

MINUTE ITEM
This Calendar Item No. 59
was approved as Minute Item
No. 59 by the State Lands
Commission by a vote of 2
to 0 at its 12/13/88
meeting.

CALENDAR ITEM

A 20
S 11

59

12/13/88
W22319 BLA 141
Okikawa

APPROVAL OF AMENDMENT OF SETTLEMENT AGREEMENT
FOR PURPOSES OF RELOCATING AN EXISTING
PEDESTRIAN AND BICYCLE EASEMENT

PARTIES:

Redwood Shores
3 Twin Dolphin Drive
Suite 200
Redwood City, CA 94065-1081

Indian Creek Garden Apartments
1199 Howard Avenue
Burlingame, CA 94010

Redwood Shores, Inc. and Indian Creek Garden Apartments, as successors in interest to Redwood Shores, Inc. as to certain real property located in Redwood City, San Mateo County, have requested the State Lands Commission to relocate a pedestrian and bicycle easement previously granted to the State by a Corporation grant deed executed on November 16, 1979, and recorded on December 27, 1979 in the Official Records of San Mateo County. The easement was granted to the State pursuant to Boundary Line Agreement 141, entered into by the State and Mobil Oil Estates (Redwood) Limited. The Corporation Grant Deed dated November 16, 1979, granting the easement to the State by its terms is relocatable at the "sole discretion" of the grantor to a new location which shall allow the "same use".

The easement currently held by the State (hereinafter the relocatable easement) is approximately twenty feet in width and runs adjacent to the northern end of Shell Drive. The relocatable easement is described in Exhibit "A", and is depicted in Exhibit "B".

-1-

(ADDED 12/12/88 - pgs. 321-321.8)

CALENDAR PAGE	<u>321</u>
MINUTE PAGE	<u>3554</u>

CALENDAR ITEM NO. 59 (CONT'D)

Redwood Shores and Indian Creek propose to replace the relocatable easement with two different easements (hereinafter "proposed easements"). The proposed easements, which will occupy lands owned in part by Redwood Shores, Inc. and in part by Indian Creek Garden Apartments, are approximately twenty feet in width. One will run from the northwest end of Shell Drive to a levee easement adjacent to Belmont Slough, currently owned by the State. The other will provide access from Marine Parkway northwesterly to the aforementioned State levee easement. The proposed easements are described in Exhibit "C", and are depicted in Exhibit "D".

Staff of the State Lands Commission has conducted a study of the evidence to assure that the proposed easement will provide the "same use". The proposed easement will consist of a decomposed granite pathway which will support bicycle, wheelchair and pedestrian access. Indian Creek Garden Apartments has agreed to maintain the decomposed granite pathway.

The staff of the State Lands Commission is of the opinion that the proposed easements are of the same use as the relocatable easement, and therefore recommends to the Commission that the State quitclaim to Indian Creek Garden Apartments all right, title and interest in the relocatable easement described in Exhibit "A" and depicted in Exhibit "B", in exchange for the proposed easements for access described in Exhibit "C" and depicted in Exhibit "D".

AB 884: N/A

OTHER PERTINENT INFORMATION:

1. This transaction is exempt from the requirements of CEQA pursuant to Public Resources Code Section 21080.11 as to settlements of title and boundary problems, and exchanges in connection with such settlements.

EXHIBITS:

- A. Land Description, Relocatable Easement
- B. Location Map, Relocatable Easement
- C. Land Description, Proposed Easements
- D. Location Map, Proposed Easements

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS TRANSACTION IS EXEMPT FROM THE REQUIREMENTS OF CEQA PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.11

CALENDAR ITEM NO. 59 (CONT'D)

AS TO THE SETTLEMENT OF TITLE AND BOUNDARY PROBLEMS, AND EXCHANGES IN CONNECTION THEREWITH.

2. APPROVE THE QUITCLAIM TO INDIAN CREEK GARDEN APARTMENTS OF ALL RIGHT, TITLE, AND INTEREST IN THE RELOCATABLE EASEMENT DESCRIBED IN EXHIBIT "A" AND DEPICTED IN EXHIBIT "B" ATTACHED HERETO, IN EXCHANGE FOR THE PROPOSED EASEMENTS FOR PUBLIC ACCESS DESCRIBED IN EXHIBIT "C" AND DEPICTED IN EXHIBIT "D" ATTACHED HERETO, AND AUTHORIZE STAFF TO TAKE ALL STEPS NECESSARY TO ACCOMPLISH THIS EXCHANGE OF EASEMENTS INCLUDING, BUT NOT LIMITED TO, EXECUTION, ACCEPTANCE AND RECORDATION OF ALL DOCUMENTS.

EXHIBIT "A"

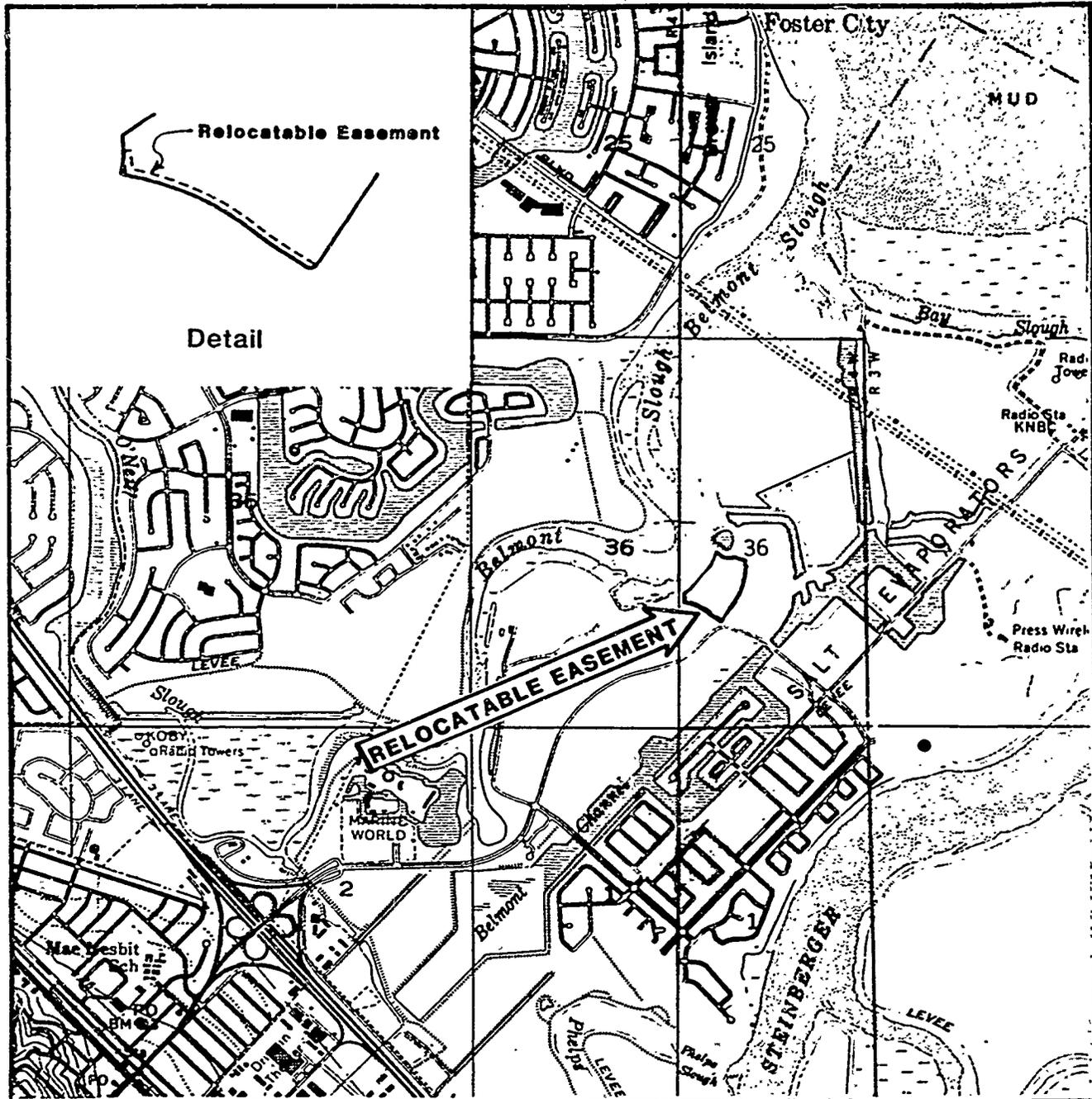
LEGAL DESCRIPTION

CERTAIN real property situate in the City of Redwood City, County of San Mateo, State of California, particularly described as follows:

BEGINNING at the Northwest corner of that certain 20 foot easement described as Parcel S-7 in that certain deed from Mobil Oil Estates (Redwood) Limited to State of California recorded February 22, 1974 in Volume 6557 at Page 718, Official Records of San Mateo County, California; running thence along the Westerly line of said easement South 06° 08' 10" East 65.88 feet; thence leaving said line along the arc of a curve to the right from a tangent that bears South 79° 16' 51" East having a radius of 750.00 feet through a central angle of 29° 14' 44" an arc distance of 382.82 feet; thence along the arc of a tangent reverse curve to the left having a radius of 688 feet through a central angle of 06° 45' 40" an arc distance of 81.19 feet; thence tangentially South 56° 47' 47" East 80.71 feet; thence along the arc of a tangent curve to the left having a radius of 20.00 feet through a central angle of 90° 00' 00" an arc distance of 31.42 feet; thence North 56° 47' 47" West 100.71 feet; thence along the arc of a tangent curve to the right having a radius of 668.00 feet through a central angle of 06° 45' 40" an arc distance of 78.83 feet; thence along the arc of a tangent reverse curve to the left having a radius of 770.00 feet through a central angle of 28° 08' 17" an arc distance of 378.15 feet; thence North 06° 08' 10" West 51.20 feet; thence South 83° 51' 50" West 20.00 feet to the Point of Beginning.

The California 'Coordinate System', Zone 3, was used as the basis of bearings for the parcel described herein. All bearings given are grid bearings. All distances given are grid distances. To convert distance to ground distance, multiply grid distance by scale of 1.0000636.

REVIEWED BY BOUNDARY INVESTIGATIONS UNIT 4, RAND LA FORCE, SUPERVISOR, ON DECEMBER 2, 1988.



STATE LANDS COMMISSION

LOCATION MAP

RELOCATABLE EASEMENT

Base Map: Portions of USGS quadrangles - San Mateo 1956 (PR80), and Redwood Point 1959 (PR80)



Prepared by: B. LEE

Date: 12/02/88 A: 20 S: 11

EXHIBIT B

Title Study REDWOOD SHORES/BELMONT SLW 22319

Z 3 -N38-E 149

CALENDAR PAGE

321

MINUTE PAGE

3558

EXHIBIT "C"

LAND DESCRIPTION

Parcel One

A NON-EXCLUSIVE easement, 20 feet wide, for pedestrian and bicycle usage on, over, and across a portion of Lot 1 as said lot is shown on that certain Map entitled "Shoreline Neighborhood Area 'F'", which map was recorded in Volume 118 of Maps at Pages 58-60, San Mateo County Records, situate in the City of Redwood City, County of San Mateo, State of California, described as follows:

Beginning at the most Southwesterly corner of said Lot 1; thence along the Westerly line of Lot 1 North 9° 32' 04" East, 55.11 feet; thence North 6° 08' 10" West to a point on the Southeasterly line of that certain 20-foot wide easement described as Parcel S-5 in that certain Deed from Mobil Oil Estates (Redwood) Limited to the State of California recorded February 22, 1974 in Book 6557 at Page 718, Official Records of San Mateo County; thence along said Southeasterly line in a Northeasterly direction to a point distant 20.00 feet, measured at right angles, from the last-named course on the Westerly line of Lot 1; thence parallel to said course, South 6° 08' 10" East to an angle point; thence parallel to and distant 20.00 feet, measured at right angles, from the first-named course of this description, South 9° 32' 04" West, 38.12 feet; thence from a tangent bearing South 78° 58' 38" East, along the arc of curve to the right with a radius of 770.00 feet, through a central angle of 2° 08' 48", an arc distance of 28.85 feet; thence South 14° 50' 38" West, 20.01 feet to a point on the Southerly line of Lot 1; thence following said Southerly line, from a tangent bearing North 76° 52' 31" West, along the arc of curve to the left with a radius of 750.00 feet, through a central angle of 3° 35' 25", an arc distance of 47.00 feet to the Point of Beginning.

EXHIBIT "C"

LEGAL DESCRIPTION

Parcel Two

A NON-EXCLUSIVE easement for pedestrian and bicycle usage on, over and across all that certain real property situate in the City of Redwood City, County of San Mateo, State of California, described as follows:

A strip of land 9.00 feet in width, measured at right angles, contiguous to and lying generally Southerly of the Northeasterly line of Lot 1 as said lot is shown on the map of SHORELINE NEIGHBORHOOD AREA "F", which map was recorded July 29, 1988 in Volume 118 of Maps at Pages 58, 59 and 60, San Mateo County Records, said easement extending from the Southeasterly line of Parcel S-4 (6557 O.R. 633) as noted on said map to the Westerly line of Marine Parkway as shown on said map.

EXHIBIT "C"

LEGAL DESCRIPTION

Parcel Three

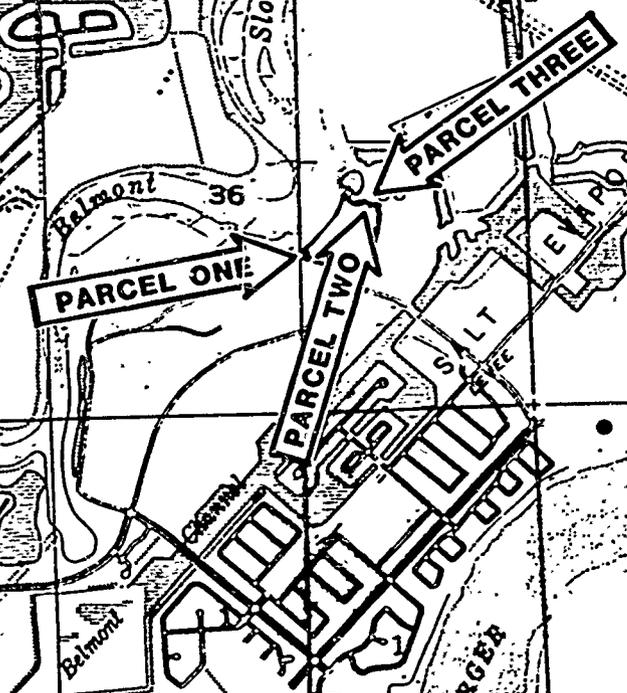
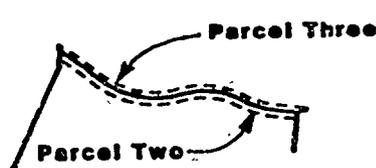
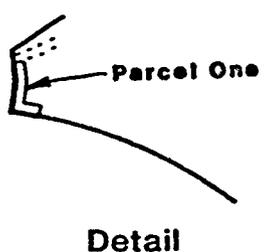
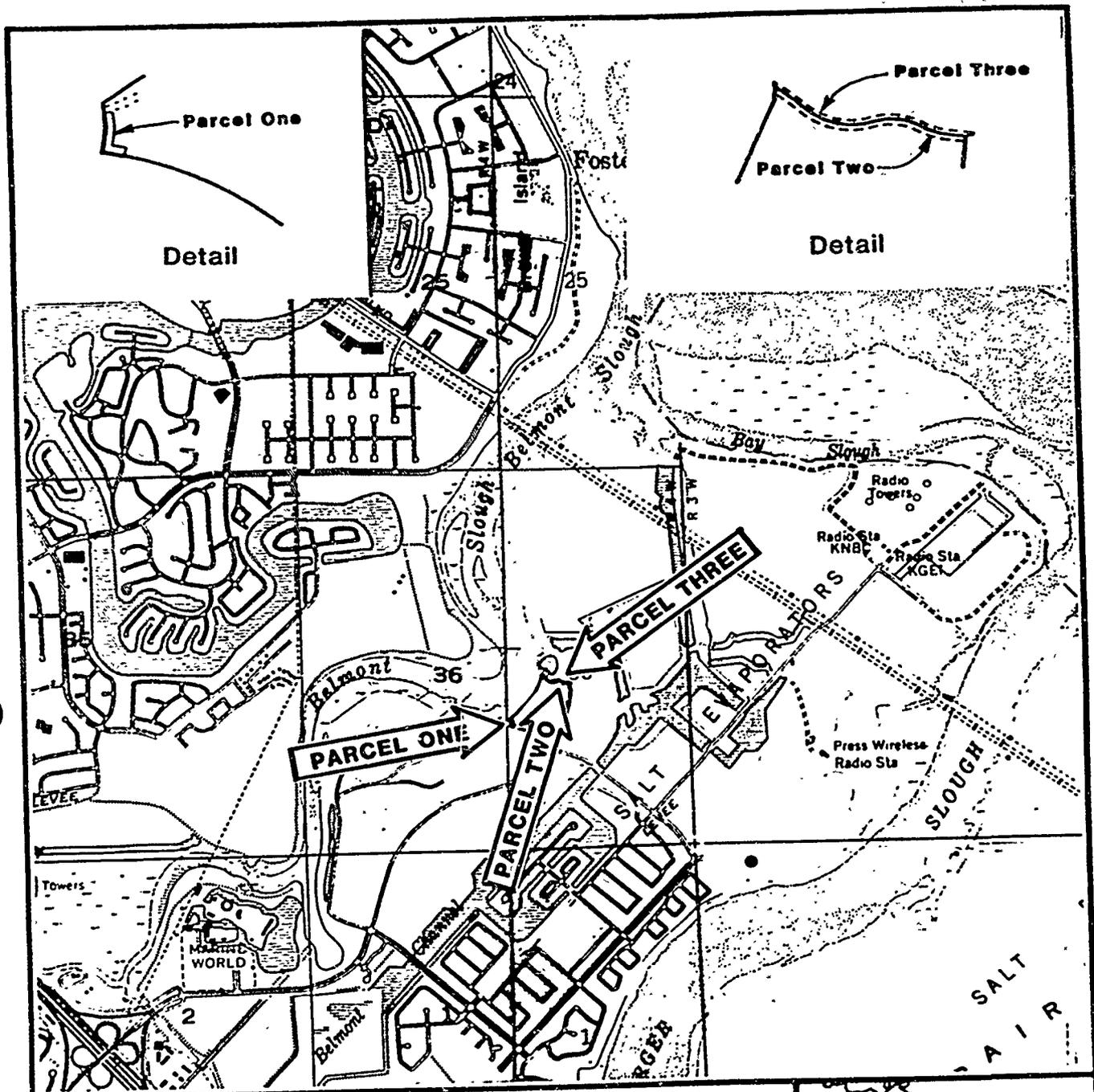
A NON-EXCLUSIVE easement for pedestrian and bicycle usage on, over and across all that certain real property situate in the City of Redwood City, County of San Mateo, State of California, described as follows:

A strip of land 11.00 feet in width, measured at right angles, contiguous to and lying generally Northerly of the Northeasterly line of Lot 1 as said lot is shown on the map of SHORELINE NEIGHBORHOOD AREA "F", which map was recorded July 29, 1988 in Volume 118 of Maps at Pages 58, 59 and 60, San Mateo County Records, said easement extending from the Southeasterly line of Parcel S-4 (6557 OR. 633) as noted on said map to the Westerly line of Marine Parkway as shown on said map, the northerly line of said easement being more particularly described as follows:

Beginning at a point on said Southeasterly line of Parcel S-4, said point being distant North 2° 00' 00" East, 12.44 feet from the most Northerly corner of said Lot 1; thence from a tangent bearing South 60° 42' 14" East, along the arc of a curve to the right with a radius of 311.00 feet, through a central angle of 14° 25' 18", an arc distance of 78.28 feet to a point of reverse curvature; thence from a tangent bearing South 46° 16' 56" East, along the arc of a curve to the left with a radius of 139.00 feet, through a central angle of 60° 20' 09", an arc distance of 146.38 feet to a point of reverse curvature; thence from a tangent bearing North 73° 22' 55" East, along the arc of a curve to the right with a radius of 131.00 feet, through a central angle of 46° 37' 42", an arc distance of 106.61 feet to a point of reverse curvature; thence from a tangent bearing South 59° 59' 23", along the arc of a curve to the left with a radius of 139.00 feet, through a central angle of 23° 18' 24", an arc distance of 56.54 feet; thence South 83° 17' 47" East, 49.86 feet to a point on the Westerly line of said Marine Parkway.

The California Coordinate System, Zone 3, was used as the basis of bearings for the parcels described herein. All bearings given are grid bearings. All distances given are grid distances. To convert distance to ground distance, multiply grid distance by scale of 1.0000636.

REVIEWED BY BOUNDARY INVESTIGATION UNIT 4, RAND LA FORCE, SUPERVISOR, ON DECEMBER 2, 1988.



STATE LANDS COMMISSION
LOCATION MAP
PROPOSED EASEMENTS
 Base Map: Portions USGS quadrangles - San Mateo 1956 (PR80), and Redwood Point 1959 (PR80)
 Prepared by: B. LEE Date: 12/02/88 A: 20 S: 11
 Title Study: REDWOOD SHORES/BELMONT SLW 22319



EXHIBIT D
 Z 3 -N38-E 149

CALENDAR PAGE	321.8
MINUTE PAGE	3562