MINUTE ITEM

This Calendar Item No. 25 was approved as Minute Item No. 25 by the State Lands Commission by a vote of 3 to 0 at its 5/27/82 meeting.

CALENDAR ITEM

5/27/82
W 22626
Valentine

25

APPROVAL AND ACCEPTANCE
OF 60-ACRE PARCEL

On September 27, 1973, the State Lands Commission approved Minute Item 24, concerning an environmental study and real property transfer agreement between the State and Mobil Oil Estates (Bair Island Investments). Mobil Oil Estates has since changed its name to Redwood Shores, Inc. Pursuant to the agreement, a comprehensive land use and environmental study was to be conducted by the State in cooperation with other public agencies. Also, Redwood Shores, Inc. agreed to convey to the State at least 60 acres of environmentally sensitive land in the study area which "in its opinion, should best be used for conservation or recreation."

The Bair Island Environmental Study was completed in 1977 and receipt of the report of the study task force was acknowledged by the Commission at its December 1977 meeting. Redwood Shores, Inc. has proposed to convey to the State a number of segmented, linear parcels of land along the levee at Corkscrew Slough. A description of these parcels is attached as Exhibit "A" and a site map is attached as Exhibit "B". The lands proposed to be conveyed to the State are separated by relatively narrow (300 feet) parcels which would be retained in fee ownership by Redwood Shores, Inc. Redwood Shores, Inc. proposes to grant to the State easements for public non-motorized access across these two narrow gaps to allow pedestrian passage along the entire length of the parcel. In the event Redwood Shores, Inc. elects to improve the easement parcels, or otherwise acts to interfere with the public's access easement, the easement may either be relocated to an equally convenient location or structures in the nature of catwalks, walkways, paths, etc., will be constructed at the expense of Redwood Shores, Inc., to guarantee public access all along the conveyed property.

The parcels proposed are within the study area and, consisting as they do of a vegetated berm and wetland habitat, appear to be environmentally sensitive. It therefore satisfies, in the opinion of staff, Redwood Shores, Inc.'s bare legal obligation under the Environmental Study Agreement, despite the facts that it was not the most environmentally sensitive

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area studied by the Bair Island Task Force, and was not the parcel suggested by staff for conveyance. Pursuant to the agreement between the State and Redwood Shores, Inc., it was within the company's sole discretion to select the property to be conveyed to the State.

Redwood Shores, Inc. has agreed that maintenance of the levee, along which the property lies, shall be its sole responsibility and the State would accept no liability for failure to maintain the levee by accepting the conveyance. It is anticipated that, if the parcels proposed for conveyance to the State are approved by the Commission, the property will be leased to the Department of Fish and Game for administration. This parcel is exempt from CEQA because it involves acquisition of land for conservation purposes (14 Cal. Adm. Code, Div. 6, Section 15113, Class 13).

AB 884: N/A.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT IT IS IN THE BEST INTEREST OF THE STATE AND FOR A GENERAL STATEWIDE PUBLIC PURPOSE AND BENEFIT THAT THE COMMISSION APPROVE ACCEPTANCE AND RECORDATION OF A GRANT DEED FROM REDWOOD SHORES, INC. OF THE PARCELS DESCRIBED IN EXHIBIT "A".

2. AUTHORIZE THE STAFF OF THE STATE LANDS COMMISSION AND/OR THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL FURTHER STEPS REASONABLY NECESSARY TO IMPLEMENT A TRANSFER OF THE CONVEYANCE PARCELS TO THE STATE.

3. AUTHORIZE THE EXECUTION AND RECORDATION, IN SAN MATEO COUNTY, OF A CERTIFICATE OF ACCEPTANCE AND CONSENT TO RECORDING OF A CONVEYANCE OF THE PARCELS TO THE STATE.

4. FIND THAT CONVEYANCE OF THE PARCELS TO THE STATE COMPLIES WITH THE OBLIGATION OF REDWOOD SHORES, INC., PURSUANT TO THE 1973 ENVIRONMENTAL STUDY AGREEMENT TO CONVEY AT LEAST 60 ACRES OF ENVIRONMENTALLY SENSITIVE LAND TO THE STATE.

5. AUTHORIZE A LEASE OF THE CONVEYANCE PARCELS TO THE STATE DEPARTMENT OF FISH AND GAME FOR PUBLIC ENVIRONMENTAL AND RECREATIONAL USES.

6. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, AND 14 CAL. ADM. CODE 15100 ET SEQ.

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EXHIBIT A

DESCRIPTION OF A PORTION OF
BAIR ISLAND
Redwood City, California

PARCEL 1

BEGINNING at a point in the Southeasterly line of Parcel H as said parcel is described in the corporation grant deed from Leslie Salt Company, a Delaware Corporation, and Leslie Properties, Inc., a California Corporation, to the State of California, filed for record, February 1, 1968 in Book 5426, Official Records at Page 109, San Mateo County Records, (File No. 15987AB); said point lies at the point of intersection with the Southwesterly line of that certain Pacific Gas and Electric Company easement filed for record in Volume 5112 of Official Records, at Page 332, San Mateo County Records, (File No. 38611Z); thence from said point of beginning along the Southeasterly line of said Parcel H, the following courses and distances:

South 21°54'11" West 138.23 feet
South 35°00'49" West 216.1 feet
South 41°11'09" East 138.2 feet
South 10°51'23" West 74.3 feet
South 55°31'40" West 81.3 feet
South 10°18'17" East 111.8 feet
South 32°50'25" West 130.9 feet
South 59°49'58" West 185.1 feet
South 25°31'33" West 227.4 feet
South 32°35'00" West 378.80 feet

to the TRUE POINT OF BEGINNING; thence continuing along the Boundary line of Parcel H, the following courses and distances:

South 32°35'00" West 52.0 feet
South 02°46'13" West 124.1 feet
South 56°02'18" West 350.9 feet
South 64°47'56" West 112.7 feet
South 52°36'21" West 240.4 feet
South 38°56'28" West 127.3 feet
South 64°23'52" West 106.5 feet
South 58°26'15" West 127.9 feet
South 34°53'42" West 145.1 feet
South 55°56'44" West 305.4 feet
South 34°47'46" West 71.9 feet
South 69°36'42" West 519.6 feet
South 19°47'56" West 53.1 feet
South 65°12'53" West 388.8 feet
North 53°55'26" West 86.6 feet

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South 67°13'57" West 338.4 feet
South 83°07'06" West 233.7 feet
South 66°57'54" West 276.0 feet
South 57°57'27" West 328.0 feet
South 44°50'02" West 244.0 feet
South 28°16'29" West 149.9 feet
South 04°18'16" East 93.3 feet
South 52°36'36" West 152.2 feet
South 15°33'42" West 410.0 feet
South 07°45'02" West 533.9 feet
South 09°16'21" East 140.0 feet
South 26°43'22" East 162.3 feet
South 48°32'41" East 160.1 feet
South 61°47'18" East 217.9 feet
South 72°40'09" East 590.8 feet
South 60°05'11" East 252.7 feet
South 43°09'09" East 241.3 feet
South 32°55'08" East 206.9 feet
South 07°15'11" East 110.9 feet
South 38°39'35" East 83. feet
South 10°51'43" East 276.0 feet
South 67°56'37" West 125.2 feet
South 11°02'27" East 292.4 feet
South 18°49'45" East 551.5 feet
South 30°12'49" East 288.1 feet
South 46°53'48" East 320.5 feet
South 04°23'55" West 91.3 feet
South 60°40'33" East 185.8 feet
North 73°07'25" East 10.61 feet

thence leaving the boundary line of Parcel H:

North 30°00'00" West 330.83 feet
North 42°50'34" West 282.37 feet
North 26°10'19" West 517.82 feet
North 4°18'58" West 156.25 feet
North 7°41'08" East 291.70 feet
North 5°08'47" West 325.48 feet
North 15°30'43" West 256.75 feet
North 31°37'12" West 302.22 feet
North 44°52'46" West 339.44 feet
North 69°16'28" West 240.44 feet
North 77°22'00" West 297.76 feet
North 75°18'53" West 265.63 feet

thence 541.38 feet along the arc of a tangent curve to the right having a radius of 389.27 feet through a central angle of 79°41'04"; thence tangentially:

North 4°22'11" East 269.48 feet
North 9°45'48" East 405.66 feet
North 17°33'37" East 163.93 feet

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North 28°52'02" East 442.47 feet
North 47°58'57" East 417.71 feet
North 66°52'34" East 198.21 feet
North 79°16'44" East 380.74 feet
North 76°43'36" East 207.06 feet
North 68°54'25" East 1028.56 feet
North 57°49'21" East 496.54 feet
North 83°09'26" East 144.88 feet
South 57°59'41" East 282.61 feet
North 87°08'15" East 206.05 feet
North 61°38'20" East 135.33 feet
North 16°16'29" East 790.99 feet
North 38°19'25" East 209.96 feet
North 47°02'06" East 143.10 feet
North 1°18'04" East 30.07 feet
North 88°41'56" West 276.42 feet

to the TRUE POINT OF BEGINNING and containing 33.618 acres, more or less.

PARCEL 2

BEGINNING at the termination of the course noted as "North 73°07'25" East 10.61 feet" in the description for Parcel 1 hereinabove; thence North 73°07'25" East 82.39 feet; thence North 18°53'42" East 157.5 feet; thence North 10°00'47" West 295.73 feet to the TRUE POINT OF BEGINNING of this Parcel 2; thence continuing along the Boundary line of Parcel H the following courses and distances:

North 10°00'47" West 371.47 feet
North 00°22'28" East 153.0 feet
North 06°43'50" East 162.1 feet
North 10°15'55" East 129.0 feet
North 28°35'12" East 190.2 feet
North 39°19'04" East 285.7 feet
North 62°30'10" East 357.4 feet
North 67°45'54" East 171.8 feet
North 86°04'02" East 160.4 feet
South 71°18'46" East 143.6 feet
South 56°54'06" East 161.2 feet
South 30°17'06" East 144.8 feet
South 17°10'21" East 301.4 feet
South 00°25'16" East 136.0 feet
South 22°11'48" East 322.9 feet
South 46°10'52" East 32.45 feet

thence leaving the Boundary line of Parcel H;

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North 157.43 feet
North 14°16'37" West 542.08 feet
North 27°20'32" West 170.45 feet

thence 540.45 feet along the arc of a tangent curve to the left having a radius of 510.73 feet through a central angle of 60°37'46"; thence tangentially North 87°58'19" West, 140.87 feet; thence 312.84 feet along the arc of a tangent curve to the left having a radius of 410.73 feet through a central angle of 43°38'23"; thence tangentially South 48°23'19" West, 393.97 feet; thence 185.51 feet along the arc of a tangent curve to the left having a radius of 410.73 feet through a central angle of 25°52'39"; thence tangentially:

South 22°30'40" West 314.17 feet
South 9°30'58" West 177.78 feet
South 2°36'09" East 312.72 feet
South 30°00'00" East 292.71 feet

to the TRUE POINT OF BEGINNING and containing 7.161 acres more or less.

PARCEL 3

BEGINNING at the termination of the course noted as "South 22°11'48" East, 322.9 feet" in the description for Parcel 2 hereinabove; thence South 46°10'52" East 137.2 feet; thence North 85°40'04" East 66.2 feet; thence North 39°33'16" East, 248.76 feet to the TRUE POINT OF BEGINNING of this Parcel 3; thence continuing along the Boundary line of Parcel H, the following courses and distances:

North 39°33'16" East 131.24 feet
North 29°13'16" East 501.9 feet
North 35°38'15" East 399.9 feet
North 41°27'19" East 320.2 feet
North 32°20'15" East 164.5 feet
North 64°54'15" East 472.4 feet

thence leaving the Boundary line of Parcel H;

North 11°42'14" West 230.74 feet
South 42°09'13" West 215.66 feet
South 56°08'04" West 362.39 feet
South 39°20'26" West 712.32 feet
South 29°59'13" West 691.01 feet

thence South 158.27 feet to the TRUE POINT OF BEGINNING and containing 5.007 acres more or less.

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PARCEL 4

BEGINNING at a point on the Boundary line of Parcel H, as said parcel is described in the corporation grant deed from Leslie Salt Company, a Delaware Corporation, and Leslie Properties, Inc., a California Corporation, to the State of California, filed for record, February 1, 1968 in Book 5426, Official Records at Page 109, San Mateo County Records, (File No. 15987AB); said point being the Northeasterly terminus of the course described as North 64°54'15" East, 472.4 feet in Parcel 3 hereinabove described; thence North 78°55'47" East, 374.9 feet to the TRUE POINT OF BEGINNING; thence continuing along the Boundary line of Parcel H, the following courses and distances:

South 76°01'05" East 256.6 feet
South 43°57'30" East 155.6 feet
South 31°41'27" East 135.2 feet
South 06°44'57" East 170.2 feet
South 18°41'28" West 212.2 feet
South 27°35'39" West 373.5 feet
South 17°35'57" West 195.1 feet
South 02°20'09" West 132.1 feet
South 23°09'18" East 172.9 feet
South 43°26'23" East 181.8 feet
South 57°50'52" East 248.0 feet
South 73°30'00" East 208.24 feet

thence leaving the Boundary line of said Parcel H and following the Westerly line of that certain parcel described in that certain deed to the State of California dated December 28, 1973 and recorded in Book 6526 of Official Records of San Mateo County at Page 682 (Record File No. 3383-AH), North 6°20'00" West, 1861.81 feet; thence leaving said line South 83°40'00" West, 543.98 feet to the TRUE POINT OF BEGINNING, and containing 14.2239 acres.

RESERVING THEREFROM four (4) easements 100 feet in width, located within Parcels 1, 2, or 3, each for drainage and water circulation purposes at such locations as Grantor, its successors and assigns, may determine. Said easements to include the right to breach the levee, to enter upon with men, material and equipment to construct, install, repair and maintain any drainage and circulation facility within the said reserved easements wherever they may be located; provided, however, that any improvements located within the reserved easement areas which are interrupted in the exercise of the reserved easements shall be restored; provided further, that the reserved easements shall be located wherever possible, practical and reasonable, substantially perpendicular to the shore line; and provided further, that the location of the reserved easements shall be fixed upon exercise.

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ALSO RESERVING THEREFROM temporary construction easements for the herein above described facilities, 25 feet in width, lying contiguous with each side of the above described reserved easements.

GRANTOR reserves for and on behalf of itself, its successors and assigns, a perpetual easement and right to enter upon the above described Parcels at reasonable spatial intervals with necessary men, materials and equipment to perform work from time to time for the construction, alteration, rebuilding, repair and maintenance of said levees, including the right to construct, alter, rebuild, repair and maintain said levees in conformance with requirements of any public agency, and further including, subject to the duty to restore any improvements placed thereon by grantee, its successors and assigns, the right to interrupt during the period of such construction, alteration, rebuilding, repair and maintenance the use and enjoyment of any pathways, other public access or improvements situated on said lands. Except as hereinabove specifically reserved, nothing contained in this reservation shall be deemed a reservation of any right to restrict grantees, its successors and assigns, rights to use and enjoy the levees for non-motorized public access purposes; provided, however, that grantee or its assigns may use motor vehicles on the levees, at their sole risk, for property management, patrol and emergency use; and provided further, that grantee or its assigns may, consistent with this reservation, erect at reasonable spatial intervals small boat launching ramps across the levee, but at their sole risk, cost and expense.

FURTHER reserving unto Grantor, its successors and assigns, in connection with land reclamation, the right to place fill on and across any and all landward portions of the above described Parcels up to and against the interior slope of any levees now or hereafter located within the above described Parcels, provided that in the exercise of such reserved right, Grantor, its successors and assigns, shall indemnify and hold Grantee, its successors and assigns, free and harmless from and against any and all claims, demands, costs, losses, liabilities and/or expenses for damage to any improvements occasioned thereby, and the right to utilize such interior slopes of said Parcels for natural drainage resulting from the contour of any such fill, and for recreation and landscaping.

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

The herein description was prepared from record data, does not represent a field survey by this office, and is subject to any conditions or exceptions which would be disclosed by a title search.

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DESCRIPTION OF

Public Access Easements Adjacent to Corkscrew Slough on Lands of Bair Island Investments

EASEMENT 1

BEGINNING at a point on the Boundary line of Parcel H, as said parcel is described in the corporation grant deed from Leslie Salt Company, a Delaware Corporation, and Leslie Properties, Inc., a California Corporation, to the State of California, filed for record, February 1, 1968 in Book 5426, Official Records at Page 109, San Mateo County Records, (File No. 15987AB); said point being the Southeasterly terminus of the course described as "South 60°40'33" East 185.8 feet"; thence North 73°07'25" East 10.61 feet to the TRUE POINT OF BEGINNING; thence leaving the Boundary line of said Parcel H the following courses and distances:

North 30°00'00" West 330.83 feet;
South 42°50'34" East 35.22 feet;

thence 196.80 feet along the arc of a tangent curve to the left having a radius of 79.27 feet through a central angle of 142°14'41"; thence tangentially:

North 05°05'15" West 220.88 feet;
North 13°53'05" West 183.59 feet;
South 02°35'37" West 2.20 feet;
South 30°00'00" East 292.71 feet

to the Boundary line of said Parcel H; thence South 10°00'47" East 295.73 feet; thence South 18°53'42" West 257.50 feet; thence South 73°07'25" West 82.39 feet to the TRUE POINT OF BEGINNING and containing 1.782 acres, more or less.

EASEMENT 2

BEGINNING at a point on the Boundary line of Parcel H, as said parcel is described in the corporation grant deed from Leslie Salt Company, a Delaware Corporation, and Leslie Properties, Inc., a California Corporation, to the State of California, filed for record, February 1, 1968 in Book 5426, Official Records at Page 109, San Mateo County Records, (File No. 15987AB); said point being the Southeasterly terminus of the course described as "South 22°11'48" East 322.9 feet"; thence South 46°10'52" East 32.45 feet to the TRUE POINT OF BEGINNING; thence leaving the Boundary line of said Parcel H North 157.43 feet; thence North 14°16'37" West 35.47 feet; thence 251.09 feet along the arc of curve to the left with a radius of 114.27 feet tangent to a line which bears South 14°16'37" East, through a central angle of 125°53'58"; thence tangentially the following courses and distances:

North 39°49'25" East 161.82 feet;
North 29°59'13" East 13.23 feet;

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South 158.27 feet to the | Boundary line of said Parcel H; thence South 39°33'16" West 248.76 feet; thence South 85°40'04" West 66.20 feet; thence North 46°10'52" West 104.75 feet to the TRUE POINT OF BEGINNING and containing 1.134 acres, more or less.

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

The herein description was prepared from record data, does not represent a field survey by this office, and is subject to any conditions or exceptions which would be disclosed by a title search.

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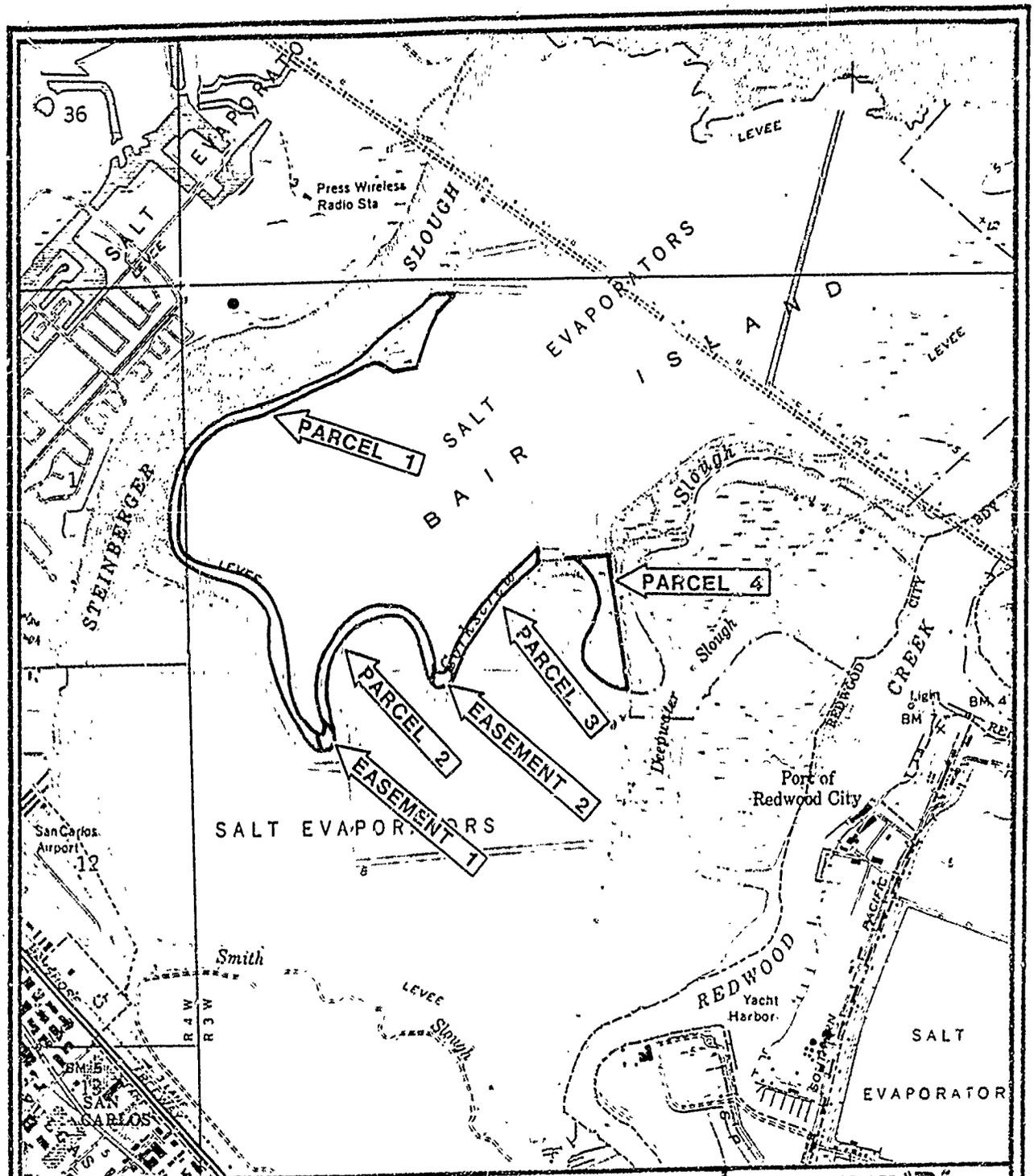

STATE LANDS COMMISSION

EXHIBIT "B"
PROPOSED DONATION PARCELS

EXHIBIT "B"

Plotting Approximate

Prepared by R.L. BELL Date: 5-10-82 A:20 S:10

Title Study Bair Island Env. Study W 22626

Z3 - N 37-38 - E 149-150

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