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BK D3944 PG 126

EXHIBIT "A"

RECORDED IN OFFICIAL RECORDS  
 OF LOS ANGELES COUNTY, CALIF.  
 5 Min. 11 A.M. MAR 19 1968  
 Past  
 RAY E. LEE, County Recorder

MAR 70

Recorded at the request of:

State of California  
 N. Gregory Taylor  
 Deputy Attorney General  
 217 West First St. (Rm 750)  
 Los Angeles, Calif. 90012

FREE 5

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 ✓

B.L.A. 87

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THIS AGREEMENT, made and entered into, in <sup>duplicate</sup> ~~triplicate~~ original, as of the 11th day of March, 1967, 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

LEONARD PUTNAM  
CITY ATTORNEY OF LONG BEACH  
800 CITY HALL  
LONG BEACH, CALIFORNIA 90802  
TELEPHONE 436-9041

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BLA-87

LEONARD PUTNAM  
CITY ATTORNEY OF LONG BEACH  
600 CITY HALL  
LONG BEACH, CALIFORNIA 90802  
TELEPHONE 436-9041

1 Beach, County of Los Angeles, State of California,  
2 recorded in the office of the County Recorder of Los  
3 Angeles County, in Book 5 Page 55 of Maps, Records of  
4 said County, 218 feet southerly from the northeasterly  
5 corner of Redondo Avenue and Ocean Boulevard, as shown  
6 on said map, thence extending easterly to a point in  
7 the prolongation southerly of the westerly line of  
8 Thirty-Sixth Place 262.75 feet southerly from its  
9 point of intersection with the South line of said Ocean  
10 Boulevard and on the South by the ordinary high tide  
11 line of the Pacific Ocean; together with all accretions  
12 thereto southerly from the present line of ordinary  
13 high tide of the Pacific Ocean.

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

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

31 EXCEPTING AND RESERVING unto the City of Long Beach, a  
32 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;

33 and

34 WHEREAS, the conveyance from the City to B. H. Taper  
35 as described in the paragraph last above contains a provision

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LEONARD PUTNAM  
CITY ATTORNEY OF LONG BEACH  
600 CITY HALL  
LONG BEACH, CALIFORNIA 90802  
TELEPHONE 436-9041

1 whereby City excepted from the real property conveyed all those  
2 said certain tide and submerged lands as were conveyed to City  
3 by State upon certain trusts and conditions; and

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

10 WHEREAS, the State Legislature has found and determined  
11 the location of the northerly boundary of the Long Beach  
12 tidelands in Section 7, Chapter 138, Statutes of 1964,  
13 1st Extraordinary Session, as between the respective interests  
14 of the City and the State, but it is specifically stated in  
15 the aforementioned section of said statute that said boundaries  
16 shall not affect the boundary or ownership of any lands held by  
17 private persons; and

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

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

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

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

5 Beginning at the intersection of the southerly  
6 prolongation of the easterly line of Redondo Avenue,  
7 as Redondo Avenue is shown on a map of the Resubdi-  
8 vision of Part of Alamitos Beach Townsite, in the  
9 City of Long Beach, County of Los Angeles, State of  
10 California, recorded in Book 5 Page 55 of Maps, in  
11 the office of the County Recorder of said County, with  
12 the line described in Section 7, Chapter 138, California  
13 Statutes of 1964 First Extraordinary Session, said  
14 intersection being a point distant 289 feet southerly  
15 along said prolongation from the southwesterly corner  
16 of Block 41, as shown on said map; thence easterly  
17 along said Chapter 138 line to a point on the southerly  
18 prolongation of the westerly line of 36th Place, shown  
19 as 39th Place on said map, distant southerly thereon  
20 325.00 feet from the intersection of said westerly  
21 line with the southerly line of Ocean Boulevard, as  
22 shown on said map.

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

32 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

LEONARD PUTNAM  
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1 Agreement adjacent to or abutting said boundary line described  
2 in Section 7, Chapter 138, Statutes of 1964, 1st Extraordinary  
3 Session.

4  
5 IN WITNESS WHEREOF, the parties hereto have caused  
6 these presents to be executed with all the formalities required  
7 by law on the dates set opposite their respective signatures.

8  
9  
10 October 12, 1967

B. H. Taper  
B. H. TAPER

11  
12 October 12, 1967

Barbara Taper  
BARBARA TAPER

TAPER

CITY OF LONG BEACH, a municipal corporation

13  
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18 January 29, 1967<sup>8</sup>

By [Signature]  
City Manager

CITY

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

19  
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24  
25 March 11, 1967<sup>8</sup>

By [Signature]

STATE

\*

LEONARD PUTNAM  
CITY ATTORNEY

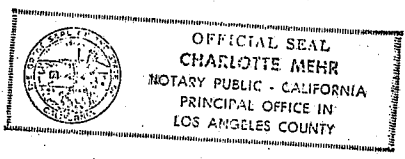
LEONARD PUTNAM  
CITY ATTORNEY OF LONG BEACH  
600 CITY HALL  
LONG BEACH, CALIFORNIA 90802  
TELEPHONE 436-9041

1 STATE OF CALIFORNIA }  
2 COUNTY OF LOS ANGELES } ss.

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3 On this 12th day of October, 1967, before  
4 me, the undersigned, a notary public in and for said State, per-  
5 sonally appeared B. H. TAPER and BARBARA TAPER, known to me  
6 to be the persons whose names are subscribed to the within  
7 instrument and acknowledged that they executed the same.

8 WITNESS my hand and official seal.

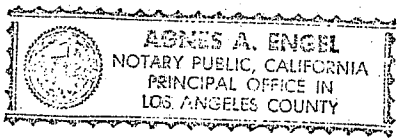


Charlotte Mehr  
Notary Public in and for said  
State  
CHARLOTTE MEHR  
My Commission Expires April 29, 1971

13 STATE OF CALIFORNIA }  
14 COUNTY OF LOS ANGELES } ss.

15 On January 29, 1968, before me, the undersigned,  
16 a notary public in and for said State, personally appeared  
17 JOHN R. MANSELL, known to me to be the \_\_\_\_\_  
18 City Manager of the City of Long Beach, the municipal corpora-  
19 tion that executed the within instrument, and acknowledged to  
20 me that he executed such instrument on behalf of said municipal  
21 corporation.

22 WITNESS my hand and official seal.



Agnes A. Engel  
Notary Public in and for said  
State

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

29 LEONARD PUTNAM, City Attorney

30 By [Signature]  
31 Deputy

32 CCT:jsc  
2-3-67

LEONARD PUTNAM  
CITY ATTORNEY OF LONG BEACH  
600 CITY HALL  
LONG BEACH, CALIFORNIA 90802  
TELEPHONE 438-9041

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