MINUTE ITEM
This Calendar Item No. 38
was approved as Minute Item
No. 38 by the State Lands
Commission by a vote of 3
to 0 at its 7/15/91
meeting.

CALENDAR ITEM

38

A 44

S 22

07/15/91
PRC 6013
A. Scott
Fossum

AUTHORIZE THE ASSIGNMENT AND AMENDMENT OF
A PERMIT FOR IMPROVEMENTS
COVERING A PORTION OF SANTA MONICA STATE BEACH
WITHIN THE CITY OF SANTA MONICA

LESSEE:
Francois De Menil
514 Palisades Beach Road
Santa Monica, California

BACKGROUND:
In 1981 the Commission authorized the execution of twenty-four (24) "Boundary Line Agreements and Permits For Improvements" covering private residential lots fronting Santa Monica State Beach. These agreements were in settlement of litigation over the boundary between the private lands and the sovereign lands of the State. Some minor changes have been made to one of the areas covered by an existing "Permit for Improvements" and the ownership of the private lands has also changed. The "Permit for Improvements" contains provisions which provide that the benefits of the permit "inures to the benefit of the heirs, successors in interest and assigns of the parties ...".

CURRENT SITUATION:
The new owner of the property, Hope Warshaw, has requested an assignment of the "Permit for Improvements" and an amendment to reflect the minor increase in the use area made prior to her purchase of the property. Staff recommends the amendment to increase the area covered by the assigned permit because the increased area is no larger than the area of other permitted

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improvements in the settlement area. The improvements covered by these permits are primarily landscaping improvements such as fences, vegetation and other non-permanent structures. The current beach area is sufficient to accommodate the public's existing needs and the private improvements located on the permit area can be easily removed.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facility (portion of project covered by existing permit) and Class 4, Minor Alteration to Land (portion of project not covered by existing permit), 14 Cal. Code Regs. 15301(h) and 15304(b).

   Authority: P.R.C. 21084 and 14 Cal. Code Regs. 15300.

2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq., but will not effect those significant lands.

EXHIBITS:

A. Land Description
B. Sketch of Permit Area
C. Site Map

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY WILL HAVE NO SIGNIFICANT EFFECT ON ENVIROMENTAL VALUES IDENTIFIED PURSUANT TO P.R.C. 6370, ET SEQ.

2. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITY (PORTION OF PROJECT COVERED BY EXISTING PERMIT), TITLE 2, SECTION 2905(a)(2) AND CLASS 4, MINOR ALTERATION TO LAND (PORTION OF PROJECT NOT COVERED BY EXISTING PERMIT), 14 CAL. CODE REGS. 15301 (H) AND 15304 (B).

3. AUTHORIZE THE EXECUTION ON BEHALF OF THE COMMISSION OF AN AMENDMENT TO THE EXISTING "PERMIT FOR IMPROVEMENTS" PRC 6013 RECORDED IN LOS ANGELES COUNTY AS INSTRUMENT NUMBER 82-1310673 TO SUBSTITUTE THE LAND DESCRIPTION ATTACHED AS EXHIBIT "A" HERETO FOR THE LAND DESCRIPTION CONTAINED THEREIN.

4. AUTHORIZE THE APPROVAL OF AN ASSIGNMENT OF "PERMIT FOR IMPROVEMENTS" PRC 6013 FROM FRANCOIS DE MENIL (LESSEE/ASSIGNOR) TO HOPE WARSHAW (ASSIGNEE), AS AMENDED, EFFECTIVE UPON COMMISSION APPROVAL.

EXHIBIT "A"

PRC 6013

LAND DESCRIPTION

A parcel of State-owned Sovereign Land being adjacent to that parcel of land in the City of Santa Monica, County of Los Angeles, State of California, described in Document No. 1430370 recorded September 8, 1988, records of said county, said State-owned parcel is more directly described as follows:

BEGINNING at the intersection of the "1921 mean high tide line retraced 1978", as shown on that Record of Survey, filed January 3, 1980 in Book 90 of Surveys, page 39, records of said county, and the most westerly corner of said parcel recorded September 8, 1988, hereafter referred to as the upland parcel; thence along the southwesterly projection of the northwest line of the upland parcel Southwesterly 25.10 feet; thence southeasterly to a point that is 25.60 feet from the most southerly corner of the upland parcel; thence northeasterly along the southwest projection of the southeast line of the upland parcel 25.10 feet to the intersection of the above said 1921 mean high tide line and the most southerly corner of said upland parcel; thence along said 1921 mean high tide line, northwesterly to the point of beginning.

END OF DESCRIPTION

PREPARED JULY, 1991 BY LLB

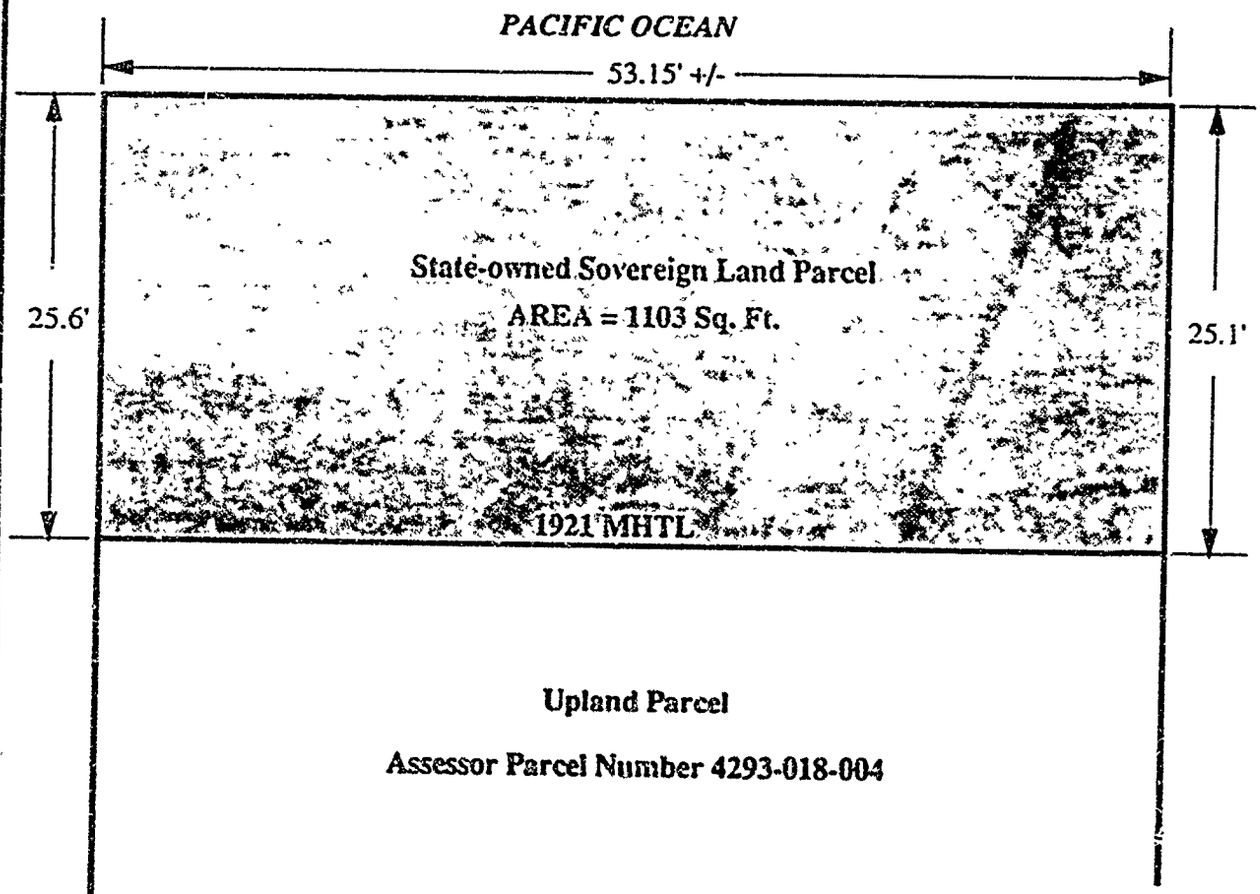

EXHIBIT "B"
SITE MAP
514 PALISADES BEACH ROAD
PRC 6013 - BLA 205
SANTA MONICA BEACH
LOS ANGELES COUNTY

No Scale

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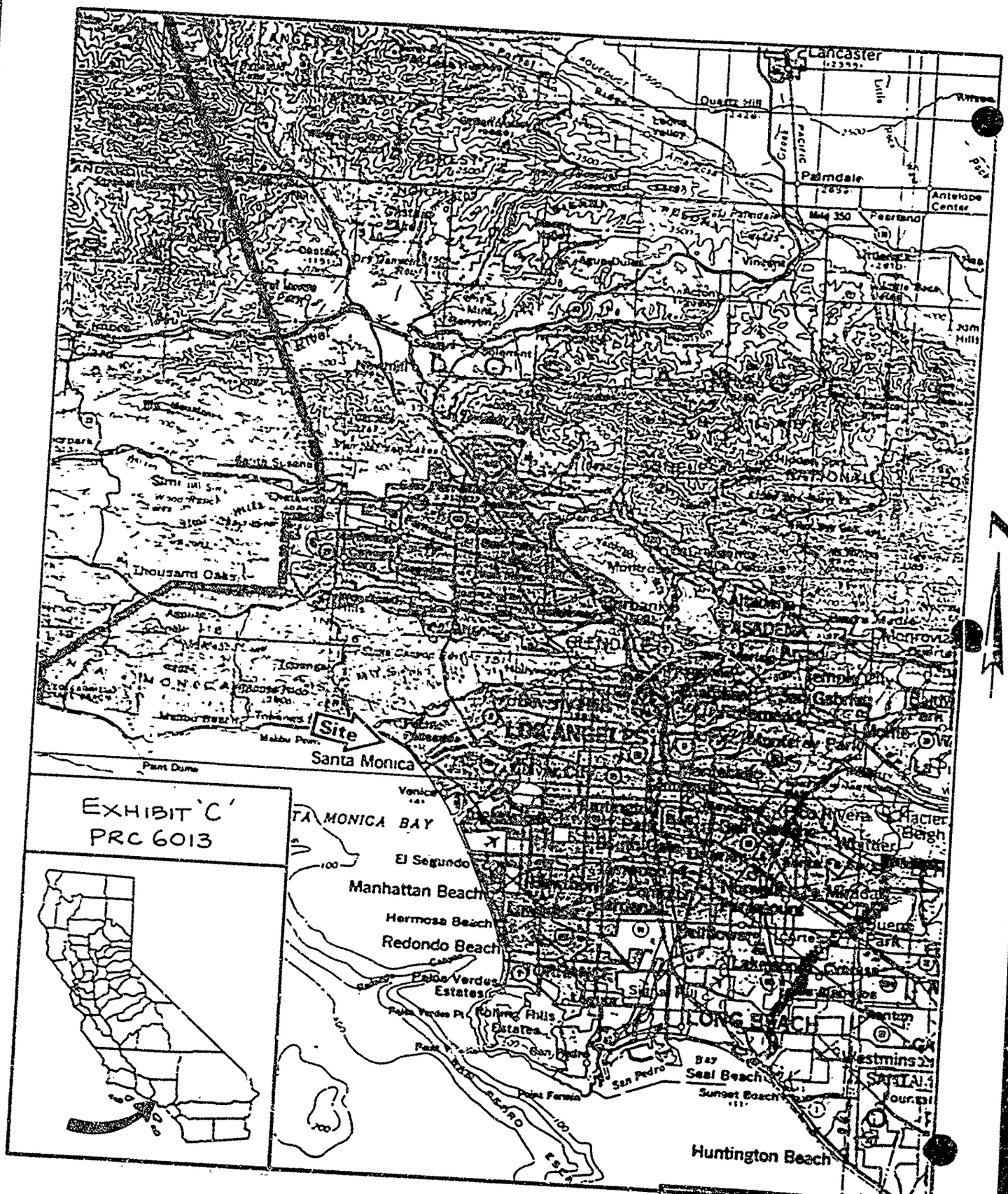

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