MINUTE ITEM
This Calendar item No. C13
was approved as Minute Item
No. 13 by the State Lands
Commission by a vote of 2
to 0 at its 9-24-80
meeting.

CALENDAR ITEM

C13.

9/80
WP 4432
Scott
PRC 5981

AUTHORIZATION TO ACCEPT AND RECORD A
GRANT DEED FROM SOUTHERN CALIFORNIA EDISON COMPANY
AND ISSUANCE OF GENERAL LEASE - RIGHT-OF-WAY USE

BACKGROUND: The State Lands Commission currently owns a 2.78-acre parcel of land in the City of Seal Beach at the intersection of Pacific Coast Highway and First Street. This parcel is held as sovereign land and was acquired through an exchange in 1970. In 1976, the Commission authorized its staff to find a developer for this property. In working with the various development proposals for this parcel during the past 4 years staff has continually faced a problem of street access to the parcel. The City of Seal Beach has required that access to the State's parcel be developed from the privately owned portion of First Street and not from Pacific Coast Highway due to the hazards involved in access from the Highway because of a grade seperation. The portion of First Street adjoining the State's parcel is owned by Southern California Edison Company and was the subject of prior Commission action at its meeting in Long Beach on April 26, 1979. This action involved a proposal by Southern California Edison Company to close this private road and prohibit public access. Staff opposed the closure and has arranged for Southern California Edison Company to leave the portion of the road which abuts the State's parcel open for public use.

A 70

S 34

CALENDAR PAGE 070
MINUTE PAGE 2062

Added 9-19-80 (Non-substantive revision, 4/29/81)

CURRENT SITUATION:

Staff has worked with representatives of Southern California Edison Company over the past year and have arranged for Southern California Edison Company to deed in fee a 50' strip of land along First Street adjoining the State's parcel to the State Lands Commission. This parcel contains approximately 0.50 acres. In consideration for the granting of this land, Southern California Edison Company has requested a 66-year rent-free permit for its existing power transmission line which occupies a small portion of State sovereign land near First Street and will retain a permanent Right-of-Way Easement for an existing power-line located in the 50' strip being deeded to the State. Staff feels that due to existing land values in the area and because this additional strip of land will allow development of the existing State sovereign land parcel that the loss of rental for the powerline Rights-of-Ways will be more than offset by the value of the land acquired and the value increase to the State's existing parcel.

Staff also believes that the parcel of land being acquired from Southern California Edison Company should be accepted as Sovereign land subject to the public trust in order to be compatable with the existing State ownership in this area.

EXHIBITS:

A. Grant Deed. B. Lease Description.

C. Location Map. D. Site Map.

THEREFORE IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THE 66-YEAR PERMIT AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21084, 14 CAL. ADM. CODE 15100 ET SEQ, AND 2 CAL. ADM. CODE 2907 AS AN EXISTING FACILITY.

Added 9-19-80

2. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THE ACQUISITION OF THE 0.50-ACRE PARCEL AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21065, 14 CAL. ADM. CODE 15037 AND 15060 AND 2 CAL. ADM. CODE 2903(d).

3. DETERMINE THAT THIS PROJECT IS EXEMPT FROM THE REQUIREMENTS OF ARTICLE 6.5, OF TITLE 2, OF THE CAL. ADM. CODE BECAUSE THIS PROJECT IS NOT A DEVELOPMENT WITHIN THE MEANING OF SECTION 2503 OF TITLE 2 OF THE CAL. ADM. CODE AND SECTION 30105 OF THE PRC.

4. FIND THAT THE GRANTING OF A 66-YEAR PERMIT TO SOUTHERN CALIFORNIA EDISON COMPANY FOR THE EXISTING POWERLINE IS IN THE BEST INTEREST OF THE STATE.

5. AUTHORIZE THE ACCEPTANCE, AS SOVEREIGN LAND SUBJECT TO THE PUBLIC TRUST, AND RECORDATION OF A GRANT DEED FROM SOUTHERN CALIFORNIA EDISON COMPANY SUBSTANTALLY IN THE FORM ATTACHED AS EXHIBIT "A" AND BY REFERENCE MADE A PART HEREOF.

6. AUTHORIZE THE ISSUANCE TO SOUTHERN CALIFORNIA EDISON COMPANY OF A 66-YEAR GENERAL LEASE - RIGHT-OF-WAY USE IN CONSIDERATION OF THE GRANT TO THE STATE OF A STRIP OF LAND DESCRIBED IN EXHIBIT "A" FOR THE CONTINUED OPERATION AND MAINTENANCE OF AN EXISTING POWERLINE ON THE LAND DESCRIBED ON EXHIBIT "B" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Added 9-19-80

EXHIBIT "A"

WP 4432

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

Location: City of Seal Beach

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, SOUTHERN CALIFORNIA EDISON COMPANY, a corporation, hereinafter called Grantor, hereby GRANTS to the STATE OF CALIFORNIA, hereinafter called Grantee, that certain real property in the City of Seal Beach, County of Orange, State of California, described as follows:

The Northwesterly 50.00 feet of that portion of Tide Land Location No. 137 "Survey No. 106", as patented by the State of California on February 12, 1901, and recorded April 27, 1901 in Book 9, page 105, of Patents, records of Los Angeles County, and recorded September 5, 1905 in Book 1, page 231, of Patents, records of Orange County, described in that certain Grant Deed to Southern California Edison Company dated November 30, 1976 and recorded February 18, 1977 as Instrument No. 23970 in Book 12075, page 340, of Official Records, records of Orange County.

EXCEPTING THEREFROM any portion thereof lying Northeasterly of the Southerly line of that certain parcel of land described and designated as Parcel 10 of Exhibit "D" in that certain Exchange Agreement recorded April 23, 1970 as Instrument No. 14118 in Book 9272, page 102, et seq., of said Official Records.

ALSO EXCEPTING THEREFROM all oil, gas, petroleum and other mineral or hydrocarbon substances in and under or which may be produced from said land, without, however, the right to use the surface of said land, as excepted and reserved in that certain deed recorded September 26, 1924 in Book 542, page 120 of Deeds in the office of the County Recorder of said County.

RESERVING unto the Grantor, its successors and assigns, all those certain permanent and exclusive easements and rights of way to construct, operate, use, maintain, inspect, repair, renew, replace, reconstruct, enlarge, alter, add to, improve, relocate and remove, at any time and from time to time, electric lines, consisting of one or more lines of metal towers, poles and other structures, wires, cables, including ground wires and communication circuits, both overhead and underground, with necessary and convenient foundations, conduits, pullboxes, guy wires and anchors, insulators and crossarms placed on said structures, and other fixtures, appliances and appurtenances connected therewith, necessary or convenient for the construction, operation, regulation, control,

SER. 53594 JO 1920 FLNC. 2414 APPROVED AS TO DESCRIPTION C. L. DIMERSON, JR. DATE 2-25-80 VOR BY RW&A RW & LAND DEPT.

MAIL TAX STATEMENTS TO: Same address as shown above.

Added 9-19-80

CALENDAR PAGE 070c
MINUTE PAGE 2065

Grant Deed
S.C.E.Co., a corp., to
State of California
Serial No. 53090A

grounding and maintenance of electric lines and communication circuits, for the purpose of transmitting, distributing, regulating and controlling electric energy to be used for light, heat, power, communication, and other purposes and the right to lay, construct, reconstruct, use, maintain, operate, repair, replace, renew, change the size of, increase the number of and remove, at any time and from time to time, pipelines and appurtenances thereto, for the transportation of oil, petroleum, gas, water, or other substances, together with the easement and right of way for roads, ingress, egress and other convenient purposes needed or desired at any time and from time to time by Grantor and the right to clear and to keep clear said easements and rights of way and the real property affected thereby, free from explosives, buildings, structures, equipment, trees, vines, brush, combustible materials and any and all other obstructions of any kind, and the parking of automobiles, trucks or other mechanical equipment, for protection from fire and other hazards and from interference with ingress and egress and with the unobstructed use of said easements and rights of way and every part thereof, and for any and all purposes herein mentioned; in, under, on, over, along and across the hereinbefore described real property.

The real property hereby conveyed is not necessary or useful in the performance of the duties of said Southern California Edison Company to the public.

IN WITNESS WHEREOF, said Southern California Edison Company has caused its corporate name and seal to be affixed hereto and this instrument to be executed by the Manager of Right of Way and Land and an Assistant Secretary, thereunto duly authorized this _____ day of _____, 19____.

SOUTHERN CALIFORNIA EDISON COMPANY

By_____
C. J. Lowerison, Jr.
Manager of
Right of Way and Land

By_____
Assistant Secretary

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

On this _____ day of _____, 19____, before me, a Notary Public in and for said State, personally appeared C. J. Lowerison, Jr., known to me to be Manager of the Right of Way and Land Department of Southern California Edison Company, the corporation that executed the within instrument, known to me to be the person who executed the within instrument on behalf of the corporation herein named, and acknowledged to me that such corporation executed the same, pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

_____

Added 9-19-80

EXHIBIT "A" (Continued)

Grant Deed
S.C.E.Co., a corp., to
State of California
Serial No. 53090A

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

On this _____ day of _____, 19____, before me, a Notary Public in and for said State, personally appeared _____, known to me to be an Assistant Secretary of Southern California Edison Company, the corporation that executed the within instrument, known to me to be the person who executed the within instrument on behalf of the corporation herein named, and acknowledged to me that such corporation executed the same, pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

_____

Added 9-19-80

CALENDAR PAGE 070e
MINUTE PAGE 2067

EXHIBIT "B".

WP 4432

That portion of Lot 2 of the San Gabriel Extension of Naples, in the City of Seal Beach, County of Orange, State of California, as per map recorded in Book 7, page 31 of Miscellaneous Maps, in the Office of the County Recorder of said County, described as follows:

(The bearing of North 37° 52' 11.9" West for the line between Stations 50 and 51 of the Rancho Los Alamitos, a portion of which line is also the centerline of Pacific Coast Highway, based on California Grid System, Zone 7, Status of 1962 supplemented 1965, being the basis of bearings as per C.L.B. DRG E 243.03 filed in the City Engineer's Office of the City of Long Beach, California, certified by Francois D. Uzes, L.S.) BEGINNING at a point North 37° 52' 11.9" West, 17.89 feet from said Station No. 50; thence South 55° 17' 27" West, 49.89 feet; thence North 85° 56' 46" West to its intersection with a line parallel with and 100.00 feet northwesterly of the line between Stations 49 and 50 of said Rancho Los Alamitos; thence North 54° 37' 35" East along said parallel line to said Rancho Line between Stations 50 and 51; thence South 37° 52' 11.9" East to the point of beginning.

Said land in included within the area shown on a map filed in the Office of the County Recorder of said Orange County, in Book 90, Page 28, Record of Surveys.

END OF DESCRIPTION

Prepared Ron Checked J Colin

Reviewed [signature] Date 10/28/74

LICENSED LAND SURVEYOR
LEROY F. WEED
NO. 3600
STATE OF CALIFORNIA

CALENDAR PAGE 070
MINUTE PAGE 2068

Added 9-19-80

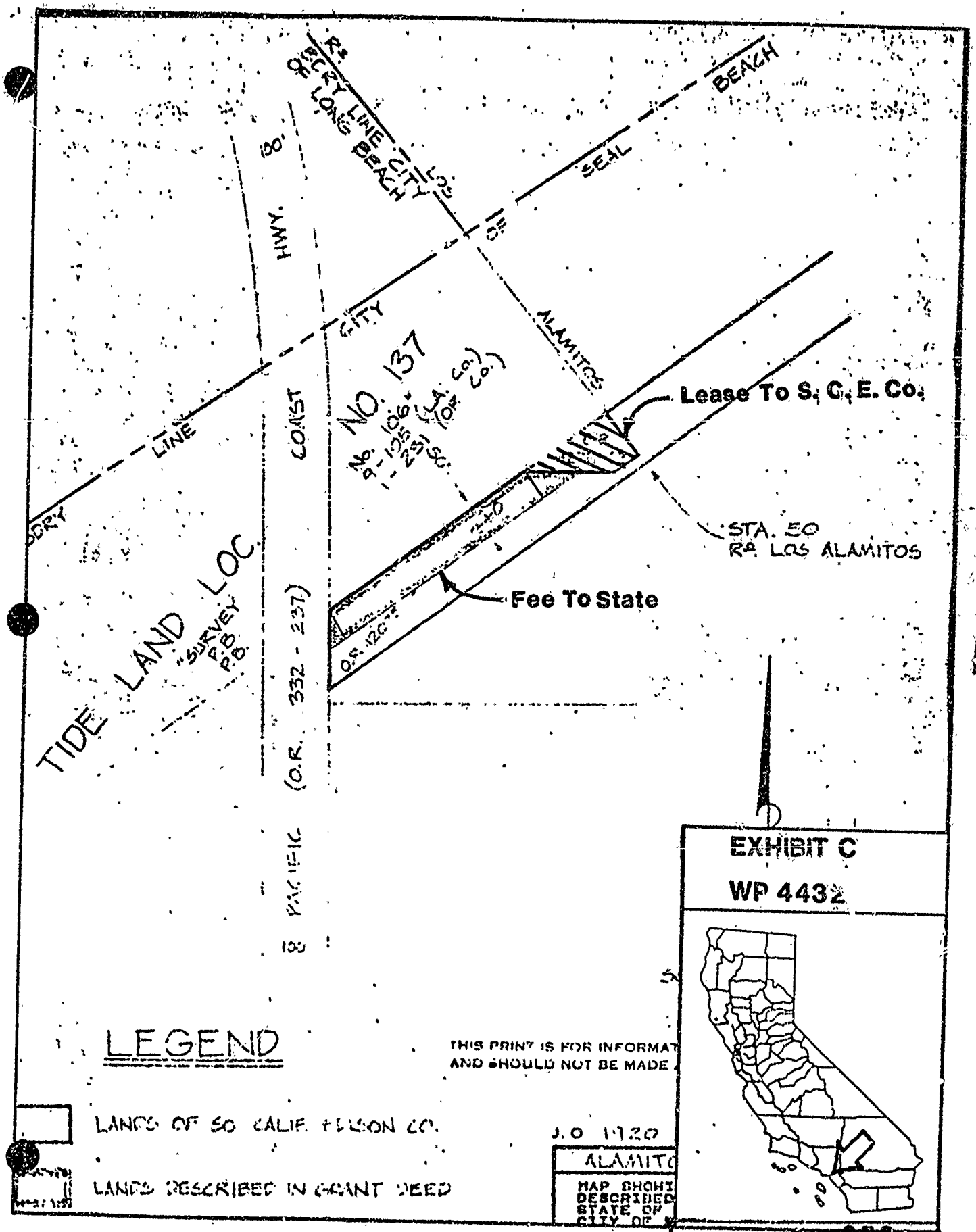


EXHIBIT C

WP 4432

LEGEND

LANDS OF SO CALIF. EDISON CO.

LANDS DESCRIBED IN GRANT DEED

THIS PRINT IS FOR INFORMAT
AND SHOULD NOT BE MADE

J.O 1120

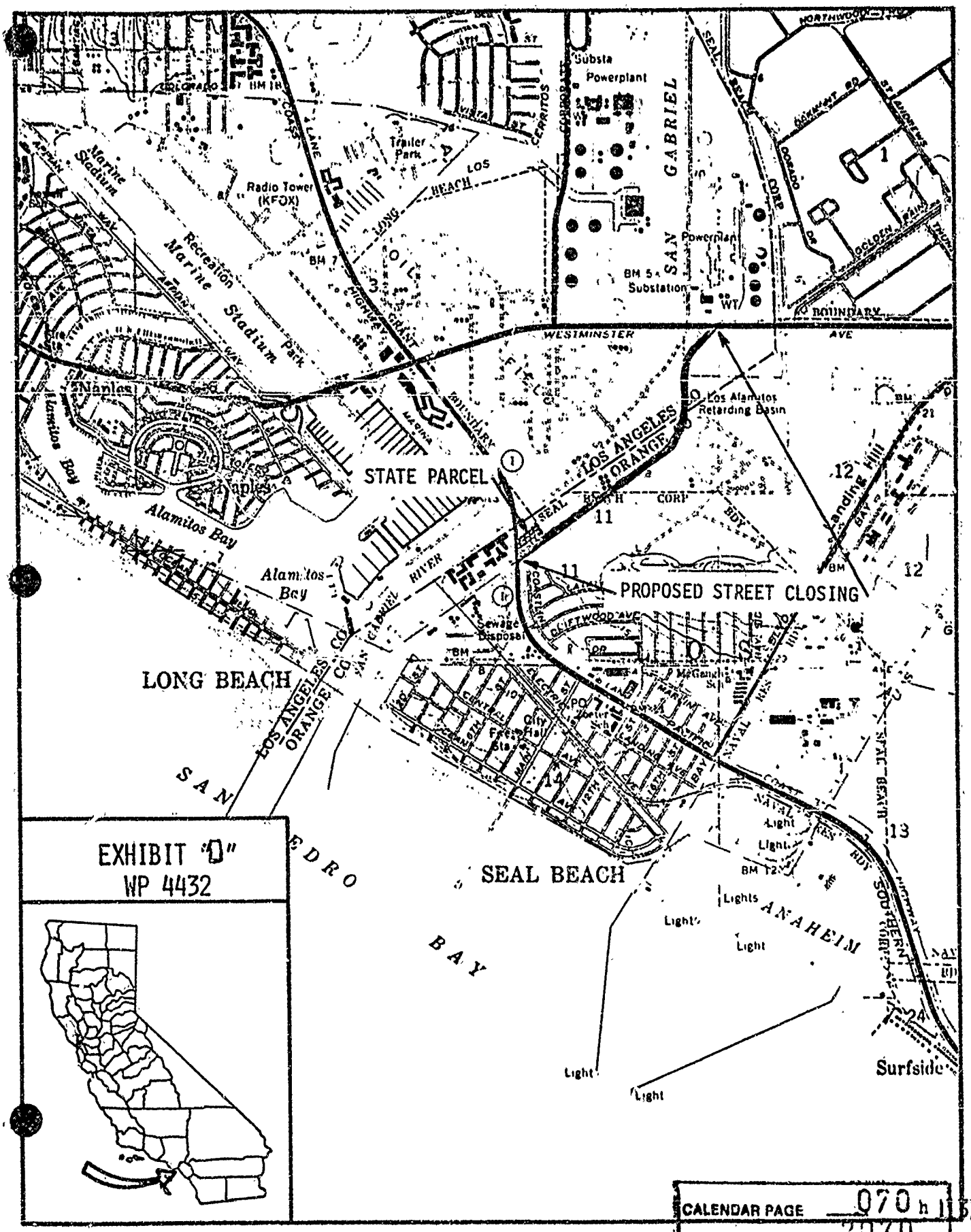
ALAMITO

MAP SHOWI
DESCRIBED
STATE OF
CITY OF

CALENDAR PAGE 070B

MINUTE PAGE 2069

Added 9-18-80



CALENDAR PAGE 070 h 1137
MINUTE PAGE 2070

Added 9-19-80