

MINUTE ITEM

This Calendar Item No. C17
was approved as Minute Item
No. 17 by the State Lands
Commission by a vote of 2
to 0 at its 12/13/88
meeting.

CALENDAR ITEM

A 13

C 17

12/13/88

G 01-05

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AUTHORIZE THE ACCEPTANCE AND RECORDATION
OF A QUITCLAIM DEED FOR A PARCEL OF LAND
LOCATED IN THE CITY OF OAKLAND, ALAMEDA COUNTY

The purpose of this calendar item is house-cleaning. During a recent file review, it was discovered that the above-captioned Easement Deed had not been accepted and recorded. The following is a brief history of the transaction.

Pursuant to Statutes of 1981, Chapter 1016, Section Five, the Legislature terminated all of the State's sovereign public trust right, title, and interest, to the extent that any existed, in certain lands within the jurisdiction and control of the Port of Oakland, subject to a deed from the City of Oakland, acting by and through its Board of Port Commissioners, to the State of California, acting by and through the State Lands Commission, granting to the State a public trust easement for commerce, navigation, and fisheries, in other described lands owned by the Port. That Easement Deed was delivered to the Commission in accordance with the statutory requirement, but the Commission has not accepted the deed in writing or recorded it.

Staff therefore requests authorization to accept and record the Easement Deed granting to the State a public trust easement over those lands described in Exhibit "A" and shown on Exhibit "B" attached hereto.

Chapter 1028 further provided that the public trust easement so granted by the City to the State would be included within sovereign interests, the administration of which was granted to the City by Chapter 654, Statutes of 1911, as amended.

CALENDAR ITEM NO. C 17 (CONT'D)

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Code Regs: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

- 1. Acceptance and recordation of Easement Deed, pursuant to the Statutes of 1981, Chapter 1016 and the Commission's delegation of authority (PRC 6219), is not a project as defined by the California Environmental Quality Act (CEQA), and therefore is not subject to the requirements of CEQA.

Authority: PRC 21065 and 14 Cal.
Code Regs 15061 and 15378.

- EXHIBITS:
- A. Land Description.
 - B. Plat.

IT IS RECOMMENDED THAT THE COMMISSION:

- 1. AS TO THE ACCEPTANCE AND RECORDATION OF THE QUITCLAIM DEED, 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 CAL. CODE REGS 15378.
- 2. AUTHORIZE THE ACCEPTANCE AND RECORDATION OF QUITCLAIM DEED ATTACHED HERETO AS EXHIBIT "A".
- 3. AUTHORIZE THE STAFF OF THE STATE LANDS COMMISSION AND/OR THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL FURTHER STEPS WHICH MAY BE REASONABLY NECESSARY AND CONVENIENT TO IMPLEMENT THE TRANSACTION DESCRIBED ABOVE, INCLUDING, BUT NOT LIMITED TO, EXECUTION OF DOCUMENTS OF TITLE, RECORDATION, AND APPEARANCES IN ANY LEGAL PROCEEDINGS BROUGHT CONCERNING THE ABOVE TRANSACTION.

EXHIBIT "A"

LAND DESCRIPTION

G 01-05

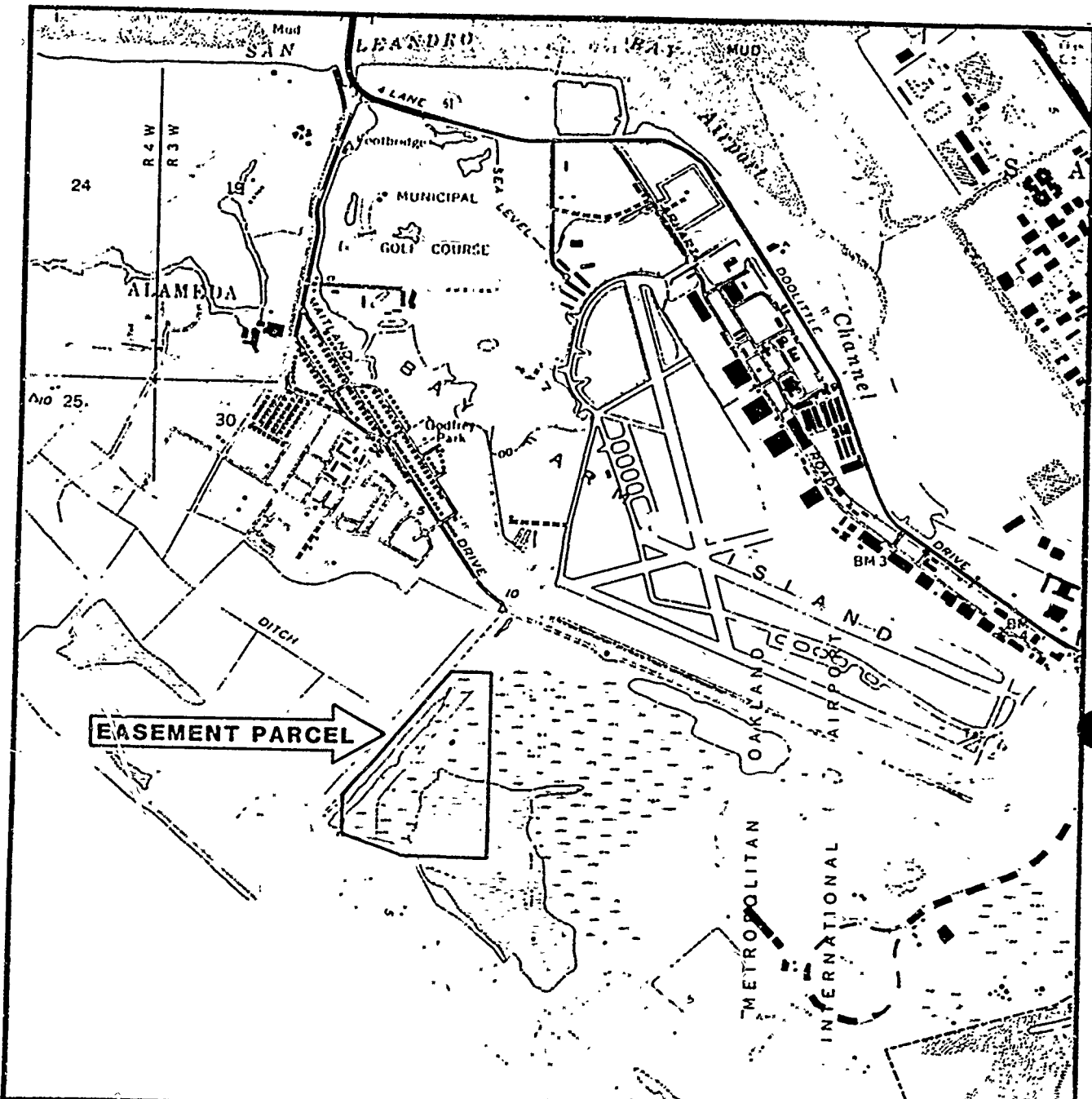
All of those portions of the following described lands which lie within the present City of Oakland, County of Alameda, State of California:

Lots 29, 30, and 31 in Section 30, and lots 2, 3, and 4 in Section 31, all in township 2 South, range 3 West, Mount Diablo Base and Meridian, as such lots are shown on "Sale Map No. 10, Salt Marsh and Tide Lands, situate in the County of Alameda, State of California," filed June 9, 1888, in book 17 of maps at page 30, in the office of the County Recorder of Alameda County, containing 84 acres more or less.

END OF DESCRIPTION

PREPARED DECEMBER 30, 1986 BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

CALENDAR PAGE	78
MINUTE PAGE	3213



STATE LANDS COMMISSION

STATE PUBLIC TRUST EASEMENT



Prepared by: R.L. BELL Date: 12-30-86 A:13 S: 9

EXHIBIT B

Title Study: OAKLAND GRANTED LANDS G 01-05

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CALENDAR PAGE 79
 MINUTE PAGE 3214