MINUTE ITEM
This Calendar Item No. 33
was approved as Minute Item
No. 33 by the State Lands
Commission by a vote of 2 Ayes
to [illegible] at its 4/26/89
meeting.

CALENDAR ITEM

A 26

33

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04/26/89
W 2400.173
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CONSIDERATION OF BOUNDARIES REGARDING
PROPOSED ANNEXATION OF TIDE AND SUBMERGED LANDS
INTO THE CITY OF STOCKTON, SAN JOAQUIN COUNTY

APPLICANT: Grupe Development Company
Attn: Kevin Huber, Director
of Development
2291 West March Lane
Stockton, California 95207

The State Lands Commission has received a request from the Grupe Development Company to review and approve the boundaries for the Brookside Community Annexation Proposal (A-89-7).

The area proposed for annexation (commonly known as Sargent Barnhardt Tract) includes approximately 1,312 acres of land, more or less, and includes portions of the San Joaquin River, Calaveras River, Fourteen-Mile Slough, and Ten-Mile Slough. The area is west of Interstate Hwy. 5, south of Lincoln Village West, east of Elmwood Tract and north of the Calaveras River (see Exhibit "C"). It is surrounded on the north, south, east, and portions of the west, by the existing city limits of Stockton.

Portions of this annexation, 13.09 acres in Ten Mile Slough, were previously authorized by the Commission for annexation into the City of Stockton in 1978. The Commission approved the boundaries of the proposed annexation on January 26, 1978 by Minute Item #42 and consented as landowners to the annexation on February 23, 1978 by Minute Item #18. This annexation was never completed by the City of Stockton.

(ADDED pgs. 169-169.5)

Pursuant to Government Code Section 56108(a), the Commission must consent before land under its jurisdiction can be annexed. Government Code Sections 56108(b), (c) and (d), state that the Commission is to review and approve or deny the proposed annexation boundaries as appropriate and correct within 45 days of receipt.

The staff of the Commission has reviewed the proposed annexation boundary description and finds it adequate pursuant to Section 56108(b), (c), and (d).

Staff of the Commission is involved in negotiations with Grupe regarding relative property interests and boundaries involving present and historic locations of the above-named tidal waterways. A settlement of title issues is anticipated in the next few months.

The consent of the Commission as landowner (Government Code Section 56108[a]) will be sought following resolution of the title issues.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Code Regs.: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. The City of Stockton, acting as Lead Agency for the purposes of CEQA, has certified an EIR for the Brookside Community Project (EIR 2-88).

EXHIBITS:

A. Land Description.
B. Location Map.
C. Site Map.

IT IS RECOMMENDED THAT THE COMMISSION:

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

2. APPROVE THE PROPOSED BOUNDARIES FOR THE BROOKSIDE COMMUNITY ANNEXATION, CITY OF STOCKTON, SAN JOAQUIN COUNTY, PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 56108(b), (c) AND (d) AS DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, SUCH APPROVAL SHALL BE OPERATIVE FOR A PERIOD OF TWO YEARS DURING WHICH TIME THE PROPOSED ANNEXATION MUST BE FINALIZED.

3. DENY, WITHOUT PREJUDICE, THE CONSENT OF THE COMMISSION, AS LANDOWNER, TO THE ANNEXATION AS REQUIRED BY GOVERNMENT CODE SECTION 56108(a).

4. AUTHORIZE STAFF COUNSEL TO GIVE THE REQUISITE NOTICE OF SAID ACTIONS TO THE CITY OF STOCKTON AND TO THE EXECUTIVE OFFICER OF SAN JOAQUIN COUNTY LAFCO, PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 56108(e).

EXHIBIT "A"

W 2400.173

LAND DESCRIPTION

Being portions of Section 1,T1N, R5E, Section 6, T1N, R6E, Section 36, T2N, R5E, and Sections 30, 31 and 32, T2N, R6E, Mount Diablo Base and Meridian, San Joaquin County, California, more particularly described as follows;

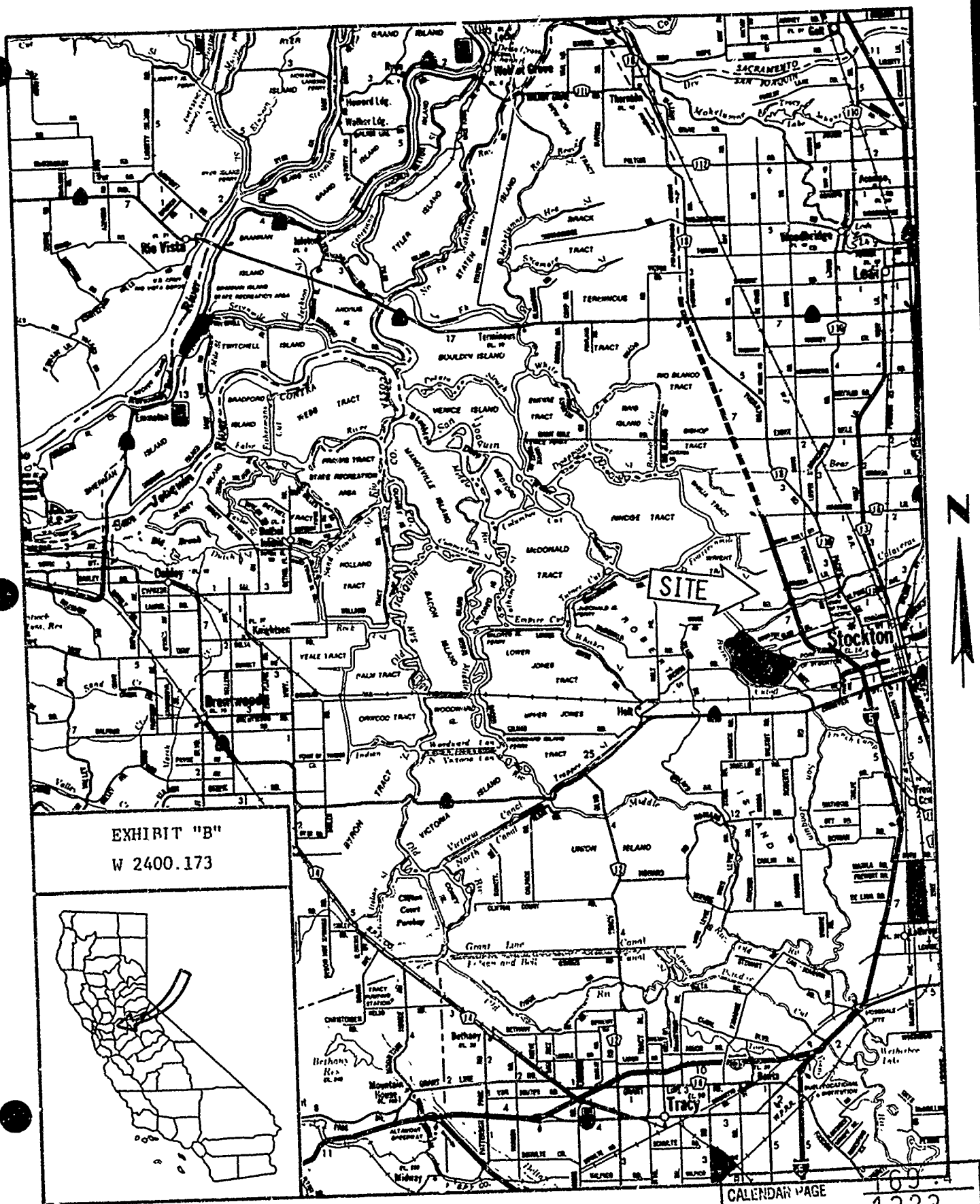
BEGINNING at the westerly end of that certain parcel of land, called Shenkels Island, described in deed recorded in Book of Official Records, Volume 2788, Page 412, San Joaquin County Records; thence westerly 1,400 feet, more or less, along the midline of the existing waterway of the old channel of the San Joaquin River and westerly projection thereof to a point on the centerline of the Stockton Deep Water Channel, 400 feet southeasterly of the City of Stockton Buckley Cove Annexation, said point being on the City of Stockton City Limits line; thence northwesterly 400 feet along said City Limits line to said Buckley Cove Annexation; thence northeasterly, northwesterly and northerly along the northeasterly and easterly boundary of the City of Stockton City Limits line created by said annexation a distance of 4,150 feet, more or less, to Point GB-7, as said point is shown on map of survey filed in Book of Surveys, Volume 22, page 59 San Joaquin County Records; thence leaving said Stockton City Limits line, northwesterly along the northwesterly projection of the line between Point GB-8 of said survey and said Point GB-7 a distance of 50 feet, more or less, to a point on the southerly right-of-way line of forty-foot wide Brookside Road, as said right-of-way is described in deed from Coulter McKeever, et ux, to the County of San Joaquin, recorded in Book of Official Records, Volume 1019, Page 380, San Joaquin County Records; thence easterly, northerly and easterly along the southerly, easterly and southerly right-of-way line of said Brookside Road, 1,600 feet, more or less, to a point bearing S 63° 30' 56" W 40.00-feet from the northerly point of termination of the 74.05 foot radius curve in the westerly boundary of the 452.597 acre parcel of land shown on that certain Map of Survey, filed for record in Book of Surveys, Volume 27, Page 8, San Joaquin County Records; thence N 63° 30' 56" E 40.00 feet to said northerly point, said point being a point on the easterly boundary of the Elmwood Tract, filed for record in Book of Surveys, Volume 2, Page 67, San Joaquin County Records; thence northerly along the easterly boundary of said Elmwood Tract 6,085 feet, more or less, to the point designated "F" on last said Map of Survey, being on the southerly side of Fourteen Mile Slough (formerly known as Twelve Mile Slough); thence N 40° 06' E along the northeasterly projection of said boundary to a point on the City of Stockton City Limits line in the centerline of said Fourteen Mile Slough; thence along said City Limits line the following four (4) courses:

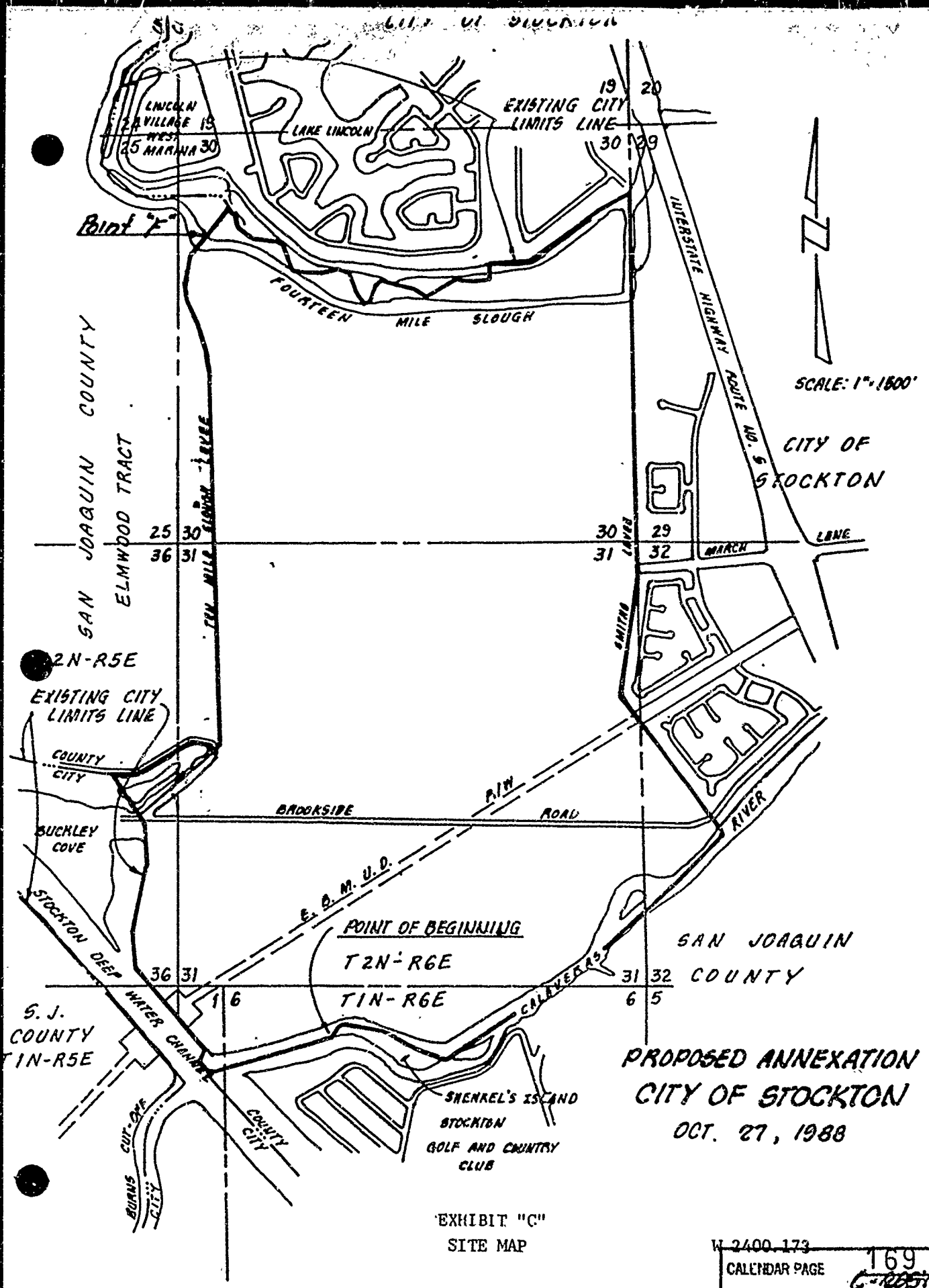
(1) in a general easterly direction, 6,600 feet more or less, along the centerline of said Fourteen Mile Slough to the east line of said Section 30,
(2) southerly 4,575.55 feet along the east line of said Section 30 and 31,
(3) S 09° 56' 38" W 1,478.95 feet, and
(4) S 35° 43' 22" E 2,032.71 feet to the north bank of the Calaveras River;

thence leaving said City Limits line and continuing S 35° 43' 22" E to a point in the Calaveras River on the agreed line between J. C. Smith on the south and Elizabeth Barnhart and Daisy Bell Nicewonger on the north, recorded in Book "A" of Deeds, Volume 98, Page 305, San Joaquin County Records; thence southwesterly along said agreed line 5,000 feet, more or less, to the easterly end of the boundary of said Shenkels Island; thence westerly along the northerly boundary of said island to the point of beginning.

END OF DESCRIPTION

PREPARED APRIL 24, 1989 BY BIU 1.


SITE
Stockton
Tracy
Lodi
Ripon
Manteca
Lathrop
Linden
Clements
Thornton
Walnut Grove
Isleton
Rio Vista
Knightsen
Oakley
Brentwood
Byron
Bethany
Mountain House
Midway
Woodbridge
Acampo
Terminous
Holt
Victoria Canal
Grant Line Canal
Old River
Middle River
Sacramento
San Joaquin
Mokelumne
Cosumnes
Calaveras
Stanislaus
Tuolumne
Merced
Fresno
Kings
Tulare
Kern
Indian
Trapper
Bacon Island
McDonald Tract
Jones Tract
Upper Jones
Lower Jones
Union Island
Venice Island
Bouldin Island
Tyler Island
Staten Island
Roberts Island
Mandeville Island
Holland Tract
Veale Tract
Palm Tract
Orwood Tract
Woodward Island
Bacon Island
Rio Blanco Tract
Terminous Tract
Bishop Tract
Rindge Tract
Empire Cut
Bethany Res.
Clifton Court Forebay
Tracy Diversion Station
Delta Mendota Canal
Calaveras River
Mokelumne River
Cosumnes River
Stanislaus River
Tuolumne River
Merced River
Fresno River
Kings River
Tulare Lake
Kern River
Indian River
Trapper Cut
Middle River
Old River
Victoria Canal
North Victoria Canal
Grant Line Canal
Fabian and Bell Canal
Sacramento River
San Joaquin River
Mokelumne River
Cosumnes River
Calaveras



PROPOSED ANNEXATION
CITY OF STOCKTON
OCT. 27, 1988

EXHIBIT "C"
SITE MAP

PREPARED APRIL 20, 1989 BY BTU 1

W 2400.173

CALENDAR PAGE	169
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