MINUTE ITEM
This Calendar Item No. C18
was approved as Minute Item
No. 18 by the State Lands
Commission by a vote of 3
to 2 at its 7/15/91
meeting.

CALENDAR ITEM

A 70

S 31

C 18

07/15/91
W 503.1708
Fossum
Patterson

AUTHORIZE FILING DISCLAIMER IN
CITY OF OCEANSIDE v. SUTTER ET AL.
SAN DIEGO SUPERIOR COURT CASE NO 42703

PARTY:

State Lands Commission
1807 - 13th Street
Sacramento, California 95814

The State of California is a party to a condemnation action brought by the City of Oceanside entitled, City of Oceanside v. Sutter et al., San Diego County, involving lands to be used as part of the San Luis Rey River Flood Control Project.

Upon examination of the Commission's records pertinent to the area, staff has determined that the area involved in the taking may include potential public interests lying in and connected to the San Luis Rey River. However, the intended uses would not be inconsistent with such interests.

Extensive preparation and research would be required by staff to determine the extent of such interest; that, even upon such determination, compensation for such interest would be nominal and the costs of proof outweigh any possible compensation the State would receive in the condemnation award.

EXHIBITS:

A. Land Description
B. Site Maps

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.

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(ADDED pgs. 76 - 76.2)

2. AUTHORIZE THE ATTORNEY GENERAL TO FILE A DISCLAIMER OF COMPENSATION ON BEHALF OF THE STATE LANDS COMMISSION IN THE CASE OF CITY OF OCEANSIDE v. SUTTER ET AL., SAN DIEGO SUPERIOR COURT CASE NO. 42703.

EXHIBIT "A"

W 503.1708

LAND DESCRIPTION

Those parcels of land in Section 7, T 11 S, R 4 W, SBM, San Diego County, California, more particularly described as follows:

The N 1/2 of the NE 1/4; the NE 1/4 of the SW 1/4 and the E 1/2 of the NW 1/4.

END OF DESCRIPTION

PREPARED July, 1991 BY LLB

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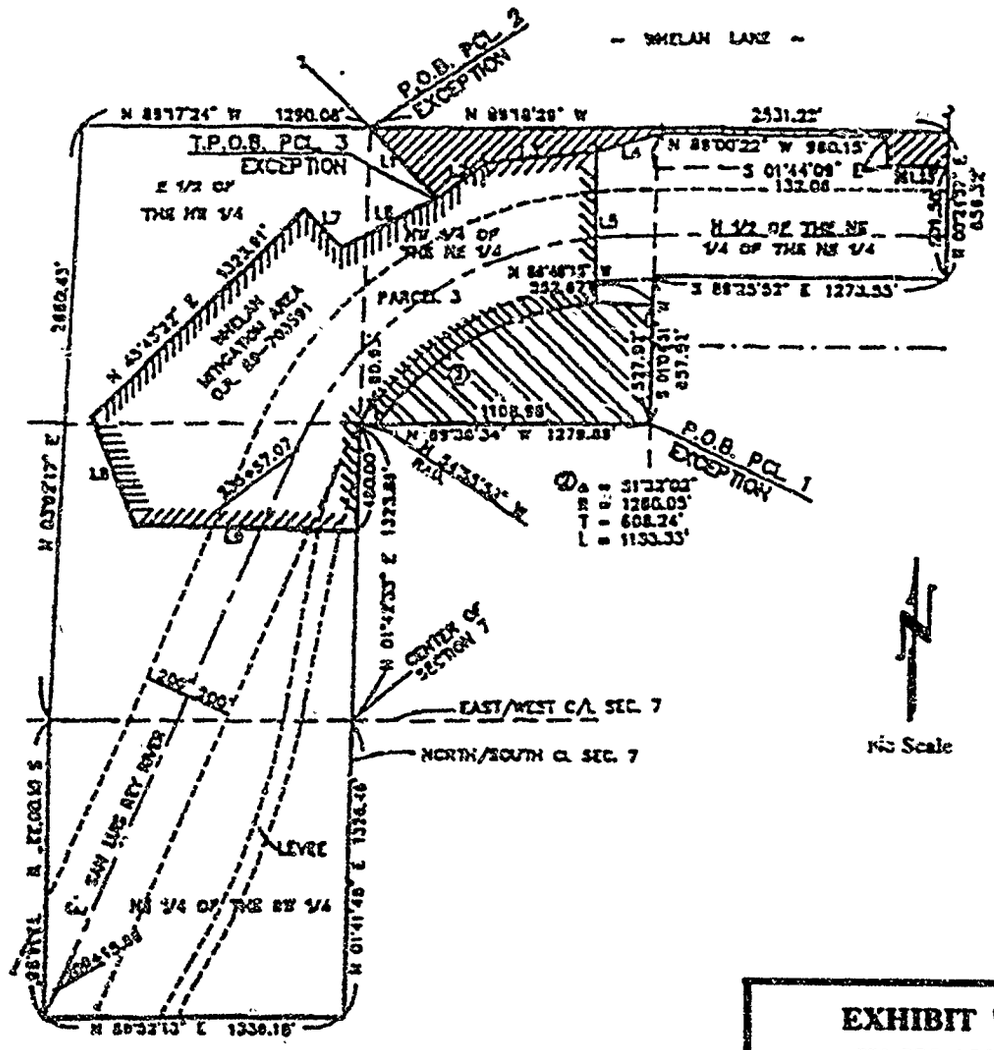

SECTION 7

T11S R4W SBM

EXHIBIT "B"

W 503.1708

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