

MINUTE ITEM
This Calendar Item No. C11
was approved as Minute Item
No. 11 by the State Lands
Commission by a vote of 2
to 0 at its 6-21-93
meeting.

CALENDAR ITEM

C11

A 6
S 3

06/21/93
W 503.1769
Stevenson
Peterson

AUTHORIZATION TO FILE A DISCLAIMER REGARDING
TOWN OF CORTE MADERA, ET AL. v. WILLIAM L. PORTER,
STATE OF CALIFORNIA, ET AL.,
(MARIN COUNTY SUPERIOR COURT; CASE NO. 156035)

The State of California is a defendant in the quiet title lawsuit entitled Town of Corte Madera, et al. v. William L. Porter, State of California, et al. (Marin County Superior Court; Case No. 156035). The property, which is the subject of the lawsuit, is the former bed of a railroad line. The general location of the property at issue is shown on Exhibit "B" of this Calendar Item. A description is attached as Exhibit "A".

The Commission staff has reviewed land title records relating to the subject property and has concluded that the State Lands Commission has no interest in the property by virtue of sovereignty. The Office of the Attorney General proposes to file a disclaimer of sovereign interests on behalf of the State Lands Commission. The disclaimer has been reviewed and approved by staff.

Inasmuch as this suit involves land over which the Commission has no jurisdiction, it is recommended that a disclaimer be filed on behalf of the State Lands Commission disclaiming any right, title, or interest in the tract which is the subject of this lawsuit.

EXHIBITS:

- A. Land Description
- B. Location Map

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.

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CALENDAR ITEM NO. C11 (CONT'D)

2. AUTHORIZE THE ATTORNEY GENERAL TO FILE A DISCLAIMER ON BEHALF OF THE STATE LANDS COMMISSION IN THE CASE OF TOWN OF CORTE MADERA, ET AL. V. WILLIAM L. PORTER, STATE OF CALIFORNIA, ET AL. (MARIN COUNTY SUPERIOR COURT; CASE NO. 156035).

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EXHIBIT "A"

3301556

That certain real property situate in the City of Corte Madera, and the City of Larkspur, County of Marin, State of California, described as follows:

TRACT 1:

A strip or tract of land 100 feet in width being all the land between a line 43.5 feet northerly of and parallel to the located center line of the railroad of the party of the second part known as the "L" line and a line 56.6 feet southerly of and parallel to said located center line between the points where said parallel lines intersect the south-westerly boundary of the land of the parties of the first part and the points where said parallel lines intersect the westerly right of way line of the railroad of the party of the second part as it extends from Tiburon to San Rafael; said located center line as it crosses the land of the parties of the first part being more particularly described as follows, to wit: Beginning at the point where said center line intersects the southwesterly boundary of the land of the parties of the first part said point bearing South 69° 35' East 329.1 feet from stake No. 101 of Survey of salt marsh land of Lot 1, sec. 16, T 1 N.R. 6 W.M. D.B. & M and being at or near Engineers station 343+42 of said center line thence on a tangent bearing North 82° 43' East 2618 feet more or less to Engineers station 369+60 a point of curve thence on a 2° 30' curve to the left having a radius of 2291.9 feet a distance of 1084 feet to Engineers station 380+44 which equals Engineers station 380+44 of the "Y" line hereinafter referred to; thence continuing on the same 2° 30' curve to the left a further distance of 878 feet to Engineers station 389+22 a point of compound curve; thence on a 6° 05' curve to the left having a radius of 941.8 feet a distance of 288.3 feet more or less to a point where said center line intersects the westerly right of way line of the railroad of the party of the second part as it extends from Tiburon to San Rafael said point being at or near Engineers station 392+10.3.

TRACT 2:

A strip or tract of land 100 feet wide being all the land between a line 50 feet northerly of and parallel to the located center line of the railroad of the party of the second part known as the "Y" line and a line 50 feet southerly of and parallel to said located center line between the point where said parallel lines intersect the boundary of Tract 1 hereinbefore described and the points where said parallel lines intersect the westerly right of way line of the railroad of the party of the second part as it extends from Tiburon to San Rafael; said located center line known as the "Y" line as it lies upon the land of the parties of the first part being more particularly described as follows, to wit: Beginning at the point referred to in the description of Tract 1 and designated as Engineers station 380+44 thence on a 3° 35' curve to the right tangent to the "L" line at said point and having a radius of 1599 feet a distance of 116.3 feet to Engineers station 381+60.3 a point of compound curve thence on a 10° curve to the right having a radius of 573.1 feet a distance of 845.5 feet more or less to a point where said center line intersects the westerly right of way line of the railroad of the party of the second part as it extends from Tiburon to San Rafael said point being at or near Engineers station 390+05.8.

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EXHIBIT A

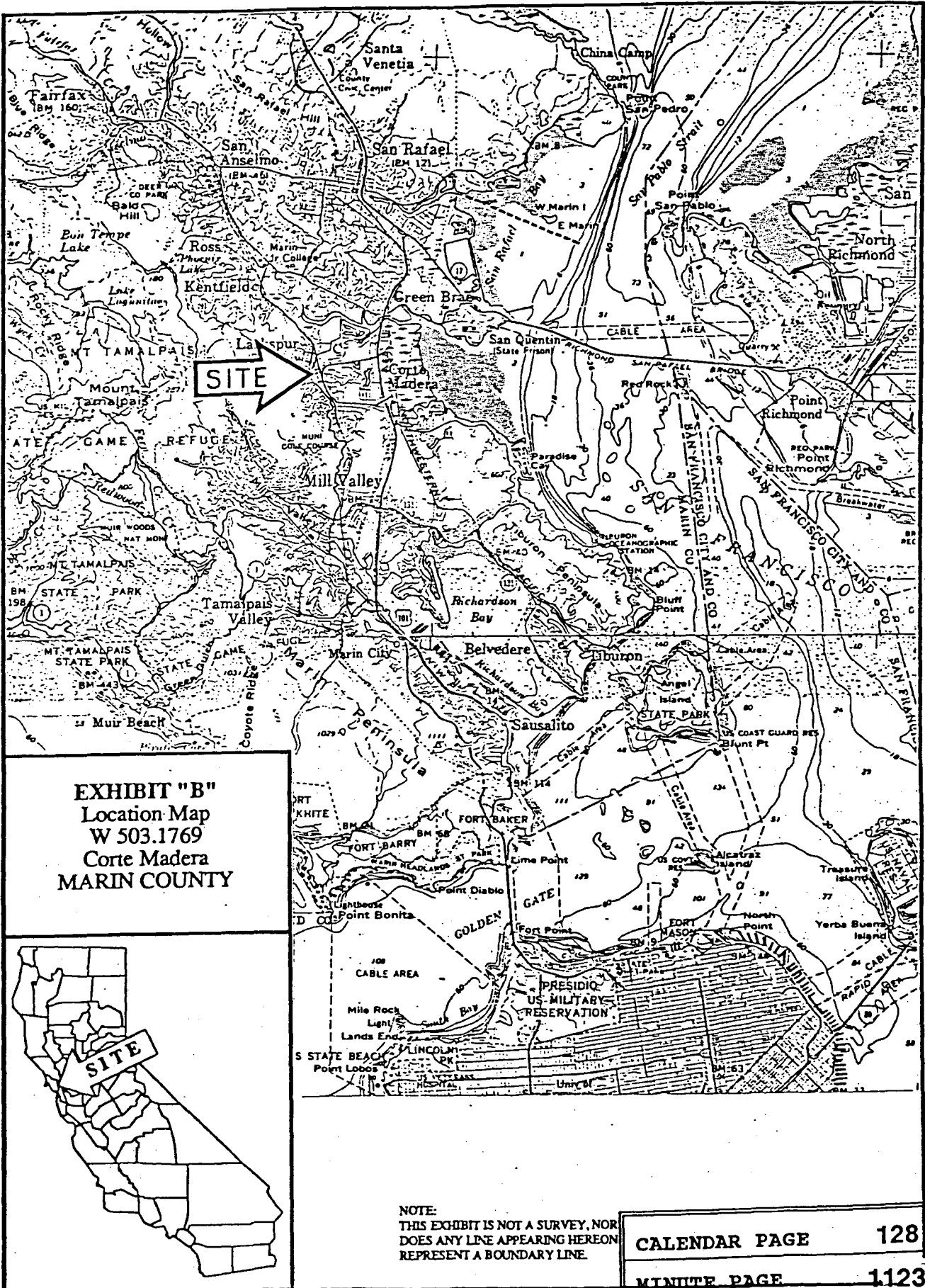


EXHIBIT "B"
 Location Map
 W 503.1769
 Corte Madera
 MARIN COUNTY



NOTE:
 THIS EXHIBIT IS NOT A SURVEY, NOR
 DOES ANY LINE APPEARING HEREON
 REPRESENT A BOUNDARY LINE.

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