

CALENDAR ITEM

C13

MINUTE ITEM
This Calendar Item No. C13
was approved as Minute Item
No. 13 by the State Lands
Commission by a vote of 3
to 0 at its 12/17/92
meeting.

A 24

S 12

12/17/92
W 503.1748
Kiley

AUTHORIZE FILING A DISCLAIMER
JOHN G. BOURDET, ET AL. v. STATE OF CALIFORNIA, ET AL.
SANTA CLARA COUNTY SUPERIOR COURT NO. 722622

PARTY:

State Lands Commission
1807 - 13th Street
Sacramento, California 95814

The State is a party to a quiet title action involving certain property at or near Pacheco Peak in a remote area of Santa Clara County.

Upon examination of the Commission's records pertinent to the area, the staff has ascertained that the property at issue is within the exterior boundaries of Rancho Ausaymas y San Felipe, and that there is no property interest held by the State Lands Commission in the tracts described in the complaint to quiet title.

Inasmuch as this suit involves lands over which the Commission has no jurisdiction, the staff recommends that the Attorney General be authorized to file a disclaimer on behalf of the State Lands Commission disclaiming any right, title, or interest in the tracts of land described in the complaint to quiet title.

AB 884:

N/A

(ADDED 12/16/92)

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CALENDAR ITEM NO. C13 (CONT'D)

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 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. Code Regs. 15378.

EXHIBITS:

- A. Land Description
- B. Location Map
- C. Site Map

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.
2. AUTHORIZE THE ATTORNEY GENERAL TO FILE A DISCLAIMER ON BEHALF OF THE STATE LANDS COMMISSION IN THE CASE OF JOHN G. BOURDET, ET AL. v. STATE OF CALIFORNIA, ET AL., SANTA CLARA COUNTY SUPERIOR COURT CASE NO. 722622.

EXHIBIT A

Commencing at the northeast corner of the Rancho Ausaymas Y San Felipe, as surveyed by F. P. McCray, and running thence S. 14° 47' 09" W. 2,999.12 feet to the U.S.C. & G.S. Station "Pacheco, 1943" from which the southwest corner of fractional Section 2, T. 11 S., R. 6 E., M.D.D. & M., lies S. 0° 18' 39" W. 3,467.59 feet; thence from said U.S.C. & G.S. Station, West 50.00 feet to the true Point of Beginning; thence, South 60.00 feet; thence, East 200.00 feet; thence, North 376.00 feet; thence, West 200.00 feet, thence, South 316.00 feet to the true Point of Beginning, containing an area of 1.726 acres, more or less.

Provided, however, that there shall be reserved to the grantor, her successors and assigns, subject to the conditions hereinabove set forth that portion of Parcel 1113A described as follows:

Beginning at the true Point of Beginning of the previously described Parcel 1113A and running thence South 60.00 feet; thence East 50.00 feet; thence North 130.47 feet; thence N. 89° 54' E., 120.62 feet; thence N. 11° 00' W., 100.52 feet; thence S. 89° 54' W., 151.44 feet to the west boundary of said Parcel 1113A; thence South 177.09 feet to the Point of Beginning, and containing an area of 0.524 acres, more or less; together with all improvements thereon, and together with access across Parcel 1113A to said reserved parcel over the existing access road and reasonable extension thereof to the southern boundary of said reserved parcel

PARCEL 1113D:

An easement and right of way for a roadway twenty (20) feet in width, over and along an existing roadway extending from Pacheco Pass State Highway in a generally easterly direction to Parcel 1113A described above. The centerline of said easement and right of way will coincide with the centerline of the existing road and will traverse the premises as follows:

Beginning at a point in the southeasterly line of that certain strip of land described in the Deed from C. H. Hawkins and Helen Hawkins, his wife to State of California, dated September 20, 1927, and recorded September 29, 1927, in Book 333 of Official Records, page 550, Santa Clara County Records, said point being opposite Station 384+97.21 on the centerline for the relocation of the State Highway between San Felipe and Bell's Station, known as Road IV, Santa Clara County, Route 32, Section B, said strip of land being a portion of the existing Pacheco Pass State Highway, thence leaving said State Highway and running the following courses and distances:

S. 48° 30' E. 416 feet; thence, S. 61° 00' E. 492 feet; thence, S. 0° 30' E. 533 feet; thence, South 241 feet; thence, S. 54° 15' E. 120 feet; thence, S. 38° 00' W. 140 feet; thence, S. 18° 30' W. 254 feet; thence, S. 2° 00' W. 257 feet; thence S. 61° 00' W. 108 feet; thence, S. 5° 30' W. 245 feet; thence S. 59° 30' E. 318 feet; thence, S. 33° 30' E. 146 feet; thence, S. 78° 30' E. 374 feet; thence S. 31° 15' E. 263 feet; thence, N. 82° 30' E. 222 feet; thence, N. 54° 30' E. 352 feet; thence, S. 36° 30' E. 123 feet; thence, N. 72° 15' E. 162 feet; thence, N. 24° 45' E. 203 feet; thence S. 73° 00' E. 296 feet; thence, N. 70° 15' E. 159 feet; thence, N. 44° 00' E. 234 feet; thence, S. 84° 00' E. 151 feet; thence, S. 3° 45' W. 203 feet; thence, S. 65° 00' E. 159 feet; thence, N. 26° 30' E. 213 feet; thence, N. 89° 00' E. 240 feet; thence S. 58° 30' E. 165 feet; thence, N. 63° 00' E. 177 feet; thence, S. 1° 30' E. 226 feet; thence, S. 49° 30' W. 193 feet; thence, S. 77° 00' E. 67 feet; thence, S. 85° 00' E. 190 feet; thence, N. 79° 00' E. 142 feet; thence, S. 87° 00' E. 97 feet; thence, S. 54° 00' E. 172 feet; thence, S. 47° 00' E. 160 feet; thence, S. 64° 00' E. 116 feet; thence, S. 34° 30' E. 175 feet; thence, S. 72° 30' E. 202 feet; thence, S. 61° 00' E. 146 feet; thence, S. 29° 30' E. 275 feet; thence, S. 77° 00' E. 160 feet; thence, N. 50° 00' E. 40 feet; thence, N. 11° 30' E. 194 feet; thence, N. 44° 30' W. 174 feet; thence, N. 75° 00' W. 55 feet; thence, N. 34° 00' W. 264 feet; thence, N. 10° 30' E. 132 feet; thence, N. 52° 00' W. 142 feet; thence, N. 56° 30' W. 201 feet; thence, N. 23° 30' W. 61 feet; thence, N. 35° 00' E.

100 feet; thence, N. 30° E. 110 feet; thence, S. 0° 00' E. 103 feet; thence, S. 34° 30' E. 102 feet; thence, S. 66° 00' E. 42 feet; thence, N. 79° 00' E. 284 feet; thence, S. 39° 00' E. 120 feet; thence, S. 63° 00' E. 164 feet; thence, N. 52° 00' E. 383 feet; thence, S. 83° 00' E. 216 feet; thence, S. 22° 00' E. 118 feet; thence, S. 81° 00' E. 200 feet; thence, S. 35° 00' E. 168 feet; thence, S. 1° 30' W. 139 feet; thence, S. 76° 45' E. 179 feet; thence, S. 55° 30' E. 203 feet; thence, S. 6° 45' W. 321 feet; thence, S. 25° 00' E. 219 feet; thence, S. 38° 00' W. 100 feet; thence, S. 29° 00' E. 70 feet; thence, S. 11° 00' W. 182 feet; thence, S. 39° 00' W. 85 feet; thence, S. 3° 00' E. 92 feet; thence, S. 49° 00' E. 273 feet; thence, S. 1° 00' E. 165 feet; thence, N. 63° 00' E. 170 feet; thence, S. 64° 00' E. 175 feet; thence, N. 73° 30' E. 450 feet; thence, S. 68° 00' E. 95 feet; thence, N. 47° 30' E. 180 feet; thence, N. 40° 00' E. 143 feet; thence, N. 54° 00' E. 153 feet; thence, N. 47° 30' E. 210 feet; thence, N. 33° 00' E. 250 feet; thence, S. 60° 00' E. 330 feet; thence, S. 19° 00' E. 263 feet; thence, S. 78° 00' E. 180 feet; thence, N. 63° 00' E. 360 feet; thence, N. 56° 00' E. 352 feet; thence, N. 18° 00' E. 245 feet; thence, N. 29° 45' W. 248 feet; thence, N. 78° 00' E. 203 feet; thence, S. 65° 30' E. 270 feet; thence, S. 77° 30' E. 452 feet; thence, N. 75° 15' E. 806 feet; thence, N. 72° 15' E. 312 feet; thence, N. 12° 45' E. 212 feet; thence, S. 81° 00' E. 70 feet; thence, S. 48° 00' E. 135 feet; thence, S. 86° 00' E. 150 feet; thence, S. 72° 30' E. 352 feet; thence, N. 55° 30' E. 226 feet; thence, N. 33° 00' E. 162 feet; thence, N. 64° 00' E. 180 feet; thence, N. 58° 00' E. 204 feet; thence, N. 85° 30' E. 244 feet; thence, N. 72° 30' E. 173 feet; thence, S. 88° 00' E. 288 feet; thence, S. 30° 00' E. 232 feet; thence, N. 74° 00' E. 133 feet; thence, N. 43° 00' E. 307 feet; thence, S. 59° 45' E. 73 feet; thence, S. 13° 45' W. 148 feet; thence, S. 8° 45' W. 209 feet; thence, S. 36° 00' W. 192 feet; thence, S. 4° 30' W. 259 feet; thence, S. 25° 15' E. 172 feet; thence, S. 26° 00' W. 137 feet; thence, N. 73° 45' W. 299 feet; thence, S. 47° 00' E. 84 feet; thence, S. 22° 00' E. 134 feet; thence, S. 3° 15' E. 149 feet; thence, S. 2° 30' W. 261 feet; thence, S. 59° 15' W. 151 feet; thence, S. 77° 15' W. 149 feet; thence, N. 86° 00' W. 164 feet; thence, N. 5° 30' W. 200 feet; thence, N. 10° 00' E. 206 feet; thence, N. 37° 00' E. 19.47 feet to a point on the west line of Parcel 1113A.

PARCEL 1113C:

An easement and right of way for using, maintaining and improving a telephone line within a strip of land ten (10) feet wide, extended not to exceed 50 feet, 25 feet on each side of the center line of said easement and right of way where necessary to provide lateral support for poles, lying five (5) feet on each side of the center line of the existing telephone line, together with the right of ingress and egress, over and across lands of grantor. The center line of said telephone line is located approximately as follows:

Beginning at a point on the southeasterly right of way line of that certain strip of land described in the Deed from C. H. Hawkins and Helen Hawkins, his wife, to State of California, (as described in Parcel 1113A,) said point being opposite Station 388+38.18 on the center line for the relocation of the State Highway, thence, from said point of beginning, and leaving said right of way, S. 52° 58' 30" E. 558.87 feet; thence, S. 53° 41' 00" E. 201.00 feet; thence, S. 73° 08' 30" E. 425.00 feet; thence, S. 68° 29' 30" E. 187.57 feet; thence, S. 55° 28' 30" E. 98.10 feet; thence, S. 70° 07' 30" E. 416.73 feet; thence, S. 74° 57' 00" E. 12,050 feet, more or less, to a point on the west boundary of the aforescribed Parcel 1113A.

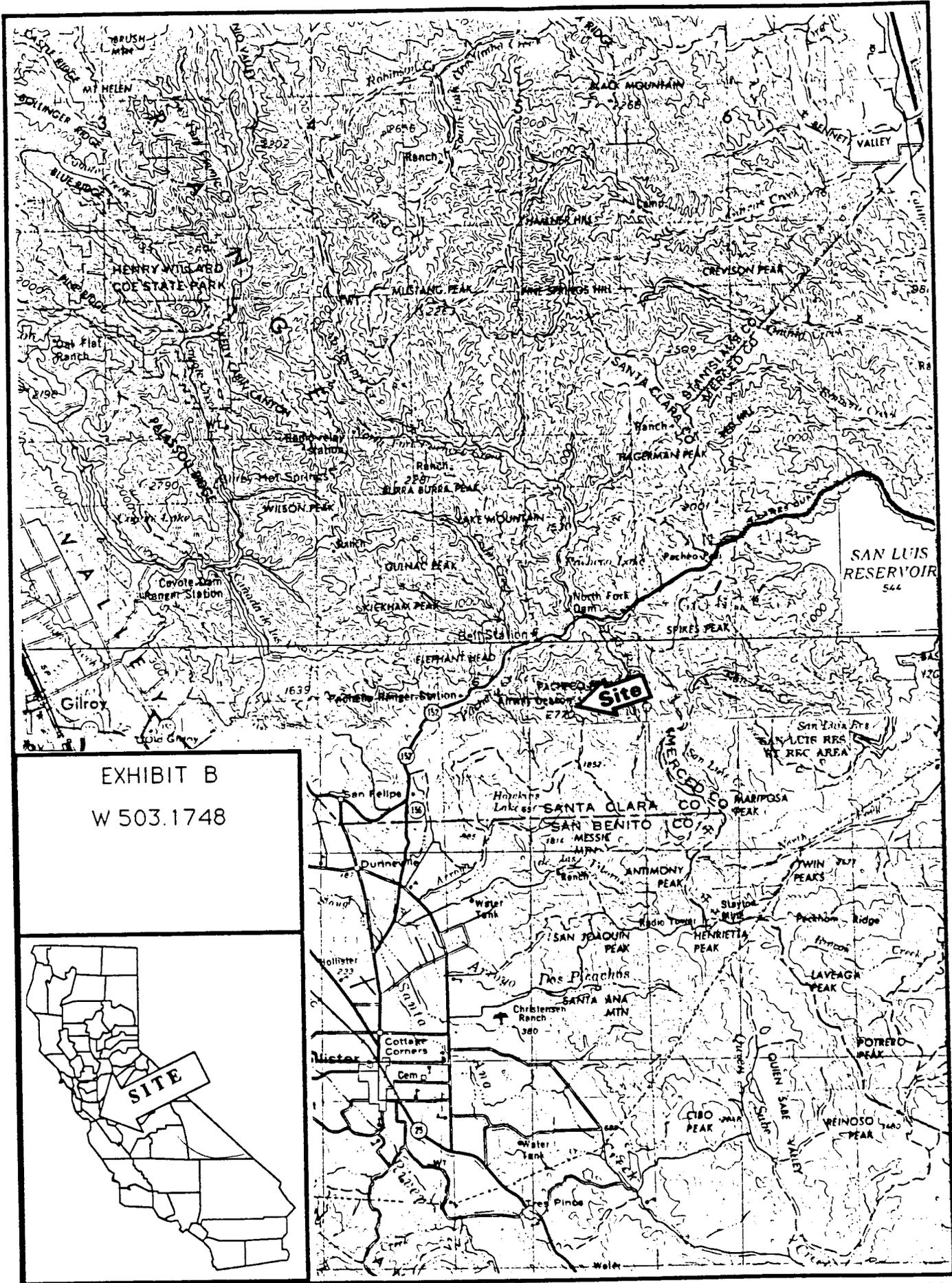


EXHIBIT B
W 503.1748

SITE

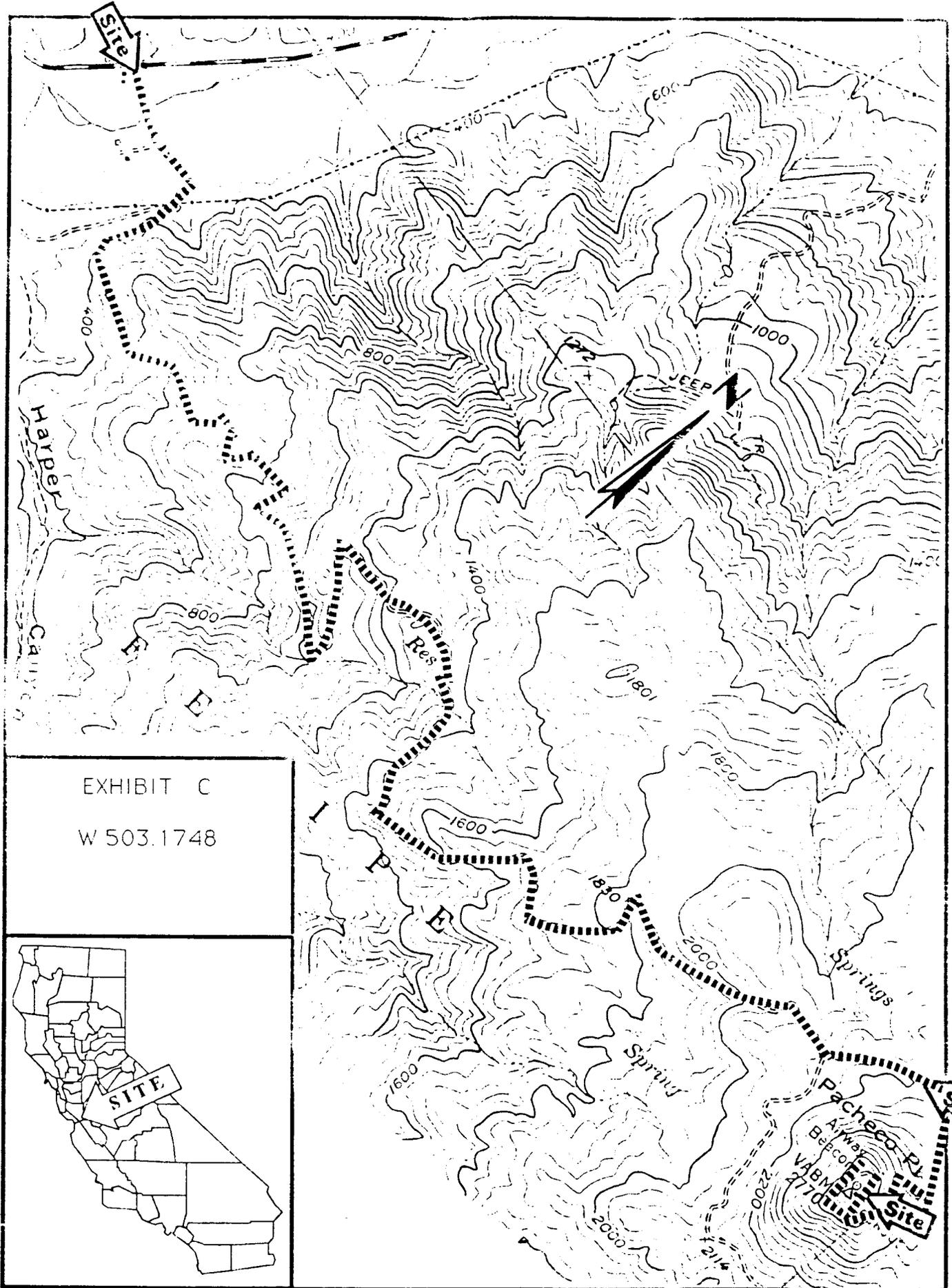


EXHIBIT C
W 503.1748



BL 12-59