

MINUTE ITEM

This Calendar Item No. 48
was approved as Minute Item
No. 48 by the State Lands
Commission by a vote of 3
to 0 at its 4/28/77
meeting.

CALENDAR ITEM

48

4/77
W 2400.117
SCL

PROPOSED ANNEXATION
CITY OF EUREKA

The City of Eureka proposes to annex adjacent tide and submerged lands to its city limits. These tide and submerged lands are owned by the State of California and under the jurisdiction of the State Lands Commission. Section 35014, of the California Government Code, provides for the approval or disapproval by the State Lands Commission of the description of the offshore boundaries of an annexation that includes tide and submerged lands owned by the State, and for the reporting of its determination to the City and the County and the Executive Officer of the Local Agency Formation Commission of the County. Staff review of the map and legal description of the proposed annexation shows compliance with the provision of said section.

Approval of the map and of the legal description is made pursuant to Section 35014, of the California Government Code, and does not constitute approval by the State, as owner of the tide and submerged lands of the proposed annexation.

The City of Eureka wishes to annex the subject property pursuant to Government Code Section 54797.1. This section would allow the City to complete the annexation without notice and hearing and without an election, if owners of the land within such territory to be annexed consent in writing to such annexation and if the Local Agency Formation Commission gives its approval and authorization.

The City of Eureka has requested that the State Lands Commission give its written approval pursuant to California Government Code Section 54797.1, supporting the annexation of the lands owned by the State of California under the jurisdiction of the State Lands Commission. Said consent would allow for the possibility of the annexation to proceed without hearing and election and would result in savings to the City of Eureka both in staff time and money. The City has informed staff that approval by the State Lands Commission will cut in half the number of steps necessary to complete the annexation and will shorten the time period to process said annexation.

EXHIBITS: A. Land Description. B. Location Map,

IT IS RECOMMENDED THAT THE COMMISSION APPROVE THE PROPOSED OFFSHORE BOUNDARIES OF THE PROPOSED ANNEXATION BY THE CITY OF EUREKA, AS DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF AND AUTHORIZE STAFF COUNSEL TO GIVE THE REQUISITE NOTICES TO THE COUNTY OF HUMBOLDT, CITY OF EUREKA, AND THE EXECUTIVE OFFICER OF THE LOCAL AGENCY FORMATION COMMISSION OF HUMBOLDT COUNTY OF SAID APPROVAL.

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CALENDAR ITEM NO. 48 (CONTD)

IT IS RECOMMENDED THAT THE STATE LANDS COMMISSION, PURSUANT TO THE REQUIREMENTS OF CALIFORNIA GOVERNMENT CODE SECTION 54797.1, APPROVE THE ANNEXATION OF TIDE AND SUBMERGED LANDS OWNED BY THE STATE OF CALIFORNIA, UNDER THE JURISDICTION OF THE STATE LANDS COMMISSION AND AUTHORIZE STAFF TO SEND A WRITTEN NOTICE OF SUCH APPROVAL TO THE CITY OF EUREKA.

Attachment: Exhibit "A"

EXHIBIT "A"

DESCRIPTION

W 2400.117

SOUTH BROADWAY ANNEXATION NO. 2

BEGINNING at a point on the east-west section line common to Section 33, T5N, R1W, and Section 4, T4N, R1W, H.B.&M., at its intersection with the easterly right-of-way line of the North-western Pacific Railroad, as said right-of-way is described in Book 16 of Deeds, page 517, Official Records of Humboldt County, said point also being on the southerly boundary line of the existing City limits of the City of Eureka:

1. thence Southerly along said easterly right-of-way line to the quarter section line running east-west through the center of Section 4, T4N, R1W, H.B.&M.;
2. thence West along said quarter section line, and along the westerly projection thereof, to the center of projected Section 5, T4N, R1W, H.B.&M.;
3. thence North along the north-south quarter section line of said projected Section 5, and along the north-south quarter section line of projected Section 32, T5N, R1W, H.B.&M. to the northwest corner of the southwest quarter of the northwest quarter of the southeast quarter of said Section 32;
4. thence northeasterly in a straight line to a point on the east-west quarter section line, running through the center of said Section 32, that is 2,000 feet westerly, measured along said line, from the east line of said Section 32, said point being on the existing city limits of the City of Eureka;
5. thence in a general easterly and southerly direction along the existing city limits of the City of Eureka to the point of beginning.