

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 3/22/84
meeting.

CALENDAR ITEM

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3/22/84
W 23254
Frey

ACCEPTANCE OF RETROCESSION OF
PARTIAL JURISDICTION AND ESTABLISHMENT OF
CONCURRENT JURISDICTION OVER 67.5 ACRES,
MORE OR LESS, OF LAND AT NAVAL RADIO STATION
IMPERIAL BEACH, SAN DIEGO COUNTY

Government Code Section 113 provides as follows:

"The Legislature of California hereby consents to the retrocession of jurisdiction by the United States of land within this State upon and subject to each and all of the following express conditions:

- (a) The United States must in writing have requested State Acceptance of retrocession, and unless there is an officer of the United States Empowered by a United States statute to cede jurisdiction, said request shall be by the act of Congress; such retrocession may return all jurisdiction to the State or may provide for concurrent jurisdiction.
- (b) When the conditions of subsection (a) of this section have been found and declared to have occurred and to exist, by the State Lands Commission, the Commission shall hold a hearing to determine whether acceptance of such retrocession is in the best interest

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of the State. Notice of such hearing shall be published pursuant to Section 6061 in each county in which the land or any part thereof is situated and a copy of such notice shall be personally served upon the clerk of the board of supervisors of each county. The State Lands Commission shall make rules and regulations governing the conditions and procedure of such hearings.

- (c) The determination of the State Lands Commission shall be final and jurisdiction acceptance shall become effective when certified copies of its orders or resolutions have been filed in the Office of the Secretary of State and recorded in the Office of the County Recorder of each county in which any part of the land is situated."

On July 18, 1983, F. S. Sterns, Deputy Assistant Commander for Real Estate, United States Navy, addressed a letter to the State of California requesting that the State of California accept retrocession of partial jurisdiction and establishment of concurrent jurisdiction over 68.3 acres, more or less, of land within Naval Radio Station, Imperial Beach, San Diego County. The request was made pursuant to authority granted the Secretary of the Navy under Title 10, United States Code, Section 2683.

On September 22, 1983, Calendar Item 30, the State Lands Commission authorized a public hearing for the purpose of determining whether it was in the best interest of the State to adjust the jurisdiction of the United States over the lands described in the letter of July 18, 1983.

The hearing was scheduled for October 28, 1983, at 10:30 a.m., 1220 Pacific Highway, San Diego, California. Notice thereof was published in the San Diego Tribune, and notice of said hearing was personally served on the Clerk of the Board of Supervisors of San Diego County. Affidavits of publication and service are filed in the records of the Commission.

The hearing was held as noticed. No comments regarding the adjustment were received at the hearing. The Station is within the boundaries of the City of Coronado. The City was contacted by the Navy and agrees with the adjustment.

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The retrocession would be in the best interest of the State in connection with the administration of local police power over the area.

EXHIBITS: A. Parcel Map.
 B. Land Description.
 C. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT THE RETROCESSION OF JURISDICTION HEARING HELD ON OCTOBER 28, 1983, COMPLIED WITH THE STATUTES AND REGULATIONS FOR RETROCESSION OF JURISDICTION AND THAT THE FOLLOWING CONDITIONS HAVE BEEN SATISFIED:
 - A. THE UNITED STATES HAS REQUESTED IN WRITING THAT THE STATE OF CALIFORNIA ACCEPT THE RETROCESSION OF PARTIAL JURISDICTION AND THE ESTABLISHMENT OF CONCURRENT JURISDICTION OVER THE LANDS DESCRIBED IN EXHIBIT "F" ATTACHED AND BY REFERENCE MADE A PART HEREOF, SAID LANDS BEING WITHIN THE STATE OF CALIFORNIA.
 - B. SAID REQUEST WAS MADE BY AN OFFICER OF THE UNITED STATES EMPOWERED BY THE UNITED STATES STATUTE (10 U.S.C. 2683) TO CEDE JURISDICTION TO THE STATE OF CALIFORNIA.
2. DETERMINE THAT A RETROCESSION OF PARTIAL JURISDICTION AND ESTABLISHMENT OF CONCURRENT JURISDICTION OVER THE LANDS DESCRIBED IN EXHIBIT "B" ATTACHED AND BY REFERENCE MADE A PART HEREOF IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA.
3. ACCEPT THE RETROCESSION OF PARTIAL JURISDICTION AND ESTABLISH CONCURRENT JURISDICTION OVER THE LANDS DESCRIBED IN EXHIBIT "B" ATTACHED AND BY REFERENCE MADE A PART HEREOF.
4. AUTHORIZE THE DISTRIBUTION OF CERTIFIED COPIES OF THIS CALENDAR ITEM AS FOLLOWS:
 - A. ONE COPY TO BE FILED WITH THE SECRETARY OF STATE, STATE OF CALIFORNIA;
 - B. ONE COPY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY;

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- C. ONE COPY TO BE MAILED TO F. S. STERNS, DEPUTY ASSISTANT
COMMANDER FOR REAL ESTATE, UNITED STATES NAVY,
WASHINGTON, D. C.

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EXHIBIT "B"

RETROCESSION OF JURISDICTION
AT
NAVAL COMMUNICATIONS STATION
IMPERIAL BEACH, SAN DIEGO, CALIFORNIA

LEGAL DESCRIPTION

Four parcels of land being designated "Southwest Parcel", "Southeast Parcel", "Northeast Parcel", and "Easterly Parcel" for the purposes of this legal description lying in the semi-island or Peninsula of San Diego, according to Patent Book 1, pages 55-57 (inclusive) on file in the Office of the County Recorder of San Diego County, situated in the City of Coronado, County of San Diego, State of California, being a portion of Naval Communications Station, as described in Decree on Declaration of Taking filed in Civil Action No. 128-SD dated 18 October 1941; in Civil Action No. 278-SD dated 19 February 1943; and in Civil Action 202-SD dated 15 October 1942 had in the District Court of the United States in and for the Southern District of California, Southern Division, and the boundaries of the said parcels being described as follows:

Southwest Parcel

COMMENCING at a six inch by six inch concrete monument set for the most southerly corner of parcel of land described in Book 1551, page 275, recorded 10 September 1943 and Book 1714, page 96, recorded 13 July 1944, both in Official Records in the Office of said County Recorder; thence, proceeding South 68°31'44" West, (South 68°30' West, Rec.) 2230.33 feet to the TRUE POINT OF BEGINNING; thence traversing along the Naval boundary lines the following courses:

1. South 5°15'16" East, (South 5°17' East, Rec.) 223.47 feet;
2. Thence, North 89°50'16" West, (North 89°52' West, Rec.) 582.18 feet;
3. Thence, South 68°31'44" West, (South 68°30' West, Rec.) 491.32 feet;
4. Thence, North 86°26'16" West, (North 86°28' West, Rec.) 201.13 feet to the most southwesterly corner;
5. Thence, leaving said boundary North 3°33'44" East (North 3°32' East), 42.42 feet;
6. Thence, North 26°33'54" East, (North 26°32'10" East) 65 feet to the sea wall;
7. Thence, North 2°36'09" East, (North 2°34'25" East) 440 feet along the sea wall;

8. Thence, North 35°09'59" East, (North 35°08'15" East) 50.90 feet (computed);
9. Thence along the fence, North 10°37'11" East, (North 10°35'27" East, 520 feet;
10. Thence, Due North (North 0°01'44" West), 480 feet to the northwest corner;
11. Thence, North 84°44'44" East, (North 84°43' East) 930 feet to the northeast corner;
12. Thence, South 5°15'16" East, (South 5°17' East, Rec.) 1275 feet to the TRUE POINT OF BEGINNING.

Said Southwest Parcel contains 36.62 acres, more or less.

LEGAL DESCRIPTION	
WRITTEN	APPROVED:
<i>Geo. M. K.</i>	
CHECKED	
<i>LL</i>	
PROCESSED	DATE
<i>LL</i>	6 JAN 1994

LEGAL DESCRIPTION

Southeast Parcel

COMMENCING at a six inch by six inch concrete monument set for the most southerly corner of parcel of land described in Book 1551, page 275, recorded 10 September 1943 and Book 1716, page 96, recorded 13 July 1944, both in Official Records in the Office of said County Recorder; thence, same point being the TRUE POINT OF BEGINNING, proceed South 68°31'44" West (South 68°30' West, Rec.), 57.67 feet to the intersection with the easterly right of way line of State Highway 75; thence, along said right of way line on a curve to the right, having a radius of 2161.00 feet, central angle 7°07'12", curve length 268.54 feet, chord North 8°13'42" West, 268.369 feet;

Thence, North 4°40'06" West, 260.09 feet;

Thence along Naval boundary, South 35°35'21" East, (South 35°37'05" East, Rec.) 94.157 (computed) feet to the intersection of Navy boundary line;

Thence, South 13°48'26" East, (South 13°50'10" East, Rec.) 227.06 feet along said boundary;

Thence, South 26°03'16" East, (South 26°05' East, Rec.) 165.18 feet to the southerly line of Rancho Feninsula of San Diego;

Thence, South 49°31'44" West (South 49°30' West, Rec.), 89.77 feet to the TRUE POINT OF BEGINNING.

Above Southeast parcel contains 0.905 acres, more or less.

LEGAL DESCRIPTION	
WRITTEN <i>Original</i>	APPROVED: <i>[Signature]</i>
CHECKED <i>[Signature]</i>	DATE: 6 JAN 1954
PROVED <i>[Signature]</i>	

LEGAL DESCRIPTION

Northeast Parcel

BEGINNING at the northernmost boundary corner of Naval Radio Receiving Facility (approximate coordinates Zone 6, 162250 N 1728580 E) proceed along said Naval boundary South 25°25'16" East (South 25°27' East, Rec.), 132.99 feet;

Thence, South 40°42'27" East, (South 40°44'11" East, Rec.) 116.36 feet;

Thence, South 13°23'51" East, (South 13°25'35" East, Rec.) 60.83 feet;

Thence South 32°34'17" East, (South 32°36'01" East, Rec.) 629.99 feet to the intersection with easterly right of way line of State Highway 75; thence, along said right of way line on a portion of spiral curve concave northeasterly, having a central angle of 2°02'42", length 102.696 feet, chord North 36°07'10" West, 102.692 feet to a point of tangency; thence along the tangent line North 35°05'50" West, 524.89 feet to the beginning of curve to the right; thence along said curve, having a radius of 5742.15 feet, central angle 3°15'20", length 326.270 feet, chord North 33°29'20" West, 326.225 feet to the intersection with northerly boundary line of said Naval facility; thence along said boundary line North 76°03'41" East (North 76°00'16" East, Rec.), 57.805 feet to the TRUE POINT OF BEGINNING.

Above Northeast parcel contains 0.553 acres, more or less.

LEGAL DESCRIPTION	
WRITTEN <i>Alvin X</i>	APPROVED: <i>[Signature]</i>
CHECKED <i>[Signature]</i>	DATE: 6 JAN 1984
PROOFED <i>[Signature]</i>	

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LEGAL DESCRIPTION

Easterly Parcel

COMMENCING at a six inch by six inch concrete monument set for the most southerly corner of parcel of land described in Book 1551, page 275, recorded 10 September 1943 and Book 1714, page 96, recorded 13 July 1944, both in Official Records in the Office of said County Recorder; thence, proceed along Naval boundary North 49°31'44" East (North 49°30' East, Rec.), 89.77 feet;

Thence, North 26°03'16" West, (North 26°05' West, Rec.) 165.18 feet;

Thence, North 13°48'26" West, (North 13°50'10" West, Rec.) 227.06 feet;

Thence, North 35°35'21" West, (North 35°37'05" West, Rec.) 131.29 feet;

Thence, North 2°26'01" West, (North 2°27'45" West, Rec.) 106.40 feet;

Thence, North 8°33'21" West, (North 8°35'05" West, Rec.) 226.12 feet;

Thence, North 3°10'19" East, (North 3°08'35" East, Rec.) 125.01 feet;

Thence, North 5°22'01" West, (North 5°23'45" West, Rec.) 124.33 feet;

Thence, North 1°40'27" West, (North 1°42'11" West, Rec.) 210.66 feet;

Thence, North 4°20'32" East, (North 4°18'48" East, Rec.) 227.19 feet;

Thence, North 12°38'53" East, (North 12°37'09" East, Rec.) 58.38 feet to the TRUE POINT OF BEGINNING; thence leaving said Naval boundary proceed along the curve to the right, along former westerly right of way of San Diego Railroad Company, said curve having a radius of 967.87 feet, central angle 6°54'47", length 116.78 feet, chord North 12°31'58.5" West, 116.708 feet; thence, along a spiral curve concave easterly, having a central angle 10°48'00", length 362.256 feet, chord North 3°40'35" West, 361.82 feet; thence, along easterly right of way line of State Highway 75, North 1°43'25" East, 773.08 feet to the beginning of another spiral curve; thence along the spiral curve to the left, (concave westerly), having a central angle of 5°24'00", length 268.82 feet, chord North 0°58'35" West, 268.722 feet to the beginning of a simple curve to the left; thence, along said curve, having a radius of 1420.19 feet, central angle 9°27'18", length 234.36 feet, chord North 8°24'14" West, 234.095 feet to the beginning of a spiral curve to the left; thence, along said spiral curve having a central angle of 5°24'00", length 268.82 feet, chord North 15°49'53" West, 268.722 feet to the end of the spiral; thence, North 18°31'53" West, 1526.75 feet to the beginning of spiral curve to the left, concave southwesterly, having a central angle of 6°45'00", length 298.527 feet, chord North 21°54'23" West, 298.355 feet to the beginning of a simple curve to the left; thence, along said curve having a central angle of 40°10'42", radius 1261.07 feet, length 884.318 feet, chord North 45°22'14" West, 866.310 feet to the beginning of spiral curve to the left; thence, along said curve having a central angle of 5°53'51", length 260.825 feet, chord North 68°24'31" West, 260.707 feet to the intersection with Naval boundary line; thence along said boundary line the following twenty-three (23) courses:

1. South 79°44'49" East, (South 79°46'33" East, Rec.) 255.368 feet;
2. Thence, South 84°45'03" East, (South 84°46'47" East, Rec.) 205.79 feet;
3. Thence, South 88°23'20" East, (South 88°25'04" East, Rec.) 245.69 feet;
4. Thence, South 76°23'22" East, (South 76°25'06" East, Rec.) 162.73 feet;
5. Thence, South 53°50'49" East, (South 53°52'33" East, Rec.) 353.44 feet;
6. Thence, South 76°13'56" East, (South 76°40'15" East, Rec.) 187.74 feet;
7. Thence, South 57°27'33" East, (South 57°29'17" East, Rec.) 193.77 feet;
8. Thence, South 1°22'50" West, (South 1°21'06" West, Rec.) 397.40 feet;
9. Thence, South 28°29'46" East, (South 28°31'30" East, Rec.) 416.00 feet;
10. Thence, South 3°57'12" East, (South 3°58'56" East, Rec.) 196.44 feet;
11. Thence, South 21°12'22" West, (South 21°10'38" West, Rec.) 260.55 feet;
12. Thence, South 10°45'46" West, (South 10°44'02" West, Rec.) 243.06 feet;
13. Thence, South 5°32'10" East, (South 5°33'54" East, Rec.) 325.56 feet;
14. Thence, South 20°46'36" East, (South 20°48'20" East, Rec.) 167.12 feet;
15. Thence, South 7°57'49" East, (South 7°59'33" East, Rec.) 217.28 feet;
16. Thence, South 47°43'35" East, (South 47°45'19" East, Rec.) 135.07 feet;
17. Thence, South 44°12'49" West, (South 44°11'05" West, Rec.) 219.46 feet;
18. Thence, South 12°33'26" East, (South 12°35'10" East, Rec.) 171.25 feet;
19. Thence, South 2°44'47" West, (South 2°43'03" West, Rec.) 195.09 feet;

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20. Thence, South 13°20'11" West, (South 13°18'27" East, Rec.)
113.66 feet;
21. Thence, South 0°41'35" West, (South 0°39'51" West, Rec.)
732.05 feet;
22. Thence, South 1°31'41" East, (South 1°33'05" East, Rec.)
253.87 feet;
23. Thence, South 12°38'53" West, (South 12°37'09" West, Rec.)
.129.119 feet to the TRUE POINT OF BEGINNING.

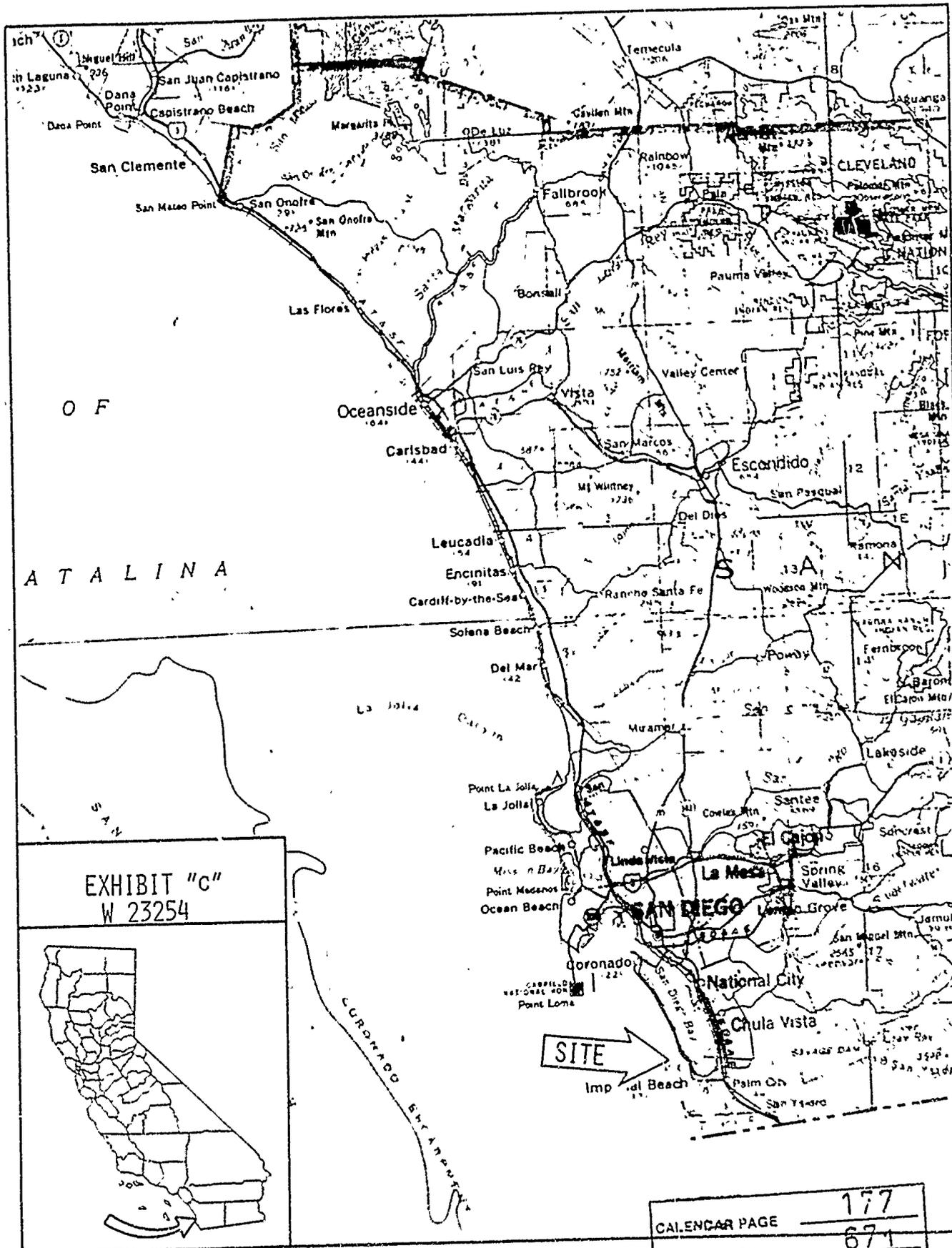
Above Easterly parcel contains 30.765 acres, more or less.

All is shown on Department of the Navy's map having a WESTDIV Drawing Number C-102577 made a part hereof and attached hereto.

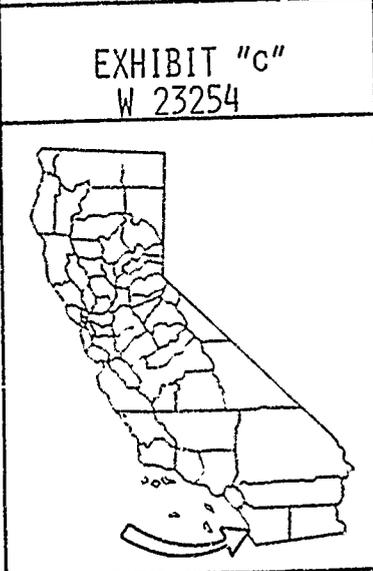
NOTE: Basis of bearings per CALTRANS, the California Coordinate System (Lambert Grid) Zone 6.

LEGAL DESCRIPTION	
WRITTEN	APPROVED
<i>Oliver A. H.</i>	
CHECKED	
<i>WJ</i>	
PROOFED	DATE: 6 JAN 1984

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