

MINUTE ITEM

1/24/67

40. STATUS OF MAJOR LITIGATION - W.O.s 2716, 1839.16, 503.461, 2875.15, 503.481, 503.513, AND 503.521.

The attached Calendar Item 35 was presented to the Commission for information only, no Commission action being required.

Attachment

Calendar Item 35 (2 pages)

CALENDAR ITEM

1/67

INFORMATIVE

35.

STATUS OF MAJOR LITIGATION - W.O.s 2716, 1839.16, 503.461, 2875.15, 503.481, 503.513, AND 503.521

The following information is current as of January 10, 1967:

1. Case No. 747562 (now consolidated with Case No. 649466) W.O. 2716
People vs. City of Long Beach, et al.
Los Angeles County Superior Court
(Long Beach Boundary Determination, Chapter 2000/57)

No change; i.e., An apparent agreement in principle has been reached as to the terms of the proposed Decree to be entered pursuant to Ch. 138/1964, 1st E.S., and it is hoped that a Decree will be actually prepared and submitted to the Court within four to six weeks.

2. Case No. 55800 W.O. 1839.16
People vs. Monterey Sand Co, et al.
Monterey County Superior Court

(Action for declaratory relief, damages for trespass, quiet title, accounting, and injunction. It is alleged that the Monterey Sand Company is trespassing upon tide and submerged lands owned by the State, and is removing valuable sand deposits from said lands without paying any royalty to the State.)

No change; i.e., The Court ordered further answer to some of Interrogatories, but denied the Motion as to the balance.

3. Case No. 30417 W.O. 503.461
City of Morro Bay vs. County of San Luis Obispo and
State of California
San Luis Obispo County Superior Court

(By Chapter 1076, Stats. of 1947, certain tide and submerged lands in the vicinity of Morro Bay were granted to the County of San Luis Obispo. On July 17, 1964, the City of Morro Bay was incorporated so as to include the area of the granted tidelands. The purpose of the present action is to determine whether or not the City of Morro Bay acquired title to these tide and submerged lands as successor to the County and whether the City must take immediate title to such lands or may postpone taking title to some future date.)

The City and the County have reached an agreement, and an agreement with the State is pending.

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4. Case No. 107490 W.O. 2875.15
People vs. Pacific Fluorite
San Bernardino County Superior Court

(Action (1) to eject Pacific Fluorite Co. of California (a California corporation) from Section 16, T. 17 N., R. 13 E., S.B.M., San Bernardino County; and (2) to quiet the State's title; and (3) to obtain an accounting for rents and profits -- mineral trespass.)

Negotiations are under way with Defendants concerning the possibility of agreeing upon a settlement on the matter of damages. As yet no date has been set for resumption of the trial.

5. Case No. 21087 W.O. 503.481
Thomas P. Raley vs. State of California
Yolo County Superior Court

(Suit to quiet title to land adjacent to the Sacramento River.)

Matter under investigation.

6. Case No. 892790 W.O. 503.513
City of Los Angeles v. City of Long Beach, et al.
Los Angeles County Superior court

(An action by the City of Los Angeles against the cities of Long Beach and Oakland, alleging that the said cities have violated the provisions of the State's grants of lands, in trust, within their harbor districts by entering into alleged discriminatory agreements.)

The City of Los Angeles has joined the State Lands Commission. The State has been given until April 7, 1967, to file an appropriate pleading, in order that the matter may be formally considered by the Commission at a subsequent meeting.

7. Standard Oil Company v. City of Carpinteria, et al. W.O. 503.521
Los Angeles County Superior Court

(Challenge by Standard of the appraised value set by the State Lands Commission on the State's interest in tide and submerged lands proposed to be annexed by the City of Carpinteria.)

Court authorized filing of Petition, but denied temporary issuance of an Alternative Writ.