

MINUTE ITEM
This Calendar Item, No. 36
was approved as Minute Item
No. 36 by the State Lands
Commission by a vote of 2
to 0 at its 3-2-88
meeting.

CALENDAR ITEM

A 68

36

03/02/88
W 22231
AD 33
A. Scott
Hadly

S 36

IMPLEMENTATION OF BOUNDARY SETTLEMENT AND
LAND EXCHANGE AGREEMENT AD 33

APPLICANT: Arnold Travis, et al
727 Holmby Avenue
Los Angeles, California 90024

BACKGROUND:

In August 1985 the Commission authorized the execution of a title settlement agreement with the applicant. As part of that agreement, the State released all sovereign interest in the lands of the applicant within a portion of the Palo Verde Valley adjacent to the Colorado River and north of the City of Blythe. The applicant agreed to make a contribution in the amount of \$429,000 to the Land Bank Fund as settlement of the State's claim to the abandoned channel of the Colorado River within the applicants upland. The contribution was to be made in six equal installments of \$71,500 plus interest.

The settlement agreement provided an alternative to the Land Bank contribution. The agreement provided for the applicant to offer land of equal value or land and money in lieu of only a Land Bank contribution. The Commission had to concur with the valuation of the land offered.

CURRENT SITUATION:

The applicant has offered to deed to the Commission a parcel of land in the Palo Verde Valley adjoining the current channel of the Colorado River. The staff of the Commission has evaluated the land through an appraisal and the applicant has agreed to the value as shown in the appraisal. The applicant has also agreed to make a payment of \$80,000 to the Land Bank Fund as the difference between the amount required by the settlement agreement and the value of the parcel of land offered.

The staff believes that the parcel of land offered will be a valuable asset to the public trust in this area by providing public access to the current channel of the Colorado River and also provide valuable riparian habitat. The staff recommends that the Commission accept the parcel of land offered and the \$80,000 contribution to the Land Bank Fund as fully meeting the consideration requirements of the settlement agreement.

OTHER PERTINENT INFORMATION:

1. 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 CEQA as a statutory exempt project. The project is exempt because it involves settlement of title and boundary problems and because it involves action taken pursuant to the Kapiloff Land Bank Act, P. R. C. 8600, et seq.

Authority: P. R. C. 21080.11 and 8631.

AB 884

N/A.

EXHIBITS:

- A. Land Description of Parcel to be Acquired.
- B. Parcel Sketch.
- C. Site Map.

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 STATUTORY EXEMPT PROJECT PURSUANT TO P. R. C. 21080.11, SETTLEMENT OF TITLE AND BOUNDARY PROBLEMS AND P. R. C. 8631, AN ACTION TAKEN PURSUANT TO THE KAPILOFF LAND BANK ACT, P.R.C. 8600, ET SEQ.
2. AUTHORIZE THE ACCEPTANCE AND RECORDATION OF A DEED TO THE PARCEL OF LAND DESCRIBED IN EXHIBIT "A" AS SOVEREIGN LAND OF THE STATE SUBJECT TO THE PUBLIC TRUST FOR COMMERCE, NAVIGATION AND FISHING.
3. AUTHORIZE THE ACCEPTANCE AND DEPOSIT OF \$80,000.00 INTO THE KAPILOFF LAND BANK FUND.

(CALENDAR ITEM NO. 36 CONT'D)

4. AUTHORIZE THE STAFF TO TAKE ALL FURTHER STEPS NECESSARY TO IMPLEMENT THE TERMS AND PROVISIONS OF BOUNDARY SETTLEMENT AND LAND EXCHANGE AGREEMENT AD 33 PREVIOUSLY APPROVED BY THE COMMISSION AT ITS MEETING OF AUGUST 29, 1985 AS MINUTE ITEM NO. 44, INCLUDING, BUT NOT LIMITED TO EXECUTION OF ALL DOCUMENTS, FIELD SURVEY AND MONUMENTATION OF LANDS, PREPARATION, AND RECORDATION OF MAPS SHOWING THE LOCATION OF LANDS AND INTERESTS IN LANDS ACQUIRED BY THE STATE, DEEDS, TITLE AND ESCROW INSTRUCTIONS, CERTIFICATES OF ACCEPTANCE AND CONSENT TO RECORD AND APPEARANCES IN ANY LEGAL PROCEEDINGS NECESSARY TO FINALIZE BOUNDARY SETTLEMENT AND LAND EXCHANGE AGREEMENT AD 33.

EXHIBIT " A "
LAND DESCRIPTION

W22231

Three parcels of land in Section 24, Township 6 South, Range 23 East, San Bernardino Base and Meridian, according to the Official Plat thereof, situated in the unincorporated area of the State of California, County of Riverside, and more particularly described as follows;

Parcel 1
BEGINNING at the northwest corner of the west half of the west half of said section 24; thence S 01°06'40"E, along the east line of the west half of the west half of the west half of said section 24, a distance of 1,326.63 feet; thence West, a distance of 660.29 feet to a point on the west line of section 24; thence N 01°07'10"W, along the west line of said section 24, a distance of 1,326.63 feet to the northwest corner of said section 24; thence East, along the North line of said section 24, a distance of 660.49 feet to the point of beginning.

Parcel 2
BEGINNING at the northeast corner of the west half of the west half of the west half of said section 24; thence East, along the north line of said section 24, a distance of 99.11 feet; thence S 29°46'10"E, a distance of 146.60 feet; thence S 15°00'20"E, a distance of 292.06 feet; thence S 26°23'30"E, a distance of 230.70 feet; thence S 46°31'40"E, a distance of 499.60 feet; thence S 58°25'10"E, a distance of 369.92 feet; thence S 52°47'30"E, a distance of 338.73 feet; thence S 42°39'20"E, a distance of 183.68 feet; thence S 32°52'20"E, a distance of 157.40 feet; thence S 48°26'40"E, a distance of 62.33 feet; thence S 76°52'20"W, a distance of 217.04 feet; thence S 64°06'20"W, a distance of 607.66 feet; thence S 70°54'20"W, a distance of 587.29 feet; thence S 74°16'20"W, a distance of 205.45 feet, to a point on the East line of the west half of the west half of said section 24; thence N 01°06'40"W, along the East line of the west half of the west half of said section 24, a distance of 2,229.90 feet to the point of beginning.

Parcel 3
A non-exclusive easement for excavation, establishment, maintenance and dredging of a marina, over that portion of section 24, T6S, R23E, SBM, in the County of Riverside, State of California, according to the Official Plat thereof, more particularly described as follows;

COMMENCING at the northeast corner of the west half of the west half of the west half of said section 24; thence East, along the north line of said section 24, a distance of 99.11 feet; thence S 29°46'10"E, a distance of 146.60 feet; thence S 15°00'20"E, a distance of 292.06 feet; thence S 26°23'30"E, a distance of 230.70 feet; thence S 46°31'40"E, a distance of 499.60 feet; thence S 58°25'10"E, a distance of 369.92 feet; thence S 52°47'30"E, a distance of 338.73 feet; thence S 42°39'20"E, a distance of 183.68 feet; thence S 32°52'20"E, a distance of 157.40 feet; thence S 48°26'40"E, a distance of 62.33 feet to the POINT OF BEGINNING; thence S 76°52'20"W, a distance of 217.04 feet; thence S 64°06'20"W, a distance of 607.66 feet; thence S 70°54'20"W, a distance of 587.29 feet; thence S 74°16'20"W, a distance of 205.45 feet;

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feet, to a point on the east line of the west half of the west half of the west half of said section 24; thence S 01°06'40"W, along the east line of the west half of the west half of the west half of said section 24, a distance of 103.34 feet; thence N 74°16'20"E, a distance of 234.47 feet; thence N 70°54'20"E, a distance of 596.17 feet; thence N 64°06'20"E, a distance of 602.42 feet; thence N 76°52'20"E, a distance of 167.99 feet; thence southeasterly, on a non-tangent curve concave to the north, having a radius of 100.00 feet, through an angle of 107°28'51", an arc length of 187.59 feet, (the initial radial line bears S 69°03'55"W); thence N 38°24'56"W, a distance of 100.00 feet; thence N 48°26'40"W, a distance of 105.90 feet to the point of beginning.

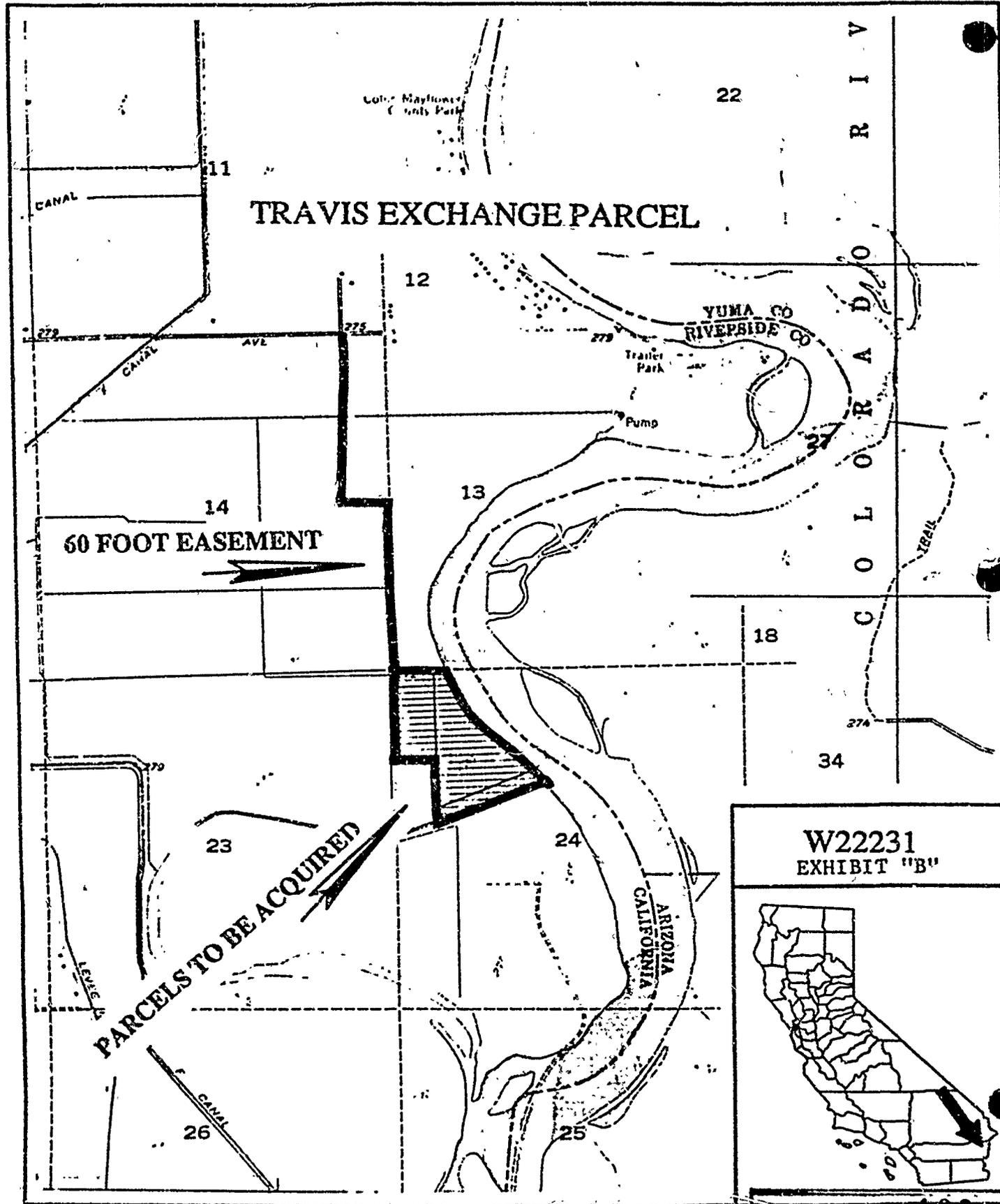
TOGETHER WITH an easement and right of way for road purposes over, through, and across a strip of land 60 feet wide lying 30 feet on each side of the following described centerline:

COMMENCING at the corner common to sections 11-12-13-14, T6S, R23E, SBM; thence westerly along the south line of section 11, a distance of 700 feet, plus or minus, to the intersection with a farm road and the POINT OF BEGINNING; thence southerly along said farm road a distance of 2600 feet, plus or minus, to an angle point in said farm road; thence easterly along said farm road a distance of 700 feet, plus or minus, to an angle point in said farm road; thence southerly along said farm road a distance of 2600 feet, plus or minus, to the northwesterly corner of aforementioned Parcel 1, and the end of said easement.

EXCEPTING THEREFROM any portion of the herein described property within the abandoned bed of the Colorado River between the line of natural ordinary high water as said abandoned river bed existed in 1942, prior to the man-made cut-off in the vicinity of Ninth Avenue.

END DESCRIPTION

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TRAVIS EXCHANGE PARCEL

60 FOOT EASEMENT

PARCELS TO BE ACQUIRED

**W22231
EXHIBIT "B"**



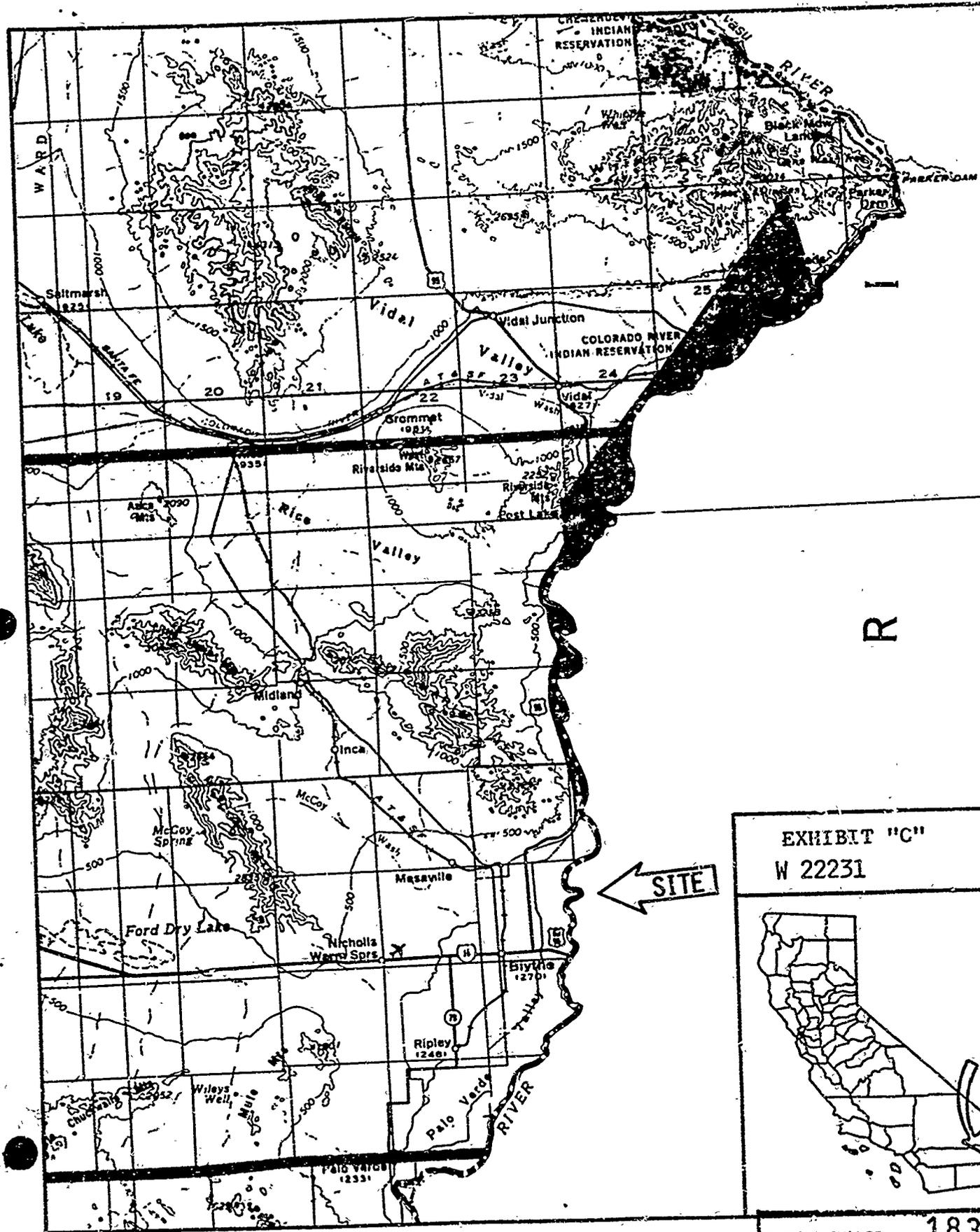


EXHIBIT "C"
W 22231



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