

MINUTE ITEM

This Calendar Item No. 28
was approved as Minute Item
No. 28 by the State Lands
Commission by a vote of 3
to 0 at its 7-23-81
meeting.

MINUTE ITEM

7/23/81
Fossum
W 2400.135

28. PROPOSED ANNEXATION/CITY OF DEL MAR

During consideration of Calendar Item 28 attached, Mr. Robert C. Hight, Chief Counsel, explained that the Twenty-Second Agricultural District (Del Mar Fairgrounds) has opposed this annexation. He further explained there is disagreement between the City and other public agencies over this annexation, but since the area to be annexed is relatively small, he indicated the staff has no objection. However, the Commission was concerned about approving an annexation that has been opposed by another governmental agency which is utilizing the area.

Based on the above, the Commission voted 3-0 for the following resolution:

THE COMMISSION:

1. OBJECTS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 35009 TO THE APPROVAL OF THE ANNEXATION OF TIDE AND SUBMERGED LANDS OWNED BY THE STATE AND UNDER THE JURISDICTION OF THE STATE LANDS COMMISSION, DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, AND AUTHORIZES STAFF TO SEND A WRITTEN NOTICE TO THE CITY OF DEL MAR AND THE LOCAL AGENCY FORMATION COMMISSION OF SAN DIEGO COUNTY.

Attachment: Calendar Item 28

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CONSENT OF STATE LANDS COMMISSION
AS LANDOWNER TO THE PROPOSED ANNEXATION
TO THE CITY OF DEL MAR

On June 21, 1981, the State Lands Commission approved the boundaries of Del Mar's proposed annexation of lands adjacent to its city limits including tide and submerged lands. The City of Del Mar wishes to annex the subject property pursuant to Government Code Sections 3500 et seq. These sections require approval by the State Lands Commission of any annexation by a City of state or trustee owned tide and submerged lands.

The City of Del Mar and San Diego County LAFCO have requested that the State Lands Commission give its approval pursuant to California Government Code Section 35009, supporting the annexation of the lands owned by the State of California under the jurisdiction of the State Lands Commission. It should be further noted that the proposed annexation would only affect a change in the police power jurisdiction status of these lands from an unincorporated to incorporated area of San Diego County and not effect in any manner property interests or the jurisdiction of the State Lands Commission over public trust lands.

A portion of the lands proposed to be annexed are offshore tide and submerged lands lying below the mean high tide line of the Pacific Ocean. Another portion of the annexation area includes present and historic tide and submerged lands within San Diegueto Lagoon -- the exact location of the boundaries to these lands and extent of State interest has not been determined.

Therefore, staff suggests approval of the annexation of all lands and interests in lands under the jurisdiction of the State Lands Commission and within the proposed annexation areas be approved for annexation to the City of Del Mar.

AB 834:

N/A.

EXHIBITS:

A. Land Description. B. Location Map.

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CALENDAR ITEM NO. 28 (CONTD)

IT IS RECOMMENDED THAT THE COMMISSION:

1. GIVE CONSENT PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 35009, TO THE APPROVAL OF THE ANNEXATION OF TIDE AND SUBMERGED LANDS OWNED BY THE STATE AND UNDER THE JURISDICTION OF THE STATE LANDS COMMISSION, DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, AND AUTHORIZE STAFF TO SEND A WRITTEN NOTICE TO THE CITY OF DEL MAR AND THE LOCAL AGENCY FORMATION COMMISSION OF SAN DIEGO COUNTY.

EXHIBIT "A"

LAND DESCRIPTION

W2400.135

All of the present and historic tide and submerged lands within that portion of Section 2, Township 14 South, Range 4 West, San Bernardino Base and Meridian, in the County of San Diego, State of California, according to United States Government Survey; and that portion of adjacent tide and submerged lands lying within the following described boundaries.

Beginning at the Southeast corner of said Section 2;

1. Thence Northerly along the Easterly line of said Section to the Northerly line of Via De La Valle as it existed on May 22, 1981, and a portion of which is shown as Road Survey No. 443, map on file in the County Engineer's Office of said County;
2. Thence Westerly along the Northerly line of said Via De La Valle, of varying widths, to the Westerly line of the 200.00 foot Atchison Topeka and Santa Fe Railroad Right of Way;
3. Thence Westerly in a straight line to a point on the Northerly line of Border Avenue, Road Survey No. 1589, on file in the County Engineer's Office of said County, being North 89° 49' 32" East, 125.87 feet from the most Southerly Southeast Corner of Lot 1 of Del Mar Beach Club East according to Map No. 7402, records of said County;
4. Thence Westerly along said Northerly line of Border Avenue and the prolongation thereof to the Westerly line of Sierra Avenue being also the Easterly line of Lot 1 of Del Mar Beach Club East according to Map No. 6838, records of said County;
5. Thence Southerly along said Easterly line of Lot 1 to the Southerly line of said Map No. 6838 being also the Northerly line of the Southerly 660.00 feet of Lot 5 of said Section 2.
6. Thence South 89° 49' 32" West, 562.32 feet along said South line to the mean high tide line as shown on said Map No. 6838;
7. Thence South 89° 49' 32" West, three miles to the Westerly boundary of the State of California.
8. Thence Southerly along said boundary to an intersection with the Westerly prolongation of the South line of said Section 2;
9. Thence Easterly along said Westerly prolongation and along said South line to the point of beginning.

END OF DESCRIPTION

REVIEWED JULY 10, 1981, BY TECHNICAL SERVICES UNIT, ROY MINNICK,
SUPERVISOR.

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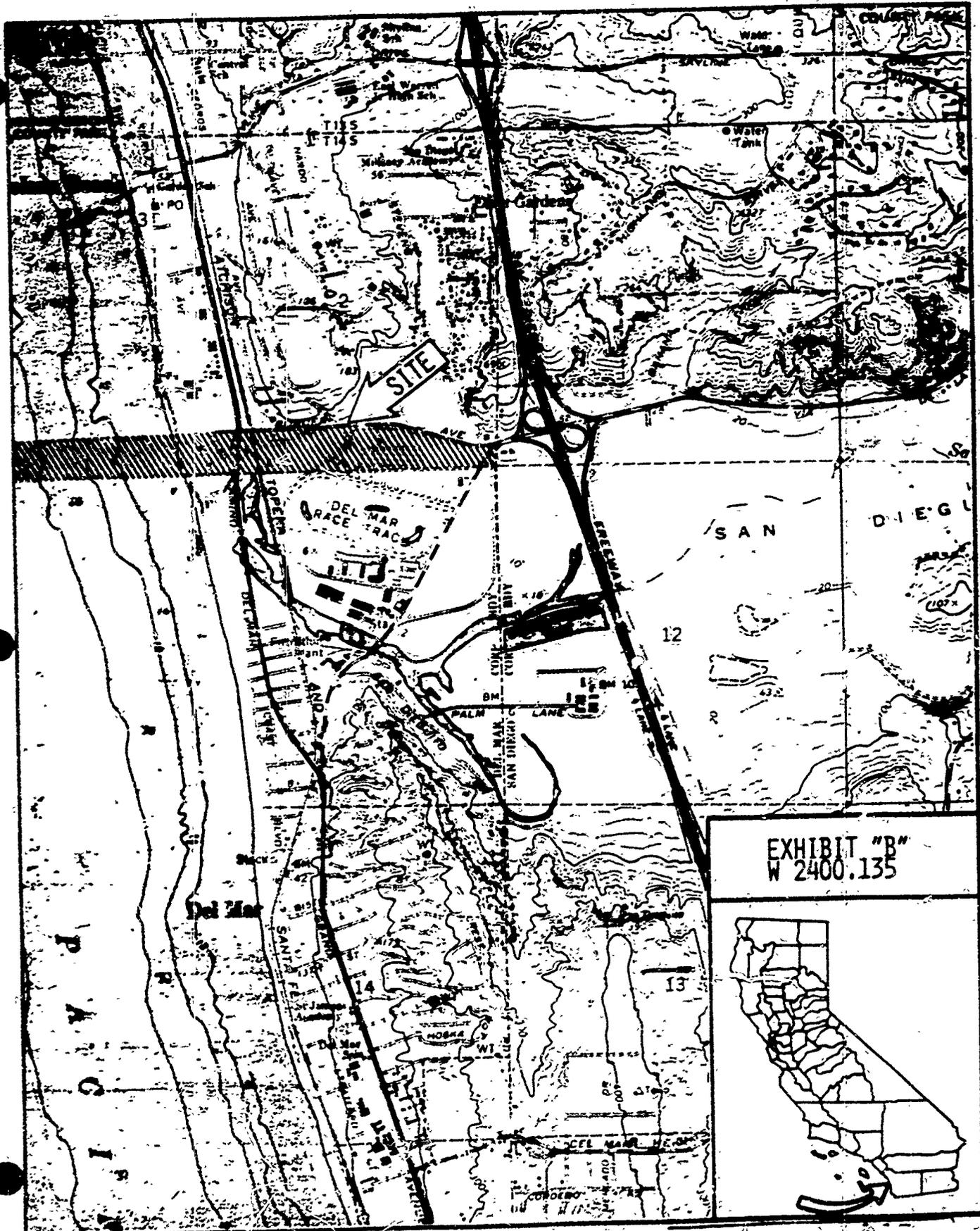


EXHIBIT "B"
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