

MINUTE ITEM

12/4/72
LHG

19. APPROVAL OF A BOUNDARY LINE AGREEMENT BETWEEN THE CRESCENT CITY HARBOR DISTRICT AND THE CRESCENT CITY HARBOR COMPANY, NEAR CRESCENT CITY, DEL NORTE COUNTY - W 8867, BLA 135.

After consideration of Calendar Item 17 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. AUTHORIZES APPROVAL OF A BOUNDARY LINE AGREEMENT BETWEEN CRESCENT CITY HARBOR DISTRICT AND CRESCENT CITY HARBOR COMPANY SUBSTANTIALLY IN THE FORM AND CONTENT OF EXHIBIT "C" ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF: AND
2. FURTHER AUTHORIZES THE EXECUTIVE OFFICER AND THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE AGREEMENT, INCLUDING, BUT NOT LIMITED TO, APPEARANCES IN ANY LEGAL PROCEEDING CONCERNING THE AGREEMENT.

THE BOUNDARY LINE AGREED UPON IS DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment:

Calendar Item 17 (2 pages)

CALENDAR ITEM

11/72
LHG
W 8867

17.

APPROVAL OF A BOUNDARY LINE AGREEMENT BETWEEN THE
CRESCENT CITY HARBOR DISTRICT AND THE CRESCENT CITY HARBOR COMPANY,
NEAR CRESCENT CITY, DEL NORTE COUNTY - (BLA 135)

The Crescent City Harbor District through the Board of Harbor Commissioners has requested the State Lands Commission to approve a boundary line agreement between the District and a littoral owner, the Crescent City Harbor Company; the agreement is on file in the office of the Commission. The agreement provides for counterpart signatures so that other parties with smaller littoral parcels may later sign the agreement.

The line agreed to is the mean high tide line of 1948, the so-called "Pond Line". This line was depicted as the limits of the legislative grant to the Crescent City Harbor District. In connection with this transaction, the line has been reviewed and recommended by the Division. The agreement as submitted has been redrafted and recommended by staff counsel and has been reviewed and recommended by the office of the Attorney General. The agreement preserves whatever rights the public may have in the littoral lands adjacent to the agreed boundary.

EXHIBITS: A. Legal Description.
B. Location Map.
C. Boundary Line Agreement.

IT IS RECOMMENDED THAT THE COMMISSION:

1. AUTHORIZE APPROVAL OF A BOUNDARY LINE AGREEMENT BETWEEN CRESCENT CITY HARBOR DISTRICT AND CRESCENT CITY HARBOR COMPANY SUBSTANTIALLY IN THE FORM AND CONTENT OF EXHIBIT "C" ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF; AND
2. FURTHER AUTHORIZE THE EXECUTIVE OFFICER AND THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL NECESSARY STEPS TO IMPLEMENT THE AGREEMENT, INCLUDING, BUT NOT LIMITED TO, APPEARANCES IN ANY LEGAL PROCEEDING CONCERNING THE AGREEMENT.

THE BOUNDARY LINE AGREED UPON IS DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

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EXHIBIT "A"

Lessee: Crescent City Harbor District

W 8867

COMMENCING at Station 1 of the ORDINARY HIGH WATER MARK of 1948, also known as "Pond Line," as shown on that map recorded in the Office of the Recorder of Del Norte County, California, in Book 4 of Maps at Page 219, said Station 1 being marked by a 2 $\frac{1}{2}$ " iron pipe in concrete; thence south 69° 35' 11" east along said ordinary high water mark of 1948, 552.35 feet to the TRUE POINT OF BEGINNING, said point being the southeasterly corner of that certain parcel described in deed recorded in Book 58 of Deeds at Page 432 in the office of said recorder; thence from said TRUE POINT OF BEGINNING and along said ORDINARY HIGH WATER MARK of 1948, the following ten (10) courses:

1. S 69° 35' 11" E, 605.02 feet to Station 2;
2. S 67° 19' 21" E, 295.84 feet to Station 3;
3. S 63° 03' 11" E, 278.17 feet to Station 4;
4. S 59° 33' 51" E, 325.87 feet to Station 5;
5. S 50° 10' 51" E, 312.41 feet to Station 6;
6. S 42° 53' 51" E, 290.82 feet to Station 7;
7. S 45° 16' 21" E, 565.70 feet to Station 8;
8. S 51° 13' 21" E, 338.58 feet to Station 9;
9. S 62° 11' 51" E, 356.06 feet to Station 10;
10. S 73° 05' 21" E, 306.22 feet to Station 11
from which California State Lands Commission
Triangulation Station "Smyth 3, 1963" bears
N 42° 54' 01" W, 496.75 feet; thence leaving
said ordinary high water mark of 1948;
11. S 64° 04' 55" E, 300.00 feet more or less
to the intersection with the east line of
Section 28, T. 16 N., R. 1 W., H.B.M. and
the end of the hereindescribed line.

Bearings and distances are based upon the California Co-ordinate System Zone 1.

END OF DESCRIPTION