

28. BOUNDARY LINE AGREEMENT WITH UPLAND OWNERS AT MORRO BAY, SAN LUIS OBISPO COUNTY - W.O. 503.543, B.L.A. NO. 106.

After consideration of Calendar Item 4 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE EXECUTION OF A BOUNDARY LINE AGREEMENT DESIGNATED B.L.A. 106, WHICH IS ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY THIS REFERENCE MADE A PART HEREOF, BETWEEN THE STATE, THE COUNTY OF SAN LUIS OBISPO, THE CITY OF MORRO BAY, AND THE PRIVATE PROPERTY OWNERS WHO EXECUTE THE AGREEMENT WITHIN ONE YEAR OF THE TIME IT IS EXECUTED BY THE COMMISSION AND THE CITY OF MORRO BAY.

Attachment

Calendar Item 4 (1 page)

4.

BOUNDARY LINE AGREEMENT WITH UPLAND OWNERS AT MORRO BAY, SAN LUIS OBISPO COUNTY - W.O. 503.543, B.L.A. 106.

Litigation between the City of Morro Bay, the County of San Luis Obispo, and the State was settled recently by the adoption of the east line of the Embarcadero as the boundary between the tidelands and the uplands. Litigation also is pending with private upland owners, and the City is making the same offer to them to settle on the basis of an extension of the east line of the Embarcadero.

The City of Morro Bay now holds the tidelands under the State grant, and the State is a necessary party to the agreement under Public Resources Code Section 6308. 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.

The agreement prepared will bind those upland property owners who sign the agreement within one year after it is executed by the Commission and the City of Morro Bay.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTION OF A BOUNDARY LINE AGREEMENT DESIGNATED B.L.A. 106, WHICH IS ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY THIS REFERENCE MADE A PART HEREOF, BETWEEN THE STATE, THE COUNTY OF SAN LUIS OBISPO, THE CITY OF MORRO BAY, AND THE PRIVATE PROPERTY OWNERS WHO EXECUTE THE AGREEMENT WITHIN ONE YEAR OF THE TIME IT IS EXECUTED BY THE COMMISSION AND THE CITY OF MORRO BAY.