

MINUTE ITEM
This Calendar Item No. C55 was approved as
Minute Item No. 55 by the California State Lands
Commission by a vote of 3 to 0 at its
4-26-05 meeting.

**CALENDAR ITEM
C55**

A 21
S 11

04/26/05
PRC 8603 W 26019
N. Smith

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

City of Brisbane
50 Park Place
Brisbane, California 94005

AREA, LAND TYPE, AND LOCATION:

3.41 acres, more or less, of sovereign lands in the Guadalupe Canal, city of
Brisbane, San Mateo County.

AUTHORIZED USE:

Replacement and maintenance of the existing Tunnel Avenue bridge and slope
easement, along with a temporary construction easement.

LEASE TERM:

Twenty-five (25) years, beginning April 26, 2005.

CONSIDERATION:

The public health and safety; with the State reserving the right at any time to set
a monetary rent if the Commission finds such action to be in the State's best
interest.

SPECIFIC LEASE PROVISIONS:

Insurance:
\$1,000,000 combined single limit.

OTHER PERTINENT INFORMATION:

1. Applicant owns and has a right to use the uplands adjoining the lease
premises.
2. Pursuant to the Commission's delegation of authority and the State CEQA
Guidelines (Title 14, California Code of Regulations, section 15061), the
staff has determined that this activity is exempt from the requirements of

CALENDAR ITEM NO. C55 (CONT'D)

the CEQA as a categorically exempt project. The project is exempt under Class 2, Replacement or Reconstruction; Title 2, California Code of Regulations, section 2905 (b).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905 (b).

3. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. However, the Commission has declared that all tide and submerged lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code sections 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by Title 2, California Code of Regulations, section 2954 is not applicable.

APPROVALS OBTAINED:

Federal Highway Administration, California Department of Transportation and Peninsula Corridor Joint Powers Board.

EXHIBITS:

- A. Street Right-of-Way
- B. Lease for Slope Easement
- C. Temporary Lease for Construction Purposes
- D. Site Map

PERMIT STREAMLINING ACT DEADLINE:

05/29/05

CALENDAR ITEM NO. C55 (CONT'D)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 2, REPLACEMENT OR RECONSTRUCTION TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (b).

AUTHORIZATION:

AUTHORIZE ISSUANCE TO THE CITY OF BRISBANE OF A GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING APRIL 26, 2005, FOR A TERM OF TWENTY-FIVE YEARS, FOR THE REPLACEMENT OF THE TUNNEL AVENUE BRIDGE ALONG WITH A TEMPORARY CONSTRUCTION EASEMENT ON THE LAND SHOWN ON EXHIBIT D ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; CONSIDERATION BEING THE PUBLIC HEALTH AND SAFETY, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENT IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$1,000,000.

**EXHIBIT A
STREET RIGHT-OF-WAY**

W26019

LAND DESCRIPTION

PARCEL 1

A parcel of sovereign land situate in the City of Brisbane, County of San Mateo, State of California, being a portion of the Guadalupe Canal as shown upon the "Map No. 1 of Salt Marsh and Tide Lands situate in the County of San Mateo, State of California, Prepared by Order of the Board of Tide Land Commissioners", "approved April 1st 1870", which map is maintained in the records of the California State Lands Commission, and described as follows:

BEGINNING at the intersection of the southerly line of the Guadalupe Canal as shown on said map with the southwesterly line of that certain parcel of land as described in the deed recorded January 14, 1937 in Book 718 of Official Records, at Page 486, San Mateo County Records;

Thence along said southwesterly line, North 32°33'05" West, 411.68 feet to the beginning of a non-tangent curve concave easterly, from which the radius point bears North 80°32'13" East;

Thence northerly along said curve, having a radius of 465.00 feet, through a central angle of 32°20'22", an arc length of 262.46 feet to the northerly line of the Guadalupe Canal;

Thence along said northerly line, South 88°46'33" East, 92.01 feet to the beginning of a non-tangent curve concave easterly, from which the radius point bears South 62°00'42" East;

Thence southerly along said curve, having a radius of 381.00 feet, through a central angle of 70°31'15", an arc length of 468.94 feet;

Thence South 42°31'57" East, 228.35 feet to the southerly line of the Guadalupe Canal;

Thence along said southerly line, North 88°46'33" West, 110.80 feet to the Point of Beginning.

Containing 47,867 square feet of land, more or less.

000231

Page 1 of 3

000623

CALENDAR PAGE

MINUTE PAGE

PARCEL 2

A parcel of sovereign land situate in the City of Brisbane, County of San Mateo, State of California, being a portion of the Guadalupe Canal as shown upon the "Map No. 1 of Salt Marsh and Tide Lands situate in the County of San Mateo, State of California, Prepared by Order of the Board of Tide Land Commissioners", "approved April 1st 1870", which map is maintained in the records of the California State Lands Commission, and described as follows:

COMMENCING at the intersection of the southerly line of the Guadalupe Canal as shown on said map with the southwesterly line of that certain parcel of land as described in the deed recorded January 14, 1937 in Book 718 of Official Records, at Page 486, San Mateo County Records;

Thence along said southwesterly line, North 32°33'05" West, 411.68 feet to the TRUE POINT OF BEGINNING;

Thence continuing along said southwesterly line, North 32°33'05" West, 310.15 feet to the northerly line of the Guadalupe Canal;

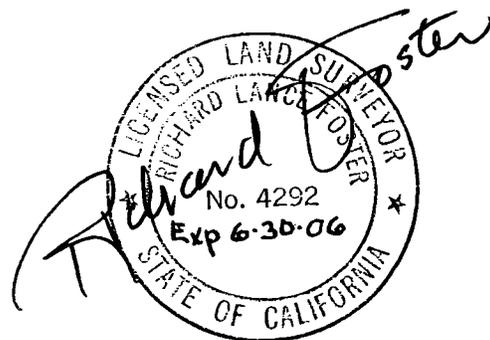
Thence along said northerly line, South 88°46'33" East, 197.17 feet to the beginning of a non-tangent curve concave easterly, from which the radius point bears South 67°07'25" East;

Thence southerly along said curve, having a radius of 465.00 feet, through a central angle of 32°20'22", an arc length of 262.46 feet to the true point of beginning.

Containing 22,227 square feet of land, more or less.

The bearing of North 44°40'49" West along the monument line of Bayshore Boulevard as shown on that certain Record of Survey filed for record in Book 17 of Maps, pages 9 through 11, San Mateo County Records, and as found monumented, was adopted as the basis of bearings for this legal description.

END OF DESCRIPTION



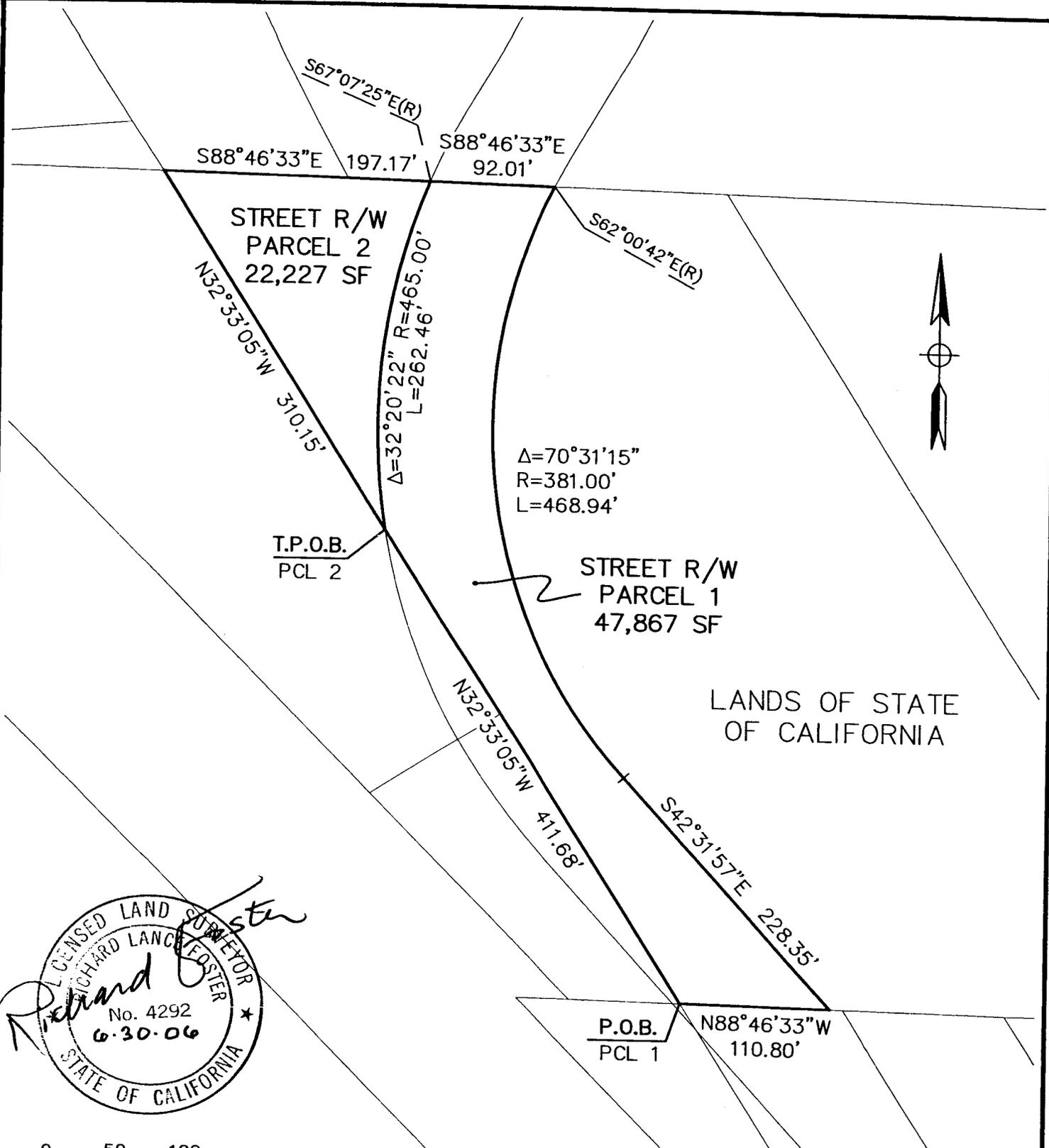
000282

CALENDAR PAGE

Page 2 of 3

000624

MINUTE PAGE



GRAPHIC SCALE
 1 INCH = 100 FT.

NOTE: THIS PLAT IS FOR REFERENCE ONLY. FOR CONTROLLING BOUNDARY INFORMATION SEE LAND DESCRIPTION THAT THIS PLAT ACCOMPANIES.

Date:	04-01-05
Scale:	1" = 100'
Designed:	-
Drawn:	TG
Checked:	-
Proj. Eng.:	TG
Dwg Name:	2891PI.05

HMH
ENGINEERS
 San Jose (408) 487-2200
 Gilroy (408) 846-0707
 www.hmh-engineers.com

Plat to accompany description:
EXHIBIT A
STREET RIGHT-OF-WAY
 BRISBANE MINUTE PAGE CALIFORNIA

2891PI.05: 548: 26260023: 20040113.0749

**EXHIBIT B
LEASE FOR SLOPE EASEMENT**

W26019

LAND DESCRIPTION

A parcel of sovereign land situate in the City of Brisbane, County of San Mateo, State of California, being a portion of the Guadalupe Canal as shown upon the "Map No. 1 of Salt Marsh and Tide Lands situate in the County of San Mateo, State of California, Prepared by Order of the Board of Tide Land Commissioners", "approved April 1st 1870", which map is maintained in the records of the California State Lands Commission, and described as follows:

COMMENCING at the intersection of the southerly line of the Guadalupe Canal as shown on said map with the southwesterly line of that certain parcel of land as described in the deed recorded January 14, 1937 in Book 718 of Official Records, at Page 486, San Mateo County Records;

Thence along said southerly line, South 88°46'33" East, 110.80 feet to the TRUE POINT OF BEGINNING;

Thence North 42°31'57" West, 195.95 feet to the beginning of a non-tangent curve concave southerly, from which the radius point bears South 10°25'00" East;

Thence southeasterly along said curve, having a radius of 50.00 feet, through a central angle of 62°42'49", an arc length of 54.73 feet;

Thence South 37°42'11" East, 159.37 feet to the southerly line of the Guadalupe Canal;

Thence along said southerly line, North 88°46'33" West, 13.60 feet to the true point of beginning.

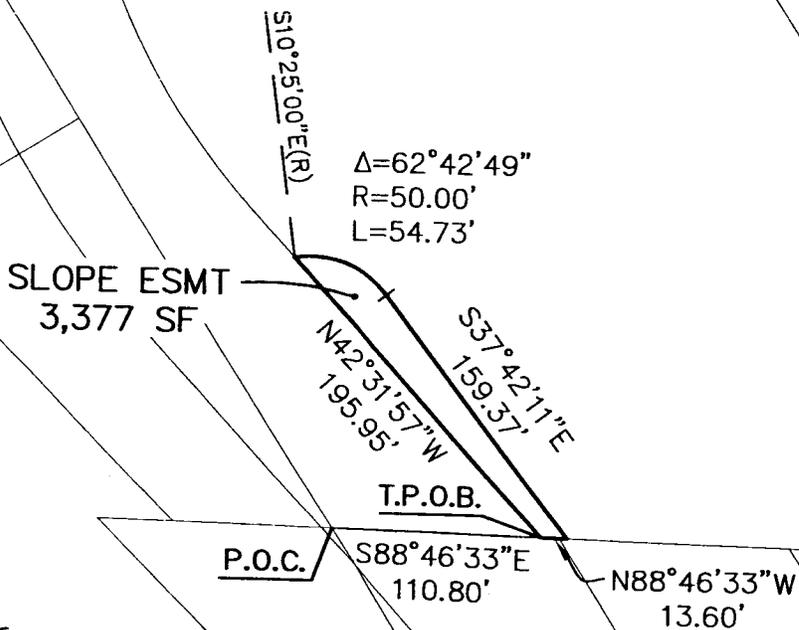
Containing 3,377 square feet of land, more or less.

The bearing of North 44°40'49" West along the monument line of Bayshore Boulevard as shown on that certain Record of Survey filed for record in Book 17 of Maps, pages 9 through 11, San Mateo County Records, and as found monumented, was adopted as the basis of bearings for this legal description

END OF DESCRIPTION



LANDS OF STATE
OF CALIFORNIA



GRAPHIC SCALE
1 INCH = 100 FT.

NOTE: THIS PLAT IS FOR REFERENCE ONLY. FOR CONTROLLING BOUNDARY INFORMATION SEE LAND DESCRIPTION THAT THIS PLAT ACCOMPANIES.

Date: 04-01-05
Scale: 1" = 100'
Designed: -
Drawn: TG
Checked: -
Proj. Eng.: TG
Doc Name: 2891PL06

HMH
ENGINEERS
San Jose (408) 487-2200
Gilroy (408) 846-0707
www.hmh-engineers.com

Plat to accompany description:
EXHIBIT B
LEASE FOR SLOPE EASEMENT
BRISBANE 000627
CALIFORNIA

2891PL06: 548: 26260023: 20040113: 0843

**EXHIBIT C
TEMPORARY LEASE FOR CONSTRUCTION PURPOSES**

W26019

LAND DESCRIPTION

A parcel of sovereign land situate in the City of Brisbane, County of San Mateo, State of California, being a portion of the Guadalupe Canal as shown upon the "Map No. 1 of Salt Marsh and Tide Lands situate in the County of San Mateo, State of California, Prepared by Order of the Board of Tide Land Commissioners", "approved April 1st 1870", which map is maintained in the records of the California State Lands Commission, and described as follows:

COMMENCING at the intersection of the southerly line of the Guadalupe Canal as shown on said map with the southwesterly line of that certain parcel of land as described in the deed recorded January 14, 1937 in Book 718 of Official Records, at Page 486, San Mateo County Records;

Thence along said southerly line, South 88°46'33" East, 110.80 feet to the TRUE POINT OF BEGINNING;

Thence continuing along said southerly line, South 88°46'33" East, 42.18 feet;

Thence North 31°31'56" West, 249.27 feet;

Thence North 01°13'27" East, 390.37 feet to the northerly line of the Guadalupe Canal;

Thence along said northerly line, North 88°46'33" West, 130.22 feet to the beginning of a non-tangent curve concave easterly, from which the radius point bears South 62°00'42" East;

Thence southerly along said curve, having a radius of 381.00 feet, through a central angle of 70°31'15", an arc length of 468.94 feet;

Thence South 42°31'57" East, 228.35 feet to the true point of beginning.

Containing 75,296 square feet of land, more or less.

The bearing of North 44°40'49" West along the monument line of Bayshore Boulevard as shown on that certain Record of Survey filed for record in Book 17 of Maps, pages 9 through 11, San Mateo County Records, and as found monumented, was adopted as the basis of bearings for this legal description.

END OF DESCRIPTION



000286
CALENDAR PAGE

Page 1 of 2
000528
MINUTE PAGE

TEMPORARY
CONSTRUCTION
EASEMENT
75,296 SF

LANDS OF STATE
OF CALIFORNIA



N88°46'33"W
130.22'

S62°00'42"E(R)

$\Delta=70^{\circ}31'15''$ R=381.00' L=468.94'

N01°13'27"E 390.37'

S42°31'57"E
228.35'

N31°31'56"W 249.27'

T.P.O.B.

P.O.C.

S88°46'33"E
110.80'

S88°46'33"E
42.18'



GRAPHIC SCALE
1 INCH = 100 FT.

NOTE: THIS PLAT IS FOR REFERENCE ONLY. FOR CONTROLLING BOUNDARY INFORMATION SEE LAND DESCRIPTION THAT THIS PLAT ACCOMPANIES.

Date: 04-01-05
Scale: 1" = 100'
Designed: -
Drawn: TG
Checked: -
Proj. Eng.: TG
Draw Name: 2891PL07

HMH
ENGINEERS

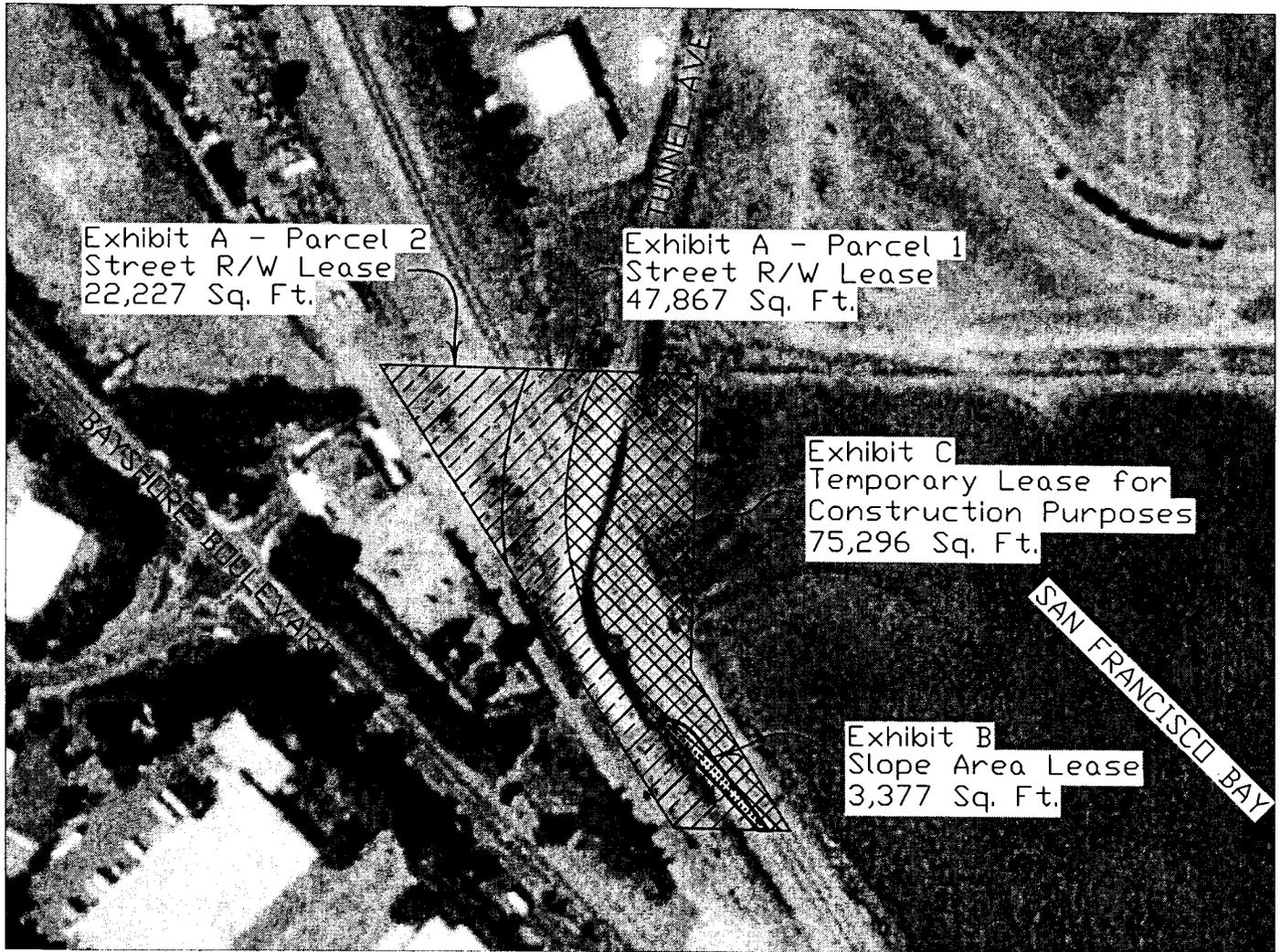
San Jose
(408) 487-2200
Gilroy
(408) 846-0207
00287
www.hmh-engineers.com

Plat to accompany description:
EXHIBIT C
TEMPORARY LEASE FOR
CONSTRUCTION PURPOSES
BRISBANE
MINUTE PAGE
CALIFORNIA

2891PL07; 548; 26260023; 20040113.1438

NO SCALE

SITE MAP



NO SCALE

LOCATION MAP

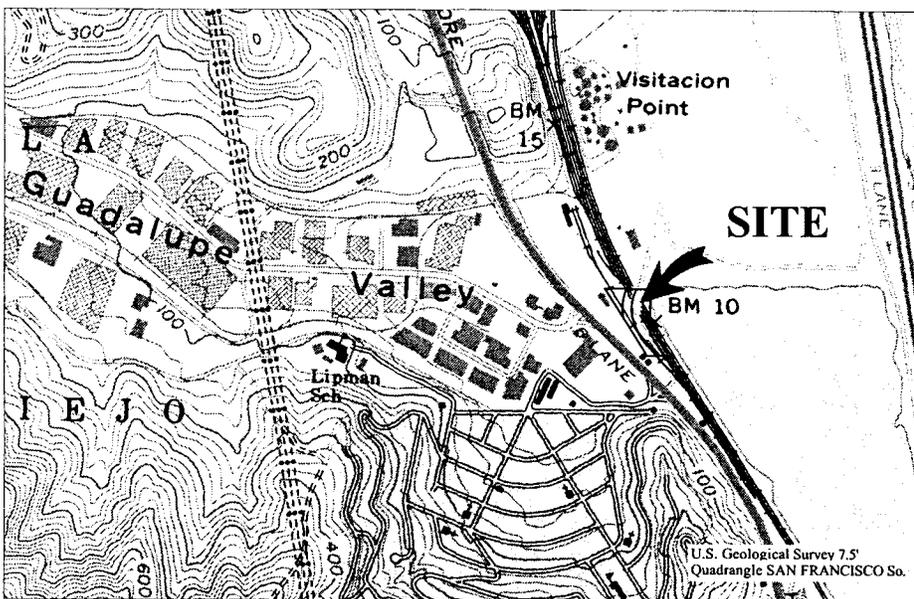


EXHIBIT D

W26019

Tunnel Avenue Bridge
across Guadalupe Channel
GL Public Agency Use
San Mateo County



This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by Lessee or other parties, and is not intended to be, nor shall it be construed as a waiver or limitation of any state interest in the subject or any other property.

CALENDAR PAGE

MINUTE PAGE

DWC 04-05-2005