

MINUTE ITEM

7/26/71  
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23. AUTHORIZATION TO EXECUTE STIPULATION FOR JUDGMENT, VERYL ST. VRAIN V. STATE, ET AL., AND STATE OF CALIFORNIA V. LEON ST. VRAIN, ET AL., SHASTA COUNTY SUPERIOR COURT NO. 35714 - W 503.531.

After consideration of Calendar Item 11 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. FINDS THAT IT IS NECESSARY, EXPEDIENT, AND IN THE BEST INTERESTS OF THE STATE TO ENTER INTO THE STIPULATION FOR JUDGMENT, WHICH IS ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION, IN THE CASE OF VERYL ST. VRAIN V. THE STATE, ET AL., AND STATE OF CALIFORNIA V. LEON ST. VRAIN, ET AL., SHASTA COUNTY SUPERIOR COURT NO. 35714;
2. AUTHORIZES THE EXECUTION OF THE STIPULATION FOR JUDGMENT ON BEHALF OF THE COMMISSION; AND
3. AUTHORIZES THE OFFICE OF THE ATTORNEY GENERAL TO ENTER INTO SUCH STIPULATION.

Attachment:

Calendar Item 11 (1 page)

CALENDAR ITEM

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11.

STIPULATION FOR JUDGMENT, VERYL ST. VRAIN V. STATE, ET AL., AND STATE OF CALIFORNIA V. LEON ST. VRAIN, ET AL., SHASTA COUNTY SUPERIOR COURT  
NO. 35714 - W 503.531.

The subject action has been pending since 1967 to quiet title to a parcel of land lying within a former channel of the Sacramento River in Shasta County between the Cities of Redding and Anderson. The plaintiff in the Veryl St. Vrain v. State, et al., action claims title to certain accretions which have formed adjacent to his upland in a former channel of the Sacramento River. The State contends that the parcel of land involved is sovereign land of the State of California as part of the former river bed.

Because of difficult and complicated legal and factual questions, a Stipulation For Judgment has been prepared and is on file in the office of the State Lands Commission wherein it is agreed that the parcel in question has in fact been created by natural accretion. In addition, in consideration for establishing the boundary lines of the "normal low water channel of the Sacramento River" in the vicinity of and adjacent to the lands owned or claimed by the parties to this action, and in consideration for the agreement of all such parties to such adjudicated boundary lines, the State Lands Division, pursuant to Section 6357 of the Public Resources Code, believes that the Stipulation for Judgment should be executed. The Stipulation For Judgment provides for a boundary line to be adjudicated on both sides of the existing waterway of the Sacramento River adjacent to the land owned by various parties to the action. It is in the opinion of the State Lands Division and the Office of the Attorney General that the boundary lines set forth in the Stipulation represent a fair and equitable solution of this case and that it is in the best interests of the State. Both the State Lands Division and the Office of the Attorney General recommend approval of the Stipulation. (A copy of the proposed Stipulation is attached as Exhibit A.)

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT IT IS NECESSARY, EXPEDIENT, AND IN THE BEST INTERESTS OF THE STATE TO ENTER INTO THE STIPULATION FOR JUDGMENT, WHICH IS ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION, IN THE CASE OF VERYL ST. VRAIN V. THE STATE, ET AL., AND STATE OF CALIFORNIA V. LEON ST. VRAIN, ET AL., SHASTA COUNTY SUPERIOR COURT NO. 35714;
2. AUTHORIZE THE EXECUTION OF THE STIPULATION FOR JUDGMENT ON BEHALF OF THE COMMISSION; AND
3. AUTHORIZE THE OFFICE OF THE ATTORNEY GENERAL TO ENTER INTO SUCH STIPULATION.