

37. MARINA VISTA IMPROVEMENT CLUB, A CALIFORNIA CORPORATION, ET AL., PLAINTIFFS, v. THE MARIN YACHT CLUB, A CORPORATION, CITY OF SAN RAFAEL, A MUNICIPAL CORPORATION, ET AL., DEFENDANTS, Case No. 46979 - S.W.O. 8294.

After consideration of Calendar Item 38 attached, and upon motion duly made and carried, the following resolution was adopted:

THE STATE LANDS COMMISSION REQUESTS AND AUTHORIZES THE STATE LANDS DIVISION, AND THE ATTORNEY GENERAL TO PROCEED WITH SUCH LEGAL ACTION ON BEHALF OF THE STATE IN MARINA VISTA IMPROVEMENT CLUB, A CALIFORNIA CORPORATION, ET AL., PLAINTIFFS, v. THE MARIN YACHT CLUB, A CORPORATION, CITY OF SAN RAFAEL, A MUNICIPAL CORPORATION, ET AL., DEFENDANTS, CASE NO. 46979, AS MAY BE APPROPRIATE AND NECESSARY UNDER THE LAW.

Attachment

Calendar Item 38 (1 page)

38.

## MARIN YACHT CLUB

It has come to the attention of the State Lands Division that a lawsuit is pending against the City of San Rafael that involves the boundary of tidelands and submerged lands heretofore granted in trust to the said City by the California Legislature.

The lawsuit has been brought in the Superior Court of the State of California, in and for the County of Marin, and is entitled Marina Vista Improvement Club, a California Corporation, et al., Plaintiffs, v. The Marin Yacht Club, a corporation, City of San Rafael, a Municipal corporation, et al., Defendants, Case No. 46979.

The State has not been joined as a party to said lawsuit. However, Section 6308 of the Public Resources Code requires the joinder of the State of California in this action as a necessary party defendant.

IT IS RECOMMENDED THAT THE STATE LANDS COMMISSION REQUEST AND AUTHORIZE THE STATE LANDS DIVISION, AND THE ATTORNEY GENERAL TO PROCEED WITH SUCH LEGAL ACTION ON BEHALF OF THE STATE IN MARINA VISTA IMPROVEMENT CLUB, A CALIFORNIA CORPORATION, ET AL., PLAINTIFFS, v. THE MARIN YACHT CLUB, A CORPORATION, CITY OF SAN RAFAEL, A MUNICIPAL CORPORATION, ET AL., DEFENDANTS, CASE NO. 46979, AS MAY BE APPROPRIATE AND NECESSARY UNDER THE LAW.