

MINUTE ITEM

32. APPROVAL OF MAPS OF ORDINARY HIGH WATER MARK ALONG SHORE OF SANTA MONICA BAY, VICINITY OF EL SEGUNDO, LOS ANGELES COUNTY; AND APPROVAL OF BOUNDARY AGREEMENT BETWEEN SOUTHERN CALIFORNIA EDISON COMPANY AND THE STATE OF CALIFORNIA ALONG THE SHORE OF SANTA MONICA BAY, VICINITY OF EL SEGUNDO, LOS ANGELES COUNTY - W.O. 5089, B.L.A. 50, GEO.-LOS ANGELES CO.

After consideration of Calendar Item 31 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED:

1. TO APPROVE AND HAVE RECORDED SHEETS 1 AND 2 OF 2 OF MAPS ENTITLED "MAP OF THE ORDINARY HIGH WATER MARK ALONG THE SHORE OF SANTA MONICA BAY, VICINITY OF EL SEGUNDO, LOS ANGELES COUNTY, CALIFORNIA", DATED MARCH 1962.
2. TO EXECUTE AN AGREEMENT WITH THE UPLAND OWNERS FIXING THE COMMON BOUNDARY ALONG SANTA MONICA BAY AS DESCRIBED IN THE AGREEMENT, ATTACHED AS EXHIBIT "A" AND HEREBY MADE A PART HEREOF, AS THE PERMANENT BOUNDARY BETWEEN THE STATE TIDE AND ~~EMERGED~~ EMERGED LANDS AND THE SUBJECT PRIVATE LANDS ALONG SANTA MONICA BAY, VICINITY OF EL SEGUNDO, LOS ANGELES COUNTY.

Attachments

Exhibit "A" (3 pages)  
Calendar Item 31 (4 pages)

EXHIBIT "A"

BOUNDARY AGREEMENT

THIS BOUNDARY AGREEMENT, made and entered into by and between  
STATE OF CALIFORNIA, acting by and through the STATE LANDS  
COMMISSION (as Party of the First Part hereinafter referred  
to as "the State") and  
SOUTHERN CALIFORNIA EDISON COMPANY (as Party of the Second  
Part hereinafter referred to as "Second Party")

W I T N E S S E T H

WHEREAS, the State acting through the State Lands Commission is  
authorized by Section 6357 of the Public Resources Code to establish by  
agreement the ordinary high water mark or the ordinary low water mark of  
the swamp, overflowed, marsh, tide or submerged lands of this State,  
whenever it is deemed expedient or necessary; and

WHEREAS, the Second Party appears of record as owner of certain  
upland along the shore of Santa Monica Bay in the vicinity of El Segundo,  
Los Angeles County, California; and

WHEREAS, the State of California by virtue of its sovereignty  
is the owner of certain tide and submerged lands in the vicinity of  
El Segundo, Los Angeles County, California; and

WHEREAS, the ordinary high water mark as it may have existed in  
its last natural state has been affected by artificial and natural  
processes or a combination of both; and

WHEREAS, the State Lands Commission and the Second Party  
consider it expedient and necessary and in the best interests of the  
State and the public to describe and fix permanently the ordinary high

EXHIBIT "A" (CONTD.)

water mark as the boundary between the lands belonging to the State and Second Party and forever set at rest any and all questions relating to the location of said ordinary high water mark.

NOW, THEREFORE, in order to locate, describe and permanently establish the ordinary high water mark as the true and correct boundary line between the State and Second Party, it is agreed that said boundary line is and shall be located and established as follows:

Beginning at a point identified as L.S. Tag 2619 and shown on Record of Survey map filed in Book 79, Page 47, Record of Survey Maps Los Angeles County Records; thence S.  $67^{\circ} 42' 41''$  W. 55.47 feet, S.  $23^{\circ} 09' 55''$  E. 86.92 feet and S.  $22^{\circ} 00' 00''$  E. 533.10 feet to the point of intersection of the ordinary high water mark of 1935 with the Southeasterly property line of the Southern California Edison Company property, which point is the True Point of Beginning of this boundary line; thence, from said True Point of Beginning, along the following courses: N.  $22^{\circ} 00' 00''$  W. 533.10 feet, N.  $23^{\circ} 09' 55''$  W. 86.92 feet, N.  $23^{\circ} 09' 55''$  W. 365.56 feet, N.  $21^{\circ} 54' 19''$  W. 511.96 feet and N.  $23^{\circ} 45' 14''$  W. 972.82 feet to the end of said boundary line.

This agreement shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the dates hereafter written:

EXHIBIT "A" (CONTD.)

SOUTHERN CALIFORNIA EDISON COMPANY

\_\_\_\_\_  
Date of Signature

By \_\_\_\_\_  
Vice-President

\_\_\_\_\_  
Date of Signature

By \_\_\_\_\_  
Secretary

STATE OF CALIFORNIA )  
COUNTY OF \_\_\_\_\_ )

ss.

On this \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_,  
before me, \_\_\_\_\_, a Notary Public in and  
for said County and State, personally appeared \_\_\_\_\_  
and \_\_\_\_\_ known to me to be the Vice-President and  
Secretary, respectively, of the corporation that executed the within  
Instrument and acknowledged to me that such corporation executed the same.

\_\_\_\_\_

\_\_\_\_\_  
Name (Typed or Printed)  
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE

STATE OF CALIFORNIA  
acting by and through  
STATE LANDS COMMISSION

\_\_\_\_\_  
Date of Signature

By \_\_\_\_\_  
F. J. HORTIG  
Executive Officer

STATE OF CALIFORNIA )  
COUNTY OF \_\_\_\_\_ )

ss.

On this \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_,  
before me, \_\_\_\_\_, a Notary Public in and  
for said County and State, personally appeared F. J. Hortig, known to me to  
be the Executive Officer of the State Lands Commission, and known to me to  
be the person who executed the within Instrument on behalf of said agency  
and acknowledged to me that such agency executed the same.

\_\_\_\_\_

\_\_\_\_\_  
Name (Typed or Printed)  
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE

CALENDAR ITEM

31.

APPROVAL OF MAPS OF ORDINARY HIGH WATER MARK ALONG SHORE OF SANTA MONICA BAY, VICINITY OF EL SEGUNDO, LOS ANGELES COUNTY; AND APPROVAL OF BOUNDARY AGREEMENT BETWEEN SOUTHERN CALIFORNIA EDISON COMPANY AND THE STATE OF CALIFORNIA ALONG THE SHORE OF SANTA MONICA BAY, VICINITY OF EL SEGUNDO, LOS ANGELES COUNTY - W.O. 5089.

Between 1936 and 1946, approximately 16 million cubic yards of fill material were dumped along the beach in the vicinity of El Segundo, creating an artificial condition. A survey of the Mean High Tide Line by Los Angeles County in 1935 reflects the last known natural condition of the shoreline prior to the fill. A map has been prepared by the State Lands Division showing this 1935 Mean High Tide Line as the Ordinary High Water Mark.

Southern California Edison Company owns the upland property in the area.

It is now proposed to enter into an agreement with Southern California Edison Company to fix the common property boundary between the State and the upland property owner along the shore of Santa Monica Bay, as shown on above-mentioned maps (Exhibit "B").

The boundary agreement (see Exhibit "A") is acceptable to the upland owners. The office of the Attorney General previously approved boundary agreements in this form, and Staff Counsel has determined this agreement to be legally sufficient.

IT IS RECOMMENDED THAT THE EXECUTIVE OFFICER BE AUTHORIZED:

1. TO APPROVE AND HAVE RECORDED SHEETS 1 AND 2 OF 2 OF MAPS TITLED "MAP OF THE ORDINARY HIGH WATER MARK ALONG THE SHORE OF SANTA MONICA BAY, VICINITY OF EL SEGUNDO, LOS ANGELES COUNTY, CALIFORNIA", DATED MARCH 1962.
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Attachment  
Exhibit "A"

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W I T N E S S E T H

WHEREAS, the State acting through the State Lands Commission is authorized by Section 6357 of the Public Resources Code to establish by agreement the ordinary high water mark or the ordinary low water mark of the swamp, overflowed, marsh, tide or submerged lands of this State, whenever it is deemed expedient or necessary; and

WHEREAS, the Second Party appears of record as owner of certain upland along the shore of Santa Monica Bay in the vicinity of El Segundo, Los Angeles County, California; and

WHEREAS, the State of California by virtue of its sovereignty is the owner of certain tide and submerged lands in the vicinity of El Segundo, Los Angeles County, California; and

WHEREAS, the ordinary high water mark as it may have existed in its last natural state has been affected by artificial and natural processes or a combination of both; and

WHEREAS, the State Lands Commission and the Second Party consider it expedient and necessary and in the best interests of the State and the public to describe and fix permanently the ordinary high

EXHIBIT "A" (CONTD.)

water mark as the boundary between the lands belonging to the State and Second Party and forever set at rest any and all questions relating to the location of said ordinary high water mark.

NOW, THEREFORE, in order to locate, describe and permanently establish the ordinary high water mark as the true and correct boundary line between the State and Second Party, it is agreed that said boundary line is and shall be located and established as follows:

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This agreement shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the dates hereafter written:

EXHIBIT "A" (CONTD.)

SOUTHERN CALIFORNIA EDISON COMPANY

\_\_\_\_\_  
Date of Signature

By \_\_\_\_\_  
Vice-President

\_\_\_\_\_  
Date of Signature

By \_\_\_\_\_  
Secretary

STATE OF CALIFORNIA )  
COUNTY OF \_\_\_\_\_ ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_,  
before me, \_\_\_\_\_, a Notary Public in and  
for said County and State, personally appeared  
and \_\_\_\_\_ known to me to be the Vice-President and  
Secretary, respectively, of the corporation that executed the within  
Instrument and acknowledged to me that such corporation executed the same.

\_\_\_\_\_  
Name (Typed or Printed)  
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE

STATE OF CALIFORNIA  
acting by and through  
STATE LANDS COMMISSION

\_\_\_\_\_  
Date of Signature

By \_\_\_\_\_  
F. J. HORTIG  
Executive Officer

STATE OF CALIFORNIA )  
COUNTY OF \_\_\_\_\_ ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_,  
before me, \_\_\_\_\_, a Notary Public in and  
for said County and State, personally appeared F. J. Hortig, known to me to  
be the Executive Officer of the State Lands Commission, and known to me to  
be the person who executed the within Instrument on behalf of said agency,  
and acknowledged to me that such agency executed the same.

\_\_\_\_\_  
Name (Typed or Printed)  
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE