

MINUTE ITEM

4. APPLICATION FOR LIFE-OF-STRUCTURE PERMIT OVER TIDE AND SUBMERGED LANDS OF SAN GABRIEL RIVER IN VICINITY OF PACIFIC COAST HIGHWAY AT COMMON BOUNDARY OF SEAL BEACH AND LONG BEACH, ORANGE COUNTY; DEPARTMENT OF WATER AND POWER OF THE CITY OF LOS ANGELES - W.O. 3700; W.O. 503.369, P.R.C. 3154.9.

After consideration of Calendar Item 43 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION, PURSUANT TO PUBLIC UTILITIES CODE SECTION 10151, AUTHORIZES THE EXECUTIVE OFFICER TO ISSUE A LIFE-OF-STRUCTURE PERMIT TO THE CITY OF LOS ANGELES, DEPARTMENT OF WATER AND POWER, FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A STEAM PLANT AND THE NECESSARY APPURTENANCES FOR THE GENERATION AND DISTRIBUTION OF ELECTRICITY, OVER TIDE AND SUBMERGED LANDS LYING IN THE BED OF THE SAN GABRIEL RIVER IN ORANGE COUNTY DESCRIBED AS FOLLOWS:

PARCEL NO. 3-1

ALL THOSE PORTIONS OF LOT 1 OF THE SAN GABRIEL EXTENSION OF NAPLES, AS PER MAP THEREOF RECORDED IN BOOK 7, PAGE 31 OF MISCELLANEOUS RECORDS OF ORANGE COUNTY AND OF THE CHANNEL OF THE SAN GABRIEL RIVER AS SHOWN ON SAID MAP, LYING WITHIN THE RIGHT OF WAY OF CALIFORNIA STATE HIGHWAY, 100 FEET IN WIDTH (FORMERLY HATHAWAY AVENUE) AS SHOWN ON MAP B-350, SHEET 2, ON FILE IN THE OFFICE OF THE LOS ANGELES COUNTY SURVEYOR AND BOUNDED SOUTHERLY BY A LINE PERPENDICULAR TO THE NORTHERLY PROLONGATION OF THAT CERTAIN COURSE IN THE CENTERLINE OF SAID CALIFORNIA STATE HIGHWAY, SHOWN ON SAID MAP B-350, SHEET 2, AS BEARING S. 01° 20' 50" E., 846.32 FEET AND PASSING THROUGH A POINT DISTANT NORTHERLY ALONG SAID PROLONGATION 119.20 FEET FROM THE NORTHERLY TERMINUS OF SAID CERTAIN COURSE, CONTAINING 0.001 ACRE MORE OR LESS.

PARCEL NO. 3-A-2

ALL THOSE PORTIONS OF LOT 1 OF THE SAN GABRIEL EXTENSION OF NAPLES, AS PER MAP THEREOF RECORDED IN BOOK 7, PAGE 31 OF MISCELLANEOUS RECORDS OF ORANGE COUNTY AND OF THE CHANNEL OF THE SAN GABRIEL RIVER AS SHOWN ON SAID MAP, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE COMMON BOUNDARY LINE OF LOS ANGELES AND ORANGE COUNTIES AS SHOWN ON RECORDED FILED MAP NO. 158 IN THE OFFICE OF THE LOS ANGELES COUNTY SURVEYOR, DISTANT THEREON, S. 57° 06' 49" W., 169.98 FEET FROM ITS INTERSECTION WITH THAT CERTAIN COURSE BETWEEN STATION 50 AND STATION 51 IN THE BOUNDARY OF THE RANCHO LOS ALAMITOS AS SHOWN ON MAP FILED IN LOS ANGELES SUPERIOR COURT CASE NO. 68582, A COPY OF SAID MAP BEING RECORDED IN BOOK 4046, PAGES 240 AND 241 OF DEEDS, RECORDS OF LOS ANGELES COUNTY; THENCE FROM SAID POINT OF BEGINNING S. 50° 15' 00" E., 63.30 FEET; THENCE S. 70° 45' 00" E., 50.12 FEET TO A POINT IN A LINE WHICH IS PARALLEL WITH AND DISTANT SOUTHEASTERLY 100 FEET, MEASURED AT RIGHT ANGLES, FROM THE SAID COMMON BOUNDARY LINE OF LOS ANGELES AND ORANGE COUNTIES; THENCE ALONG SAID PARALLEL LINE S. 57° 06' 49" W., 178.46 FEET; THENCE N. 73° 15' 00" W., 32.33 FEET TO A POINT IN THE EASTERLY LINE OF CALIFORNIA STATE HIGHWAY, 100 FEET IN WIDTH (FORMERLY HATHAWAY AVENUE) AS SHOWN ON MAP B-350, SHEET 2, ON FILE IN THE OFFICE OF SAID LOS ANGELES COUNTY SURVEYOR,

DISTANT THEREON SOUTHERLY 86.31 FEET FROM ITS INTERSECTION WITH SAID COMMON BOUNDARY LINE; THENCE NORTHERLY ALONG SAID EASTERLY LINE 86.31 FEET; THENCE N.  $57^{\circ} 06' 49''$  E., ALONG SAID COMMON BOUNDARY LINE 107.67 FEET TO THE POINT OF BEGINNING, CONTAINING 0.345 ACRE MORE OR LESS.

PARCEL NO. 3-3

ALL THAT PORTION OF THE SOUTHEASTERLY 100 FEET, MEASURED AT RIGHT ANGLES FROM THE SOUTHEASTERLY LINE, OF LOT 2 OF THE SAN GABRIEL EXTENSION OF NAPLES, AS PER MAP THEREOF RECORDED IN BOOK 7, PAGE 31 OF MISCELLANEOUS RECORDS OF ORANGE COUNTY, LYING NORTHERLY AND WESTERLY OF THE FOLLOWING-DESCRIBED LINES:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF THE SAID SOUTHEASTERLY 100 FEET OF LOT 2. DISTANT THEREON S.  $54^{\circ} 38' 14''$  W., 56.74 FEET FROM ITS INTERSECTION WITH THE NORTHEASTERLY LINE OF SAID LOT 2; THENCE FROM SAID POINT OF BEGINNING S.  $85^{\circ} 45' 00''$  E., 31.96 FEET; THENCE N.  $55^{\circ} 30' 00''$  E., 33.00 FEET TO A POINT IN THE SAID NORTHEASTERLY LINE OF LOT 2; THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY LINE OF LOT 2 N.  $37^{\circ} 45'$  W. 20.90 FEET; THENCE S.  $54^{\circ} 38' 14''$  W. TO THE POINT OF BEGINNING, CONTAINING 0.021 ACRE MORE OR LESS.

NO BOND IS TO BE REQUIRED. THE CONSIDERATION FOR THE EASEMENT IS TO BE THE PUBLIC BENEFIT.

Attachment  
Calendar Item 43 (3 pages)

CALENDAR ITEM

43.

APPLICATION FOR LIFE-OF-STRUCTURE PERMIT OVER TIDE AND SUBMERGED LANDS OF SAN GABRIEL RIVER IN VICINITY OF PACIFIC COAST HIGHWAY AT COMMON BOUNDARY OF SEAL BEACH AND LONG BEACH, ORANGE COUNTY; DEPARTMENT OF WATER AND POWER OF THE CITY OF LOS ANGELES - W.O. 3700; W.O. 503.369.

On September 8, 1960, the City of Los Angeles, Department of Water and Power, made an application under Public Utilities Code Section 10151 for a right-of-way to be used for the construction, operation and maintenance of cooling water intake structures for the Haynes Steam Electric Generating Plant on State tide and submerged lands in the vicinity of Pacific Coast Highway at the common boundary of the cities of Seal Beach and Long Beach as shown in Exhibits "A" and "B".

Before final action was taken upon the application, the State was served as a party in a lawsuit entitled "The City of Los Angeles vs. W. L. Robertson, et al." (Los Angeles County Superior Court Case No. 712,933), which challenges the State's title to said land. Settlement of said lawsuit is now pending, with one of the conditions being the issuance by the State Lands Commission of a Life-of-Structure Permit for the steam plant and necessary appurtenances thereto. No bond is required from the City of Los Angeles, and the consideration is the public benefit.

Public Utilities Code Section 10151 reads as follows:

"10151. Rights of municipality; water and electric works

There is granted to every municipal corporation of the State the right of way for the location, construction, and maintenance of water works and works for the generation and distribution of electrical power, and for every necessary adjunct thereto, over any swamp, overflowed, or other public lands of the State not otherwise disposed of or in use, not in any case exceeding in length or width that which is necessary for the construction of the works or adjuncts, or for the protection thereof, and not in any case exceeding 100 feet in width along each side of the marginal limits of the works or adjuncts."

IT IS RECOMMENDED THAT THE COMMISSION, PURSUANT TO PUBLIC UTILITIES CODE SECTION 10151, AUTHORIZE THE EXECUTIVE OFFICER TO ISSUE A LIFE-OF-STRUCTURE PERMIT TO THE CITY OF LOS ANGELES, DEPARTMENT OF WATER AND POWER, FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A STEAM PLANT AND THE NECESSARY APPURTENANCES FOR THE GENERATION AND DISTRIBUTION OF ELECTRICITY, OVER TIDE AND SUBMERGED LANDS LYING IN THE BED OF THE SAN GABRIEL RIVER IN ORANGE COUNTY DESCRIBED AS FOLLOWS:

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OF ORANGE COUNTY AND OF THE CHANNEL OF THE SAN GABRIEL RIVER AS SHOWN ON SAID MAP, LYING WITHIN THE RIGHT OF WAY OF CALIFORNIA STATE HIGHWAY, 100 FEET IN WIDTH (FORMERLY HATHAWAY AVENUE) AS SHOWN ON MAP B-350, SHEET 2, ON FILE IN THE OFFICE OF THE LOS ANGELES COUNTY SURVEYOR AND BOUNDED SOUTHERLY BY A LINE PERPENDICULAR TO THE NORTHERLY PROLONGATION OF THAT CERTAIN COURSE IN THE CENTERLINE OF SAID CALIFORNIA STATE HIGHWAY, SHOWN ON SAID MAP B-350, SHEET 2, AS BEARING S.  $01^{\circ} 20' 50''$  E., 846.32 FEET AND PASSING THROUGH A POINT DISTANT NORTHERLY ALONG SAID PROLONGATION 119.20 FEET FROM THE NORTHERLY TERMINUS OF SAID CERTAIN COURSE, CONTAINING 0.001 ACRE MORE OR LESS.

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56.74 FEET FROM ITS INTERSECTION WITH THE NORTHEASTERLY LINE OF SAID LOT 2; THENCE FROM SAID POINT OF BEGINNING S. 85° 45' 00" E., 31.96 FEET; THENCE N. 55° 30' 00" E., 33.00 FEET TO A POINT IN THE SAID NORTHEASTERLY LINE OF LOT 2.; THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY LINE OF LOT 2 N. 37° 45' W. 20.90 FEET; THENCE S. 54° 38' 14" W. TO THE POINT OF BEGINNING, CONTAINING 0.021 ACRE MORE OR LESS.

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