

21
No. 27
Commission
to 0 at his 12/20/84
meeting.

CALENDAR ITEM

A 18, 23
S 10, 13

21

12/20/84
W 21975 AD 7
W 22371 AD 8
Howe
PRC 6791

AUTHORIZE ACCEPTANCE, AS
STATE SOVEREIGN LANDS, OF PARCELS
LOCATED IN SANTA CLARA AND
ALAMEDA COUNTIES

In the course of acquiring several of the small tracts for the San Francisco Bay Refuge, United States Fish and Wildlife Service determined there were possible submerged lands within the record descriptions of the tracts. The United States Department of Justice would not permit Fish and Wildlife Service to accept title to those tracts without an exclusion of possible submerged areas from the description.

The United States Fish and Wildlife Service identified the areas in question, and instructed the landowners to execute a Quitclaim Deed to the State of California in order that no remainder would appear on the tax rolls.

Upon Commission acceptance, the deed parcels will take on the character and protections attaching to real property subject to the Public Trust owned by the State in its sovereign capacity. The United States Fish and Wildlife Service has requested that the State lease the parcels to United States Fish and Wildlife Service as part of the San Francisco Bay Refuge. The parcels to be accepted are adjacent to other lands which are or may be subject to public trust ownership and which are also within the boundaries of the refuge.

Staff recognizes areas of public trust may exist within these tracts being acquired by the United States Fish and Wildlife Service (other than areas covered by the Quitclaim Deeds). Acceptance of these Quitclaim Deeds by the Commission does not extinguish all possible public trust ownership within these tracts.

(ADDED 12/14/84)

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CALENDAR ITEM NO. 21 (CONT'D)

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

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 settlements of title and boundary problems.

Authority: P.R.C. 21080.11.

EXHIBITS: A-1, A-2 Land Description
A, B-1, B-2 Location Maps

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. 21080.11, SETTLEMENT OF TITLE AND BOUNDARY PROBLEMS.
2. AUTHORIZE THE ACCEPTANCE AND RECORDATION OF QUITCLAIM DEEDS FOR THOSE PARCELS OF REAL PROPERTY SHOWN ON ATTACHED EXHIBITS "A-1" AND "A-2", MORE PARTICULARLY DESCRIBED IN THE FILES OF THE STATE LANDS COMMISSION, AS LAND OWNED BY THE STATE IN ITS SOVEREIGN CAPACITY AND SUBJECT TO THE PUBLIC TRUST.
3. AUTHORIZE THE APPROVAL OF A 49-YEAR LEASE, TO THE UNITED STATES FISH AND WILDLIFE SERVICE, OF THE REAL PROPERTY DESCRIBED IN EXHIBITS "A-1" AND "A-2", TO PROVIDE FOR THEIR INCLUSION IN THE FEDERAL WILDLIFE REFUGE.

(ADDED 12/14/84)

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CALENDAR ITEM NO. 21 (CONT'D)

4. AUTHORIZE THE STAFF OF THE STATE LANDS COMMISSION AND/OR THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL FURTHER STEPS WHICH MAY BE REASONABLY NECESSARY AND CONVENIENT TO IMPLEMENT THE TRANSACTION DESCRIBED ABOVE, INCLUDING BUT NOT LIMITED TO EXECUTION OF DOCUMENTS OF TITLE, RECORDATION, AND APPEARANCES IN ANY LEGAL PROCEEDINGS BROUGHT CONCERNING THE ABOVE TRANSACTION.

(ADDED 12/14/84)

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EXHIBIT A-1

DESCRIPTION

OF

THE NATURE CONSERVANCY TRACT
(11B)

ALAMEDA COUNTY, CALIFORNIA

THE FOLLOWING DESCRIBED TRACT OF LAND IS LOCATED IN THE CITY OF FREMONT, CALIFORNIA, BEING A PORTION OF THE LANDS DESCRIBED IN THE DEED FROM L.W. MORSE AND ALICE A. MORSE, HIS WIFE, TO THE NATURE CONSERVANCY, RECORDED APRIL 15, 1970 IN REEL 2599, IMAGE 154, ALAMEDA COUNTY RECORDS.

ALL BEARINGS AND DISTANCES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM, ZONE 3. TO OBTAIN GROUND LEVEL DISTANCES MULTIPLY DISTANCES SHOWN HEREIN BY 1.0000622. ALL AREAS SHOWN ARE TRUE GROUND AREAS.

COMMENCING AT A U.S. DEPARTMENT OF INTERIOR MONUMENT STAMPED "STA. 125" AT THE NORTHEAST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE DEED FROM L.W. MORSE AND ALICE A. MORSE, HIS WIFE, TO THE NATURE CONSERVANCY, RECORDED APRIL 15, 1970 IN REEL 2599, IMAGE 154, ALAMEDA COUNTY RECORDS, FROM WHICH NATIONAL GEODETIC SURVEY POINT "RED HILL" BEARS NORTH $02^{\circ}22'44''$ WEST 17,551.85 FEET DISTANT; THENCE ALONG THE EASTERLY BOUNDARY LINE OF SAID TRACT SOUTH $00^{\circ}58'17''$ WEST 969.89 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID EASTERLY LINE SOUTH $00^{\circ}58'17''$ WEST 594.54 FEET TO THE SOUTHERLY BOUNDARY LINE OF SAID TRACT; THENCE ALONG SAID LINE NORTH $89^{\circ}05'21''$ WEST 3,307.80 FEET TO THE WESTERLY BOUNDARY LINE OF SAID TRACT; THENCE ALONG SAID LINE NORTH $14^{\circ}20'36''$ EAST 104.06 FEET; THENCE LEAVING SAID WESTERLY BOUNDARY LINE, NORTH $73^{\circ}13'25''$ EAST 287.27 FEET; NORTH $89^{\circ}44'31''$ EAST 1110.01 FEET; NORTH $77^{\circ}54'19''$ EAST 715.89 FEET; EAST 599.00 FEET; NORTH $65^{\circ}55'55''$ EAST 441.37 FEET; NORTH $83^{\circ}32'57''$ EAST 205.95 FEET TO THE TRUE POINT OF BEGINNING.

BOUNDED ON THE NORTH BY TRACT 11A AND ON THE WEST BY LANDS OF THE LESLIE SALT CO. (TRACT 104b) ON THE EAST BY LAND OF CITY OF FREMONT (TRACT 6B) AND ON THE SOUTH BY SAN FRANCISCO BAY.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 22.967 ACRES AND IS DELINEATED ON A MAP TRACING DESIGNATED EXHIBIT A ATTACHED.

(ADDED 12/14/84)

Quitclaim Deed
San Francisco Bay (11)

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TRACT (12-I)

BEGINNING AT A POINT ON THE SOUTHERLY BOUNDARY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL 1 IN THE DEED FROM CALIFORNIA PACIFIC TITLE COMPANY TO JAMES GORDON KNAPP, AN UNDIVIDED 1/2 INTEREST, AND WILLIAM R. KNAPP, AN UNDIVIDED 1/2 INTEREST, RECORDED MARCH 24, 1955 IN BOOK 3123, PAGE 214 OF OFFICIAL RECORDS, SANTA CLARA COUNTY, SAID POINT BEING MARKED BY A U.S. DEPARTMENT OF INTERIOR MONUMENT STAMPED "STA. 157" SET AT THE CORNER COMMON TO SECTION 31, T5S, R1W; SECTION 36, T5S, R2W; SECTION 1, T6S, R2W AND SECTION 6, T6S, R1W, ALL MOUNT DIABLO MERIDIAN, FROM WHICH THE NATIONAL GEODETIC SURVEY POINT "RED HILL" BEARS NORTH 27°56'31" WEST 43,360.30 FEET DISTANT; THENCE EASTERLY ALONG SAID TOWNSHIP LINE SOUTH 89°31'44" EAST 1,070.34 FEET TO A U.S. DEPARTMENT OF INTERIOR MONUMENT STAMPED "STA. 156" FROM WHICH NATIONAL GEODETIC SURVEY POINT "RED HILL" BEARS NORTH 29°10'16" WEST 43,879.69 FEET DISTANT; THENCE CONTINUING SOUTH 89°31'44" EAST 184.02 FEET TO THE INTERSECTION WITH THE WESTERLY BANK OF ALVISO SLOUGH; THENCE ALONG LAST SAID WESTERLY BANK THE FOLLOWING COURSES:

NORTH 53°38'43" WEST 79.67 FEET,
 NORTH 42°45'06" WEST 230.41 FEET,
 NORTH 36°02'41" WEST 222.21 FEET,
 NORTH 21°11'55" WEST 260.87 FEET,
 NORTH 18°18'53" WEST 252.51 FEET,
 NORTH 10°37'53" WEST 223.04 FEET,
 NORTH 02°40'47" EAST 221.83 FEET,
 NORTH 06°29'15" EAST 241.86 FEET,
 NORTH 12°21'32" EAST 234.96 FEET,
 NORTH 17°49'34" EAST 228.75 FEET,
 NORTH 17°23'04" EAST 302.15 FEET,
 NORTH 15°41'03" EAST 281.12 FEET,
 NORTH 00°07'35" EAST 256.14 FEET,
 NORTH 06°09'10" WEST 276.86 FEET,

AND NORTH 21°05'43" WEST 153.24 FEET TO A POINT WHICH BEARS SOUTH 73°54'04" EAST 96.31 FEET DISTANT FROM A U.S. DEPARTMENT OF INTERIOR MONUMENT STAMPED "STA. 155", WHICH BEARS SOUTH 31°06'46" EAST 40,937.07 FEET DISTANT FROM NATIONAL GEODETIC SURVEY POINT "RED HILL"; THENCE CONTINUING ALONG SAID WESTERLY BANK THE FOLLOWING COURSES:

NORTH 35°30'05" WEST 217.14 FEET
 AND NORTH 32°58'59" WEST 153.38 FEET

TO THE INTERSECTION WITH THE EASTERLY BOUNDARY LINE OF SAID PARCEL 1; THENCE SOUTHERLY ALONG LAST SAID EASTERLY BOUNDARY LINE THE FOLLOWING COURSES:

SOUTH 48°51'14" EAST 251.05 FEET,
 SOUTH 22°36'14" EAST 1,253.93 FEET,
 SOUTH 06°53'46" WEST 1,897.39 FEET
 AND SOUTH 50°21'14" EAST 593.96 FEET

(ADDED 12/14/84)

Quitclaim Deed
 San Francisco Bay (121 VII)

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TO THE SOUTHEAST CORNER OF SAID PARCEL 1; THENCE WESTERLY
ALONG THE SOUTHERLY LINE THEREOF NORTH 88°14'54" WEST 1,619.88
FEET TO THE POINT OF BEGINNING.

CONTAINING 29.31 ACRES, MORE OR LESS.

BOUNDED ON THE EAST BY ALVISO SLOUGH, ON THE SOUTH BY ALVISO
SLOUGH AND LAND OF LESLIE SALT CO. AND ON THE WEST BY OTHER
LAND OF KNAPP AND NATURE CONSERVANCY (TRACT 12).

TRACT (12-VII)

BEGINNING AT THE INTERSECTION OF THE EASTERLY BANK OF GUADA-
LUPE RIVER WITH THE GENERAL WESTERLY BOUNDARY LINE OF THAT
CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL 1 IN THE DEED FROM
CALIFORNIA PACIFIC TITLE INSURANCE COMPANY TO JAMES GORDON
KNAPP, AN UNDIVIDED 1/2 INTEREST, AND WILLIAM R. KNAPP, AN
UNDIVIDED 1/2 INTEREST, RECORDED MARCH 24, 1955 IN BOOK 3123,
PAGE 214 OF OFFICIAL RECORDS, SANTA CLARA COUNTY, WHICH BEARS
NORTH 87°57'35" WEST 1,076.49 FEET DISTANT FROM A U.S. DEPARTMENT
OF INTERIOR MONUMENT STAMPED "STA. 151", WHICH BEARS
SOUTH 26°12'41" EAST 39,915.73 FEET DISTANT FROM NATIONAL
GEODESIC SURVEY POINT "RED HILL"; THENCE ALONG SAID GENERAL
WESTERLY BOUNDARY LINE SOUTH 81°51'14" EAST 448.58 FEET TO THE
INTERSECTION WITH SAID EASTERLY BANK OF GUADALUPE RIVER; THENCE
ALONG SAID EASTERLY BANK THE FOLLOWING COURSES:

SOUTH 84°16'20" WEST 166.47 FEET,
NORTH 78°35'12" WEST 262.04 FEET
AND NORTH 37°15'44" WEST 35.59 FEET

TO THE POINT OF BEGINNING.

CONTAINING 0.27 ACRE, MORE OR LESS.

BOUNDED ON THE NORTH BY OTHER LANDS OF KNAPP AND NATURE
CONSERVANCY (TRACT 12) AND ON THE SOUTH BY GUADALUPE RIVER.

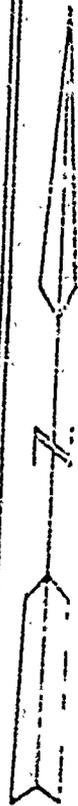
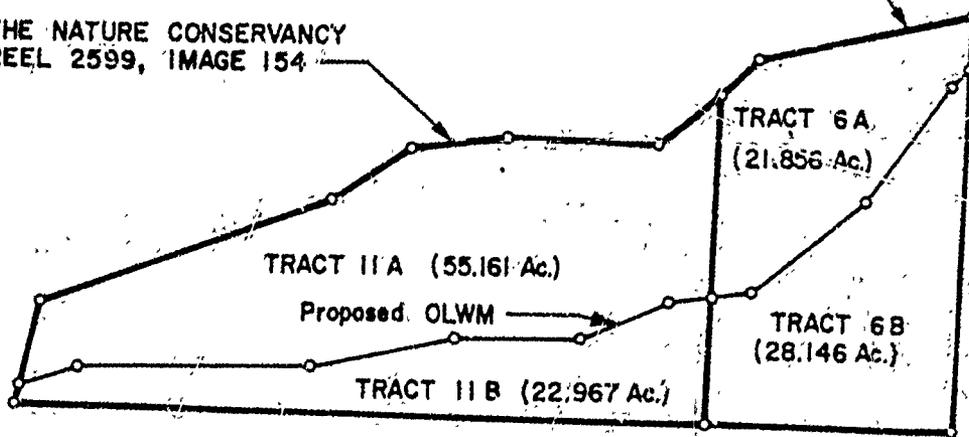
(ADDED 12/14/84)

Quitclaim Deed
San Francisco Bay (12I,VII)

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THE NATURE CONSERVANCY
REEL 2599, IMAGE 154

CITY OF FREMONT
REEL 434, IMAGE 517



STATE LANDS DIVISION
 SETTLEMENT PARCEL PLAT
 TRACTS 11A & 6A - TIDELANDS
 TRACTS 11B & 6B - SUBMERGED LANDS

Prepared by: B. Lee & B. YOUNG Date: 11-1-76

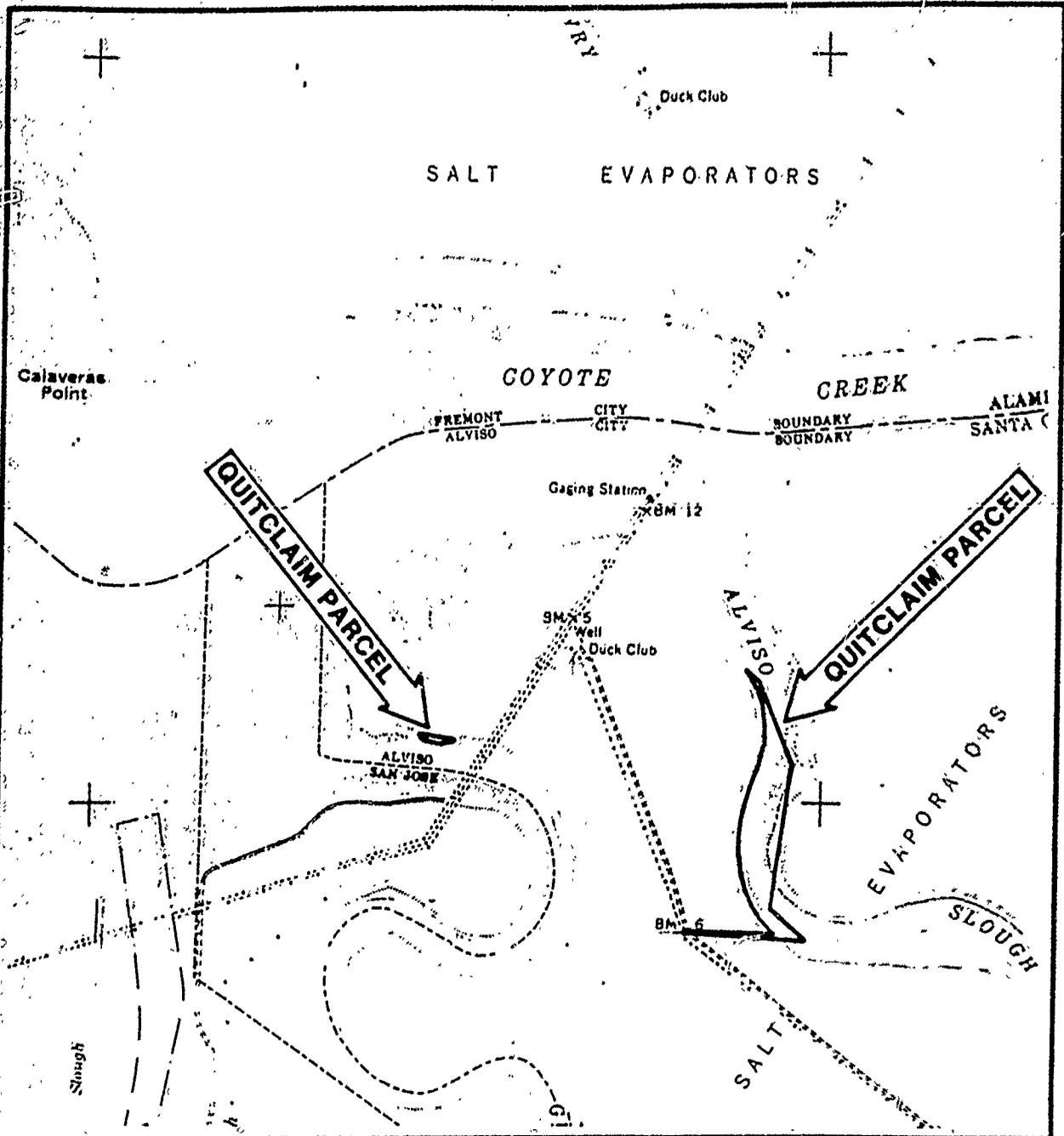
Title Study: SO. S.F. BAY - NATIONAL WILDLIFE REFUGE

EXHIBIT A

W 20272 114.6

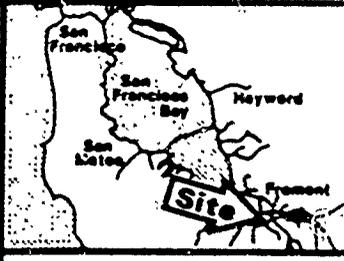
(ADDED 12/14/84)

MINUTE PAGE



STATE LANDS COMMISSION

QUITCLAIM DEED from James Gordon Knapp aka James G. Knapp, dated June 10, 1982, and The Nature Conservancy, a non-profit District of Columbia corporation, dated August 10, 1983, to the State of California. Parcels 12-I and 12-VII.
 Base Map: Portion of USGS Quad, Mountain View 1961 (PR 1968 & 73).



Prepared by: B. Lee	Date: 12-05-84 A: 23 S: 13	EXHIBIT B-2
Title Study: So. S. F. Bay Fed. Refuge	W 21975	Z 3-N 34-E 155

(ADDED 12/14/84)

CALIFORNIA MAP	114.8
MINUTE PAGE	2032