

CALENDAR ITEM

81

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MINUTE ITEM
This Calendar Item No. 81
was approved as Minute Item
No. 81 by the State Lands
Commission by a vote of 3
to 0 at its 9/23/92
meeting.

09/23/92
W 24665 AD 179
Sledd AD 180
Pelkofer AD 181
AD 182

ACCEPT DEDICATION OF LATERAL PUBLIC ACCESS EASEMENTS

PARTIES:

California Coastal Conservancy
1330 Broadway, Suite 1100
Oakland, California 94612

California Coastal Commission
631 Howard Street, 4th Floor
San Francisco, California 94105

Garfield Family Trust
1448 - 15th Street, #100
Santa Monica, California 90404 - AD 179

John and Dian Roberts
21900 Pacific Coast Highway
Malibu, California 90265 - AD 180

Jerry and Joyce Monkarsh
9061 Santa Monica Boulevard
Los Angeles, California 90069-520 - AD 181

Richard N. and Kevan J. Husky
13565 Lucca Drive
Pacific Palisades, California 90272-2722 - AD 182

The Commission is requested to accept the offers to dedicate lateral access easements to the properties listed in the attached exhibit. Acceptance of these offers is part of a continuing process under an agreement with the Coastal Conservancy and the Coastal Commission for the State Lands Commission to accept easement dedications, obtained by the Coastal Commission in the

Coastal Development permit process. Staff has reviewed the offers and the properties and recommends them as appropriate for Commission acceptance.

The California Coastal Commission has, for years, required, as a condition of granting coastal development permits, formal offers to dedicate to the public, lateral and vertical access. Acceptance of the offers of dedication is time-limited to a number of years after dedication. The agreement to have State Lands accept dedications of these easements adjacent to State-owned tidelands was made to prevent the expiration of time limits and the loss of public use of the property.

The general character of the land the staff is proposing the Commission accept is dry sandy beach area, approximately 25 feet wide, parallel to the ordinary high water line and adjacent to State-owned tidelands. The Commission's liability for holding these lateral parcels is limited by Section 831.2 of the Government Code which provides that a public entity is not liable for injury caused by a natural condition of any unimproved public property. There should be no maintenance and little management required because of the lack of improvements on the parcels and because the easements simply provide beachgoers with the right to use the beach.

AB 884:
N/A

EXHIBITS:

- A. Location Map
- B. List of Dedications

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.
2. ACCEPT THE OFFER(S) TO DEDICATE THE EASEMENT(S) ATTACHED.
3. AUTHORIZE THE EXECUTIVE OFFICER, OR STAFF PERSONS DESIGNATED BY HIM, TO TAKE ALL NECESSARY ACTIONS TO EXECUTE ACCEPTANCE OF THE OFFERS, TO RECORD THEM, AND TO MONITOR THE PUBLIC'S USE AND ENJOYMENT OF THE EASEMENTS.

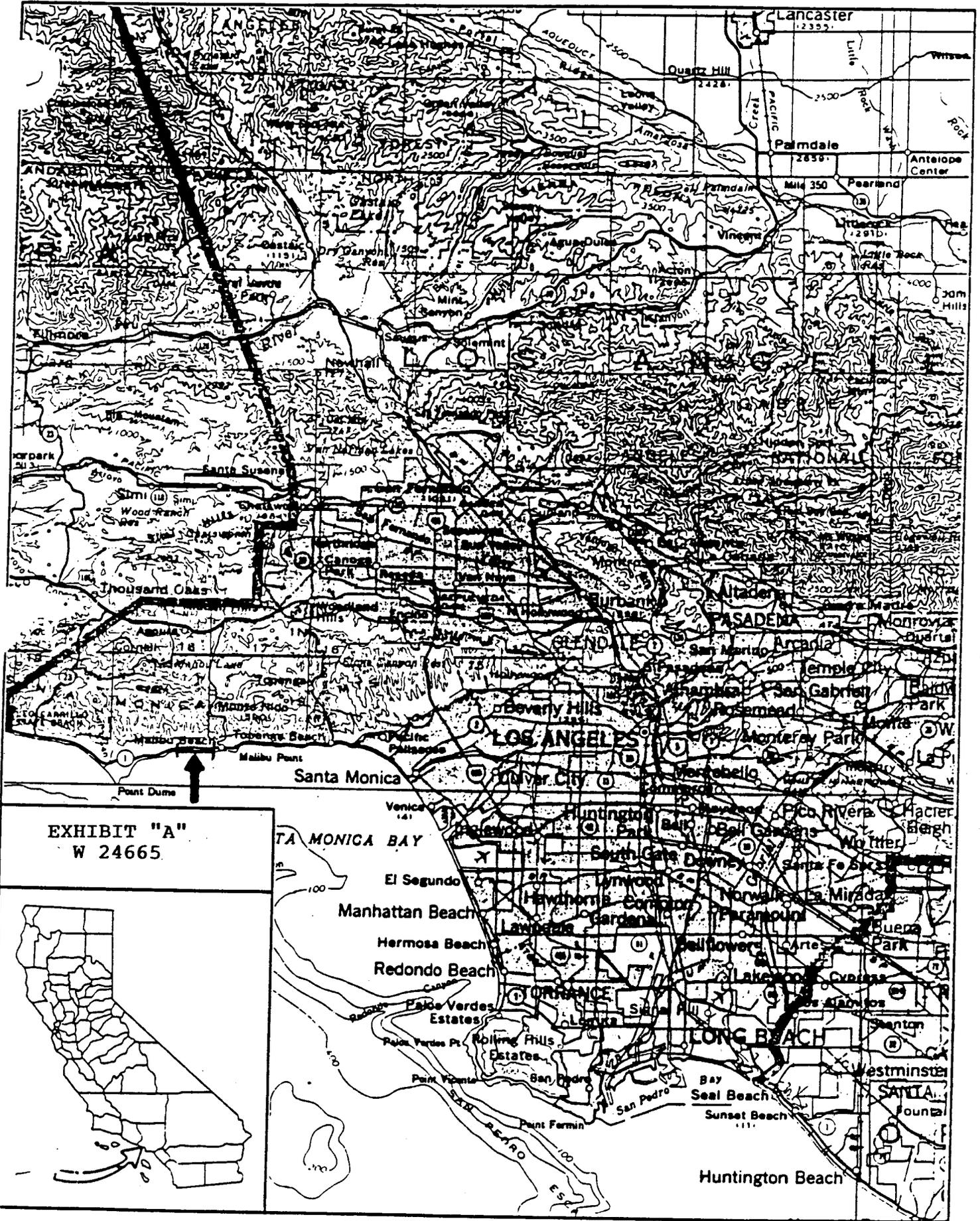


EXHIBIT "A"
W 24665

EXHIBIT B

<u>ADDRESS</u>	<u>OWNER AT TIME OF OFFER</u>	<u>CURRENT OWNER</u>	<u>ASSESSOR PARCEL #</u>
21634 Pacific Coast Highway	Salkowitz	Garfield Family Trust 1448 15th Street, No. 100 Santa Monica, CA 90404	4451-003-025
21900 Pacific Coast Highway	Roberts	John and Dian Roberts 21900 Pacific Coast Highway Malibu, CA 90265	4451-004-014
21920 Pacific Coast Highway	Monkarsh	Jerry and Joyce Monkarsh 9061 Santa Monica Blvd. Los Angeles, CA 90069-5520	4451d1-004-010
21922 Pacific Coast Highway	Husky	Richard N. and Kevan J. Husky 13565 Lucca Drive Pacific Palisades, CA 90272-2722	4451-005-033