This C: Am:nnan Was Et " $\therefore \quad \therefore \because \cdots$ Ho 17 Comm $\because \quad \therefore, 13,1,2$ 0 O meeting.
17. TITLE SETTLEMENT AND EXCHANGE AGREEMENT (BLA 184).

To explain the reasers Eor requesting that an amendment be made to Galendar Item 17, Mr. James F. Trout. Chief, Division of Land Management and Conservation, read the following statement into the record:
"In Septeinber 1978 the Commission upproved a
Boundary and Exchange Agreement between Charles
Sylvia and the State. Under this agrement, the
State was to issue its patent on sovereign lands
in a 0.4 acre parcel in the vicinity of Alviso,
Santa Claxa County, in exciange for an undivided
$5.555 \%$ interest in Brown's Island in Contra Costa
County. The doilar vaiue of the 0.4 acre parcel was
\$7,500. Mr. Sylvia is having problems in finalizing
his portion of the transaction. He has agreed to the
rescission of that action to allow this portion of
Erown's J.sland to be used as selention for Calendar
Item 17. The staff of the State Jands Commission
therefore requests that the Commission rescind their
approval of said Boundary and Exchange Agreement with
the understanding that the Calendar Item and agreement
will be presented at a later time when both suitable
exchange lawds are found, he has cleared up his zroblems,
and the finding that the excent of the incertesi on the
Sylvia parcel, as described in the Calendar Item, remains
at $\$ 7,500$. This will allcw Fickleweed Associates to
acquire lands to exchange with the State and thereby
conclude their Boundery and Exchange Agreement with
the State. Mr. Sylvia through his attorney has agreed
to this transaction."

Rursuant to the above explanation, staff reconmended that Recommendations 1 through 8 be renumbered 2 through 9 , and a new recomendation \$o. 1, as set forth below, be inserted.

Upon motion duly made and carried, the resolution in Calendar Item 17 attached, as amended, was adopted by a vote of 2-0: ThE COMIISSION:

1. RESCINDS, WITHOUT PREJUDICE, ACTION OF SEPTEMBER 27, 1978

STATE LANDS COMMTSSIDN MECTING APPROVING BUUNDARY AND
 TN THE VICINTTI JE KYYISO.
2. APPROVES THE TITLE SETTYEMENT AMD EXCHANGE AGREEMENT (BLA 184) AS PROPOSED, AND ATHYORIZESTHL EXECUTION OF THE AGREEMENT BETWEEN THE COMMISSION AND PICKLEWEED, IN SUBSTARTIALLI THE FORM OF THE COPY OF THE ACREEMENT ON TTHE WITH THE COMMISSION.
3. FINDS THAT THE EXCHAivge OF LANDS, INTEREST IN LANDS, AND RIGHTS SET FORTH IN THE AGREEMENT RETERRED TO IN paragkaph i above, are min the best interests of tie STATE FOR ATD IN RECLAMATION; THAT IT WILL NOT SUBSTANTIATLY INTERFERE WITH THE RIGHI'S OF NAVIGATION AND FISHING IN THE Witens involied in lands equal to or greater in valuf than any lands or interests in lands RELINQUISHED BY THE STATE PURSUANT TO SAID AGREEMENT.
4. AUTHORTZES EXECUTION OF A STATE PATENT AND OUITCLATM DEED TO PICKLEWEED OF THE REAL PROPERTY DESCRERED IN THE AGREEMENT.
5. ACCEPTS AND AUTHORIZES THE RECORDATION OF CONVEYANCES TO THE STATE AS PROUTDED IN THE AGREEMENT.
6. FINDS AND DECLAPCS THAT UPON THE DELIVERY OF THE PATENT AND THE RECORIATION THEREOF IN THE OFFICE OF THE COUNTY RECORDER OF MARIN COUNTY, THE REAL PROPERTY DESCRIBED IN SAID PATENT, EXCEPT FO THE LAND SUBJECT TO THE RESERVATION THERETN:
a. HAS BEEN CUT OFF FROM NAVIGABLE WATERS, IMPROVED, FILIED, AND RECLAIMED BY THE PRIVATE PARTY OR PREDECESSORS I: INTEREST.
b. HAS THEREBY bEEN SEvERED FROM THE PUBLIC CHANNELS AND WATERWAYS AND IS NO LONGER AVAILABLE OR USEFUL OR SUSCEPTIBLE OF BEING USED FOR COMMERCE, NAVIGATION, AND FISHING, AND IS NO LONGER IN FACT TIDELANDS OR SUBMERGED LANDS AND THEREFORE SHALL BE FEEED FROM FUBLIC TRUST.
7. AUTHORIZES THE STATE LANDS CCMMISSJON'S STAFF, AND/OR THE OFFICE OF THE ATTORNEY GENERAI, TO TAKE ALL FURTHER STEPS NECESSARY TO IMPLEMENT THE TRANSACTION DESCRIBED ABOVE, INCLUDING BUT NOTT LIMITED TO APPEARANCES IN any legal proceedings rrought concerning the above TRANSACTION,
8. FINDS THAT THE AGREETENT IS FOR THE SEITLEMENT OF TITLE IN LTEU OF litigation and the provisions of ceqa are INAPPLICABLE, PURSUANT TO SECTION 6371 OF THE P.R.C.
3. FINDS THAT THE PROPOSED BRIDGES AUTHORIZED IN THE AGREGMENT ARE COASISTEN: VITF THE PUBLIC TRUST AND SO LONG AS THE BRIDGES REMATH Ot H. 10 THE PUBLIC. AND ARE maintained in a manner acceptabie to all regulatdry agencies havting jurisdtction, the state vill not exerctse the PUBLIC TRUST EASEAENT OVER THE EASEMENT PARCEL FOR USES INCONSTSTENT WITH THE RRIDGES AND ACCESS WAYS.

Attachment: Calendar Item 17

1/79.
17.

TITLE SETTLEMENT AND EXCHANGE AGREEMENT (BLA 184)

W 21.858
Cowan
PRC 5426

A title dispute exists between the State, in its sovereign capacity, and Pickleweed Associates, a California limited partnership hereinalter referred lo as PICKLEWEED, concerning certain parcels of real property totaling 9.3 acres, more or less, loca'ed in the City of Mill Valley, Marin County, Cailfornia, more particularly described as SETTLEMENT PARCEL of the attached Exhibit " $C$ " and graphically shown on Exhibit "A".

PICKLEUEED Claims, as successors in interest to: the United States confirmatory patent for Rancho Corte Madera del Presidio to the heirs of John Read, recorded August $1 f$, 1890, in Book B of Patents, page 110, Official Records of Marin County; the deed issued September 29, 1871, by the Board of Tide Land Commissioners (BTLC) to Samuel R. Throckmorton, recorded in Volume J of Deeds, page 289 Official Records of Marin County; and to either the Scate's swamp and overflowed land patent to Tideland Survey 31, recorded june 16,1873 in Volume A of patents, page 357 , office of the Recorder of Merin County, ir in the alternative, under Board of Tide Land Commiss : ners Deeds of Lots 289, $290,291,292,293$ as described $x$ Volume 0 of Deeds page 504 dated July 12, 1872, and Volume Q of Deeds, page 56, dated November 17, 1875, tu the office of the Recorder of Marin County

PICKLENEED contends that the said patents and BTLC deeds conveyed all right, title and interast of the Stare within the SETTLEMENT PARCEL without any reservations, express or implied and that PICKIDNEED now holds title to said real property in fee simple absolute, free and clear of any State right, title or interest therein.

The State Lands Commission's stalf has conducted a study of the evidence of tirie to the SETTLEMENT PARCEL and has reached the following conclusions:

1. The SETTLEMENI PARCEL in its historic state was or included tidelands and submerged lands inciuding the Arroyo Principal del Corte de Madera del Presidio. its tributaries and Richardson's Bay, all of which were navigable tidal waterways, the exact locarion, depth and size of which are uncertain and in dispute.


## GALENDAR ITEM NO. 17. (CONTD)

2. Most of the SETTLEMENT PARCEL has been reclaimed and cut off from tida, waters of Richardson's Bay and the remaining natural bed of Arroyo Principal del Corte de Madera del Presidio by reason of artificial changes.
3. Issuance of said State Patent to Tidelands Survey 31, Marin County may have ljesn in violation of the Art of April 27, 1863, Statutes of California Chapter 39.7 page 591, which sats forth conditions and provisions for the sale of swamp, overflowed, marsh and tidelands.
4. The sale of the Lots by the Board of Tide Land Comntssioners may have been invalid since public navigational rights in the area were not provided for after it was determined that a major portion of the subject lots conveyed were included within Rancho Corte de Madera del Presidio.
5. Although the Board of Tide Land Cummissioner's deed to Throckmorton (Vol. J of Deeds, page 239) meandered the South bank of the Arroyo Principal del Corte de Nadera del Presidio, an easement for navigation in the Arroyo was also granted to Throckmorton by the same deed.

The private parties have offered to resulve such ritle dispute by an agreement in compromise settlement of each title dispute. The State Lands Commission's stafe recommends approval of the settlement in substantially the form of agreement whici is now on file with the State Lands Commission

An EIR was prepared and certified by the City of mill yalley. Although not required for Commission approval of a title settlement tranaction, a staff summary of that EIR is included as attached Exhibit " $D$ ".

While the agreement sets forth all the specific torms and conditions of the settlement, for purposes of convenience, the settlement is graphically depicted on the attached Exhibit "B" showing perd Parcels, patent Parcels, EASEMENT
 of the primcipal terms and conditions of the settlement is set forth below as follows:

1. The State, in its sovereign capacity, will receive the fee simple tirle, including mineral roghts, subject to the public trust in a 3.3 acre portion of the SFTTIEMENT FARCEL as described in DEED PARCELS of Exhibit C, which is attached hersto and made a parc heree
2. The parties agree that the ownership of the real property described as EASEMENT PARCEL of Exhibit "C" will be as follows:
A. PICKLEWEED OWnership of the underlying fee title.
B. State ownership of the Public Trust Easement.
C. State ruthorization for 2 bridges and access ways across the parcel for so long as they shall remain open to the public ${ }_{3}$, and are maintained in a manner acceptable to all regulatory agencies having jurisdiction, the State will not excercise the Public Trust Easement over the EASEMENT PARCEL for uses inconsistent with the bridges and access ways.
3. The State, in its sovereign capacity, is to receive an undivided $11.481 \%$ jnterest in Brown's Island, EXCHANGE PARCEL of Exhibit "C". from the East Bay Regionai Park District as tidelands and submerged lands, pursuant to the Land Bank Agreement between the State Lands $C$ mmission and the District (See the State Lands Commission Minute Item No. 17 of November 27, 1978), upon payment to the District of $\$ 15,500$ by the private parties. At tro rate of $\$ 226.75$ per acre, this is the equivalent of abo.t 68.36 acres of Brown's Island. Pursuant to the Land Bank Agrement, the interest in Brown's Island will be leased back to the District for management purposes.
If the proposed agreement is approved, the Commission will have authoizzed acceptances totaling a $95.7 \%$ undivided interest, leaving a $4.3 \%$ undivided interest to be crinveyed to the State to fully complete the State's acquisj.tion of Brown's Island.
4. PICRLEUEED will receive fee simple title, free of any State right, title, or intereat in the land described as PATENT PARCEL of Exhibit " C ".
5. Fublic access along the parcols passing to the state, (except for the triangular parcel to the southeast),
 fent as shown by "Tentative Map of Pickleweed Residential Development" (rxawing No. 7853-01 Revision A, November 1 , 19781, a copy cf which is on file in this matter.
6. The proposed agreement does not purport to extinguish any ights within the bed of the Arroyo Principal del Corte de Madera del Presidio which may exist by reason of the deed to Throckmorton.
7. The State will receive, without cost: (1) a titln insurance policy in the amount of $\$ 12,500$ insuring Its title to the DCCD PARCEL; (2) a titte insurance policy in the amount of $\$ 1,000$ insuring its interest in the EASEMENT PARCEL; (3) a title insurance policy in the sum of $\$ 15,500$ insuring its title to the offsite exchange parcel when acquired; (4) such policies of insurance shall expressly provide that the state shall be defended from any and all losses, costs, expenses, including atcorneys fees, resulting from any claims, demands or causes of action by third parties claiming to be the owners of any right, title or interest, of record, as successors in interest to any State or Federal conveyances.
8. The SETTLEMENT PARCEL has been appraised; the title evidence has been reviewed; and the State's clairn therein has been evaluated, showing that the State's interest passing to PICKLENEED is valued at $\$ 28,000$; the DEED PARCELS passing to State are valued at $\$ 12,500$, the staff of the State Lands Comission has determined that the value of the $11.481 \%$ undiviaed interest in the Brown's Island EXCHANGE PARCEL is equal to or greater than $\$ 15,500$.

EXHIBITS:
A. Location Flat showing SETTLEMENT PARCET.
B. Plat showing DEED PARCEL, PATENT PARCEL, EFTEMENT PARCEL, and EXCHANGE PARCEL.
C. Description of Parcels.
D. Summary of EIR
E. Location Plat showing EXCHANGE PARCEL.

IT IS RECOMENDED THAT THE COMISSION:

1. APFKOVE THE TETLE SETTLEMENT AND EXCHANGE AGREEMENT (BLA 184) AS PROPOSED, AND AUTHORTEE THE EXECUTTON OF THE AGREEMENT BETWEEN THE COMAISSION AND PICKLENEED, IN SUBSTANTLALLY THE FORAi UF THE CORY OF THE AGREEMENT

2. FIND THAT THE EXCHANGE OF JANDS, INTEREST IN TANUS, AND RIGHTS SET FORTH IN THE AGREEMETT REFERRED TO IN faragraph 1 above, are in tie best interests of the STATE FOR AID IN RECLAMATION; THAT IT WILL NOT SUBSTANTIALLY INTERFERE WITH THE RIGHTS OF NAVIGATION AND FISHING IN THE WATERS INVOLVED IN LANDS EQUAL TO OR greater in valide than any lands or Interests thminnos RELJNYUISAED GY THE STATE FURSUANT TO SAID A EBEEMENTPAGE
3. AUTHORIZE EXECUİION OF A STATE PATENT AND QUIT CLAIM DEED TO PICKLEWEED OF THE REAL PROPERTY DESGRIBED IN THE ACR JEMENT.
4. ACCEPT AND AUTHORIZE THE REGORDATION OF CONVEYANCES TO THE STATE AS PROVIDED IN TRE AGREEMENT.
5. FIND AND DECLARE THAT UPON THE DELIVERY OF THE PATENT AND THE RECORDATION THEREOF TN THE OFFICE OF THE COUNTY RECORDER GI MARTA COBNTY, THE REAL PROPERTY DFSGCTBED IN SAID PATENT, EXCEPT FOR THE LAND SUBJECT TO THE RESERVATION THEREIN:
a. HAS BEEN CUT OFF FROM NAVIGABLE WATERS, IMPROVED, FILLED, AND RECLATMTD BY THE PRIVATE RARTY OR PREDECESSORS IN INTEREST.
b. HAS THEREBY BEEN SEVERED FROM TYE PUBLIC CHANNELS AND WATERNAYS AND IS NO LONGER AVATLABLE OR USEFUL OR SUSCEPTIBLE OF BELNG USED FOR CUMAERCE, NAVIGATION, AND FISHING, AND IS NO LONGE: IN FACT TIDELANDS OR SUBMERGED LANDS AND THEREFORE SHALL BE FREED FROM PURLIC TRUST.
6. AUTHORIZE THE STATE LANDS COMMISSION'S STAFF, AND/OR THE OF: ICE OF THE ATTORNEY GENERAL, TO TAKE ALL FURTHER STEPS NECESSARY TO IMPLEMENT THE TRANSACTION DESCRIBED ABOVE, INCLUDING BUT NOT LIMITED TO APPEARANCES IN any legal proceenings brought concerning the above TRANSACTION.
7. FIND THAT THE AGREEMENT IS FOR THE SETTLEMENT OF TITLE IN LIEU OF LITIGATION AND THE PROVISIONS OF CEQA ARE INAPPLICABLE, PURSUANT TO SECTION 6371, OF THE P.R.C.
8. FINDS THAT THE PROPOSED BRIDGES AUTHORLZEN IN THE AGREEMENT are consistent with the public trust and so long as THE BRIDGES REMAIN OPEN TO THE PUBLIC, AND ARE MAINTAINED in a manner acceftable to ali regulatory agenc. Es having jurisdiction, the state wtle not exercise the hublic trust easement over the easement parcel for uses inconSistent with the bridges and access ways.



SETHİ KNY PARCELS

## DESCRIPTION:

A11 that certein real property situate in the City of Mill Vailey, County, of Marin, State of Callformia, described as follows:

## PARCEL ONE

COMENCING at the most Nortineriy corner of Parcel 1 , as ne same is described in the Deed from the City of Mill Valley, to Herbert K. Shapiro, et ux, recorded September 12; 1.957 in Book 1140 of Official Records, at page 27 a, Marin County Records, and ranning thence slong the Northerly line of said varcel South 68 $03^{\circ}$ Bast 424.48 feet to the Westerly inne of the Nortimestern Pacific Railroad rimht of way; thence Southerly along said Hesterly line of said railroad right of way, South 7: 30' East 690 feet, wore or less to a point of intersection with the sasteriy teruinus of the course having a radius of 668.06 feet and an arc length of 278.81 feet as s8ida course is described in the Grani Deed anil easement from Bothin Repl Estate Company to San Rafael Land Title Company; recorded June 5, 1952 In Book 746 of Official Records, at page 368, Narin County Records, thence Northwesterly along the aforesaid curve baviris a radius of 668.06 feet to a point 0. Intersection witt the Easteriy terminus of the course having a radius of 572.85 feet als said course is set fortion in that certain Grant of Easement and Right of Way betreen San Raiael Innd TITlu Company and the Inunty of rarin, recorded September 12, 1957 in Rook 1140 of Official Recóds, at page 253, Ma in County Records, thence hesterly alonz the are of the aforementioned curve having a radius of 572.85 feet being the Northergy line of Miner Avenue extension, to the Easteriy terminus of the course South $53^{\circ}$ 4 $8^{\prime}$ East 577.45 feet as set rorth in the Deed to the County of Fr m , abovemutioned, thence continuing along the aforesadd Northeriv "Ine of Minler Avenue extension Vorth $5^{\circ} 48^{\prime}$ West to the most Southerly corner of the parcel of land described as Exhibit " $\mathrm{g}^{\prime}$ Street and Hiahway Easement betwén Herbert H. Shapiros et ux, ena the City of Nill Velley, recorded September 12, 1957. In Book 1140 of Official Records, at page 253, Marin County Records, and thence along the Sưtheasterly line of the last mentioned parcel and its Northeasterly extension North $36^{\circ} 21^{\prime} 40^{\prime \prime}$ East $29^{\prime}$ feets wore or Jess, to the point of emmencement.

## PARCELI TWO

COMENCING at a point on the Easterily line of the percel of land described tia the Deed from Anna ! C. C. Rue to Bothin Real Estate Coupany; recorded April 3, 1923 in Rook 18 of Official. Records, at page 264, Narin County Recc said point of comencement betng the intersectior of the course in said. Eesterly ifine described as being South $8^{\circ} 15^{\prime}$ West 12.31 chairs in the Eforesaid Deed to Bothin Real Bstate Company with the Northeasterly inne of Milier Avenue Extension, as the same 2n tancithe th tho Dede from Enthin Real Estate Company to the County of Marin, recorded April 12, 1954 In Book 860 oi Official Records, at paje 335, Maris County Records; and runnins thence along the boundary, conveyed to Bothit as p1rat nbove mentioned, Noxth $8^{\circ} 25^{4}$ Eant 7iti. 08 feet, North $10^{3} 24^{\prime \prime}$ West 133.37 feet, North $52^{\circ} 30^{\prime}$ West 130.02 feet, North $71^{\circ} 00^{\prime}$ West $277.20^{\circ}$ fect North $88^{\circ} 00^{\prime}$ West 137.28 feet and South $64^{\circ} 45^{\circ}$ West 20 feet, more or less, to the Easteriy ine of
the County Road, known as Canino Alto; thence Northerly alons the aforesaid Fasterly Jine of Camino Alto, 90 feet, more or less; to a point on the Northerly bank of the Arroyo Corte Vadera del Fresidio, as the same is described as Parcel one in the Deed from the First Kethodist Episcopal Ckurch of Mill Valley to the City of Mill Valley, recorded Narch 3, 1965 in Book 1915 of Official Records, at page 345, Marin County Records thence along said Wortherly benk, North $83^{\circ} 15^{\prime}$ East 130 feet, more or less, to the Westerly extremity of the course, South 72' $0^{\prime}$ East 319.44 feet, es the same is described under Exinibit, " C " in that certain Boundary Line Agreement between the City of Mill Vailey and Herbert H. Shapiro, et ux, recorded September 12, 2957 in Book 1140 of Official Records, at page 269, Martn County Records; thence continuing along the courses set forth in the above mentioned Agreement; South $72^{*} 0^{\prime}$ East 319.44 feet, South $50^{\circ} 45^{\circ}$ East 187.44 feet, South $6^{\circ} 45^{\prime}$ East $192.7 \bar{c}$ feet; thence along the course Scuth $10^{\circ}$ 0: West 642.24 feet and its Southwesterlyextension as the same is described in the above mentioned Boundary Agreement 760 feet, more or less; to the Hortheasterly line of Miller Avenue Extension; arid thence Westerly along said ilortheãsterly line of Miller Avenue Extension, 40 fcet, nore or less, to the point of commencement.

EXCEPTMEG TBEREFROM that portion lying within the 30 foot strip of land conveyed to the City of Nilis Valley by Deed recorded March 13, 1926 in Book 91 of Official Records, at page 341, Marin County Records.

AISO EXCEPNDIG THEREFROM the following described parcel of land:
That portion of the lands as conveyec to Western Title Guaranty Company, Marin County division, a corporation, by Deed friom Herbert H. Shapiro, et ux, recorded In Book 2065 of Official. Records, at page 526, Marin County Records, described as follows:

BEGINNING at the intersection of the Easterly line af Cemino Alto with the Northerly Ine of the land conveyed to Bothin Real Estate Ccinpany, from Anna T. C. Rue, by Deed fecorded in Book 18 of Officiai Records, at page 264, Marin County Records; thence alons said Northeriy line North $65^{\circ} 00^{\prime} 20^{\prime \prime}$ East 13.70 feet (North $64^{*} 45^{\prime}$ (Last Deed); thence South $86^{\circ} 44^{\circ} 40^{\prime \prime}$ East 51.83 feet; thence leaving said Northerly Tine, Norch $0^{\circ} 02^{\prime} 08^{\prime \prime}$ East 92.12 feet to the Northerly bank of Arroyo Corte Madera del Presidio; thence along sain Northerly bank, South $84^{\circ} 29^{\prime} 00^{\prime \prime}$ West 63.67 feet tip a point on the Easterily line of Camin Alto, sald point eeing on a curve, concave Eagterly having a radius of $9,970.00$ feet; thence leaving said Northerly bank and ruiming Southerly along sald Eesterly line, through an angle of $0^{\circ} 30^{\prime} 33^{\prime \prime}$ a distance of 88.60 feet to the point of beginning.
bearimics Shonn herein are beised upon the Califormia Coordinate System, Zone 3.

## PARCEL THRES

Comprome at the intersection of the calls North $10^{\circ} 00^{\prime}$ East 90.0 Peet and South 69* 03' East 404.16 feet, as the same are set forth in Parcel 2 of the Deed From the City of Mill Valley to Eerbert E. Shapiro, et $u x$, recorded September 12, 1957 in Bock 1140 of Orfielal Records, at page 279, Narin County Records; and

 252.32 feet to the Northessteriy line of Miller Avenue Extension; thence Northwesterly along said Northeasterly line of Miller Averue Extension, 300 feet, more or less, to a point wideh bears South $10^{\circ} 00^{\prime}$ West trom the point of commencement; and thence Worth $10^{\circ} \infty^{\prime \prime}$ East 210 feet, more or less, to the pount of coamencement.

## PATMATR PARCELS

## DESCRIPTION:

All that certain reni property situate in the Clity of Mill Valley, County of Marin, State ef Calfiomia, described as follows:

## PARCEL OITE

COMENCING at the most Northerly comer of Parcel 1, as the same ds described in the Deed from the City of Mili Valley, to Herbert II. Shaptro, et ux, recorded September 12, 1957 in Book 1140 of official Records, at page 279, Marin County Records, and runnins thence aiong the Mortherly lire of said parcel Eouth $68^{\circ} 03^{\circ}$ East 424.48 feet to the Westerly: Line of the Northwestern Pacific Radlroad right of way; thence Southerly alone suid Westerly line of cald railroad rischt of way, South $7^{*} 30^{\prime}$ East 690 feet, more or less to a point of intersection with the Eastériv terainus of the course naving a radius of 668.06 feet and an arc lengen of 278.8 a feet as said course is described in the Grant Deed and easement from pothin Real. Estate Company to San Rafeel Land Title Company, recorded June 5, 1952 in Eook 746 of Official Records, at page 368 , Varin County Records, thence Northwesterly elong the aforesaid curve having a radius of 658.06 feet to a point of intersection with the Eastexiy terminus of the course having a radus of 572.85 feet as sald course is set forth in that certain Grant of Easement and Right of Hay between San Rafael Innd Iftie Company and the County of Narin, recorded September 12, 1957 In Eook 1140 of Offtcial Records, at page 253, Yarin County Records; thence vesterly along the arc of the aforementioned curv, having a radius of 572.85 geet, being the Northerly line of Riller Avenue extension, to the Easterly terminus of the course South $53^{\circ} 148^{1}$ East 577.45 feet as set forth in the Deed to the Countir of Harin, akovementicned, thence continuing along the aforesadd Northerly Ine of Miller Avenue extension iborth $53^{\prime \prime} 48^{\prime}$, \#est to the most Southerly corner of the parcel of land described as Exhibit " $A$ " Street and Filghwey Easement between Lerbert A. Shapiro, et w, and the Gity of Mill Valley, recorded September 12, 2957 in Book 1140 of Official recorta, at page 263, Narin County Reccrds, and thence alons the southeasterly line of the last mentioned parcel and its Northeasterly extension North $36^{\circ} 11^{\prime} 1,0^{\prime \prime}$ East 290 Leet, more or less, to the point of coamenceuent.

ENCEPIING THERFFROM the following described parcel of land:
COMENCENG at the wost Northerly comer of Porcel 2, as the same is described in the Deed from the City of Mill Valley to Eerbert H. Shapiro, et ux, recorded September 12, 1957, in E $00 \%$ Lilw of Official Ficcords, ai page 279, Marin County Records, and thence alows the Southresterly line of satd parcel South $36^{\circ} 11^{\prime} 40^{\prime \prime}$ Nest, 6á. 0 feet to a puint; trence leaving sald Southeasteriy property line, North $45^{\circ}$ C9' $59^{\prime \prime}$ East, 19.24 'eet, North $4 \mathrm{~J}^{\circ} 53^{\prime} 30^{\prime \prime}$ East, 20.10 feet; North $81^{\circ} 122^{\prime \prime} 08^{\prime \prime}$ East, 9.91 feet; South $59^{\circ}$ c2' $23^{\prime \prime}$ East, 22.58 Ieet; South $77^{\prime \prime} 30^{\prime} 47^{\prime \prime}$ East, 30.41
 $68^{\circ} 36^{\prime} 42^{\prime \prime}$ Esst, 102.01 fect; Bouvh $73^{\circ} 24^{\circ} 36^{\prime \prime}$ East, 22.09 seet; South $32^{\circ}$ o1' $21^{\prime \prime}$
 feet; South $80^{\circ} 2910 i^{\prime \prime}$ East, 47.43 rost; South $72^{\circ} 52^{\circ} 17^{\prime \prime}$ East, 8.10 feet; South $40^{\circ} 56^{\circ} 11{ }^{\prime \prime}$ Esst 23.20 feet to $a$ paint on the Westerly line of the Northrestern

Pacifte Railroad rigiti of yey; thence Moutherk along said Hesterly line of sadd railroad right af way. Eerth $7^{\circ} 30^{\prime}$ West, 55.00 feet to the moat Easteriy cormer of Parcel 1 ; thenciz Leaving. salo Wepterly line runnine along the Northerly, Lne of sald parcel, Nortit $6^{90} 03^{1}$ viest ${ }^{\circ}, 444,581$ seet ( 424.48 feet in Deed) to the point of cormencement.

Containing 0.2 ej 3 acre, more or less.
ALSO EXCEPTIYG THEREFRCM the followdog Hescribed parcel of land:
COMENCING at the most Northerly corner of Parcel 1 , as the same is described in the Deed from the City of Mill Valley to Herbert H. Si agiro, et ux, recorded September 12, 1957, in Zook 1140 of Offisial Reconds, at page 279, Marin County Reconds; and running thence along the Northerly line of said parcel, South $68^{\circ} 03^{\prime}$ East, 414.681 feet ( 424.48 in Deed), to the Westerly Iine of the Northwestern Pacific Rafilroad right of way; thence Southerly along said Westerly line of said rallroad right of way, Sjuth $7^{\circ} 30^{\prime}$ East, 690.797 seet ( 690 feet, wore or less, in Deed) to the True Point of Beginning which also is the point of intersection with the Easterly terninus of the course having a radius of 658.26 feet and an are length of 278.81 feet, as said course is described in the Grant Deed ard easement from Bothin Real Estate Company to San Rafael Land IItle Comigar ${ }^{\prime}$, recorded June 5, 1952, in Book 746 of Official Reconds, at page 368, Narin County Records; thence from said True Foint of Beginning along the Westerly line of the Northrestern Railroad right of way, North $7^{\circ} 30^{\prime}$ West, 211.00 feet to a point; thence leaving said Hesterly line of said railroad right of ray, South $82^{\circ} 30^{\prime \prime}$ west, 42.00 feet; South $47^{\circ} 14^{3} 47^{\prime \prime}$ Yest, 42.63 feet to a noint on the curve having a radjus of 572.85 feet, as said course is set forth in thet certain Grant of Easement and Right of Way between San Rafael Iand Mitle Company ald the County of Marin, recorded September 12, 1957, in Book 1140 of Official Records, at page 253, Marin County Records; thence along said surve to the right, the center of wiich bears South $53^{\circ} 10144^{\prime \prime}$ West, with a radius of 572.038 feet ( 572.85 feet in Deed), through a central argle of $15^{\circ} 45^{\prime} 32^{\prime \prime}$, an arc length of $1 ; 9.00$ feet to a point of intersection with the Westerly terminus of the course haying a radius of 668.06 feet, as described in Grant Deer and eesement from Bothin Remi Estate Company to Sin Rafrel Iand Title Company, recorded June 5, 1952, in Book 746 of official Records, at page 368 , Marin County Records; thence aloug sadd curve to the right, the center of which bears South $54^{\circ} 25^{\prime} 16^{\prime \prime}$ West, with a raitus of 663.06 feet, through a central: angle of $3^{\prime \prime} 42^{\prime} 27^{\prime \prime}$, an arc length of 43.229 feet to the Prue Point of Beginning.

Containing 0.191 acre, moye or less.

## PARCEL TWO

COMENCING at a point on the Easteriy line of the parcel of land described in the Deed from Ama T. 工. Rue to Bothir Real Estate Company, recordel April 3; 1923 in Book 18 of Official Records, at page 264, Marin County Records, said point of comencement veing the mitersection or the course in saiu Easiexiy dian wasemben as Eefing South $8^{\circ} 15^{\prime}$ West 12.31 chains in the aforeseld Deed to Rothin Real Estate Cownany with the Mortheasteriy line of Miler Avenue Extension, as the ame iz described in the Deed from Bothin Real Estate Company co the County of Marin,
recorded April 12, 1954 in Book 860 of Opficial Records, at pagé 335, Marin County Records; and running thence along the boundary conveyed to Eothin as firat above mentioned, North $8^{\circ} 15^{\circ}$ East 741.08 feet, North $10^{\circ} 14^{\prime}$ West 133.37 feet, North $52^{\prime \prime} 30^{\prime}$ West 130.02 feet, Morth $71^{\circ} 00^{\prime}$ West 277.20 feet North $88^{\circ} 00^{\prime}$ West 137.28 feet and South $64^{\circ} 45^{\prime}$ West 20 feet, more or less, to the Easterly Ine of the County Road, known as Camino Alto; thence Northerly along the aforesaid Easterly Line of Camino Alto, 90 leet, more or less, to a point on the Northerly bank of the Arroyo Corte Kindera del Presidio, as the same is described as Parcel one in the Deed from the First Methodist. Episcopal Church of Mill Valley to the City of Mill, Valley, recorded March 3, 1965 in Rook 1915 of Official Records, at paje 345, Karin County Records thence along said Northerly bank, North $83^{\circ}$ 15' East 130 reet, more or less, to the Westeriy extremity of the course, South $72^{\circ} 0^{\prime}$ East 3.19 .44 feet, as the same is described dender Exhibit "C" in that certesin Boundary Ine Agrecrent between the City of Mill Valley and Herbert H. Shapira, et ux, fecorded September 12, 1957 in Book 2140 of Official Records, at page 269 , Marin Kounty Records; thence continuing ilong the courses set forth in the ahove mentioned Agreement, South
 feet; thence along the course Soutk $10^{\circ} 0^{\circ} 0^{\prime}$ West 642.24 feet ond its Southersterly extension as the same is described in the above mentioned Boundary Agreement 760 feet, more or less, to the Northeasterly line of Miller Avenue Extension; and thence Westerly along said Northeasterly line of Miller Avenue Extension, 40 feet, more or less, to the point of comencement,

EXCEPFITG TEEREFROM that portion $3 y$ ing within the 30 foot strip of land conveyed to the City of Mili Valley by Deed recorded Merch 13, 1926 in Book 91 of Official Records, at page 341, Narin County Recoris.

AJSO EXCEPTDIG THEREFRCM the following described parcel of land:
That portion of the lands as conveyed to Western Title Guaranty Company, Marin County division, a corforation, by Deed from Herbert H. Shapiro, et ux, recorded In Book 2065 of Official Records, at page 526, Marin County Records, described as Zollows:

BECAMNING at the intersection of the Easteriy line of Camino Aito with the Northerly line of the land conveyed to Bothin Real Estate Company, from Anna T. C. Rue, by Deed recorded in Book 18 of Official Records, at page 264, Marin Courty Records; thence along said Northeriy Iine North $66^{\circ} 00^{\prime} 20^{\prime \prime}$ East 13.70 feet (North $64^{*} 45^{\prime}$ East Deed); thence South $86^{\circ} 44^{\prime} 40^{\prime \prime}$ East, 51.83 feet; thence leaving said Northezly Ifne, North $0^{\circ} 02^{\prime} \mathrm{CB"}^{\prime \prime}$ East 92.12 feet to the Northerly bank of Arroyo Corte Nadera del Fresidio; thence along said Northerly bank, South $84^{*} 29^{\prime} 00^{\prime \prime}$ West 63.67 feet to a point on the Easterly line of Canino Aito, said point being on a curve, concave Easterly having a radius of $9,970,00$ feet; thence leaving seid Northeriy bank and running Southeriy along said Easterly ine, through an angie of $0^{\prime \prime} 30^{\circ} 33^{\prime \prime}$ a distanee of 88.60 feet to the point of begianing.

ALSO EXCEPTING TMEREFTiom the following described parcel of land:

COMNENCING at a peint on the Easterly line or the parcel of land described in the Deed from Anna T. C. Rue to Bothin Real Estate Company, recorded April 3, 1923, In Book 18 of Official Records, at page 264, karin County Records, oaid point nf coumencement being the intersection of the course in said Easteriy Ine deacribed as being South $8^{\circ} .25^{\prime}$ West, 12.31 chains in the aforesaid Deed to Buthin Real Estate Company with the Northeasterly inne of Miller Avenue Extension as the same is described in the Deed from Eothin Real Estate Company to the County of Marin, recorded April 12, 1954, in Book 860 of Official Records, at page 335, Martn Courity Records; and runnint thence along the boundary conveyed to Bothin as first above mentioned. North $8^{\circ}$ 15' East, 205.809 feet to the True Point of Beginning of the herein described parcel; thence from said True Point of Eeginning North $8^{\circ} 15^{\prime}$ East, 535.271 feet; North $10^{\circ}$ ilt West, 133.37 feet; North $52^{\circ} 30^{\circ}$ West, 230.02 feet; North $71^{\circ} 00^{\prime}$ Vest, 277.20 feet; North $88^{\circ} 00^{\circ}$ Vest, 137.28 feet; and South $64^{\circ} 45^{\prime}$ West, 20 feet, more or less to the Easierly line of the County Rosd, known as Cemino Alto; thence Northerly along the aforesald Easterly ine of Camino Alto, 90 feet, more or less, to a pilnt on the Nertherly bank of the Arroyo Corte Madera del Presidio, as the sime is described as Parcel One in the Deed from the First Methodist Episcopal Churcin of Mill Velley to the City of Kill Valley, recorded March 3, 1965, In Book 1915 of Official Records, at page 345, Marin County Records; thence along said Nor:herly bank, North $83^{\circ} 15^{\prime}$ East, 130 ieet, more or less, to the Vesterly extremity of the course, South $72^{\circ} 00^{\prime}$ East, 319.44 feet, as the same is described under Exhibit "C" in that certail Boundary INe Agreement between the City of MiIl Valley and Herbert H. Sbapiro, et ux, recirded September 12, 1957, in Book 1140 of Oficial Records, at page 269, Marin County Records; thence continuing alons the courses set forth in the above mentioned Agreenent, South $72^{\circ} 0^{\circ} 0^{\prime}$ East, 319.44 feet; South $50^{\circ} 45^{\prime}$ East, 207.44 feet; South $6^{\circ} 45^{\prime}$ East 192.72 feet; thence elong the course South $10^{\circ} 00^{\prime}$ Yest, 552.24 feet, more or less, to the point which is the intersection of the calls North $10^{\circ} 00^{\prime}$ East, 90.0 feet, and South $68^{\circ} 03^{\prime}$ East, 404. 16 feet, as the same are set forth in Parcel 2 of the Deed from the City of Mill Valley to Herbert H. Shapiro, et ux, recorded September 12, 1957, in Book 1140 of Orificial Records, at page 279; Marin Comen Records; thenee North 68* 03: West, 33.018 feet to the True Foint of Begining.

## PARCEL THREE

CaMENGING at the intersection of the calls North 10"00' East 90.0 feet and South '68' $03^{\prime}$ East 404.16 feet, as the same are 5 at forth in Parcel 2 of the Died from the City of Mili Vailey to Herbert H. Shspiro; et ux, "ecorded September 12, 1957 in Eook 1140 of Official Records, at page 279, Marin County Records; and ruming thence South $58^{\circ} 03^{\prime}$ East. $40^{\prime}$, 16 feet to the Northwesterly line of a 50 foot rasd; thence along the Northwesterly line of said 50 foot road, South $36^{\circ} 111^{\prime} 40^{\prime \prime}$ West 252.32 feet to the Northeasterly line of Muller Avenue Extension; thence Northwesterly alor said Northeasteriy line of Miller Avenue Extension, 300 feet, more or less, to a point which bears South $10^{\circ} \omega^{\prime}$ West fion the point of comencement; and thence Morth $10^{\circ \prime} \infty^{\prime}$ East 210 feet, more or less, to the point of commencment.

COMENCING at the intersection of the calls North $10^{\circ} 00^{\prime}$ East, 90.0 reet and South $63^{\circ} 03^{3}$ East, 404.16 reet, es the same are set forth in Parcel 2 of the Deed srom the city of mall Valley to Herbert H . Shaptro, et ux , recorded September 12, 1957,


In Book 1140 of 0pfletal Records, et page 279, Marin County Records; and running thence North $68^{\circ} 03^{\prime}$ West, 33.028 feet to the Thue Point of Beginning; thence from said True Point of Befinning; South $8^{\circ} j^{\prime \prime}$ West, 50.00 feet; North $33^{\circ} 18^{1} 12^{\prime \prime}$ Enst, 27.11 feet; North $72^{\circ}$ Nen $34^{\prime \prime}$ East, 7.81 feet; South $43^{\circ} 16^{\prime} 35^{\prime \prime}$ East, 14.32 feet; South 1" $47^{\prime} 53^{\prime \prime}$ Esst, 27.31: feis South 54* $00^{\prime} 49^{\prime \prime}$ East, 16 . 49 Peet: North
 East, 53.14 Ieet; thenct North $68^{\circ}$ 03' West, $177.178^{\prime}$ feet to the Irue Point of Beginining.

Containing 0.103 acri!, wore or less.
ALSO EXCSFIING THERLTROM the following described parcen of land:
COMPNCDNG at the iritersection of the calls North $10^{\circ} 00^{1}$ East, 90.0 fect and South $68^{\circ} 03^{\circ}$ East, $404.10^{\circ}$ feet, as the same are set forth in Parcel 2 of the Deed from the City of Mill villey to Herbert $H$. Shapiro, et ux, recorded September 12, 1957, In Book 1140 of Official Records at page 279, Marin County Records, and running thence South $68^{\circ} 03^{\prime}$ East, $40^{\prime} 4$. 16 feet to the True Point of Beginning; thence from baid True Point of Beginaing, North $68^{\circ} 03^{\prime}$ West, 245.00 feet; South $52^{\circ} 06^{\prime \prime} 16^{\prime \prime}$ East, 43.68 feet; South $64^{\circ} 14^{\prime \prime} 12^{\prime \prime}$ East, 45.10 feet; South $69^{\circ} 13^{\prime} 06^{\prime \prime}$ East, 49.01 feet; South $57^{\circ} 09^{\prime} 59^{\prime \prime}$ East, 26.48 feet; South $51^{\circ} 07^{\prime}$ 18" East, 24.04 feet; South $25^{\circ} 01^{\prime} 46^{\prime \prime}$ East, 11.22 feet; South $25^{\circ} 30^{\circ} 35^{\prime \prime}$ iest, 53.94 fect; South $3^{\circ} 34^{\prime} 38^{\prime \prime}$ West, 23.68 feet; south $33^{\circ} 25^{\prime} 51^{\prime \prime}$ East, 13.38 reet to a point on the Northwesterly line of a 50 foot road; thence along the Northwesteriy line of said 50 foot road, North $36^{\circ} 21^{\prime} 40^{\prime \prime}$ East, 132.00 feet to the True Foint of Beginning.

Containing 0.171 acre, more or 1ass.

## DEED PANCELS

## DESCRIPTION:

 Korin, State of Callfornia, devcribed as follows:

## PARCEL A

COMENCING at the intersection of the cails North $10^{\circ} \infty^{\prime \prime}$ East, 90.0 reet and South $63^{\circ} 03^{\prime}$ East; 404,16 feet, as the same are set forth in Parcel 2 of the Deed from the City of Kill Valley to Eerbert E. Shapiro, et ux, recorded September 12, 1957, in Book 1140 of orficial Records, at page 279, darin County Records; and running thence North $68^{\circ} 03^{\prime}$ Y'est, 33.013 feet to the True Point of Reginning, thence rrom said true Point of Beginning, South $8^{\circ} 15^{\prime}$ West, 50.00 feet; Horth $33^{\circ} 18^{\prime \prime} 12^{\prime \prime}$ East, 27.11 feet; Morth $72^{\prime \prime}$ C8' $34^{\prime \prime}$ East, 7.81 feet.; South $43^{\circ} 16^{\prime} 35^{\prime \prime}$ East, 14.32
 $74^{\circ} 36^{\prime} 01^{\prime \prime}$ East, 47.80 feet; Sputh $78^{\circ} 55^{\prime} 30^{\prime \prime}$ East, 26.48 feet; South $87^{\circ} 51^{\prime} 14^{\prime \prime}$ Eant, 53.14 reet; thence Nortin $63^{\circ} 03^{\prime}$ West, 177.178 feet to the True Point of Beginnthg.

Containing 0.103 acre, more or less.

## PARCEL B

COMENHIG at the intersection of the ealls North $10^{\circ} 0^{\prime \prime}$ East, 90.0 feet and South $68^{\circ} 03^{\prime}$ East, $4 \mathrm{Cl}^{\prime} .16$ feet, as the same are set forth 1ri Parcel 2 of the Deed from the City of Mill Valley to Herbert M. Shapiro, et ux, recorded September 12, 1957 , in Book 1240 of Officiel Records at page 279, Marin County Records, and running Whence South 69'03' East, 404. 16 feet to the True Point of Beginning; thence from said True Folnt or Eeginning, North $68^{*} 03$ '. West, 245.00 feet; South $52^{*} 061$ 16" East, 43.68 feet; South $64^{\circ} 14^{\prime} 12^{\prime \prime}$ Zast, 45.10 feet; South $69^{\circ} 13^{\prime} \mathrm{C} 6^{\prime \prime}$ E3st, 49.01 feet; South $57^{\circ} 099^{\prime \prime}$ East, 26.48 feet; South $51^{\prime \prime} 07^{\prime} 18^{\prime \prime}$ East, 24.04 feet; South $25^{\circ}$ 01" $46^{\circ}$ East, 11.22 feet; South $25^{\circ} 30^{\circ} 35^{\prime \prime}$ West, $53.94^{\prime \prime}$ feet; South $3^{\circ} 34^{\prime \prime} 38^{\prime \prime}$ West, 29.68 Eeet; South $31^{\circ} 25^{\prime} 51^{\prime \prime}$ Eas 3 , 18.33 Eeet to a polnt on the Northwesterly Ifne of a 50 foot road; thence along the korthwesteriy line of said 50 foot road, North $36^{\circ} 32^{\prime} 40^{\prime \prime}$ East, 132.00 feet to the Thue Pojnt of Eegioning.

Contalning 0.171 acre, more or less.

COMENCING at the most Noxtherly cormer of Parcel. 1 , as the same is described in the Deed from the City of Mill Valley to Herbert $M$. Shapiro, et ux, recordea

- September 12, 1957, in Book 1140 on Dfisejal Records, et page 279, Marin County Records, and thence along the Southwesterly line of said parcel scuth $36^{\circ} 11^{\prime} 40^{\prime \prime}$ West, 62.00 feet to a point; thence leaving said Southeasterly property line, North $45^{\circ} 09^{\prime} 59^{\prime \prime}$ Eest, $19.2^{\prime 4}$ feet, Norti $41^{\circ} 53^{\prime \prime} 30^{\prime \prime}$ East, $20.10^{\prime \prime}$ feet; North 81" 12' 08" East, 9.91 feet; South $59^{\circ} 02^{\prime} 09^{\prime \prime}$ East, 22.58 feet; South $77^{\circ} 30^{\prime} 41^{\prime \prime}$ East, 30.41 Ieat; South $72^{\circ} 17^{\prime} 09^{\prime \prime}$ East, 27.07 Ieet; South $73^{\circ} 21^{\prime \prime} 28^{\prime \prime}$ East, 33.54 feet; South $68^{\circ} 36^{\prime} 42^{\prime \prime}$ East, 102.01 feet; South $73^{\circ} 14^{\prime \prime} 36^{\prime \prime}$ Esst, 22.09 fcet; South $32^{\circ} 01^{\prime} 21^{\prime \prime}$ East, 27.20 feet; South $38^{\circ} 41^{\prime \prime} 35^{\prime \prime}$ East, 55.07 feet; South 63* $49^{\circ} 47^{\prime \prime}$ East, 54.15 feet; South $86^{\prime 2} 29^{\prime} 07^{\prime \prime}$ East, 47.43 feet; South $72^{\circ} 52^{\prime} 17^{\prime \prime}$ East, 9.10 feet; South $40^{\circ} 56^{\circ}$ 12" East 23.20 feet to a point on the Westeriy Line ff the Northwestern Macific Rajlroed right of way; thence Northerly along asid Wentexiy line of sald rallroad right of way, North $7^{*} 30^{\prime}$ West, 55.00 feet tn the most Easterly corner of Farcel 1; thence leaving saic Westerly line running aladg the Northerly line of saia parcel, frorth $69^{\circ} 03^{\prime}$ kest, 4.14 .691 feet ( 424.48 feet in Deed) to the point of cumincement.

Containing 0.223 acre, more or less.

PAKCEL D

ConMENCING ai the most Northerly comer of Parcel 1 , as the same is described in the feed from the City of Mili Valley to Eerbert F. Shapiro, et ux, recorded September 12, 1957, in Pook 2140 of Official Records, at page 279, Marin County Ficords; and runing thence alone the Northerly line of said parcel, South 68 03' East, 414.681 feet ( 424.48 in Deed), to the Westeriy line of the Northwestern: Pacific Railroad right of way; thence Soutinef゙ly along said Westerly line of said railroed right of way, South $7^{\circ} 30^{\prime}$ East, 690.797 feet ( 690 feet, more or leas, in Deed) to the frue Point of Eeginming which also is the point of intersection with the East $x$ Iy terminus of the course hoving a radius of 658 , 05 feet and an arc jength of 270.81 feet, as satd course is described in the Grant leed and easement fron Bothin Heal Estate Company to San Rafael Lend Titile Company, recorded June 5, 1952, In Book 746 of Official Pecurds, at page 368, Narin County Records; thence from sald True Point of Beginning nlong the Westerly line of the Northrescern Railioad sight of way, North $7^{\circ} 30^{\circ}$ West, $21 x .09$ feet to 5 point; thence leeving said Hesterly line of selia railroad rieht of way, South $82^{\circ} 30^{\circ}$ hest, 42,00 feet; South $47^{\circ} 14^{\prime \prime} 47^{\prime \prime}$ hest, 42.63 feet to a pasnt on the curve having a radius of 572.85 feet, a3 sala course fa set lorth in that certain Grant of Easement and Right of Way between San Dafael Land Titie Company and the County oi liarin, recorded September 12, 1957, in Rook 1140 of Official Kecords, at page 253, Marin County Recoris; thence along sald curve to the right, the center of wbich bears south $53^{\circ} 10^{\prime \prime} 44^{\prime \prime}$ West, with a radus of 572.038 feet ( 572.85 feet in Deed), throush a sentral angle of $15^{\circ} 45^{\prime} 32^{\prime \prime}$, an axc iength of 159.00 feet to a point of intersection with the

 Gurpany, recorded June e, 1952, in Book 746 of OPficial Records; at page 368, ligrin County Records; thence along sisid curve to the right, the senter of which beara South $5^{\circ}=5^{\prime} 16^{\prime \prime}$ Nest, rith a radius of 663 , 06 reet, through a central angle oi" $3^{*} 4^{\prime} 2^{\prime \prime}$ : an arc length of $43.2 a g$ fect to the True Point of Beginaing.

Containing 0.191 acre: wore or 2 ass.


Fage two of four

## PARCEL E

Commencin at a yoint on the Easterly line of the parcel of land deacribed in the Deed from Arma - . C. Rue to Bothla Real Estate Company, recorded April 3, 1923,
 mencement being the intersection of the course in said Easterly line described as being South 8" $15^{\prime}$ Yest, 22.3 chaing in the aforesaid Deed to Bothin Real Estate Company with the Northeasterly line of Milier Avenue Extension as the same if described in the Deed from Bothin Reel Estate Company to the County of liain, recorded April 12, 1954, in Book 860 of Defictal Records, at page 335, Marin County Records; and running thence along the boudary conveyed to Bothin a.s first above mentioned, North $8^{\prime \prime} 15^{\prime}$ East;, 205. 803 feet to the True Foint of Beginning of the 'herein described parcel; the ice from said True Point of 3aginains ilorth 8' 25 ' Eopt, 535.271 feet; Noxth $10^{\circ}$ 14t West, 133.37 feet; Nortin $52^{\circ} 30^{\prime}$ west, 230,02 feet; North $71^{\circ} 00^{*}$ Vest, 277.20 feet; Morth $88^{\circ} 00^{\circ}$ Vest, 137.28 feet; and South $64^{\circ} 45^{\circ}$ West, 20 feet, more or less to the Easterly Line of the County Road, knoma 83 Samino Altof thence Northerly along the aforesala Easterly line of Camino Alto, go feet, more or less, to a point on the Northerly bent of the Arroyo Corte Madera del Presidio, as the same is described as Parcel One in the Deed from the First Methodist Episcopal Ch: rch of M11 Valley to the City of Mill Valley, recorded Matich 3, 1965, Sn Book 1915 of Ofincial Recoris, at page 345, Marin County Records; thence along sald Northerly bañk, North $83^{\circ}$ I5' East, 130 feet, more or less, to the Festerly extremity of the course, South $12^{*}$ no' East, 319.4 feet, as the same is described under Exhibit "C" in that certain Boundary Lince Agreenent between the Sity of Mili Valley and. Herbert $E_{1}$ Shaigiro, et ux, recorded Eeptember 12, 1957, in Book 1140 of Official Records, at page 269; Varin Comty Records; thence continuting alons the
 South $50^{\circ} 45^{\prime}$ East, 187.44 feet; South $6^{\circ} 45^{\prime}$ Fast 192.72 feet; thence aloug the course South $10^{\circ} 00^{*}$ West, 552.24 feet, more or less, tic the poirt which is the Intersection of tie ce.1ls Nortb $10^{\circ} 00^{\prime}$ Easy, 90.0 feet, and South $58^{\circ} 03^{\prime}$ East, 404. 16 feet, as the same are sit forth in Farcel 2 of the Deed from the City of M11. Valley to Eerbert H. Shanira, et ux, recoried September 12, 1957, in Book 4740 of Official Records, at pere 279 , Narin Coundy Records; thence North 680 03' West, 33.018 feet to the Irue Point of Beginning.

EXCEFTING THEREFROM thet portion lying within the 30 root strip of land conveyed to the city of Mill Valley by Deed recorded Narch 13, 1926 in Boply 91 of Official (Records, at page 341, Karin Courty Recons.

AISO EXCEFMNW THEREFROA the tollowing dercribed percel of land:
That portion of the lands as conveyed to Western Title Guaranty Company, Marin County aivistin, a corporation, by lead trom Eerbert H. Shapiro, et ux, recrided in Book 2065 of official Records, at age 526 , Marin County Records, described an fothors:


BEGINHING at the intersection of the Easterly line oi Camino Alto with the Northerly Line of the land conveyed to Eothin Real Estate Company, from Anna T. C. Kue, by Deed recorded ir Book 18 of Offlcial Necords, at page 264, Marin County Recorde; thence along said Northeriy Iine North $66^{\circ}$ o0' $20^{\prime \prime}$ East $23 . ; 0$ feet (North $64^{\prime \prime} 45^{\prime}$ East Deed.); thence South 86" $14^{\circ} 40^{\prime \prime}$ East 52.83 feet; thence leaving said Northerly
 del Presidio; thence aiong said Nor"herly bank, South $84^{\circ} 29^{\prime} 00$ " wes w 63.67 feet, to a point on the Easterly line of Canino Alto, said point being on a curve, concave Easterly having a radius of 9,970.00 feet; thence leaving sald Northerly bank and running Southerly along said Easterly line, through an angle of $0^{\prime \prime} 30^{\prime} 33^{\prime \prime}$ a distance of 88.60 feet to the point of beginning.

BEARINGS SHOWN herein are based upon the Californis Coordinate Systea, Zone 3.
Contalring 2.63 acres, more or less.

## EASERENT PARCEL

DESCRIPTION:
xil that certain real proyery situate in the City of mill Valley, County of Haring, State of Califormia, described as follows:

REGMAING at a point which point bears South $81^{\circ} 45^{\prime}$ East 165.63 feet fron the intersection of the courses South $41^{\circ} 15^{\prime}$ East 210.54 feet and South -: $45^{\prime}$ East 321.42 feet as said courses are set forth in that certain bouncary agreement between herbert $H$. Shapiro, et al, and the City of Mill Valley, dated hugust 7, 1957 and recorded September 12,1957 in Book 1140 of Ofticial Records, at Page 257, Marin County Records; running thence South $36^{\circ}$ $11^{\prime} 40^{\prime \prime}$ Kest 104.04 feet to the Northeasterly line of Miller Avenue extension; thence Southeasterly aiong said line, routh $53^{\circ} 48^{\prime} 20^{\prime \prime}$ East $50^{\prime}$ feet; thence leaving said line. Worth $36^{\circ} 11^{\prime \prime} 40^{\prime \prime}$ East 130.57 feet; thence North $81^{\circ} 45^{\prime}$ Fest 56.60 feet to the point of beginning,

## EXCHANGE PARCEL

The land referred to herein is situated in the State of Califormia, County of Contra Costa, City of Pittsluurg, describea ae follows:

- Surveys Mos. 176, 177, 175, 179 ana iso, Sinamp and Overflowed lands, Contra Costa County, Township 2 North, Range 1 East, Mount Diatio Base and Meridian, as particularly described in the patents from the State of californio, teconced in Rook 1 of patents, pasces 144, 15i, 142, 146 and 161, respectivedy, in the office of the County Recorder of Contra Costa County, reference being heraby made to the record thercof for a complete cescription.

Excepting therefrom: The rollowing described parael, being the parcel conveyed by C. A. Hoopcr \& Co. to city of Stockton by deed dated July 15, 1929, recorded kugust 6, 1929, in Book 1sl of Official Records, pege 271, in the office of the County Recorder of Contra Costa Country, and zontaining, according to said deed, 100 acres, more or less, and particulary described as follows:
"All that certain rad property in the County of Contra Costa, State of California, described as follows:

Sections 3, 4, 9 and 10, Tomshiy 2 North, Range 1 East, Mount Diablo Bese and Meridian, as delineated in Eook 23 of lleeds, page 550, Contra Costa County Recorls, being portions of Lots "D", "E", "F", "G", "I", "K", "L", "NS", \& "N", of New York Island, lying on the northerly side of New York Slough and more particulary described as follows:

Beginning at a point on the boundary line between Lots "C" and " $D$ ", 1150 feet northerly, reasused along said boundary line from the low yater line of Now Yorl Slough; thence Erom said point of beginning, continuing. in a northerly direction alons said boundary line and
 case $23{ }^{2} 5$ feet, more or less, to the boundary line between lots "yl" and "L"; thence in a northerly direction along said boundary line betricen lots "xp" and "L", 1925 fect, more or less, to the low water dine of Suisun Ray; thence in an eastevly direction, along the low *ater dine of Sussun liny to a point on a line parallel to and 50 feet distant from said hovndary line between lots "fl" and "L":
thence leaving the low tater linc of Suisun bay in a southerly direction, along said line parallen to and 50 fect distant from said houdary line betuect lots "y" and "L", 1525 fucs, more or iess, to a point of indersecfion with the above mentioned course,
'East 1325 fect', extended; thence east 1250 fect, more or less, to a poine on the northety prortion of the boundary line beticen "ots "F" are "G", extended thence in a southerly sifrection alche. said extension of boundary line and along the boundary dine between Lots "f" and "G", 1675 feet, thence liest 1775 feet; thence North 69* $22^{\prime}$ fest, 908.2 foet, mope or less, to the point of beginning.

Aiso excepting therefon the falloking described reel property situater in the County of Contra Costa, State of Califormiaj beina. nore parsiculariy described as follows:

Comencing at the most southerly curner of Survey vo :80 Gramp and Overfioncal lands, Contra Costa County; thence northwesterly Mlong tiks iouthwesterly lins of said survey, North $54^{\circ} 06^{\prime}$ Hest, 1023.00 feet: thence North 53* 04' Hest, 503.04 . fect; chence. Noxth $65:$ : "est, 300.12 feet: thence feaving saik southresterly Iine Norti $3^{\circ}$ " $36^{\prime \prime} 05^{\prime \prime}$ East, 69.54 fect to che point of berinning for this description, basis of bearing fou this description is the landert Grid, Zone 3 , State of Califrinia; thence from said point of beginning Somih $15{ }^{*} 36$ u5" liest; 69.54 feet to a point on she afexisaid S. \& O. Survey 180; thence westerly and northeasterly aseng said survey line North 65"51' Kest. 113.70 fect; thence North $48^{\circ} 16^{\prime}$ liest, 559.22 fect; thence North $35^{\circ} 29^{\circ}$ East, $107.5 S^{\prime}$ fect: thence Norit S1 5 5. Firs $217 . S 0$ Ecet; thence South $30^{\circ} 11^{\prime \prime}$ East, 374,22 fert: thence North $65^{\circ} 299^{2}$ Fast, 86.96 feet to a goint; thence Leaving said survey line South $15^{\circ} 36^{\prime \prime} 05^{\prime \prime}$ Jest, 298.1 ] fect to whe point of beginning.

Being the hesterly pertion of aforesaid S. $\mathcal{G} 0$. Survey No. 150 and situated in Secion $S$, Tomship 2 North; Range 1 Ease, Nount Riablo Base and heridsan, Contra Costa County, California,

Tognther witi any and all other right, title, ar interest " Fost Bay Regionjl
Park Dicerict occuited by reason of that careame desd recordcod August 11.1977
in Rook $8459^{\circ}$;hage 25, Official Records of Contra Costa countif.

The following is a summary of an EIR preparod by the City of Mill Valley for a 96 -unit residential, cavelopment at iill Valiey, Karin Countre being proposed by Picklewood Asscciatica.

Iir. Project Descrintion
The proposed drvelopnent would consist of 96 dweiling units grouped into thrse ciusters of two and three atory structures. Nineteen of the units will provide low-cost housing. Parking for 244 cars woula be provided.

## III. Environmental Setting

The site is a filled marsh area underlain by mua. The vegetation in the filled area consists primarily of non-native weedy shrubs andi herbs and the Wildife appears to be restricted to insects and birdo. On the land to the y.orth of the site is an upper-elevation sal.t marsh. Its vegetation consiste primarily of pickleweed and salt, grass. Some of the spècies which probably make uge of the soütherly edge of the marsh incluice the California vole, vagrant shrew, raccoon, common egret; snowy egrety ercat blüs heren, kingfisher, California gull, western gull, avocet; killdeer, Foregier's tern, Wilion's phalarope and song sperrow, Additionaly a host of aquatic speciex of Richardson Bay are, to a graat ex ent, dependent upor the food produced by marsh vagetation. There are thr e animal and twe piant species associated with salt wärshes which are classed as rare or endangè =ed; or hẫe teen proposed for such classification. The salt-narsh bir"u's beak and the California clapper rail, both included in this classification, have been observed in the Richardson Bay area in 1976.

Both the San Andreas fault and the Hayward fault ere located a short distance from the site. The Mill Yalley General Plan irentifies the eito as being susceptible to seismically induced ground failure'y differential settlement and/or liquefaction leading to rapid subsiderice.
IV. Environmental Ir

1. Settlement, subsidence, liquefinction and seisfic shaking.
2. Increased runoff from the site.
3. Temporary constri tion reläted impacts include: traffic, noise, dust and use of natural rescurces.
4. Automobile related odors and noise.

## V. Unavaidable Adverse Envjronmental Impaits

1. Exposure or structures to differertial settlement and lurch cracking.

2. Filliag of the marsi land along the central drainage channel.
3. Increased traffic.
5.. Obstruction of viex corridora.
4. Increased domania for water, slectricity and natural gas.
5. Possible orosion and seáimentation.
6. Increased load of herbicides, pesticides; 0.1 and fertilizers in the marsh area.
7. Intrusion of domertic animale on wildife of the marsh apen.

VI. Mitigation Measures
8. Upper layers will be excavated to recompact fill.
9. Site will be drained to the north.
10. Structures will be located 25 :0 20 feet from et, as of fill to minimize, lurch cracking hazards.
11. Structures will be constructed of light, wood frames and structurally independent.
12. Some existing fill will be removed from the central drainage area.
13. Construction and grading will be done during $\varepsilon$ single dry season.
14. Structures will be located so as to conform with the setbacks outlined
15. Construction activities will be limited to normal weed day hours.
VII. Alternatives to the Proposed project
16. No project.
17. Lower density residential use.
18. Alternatives to reduce specific impacts.


EXHIBIT D


