

MINUTE ITEM NO. 6
APPROVED 2-26-76

CALENDAR ITEM
6.

2/76
HAM
WP 4743

CORRECTIVE ACTION RELATING
TO LEASE PRC 4743.9

APPLICANT: Contra Costa County Flood Control and Water
Conservation District
255 Glacier Drive
Martinez, California 94553

AREA, TYPE LAND AND LOCATION: A parcel of tide and submerged land in the bed
of Pacheco Creek, Contra Costa County.

LAND USE: Flood Control Channel Maintenance.

TERMS OF ORIGINAL LEASE:
Initial Period: 49 years, from May 1, 1973.

Consideration: Public safety and benefit, with
the State reserving the right at
any time to set a monetary
rental if the Commission finds such
action to be in the State's best
interest.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 & 2.
- B. Administrative Code: Title 2, Div. 3,
Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:

1. Under Minute Item No. 5, dated May 31, 1973,
the Commission authorized the issuance of a
permit to the Contra Costa County Flood
Control and Water Conservation District for
the above specified purposes. At a subsequent
date the legal description contained in the
Minute Item was found to contain a few minor
errors. In consequence, the staff submitted
a new legal description together with a re-
quest to amend the permit, so as to correct
the description. The Commission approved
the staff request under Calendar Item No. 1,
dated September 27, 1973.
2. It has been disclosed that the legal descrip-
tion presented to the Commission at its
September 1973 meeting also contained a few
minor errors. It has additionally been

CALENDAR ITEM NO. 6. (CONTD)

disclosed that the permittee had obtained the correct legal description and had affixed it to the permit document and thereafter recorded the permit in Contra Costa County on October 1, 1973, in Book 7059, at page 573, in the Officials Records of said County. The resulting situation is that the permittee now has a permit, with a correct legal description, but that description differs from one approved by the State Lands Commission.

3. This action will not affect the basic purpose or actual location of the project and environmental considerations were fully resolved at the time the Commission approved the permittee's original application.

EXHIBITS: A. Land Description. B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE AMENDMENT OF MINUTE ITEM 5, PAGE 2 AND 3, REFLECTING ITS ACTION OF SEPTEMBER 27, 1973, TO DELETE THE LAND DESCRIPTION CONTAINED THEREIN, IN ITS ENTIRETY, AND SUBSTITUTE THEREFORE THE DESCRIPTION CONTAINED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

Lessee: Contra Costa County
Flood Control District

WP 4743

Those parcels of tide and submerged land lying in the bed of Walnut Creek, formerly known as Pacheco Slough, Contra Costa County, State of California, being more particularly described as follows:

PARCEL A

BEGINNING at the point of intersection of the northerly line of Tideland Survey No. 207 with that certain line described in Boundary Line Agreement No. 7, between the State of California and Tidewater Associated Oil Company dated February 27, 1950, and recorded in Book 1732, Official Records, page 35, records of said county, said point of intersection bears N 88° 44' 53" E, 1563.93 feet from California State Lands Commission bronze monument stamped "Lands End" having California Coordinates of X = 1,543,798.11, Y = 565,926.78; thence along said Boundary Line Agreement No. 7 the following 12 courses:

- 1) S 06° 41' 46" E 506.26 feet;
- 2) S 20° 13' 11" E 523.97 feet;
- 3) S 10° 28' 57" E 191.84 feet;
- 4) S 27° 26' 22" E 300.58 feet;
- 5) S 48° 53' 18" E 316.83 feet;
- 6) S 43° 53' 23" E 222.85 feet;
- 7) S 31° 21' 37" E 292.53 feet;
- 8) S 25° 31' 13" E 321.07 feet;
- 9) S 27° 47' 20" E 275.73 feet;
- 10) S 40° 42' 07" E 1451.68 feet;
- 11) S 45° 29' 14" E 507.49 feet;
- 12) S 59° 02' 55" E 409.71 feet to a point on the north right-

of-way line of the county road, leading from Martinez to Port Chicago, said point bears N 65° 28' 56" W 292.29 feet from State Lands Commission monument "AVON"; thence leaving said Boundary Line Agreement No. 7 and along the north line of said county road S 71° 20' 30" W, 128.17 feet to the intersection of said northerly line with that certain line described in Boundary Line Agreement No. 8, between the State of California and United Towing Company, dated July 10, 1950, recorded in Book 1732 at page 37; thence along said Boundary Line Agreement No. 8 the following 19 courses:

- 13) N 64° 08' 41" W 145.29 feet;
- 14) N 55° 53' 13" W 178.75 feet;
- 15) N 46° 16' 29" W 505.61 feet;
- 16) N 41° 49' 22" W 429.46 feet;
- 17) N 34° 06' 43" W 56.71 feet;
- 18) N 41° 25' 30" W 170.71 feet;
- 19) N 39° 09' 32" W 479.19 feet;
- 20) N 40° 41' 14" W 369.65 feet;

(Revised 2/26/76)

- 21) N 30° 28' 53" W 190.20 feet;
- 22) N 25° 40' 08" W 462.09 feet;
- 23) N 32° 31' 22" W 198.33 feet;
- 24) N 39° 28' 01" W 168.06 feet;
- 25) N 52° 24' 13" W 166.04 feet;
- 26) N 43° 49' 18" W 257.94 feet;
- 27) N 29° 23' 09" W 241.76 feet;
- 28) N 18° 39' 23" W 329.52 feet;
- 29) N 10° 29' 39" W 179.34 feet;
- 30) N 19° 48' 21" W 769.77 feet;
- 31) N 72° 06' 30" E 201.86 feet to the point of beginning.

PARCEL B

BEGINNING at the point of intersection of the aforementioned Boundary Line Agreement No. 7 with the North right-of-way line of the county road leading from Martinez to Port Chicago, said point bears N 65° 28' 56" W 292.29 feet from California State Lands Commission monument "AVCON"; thence N 34° 07' 07" E, 81.29 feet to the northeasterly right of way line of the Contra Costa County Flood Control and Water Conservation District, Walnut Creek Channel; thence along said right-of-way the following 18 courses:

- 1) S 55° 52' 53" E 832.39 feet;
- 2) S 63° 29' 21" E 11.44 feet;
- 3) S 57° 16' 49" E 1634.71 feet;
- 4) S 61° 45' 37" E 50.35 feet;
- 5) S 58° 50' 42" E 81.92 feet;
- 6) S 53° 52' 34" E 86.87 feet;
- 7) S 49° 42' 36" E 666.59 feet;
- 8) S 36° 09' 03" E 63.47 feet;
- 9) S 45° 41' 25" E 64.03 feet;
- 10) S 19° 23' 29" E 424.45 feet;
- 11) S 03° 32' 29" E 183.22 feet;
- 12) S 19° 46' 02" W 72.81 feet;
- 13) S 17° 54' 30" E 52.41 feet;
- 14) S 03° 32' 45" E 50.00 feet;
- 15) N 86° 27' 15" E 15.00 feet;
- 16) S 03° 32' 45" E 80.00 feet;
- 17) N 86° 27' 15" E 12.00 feet;
- 18) S 03° 32' 45" E 304.92 feet; thence leaving said right-of-way line S 86° 27' 15" W 638.84 feet to a point on the easterly line of that certain parcel No. 1 described in lease designated as PRC 4215.9 between the State of California and the above mentioned Flood Control District, dated June 24, 1969 and recorded in Book 5918 at page 493 of said county records; thence N 40° 33' 10" W 263 feet to a point on the northerly line of said parcel No. 1, said point being on a non-tangent curve, concave to the northwest and having a radius of 397.71 feet; thence along said curve through a central angle of 52° 59' 35" an arc distance of 367.84 feet to a point of compound curvature; thence along a curve concave to the southwest and having a radius of 600 feet through a central angle 52° 20' 08" an arc distance of 602.86 feet; thence N 55° 52' 53" W 3323.48 feet to the intersection with the northerly right-of-way of the above-mentioned county road; thence along said northerly right-of-way N 71° 20' 30" E, 651.53 feet to the point of

CONTINUED.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water line of Pacheco Creek.

Also EXCEPTING THEREFROM any portion described in the above mentioned PRC 4215.9.

This description is based upon the California Coordinate System Zone 3

END OF DESCRIPTION

Prepared J. Colvin Checked J. Colvin
Reviewed J. Colvin Date 1/28/74
Revised 2/25/76 ^{AK} 1/8/8

