

MINUTE ITEM

This Calendar Item No. 15
was approved as Minute Item
No. 15 by the State Lands
Commission by a vote of 3
to 0 at its 4/27/82
meeting.

CALENDAR ITEM

15

4/22/82
W 22798
Valentine
PRC 6141

AUTHORIZATION TO ENTER
INTO A JOINT LEASE

By Commission Item 32 of the September 29, 1981 meeting, the Commission approved a Land Bank Agreement, pursuant to which the City of Hayward will convey to the State 77 acres of historic wetlands, or undivided interests therein. This Land Bank Parcel is described and depicted on the attached exhibits.

By Calendar Item 22 of the October 30, 1981 meeting, the Commission authorized execution of a lease of the Land Bank Parcel to the East Bay Regional Park District. The State is in the process of acquiring undivided interests in the Land Bank Parcel, with a view toward acquisition of the property in fee simple absolute. At the present time, however, the Land Bank Parcel is owned primarily by the City of Hayward.

East Bay Regional Park District has an application pending with the California Coastal Conservancy for \$500,000 to restore the Hayward shoreline, of which the Land Bank Parcel is a part, to tidal action. In order to secure final approval and transfer of funds from the Coastal Conservancy for the project, the Park District must enter into a lease covering the Land Bank Parcel. Since the State is in the process of acquiring the Land Bank Parcel, it has been proposed that the City of Hayward and the State jointly lease the property to the Park District for a period of 49 years.

The proposed lease, by its terms, provides that on final acquisition of the entire Hayward Land Bank by the State, the lease would be deemed to be amended to delete the City of Hayward as a lessor. Once in possession of the Land Bank Parcel, the Park District will, pursuant to the lease, operate the Land Bank as a public park.

AB 884: N/A.

EXHIBITS: A. Description of Land Bank Parcel.
B. Plat of Land Bank Parcel.

A 15

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CALENDAR ITEM NO. 13 (CONTD)

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE PROPOSED LEASE IS IN THE BEST INTEREST OF THE STATE FOR:
 - A. ENHANCEMENT OF THE CONFIGURATION OF THE SHORELINE FOR THE IMPROVEMENT OF THE WATER AND UPLAND;
 - B. PROTECTION, PRESERVATION AND ENHANCEMENT OF THE TIDELANDS AND SUBMERGED LANDS, PUBLIC ACCESS THERETO, AND PUBLIC USE THEREOF.
2. AUTHORIZE THE STAFF OF THE STATE LANDS COMMISSION TO ENTER INTO A JOINT LEASE OF THE LAND BANK PARCEL IN SUBSTANTIALLY THE FORM OF THE PROPOSED LEASE NOW ON FILE WITH THE COMMISSION.
3. AUTHORIZE AND DIRECT THE STAFF OF THE STATE LANDS COMMISSION, AND/OR THE CALIFORNIA ATTORNEY GENERAL, TO TAKE ALL NECESSARY OR APPROPRIATE ACTION ON BEHALF OF THE STATE LANDS COMMISSION, INCLUDING THE EXECUTION, ACKNOWLEDGEMENT AND RECORDATION OF DOCUMENTS OF TITLE, AGREEMENTS, AND SUCH OTHER DOCUMENTS AS MAY BE REASONABLE AND CONVENIENT TO CARRY OUT THIS AUTHORIZATION TO LEASE.
4. FIND THAT THIS LEASE OF THE LAND BANK PARCEL IS AN EXEMPT PROJECT WITHIN THE MEANING OF CEQA AND REGULATIONS PROMULGATED PURSUANT THERETO (Section 2905(g) CAL. ADM. CODE).

EXHIBIT "A"

LAND DESCRIPTION

All that certain real property in the Township of Eden, County of Alameda, State of California, described as follows:

A portion of the land conveyed to the City of Hayward by deed dated June 19, 1973 and recorded August 3, 1973 in Reel 5516 of Official Records of Alameda County, Image 237, (78-148844), described as follows:

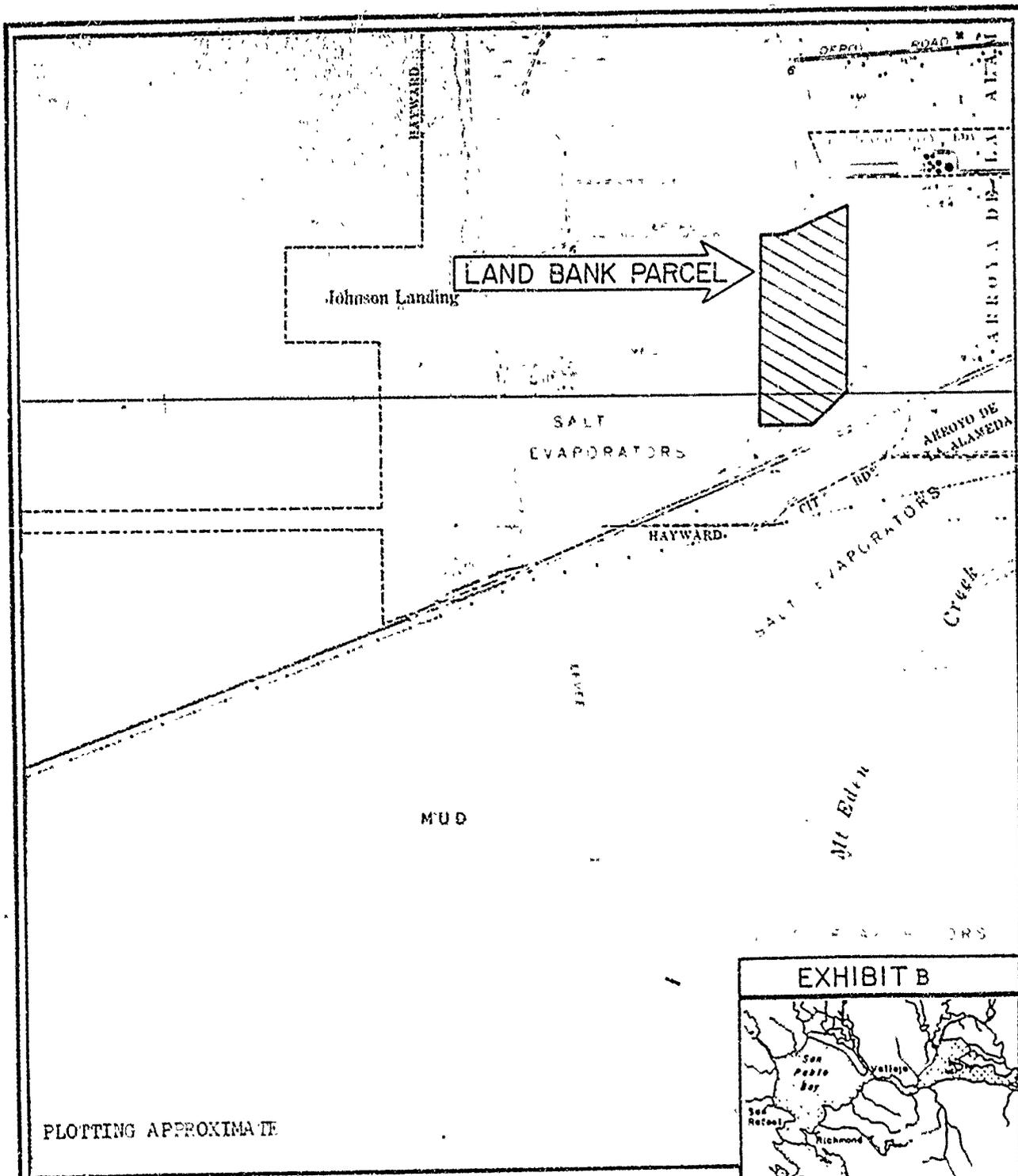
COMMENCING at the most northern corner of said land, being the most eastern corner of the 235 acre, more or less, parcel of land conveyed to the City of Hayward by Deed dated May 21, 1965 and recorded September 24, 1965 in Reel 1604 of Official Records of Alameda County, Image 694, (AX 132369), said corner being marked by a bolt shown on Record of Survey No. 508, filed in Book 3 of Record of Surveys at Page 32, in the Office of the Alameda County Recorder; run thence southeasterly along the general eastern line of said land, (78-148844), 914.22 feet to an angle point therein marked by a "Found Concrete Monument per $R/S - 3/32$ " shown on said Record of Survey No. 508, said point being the POINT OF BEGINNING of this description; and running thence southwesterly parallel with the southeastern line of said 235 acre parcel of land $S 66^{\circ} 16' 58" W$ 993.54 feet, to the northern line of the southeast 1/4 of the northeast 1/4 of Section 36, Township 3 South, Range 3 West, Mount Diablo Meridian; thence West along last said line 350.00 feet, to the western line of said southeast 1/4, being the western line of said land (78-148844); thence South along last said line 2640.00 feet to the southern line of said land; thence East along last said line 800.00 feet; thence $N 45^{\circ} E$ 650.00 feet to a line drawn South from the actual point of beginning; thence North 2580.00 feet to the point of beginning.

Containing 77.7 acres, more or less.

END OF DESCRIPTION

PREPARED SEPTEMBER 11, 1981 BY GARRY A. WELDON L.S. 3752

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PLOTTING APPROXIMATE

STATE LANDS COMMISSION
**PORTION OF U.S.G.S. QUADRANGLES
 SAN LEANDRO, REVISED 1980 &
 REDWOOD POINT, REVISED 1980**

Prepared by P.L. BELL Date 1-27-82 A:15 :30
 Title Study HAYWARD LAND BANK # 227



Z 3- N 41- E 152

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