

MINUTE ITEM

2/23/67

37. APPROVAL OF BOUNDARY AGREEMENT BETWEEN THE STATE OF CALIFORNIA, THE CITY OF REDONDO BEACH AND L & M INVESTMENT COMPANY, ALONG THE SHORE OF SANTA MONICA BAY IN THE VICINITY OF REDONDO BEACH, LOS ANGELES COUNTY - W.O. 5740, B.L.A. 77.

After consideration of Calendar Item 37 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO EXECUTE A BOUNDARY AGREEMENT WITH THE CITY OF REDONDO BEACH, L & M INVESTMENT COMPANY, AND THE STATE OF CALIFORNIA, A COPY OF WHICH IS ATTACHED AS EXHIBIT "A" AND HEREBY MADE A PART HEREOF, FIXING THE BOUNDARY OF GRANTED STATE TIDE AND SUBMERGED LANDS ALONG THE SHORE OF SANTA MONICA BAY IN THE VICINITY OF REDONDO BEACH MUNICIPAL PIER.

Attachment

Calendar Item 37 (5 pages)

37.

APPROVAL OF BOUNDARY AGREEMENT BETWEEN THE STATE OF CALIFORNIA, THE CITY OF REDONDO BEACH AND L & M INVESTMENT COMPANY, ALONG THE SHORE OF SANTA MONICA BAY IN THE VICINITY OF REDONDO BEACH, LOS ANGELES COUNTY - W.O. 5740.

A request has been received from the City of Redondo Beach and the adjoining property owner, L & M Investment Company, for the establishment of the boundary along the shore of Santa Monica Bay dividing the privately owned uplands and granted tide and submerged lands.

Chapter 57 of the Statutes of 1915 granted certain tide and submerged lands to the City of Redondo Beach. The City of Redondo Beach and the upland owner, L & M Investment Company, will be the principal parties concerned, with the State entering into the agreement as an interested third party.

Shoreline conditions have been determined to be artificially affected by man-made structures, and the mean high tide line of 1935, the last known position of the natural mean high tide line, is acceptable to both the City of Redondo Beach and L & M Investment Company.

The office of the Attorney General has reviewed and approved this proposed boundary agreement.

IT IS RECOMMENDED THAT THE EXECUTIVE OFFICER BE AUTHORIZED TO EXECUTE A BOUNDARY AGREEMENT WITH THE CITY OF REDONDO BEACH, L & M INVESTMENT COMPANY, AND THE STATE OF CALIFORNIA, A COPY OF WHICH IS ATTACHED AS EXHIBIT "A" AND HEREBY MADE A PART HEREOF, FIXING THE BOUNDARY OF GRANTED STATE TIDE AND SUBMERGED LANDS ALONG THE SHORE OF SANTA MONICA BAY IN THE VICINITY OF REDONDO BEACH MUNICIPAL PIER.

Attachment  
Exhibit "A"

EXHIBIT "A"

BOUNDARY AGREEMENT

THIS BOUNDARY AGREEMENT, made and entered into by and between  
STATE OF CALIFORNIA, acting by and through the STATE LANDS  
COMMISSION (as Party of the First Part hereinafter referred  
to as "the State") and  
CITY OF REDONDO BEACH (as Party of the Second Part hereinafter  
referred to as "City", and  
L & M INVESTMENT CO., A CALIFORNIA CORPORATION (as Party of  
the Third Part hereinafter referred to as "Third Party").

W I T N E S S E T H

WHEREAS, the State acting through the State Lands Commission is  
authorized by Section 6357 of the Public Resources Code to establish by  
agreement the ordinary high water mark or the ordinary low water mark of  
the swamp, overflowed, marsh, tide or submerged lands of this State, when-  
ever it is deemed expedient or necessary; and

WHEREAS, the Third Party appears of record as owner of certain  
uplands along the shore of Santa Monica Bay in the vicinity of Redondo  
Beach Municipal Pier in the City of Redondo Beach; and

WHEREAS, the State of California, by virtue of its sovereignty,  
and City, by grant pursuant to Chapter 57 of the Statutes of 1915, are  
the owners of the tide and submerged lands in Santa Monica Bay; and

WHEREAS, the ordinary high water mark as it may have existed in  
its last natural state has been affected by artificial and natural processes  
or a combination of both; and

EXHIBIT "A" (CONTD.)

WHEREAS, a study of the history of the shoreline in the City of Redondo Beach, in the vicinity of Redondo Beach Municipal Pier, shows that the mean high tide line of 1935 is the last known position of the natural mean high tide line prior to artificial influences; and

WHEREAS, the State Lands Commission, City, and Third Party consider it expedient and necessary and in the best interests of the State and the public to describe and fix permanently the Ordinary High Water Mark as the boundary between the lands belonging to the State and City and Third Party and forever set at rest any and all questions relating to the location of said Ordinary High Water Mark.

NOW, THEREFORE, in order to locate, describe, and permanently establish the Ordinary High Water Mark as the true and correct boundary line between the State and City and Third Party, it is agreed that said boundary line is and shall be located and established as follows:

Commencing at the most northeasterly corner of Parcel 2, described in Book 6764 of Deeds, page 91, Records of Los Angeles County; thence South  $74^{\circ} 53'$  West, along the northwesterly line of Pier Avenue, and its prolongation, to the intersection with the Mean High Tide Line of October 1935, as shown on State Lands Division Map of the Grant to the City of Redondo Beach, recorded on June 17, 1966, and filed as Instrument No. 2886, Book F 1916, in office of the Los Angeles County Recorder, said intersection being the true point of beginning; thence along said mean high tide line as shown on said map, North  $16^{\circ} 55' 09''$  West 285 feet more or less to Station L10, having California Coordinates (Zone 7)  $X = 4,169,344$  and  $Y = 4,054,154$ ; thence North  $23^{\circ} 33' 31''$  West 365 feet more or less to the intersection with a line which bears South  $66^{\circ} 33'$  West from the most easterly corner of Parcel 1

EXHIBIT "A" (CONTD.)

described in Book 6764 of Deeds, Page 91, Records of Los Angeles County, which point of intersection is the end of this boundary line.

This agreement shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the dates hereafter written:

CITY OF REDONDO BEACH

\_\_\_\_\_  
Date of Signature

By \_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date of Signature

By \_\_\_\_\_  
City Clerk

STATE OF CALIFORNIA )  
COUNTY OF \_\_\_\_\_ ) ss

On this \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_,  
before me, \_\_\_\_\_,  
a Notary Public in and for said County and State, personally appeared \_\_\_\_\_  
and \_\_\_\_\_  
known to me to be the \_\_\_\_\_ and \_\_\_\_\_  
of the city that executed the within Instrument and acknowledged to me that  
such city executed the same.

\_\_\_\_\_  
\_\_\_\_\_  
Name (Typed or Printed)  
NOTARY PUBLIC IN AND FOR SAID  
COUNTY AND STATE

EXHIBIT "A" (CONTD.)

L & M INVESTMENT COMPANY

\_\_\_\_\_  
Date of Signature

By \_\_\_\_\_  
President

\_\_\_\_\_  
Date of Signature

By \_\_\_\_\_  
Secretary

STATE OF CALIFORNIA  
COUNTY OF \_\_\_\_\_ } ss

On \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned, a  
Notary Public in and for said State, with principal office in \_\_\_\_\_  
County, personally appeared \_\_\_\_\_  
and \_\_\_\_\_ known to me to be the President and  
Secretary, respectively, of the corporation that executed the within Instrument,  
known to me to be the persons whose names are subscribed to the within  
Instrument and acknowledged that they executed the within Instrument pursuant  
to the authority of said corporation.

WITNESS my hand and official seal.

\_\_\_\_\_  
\_\_\_\_\_  
Name (Typed or Printed)  
NOTARY PUBLIC IN AND FOR THE  
STATE OF CALIFORNIA

STATE OF CALIFORNIA  
Acting by and through  
STATE LANDS COMMISSION

\_\_\_\_\_  
Date of Signature

By \_\_\_\_\_  
F. J. HORTIG  
Executive Officer

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES \_\_\_\_\_ } ss

On this \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_,  
before me, \_\_\_\_\_, a  
Notary Public in and for said County and State, personally appeared  
F. J. HORTIG, known to me to be the Executive Officer of the State Lands  
Commission, and known to me to be the person who executed the within  
Instrument on behalf of said agency, and acknowledged to me that such agency  
executed the same.

\_\_\_\_\_  
\_\_\_\_\_  
Name (Typed or Printed)  
NOTARY PUBLIC IN AND FOR SAID COUNTY 200  
AND STATE