

MINUTE ITEM

This Calendar Item No. 33  
was approved as Minute Item  
No. 33 by the State Lands  
Commission by a vote of 3  
to 0 at its 2/24/77  
meeting.

CALENDAR ITEM

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33.

STIPULATION FOR THE CASE OF CITY OF LONG BEACH  
V. ROY CRAWFORD, ET AL., SOC 23519, AMENDING  
AND FINALIZING THE JUDGMENT PREVIOUSLY ENTERED  
THEREIN AND FOR DISMISSAL OF APPEAL

In 1970, the City of Long Beach filed a complaint to quiet  
title of Lot 5 in Block 44 of Resubdivision of Part of  
Alamitos Bay Townsite (City of Long Beach v. Roy Crawford et al.)

Pursuant to Section 6308, of the Public Resources Code, the  
State was named as a necessary party since (1) boundaries of  
granted tidelands and submerged lands were at issue, and (2)  
plaintiff had expended tideland trust revenues for maintenance  
of portions of the property as a public beach.

The above entitled action and six companion cases were con-  
solidated for trial:

City of Long Beach v. Hazel Hansen

City of Long Beach v. Herbert McKim

City of Long Beach v. William Sheehan

City of Long Beach v. Catherine Daugherty

City of Long Beach v. Roy Crawford

City of Long Beach v. Robert Michael O'Meara

In the course of pretrial proceedings, the private parties  
admitted that the seaward boundary of their respective lots is  
the boundary described in Chapter 138, Statutes of 1963, 1st  
E.S., and abandoned their contentions of a more seaward location  
of said boundary. The court found that the entire Crawford  
parcel, including the improved portion thereof, was subject  
to public recreational easement of the type described in Gion  
v. City of Santa Cruz, 2 Cal. 3d 29 (1970). The State had  
contended that said easement exists over only the unimproved  
portion of said parcel.

The Hansen and O'Meara cases were settled with the approval of  
the Commission prior to judgment being entered. The Mullinax  
case was settled on appeal with the approval of the Commission after  
substitution of the purchaser of the property in place of the  
named defendant. The McKim, Daugherty, Crawford and Sheehan  
cases have been noticed for appeal. Only Daugherty and Sheehan  
cases have been briefed by appellant. John F. Suttie has  
been substituted as a party defendant/appellant in place of

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defendants/appellant Roy Crawford and Louise W. Crawford, after having purchased the Crawford property and having obtained an assignment of claims from Roy Crawford and Louise W. Crawford.

After evaluation of the facts and circumstances, the City of Long Beach and John F. Suttie have reached an agreement to a complete compromise and settlement of the Crawford case. The City, the State and private parties will join in executing a stipulation amending and finalizing the judgment previously entered and a request for dismissal of the appeal. The above referred to stipulation provides for the existence of the Gion easement over the unimproved portions of the property only. This is consistent with the State's position and the settlements for the Mullinex, Hansen and O'Meara cases. Approval of the State Lands Commission for execution of the stipulation and request for dismissal is necessary since the State is a party. Forms of these documents are on file with the State Lands Division.

EXHIBIT: A. Site Map.

IT IS RECOMMENDED THAT THE STATE LANDS COMMISSION AUTHORIZE THE OFFICE OF THE ATTORNEY GENERAL TO EXECUTE THE STIPULATION FOR THE CASE OF THE CITY OF LONG BEACH V. ROY CRAWFORD, SOC NO. 23519, AMENDING AND FINALIZING THE JUDGMENT PREVIOUSLY ENTERED THEREIN AND FOR DISMISSAL OF APPEAL AND TAKE ANY NECESSARY AND APPROPRIATE ACTION TO ACCOMPLISH THE FOREGOING.