

MINUTE ITEM
This Calendar Item No. 38
was approved as Minute Item
No. 38 by the State Lands
Commission by a vote of 2
to 0 at its 12/13/88
meeting.

CALENDAR ITEM

38

A 58
S 29

12/13/88
G-05-03
BLA 259
AD 86
N. Smith
A. D. Davis
Saggese
Asari
Fossum

APPROVAL OF BOUNDARY LINE AGREEMENT
AND AGREEMENT REGARDING A PUBLIC ACCESS AND
RECREATION EASEMENT
INVOLVING LANDS ADJACENT TO THE FORMER PACIFIC COAST CLUB
IN THE CITY OF LONG BEACH, LOS ANGELES COUNTY

This Calendar Item recommends settlement of a boundary dispute over the location of the last natural ordinary high water mark of the Pacific Ocean which constitutes the boundary between the privately owned uplands of CIFICAP Corporation which are within Rancho Los Alamitos and the adjacent tidelands which were granted in trust to the City of Long Beach by the California Legislature pursuant to Chapter 676, Statutes of 1911, Chapter 102, Statutes of 1925, and Chapter 158, Statutes of 1935. Also to be resolved by this settlement is the claim by the City, State, and Attorney General that portions of the private uplands are subject to a public access and recreational use easement, which claim is denied by CIFICAP Corporation.

In 1964, the California Legislature enacted Chapter 138, Statutes of 1964, 1st Extraordinary Session, which established an upland/tideland boundary for the City of Long Beach which the City and State have subsequently adopted and used in settling various boundary disputes. This line referred to as the "Chapter 138 Line" was surveyed by the State and recorded in 1968. This settlement proposes the adoption of the Chapter 138 line at this location as a permanently fixed ordinary high water mark. (See EXHIBIT "A".)

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(ADDED 12/12/88 - pgs. 178-178.4)

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In order to effectuate the agreed boundary aspects of the settlement, the respective parties will quitclaim any ownership claims they may have on opposing sides of the agreed boundary line.

The claim of implied dedication of the beach landward of the agreed ordinary high water mark is proposed to be settled by the grant of an easement for beach access and recreation by CIFICAP Corporation to the City of Long Beach in trust for the public. This easement area is depicted on EXHIBIT "A" and lies northerly of the Chapter 138 line.

The City and State would waive claim of any public access or recreation easement on the remainder of the CIFICAP Corporation property.

AUTHORITY: P.R.C. 6301, 6308, 6357 and Chapter 138,
Statutes of 1964, 1st Ext. Sess.

AB 884: N/A.

EXHIBITS: A. Site Map.
B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A STATUTORILY EXEMPT PROJECT PURSUANT TO P.R.C. 21080.11, SETTLEMENT OF TITLE AND BOUNDARY PROBLEMS.
2. FIND THAT THE LOCATION OF THE ORDINARY HIGH WATER MARK INVOLVING THE PROPERTY DEPICTED ON EXHIBIT "A" SHALL BE PERMANENTLY FIXED AT THE LINE AS ADOPTED BY THE CALIFORNIA LEGISLATURE BY CHAPTER 138, STATUTES OF 1964, 1ST EXTRAORDINARY SESSION.
3. FIND THAT THE SETTLEMENT OF CLAIMS OF IMPLIED DEDICATION OF A PUBLIC ACCESS AND RECREATIONAL USE EASEMENT AREA, AS PROPOSED IN THE AGREEMENT AND DEPICTED ON EXHIBIT "A", ARE IN THE BEST INTEREST OF THE PEOPLE OF THE STATE.

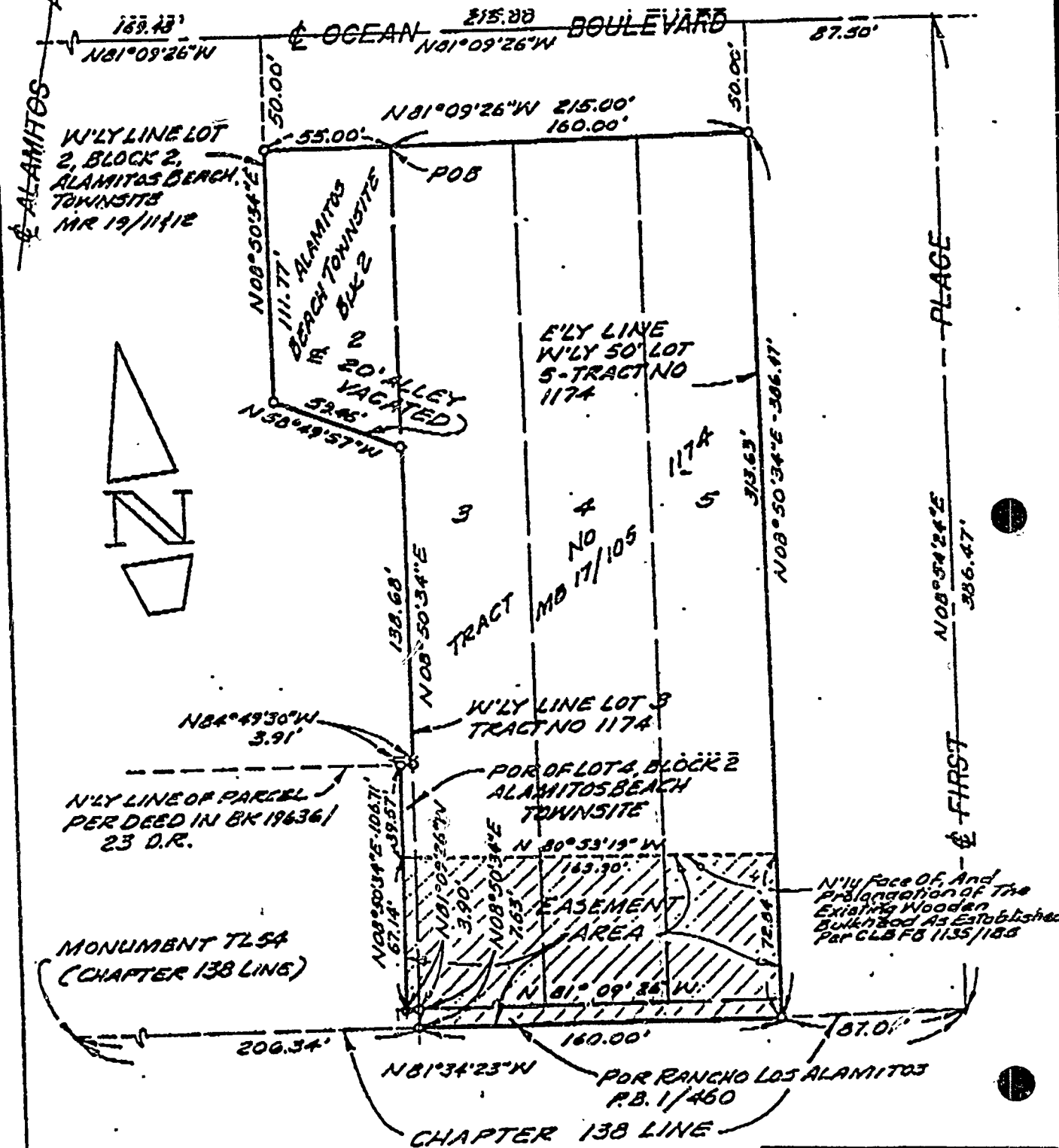
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4. AUTHORIZE THE APPROVAL AND EXECUTION OF THE PACIFIC COAST CLUB BOUNDARY LINE AGREEMENT AND CONVEYANCE OF PUBLIC ACCESS AND RECREATION EASEMENT, SUBSTANTIALLY IN THE FORM AS ON FILE IN THE SACRAMENTO OFFICE OF THE STATE LANDS COMMISSION.
5. AUTHORIZE THE COMMISSION STAFF AND THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL OTHER ACTIONS NECESSARY TO EFFECTUATE THIS AGREEMENT.

EXHIBIT "A"

PACIFIC COAST CLUB SITE

EASEMENT AREA



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M-1869



EXHIBIT "B"
 BLA 259
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