MINUTE ITEM
This Calendar Item No. C55 was approved as Minute Item No. 55 by the California State Lands Commission by a vote of 3 to 0 at its 8/26/97 meeting.

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CONSIDER RETROCESSION OF JURISDICTION PRESTON HOUSING AREA, FORT ORD MILITARY RESERVATION, MONTEREY COUNTY

BACKGROUND:
Under Government Code Section 113, the Legislature has granted the Commission the authority to accept a retrocession of legislative jurisdiction from the United States upon receipt of a written request and an agreement to pay the costs associated with the retrocession.

By letter dated June 17, 1997 the United States requested that the Commission accept a retrocession of exclusive legislative jurisdiction over 93.512 acres of land at the Preston Housing Area, Fort Ord Military Reservation, Monterey County. The United States has agreed to pay the costs associated with the retrocession.

Pursuant to Government Code Section 113, a notice of hearing on the proposed retrocession was published in a local newspaper. Notice was also served on the Clerk for the Board of Supervisors and the Clerk for the City Council of Marina. The hearing was held as scheduled on August 19, 1997 in the offices of the Commission.

The United States believes this action is necessary because it has closed this facilities and is leasing portions of it to the Fort Ord Reuse Authority. The retrocession will allow local authorities to provide services such as police and fire protection to the tenants of the leased property.

The retrocession of jurisdiction will be effective upon the recordation of the Commission's action with the Monterey County Recorder and its filing with the California Secretary of State.

PERMIT STREAMLINIG ACT DEADLINE:
N\A

EXHIBIT A:
Land Description

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

2. FIND THAT THE REQUIREMENTS OF GOVERNMENT CODE SECTION 113 HAVE BEEN COMPLIED WITH IN THAT THE UNITED STATES HAS REQUESTED IN WRITING THAT THE STATE OF CALIFORNIA ACCEPT A RETROCESSION OF EXCLUSIVE LEGISLATIVE JURISDICTION OVER THE LANDS KNOWN AS THE PRESTON HOUSING AREA, FORT ORD MILITARY RESERVATION, MONTEREY COUNTY AS DESCRIBED IN EXHIBIT A; THAT THE UNITED STATES HAS AGREED TO PAY THE COSTS ASSOCIATED WITH THE RETROCESSION; THAT A NOTICE OF HEARING WAS SERVED ON THE CLERK FOR THE BOARD OF SUPERVISORS FOR THE COUNTY OF MONTEREY AND THE CLERK FOR THE CITY OF MARINA; AND THAT THE PUBLIC HEARING WAS HELD AS NOTICED.

3. FIND THAT A RETROCESSION OF EXCLUSIVE JURISDICTION AND THE ESTABLISHMENT OF PROPRIETORIAL JURISDICTION IS IN THE BEST INTERESTS OF THE STATE.

4. ACCEPT A RETROCESSION OF EXCLUSIVE JURISDICTION OVER LAND KNOWN AS PRESTON HOUSING AREA, FORT ORD MILITARY RESERVATION, MONTEREY COUNTY AS DESCRIBED IN EXHIBIT A.

5. AUTHORIZE THE FILING OF COPIES OF THE COMMISSION'S ACTION WITH THE MONTEREY COUNTY RECORDER AND THE CALIFORNIA SECRETARY OF STATE.

EXHIBIT A

RETROCESSION OF EXCLUSIVE LEGISLATIVE JURISDICTION AT PRESTON HOUSING AREA, FORT ORD, MONTEREY COUNTY

LEGAL DESCRIPTION

Certain real property situate in the Monterey City Lands Tract No. 1, and the Fort Ord Military Reservation, City of Marina, Monterey County, California, being more particularly described as follows:

Beginning at 1" diameter pipe tagged LS 5992 at the most southerly corner of that certain 10.983 acre tract of land shown on map filed in Volume 19 of Surveys at page 20, records of said county, said point being in the northwesterly line of Imjin Road (200 feet wide at this point); thence from said point of beginning along said road line

1. S 50°00'00" W, 1070.93 to intersection with the line of the Imjin Road as shown map filed in Volume 20 of Surveys at page 91, records of said county; thence along said line

2. curving to the left on a circular arc of 920.00 feet radius, the center of the circle of which said arc is a part bears S 17°10'52" E, through an angle of 15°37'32", for a distance of 250.90 feet to intersection with the northeasterly boundary of that certain Parcel 1 as shown on map filed in Volume 19 of Surveys at page 136, records of said county; thence along the boundary of said Parcel 1

3. N 37°47'27" W, 184.01 feet to a 3/4" pipe tagged LS 5992; thence

4. N 39°13'07" W, 90.79 feet to a 3/4" pipe tagged LS 5992 at the northerly corner thereof, being also the southeasterly corner of Parcel A as shown on map filed in Volume 20 of Surveys at Page 73, records of said county; thence leave the boundary of said Parcel 1 and along the boundary of said Parcel A

5. N 35°51'23" W, 88.89 feet to a 3/4" pipe tagged LS 5992; thence

6. N 27°50'36" W, 42.36 feet to a 3/4" pipe tagged LS 5992; thence

7. S 86°28'40" W, 142.05 feet to a 3/4" pipe tagged LS 5992; thence

8. S 46°41'42" W, 647.53 feet, at 499.17 feet a 3/4" pipe tagged LS 5992 at the most westerly corner of said Parcel A, said point being in the north line of Abrams Road, 647.53 feet to a point; thence

9. curving to the left on a circular of 1300 feet radius, the center of the circle of which said arc is a part bears S 73°15'04" W, through an angle of 17°16'39" for a distance of 392.02 feet to a point; thence tangentially

10. curving to the left on a circular arc of 600.00 feet radius, through an angle of 39°12'36", for a distance of 410.61 feet to a 1" pipe tagged LS 5992; thence

11. N 36°12'00" W, 25.07 feet to a 1" pipe tagged LS 5992 in the easterly line of MacArthur Drive; thence continuing along said road line

12. N 4°27'00" W, 106.41 feet to a 1" pipe tagged LS 5992; thence tangentially

13. curving to the right on a circular arc of 115 feet radius, through an angle of 51°57'24" for a distance of 104.28 feet to a 1" pipe tagged LS 5992; thence tangentially on a reverse curve

14. curving to the left on a circular arc of 380.00 feet radius, through an angle of 41°15'04", for a distance of 273.59 feet to a l" pipe tagged LS 5992; thence tangentially

15. N 6°15'20" E, 264.25 feet to a 1" pipe tagged LS 5992; thence tangentially

16. curving to the left on a circular arc of 330.00 feet, through an angle of 50°58'25", for a distance of 293.59 feet to a 5/8" rebar tagged LS 5992 at the most southerly comer of Parcel 2 shown on map filed in Volume 19 of Surveys at page 131, records of said county; thence leave said road line and along the boundary of said Parcel 2,

17. N 45°16'56" E, 41.69 feet to a 3/4" pipe tagged LS 5992; thence

18. N 6°28'31" E, 164.33 feet to a 1" pipe tagged LS 5992; thence

19. N 7°26'13" W, 81.75 feet to a 1" pipe tagged LS 5992; thence leave the boundary of said Parcel 2

20. N 40°07'01" E, 144.14 feet to a 1" pipe tagged LS 5992; thence

21. N 57°43'34" E, 376.83 feet to a 3/4" pipe tagged LS 5992 at the most westerly corner of Parcel 2 shown on map filed in Volume 19 of Surveys at page 132, records of said county; thence along the boundary thereof

22. S 82°58'54" E, 247.20 feet to a 3/4" pipe tagged LS 5992; thence

23. S 21°19'33" E, 266.04 feet to a 3/4" pipe tagged LS 5992; thence

24. S 10°32'27" E, 91.09 feet to a 3/4" pipe tagged LS 5992 in the north line of Bailey Court (47 feet wide) at a Point now designated "A"; thence continuing along said boundary and road line

25. curving to the left on a circular arc of 256.50 feet radius, the center of the circle of which said arc is a part bears N 6° 25'27" E, through an angle of 18°58'43" for a distance of 84.96 feet; thence tangentially

26. N 77°26'44" E, 28.76 feet to a point in the westerly line of Wittenmeyer Court; thence leave said line of Bailey Court and along the last mentioned street line

27. curving to the right on a circular arc of 623.50 feet radius, the center of the circle of which said arc is a part bears N 79°36'20" E, through an angle of 20°21'30", for a distance of 221.54 feet to a point; thence tangentially

28. N 9°57'50" E, 76.52 feet; thence tangentially

29. curving to the left on a circular arc of 10.00 feet radius, through an angle of 88°58'22" for a distance of 15.53 feet; thence tangentially

30. N 79°00'38" W, 51.37 feet; thence tangentially

31. curving to the right on a circular are of 60.00 feet radius, through an angle of 102°56'21", for a distance of 107.80 feet; thence tangentially

32. N 23°55'47" E, 51.31 feet; thence tangentially

33. curving to the right on a circular arc of 50.00 feet radius, through an angle of 61°30'59", for a distance of 53.68 feet; thence tangentially

34. N 85°26'46" E, 24.82 feet; thence tangentially

35. curving to the right on a circular arc of 56.00 feet radius, through an angle of 90°26'50", for a distance of 88.40 feet; thence tangentially

36. S 4°06'24" E, 64.06 feet; thence tangentially

37. curving to the right on a circular arc of 300.00 feet radius, through an angle of 14°04'14", for a distance of 73.67 feet; thence tangentially

38. S 9°57'50" W, 78.59 feet; thence tangentially

39. curving to the left on a circular arc of 576.50 feet radius, through an angle of 33°14'58", for a distance of 334.55 feet; thence tangentially

40. S 23°17'09" E, 48.26 feet to a point in the north line of Preston Drive (60 feet wide); thence leave said line of Wittenmeyer Court and along said last mentioned road line

41. curving to the right on a circular arc of 385 feet radius, the center of the circle of which said arc is a part bears S 19°47'10" E, through an angle of 11°40'00", for a distance of 78.40 feet to a 3/4" pipe tagged LS 5992; thence leave said road line

42. N 3°43'03" E, 717.96 feet to a 3/4" pipe tagged LS 5992 at the northeasterly corner of said Parcel 2; thence leave the boundary thereof

43. S 88°03'19" E, 356.13 feet to a 1 ½" pipe tagged RCE 15310 at the most westerly corner of the aforesaid 10.983 acre tract of land; thence along the boundary thereof

44. S 30°15'18" E, 73.00 feet to a 1" pipe tagged LS 5992; thence

45. S 77°30'18" E, 215.00 feet to a 1" pipe tagged LS 5992; thence

46. N 32°15'32" E, 157.00 feet to a 1" pipe tagged LS 5992; thence

47. S 57°44'28" E, 510.01 feet to a 1" pipe tagged LS 5992; thence

48. S 32°15'32" W, 173.00 feet to a 1" pipe tagged LS 5992; thence

49. S 38°50'48" E, 173.00 feet to a 1" pipe tagged LS 5992; thence

50. N 65°59'42" E, 77.00 feet to a 1" pipe tagged LS 5992; thence

51. S 10°00'18" E, 555.01 feet to a 1" pipe tagged LS 5992; thence

52. S 21°14'42" W, 405.01 feet to a 1" pipe tagged LS 5992; thence

53. S 40°00'08" E, 37.32 feet to the point of beginning.

Containing a gross area of 94.063 acres, more or less.

EXCEPTING THEREFROM, the following lands to be conveyed to the Monterey College of Law:

Beginning at the hereinbefore mentioned Point "A", and running S 7°30'55" W, 47.01 feet to the true point of beginning, in the southerly line of said Bailey Court, 47 feet wide, and running thence along said southerly road line

1. curving to the left on a circular arc of 303.50 feet radius, the center of the circle of which said arc is a part bears N 6°35'35" E, through an angle of 19°08'49", for a distance of 101.42 feet; thence tangentially

2. N 77°26'45" E, 9.79 feet; thence tangentially

3. curving to the right on a circular arc of 20.00 feet radius, through an angle of 86°07'26", for a distance of 30.06 feet to a point on the westerly line of said Wittenmeyer Court (47 foot wide); thence tangentially along said line

4. curving to the left on a circular arc of 623.50 feet radius, through an angle of

6°51'19", for a distance of 74.60 feet; thence

5. S 23°17'08" E, 29.88 feet; thence leave said road line

6. S 66°42'52" W, 209.73 feet; thence

7. N 6°35'35" E, 188.21 feet to said true point of beginning.

Containing 0.551 acres, more or less.

Containing a net area of 93.512 acres of land, more or less.