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## CHAPTER 1688

*An act relating to tide and submerged lands in the Alamitos Bay area in the City of Long Beach, providing for the removal of the public trust for commerce, navigation and fishery from certain portions of land, providing for the removal of the trusts and restrictions imposed by Chapter 676, Statutes 1911, Chapter 102, Statutes 1925 and Chapter 158, Statutes 1935, as to certain portions of lands, authorizing the sale, exchange, quitclaim or conveyance of certain portions of lands, providing for the settlement of boundary and title disputes as to said lands.*

[ Approved by Governor July 17, 1965 Filed with  
Secretary of State July 23, 1965 ]

*The people of the State of California do enact as follows:*

SECTION 1. As used in this act:

(a). "Long Beach tidelands" means those certain tide and submerged lands, whether filled or unfilled, heretofore conveyed to the City of Long Beach upon certain trusts and conditions by Chapter 676, Statutes 1911, Chapter 102, Statutes of 1925 and Chapter 158, Statutes of 1935, all as amended and supplemented.

(b). "Alamitos Bay area" means that area within the City of Long Beach, County of Los Angeles, State of California,

enclosed by a line beginning at the intersection of the compromise boundary as described in Section 7, Chapter 138, Statutes of 1964, First Extraordinary Session, with the southerly prolongation of the centerline of Termino Avenue, thence northerly along said line of Termino Avenue and its northerly prolongation to the northern line of Livingston Drive; thence easterly along said line of Livingston Drive to the centerline of Roycroft Avenue; thence northerly along said line of Roycroft Avenue to the centerline of Broadway, thence easterly along said line of Broadway to the centerline of Granada Avenue; thence northerly along said line of Granada Avenue to the centerline of Third Street; thence westerly along said line of Third Street to the centerline of Argonne Avenue; thence northerly along said line of Argonne Avenue to the centerline of Colorado Street; thence westerly along said line of Colorado Street to the centerline of Roycroft Avenue; thence northerly along said line of Roycroft Avenue, connecting by straight lines any gaps or discontinuous segments of said avenue, to the centerline of Seventh Street; thence easterly along said line of Seventh Street to the northerly prolongation of the centerline of Panama Avenue; thence southerly along said prolongation and continuing along the centerline of Panama Avenue to the centerline of Fourth Street; thence easterly along said line of Fourth Street to the centerline of Flint Avenue; thence southerly along said line of Flint Avenue to the centerline of Colorado Street; thence easterly along said line of Colorado Street to the eastern boundary line of the Alamitos Bay annexation of the City of Long Beach, which annexation was accepted by the City Council of the City of Long Beach by Ordinance No C-211 on December 11, 1923; thence following said eastern boundary in a generally southeasterly direction to the intersection with the easterly prolongation of the terminal course in the heretofore described compromise boundary; thence westerly along said prolongation and continuing along said compromise boundary to the point of beginning.

SEC. 2. (a) It is found and determined that the following described lands within the Alamitos Bay area lie above the line of mean high tide are no longer necessary or useful for commerce, fisheries and navigation and are hereby freed from the public use and trust for commerce, fisheries and navigation to the extent such may have existed as to any of said lands.

Those parcels of real property situate in the Alamitos Bay area, City of Long Beach, County of Los Angeles, State of California, described in maps on file in the office of the County Recorder of the County of Los Angeles, described as follows:

(1) That area within the City of Long Beach enclosed by a line beginning at the intersection of the compromise boundary as described in Section 7, Chapter 138, Statutes of 1964, First Extraordinary Session, with the southerly prolongation of the centerline of Termino Avenue; thence northerly along said

line of Termino Avenue and its northerly prolongation to the northern line of Livingston Drive; thence easterly along said line of Livingston Drive to the centerline of Roycroft Avenue; thence northerly along said line of Roycroft Avenue to the centerline of Broadway; thence easterly along said line of Broadway to the centerline of Granada Avenue; thence northerly along said line of Granada Avenue to the centerline of Third Street; thence westerly along said line of Third Street to the centerline of Argonne Avenue; thence northerly along said line of Argonne Avenue to the centerline of Colorado Street; thence easterly along said line of Colorado Street to the easterly line of Nieto Avenue; thence southerly along said line to the intersection of the northerly line of Appian Way, thence easterly along said line to the intersection of said line with the northern boundary of Tract No. 29683 as per map recorded in Book 731, pages 51 to 58 of Maps in the office of the County Recorder of said county; thence easterly along said line to the intersection of said line with the easterly line of Paoli Way; thence southerly along said line and the prolongation of said line to the most northerly corner of Lot No. 50 of Tract No. 17597 as per map recorded in Book 639, pages 63 to 66 of maps in the office of the county recorder of said county; thence westerly along the northerly line of Lots 48, 49, and 50 of said tract to the intersection of said line with the easterly line of Appian Way; thence diagonally across Appian Way to the intersection of the westerly line of Appian Way and the southerly line of Bayshore Avenue; thence westerly and southerly along the southerly and easterly line of Bayshore Avenue to the intersection of said line with the easterly line of 54th Place; thence southerly along said line to the intersection of said line with the northerly line of Ocean Boulevard; thence easterly along said line to the intersection of said line with the easterly line of 55th Place; thence northerly along said line to the intersection of said line with the southerly line of Bayshore Walk; thence easterly along said line to the intersection of said line with the westerly line of 69th Place; thence easterly to the intersection of the easterly line of 69th Place and the westerly line of Bayshore Walk (vacated); thence southerly along the westerly line of Bayshore Walk (vacated), to the intersection of said line with the northerly line of Ocean Boulevard; thence easterly along said line to the intersection of said line with the prolongation of the westerly line of 72nd Place; thence southerly along said line to the intersection of said line with said compromise boundary; thence westerly along said compromise boundary to the point of beginning.

(2) The area enclosed within a line commencing at the intersection of the north line of Second Street and the southerly prolongation of the most westerly line of Lot 20, Block 11, Tract No. 7293, as per map recorded in Book 88, page 69 of maps in the office of the county recorder of said county; thence northerly to the most westerly corner of said Lot 20; thence northerly and easterly along the easterly and southerly line of the

walk to Blocks 11, 7, and 3 of said Tract No. 7293 to the intersection with a northerly prolongation of the east line of Tract No. 7118, as per map recorded in Book 88, pages 76 and 77 of maps in the office of the county recorder of said county; thence southerly along the prolongation of said east line of said Tract No. 7118 and its prolongation to its intersection with the inland face of the Alamitos Bay Bulkhead on the south side of said Tract No. 7118; thence following the inland face of said bulkhead in a generally westerly direction to its intersection with the inland face of the Rivo Alto Canal Bulkhead; thence easterly and following the inland face of said Rivo Alto Canal Bulkhead in a curved course to its intersection with the inland face of the Naples Canal Bulkhead on the south side of Block 8 of Tract No. 500, as per map recorded in Book 14, pages 186 and 187 of maps in the office of the county recorder of said county; thence following the inland face of said Naples Canal Bulkhead westerly to its intersection with the inland face of the bulkhead on the easterly line of Tract No. 14368, as per map recorded in Book 543, page 31 of maps in the office of the county recorder of said county; thence northerly along the inland face of said bulkhead to its intersection with the inland face of that bulkhead which runs in a westerly and northerly manner from the east line of said Tract No. 14368 to the south line of Second Street; thence westerly and northerly along the inland face of said bulkhead to its intersection with the south line of Second Street; thence northerly in a direct line to the point of beginning.

(3) That portion of Tract No. 500 as per map recorded in Book 14, pages 186 and 187 of maps in the office of the county recorder of said county, enclosed within the inland faces of the bulkheads of Rivo Alto Canal and Naples Canal containing Blocks 9, 10, 11, 12, 13, 14, 26, 27, 28, 29 and 30 of said tract and commonly known as Naples Island.

(4) That portion of Tract No. 500, as per map recorded in Book 14, pages 186 and 187 of maps in the office of the county recorder of said county enclosed within the inland faces of the bulkheads of Naples Canal and Alamitos Bay containing Blocks 15, 16, 17, and 18 of Tract No. 500 and that portion of Tract No. 27351, as per map recorded in Book 699, page 58 of maps in the office of the county recorder of said county, and that portion of fractional Lot 1, Tract No. 685, as recorded in Book 20, pages 166 and 167 of maps in the office of the county recorder of said county, located within the inland faces of the Alamitos Bay Bulkhead, all commonly known as Treasure Island.

(5) From a point of beginning which is the intersection of the centerline of Park Avenue and the centerline of Colorado Street; thence westerly along said line of Colorado Street to the centerline of Roycroft Avenue; thence northerly along said line of Roycroft Avenue connecting by straight lines any gaps or discontinuous segments of said avenue to the centerline of Seventh Street; thence easterly along said line of

Seventh Street to the northerly prolongation of the centerline of Park Avenue; thence southerly along said line of Park Avenue to the prolongation of the easterly line of Belmont as per map recorded in Book 11, page 84, of maps in the office of the county recorder of said county; thence southerly along said line to the centerline of Sixth Street; thence westerly along said line of Sixth Street to the northerly prolongation of the centerline of Park Avenue; thence southerly along the centerline of Park Avenue to the northwesterly prolongation of the southwesterly line of the land described in deed recorded in Book D292, page 379, official records of said county, thence southeasterly along said southwesterly line and the prolongation thereof to the centerline of Colorado Street; thence westerly along the centerline of Colorado Street to the point of beginning.

(6) From a point of beginning which is the intersection of the easterly prolongation of the centerline of Sixth Street and the northerly prolongation of the centerline of Panama Avenue; thence southerly along said prolongation of the centerline of Panama Avenue and continuing along the centerline of Panama Avenue to the centerline of Fourth Street; thence easterly along said centerline of Fourth Street to the centerline of Flint Avenue; thence southerly along said centerline of Flint Avenue to the centerline of Colorado Street; thence westerly along said centerline of Colorado Street to the centerline of Orlena Avenue; thence northerly along said centerline of Orlena Avenue to the centerline of Vermont Street; thence westerly along said centerline of Vermont Street to the southerly prolongation of the westerly line of the Addition to the Palm Island Tract as per map recorded in Book 6, page 23 of maps in the office of the county recorder of said county; thence northerly along said westerly line and the prolongation of said line to the centerline of Fourth Street, said westerly line being on the southerly prolongation of the centerline of Monrovia Avenue; thence northerly along said centerline of Monrovia Avenue to the centerline of Sixth Street; thence easterly along said centerline of Sixth Street to the point of beginning.

The State Lands Commission is authorized to survey, monument, plat or map the above-described boundaries of the lands described in this subdivision, and to file said plats or maps in the office of the County Recorder of the County of Los Angeles.

(b) It is found and determined that portions of land in the Alamitos Bay area in addition to those described in subdivision (a) of Section 2 of this act have been heretofore improved in connection with the development of the Alamitos Bay area, and in the process of said development have been filled and reclaimed, are no longer submerged or below the line of mean high tide and are no longer necessary or useful for commerce, fisheries or navigation. The State Lands Commission is hereby directed to determine the lands described in this subdivision and to execute and record in the office of the County Recorder

of the County of Los Angeles appropriate instruments describing said lands. Upon the recording of any such instrument or instruments, together with a certificate that the lands described therein are above the line of mean high tide and have been found to be no longer necessary or useful for commerce, fisheries or navigation, said described lands shall be thereupon freed of the public use and trust for commerce, fisheries and navigation. Such determinations shall be made from time to time by the State Lands Commission on its own initiative or shall be made on the application of the City of Long Beach or other affected party.

SEC. 3. (a) The City of Long Beach, by such document, quitclaim or conveyance, and upon the receipt of such considerations as are hereinafter authorized or described in this act, may convey, release or quitclaim its interest in property contained within the description of subdivision (a) of Section 2. Said document, quitclaim or conveyance may by its terms operate generally and by declaration and without specifying the name of any person and shall operate as to any parcel of land within the described area only in favor of such persons as have, at the time of said conveyance, release or quitclaim, a claim of ownership to said parcel based upon a record chain of title, which chain of title covers a period of 30 years or more immediately preceding the effective date of this act or in favor of such persons as have, at the time of said conveyance, release or quitclaim, a claim of ownership to said parcel, which claim is based upon a record chain of title of less than 30 years and upon the payment of taxes on said property by claimant or his predecessors in interest for a period of 30 years or more, which period of payment of taxes covers the period immediately preceding the effective date of this act.

(b) The City of Long Beach, by such document, quitclaim or conveyance, and upon the receipt of such considerations as are hereinafter authorized or described in this act, may convey, release or quitclaim any portions of Long Beach tidelands described in any instrument recorded pursuant to subdivision (b) of Section 2. There shall be an order of preference as to the persons in favor of which such document, quitclaim or conveyance may be executed. Said order shall be: First, to any person claiming present ownership of said property based upon a record chain of title, which chain of title covers a period of 30 years or more immediately preceding the effective date of this act. Second, to any person who, together with his claimed predecessors in interest, has paid taxes on said property to the County of Los Angeles for a period of 30 years or more immediately preceding the effective date of this act. Third, to such abutting landowner as has the longest common boundary with the property to be conveyed, released or quitclaimed. Fourth, to other parties as are approved by the State Lands Commission.

(c) The City of Long Beach, with the approval of the State Lands Commission, is hereby authorized to settle by agreement,

exchange or quitclaim, any dispute concerning whether or not particular land within the Alamitos Bay area constitutes land in private or proprietary ownership by reason of title traceable to a state or federal patent or other valid source, or rather constitutes "Long Beach tidelands", title to which is vested in the city under the terms of Chapter 676, Statutes of 1911, Chapter 102, Statutes of 1925, or Chapter 158, Statutes of 1935. In settlement of such disputes the city, with the approval of said State Lands Commission, may, by such agreement, exchange or quitclaim, establish boundary or compromise boundary lines between the "Long Beach tidelands" and bordering private or proprietary lands.

SEC. 4. Any consideration as is paid in exchange for any conveyance, release, quitclaim, or settlement under this act shall be determined by the City of Long Beach with the approval of the State Lands Commission. In determining the adequacy of any such consideration, said city and commission shall give effect in their evaluation to all factors bearing upon the value, if any, of the public's interest being conveyed, released, quitclaimed or settled, and the rights, claims and equities of the person in whose favor the conveyance, release, quitclaim or settlement is being made and their predecessors in interest. In those cases where the land has been filled or reclaimed or improved or both without the expenditure of either state funds or of public moneys held in trust under the terms of Chapter 676, Statutes of 1911, Chapter 102, Statutes of 1925, Chapter 158, Statutes of 1935, Chapter 29, Statutes of 1956, or Chapter 138 Statutes of 1964. First Extraordinary Session, such lands may be valued by excluding the value of the fill or improvements or both. Consideration under this act may consist of lands, property, interest in property, easements, moneys or other things of value given by the grantee or any other person.

SEC. 5. Any portion of Long Beach tidelands which passes in title by reason of any conveyance, release, quitclaim or settlement made under the terms of this act shall thereupon be freed of the trusts and conditions imposed by Chapter 676, Statutes of 1911; Chapter 102, Statutes of 1925; Chapter 158, Statutes of 1935, all as amended and supplemented.

No land which lies below the line of mean high tide may be conveyed, released or quitclaimed by the City of Long Beach under the terms of this act, nor shall any such land be freed by the terms of this act of the trusts and conditions imposed by Chapter 676, Statutes of 1911; Chapter 102, Statutes of 1925; Chapter 158, Statutes of 1935, all as amended or supplemented. Any certificate of the State Lands Commission concerning the character of the lands described in the instruments recorded under the provisions of subdivision (b) of Section 2 of this act shall be conclusive as to the character of lands declared therein to be above the line of mean high tide.

Except for those lands described in subdivision (a) of Section 2 of this act, any document, quitclaim or conveyance ex-

executed pursuant to the provisions of subdivision (b) of Section 3 of this act shall reserve to the City of Long Beach as trustee, or to the State of California if the lands fall within the provisions of Chapter 1579, Statutes 1961, all oil, gas, minerals, and other hydrocarbons in any lands found to be Long Beach tidelands. The reservation of said rights to minerals, oil, gas or other hydrocarbons shall not preclude the conveyance, release or quitclaim of the right of entry upon the surface of said lands for the purposes of drilling, mining or extraction of those reserved interests.

SEC. 6. Any conveyance, release, quitclaim or settlement made by the City of Long Beach pursuant to the provisions of this act shall be made by an appropriate document executed by the City of Long Beach and approved by the State Lands Commission.

SEC. 7. (a) All lands or interests in lands which lie below the line of mean high tide and are received by the City of Long Beach as a result of sales or exchanges authorized by this act shall be deemed tidelands under the provisions of Chapter 676, Statutes 1911; Chapter 102, Statutes of 1925; and Chapter 158, Statutes of 1935, all as amended or supplemented.

(b) All lands or interests in lands which lie above the line of mean high tide and are received by the City of Long Beach as a result of sales or exchanges authorized by this act shall be deemed lands upward of the compromise line and acquired with tideland trust moneys, under and according to the provisions of Section 7 of Chapter 138, Statutes of 1964, First Extraordinary Session

(c) All moneys and other things of value, excluding land interests in lands, which are received by the City of Long Beach as a result of sales or exchanges authorized by this act shall be used only for those trust purposes defined in Chapter 676, Statutes of 1911; Chapter 102, Statutes of 1925; Chapter 158, Statutes of 1935, Chapter 29, Statutes of 1956; and Section 6 of Chapter 138, Statutes of 1964, First Extraordinary Session, all as amended and supplemented.

(d) All oil and dry gas revenues derived from any lands received by the City of Long Beach as a result of sales or exchanges authorized in the foregoing section of this act shall be subject to the terms and conditions of Chapter 138, Statutes of 1964, First Extraordinary Session.

SEC. 8. The provisions of this act shall not be deemed exclusive with respect to the settlement or litigation of titles and boundaries of lands within the Alamitos Bay area and this act shall not alter or impair the existing procedural or substantive rights or disabilities of any person or entity claiming title to or an interest in any lands in the Alamitos Bay area in the defense or prosecution of any proceeding now or hereafter instituted under the laws of this state, nor affect the applicability to said lands of any other provision of law.

SEC. 9. If any provision of this act or the application thereof to any person or circumstance is held invalid, such in-



validity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

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