

36. AUTHORIZATION FOR ATTORNEY GENERAL TO EXECUTE A STIPULATION CONCERNING OWNERSHIP OF LAND AND DISPOSITION OF PROCEEDS IN FEDERAL CONDEMNATION ACTION, COLORADO RIVER, U.S.A. v. 33.09 ACRES OF LAND, ET AL., UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION, NO. 3173-SD-K-CIVIL - W.O. 503.462.

After consideration of Calendar Item 25 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE STATE LANDS COMMISSION AUTHORIZES THE ATTORNEY GENERAL TO EXECUTE AN APPROPRIATE STIPULATION IN UNITED STATES OF AMERICA v. 33.09 ACRES OF LAND, ET AL., UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION, NO. 3173-SD-K-CIVIL, PROVIDING FOR A DESCRIPTION OF THE LAND OWNED BY THE STATE OF CALIFORNIA AND THE DISPOSITION OF PROCEEDS TO BE PAID THEREFOR BY THE UNITED STATES AS COMPENSATION.

Attachment

Calendar Item 25 (1 page)

AUTHORIZATION FOR ATTORNEY GENERAL TO EXECUTE A STIPULATION CONCERNING OWNERSHIP OF LAND AND DISPOSITION OF PROCEEDS IN FEDERAL CONDEMNATION ACTION, COLORADO RIVER, U.S.A. v. 33.09 ACRES OF LAND, ET AL., UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION, NO. 3173-SD-K-CIVIL - W.O. 503.462.

The United States, on behalf of the Bureau of Reclamation, has instituted a series of condemnation actions to acquire land for the purpose of creating the Cibola Cut along the Colorado River in the Palo Verde Valley area. In the case of U.S.A. v. 33.09 acres, United States District Court, Southern District of California, Southern Division, No. 3173-SD-K-Civil, the State of California, acting through the State Lands Commission, claims a portion of Parcel 1 as a former river bed of the Colorado River. The portion claimed by the State, amounting to approximately 8.5 acres of the 32.27 acres of Parcel 1, is part of the land that is the subject of the boundary line agreement between the State and Berylwood Investment Company, Calendar Item 24. The parties agree that upon the execution of the boundary line agreement, it would be appropriate to enter into a Stipulation in the Federal condemnation action, describing that portion of Parcel 1 owned by the State and providing that a pro rata share of the compensation to be paid by the United States for Parcel 1 be paid to the State. This pro rata share will be 26% of the total compensation, based on State ownership of approximately 8.5 acres of Parcel 1.

IT IS RECOMMENDED THAT THE STATE LANDS COMMISSION AUTHORIZE THE ATTORNEY GENERAL TO EXECUTE AN APPROPRIATE STIPULATION IN UNITED STATES OF AMERICA v. 33.09 ACRES OF LAND, ET AL., UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION, NO. 3173-SD-K-CIVIL, PROVIDING FOR A DESCRIPTION OF THE LAND OWNED BY THE STATE OF CALIFORNIA AND THE DISPOSITION OF PROCEEDS TO BE PAID THEREFOR BY THE UNITED STATES AS COMPENSATION.