

**CALIFORNIA STATE LANDS COMMISSION**

100 Howe Avenue, Suite 100-South  
Sacramento, CA 95825-8202

**CURTIS L. FOSSUM, Executive Officer**

(916) 574-1800 FAX (916) 574-1810

California Relay Service from TDD Phone 1-800-735-2929  
from Voice Phone 1-800-735-2922

**Contact Phone: (916)574-0200**

**Contact FAX: (916)574-1925**

June 26, 2012

File Ref: SD 2011-08-04.1

Hank Seemann  
Environmental Services Manager  
County of Humboldt  
1106 Second Street  
Eureka, CA 95501

**Subject:** State Lands Commission Jurisdictional Determination, Murray Field Airport Wildlife Exclusion Fence, city of Eureka, Humboldt County

Dear Mr. Seemann:

This letter is in response to your request for a determination by the California State Lands Commission (CSLC) as to whether it asserts a sovereign title interest in the Murray Field Airport Wildlife Exclusion Fence project site and whether it asserts that the project site is located within an area that is subject to the public easement in navigable waters.

As we understand, the Aviation Division of Humboldt County (County) is proposing to install a perimeter fence at the Murray Field Airport to reduce the risk of aircraft striking wildlife. After review of the information submitted and in-house records, staff has determined that on April 1, 1969, the CSLC and the County entered into an Exchange and Boundary Line Agreement that, among other things, called for the exchange of lands between the two parties, in and adjacent to the proposed Murray Field Airport Wildlife Fence site and for the survey of Eureka Slough. It has now been brought to our attention that the Commission and the County did not exchange all of the quitclaim deeds required by the Agreement.

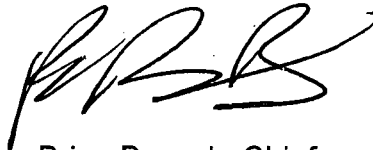
The CSLC is currently working with the County, and the City of Eureka, who is now the grantee of the State's interest, pursuant to Chapter 1086 of the Statutes of 1970, to correct this issue. Once rectified, the subject site will belong to the County, excluding, however, any interest held by the City as trustee of the public trust for commerce, navigation, fisheries, water-related recreation, preservation in its natural state, and other trust uses, including aviation purposes, as set forth in Chapter 1086, Statutes of 1970.

Hank Seemann  
Page Two

This determination is without prejudice to any future assertion of State ownership or public rights, should circumstances change, or should additional information come to our attention. In addition, this letter is not intended, nor should it be construed as, a waiver or limitation of any right, title, or interest of the State of California in any lands under its jurisdiction.

If you have any additional questions regarding trust lands, please contact  
Michelle Andersen (916) 574-0200 or at [Michelle.Andersen@slc.ca.gov](mailto:Michelle.Andersen@slc.ca.gov).

Sincerely,

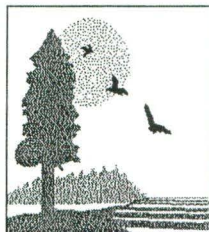
A handwritten signature in black ink, appearing to read 'B. Bugsch', written in a cursive style.

Brian Bugsch, Chief  
Land Management Division

cc: Michelle Andersen

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from Voice Phone 1-800-735-2922

**Contact Phone: (916) 574-1829**

**Contact FAX: (916) 574-1855**

January 9, 2012

File Ref: BLA 110

Mr. Hank Seeman  
Department of Public Works  
County of Humboldt  
1106 Second Street  
Eureka, CA 95501

Mr. David Tyson  
City Manager  
City of Eureka  
531 "K" Street  
Eureka, CA 95501

Re: State Sovereign Interest within Murray Field

Dear Mr. Seeman and Mr. Tyson:

Early this past summer, the State Lands Commission was asked by Humboldt County to provide a letter regarding the Commission's jurisdiction at Murray Field. The County's request arose out of a requirement by the California Coastal Commission in conjunction with the County's efforts to obtain a permit to install fencing at Murray Field. Thank you for your patience while we reviewed our file dealing with Murray Field. Our review shows that Humboldt County and the State Lands Commission entered into a Boundary Line Agreement dated April 1, 1969 with the intent of eliminating any state interest within Murray Field. I have enclosed a copy of the Agreement for your consideration. You will note that the Agreement called for the County to convey Parcel "A" and Parcel "C" to the State and for the State to convey Parcel "B" to the County. Additionally the Agreement called for the Commission to quitclaim any state interest in the "Airport Parcel" to the County after the County had first surveyed Eureka Slough along the southerly boundary of the airport.

Our file reflects that the County did convey Parcel "A" and Parcel "C" to the Commission and that the Commission conveyed Parcel "B" to the County in 1969. It is also apparent that the County conducted the survey as called for in the Agreement. We

Mr. Hank Seeman  
January 9, 2012  
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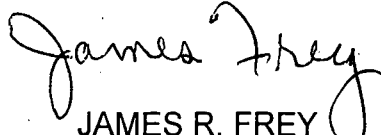
have not, however, been able to locate a copy of a quitclaim from the Commission to the County for the Airport Parcel. It appears that this task was not accomplished and there is no explanation in the file for this omission.

I note also that our review showed that the State Lands Commission did not free the lands to be conveyed to the County from the public trust. The authority cited for the Agreement was Public Resources Code section 6307 which provides for the lifting of the public trust when the Commission had found and declared the lands "... had been improved, filled, and reclaimed, and thereby excluded from the public channels, and are no longer useful or susceptible to being used for navigation and fishing, and are no longer in fact tidelands or submerged lands...." The Commission did not make these findings in 1969 and I suggest that consideration be given to freeing the lands comprising the Airport Parcel and the lands previously conveyed to the County from the public trust.

Any interest the State has in Murray Field was granted to the City of Eureka by the Legislature pursuant to Chapter 1086, Statutes of 1970. Thus, it will be necessary for the City of Eureka to participate in conveying the remaining state interest in the Airport Parcel and in lifting of the public trust. The City and the Commission are authorized under Chapter 1085, Statutes of 1970 to enter into settlement agreements for lands that have been filled and reclaimed in conjunction with the development of the Humboldt Bay area. I believe that this statute will provide a framework for addressing the quitclaim of the Airport Parcel and the lifting of the public trust at Murray Field.

I suggest we have a meeting or teleconference in early January to discuss this situation and to decide on a framework for handling it. In the meantime, I can be reached at (916) 574-1829 to discuss this matter if you like.

Sincerely,

  
JAMES R. FREY  
Senior Staff Counsel

Attachment

cc: Brian Bugsch, Chief, Land Management Division  
Colin Connor, Assistant Chief, Land Management Division  
Grace Kato, Public Lands Manager  
Michelle Andersen, Public Lands Management Specialist

5/22/69 1  
SWO 8370  
WDC:klp 2

State of California  
State Lands Commission  
Boundary Line Agreement No. 110

EXCHANGE AND BOUNDARY LINE AGREEMENT

The parties to this Agreement, dated April 1, 1969, are the State of California, acting by and through the STATE LANDS COMMISSION, hereinafter referred to as State, and THE COUNTY OF HUMBOLDT, hereinafter referred to as County.

DEFINITIONS

Whenever the following words and phrases are referred to in this agreement, they are defined as follows:

The "Airport Parcel" is that land more particularly described on the attached sheet marked "Airport Parcel", which is made a part hereof.

"Said Sloughs" are Eureka Slough, Fay Slough (sometimes referred to as Jarnigan Slough) and adjoining waterways, as the same may bound or traverse the "Airport Parcel".

"Parcel A" is that land more particularly described on the attached sheet, marked "Parcel A", which is made a part hereof.

"Parcel B" is that land more particularly described on the attached sheet, marked "Parcel B", which is made a part hereof.

"Parcel C" is that land more particularly described on the attached sheet, marked "Parcel C", which is made a part hereof.

"The Eureka Slough Boundary Line" is the ordinary high water mark of a portion of the right bank of Eureka Slough, which is to be established by this agreement as the boundary between the Airport Parcel and the State lands within Eureka Slough, described as follows:

That certain line along the right bank of Eureka Slough in Humboldt County, California, as depicted on the attached sketch and more particularly delineated on that certain photo contour map on file with the State Lands Division, prepared by Humboldt County for the State Lands Division, using as a base

"STATE OF CALIFORNIA  
OFFICIAL BUSINESS -  
  
Document entitled to  
free-recording  
Pursuant to Government  
Code Section 6103."

1 that certain air photo contour map prepared for the Division  
2 of Highways aerial service contract No. 63-01TC-1, dated  
3 February 3, 1964, comprising Sheets 25 and 31 of 37, and  
4 depicting Murray Field - Humboldt County Airport.

4 RECITALS

5 WHEREAS, "said sloughs", at the time of the admission of the State of  
6 California as a State of the United States of America, were, and at all times  
7 thereafter have been, tidal and navigable waterways within the State of  
8 California, County of Humboldt; and

9 WHEREAS, the beds of the "said sloughs" below the ordinary high water  
10 mark, are claimed by the State in its sovereign capacity as tidelands and sub-  
11 merged lands; and

12 WHEREAS, the State Lands Commission has exclusive jurisdiction of tide-  
13 lands and submerged lands within the beds of the said sloughs according to the  
14 provisions of Section 6301 of the Public Resources Code of the State of  
15 California; and

16 WHEREAS, it appears that since 1850 the beds of the said sloughs have  
17 been subject to fluctuation, the nature, extent, and causes of which are the  
18 subject of substantial uncertainty and dispute; and

19 WHEREAS, County is the owner of the "Airport Parcel"; and

20 WHEREAS, the present location of the boundary between the said "Airport  
21 Parcel" and "said sloughs" depends upon the existence, nature, extent and  
22 causes of changes in the beds of the "said sloughs", and therefore the loca-  
23 tion of the boundary between the lands of County and State is not known and  
24 cannot be established without agreement or court judgment; and

25 WHEREAS, the results of litigation leading to such judgment are the  
26 subject of substantial uncertainty and dispute; and

27 WHEREAS, the parties desire to permanently establish by agreement and  
28 without the necessity of litigation the location of their boundary along a  
29 portion of the right bank of Eureka Slough as that line is herein described as  
30 "The Eureka Slough Boundary"; and

31 WHEREAS, Section 6357 of the Public Resources Code authorizes the State

1 Lands Commission to establish the ordinary high water mark of tidelands or  
2 submerged lands of this State by agreement, arbitration, or action to quiet  
3 title, whenever it is deemed expedient or necessary; and

4 WHEREAS, the parties hereto deem it expedient and necessary and in their  
5 respective interests to establish such ordinary high water mark; and

6 WHEREAS, it will be necessary to survey, monument and record by Record  
7 of Survey "The Eureka Slough Boundary" to exactly locate the same and County  
8 intends to complete such survey according to the terms of this agreement with-  
9 out cost to the State, and any portion of the "Airport Parcel" extending  
10 across the said Eureka Slough Boundary is land of the State; and

11 WHEREAS, airport improvements are being constructed on the "Airport  
12 Parcel", and such improvements have required the filling of portions of "said  
13 sloughs" which traverse said "Airport Parcel"; and

14 WHEREAS, other portions of "said sloughs" traversing said "Airport  
15 Parcel" have heretofore been filled; and

16 WHEREAS, the filled portions of "said sloughs" have heretofore been  
17 abandoned and are no longer useful for purposes of navigation; and

18 WHEREAS, County has constructed a new channel upon a portion of Parcel A  
19 which connects "said sloughs" and which is suitable for navigation purposes;  
20 and

21 WHEREAS, County wishes to convey to the State the title in Parcel A and  
22 Parcel C in exchange for Parcel B and the remaining portions of the "said  
23 sloughs" which traverse the "Airport Parcel", and said exchange is for the  
24 improvement of navigation, aid in reclamation, for flood control protection,  
25 and to enhance the configuration of the shoreline for the improvement of the  
26 water and the upland, and will not substantially interfere with the right of  
27 navigation and fishing in the waters involved; and

28 WHEREAS, the State's ownership and the boundaries of "said sloughs"  
29 traversing said County land has never been established and is the subject of  
30 substantial dispute and uncertainty; and

31 WHEREAS, the State Lands Commission is authorized to enter into said

1 exchange pursuant to Section 6307 of the Public Resources Code, the relevant  
2 portions of which read as follows:

3 "6307. Whenever it appears to the commission to be in the best  
4 interests of the state, for the improvement of navigation, aid  
5 in reclamation, or for flood control protection, or to enhance  
6 the configuration of the shoreline for the improvement of the  
7 water and upland, on navigable rivers, sloughs, streams, lakes,  
8 bays, estuaries, inlets, or straits, and that it will not sub-  
9 stantially interfere with the right of navigation and fishing  
in the waters involved, the commission may exchange lands of  
equal value, whether filled or unfilled with any state agency,  
political subdivision, person, or the United States or any  
agency thereof. Any land so acquired shall have the same status  
as to administration, control and disposition as the lands for  
which it was exchanged. . . ."

10 ; and

11 WHEREAS, the land acquired by the State in said exchange is of a value at  
12 least equal to the value of the State's claim to ownership of the lands given  
13 up by the State in said exchange; and

14 WHEREAS, this agreement is in the best interests of the parties; and

15 WHEREAS, this agreement is intended only to establish said "Eureka Slough  
16 Boundary" and to complete said exchange of lands, and the State's conveyances  
17 hereunder are not intended to affect and are subject to any flowage or naviga-  
18 tion rights or easements, and to all other right, title and interest of the  
19 United States or the State of California which is under the jurisdiction of any  
20 State agency other than the State Lands Commission; and

21 WHEREAS, "said sloughs" are now in an artificial state and are not sub-  
22 ject to future natural erosion and accretion.

23 THEREFORE, the parties mutually agree to the following exchange and  
24 boundary line agreement as follows:

25 EUREKA SLOUGH BOUNDARY LINE

26 Said Eureka Slough Boundary Line is hereby permanently fixed and estab-  
27 lished along and upon that certain line more particularly described herein as  
28 "The Eureka Slough Boundary".

29 TRANSFERS IN ESCROW

30 (1) County agrees to quit claim to State all the right, title and  
31 interest of County in Parcel A and Parcel C.



1 (2) State agrees to quit claim to County all the right, title and  
2 interest of State in Parcel B.

3 (3) The parties agree to enter into an escrow for the purpose of trans-  
4 ferring title as provided for by this first phase, at a title company designa-  
5 ted by County, without cost to the State.

6 (4) The parties agree to execute, acknowledge and deliver into such  
7 escrow, any and all deeds, Certificates of Acceptance, escrow instructions and  
8 all other documents as may be reasonably required to complete such transfers.

9 (5) The conveyances may be recorded and escrow closed upon the issuance  
10 to State of a standard CLTA policy of title insurance in the sum of \$8,500.00,  
11 for Parcel A and Parcel C, with only those exceptions as are acceptable to  
12 State; and without cost to State for such policy or any other costs in escrow  
13 whatever.

14  
15 RECORD OF SURVEY

16  
17 (1) County agrees to survey, monument and record by approved Record of  
18 Survey, (subject to approval by the State prior to recordation) the boundaries  
19 of the "Airport Parcel" and the "Eureka Slough Boundary Line" within six  
20 months of the date of this agreement, without cost to the State.

21 (2) Upon completion of said survey, the State agrees to quit claim to  
22 County, all the right, title and interest of State in the "Airport Parcel"  
23 excepting Parcels A and C, and County agrees to quit claim to State all the  
24 right, title and interest of County in the lands between the "Airport Parcel"  
25 as it adjoins the "Eureka Slough Boundary" and the opposite (left) bank of  
26 Eureka Slough.

27  
28 GENERAL PROVISIONS

29  
30 (1) This agreement is subject to any flowage or navigation or other  
31 right, title and interest of the People of the State of California which may

1 not be under the jurisdiction of the State Lands Commission.

2 (2) An escrow shall be opened for delivery of documents required of the  
3 parties after said record of survey and the State is to receive title insurance  
4 for its interests in the sum of \$10,000.00, without cost to the State.

5 (3) This agreement shall inure to the benefit of, and shall be binding  
6 upon, the successors and assigns of the parties.

7

8 Approved as to Form:

STATE OF CALIFORNIA  
STATE LANDS COMMISSION

9 THOMAS C. LYNCH, ATTORNEY GENERAL

10 By: Paul M. Joseph  
11 Deputy Attorney General

By: F. J. Hortig  
F. J. Hortig  
Executive Officer

12

COUNTY OF HUMBOLDT

13

By: Elwyn L. Lindley

14

(NOTARY ACKNOWLEDGEMENT)

15

STATE OF CALIFORNIA )  
 ) ss  
COUNTY OF HUMBOLDT )

On this 27th day of May, 19 69, before me FRED J. MOORE, Jr.,  
County Clerk in and for said County of Humboldt, State of California, personally appeared  
ELWYN L. LINDLEY, known to me to be the Chair-  
man of the Board of Supervisors of the County of Humboldt, State of California, who executed the  
foregoing instrument on behalf of the COUNTY OF HUMBOLDT therein named, and acknowledged  
to me that such COUNTY OF HUMBOLDT executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal the day  
and year hereinabove written.

FRED J. MOORE, Jr., County Clerk  
in and for the County of Humboldt,  
State of California.

By: William E. Thomson  
Deputy

29

30

31

4/1/69

35. EXCHANGE OF LANDS IN EUREKA SLOUGH AND BOUNDARY LINE AGREEMENT WITH COUNTY OF HUMBOLDT IN HUMBOLDT COUNTY - S.W.O. 8370, B.L.A. No. 110.

After consideration of Calendar Item 39 attached, and upon motion duly made and carried, the following resolution was adopted:

AFTER DUE CONSIDERATION OF CALENDAR ITEM 39 OF THIS REGULAR MEETING OF THE STATE LANDS COMMISSION, HELD ON APRIL 1, 1969, AND UPON MOTION DULY MADE AND SECONDED, THE COMMISSION UNANIMOUSLY HEREBY RESOLVES THAT THE STATE LANDS COMMISSION ENTER INTO THE PROPOSED EXCHANGE AND BOUNDARY LINE AGREEMENT, AND THE EXECUTIVE OFFICER IS AUTHORIZED AND DIRECTED TO EXECUTE, ACKNOWLEDGE, AND DELIVER SUCH CONVEYANCES, CERTIFICATES OF ACCEPTANCE, ESCROW INSTRUCTIONS, AND ALL OTHER DOCUMENTS AND TO DO SUCH ACTS AS MAY BE REASONABLY REQUIRED TO CARRY OUT THE EXCHANGE AND ESTABLISH THE BOUNDARY AS PROVIDED IN SAID AGREEMENT.

Attachment

Calendar Item 39 (8 pages)

## EUREKA SLOUGH

The County of Humboldt is in the process of enlarging its airport near Eureka. Runway construction has required the filling of several arms of Eureka and Fay Sloughs. The northerly reach was filled some years ago. The lower reach was filled last year under interim permit (P.R.C. 3963.9), which was conditioned upon completion of an exchange within one year from May 23, 1968. The County has constructed a new channel upon Parcel A that is suitable for navigation and connects the sloughs cut off by the filling.

The State claims title to the sloughs (which are tidal and navigable, and which bound and traverse the airport parcel). However, the State's title is clouded in part by reason of the State's issuance in 1891 of a Patent (SL 3000) containing a description that did not except the slough beds. Based on investigation to date, the State's claim to the sloughs is uncertain and subject to dispute, and the area of the State's claim must be estimated.

As part of the exchange, the State will receive Parcels A and C (Exhibits "A" and "C") in fee, subject to access easements and an avigation easement over Parcel A, and with title insurance provided by the County. The Division has appraised the value at \$8,174.00.

In return, the State would relinquish its uncertain claim to the remainder of the sloughs within the airport parcel (Exhibit "E"). Parcel B (Exhibit "B") is the portion of Eureka Slough that recently has been filled. The remainder will be given by quitclaim deed after the County Record of Survey.

The appraised value of the land upon which the State is giving up its claim is \$8,576.00, based on estimates of acreage. Some portions of the land passing to the State are now claimed by the State and some portions of the land passing to the County are not being claimed by the State.

By reason of the cloud on the State's interest in the land it is giving up and the probable costs of clearing the title and the uncertainties of litigation, the Division is of the opinion that the value of the interest in the land being received by the State is at least of equal value to the uncertain claim being given up by the State.

Parcel A will be received by the State for the new channel. Parcel C consists of a 100-foot strip along the northeasterly boundary of the airport parcel. Parcel C will be available for any future connecting navigation channel to replace the portion of Fay Slough within the airport parcel that has been blocked for some years by a dam.

It is also the opinion of the Division that the exchange is in the best interests of the State and is for the improvement of navigation, aid in reclamation, or for flood-control protection, in that development of the uplands will be permitted thereby.

CALENDAR ITEM 39. (CONTD.)

Further, the proposed agreement provides for the establishment of a permanent and fixed boundary (ordinary high water mark) along the right bank of Eureka Slough as it bounds the airport parcel. Neither the exact boundary nor the last natural bed of said slough are now known, and are the subject of dispute. The County claims to the center of the Slough. The establishment of the proposed boundary line is expedient and necessary and in the best interests of the State.

Authority for the exchange is contained in Section 6307 of the Public Resources Code, and authority for the establishment of the boundary is contained in Section 6357 of the Public Resources Code.

An escrow will be opened by the County to provide for exchange and recording of quitclaim deeds. (Parcels A and C from County to State, and Parcel B from State to County). The State will receive title insurance in the sum of \$8,500.00 on Parcels A and C, with title exceptions subject to approval of the State.

Final location of the Eureka Slough boundary line (Exhibit "D") and quitclaim from State to County of the remainder of the sloughs in airport parcel (Exhibit "E") must await a record of survey to be made by the County within six months, without cost to the State.

The substance of the agreement is as follows:

- (a) The parties agree to the permanent establishment of the Eureka Slough boundary line. A survey will be made within six months.
- (b) The State is to receive Parcels A and C from the County. The County is reserving easements across the parcels.
- (c) The State is to quitclaim Parcel B to County.
- (d) The exchange of Parcels A, B and C will be made in escrow, with the State to receive title insurance.
- (e) After the survey by County, the County is to receive from the State all right, title and interest of the State in the airport parcel, and County will quitclaim the land outside the boundary line to State.

It is therefore recommended that the Commission approve and adopt the following:

AFTER DUE CONSIDERATION OF CALENDAR ITEM 39 OF THIS REGULAR MEETING OF THE STATE LANDS COMMISSION, HELD ON APRIL 1, 1969, AND UPON MOTION DULY MADE AND SECONDED, THE COMMISSION UNANIMOUSLY HEREBY RESOLVES THAT THE STATE LANDS COMMISSION ENTER INTO THE PROPOSED EXCHANGE AND BOUNDARY LINE AGREEMENT, AND THE EXECUTIVE OFFICER IS AUTHORIZED AND DIRECTED TO EXECUTE, ACKNOWLEDGE, AND DELIVER SUCH CONVEYANCES, CERTIFICATES OF ACCEPTANCE, ESCROW INSTRUCTIONS, AND ALL OTHER DOCUMENTS AND TO DO SUCH ACTS AS MAY BE REASONABLY REQUIRED TO CARRY OUT THE EXCHANGE AND ESTABLISH THE BOUNDARY AS PROVIDED IN SAID AGREEMENT.

Attachments: Exhibits "A" through "E"

EXHIBIT "A"PARCEL A  
COUNTY TO LANDS DIVISION

That certain real property situated in the County of Humboldt, State of California, described as follows:

All that portion of the east half of Section 19, T. 5 N., R. 1 E., H.B.& M., which lies within the following described boundaries:

Beginning at a point which bears N. 50° 57' 49" W., 2910.39 feet, from the southeast corner of said Section 19, said point being located N. 22° 40' 50" E., 60.00 feet, from Engineer's Station "L" 2+20 of the survey made by the County of Humboldt for the realignment of a portion of Jarnigan Slough;

Thence, S. 67° 19' 10" E., 570.67 feet;

Thence, along a curve to the left with a radius of 155 feet, through an angle of 158° 45', a distance of 429.46 feet;

Thence, N. 46° 04' 10" W., 440.00 feet, to a point on the south bank of said slough, that bears N. 40° 55' 20" W., 2875.69 feet, from the southeast corner of Section 19;

Thence, N. 03° 08' 39" E., 433.37 feet;

Thence, N. 43° 55' 50" E., 100.00 feet, to the northeast property line of Murray Field Airport;

Thence, S. 46° 04' 10" E., along said property line, 460.00 feet to an angle point thereon on the southeasterly bank of said slough;

Thence, S. 28° 47' 45" E., continuing along said property line, 583.68 feet;

Thence, S. 47° 21' 08" W., leaving said property line, 605.59 feet;

Thence, N. 67° 19' 10" W., 780.67 feet, to a point located S. 22° 40' 50" W., 60.00 feet, from Engineer's Station "L" 1+80;

Thence, N. 41° 06' 55" E., 126.50 feet, to the point of beginning.

RESERVING to the County of Humboldt the right to enter upon the above described property and to maintain thereon its existing foot bridge and flood gates.

ALSO RESERVING to the County of Humboldt access to its land lying southeasterly of the above described property.

EXHIBIT "B"PARCEL B  
LANDS DIVISION TO THE COUNTY

That certain real property situated in the County of Humboldt, State of California, described as follows:

All that portion of the east half of Section 19, T. 5 N., R. 1 E., H.B.& M., which lies within the following described boundaries:

Beginning at a point which bears N. 50° 57' 49" W., 2910.39 feet, from the southeast corner of said Section 19, said point being located N. 22° 40' 50" E., 60.00 feet, from Engineer's Station "L" 2+20 of the survey made by the County of Humboldt for the realignment of a portion of Jarnigan Slough;

Thence, N. 67° 19' 10" W., 150.00 feet;

Thence, N. 38° 00' 31" E., 154.88 feet;

Thence, N. 9° 27' 43" E., 243.31 feet;

Thence, N. 16° 30' 16" E., 140.80 feet;

Thence, N. 29° 25' 08" E., 83.71 feet, to a point on the north bank of said slough that is S. 43° 55' 50" W., 60.00 feet, from Engineer's Station "L" 22+41.87 P.O.T.;

Thence, N. 66° 28' 37" E., 362.80 feet;

Thence, S. 03° 08' 39" W., 433.37 feet, to a point on the south bank of said slough that bears N. 40° 55' 20" W., 2875.69 feet from said southeast corner of Section 19;

Thence, S. 70° 01' 01" W., 234.09 feet;

Thence, S. 22° 28' 46" W., 156.92 feet;

Thence, S. 35° 32' 16" W., 86.02 feet;

Thence, S. 46° 18' 36" W., 64.96 feet, to the point of beginning.

EXHIBIT "C"

## PARCEL C

That certain real property situated in the County of Humboldt, State of California, described as follows:

All that portion of Section 19, T. 5 N., R. 1 E., H.B.M., being a strip of land 100 feet in width, the northeasterly line of said strip being described as follows:

COMMENCING at a point on the south bank of Eureka Slough (sometimes referred to as Jarnigan Slough) from which the southeast corner of said Section 19 bears S.  $40^{\circ} 55' 20''$  E. 2,875.69 feet; thence from said point of commencement N.  $03^{\circ} 08' 39''$  E. 433.37 feet; thence N.  $43^{\circ} 55' 50''$  E. 100.00 feet to the TRUE POINT OF BEGINNING of the herein described line, said point being on the northeasterly property line of Murray Field Airport as said line is described in the deed to the County of Humboldt, recorded March 11, 1960, in Volume 578, page 143 of Official Records of said County, from which an angle point of the above-mentioned Murray Field Airport property on the southeasterly bank of said Eureka Slough bears S.  $46^{\circ} 04' 10''$  E. 460.00 feet; thence from said true point of beginning northwesterly along said northeasterly property line N.  $46^{\circ} 04' 10''$  W. 3,000.00 feet to the most northerly corner of said property and the end of the herein described line.



EXHIBIT "D"

## EUREKA SLOUGH BOUNDARY LINE

That certain line along the right bank of Eureka Slough in Humboldt County, California, as depicted on the attached sketch and more particularly delineated on that certain photo contour map on file with the State Lands Division, prepared by Humboldt County for the State Lands Division, using as a base that certain air photo contour map prepared for the Division of Highways aerial service contract No. 63-OLTC-1, dated February 3, 1964, comprising Sheets 25 and 31 of 37, and depicting Murray Field - Humboldt County Airport.

EXHIBIT "E"

("AIRPORT PARCEL")

DESCRIPTION OF HUMBOLDT COUNTY AIRPORT  
KNOWN AS MURRAY FIELD

That portion of Section 19 in T. 5 N., R. 1 E., and of Section 24 in T. 5 N., R. 1 W., H.B.& M., described as follows:

Beginning at a point in the S.E. 1/4 of the S.E. 1/4 of said Section 19, from which point the southeast corner thereof bears S. 63° 18' 15" E., 1,190.58 feet;

Thence, from said point of beginning, N. 20° 39' 15" E., 699.82 feet, along the westerly line of a private road;

Thence, leaving said road, N. 28° 47' 45" W., 1,333.68 feet to the point of intersection of the southeasterly bank of Eureka Slough with the southeasterly prolongation of the course described as "S. 46° 04' 10" E., 3,165 feet" in the deed to the County of Humboldt recorded March 11, 1960 in Volume 578, Page 143 of Official Records of said County;

Thence, N. 46° 04' 10" W., along said course (prolonged), a distance of 3,460 feet, more or less, to the northwest terminus thereof at a point in Lot 1 of said Section 19 which bears N. 63° 52' 15" E., 2,421.36 feet from the concrete monument marking the northeast corner of Lot 38 of East Highway Subdivision, as said monument is shown on the map thereof in the Office of the Recorder of Humboldt County in Book 12 of Maps, Page 86, said point being southeasterly, 50 feet, measured at a right angle, from the southeasterly line (prolonged northeasterly) of the right of way of State Highway 101 as granted to the State of California by the County of Humboldt by deed recorded February 25, 1954 in Volume 282, Page 132 of Official Records;

Thence, S. 55° 52' 30" W., 1,348.39 feet, parallel to and distant 50 feet southeasterly from said southeasterly right of way line, to a point S. 31° 57' 01" E., 218.45 feet from Engineer's Station "H-1" 61+80 P.O.C. of the California Department of Public Works Survey from Eureka Slough to Gannon Slough (State Highway I-Hum-1-H);

Thence, S. 62° 34' 29" W., 564.20 feet, parallel to and distant southeasterly 50 feet from said southeasterly right of way line, to the course described in said deed from County to State as "S. 06° 10' 20" E., 251.39 feet";

Thence, S. 06° 10' 20" E., along said course, a distance of 197.74 feet, to the southerly line of the right of way conveyed to the Eureka and Freshwater Railway Company by deed dated July 11, 1902 and recorded in Book 81 of Deeds, Page 586, Humboldt County Records;

Thence, northwesterly along said southerly right of way line, 80 feet, more or less, to a point which bears S. 77° 59' 01" E., 518.86 feet, from the above-named monument at the northeast corner of Lot 38 of East Highway Subdivision;

EXHIBIT "E" (CONTD.)

Thence, S. 06° 10' 20" E., 73.03 feet, to a point S. 70° 41' 03" E., 546.08 feet from said monument;

Thence, S. 61° 24' 52" E., 333.45 feet;

Thence, S. 10° 36' 07" W., 137 feet, more or less, to the north bank of Eureka Slough;

Thence, easterly by southeasterly, along said bank of Eureka Slough, 1900 feet, more or less, to a point 1248 feet North and 932 feet West of the northeast corner of the S.E. 1/4 of the S.W. 1/4 of said Section 19;

Thence, S. 61° 58' E., 60 feet, more or less, to the southeasterly bank of Fay Slough;

Thence, southwesterly and westerly, along said bank of Fay Slough, a distance of 500 feet, more or less, to the north bank of Eureka Slough;

Thence, easterly, along the north bank of Eureka Slough, a distance of 800 feet, more or less, to the west line of the land patented to George E. Bates by the State of California as recorded March 14, 1901 in Book 15 of Patents, Page 631 in the office of the Recorder of Humboldt County (said west line being described therein as drawn, S. 10-3/4° E., 61.07 chains (4030.62 feet) from a point on the north line of Section 19, T. 5 N., R. 1 E., H.B. & M., 17.59 chains (1160.94 feet) West from the north quarter corner of said section);

Thence, S. 10-3/4° E., 60 feet, more or less, on said west line to the centerline of the Eureka Slough at a point on said west line S. 10-3/4° E., 3150 feet, more or less, from the northerly terminus of said west line;

Thence, easterly, along the centerline of said slough, a distance of 900 feet, more or less, to the point of intersection thereof with the southerly line of the old railroad right of way described in Parcel 4 in the deed from the Pacific Lumber Company to the County of Humboldt, recorded June 13, 1962 in Volume 690, Page 619 of Humboldt County Official Records, as bearing N. 61° 58' W., 1035 feet;

Thence, S. 61° 58' E., 150 feet, more or less, along said southerly line to a point thereon which bears S. 35-1/2° W., 66.49 feet from a 1-1/2" water pipe, marked "D-4" on cap, set on the east bank of the Eureka Slough 1880.41 feet North and 2249.37 feet West from the southeast corner of said Section 19;

Thence, S. 35-1/2° W., 43.51 feet;

Thence, S. 21-1/2° W., 92 feet;

Thence, East, 200 feet, more or less, to the southerly line of the old railroad right of way described as Parcel 4 in the above-named deed;

Thence, continuing on said southerly line in a southeasterly direction, on a curve to the right, a distance of 500 feet, more or less, to a point S. 51° 10' W., 33 feet from another point located 900 feet East and 83 feet North of the northeast corner of the S.E. 1/4 of the S.W. 1/4 of said Section 19;

Thence, continuing southeasterly, a distance of 1100 feet, more or less, to a point S. 20° 39' 15" W. from the point of beginning;

Thence, N. 20° 39' 15" E., 38.60 feet, to the point of beginning.

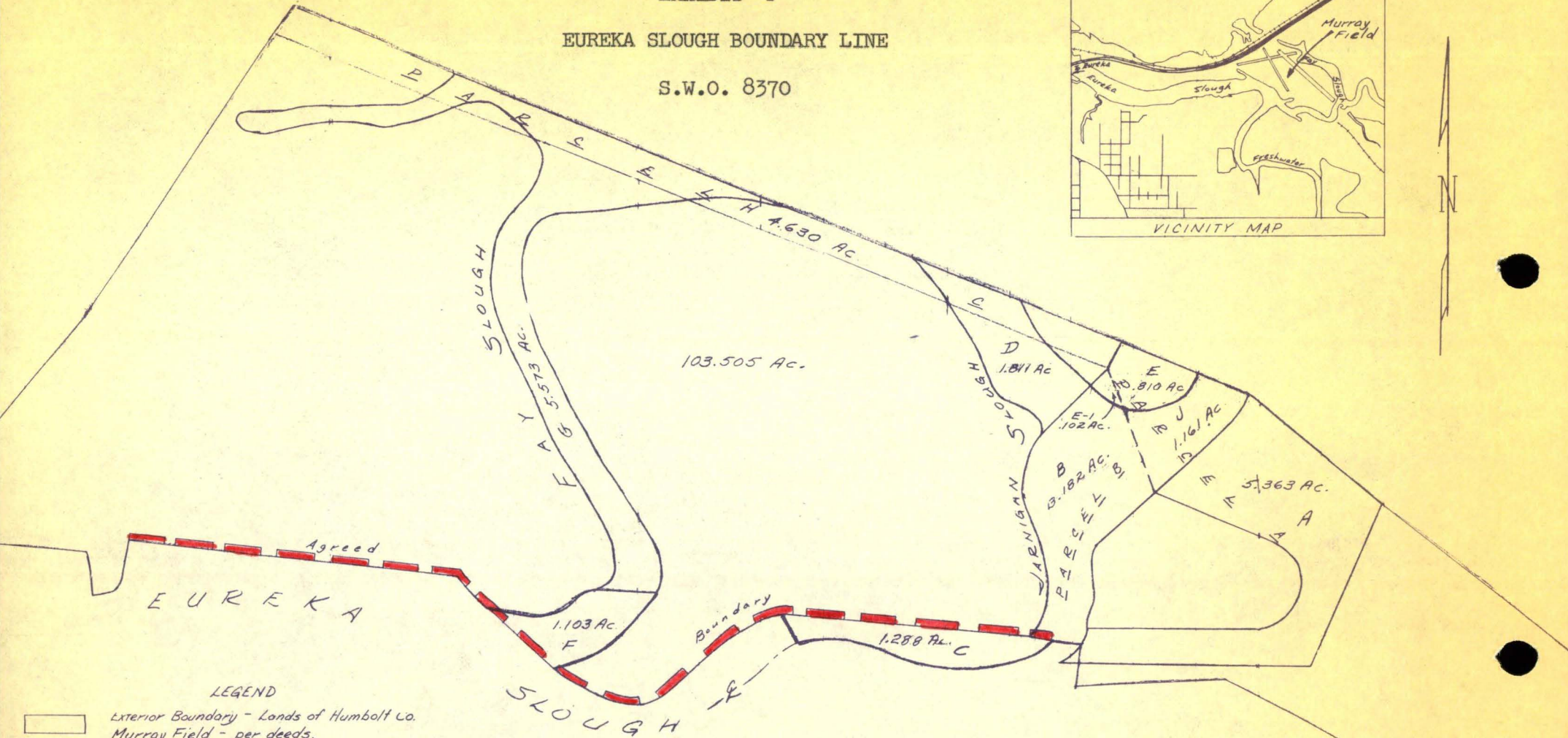
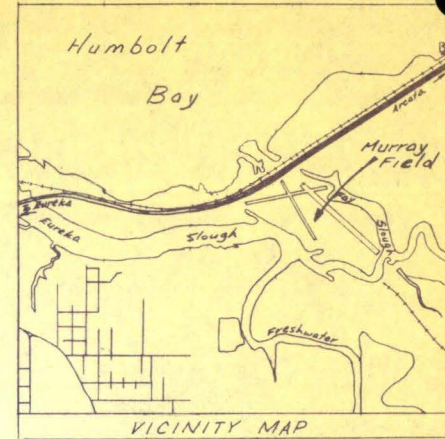
Also access thereto from State Highway 101 via the frontage road adjoining the course described hereinabove as "S. 06° 10' 20" E., 197.74 feet."

Excepting Parcels A and C, and all land lying waterward of the Eureka Slough Boundary Line, as described in and established by the within agreement.

EXHIBIT "F"

EUREKA SLOUGH BOUNDARY LINE

S.W.O. 8370



LEGEND

- Exterior Boundary - Lands of Humboldt Co. Murray Field - per deeds.
- Tide and submerged land claims lying within exterior boundaries of County's deeded lands.
- Tide and submerged lands to be granted to County by exchange.
- County lands to be granted to State by exchange.
- Underdetermined boundary to be established by agreement.

APPRAISAL MAP  
 SWO 8370 SOY. LND. LOC. 45  
 COUNTY OF HUMBOLDT  
 BOUNDARY SETTLEMENT AND EXCHANGE  
 MURRAY FIELD  
 MARCH 3, 1969 SCALE 1"=200'  
 FOR PICTORAL PURPOSES ONLY

Transaction Summary

I. Total Project

(1) State to County (G, F, D, B, J)	12.83 Ac. ±
(2) County to State	12.19 Ac. ±

II. Initial Transaction

(1) State to County (B, J)	4.34 Ac. ±
(2) County to State	6.17 Ac. ±

Approximate areas for appraisal purposes.



11009 OR 352

5/22/69 1  
SWO 8370  
WDC:klp 2

Recorded at the request of the  
State Lands Commission.  
When recorded, mail to: County of Humboldt  
~~State Lands Commission~~ Humboldt County Courthouse (County Counsel)  
~~1600 Broadway~~ Eureka, Calif. 95501  
~~State Lands Commission~~  
ATTN: Charles P. Selden

10189

RECORDED AT REQUEST OF  
BELCHER ABSTRACT & TITLE CO.  
VOL 1009 OFFICIAL RECORDS PG 352

JAN 14 11 23 AM 1969

HUMBOLDT COUNTY RECORDS  
EMMA COX ALCALA, RECORDER

*Ruth Taylor* DEPUTY RECORDER  
PER \$ None

DOCUMENTARY TRANSFER TAX \$ None  
*[Signature]*  
SIGNED PARTY OR AGENT BELCHER ABSTRACT & TITLE COMPANY

QUIT CLAIM DEED

The State of California, acting by and through the State Lands Commission, pursuant to the provisions of Section 6307 of the Public Resources Code of the State of California, hereby quit claims to the County of Humboldt, and its successors and assigns, all right, title and interest of the State of California in that certain real property in the County of Humboldt, State of California, more particularly described as follows:

All that portion of the east half of Section 19, T. 5 N., R. 1 E., H.B. & M., which lies within the following described boundaries:

Beginning at a point which bears N. 50° 57' 49" W., 2910.39 feet, from the southeast corner of said Section 19, said point being located N. 22° 40' 50" E., 60.00 feet, from Engineer's Station "L" 2+20 of the survey made by the County of Humboldt for the realignment of a portion of Jarnigan Slough;  
Thence, N. 67° 19' 10" W., 150.00 feet;  
Thence, N. 38° 00' 31" E., 154.88 feet;  
Thence, N. 9° 27' 43" E., 243.31 feet;  
Thence, N. 16° 30' 16" E., 140.00 feet;  
Thence, N. 29° 25' 08" E., 83.71 feet, to a point on the north bank of said slough that is S. 43° 55' 50" W., 60.00 feet, from Engineer's Station "L" 2+41.87 P.O.T.;  
Thence, N. 66° 28' 37" E., 362.80 feet;  
Thence, S. 03° 08' 39" W., 433.37 feet, to a point on the south bank of said slough that bears N. 40° 55' 20" W., 2875.69 feet from said southeast corner of Section 19;  
Thence, S. 70° 01' 01" W., 234.09 feet;  
Thence, S. 22° 28' 46" W., 156.92 feet;  
Thence, S. 35° 32' 16" W., 86.02 feet;  
Thence, S. 46° 18' 36" W., 64.96 feet, to the point of beginning.

Date: May 29, 1969

STATE OF CALIFORNIA  
STATE LANDS COMMISSION

By: *[Signature]*  
P. J. Hortig  
Executive Officer

(NOTARY ACKNOWLEDGEMENT)

STATE OF CALIFORNIA }  
COUNTY OF SACRAMENTO } ss

10189

On this 29th day of May, A.D., 1969  
before me, the undersigned, a Notary Public in and for the State of California,  
with principal office in the County of Sacramento, personally  
appeared F. J. Hortig known to me to be the Executive Officer  
of the STATE LANDS COMMISSION, STATE OF CALIFORNIA, the Commission that executed  
the within Instrument, known to me to be the person who executed the within  
Instrument, on behalf of the Commission therein named, and acknowledged to me  
that such Commission executed the within Instrument pursuant to a resolution of  
its Commissioners.

WITNESS my hand and official seal.



Luella E. Kunkle  
LUELLA E. KUNKLE  
Name (Typed or Printed)  
NOTARY PUBLIC IN AND FOR THE STATE OF CALIFORNIA

0613  
27.21A  
(4/68)



10189

This is to certify that the interest in real property conveyed by the Quit Claim Deed  
deed dated May 29, \_\_\_\_\_, 19 69, from State Lands Commission

to COUNTY OF HUMBOLDT, a political subdivision of the State of California, is hereby accepted  
by the Grantee, and the Grantee consents to recordation thereof. Such acceptance and consent to  
recordation are pursuant to Resolution No. ~~2193~~<sub>68-2</sub> of the Board of Supervisors of the County of Humboldt.

DATED this 10th day of June, 19 69.

*Thos. P. Laidley*  
Chairman of the Board of Supervisors  
of the County of Humboldt, State of  
California.

0614

When recorded mail to:  
State Lands Division  
1600 L Street  
Sacramento, Calif. 95814

10190

RECORDED AT REQUEST OF  
BELCHER ABSTRACT & TITLE CO.  
VOL. 1009 OFFICIAL RECORDS PG 355

JUL 14 11 14 AM 1969

HUMBOLDT COUNTY RECORDS  
EMMA COX ALCALA, RECORDER

Ruth Weston DEPUTY  
FEE \$ None

INDEXED  
Blano

QUITCLAIM DEED

The COUNTY OF HUMBOLDT, a political subdivision of the State of California, does hereby release, remise and quitclaim forever to the STATE OF CALIFORNIA all of its right, title and interest in and to that certain real property situated in the County of Humboldt, State of California, described as follows:

PARCEL 1

That certain real property situated in the County of Humboldt, State of California, described as follows:

All that portion of the east half of Section 19, T. 5 N., R. 1 E., H.B. & M., which lies within the following described boundaries:

Beginning at a point which bears N. 50° 57' 49" W., 2910.39 feet, from the southeast corner of said Section 19, said point being located N. 22° 40' 50" E., 60.00 feet, from Engineer's Station "L" 2+20 of the survey made by the County of Humboldt for the realignment of a portion of Jarnigan Slough;  
Thence, S. 67° 19' 10" E., 570.67 feet;  
Thence, along a curve to the left with a radius of 155 feet, through an angle of 158° 45', a distance of 429.46 feet;  
Thence, N. 46° 04' 10" W., 440.00 feet, to a point on the south bank of said slough, that bears N. 40° 55' 20" W., 2875.69 feet, from the southeast corner of Section 19;  
Thence, N. 03° 08' 39" E., 433.37 feet;  
Thence, N 43° 55' 50" E., 100.00 feet, to the northeast property line of Murray Field Airport;  
Thence, S. 46° 04' 10" E., along said property line, 460.00 feet to an angle point thereon on the southeasterly bank of said slough;  
Thence, S. 28° 47' 45" E., continuing along said property line, 583.68 feet;  
Thence, S. 47° 21' 08" W., leaving said property line, 605.59 feet;  
Thence, N. 67° 19' 10" W., 780.67 feet, to a point located S. 22° 40' 50" W., 60.00 feet, from Engineer's Station "L" 1+80;  
Thence, N. 41° 06' 55" E., 126.50 feet, to the point of beginning.

RESERVING to the County of Humboldt the right to enter upon the above described property and to maintain thereon its existing foot bridge and flood gates.

ALSO RESERVING to the County of Humboldt access to its land lying southeasterly of the above described property.

PARCEL 2

That certain real property situated in the County of Humboldt, State of California, described as follows:

All that portion of Section 19, T. 5 N., R. 1 E., H.B. & M., being a strip of land 100 feet in width, the northeasterly line of said strip being described as follows:

COMMENCING at a point on the south bank of Eureka Slough (sometimes referred to as Jarnigan Slough) from which the southeast corner of said Section 19 bears S. 40° 55' 20" E., 2,875.69 feet;  
Thence, from said point of commencement N. 03° 08' 39" E., 433.37 feet;

"STATE OF CALIFORNIA  
OFFICIAL BUSINESS -

Document entitled to  
free recordation  
Pursuant to Government  
Code Section 6103."

15191

RECORDED AT REQUEST OF  
STATE OF CALIFORNIA  
VOL. 1020 OFFICIAL RECORDS PG 1

OCT 20 10 15 AM 1969

HUMBOLDT COUNTY RECORDS  
EMMA COX ALCALA, RECORDER

Ruth Weston DEPUTY  
FEE \$ None

INDEXED

4

DOCUMENTARY TRANSFER TAX \$ None  
BELCHER ABSTRACT & TITLE COMPANY  
SIGNED: PARTY OR AGENT  
Ruth Weston





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SWO 8370  
WDC:klp 2

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State of California  
State Lands Commission  
Boundary Line Agreement No. 110

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the attached Quitclaim Deed dated May 27, 1969, from the County of Humboldt to the State of California is hereby accepted pursuant to Section 6307 of the Public Resources Code of the State of California, and the Grantee consents to recordation thereof.

Date: May 29, 1969

STATE OF CALIFORNIA  
STATE LANDS COMMISSION

By: *F. J. Hortig*  
F. J. Hortig  
Executive Officer

STATE OF CALIFORNIA }  
COUNTY OF Sacramento } ss

On this 29<sup>th</sup> day of May, A.D., 1969, before me, the undersigned, a Notary Public in and for the State of California, with principal office in the County of Sacramento, personally appeared F. J. Hortig known to me to be the Executive Officer of the STATE LANDS COMMISSION, STATE OF CALIFORNIA, the Commission that executed the within Instrument, known to be the person who executed the within Instrument, on behalf of the Commission there named, and acknowledged to me that such Commission executed the within Instrument pursuant to a resolution of its Commissioners.

WITNESS my hand and official seal.



*Luella E. Kunkle*  
LUELLA E. KUNKLE  
Name (Typed or Printed)

NOTARY PUBLIC IN AND FOR THE STATE OF CALIFORNIA  
27.21A

This document is being re-recorded in order to place of record a properly word certificate of acceptance wherein prior to the first recording of this document said acknowledgment was inadvertently lost.

15191

STATE LANDS COMMISSION  
LOS ANGELES  
**RECEIVED**  
OCT 30 1969  
STATE LANDS DIVISION