

"STATE OF CALIFORNIA
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Code Section 6103."

W.O. 5208

23841

BOUNDARY AGREEMENT

B.L.A. No. 56

RECORDED AT REQUEST OF
State Lands Div.

at 1 min. p. 9A
NOV 24 1971

OFFICIAL RECORDS P.
SOLANO COUNTY, CALIF.
Raymond B. Allwell
3 PD. Recorder

THIS BOUNDARY AGREEMENT, made and entered into by and between
STATE OF CALIFORNIA, acting by and through the STATE LANDS
COMMISSION (as Party of the First Part hereinafter referred to
as "the State") and
THE UNITED STATES, acting by and through the GENERAL SERVICES
ADMINISTRATION (as Party of the Second Part hereinafter referred
to as "United States") and
THE CITY OF BENICIA (as Party of the Third Part hereinafter
referred to as "City")

W I T N E S S E T H

WHEREAS, the State acting through the State Lands Commission is
authorized by Section 6357 of the Public Resources Code to establish by
agreement the ordinary high water mark or the ordinary low water mark of
the swamp, overflowed, marsh, tide or submerged lands of this state, when-
ever it is deemed expedient or necessary; and

WHEREAS, the United States appears of record as owner of the
Military Reservation bordering on Carquinez Strait and Suisun Bay in the
vicinity of Benicia, Solano County, California; and

WHEREAS, the State by virtue of its sovereignty is the owner of
certain tide and submerged lands in Carquinez Strait and Suisun Bay, Solano
County, California; and

WHEREAS, the ordinary high water mark as may have existed in its
last natural state has been affected by artificial and natural processes
or a combination of both; and

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WHEREAS, the United States is in the process of disposing of the Military Reservation known as the Benicia Arsenal; and

WHEREAS, the City of Benicia proposes to acquire the deactivated Military Reservation from the United States; and

WHEREAS, the common boundary between the State and the United States is the ordinary high water mark; and

WHEREAS, the State, the United States and the City consider it expedient and necessary and in the best interests of the State and the public to describe and fix permanently the boundary between a portion of the lands belonging to the State and the United States and forever set at rest any and all questions relating to the location of said boundary line;

NOW, THEREFORE, in order to locate, describe and permanently establish the true and correct boundary line between the State and the United States, it is agreed that said boundary line is and shall be located and established as follows:

Beginning at a point on the Mean High Tide Line of 1896 which bears S. 03° 03' 56" W., 172.03 feet from Highway Station 79+21.53, having California Coordinates Zone 2, X = 1,963,238.09 and Y = 138,817.81, located on the centerline of State Highway IV, X-CC., SOL.-75, 74-MTZ., BEN. near the northerly end of the new Martinez Bridge (said point of beginning being on the State Highway Right of Way Line); thence along the Mean High Tide Line of 1896, N. 56° E. 370 feet, N. 12° E. 150 feet, N. 7° W. 760 feet, N. 21° E. 3050 feet, N. 35° E. 950 feet, N. 17° E. 300 feet and N. 33° E. 1248.76 feet to a point on the northerly line of the Benicia Arsenal.

The bearings and distances shown in the above description are based upon the California Coordinates System, Zone 2.

This agreement shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto.

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IN WITNESS WHEREOF, the parties hereto have executed this agreement on the dates hereafter written:

GENERAL SERVICES ADMINISTRATION

August 11, 1964
Date of Signature

By *Fred H. Johnston*
Fred H. Johnston, Chief

STATE OF CALIFORNIA)
) ss:
City and County of San Francisco)

On this 11th day of August, 1964, before me, Sigrid E. Anderson, a Notary Public in and for the City and County of San Francisco, State of California, personally appeared FRED H. JOHNSTON, known to me to be the Chief, Real Property Division, Utilization and Disposal Service, General Services Administration, Region 9, San Francisco, California, and acknowledged that he executed the within instrument on behalf of the United States of America, acting by and through the Administrator of General Services.

WITNESS my hand and official seal.

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SEAL
(S E A L)

Sigrid E. Anderson
Sigrid E. Anderson
Notary Public
in and for the City and County of
San Francisco, State of California

My Commission Expires: March 4, 1965

Date of Signature

Mayor

August 6, 1964
Date of Signature

By *Anna H. Pine*
City Clerk

STATE OF CALIFORNIA)
) ss:
COUNTY OF Solano)

SEAL

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IN WITNESS WHEREOF, the parties hereto have executed this agreement on the dates hereafter written:

GENERAL SERVICES ADMINISTRATION

August 11, 1964
Date of Signature

By *Fred H. Johnston*
Fred H. Johnston, Chief
Real Property Division
Utilization and Disposal Service

STATE OF CALIFORNIA)
COUNTY OF _____) ss

On _____, 19____, before me, the undersigned, a Notary Public in and for said State, with principal office in _____ County, personally appeared _____ known to me to be the _____ of the General Services Administration that executed the within Instrument, known to me to be the person whose name is subscribed to the within Instrument and acknowledged that he executed the within Instrument pursuant to the authority of said General Services Administration.

WITNESS my hand and official seal.

SEAL

Name (Typed or Printed)
NOTARY PUBLIC IN AND FOR THE STATE OF CALIFORNIA

CITY OF BENICIA

August 6, 1964
Date of Signature

By *L. Carsten Johansen*
Mayor

August 6, 1964
Date of Signature

By *Anna H. Fine*
City Clerk

STATE OF CALIFORNIA)
COUNTY OF Solano) ss

SEAL

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On August 6th, 1964, before me, the undersigned, a Notary Public in and for said State, with principal office in Solano County, personally appeared C. Carsten Johansen and Anna G. Pine known to me to be the Mayor and City Clerk, respectively, of the CITY OF BENICIA that executed the within Instrument, and also known to me to be the persons who executed it on behalf of the city therein named, and acknowledged to me that they executed the same.

WITNESS my hand and official seal.

SEAL

Janice O'Brien

Janice O'Brien

Name (Typed or Printed)

NOTARY PUBLIC IN AND FOR THE STATE OF CALIFORNIA

STATE OF CALIFORNIA
acting by and through
STATE LANDS COMMISSION

SEP 4 1964

Date of Signature

By

F. J. Hortig
F. J. HORTIG
Executive Officer

STATE OF CALIFORNIA

COUNTY OF Los Angeles } ss

On September 4, 1964, before me, the undersigned, a Notary Public in and for said State, with principal office in Los Angeles County, personally appeared F. J. HORTIG, known to me to be the Executive Officer of the STATE LANDS COMMISSION, STATE OF CALIFORNIA, the Commission that executed the within Instrument, known to me to be the person who executed the within Instrument, on behalf of the Commission therein named, and acknowledged to me that such Commission executed the within Instrument pursuant to a resolution of its Commissioners.

WITNESS my hand and official seal.

Myrtle Stratton

MYRTLE STRATTON, Notary Public
My Commission expires September 30, 1966

Name (Typed or Printed)

NOTARY PUBLIC IN AND FOR THE STATE OF CALIFORNIA

SEAL