

MINUTE ITEM

2/26/70
NGT and VJB

27. AUTHORIZATION FOR EXECUTION OF SEAL BEACH BOUNDARY LINE AGREEMENT NO. 3 BETWEEN STATE, SAN GABRIEL RIVER IMPROVEMENT COMPANY, AND THE DOW CHEMICAL COMPANY; CITY OF SEAL BEACH, ORANGE COUNTY - W-8665, BLA 118.

After consideration of Calendar Item 8 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION AUTHORIZES THE EXECUTION OF SEAL BEACH BOUNDARY AGREEMENT NO. 3 BETWEEN THE STATE, SAN GABRIEL RIVER IMPROVEMENT COMPANY, AND THE DOW CHEMICAL COMPANY, WHICH IS ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF.

Attachment

Calendar Item 8 (1 page)

8.

SEAL BEACH BOUNDARY LINE AGREEMENT NO. 3
BETWEEN STATE, SAN GABRIEL RIVER IMPROVE-
MENT COMPANY, AND THE DOW CHEMICAL COMPANY;
CITY OF SEAL BEACH, ORANGE COUNTY - W-8665

Pursuant to Tideland Land Survey No. 106, made in 1885-86, the State issued a Tideland Patent affecting certain tidelands now located within the City of Seal Beach. Not included within said survey were certain sovereign lands that appear to have been the bed of the San Gabriel River. There had been no re-establishment of the survey from 1885-86 until 1966 when the Division made a resurvey thereof. During the intervening years, there have been many artificial changes in the area, caused by floods, fill projects, and particularly the straightening, in the 1930's, of the San Gabriel River to flow directly to the Pacific Ocean. The latter change cut off the area affected by this agreement from the waters of Alamitos Bay, the river and the ocean. As a result of the physical changes and lack of perpetuation of the original survey, there is considerable doubt and uncertainty over the location of the respective interests of the State and private parties.

(A map showing the area affected by the proposed agreement is attached hereto as Exhibit "A".)

The private parties to the proposed boundary agreement are willing to accept the State's 1966 resurvey as the common boundary between the respective interests of all concerned. The result will be to recognize the State's ownership of that portion of the former bed of the San Gabriel River affected by this agreement and to agree that certain lands of the private parties were included within the Tideland Patent.

A title guarantee and title report have been obtained to insure that all interests affected by this agreement are joined as parties.

The Office of the Attorney General stated that there is no legal objection to the Commission's becoming a party to the agreement on behalf of the State.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTION OF SEAL BEACH BOUNDARY AGREEMENT NO. 3 BETWEEN THE STATE, SAN GABRIEL RIVER IMPROVEMENT COMPANY, AND THE DOW CHEMICAL COMPANY, WHICH IS ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION AND BY REFERENCE MADE A PART HEREOF.