

MINUTE ITEM

2/26/70
JHS

30. AUTHORIZATION TO FILE FINDING OF STATUTORY COMPLIANCE WITH SUBSTANTIAL IMPROVEMENT CLAUSE OF CHAPTER 1028, STATUTES OF 1955; CITY OF OAKLAND, ALAMEDA COUNTY - GRANTED LANDS, CITY OF OAKLAND 1-5D.

After consideration of Calendar Item 9 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE EXECUTIVE OFFICER TO NOTIFY THE GRANTEE, CITY OF OAKLAND ACTING THROUGH ITS BOARD OF PORT COMMISSIONERS, THE CHIEF CLERK OF THE ASSEMBLY, AND THE SECRETARY OF THE SENATE THAT THE COMMISSION HAS MADE AN INVESTIGATION OF SUBSTANTIAL IMPROVEMENT AS REQUIRED BY THE GRANTING STATUTE, AND FINDS THAT THE CITY OF OAKLAND HAS COMPLIED WITH THE PROVISIONS OF CHAPTER 1028, STATUTES OF 1955, SECTION 1(b) RELATING TO SUBSTANTIAL IMPROVEMENT.

Attachment

Calendar Item 9 (2 pages)

AUTHORIZATION TO FILE FINDING OF
STATUTORY COMPLIANCE WITH SUBSTANTIAL
IMPROVEMENT CLAUSE - CHAPTER 1028, STATUTES OF 1955

GRANTEE: City of Oakland.

LOCATION: Granted lands encompassed in Chapter 1028, Statutes of 1955 (on file in the office of the State Lands Commission, by reference made a part hereof, and attached for information as Exhibit "C") lying in San Francisco Bay southwesterly of the City of Oakland and easterly of the City of Alameda, comprising approximately 6,840 acres ±, including all right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all lands, salt marsh, tidelands, and submerged lands, whether filled or unfilled.

PURPOSE: To verify improvement made on the granted land as being "substantial improvement" under the terms of the grant statute, Section 1(b). Chapter 1028, Statutes of 1955, states "that said lands shall be substantially improved by said city within ten years of the effective date of this act without expense to the state . . . The State Lands Commission shall make a determination as to whether the city has during said ten-year period improved said lands or any part thereof as herein required; should the determination be to the effect that the requirements of this act have not been fulfilled, all right, title and interest of said city in and to all lands granted by this act shall cease and said lands shall revert and vest in the State."

FACTS EVIDENCING
COMPLIANCE:

The City of Oakland, acting by and through its Board of Port Commissioners, since the receipt of the tideland grant (Chapter 1028, Statutes of 1955), has completed an expansion and improvement program involving the Metropolitan Oakland International Airport. Part of this expansion and improvement program is on land owned in fee by the City of Oakland, part on the salt marsh tide and submerged lands granted to the City of Oakland by the City of Alameda pursuant to Section 2 of Chapter 1028, Statutes of 1955, and the remainder under the 1955 grant. The cost of improvements completed within the boundaries of the 1955 grant, in accordance with Section 1(b) of Chapter 1028, is as follows:

CALENDAR ITEM 9. (CONTD.)

Dikes	\$ 645,784.00
Dredge Fill	2,259,931.00
Runway, Taxiways & Apron	2,607,119.00
Terminal Building & Tower	2,839,289.00
Finger Building	<u>976,735.00</u>
Total	\$9,328,858.00

In addition, the Port of Oakland, acting through the Board of Port Commissioners, has submitted copies of its working master plan for further expansion and improvements within the tideland grants to be constructed as the need for additional runways and taxiways arises. On July 18, 1969, the Division made a physical inspection of the improved land and verified the improvements listed in the written report submitted.

EXHIBITS:

- A. Photograph of March 12, 1950, showing granted area prior to grant and fill activities.
- B. Aerial photo, dated October 12, 1966, showing same area with fill improvements and superimposed grant line.
- C. Copy of Chapter 1028, Statutes of 1955.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO NOTIFY THE GRANTEE, CITY OF OAKLAND ACTING THROUGH ITS BOARD OF PORT COMMISSIONERS, THE CHIEF CLERK OF THE ASSEMBLY, AND THE SECRETARY OF THE SENATE THAT THE COMMISSION HAS MADE AN INVESTIGATION OF SUBSTANTIAL IMPROVEMENT AS REQUIRED BY THE GRANTING STATUTE, AND FINDS THAT THE CITY OF OAKLAND HAS COMPLIED WITH THE PROVISIONS OF CHAPTER 1028, STATUTES OF 1955, SECTION 1(b) RELATING TO SUBSTANTIAL IMPROVEMENT.