

15. BOUNDARY AGREEMENT AND LAND EXCHANGE WITH CITY OF LONG BEACH, SAN GABRIEL RIVER IMPROVEMENT CO., EAST NAPLES LAND COMPANY, SOUTHERN PACIFIC TRANSPORTATION COMPANY, AND THOSE OTHER PARTIES WHICH EXECUTE THE AGREEMENT--ALAMITOS BAY BOUNDARY SETTLEMENT AND EXCHANGE NO. 7, LOS ANGELES COUNTY -- W 2716.720, BLA 136.

After consideration of Calendar Item 13 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. APPROVES THE ALAMITOS BAY BOUNDARY SETTLEMENT AND EXCHANGE NO. 7 AGREEMENT (BLA 136) AND AUTHORIZES ITS EXECUTION ON BEHALF OF THE COMMISSION; THE AGREEMENT BEING ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF.
2. MAKES THE FINDINGS AND DETERMINATIONS REQUIRED BY PARAGRAPHS 9.1 AND 9.2 OF ALAMITOS BAY BOUNDARY SETTLEMENT AND EXCHANGE NO. 7 AGREEMENT; SUCH FINDINGS AND DETERMINATIONS TO BE EFFECTIVE AT THE TIME AND AS PROVIDED IN THE AFOREMENTIONED AGREEMENT.
3. AUTHORIZES THE STATE LANDS DIVISION ON BEHALF OF THE COMMISSION TO TAKE ALL FURTHER ACTION AND EXECUTE ALL DOCUMENTS, MAPS OR PLATS NECESSARY OR REQUIRED TO ACCOMPLISH THE TERMS AND PROVISIONS OF THE ALAMITOS BAY BOUNDARY SETTLEMENT AND EXCHANGE NO. 7 AGREEMENT.
4. AUTHORIZES THE OFFICE OF THE ATTORNEY GENERAL TO REPRESENT THE COMMISSION IN ANY AND ALL MATTERS INCLUDING BUT NOT LIMITED TO LITIGATION CONCERNING ALAMITOS BAY BOUNDARY SETTLEMENT AND EXCHANGE NO. 7 AGREEMENT.

Attachment:

Calendar Item 13 (2 pages)

CALENDAR ITEM

13.

1/73  
 FDU  
 W 2716.720  
 (BLA 136)

BOUNDARY AGREEMENT AND LAND EXCHANGE WITH CITY OF LONG BEACH,  
 SAN GABRIEL RIVER IMPROVEMENT CO., EAST NAPLES LAND COMPANY,  
 SOUTHERN PACIFIC TRANSPORTATION COMPANY, AND THOSE OTHER  
 PARTIES WHICH EXECUTE THE AGREEMENT--ALAMITOS BAY BOUNDARY  
 SETTLEMENT AND EXCHANGE NO. 7, LOS ANGELES COUNTY

By Chapter 676, Statutes of 1911, Chapter 102, Statutes of 1925, and Chapter 158, Statutes of 1935, as amended and supplemented, the State granted to the City of Long Beach in trust all tide and submerged lands located within the boundaries of the City. These statutes failed to define the boundaries of land so conveyed. The Legislature in 1957 passed Chapter 2000 of the Statutes of that year requiring the State Lands Commission to survey, monument and plat the lands conveyed by the aforementioned Statutes.

In the course of investigation of title and boundary problems in the Alamitos Bay area of Long Beach, it was determined that special legislation was required to solve the problems presented. Such legislation was enacted by the Legislature and is now Chapter 1688 of the Statutes of 1965. The validity of this legislation was upheld, and the type of boundary settlement and exchange agreement involved in the current transaction was approved by the California Supreme Court in the case of City of Long Beach v. Mansell, 3 Cal. 3d 462. This transaction is a further step in the completion of the resolution of title and boundary problems in the Alamitos Bay area.

The proposed agreement concerns lands formerly occupied by the Pacific Electric Railway crossing the middle portion of Alamitos Bay as well as a narrow strip of property extending southerly from the Pacific Coast Highway along the southerly city boundary of Long Beach to the intersection of that boundary with the San Gabriel Flood Control Channel. The source of title asserted by the private parties to this agreement is by virtue of such lands being included within the boundaries of Rancho Los Alamitos or within the boundaries of State Tide Land Locations 136 and 137 in Los Angeles County. The city and State have contended that portions of the area claimed by private parties were a part of State sovereign lands in Alamitos Bay which were not included in either of the tideland locations and therefore passed to the City of Long Beach, in trust, by virtue of the statutory conveyances. The proposed agreement recognizes the claims of the city and State. The respective rights of the parties to the proposed agreement are established in conformity with the State Lands Division's resurvey of the tideland locations.

The agreement also provides for an exchange of lands which is authorized by Chapter 1688. The purpose of the exchange is to consolidate small parcels of filled lands recognized to be in city trust ownership into a single parcel which can be utilized for trust purposes in connection with the Long Beach Marine Stadium. The City of Long Beach will exchange to the private

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parties land comprising 0.5 acres in exchange for the consolidated parcel which contains 1.1 acres. Such an exchange is an integral part of the boundary settlement transaction.

The settlement agreement also provides for the State Lands Commission pursuant to the directive set forth in Section 2b of Chapter 1688 to find that certain privately-owned lands within the settlement area are not longer subject to the easement of commerce, navigation and fisheries.

The agreement requires that the State Lands Commission record a map of the subject area showing those interests conveyed by the State to the City of Long Beach, in trust, which will satisfy the requirements of Chapter 2000, Statutes of 1957.

This agreement is exempt from the provisions of Section 6371 of the Public Resources Code relating to environmental impact reports. This matter has been reviewed by the Office of the Attorney General and has received their concurrence.

EXHIBITS:           A. Site Map.                           B. Agreement Maps.

IT IS RECOMMENDED THAT THE COMMISSION:

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2. MAKE THE FINDINGS AND DETERMINATIONS REQUIRED BY PARAGRAPHS 9.1 AND 9.2 OF ALAMITOS BAY BOUNDARY SETTLEMENT AND EXCHANGE NO. 7 AGREEMENT; SUCH FINDINGS AND DETERMINATIONS TO BE EFFECTIVE AT THE TIME AND AS PROVIDED IN THE AFOREMENTIONED AGREEMENT.
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