

MINUTE ITEM

This Calendar Item No. 25
was approved as Minute Item
No. 25 by the State Lands
Commission by a vote of 2
to 0 at its 10/25/84
meeting.

CALENDAR ITEM

A 1
S 1

25

10/25/84
W 503.1236
Stevenson
Rusconi

BLA 248

AUTHORIZATION TO SETTLE TITLE
TO PARCEL C OF CITY OF EUREKA
V. STATE OF CALIFORNIA, ET AL.,
SUPERIOR COURT OF CALIFORNIA
COUNTY OF HUMBOLDT,
CASE NO. 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 No. 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.

The State Lands Commission has been contacted by the City of Eureka to authorize the City as trust grantee to enter into a settlement of private interests in parcel C. This settlement will be with K.T. Cotter who claims the parcel and accretions to it by adverse possession. If implemented, the settlement will call for the City to pay Cotter \$60,000 for remaining private rights in Parcel C. Cotter will then convey any and all of his interest in Parcel C to the City. The Judgment settling the matter will recite that the portion of Parcel C lying waterward of the 1870 mean high tide line is sovereign land granted in trust. The staff of the State Lands Commission has determined that this line represents the line of mean high tide as it last naturally existed in this specific area.

Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a statutory exempt project. The project is exempt because it involves settlements of title and boundary problems.

Authority: P.R.C. 21080.11.

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CALENDAR ITEM NO. 25 (CONT'D)

AB 884: N/A.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. AUTHORIZE THE CITY OF EUREKA AND THE OFFICE OF THE ATTORNEY GENERAL TO SETTLE TITLE TO PARCEL C IN THE LAWSUIT ENTITLED CITY OF EUREKA V. STATE OF CALIFORNIA, ET AL. (SUPERIOR COURT OF CALIFORNIA, COUNTY OF HUMBOLDT, CASE NO. 69966) FOR \$60,000.
2. FIND THAT THE SETTLEMENT AUTHORIZED BY THIS ITEM IS EXEMPT FROM THE REQUIREMENTS OF CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A STATUTORILY EXEMPT PROJECT PUR JANT TO P.R.C. SEC. 21080.11, SETTLEMENT OF TITLE AND BOUNDARY PROBLEMS.

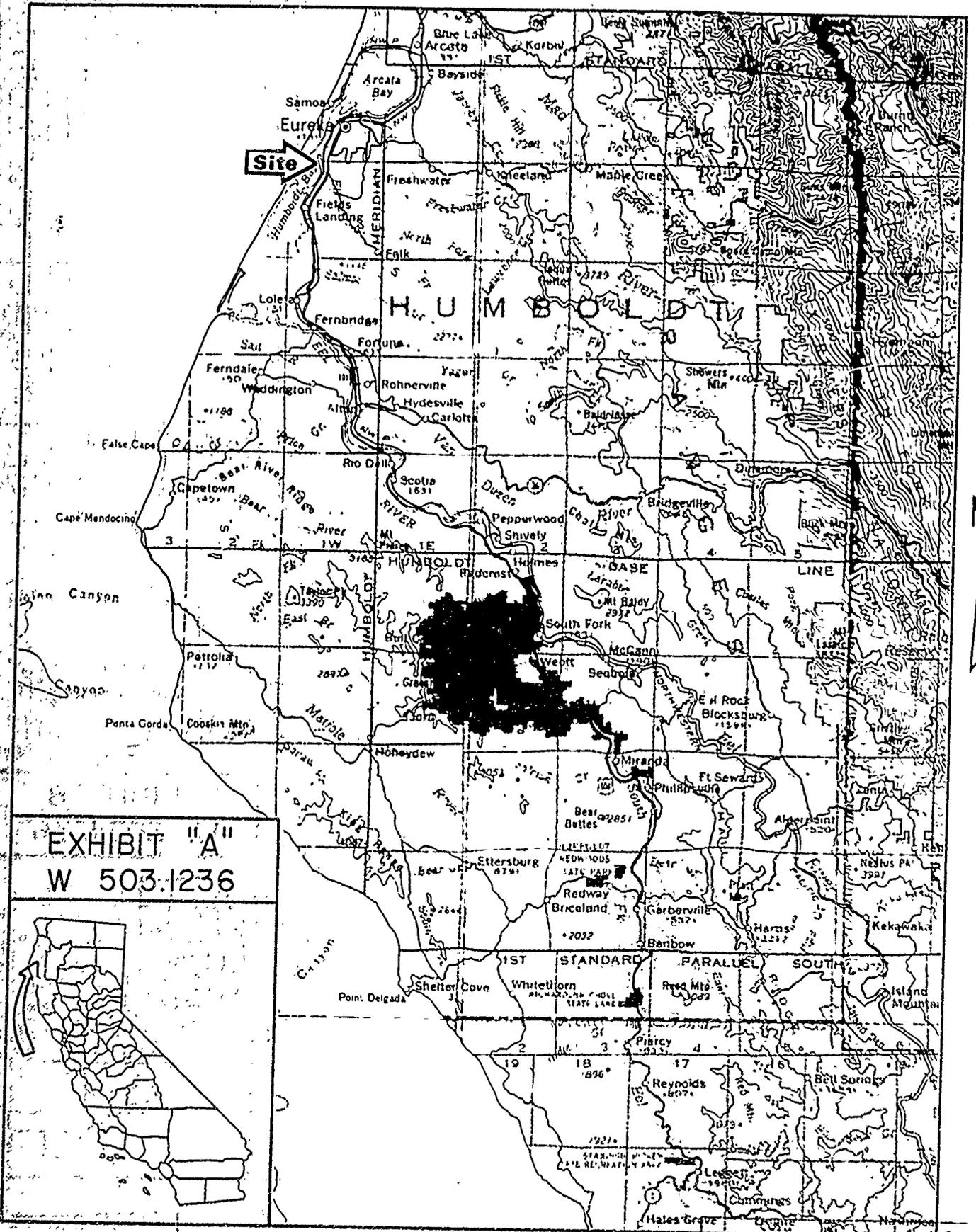


EXHIBIT "A"
W 503.1236



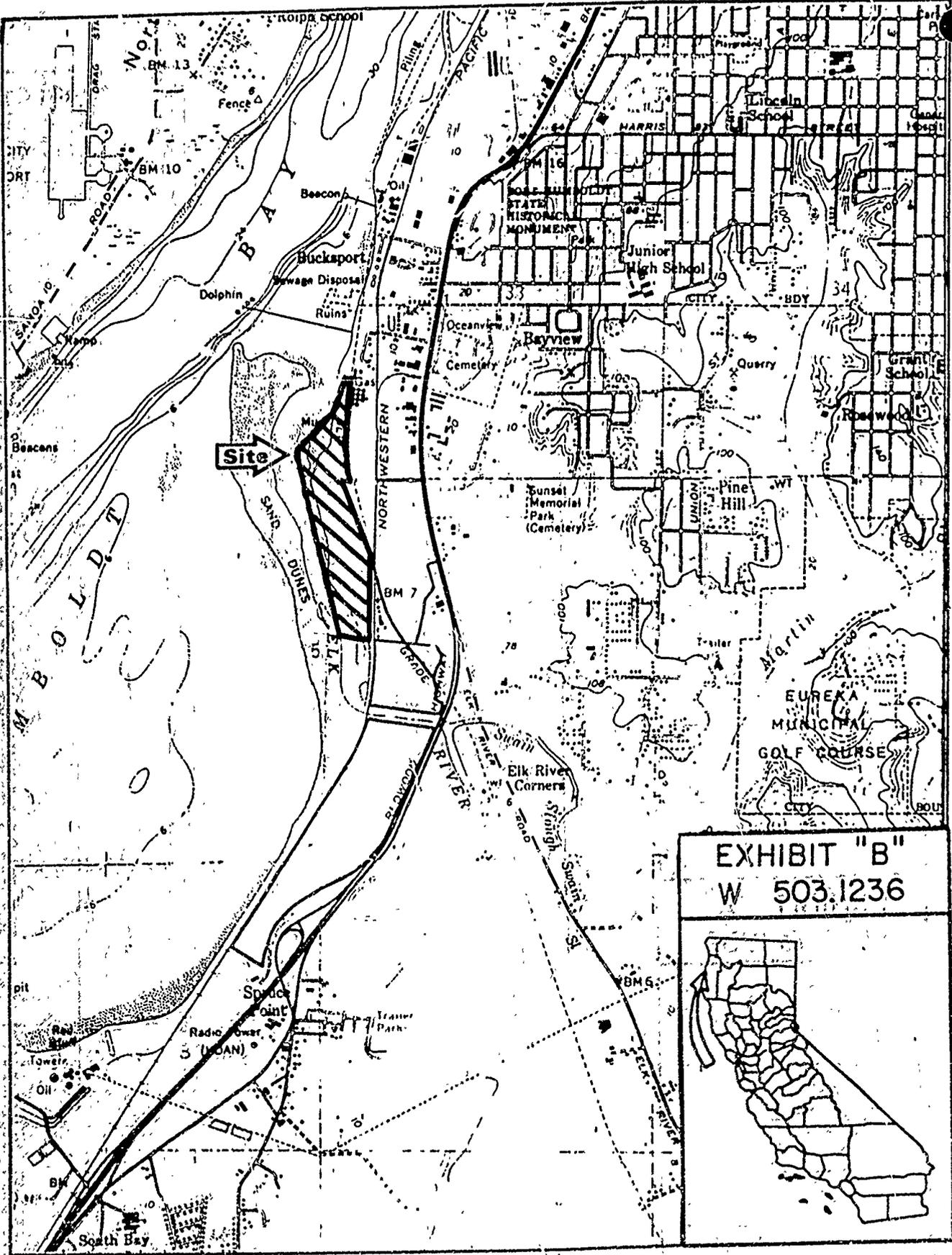


EXHIBIT "B"
W 503.1236

The inset map shows the outline of California with a small rectangle in the northern region indicating the location of Eureka. The map is oriented vertically with North at the top.