

MINUTE ITEM

This Calendar Item No. 28
was approved as Minute Item
No. 28 by the State Lands
Commission by a vote of 2
to 0 at its 11-19-87
meeting.

CALENDAR ITEM

A 75
S 38

28

11/19/87
W 2400.164
BLA 158
PRC 5438
W 2400.138
W 2400.154
W 2400.155
Fossum

DETACHMENT OF TIDE AND SUBMERGED
LANDS FROM THE CITY OF ENCINITAS AND
ANNEXATION OF THOSE LANDS TO THE CITY OF SOLANA BEACH

APPLICANT: San Diego Local Agency Formation Commission
1600 Pacific Highway, Room 452
San Diego, California 92101

The State Lands Commission has received a request from San Diego LAFCO to review and approve the boundaries for detachment of the areas described in Exhibit A and depicted on Exhibit B from the City of Encinitas and annexation into the City of Solana Beach pursuant to the Solana Fire Protection District Reorganization (Ref. R087-17).

The area includes two parcels in and adjacent to the bed of San Elijo Lagoon, which is the subject of BLA 158, and leased to the Department of Fish and Game, Wildlife Conservation Board for purposes of management of wildlife habitat and environmental protection.

Pursuant to Government Code Section 56108, the Commission is to review and approve or deny the proposed annexation boundaries as appropriate and correct, and no tide and submerged lands may be annexed without the consent of the Commission.

The staff of the Commission has reviewed the proposed boundary description in Exhibits A1 and A2 and finds them adequate.

(ADDED PGS. 142-142.7)

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Approval of the legal description pursuant to Government Code Section 56108(c) and (d) does not constitute approval by the State, as landowner of the tide and submerged lands of the proposed incorporation. Pursuant to Government Code Section 56108(a), the Commission must consent before the land under its jurisdiction can be incorporated into a City. Staff has no objections as landowner and, therefore, makes the recommendations for approval below.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884:

N/A.

EXHIBITS:

- A1. Land Descriptions.
- A2. Land Descriptions.
- B1. Site Map.
- B2. Site Map.
- C. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. ADM. CODE 15378.

(CALENDAR ITEM NO. 28 CONT'D)

2. APPROVE THE PROPOSED BOUNDARIES INVOLVING LANDS UNDER THE COMMISSION'S JURISDICTION FOR THE CITY OF SOLANA BEACH, AS DESCRIBED IN EXHIBIT A ATTACHED, BY REFERENCE MADE A PART HEREOF, PURSUANT TO CALIFORNIA, GOVERNMENT CODE SECTION 56108(c) and (d);
3. CONSENT, AS THE LANDOWNER, TO THE PROPOSED DETACHMENT AND ANNEXATION OF TIDE AND SUBMERGED LANDS UNDER THE JURISDICTION OF THE STATE LANDS COMMISSION IN SAN ELIJO LAGOON WITHIN THE AREAS DESCRIBED IN EXHIBITS A1 AND A2. PURSUANT TO GOVERNMENT CODE SECTION 56108(a).
4. AUTHORIZE STAFF TO GIVE THE REQUESTED NOTICE OF SAID APPROVAL TO THE DETACHMENT AND ANNEXATION TO THE PROPONENTS AND SAN DIEGO COUNTY LAFCO, PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 56108(e).

EXHIBIT A-1

All that portion of Section 34, Township 13 South, Range 4 West, San Bernardino Base and Meridian, in the City of Encinitas, County of San Diego, State of California, according to United States Government Survey, lying within the following described boundaries:

Beginning at the most westerly corner of Lot 29 of Seabright Acres, Map No. 2373, filed in the Office of the County Recorder of San Diego County;

1. Thence along the following courses and distances according to said Map No. 2373: South $83^{\circ}44'50''$ East 219.38 feet; North $41^{\circ}04'30''$ East 114.91 feet and North $3^{\circ}50'30''$ West 390.93 feet;
2. Thence North $89^{\circ}40'30''$ West 20.46 feet;
3. Thence North $03^{\circ}50'30''$ West 71.78 feet to the beginning of a tangent curve concave easterly having a radius of 200.00 feet;
4. Thence northerly along said curve to the northerly line of the south half of the north half of said Section 34;
5. Thence westerly along said northerly line to an intersection with a line which bears South $13^{\circ}38'$ East from a point described as follows:
Beginning at the most westerly corner of said Lot 29 of Seabright Acres, being a point on the easterly line of the 200 foot right-of-way of the Atchison, Topeka and Santa Fe Railway Company; thence along said easterly line North $13^{\circ}38'$ West, 670.00 feet; thence North $82^{\circ}42'$ East, 60.37 feet to said point;
6. Thence North $13^{\circ}38'$ West along said line to said point;
7. Thence South $82^{\circ}42'$ West, 60.37 feet to said easterly line of said 200 foot right-of-way of the Atchison, Topeka, and Santa Fe Railway Company;
8. Thence South $13^{\circ}38'$ East along said easterly line to the northerly line of said south half of the north half;
9. Thence westerly along said northerly line to the westerly line of said 200 foot right-of-way;
10. Thence southerly along said westerly line to a line bearing North $83^{\circ}44'50''$ West from the northwest corner of Lot 29 of said Seabright Acres;
11. Thence South $83^{\circ}44'50''$ East to the point of beginning.

7.19 Acres

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EXHIBIT A-2

All that portion of Section 35, Township 13 South, Range 4 West, San Bernardino Base and Meridian, in the City of Encinitas, County of San Diego, State of California, according to United States Government Survey, lying within the following described boundaries:

Beginning at the northeast corner of the northwest quarter of the southwest quarter of the northeast quarter of said Section 35;

1. Thence South $0^{\circ}05'$ East along the easterly line of said northwest quarter of the southwest quarter of the northeast quarter, 176.24 feet according to Record of Survey Map No. 3749 on file in the Office of the County Recorder of said San Diego County, October 18, 1955;
2. Thence along the following courses and distances as shown on Glencrest Unit No. 2 Map No. 3562 on file in the Office of the County Recorder of said San Diego County, December 13, 1956, South $31^{\circ}58'00''$ East 101.39 feet; South $64^{\circ}53'24''$ East 528.54 feet and South $35^{\circ}53'24''$ East 1,000.00 feet;
3. Thence South $83^{\circ}19'03''$ East 78.13 feet to the westerly right-of-way line of California State Highway 5 XI-SD-2A; map on file in the Office of the State Division of Highways in said County;
4. Thence generally in northerly and northwesterly direction along said westerly right-of-way line the following courses and distances: North $16^{\circ}36'37''$ West 65.01 feet; North $22^{\circ}14'09''$ West 362.66 feet; North $69^{\circ}54'45''$ West 100.12 feet; North $12^{\circ}53'16''$ East 292.41 feet; North $08^{\circ}50'29''$ West 367.48 feet; North $45^{\circ}23'14''$ West 198.15 feet; North $15^{\circ}08'57''$ West to the Northerly line of the south half of the northeast quarter of said Section 35.
5. Thence westerly along said northerly line to the point of beginning.

13.49 Acres

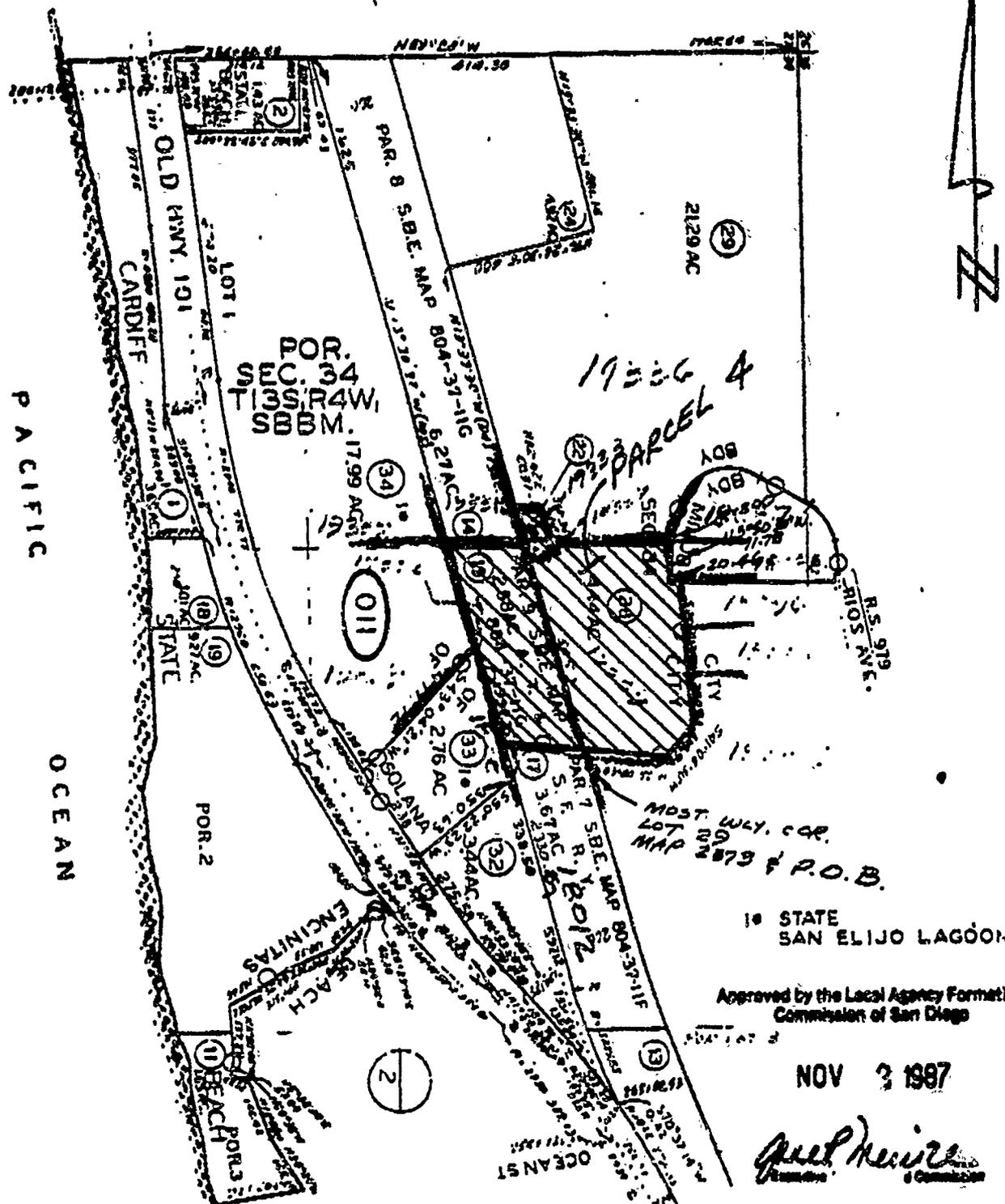
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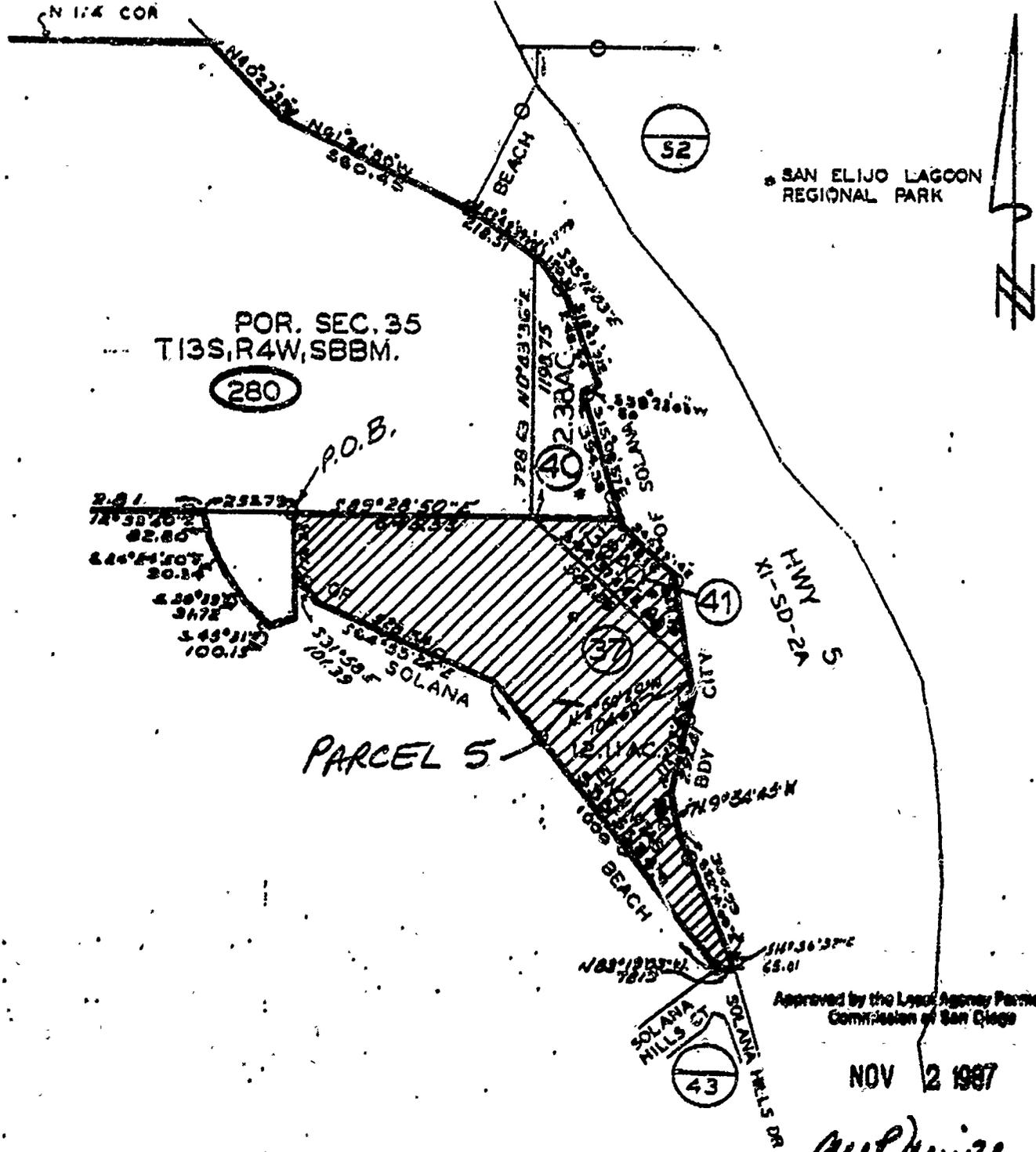
EXHIBIT B-1



19333, 19335, 19337

DATE: 10-2-87	MAPPING DIVISION	LAFCO: RO87-17
SCALE: 1" = 400'	SAN DIEGO COUNTY ASSESSOR'S OFFICE	AREA: 7.19 AC.
T.R.A. PAGE: 65-G	DETACHMENT FROM THE CITY OF ENCINITAS AND ANNEXATION TO THE CITY OF SOLANA BEACH (SOLANA BEACH FIRE DIST. REORG.)	B/L: 253-011
DRAWN BY: M. SCHURR		THOMAS BROS. 2011-23

EXHIBIT B-2



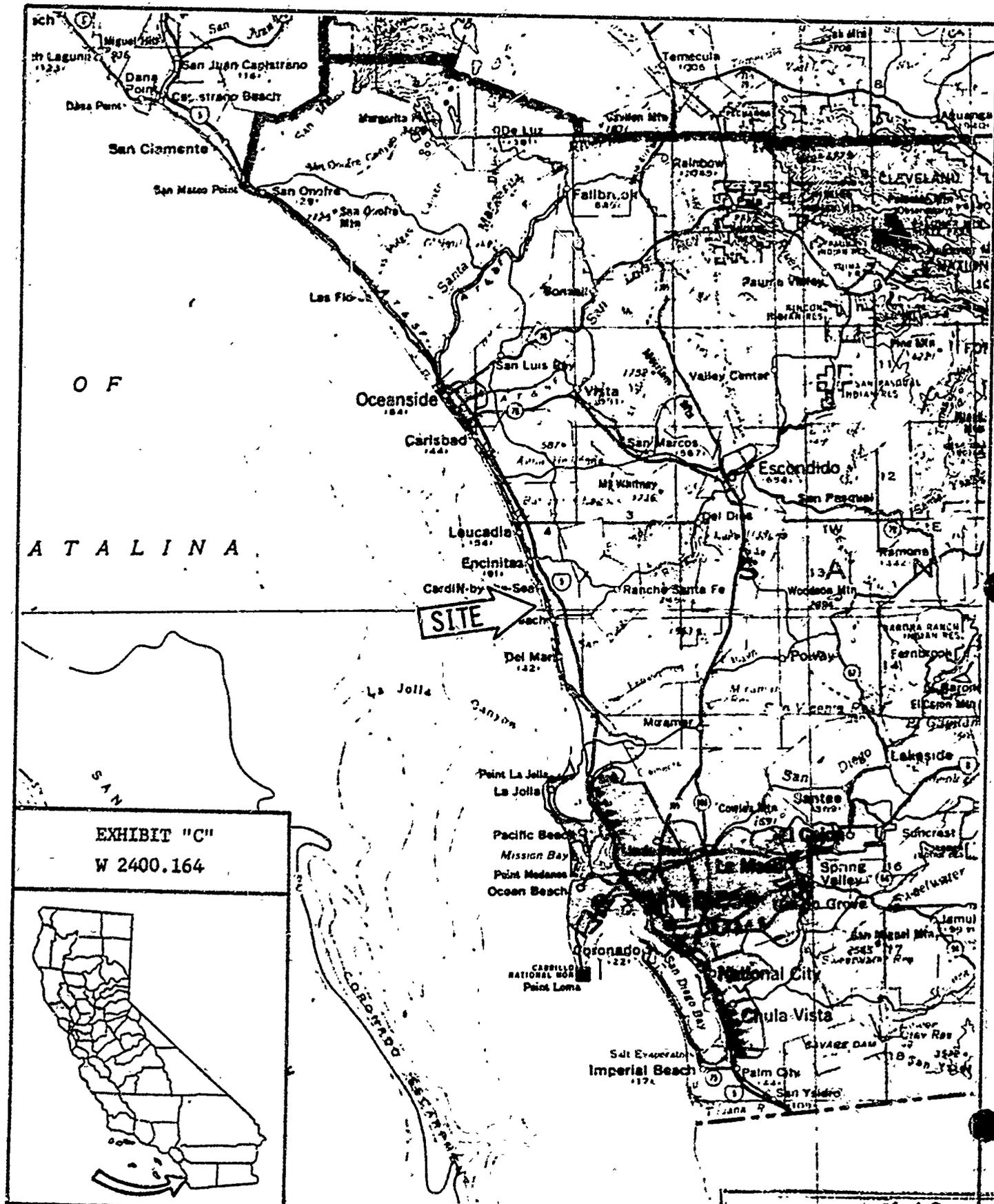
Approved by the Local Agency Formation Commission of San Diego

NOV 2 1987

Paul Merrill
 Executive
 of Commission

19340

DATE: 10.2.87	MAPPING DIVISION	LAFCO: RO87-17
SCALE: 1" = 400'	SAN DIEGO COUNTY ASSESSOR'S OFFICE	AREA: 13.49 AC
T.R.A. PAGE: 65-G	DETACHMENT FROM THE CITY OF ENCINITAS AND ANNEXATION TO THE CITY OF SOLANA BEACH (SOLANA BEACH FIRE DIST. REPEL.)	BL: 263-280
DRAWN BY: M. SCHURR		THOMAS BROS: 30-1354
		CALENDAR PAGE: 147



O F
A T A L I N A

EXHIBIT "C"
W 2400.164



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