

MINUTE ITEM

3. REQUEST FOR APPROVAL OF DOCUMENTS SETTling THE CASE OF UNITED STATES V. ANCHOR OIL CORPORATION, ET AL. - W.O. 3019.

In presenting Calendar Item 2 attached, the Executive Officer called attention to a typographical error; i.e., the use of the word "worth" instead of "month" in the last paragraph of the recommendation, fifth line, tenth word.

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

THE STATE LANDS COMMISSION BY RESOLUTION HEREBY APPROVES THE FORM AND CONTENTS OF THE SETTLEMENT DOCUMENTS DRAFTED HERETOFORE WITH THE PARTICIPATION OF THE ATTORNEY GENERAL TO BE SIGNED BY THE ATTORNEY GENERAL IN EFFECTUATING A SETTLEMENT OF THE CASE OF UNITED STATES OF AMERICA v. ANCHOR OIL CORPORATION, ET AL., UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF CALIFORNIA, CENTRAL DIVISION NO. 800-58 HW CIVIL, TO WIT:

1. "STIPULATION FOR JUDGMENT OF SETTLEMENT BETWEEN THE PLAINTIFF AND DEFENDANTS STATE OF CALIFORNIA AND CITY OF LONG BEACH IN THE AFORESAID CASE OF UNITED STATES OF AMERICA v. ANCHOR OIL CORPORATION, ET AL."
2. "STIPULATION FOR JUDGMENT VESTING TITLE IN THAT CERTAIN CONDEMNATION ACTION TO BE FILED IN THE UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF CALIFORNIA, CENTRAL DIVISION, WHICH PROCEEDING SHALL BE ENTITLED 'UNITED STATES OF AMERICA, PLAINTIFF, VERSUS 1,059 ACRES OF LAND, MORE OR LESS, IN THE CITY OF LONG BEACH, STATE OF CALIFORNIA, THE CITY OF LONG BEACH AND STATE OF CALIFORNIA, AND UNKNOWN OWNERS, DEFENDANTS'."
3. "AGREEMENT OF COMPROMISE AND SETTLEMENT AND MUTUAL RELEASE OF CLAIMS BY AND BETWEEN DEFENDANTS IN UNITED STATES OF AMERICA v. ANCHOR OIL CORPORATION, ET AL."

IN CONFORMITY WITH THE PROVISIONS OF CHAPTER 1847, STATUTES OF 1963, THE STATE LANDS COMMISSION HEREBY AUTHORIZES THE CITY OF LONG BEACH TO REMIT FORTHWITH TO THE UNITED STATES THE OIL AND DRY GAS REVENUES FROM TIDE AND SUBMERGED LANDS DUE TO THE STATE ON SEPTEMBER 30, 1963, AND FURTHER AUTHORIZES SAID CITY TO DEDUCT FROM SIMILAR FUNDS DUE TO THE STATE FOR THE SUCCEEDING MONTH AND REMIT TO THE UNITED STATES ON NOVEMBER 1, 1963, THE BALANCE OF ANY MONEYS OWING TO THE UNITED STATES BY THE STATE UNDER THE SAID ANCHOR SETTLEMENT.

Attachment
Calendar Item 2 (2 pages)

CALENDAR ITEM

2.

REQUEST FOR APPROVAL OF DOCUMENTS SETTling THE CASE OF UNITED STATES V. ANCHOR OIL CORPORATION, ET AL. - W.O. 3019.

Chapter 1847 of the Statutes of 1963 authorizes a settlement of the case of United States of America v. Anchor Oil Corporation, et al., United States District Court for the Southern District of California, Central Division, No. 800-58 HW Civil, by the defendants, State of California and City of Long Beach.

Section 4 of that statute authorizes the Attorney General to enter into such stipulations and agreements as may be necessary to effect such settlement. Pursuant to this authorization, the Attorney General together with Counsel for the City of Long Beach and the United States have drafted the following stipulations entitled:

1. "Stipulation for Judgment of Settlement Between the Plaintiff and Defendants State of California and City of Long Beach in the Aforesaid Case of United States of America v. Anchor Oil Corporation, et al."
2. "Stipulation for Judgment Vesting Title in that Certain Condemnation Action to be Filed in the United States District Court, Southern District of California, Central Division, which Proceeding shall be Entitled 'United States of America, Plaintiff Versus 1,039 Acres of Land, More or Less, in the City of Long Beach, State of California, and the City of Long Beach and State of California, and Unknown Owners, Defendants'."

In addition, together with Counsel for private codefendants, the Attorney General and the Long Beach City Attorney have participated in the drafting of an "Agreement of Compromise and Settlement and Mutual Release of Claims by and Between Defendants in United States of America v. Anchor Oil Corporation, et al."

These stipulations and agreement are approved by the Attorney General as effectuating the settlement authorized by statute. However, various codefendants have insisted upon State Lands Commission approval of these settlement documents.

A full set of the settlement documents, including the proposed Judgment of Settlement in the Anchor case, and the proposed Complaint and Judgment Vesting Title in the condemnation action, have been received and reviewed by the staff. The Attorney General's office and the Commission's staff advise that the settlement documents are in compliance with the Anchor settlement authorized by Chapter 1847, Stats. 1963.

In addition, Section 2(a) of the aforesaid Chapter 1847 specifically authorizes the City of Long Beach to withhold the sum of \$1,200,000 from oil and dry gas revenues from tide and submerged lands otherwise due or to become due to the

CALENDAR ITEM 2. (CONTD.)

State, and to remit this amount to the United States in payment of the State's share of the Anchor case settlement. The City of Long Beach has asked for a specific authorization to remit forthwith the amount otherwise due to the State on September 30, 1963, directly to the United States as authorized by statute.

IT IS RECOMMENDED THAT THE COMMISSION, BY RESOLUTION, APPROVE THE FORM AND CONTENT OF EACH OF THE ANCHOR SETTLEMENT DOCUMENTS INCLUDING THE AFOREMENTIONED STIPULATIONS AND AGREEMENT TO BE SIGNED BY THE ATTORNEY GENERAL IN EFFECTUATING A SETTLEMENT OF THE ANCHOR CASE, TO WIT:

1. "STIPULATION FOR JUDGMENT OF SETTLEMENT BETWEEN THE PLAINTIFF AND DEFENDANTS STATE OF CALIFORNIA AND CITY OF LONG BEACH IN THE AFORESAID CASE OF UNITED STATES OF AMERICA V. ANCHOR OIL CORPORATION, ET AL."
2. "STIPULATION FOR JUDGMENT VESTING TITLE IN THAT CERTAIN CONDEMNATION ACTION TO BE FILED IN THE UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF CALIFORNIA, CENTRAL DIVISION, WHICH PROCEEDING SHALL BE ENTITLED 'UNITED STATES OF AMERICA, PLAINTIFF, VERSUS 1,039 ACRES OF LAND, MORE OR LESS, IN THE CITY OF LONG BEACH, STATE OF CALIFORNIA, AND THE CITY OF LONG BEACH AND STATE OF CALIFORNIA, AND UNKNOWN OWNERS, DEFENDANTS'."
3. "AGREEMENT OF COMPROMISE AND SETTLEMENT AND MUTUAL RELEASE OF CLAIMS BY AND BETWEEN DEFENDANTS IN UNITED STATES OF AMERICA V. ANCHOR OIL CORPORATION, ET AL."

THAT IN CONFORMITY WITH THE PROVISIONS OF CHAPTER 1847, STATUTES OF 1963, THE CITY OF LONG BEACH BE AUTHORIZED TO REMIT FORTHWITH TO THE UNITED STATES OIL AND DRY GAS REVENUES FROM TIDE AND SUBMERGED LANDS DUE TO THE STATE ON SEPTEMBER 30, 1963, AND THAT SAID CITY BE FURTHER AUTHORIZED TO DEDUCT FROM SIMILAR FUNDS DUE TO THE STATE FOR THE SUCCEEDING WORTH AND REMIT TO THE UNITED STATES ON NOVEMBER 1, 1963 THE BALANCE OF ANY MONEYS OWING TO THE UNITED STATES BY THE STATE UNDER SAID ANCHOR SETTLEMENT.