MINUTE ITEM

This Calendar Item No. 44
was approved as Minute Item
No. 44 by the State Lands
Commission by a vote of 3
to 0 at its 9/25/84
meeting.

CALENDAR ITEM

A 4

S 2

44

09/25/84
W 22611
Valentine
PRC 6737
AD 1

AUTHORIZE PURCHASE OF 40 ACRES OF TIDAL WETLAND NEAR SUISUN CITY, SOLANO COUNTY

At its March 23, 1982 meeting the Commission authorized a Land Bank Option Agreement between the Trust for Public Land (TPL), a non-profit conservation organization, and the State Lands Commission whereby the land depicted in Exhibit "A" and described in Exhibit "B" would be acquired by the State. The vehicle for this acquisition was the title settlement program by which the State would acquire undivided percentage interests in the Land Bank Parcel upon payment by third parties of monies to TPL. The payments to TPL were in exchange for a State patent freeing other properties, themselves not useful for public trust purposes, of State sovereign interest. The Land Bank Parcel consists of approximately 40 acres of unimproved marsh grass, pickleweed and other primarily wetland vegetation in the vicinity of Suisun Slough just south and west of Suisun City, Solano County. The agreed purchase price was $65,000. A total of $42,700 has been paid to TPL in piecemeal fashion as settlements with other parties were reached. This has resulted in a transfer to the State of an undivided 65.68% interest in the Land Bank Parcel.

In January 1983 the Kapiloff Land Bank Act, P.R.C. Section 8600 et seq., took effect. This statute authorized the State Lands Commission as trustee to receive monies for deposit into the Land Bank Fund, created in the State Treasury, all sums received in settlement of sovereign private land title disputes. These monies are then available for expenditure by the Commission to acquire other properties useful for public trust purposes. Since 1983 settlement monies have been deposited into the Fund as authorized rather thru with TPL with the result that there is an outstanding balance of $22,300 still owing to TPL under the Land Bank Agreement. The state and TPL are left owning undivided percentage interests in the Land

(NON-SUBSTANTIVE REVISION 03/27/85)

Bank Parcel. Upon full acquisition of the parcel by the State Lands Commission, the State Department of Fish and Game would be interested in leasing and managing the property as open space, and wildlife habitat. Staff has provided the Notice of Potential Acquisition to other agencies and parties required by P.R.C. 38622.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a statutory exempt project. The project is exempt because it involves an action taken pursuant to the Kapiloff Land Bank Act, P.R.C. 8600, et seq.

   Authority: P.R.C. 8631.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A STATUTORY EXEMPT PROJECT PURSUANT TO P.R.C. 8631, AN ACTION TAKEN PURSUANT TO THE KAPILOFF LAND BANK ACT, P.R.C. 8600, ET SEQ.

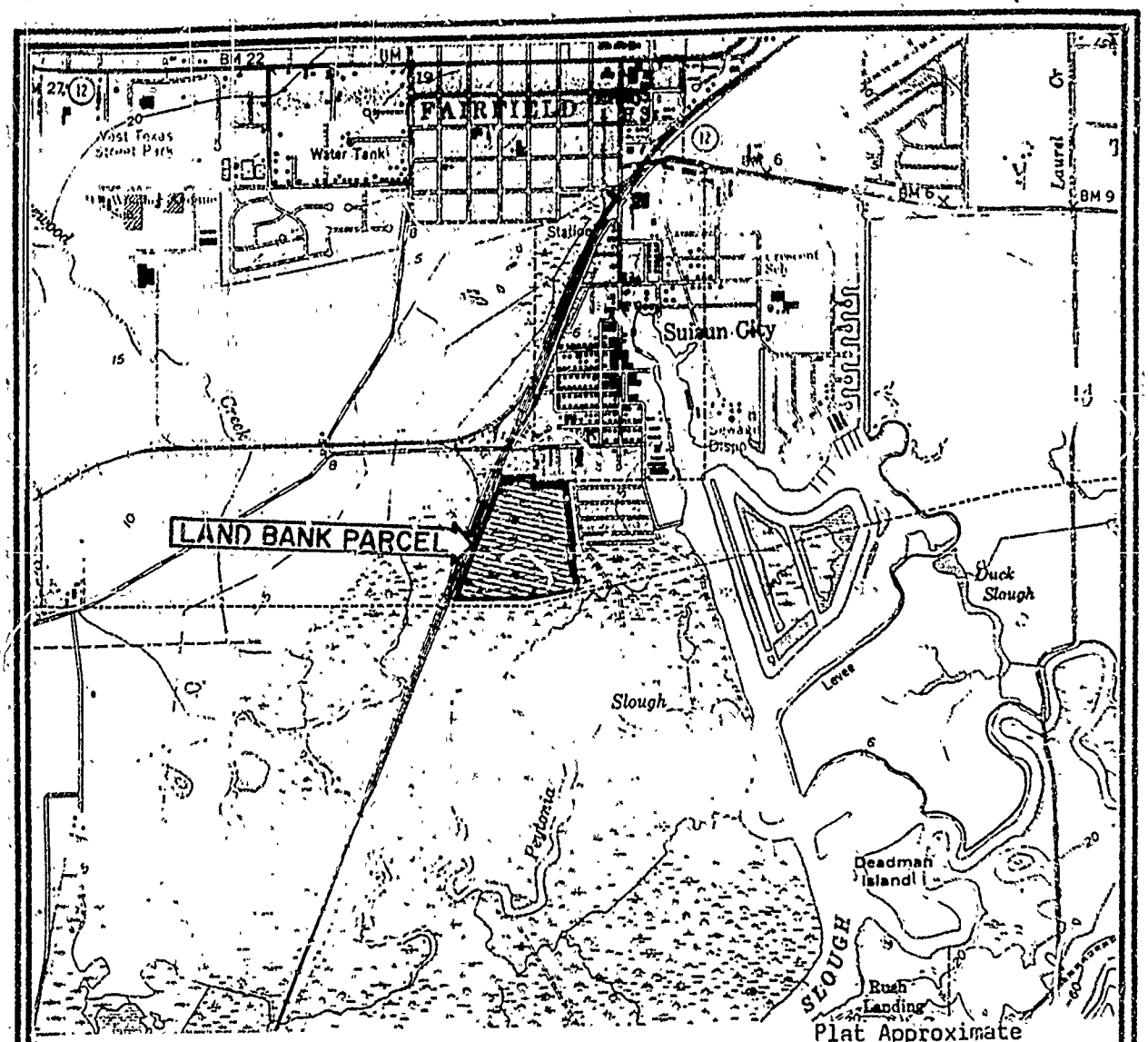
2. AUTHORIZE THE EXPENDITURE OF $22,300 FROM THE LAND BANK TRUST FUND TO ACQUIRE THE REMAINING OUTSTANDING INTERESTS OF THE TRUST FOR PUBLIC LAND IN THAT PARCEL IDENTIFIED IN EXHIBITS "A" and "B".

3. AUTHORIZE THE STAFF TO ACCEPT FOR RECORDATION A GRANT DEED FROM THE TRUST FOR PUBLIC LAND OF ALL TPL'S OUTSTANDING INTEREST IN THE LANDS IDENTIFIED IN EXHIBITS "A" AND "B".

4. AUTHORIZE THE STAFF TO PAY REASONABLE ESCROW COSTS AND TITLE INSURANCE PREMIUMS ASSOCIATED WITH THE TRANSFER OF TPL'S REMAINING INTEREST IN THE LAND BANK PARCEL TO THE STATE, SAID COSTS AND EXPENSES TO BE PAID FROM MONIES NOW IN THE LAND BANK TRUST FUND, PURSUANT TO P.R.C. SECTION 8630.

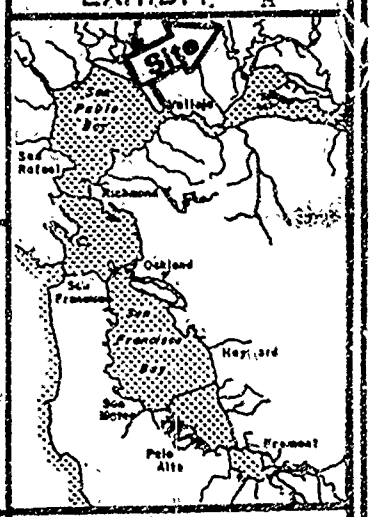
5. AUTHORIZE STAFF TO TAKE SUCH OTHER ACTIONS AS MAY BE NECESSARY TO EFFECT THE ACTIONS DESCRIBED AND AUTHORIZED HEREIN INCLUDING THE DELIVERY, ACCEPTANCE AND RECORDATION OF DOCUMENTS OF TRANSFER AND APPEARANCE IN JUDICIAL PROCEEDINGS.

6. AUTHORIZE STAFF TO EXECUTE A 49 YEAR PUBLIC AGENCY LEASE OF THE LAND BANK PARCEL TO THE STATE DEPARTMENT OF FISH AND GAME FOR OPEN SPACE, MARSH PRESERVATION AND WILDLIFE HABITAT.



Plat Approximate
no Scale

EXHIBIT "A"



STATE LANDS COMMISSION

PLAT OF POTENTIAL LAND BANK PARCEL

Prepared by: A.A. Shimonauff Date: 2/9/82 A: 4 S: 2

Title Study: TPL - Suisun W 22611

Z2-N21-E 198

CALENDAR PAGE 258

MINUTE PAGE 2346

EXHIBIT "B"
DESCRIPTION OF LAND BANK PARCEL

W22611

A portion of Sections 35 and 36, Township 5 North, Range 2 West, M.D.B. & M., City of Suisun City, County of Solano, State of California, more particularly described as follows:

Commencing at the intersection of the easterly line of the Southern Pacific Railroad right-of-way and the southerly line of Cordelia Street (County Road No. 76); thence along said easterly line South 22°21'23" West, 324.00 feet more or less to the TRUE POINT OF BEGINNING and continuing along said easterly line South 22°21'23" West, 1625.00 feet more or less to the Northerly line of a Pacific Gas and Electric Company easement recorded July 17, 1972, in Book 1763 of Official Records, Solano County, at page 535; thence along said northerly line South 88°49'18" East, 930.5 feet more or less; thence continuing along said northerly line North 80°35'46" East 668.46 feet more or less; thence North 10°32'23" West, 360.25 feet more or less to a tangent curve concave to the Northeast; thence along said curve having a radius of 118.00 feet and a central angle of 8°14'51", a distance of 16.99 feet more or less; thence a non-tangent bearing North 11°44'34" West a distance of 116.79 feet more or less; thence N01°10'30" West, 53.79 feet more or less; thence South 83°30'27" East, 24.97 feet more or less, thence North 6°38'45" West, 780.38 feet more or less; thence North 89°51'00" West, 410.00 feet more or less; thence North 0°09'00" East, 100.00 feet more or less; thence North 89°51'00" West, 402.47 feet more or less to THE TRUE POINT OF BEGINNING.

Reserving therefrom, an easement for the purposes of access and maintenance over and through the following describe property:

A portion of Sections 35 and 36, Township 5 North, Range 2 West, M.D.B. & M., City of Suisun City, County of Solano, State of California, more particularly described as follows:

A strip of land 50' in width, lying 25 feet each side of the following described centerline; commencing at the intersection of the easterly line of the Southern Pacific Railroad right-of-way and the southerly line of Cordelia Street; thence South 22°21'23" West, 351.00 feet more or less to the TRUE POINT OF BEGINNING; thence South 89°51'00" East, 388.00 feet more or less; thence South 0°09'00" West, 100.00 feet more or less; thence South 89°51'00" East, 410.00 feet more or less; thence South 6°38'45" East, 725.00 feet more or less; thence North 83°30'27" West, 25.00 feet more or less; thence South 1°10'30" East, 85.00 feet more or less; thence South 11°44'34" East, 163.00 feet more or less; thence South 13°06'13" East, 105.00 feet more or less.

END OF DESCRIPTION

REVISED FEBRUARY 3, 1982 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR

CALENDAR PAGE 259
MINUTE PAGE 2347