

MINUTE ITEM

This C.L. File No. 49
was approved as Minute Item
No. 49 of the State Lands
Commission, in veto of 3
to 2 at its 12/15/76
meeting.

CALENDAR ITEM

12/76

RH

V 503,550

49.

LITIGATION SETTLEMENT AGREEMENT
LONG BEACH AMUSEMENT COMPANY, ETC. V.
ATLANTIC RICHFIELD COMPANY, ETC., ET AL.

An action was filed by Long Beach Amusement Company against Atlantic Richfield Company and others concerning title to a portion of Seaside Walk in the downtown area of the City of Long Beach. The litigation primarily concerns which private parties are entitled to oil revenue being derived from the area which is the subject of the litigation. The City of Long Beach was named as a party because of certain surface interests it has in the affected portion of Seaside Walk and the fact that the oceanward boundary of the property is common with that of the landward boundary of the lands granted, in trust, by the State to the City of Long Beach. The State Lands Commission was named as a party, pursuant to the provisions of Section 6508, of the Public Resources Code, since the boundary of lands granted to the City of Long Beach, in trust, is involved.

A settlement between all the parties has been reached which recognizes the surface interests of the City of Long Beach in Seaside Walk and conforms to the boundary of lands granted to the City of Long Beach, in trust, by the State as set forth in Chapter 138, Statutes of 1964, First Extraordinary Session. Therefore, the settlement is in conformity with the position of the City and State. A copy of the litigation settlement agreement is on file in the office of the State Lands Commission and is incorporated herein by reference.

The settlement agreement has been reviewed and approved by the staff and office of the Attorney General.

IT IS RECOMMENDED THAT THE COMMISSION APPROVE AND AUTHORIZE THE EXECUTION OF SAID LITIGATION SETTLEMENT AGREEMENT IN THE CASE OF LONG BEACH AMUSEMENT COMPANY, ETC. V. ATLANTIC RICHFIELD COMPANY, ETC., ET AL., AND THAT THE STATE LANDS DIVISION AND THE OFFICE OF THE ATTORNEY GENERAL BE AUTHORIZED TO TAKE ALL ACTION NECESSARY AND APPROPRIATE FOR THE IMPLEMENTATION OF SAID AGREEMENT.