, WHICH ASSUME THE CHARACTER OF TIDE AND SUBMERGED LAND.
3. APPROVE AND AUTHORIZE A PATENT OF PARCEL A TO REDWOOD.
4. AUTHORIZE ACCEPTANCE AND CONSENT TO RECORDATION OF GRANT DEED TO STATE OF PARCELS B AND C.
5. APPROVE AND AUTHORIZE AMENDMENT OF LEASE PRC 4888.9 TO CALIFORNIA DEPARTMENT OF FISH AND GAME TO DELETE PARCEL A AND ADD PARCELS B AND C TO SAID LEASE.
6. THE STATE LANDS DIVISION AND/OR THE ATTORNEY GENERAL ARE AUTHORIZED TO EXECUTE SUCH DEEDS OR TAKE SUCH OTHER ACTION AS MAY BE REASONABLY NECESSARY OR APPROPRIATE TO CARRY OUT THE ACTION APPROVED AND AUTHORIZED HEREBY.

EXHIBIT "1"
DESCRIPTION OF LAND EXCHANGE BETWEEN
REDWOOD SHORES, INC., AND STATE OF CALIFORNIA
PARCEL A

ALL that certain real property situate in the City of Redwood City, County of San Mateo, State of California, being a portion of that certain 115.155-acre parcel of land described as Parcel S-1 in the deed from Mobil Oil Estates Redwood, Limited, a California corporation, formerly Leslie Properties, Inc., to the State of California, recorded February 22, 1974 in Volume 6557 of Official Records at Page 718, Records of San Mateo County, California, described as follows:

BEGINNING at the Southerly corner of that parcel of land as described in said deed, said point being the most Easterly corner of Parcel 3 as shown on that certain parcel map entitled "Parcel Map No. 69-5", filed January 20, 1970 in Volume 9 of Parcel Maps at Page 16, Records of San Mateo County, State of California; thence along the boundary line of said 115.155-acre parcel of land, North $36^{\circ}44'17''$ West 70.45 feet to the Southerly corner of Lot 26 as shown on that certain map entitled "Marlin Subdivision No. 5 Unit No. 3" recorded January 31, 1978 in Volume 96 of Maps at Pages 76-77; thence North $43^{\circ}00'00''$ East 295.00 feet to the TRUE POINT OF BEGINNING; thence from said TRUE POINT OF BEGINNING North $15^{\circ}00'00''$ West 133.99 feet; thence North $57^{\circ}30'00''$ West 233.62 feet; thence North $24^{\circ}59'40''$ West 105.00 feet; thence along the arc of a curve to the right whose center bears South $24^{\circ}59'40''$ East, having a radius of 773.00 feet, through a central angle of $14^{\circ}35'34''$, an arc distance of 196.88 feet; thence South $21^{\circ}30'00''$ West 142.40 feet; thence South $57^{\circ}00'00''$ East 330.00 feet to Point A; thence leaving said boundary line, South $54^{\circ}14'58''$ West 167.02 feet to the TRUE POINT OF BEGINNING and containing 1.049 acres, more or less.

THE California Coordinate System Zone 3 was used as the basis of bearings for the parcel described herein. All bearings are grid bearings; all distances are grid distances. To convert grid distance to ground distance; multiply grid distance by scale factor of 1.0000636.

END OF DESCRIPTION

REVIEWED 8-4-81 BY GARRY A. WELDON. LS 3752

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EXHIBIT "A"
DESCRIPTION OF LAND EXCHANGE BETWEEN
REDWOOD SHORES, INC., AND STATE OF CALIFORNIA
PARCEL B

ALL that certain real property situate in the City of Redwood City, County of San Mateo, State of California, described as follows:

BEGINNING at Point A as herein described in the description of Parcel A, said point being on the boundary line of that certain 115.155-acre parcel of land described as Parcel S-1 in the deed from Mobil Oil Estates (Redwood) Limited, a California corporation, formerly Leslie Properties, Inc., to the State of California, recorded February 22, 1974 in Volume 6557 of Official Records at Page 718, Records of San Mateo County, California; thence leaving said boundary line North $70^{\circ}05'20''$ East 126.59 feet; thence North $29^{\circ}34'07''$ East 116.40 feet to Point B, a point on the boundary line of said 115.155-acre parcel of land; thence along said boundary line South $0^{\circ}44'41''$ West 200.00 feet; thence North $89^{\circ}15'19''$ West 90.00 feet; thence North $57^{\circ}00'00''$ West 100.00 feet to the point of beginning and containing 0.346 acres, more or less.

THE California Coordinate System Zone 3 was used as the basis of bearings for the parcel described herein. All bearings are grid bearings; all distance are grid distances. To convert grid distance to ground distance multiply grid distance by scale factor of 1.0000636.

END OF DESCRIPTION

REVIEWED 8-4-81 BY GARRY A. WELDON, LS 3752

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EXHIBIT "1"
DESCRIPTION OF LAND EXCHANGE BETWEEN
REDWOOD SHORES, INC., AND STATE OF CALIFORNIA
PARCEL C

ALL that certain real property situate in the City of Redwood, City, County of San Mateo, State of California, described as follows:

BEGINNING at Point B as herein described in the description of Parcel B, said point being on the boundary line of that certain 115.155-acre parcel of land described as Parcel S-1 in the deed from Mobil Oil Estates (Redwood) Limited, a California corporation, formerly Leslie Properties, Inc., to the State of California recorded February 22, 1974 in Volume 6557 of Official Records at Page 718, Records of San Mateo County, California; thence along said boundary line North $29^{\circ}34'07''$ East 116.69 feet; thence North $0^{\circ}44'41''$ East 131.00 feet; thence South $89^{\circ}15'19''$ East 80.00 feet; thence South $0^{\circ}44'41''$ West 161.00 feet; thence South $29^{\circ}34'07''$ West 110.00 feet; thence South $0^{\circ}44'41''$ West 50.00 feet to the TRUE POINT OF BEGINNING; thence from said TRUE POINT OF BEGINNING, leaving said boundary line, South $71^{\circ}01'53''$ East 398.45 feet to the boundary line of said 115.155-acre parcel; thence along said boundary line South $76^{\circ}20'00''$ West 198.97 feet; thence North $67^{\circ}30'00''$ West 200.00 feet; thence North $0^{\circ}44'41''$ East 100.00 feet to the TRUE POINT OF BEGINNING and containing 0.704 acres, more or less.

THE California Coordinate System Zone 3 was used as the basis of bearings for the parcel described herein. All bearings are grid bearings; all distances are grid distances. To convert grid distances to ground distance, multiply grid distance by scale factor of 1.0000636.

END OF DESCRIPTION

REVIEWED 8-4-81 BY GARRY A. WELDON, LS 3752

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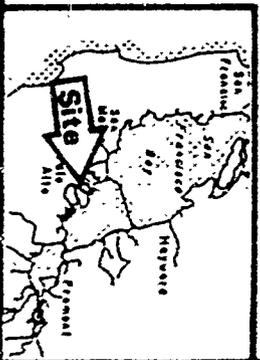
Prepared by: jst
TITLE STUDY: REDWOOD SHORES

Date: 3-31-81

ZNE: 3-38-149 W 22627

A: 20 S: 10

EXHIBIT 2



Approximate
existing levee

PARCEL
6557 OR 718
S-1

Steinberger
Creek

EXISTING OWNERSHIP

Parcels A & D: Portion of Parcel S-1 per deed to STATE recorded February 22, 1974 in 6557 OR 718; portion of SLC lease to Department of Fish and Game.

Parcels B & C: Portion of Mobil parcels per STATE patent recorded February 22, 1974 in 6557 OR 700.

PROPOSED EXCHANGE

Parcel A : to Mobil
Parcels B & C: to State

SHELL
PARKWAY
PENINSULA
PARKWAY

