

# SUCCESSOR AGENCY CITY OF BRISBANE

**OVERSIGHT BOARD MEETING DATE: May 9, 2012**

**ITEM TITLE: Former Redevelopment Property List**

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RECOMMENDATION:

Review and discuss property list and assets funded by redevelopment tax increment.

FISCAL IMPLICATIONS:

None.

BACKGROUND:

As part of the dissolution of the Redevelopment Agencies, ABx 1 26 requires the Successor Agency under the direction of the Oversight Board to divest itself of all assets and properties except those assets and properties that are part of the former Low and Moderate Income Housing Fund.

Health & Safety Code 34181(a) Dispose of all assets and properties of the former redevelopment agency that were funded by tax increment revenues of the dissolved redevelopment agency; provided, however, that the oversight board may instead direct the successor agency to transfer ownership of those assets that were constructed and used for a governmental purpose, such as roads, school buildings, parks, and fires stations, to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction or use of such an asset. Any compensation to be provided to the successor agency for the transfer of the asset shall be governed by the agreements relating to the construction or use of that asset. Disposal shall be done expeditiously and in a manner aimed at maximizing value.

H & S 34176(a) The city, county, or city and county that authorized the creation of a redevelopment agency may elect to retain the housing assets and functions previously performed by the redevelopment agency. If a city, county, or city and county elects to retain the responsibility for performing housing functions previously performed by a redevelopment agency, all rights, powers, duties, and obligations, excluding any amounts on deposit in the Low and Moderate Income Housing Fund, shall be transferred to the city, county, or city and county.

APN Number	Description	Code	Date	Acquisition Cost	Accum Depr
501616503A	PARK & RIDE LOT	7081	10/29/2004	526,271.26	-
005-164-010	COMMUNITY PARK	7082	1/1/1986	1,903,862.00	-
5104210087	COMMUNITY PARK PHASE III	7082	6/30/2004	80,051.12	7,390.68
007-165-040	SHARED PARKING - MARINA	7082	1/1/1979	5,107.00	-
007-165-060	600 SIERRA PT PKWY - MARINA	7082	1/1/1979	5,807.00	-
007-165-070	SHARED USE PARKING - MARINA	7082	1/1/1979	949.00	-
007-221-180	SENIOR HOUSING - 8 Visitacion	7083	11/27/1995	441,000.00	-
007-281-070	125 VISITACION	7083	3/10/2003	223,265.99	-
007-281-080	163 VISITACION	7083	3/10/2003	404,066.60	-
007-281-100	348 MONTEREY AVE	7083	3/10/2003	176,779.14	-
007-556-010	Lau Property (4 parcels) 1100 San Bruno	7083	8/25/2011	1,986,136.46	-
<b>Total</b>				<b>5,753,295.57</b>	

Tax Increment was used to build the structures at the Brisbane Marina. The structures consist of

Asset ID	Description	Code	Date	Acquisition Cost	Accum Depr.
13008001	HARBOR MASTER BUILDING	5040	1/1/1982	202,144.30	118,837.70
13008002	SOUTH RESTROOM - MARINA	5040	1/1/1982	50,015.21	29,506.28
13008003	NORTH RESTROOM - MARINA	5040	1/1/1982	50,015.21	28,506.28
5104210059	MARINA PARKING LOT PAVING	5040	1/1/1982	97,750.94	81,228.84
5104210060	MARINA OUTDOOR LIGHTING	5040	1/1/1982	22,284.41	22,284.41
M TRAIL	MARINA PAVED TRAIL/SIDEWALK	5040	6/30/1983	102,083.86	81,667.24
5104250001	BREAKWATER	5040	1/1/1984	3,140,499.54	1,727,276.10
5104250002	FISHING PIER	5040	1/1/1984	291,361.15	200,310.00
5104250003	BERTH FLOTATIONS	5040	1/1/1984	3,365,404.77	3,247,318.80
5104250004	PIERS + GATES	5040	1/1/1984	309,401.70	221,001.00
5104250005	DREDGED CHANNELS	5040	7/1/1984	-	-
<b>Total</b>				<b>7,630,961.09</b>	<b>5,757,936.65</b>

An additional consideration for the Marina is that the structures are built on State Granted Land (tide and submerged lands). Chapter 995, an act to convey certain tide and submerged lands to the city of Brisbane and Chapter 227 of the Statutes of 1983 amending the statutes of 1982 are attached.

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Betsy Cooper  
Financial Services Manager

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CHAPTER 995

An act to convey certain tide and submerged lands to the City of  
Brisbane.

[Approved by Governor September 13, 1982. Filed with  
Secretary of State September 14, 1982.]

*The people of the State of California do enact as follows:*



SECTION 1. (a) There is hereby granted to the City of Brisbane, hereinafter referred to as the "trustee" all of the right, title, and interest of the State of California, held by the state by virtue of its sovereignty in and to all tide and submerged lands whether filled or unfilled, situated in the County of San Mateo and described in Section 13. Such lands shall be held by the trustee and its successors, in trust for the benefit of all the people of the state for purposes of commerce, navigation, and fisheries, and for other public purposes, including, but not limited to, preservation of the lands in their natural state for scientific study, open space, wildlife habitat, and recreational uses, as more particularly provided in this act.

(b) This grant is subject to the following express conditions:

(1) That the lands shall be used by the trustee and its successors, for purposes in which there is a general statewide interest. The use of the granted lands shall be in conformity with a general use proposal adopted by the trustee and reviewed and approved by the State Lands Commission, hereafter referred to as the "commission." Changes or amendments to the general use proposal shall be reviewed and approved by the commission as provided under Section 3.

(2) That the trustee or its successors shall not at any time grant, convey, give, or alienate the lands, or any part thereof, to any individual, firm, or corporation for any purposes whatsoever; provided, however, that the trustee or its successors may grant franchises thereon for limited periods, not exceeding 66 years for wharves and other public uses and purposes, may lease the lands, or any part thereof, for limited periods, not exceeding 66 years, for purposes consistent with the trusts upon which the lands are held, and may collect and retain rents and other revenues from such leases, franchises, and privileges under rules and regulations adopted in accordance with the provisions of Section 5.

Nothing contained in this paragraph shall be deemed to affect the validity or terms of any franchise granted by the trustee under Division 3 (commencing with Section 6001) of the Public Utilities Code, and any such franchise shall be effective with respect to the affected lands when title thereto passes to the trustee under this act.

(3) That in the management, conduct, operation, and control of the granted lands or any improvement, betterments, or structures thereon, the trustee or its successors shall make no discrimination in rates, tolls, or charges for any use or service in connection therewith.

(4) That the state shall have the right to use without charge, any transportation, landing, or storage improvements, betterments, or structures constructed upon the granted lands for any vessel or other watercraft or railroad owned or operated by the state.

(5) That there is reserved to the people of the State of California the absolute right to fish in the waters over the granted lands, with the right of convenient access to such waters over the lands for such purpose.

(6) That there is excepted and reserved to the state all remains of



archeological and historical significance and all deposits of minerals, including, but not limited to, all substances specified in Section 6407 of the Public Resources Code, in the granted lands, and the right to prospect for, mine, and remove such deposits from the lands.

(7) That the trustee shall not authorize a capital outlay project, lease, or agreement for port facilities, such as marine terminals, pipelines, or other related energy facilities, on the granted lands without first requesting and receiving the approval, in writing, of the commission. Prior to approving any such capital outlay project, lease, or agreement, the commission shall consult with other governmental agencies and shall determine that the project is in and for the best interest of the people of the state and consistent with provisions of law.

SEC. 2. (a) On or before September 30 of every succeeding fifth year, commencing on September 30, 1987, the trustee shall submit a report of its utilization of the granted lands for each immediately preceding five-calendar-year period ending with June 30 of the calendar year in which the report is required to be submitted.

(b) The report required by this section shall include all of the following:

(1) A general description of the uses to which the granted lands have been placed during the period covered by the report.

(2) A list of the owners and holders of leases, permits, and franchises granted or issued by the trustee, which list shall specify, as to each such owner or holder:

(A) The use to which the granted lands have been placed by the owner or holder.

(B) The consideration provided for in each such lease, permit, or franchise and the consideration actually received by the trustee for the lease, permit, or franchise granted or issued.

(C) An enumeration of the restrictions which the trustee has placed on the use of the granted lands and each area thereof for the period covered by the report.

SEC. 3. (a) On or before January 1, 1985, the trustee shall submit to the commission a general use proposal indicating details of intended development, preservation, or other use of the granted lands, and covering a period of not less than five years.

(b) The general use proposal may consist of any plan, program, or other document which includes all of the following:

(1) A general description of the type of uses planned or proposed for the granted lands. The location of these land uses shall be shown on a map or aerial photograph.

(2) The projected statewide benefit to be derived from the planned or proposed uses of the granted lands, including, but not limited to, the financial benefit, the benefit to commerce, navigation, and fisheries, and the recreational, educational, or industrial benefit.

(3) The proposed method of financing the planned or proposed uses of the granted lands, including estimated capital costs, annual operating costs, and anticipated annual revenues.



(4) Estimated timetable for implementation of the general use proposal or any phase thereof.

(5) A description of how the trustee proposes to protect and preserve natural and manmade resources in connection with the use of the granted lands.

(c) The trustee shall submit to the commission all changes and amendments to the general use proposal.

(d) The commission shall review with reasonable promptness the general use proposal submitted by the trustee, and any changes or amendments, to determine that they are in accordance with the public trust obligation and the requirements of this act. On the basis of such review, the commission shall furnish the trustee with its formal recommendations.

SEC. 4. The trustee shall demonstrate good faith in carrying out the provisions of its general use proposal and amending it when necessary in accordance with Section 3. If the commission determines that the trustee has substantially failed to improve, restore, preserve, or maintain the granted lands, as required by the general use proposal, or has unreasonably delayed adopting such proposal, all right, title, and interest of the trustee in and to the granted lands shall revert to the state. All improvements, restoration, preservation, or maintenance of the granted lands shall be effected in accordance with the general use proposal.

SEC. 5. (a) The governing body of the trustee shall, within 180 days of the effective date of this act, submit to the commission for its approval, procedures, rules, and regulations to govern the issuance, renewal, or renegotiation of any lease of the granted lands, or any development thereon. These rules and regulations shall specify lease rates, the bases upon which the rates are established, lease terms and conditions, provision for renegotiation of rates and terms and assignments, and such other information as may be required by the commission.

(b) All leases, franchises, or agreements proposed, or entered into, by any trustee after the effective date of this section shall be consistent with the provisions of the general use proposal submitted by the trustee.

(c) Upon request, the trustee shall submit to the commission a copy of all leases, franchises, and agreements entered into, renewed, or renegotiated.

SEC. 6. The trustee shall, with the approval of the commission, establish accounting procedures whereby an accurate record of all revenues derived from the use of the granted lands and of all expenditures of any such revenues shall be maintained. The purpose of such requirement is to provide for the segregation of funds derived from the use of the granted lands in order to ensure that they are only expended to enhance the lands in accordance with the trust uses and purposes upon which the granted lands are held.

SEC. 7. Property acquired with such revenues shall be considered an asset of the trust and subject to the terms and



conditions of this act.

SEC. 8. Notwithstanding any other provision of law, the trustee shall, on or before October 1 of each year, cause to be made and filed with the commission a detailed statement of all revenue and expenditures thereof from the administration of the granted lands, including obligations incurred but not yet paid. This statement shall be in a form specified by the commission and shall cover the fiscal year preceding its submission.

SEC. 9. As to the expenditure of revenues for any single capital improvement on the granted lands involving an amount in excess of two hundred fifty thousand dollars (\$250,000) in the aggregate, the trustee shall file with the commission a detailed description of the capital improvement not less than 90 days prior to the time of any disbursement therefor or in connection therewith. Within 90 days after the time of such filing, the commission shall determine, whether such capital improvement is in the statewide interest and benefit and is consistent with the conditions of this act. The commission may request the opinion of the Attorney General on the matter; and if it does so, a copy of that opinion shall be delivered to the trustee with the notice of its determination. In the event the commission notifies the trustee that the capital improvement is not authorized, the trustee shall not disburse any revenue for, or in connection with, the capital improvement, unless and until it is determined to be authorized by a final order or judgment of a court of competent jurisdiction. The trustee is authorized to bring suit against the state for the purpose of securing such an order or judgment, which suit shall have priority over all other civil matters. Service shall be made upon the executive officer of the commission and the Attorney General, and the Attorney General shall defend the state in that suit. If judgment is given against the state in the suit, no costs may be recovered.

SEC. 10. On June 30, 1985, and at the end of every third fiscal year thereafter, that portion of the trustee's tidelands trust revenues in excess of two hundred fifty thousand dollars (\$250,000) remaining after current and accrued operating costs and expenditures directly related to the operation or maintenance of tidelands trust activities shall be deemed excess revenues; provided, however, that any funds deposited in a reserve fund for future capital expenditures or any funds used to retire bond issues for the improvement or operation of the granted lands shall not be deemed excess revenue. Capital improvements of the granted lands made for purposes authorized by this act may be considered as expenditures for the purpose of determining excess revenues.

The excess revenues, as determined pursuant to this section, shall be allocated as follows: 85 percent shall be transmitted to the State Treasurer for deposit in the General Fund in the State Treasury; and 15 percent to the trustee for expenditures consistent with the provisions of this act.

SEC. 11. The commission shall, from time to time, institute a



formal inquiry to determine that the terms and conditions of this act, and amendments thereto, have been complied with, and that all other applicable provisions of law concerning the granted lands are being complied with in good faith.

SEC. 12. The provisions of Section 6359 of the Public Resources Code shall not apply to this act.

SEC. 13. The lands granted in Section 1 are those salt marsh, tidelands, and submerged lands described as follows:

All that certain real property situated in the State of California, County of San Mateo, City of Brisbane, described as follows:

PARCEL A—Marina Basin:

A portion of Section 14, T.3S, R.5W., M.D.M., more particularly described as follows:

BEGINNING at a point that bears East, 1980 feet and South, 2640 feet from the common corner to Sections 10, 11, 14 and 15, such point also being the southeast corner of Tide Lot 11 in Section 14, T.3S., R.5W., M.D.B. & M., as shown on Map No. 1 of Salt Marsh and Tide Lands, situate in the County of San Mateo, State of California, prepared by order of the Board of Tideland Commissioners under the authority and in accordance with the provisions of an act entitled "An Act Supplementary to and Amendatory of an Act Entitled ' An Act to Survey and Dispose of Certain Salt Marsh and Tide Lands Belonging to the State, approved March Thirtieth, Eighteen Hundred and Sixty Eight, approved April 1, 1870' "; thence from that point of beginning North, 2640 feet along the easterly line of such Lots 11 and 6 of such Map No. 1; thence East, 660 feet; thence South, 2640 feet; thence West, 660 feet to the point of beginning. Containing 40 acres more or less.

PARCEL B—Approach Channel:

BEGINNING at a point that bears East, 2640 feet and South, 2640 feet from the above-mentioned corner common to Sections 10, 11, 14 and 15, such point being 660 feet east of the southeast corner of Tide Lot 11 in Section 14, T.3S, R.5W, M.D.B. & M., as shown on Map of Map No. 1 of Salt Marsh and Tide Lands, situate in the County of San Mateo, State of California, prepared by order of the Board of Tideland Commissioners under the Authority and in accordance with the provisions of an act entitled "An Act Supplementary to and Amendatory of an Act Entitled—An Act to Survey and Dispose of Certain Salt Marsh and Tide Lands Belonging to the State of California, approved March Thirtieth, Eighteen Hundred and Sixty-Eight, approved April 1, 1870"; thence from that point of beginning, South, 150 feet; thence S 45° E, 680 feet; thence N 72° E, 2,975 feet; thence South, 157.72 feet; thence S 72° W, 3,074.29 feet; thence N 45° W, 758.57 feet; thence North, 282.84 feet; thence East, 150 feet to the point of beginning.

EXCEPTING THEREFROM those interests-in-land transferred in trust to the City of South San Francisco by virtue of Chapter 345 of the Statutes of 1913, as amended.

PARCEL C—Portion of BTLC Lots, 6, 7, 10 and 11:



BEGINNING at the point of beginning of the above described Parcel "A" being the southeast corner of Tide Lot 11, thence West, 150 feet; thence North, 130 feet; thence East, 40 feet; thence North, 130 feet; West, 220 feet; North, 130 feet; West, 100 feet; thence N 68° 33' 08" W, 300.83 feet; thence North, 800 feet; thence N 68° 33' 08" E, 300.83 feet; thence East, 320 feet; thence North, 700 feet; thence East, 110 feet to the easterly line of the above-mentioned Board of Tideland Commissioners' Tide Lot 6; thence South, 2110 feet along the easterly line of Tide Land Lots 6 and 11 to the point of beginning.

EXCEPTING THEREFROM those interests-in-land, if any, which might have passed by virtue of a Board of Tideland Commissioners' deed for Tide Land Lots 5, 7, 10, and 11, Section 14, T.3S., R.5W., M.D.M., as those lots are shown on "Map No. 1 of Salt Marsh and Tide Lands," situate in the County of San Mateo.

PARCEL D—Roadway Easement:

A 50-foot wide strip of land for a road Right-of-Way through Tideland Lots 9, 10, and 11 in Section 14, and Lot 16 in Section 15, T.3S., R.5W., M.D.M., as those lots are shown on "Map No. 1 of Salt Marsh and Tide Lands situate in the County of San Mateo."

EXCEPTING THEREFROM those interests-in-land, if any, which might have passed by virtue of the Board of Tideland Commissioners' deeds to:

- (1) Emerson Corville for such tideland Lot 11;
- (2) J. A. Drinkhouse for such tideland Lots 9 and 10;
- (3) A. J. Bryant for such tideland Lot 16.

SEC. 14. No appropriation is made and no reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution or Section 2231 or 2234 of the Revenue and Taxation Code because this act is in accordance with the request of a local agency or school district which desired legislative authority to carry out the program specified in this act.

## CHAPTER 1227

An act to amend Section 33471.5 of, and to add Sections 33476, 33476.3, and 33476.5 to, the Health and Safety Code, and to amend Sections 7, 10, and 13 of, and to add Section 13.5 to, Chapter 995 of the Statutes of 1982, relating to fiscal affairs, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 28, 1983. Filed with Secretary of State September 30, 1983.]

*The people of the State of California do enact as follows:*

SECTION 1. Section 33471.5 of the Health and Safety Code is amended to read:

33471.5. After the refunding has occurred as provided in Section 33471, not less than 20 percent of all taxes which are allocated to the redevelopment agency pursuant to subdivision (b) of Section 33670 for redevelopment projects merged pursuant to this article shall be used by the agency for the purposes set forth in Section 33334.2, provided that such taxes shall first be used for the payment of principal, interest, and premium, if any, under the bond resolution or resolutions providing for the issuance of the refunding bonds and providing necessary reserves for such refunding bonds, but only to the extent that such refunding is necessary to refinance existing bonded obligations.

SEC. 2. Section 33476 is added to the Health and Safety Code, to read:

33476. Notwithstanding any other provision in this article, except the provisions of Section 33471.5, for the purpose of allocating taxes pursuant to Section 33670 which are subject to the provisions of this article, redevelopment project areas under the jurisdiction of the redevelopment agency of the City of San Bernardino designated Meadowbrook/Central City, Central City East, and Central City South, are hereby merged into one contiguous project areas designated Central City. Each constituent project area so merged, shall continue under its own redevelopment plan for the longest term of the three plans, but, except as otherwise provided in this article, taxes attributable to each project area merged pursuant to this section which are allocated to the redevelopment agency pursuant to Section 33670 shall be allocated, as provided in subdivision (b) of such section, to the entire merged project area for the purpose of paying the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the redevelopment agency to finance or refinance, in whole or in part, such merged redevelopment project.

SEC. 3. Section 33476.3 is added to the Health and Safety Code, to read:

33476.3. If the redevelopment agency has, prior to merger of



redevelopment project areas pursuant to Section 33476, incurred any indebtedness on account of a constituent project area so merged, taxes attributable to such area which are allocated to the agency pursuant to subdivision (b) of Section 33670 shall be first used to comply with the terms of any bond resolution or other agreement pledging such taxes from such constituent project area until a refunding has occurred which satisfies the terms of such resolution or agreement.

SEC. 4. Section 33476.5 is added to the Health and Safety Code, to read:

33476.5. The Legislature finds and declares that the merger of the project areas specified in Section 33476 in the City of San Bernardino is necessary to prevent a default on the outstanding bonds of the Meadowbrook/Central City Project due to the drastic reduction in property taxes caused by the adoption of Article XIII A to the Constitution. This project area is already substantially redeveloped, making it unlikely that further redevelopment can be used to increase the tax base. The Redevelopment Agency of the City of San Bernardino has already had to call on the state for support of its bonded debt. This is an undesirable burden on the state which can be avoided by merging the two contiguous project areas into the combined Central City Project so that the tax increment from the buildout in Central City East and Central City South Project areas, when added to the tax increment of the Meadowbrook/Central City Project Area, resulting from combining the project areas, can serve the debt of all three projects, or the debt as refunded, thus preventing an undesirable default, or, in lieu thereof, further draws on the funds of the state.

SEC. 5. Section 7 of Chapter 995 of the Statutes of 1982 is amended to read:

Sec. 7. Property acquired with such revenues shall be considered an asset of the trust and subject to the terms and conditions of this act. The trust revenues may be combined with nontrust revenues for purposes of a plan designed to benefit the granted lands and adjacent uplands without imposition of the trust upon the uplands or the improvements thereon so long as it can be demonstrated on an accounting basis that an amount, including financing costs, equal to or greater than the trust revenues is, or has been, expended on the granted lands pursuant to that plan.

SEC. 6. Section 10 of Chapter 995 of the Statutes of 1982 is amended to read:

Sec. 10. On June 30, 1985, and at the end of every third fiscal year thereafter, that portion of the trustee's tidelands trust revenues in excess of two hundred fifty thousand dollars (\$250,000) remaining after current and accrued operating costs and expenditures directly related to the operation or maintenance of tidelands trust activities shall be deemed excess revenues; provided, however, that any funds deposited in a reserve fund for future capital expenditures or any funds used to retire bond issues or other obligations for the



improvement or operation of the granted lands or in furtherance of trust activities on the granted lands shall not be deemed excess revenue. Capital improvements of the granted lands made for purposes authorized by this act may be considered as expenditures for the purpose of determining excess revenues.

The excess revenues, as determined pursuant to this section, shall be allocated as follows: 85 percent shall be transmitted to the State Treasurer for deposit in the General Fund in the State Treasury; and 15 percent to the trustee for expenditures consistent with the provisions of this act.

SEC. 7. Section 13 of Chapter 995 of the Statutes of 1982 is amended to read:

Sec. 13. The lands granted in Section 1 are those salt marsh, tidelands, and submerged lands described as follows:

All that certain real property situated in the State of California, County of San Mateo, City of Brisbane, described as follows:

PARCEL A—Marina Basin:

A portion of projected Section 14, T.3S, R.5W., M.D.M., more particularly described as follows:

BEGINNING at a point that bears East, 1980 feet and South, 2640 feet from the common corner to Sections 10, 11, 14 and 15, such point also being the southeast corner of Tide Lot 11 in Section 14, T.3S., R.5W., M.D.B. & M., as shown on Map No. 1 of Salt Marsh and Tide Lands, situate in the County of San Mateo, State of California, prepared by order of the Board of Tideland Commissioners under the authority and in accordance with the provisions of an act entitled "An Act Supplementary to and Amendatory of an Act Entitled 'An Act to Survey and Dispose of Certain Salt Marsh and Tide Lands Belonging to the State, approved March Thirtieth, Eighteen Hundred and Sixty Eight, approved April 1, 1870'"; thence from that point of beginning North, 2640 feet along the easterly line of such Lots 11 and 6 of such Map No. 1; thence East, 660 feet; thence South, 2640 feet; thence West, 660 feet to the point of beginning. Containing 40 acres more or less.

PARCEL B—Approach Channel:

BEGINNING at a point that bears East, 2640 feet and South, 2640 feet from the above-mentioned corner common to Sections 10, 11, 14 and 15, such point being 660 feet east of the southeast corner of Tide Lot 11 in Section 14, T.3S, R.5W, M.D.B. & M., as shown on Map of Map No. 1 of Salt Marsh and Tide Lands, situate in the County of San Mateo, State of California, prepared by order of the Board of Tideland Commissioners under the Authority and in accordance with the provisions of an act entitled "An Act Supplementary to and Amendatory of an Act Entitled—An Act to Survey and Dispose of Certain Salt Marsh and Tide Lands Belonging to the State of California, approved March Thirtieth, Eighteen Hundred and Sixty-Eight, approved April 1, 1870"; thence from that point of beginning, South, 150 feet; thence S 45° E, 680 feet; thence N 72° E, 2,975 feet; thence South, 157.72 feet; thence S 72° W, 3,074.29 feet;



thence N 45° W, 758.57 feet; thence North, 282.84 feet; thence East, 150 feet to the point of beginning.

EXCEPTING THEREFROM those interests-in-land transferred in trust to the City of South San Francisco by virtue of Chapter 345 of the Statutes of 1913, as amended.

SEC. 8. Section 13.5 is added to Chapter 995 of the Statutes of 1982, to read:

Sec. 13.5. The Legislature hereby finds and declares that Parcels C and D of the land heretofore purported to be granted to the City of Brisbane by Chapter 995 of the Statutes of 1982 had ceased to be tidelands or submerged lands prior to the grant and prior to February 22, 1980, and pursuant to the holding of the California Supreme Court in *City of Berkeley v. Superior Court*, 26 Cal. 3d 515 (1980), concerning filled lots no longer subject to tidal action and originally conveyed by the Board of Tideland Commissioners, the lots are free from all trusts and restrictions imposed thereon by any of the provisions of the granting act or the public trust.

SEC. 9. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

The City of Brisbane and the Redevelopment Agency of the City of Brisbane are engaged in a program of public works, including the extension and construction of streets, marinas, and improvements in connection therewith, and the financing thereof, which affect the lands described in this act, and the act is designed to provide recreation facilities. In order for this program to proceed promptly and without undue and costly delay, it is necessary that this act take effect as soon as possible.

For the foregoing reasons and in order to extend local control over the issuance of revenue bonds for industrial development and to effectuate local planning in this regard and to aid the redevelopment agency of San Bernardino County in expediting its redevelopment projects and to prevent default of certain projects, it is necessary that this act take effect immediately.

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Community Park





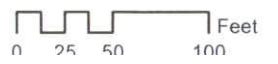
Senior Housing & Visitacion Ave.







Lau Property







Marina

