

MINUTE ITEM

4/30/75  
RCH

17. STIPULATION FOR SETTLEMENT AND DISMISSAL OF THE CASE  
OF CITY OF LONG BEACH V. HAZEL HANSEN, ET AL., LASC NO.  
SOC 23515; LOS ANGELES COUNTY - W 503.659, W 10244.

After consideration of Calendar Item 15 attached, and upon  
motion duly made and carried, the following resolution was  
adopted:

THE COMMISSION AUTHORIZES THE OFFICE OF THE ATTORNEY GENERAL  
TO EXECUTE THE STIPULATION FOR DISMISSAL OF THE CASE OF  
CITY OF LONG BEACH V. HAZEL HANSEN, ET AL., LOS ANGELES  
COUNTY SUPERIOR COURT CASE NO. SOC 23515.

Attachment:

Calendar Item 15 (2 pages)

STIPULATION FOR SETTLEMENT AND DISMISSAL OF  
 THE CASE OF CITY OF LONG BEACH V. HAZEL  
HANSEN, ET AL., LASC NO. SOC 23515

In 1970, the City of Long Beach filed a complaint to quiet title to Lots 9 and 10 in Block 48 of Resubdivision of Part of Alamitos Bay Townsite (City of Long Beach v. Hazel Hansen, et al.).

Pursuant to Section 6308 of the Public Resources Code, the State was named as a necessary party since (1) boundaries of granted tidelands and submerged lands were at issue, and (2) plaintiff had expended tideland trust revenues for maintenance of portions of the property as a public beach.

The above entitled action and six companion cases were consolidated for trial:

City of Long Beach v. Roger Mullinex  
City of Long Beach v. Herbert McKim  
City of Long Beach v. William Sheehan  
City of Long Beach v. Catherine Daugherty  
City of Long Beach v. Roy Crawford  
City of Long Beach v. Robert Michael O'Meara

In the course of pre-trial proceedings, the private parties admitted that the seaward boundary of their respective lots is the boundary described in Chapter 138, Statutes of 1964, 1st E.S., and abandoned their contentions of a more seaward location of said boundary. The court found that the entire Hansen parcel, including the improved portion thereof, was subject to public recreational easement of the type described in Gion v. City of Santa Cruz, 2 Cal. 3d 29 (1970). The State contended that said easement exists over only the unimproved portion of said parcel.

Before judgment was entered, defendant Hazel Hansen died. By stipulation, final judgment in the Hansen case has not been entered in order to give her estate and the City an opportunity to settle the issue as to the extent of the Gion easement over the subject parcel. Private parties have indicated they will appeal the trial court decision should settlement negotiations fail. Such appeals have already been filed in the McKim, Crawford and Sheehan cases.

After evaluation of the facts and circumstances, the City of Long Beach and Hansen Estate have agreed to a complete compromise settlement of the case. The City, the State, and private parties will join in executing a request for dismissal of the action. Approval of the State Lands Commission in the request for dismissal is necessary since the State is a party.

CALENDAR ITEM NO. 15. (CONTD)

On April 27, 1967, the State Lands Commission authorized the City of Long Beach to expend a portion of its share of tideland oil revenues in the amount of \$2,125,000 for the purchase of beach properties in private ownership between Alamitos Avenue and 55th Place, in the City of Long Beach. The Hansen parcel was specifically included in said authorization.

EXHIBIT: A. Location Map.

IT IS RECOMMENDED THAT THE STATE LANDS COMMISSION AUTHORIZE THE OFFICE OF THE ATTORNEY GENERAL TO EXECUTE THE STIPULATION FOR DISMISSAL OF THE CASE OF CITY OF LONG BEACH V. HAZEL HANSEN, ET AL., LOS ANGELES COUNTY SUPERIOR COURT CASE NO. SOC 23515.