MINUTE ITEM

This Calendar Item No. 31 was approved as Minute Item No. 31 by the State Lands Commission by a vote of 3 to 0 at its 7/22/82 meeting.

CALENDAR ITEM

31

7/22/82
W 22392
Kiley

PROPOSED REVISION
OF COMPROMISE TITLE SETTLEMENT
BETWEEN USONIA, INC. AND THE STATE

At its meetings on February 9, 1982 and March 23, 1982, the Commission approved a compromise title settlement and exchange involving Usonia, Inc. of Novato. Under the terms of the settlement, the State is to receive a 31 percent undivided interest in the TPL-Suisun Land Bank, together with a grant of the public trust easement over the existing flood control channel of Novato Creek, in return for clearing certain State claims to Tideland Survey 146, Marin County, and in the former bed of Novato Creek.

The proposal submitted to and approved by the Commission called for a grant by Usonia to the State of a 180-foot wide public trust easement over the Flood Control Channel. Mr. Joseph Drosihn, President of Usonia, subsequently asked staff to consider whether the width of the easement grant could be reduced to allow him to use land which is not scheduled for flood control development for several years, if ever. After re-evaluating the title evidence for the State's claim which resulted in the agreement to grant the State the easement, staff has concluded after discussion with the Marin County Flood Control District that a 110-foot wide easement would be equitable and would meet reasonably foreseeable public needs. Mr. Drosihn, acting on behalf of Usonia, has agreed to the 110-foot width.

AB 884: N/A.

EXHIBITS:
A. Site Map.
B. Creek Parcel Plat.
C. Revised Description of Creek Parcel.

A 9
S 2

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IT IS RECOMMENDED THAT THE COMMISSION:

1. APPROVE A CHANGE IN THE WIDTH OF THE PUBLIC TRUST EASEMENT, AS SHOWN ON THE ATTACHED EXHIBIT "B", TO 110 FEET, AS DESCRIBED IN THE ATTACHED EXHIBIT "C".

2. FIND THAT THIS ACTION IS IN SETTLEMENT OF TITLE AND BOUNDARY DISPUTES AND IS THEREFORE EXEMPT FROM CEQA.

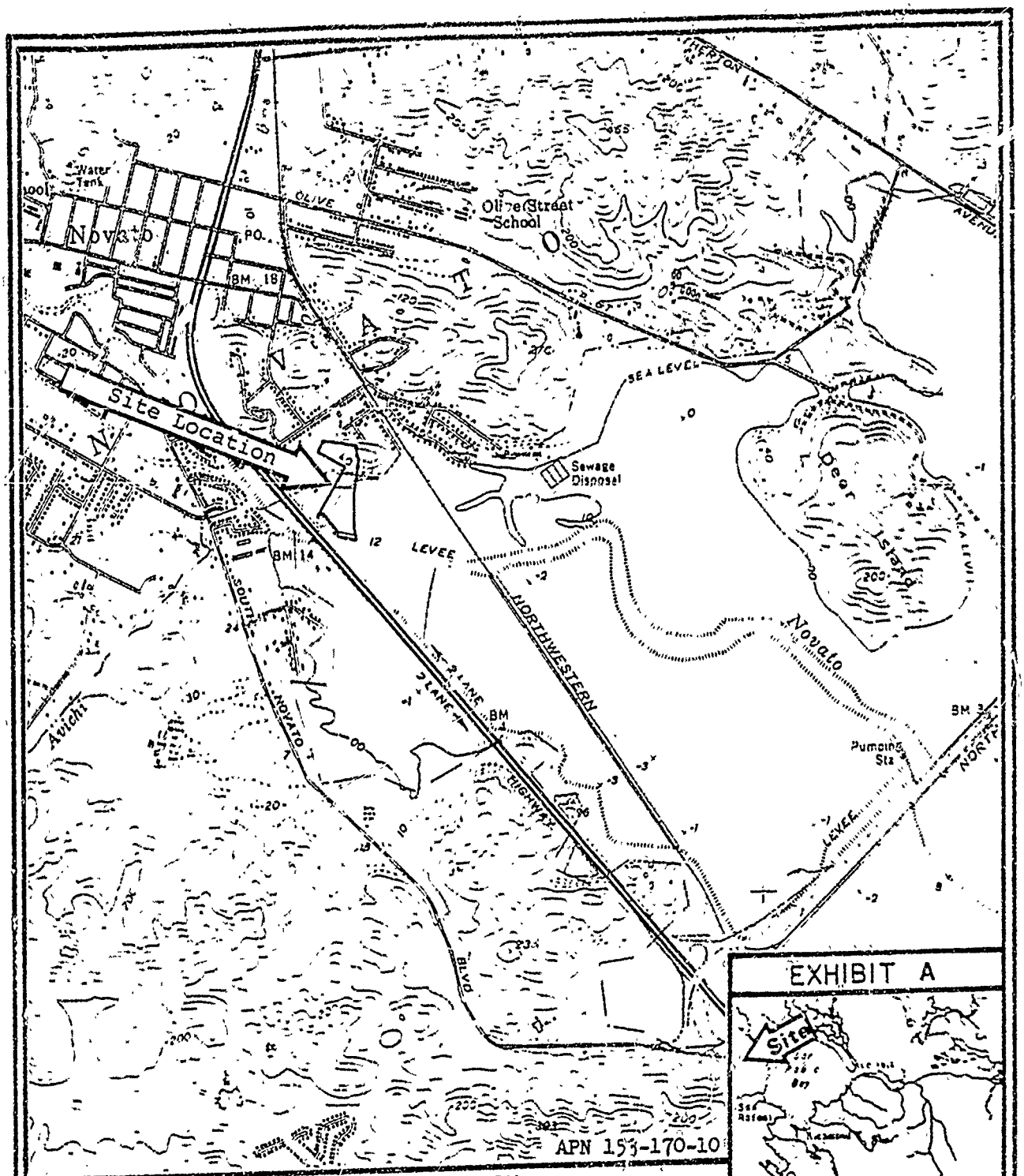

EXHIBIT A

STATE LANDS COMMISSION

Site Map

Prepared by: jsf

Date: 2-29-80 A 9 S 2

Title Study: Novato Creek - Usonia nc

W 22392

Z3-N59-E40

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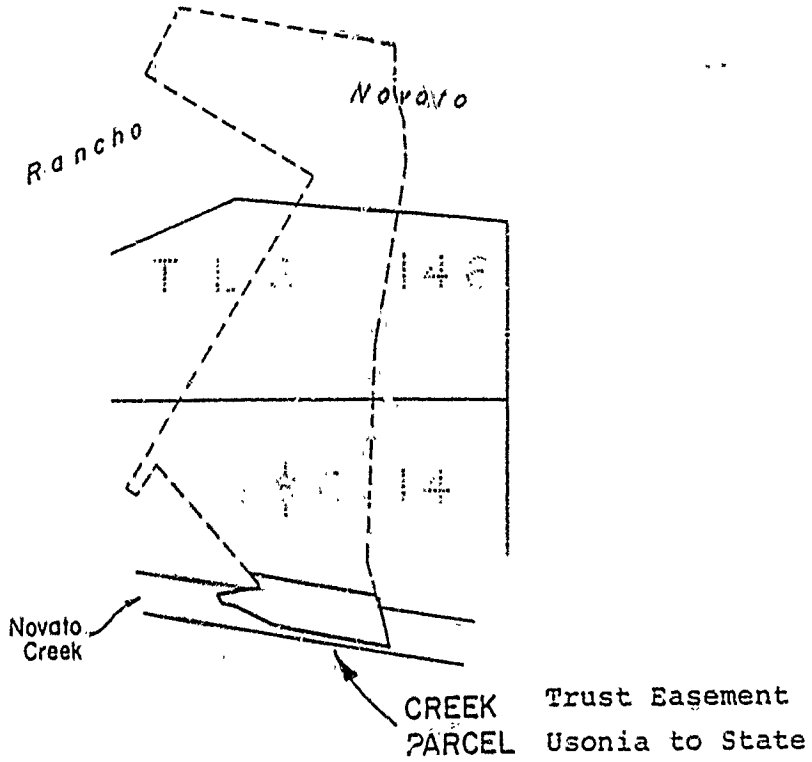

Plotting Approximate

STATE LANDS COMMISSION

EXHIBIT 'B'

CREEK PARCEL

AREA WITHIN THE EXISTING CHANNEL AND LEVEES OF NOVATO CREEK

Prepared by R.L. Bell November 30, 1981 A:9 5:2

Title Study: Novato Creek-Usonia Inc. W22392 -23-N58-E140

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W22392

EXHIBIT "C"
LAND DESCRIPTION
CREEK PARCEL

That certain real property situate in the City of Novato, County of Marin, State of California, described as follows:

BEGINNING at the southeast corner of a parcel of land described in the deed to Usonia, Inc., recorded December 31, 1979 in Book 3661, page 550, Marin County Records, said southeast corner also being the northeast corner of Parcel One as shown on that certain Parcel Map recorded in Book 9 of Parcel Maps, at page 41, Marin County Records; thence from said point of beginning having grid coordinates x = 1406874.38; y = 587960.58 along the southerly line of said lands of Usonia, Inc. and the northerly line of said Parcel One the following courses: N 77°23'49" W 274.36 feet, N 60°12'49" W 111.63 feet and N 89°59'49" W (N 89° 46'00" W per 9 P.M. 41) 20.95 feet to the southeasterly corner of Parcel 2 described in the deed to the State of California, recorded April 13, 1960 in Book 1359, page 498, Marin County Records; thence along the northeasterly line of said Parcel 2, N 38°43'19" W 25.04 feet to the southerly line of the parcel of land described in the deed to Edith T. George recorded September 20, 1937 in Book 347, page 102, Marin County Records; thence along the southerly and northeasterly lines of last said parcel N 85°13'41" E 103.67 feet and N 38°43'19" W 55.99 feet to a line which is parallel with and 110.00 feet northerly of the northerly line described above as N 77°23'49" W 274.36 feet; thence along said parallel line S 77°23' 49" E 311.63 feet to the westerly line of the land described in the deed to the State of California, recorded September 22, 1966 in Book 2080, page 496, Marin County Records; thence S 13°36'17" E 122.51 feet to the southerwesterly corner of said land and the point of beginning.

This description is based upon the California Coordinate System, Zone 3.

END OF DESCRIPTION

REVISED MAY 17, 1982 BY TECHNICAL SERVICES CO. ROY MINNICK SUPERVISOR

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