

MINUTE ITEM

This Calendar Item No. 38  
was approved as Minute Item  
No. 38 by the State Lands  
Commission by a vote of 2  
to 0 at its 9-23-87  
meeting.

CALENDAR ITEM

A 51

S 29

38

09/23/87  
W 20950 PRC 7127  
BLA 257  
A. Scott  
N.G. Taylor

BOUNDARY LINE AGREEMENT; BLA 257  
GENERAL PERMIT - PUBLIC AGENCY USE.

PARTIES:           City of Torrance (City)  
                    State of California (State)  
                    Private Upland Owners

The subject area of Torrance Beach includes a stretch of beach and tidelands at the southern tip of Santa Monica Bay, just north of the Palos Verdes Peninsula. The beach is bordered by a long bluff, with the upland area divided into lots privately owned or under long-term leases. Some of the lessees have options to purchase. The BLA addresses two main issues: the settlement of the ordinary high-water mark dividing the beach (the "Sandy Beach Portion") from the offshore, and the settlement of the line along the toe of the bluff dividing the public beach from the upland private property. The homeowners agree in the BLA to quiet title to a public easement for beach and recreational purposes in the beach below the settled line along the base of the bluff. The ordinary high-water mark setting the boundary between the beach, controlled by the City of Torrance, and the offshore, had not been determined previously, and this boundary is now set forth in Exhibit "A" to the BLA as the "Agreed Boundary Line."

The agreement also provides for issuance of a 49-year permit to the City of Torrance to maintain the beach and the adjacent tide and submerged lands as a single unit. Consequently, two offshore lease areas are included in the permit, one bordering the Sandy Beach Portion defined in the BLA, and one bordering an area of beach presently owned by the City, immediately northward and adjacent to the Sandy Beach Portion.

CALENDAR ITEM NO. 38 (CONT'D)

The origins of the title dispute go back more than 12 years and involve several actions to quiet title to the upland property, including a Gion-Dietz claim by the City of Torrance for a public recreational easement up to the base of the bluff. The private parties were willing to quiet title to a public easement oceanward of an established line -- generally, an existing fence along the toe of the bluff -- in exchange for the City's relinquishing claims to property landward of the fence line. This fence line has been incorporated into the BLA as the landward boundary of the Sandy Beach Portion. The agreement gives the upland owners the right to construct, repair and maintain an eight-foot chain-link fence along this line.

While negotiations were ongoing, disputes also arose as to the planned use of the sandy beach and improvements thereon. As a result, in addition to the boundary settlement, the homeowners' concerns over the type of improvements which could be constructed on the beach have been incorporated into the BLA, addressing such issues as sanitation facilities, protection, lighting, and erosion control. Necessary upland parties to the agreement were determined to be those holding a fee interest in the upland lots, together with those private parties holding long-term leases that include options to purchase.

These parties have also been included as "owners" in the Owners' List", Exhibit "E" to the BLA, because of a concern that they might dispute an agreement executed without them. The text of the BLA provides that the agreement will be effective upon obtaining the signatures of the owners of at least one-half (1/2) of the lots on the subject upland boundary line.

The City, as lessee of the State, will be responsible for maintaining the lands and any improvements in good order, repair, and safe condition. The City may, without additional State Lands Commission approval, construct on the leased land temporary or portable structures only. Construction of major permanent improvements will require the prior written approval of the Commission. The Commission also reserves exclusive jurisdiction with respect to abandoned property and salvage operations over and upon said lands pursuant to P. R. C. Section 6309.

CALENDAR ITEM NO. 38 (CONT'D)

The agreement, which sets forth all the specific terms and conditions of the settlement, is on file in the Sacramento Office of the Commission.

EXHIBITS:

- A Site Map.
- B-1 Description of Boundary Line.
- B-2 Plat of Settlement Area.
- C-1 Description of Permit Area.
- C-2 Description of Permit Area.
- D-1 Plat of Permit Area.
- D-2 Plat of Permit Area.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A STATUTORILY EXEMPT PROJECT PURSUANT TO P.R.C. 21080.11, SETTLEMENT OF TITLE AND BOUNDARY PROBLEMS.
2. APPROVE THE TORRANCE BEACH BOUNDARY LINE AGREEMENT NO. 257 AND AUTHORIZE THE EXECUTION OF SAID AGREEMENT ON BEHALF OF THE STATE LANDS COMMISSION IN SUBSTANTIALLY THE FORM OF THE AGREEMENT ON FILE IN THE SACRAMENTO OFFICE OF THE COMMISSION.
3. AUTHORIZE THE ISSUANCE OF A GENERAL PERMIT-PUBLIC AGENCY USE TO THE CITY OF TORRANCE FOR A PERIOD OF 49 YEARS BEGINNING UPON THE EFFECTIVE DATE OF BLA 257, BUT NO LATER THAN SEPTEMBER 15, 1988, FOR THE CREATION AND CONTINUED MAINTENANCE OF A BEACH, PARK, AND OTHER ACTIVITIES NECESSARY TO PROVIDE FOR SAFE PUBLIC USE ON THE LANDS DESCRIBED IN EXHIBIT "C-1" AND "C-2", ATTACHED HERETO.
4. AUTHORIZE THE STAFF OF THE STATE LANDS COMMISSION AND THE OFFICE OF ATTORNEY GENERAL TO TAKE ALL FUTURE STEPS NECESSARY TO IMPLEMENT THE TERMS AND PROVISIONS OF THIS AGREEMENT, INCLUDING, BUT NOT LIMITED TO, EXECUTION OF ALL DOCUMENTS, MAPS, DEEDS, TITLE AND ESCROW INSTRUCTIONS, CERTIFICATES OF ACCEPTANCE AND CONSENTS TO RECORDATION, AND APPEARANCES IN ANY LEGAL PROCEEDINGS WHICH MAY BE REQUIRED IN ORDER TO FINALIZE THIS AGREEMENT.

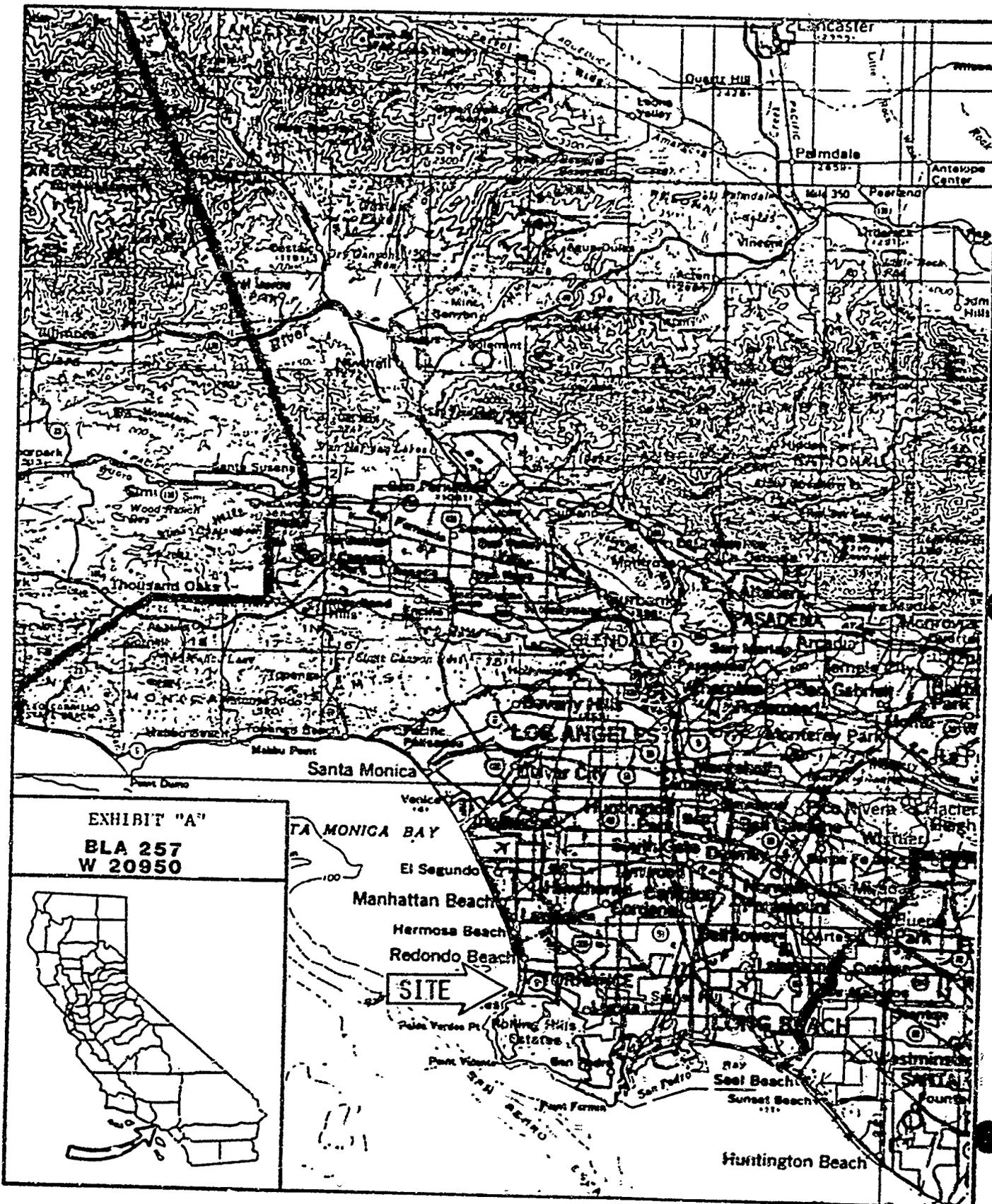


EXHIBIT "B-1"

AGREED BOUNDARY LINE AT SOUTH TORRANCE BEACH

BEGINNING at a point on the westerly prolongation of the south line of Lot 148, Tract 18379, as per map recorded in book 563, pages 9 through 14 inclusive, of Maps on file in the office of the county recorder of said County, said point being on the boundary between the City of Torrance and the City of Palos Verdes Estates, and bears North  $89^{\circ} 47' 22''$  West, 53.32 feet from the southwest corner of said Lot 148, said point of beginning also bears North  $21^{\circ} 52' 55''$  East, 51.14 feet and North  $89^{\circ} 47' 22''$  West, 75.00 feet from a point, designated as S-29 on Los Angeles County Surveyor's Map B-1726, said point S-29 having California Zone VII Coordinates  $X = 4,168,554.16$ ,  $Y = 4,041,126.21$  and being described as a 4 inch by 6 inch post projecting 2 feet above ground in Los Angeles County Surveyor's field book No. 930 at page 23; thence from said point of beginning the following six (6) courses:

- (1) North  $12^{\circ} 48' 10''$  East, 23.80 feet;
- (2) North  $23^{\circ} 16' 40''$  East, 201.07 feet;
- (3) North  $20^{\circ} 45' 20''$  East, 498.08 feet;
- (4) North  $12^{\circ} 26' 34''$  East, 498.92 feet;
- (5) North  $10^{\circ} 48' 20''$  East, 500.02 feet;
- (6) North  $9^{\circ} 05' 13''$  East, 209.24 feet to a point on the westerly projection of the northerly line of lot 168 of said

Tract 18379 and the end of the herein described line from which the northwest corner of said Lot 168 bears South 65° 20' 00" East, 37.77 feet and a point designated S-28 on Los Angeles County Surveyor's Map B-1726, having California Zone VII Coordinates of X = 4,168,864.4, and Y = 4,041,898.83, and being described as a boat spike and tin in a 4 inch by 6 inch post per Los Angeles County Surveyor's field book No. 2100, page 38, bears the following two courses, South 65° 20' 00" East, 76.60 feet and South 10° 13' 58" West, 1119.58 feet.

Bearings and distances are based on the California Coordinate System Zone VII, North American Datum of 1927. On that basis, the bearing of the line between points designated as S-27 and S-28 on Los Angeles County Surveyor's Map B-1726 is S 10° 13' 58" W. To convert distances to ground distances, multiply given distances by the grid factor 0.9999945.

END OF DESCRIPTION

CALENDAR PAGE	241
MINUTE PAGE	3244



**EXHIBIT "C-1"****Permit Area****Parcel I**

A parcel of tideland and submerged land in the City of Torrance, Los Angeles County, State of California described as follows:

BEGINNING at a point on the westerly prolongation of the south line of Lot 148, Tract 18379, as per map recorded in book 563, pages 9 through 14 inclusive, of Maps on file in the office of the county recorder of said County, said point being on the boundary between the City of Torrance and the City of Palos Verdes Estates, and bears North  $89^{\circ} 47' 22''$  West, 53.32 feet from the southwest corner of said Lot 148, said point of beginning also bears North  $21^{\circ} 52' 55''$  East, 51.14 feet and North  $89^{\circ} 47' 22''$  West, 75.00 feet from a point, designated as S-29 on Los Angeles County Surveyor's Map B-1726, said point S-29 having California Zone VII Coordinates  $X = 4,168,554.16$ ,  $Y = 4,041,126.21$  and being described as a 4 inch by 6 inch post projecting 2 feet above ground in Los Angeles County Surveyor's field book No. 930 at page 23; thence from said point of beginning the following six (6) courses:

- (1) North  $12^{\circ} 48' 10''$  East, 23.80 feet;
- (2) North  $23^{\circ} 16' 40''$  East, 201.07 feet;
- (3) North  $20^{\circ} 45' 20''$  East, 498.08 feet;
- (4) North  $12^{\circ} 26' 34''$  East, 498.92 feet;
- (5) North  $10^{\circ} 48' 20''$  East, 500.02 feet;

(6) North  $9^{\circ} 05' 13''$  East, 209.24 feet to a point on the westerly prolongation of the northerly line of lot 168 of said Tract 18379 from which the northwest corner of said Lot 168 bears South  $65^{\circ} 20' 00''$  East, 37.77 feet, and a point designated S-28 on Los Angeles County Surveyor's Map B-1726, having California Zone VII Coordinates of  $X = 4,168,864.47$  and  $Y = 4,041,898.83$ , and being described as a boat spike and tin in a 4 inch by 6 inch post per Los Angeles County Surveyor's field book No. 2100, page 38, bears the following two courses, South  $65^{\circ} 20' 00''$  East, 76.60 feet and South  $10^{\circ} 13' 58''$  West, 1119.58 feet; thence North  $65^{\circ} 20' 00''$  West, 1,000.0 feet; thence South  $18^{\circ} 28' 45''$  West 2346.84 feet to a point that bears North  $89^{\circ} 47' 22''$  West, 1000.0 feet from the point of beginning of this description; thence South  $89^{\circ} 47' 10''$  East, 1000.0 feet to the point of beginning, containing 49.8 acres more or less.

Bearings and distances are based on the California Coordinate System Zone VII, North American Datum of 1927. On that basis, the bearing of the line between points designated as S-27 and S-28 on Los Angeles County Surveyor's Map B-1726 is  $S 10^{\circ} 13' 58'' W$ . To convert distances to ground distances, multiply given distances by the grid factor 0.9999945.

END OF DESCRIPTION

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LINE PAGE	3247

**EXHIBIT "C-2"****Permit Area****Parcel I I**

A parcel of tideland and submerged land in the City of Torrance, Los Angeles County, State of California described as follows:

COMMENCING at a point on the westerly prolongation of the south line of Lot 148, Tract 18379, as per map recorded in Book 563, pages 9 through 14 inclusive, of Maps on file in the office of the County Recorder of said County, said point being on the boundary between the City of Torrance and the City of Palos Verdes Estates, and bears North 89° 47' 22" West, 53.32 feet from the southwest corner of said Lot 148, said point also bears North 21° 52' 55" East, 51.14 feet and North 89° 47' 22" West, 75.00 feet from a point, designated as S-29 on Los Angeles County Surveyor's Map B-1726, said point S-29 having California Zone VII Coordinates X = 4,168,554.16, Y = 4,041,126.21 and being described as a 4 inch by 6 inch post projecting 2 feet above ground in Los Angeles County Surveyor's field book No. 930 at page 23; thence from said point of beginning the following six (6) courses:

- (1) North 12° 48' 10" East, 23.80 feet;
- (2) North 23° 16' 40" East, 201.07 feet;
- (3) North 20° 45' 20" East, 498.08 feet;
- (4) North 12° 26' 34" East, 498.92 feet;
- (5) North 10° 48' 20" East, 500.02 feet;

(6) North 9° 05' 13" East, 209.24 feet to the POINT OF BEGINNING, being a point on the westerly prolongation of the northerly line of Lot 168 of said Tract 18379 from which the northwest corner of said Lot 168 bears South 65° 20' 00" East, 37.77 feet and a point designated S-28 on Los Angeles County Surveyor's Map B-1726, having California Zone VII Coordinates of X = 4,168,864.47 and Y = 4,041,898.83, and being described as a boat spike and tin in a 4 inch by 6 inch post per Los Angeles County Surveyor's field book No. 2100, page 38, bears the following two courses, South 65° 20' 00" East, 76.60 feet and South 10° 13' 58" West, 1119.58 feet; thence from said point of beginning North 65° 20' 00" West, 1,000.0 feet; thence North 14° 28' 45" East, 240.88 feet to the intersection with northwesterly prolongation of the southerly line of Lot 8, Block D, of Tract 10307, as per map recorded in book 165, pages 15 through 17 of Maps on file in the office of the Los Angeles County Recorder; thence easterly along the prolongation of said Lot line South 68° 56' 46" East, 1005.84 feet to the southwesterly corner of said Lot 8; thence along the westerly line of said Tract 10307, South 10° 22' 34" West, 310.06 feet to the southwesterly corner of said Tract 10307 also being the northwest corner of said Lot 168; thence along the westerly prolongation of the northerly line of said Lot 168 North 65° 20' 00" West, 37.77 feet to the point of beginning, containing 6.3 acres, more or less.

Bearings and distances are based on the California Coordinate System Zone VII, North American Datum of 1927. On that basis, the bearing of the line between points designated as S-27 and S-28 on Los Angeles County Surveyor's Map D-1726 is S 10° 13' 58" W. To convert distances to ground distances, multiply given distances by the grid factor 0.9999945.

END OF DESCRIPTION

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