

MINUTE ITEM
This Calendar Item No. 27
was approved as Minute Item
No. 27 by the State Lands
Commission by a vote of 2
to 0 at its 11-19-87
meeting.

CALENDAR ITEM

A 44

S 18

27

11/19/87
W 23812
PRC 6964 AD 80
F. Grimmett
J. Sekelsky

AUTHORIZATION TO EXPEND MONIES FROM KAPILOFF
LAND BANK FUND FOR ACQUISITION OF A PARCEL OF
REAL PROPERTY IN MALIBU, LOS ANGELES COUNTY

Commission staff has identified a parcel of real property ("Proposed Acquisition Parcel") on Santa Monica Bay in Los Angeles County, currently owned by Imperial Bank, a California Corporation. Imperial Bank has offered to quitclaim this property to the State for \$1,000.

The Proposed Acquisition Parcel is unimproved, consists of approximately 2,200 square feet, and fronts on the Pacific Ocean to the south and the Pacific Coast Highway to the north. It is adjacent to and west of a parcel of land acquired by the Commission pursuant to the Kapiloff Land Bank Act in 1986, which in turn is adjacent to Las Tunas State Beach. Staff of the California Department of Parks and Recreation has indicated that it would like to add both parcels to the park.

There are tax liens against the Proposed Acquisition Parcel in the amount of approximately \$32,000. Los Angeles County has tentatively scheduled a tax sale of the property for February, 1988, and has set a minimum bid of \$50,000. If the Commission were to purchase the property from the bank, it would take title subject to the above-referenced tax liens, which it would have to pay in order to acquire clear title.

Staff has reviewed appraisals of the Proposed Acquisition Parcel, in light of possible State sovereign claims in the parcel, and has concluded that the value of interests to be acquired by the proposed purchase exceeds \$33,000, the approximate total of the bank's asking price and the outstanding tax liens. Due to this economic advantage, and in light of public trust value of the property for park purposes, staff recommends that the Proposed Acquisition Parcel be

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purchased with Kapiloff Land Bank Funds in an amount not to exceed \$33,000, and that the parcel then be leased to the Department of Parks and Recreation for 49 years for inclusion in Las Tunas State Beach.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. As to the land acquisition, pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a statutory exempt project, pursuant to the Kapiloff Land Bank Act.

Authority: P.R.C. 8631.

2. As to the lease to the California Department of Parks and Recreation, pursuant to the Commission's delegation of authority and State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 16, Transfer of Ownership of Land in Order to Create Parks, 14 Cal. Adm. Code 15316.

Authority: P.R.C. 21084 and 14 Cal. Adm.

3. Expenses for escrow services and title insurance will be costs in addition to the purchase price.

4. Notice of the proposed acquisition of the Imperial Bank upland parcel, using Kapiloff Land Bank Act funds, has been mailed pursuant to P.R.C. Section 8622.

EXHIBITS:

- A. Parcel Description.
- B. Plat and Location Map.

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IT IS RECOMMENDED THAT THE COMMISSION:

1. AS TO THE LAND ACQUISITION, FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A STATUTORY EXEMPT PROJECT PURSUANT TO P.R.C. 8631, PURSUANT TO THE KAPILOFF LAND BANK ACT, P.R.C. 8600, ET SEQ.
2. AS TO THE LEASE TO THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION, FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 16, TRANSFER OF OWNERSHIP OF LAND IN ORDER TO CREATE PARKS, 14 CAL. ADM. CODE 15316
3. APPROVE THE LANDS DESCRIBED IN EXHIBIT "A" AS BEING SUITABLE FOR ACQUISITION AND AUTHORIZE THE PURCHASE OF THIS PARCEL FOR \$33,000 AND FOR ESCROW AND TITLE COSTS FOR AN AMOUNT TO NOT EXCEED \$1,650 IN LAND BANK TRUST FUNDS, SAID LANDS TO BE HELD AS SOVEREIGN LANDS OF THE STATE.
4. AUTHORIZE THE ADDITION OF THIS PARCEL TO THE DEPARTMENT OF PARKS AND RECREATION 49-YEAR PUBLIC AGENCY LEASE PRC 6964 FOR INCLUSION IN LAS TUNAS STATE BEACH.
5. AUTHORIZE THE STAFF OF THE STATE LANDS COMMISSION AND/OR THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL STEPS DEEMED NECESSARY, INCLUDING BUT NOT LIMITED TO EXECUTION, ACCEPTANCE, AND RECORDATION OF ALL DOCUMENTS IN ORDER TO IMPLEMENT AND GIVE EFFECT TO THIS PURCHASE AGREEMENT.

EXHIBIT "A"
PARCEL DESCRIPTION

That portion of Lot 5 in Section 31, Township 1 South, Range 16 West, San Bernardino Meridian, in the County of Los Angeles, State of California, according to the official plat of said land filed in the district land office on October 5, 1896, lying southerly of the southerly line of Pacific Coast Highway, as said southerly line was established on January 1, 1945, and bounded by the following described lines:

BEGINNING at a point in said southerly line of Pacific Coast Highway that is distant south 23 degrees 44 minutes 00 seconds east 40 feet from engineer's center line station 100 plus 22.08 at the easterly extremity of that certain center line course of said highway described as "North 66 degrees 16 minutes east 670.60 feet in the deed from Southern Counties Land Company, to the State of California, recorded in Book 11716 Page 337, official records, in the office of the County Recorder of said county; thence easterly along said southerly line, being a curve concave to the south and having a radius of 1,210 feet, an arc distance of 602.40 feet to the end of said curve; thence continuing along said southerly line and tangent to said curve, south 85 degrees 12 minutes 30 seconds east 52.15 feet to the true point of beginning of this description; thence continuing along said southerly line, south 85 degrees 12 minutes 30 seconds east 28.94 feet to the beginning of a tangent curve in said southerly line concave to the north and having a radius of 4,040 feet; thence easterly along said curve in said southerly line, an arc distance of 21.06 feet; thence south 4 degrees 47 minutes 30 seconds west to the ordinary high tide line of the Pacific Ocean; thence westerly along said tide line to a line that bears south 4 degrees 47 minutes 30 seconds west from the true point of beginning; thence north 4 degrees 47 minutes 30 seconds east to said true point of beginning.

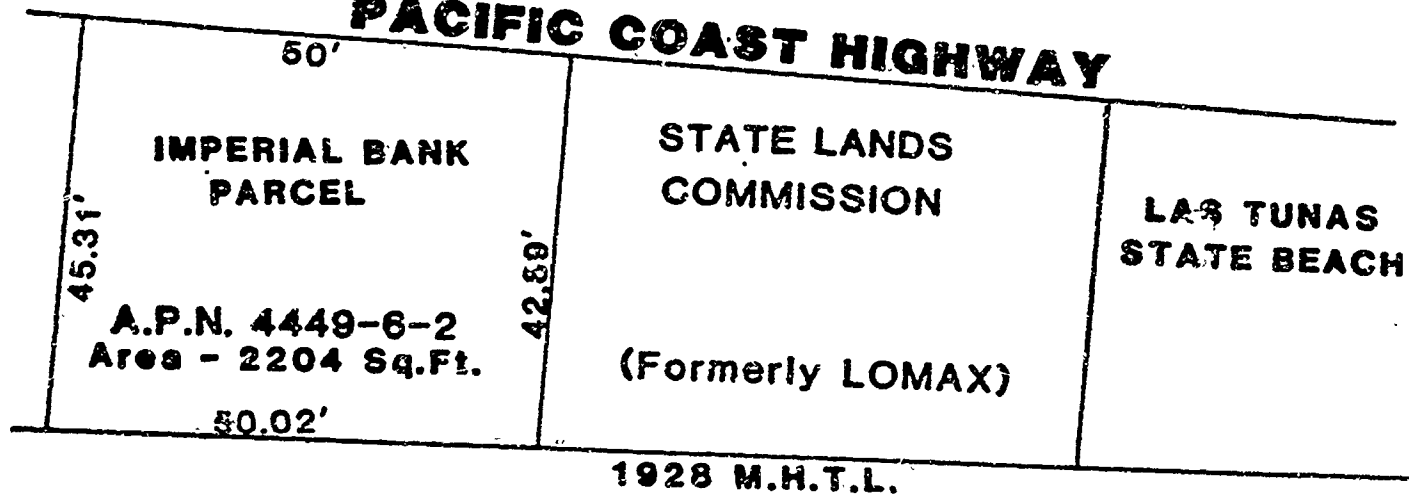
EXCEPT any portion of said land lying outside of the patent lines of said Lot 5, as such lines existed at the time of issuance of the patent therefore which was not formed by the deposit of alluvion from natural causes and by imperceptible degrees.

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PLAT OF POTENTIAL LAND BANK PARCEL

PACIFIC COAST HIGHWAY



SANTA MONICA BAY

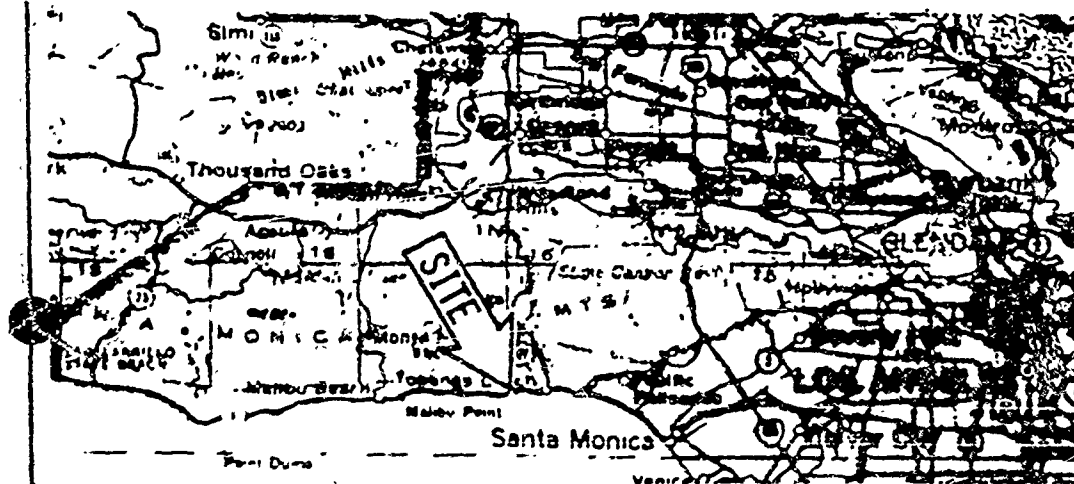


1 Inch = 20 Feet

LOCATION MAP

EXHIBIT "B"

W23812



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