Recorded at the request of:
State of California
N. Gregory Taylor
Deputy Attorney General
217 West First St. (rm 750)
Los Angeles, Calif. 90012

NO TAX DUE

BOUNDARY LINE AGREEMENT  B.L.A. 87
Dated: March 11th, 1968

[Between STATE OF CALIFORNIA, acting by and
through the State Lands Commission ("STATE");
CITY OF LONG BEACH, a municipal corporation
("CITY"); and B. H. TAPER and BARBARA TAPER,
his wife (collectively referred to as "TAPER")]

2145
BOUNDARY LINE AGREEMENT

THIS AGREEMENT, made and entered into, in duplicate original, as of the 11th day of March, 1963, by and between the STATE OF CALIFORNIA, acting by and through its State Lands Commission, hereinafter referred to as "STATE", the CITY OF LONG BEACH, a municipal corporation, hereinafter referred to as "CITY", and B. H. TAPER and BARBARA TAPER, his wife, hereinafter collectively referred to as "TAPER".

WITNESSETH:

WHEREAS, State has heretofore granted to City all of its right, title and interest in and to all of the tide and submerged lands within City situated below the mean high tide line of the Pacific Ocean upon certain trusts and conditions by Chapter 676, Statutes of 1911; Chapter 102, Statutes of 1925; and Chapter 158, Statutes of 1935, Statutes of the State of California; and

WHEREAS, State's State Lands Commission is authorized and directed by Chapter 2000, Statutes of 1957, Statutes of the State of California, to determine the boundaries of the tide and submerged lands so conveyed to City; and

WHEREAS, City has heretofore conveyed certain real property to B. H. Taper, a married man, by deed recorded on the 17th day of January, 1963, in Book D1889 Page 437, Official Records of Los Angeles County, California, which real property is specifically described as follows:

All of that certain piece or parcel of land lying between the easterly line of Redondo Avenue and the westerly line of Thirty-Sixth Place produced southerly to their intersections with the ordinary high tide line of the Pacific Ocean, and bounded on the North by a line beginning at a point in the prolongation southerly of the easterly line of Redondo Avenue, as Redondo Avenue is shown on a map of resubdivision of part of Alamitos Beach Townsite, in the said City of Long Beach, California.
Beach, County of Los Angeles, State of California, recorded in the office of the County Recorder of Los Angeles County, in Book 5 Page 55 of Maps, Records of said County, 218 feet southerly from the northeasterly corner of Redondo Avenue and Ocean Boulevard, as shown on said map, thence extending easterly to a point in the prolongation southerly of the westerly line of Thirty-Sixth Place 262.75 feet southerly from its point of intersection with the South line of said Ocean Boulevard and on the South by the ordinary high tide line of the Pacific Ocean; together with all accretions thereto southerly from the present line of ordinary high tide of the Pacific Ocean.

EXCEPT that portion of said land lying southerly of the following described line: Beginning at a point in the southerly prolongation of the easterly line of Redondo Avenue which is distant southerly thereon 289.00 feet from the northeasterly corner of Redondo Avenue and Ocean Boulevard; thence easterly in a direct line to a point in the southerly prolongation of the westerly line of Thirty-Sixth Place which is distant southerly thereon 331.25 feet from the intersection of said westerly line with the southerly line of Ocean Boulevard, and also

EXCEPT all those certain tide and submerged lands heretofore conveyed to the City of Long Beach upon certain trusts and conditions, by Chapter 676, Statutes of 1911, Chapter 102, Statutes of 1925, Chapter 158, Statutes of 1935, Statutes of the State of California, and also

EXCEPTING AND RESERVING unto the City of Long Beach, a municipal corporation, its successors and assigns, all oil, gas, hydrocarbon substances and minerals of every kind and character lying more than two hundred (200) feet below the surface of said land, together with the right to drill into, through, and to use and occupy all parts of said land lying more than two hundred (200) feet below the surface thereof for any and all purposes incidental to the exploration for and production of oil, gas, hydrocarbon substances or minerals from said or other lands; PROVIDED, HOWEVER, that said City of Long Beach, its successors and assigns, shall not have the right to use the surface of said land or any portion of said land within two hundred (200) feet of the surface for any purpose or purposes whatsoever, all rights of the City of Long Beach, its successors and assigns, in and to the surface of said land and in and to those portions of said land below the surface, down to and including two hundred (200) feet below the surface, being hereby released and transferred to B. H. Taper, a married man, his successors and assigns;

and

WHEREAS, the conveyance from the City to B. H. Taper as described in the paragraph last above contains a provision
whereby City excepted from the real property conveyed all those
said certain tide and submerged lands as were conveyed to City
by State upon certain trusts and conditions; and

WHEREAS, the line of mean high tide of the Pacific
Ocean as the same may have existed in its last natural state
has been affected by artificial or artificial and natural
processes and, consequently, the boundary line between Taper's
real property and the tide and submerged lands belonging to City
is uncertain; and

WHEREAS, the State Legislature has found and determined
the location of the northerly boundary of the Long Beach
tidelands in Section 7, Chapter 138, Statutes of 1964,
1st Extraordinary Session, as between the respective interests
of the City and the State, but it is specifically stated in
the aforementioned section of said statute that said boundaries
shall not affect the boundary or ownership of any lands held by
private persons; and

WHEREAS, Taper is willing to agree with City and State
that the northerly boundary of the Long Beach tidelands as
determined by the State Legislature is also the seaward
boundary of the hereinabove described real property; and

WHEREAS, Section 6308 of the Public Resources Code
requires the State to be joined as a party to any action or
proceeding involving boundaries of tidelands granted to a city,
in trust, by the Legislature;

NOW, THEREFORE, in order to locate, describe and
permanently establish a common boundary line and to establish
the rights of the parties in the real property hereinbefore
described, the parties hereto mutually agree on behalf of
themselves and their successors in interest, as follows:

1. The line of mean high tide of the Pacific Ocean
and the true and correct boundary line between City's tide and
submerged lands and the land as hereinabove described as conveyed
to B. H. Taper is and shall be located and permanently establish-
ed as follows:

Beginning at the intersection of the southerly
prolongation of the easterly line of Redondo Avenue,
as Redondo Avenue is shown on a map of the Resubdi-
vision of Part of Alamitos Beach Townsite, in the
City of Long Beach, County of Los Angeles, State of
California, recorded in Book 5 Page 55 of Maps, in
the office of the County Recorder of said County, with
the line described in Section 7, Chapter 138, California
Statutes of 1964 First Extraordinary Session, said
intersection being a point distant 289 feet southerly
along said prolongation from the southwesterly corner
of Block 41, as shown on said map; thence easterly
along said Chapter 138 line to a point on the southerly
prolongation of the westerly line of 36th Place, shown
as 39th Place on said map, distant southerly thereon
325.00 feet from the intersection of said westerly
line with the southerly line of Ocean Boulevard, as
shown on said map.

2. As to the real property lying northerly of the
boundary line hereinabove described in Paragraph 1 of this
Agreement, it is mutually agreed that neither the State nor the
City shall have any right, title or interest whatsoever therein
or thereto except as to certain subsurface oil and gas rights
in and under said property now owned by City as excepted and
reserved by City in said deed to B. H. Taper, a married man,
recorded January 17, 1963 in Book D1889 Page 437, Official
Records of Los Angeles County, California.

3. As to the real property lying southerly of the
line described in Paragraph 1 of this Agreement, it is mutually
agreed that Taper shall have no right, title or interest whatso-
ever therein or thereto and Taper shall furnish City with a good
and sufficient quitclaim deed thereto in a form satisfactory to
City.

4. Nothing herein shall constitute any statement or
admission by City or State as to the extent of the City, State
or private parties' ownership of lands not described in this
Agreement adjacent to or abutting said boundary line described in Section 7, Chapter 138, Statutes of 1964, 1st Extraordinary Session.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed with all the formalities required by law on the dates set opposite their respective signatures.

October 12, 1967

B. R. TAPER

October 12, 1967

BARBARA TAPER

TAPER

CITY OF LONG BEACH, a municipal corporation

January 29, 1967

By

City Manager

CITY

STATE OF CALIFORNIA, acting by and through its State Lands Commission

March 11, 1967

By

STATE
STATE OF CALIFORNIA  } ss.  
COUNTY OF LOS ANGELES )

On this 17th day of October, 1967, before me, the undersigned, a notary public in and for said State, personally appeared B. H. TAPER and BARBARA TAPER, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and official seal.

[Signature]
Notary Public in and for said State

STATE OF CALIFORNIA  } ss.
COUNTY OF LOS ANGELES )

On January 29, 1968, before me, the undersigned, a notary public in and for said State, personally appeared JOHN R. MANSELL, known to me to be the City Manager of the City of Long Beach, the municipal corporation that executed the within instrument, and acknowledged to me that he executed such instrument on behalf of said municipal corporation.

WITNESS my hand and official seal.

[Signature]
Notary Public in and for said State

The foregoing Boundary Line Agreement is hereby approved as to form this JAN 17 1968.

LEONARD PUTNAM, City Attorney

By
Deputy

CCT:jsc
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