

MINUTE ITEM

5/27/71
FDU

19. PROPOSED ALAMITOS BAY BOUNDARY AGREEMENT NO. 5 BETWEEN THE STATE, CITY OF LONG BEACH, AND UPLAND OWNERS OF THE ALAMITOS BAY PENINSULA, LONG BEACH, CALIFORNIA, LOS ANGELES COUNTY - W 2716.700; BLA 123.

After consideration of Calendar Item 2 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. AUTHORIZES THE EXECUTION OF ALAMITOS BAY BOUNDARY AGREEMENT NO. 5, WHICH IS ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, BETWEEN THE STATE OF CALIFORNIA, THE CITY OF LONG BEACH, AND THE OTHER PARTIES SET FORTH THEREIN.
2. AUTHORIZES THE OFFICE OF THE ATTORNEY GENERAL AND THE STATE LANDS DIVISION TO TAKE ALL NECESSARY STEPS TO EFFECTUATE THE PROVISIONS OF SAID ALAMITOS BAY BOUNDARY AGREEMENT NO. 5 REFERRED TO IN RECOMMENDATION 1 ABOVE.

Attachment:

Calendar Item 2 (1 page)

PROPOSED ALAMITOS BAY BOUNDARY AGREEMENT NO. 5 BETWEEN THE STATE, CITY OF LONG BEACH, AND UPLAND OWNERS ON THE ALAMITOS BAY PENINSULA, LONG BEACH, CALIFORNIA, LOS ANGELES COUNTY - W 2716.700; BIA 123.

Pursuant to Chapter 2000, Statutes of 1957, the State jointly with the City of Long Beach has been endeavoring to determine title and boundary problems in the Alamitos Bay area. Many of these problems were settled by the agreements implementing the recent decision in the case of City of Long Beach v. Mansell. However, a number of unsettled boundary and title problems remain, of which this is one.

Alamitos Bay Boundary Agreement No. 5 settles a portion of the boundaries between sovereign lands granted to the City of Long Beach, in trust, by the State (pursuant to Chapter 102, Statutes of 1925, and Chapter 158, Statutes of 1935, both as amended and supplemented), and private lands located within Rancho Los Alamitos. The Ordinary High Water Mark is the common boundary between the two ownerships. The line agreed to as the common boundary approximates the line designated on the map of the Alamitos Bay Tract as the Ordinary High Water Line and is shown on Exhibit "A". Based upon a historic study of the various locations of the Ordinary High Water Mark in the subject location, as well as on all other pertinent facts, it appears that the line to be agreed upon is a reasonable compromise of the respective positions of the parties for purposes of compromise and settlement. The agreement provides specifically that the line agreed to shall not constitute any admission or expression as to the location of said line except as between the parties that execute the proposed agreement. The establishment of this boundary will enable the City of Long Beach to settle outstanding matters concerning the extent of private encroachment upon the waters of Alamitos Bay in the agreed area and to enter into an appropriate lease agreement with the private parties.

This matter has been reviewed by the State Lands Division and approved by the Office of the Attorney General.

IT IS RECOMMENDED THAT THE COMMISSION:

1. AUTHORIZE THE EXECUTION OF ALAMITOS BAY BOUNDARY AGREEMENT NO. 5, WHICH IS ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, BETWEEN THE STATE OF CALIFORNIA, THE CITY OF LONG BEACH, AND THE OTHER PARTIES SET FORTH THEREIN.
2. AUTHORIZE THE OFFICE OF THE ATTORNEY GENERAL AND THE STATE LANDS DIVISION TO TAKE ALL NECESSARY STEPS TO EFFECTUATE THE PROVISIONS OF SAID ALAMITOS BAY BOUNDARY AGREEMENT NO. 5 REFERRED TO IN RECOMMENDATION 1 ABOVE.