

MINUTE ITEM

This Calendar Item No. 27
as approved as Minute Item
No. 27 by the State Lands
Commission by a vote of 2
to 0 at its 2/23/84
meeting.

CALENDAR ITEM

27

2/23/84
W 503.1062
Judson/
Stevenson
BLA 244

REQUEST FOR AUTHORIZATION TO
SETTLE CONDEMNATION ACTION BY A
BOUNDARY LINE AGREEMENT QUIETING A
PORTION OF BED OF STANISLAUS RIVER
(UNITED STATES V. 2.3 ACRES,
STANISLAUS COUNTY)

In 1980, the State Lands Commission was served with a condem-
nation action entitled United States v. 2.3 acres, Stanislaus
County, affecting land adjoining and in the present bed
of the Stanislaus River in the town of Knights Ferry in
Stanislaus County. This site will provide public parking
and access to the river in partial mitigation for the New
Melones Lake Project.

The staff of the Commission has researched the historic
location of the river as it flowed in the vicinity of the
subject project. The river apparently shifted position
some time in the late 1940s. The location of the river
as it last naturally existed is an open question.

Rather than contesting the issues of historic navigation
and river location, the staff of the Commission and the
United States Army Corps of Engineers have reached a proposed
boundary line agreement. If implemented, this agreement
would establish the present Stanislaus River as State property
and would quiet the uplands of the river as federal property.
The agreed-upon right and left banks of the last natural
location of the Stanislaus River at this site are described
in Exhibits "B" and "C" of this Item. The staff supports
this resolution of the case due to the disputed issues
of navigation and historic river location.

A 27

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ADDED 2/15/84

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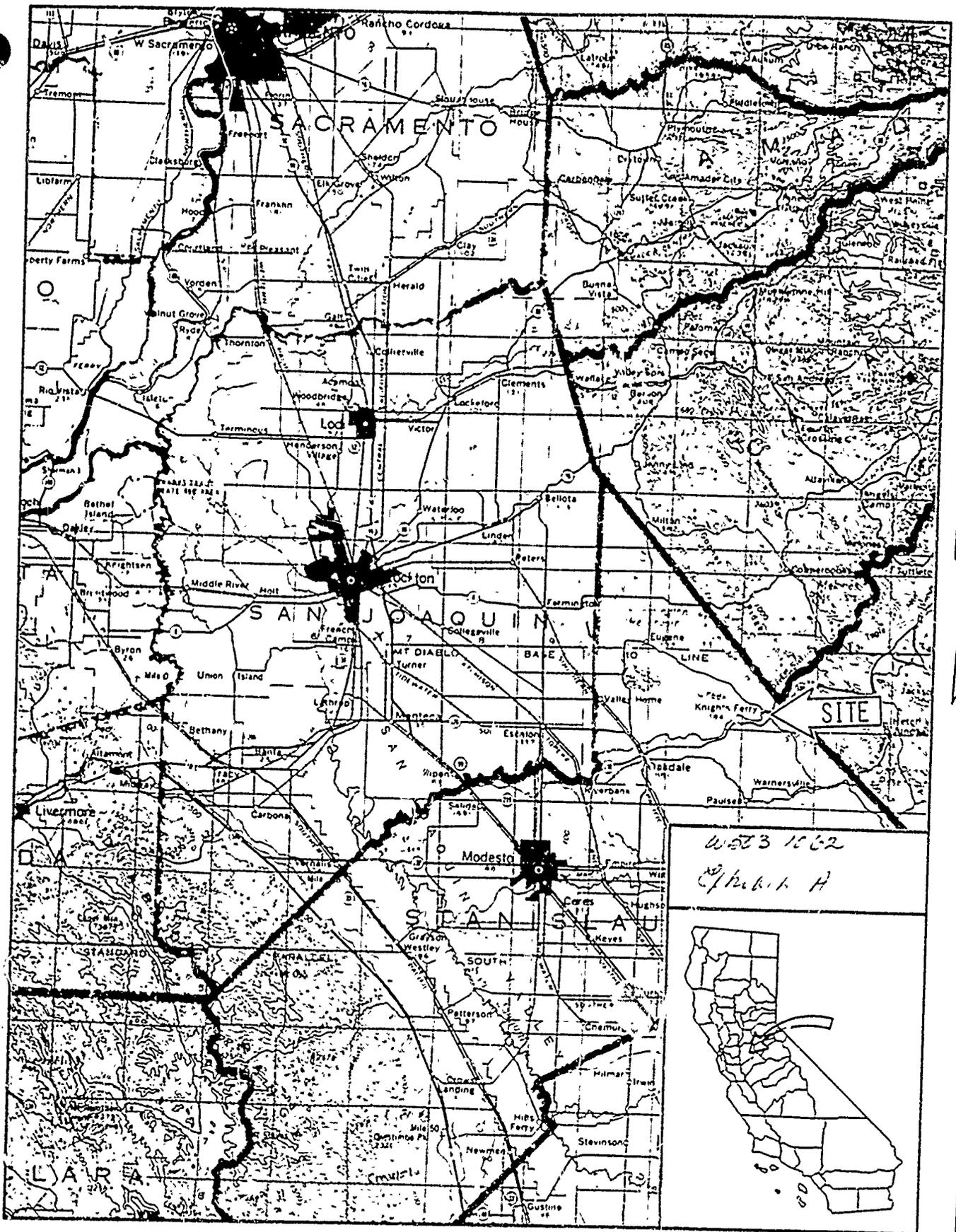
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A settlement document formalizing the boundary line is now on file with the Commission and is incorporated by reference as a part of this Calendar Item.

- EXHIBIT:
- A. Site Map.
 - B. Description of agreed last natural right bank of Stanislaus River.
 - C. Description of agreed last natural left bank of Stanislaus River.

IT IS RECOMMENDED THAT THE COMMISSION:

1. APPROVE THE SETTLEMENT OF UNITED STATES V. 2.3 ACRES, STANISLAUS COUNTY (UNITED STATES DISTRICT COURT, EASTERN OF CALIFORNIA, CASE F-80-75-EDP), BY A BOUNDARY LINE AGREEMENT SUBSTANTIALLY SIMILAR TO THAT NOW ON FILE WITH THE STATE LANDS COMMISSION.
2. FIND THAT THIS AGREEMENT IS IN SETTLEMENT OF BOUNDARY QUESTIONS AND THEREFORE EXEMPT FROM CEQA. (P.R.C. 21080.11)



W 63 1062
 Exhibit A



ADDED 2/15/84

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EXHIBIT "B"

LINE DESCRIPTION
RIGHT BANK

W 503.1062

A line situated in the County of Stanislaus, State of California, more particularly described as follows:

COMMENCING at the corner common to Sections 28, 29, 32 and 33, Township 1 South, Range 12 East, Mount Diablo Base and Meridian, as shown on Record of Survey filed February 13, 1952 in Volume 5 at page 76, Stanislaus County Records; thence along the line between Sections 28 and 29, North 00° 47' East a distance of 2,197.80 feet to a U.S. Meander corner on the left bank of the Stanislaus River; thence continuing North 00° 47' East a distance of 857 20 feet across the Stanislaus River to a point in the County Road leading East from the Town of Knights Ferry as shown on said Record of Survey; thence South 73° 39' 30" West a distance of 34.38 feet to an angle point in said County Road as shown on Stanislaus County Survey No. 496; thence along the centerline of said County Road, South 80° 44' 30" West a distance of 122.74 feet to a point on the West line of Parcel No. 1 conveyed to R. G. W. Hunter and shown on said Record of Survey; thence along said West line of Parcel No. 1, South 7° 26' 30" East a distance of 401.00 feet to the southwest corner of said Parcel No. 1; thence along the southerly projection of said West line, South 7° 26' 30" East a distance of 278.67 feet to the TRUE POINT OF BEGINNING of said line, being on the water's edge as it now or hereafter exists on the right side (looking downstream) of the Stanislaus River; thence South 80° 44' 30" West 135.75 feet to the end of said line.

END OF DESCRIPTION

ADDED 2/15/84

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EXHIBIT "C"

LINE DESCRIPTION
LEFT BANK

W 503.1062

A line situated in the County of Stanislaus, State of California, more particularly described as follows:

COMMENCING at the corner common to Sections 28, 29, 32 and 33, Township 1 South, Range 12 East, Mount Diablo Base and Meridian, as shown on Record of Survey filed February 13, 1952 in Volume 5 at page 76, Stanislaus County Records; thence along the line between Sections 28 and 29, North $00^{\circ} 47'$ East a distance of 2,197.80 feet to a U.S. Meander corner on the left bank of the Stanislaus River; thence continuing North $00^{\circ} 47'$ East a distance of 557.20 feet across the Stanislaus River to a point in the County Road leading East from the Town of Knights Ferry as shown on said Record of Survey; thence South $73^{\circ} 39' 30''$ West a distance of 34.38 feet to an angle point in said County Road as shown on Stanislaus County Survey No. 496; thence along the centerline of said County Road, South $80^{\circ} 44' 30''$ West a distance of 122.74 feet to a point on the West line of Parcel No. 1 conveyed to R. G. W. Hunter and shown on said Record of Survey; thence along said West line of Parcel No. 1, South $7^{\circ} 26' 30''$ East a distance of 401.00 feet to the southwest corner of said Parcel No. 1; thence along the southerly projection of said West line, South $7^{\circ} 26' 30''$ East a distance of 376.67 feet to the TRUE POINT OF BEGINNING of said line, being on the water's edge as it is now or hereafter exists on the Left side (looking downstream) of the Stanislaus River; thence South $82^{\circ} 27' 07''$ West 132.40 feet to the end of said line.

END OF DESCRIPTION

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