

MINUTE ITEM

This Calendar Item No. 51
was approved as Minute Item
No. 51 by the State Lands
Commission by a vote of 3
0 at its 4/28/77
meeting.

CALENDAR ITEM

51

4/77
503.883
RH
(JS)

DEDICATION OF PUBLIC ACCESS EASEMENTS
TO HUMBOLDT COUNTY BEACHES

Sierra Club v. Zanone is a suit brought by the Sierra Club to establish public rights in five to six miles of beach between Cape Mendocino and Muscle Rock in Humboldt County. The Sierra Club contends that this beach was impliedly dedicated between the 1850's and the 1860's, when travelers used the beach as a public highway before inland highways were available, and also by subsequent public use of the beach as a recreational area. Record title to the beach has been in the Zanone family since the 1860's, and is presently held by Joseph Zanone, Domingo Zanone, and their sister as tenants in common.

After four years of litigation, both sides are interested in reaching settlement. Joseph Zanone, who acts as spokesperson for his family, is willing to dedicate five public access corridors from the county road to the State's tidelands. The scope of the proposed easements would be limited to public foot traffic. Three easements would be 20 feet wide and two would be fifty feet wide. In exchange for these easements, the Zanone family would receive a boundary line agreement in effect quieting their title to the rest of the property.

EXHIBITS: A. Site Map.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE STAFF AND THE ATTORNEY GENERAL'S OFFICE TO INTERVENE IN SIERRA CLUB V. ZANONE TO ESTABLISH PUBLIC RIGHTS OF ACCESS TO THE PROPERTY IN QUESTION AND TO TAKE ANY NECESSARY ACTION TO PROTECT PUBLIC RIGHTS THERETO.

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