

MINUTE ITEM

This Calendar Item No. 39
was approved as Minute Item
No. 37 by the State Lands
Commission by a vote of 2
to 0 at its 3/23/82
meeting.

CALENDAR ITEM

39

3/23/82
W 20527
W 503.955
Hadly
Levinson

REQUEST FOR AUTHORITY TO TAKE ALL STEPS NECESSARY
INCLUDING LITIGATION AGAINST
TITLE INSURANCE AND TRUST COMPANY AND OTHERS
TO CORRECT CONDITION OF GROINS

Title Insurance and Trust Company was responsible for placing at least 13 groins in the vicinity of Las Tunas State Beach near Malibu, Los Angeles County, in the late 1920's and early 1930's (see attached Exhibits A, B and C). Permit applications were submitted by Title Insurance for at least 13 of such structures and official permits were issued for eight of them and letter permits for five, by the Division of State Lands. The condition of those structures has greatly deteriorated. The State and Title Insurance have been defendants in a personal injury case stemming from an alleged injury on one such groin in 1977. (Livingston v. State, et al., Los Angeles County, Superior Court No. 51650). The case was recently settled without resolution of the issue of Title Insurance's responsibility. The proposed litigation would seek to establish responsibility in Title Insurance or any other potential parties.

It is also proposed that staff be directed to take whatever steps are possible to remedy the situation including any legal action necessary.

AB 884: N/A.

EXHIBITS: A. Land Description.
B. Site Map.
C. Groin Depiction.

IT IS RECOMMENDED THAT THE COMMISSION:

1. AUTHORIZE THE OFFICE OF THE ATTORNEY GENERAL AND COMMISSION STAFF TO TAKE ALL STEPS NECESSARY INCLUDING LITIGATION AGAINST TITLE INSURANCE AND TRUST COMPANY AND OTHERS, IF NECESSARY, TO CORRECT CONDITIONS OF GROINS IN THE VICINITY OF LAS TUNAS BEACH, NEAR MALIBU, LOS ANGELES COUNTY.

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EXHIBIT "A"

LAND DESCRIPTION

W 20527

Thirteen (13) parcels of tide and submerged lands in the Pacific Ocean, adjacent to Sections 31 and 32, T1S, R16W, SBM, Los Angeles County, California, more particularly described as follows:

Those parcels of State-owned tide and submerged land lying immediately beneath those certain thirteen existing groins, as said groins are described in lease applications numbered 16 through 20 and leases numbered 30 through 37 under provisions of Chapter 402, Statutes of California, 1931, said applications and leases being on file in the offices of the State Lands Commission, Sacramento, California, said groins being located within that area of Las Tunas Beach between the southerly projection of the westerly boundary of Rancho Boca de Santa Monica and the southerly projection of a line which bears S 0° 02' 10" W from a point located on the northerly line of Section 31, T1S, R16W, SBM, said point bearing N 89° 57' 06" E 1282.03 feet more or less from the northwest corner of said section.

END OF DESCRIPTION

PREPARED FEBRUARY 22, 1982 BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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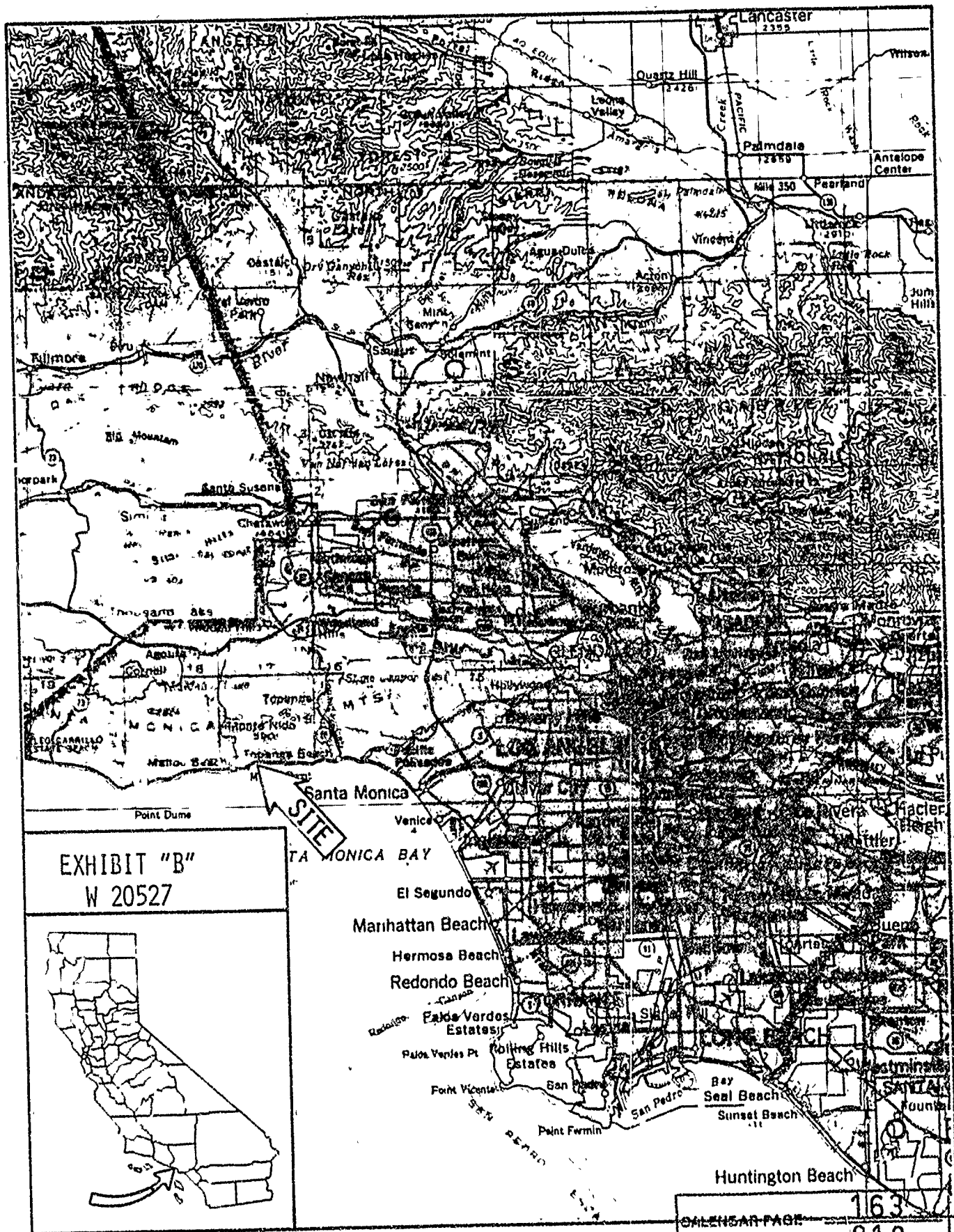


EXHIBIT "B"
W 20527



SIE

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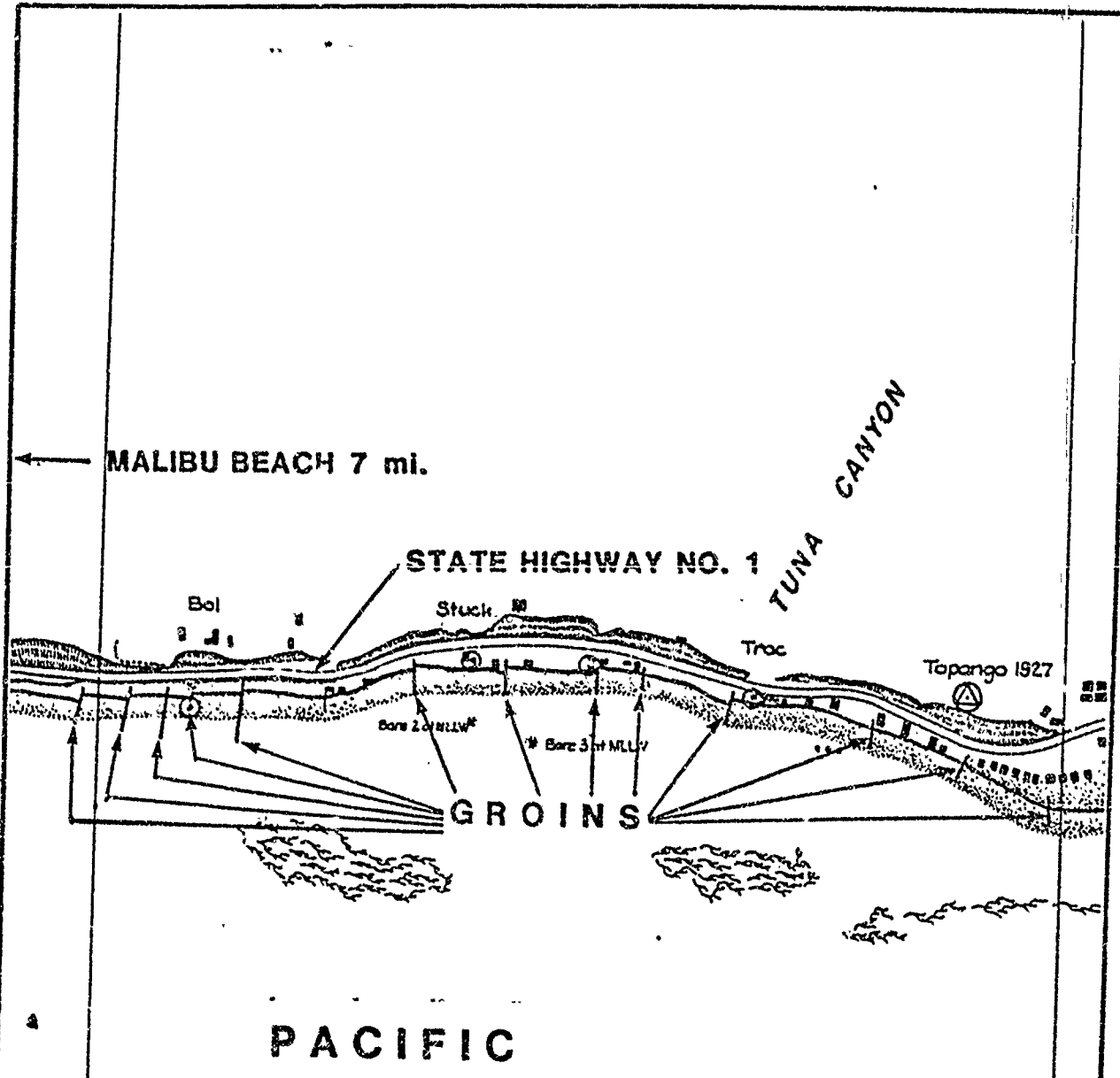


EXHIBIT "C"



OCEAN

SCALE : 1 in. = 833 ft.

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