

A meeting of the State Lands Commission was held in Room 301 State Building, Los Angeles, on February 6, 1948, at 10:00 A. M.

Present: Honorable James S. Dean, Chairman
Honorable Goodwin J. Knight, Member
Honorable Thomas H. Kuchel, Member.

1. Upon motion duly made and unanimously carried, the minutes of the meeting of the State Lands Commission held in Los Angeles on January 9, 1948, were approved and confirmed as submitted.
2. Upon motion duly made and unanimously carried, the matter of a date for the next meeting of the Commission was deferred for later determination of a specific date in March. The suggestion was made that the meeting be held in Sacramento since the members of the Commission would be there during March.
3. (Report for Senate Committee on Local Governmental Agencies - W. O. 153.) On January 9, 1948, the Commission directed that the proposed Congressional bill as submitted by the Department of Water and Power, City of Los Angeles, relative to lands in Mono and Inyo Counties, be referred to the office of the Attorney General for review, and that a report be presented at the next meeting of the Commission as to the effect of the amended bill on any State lands.

The Commission was informed that a review of this bill had been completed and a draft of a letter report on the proposed legislation to the Senate Committee on Local Governmental Agencies. After full discussion, upon motion duly made and unanimously carried, a resolution was adopted approving the letter to the Senate Committee on Local Governmental Agencies for signature of the Chairman of the State Lands Commission, wherein it is reported that the Department of Water and Power of the City of Los Angeles concurs with the State Lands Commission and the Attorney General in the opinion that the bill is restricted to public lands of the United States, and nothing in the bill as amended shall be construed to affect any State land whatsoever. Furthermore, in sending the letter to the Senate Committee, there shall be attached a copy of the letter from the Department of Water and Power indicating such concurrence and also a copy of the letter from the Attorney General.

4. (Report on Land Titles - Torrens Title Registration Act and Other Applicable Statutes) The Commission was informed that Section 6211 of the Public Resources Code reads in part as follows:

"The Commission may, not more often than once in two years, inspect and investigate conditions in the various counties in respect to land titles. It shall annually report thereon to the Governor and shall, prior to each regular session, report to the Legislature, making such recommendations as it deems proper and necessary. . . ."

For the past ten years these reports have been merely a prefatory tabulation by counties of the total number of certificates of title filed under the Torrens law.

The Commission was further informed that as a result of a single successful action against the Torrens Title Assurance Fund, the fund was depleted on September 30, 1937 and was reported as of August 1, 1947 to show a cash balance of \$48.96 and a net deficit of \$7,547.46. However, during the ten years since this judgment, sixty-thousand certificates of title have been written under the Torrens Act and approximately two hundred thousand certificates are now of record. To back these certificates we have an Assurance Fund that is insolvent and displays no signs of becoming solvent. Some change in the law is long overdue to return the Assurance Fund to a healthy financial condition.

The Torrens system can and does operate satisfactorily, notably in Massachusetts. With 200,000 California titles depending on the Torrens Title Law, with the Assurance Fund insolvent for the past ten years, and with citizens continuing to file under the Torrens Law, in the opinion of the staff, the State Lands Commission is under an obligation at this time to present more than just a perfunctory tabulation of minimum statistics to the 1949 session of the Legislature.

Upon motion duly made and unanimously carried, a resolution was adopted directing the preparation for the Commission of a complete report for the 1949 legislature, including a thorough inquiry into the conditions with respect to land titles in the various counties, and an investigation of the operation under similar laws in other States.

5. (Proposed Agreement for Use of Concrete Ship at Seacliff Beach State Park - Santa Cruz County - P.R.C. 113 - W. O. 237) The Commission was informed that request has now been received from the Division of Beaches and Parks that the custody of structures at Seacliff Beach State Park be transferred to the Division of Beaches and Parks. On December 3, 1943, the Commission authorized the lease of a stranded concrete ship hull and existing pier on an area of tide and submerged lands in Santa Cruz County to the Division of Beaches and Parks for a term of five years at a rental of \$100.00 per year. This lease was never consummated due to extended discussions as to the authority of the State Park Commission to accept the liability which would have been imposed by the proposed form of lease, and subsequent disinterest by the State Park Commission in the operation of the area.

Upon motion duly made and unanimously carried, a resolution was adopted rescinding the action of December 8, 1943, relative to the issuance of Permit P.R.C. 113, and authorizing the Executive Officer to transfer to the Division of Beaches and Parks at no cost, all title and interest in, and responsibility for, structures in existence on tide and submerged lands at Seacliff Beach State Park. Such acceptance to be accepted by resolution of the State Park Commission.