MINUTE ITEM

This Calendar Item No. C15 was approved as Minute Item No. 15 by the State Lands Commission by a vote of 2 to 0 at its 5/22/86 meeting.

CALENDAR ITEM

A 18, 21, 23

S 10, 11, 13

C15

05/22/86
W 21567.12
AD 47
PRC 6045
Grimmett

AUTHORIZE ACCEPTANCE OF QUITCLAIM DEEDS TO PARCELS LOCATED IN ALAMEDA, SAN MATEO, AND SANTA CLARA COUNTIES. AS STATE SOVEREIGN LANDS AND AMEND LEASE TO UNITED STATES FISH AND WILDLIFE SERVICE

In the course of acquiring several tracts for the San Francisco Bay National Wildlife Refuge, the United States Fish and Wildlife Service determined there were possible tide and 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 the possible tide or submerged lands from the description.

The United States Fish and Wildlife Service identified the areas in question, and instructed the landowner, Leslie Salt, to execute quitclaim deeds 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.

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. As to the acceptance and recordation of quitclaim deeds, 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 because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

   Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

2. As to the lease of the real property to the United States Fish and Wildlife Service, 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 categorical exempt project. The project is exempt under Class 8, Actions by Regulatory Agencies for the Protection of the Environment, 14 Cal. Adm. Code 15308.

   Authority: P.R.C. 21084 and 14 Cal. Adm. Code 15300.

3. An existing 66 year lease, PRC 6045 beginning September 1, 1981, to the U.S. Fish and Wildlife Service was approved by the Commission at its August 20, 1981 meeting.

A Memorandum of Understanding affecting this lease was approved by Commission action on August 21, 1984.

EXHIBITS: A. Description.
B. Plat.

IT IS RECOMMENDED THAT THE COMMISSION:

1. AS TO THE ACCEPTANCE AND RECORDATION OF THE QUITCLAIM DEEDS, FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.

2. AUTHORIZE THE ACCEPTANCE AND RECORDATION OF QUITCLAIM DEEDS FROM LESLIE SALT COMPANY FOR THOSE PARCELS OF REAL PROPERTY SHOWN ON ATTACHED EXHIBIT "B", MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", AS LAND OWNED BY THE STATE IN ITS SOVEREIGN CAPACITY AND SUBJECT TO THE PUBLIC TRUST.

3. AS TO THE LEASE OF THE REAL PROPERTY TO THE UNITED STATES FISH AND WILDLIFE SERVICE, FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 8, ACTIONS BY REGULATORY AGENCIES FOR THE PROTECTION OF THE ENVIRONMENT, 14 CAL. ADM. CODE 15308.

4. AUTHORIZE AN AMENDMENT OF THE EXISTING 66 YEAR LEASE, PRC 6045, TO THE UNITED STATES FISH AND WILDLIFE SERVICE, OF THE REAL PROPERTY DESCRIBED IN EXHIBIT "A", FOR INCLUSION IN THE SAN FRANCISCO BAY NATIONAL WILDLIFE REFUGE. ALL OTHER TERMS OF THE LEASE TO REMAIN THE SAME.

5. 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.

PARCEL 1

Being a portion of Parcel 1 in the Arden Salt Company Quiet Title Decree, Case No. 114249 entered June 7, 1932, in the Superior Court of California, being recorded in Liber 2860 of Official Records of Alameda County, page 1, described as follows:

Beginning at a point which bears South 40° 02' 35" West 8374.69 feet from N.G.S. Station "Red Hill"; thence along the following courses:

South 07° 47' 00" East 140.3 feet, South 11° 55' 56" West 72.6 feet,
South 02° 08' 51" East 160.1 feet, South 23° 04' 13" East 58.7 feet,
South 02° 04' 30" East 414.3 feet, South 14° 44' 56" East 117.9 feet,
South 14° 28' 13" West 32.0 feet, South 13° 29' 45" East 77.1 feet,
South 38° 17' 25" East 145.2 feet, South 63° 26' 06" East 159.0 feet,
South 23° 22' 09" East 176.5 feet, South 38° 22' 03" East 61.2 feet,
South 01° 41' 05" West 102.0 feet, North 88° 17' 25" West 67.0 feet,
South 19° 17' 33" East 21.2 feet, South 61° 41' 57" East 88.6 feet,
South 14° 25' 14" East 180.7 feet, South 09° 01' 29" East 302.2 feet,
South 36° 07' 10" East 45.8 feet, South 05° 30' 20" East 83.4 feet,
South 12° 43' 47" East 140.4 feet, South 07° 22' 26" East 171.4 feet,
South 12° 10' 45" East 28[illegible].4 feet, South 04° 39' 35" East 110.3 feet,
South 09° 06' 41" East 107.4 feet, South 08° 39' 09" West 46.5 feet,
South 05° 32' 19" East 497.3 feet, South 01° 07' 11" West 307.1 feet,
South 20° 02' 43" East 78.8 feet, South 01° 00' 08" East 114.0 feet,
South 07° 45' 57" West 133.2 feet, South 17° 56' 30" East 110.4 feet,
South 04° 00' 57" East 642.6 feet, South 07° 41' 59" West 224.0 feet,
South 20° 58' 25" East 64.3 feet, South 41° 20' 52" East 33.3 feet,
South 04° 20' 18" East 145.4 feet, South 06° 39' 16" East 60.4 feet,
South 06° 51' 14" West 209.5 feet, South 21° 34' 17" East 46.2 feet,
South 13° 51' 07" East 75.2 feet, South 02° 08' 20" West 134.1 feet,
South 09° 05' 25" West 101.3 feet, South 00° 53' 43" East 192.0 feet,
South 20° 11' 09" West 72.5 feet, South 08° 31' 51" East [illegible] feet,
South 04° 23' 55" West 130.4 feet, South 16° 28' 37" West 74.0 feet,
South 05° 05' 18" East 146.6 feet, South 06° 59' 31" West 213.6 feet,
South 09° 01' 10" East 63.8 feet, South 10° 09' 57" West 140.67 feet,

to the intersection with a curve with a radius of 9825.0 feet and a center which bears South 57° 52' 55.5" West 14439.93 feet from said "Red Hill"; thence southwesterly along said curve, through a central angle of 12° 41' 26.5" for an arc distance of 2176.18 feet; thence tangent to said curve, South 50° 55' 37" West 614.41 feet; thence North 35° West 345.36 feet, North [illegible]° West 1800.0 feet, North 10° 45' West 5900.0 feet, and North 26° West 1816.19 feet to the intersection with the north line of Section 6, Township 5 South, Range 2 West, M.D.M.; thence along said north line of Section 6, South 88° 49' 18" East 2785.91 feet to the northeast corner thereof; thence along the north line of Section 5, Township and Range aforesaid, South 88° 49' 58" East 476.05 feet to the intersection with a line which bears North 18° 26' West from the point of beginning; thence South 18° 26' East 170.29 feet to the point of beginning.

Containing 544.345 acres, more or less.

PARCEL 2

Being a portion of Parcel 1 in the Arden Salt Company Quiet Title Decree, Case No. 114249, entered June 7, 1932, in the Superior Court of California, being recorded in Liber 2860 of Official Records of Alameda County, page 1, described as follows:

Beginning at a point which bears South 17° 49' 27" West 15526.20 feet from N.G.S. Station "Red Hill"; thence along the following courses:

South 31° 22' 23" East 48.0 feet,
South 07° 32' 58" East 83.7 feet, South 07° 38' 40" West 150.3 feet,
South 24° 18' 20" East 102.0 feet, South 15° 56' 40" West 72.8 feet,
South 11° 58' 10" East 289.3 feet, South 01° 33' 50" West 110.0 feet,
South 13° 37' 40" West 67.9 feet, South 04° 41' 00" West 171.6 feet,
South 08° 27' 20" East 74.8 feet, South 08° 07' 50" West 98.9 feet,
South 02° 11' 00" East 105.1 feet, South 03° 33' 20" West 177.3 feet,
South 18° 15' 30" East 102.1 feet, South 24° 18' 20" West 34.0 feet,
South 80° 54' 30" East 25.3 feet, South 36° 26' 00" East 52.2 feet,
South 19° 14' 00" East 431.1 feet, South 25° 25' 40" East 337.7 feet,
South 03° 30' 10" West 49.1 feet, South 31° 09' 20" East 56.1 feet,
South 25° 38' 30" East 55.5 feet, South 58° 1[illegible]' 30" East 24.7 feet,
South 23° 12' 00" East 68.5 feet, South 11° 02' 30" East 83.5 feet,
South 26° 52' 10" East 84.1 feet, South 37° 34' 40" East 388.6 feet,
South 48° 37' 20" East 167.9 feet, South 67° 20' 10" East 99.15 feet,

to the southerly line of said Parcel 1; thence along said southerly line, South 41° 51' 10" West 96.02 feet and
South 56° 37' 40" West 850.0 feet; thence North 35° West 3458.40 feet to the intersection with the southeasterly line of Parcel C of the Final Order of Condemnation, Case No. 82225 entered October 3, 1925, in the Superior Court of California, being recorded in Liber 1126 of said Official Records, page 425; thence along said southeasterly line as shown on Sheet 17 of that Record of Survey No. 551, recorded in Book 10 of Records of Survey, at pages 29-85,
North 50° 55' 21" East 1433.87 feet, South 39° 04' 39" East 25.0 feet, and North 50° 55' 21" East 505.64 feet to the intersection with a line which bears North 78° 30' 12" West from the point of beginning; thence along said line, South 78° 30' 12" East 42.50 feet to the point of beginning.

Containing 88.433 acres, more or less.

EXHIBIT "A"

PARCEL 3

All that certain real property being a portion of Parcel 1 described in the deed from Central Pacific Railway Company and Southern Pacific Company to Leslie Salt Co., recorded in Liber 5206 of Official Records of Alameda County, page 356, described as follows:

Commencing at a concrete monument known as Leslie Salt Co. Monument 145 which bears South 11° 13' 05.5" West 18,147.90 feet from National Geodetic Survey Monument "Red Hill"; thence from said Monument 145, South 9° 07' 36" East 926.7 feet to the point of beginning; thence North 71° 33' 54" West 168.27 feet to the intersection with the southeasterly boundary line of the lands of Southern Pacific Transportation Company; thence along said southeasterly boundary South 50° 54' 57" West 46.11 feet to the westerly line of Tideland Survey No. 103; thence along said westerly line, South 30° 30' 09" East 399.38 feet to the center of Section 17, Township 5 South, Range 2 West, M.D.M.; thence continuing along the southwesterly boundary of Tideland Survey No. 103, South 75° 39' 24" East 749.95 feet; thence North 14° 20' 36" East 306.03 feet to the intersection with a line that bears South 58° 34' 59" East from a point which bears South 38° 21' 26" East 1332.7 feet from aforesaid Leslie Salt Co. Monument 145; thence along said line North 58° 34' 59" West 151.93 feet to said point; thence South 49° 44' 15" West 128.4 feet, North 30° 11' 30" West 63.3 feet, South 73° 37' 23" West 255.4 feet, North 44° 14' 46" West 107.5 feet, South 75° 34' 45" West 72.8 feet, and North 42° 58' 22" West 234.01 feet to the point of beginning.

Containing 5.274 acres, more or less.

EXHIBIT "A"

PARCEL 4

All that certain real property being a portion of Parcel 8 in the Arden Salt Company Quiet Title Decree, Case No. 114,249, entered June 7, 1932, in the Superior Court of California, being recorded in Liber 2860 of Official Records of Alamada County, page 1, described as follows:

Commencing at a concrete monument known as Leslie Salt Monument No. 109 which bears South 27° 57' 15" East 25261.11 feet from N.G.S. Station "Red Hill"; thence from said concrete monument, South 2° 33' 23" East 6814.57 feet to the point of beginning; thence
South 14° 02' 11" East 288.6 feet, South 32° 16' 32" East 89.9 feet
South 52° 00' 05" West 81.2 feet, South 34° 57' 39" East 150.1 feet
South 2° 00' 35" West 57.0 feet, South 43° 22' 36" West 174.7 feet
South 10° 57' 15" East 63.2 feet, South 71° 52' 41" East 57.9 feet
South 6° 35' 48" East 148.0 feet, South 12° 16' 44" East 174.0 feet
South 27° 19' 26" East 202.6 feet, South 29° 53' 56" West 46.1 feet
South 24° 11' 51" East 173.2 feet, South 5° 06' 08" East 168.7 feet
South 39° 14' 35" East 260.8 feet, North 83° 14' 47" East 153.1 feet
North 67° 26' 34" East 140.8 feet, and
South 77° 04' 12" East 106.41 feet to the intersection with the southerly line of aforementioned Parcel 8; thence along the southerly and westerly boundary of Parcel 8,
South 65° 17' 35" West 669.67 feet, North 20° 01' 25" West 1387.30 fe
and North 11° 17' 40" East 903.92 feet to the intersection with a line which bears North 31° 07' 49" West from the point of beginning; thence along said line, South 31° 07' 49" East 117.01 feet to the point of beginning.

Containing 12.549 acres, more or less.

The California Coordinate System Zone III was used as the basis of bearings for the foregoing descriptions. All distances are grid distances. To obtain ground distances, multiply the grid distance by 1.00006.

Date April 26, 1978

Raymond B. Thinggaard
Raymond B. Thinggaard LS 3820

EXHIBIT "A"

CALENDAR PAGE 71
MINUTE PAGE 1268

Commencing at a 3/4" iron pipe called 488-9 shown on that certain Record of Survey recorded July 28, 1977, in Book 8 of Licensed Land Surveyor's Maps, at pages 76-88, San Mateo County Records, and which iron pipe bears North 63° 53' 40" West 5985.69 feet from N.G.S. "Dum" as result with a 1" iron pipe; thence North 63° 50' 00" West 454.16 feet to the point of beginning; thence along the boundary line agreed upon between Leslie Salt Co. and Westbay Community Associates by agreement dated September 28, 1977, recorded October 25, 1977, in Volume 7636 of said Official Records of San Mateo County, page 283, the following courses:

North 31° 12' 29" East 304.64 feet, North 55° 25' 42" East 1262.47 feet,
North 52° 55' 50" East 897.08 feet, North 57° 25' 36" East 950.66 feet,
North 85° 55' 43" East 272.54 feet, South 6° 31' 08" East 580.69 feet,

and South 54° 36' 22" East 1950.75 feet to the range line dividing Ranges 2 and 3 West M.D.M.; thence South 0° 59' 58" West along said range line, 158.88 feet to the north line of Parcel SM-2 described in the patent from the State of California to Leslie Salt Co., recorded in Volume 5426, of said Official Records, page 130; thence along said north line North 55° 42' 47" West 176.53 feet to a point which bears North 1° 05' 53" West 4031.8 feet from Leslie Salt Co. Monument 43, a 2" x 2" redwood stake; thence continuing along said north line of Parcel SM-2, the following courses:

North 71° 46' 03" East 89.5 feet, North 49° 44' 29" West 606.7 feet,
North 59° 42' 07" West 693.8 feet, South 88° 25' 04" West 362.1 feet,
South 46° 06' 06" West 147.1 feet, North 41° 29' 17" West 196.2 feet,
South 77° 50' 50" West 413.3 feet, South 63° 02' 33" West 326.5 feet,
South 19° 34' 23" West 95.5 feet, North 85° 21' 07" West 123.4 feet,
South 61° 14' 58" West 914.8 feet, North 65° 56' 34" West 61.3 feet,
South 62° 28' 05" West 318.0 feet, North 89° 27' 43" West 213.0 feet,
South 58° 26' 55" West 401.3 feet, South 75° 04' 07" West 232.9 feet,
South 14° 52' 32" West 662.2 feet, North 87° 57' 16" West 280.2 feet,
South 69° 34' 02" West 272.1 feet, North 60° 38' 32" West 312.1 feet,
South 74° 12' 50" West 440.8 feet, South 67° 23' 23" West 460.4 feet,

and South 61° 17' 49" West 385.57 feet to the northeast corner of Parcel G described in the deed from Leslie Salt Co. to the State of California, recorded February 1, 1968, in Volume 5426, Official Records, of San Mateo County, page 109; thence
North 39° 22' 17" West 236.74 feet to a point which bears
North 20° 35' 07" West 215.93 feet from a ramset nail and tin on the easterly concrete footing of PG&E Tower No. 3/43 as shown on aforementioned Record of Survey; thence from said point along the boundary agreed upon between Leslie Salt Co. and Westbay Community Associates aforementioned, North 67° 26' 17" East 831.43 feet and
North 64° 22' 46" East 970.48 feet; thence
North 64° 22' 46" East 295.68 feet; thence
North 84° 13' 00" East 322.67 feet to the intersection with a line that bears South 31° 12' 29" West from the point of beginning; thence along said line North 31° 12' 29" East 308.88 feet to the point of beginning.

Containing 64.164 acres, more or less.

The California Coordinate System Zone III as shown on said Record of Survey filed in Book 8 of Licensed Land Surveyor's Maps at pages 76-88, San Mateo County Records, was taken as the basis of bearings for this description. All distances are grid distances. To obtain ground distances, multiply the grid distance by 1.0000625.

DATED April 26, 1978

Raymond R. Thimgsen
Raymond R. Thimgsen L.S. 3520

CALENDAR PAGE 72
MINUTE PAGE 1269

All that certain portion of Parcel 6 of the Arden Salt Company Quiet Title Decree No. 38406 recorded in Volume 569, Official Records of Santa Clara County, page 126, which lies northerly and westerly of a line described as follows:

Beginning at the point of intersection of the northerly line of said Parcel 6 with a line which bears North 79° 57' 39" East from a point which bears North 82° 56' 18" West 4105.80 feet from Leslie Monument 89, a concrete monument, all as shown on page 39 of that Record of Survey recorded in Book 378 of Maps, pages 1-57, said Official Records of Santa Clara County; thence from said point of beginning, South 79° 57' 39" West to said point; thence along the following courses

5.141 Ac.

North 81° 42' 51" West 104.1 feet, South 81° 58' 32" West 537.3 feet,
South 60° 16' 04" West 153.9 feet, South 82° 35' 19" West 124.0 feet,
South 81° 02' 26" West 449.5 feet, South 85° 44' 23" West 1238.4 feet,
South 63° 53' 42" West 334.1 feet, South 72° 27' 58" West 341.9 feet,
South 78° 31' 50" West 211.2 feet, South 83° 38' 37" West 368.1 feet,
North 76° 37' 04" West 254.9 feet, South 87° 49' 06" West 105.1 feet,
South 3[illegible]° 02' 44" West 120.2 feet, South 00° 13' 03" East 527.0 feet,
South 27° 36' 08" East 190.71 feet, to the intersection with the westerly line of said Parcel 6.

Together with all that portion of Parcel 7 of said Arden Salt Company Quiet Title Decree No. 38406 which lies northerly of the line described as follows:

Beginning at the intersection of the easterly line of said Parcel 7 with a line which bears North 81° 51' 46" East from a point which bears South 14° 38' 14" East 889.60 from Leslie Salt Monument 91, a concrete monument, all as shown on page 40 of that Record of Survey recorded in Book 378 of Maps, pages 1-57, said Official Records of Santa Clara County; thence from said point of beginning, South 81° 51' 46" West 194.64 feet to said point; thence along

2.427 Ac.

South 51° 50' 34" West 89.0 feet, North 84° 44' 15" West 381.6 feet,
South 55.0 feet, North 77° 57' 50" West 266.3 feet,
North 81° 21' 53" West 418.3 feet, South 88° 35' 46" West 130.0 feet,
North 69° 35' 59" West 645.5 feet, North 73° 15' 29" West 642.2 feet,
North 70° 20' 10" West 1043.0 feet, North 75° 31' 54" West 1100.0 feet,
and North 73° 06' 03" West 508.53 feet to a point in the northerly line of that parcel of land designated Parcel 2 in the deed from Arden Salt Company to City of San Jose, recorded in Book 656 of said Official Records, page 61, said point being the northwesterly terminus of the course having a radius of 335.0 feet.

The California Coordinate System, Zone III, as shown on said Record of Survey was taken as the basis of bearings for this description. All distances are grid distances. To obtain ground distances, multiply the grid distance by 1.0000587.

Dated: May 9, 1978

Raymond B. Thinggaard
Raymond B. Thinggaard LS 3820

CALENDAR PAGE 73
MINUTE PAGE 1270

EXHIBIT "A"

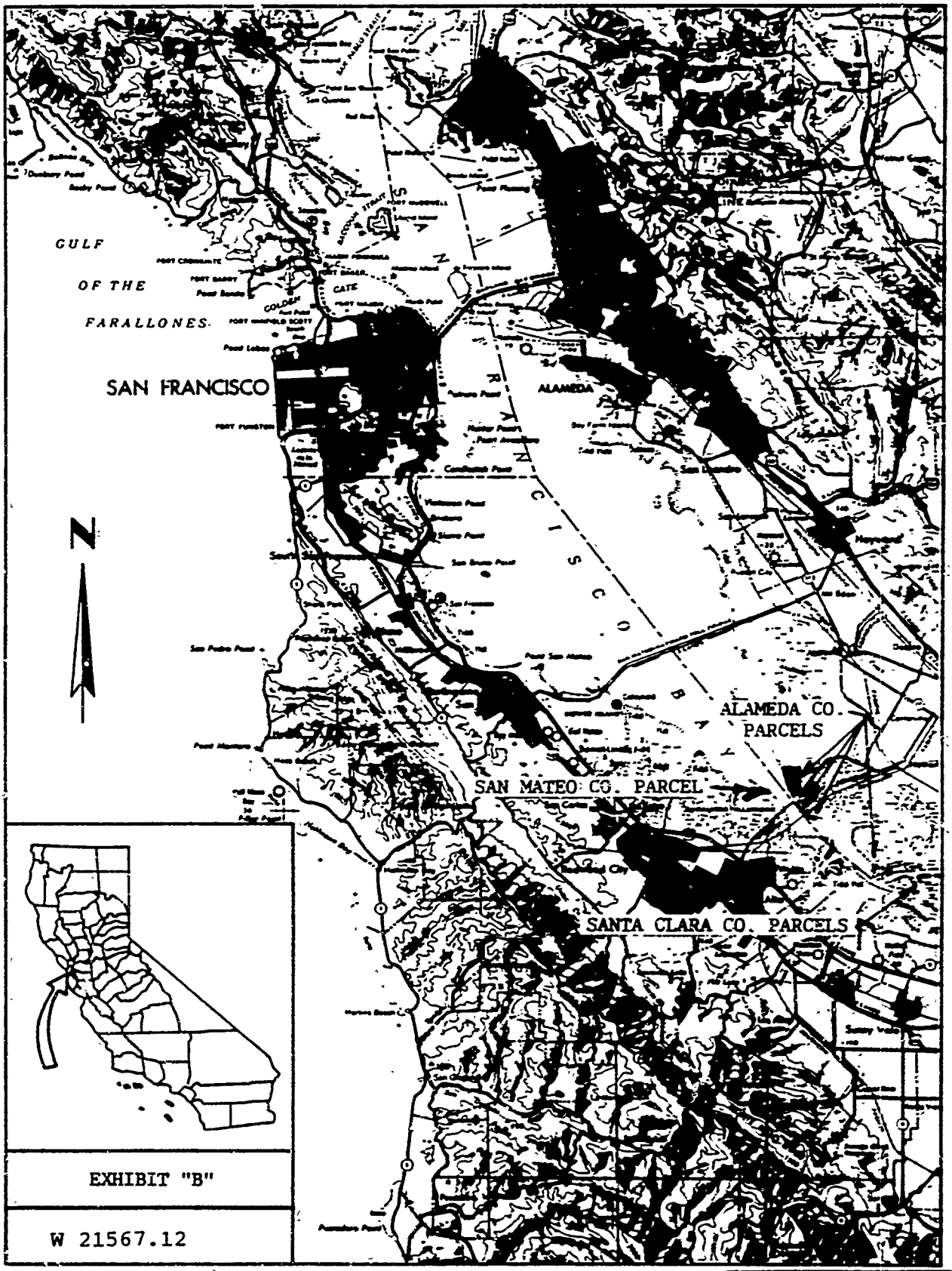

EXHIBIT "B"

W 21567.12

CALENDAR PAGE 74
MINUTE PAGE 1271