

MINUTE ITEM

This Calendar Item No. 38
was approved as Minute Item
No. 38 by the State Lands
Commission by a vote of 2
to 0 at its 3/23/82
meeting.

CALENDAR ITEM

38

3/23/82
W 22392
Kiley

COMPROMISE TITLE SETTLEMENT AGREEMENT

The Commission, at its February 9, 1982 meeting, approved a Compromise Title Settlement Agreement with Usonia, Inc. of Novato, subject to later location and approval of a suitable exchange parcel. An exchange parcel is available in the form of an undivided interest in the TPL-Suisun Land Bank, which by Calendar Item 37 has been proposed for approval by the Commission for exchange purposes. Minerals are included in the Land Bank Parcel and therefore may be released in the patent parcel which will pass to Usonia. Staff recommends that the Commission approve use of the Land Bank parcel for completion of the exchange, pursuant to the Compromise Title Settlement Agreement with Usonia, and to the terms of the Land Bank Agreement, if approved in Calendar Item 37. Staff further recommends that the Commission make the necessary findings, pursuant to P.R.C. Section 6307, to complete the exchange.

AB 884: N/A.

- EXHIBITS:
- A. Description of Patented Parcel.
 - B. Description of Creek Parcel.
 - C. Site Map.
 - D. Patent Parcel Plat.
 - E. Creek Parcel Plat.
 - F. Description of Land Bank Parcel.
 - G. Plat of Land Bank Parcel.
 - H. Plat of Land Bank Parcel.

IT IS RECOMMENDED THAT THE COMMISSION:

1. APPROVE THE USE OF THE TPL-SUISUN LAND BANK PARCEL TO COMPLETE THE PREVIOUSLY AUTHORIZED EXCHANGE.
2. FIND THAT A 31 PERCENT UNDIVIDED INTEREST IN THE TPL-SUISUN LAND BANK IS OF EQUAL OR GREATER VALUE THAN THE INTEREST TO BE PATENTED TO USONIA, INC. UNDER THE TERMS OF THE APPROVED AGREEMENT ON FILE AT THE OFFICE OF THE COMMISSION.
3. DETERMINE THAT THE UNDIVIDED INTEREST IN THE LAND BANK PARCEL SHALL BE ACCEPTED AS SOVEREIGN LAND SUBJECT TO THE TERMS AND CONDITIONS OF THE PUBLIC TRUST FOR NAVIGATION AND FISHING.

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CALENDAR PAGE	<u>151</u>
MINUTE PAGE	<u>806</u>

CALENDAR ITEM NO. 38 (CONTD)

4. FIND THAT THE PROPOSED EXCHANGE IS IN THE BEST INTEREST OF THE STATE.
5. UPON RECORDATION PURSUANT TO THE APPROVED EXCHANGE AGREEMENT, FIND THAT THE LANDS TO BE EXCHANGED BY THE STATE HAVE BEEN IMPROVED, FILLED, AND RECLAIMED AND HAVE THEREBY BEEN EXCLUDED FROM THE PUBLIC CHANNELS AND ARE NO LONGER AVAILABLE OR USEFUL OR SUSCEPTIBLE OF BEING USED FOR NAVIGATION AND FISHING, AND ARE NO LONGER IN FACT TIDELANDS OR SUBMERGED LANDS, AND ARE FREED FROM THE PUBLIC TRUST FOR NAVIGATION AND FISHING.
6. FIND THAT THIS ACTION IS IN SETTLEMENT OF TITLE BOUNDARY DISPUTES AND IS THEREFORE EXEMPT FROM CEQA.
7. DIRECT STAFF TO TAKE ALL STEPS NECESSARY, INCLUDING LEGAL ACTION, TO COMPLETE THE EXCHANGE.

EXHIBIT "A"

PATENT PARCEL

That portion of Tideland Survey No. 146 situate in Section 18, T3N, R6W, MDM in the City of Novato, County of Marin, State of California, described as follows:

Commencing at the southeast corner of that certain parcel of land as described in the deed to Usonia, Inc., recorded December 31, 1979 in Book 3661 of Official Records, at page 550, Marin County Records, said southeast corner being the northeast corner of Parcel One as shown on that certain Parcel Map recorded in Book 9 of Parcel Maps, at page 41, Marin County Records; running thence from said point of commencement North 13° 36' 17" West 215.17 feet and North 03° 08' 57" East 370 feet to the True Point of Beginning, being a point on the southerly boundary of Tideland Survey No. 146; thence, from said True Point of Beginning; North 03° 08' 57" East 125 feet and North 11° 09' 30" East 285 feet to a point on the northerly boundary of Tideland Survey No. 146; thence, along said Tideland Survey northerly boundary, North 84° 30' West to a point on the westerly line of the Usonia, Inc. property; thence, along said property line, South 31° 27' 30" West to a point on the southerly boundary of Tideland Survey No. 146; thence, along said southerly boundary, East to the True Point of Beginning.

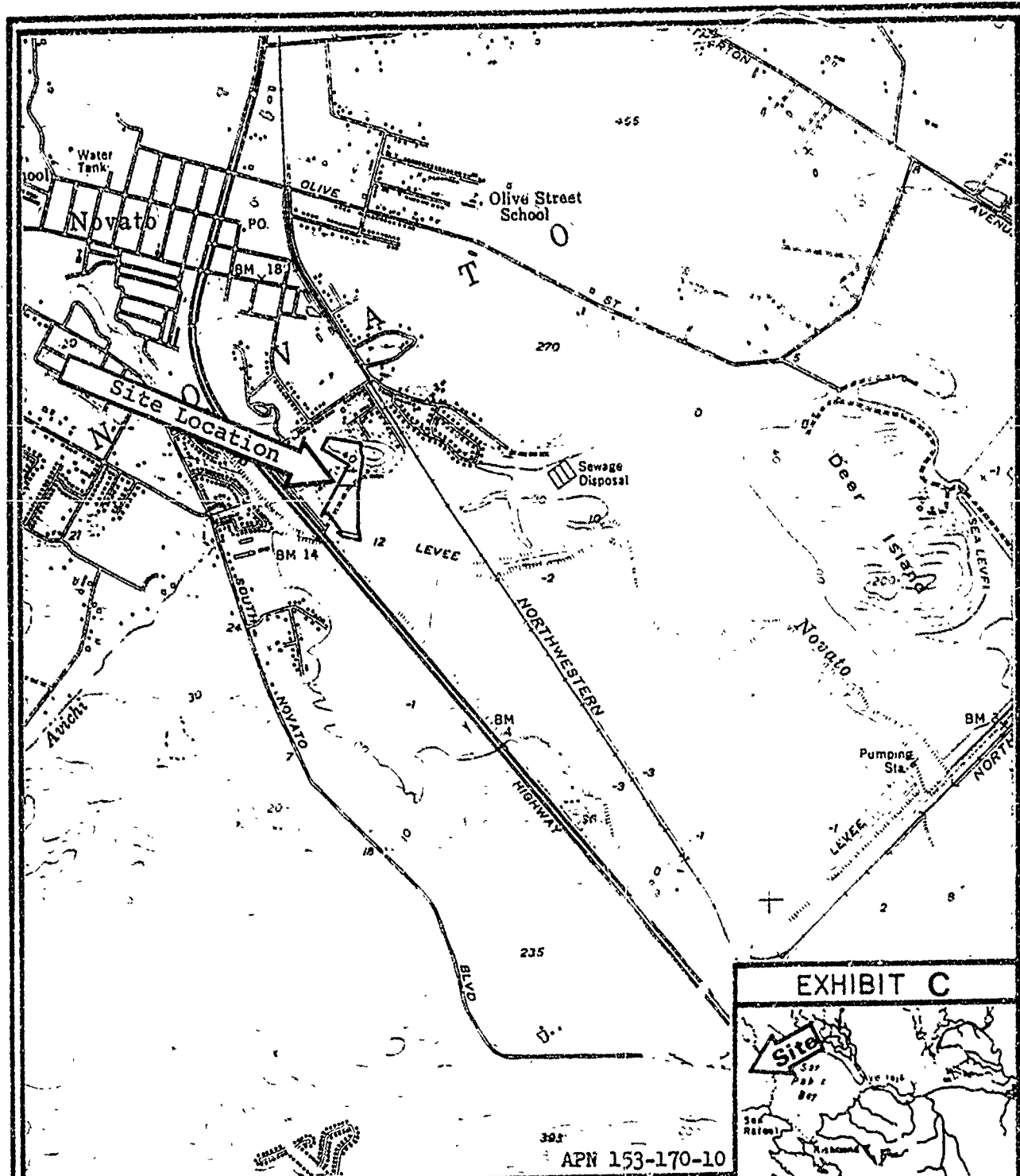
EXHIBIT 'B'

CREEK PARCEL

That certain real property situate in the City of Novato, County of Marin, State of California, described as follows:

Beginning at the southeast corner of that certain parcel of land as described in the deed to Usonia, Inc., recorded December 31, 1979 in Book 3661 of Official Records, at page 550, Marin County Records, said said southeast corner being the northeast corner of Parcel One as shown on that certain Parcel Map recorded in Book 9 of Parcel Maps, at page 41, Marin County Records; running thence from said point of beginning along the southerly line of said lands of Usonia, Inc. and the northerly line of said Parcel One the following courses: North 77° 23' 49" West 274.36 feet, North 60° 12' 49" West 111.63 feet and North 89° 59' 49" West (North 89° 46' 19" West per 9 P.M. 41) 20.95 feet to the southeasterly corner of Parcel 2 as described in the deed to the State of California, recorded April 13, 1960 in Book 1359 of Official Records, at page 498, Marin County Records; thence along the northeasterly line of said Parcel 2, North 38° 43' 19" West 25.04 feet to the southerly line of that certain parcel of land as described in the deed to Edith T. George, recorded September 20, 1937 in Book 347 of Official Records, at page 192, Marin County Records; thence along the southerly and northeasterly lines of last said parcel North 85° 13' 41" East 103.67 feet and North 38° 43' 19" West 168.00 feet to a line parallel with and 180.00 feet northerly, measured at right angles, of said northerly line of said Parcel 1, hereinabove described as "North 77° 23' 49" West 274.36 feet"; thence along said parallel line South 77° 23' 49" East 364.62 feet to the westerly line of that certain parcel of land as described in the deed to the State of California, recorded September 22, 1966 in Book 2080 of Official Records, at page 496, Marin County Records; thence South 13° 36' 17" East 200.63 feet to the south-westerly corner of last said parcel of land and the Point of Beginning of the herein described parcel of land.

Containing 1.37 acres, more or less.



APN 153-170-10

STATE LANDS COMMISSION

Site Map

Prepared by: sf

Date: 2-29-80 A 9 S 2

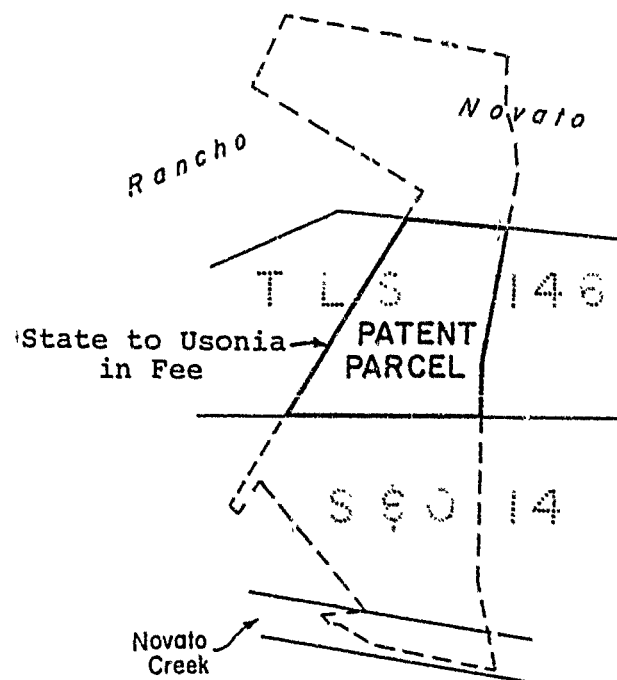
Title Study Novato Creek - Usonia Inc

W 22392



23-N 58-E 140155

MINUTE PAGE 810



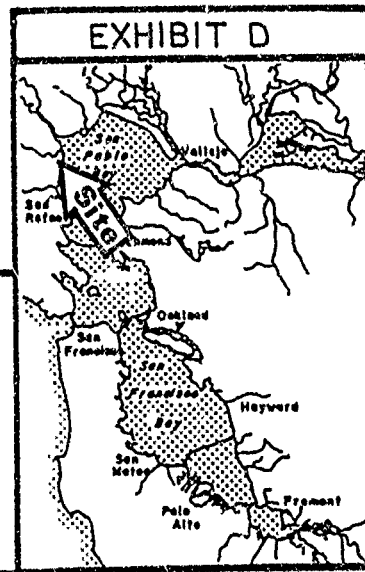
Plotting Approximate

STATE LANDS COMMISSION

EXHIBIT 'D'
PATENT PARCEL
 AREA WITHIN TIDELAND SURVEY 146

Prepared by R.L. Bell November 30, 1981 A:9 S:2

Title Study: Novato Creek-Usonia Inc. W22392



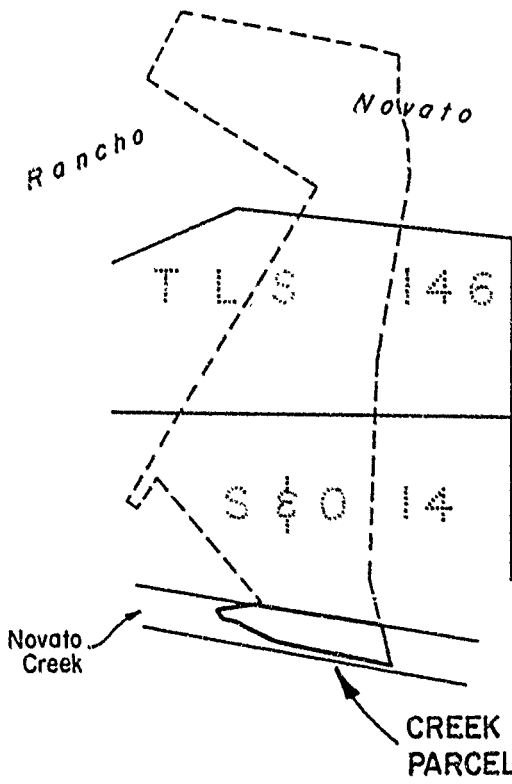
73-N58-E140

156

CALENDAR PAGE

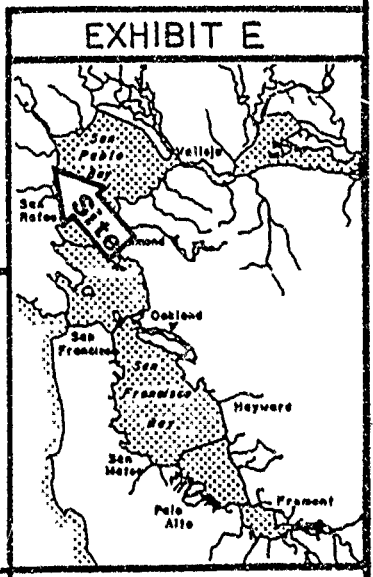
MINUTE PAGE

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Plotting Approximate

STATE LANDS COMMISSION
EXHIBIT 'E'
CREEK PARCEL
 AREA WITHIN THE EXISTING CHANNEL
 AND LEVEES OF NOVATO CREEK
 Prepared by: R.L. Bell November 30, 1981 A: S:2



Title Study - Novato Creek - Usonia Inc. W22392

73-N58-F140

CALENDAR PAGE 457
 MINUTE PAGE 872

EXHIBIT F

DESCRIPTION OF LAND BANK PARCEL

W22611

A portion of Sections 35 and 36, Township 5 North, Range 2 West, M.D.B. & M., City of Suisun City, County of Solano, State of California, more particularly described as follows:

Commencing at the intersection of the easterly line of the Southern Pacific Railroad right-of-way and the southerly line of Cordelia Street (County Road No. 76); thence along said easterly line South $22^{\circ}21'23''$ West, 324.00 feet more or less to the TRUE POINT OF BEGINNING and continuing along said easterly line South $22^{\circ}21'23''$ West, 1625.00 feet more or less to the Northerly line of a Pacific Gas and Electric Company easement recorded July 17, 1972, in Book 1763 of Official Records, Solano County, at page 535; thence along said northerly line South $88^{\circ}49'18''$ East, 930.5 feet more or less; thence continuing along said northerly line North $80^{\circ}35'46''$ East 668.46 feet more or less; thence North $10^{\circ}32'23''$ West, 360.25 feet more or less to a tangent curve concave to the Northeast; thence along said curve having a radius of 118.00 feet and a central angle of $8^{\circ}14'51''$, a distance of 16.99 feet more or less; thence a non-tangent bearing North $11^{\circ}44'34''$ West a distance of 116.79 feet more or less; thence North $10^{\circ}10'30''$ West, 53.79 feet more or less; thence South $83^{\circ}30'27''$ East, 24.97 feet more or less, thence North $6^{\circ}38'45''$ West, 780.38 feet more or less; thence North $89^{\circ}51'00''$ West, 410.00 feet more or less; thence North $0^{\circ}09'00''$ East, 100.00 feet more or less; thence North $89^{\circ}51'00''$ West, 402.47 feet more or less to THE TRUE POINT OF BEGINNING.

Reserving therefrom, an easement for the purposes of access and maintenance over and through the following describe property:

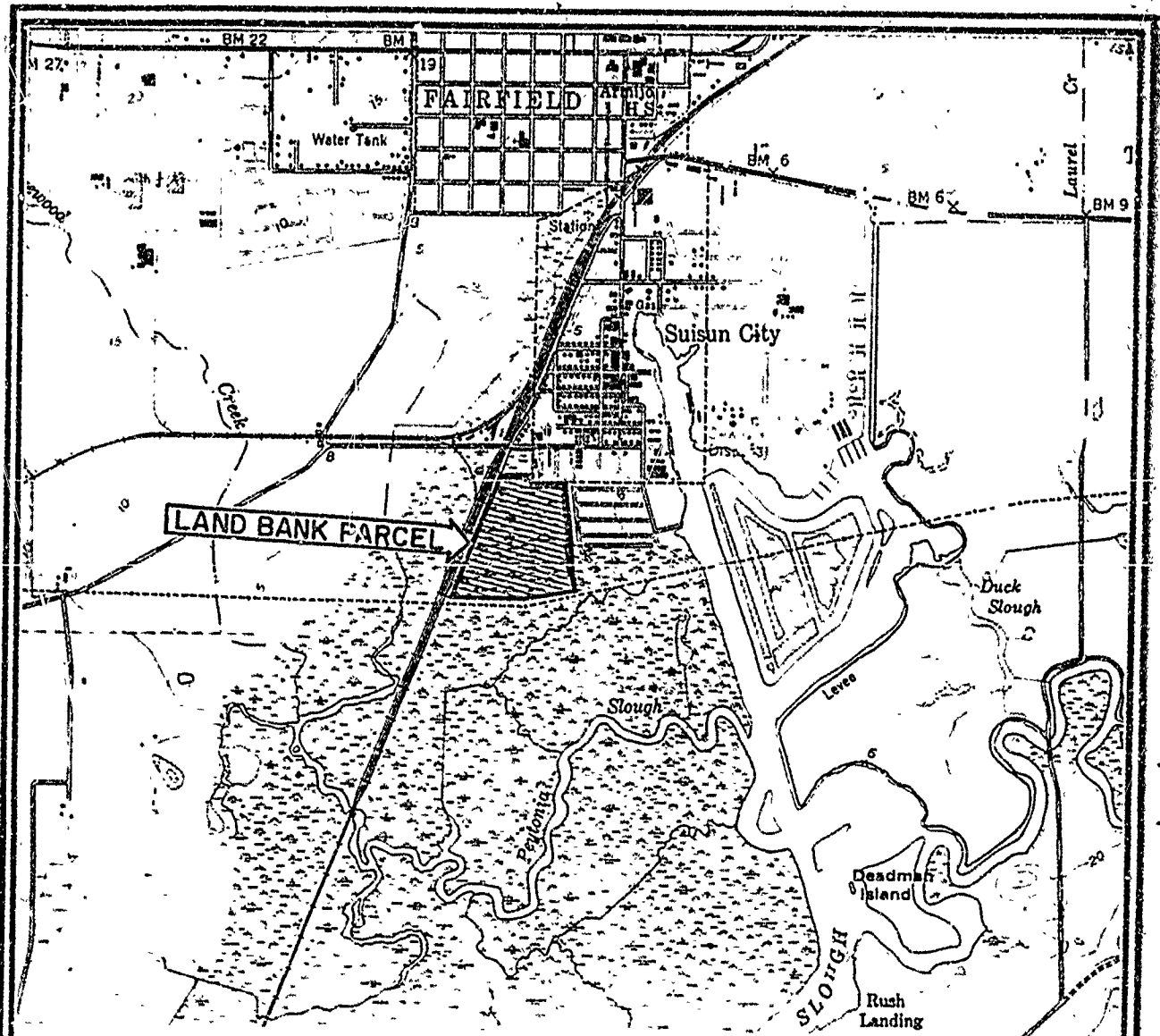
A portion of Sections 35 and 36, Township 5 North, Range 2 West, M.D.B. & M., City of Suisun City, County of Solano, State of California, more particularly described as follows:

A strip of land 50' in width, lying 25 feet each side of the following described centerline; commencing at the intersection of the easterly line of the Southern Pacific Railroad right-of-way and the southerly line of Cordelia Street; thence South $22^{\circ}21'23''$ West, 351.00 feet more or less to the TRUE POINT OF BEGINNING; thence South $89^{\circ}51'00''$ East, 388.00 feet more or less; thence South $0^{\circ}09'00''$ West, 100.00 feet more or less; thence South $89^{\circ}51'00''$ East, 410.00 feet more or less; thence South $6^{\circ}38'45''$ East, 725.00 feet more or less; thence North $83^{\circ}30'27''$ West, 25.00 feet more or less; thence South $1^{\circ}10'30''$ East, 85.00 feet more or less; thence South $11^{\circ}44'34''$ East, 163.00 feet more or less; thence South $13^{\circ}06'13''$ East, 105.00 feet more or less.

END OF DESCRIPTION

REVISED FEBRUARY 3, 1982 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR

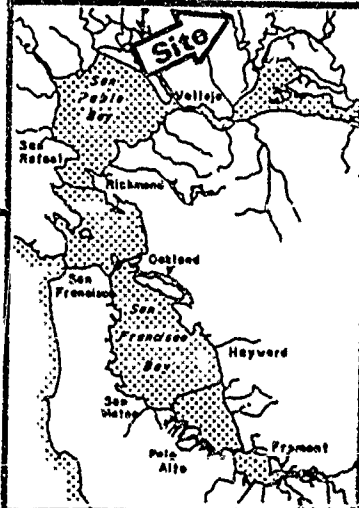
CALENDAR PAGE	158
MINUTE PAGE	813



31% undivided interest in Fee
 Usonia to State

Plat Approximate
 no Scale

EXHIBIT G



STATE LANDS COMMISSION

PLAT OF LAND BANK PARCEL

Prepared by: A.A. Shimonauuff Date: 2/9/82 A: 4 S: 4

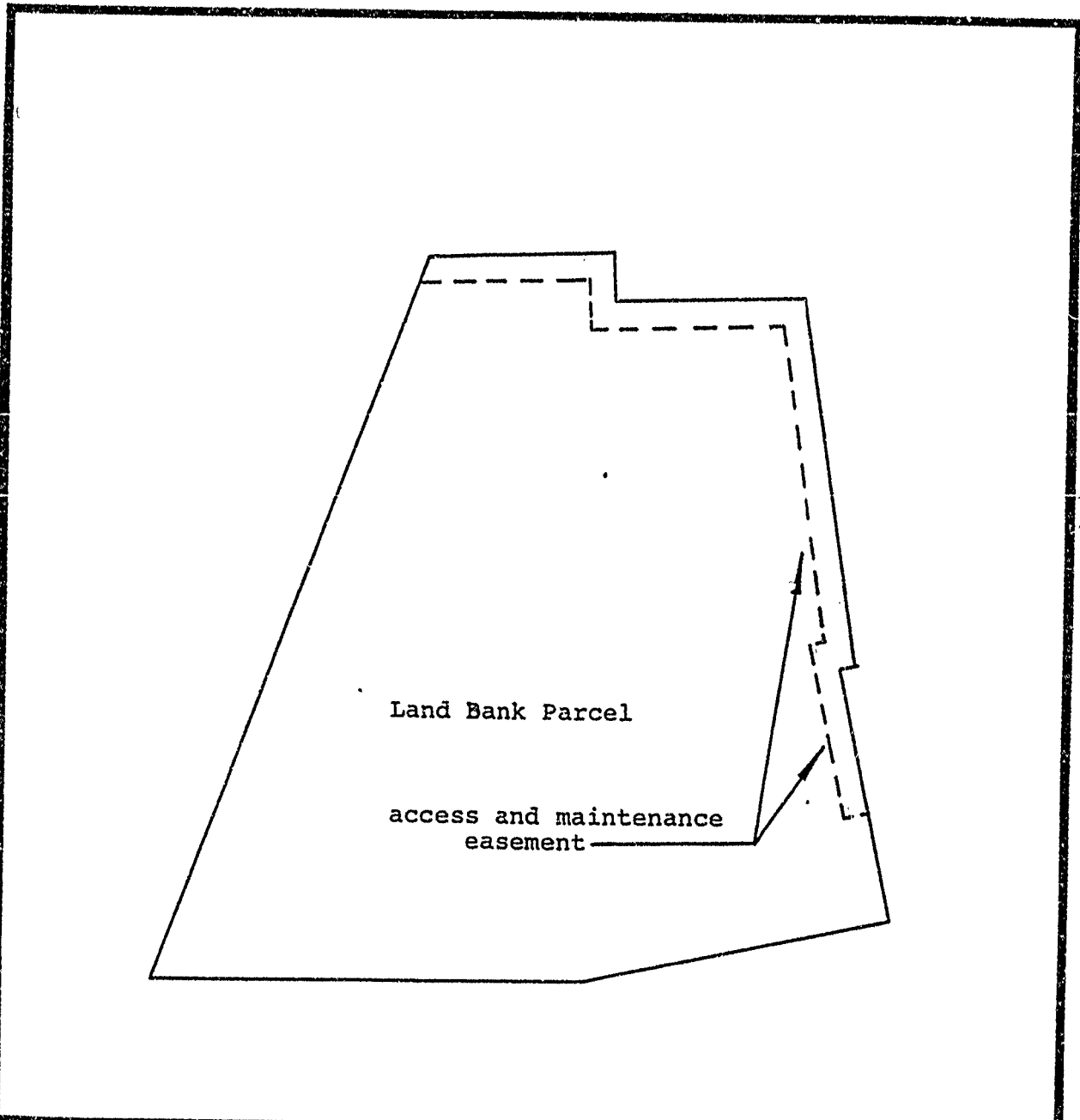
Title Study: TPL - Suisun W 22611

Z2-N21-E 198

CALENDAR PAGE

MINUTE PAGE

159
 814



STATE LANDS COMMISSION	EXHIBIT H
PLAT OF LAND BANK PARCEL	
[Plotting Approximate]	
Prepared by: J.K.HERING Date: 3/5/82 A:4 S:4	Z2 -N 21-E198
Title Study: TPL SUISUN W 22611	

CALENDAR PAGE	160
MINUTE PAGE	815