PARCEL 2:
Lot 45 in Block 5 of La Grande Beach Tract in the County of San Luis Obispo, State of California, according to map filed for record June 20, 1905 in the Office of the County Recorder of said County.

from the owner for the sum of $45.00.

State funds for the acquisition of this property are made available from Item 400.1 (n), Chapter 1, Statutes of 1956; and

BE IT FURTHER RESOLVED that the above described property shall become a portion of Pismo Beach State Park.

Seconded by Commissioner Di Giorgio and approved.

RIDING AND HIKING TRAILS - Castle & Cooke - Request for Acceptance of Easement. Supervising Park Land Agent Powell reported that the proper development and extension of the State-wide system of Riding and Hiking Trails requires the acquisition by State of a Riding and Hiking Trail right-of-way from Castle and Cooke, Inc., across a portion of their property adjacent to Mount Diablo State Park in Contra Costa County. Castle and Cooke, Inc. have agreed to grant said Riding and Hiking Trail right-of-way to State subject to certain terms and conditions generally hereinafter set forth, and as consideration for the right-of-way, Castle and Cooke, Inc. desire an easement for a cattle crossing over a small tract of land in Mount Diablo State Park. Staff has reviewed this matter and recommends that the Riding and Hiking Trail right-of-way to State be accepted. The Chief of the Division recommended that the Commission adopt an appropriate resolution accepting the Riding and Hiking Trail right-of-way from Castle and Cooke, Inc. as recommended by staff.

It was moved by Commissioner Harriman that the following resolution be adopted:

WHEREAS, the proper development and extension of the State-wide system of Riding and Hiking Trails require the acquisition by State of a Riding and Hiking Trail right-of-way from Castle and Cooke, Inc. across a portion of their property adjacent to Mount Diablo State Park in Contra Costa County, and

WHEREAS, Castle and Cooke, Inc. have agreed to grant said Riding and Hiking Trail right-of-way to State subject to

Commission Minutes - March 20, 1959
Sacramento

WHEREAS, District Superintendent and staff have reviewed subject application and staff has prepared an appropriate agreement with San Diego Gas and Electric Company granting the said easement and recommend that it be approved, now therefore

BE IT RESOLVED, that this Commission does hereby approve the agreement with San Diego Gas and Electric Company granting said Company an easement 12' in width for the installation of a power line across a portion of Moonlight Beach State Park.

BE IT FURTHER RESOLVED, that the Chairman and Executive Secretary of this Commission be and are hereby authorized and instructed to execute this agreement for an on behalf of this Commission and the State of California.

Seconded by Commissioner Di Giorgio and approved.

MT. DIABLO STATE PARK - Castle & Cooke, Inc.- Approval of Cattle Crossing Easement. Supervising Park Land Agent Powell reported that as consideration for the grant of a Riding and Hiking Trail easement to State, Castle and Cooke, Inc., desire the right to use a portion of Mt. Diablo State Park as a crossing for livestock and ranching equipment, etc. The granting of said easement will be beneficial to the State Park System in that State will acquire approximately a mile of Riding and Hiking Trail right-of-way in exchange for an easement for livestock crossing over a small triangular shaped parcel of land in Mt. Diablo State Park. The District Superintendent and staff have reviewed subject matter and staff has prepared an appropriate agreement with Castle & Cooke, Inc. granting said easement and recommends that it be approved. The Chief of the Division recommended that the State Park Commission adopt an appropriate resolution approving said agreement and authorizing and instructing the Chairman and Executive Secretary to execute said agreement for and on behalf of the Commission and the State of California.

It was moved by Commissioner Harriman that the following resolution be adopted:

WHEREAS, as consideration for the grant of a Riding and Hiking Trail easement to State, Castle and Cooke, Inc. desire the right to use a portion of Mount Diablo State Park as a crossing for livestock and ranching equipment, etc., and

WHEREAS, the granting of said easement will be beneficial to the State Park System in that State will acquire

GRANT OF EASEMENT

THIS INDENTURE, made this 20th day of March, 1959, by and between CASTLE & COOKE, INC., a Hawaiian corporation, hereinafter sometimes designated "Grantor" and the STATE OF CALIFORNIA, hereinafter sometimes designated "Grantee",

W I T N E S S E T H:

THAT for and in consideration of the incurring by State of California of expenditures in surveying, establishing and maintaining a riding and hiking trail as part of the state wide system of Riders and Hikers Trails, the Grantor does, by these presents, grant unto the State of California, an easement and right of way for the purpose of establishing, constructing, reconstructing, maintaining, operating, and renewing a trail or roadway, together with all appurtenances, structures and equipment deemed necessary or convenient by the Grantee in connection therewith, for public use as a riding and hiking trail, under, upon, over and across all those certain lands set and lying in the County of Contra Costa, State of California, bounded and described as follows:

Aportion of Section 14, Township 1 South, Range 1 West, M.D.B.&M.

Said easement and right of way will traverse the above described permises as follows, to-wit:

A strip of land 20 feet in width, the general location of which is show in red on the map attached hereto entitled "Mount Diablo State Park, request for right of way, Castle & Cooke,

The easement hereby granted is subject to the following terms and conditions:

1. The duration of the easement hereby granted shall be for a period of 25 years, from the date hereof. Grantee may, by giving to Grantor written notice of its election to do so at least one year prior to the expiration of said 25 year period, extend the duration of the easement for an additional period of 25 years.
2. Prior to permitting use of said easement by the general public, grantee shall construct in a workmanlike manner and shall thereafter maintain a five-strand barbed wire fence on both sides of said easement; provided, however, that Grantee shall not be required either to construct or maintain a fence along or upon said easement at any location or locations where a fence is now in existence.
3. Grantor will not be responsible for any maintenance of the right of way.
4. This agreement shall not be construed as imposing any liability on the Grantor, save and except as

boundaries of the right of way at points where it determines to be necessary for ranch purposes and for such other purposes necessary and incidental thereto provided that such other purposes will not unduly interfere with the rights herein granted to Grantee and further provided that such use is expressly approved by the State. Such approval shall not be unreasonably withheld.

6. In the event that Grantee shall at any time be in default in respect to any of the covenants, matters, or things, by it to be kept, done or performed hereunder then and in that event, Grantor may as its option declare this easement and all rights of Grantee hereunder forfeited and terminated, provided, however, before any forfeiture shal be declared hereunder by reason of default as aforesaid, Grantor shall cause to be given to Grantee a written notice specifying the particulars wherein Grantee is in default and demanding performance in accordance with the terms of this easement. If within thirty (30) days after receipt of such notice,

IN WITNESS WHEREOF the Grantor herein has caused these presents to be executed by its respective officers thereunto duly authorized, the day and year first above written.

CASTLE & COOKE, INC., a Hawaiian Corporation

By_____

By_____

Commission Minutes - March 20, 1959
Sacramento

PARCEL 2:
Lot 45 in Block 5 of La Grande Beach Tract in the County of San Luis Obispo, State of California, according to map filed for record June 20, 1905 in the Office of the County Recorder of said County.

from the owner for the sum of $45.00.

State funds for the acquisition of this property are made available from Item 400.1 (n), Chapter 1, Statutes of 1956; and

BE IT FURTHER RESOLVED that the above described property shall become a portion of Pismo Beach State Park.

Seconded by Commissioner Di Giorgio and approved.

RIDING AND HIKING TRAILS - Castle & Cooke - Request for Acceptance of Easement. Supervising Park Land Agent Powell reported that the proper development and extension of the State-wide system of Riding and Hiking Trails requires the acquisition by State of a Riding and Hiking Trail right-of-way from Castle and Cooke, Inc., across a portion of their property adjacent to Mount Diablo State Park in Contra Costa County. Castle and Cooke, Inc. have agreed to grant said Riding and Hiking Trail right-of-way to State subject to certain terms and conditions generally hereinafter set forth, and as consideration for the right-of-way, Castle and Cooke, Inc. desire an easement for a cattle crossing over a small tract of land in Mount Diablo State Park. Staff has reviewed this matter and recommends that the Riding and Hiking Trail right-of-way to State be accepted. The Chief of the Division recommended that the Commission adopt an appropriate resolution accepting the Riding and Hiking Trail right-of-way from Castle and Cooke, Inc. as recommended by staff.

It was moved by Commissioner Harriman that the following resolution be adopted:

WHEREAS, the proper development and extension of the State-wide system of Riding and Hiking Trails require the acquisition by State of a Riding and Hiking Trail right-of-way from Castle and Cooke, Inc. across a portion of their property adjacent to Mount Diablo State Park in Contra Costa County, and

WHEREAS, Castle and Cooke, Inc. have agreed to grant said Riding and Hiking Trail right-of-way to State subject to

certain terms and conditions generally hereinafter set forth, and as consideration for the right-of-way, Castle and Cooke, Inc., desire an easement for a cattle crossing over a small tract of land in Mount Diablo State Park, and

WHEREAS, Staff has reviewed this matter and recommends that the Riding and Hiking Trail right of way to State be accepted, now therefore

BE IT RESOLVED, that this Commission does hereby accept that certain right of way deed from Castle and Cooke, Inc. for a Riding and Hiking Trail across a portion of Castle and Cooke, Inc. land adjacent to Mount Diablo State Park. Said right of way deed is subject to the following general terms and conditions:

1. The duration of the right of way shall be for a period of twenty-five (25) years with the privilege to extend the term for an additional period of twenty-five (25) years.

2. State shall construct a five (5) strand barbed wire fence along the exterior lines of said right of way except at locations where fences already exist.

3. Castle and Cooke, Inc. reserves the right to use said right of way for such ranching and livestock purposes as will not interfere with State's operation of the Riding and Hiking Trail. In this connection Castle and Cooke, Inc. shall install at their expense any gates necessary to permit their crossing said right of way.

Refer to attached copy, Items 2.

Seconded by Commissioner Di Giorgio and approved.

PROPOSED ACQUISITION - San Simeon Beach State Park - Bryant. Supervising Park Land Agent Powell reported that negotiations authorized by the State Park Commission at its meeting of February 15, 1957, have been completed for the purchase of one (1) unimproved lot in the Cambria Pines Area, County of San Luis Obispo, presently under condemnation in Case No. 23160, People vs. Collin, et al, from Frances Bryant for the sum of $450.00. The appraisals were made at the request of the Attorney General's Office to establish values for trial purposes. However, trial was set for February 10, 1959, and the valuation as of the date of the appraisals is now out-of-date. If State were to continue

GRANT OF EASEMENT

THIS INDENTURE, made this 20th day of March, 1959, by and between CASTLE & COOKE, INC., a Hawaiian corporation, hereinafter sometimes designated "Grantor" and the STATE OF CALIFORNIA, hereinafter sometimes designated "Grantee",

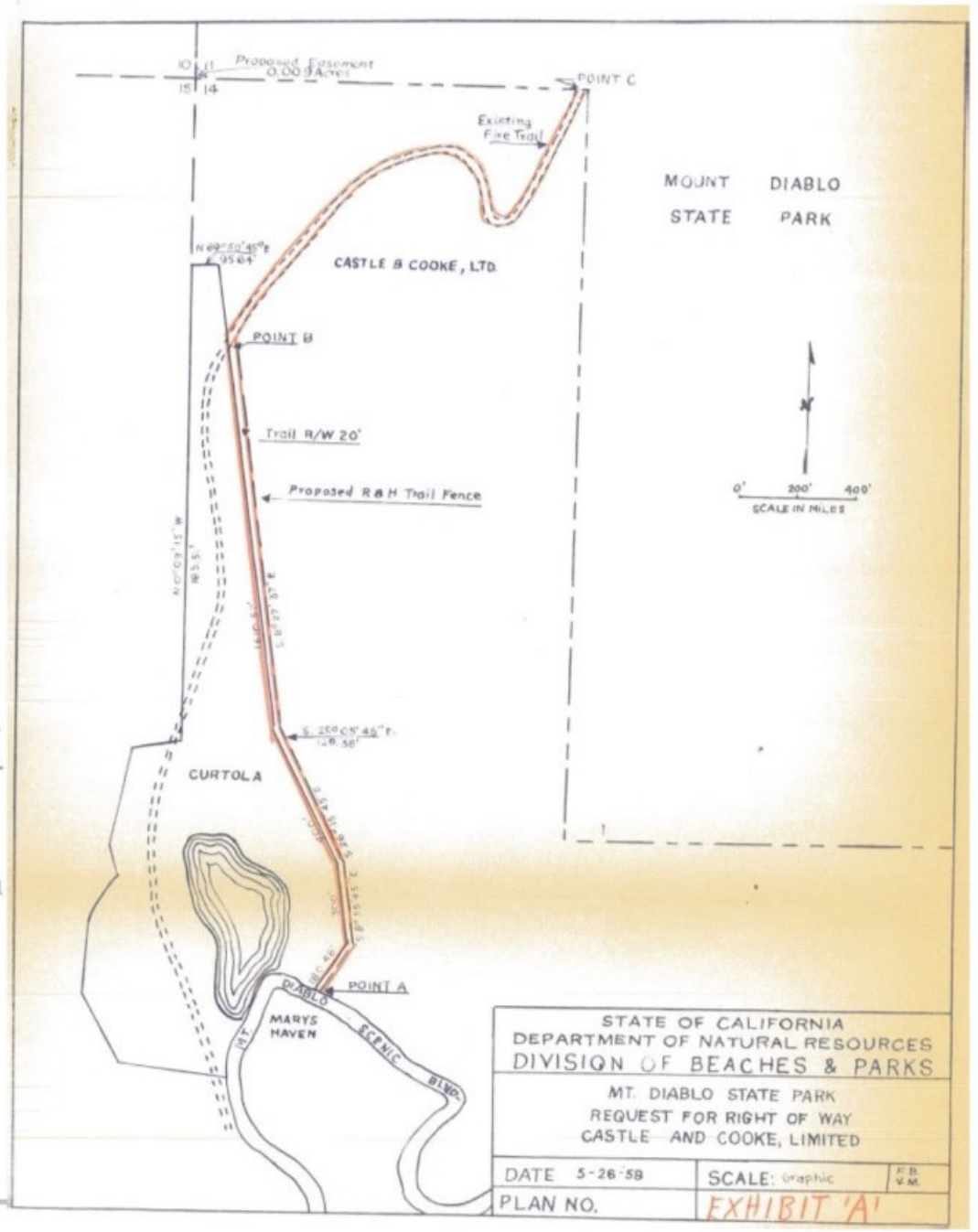
W I T N E S S E T H:

THAT for and in consideration of the incurring by State of California of expenditures in surveying, establishing and maintaining a riding and hiking trail as part of the state wide system of Riders and Hikers Trails, the Grantor does, by these presents, grant unto the State of California, an easement and right of way for the purpose of establishing, constructing, reconstructing, maintaining, operating, and renewing a trail or roadway, together with all appurtenances, structures and equipment deemed necessary or convenient by the Grantee in connection therewith, for public use as a riding and hiking trail, under, upon, over and across all those certain lands set and lying in the County of Contra Costa, State of California, bounded and described as follows:

Aportion of Section 14, Township 1 South, Range 1 West, M.D.B.&M.

Said easement and right of way will traverse the above described permises as follows, to-wit:

A strip of land 20 feet in width, the general location of which is show in red on the map attached hereto entitled "Mount Diablo State Park, request for right of way, Castle & Cooke,



STATE OF CALIFORNIA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF BEACHES AND PARKS
1125 10TH STREET, SACRAMENTO, CALIF.

ROUTE TO:

(X) SUPT.	( )	ACCT. CLK.	
( ) ASST. SUPT. Lux	( )	ACCTG. TECH.	
( ) PROJ. SUPV.	( )	CARP. FRMN.	
( ) ASSOC. ARCH.	( )	STOCK CLK.	
( ) ASST. ARCH.	( )	PERSONNEL	
( ) ENGINEER	( )	STENO.	
( ) DRAFTING AID	( )	TYPIST	
( )	( )	FILE	

CC:

July 28, 1959

Mr. William Hale, Jr.
Castle and Cook, Ltd.
215 Market Street
San Francisco 5, California

Dear Mr. Hale:

Mt. Diablo State Park
Right of Way Agreement
Riding and Hiking Trail

On May 11, 1959, we forwarded for your execution seven copies each of two documents between State and Castle and Cook, Ltd., which provided for a Riding and Hiking Trail across Castle and Cook's land and an easement for cattle crossing across State park lands. As of this date we have received no reply.

If we can be of any assistance in this matter, please feel free to contact this office.

Sincerely yours,

JOSEPH L. MICKELSON, JR.
Supervising Land Title Examiner

JLM:DGH:dr
cc: District 4

COPY

STATE OF CALIFORNIA
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF BEACHES AND PARKS
1125 10TH STREET, SACRAMENTO, CALIF.

Refer to: Supt.
Asst. Supt.
Asst. Civil
Coordinator
Landscape Arch.
Asst. Arch.
Engineer
Personnel
Engr. Aide
5/14/59 - Copy to Parks
File

Action
Date
From

May 11, 1959

Mr. William Hale, Jr.
Castle and Cooke, Ltd.
215 Market Street
San Francisco 5, California

Dear Mr. Hale:

Mount Diablo State Park
Castle and Cooke, Ltd.
Right of Way Agreement
Riding and Hiking Trails

Enclosed herewith are seven (7) copies of an easement dated March 20, 1959, from Castle and Cooke, Ltd., to State for a riding and hiking trail across a portion of Castle and Cooke's land adjacent to Mount Diablo State Park.

Also enclosed are seven (7) copies of an agreement dated March 20, 1959, between State and Castle and Cooke, Ltd., for a cattle crossing easement over a portion of Mount Diablo State Park.

These documents have been revised along the lines agreed upon at our meeting in Sacramento of April 30, 1959. If these documents in their present form are satisfactory, please execute all copies and return them to this office for further processing.

We will attach the description to the riding and hiking trail easement as soon as it is prepared.

Thank you for your cooperation in this matter.

Sincerely yours,

JOSEPH L. MICKELSON, JR.
Supervising Land Title Examiner

Encs.

JLM:DGH:bm
cc: District 4

COPY