

MINUTE ITEM

4/27/72
CRK

24. FINDING THAT PUBLIC RIGHTS OF ACCESS TO CERTAIN NAVIGABLE WATERWAYS IN HUNTINGTON HARBOUR, COUNTY OF ORANGE, ARE ADEQUATE TO COMPLY WITH PRIOR COVENANTS BY HUNTINGTON HARBOUR CORPORATION; RELEASE OF HUNTINGTON HARBOUR CORPORATION FROM ANY FURTHER OBLIGATIONS TO PROVIDE AND MAINTAIN TEMPORARY ACCESS ROUTES TO HUNTINGTON HARBOUR WATERWAYS AS DESCRIBED IN LEASE PRC 2686.1(B) - PRC 2686.1(B).

After consideration of Calendar Item 23 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. FINDS THAT THE LOCATION AND SIZES OF PARCELS 1, 2, AND 7 AS DESCRIBED IN CORPORATION GRANT DEED RECORDED IN BOOK 9360, PAGES 178-191, RECORDS OF ORANGE COUNTY, PROVIDE ADEQUATE ACCESS TO THE WATERWAYS COVERED BY LEASE PRC 2686.1(B).
2. FINDS THAT THE COVENANT CONTAINED IN CORPORATION GRANT DEED RECORDED IN BOOK 6368, PAGE 411, RECORDS OF ORANGE COUNTY, HAS BEEN FULLY PERFORMED BY GRANTOR.
3. RELEASES HUNTINGTON HARBOUR CORPORATION FROM ANY FURTHER OBLIGATION TO PROVIDE AND MAINTAIN TEMPORARY ACCESS ROUTES TO HUNTINGTON HARBOUR WATERWAYS AS DESCRIBED IN LEASE PRC 2686.1(B).
4. AUTHORIZES EXECUTION AND RECORDATION OF DOCUMENTS AS NECESSARY TO EFFECTUATE THE FOREGOING.

Attachment:

Calendar Item 23 (2 pages)

CALENDAR ITEM

23.

4/72

CRK

PRC 2686.1(B)

FIND THAT PUBLIC RIGHTS OF ACCESS TO CERTAIN NAVIGABLE WATERWAYS IN HUNTINGTON HARBOUR, COUNTY OF ORANGE, ARE ADEQUATE TO COMPLY WITH PRIOR COVENANTS BY HUNTINGTON HARBOUR CORPORATION

In 1960 and 1961, the Commission authorized an exchange of lands in the Sunset Beach area whereby the State conveyed 17.91 acres of tide and submerged land to Huntington Harbour Corporation in exchange for 66.47 acres of privately-owned land. The project included the dredging of over 7,000 feet of navigable channels that were conveyed to the State by Corporation Grant Deed on August 28, 1962.

Huntington covenanted to provide convenient access to all the navigable channels across and through its adjoining lands and, pending such provision, it agreed to provide temporary routes of access at the north and south ends of Huntington Harbour property.

The Division took the position that the City of Huntington Beach is the primary party concerned as to the locations and adequacy of the access routes. This was advisable in order to coordinate the access points with the City's park and recreational planning for the entire area. Negotiations are now concluded, with the following results:

- (a) Huntington Harbour has conveyed by recorded grant deed to the City of Huntington Beach four parcels of real estate shown on Exhibits "A" and "D", and described as Parcels 1, 2, 4 and 7 in the Grant Deed, Exhibit "B".
- (b) The City of Huntington Beach has advised the Commission that the parcels shown on Exhibit "A" are of adequate size and location for the purposes contemplated by the covenant contained in Huntington's Grant Deed to the State and joins with Huntington in requesting the Commission to approve compliance with the covenant.
- (c) Huntington Harbour Corporation has formally requested the Commission to accept conveyance of the access parcels as satisfactory performance of the covenant and to release Huntington from responsibility to maintain the temporary access routes as shown on Exhibit "C".

EXHIBITS: A. Location map showing access sites.
B. Corporation Grant Deed accepted by City of Huntington Beach on July 23, 1970.
C. Description of temporary access routes.
D. Huntington Harbour Development, Plan of Waterways.

CALENDAR ITEM NO. 23. (CONTD)

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE LOCATION AND SIZES OF PARCELS 1, 2, 4 AND 7 AS DESCRIBED IN CORPORATION GRANT DEED RECORDED IN BOOK 9360, PAGES 178-191, RECORDS OF ORANGE COUNTY, PROVIDE ADEQUATE ACCESS TO THE WATERWAYS COVERED BY LEASE PRC 2686.1(B).
2. FIND THAT THE COVENANT CONTAINED IN CORPORATION GRANT DEED RECORDED IN BOOK 6368, PAGE 411, RECORDS OF ORANGE COUNTY, HAS BEEN FULLY PERFORMED BY GRANTOR.
3. RELEASE HUNTINGTON HARBOUR CORPORATION FROM ANY FURTHER OBLIGATION TO PROVIDE AND MAINTAIN TEMPORARY ACCESS ROUTES TO HUNTINGTON HARBOUR WATERWAYS AS DESCRIBED IN LEASE PRC 2686.1(B).
4. AUTHORIZE EXECUTION AND RECORDATION OF DOCUMENTS AS NECESSARY TO EFFECTUATE THE FOREGOING.