

MINUTE ITEM

10/26/67

49. AUTHORIZATION FOR ATTORNEY GENERAL TO ENTER INTO A STIPULATION AND JUDGMENT IN FEDERAL CONDEMNATION ACTION, COLORADO RIVER, 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; IMPERIAL COUNTY - W.O. 503.462.

After consideration of Calendar Item 33 attached, and upon motion duly made and carried, the following resolution was adopted:

THE STATE LANDS COMMISSION AUTHORIZES THE ATTORNEY GENERAL TO ENTER INTO A JUDGMENT AND STIPULATION THERETO IN THE MATTER OF 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 THE PAYMENT OF JUST COMPENSATION OF \$1,125 FOR STATE SOVEREIGN LANDS IN THE FORMER BED OF THE COLORADO RIVER CONTAINED WITHIN PARCEL 1 IN SAID ACTION, AND TO ACCEPT THE REVESTMENT OF TITLE IN THE STATE OF CALIFORNIA TO SOVEREIGN LANDS IN THE FORMER BED OF THE COLORADO RIVER CONTAINED IN PARCEL 1 AND NOT FINALLY CONDEMNED BY THE UNITED STATES AND IN ACCORDANCE WITH THAT CERTAIN BOUNDARY LINE AGREEMENT BETWEEN THE STATE OF CALIFORNIA AND THE BERYLWOOD INVESTMENT COMPANY.

Attachment

Calendar Item 33 (1 page)

33.

AUTHORIZATION FOR ATTORNEY GENERAL TO ENTER INTO A STIPULATION AND JUDGMENT IN FEDERAL CONDEMNATION ACTION, COLORADO RIVER, 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; IMPERIAL COUNTY - W.O. 503.462.

Pursuant to resolution adopted May 26, 1966 (Minute Item 36, pp. 12,722 and 12,723), the State Lands Commission authorized the Attorney General to execute an appropriate stipulation to provide for a description of the land owned by the State of California and the disposition of proceeds to be paid to the State as compensation for a portion of the bed of the Colorado River. On the same date and in connection therewith, the Commission authorized execution of a boundary line agreement with Berylwood Investment Company to establish a permanent boundary between State sovereign land and certain private lands along the right bank of the 1930 channel of the Colorado River in the same area (Minute Item 34, pp. 12,710-12,718, meeting of May 26, 1966).

An agreement has now been reached with the United States that the just compensation for the taking of State sovereign land in the above action amounts to \$1,125. It has also been determined that the United States will not take certain State sovereign lands as initially described in the complaint as Parcel 1. Those lands in said Parcel 1 which will not be finally condemned will be revested in the State and in Berylwood Investment Company in accordance with the afore-mentioned boundary line agreement. Accordingly, the judgment and stipulation to be entered into by the parties will provide for revestment of certain sovereign lands in the State of California.

IT IS RECOMMENDED THAT THE STATE LANDS COMMISSION AUTHORIZE THE ATTORNEY GENERAL TO ENTER INTO A JUDGMENT AND STIPULATION THERETO IN THE MATTER OF 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 THE PAYMENT OF JUST COMPENSATION OF \$1,125 FOR STATE SOVEREIGN LANDS IN THE FORMER BED OF THE COLORADO RIVER CONTAINED WITHIN PARCEL 1 IN SAID ACTION, AND TO ACCEPT THE REVESTMENT OF TITLE IN THE STATE OF CALIFORNIA TO SOVEREIGN LANDS IN THE FORMER BED OF THE COLORADO RIVER CONTAINED IN PARCEL 1 AND NOT FINALLY CONDEMNED BY THE UNITED STATES AND IN ACCORDANCE WITH THAT CERTAIN BOUNDARY LINE AGREEMENT BETWEEN THE STATE OF CALIFORNIA AND THE BERYLWOOD INVESTMENT COMPANY.