

MINUTE ITEM

This Calendar Item No. 271
was approved as Minute Item
No. 71 by the State Lands
Commission by a vote of 2
to 0 at its 2/27/96
meeting.

**CALENDAR ITEM
C71**

A 16

02/27/96

S 9

W 25281

Frey

**AUTHORIZATION TO CONDUCT PUBLIC HEARING
REGARDING RETROCESSION OF LEGISLATIVE JURISDICTION AT
FLEET AND INDUSTRIAL SUPPLY CENTER, OAKLAND, ALAMEDA COUNTY**

PARTY:

United States of America
Department of the Navy
1000 Navy Pentagon
Washington, D. C. 20350-1000

BACKGROUND:

The United States exercises a combination of exclusive, partial and proprietary jurisdiction over the Fleet and Industrial Supply Center, Oakland, Alameda County. By letter dated December 8, 1995, the Department of the Navy has requested California accept a retrocession of all exclusive and partial legislative jurisdiction over this facility so as to establish uniform proprietary legislative jurisdiction over the entire base.

California Government Code Section 113 authorizes the State Lands Commission to accept such a retrocession if the following conditions, among others, are met:

1. The United States has in writing requested that the State accept a retrocession of jurisdiction;
2. The State Lands Commission has held a public hearing to determine whether it is in the State's best interests to accept the retrocession; and
3. The United States has agreed to pay for the costs associated with the retrocession process.

CALENDAR ITEM NO. C71 (CONT'D)

The United States has made the written request for the retrocession and has agreed to bear the costs associated with the retrocession.

The Commissioners are requested to authorize the Executive Officer or his delegate to conduct the required public hearing to receive comments on whether the retrocession is in the State's best interest. Comments received at the hearing and a staff recommendation regarding the retrocession will be presented to the Commission at a later date.

AB 884:

N/A

OTHER PERTINENT INFORMATION:

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

Authority: Public Resources Code Section 21065 and 14 Cal. Code Regs. 15378.

EXHIBITS:

- A. Location Map.
- B. Land Description

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 PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL. CODE REGS. 15378.

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CALENDAR ITEM NO. C71 (CONT'D)

2. FIND THAT THE U.S. DEPARTMENT OF THE NAVY HAS REQUESTED THAT THE COMMISSION ACCEPT A RETROCESSION OF ALL LEGISLATIVE JURISDICTION AS SPECIFIED IN GOVERNMENT CODE SECTION 113 OVER LANDS COMPRISING THE FLEET AND INDUSTRIAL SUPPLY CENTER, OAKLAND, ALAMEDA COUNTY AS SHOWN IN EXHIBITS "A" AND "B" ATTACHED HERETO.

3. AUTHORIZE THE EXECUTIVE OFFICER OR HIS DELEGATE TO CONDUCT THE PUBLIC HEARING REQUIRED BY GOVERNMENT CODE SECTION 113 TO RECEIVE COMMENTS REGARDING THE PROPOSED RETROCESSION OF LEGISLATIVE JURISDICTION OVER THE FLEET AND INDUSTRIAL SUPPLY CENTER, OAKLAND, ALAMEDA COUNTY AS DESCRIBED IN EXHIBITS "A" AND "B" ATTACHED HERETO.

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EXHIBIT "B"

**LAND DESCRIPTION
FLEET AND INDUSTRIAL SUPPLY CENTER, OAKLAND, CALIFORNIA**

PARCEL ONE

A parcel of land lying in the City of Oakland, County of Alameda, State of California, being of all the land described in the Deed from the City of Oakland to the U.S.A., Recorded May 17, 1940, in Book 3869, Official Records, at Page 386, and all of those lands described in the Final Judgment as to Parcel K for Civil No. 22298-R filed in July 23, 1945, in the District Court of the United States in and for the Northern District of California Southern Division, and all of those lands described in the Final Judgment as to Parcel G, G-A, 2, F, F-A, H and H-A for Civil No. 22298-R filed in February 26, 1946, in the District Court of the United States in and for the Northern District of California Southern Division, and all that land described in the Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940, in Book 3917, Official Records, at Page 278, and all that land described in Deed from the Southern Pacific Company to the U.S.A., Recorded May 17, 1940, in Book 3931, Official Records, at Page 122;

BEGINNING at the most southwesterly corner of said land described in the Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940, in Book 3931, Official Records, at Page 386, located on the United States Pierhead Line;

1. Thence North along said Pierhead Line per Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940, in Book 3869, Official Records, at Page 386, 591.72 feet (rec. = 591.20 feet);
2. Thence along the northerly and westerly boundary per said Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940, in Book 3869, Official Records, at Page 386, S74°49'00"E, 729.61 feet (rec. = 760+/-feet);
3. Thence along the westerly boundary per said Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940, in Book 3869, Official Records, at Page 386, N15°11'00"E, 1084.92 feet (rec. = 1085.00 feet);
4. Thence continuing along the westerly boundary per said Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940, in Book 3869, Official Records, at Page 386, N45°12'00"E, 999.93 feet (rec. = 1000.00 feet);

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5. Thence along the northerly boundary per said Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940, in Book 3869, Official Records, at Page 386, N83°58'00"E, 2167.57 feet (rec. = 2167.72 feet);
6. Thence along the northerly boundary per said Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940, in Book 3869, Official Records, at Page 386, S77°00'00"E, 1132.16 feet (rec. = 1132.24 feet);
7. Thence along the northerly boundary per said Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940, in Book 3869, Official Records, at Page 386, S59°01'00"E, 945.93 feet (rec. = 946.00 feet) to the northwesterly corner of said land described in the Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940, in Book 3917, Official Records, at Page 278;
8. Thence along the northerly boundary line of said land described in the Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940, in Book 3917, Official Records, at Page 278, S59°01'00"E, 829.99 feet (rec. = 830.03 feet) to the northwesterly corner of those lands described in Final Judgment as to Parcel K for said Civil No. 22298-R filed in July 23, 1945, in the District Court of the United States in and for the Northern District of California Southern Division;
9. Thence along the northerly boundary of those lands described in said Final Judgment as to Parcel K for Civil No. 22298-R filed in July 23, 1945, S59°01'00"E, 292.20 feet, (rec. = 292.22 feet);
10. Thence along the northeasterly boundary of those lands described in said Final Judgment as to Parcel K for Civil No. 22298-R filed in July 23, 1945, S27°36'20"E, 2909.63 feet, (rec. = 2909.84 feet);
11. Thence along the easterly boundary of those lands described in the said Final Judgment as to Parcel G, G-A, 2, F, F-A, H and H-A for Civil No. 22298-R filed in February 26, 1946, S15°11'00"W, 256.98 feet, (rec. = 257.00 feet);
12. Thence along the southerly boundary of those lands described in the said Final Judgment as to Parcel G, G-A, 2, F, F-A, H and H-A for Civil No. 22298-R filed in February 26, 1946, S84°55'00"W, 525.25 feet, (rec. = 525.29 feet);

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13. Thence continuing along the southerly boundary of those lands described in the said Final Judgment as to Parcel G, G-A, 2, F, F-A, H and H-A for Civil No. 22298-R filed in February 26, 1946, S89°15'10"W, 506.79 feet, (rec. = 506.83 feet);
14. Thence continuing along the southerly boundary of those lands described in the said Final Judgment as to Parcel G, G-A, 2, F, F-A, H and H-A for Civil No. 22298-R filed in February 26, 1946, N86°48'00"W, 716.32 feet, (rec. = 716.37 feet);
15. Thence continuing along the southerly boundary of those lands described in the said Final Judgment as to Parcel G, G-A, 2, F, F-A, H and H-A for Civil No. 22298-R filed in February 26, 1946, S84°57'00"W, 936.06 feet, (rec. = 936.13 feet);
16. Thence continuing along the southerly boundary of those lands described in the said Final Judgment as to Parcel G, G-A, 2, F, F-A, H, and H-A for Civil No. 22298-R filed in February 26, 1946, N74°49'00"W, 326.98 feet, (rec. = 327.00 feet) to the southeasterly corner per Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940, in Book 3869, Official Records, Page 278;
17. Thence along the southerly boundary per said Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940, in Book 3869, Official Records, at Page 278, N74°49'00"W, 2089.85 feet (rec. = 2090.00 feet);
18. Thence continuing along the southerly boundary per said Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940, in Book 3869, Official Records, at Page 278, N53°40'00"W, 1108.53 feet (rec. = 1108.61 feet);
19. Thence continuing along the southerly boundary per said Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940, in Book 3869, Official Records, at Page 278, N74°49'00"W, 2183.35 feet (rec. = 2200+/-feet) to the POINT OF BEGINNING.

Said Parcel One Contains 498.96 Acres.

ALL AS SHOWN ON DEPT. OF THE NAVY, WESTDOCKS DRAWINGS #C-55016, #C-55017 & #C-55018 AND DESIGNATED AS ACQUISITION ITEMS 1, 2, 3, 4, 5, and 6.

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PARCEL TWO

A parcel of land lying in the City of Oakland, County of Alameda, State of California, being of all of that certain 7.69 acre parcel of land described in Final Judgment of Civil Action No. 22378-S, filed 29 January 1944, in the District Court of the United States, in and for the Northern District of California, Southern Division;

BEGINNING at the southeasterly corner of said 7.69 acre parcel of land described in the Final Judgment in Civil Action No. 22378-S, filed 29 January 1944, in the District Court of the United States, in and for the Northern District of California, Southern Division;

1. Thence along the easterly boundary line of said 7.69 acre parcel of land described in the Final Judgment in Civil Action No. 22378-S, filed 29 January 1944, N3°00'10"W, 15.04 feet to a the point of beginning of a non-tangent curve to the right;
2. Thence continuing along the easterly boundary line of said 7.69 acre parcel of land described in the Final Judgment in Civil Action No. 22378-S, filed 29 January 1944, and along said curve having a radius of 379.26 feet through a central angle of 36°38'12" for an arc distance of 238.40 feet, said curve also having a chord bearing and distance of N68°40'45"E, 238.40 feet to the end of curve;
3. Thence continuing along the easterly boundary line of said 7.69 acre parcel of land described in the Final Judgment in Civil Action No. 22378-S, filed 29 January 1944, N43°19'04"E, 117.47 feet to the northeast corner of said 7.69 acre parcel of land;
4. Thence along the northerly boundary line of said 7.69 acre parcel of land described in the Final Judgment in Civil Action No. 22378-S, filed 29 January 1944, N72°01'00"W, 311.11 feet;
5. Thence continuing along the northerly boundary line of said 7.69 acre parcel of land described in the Final Judgment in Civil Action No. 22378-S, filed 29 January 1944, N74°49'00"W, 547.94 feet;
6. Thence continuing along the northerly boundary line of said 7.69 acre parcel of land described in the Final Judgment in Civil Action No. 22378-S, filed 29 January 1944, N83°05'00"W, 170.00 feet;

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7. Thence continuing along the northerly boundary line of said 7.69 acre parcel of land described in the Final Judgment in Civil Action No. 22378-S, filed 29 January 1944, S76°56'00"W, 206.79 feet;
8. Thence along the westerly boundary line of said 7.69 acre parcel of land described in the Final Judgment in Civil Action No. 22378-S, filed 29 January 1944, S39°52'00"W, 355.88 feet;
9. Thence along the southerly boundary line of said 7.69 acre parcel of land described in the Final Judgment in Civil Action No. 22378-S, filed 29 January 1944, N83°58'00"E, 393.20 feet;
10. Thence continuing along the southerly boundary line of said 7.69 acre parcel of land described in the Final Judgment in Civil Action No. 22378-S, filed 29 January 1944, "S77°00'00"E, 749.26 feet to the POINT OF BEGINNING.

Said Parcel Two Contains 7.71 Acres (record 7.69 Acres).

ALL AS SHOWN ON DEPT. OF THE NAVY, WESTDOCKS DRAWINGS #C-55016, #C-55017 & #C-55018 AND DESIGNATED AS ACQUISITION ITEM 8.

PARCEL THREE

A parcel of land lying in the City of Oakland, County of Alameda, State of California, being of all of that certain parcel of land described in Final Judgment of Civil Action No. 22212-R, filed April 5, 1943, in the District Court of the United States, in and for the Northern District of California, Southern Division;

BEGINNING at the southwesterly corner of said parcel of land described in the Final Judgment in Civil Action No. 22212-R filed April 5, 1944, in the District Court of the United States, in and for the Northern District of California, Southern Division, said southwesterly corner is at the intersection of the northerly line of Seventh Street Extension with the low tide line of 1852 as agreed upon by Ordinance No. 3099 of said City of Oakland as mentioned in said Civil Action No. 22212-R;

1. Thence along the northwesterly boundary line of said parcel of land described in the Final Judgment in Civil Action No. 22212-R, filed April 5, 1943, N39°52'10"E, 804.64 feet to the northeasterly corner thereof;
2. Thence along the northeasterly boundary line of said parcel of land described in the Final Judgment in Civil Action No. 22212-R, filed April 5, 1943, S52°35'08"E, 1047.74 feet to the southeasterly corner thereof;

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3. Thence along the southerly boundary line of said parcel of land described in the Final Judgment in Civil Action No. 22212-R, filed April 5, 1943, N74°28'20"W, 36.01 feet to a the point of beginning of a tangent curve to the left;
4. Thence continuing along the southerly boundary line of said parcel of land described in the Final Judgment in Civil Action No. 22212-R, filed April 5, 1943, and along said curve having a radius of 537.33 feet for an arc distance of 337.58 feet;
5. Thence continuing along the southerly boundary line of said parcel of land described in the Final Judgment in Civil Action No. 22212-R, filed April 5, 1943, S69°31'55"W, 100.00 feet to the pont of beginning of a tangent curve to the right;
6. Thence continuing along the southerly boundary line of said parcel of land described in the Final Judgment in Civil Action No. 22212-R, filed April 5, 1943, and along said curve having a radius of 485.67 feet for an arc distance of 156.84 feet;
7. Thence continuing along the southerly boundary line of said parcel of land described in the Final Judgment in Civil Action No. 22212-R, filed April 5, 1943, N83°05'20"W, 740.04 feet to the POINT OF BEGINNING.

Said Parcel Three Contains 10.49 Acres.

ALL AS SHOWN ON DEPT. OF THE NAVY, WESTDOCKS DRAWINGS # C-55016, C-55017 & C-55018 AND DESIGNATED AS ACQUISITION ITEM 7.

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