This Calendar Hern No. 34
was approved as A harro from No. 34. The tro State Lands
Commission by a vote of 34.

at its 43.

meeting.

CALENDAR ITEM

34.

BOUNDARY SETTLEMENT AND EXCHANGE

6/78 W 2716.725 Taylor BLA 179

Authorization for execution of the Alamitos Bay Boundary Settlement and Exchange No. 8 between the City of Long Beach, the San Gabriel River Improvement Company, Loynes Pacific Corp., East Naples Land Company, Chevron USA, Inc., Standard Gasoline Company, Los Angeles County Flood Control District, William M. Lansdale, Richard P. Roe, the State and certain "other parties"; for the exchange and conveyancing of certain lands in the city of Long Beach; for the settlement of the interests of the respective parties; for the termination of the easement and public trust for commerce, navigation and fisheries as to certain portions of said lands; for execution of all documents and maps necessary to accomplish the provisions of said agreement; and approval of all acts of the City of Long Beach and the State necessary to accomplish the provisions of said agreement in order to confirm, quiet title and exchange the respective interests in lands within the Alamitos Bay area of the City of Long Beach, as trustee, and in private parties affected by said agreement.

Pursuant to the provisions of Chapter 676, Statutes of 1911; Chapter 102, Statutes of 1925; and Chapter 158, Statutes of 1935, as amended and supplemented, the State of California granted to the City of long Beach, in trust, all tide and submerged lands located within the boundaries of said city. Said statutes failed to specifically define the boundaries of the lands so conveyed. Due to the interest generated in those lands by the discovery of oil in the northwesterly portion of the City of Long Beach, the boundaries of those lands became of critical importance. Therefore, the Legislature in 1957 passed an act (Chapter 2000, Statutes of 1957) requiring the State Lands Commission to survey, monument, and plat the boundaries of the lands conveyed by the foregoing statutes. Work was begun immediately to determine the boundaries in Long Beach Harbor and along the ocean front of the City of Long Beach. Litigation seeking that determination was commenced by the State and ultimately was settled by the Legislature in Section 7, Chapter 138, Statutes of 1964, Ist Extraordinary Session. Specifically excepted from the boundary lines described in the 1964 legislation was the Alamitos Bay Area of the City of Long Beach.

With the settlement of the boundaries reached in the 1964 legislation, immediate attention was directed to the resolution of the remaining problems presented in Alamitos

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Bay. The resulting investigation was conducted with the cooperation and assistance of the City of Long Beach. That investigation revealed serious difficulties in the Alamitos Bay Area regarding the true present location of certain important historical boundary lines, such as portions of the boundary of the historic Rancho Los Alamitos, of the lands patented by the State of California known as State Tide Land Locations 136 and 137, and of adjacent tide and submerged lands statutorily granted to the City of Long Beach. The passage of time, the loss of unavailability of important pertinent records, the death of witnesses, the lack of precise periodic surveys of shifting tidelines and the difficulties involved in trying to separate natural and gradual topographical changes from those caused by artificial influences over the last hundred years meant that hostile and adverse litigation to live and settle these boundary problems would be extreme / complicated and time consuming; such litigation and time consuming; such litigation could not have been expected to lead to a "true" result, and therefore was considered an impractical method of proceeding.

In order to facilitate the settlement by agreement of boundaries within the Alamitos Bay Area, and to provide for appropriate exchanges to allow intelligent private, public and tideland trust utilization and development of lands and tideland trust utilization and development of lands and tideland trust utilization and development of lands and tideland trust utilization and acrease of 1965. Said thereby settled in respective ownerships, the State of 2016 callfornia enacted Chapter 1688, Statutes of 1965. Said Chapter 1688 defines in Section 2 (b) certain and the California enacted Chapter in Section 2 (b) certain and a said Alamitos Bay Area. The present agreement, and a suithin said Alamitos Bay Area. The present agreement, a copy of which is on file in the Office of the State Lands a copy of which is on file in the Office of the State Lands acred which is known by shortened name as the "Alamitos Bay Boundary is known by shortened name as the "Alamitos Bay Boundary Settlement and Exchange No. 8" (to be referred hereitafter Settlement and Exchange No. 8" (to be referred hereitafter Settlement and Section 1 deals with the boundaries of the certain lands within the area described in Section 2 (b) and the said Chapter 1688.

The State Lands Commission has in the past approved and authorized execution of a number of boundary and exchange agreements acvering portions of the Alamitos Bay Area pursuant agreements covering portions of the Alamitos Bay Area pursuant agreements account in City of to said Chapter 1688. The form validity of such agreement was approved by the California Supreme Court in No. 8 Agreement as approved by the California Supreme Court in No. 8 Agreement Long Beach v. Mansell 3 Cal. 3d 462 (1970). The No. 8 Agreement Long Beach v. Mansell 3 Cal. 3d 462 (1970). The No. 8 Agreement Long Beach v. Mansell 3 Cal. 3d 462 (1970). The No. 8 Agreement Long Beach v. Mansell 3 Cal. 3d 462 (1970). The No. 8 Agreement Long Beach v. Mansell 3 Cal. 3d 462 (1970). The No. 8 Agreement Long Beach v. Mansell 3 Cal. 3d 462 (1970). The No. 8 Agreement Long Beach v. Mansell 3 Cal. 3d 462 (1970). The No. 8 Agreement Long Beach v. Mansell 3 Cal. 3d 462 (1970). The No. 8 Agreement Long Beach v. Mansell 3 Cal. 3d 462 (1970). The No. 8 Agreement Long Beach v. Mansell 3 Cal. 3d 462 (1970). The No. 8 Agreement Long Beach v. Mansell 3 Cal. 3d 462 (1970). The No. 8 Agreement Long Beach v. Mansell 3 Cal. 3d 462 (1970). The No. 8 Agreement Long Beach v. Mansell 3 Cal. 3d 462 (1970). The No. 8 Agreement Long Beach v. Mansell 3 Cal. 3d 462 (1970). The No. 8 Agreement Long Beach v. Mansell 3 Cal. 3d 462 (1970). The No. 8 Agreement No. 8 A

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The No. 8 Agreement provides for the recognition by the private parties of the City of Long Beach's ownership of lands within the agreement area which passed to the city, in trust, by wirtue of the State grants, and also confirms the title of the private parties to the lands included within the aforementioned State Tide Land Patents. The agreement then provides for an exchange of surface interests in certain lands between the city and the private parties, so that the city may better utilize its property for the promotion of commerce, navigation, and fisheries. The agreement (paragraph 14.2 thereof) also provides that the State Lands Commission, pursuant to Section 2 (b), Chapter 1688, Statutes of 1965, finds that certain lands to be confirmed in private ownership are no longer submerged or below the line of mean high tide and are no longer necessary or useful for the purposes of commerce, navigation, or fisheries. The map attached to the No. 8 Agreement as Exhibit "A" deliniates the boundaries of these and the other parcels of land which are the subject of the agreement.

Within those lands which are the subject of the No. 8 Agreement there have existed certain lands in private ownership through sources of title described therein and certain lands and tidal channels in public ownership as tide or submerged lands granted to the City of Long Beach by said statutory grants of 1925 and 1935. In past years in the course of widening, straightening, improving, and thereby making more navigable certain of the tidal channels owned in trust by the City of Long Beach by reason of said statutory grants, and in the course of dredging and rendering navigable certain large adjacent areas of lands acquired by said city from private owners, it was deemed necessary, proper and in the interest of navigation to fill in certain of the tidal channel areas owned by the City of Long Beach by virtue of the statutory grants of 1925 and 1935; these areas are today day lands above the line of mean high tide.

The surface of certain of the former tidal channel areas so filled no longer serves or benefits the tideland trust purposes of commerce, fisheries or navigation; however, certain privately owned surface areas of comparable or greater value within the lands subject to the No. 8 Agreement are, by the terms of said agreement, available for exchange, and when acquired through said agreement, by the City of long Beach could be utilized greatly to enhance the tideland trust purposes of commerce, fisheries and navigation.

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All lands to be quitclaimed by the city pursuant to the exchange provision of the Alamitos Bay Boundary Settlement and Exchange No. 8 lie above the line of mean high tide. The surface of the lands which the city is to acquire under the exchange provisions of said agreement, are greater in area than the lands to be traded by the city and are adjacent to existing tidal channels of Alamitos Bay thereby providing increased public access and utility for trust purposes.

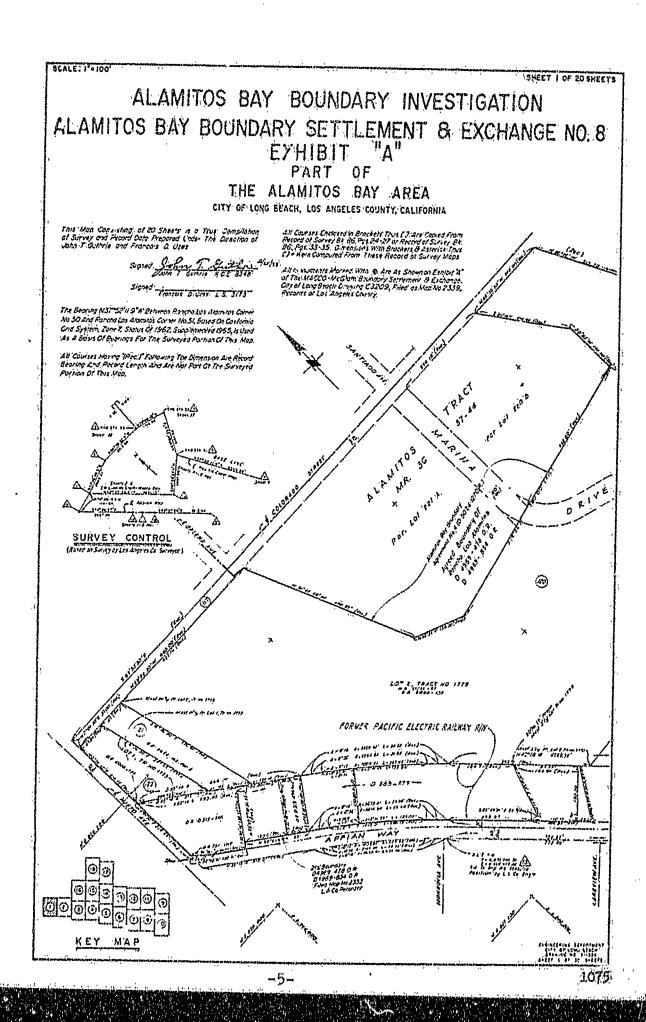
For these reasons the settlements and exchanges described in the No. 8 Agreement will, if brought to fruition, serve the valuable public ends and needs and the consideration to insure to the city and the State under the terms of said agreement constitutes fair and adequate consideration.

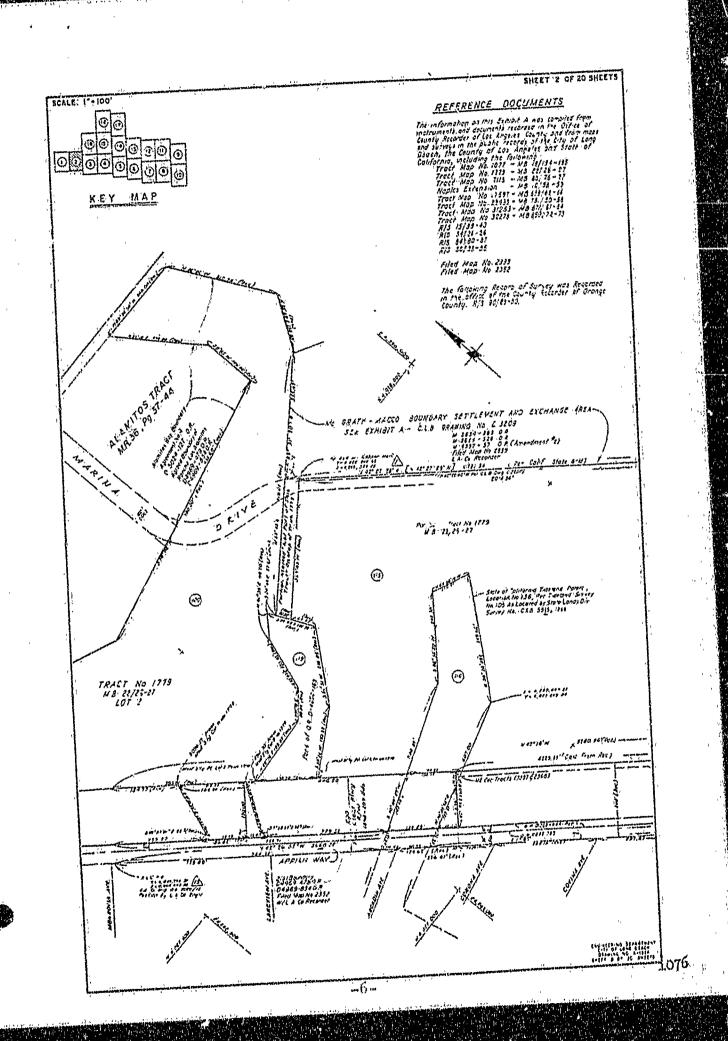
The Office of the Attorney General concurs in these opinions and has approved the Agreement.

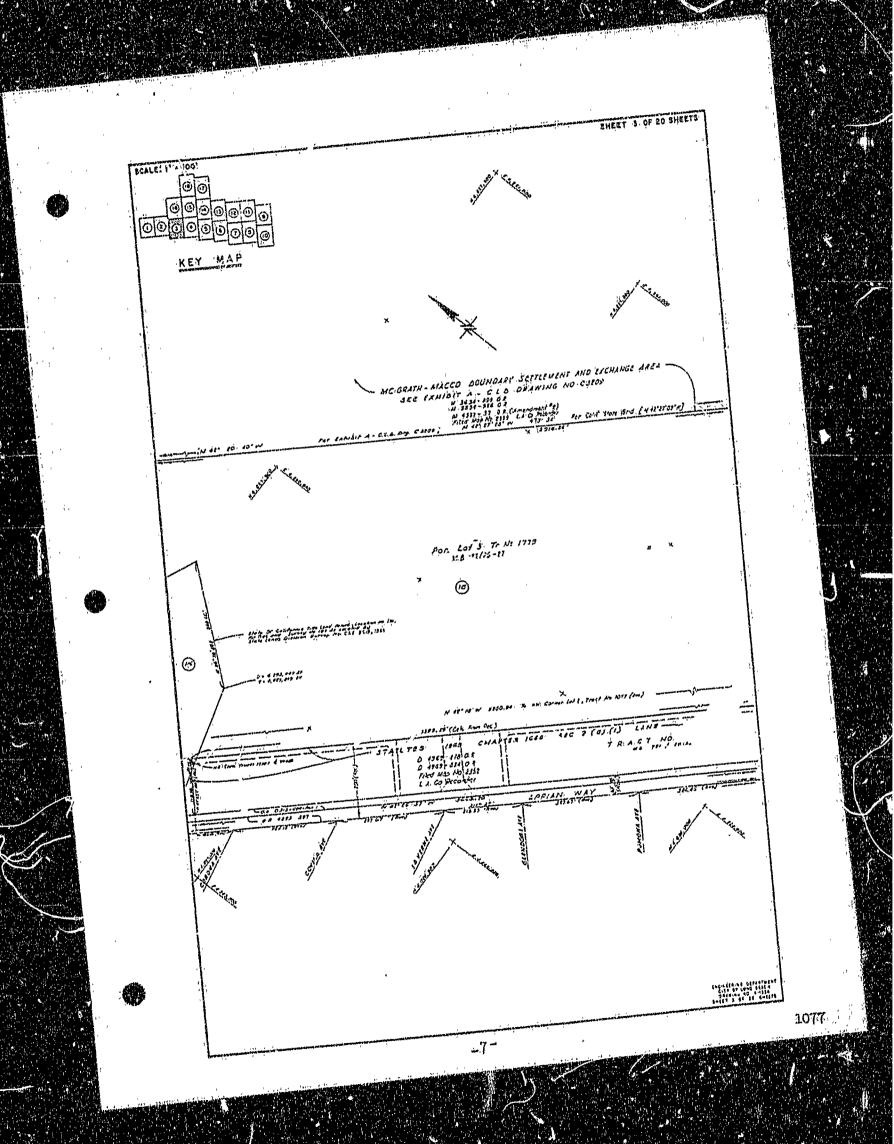
The City of Long Beach approved the No. 8 Agreement by Resolution No. C-224BB at a meeting of its City Counsel on May 2, 1978.

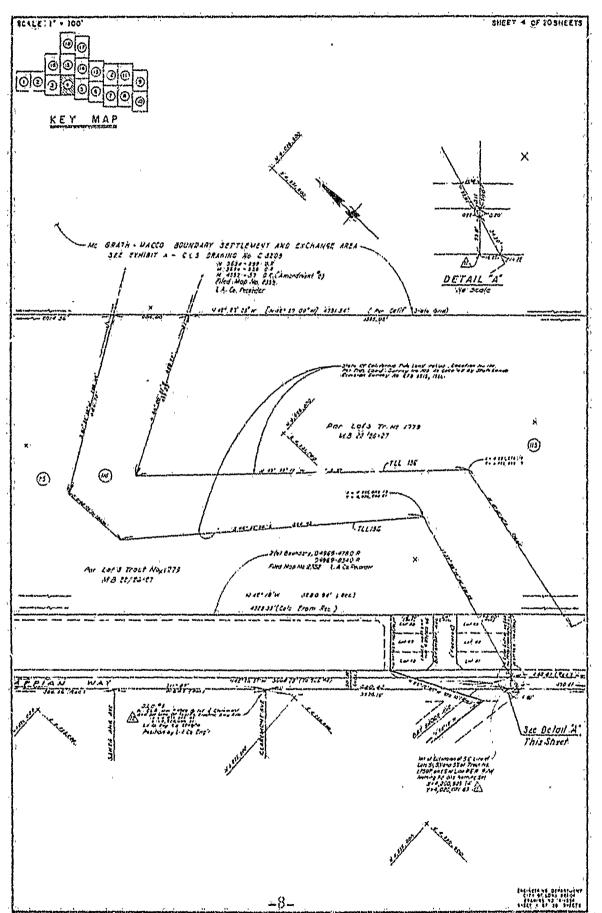
IT IS RECOMMENDED THAT THE COMMISSION:

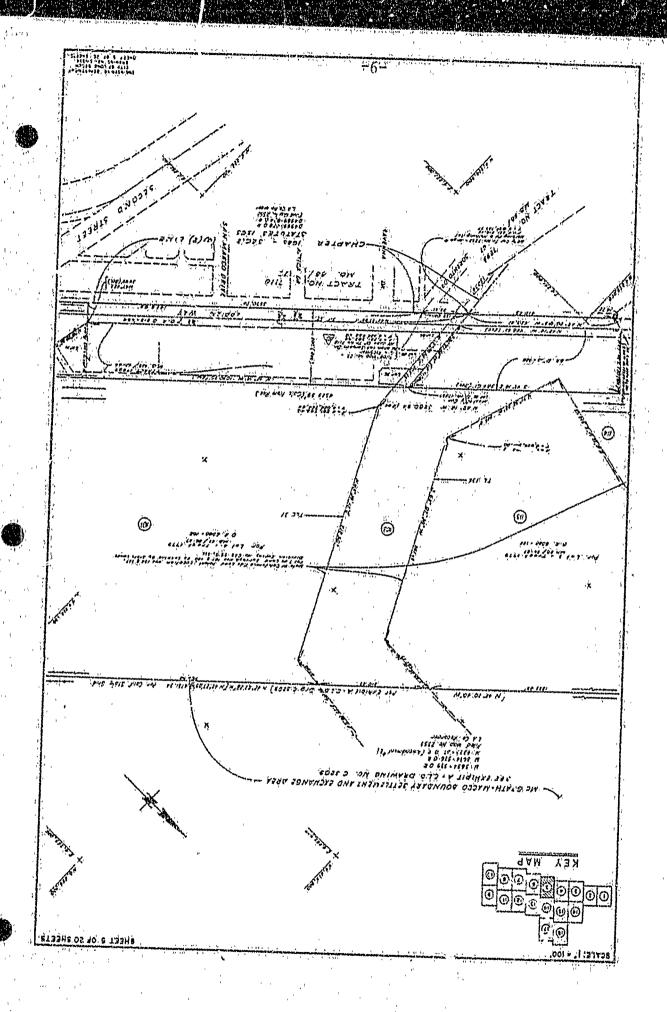
- 1. MAKE THE FINDINGS AND DETERMINATIONS REQUIRED BY PARAGRAPHS 14.2 OF THE ALAMITOS BAY BOUNDARY SETTLEMENT AND EXCHANGE NO. 8. SAID FINDINGS AND DETERMINATIONS REGARDING SAID PARAGRAPH 14.2 TO BE EFFECTIVE AT THE TIME AND AS PROVIDED IN THE AFOREMENTIONED AGREEMENT.
- 2. APPROVE THE ALAMITOS BAY BOUNDARY SETTLEMENT AND FXCHANGE NO. 8 AND ALL ACTS TO BE PERFORMED BY THE CITY OF LONG BEACH PURSUANT THERETO.
- 3. AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE, ON BEHALF OF THE STATE LANDS COMMISSION OF THE STATE OF CALIFORNIA, ALAMITOS BAY BOUNDARY SETTLEMENT AND EXCHANGE NO. 8.
- 4. AUTHORIZE THE EXECUTIVE OFFICER, THE STAFF OF THE STATE LANDS COMMISSION AND THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL FURTHER ACTION, INCLUDING BUT NOT LIMITED TO THE EXECUTION OF ALL DOCUMENTS, MAPS AND PLATS AND THE INSTIGATION AND DEFENSE OF LITICATION, NECESSARY OR REQUIRED TO ACCOMPLISH THE TERMS AND PROVISIONS OF THE ALAMITOS BAY BOUNDARY SETTLEMENT AND EXCHANGE NO. 8 WITHOUT FURTHER AUTHORI ATION OF THE STATE LANDS COMMISSION.

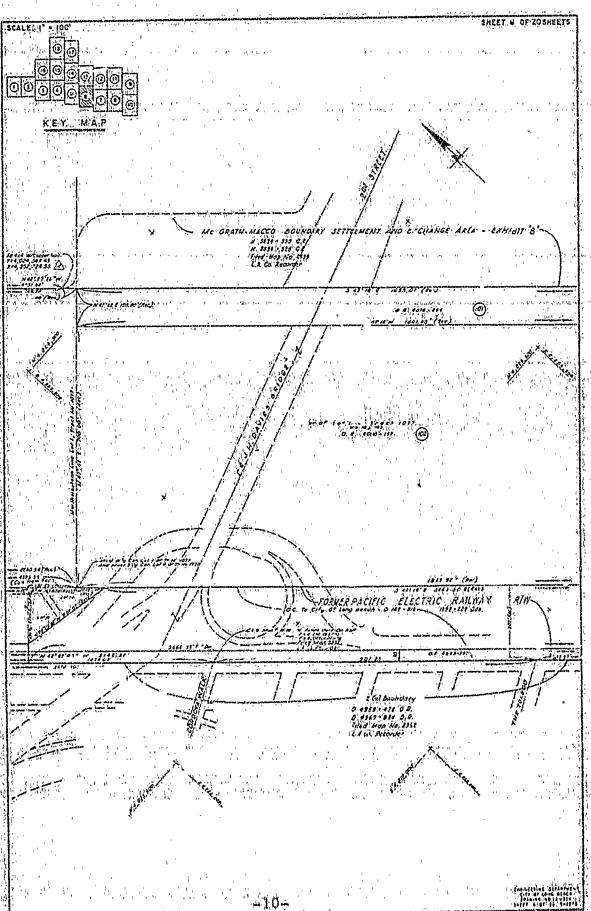


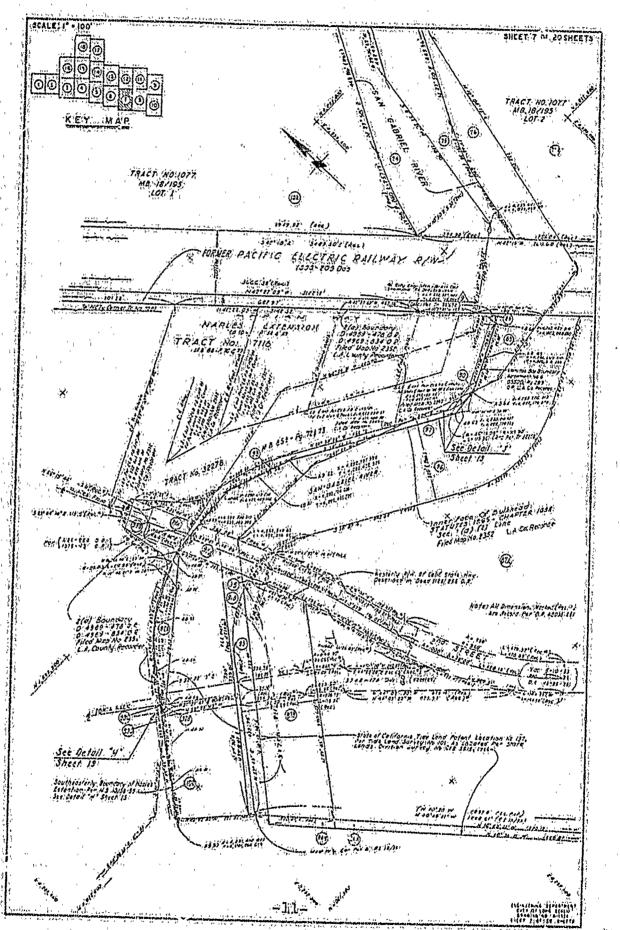


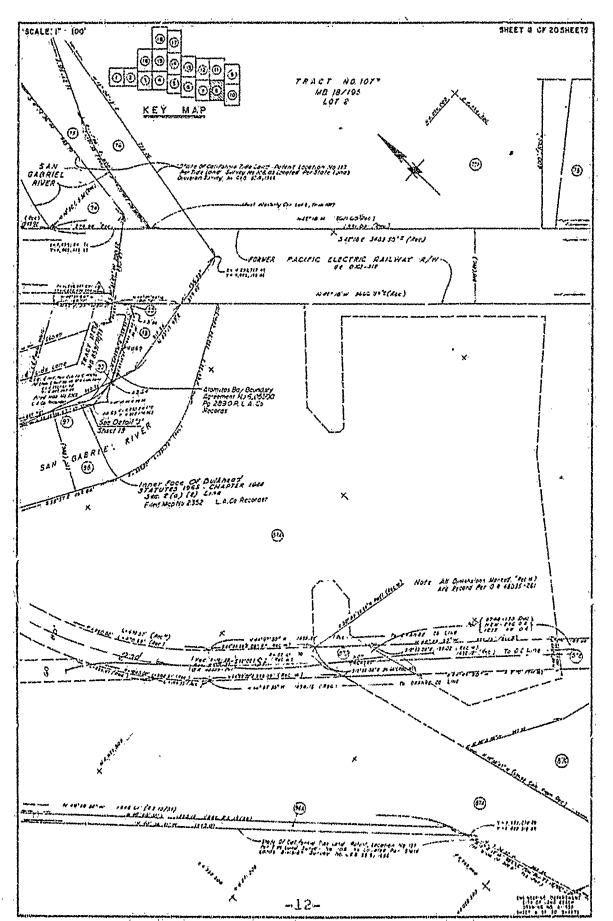


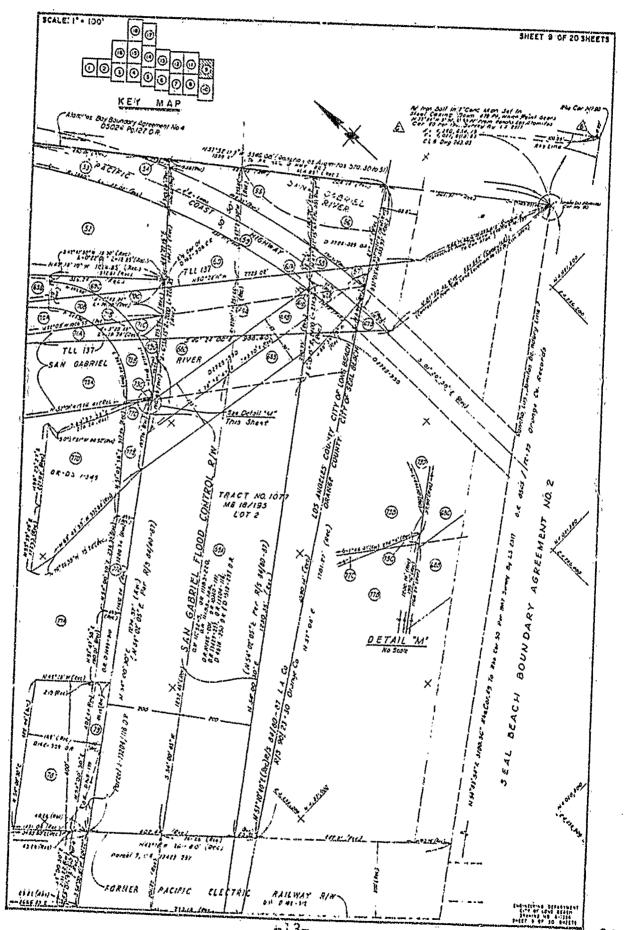




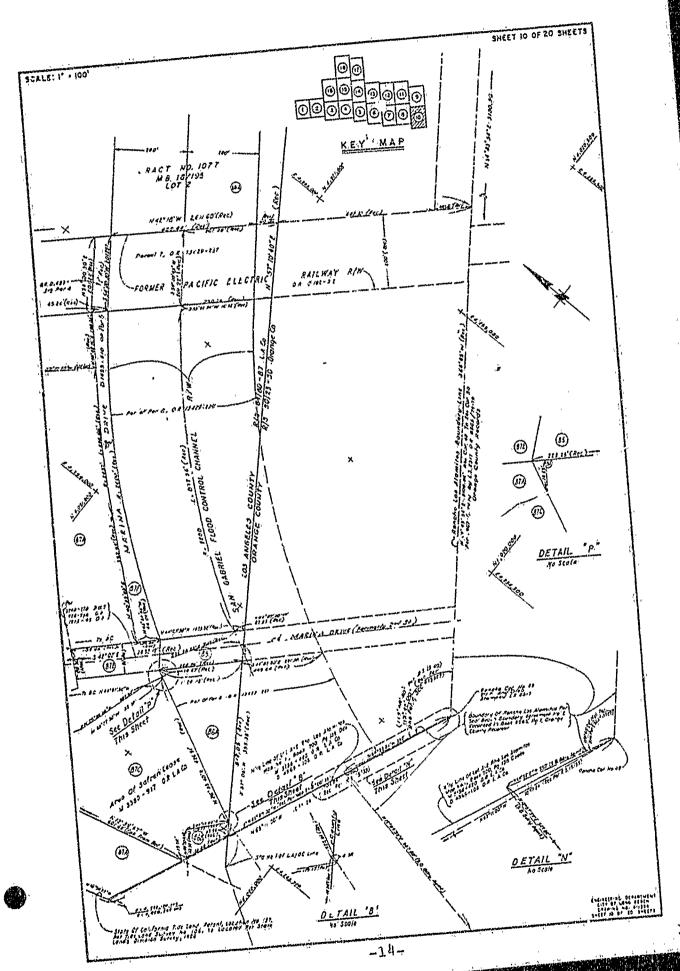




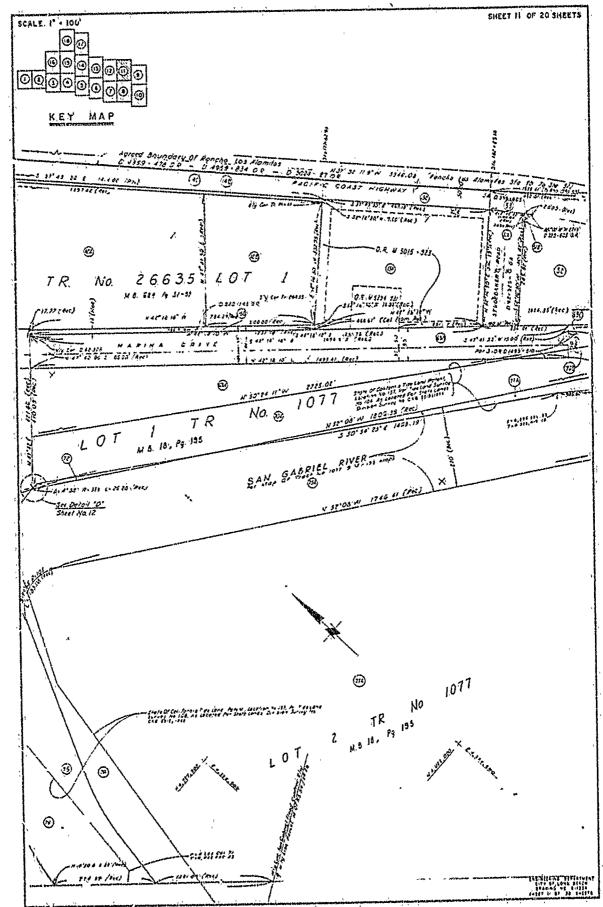


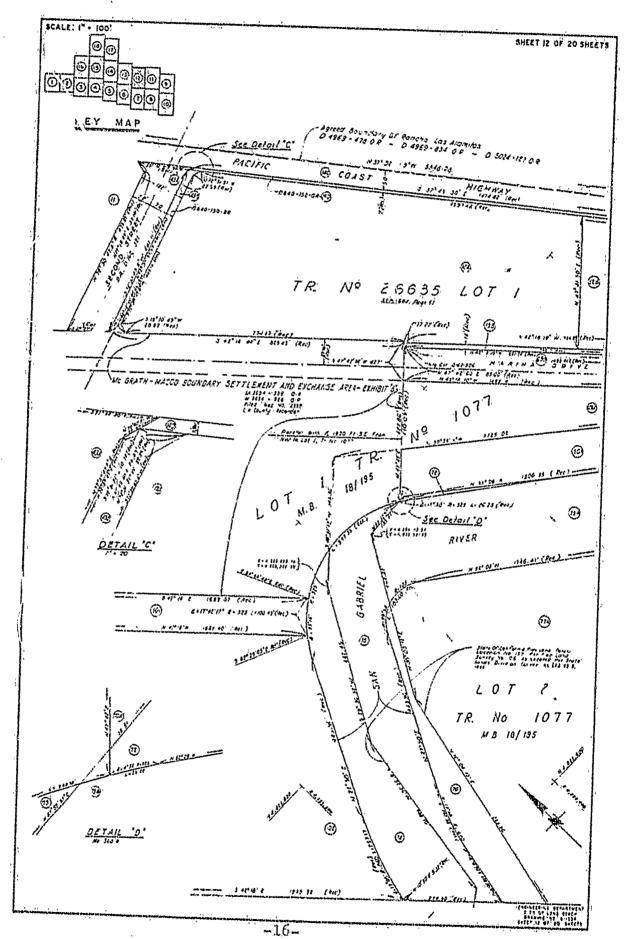


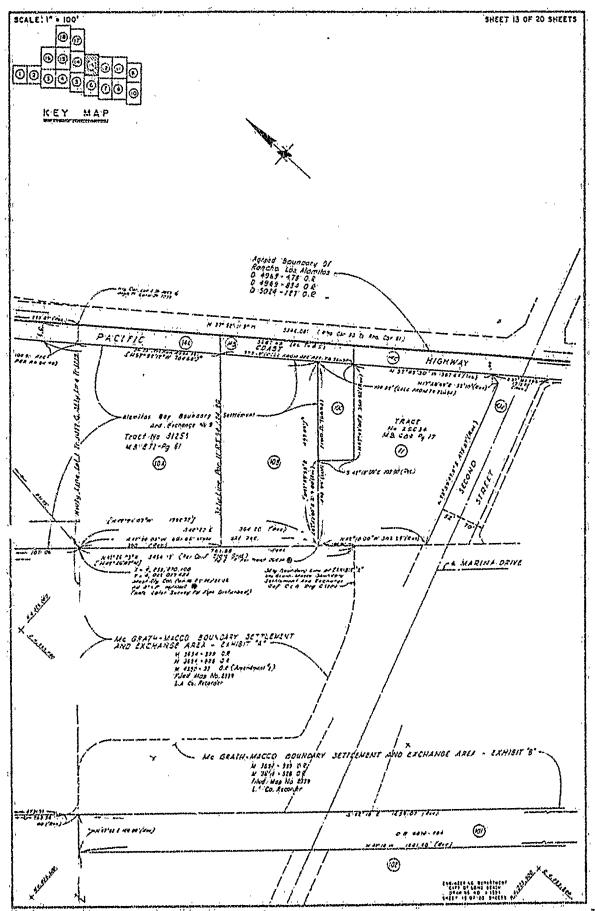
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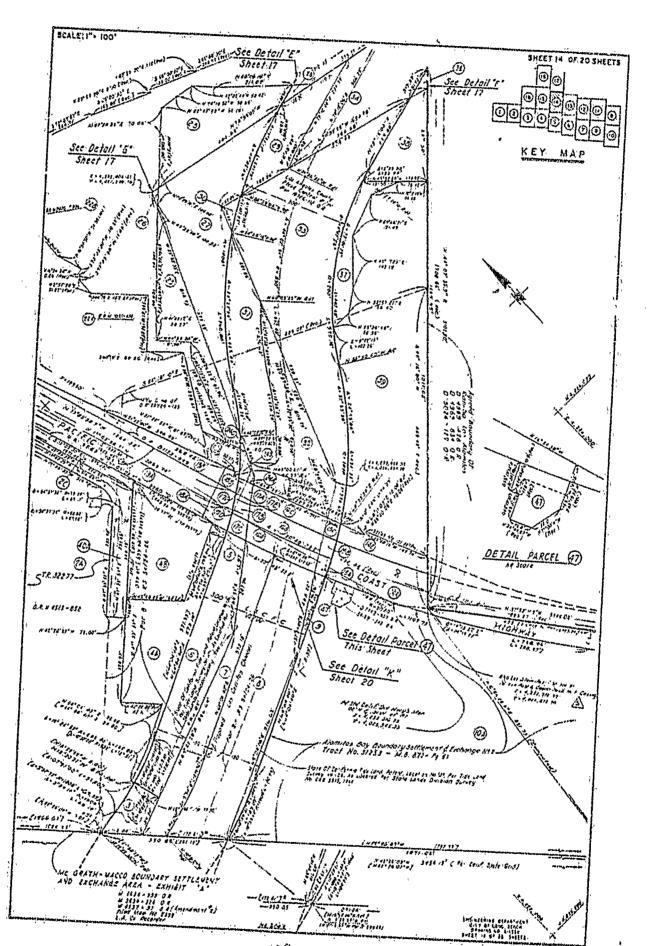
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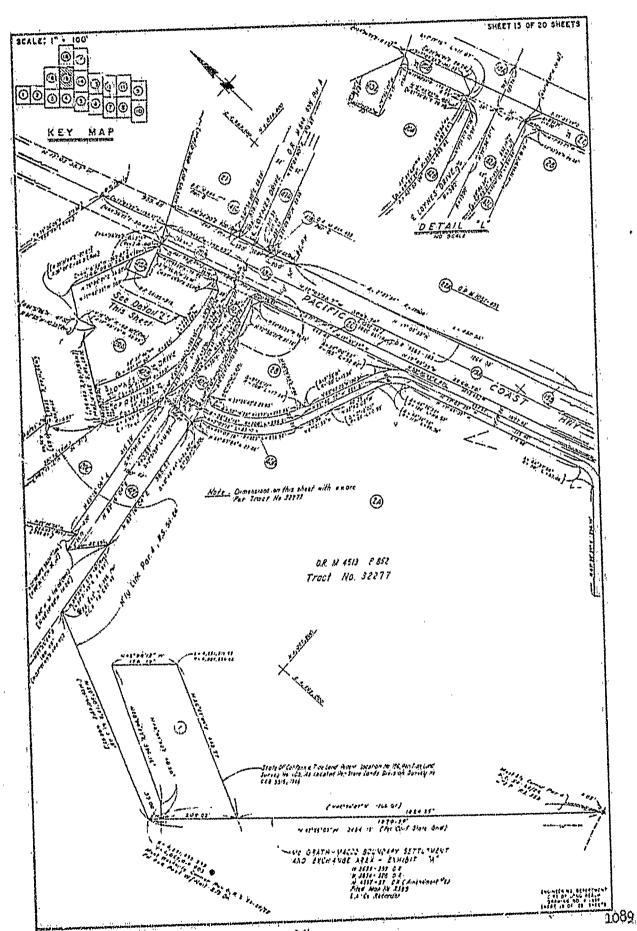




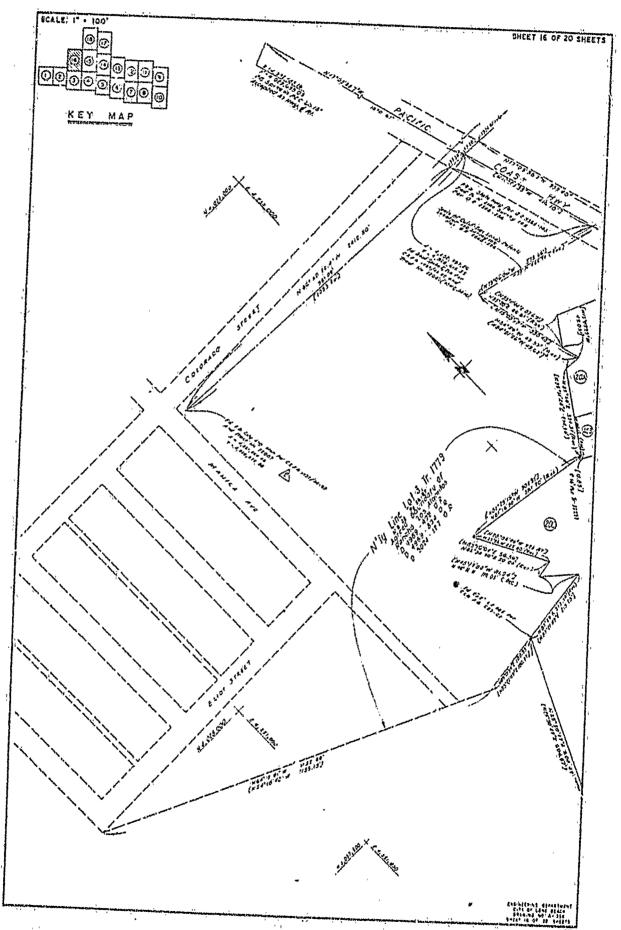


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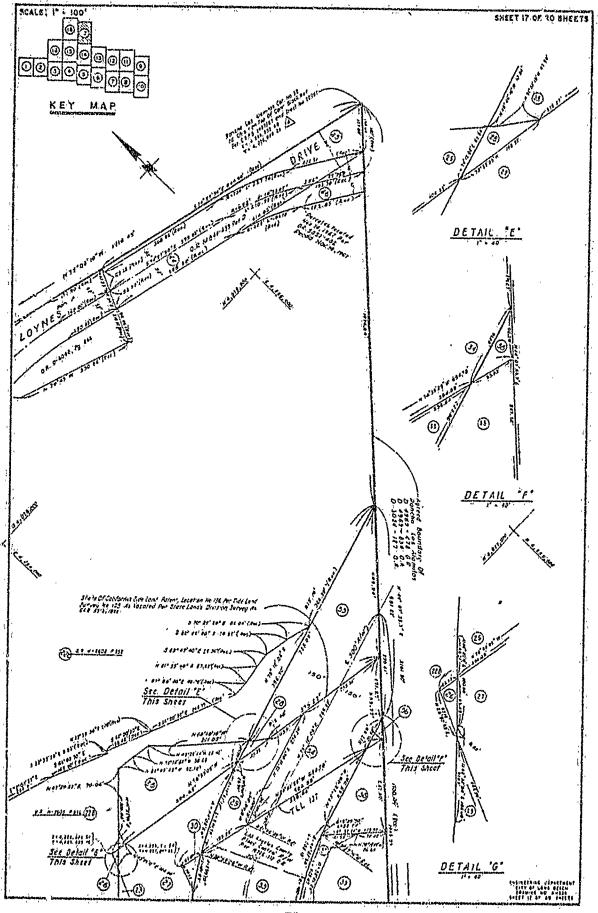


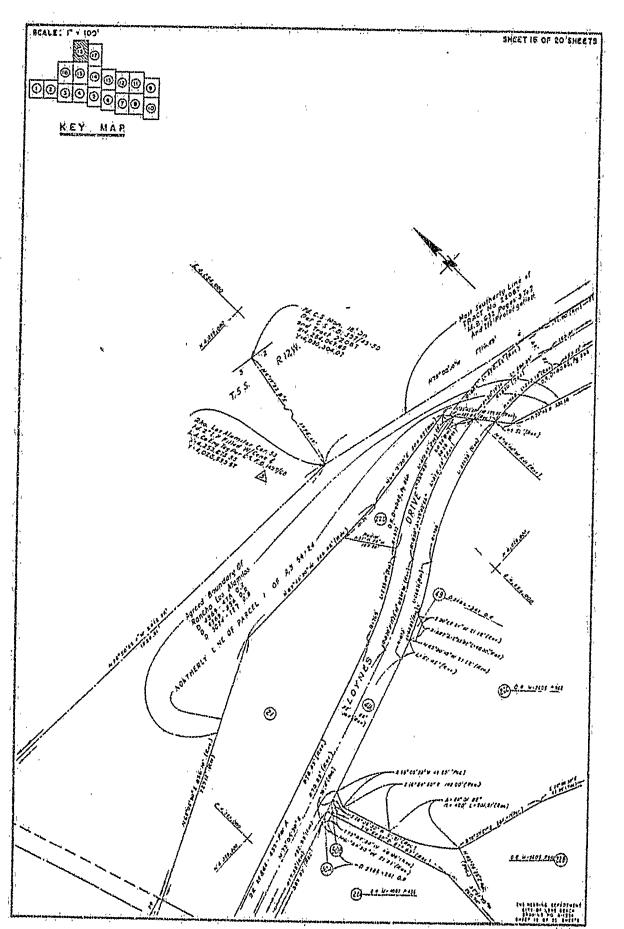


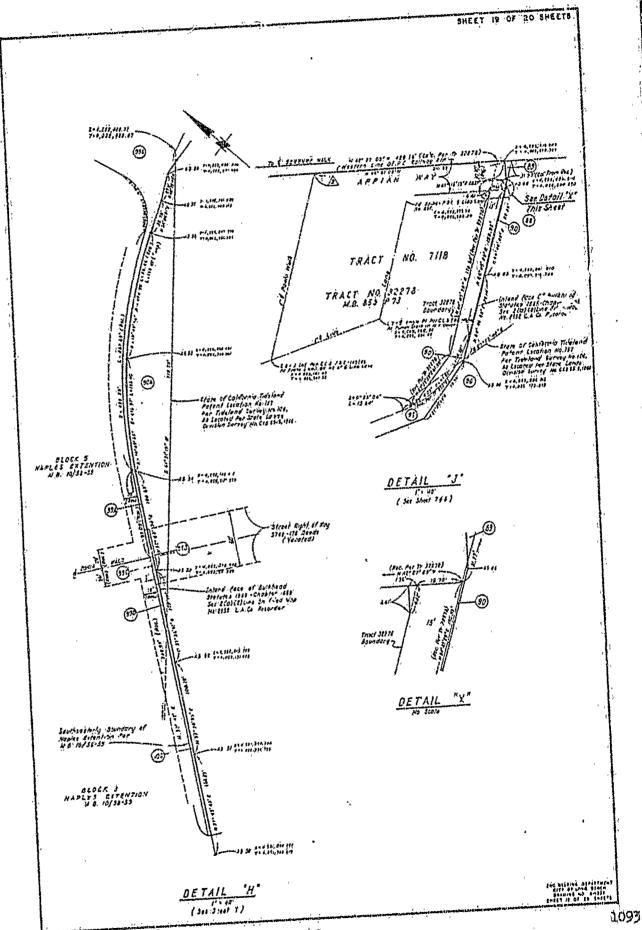
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