MINUTE ITEM

This Calendar Item No. 34 was approved as Minute Item No. 34 by the State Lands Commission by a vote of 3 to 0 at its 6/22/78 meeting.

CALENDAR ITEM

6/78
W 2716.725
Taylor

34.

BLA 179

BOUNDARY SETTLEMENT AND EXCHANGE

Authorization for execution of the Alamitos Bay Boundary Settlement and Exchange No. 8 between the City of Long Beach, the San Gabriel River Improvement Company, Loynes Pacific Corp., East Naples Land Company, Chevron USA, Inc., Standard Gasoline Company, Los Angeles County Flood Control District, William M. Lansdale, Richard P. Roe, the State and certain "other parties"; for the exchange and conveyancing of certain lands in the city of Long Beach; for the settlement of the interests of the respective parties; for the termination of the easement and public trust for commerce, navigation and fisheries as to certain portions of said lands; for execution of all documents and maps necessary to accomplish the provisions of said agreement; and approval of all acts of the City of Long Beach and the State necessary to accomplish the provisions of said agreement in order to confirm, quiet title and exchange the respective interests in lands within the Alamitos Bay area of the City of Long Beach, as trustee, and in private parties affected by said agreement.

Pursuant to the provisions of Chapter 676, Statutes of 1911; Chapter 102, Statutes of 1925; and Chapter 158, Statutes of 1935, as amended and supplemented, the State of California granted to the City of Long Beach, in trust, all tide and submerged lands located within the boundaries of said city. Said statutes failed to specifically define the boundaries of the lands so conveyed. Due to the interest generated in those lands by the discovery of oil in the northwesterly portion of the City of Long Beach, the boundaries of those lands became of critical importance. Therefore, the Legislature in 1957 passed an act (Chapter 2000, Statutes of 1957) requiring the State Lands Commission to survey, monument, and plat the boundaries of the lands conveyed by the foregoing statutes. Work was begun immediately to determine the boundaries in Long Beach Harbor and along the ocean front of the City of Long Beach. Litigation seeking that determination was commenced by the State and ultimately was settled by the Legislature in Section 7, Chapter 138, Statutes of 1964, 1st Extraordinary Session. Specifically excepted from the boundary lines described in the 1964 legislation was the Alamitos Bay Area of the City of Long Beach.

With the settlement of the boundaries reached in the 1964 legislation, immediate attention was directed to the resolution of the remaining problems presented in Alamitos

A 58, 73

S 31, 36

1071

Bay. The resulting investigation was conducted with the cooperation and assistance of the City of Long Beach. That investigation revealed serious difficulties in the Alamitos Bay Area regarding the true present location of certain important historical boundary lines, such as portions of the boundary of the historic Rancho Los Alamitos, of the lands patented by the State of California known as State Tide Land Locations 136 and 137, and of adjacent tide and submerged lands statutorily granted to the City of Long Beach. The passage of time, the loss of unavailability of important pertinent records, the death of witnesses, the lack of precise periodic surveys of shifting tidelines and the difficulties involved in trying to separate natural and gradual topographical changes from those caused by artificial influences over the last hundred years meant that hostile and adverse litigation to live and settle these boundary problems would be extremely complicated and time consuming; such litigation could not have been expected to lead to a "true" result, and therefore was considered an impractical method of proceeding.

In order to facilitate the settlement by agreement of boundaries within the Alamitos Bay Area, and to provide for appropriate exchanges to allow intelligent private, public and tideland trust utilization and development of lands thereby settled in respective ownerships, the State of California enacted Chapter 1688, Statutes of 1965. Said Chapter 1688 defines in Section 1 (b) an area called the "Alamitos Bay Area" and defines in Section 2 (b) certain lands within said Alamitos Bay Area. The present agreement, a copy of which is on file in the Office of the State Lands Commission and incorporated herein by this reference, which is known by shortened name as the "Alamitos Bay Boundary Settlement and Exchange No. 8" (to be referred hereinafter as the "No. 8 Agreement") deals with the boundaries of certain lands within the area described in Section 2 (b) of said Chapter 1688.

The State Lands Commission has in the past approved and authorized execution of a number of boundary and exchange agreements covering portions of the Alamitos Bay Area pursuant to said Chapter 1688. The form validity of such agreements was approved by the California Supreme Court in City of Long Beach v. Mansell 3 Cal. 3d 462 (1970). The No. 8 Agreement is the last such major agreement anticipated for the area. This agreement is the result of many years of investigations, research, and negotiations among concerned parties, both private and public. It is perhaps the most detailed and complex land title agreement which has ever been negotiated in these United States.

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The No. 8 Agreement provides for the recognition by the private parties of the City of Long Beach's ownership of lands within the agreement area which passed to the city, in trust, by virtue of the State grants, and also confirms the title of the private parties to the lands included within the aforementioned State Tide Land Patents. The agreement then provides for an exchange of surface interests in certain lands between the city and the private parties, so that the city may better utilize its property for the promotion of commerce, navigation, and fisheries. The agreement (paragraph 14.2 thereof) also provides that the State Lands Commission, pursuant to Section 2 (b), Chapter 1688, Statutes of 1965, finds that certain lands to be confirmed in private ownership are no longer submerged or below the line of mean high tide and are no longer necessary or useful for the purposes of commerce, navigation, or fisheries. The map attached to the No. 8 Agreement as Exhibit "A" deliniates the boundaries of these and the other parcels of land which are the subject of the agreement.

Within those lands which are the subject of the No. 8 Agreement there have existed certain lands in private ownership through sources of title described therein and certain lands and tidal channels in public ownership as tide or submerged lands granted to the City of Long Beach by said statutory grants of 1925 and 1935. In past years in the course of widening, straightening, improving, and thereby making more navigable certain of the tidal channels owned in trust by the City of Long Beach by reason of said statutory grants, and in the course of dredging and rendering navigable certain large adjacent areas of lands acquired by said city from private owners, it was deemed necessary, proper and in the interest of navigation to fill in certain of the tidal channel areas owned by the City of Long Beach by virtue of the statutory grants of 1925 and 1935; these areas are today day lands above the line of mean high tide.

The surface of certain of the former tidal channel areas so filled no longer serves or benefits the tideland trust purposes of commerce, fisheries or navigation; however, certain privately owned surface areas of comparable or greater value within the lands subject to the No. 8 Agreement are, by the terms of said agreement, available for exchange, and when acquired through said agreement, by the City of Long Beach could be utilized greatly to enhance the tideland trust purposes of commerce, fisheries and navigation.

All lands to be quitclaimed by the city pursuant to the exchange provision of the Alamitos Bay Boundary Settlement and Exchange No. 8 lie above the line of mean high tide. The surface of the lands which the city is to acquire under the exchange provisions of said agreement, are greater in area than the lands to be traded by the city and are adjacent to existing tidal channels of Alamitos Bay thereby providing increased public access and utility for trust purposes.

For these reasons the settlements and exchanges described in the No. 8 Agreement will, if brought to fruition, serve the valuable public ends and needs and the consideration to insure to the city and the State under the terms of said agreement constitutes fair and adequate consideration.

The Office of the Attorney General concurs in these opinions and has approved the Agreement.

The City of Long Beach approved the No. 8 Agreement by Resolution No. C-224BB at a meeting of its City Counsel on May 2, 1978.

IT IS RECOMMENDED THAT THE COMMISSION:

1. MAKE THE FINDINGS AND DETERMINATIONS REQUIRED BY PARAGRAPHS 14.2 OF THE ALAMITOS BAY BOUNDARY SETTLEMENT AND EXCHANGE NO. 8· SAID FINDINGS AND DETERMINATIONS REGARDING SAID PARAGRAPH 14.2 TO BE EFFECTIVE AT THE TIME AND AS PROVIDED IN THE AFOREMENTIONED AGREEMENT.

2. APPROVE THE ALAMITOS BAY BOUNDARY SETTLEMENT AND EXCHANGE NO. 8 AND ALL ACTS TO BE PERFORMED BY THE CITY OF LONG BEACH PURSUANT THERETO.

3. AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE, ON BEHALF OF THE STATE LANDS COMMISSION OF THE STATE OF CALIFORNIA, ALAMITOS BAY BOUNDARY SETTLEMENT AND EXCHANGE NO. 8.

4. AUTHORIZE THE EXECUTIVE OFFICER, THE STAFF OF THE STATE LANDS COMMISSION AND THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL FURTHER ACTION, INCLUDING BUT NOT LIMITED TO THE EXECUTION OF ALL DOCUMENTS, MAPS AND PLATS AND THE INSTIGATION AND DEFENSE OF LITIGATION, NECESSARY OR REQUIRED TO ACCOMPLISH THE TERMS AND PROVISIONS OF THE ALAMITOS BAY BOUNDARY SETTLEMENT AND EXCHANGE NO. 8 WITHOUT FURTHER AUTHORIZATION OF THE STATE LANDS COMMISSION.

SCALE: 1" = 100'

SHEET 1 OF 20 SHEETS

ALAMITOS BAY BOUNDARY INVESTIGATION
ALAMITOS BAY BOUNDARY SETTLEMENT & EXCHANGE NO. 8
EXHIBIT "A"
PART OF
THE ALAMITOS BAY AREA

CITY OF LONG BEACH, LOS ANGELES COUNTY, CALIFORNIA

This Map Consisting of 20 Sheets Is A True Compilation of Survey and Record Data Prepared Under The Direction of John T. Guthrie and Francois D. Utes

Signed John T. Guthrie 4/2/69
John T. Guthrie R.C.E. 8348

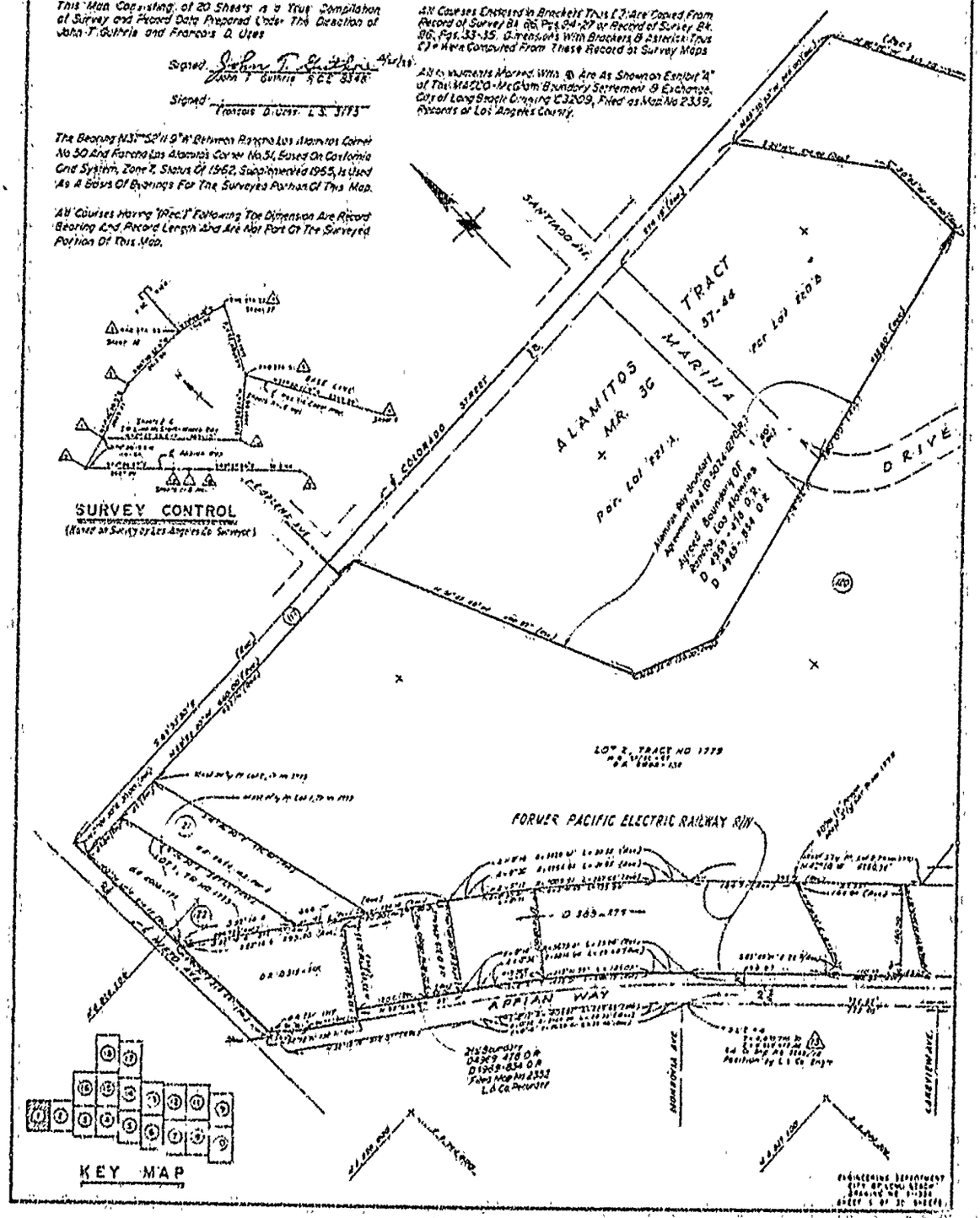
Signed Francois D. Utes L.S. 3173

The Bearing N3°52'11.9"W Between Range Line Monuments Corner No. 50 And Furcona Los Alamitos Corner No. 51, Based On California Grid System, Zone 7, Status Of 1962, Supplemented 1965, Is Used As A Basis Of Bearings For The Surveyed Portion Of This Map.

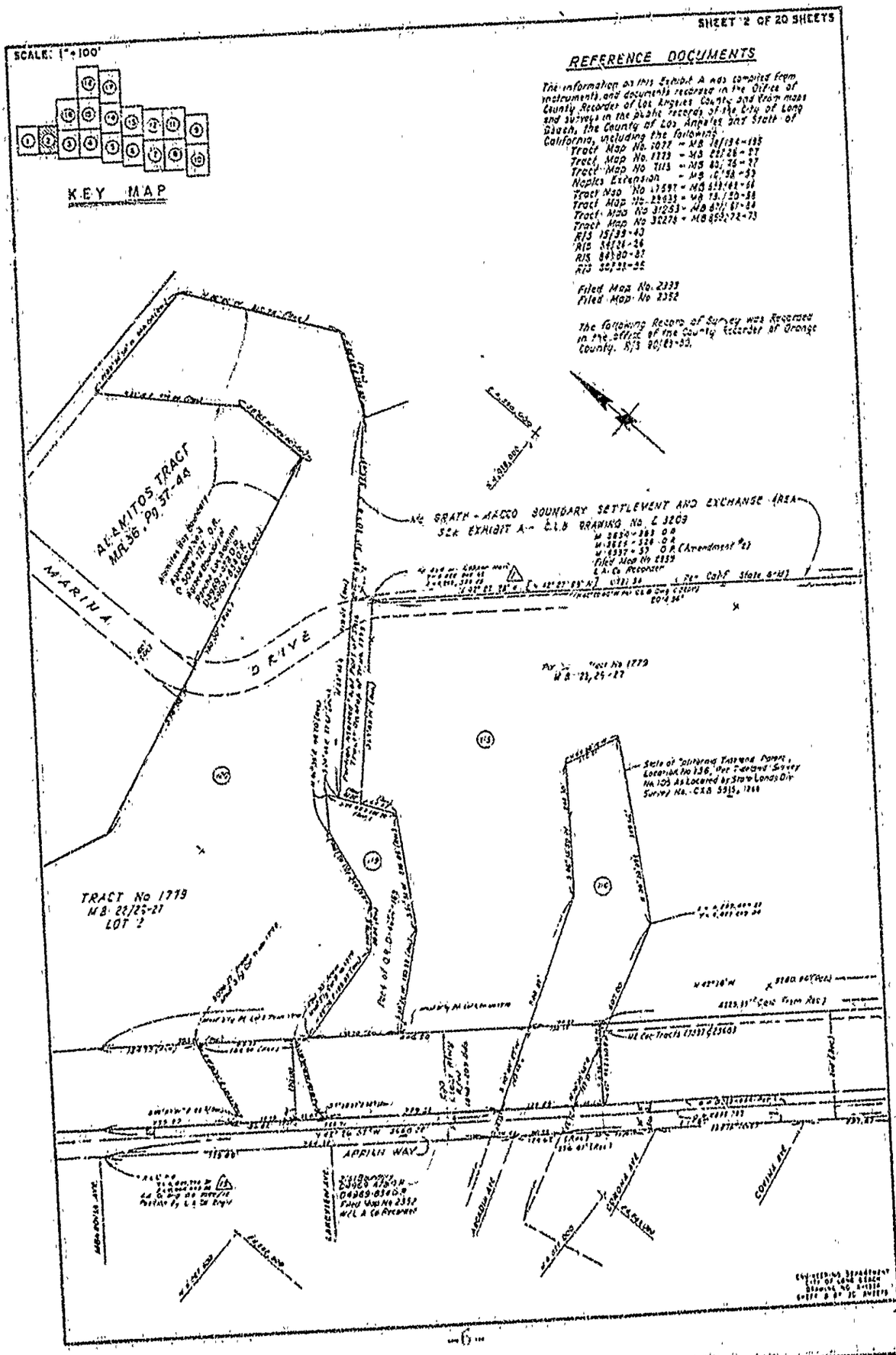
All Courses Having "(Rec.)" Following The Dimension Are Record Bearing And Record Length And Are Not Part Of The Surveyed Portion Of This Map.

All Courses Enclosed In Brackets Thus [ ] Are Copied From Record of Survey Bk. 86, Pgs. 24-27 or Record of Survey Bk. 86, Pgs. 33-35. Dimensions With Brackets & Asterisk Thus [ ]* Were Computed From These Record of Survey Maps

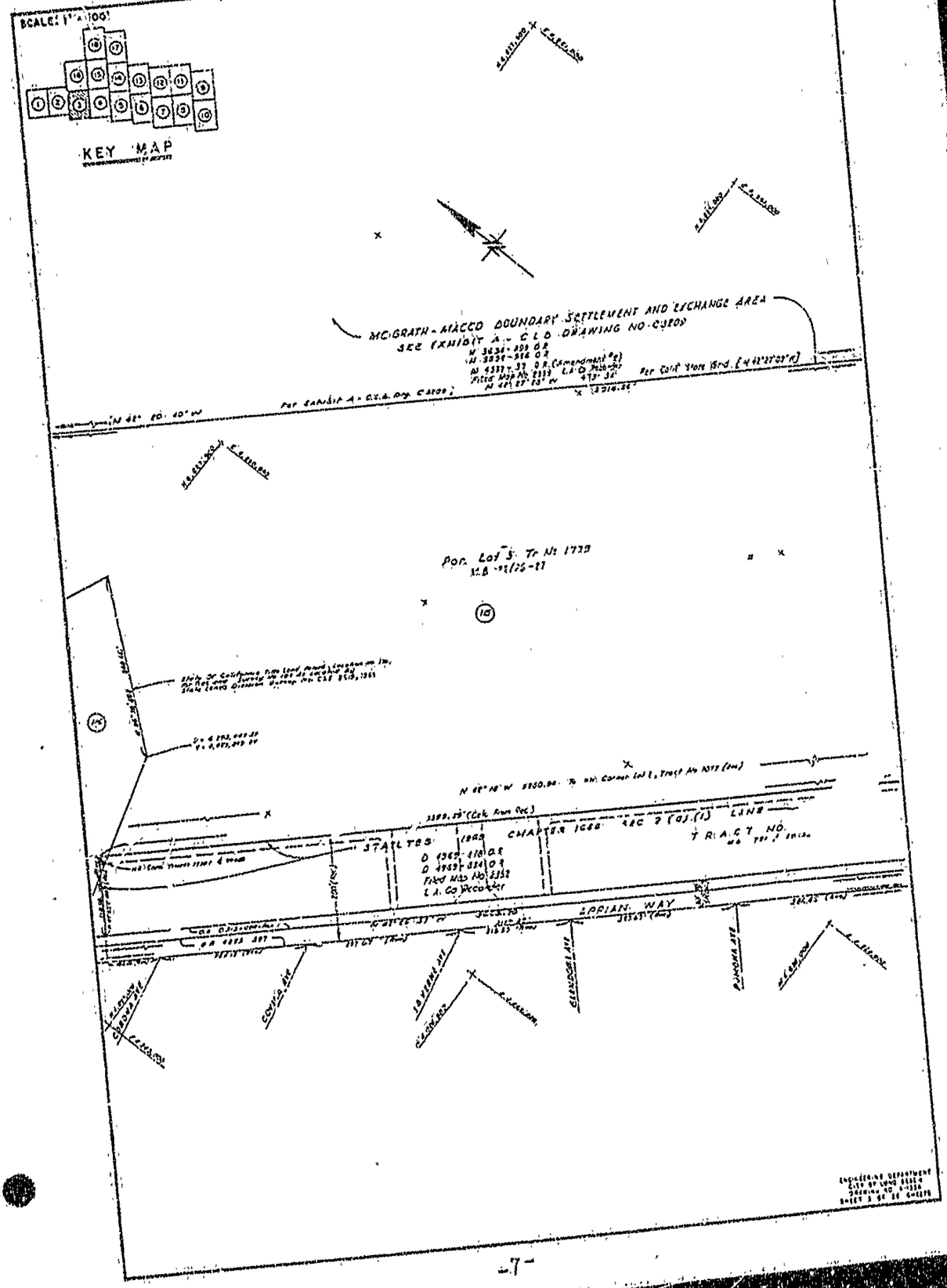
All Monuments Marked With ⊕ Are As Shown on Exhibit "A" of The MAZZO-McGlynn Boundary Settlement & Exchange, City of Long Beach Ordinance C3209, Filed as Map No. 2359, Records of Los Angeles County.



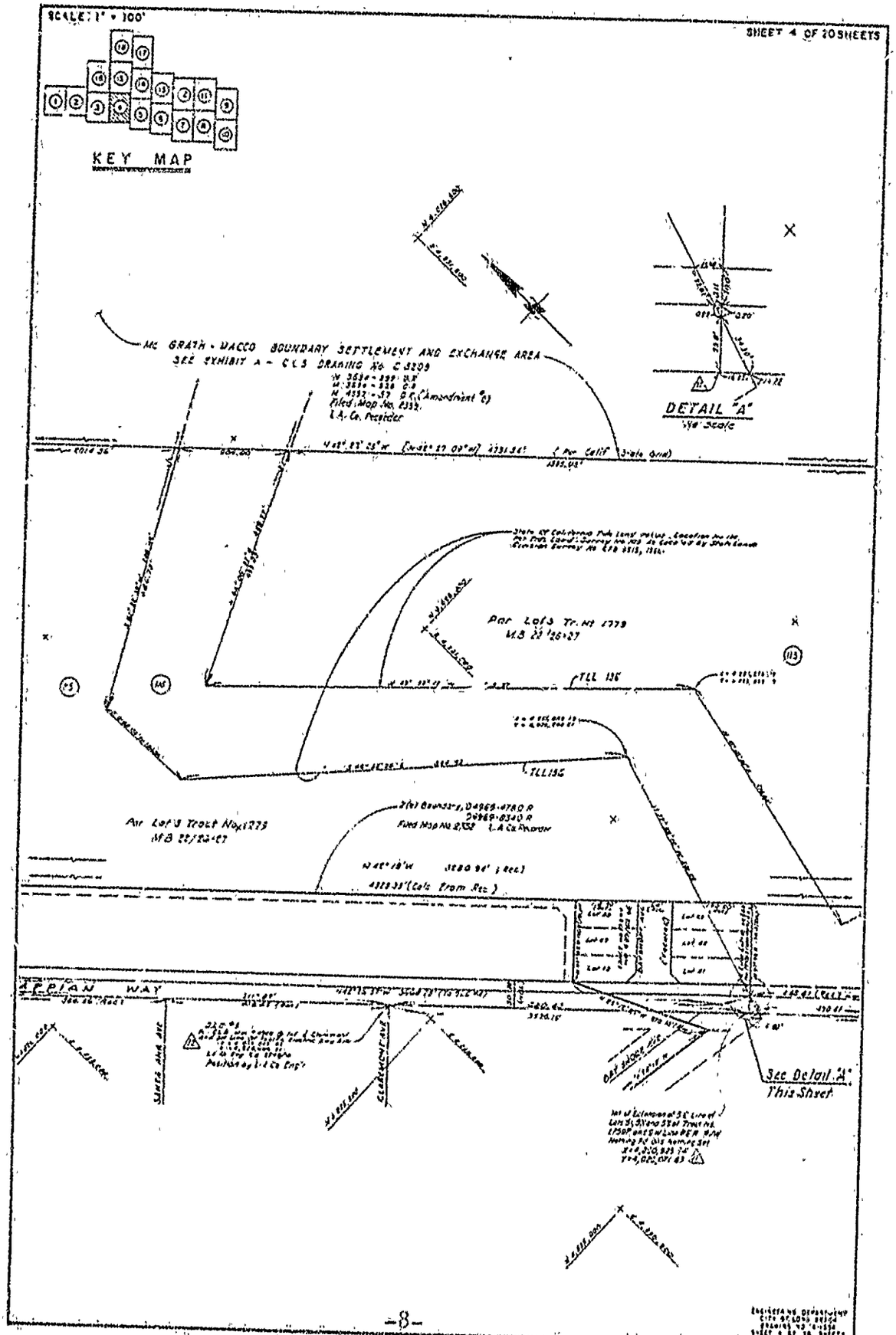
1075

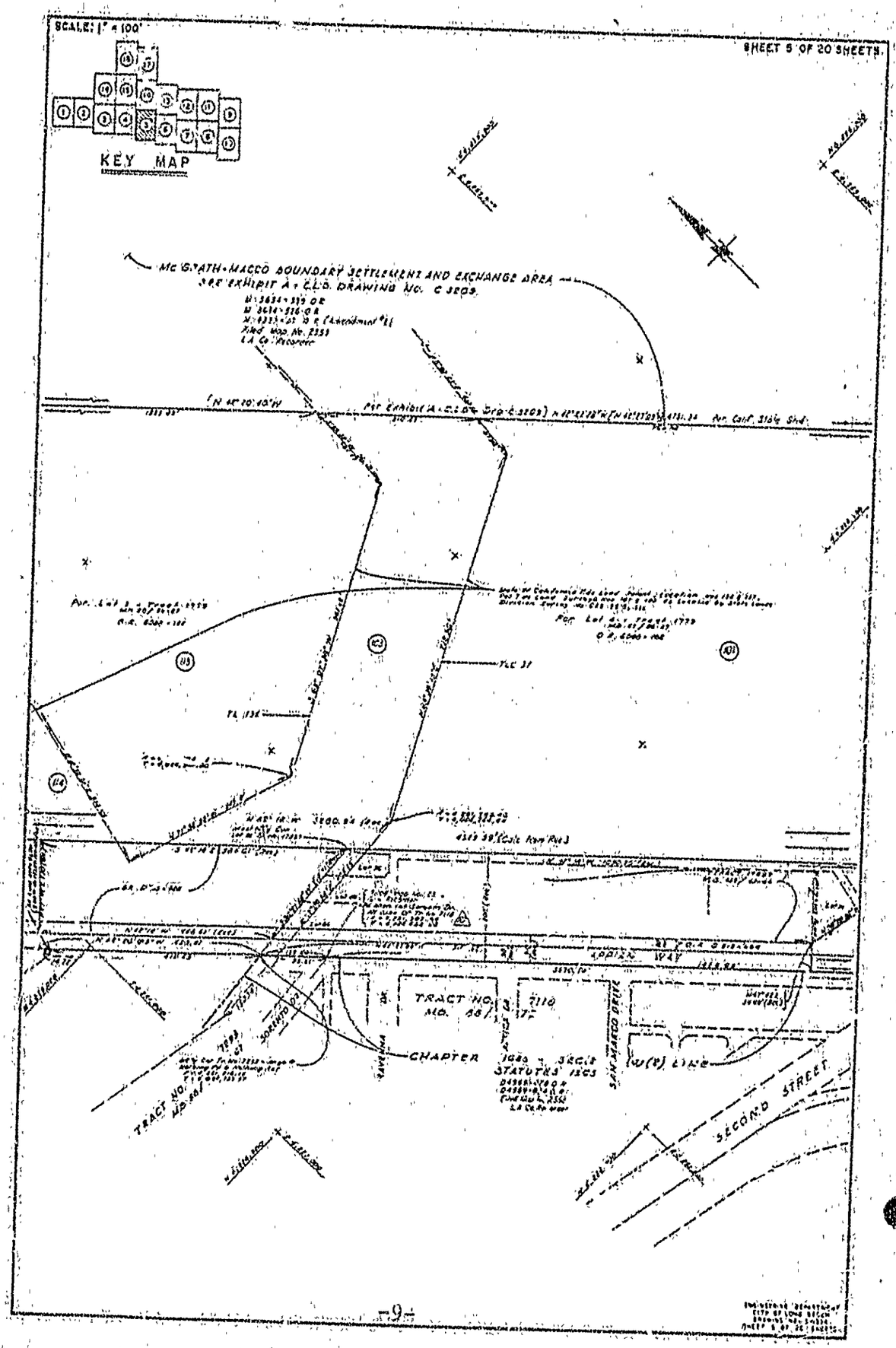

SHEET 2 OF 20 SHEETS
SCALE: 1" = 100'
KEY MAP
REFERENCE DOCUMENTS
The information on this Exhibit A was compiled from instruments and documents recorded in the Office of County Recorder of Los Angeles County and from maps and surveys in the public records of the City of Long Beach, the County of Los Angeles and State of California, including the following:
Tract Map No. 1077 - MB 18/134-135
Tract Map No. 1779 - MB 22/26-27
Tract Map No. 7115 - MB 80/76-77
Naples Extension - MB 10/58-59
Tract Map No. 17597 - MB 659/42-66
Tract Map No. 22633 - MB 73/50-58
Tract Map No. 31253 - MB 671/67-84
Tract Map No. 32278 - MB 859/72-73
R/S 15/39-43
R/S 34/26-26
R/S 84/80-87
R/S 90/82-85
Filed Map No. 2333
Filed Map No. 2352
The following Record of Survey was Recorded in the office of the County Recorder of Orange County. R/S 90/82-83.
ALAMITOS TRACT
MR 36, PG 37-44
MARINA
DRIVE
McGRATH - MACCO BOUNDARY SETTLEMENT AND EXCHANGE AREA
SEE EXHIBIT A - C.L.B. DRAWING No. L 3209
Filed Map No. 2333
L.A. Co. Recorder
Per Calif. State Grid
Tract No. 1779
M.B. 22/25-27
State of California Tidelands Patent, Location No. 136, Per Tidelands Survey No. 105 As Located by State Lands Div. Survey No. CXB 5915, 1966
TRACT No. 1779
M.B. 22/25-27
LOT 2
APPIAN WAY
LAKEVIEW AVE.
ARCADIA AVE.
CORONA AVE.
COVINA AVE.
ENGINEERING DEPARTMENT
CITY OF LONG BEACH
DRAWING NO. 8-1224
SHEET 8 OF 20 SHEETS

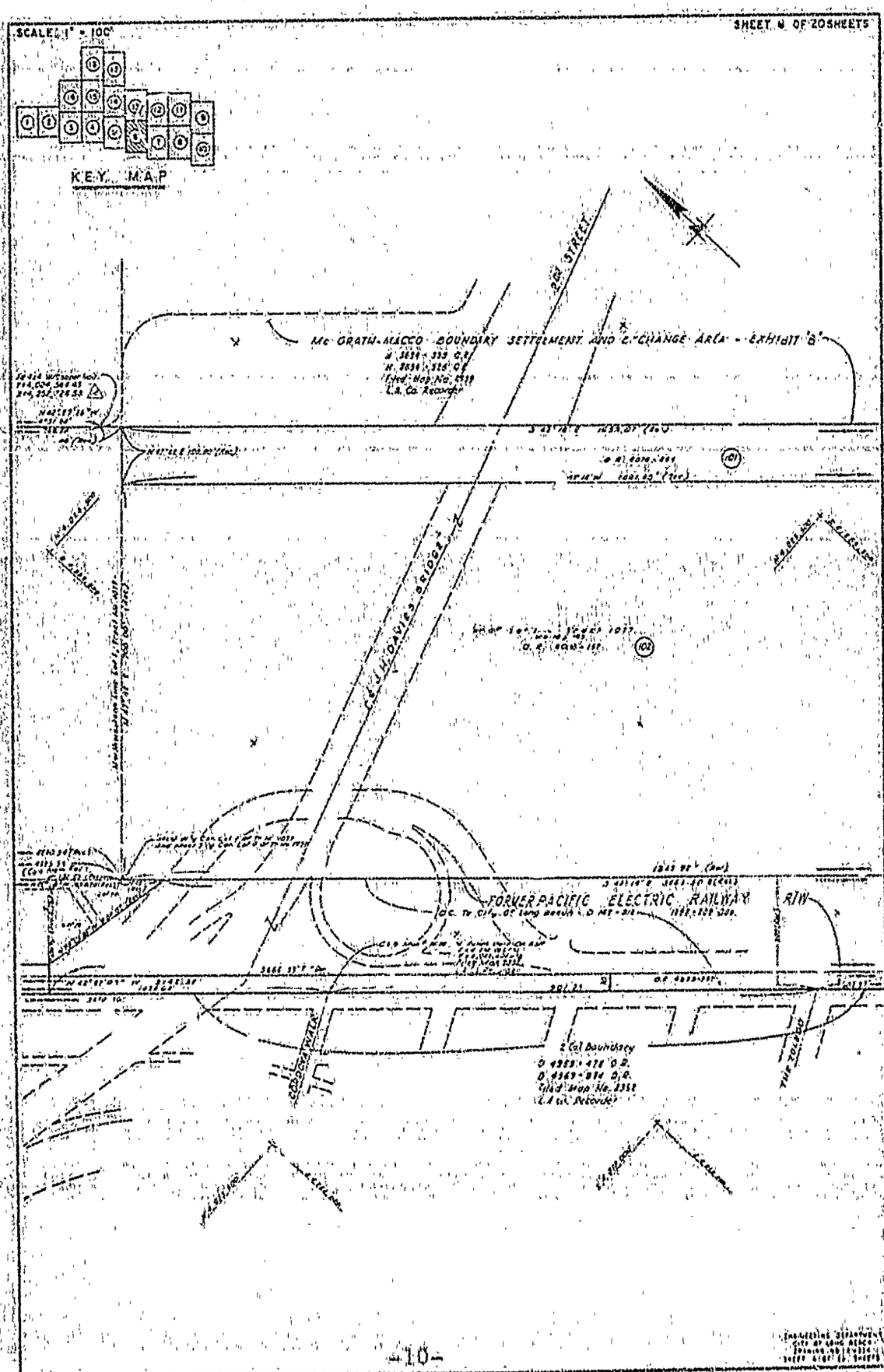
1076


SHEET 3 OF 20 SHEETS
SCALE: 1" = 100'
KEY MAP
MC GRATH - MACCO BOUNDARY SETTLEMENT AND EXCHANGE AREA
SEE EXHIBIT A - C.L.D. DRAWING NO. C3209
Por. Lot 5 Tr No 1779
STATUTES
CHAPTER 1660
SEC 2 (a)(1) LINE
TRACT NO.
APPIAN WAY
CORONA AVE
COVINA AVE
SAN VERNE AVE
GLENDORA AVE
PINOMA AVE
ENGINEERING DEPARTMENT

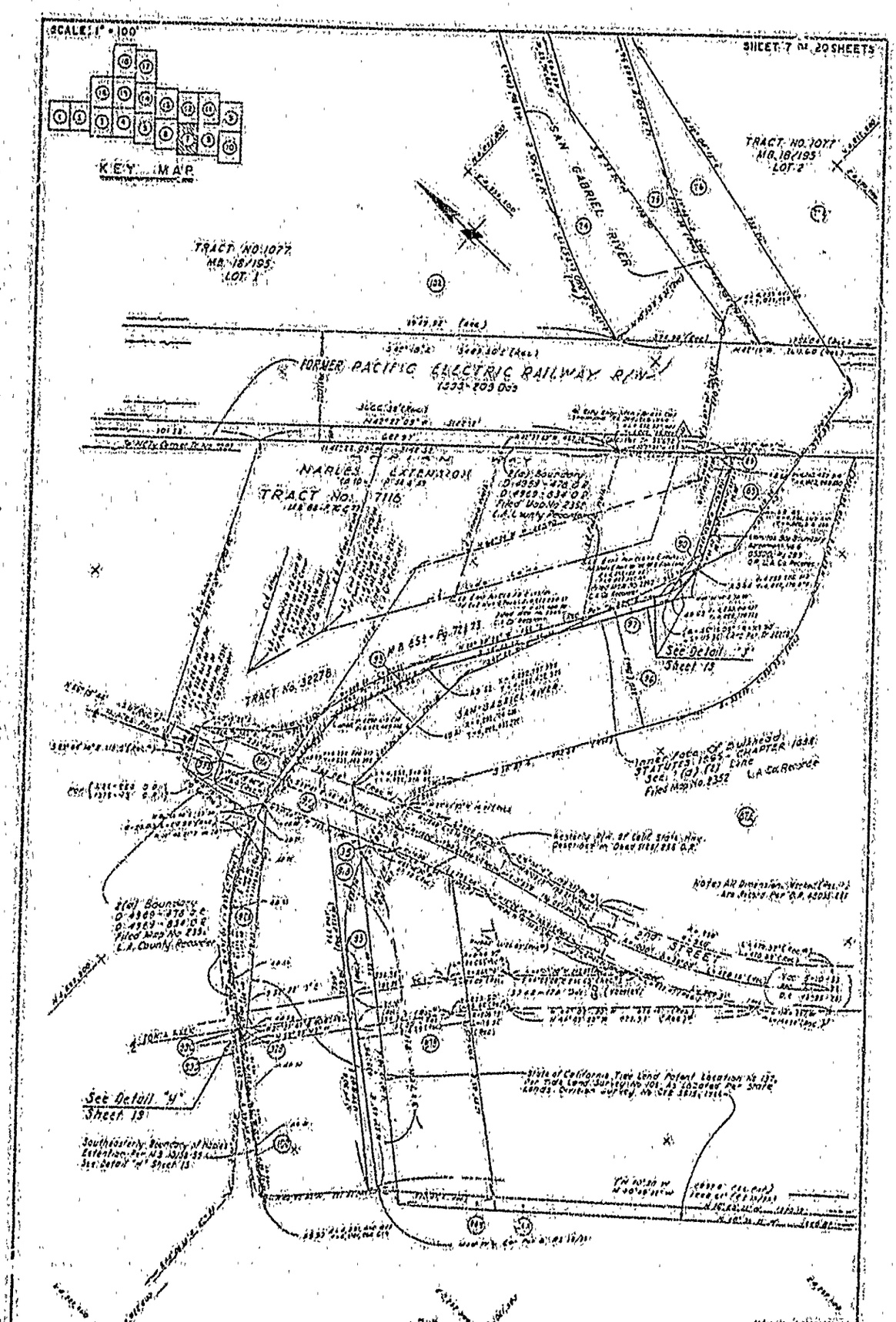
1077

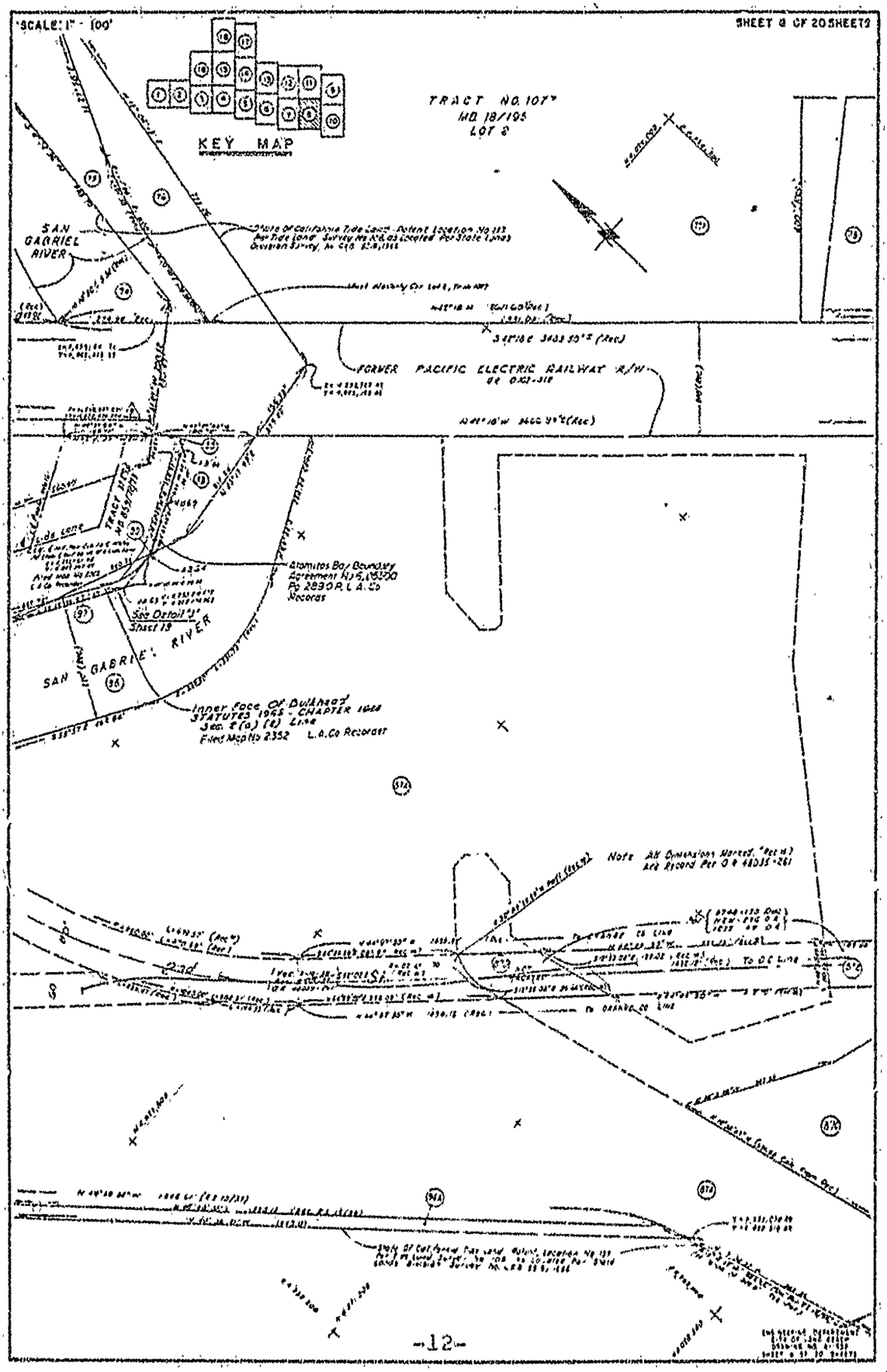

SCALE: 1" = 100'
SHEET 4 OF 20 SHEETS
KEY MAP
DETAIL "A"
Mc GRATH - MACCO BOUNDARY SETTLEMENT AND EXCHANGE AREA
SEE EXHIBIT A - C.L.S. DRAWING No. C 3209
Filed Map No. 2332
L.A. Co. Recorder
Par Lot 5 Tr. Nº 1779
M.B. 22/26-27
TLL 136
Par Lot 5 Tract No. 1779
M.B. 22/26-27
Filed Map No. 2,132 L.A. Co. Recorder
APPIAN WAY
See Detail "A"
This Sheet

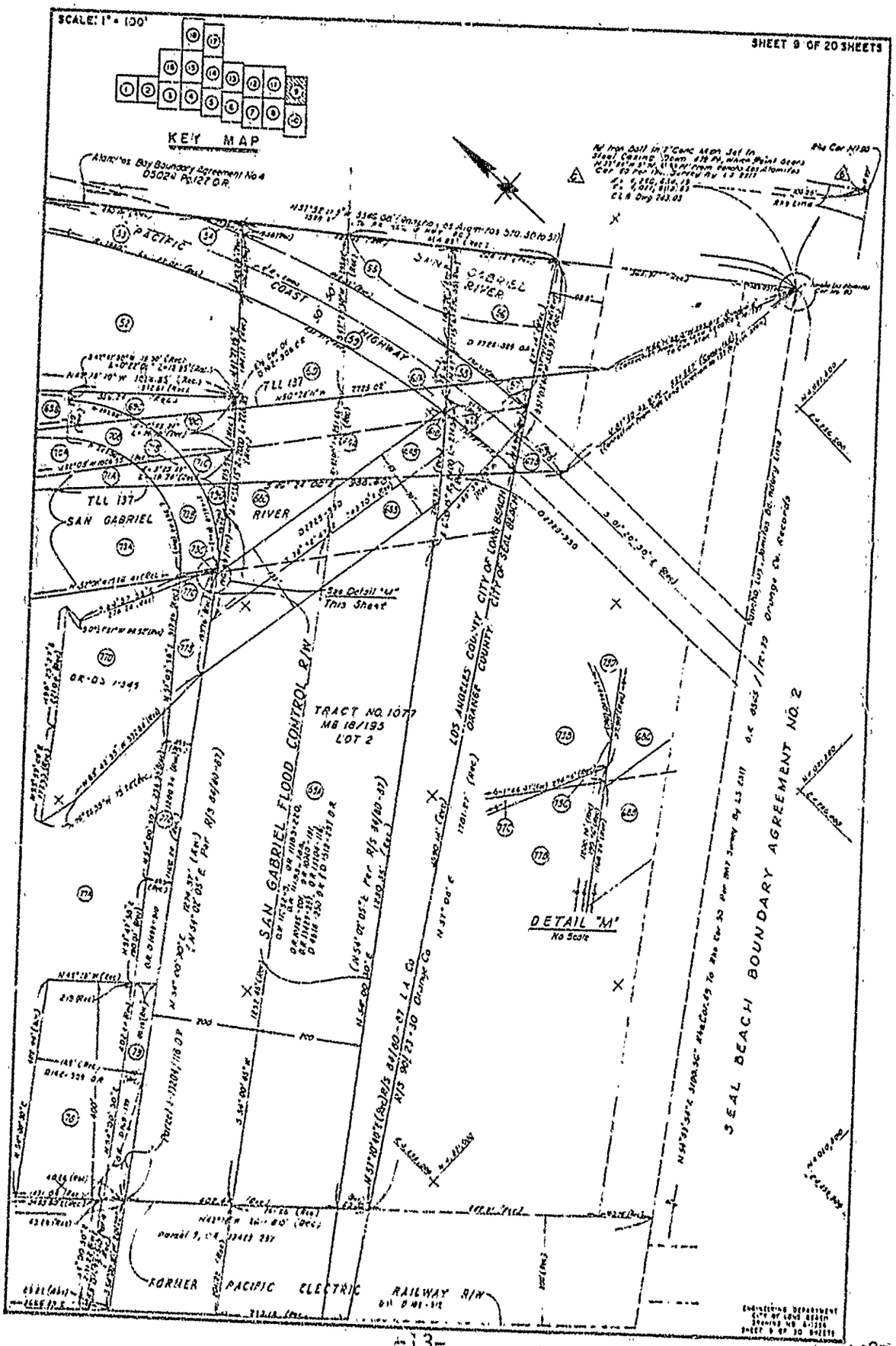

SCALE: 1" = 100'
SHEET 5 OF 20 SHEETS.
KEY MAP
McGRATH-MACCO BOUNDARY SETTLEMENT AND EXCHANGE AREA
SEE EXHIBIT A - C.L.D. DRAWING NO. C 3209
TRACT NO. 7110
CHAPTER
STATUTES
SAN MARCO DRIVE
SECOND STREET


SCALE: 1" = 100'
SHEET 8 OF 20 SHEETS
KEY MAP
2ND STREET
Mc GRATH-MACCO BOUNDARY SETTLEMENT AND EXCHANGE AREA - EXHIBIT "B"
C.E.J.H. DAVIES BRIDGE
FORMER PACIFIC ELECTRIC RAILWAY R/W
2 Cal Boundary
CORDOVA WALK
THE TOLEDO

3080

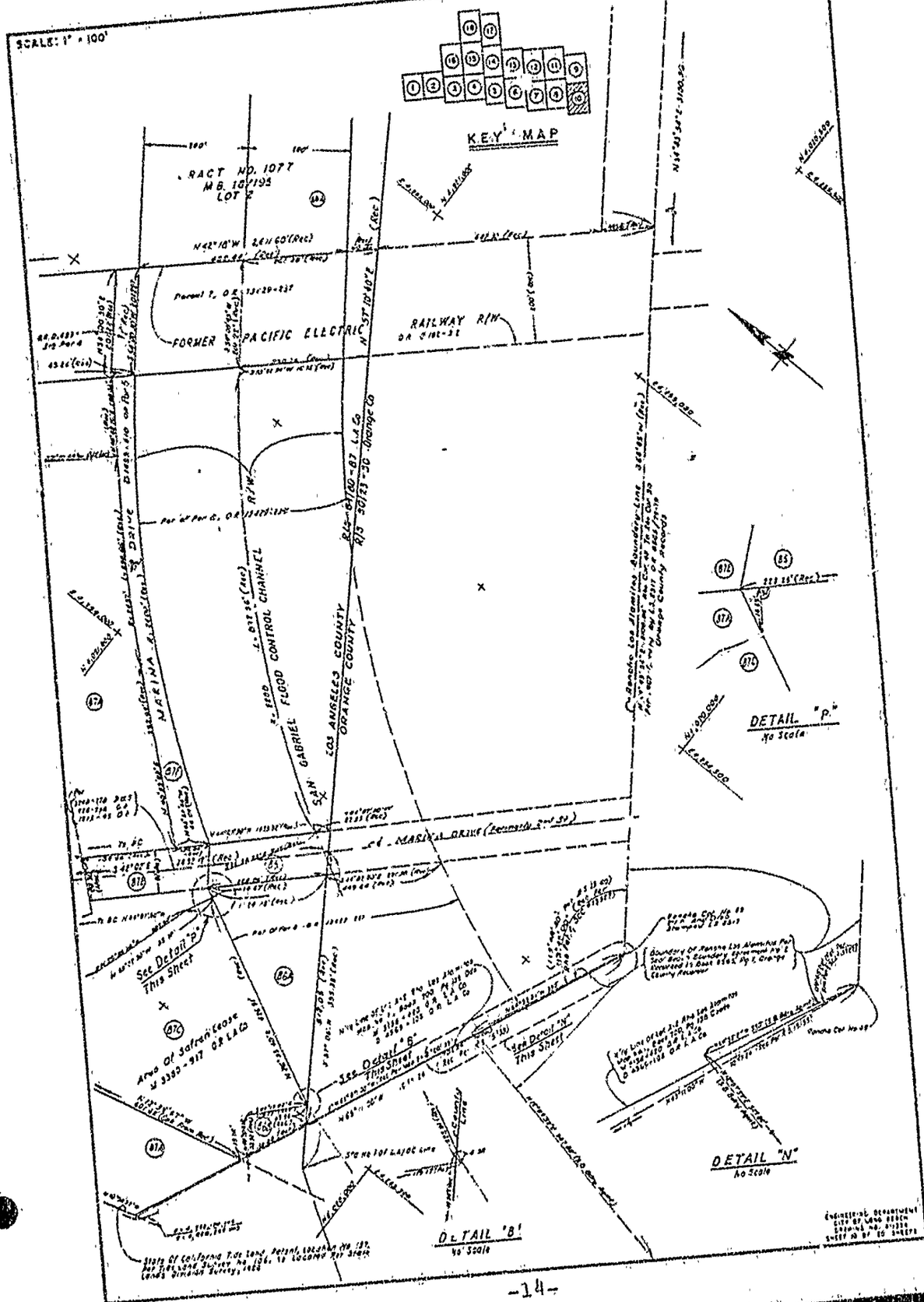

SCALE: 1" = 100'
SHEET 7 OF 20 SHEETS
KEY MAP
TRACT NO. 1077
MB 18/195
LOT 1
TRACT NO. 1077
MB 18/195
LOT 2
SAN GABRIEL RIVER
FORMER PACIFIC ELECTRIC RAILWAY R/W
NARLES EXTENSION
TRACT No. 7116
TRACT No. 32278
See Detail "F"
Sheet 13
See Detail "Y"
Sheet 13
2ND STREET


SCALE: 1" = 100'
SHEET 8 OF 20 SHEETS
KEY MAP
TRACT NO. 107
MB 18/195
LOT 8
SAN GABRIEL RIVER
FORMER PACIFIC ELECTRIC RAILWAY R/W
Atomitos Bay Boundary Agreement No 5,105300 Pg 2890 R L.A. Co Records
See Detail "J" Sheet 19
SAN GABRIEL RIVER
Inner Face Of Bulkhead STATUTES 1965 - CHAPTER 1688 Sec. 2(a)(2) Line Filed Map No 2352 L.A. Co Recorder
Note All Dimensions Marked "Rec H" Are Record Per O.R. 48035-261
To O.C. Line
To Orange Co Line

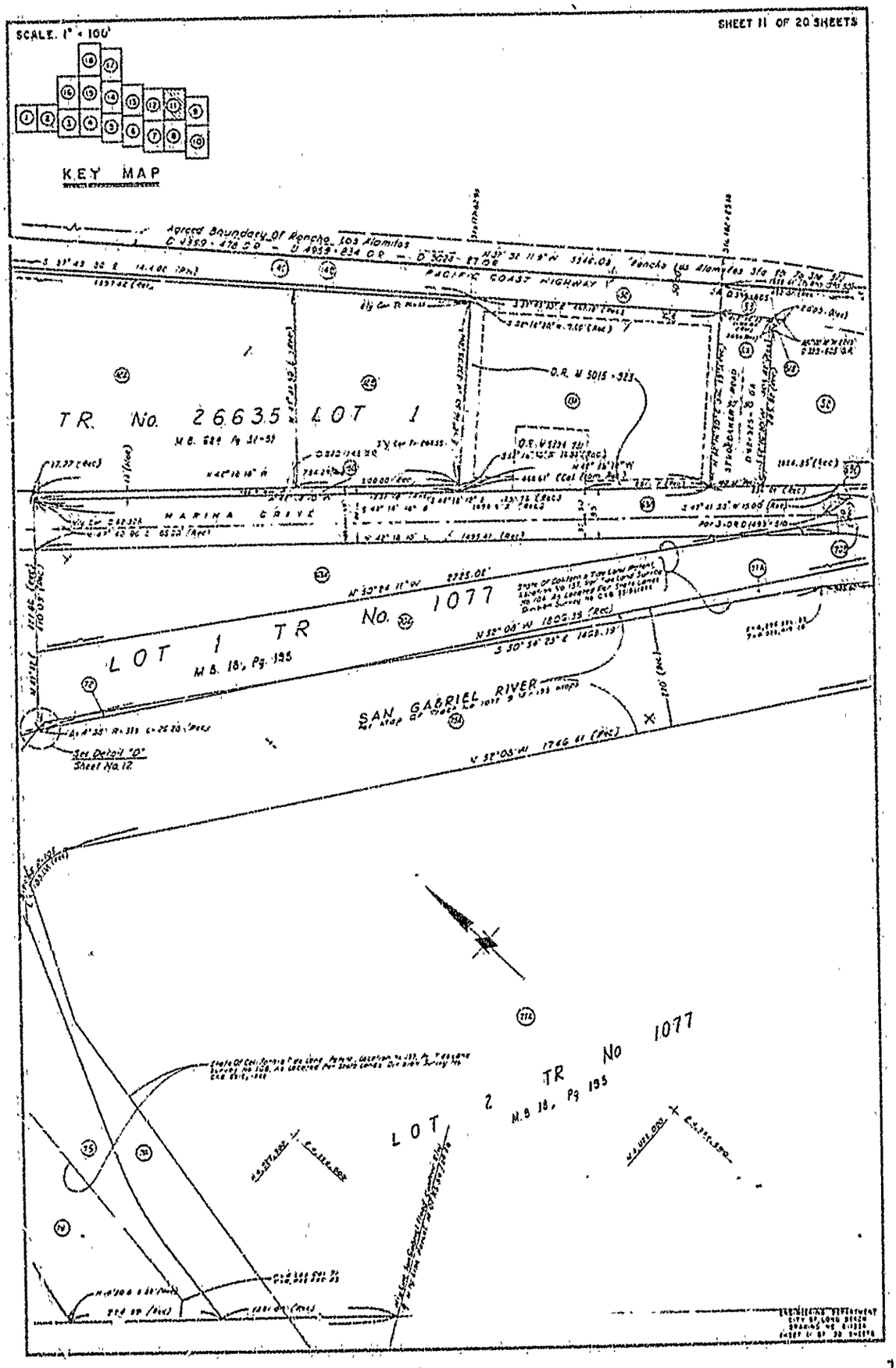

SCALE: 1" = 100'
SHEET 9 OF 20 SHEETS
KEY MAP
PACIFIC COAST HIGHWAY
SAN GABRIEL RIVER
TLL 137
SAN GABRIEL RIVER
See Detail "M" This Sheet
TRACT NO. 1077
MB 18/195
LOT 2
SAN GABRIEL FLOOD CONTROL R/W
LOS ANGELES COUNTY
ORANGE COUNTY
CITY OF LONG BEACH
CITY OF SEAL BEACH
DETAIL "M"
No Scale
SEAL BEACH BOUNDARY AGREEMENT NO. 2
FORMER PACIFIC ELECTRIC RAILWAY R/W

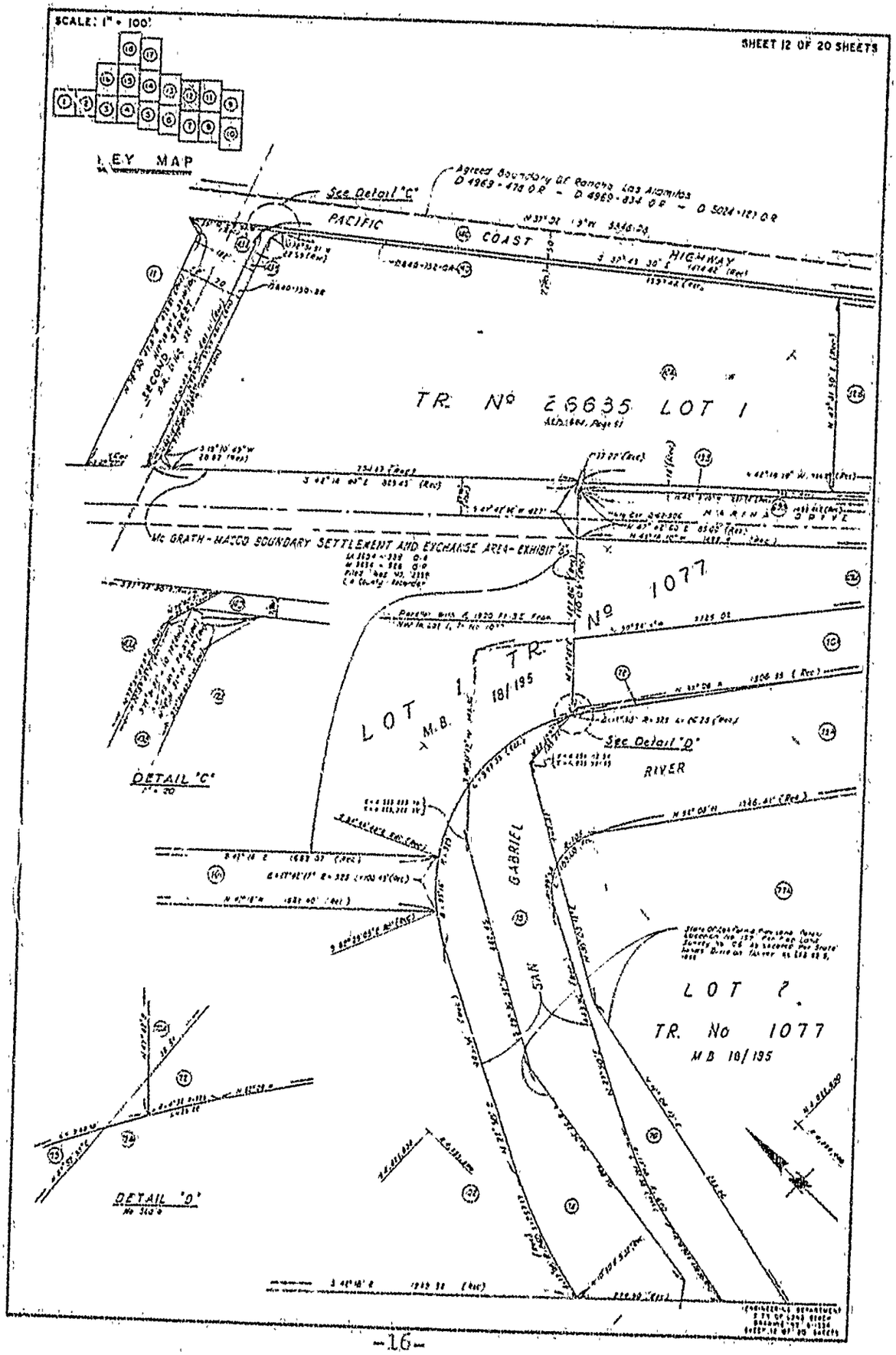
1083

SCALE: 1" = 100'

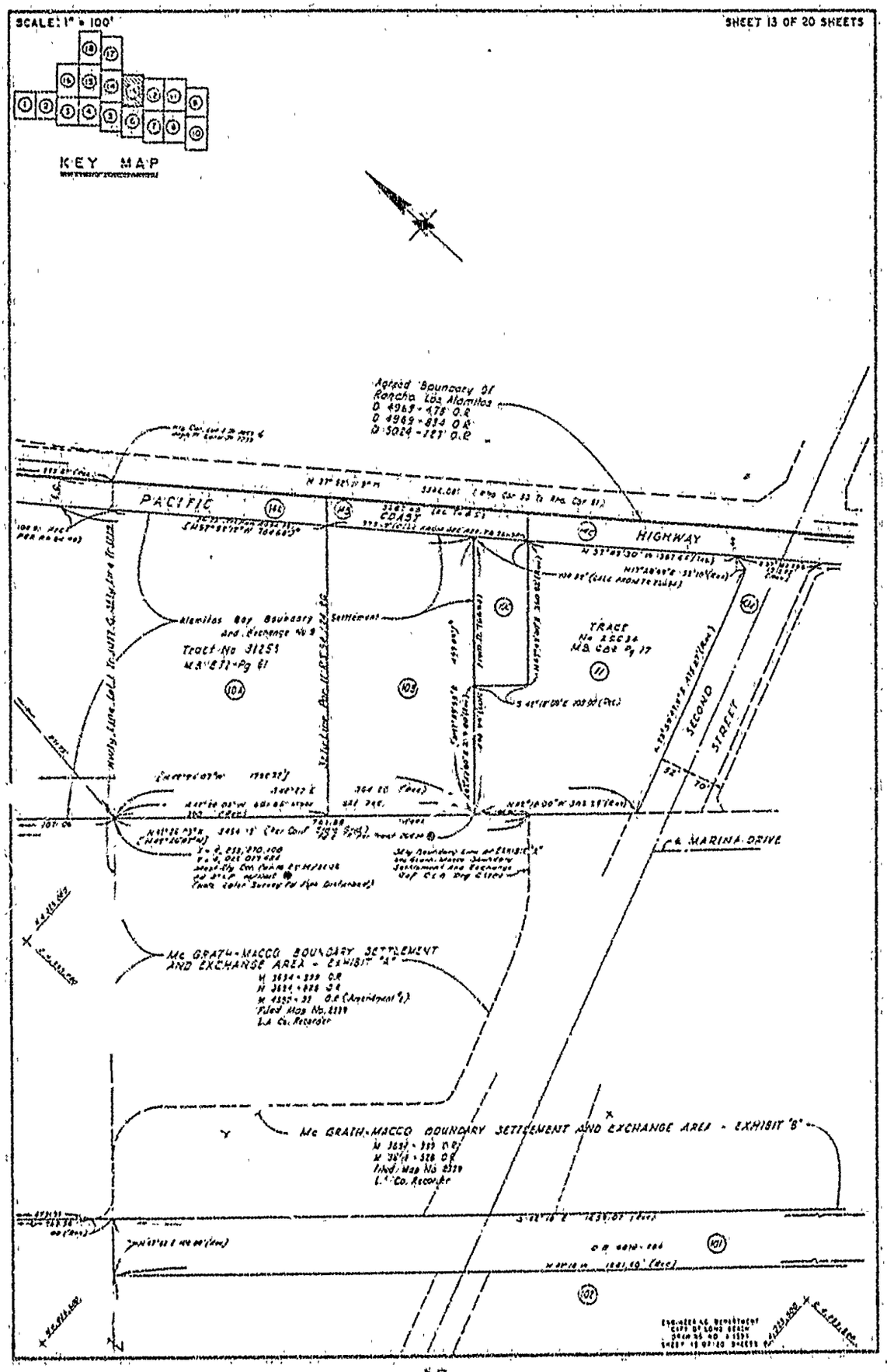


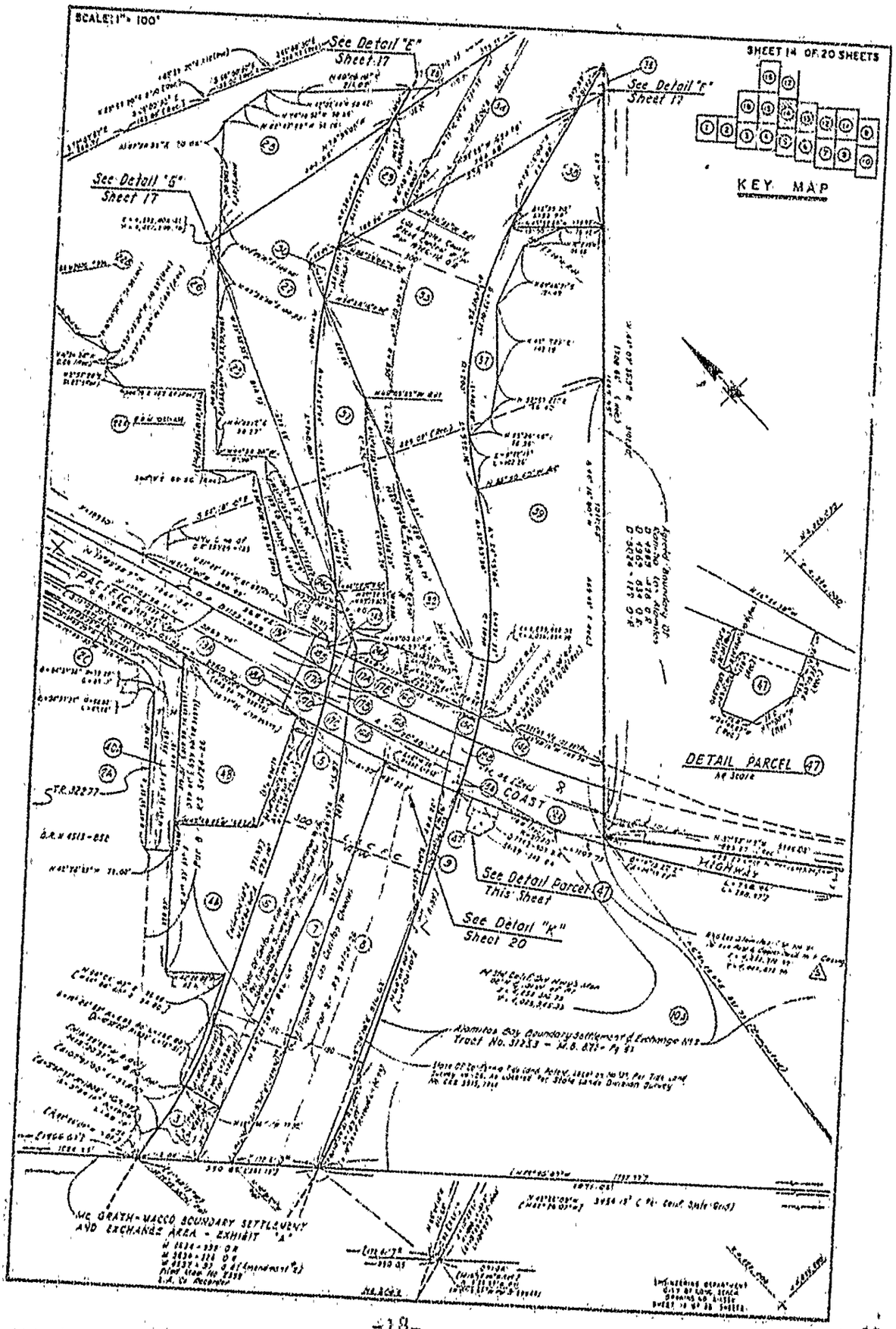
1004


SCALE. 1" = 100'
SHEET 11 OF 20 SHEETS
KEY MAP
Agreed Boundary Of Rancho Los Alamitos
PACIFIC COAST HIGHWAY
TR. No. 26635 LOT 1
HARINA DRIVE
LOT 1 TR No. 1077
M.B. 18, Pg. 195
SAN GABRIEL RIVER
See Detail "D" Sheet No. 12
LOT 2 TR No 1077
M.B. 18, Pg 195

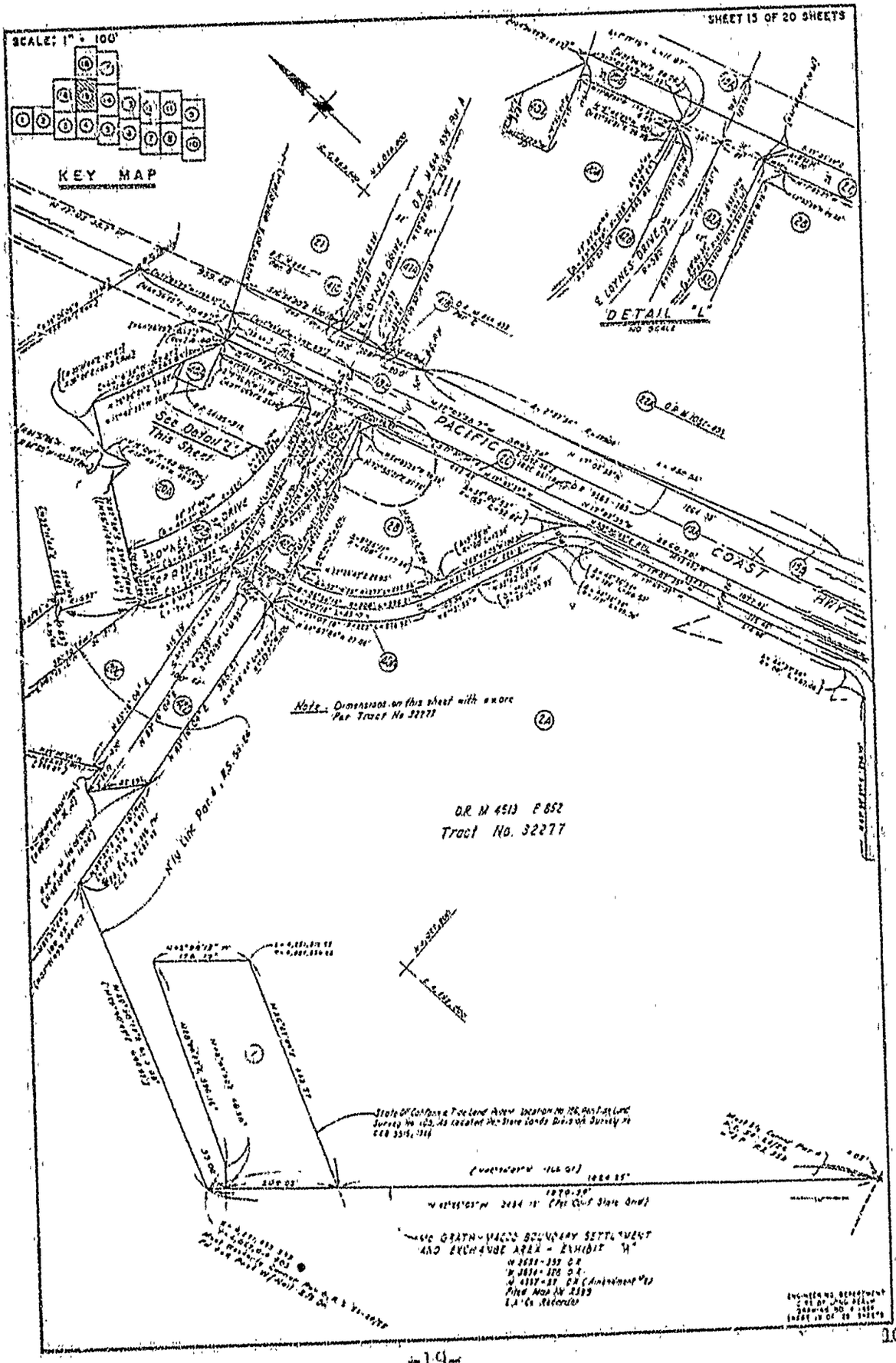

SCALE: 1" = 100'
SHEET 12 OF 20 SHEETS
KEY MAP
See Detail "C"
PACIFIC COAST HIGHWAY
TR. No 26635 LOT 1
McGRATH-HASCO BOUNDARY SETTLEMENT AND EXCHANGE AREA-EXHIBIT "B"
No 1077
TR.
LOT 1
M.B. 18/195
See Detail "D"
RIVER
GABRIEL
SAN
LOT 2
TR. No 1077
MB 18/195
DETAIL "C"
DETAIL "D"

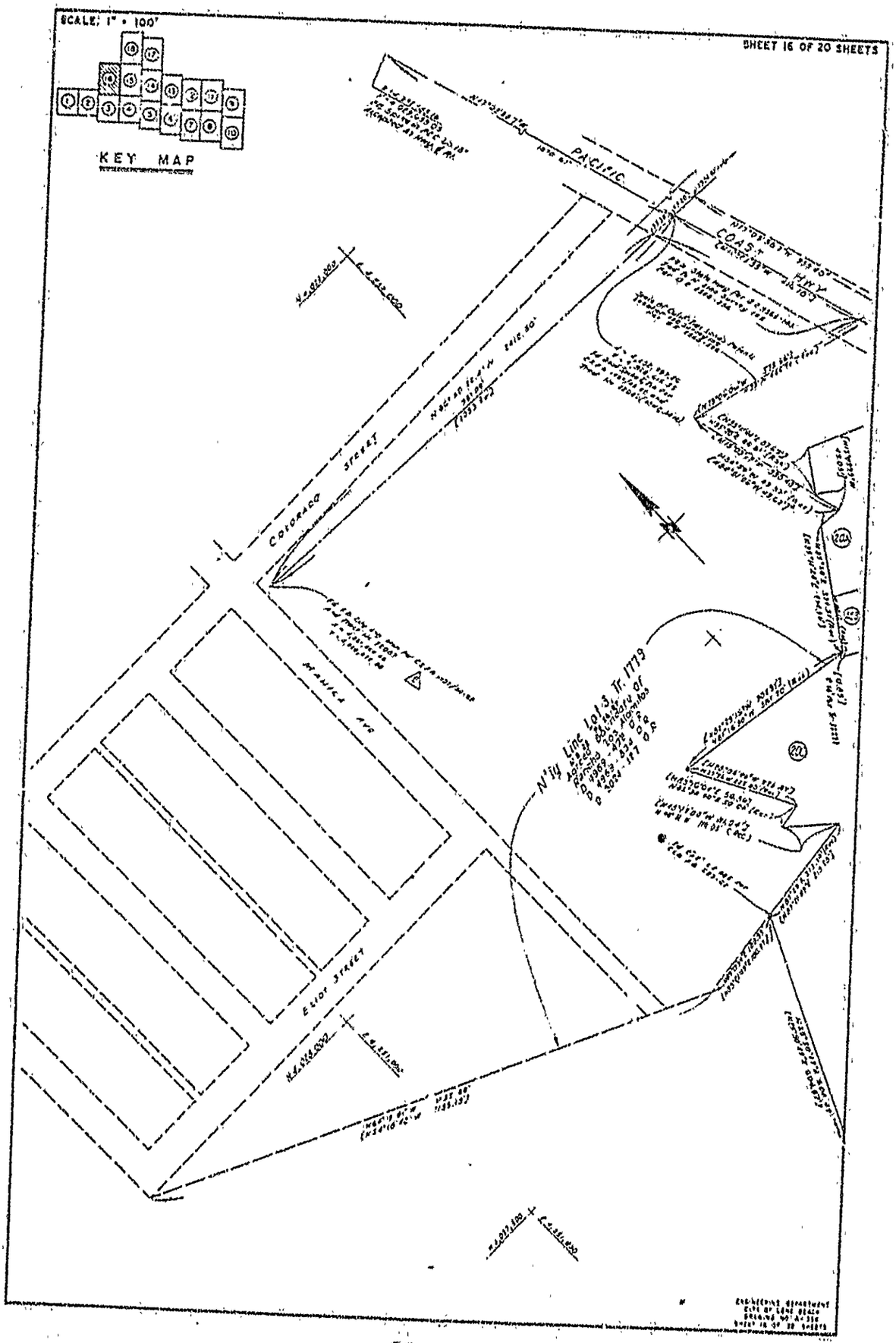
1085

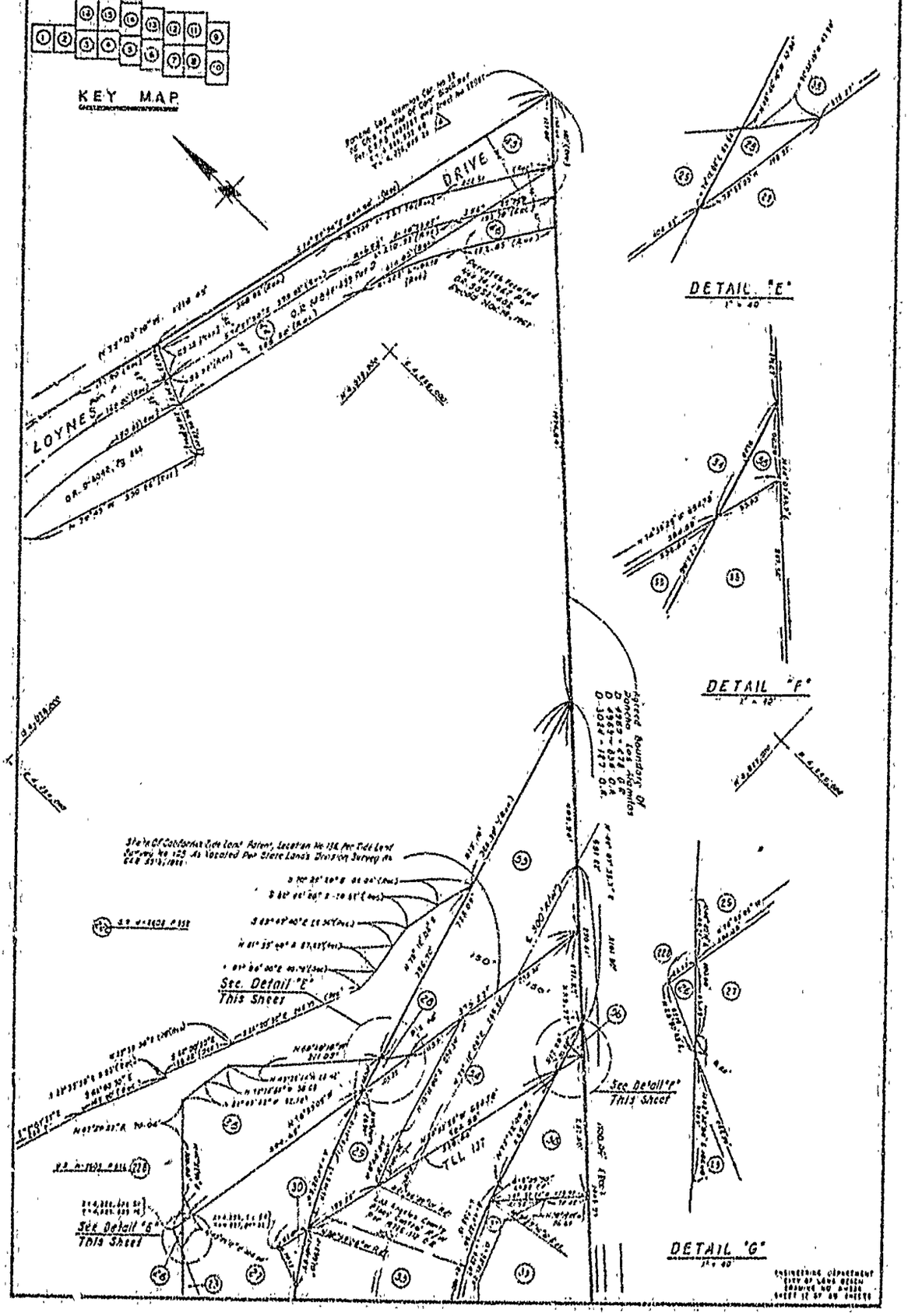

SCALE: 1" = 100'
SHEET 13 OF 20 SHEETS
KEY MAP
Agreed Boundary Of Rancho Los Alamitos
PACIFIC
COAST
HIGHWAY
Alamitos Bay Boundary Settlement And Exchange No 9
Tract No 31251
TRACT
SECOND
STREET
MARINA DRIVE
Mc GRATH-MACCO BOUNDARY SETTLEMENT AND EXCHANGE AREA - EXHIBIT "A"
Mc GRATH-MACCO BOUNDARY SETTLEMENT AND EXCHANGE AREA - EXHIBIT "B"

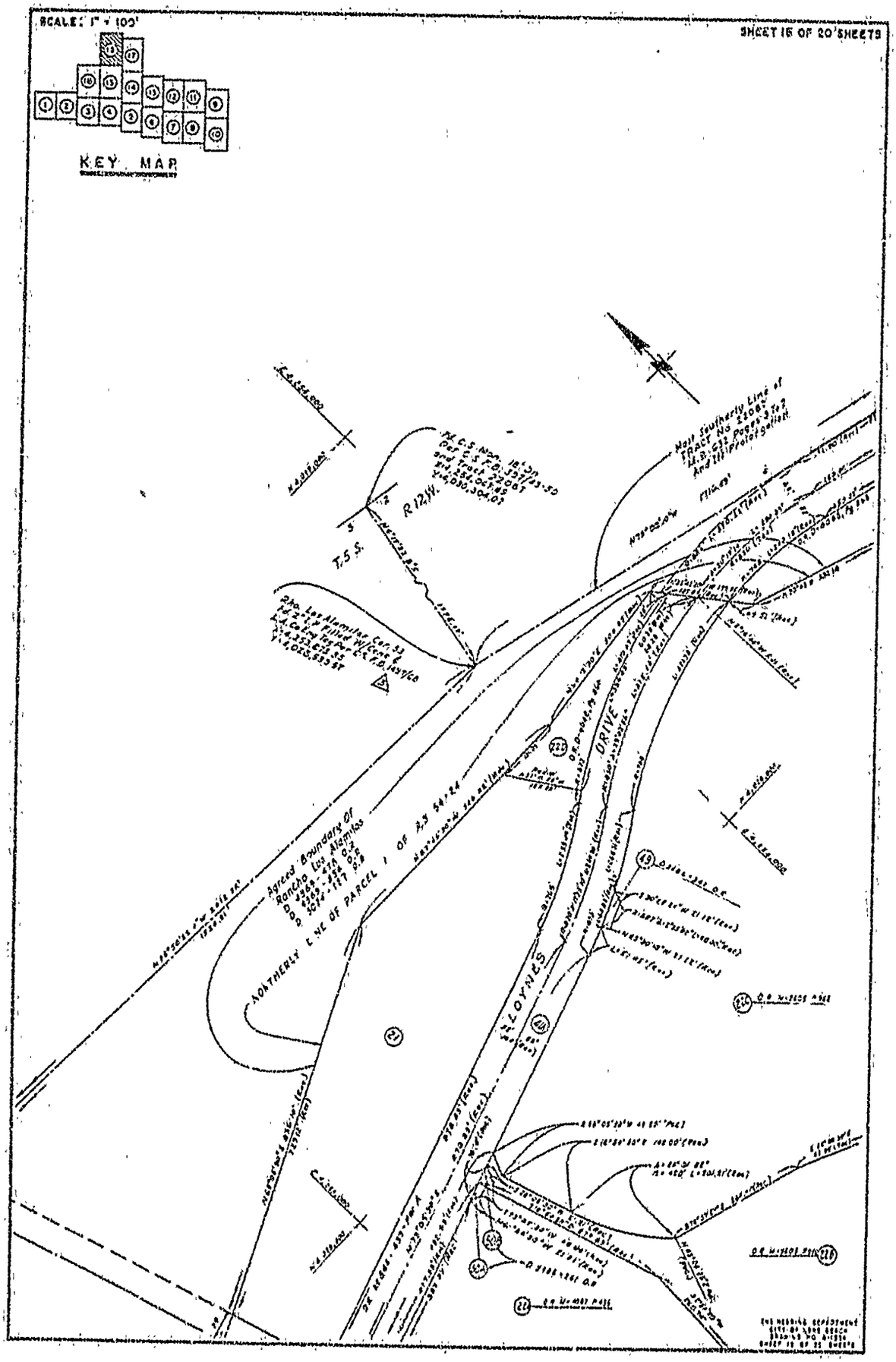

SCALE: 1" = 100'
SHEET 14 OF 20 SHEETS
See Detail "E"
Sheet 17
See Detail "E"
Sheet 17
See Detail "G"
Sheet 17
KEY MAP
DETAIL PARCEL 47
COAST
HIGHWAY
See Detail Parcel 47
This Sheet
See Detail "K"
Sheet 20
Alamitos Bay Boundary Settlement & Exchange Area
Tract No. 31233 - M.B. 875 - Pg 91
MC GRATH-MACCO BOUNDARY SETTLEMENT
AND EXCHANGE AREA - EXHIBIT "A"

1088

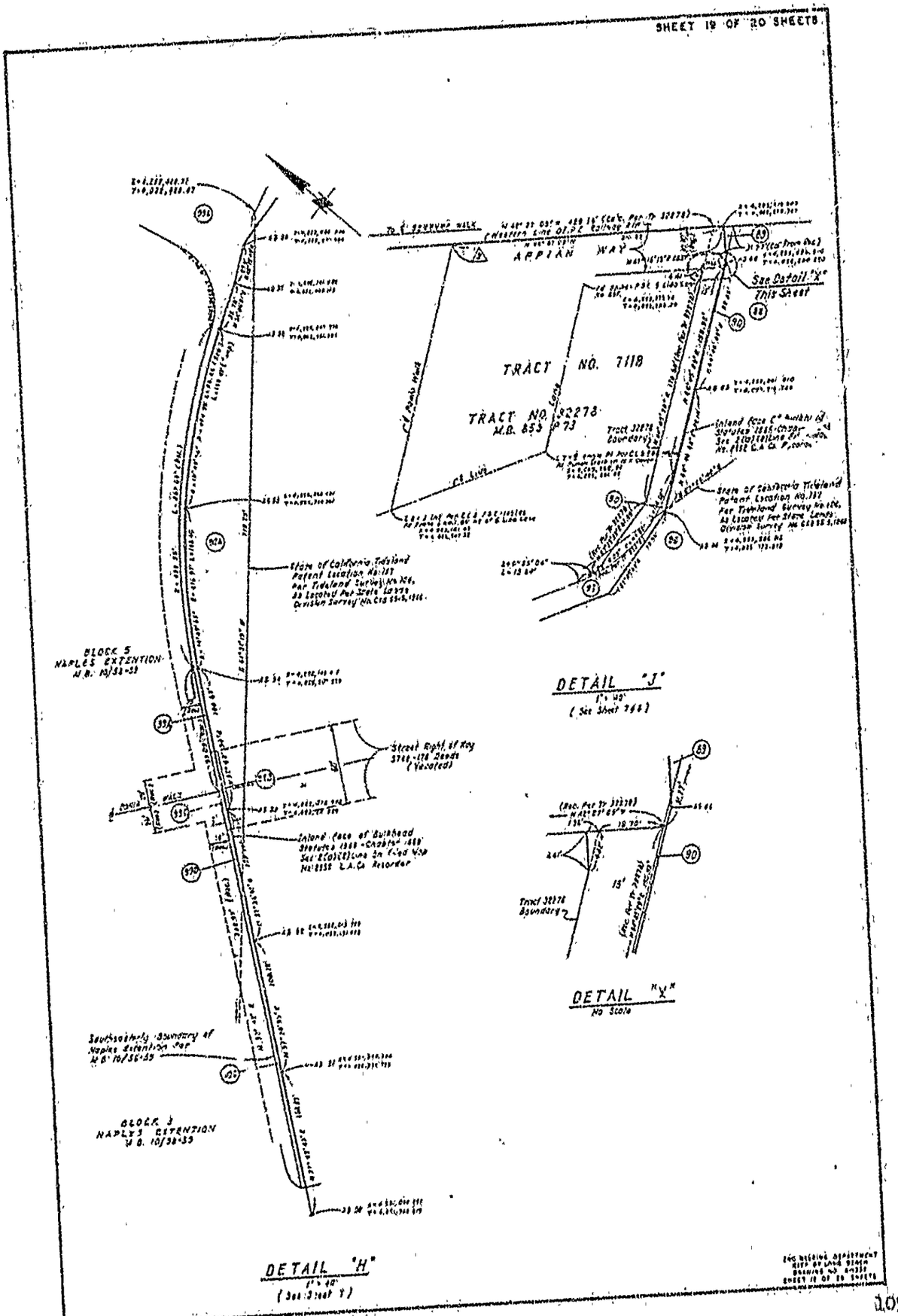

SHEET 15 OF 20 SHEETS
SCALE: 1" = 100'
KEY MAP
DETAIL "L"
NO SCALE
PACIFIC
COAST
HWY
See Detail "L" This Sheet
Note: Dimensions on this sheet with a wave Per Tract No 32277
O.R. M 4513 E 852
Tract No. 32277
McGRATH-MACCO BOUNDARY SETTLEMENT AND EXCHANGE AREA - EXHIBIT "A"


SCALE: 1" = 100'
SHEET 16 OF 20 SHEETS
KEY MAP
PACIFIC
COAST
HWY
COLORADO STREET
MANICA AVE
ELIOT STREET
N'ly Line Lot 3, Tr. 1779

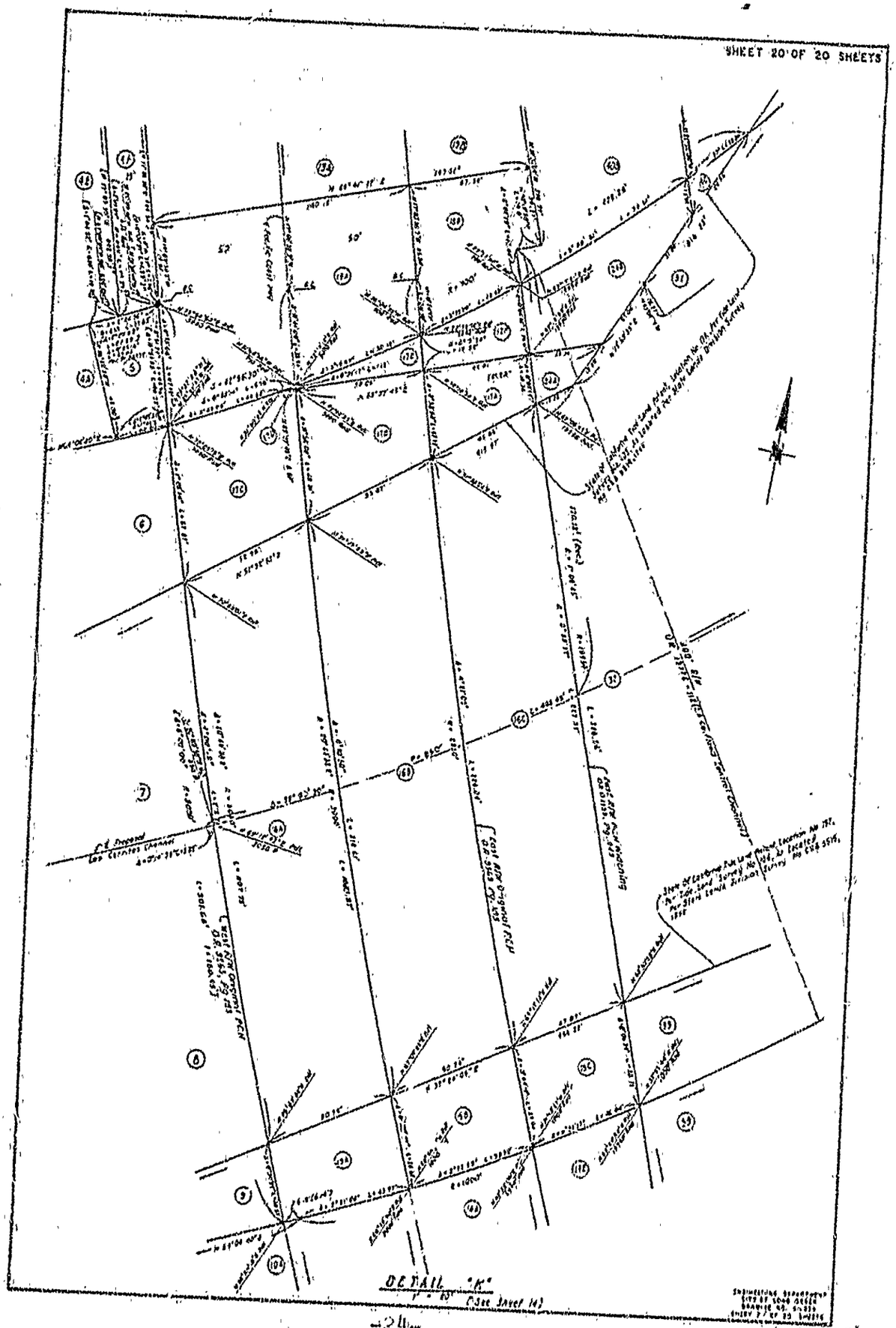

SCALE: 1" = 100'
SHEET 17 OF 20 SHEETS
KEY MAP
DRIVE
LOYNES
DETAIL "E"
DETAIL "F"
DETAIL "G"
See Detail "E" This Sheet
See Detail "F" This Sheet
See Detail "G" This Sheet
TEL LIT


SCALE: 1" = 100'
SHEET 16 OF 20 SHEETS
KEY MAP
R 12 W.
T. 5 S.
Agreed Boundary Of Rancho Los Alamitos
NORTHERLY LINE OF PARCEL 1 OF
LOYNES
DRIVE

1092


APPIAN WAY
TRACT NO. 7118
TRACT NO. 32278
M.B. 853 P 73
See Detail "X" This Sheet
DETAIL "J"
BLOCK 5
NAPLES EXTENTION
M.B. 10/58-59
Street Right of Way
Inland Face of Bulkhead
Southeasterly Boundary of Naples Extention Per M.B. 10/58-59
BLOCK 3
NAPLES EXTENTION
M.B. 10/58-59
DETAIL "X"
No Scale
DETAIL "H"

1093



DETAIL "K"