

MINUTE ITEM

4/27/78

Grimes

34. ACCEPTANCE OF QUITCLAIM DEEDS CLEARING STATE AND PRIVATE
TITLES IN AGUA HEDIONDA LAGOON, SAN DIEGO COUNTY - W 20725.5

Calendar Item 34, attached, was pulled from the agenda prior
to the meeting.

Attachment: Calendar Item 34 (4 pages).

A 76

S 38

CALENDAR ITEM

34.

4/78
W 20725.5
Grimes

ACCEPTANCE OF QUITCLAIM DEEDS CLEARING STATE AND PRIVATE
TITLES IN AGUA HEDIONDA LAGOON, SAN DIEGO COUNTY

As a result of the activities of the area projects team in the San Diego Lagoons, the States interest in these lagoons has been widely publicized. The Commission has approved property settlements in these lagoons in the interest of expediting purchases by the county and the Wildlife Conservation Board. As a result of these activities and settlements the Coastal Commission is requiring applicants to provide assurance from the State Lands Commission that the State has no interest in parcels sought to be developed.

Several property owners, listed in Exhibit "A" have approached the State Lands Commission to provide the assurance required by the Coastal Commission. They have offered to quitclaim to the State Lands Commission all lands waterward of the 2.5' contour (mean higher high water) in return for such assurance.

The 2.5' contour has the advantage of being locatable on the ground, in that it has been surveyed and monumented by the Corps of Engineers. The 2.5' contour (mean higher high water) is approximately 0.6 feet above the mean high tide line which would be the State's actual claim line. This line however has not been located, and the expense of such location would be substantial. The engineering staff has reviewed the line (2.5' contour) and finds that it is an acceptable line in that it is above the actual claim line of the State and would avoid expensive survey work.

Three of the parcels have boat landing and docking facilities in the water area which is to be quitclaimed to the State. The owners of these lots have agreed to lease the facility site from the State at the minimum noncommercial rent rate of \$225 per year. The staff feels that this is a reasonable rental.

EXHIBIT: A. Authorized Parties and Property List.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS TRANSACTION IS EXEMPT FROM CEQA IN THAT IT IS A TITLE AND BOUNDARY SETTLEMENT IN THE MEANING OF SECTION 6371 OF THE PUBLIC RESOURCES CODE.

A 75

S 38

CALENDAR ITEM NO. 34. (CONTD)

2. AUTHORIZE THE ACCEPTANCE OF QUITCLAIM DEEDS TO THE STATE FOR AREAS LYING WATERWARD OF THE 2.5 FOOT CONTOUR LINE WITHIN AGUA HEDIONDA LAGOON, FROM THOSE PARTIES AND PROPERTIES LISTED ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

3. AUTHORIZE THE ISSUANCE OF A 25-YEAR NON-COMMERCIAL LEASE; A RENTAL OF \$225 PER ANNUM FOR THE FIRST 5-YEAR PERIOD TO:

CLAUDE J. KLUG AND TOBYE KLUG, HUSBAND
AND WIFE

NEIL H. SIEGEL AND TRUDE SIEGEL, HUSBAND
AND WIFE

LEROY BERNARD BUTLER AND BARBARA ANN BUTLER,
HUSBAND AND WIFE

M. GALE STOTEVAU AND BEVERLY K. STOTERAU,
HUSBAND AND WIFE

GERALD R. WINTERBURN AND JOANN E. WINTERBURN,
HUSBAND AND WIFE

WILFRED P. JAMES AND MARGARET P. JAMES,
HUSBAND AND WIFE

MAX S. MEYERSON AND NATLIE S. MEYERSON,
HUSBAND AND WIFE

HAROLD ROSS AND ROSALYND ROSS, HUSBAND
AND WIFE

AS TENANTS IN COMMON,

4. UPON SATISFACTORY COMPLETION OF ITEMS 2 AND 3 ABOVE, AUTHORIZE THE STAFF TO NOTIFY THE COASTAL COMMISSION THAT THE STATE LANDS COMMISSION HAS NO CLAIMS IN THE REMAINDER PARCELS LISTED ON EXHIBIT "A".

Attachment: Exhibit "A"

EXHIBIT A

AGUA MEDIONDA LAGOON

Subject Lands

<u>Assessor's Parcel Number</u>	<u>Owner of Record</u>	<u>Recorder's Number</u>	<u>Date</u>
206-120-17	Herzen-Pettit Inc. Dealy & Von Herzen	228002	12/30/68
206-120-21	Klug, Siegel, Butler	1-322059	12/11/74
206-120-22	Winter, R.W. & B.	833281	5/18/66
206-120-28	Klug, Meyerson, Ross	1-296282	10/8/74
206-120-29	Stoterau, Winterburn, James	1-296284	11/8/74
206-120-30	Winter, R.W. & B.	1-303025	11/15/74
206-171-03	Ecke, P. & M.	1-202921	7/29/74
206-172-03	Vogel, Ruth	6-072542	4/25/69
206-172-05	Winter, R.R. & D.A., Dealy, Ruth M.	2-072779	2/28/77
206-172-06	Ecke, P. & M.	1-075204	4/2/75
206-172-07	Ecke, P. & M.	1-075204	4/2/75
206-200-01	Maurer, N.P.	48772	4/9/56
206-200-02	Van Herzen, E.M. & Ecke, P. Jr.	6-182481	6/14/76
207-101-01	Ferrero, Nino et al	151628	10/3/67
207-101-11	L R Partnership Ltd.	1-054628	4/20/67
210-010-03	Ecke, P. & M.	1-052812	3/1/74

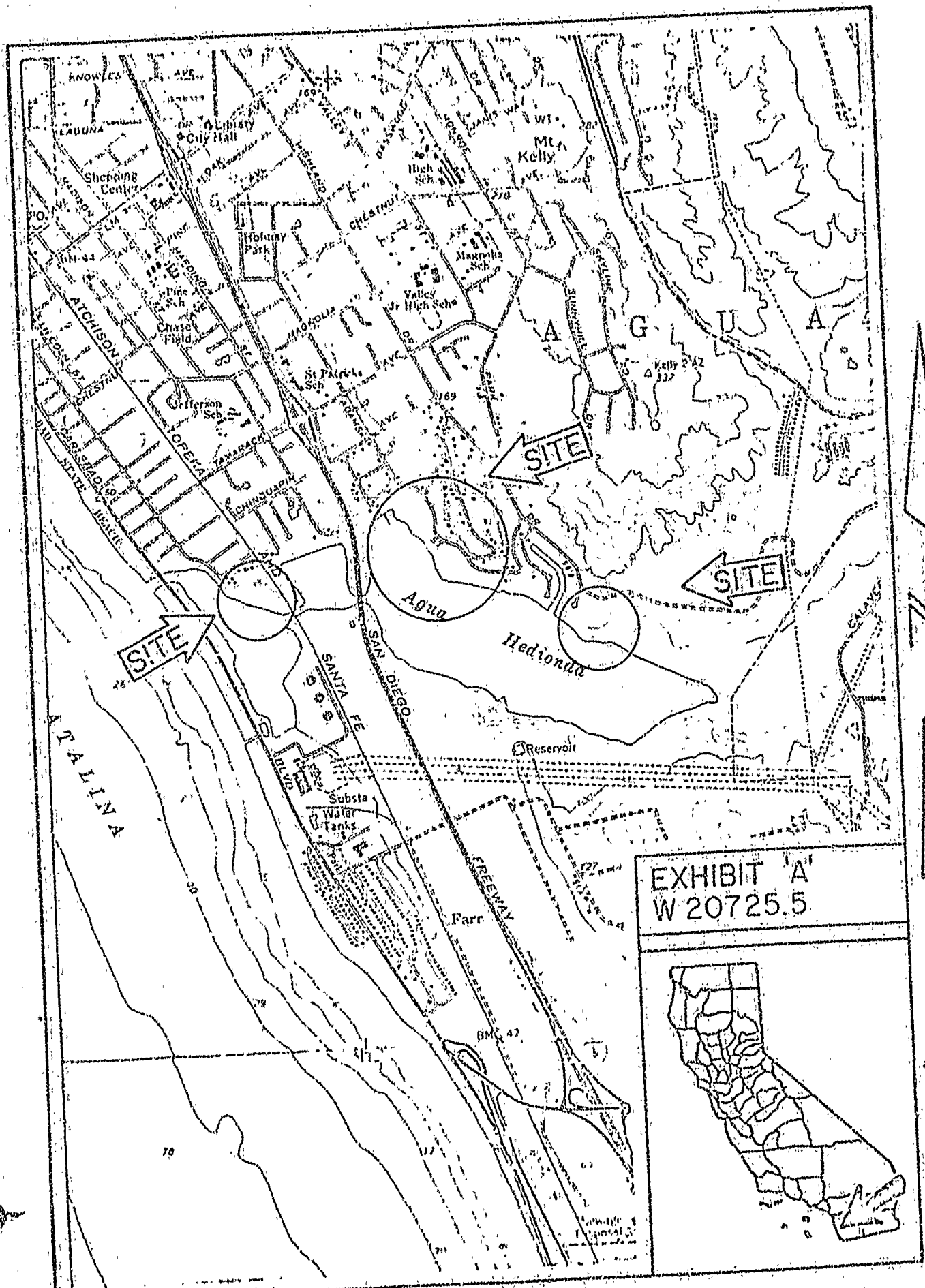


EXHIBIT 'A'
W 20725.5

