

MINUTE ITEM

6/26/69

29. PROPOSED BOUNDARY AGREEMENT BETWEEN THE STATE OF CALIFORNIA, EQUITABLE SAVINGS & LOAN ASSOCIATION, THE CITY OF CORONADO, AND CORONADO DEVELOPMENT CO., ON THE OCEAN SIDE OF SILVER STRAND, CITY OF CORONADO, SAN DIEGO COUNTY - W.O. 7348, B.L.A. 112.

After consideration of Calendar Item 14 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE EXECUTION OF A BOUNDARY LINE AGREEMENT, WHICH IS ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, BETWEEN THE STATE OF CALIFORNIA, CORONADO DEVELOPMENT CO., EQUITABLE SAVINGS & LOAN ASSOCIATION, AND THE CITY OF CORONADO, FOR THE PURPOSE OF FIXING THE COMMON BOUNDARY OF UNGRANTED TIDE AND SUBMERGED LANDS AND THOSE UPLANDS OWNED BY CORONADO DEVELOPMENT CO., THE LANDS BEING IN THE CITY OF CORONADO, SAN DIEGO COUNTY. THE BOUNDARY LINE AGREED UPON IS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF, SUBJECT TO THE APPROVAL OF THE CITY OF CORONADO.

Attachment

Calendar Item 14 (2 pages)

14.

PROPOSED BOUNDARY AGREEMENT BETWEEN THE STATE OF CALIFORNIA, EQUITABLE SAVINGS & LOAN ASSOCIATION, THE CITY OF CORONADO, AND CORONADO DEVELOPMENT CO., ON THE OCEAN SIDE OF SILVER STRAND, CITY OF CORONADO, SAN DIEGO COUNTY - W.O. 7348, B.L.A. 112.

Coronado Development Co. and Equitable Savings & Loan Association, a California corporation, the owner and first trust deed holder respectively of an upland subdivision southeasterly of the Coronado Hotel (Exhibit "B"), have requested that the common boundaries between the State and the upland ownership be determined and agreed upon in a boundary line agreement. Authority for the State Lands Commission to establish the ordinary high water mark by agreement is contained in Section 6357 of the Public Resources Code.

The applicant plans an extensive residential development on the presently undeveloped upland. Since the shoreline has been eroding in recent years, an ocean-shore-protection system is essential to the protection of the improvements to be constructed on the upland.

Engineering studies have resulted in the tentative conclusion that a rock rubble revetment will afford the best solution to the problem. The construction of the revetment would alter the character of the shoreline and eliminate any prevailing natural conditions. Under the circumstances, it is desirable for the State and the applicant to enter into a boundary line agreement that will fix the line and define the common boundaries between the State and the upland owner.

The proposed boundary line agreement has been approved by the Attorney General's Office, and the property description has been approved by staff engineers as the best line for agreement, based upon all of the circumstances and evidence available (Exhibit "C"). The line is 100 feet upland from the 1959 mean high tide line and generally upland from the survey of the mean high tide line made on April 7, 1969, which has been checked by staff engineers.

The present tide line is a naturally fluctuating line and the boundary agreement contains a condition subsequent that it shall be null and void unless within eighteen months construction artificially fixes or substantially obliterates at least 25% of the waterfront.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTION OF A BOUNDARY LINE AGREEMENT, WHICH IS ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF, BETWEEN THE STATE OF CALIFORNIA, CORONADO DEVELOPMENT CO., EQUITABLE SAVINGS & LOAN ASSOCIATION, AND THE CITY OF CORONADO, FOR THE PURPOSE OF FIXING THE COMMON BOUNDARY OF UNGRANTED TIDE AND SUBMERGED LANDS AND THOSE UPLANDS OWNED BY CORONADO DEVELOPMENT CO., THE LANDS BEING IN THE CITY OF CORONADO, SAN DIEGO COUNTY. THE BOUNDARY LINE AGREED UPON IS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF, SUBJECT TO THE APPROVAL OF THE CITY OF CORONADO.

Attachment: Exhibit "A"

EXHIBIT "A"

That particular line crossing Lots 6 to 11, inclusive, of Del Coronado Sands Unit No. 1, according to Map thereof No. 5686 filed in the office of the County Recorder, and Lots 12 to 16, inclusive, and Avenida Del Sol, in Del Coronado Sands Unit No. 2, according to Map thereof No. 5687 filed in the office of said County Recorder, being in the City of Coronado, County of San Diego, State of California, described as follows:

Beginning at a point in the Northwesterly boundary of said Del Coronado Sands Unit No. 2, distant thereon South  $35^{\circ} 44' 25''$  West 654.36 feet from the most Northerly corner of said Del Coronado Sands Unit No. 2, being also a point in a line which is parallel with and distant 100 feet measured at right angles Northeasterly from the Southwesterly line of said Unit No. 2; thence along said parallel line, South  $7^{\circ} 48' 25''$  East 1004.66 feet and South  $46^{\circ} 55' 45''$  East 86.85 feet to a point in the common line between said Del Coronado Sands Units No. 2 and No. 1, distant thereon South  $38^{\circ} 55' 55''$  West 315.09 feet from the most Easterly corner of said Lot 12; thence continuing South  $46^{\circ} 55' 45''$  East, along a line parallel with and distant 100 feet measured at right angles Northeasterly from the Southwesterly boundary of said Del Coronado Sands Unit No. 1, 1016.51 feet to a point in the Southeasterly boundary of said Del Coronado Sands Unit No. 1, distant thereon South  $38^{\circ} 55' 55''$  West 726.56 feet from the most Easterly corner of said Del Coronado Sands Unit No. 1.