MINUTE ITEM
This Calendar Item No. C83 was approved as Minute Item No. 83 by the California State Lands Commission by a vote of 3 to 0 at its 8-19-03 meeting.

CALENDAR ITEM
C83

OAKLAND ARMY BASE
REQUEST FOR RATIFICATION OF ENTRY INTO DECLARATION OF COVENANT

A: 19

S: 6

08/19/03
W25351
P. Thayer
D. Plummer
B. Stevenson

Curtis S. Kidder
Deputy City Attorney
City of Oakland
City Hall, 6th Floor
1 Frank Ogawa Plaza
Oakland, CA 94612

Thomas D. Clark
Assistant Port Attorney
Port of Oakland
530 Water Street
Oakland, CA 94607

The purpose of this calendar item is to request that the State Lands Commission ratify the execution by the Executive Officer of a Declaration of Covenant as a part of the transfer of the Oakland Army Base from the United States to the Oakland Base Reuse Authority ("OBRA"). The Oakland Army Base is in the city of Oakland, Alameda County, and is shown for reference in Exhibit A (attached to this calendar item and incorporated by reference as a part of it).

The Oakland Army Base was closed in September 1999. It is planned that, by the time that this calendar item is heard, the United States will have transferred the Oakland Army Base to OBRA, which is the legally-recognized "local reuse authority." OBRA was formed through a joint powers agreement among the city of Oakland, the Redevelopment Agency of the city of Oakland, and Alameda County.

The objective of the State Lands Commission staff has been to ascertain that public trust land title within the Oakland Army Base be protected in the transfer of the property from the United States to OBRA . This transfer has presented significant issues because the city of Oakland, not OBRA, is the grantee in trust of tide and submerged lands under the operative legislative acts (principally Cal. Stats. 1911, Chap. 657). The transfer of the property to a non-public trust entity like OBRA required that protective

measures be taken to assure that public trust rights be protected. It is anticipated that a title settlement agreement and land exchange will be negotiated in coming years regarding the Oakland Army Base.

To protect public trust title, the staff and the Office of the Attorney General have negotiated a Declaration of Covenant, attached as Exhibit B to this calendar item and incorporated as a part of it by reference. This Declaration of Covenant spells out the land title issues at the Base, sets forth use restrictions on parts of the property, and also restricts factual and legal arguments which might be made against public trust title. The Declaration of Covenant is a covenant running with the land, and binds parties that take title or lease from OBRA. Trust-protective language similar to that in the Declaration of Covenant will also appear in follow-on deeds to the Oakland Redevelopment Agency and the Port of Oakland. It was necessary for the Executive Officer to execute the Declaration of Covenant at the time he did so that the transfer from the United States to OBRA could occur.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it is not a "project" as defined by the CEQA and the State CEQA Guidelines.

   Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, sections 15060 (c)(3) and 15378.

EXHIBITS:

A. Location Map
B. Declaration of Covenant (Without Description)

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

1. FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

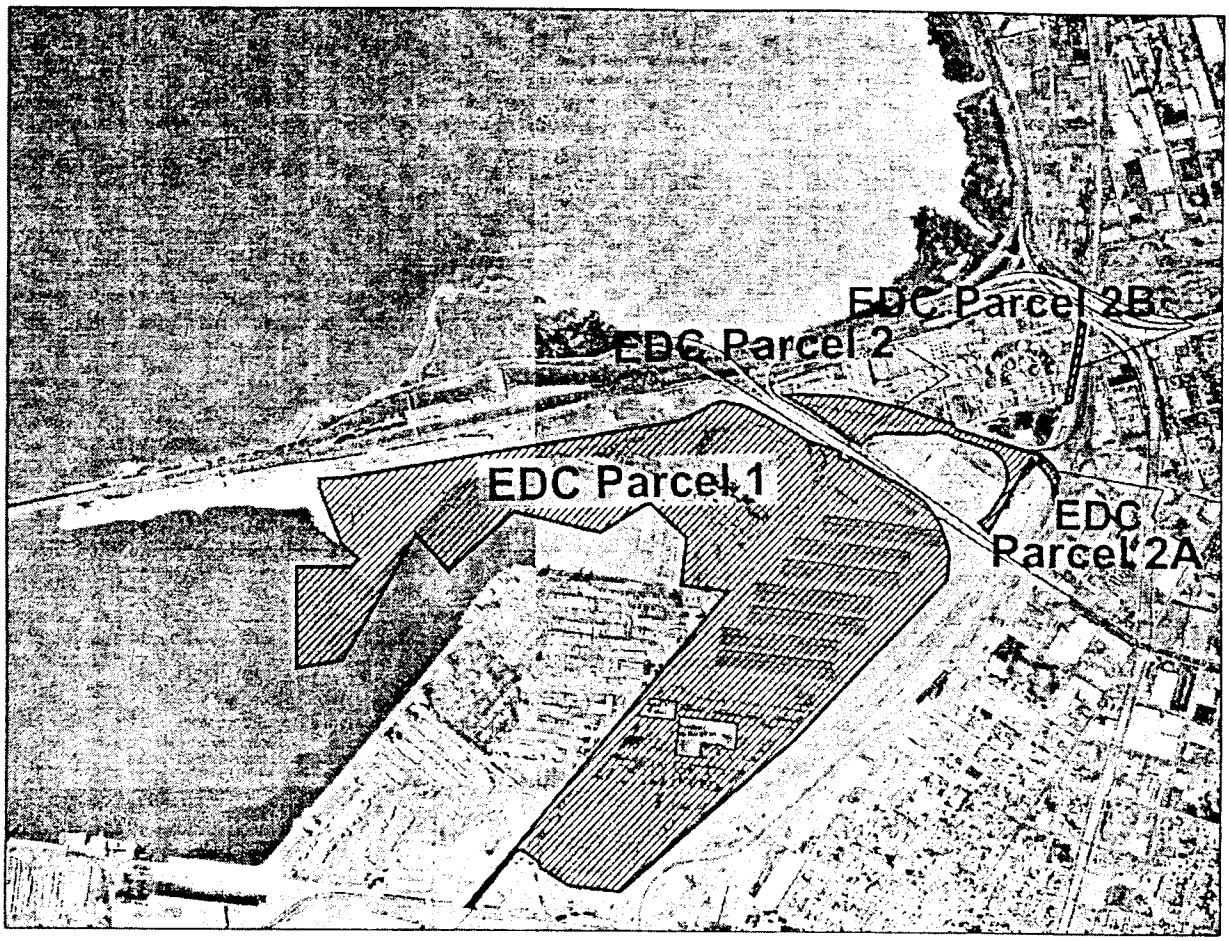
AUTHORIZATION:

1. RATIFY THE EXECUTION BY THE EXECUTIVE OFFICER OF THE DECLARATION OF COVENANT PERTAINING TO OAKLAND ARMY BASE.

2. AUTHORIZE THE STAFF AND THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE DECLARATION OF COVENANT, INCLUDING ENTRY INTO ESCROW INSTRUCTIONS; RECORDATION OF THE DECLARATION OF COVENANT (IF NOT ALREADY RECORDED); AND THE APPROVAL OF SUBSEQUENT DEEDS TO IMPLEMENT ITS TERMS.

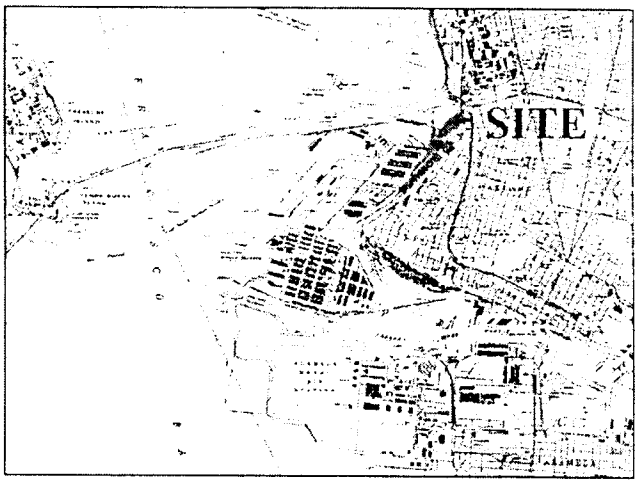
NO SCALE

SITE



NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

W 25351
Oakland Army Base
Oakland, California
Alameda County

This Exhibit is solely for purposes of generally defining the project site. It is not intended to be, nor shall it be constured as a waiver or limitation of any State interest in the subject or any other property.

W 25351

RECORDING REQUESTED BY, WHEN RECORDED MAIL TO, AND MAIL TAX STATEMENTS TO:

City of Oakland
1250 Frank H. Ogawa Plaza, Sixth Floor
Oakland, CA 94612
Attention: Curtis S. Kidder, Deputy City Attorney

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Exempt from recording fees pursuant to Cal. Gov't Code § 27383

Exempt from documentary transfer tax pursuant to California Revenue and Taxation Code § 11922.

DECLARATION OF COVENANT
for Oakland Army Base

WHEREAS, The Oakland Base Reuse Authority ("OBRA"), created pursuant to a Joint Powers Agreement among the City of Oakland ("Oakland"), County of Alameda and the Oakland Redevelopment Agency ("ORA"), is the owner of the real property in the State of California, County of Alameda, City of Oakland, described in Exhibit A attached hereto and incorporated herein (the "Property"). Said Property includes portions of the former Oakland Army Base and was conveyed to OBRA by the United States of America acting by and through the Secretary of the Army ("Army") pursuant to a No-Cost Economic Development Conveyance.

WHEREAS, In addition to those restrictions and obligations contained in that certain instrument entitled "Quitclaim Deed for No-Cost Economic Development Conveyance Parcel, County of Alameda, California" from the Army to OBRA dated as of July __, 2003 and recorded as Instrument No. _____ in the Official Records of Alameda County, California on July 31, 2003 (the "Army Deed"), OBRA hereby declares its intention of subjecting the Property to certain additional covenants in favor of the City of Oakland as trustee under the "Town Grant" and the "1911 Grant" referred to below, and in favor of the State of California as to its retained rights in tide and submerged lands.

WHEREAS, The State of California claims a public trust interest in portions of the Property. The conveyance from the Army to OBRA of this Property, and of related property, was accomplished as an Economic Development Conveyance under the authority of the Defense Base Closure and Realignment Act of 1990, Part A of Title XXIX of Public Law 101-510 ("BRAC"), as amended. Such conveyance is conditioned on a Finding of Suitability for Early Transfer ("FOSET"), which in turn is conditioned upon approval of the State Governor. The Governor's approval required that the State of California's public trust interest be addressed by including the following recitals in this Covenant:

1. Through a series of grants, including in particular Cal. Stats. 1852, Chap. 107 ("Town Grant") and Cal. Stats. 1911, Chap. 657 (as amended by Cal. Stats. 1917, Chap. 59; Cal. Stats. 1919, Chap. 516; Cal. Stats. 1937, Chap. 96 and Cal. Stats. 1981, Chap. 1016 (collectively "1911 Grant"), the Legislature of the State of California granted to the Town and later the City of Oakland all the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to certain tide and submerged lands therein described to be forever held by Oakland and by its successors in trust for the use and purposes and upon the expressed conditions in such legislation, including the condition that the lands be used by Oakland for the establishment,

improvement and conduct of a harbor and related wharves, docks and other utilities. (Stats. 1852. Ch. 107, Sec. 3; Stats. 1911, Chap. 657, Sec. 1).

2. Prior to 1910, Oakland made certain conveyances or attempted conveyances of some of the lands encompassed in the Town Grant to a private party. Title and boundary disputes arose and much litigation followed. On or about 1910, the Oakland City Council enacted Ordinance No. 3099 and approved an implementing Indenture by which Oakland and the San Francisco, Oakland and San Jose Consolidated Rail Road ("SFOSJRR") purported to establish as the agreed low tide line of 1852, the landward extent of the tide and submerged lands which remained granted to Oakland by the Legislature of the State of California. The present physical location of the said agreed low tide line of 1852 is the easterly boundary of Maritime Street. Consequently, by virtue of Council Ordinance No. 3099 and the Indenture, OBRA contends that lands lying landward of this agreed boundary were not tide and submerged lands granted by the Legislature of the State of California to Oakland by virtue of the Town or 1911 Grants.

3. In 1927, by amendment to the Charter of the City of Oakland, the Port of Oakland ("Port") was established in order, among other matters, to promote and insure the comprehensive and adequate development of the Port of Oakland through continuity of control, management and operation (Charter Section 700) and, through the Board of Port Commissioners in whom the Charter vested complete control of the Port, to exercise the complete and exclusive power on behalf of Oakland to manage the Port of Oakland, including all the water front properties and lands adjacent thereto, including all salt or marsh or tidelands and structures thereon granted to Oakland in trust by the State of California for the promotion and accommodation of commerce and navigation. (Charter Section 706(3)).

4. Beginning in 1941, to accumulate land for what became the Oakland Army Base ("OARB"), the United States filed a series of condemnation suits that ultimately encompassed more than 200 acres of land, including lands that had been granted to Oakland by the Town and 1911 Grants. As a result of the United States' condemnation actions, the Port and the United States entered into a series of agreements culminating in the Supplemental Agreement of August 16, 1949 ("Supplemental Agreement"). In the Supplemental Agreement the Port and the United States reached agreement on the terms and conditions of the United States' acquisition of certain lands encompassed within the Town and 1911 Grants (herein "OARB Reversionary Lands") and the terms and conditions for the Port's lease or acquisition of such lands in the event the United States should determine to lease or sell all or any portions of such lands. In 1952, by final judgment in *United States v. 72 Acres of Land*, N.D. Cal. Nos. 21758-L, 21930-L and 22084-L ("1952 Judgment"), the Supplemental Agreement was approved. The United States also acquired for the OARB certain lands that were landward of the agreed line of low tide of 1852 (herein "OARB East of Maritime Lands").

5. On September 30, 1999, the OARB, as it then existed, was closed pursuant to and in accordance with BRAC.

6. In 1995 OBRA was created. OBRA is the legally recognized Local Reuse Authority for the OARB under the BRAC process.

7. In September 2002 OBRA, the ORA and the Army entered into a Memorandum of Agreement for Conveyance of Former Oakland Army Base Parcels Located in the City of Oakland, Alameda County ("Army/OBRA MOA").

8. The San Francisco Bay Conservation and Development Commission ("BCDC") and Metropolitan Transportation Commission's San Francisco Bay Seaport Plan ("Seaport Plan") and the BCDC San Francisco Bay Plan (together with the "Seaport Plan", herein referred to as the "BCDC Seaport and Bay Plan") recognize that ports require specific and unique geographical features that are of limited availability in the San Francisco Bay and, thus, must be protected. The BCDC Seaport and Bay Plan designates certain areas necessary for port

development as "Port Priority Use Areas." Much of the former OARB, including portions of the OARB Reversionary Lands and portions of the OARB East of Maritime Lands are designated in the BCDC Seaport and Bay Plan as a Port Priority Use Area (together "OARB Port Priority Use Lands").

9. The State of California contends that the public trust applies to, at a minimum, all lands within the OARB which are waterward of the actual low tide line of 1852, as opposed to the 1910 agreed low tide line of 1852. The State contends that these lands are of the character of original tidelands granted pursuant to the Town Grant and the 1911 Grant, and that their public trust title character remains to the present day. The State further contends that these properties may be transferred from the United States only to Oakland as the legislative grantee in trust pursuant to the Town Grant and the 1911 Grant, and to no other public or private party, and that, should the United States transfer the land other than to Oakland as trustee of tide and submerged lands, the interests of the transferee are either invalid, or are subject to the paramount title rights of the State of California and Oakland, including the existing reversion through the Supplemental Agreement and the 1952 Judgment. OBRA disputes the State's contentions. OBRA contends that lands landward of the agreed 1852 low tide line are not subject to the trust, that the trust has been terminated as to certain lands waterward of that line, and that all lands within the OARB may be transferred to OBRA.

10. The Port has quitclaimed to the Army all of the Port's right, title and interest arising pursuant to Paragraph (4) of the Supplemental Agreement in and to the portion of the OARB Reversionary Lands (referred to in the Port's Quitclaim Deed to the Army as the "Subject Paragraph (4) Property") which the Army has transferred to OBRA (portions of which Subject Paragraph (4) Property are included in the property to which this Declaration of Covenant applies. However, OBRA agrees that the Port's quitclaim as to the Subject Paragraph (4) Property was not intended to and did not change the status quo of the differing contentions of the State and OBRA regarding the applicability of the terms and conditions of the 1911 Grant to any of the OARB Reversionary Lands.

11. The State of California further contends that the agreed low tide line of 1852 established between the City Council and the SFOSJRR was not a bona fide boundary line agreement that reflected a good faith attempt to locate the actual low tide line of 1852 and that certain of the OARB East of Maritime Lands are subject to the terms and conditions of the State public trust and the Town and 1911 Grants inland to at least the actual low tide line of 1852, and that these areas will remain subject to the public trust and to the Town and 1911 Grants if they are transferred to OBRA, ORA or Oakland on the basis of common law, statutory, constitutional, and resulting trusts. OBRA disputes the State's contentions, and contends that lands landward of the agreed low tide line are not now and do not become subject to the trust or the Town and 1911 Grants upon their release from federal ownership.

12. The State, through the State Lands Commission, Oakland, through its City Council and the Port, ORA and OBRA are currently negotiating an exchange of public trust lands affecting the OARB. Through an exchange, title uncertainties concerning sovereign title will be laid to rest within the OARB, and described areas will be made definite public trust lands, and other areas will be freed of the public trust and the terms of the Town and 1911 Grants. It is anticipated that legislation will be introduced in 2004 to authorize an exchange, and that an exchange will be implemented in the years following 2004.

13. Subject to paragraph A(3) and B(3), below, the Army Deed from the Army to OBRA is not intended to change the status quo regarding the differing claims or contentions of the State, on the one hand, and OBRA, on the other hand, regarding the contended applicability of the terms and conditions of the State public trust and the Town and 1911 Grants to the Property. OBRA contemplates that the subsequent State public trust exchange involving the OARB properties and approved by the State will finally settle and resolve said differing contentions. The purpose of these recitals is to allow the Property to be conveyed from the Army to OBRA, and in turn from OBRA to ORA or the Port, at this time, but to do so in a manner which acknowledges all

contended public trust rights in the property to the benefit of Oakland as trustee under the Town and 1911 Grants, and to the State of California as to its retained rights in tide and submerged lands, and without interfering with the contended public trust title in the Property should the anticipated exchange never occur. To this end, it is agreed by OBRA that the fact of said conveyance shall not constitute evidence supporting or opposing any claim or contention described above.

NOW THEREFORE, solely for purpose of facilitating the transfer of the OARB pursuant to the BRAC process and without admitting the validity of any matter or contention stated herein, OBRA hereby makes the Property subject to the following covenants with agreement of the City of Oakland as trustee and the State of California:

(A) With respect to all of the portions of the Property waterward of the agreed low tide line of 1852, described in Oakland City Council Ordinance No. 3099, such portion of the Property shall be considered of the character of tide and submerged land and held, used and administered only for purposes consistent with the common law public trust and the Town or 1911 Grants unless and until, as to certain areas of the Property, a trust exchange has been executed, a court has determined the actual extent to which the Property is subject to the public trust, or disputes over the extent of the public trust have been resolved through a boundary settlement with the State. OBRA further agrees that, in the absence of a trust exchange or boundary settlement with the State of California:

(1) The common law public trust and the Town or 1911 Grants apply to all areas of the Property which a court finds (i) are waterward of the low tide line of 1852 and (ii) remain subject to the common law public trust and either the Town or 1911 Grants, and

(2) Title to such land which meets the requirements of paragraph A(1) immediately above is in Oakland as grantee under the Town or 1911 Grants unless a court determines otherwise.

(3) Separate from paragraphs A(1) and A(2) immediately above, OBRA will not use any of the following facts or contentions in opposition or support of any claim that public trust title in fee or a public trust easement does not apply to any lands within the Property:

(a) That the Port has quitclaimed to the United States or a department or agency of the United States the Port's right, title, and interest arising pursuant to Paragraph (4) of the Supplemental Agreement in and to the Subject Paragraph (4) Property;

(b) That OBRA has received a conveyance of the Property from the United States or a department or agency of the United States, and has accepted that conveyance; or

(c) That it has agreed to hold the Property subject to public trust use restrictions.

(4) These covenants herein, including those of paragraphs A(1) through A(3) above, shall bind all heirs and assigns, transferees, lessees, purchasers, and lenders, and shall be covenants running with the land. The covenants and conditions of this Declaration of Covenant shall benefit the City of Oakland as trustee under the Town Grant and the 1911 Grant and the people of the State of California and the State of California as to its

retained rights in tide and submerged lands in the Property and in the tide and submerged lands in the Town Grant and the 1911 Grant.

(B) With respect to all of the portions of the Property landward of the agreed low tide line of 1852, described in Oakland City Council Ordinance No. 3099, in the absence of a trust exchange or boundary settlement with the State of California:

(1) The common law public trust and the Town or 1911 Grants apply to all areas of the Property which a court finds (i) are waterward of the low tide line of 1852 and (ii) remain subject to the common law public trust and either the Town or 1911 Grants, and

(2) Title to such land which meets the requirements of paragraph B(1) immediately above is in Oakland as grantee under the Town or 1911 Grants unless a court determines otherwise.

(3) Separate from paragraphs (B)(1) and (B)(2) immediately above, OBRA will not use any of the following facts or contentions in opposition or support of any claim that the public trust title in fee or public trust easement does not apply to any lands within the Property:

(a) That the Port has quitclaimed to the United States or a department or agency of the United States the Port's right, title, and interest arising pursuant to Paragraph (4) of the Supplemental Agreement in and to the Subject Paragraph (4) Property; or

(b) That OBRA has received a conveyance of the Property from the United States or a department or agency of the United States, and has accepted that conveyance.

(4) These covenants herein, including those of paragraphs B(1) through B(3) above, shall bind all heirs and assigns, transferees, lessees, purchasers, and lenders, and shall be covenants running with the land. The covenants and conditions of this Declaration of Covenant shall benefit the City of Oakland as trustee under the Town Grant and the 1911 Grant and the people of the State of California and the State of California as to its retained rights in tide and submerged lands in the Property and in the tide and submerged lands in the Town Grant and the 1911 Grant.

(C) Consistent with its trustee responsibilities, the City of Oakland shall not agree to an amendment of this Covenant without the written approval of the State Lands Commission.

(D) OBRA further covenants that it shall include the recitals in this Declaration of Covenant and the covenants in Sections (A) (1)-(4) in any transfer of the Property or a part of it which is waterward of the agreed low tide line of 1852 described in Oakland City Council Ordinance No. 3099. OBRA also covenants that it shall include the recitals in this Declaration of Covenant and the covenants in Sections (B) (1)-(4) in any transfer of the Property or a part of it which is landward of the agreed low tide line of 1852 described in Oakland City Council Ordinance No. 3099.

Dated: July 31, 2003 STATE OF CALIFORNIA COUNTY OF ALAMEDA } ss. On _____ before me, _____, a Notary Public in and for said State, personally appeared , personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/ their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument. WITNESS my hand and official seal. _____ Notary Public	OAKLAND BASE REUSE AUTHORITY, created pursuant to a Joint Powers Agreement among the City of Oakland, Alameda County and the City of Oakland's Redevelopment Agency By_____ Name: Aliza Gallo Title: Executive Director Resolution No._____ Approved as to form and legality: By_____ Name: John Russo Title: City Attorney/General Counsel
Dated: July 31, 2003 STATE OF CALIFORNIA COUNTY OF ALAMEDA } ss. On _____ before me, _____, a Notary Public in and for said State, personally appeared , personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/ their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument. WITNESS my hand and official seal. _____ Notary Public	CITY OF OAKLAND, a municipal corporation, acting by and through its City Council, as Trustee for public Trust Lands on behalf of the State of California By_____ Name: Deborah Edgerly Title: Interim City Manager Resolution No._____ Approved as to form and legality: By_____ Name: John Russo Title: City Attorney

Dated: July 31, 2003 STATE OF CALIFORNIA COUNTY OF ALAMEDA } ss. On _____ before me, _____, a Notary Public in and for said State, personally appeared , personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/ their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument. WITNESS my hand and official seal. _____ Notary Public	CITY OF OAKLAND, a municipal corporation, acting by and through its Board of Port Commissioners as Trustee for public Trust Lands on behalf of the State of California By_____ Name: Tay Yoshitani Title: Executive Director Resolution No._____ Approved as to form and legality: By_____ Name: David Alexander Title: Port Attorney
~~Dated: July 31, 2003~~ ~~STATE OF CALIFORNIA~~ ~~COUNTY OF ALAMEDA~~ } ~~ss.~~ ~~On _____~~ ~~before me, _____,~~ ~~a Notary Public in and for said State, personally appeared , personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/ their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.~~ ~~WITNESS my hand and official seal.~~ SEE ATTACHMENT Notary Public	STATE OF CALIFORNIA, acting by and through the STATE LANDS COMMISSION By Paul D. Thayer Name: Paul D. Thayer Title: Executive Officer Approved as to form and legality: Bill Lockyer, Attorney General of the State of California By_____ Name: Joseph C. Rusconi Title: Deputy Attorney General

ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of SACRAMENTO } ss.

On JULY 29, 2003 (DATE) before me, KIMBERLY L. KORHONEN, NOTARY PUBLIC (NOTARY)
personally appeared PAUL D. THAYER (SIGNER(S))

☒ personally known to me - OR- ☐ proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she~~/~~they~~ executed the same in his/~~her~~/~~their~~ authorized capacity(~~ies~~), and that by his/~~her~~/~~their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

KIMBERLY L. KORHONEN
Commission # 1283249
Notary Public - California
Sacramento County
My Comm. Expires Nov 5, 2004

WITNESS my hand and official seal.

Kimberly L. Korhonen
NOTARY'S SIGNATURE

OPTIONAL INFORMATION

The information below is not required by law. However, it could prevent fraudulent attachment of this acknowledgment to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

- ☐ INDIVIDUAL
- ☐ CORPORATE OFFICER

TITLE(S)

- ☐ PARTNER(S)
- ☐ ATTORNEY-IN-FACT
- ☐ TRUSTEE(S)
- ☐ GUARDIAN/CONSERVATOR
- ☒ OTHER: EXECUTIVE OFFICER

DESCRIPTION OF ATTACHED DOCUMENT

DECLARATION OF COVENANT FOR OAKLAND ARMY BASE
TITLE OR TYPE OF DOCUMENT

31 pgs INCLUDING EXH. A.
NUMBER OF PAGES

JULY 29, 2003
DATE OF DOCUMENT

OTHER

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)
CA STATE LANDS COMMISSION

RIGHT THUMBPRINT OF SIGNER

Top of thumbprint here