

MINUTE ITEM

4/26/73
RCH

33. AUTHORIZATION FOR ATTORNEY GENERAL AND EXECUTIVE OFFICER, STATE LANDS COMMISSION, TO ENTER INTO A STIPULATION FOR JUDGMENT IN PARTIAL SETTLEMENT OF A QUIET TITLE ACTION CONCERNING THE BOUNDARY BETWEEN THE PUBLIC AND PRIVATE BEACH IN THE CITY OF CARPINTERIA, SAID ACTION BEING ENTITLED GLENN ROBERTS V. CITY OF CARPINTERIA, SUPERIOR COURT OF SANTA BARBARA COUNTY, CIVIL NO. 79327 - W 503.556.

After consideration of Calendar Item 31 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE ATTORNEY GENERAL AND EXECUTIVE OFFICER OF THE STATE LANDS COMMISSION TO EXECUTE A STIPULATION FOR JUDGMENT IN GLENN ROBERTS V. CITY OF CARPINTERIA, SUPERIOR COURT SANTA BARBARA COUNTY NO. 79327, WHEREBY THE LINE BETWEEN THE PUBLIC AND PRIVATE BEACH IS ESTABLISHED.

Attachment:

Calendar Item 31 (1 page)

CALENDAR ITEM

4/73

RCH

31.

W 503.556

AUTHORIZATION FOR ATTORNEY GENERAL AND EXECUTIVE OFFICER,
STATE LANDS COMMISSION, TO ENTER INTO A STIPULATION FOR
JUDGMENT IN PARTIAL SETTLEMENT OF A QUIET TITLE ACTION CONCERNING
THE BOUNDARY BETWEEN THE PUBLIC AND PRIVATE BEACH IN THE CITY OF
CARPINTERIA, SAID ACTION BEING ENTITLED GLENN ROBERTS V. CITY OF
CARPINTERIA, SUPERIOR COURT OF SANTA BARBARA COUNTY, CIVIL NO. 79327

The above quiet title action was filed in 1968 against the City of Carpinteria to quiet title to a portion of the beach within the city limits of Carpinteria. The city filed a cross-complaint seeking to quiet title to and parcels in question and named the State as a necessary party, pursuant to Section 6308 of the Public Resources Code, due to any possible tideland interests involved in the suit. Later investigation proved that no tidelands were the subject of the suit, but the State remained a party due to the public interest in beach protection.

The proposed Stipulation for Judgment is in partial settlement of the quiet title action, and establishes a Judgment line which is located landward of the line of mean high tide of the Pacific Ocean. In all other respects, the Judgment does not purport to determine the line of mean high tide. The proposed Stipulation for Judgment was approved by the City of Carpinteria at their Council meeting on March 26, 1973.

The Division's staff and the Attorney General's office believe that the proposed Stipulation for Judgment is in the best interest of the State and the city and that through this Stipulation for Judgment, the public interest in beach protection has best been served.

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ATTORNEY GENERAL AND EXECUTIVE OFFICER OF THE STATE LANDS COMMISSION TO EXECUTE A STIPULATION FOR JUDGMENT IN GLENN ROBERTS V. CITY OF CARPINTERIA, SUPERIOR COURT SANTA BARBARA COUNTY NO. 79327, WHEREBY THE LINE BETWEEN THE PUBLIC AND PRIVATE BEACH IS ESTABLISHED.