

CHAPTER 49

An act freeing certain tide and submerged lands previously granted in trust to the County of Marin from the trust for navigation, commerce, and fisheries, and authorizing the exchange of said lands for other lands of comparable value.

[Approved by Governor April 30, 1964 Filed with
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The people of the State of California do enact as follows:

SECTION 1. The Legislature hereby finds and declares that certain portions of those tide and submerged lands heretofore conveyed to the County of Marin by Chapter 497 of the Statutes of 1959 are no longer necessary or useful for the purposes of commerce, navigation, and fisheries, and are hereby declared to be free from the public trust for commerce, navigation, and

fisheries and from the uses, trusts and conditions set out in said act. The lands freed from the public trust by this act are described as follows:

Beginning at a point on the Mean High Tide Line of 1954 as said line is shown on that certain map entitled "Plat of the Grant To The County of Marin, Parcel "B", Chapter 497, Statutes of 1959, Vicinity of Gallinas Creek, Marin County, California" which map was recorded September 16, 1960, in Can "G", Official Records of the County of Marin, said point being distant thereon South $51^{\circ} 04' 56''$ West 6.71 feet from Station 38 of said grant; said point being also a point on the Northeasterly line of Lot 702 as said lot is shown on that certain map entitled "Map of Gallinas Village Unit Seven In The County of Marin, Calif." which map is recorded in Volume 8 of Maps, Official Records of the County of Marin at Page 36, said point being distant thereon North $55^{\circ} 16' 15''$ West (North $56^{\circ} 45'$ West-Record Map) 68.98 feet from the most Easterly corner of said lot; thence from said point of beginning along said Northeasterly line North $55^{\circ} 16' 15''$ West 51.02 feet; thence leaving said line North $34^{\circ} 43' 45''$ East 28.55 feet; along a curve to the right of radius 860 feet, tangent to the last preceding course through a central angle of $20^{\circ} 05'$ for an arc length of 301.45 feet; North $54^{\circ} 48' 45''$ East 101.00 feet; and North $66^{\circ} 10'$ East 36.75 feet to a point on said mean high tide line distant thereon South $44^{\circ} 39' 40''$ West 24.90 feet from Station 36 of said grant; thence along said mean high tide line South $44^{\circ} 39' 40''$ West 94.60 feet; South $40^{\circ} 44' 33''$ West 352.40 feet; and South $51^{\circ} 04' 56''$ West 6.71 feet to the point of beginning.

SEC. 2. The County of Marin is hereby authorized and empowered to reconvey to the State of California all of the lands described in Section 1 of this act for the purpose of effecting the exchange authorized by this act.

SEC. 3. The State Lands Commission is hereby authorized to convey to the owners of the lands above described all right, title and interest in and to the lands freed from the public trust by Section 1 of this act in exchange for and upon there being conveyed to the County of Marin by said owners all right, title and interest in and to other lands lying in the same general vicinity, such other lands being described in Section 4 of this act, if the commission finds: (a) that such exchange is in the best interests of the State as specified in Section 6307 of the Public Resources Code; and (b) that the value of the interests of the State in the lands to be conveyed by it is no greater than the value of the interests to be acquired by the County of Marin in such other lands in such exchange. Such findings, if and when made by the commission, shall be conclusive and binding upon all persons.

SEC. 4. The lands authorized to be exchanged by this act for lands described in Section 1 are described as follows:

Beginning at a point on the Mean High Tide Line of 1954 as said line is shown on that certain map entitled "Plat Of The Grant To The County Of Marin, Parcel "B", Chapter 497, Statutes of 1959, Vicinity of Gallinas Creek, Marin County, California" which map was recorded September 16, 1960, in Can "G", Official Records of the County of Marin, said point being distant thereon South 44° 39' 40" West 24.90 Feet from Station 36 of said grant; thence from said point of beginning North 66° 10' East 210.25 feet; along a curve to the right of radius 120 feet, tangent to the last preceding course through a central angle of 62° 05' for an arc length of 130.03 feet; South 51° 45' East 277.00 feet; South 41° 46' 57" East 67.35 feet to Station 28 of said grant; thence along said mean high tide line North 28° 47' 12" West 103.83 feet; North 42° 36' 18" West 186.13 feet; North 74° 44' 42" West 68.41 feet; North 84° 44' 46" West 87.37 feet; South 79° 33' 45" West 77.28 feet; South 68° 55' 38" West 116.81 feet; South 30° 04' 07" West 21.95 feet; South 75° 34' 45" West 36.14 feet; and South 44° 39' 40" West 24.90 feet to the point of beginning.

SEC. 5. Before making any exchange herein authorized the commission shall publish notice of its intention to make the exchange. The notice need not particularly describe the lands or the interest therein proposed to be exchanged but shall refer to the maps and records on file with the commission for a detailed description thereof and for further particulars. Any affected city or county, within thirty (30) days after the publication of such notice, may request in writing to the commission that a hearing be held with respect thereto. Upon receipt of such request, the commission shall hold such a hearing and give not less than ten (10) days' written notice thereof to each city or county making such request. The notice herein provided for shall be published in a newspaper of general circulation published in the County of Marin. Authority to hold the hearing herein provided for may be delegated by the commission to its officers or employees.

SEC. 6. The lands acquired by the County of Marin pursuant to the provisions of this act shall be held by said county, in trust, for the same uses and purposes and subject to the same restrictions and conditions as specified in Chapter 497 of the Statutes of 1959.

SEC. 7. The grantee or grantees of any lands, pursuant to the provisions of this act, or his or their successor or successors in interest, immediate or remote, is and are hereby authorized to bring suit against the State of California to quiet title to the lands so conveyed in the manner provided in Chapter 7 (commencing with Sec. 6461) of Division 6 of the Public Resources Code.