

MINUTE ITEM

This Calendar Item No. 41
was approved as Minute Item
No. 41 by the State Lands
Commission by a vote of 82
to 0 at its 3/23/82
meeting.

CALENDAR ITEM

41

3/23/82
W 22627
Stevenson
Cook

AMENDMENT OF EXCHANGE AGREEMENT

At its August 21, 1981 meeting, the State Lands Commission approved an exchange agreement between the Commission and Redwood Shores, Inc., involving two parcels along Steinberger Slough in Redwood City, San Mateo County. The agreement provided that it would have no effect on titles to the two parcels until Redwood Shores had made certain public use improvements on the parcel which was to be transferred to the State. Once those improvements were in place to the satisfaction of the State, the agreement was to be executed and recorded. Only then could Redwood Shores begin to improve the parcel which was cleared to it under the agreement.

It is the position of the City of Redwood City that neither parcel which is subject to this agreement can be improved until a tentative subdivision map is approved covering both parcels, and that all titles must be settled under the exchange agreement prior to the submission of a map. To avoid litigation of this issue and further delay of its development, Redwood Shores has suggested that the exchange agreement be amended to allow its execution and recording before the improvements are in place on the parcel to go to the State. To secure its obligation to complete the improvements to the satisfaction of the staff of the State Lands Commission, Redwood has agreed to post a deposit by letter of credit with the State Treasurer in an amount and form agreeable to the staff to cover the cost of improvements. Staff will independently verify the cost of the required improvements prior to the execution of this agreement.

Mobil has also requested that the date for completion of the required improvements be extended from the present date of July 31, 1983, to July 31, 1985, to accommodate for delays in the permitting process for its project. Staff supports this suggestion because it helps to insure that the houses, streets, and other improvements surrounding the parcel to go to the State will be in before the State parcel is improved. However, staff recommends that the date for completion be extended to July 31, 1985, only if the State Lands Commission finds prior to July 31, 1983, that Mobil has used all reasonable efforts to finish the improvements in a timely fashion.

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A copy of the amended exchange agreement reflecting these provisions is now on file at the offices of the Commission and is incorporated as a part of this Calendar Item by this reference.

The staff of the Commission recommends the approval of the amended exchange agreement. Its implementation will avoid unnecessary litigation regarding the Subdivision Map Act and will provide ample protection that the improvements required in the agreement will be completed.

AB 884: N/A.

EXHIBIT: A. Site Map.

IT IS RECOMMENDED THAT THE STATE LANDS COMMISSION:

1. APPROVE AND AUTHORIZE THE EXECUTION AND RECORDATION OF THE AMENDED EXCHANGE AGREEMENT BETWEEN THE STATE LANDS COMMISSION AND REDWOOD SHORES, INC., PREVIOUSLY APPROVED AUGUST 21, 1981, IN A FORM SUBSTANTIALLY SIMILAR TO THAT NOW ON FILE IN THE OFFICE OF THE COMMISSION.
2. RENEW ITS EARLIER FINDINGS IN THIS MATTER MADE AT ITS AUGUST 21, 1981 MEETING AS TO THIS AGREEMENT IN ITS AMENDED FORM.

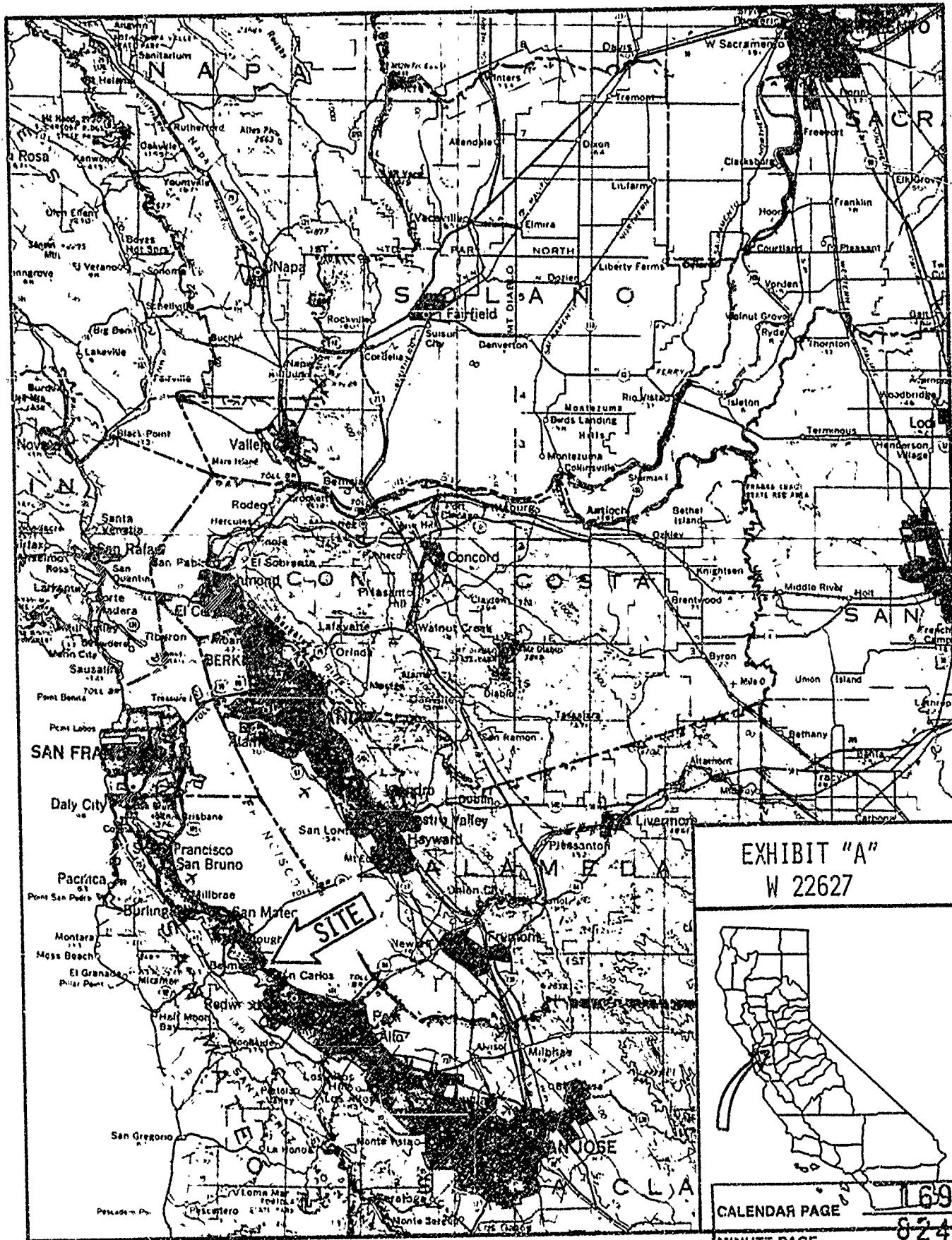


EXHIBIT "A"
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