MINUTE ITEM

This Calendar Item No. 40 was approved as Minute Item No. 40 by the State Lands Commission by a vote of 3 to 0 at its 1/27/83 meeting.

CALENDAR ITEM

40

1/27/83
W 503.1236
Stevenson
Rusconi

AUTHORIZATION TO FILE A DISCLAIMER
OF SELECTED PARCELS IN
CITY OF EUREKA V. STATE OF CALIFORNIA, ET AL.,
SUPERIOR COURT OF CALIFORNIA,
COUNTY OF HUMBOLDT,
CASE NOS. 71031 AND 69966

The State Lands Commission is a party to a condemnation action brought by the City of Eureka to acquire land for its wastewater treatment plant. The lawsuit deals with numerous parcels of land and is entitled City of Eureka v. State of California, et al., Superior Court of California, County of Humboldt, Case Nos. 71031 and 69966. Sovereign tide and submerged lands within these parcels have been granted to the City of Eureka by Ch. 225, Stats. of 1945 and to the Humboldt Bay Harbor, Recreation and Conservation District by Ch. 1283, Stats. of 1970.

An examination of the Commission's records has shown that there is no sovereign interest held by the City, the Harbor District, or the State in some of the tracts involved in this lawsuit. These tracts are denominated parcels A, B, E, G, H, L, and M. It is recommended that the State Lands Commission file a disclaimer of interest in these particular tracts since it has no interest in them. It is also recommended that the State Lands Commission authorize the City of Eureka to condemn these parcels without seeking an adjustment in value to compensate for any granted lands interest since the City has no such interest.

AB 884: N/A.

A 2

S 2

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EXHIBITS: A. Site Map.
B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. AUTHORIZE THE ATTORNEY GENERAL TO FILE A DISCLAIMER ON ITS BEHALF AS TO PARCELS A, B, E, G, H, L, AND M, IN THE LAWSUIT ENTITLED CITY OF EUREKA V. STATE OF CALIFORNIA, ET AL., SUPERIOR COURT OF CALIFORNIA, COUNTY OF HUMBOLDT, CASE NOS. 71031 AND 69966.

2. AUTHORIZE THE CITY OF EUREKA TO CONDEMN THESE PARCELS WITHOUT ADJUSTING THEIR VALUES TO COMPENSATE FOR ANY GRANTED LANDS INTEREST, SINCE THE CITY HAS NO SUCH INTEREST.

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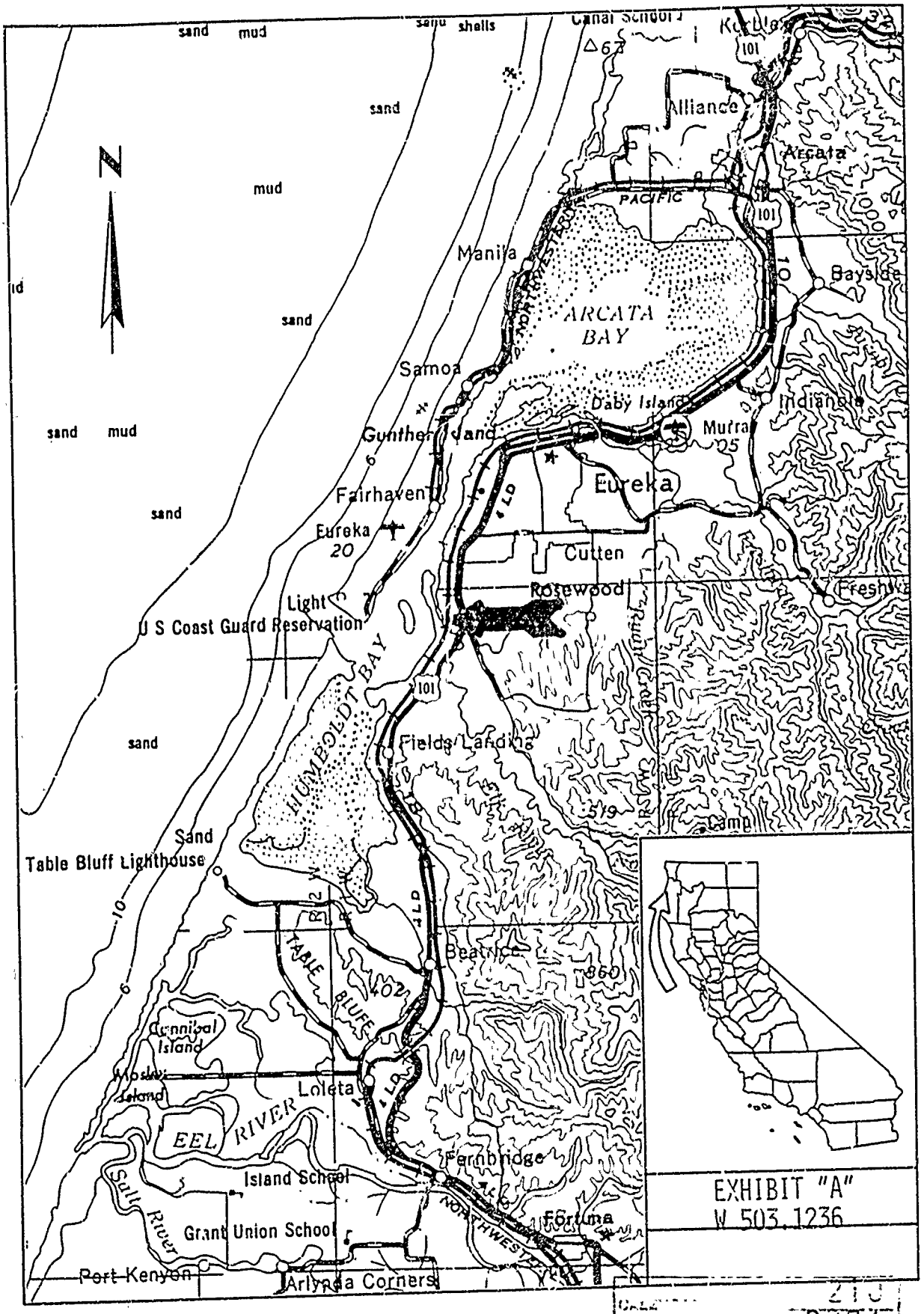
sand
mud
sand
shells
Canal School
Korbel
101
Alliance
Arcata
PACIFIC
Manila
ARCATA
BAY
Bayside
Samoa
Daby Island
Indianola
Gunther Island
Murray
Eureka
Fairhaven
Eureka
20
Cutten
Rosewood
Light
U S Coast Guard Reservation
HUMBOLDT BAY
Fields Landing
Sand
Table Bluff Lighthouse
TABLE BLUFF
Beatrice
Cannibal Island
Loleta
EEL RIVER
Fernbridge
Island School
Salt River
Grant Union School
Fortuna
Port Kenyon
Arlynda Corners
EXHIBIT "A"
W 503.1236

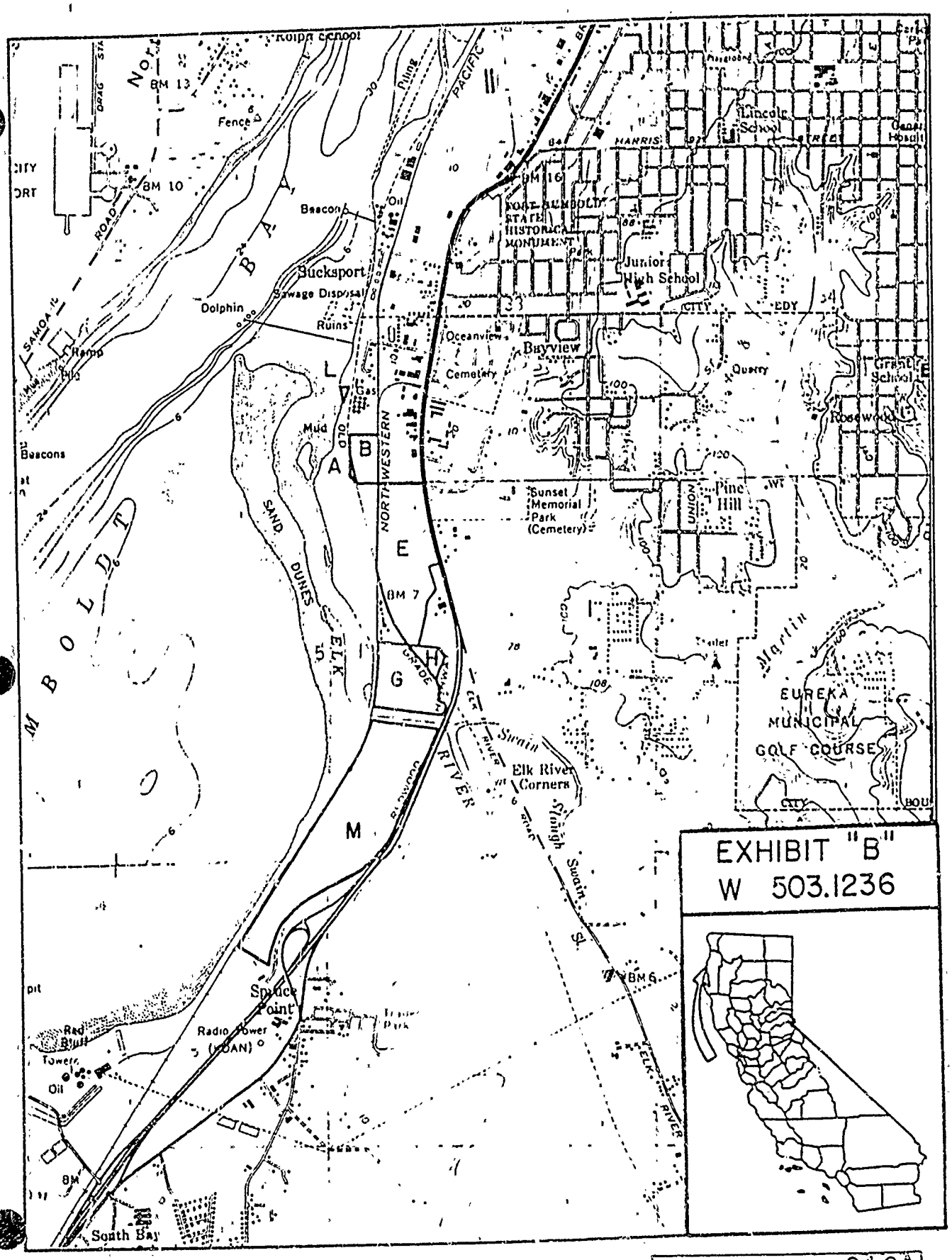

EXHIBIT "B"
W 503.1236

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