

MINUTE ITEM

4. APPLICATION FOR PERMIT TO TEMPORARILY DRAIN NAVIGABLE CHANNELS IN SUNSET BAY, ORANGE COUNTY; HUNTINGTON HARBOUR CORPORATION - W.O. 4354, P.R.C. 2878.9.

In presenting Calendar Item 16 attached, the Executive Officer stated that two telegrams of protest had been received, but that they had been subsequently withdrawn.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, THE FOLLOWING RESOLUTION WAS ADOPTED:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE TO HUNTINGTON HARBOUR CORPORATION A PERMIT TO DIKE AND DRAIN THOSE CERTAIN STATE LANDS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND HEREBY MADE A PART HEREOF, SUBJECT TO THE FOLLOWING CONDITIONS:

1. THE PERMIT SHALL EXPIRE ON DECEMBER 31, 1962.
2. THE PERMITTEE AGREES TO INDEMNIFY THE STATE AGAINST ANY AND ALL LOSSES, DAMAGES, CLAIMS, DEMANDS OR ACTIONS CAUSED BY OR ARISING OUT OF THE OPERATIONS OF THE PERMITTEE HEREUNDER.
3. UPON THE EXPIRATION OF THIS PERMIT OR ANY EXTENSION THEREOF, THE PERMITTEE SHALL RESTORE SAID STATE LANDS TO THE PREVIOUS CONDITION.
4. THE PERMITTEE SHALL MAINTAIN IN FULL FORCE AND EFFECT AT ALL TIMES DURING THE TERM OF THIS PERMIT OR ANY EXTENSION THEREOF, THE PUBLIC LIABILITY POLICY INSURING THE STATE OF CALIFORNIA AS AN ADDITIONAL INSURED WHICH PERMITTEE PREVIOUSLY FILED WITH THE STATE LANDS COMMISSION, AND SAID POLICY SHALL BE APPLICABLE TO THIS PERMIT.
5. THE PERMITTEE SHALL NOT BE REQUIRED TO PAY NET RENT FOR THE RIGHTS GRANTED HEREIN, BUT SHALL BE REQUIRED TO PAY ADDITIONAL SUMS REQUESTED BY THE STATE LANDS COMMISSION FOR EXPENSES REASONABLY INCURRED IN CONNECTION WITH FURTHER WORK PERFORMED BY THE COMMISSION OR ITS TECHNICAL STAFF.
6. DURING THE COURSE OF CONSTRUCTION, THE OTHER WATERWAYS SHOWN ON DRAWING NO. L-935, ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE HEREBY MADE A PART HEREOF, SHALL REMAIN OPEN AND UNOBSTRUCTED TO NAVIGATION TO PROVIDE SMALL-CRAFT ROUTES AROUND THE CONSTRUCTION SITE.

Attachment

Calendar Item 16 (2 pages)

CALENDAR ITEM

16.

APPLICATION FOR PERMIT TO TEMPORARILY DRAIN NAVIGABLE CHANNELS IN SUNSET BAY, ORANGE COUNTY; HUNTINGTON HARBOUR CORPORATION - w.O. 4354.

An application has been received from Huntington Harbour Corporation for a permit to close and drain portions of two recently constructed navigable channels in Sunset Bay, Orange County, to facilitate the construction of bulkheads along the waterways designed so as to prevent upland erosion and help stabilize the water depth in the channels. Upon completion of the project, by December 31, 1962, the temporary closing dikes are to be removed, the dike sites restored, and the channels rewatered. During the course of construction, the other waterways shown on Drawing No. L-935 (Exhibit "B") would remain open and unobstructed to navigation to provide small-craft routes around the construction site. Liability insurance coverage in the amount of \$1,000,000 general and \$2,000,000 excess, naming the applicant and the State Lands Commission as coinsured, will be in effect during the permit term. Approval of the project has been obtained from the U. S. Army Corps of Engineers. Permit consideration is to be the ultimate public benefit through improvement of navigation.

IT IS RECOMMENDED THAT THE EXECUTIVE OFFICER BE AUTHORIZED TO ISSUE TO HUNTINGTON HARBOUR CORPORATION A PERMIT TO DIKE AND DRAIN THOSE CERTAIN STATE LANDS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND HEREBY MADE A PART HEREOF, SUBJECT TO THE FOLLOWING CONDITIONS:

1. THE PERMIT SHALL EXPIRE ON DECEMBER 31, 1962.
2. THE PERMITTEE AGREES TO INDEMNIFY THE STATE AGAINST ANY AND ALL LOSSES, DAMAGES, CLAIMS, DEMANDS OR ACTIONS CAUSED BY OR ARISING OUT OF THE OPERATIONS OF THE PERMITTEE HEREUNDER.
3. UPON THE EXPIRATION OF THIS PERMIT OR ANY EXTENSION THEREOF, THE PERMITTEE SHALL RESTORE SAID STATE LANDS TO THE PREVIOUS CONDITION.
4. THE PERMITTEE SHALL MAINTAIN IN FULL FORCE AND EFFECT AT ALL TIMES DURING THE TERM OF THIS PERMIT OR ANY EXTENSION THEREOF, THE PUBLIC LIABILITY POLICY INSURING THE STATE OF CALIFORNIA AS AN ADDITIONAL INSURED WHICH PERMITTEE PREVIOUSLY FILED WITH THE STATE LANDS COMMISSION, AND SAID POLICY SHALL BE APPLICABLE TO THIS PERMIT.
5. THE PERMITTEE SHALL NOT BE REQUIRED TO PAY ANY RENT FOR THE RIGHTS GRANTED HEREIN, BUT SHALL BE REQUIRED TO PAY ADDITIONAL SUMS REQUESTED BY THE STATE LANDS COMMISSION FOR EXPENSES REASONABLY INCURRED IN CONNECTION WITH FURTHER WORK PERFORMED BY THE COMMISSION OR ITS TECHNICAL STAFF.
6. DURING THE COURSE OF CONSTRUCTION, THE OTHER WATERWAYS SHOWN ON DRAWING NO. L-935, ON FILE IN THE OFFICES OF THE STATE LANDS COMMISSION AND BY REFERENCE HEREBY MADE A PART HEREOF, SHALL REMAIN OPEN AND UNOBSTRUCTED TO NAVIGATION TO PROVIDE SMALL-CRAFT ROUTES AROUND THE CONSTRUCTION SITE.

Attachment
Exhibit "A"

EXHIBIT "A"DESCRIPTION OF PORTIONS OF 400 FOOT WIDE
AND 200 FOOT CHANNELS, HUNTINGTON HARBOUR
DEVELOPMENT, TO BE UNWATERED

April 4, 1962

Portions of Sections 19 and 30, Township 5 South, Range 11 West, in the City of Huntington Beach, County of Orange, State of California, as per map recorded in Book 51, Page 13 of Miscellaneous Maps, records of said County, described as follows:

PARCEL 1

A strip of land 400 feet wide, lying 200 feet on each side of the following described centerline:

Beginning at the point of intersection of the southwesterly prolongation of the line common to the Ranchos La Bolsa Chica and Los Alamitos with the common boundary between the property conveyed to Lomita Land and Water Company per deed recorded in Book 160, Page 282 of Deeds, records of said County and the property conveyed to Sunset Beach Company as described in deed recorded in Book 108, Page 46 of said Deeds, said point being S. 49° 34' 33" W. 1843.95 feet along said southwesterly prolongation from the centerline of Edinger Avenue (formerly Smeltzer Avenue), 60 feet in width, in said City; thence S. 61° 00' 00" E. 1920 feet to the True Point of Beginning; thence S. 61° 00' 00" E. 1930 feet to an angle point; thence S. 19° 00' 00" E. 3000 feet, the end lines of said Parcel 1, being at right angles to said centerline.

PARCEL 2

A strip of land 200 feet wide, lying 100 feet on each side of the following described centerline:

Beginning at the point of intersection of the southwesterly prolongation of the line common to the Ranchos La Bolsa Chica and Los Alamitos with the common boundary between the property conveyed to Lomita Land and Water Company per deed recorded in Book 160, Page 282 of Deeds, records of said County and the property conveyed to Sunset Beach Company as described in deed recorded in Book 108, Page 46 of said Deeds, said point being S. 49° 34' 33" W. 1843.95 feet along said southwesterly prolongation from the centerline of Edinger Avenue (formerly Smeltzer Avenue), 60 feet in width in said City; thence S. 61° 00' 00" E. 3681.13 feet; thence S. 33° 44' 29" W. 200.69 feet to a point in the southwesterly line of Parcel 1, herein described, said last mentioned point being the True Point of Beginning; thence S. 33° 44' 29" W. 990 feet, the northerly line of said Parcel 2 being in the southwesterly line of said Parcel 1, and bearing S. 61° 00' 00" E., and the southerly line of said Parcel 2, being at right angles to said centerline of Parcel 2.