

MINUTE ITEM

2/29/68

44. APPROVAL AND EXECUTION OF A BOUNDARY LINE AGREEMENT BETWEEN THE STATE, THE CITY OF LONG BEACH, AND B. H. TAPER AND BARBARA TAPER, ESTABLISHING THE ORDINARY HIGH WATER MARK ALONG THE PACIFIC OCEAN IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES - W.O. 6896, B.L.A. NO. 87.

After consideration of Calendar Item 37 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION APPROVES A BOUNDARY LINE AGREEMENT BETWEEN THE STATE, THE CITY OF LONG BEACH, AND B. H. TAPER AND BARBARA TAPER, AS DESCRIBED IN EXHIBIT "A" WHICH IS ON FILE WITH THE COMMISSION AND MADE A PART HEREOF, AND AUTHORIZES THE EXECUTION OF SAID AGREEMENT ON BEHALF OF THE STATE.

Attachment

Calendar Item 37 (1 page)

37.

AUTHORIZATION FOR THE EXECUTION OF A BOUNDARY LINE AGREEMENT BETWEEN THE STATE, THE CITY OF LONG BEACH, AND B. H. TAPER AND BARBARA TAPER, ESTABLISHING THE ORDINARY HIGH WATER MARK ALONG THE PACIFIC OCEAN IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES - W.O. 6896, B.L.A. NO. 87.

Uncertainty has existed concerning the location of the ordinary high water mark along the Pacific Ocean in the City of Long Beach. Artificial influences, such as the breakwater and various construction items, have affected the location, and it is to the best interests of all parties that the last natural line be fixed. The Legislature in Chapter 138, Statutes of 1964, 1st Extraordinary Session, described a line which has now been accepted by B. H. Taper and Barbara Taper as the boundary between their upland property and the Pacific Ocean.

Section 6357 of the Public Resources Code provides that the Commission may establish the ordinary high water mark by agreement whenever it is deemed expedient or necessary. It is in the best interest of the State to establish permanently the ordinary high water mark as the true and correct boundary line between the tidelands owned by the State and the uplands owned by the above-named parties, as set out in the boundary agreement which is on file with the State Lands Commission. The boundary described is the line set out in Chapter 138.

The Attorney General's Office has approved the agreement.

The tidelands are held by the City of Long Beach in trust, and the State is joined as a party under Public Resources Code Sections 6308 and 6357.

IT IS RECOMMENDED THAT THE COMMISSION APPROVE A BOUNDARY LINE AGREEMENT BETWEEN THE STATE, THE CITY OF LONG BEACH, AND B. H. TAPER AND BARBARA TAPER, AS DESCRIBED IN EXHIBIT "A" WHICH IS ON FILE WITH THE COMMISSION AND MADE A PART HEREOF, AND AUTHORIZE THE EXECUTION OF SAID AGREEMENT ON BEHALF OF THE STATE.