

**CALENDAR ITEM
C31**

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04/05/16
W 2400.208
A. Franzoia

**CONSIDERATION OF BOUNDARIES AND PROPOSAL TO
ANNEX TIDE AND SUBMERGED LANDS INTO
THE CITY OF LATHROP, SAN JOAQUIN COUNTY**

APPLICANT:

City of Lathrop

BACKGROUND:

Pursuant to Government Code section 56740, subdivision (b), whenever State-owned tidelands and submerged lands are included within the boundaries of any territory proposed to be incorporated into, or annexed to, a city, a description of the boundaries, together with a map showing the boundaries, shall be filed with the State Lands Commission (Commission) by the proponents of the incorporation or annexation.

Pursuant to Government Code section 56740, subdivision (c), the Commission shall approve or disapprove all portions of the boundaries located upon the tidelands or submerged lands.

Pursuant to Government Code section 56740, subdivision (d), within 45 days after the filing of the boundary description and map with the Commission, the Commission shall make a determination of the proper offshore or submerged lands boundaries. That determination shall be final and conclusive. If the Commission does not make the determination within that time, the proposed boundary shall be deemed approved.

The Commission has received a request from the City of Lathrop (City), to review the annexation boundaries of approximately 464.5 acres including sovereign submerged land in and along the San Joaquin River, proposed to be annexed into the jurisdiction of the City.

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STAFF ANALYSIS AND RECOMMENDATION:

Statutory Authority:

Public Resources Code sections 6005, 6216, and 6301; California Code of Regulations, Title 2, section 2000, subdivision (b).

Public Trust and State's Best Interests Analysis:

The proposed annexation does not have a direct impact to the public's public trust resources, values and needs at this time and in this location. Should the Applicant develop a comprehensive General Plan or a more detailed Specific Plan that includes these public trust lands, the Commission and its staff shall review such proposals for potential impacts to public trust lands and resources. In addition, any future projects involving state sovereign land would require Commission authorization. As such, Commission staff believes this proposed annexation, by a public agency, does not substantially interfere with the public's trust needs and values and is generally consistent with the common law public trust doctrine.

If the annexation is finalized and the Applicant's jurisdiction is expanded, the Applicant can support the state's best interests by acting as a permitting agency, enforce state and local laws and regulations, and be a local partner with the Commission to maximize coordination and collaboration.

On or about March 11, 2016, the proponents of the annexation, Richland Investments, Inc., filed with the Commission a legal description of the boundaries, together with a map showing the boundaries of the proposed annexation. Commission staff has reviewed the proposed annexation boundary description and map and finds it adequate pursuant to Government Code section 56740, subdivision (c).

For all the reasons above, Commission staff believes approval of all portions of the proposed boundaries located upon the tide and submerged lands included within the proposed annexation is consistent with the common law public trust doctrine and in the best interests of the State.

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OTHER PERTINENT INFORMATION:

1. This proposed action is consistent with Strategy 1.3 – Protect, expand and enhance public use and access to and along the State’s inland and coastal waterways.

2. Approving the annexation is not a project as defined by the California Environmental Quality Act (CEQA) because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378, subdivision (b)(5).

FURTHER APPROVALS REQUIRED:

San Joaquin Local Area Formation Commission (for the non-submerged lands)

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

PUBLIC TRUST AND STATE’S BEST INTEREST:

Find that the proposed annexation will not substantially interfere with the public trust needs and values at this location at this time, is consistent with the common law public trust doctrine, and is in the best interests of the State.

AUTHORIZATION:

1. Authorize approval of all portions of the proposed boundaries located upon the tide and submerged lands included within the proposed annexation into the City of Lathrop, San Joaquin County, as described on Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof.

2. Consent to the annexation as required by Government Code section 56740, subdivision (a).

3. Authorize Commission staff to give the requisite notice of said actions to the City of Lathrop, to the Executive Officer of the San Joaquin Local

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Agency Formation Commission, and to Richland Investments, Inc., pursuant to Government Code section 56740, subdivision (e).

**DESCRIPTION OF PROPOSED
SOUTH LATHROP
ANNEXATION TO THE CITY OF LATHROP,
SAN JOAQUIN COUNTY, CALIFORNIA**

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, BEING A PORTION OF SECTIONS 1, 2, 3, AND 10, OF TOWNSHIP 2 SOUTH, RANGE 6 EAST, MOUNT DIABLO BASE AND MERIDIAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE LATHROP CITY LIMIT LINE ESTABLISHED BY LATHROP GATEWAY BUSINESS PARK REORGANIZATION, LAFD 16-12, RECORDED IN INSTRUMENT NO. 2012-076692, SAN JOAQUIN COUNTY RECORDS, SAID POINT BEING THE INTERSECTION OF THE WESTERLY LINE OF D'ARCY PARKWAY AND THE SOUTHEASTERLY LINE OF THE 400 FOOT WIDE CONGRESSIONAL GRANT TO UNION PACIFIC RAILROAD (FORMERLY SOUTHERN PACIFIC RAILROAD),

THENCE ALONG SAID CITY LIMIT LINE THE FOLLOWING ELEVEN (11) COURSES (BEING COURSES 1 THROUGH 11):

COURSE #1. ALONG A CURVE TO THE RIGHT, FROM WHICH THE RADIUS POINT BEARS SOUTH 39°04'00" WEST, HAVING A RADIUS OF 698.73 FEET, THROUGH A CENTRAL ANGLE OF 00°32'28", AND AN ARC LENGTH OF 6.60 FEET,

COURSE #2. NORTH 43°09'29" EAST 17.00 FEET,

COURSE #3. SOUTH 0°19'13" WEST 716.67 FEET,

COURSE #4. SOUTH 71°53'59" WEST 288.64 FEET,

COURSE #5. SOUTH 0°18'29" WEST 105.31 FEET,

COURSE #6. SOUTH 0°18'29" WEST 461.11 FEET,

COURSE #7. NORTH 89°40'35" WEST 150.24 FEET,

COURSE #8. SOUTH 0°18'29" WEST 1760.28 FEET,

COURSE #9. SOUTH 73°02'59" EAST 183.61 FEET,

COURSE #10. SOUTH 71°08'26" EAST 761.50 FEET,

COURSE #11. SOUTH 70°44'23" EAST 150.05 FEET,

TO A POINT ON THE MANTECA CITY LIMIT LINE AS ESTABLISHED BY THE CITY OF MANTECA ANNEXATION 1997-1, SAID POINT BEING ON THE SOUTHEASTERLY LINE OF THE UNION PACIFIC RAILROAD RIGHT OF WAY (FORMERLY WESTERN PACIFIC RAILROAD),

THENCE ALONG SAID MANTECA CITY LIMIT LINE,

COURSE #12. SOUTH 67°28'07" WEST 604.97 FEET,

THENCE LEAVING SAID MANTECA CITY LIMIT LINE AND CONTINUING ON SAID SOUTHEASTERLY LINE OF THE UNION PACIFIC RAILROAD RIGHT OF WAY AS SHOWN ON RECORD OF SURVEY FILED IN BOOK 36 OF SURVEYS, AT PAGE 138, SAN JOAQUIN COUNTY RECORDS,

COURSE #13. SOUTH 67°27'58" WEST, 6,785.22 FEET MORE OR LESS TO THE APPROXIMATE CENTERLINE OF THE SAN JOAQUIN RIVER,

THENCE NORTHWESTERLY ALONG SAID APPROXIMATE CENTERLINE, THE FOLLOWING THREE (3) COURSES (BEING COURSES 14 THROUGH 16),

COURSE #14. NORTH 25°15'38" WEST 1,296.07 FEET,

COURSE #15. ALONG A NON-TANGENT CURVE TO THE LEFT, FROM WHICH THE RADIUS POINT BEARS SOUTH 56°25'14" WEST, HAVING A RADIUS OF 4,870.36 FEET, THROUGH A CENTRAL ANGLE OF 9°45'52", AND AN ARC LENGTH OF 830.01 FEET,

COURSE #16 NORTH 45°56'40" WEST 396.87 FEET,

TO A POINT ON THE LATHROP CITY LIMIT LINE ESTABLISHED BY THE WEST LATHROP ANNEXATION, LAFC 12-96, RECORDED IN INSTRUMENT NO. 97100296, SAN JOAQUIN COUNTY RECORDS, SAID POINT BEING ON THE EASTERLY LINE OF INTERSTATE ROUTE NO. 5 COMMON WITH THE SOUTHERLY LINE OF STATE HIGHWAY ROUTE NO. 120,

THENCE ALONG SAID CITY LIMIT LINE THE FOLLOWING SIX (6) COURSES, (BEING COURSES 17 THROUGH 22):

COURSE #17. NORTH 56°18'10" EAST 206.68 FEET,

COURSE #18. SOUTH 89°55'46" EAST 259.28 FEET,

COURSE #19. NORTH 60°53'07" EAST 240.19 FEET,

COURSE #20. NORTH 51°10'29" EAST 1,173.41 FEET,

COURSE #21. NORTH 56°35'28" EAST 680.86 FEET,

COURSE #22. NORTH 64°49'25" EAST 158.92 FEET,

TO A POINT ON THE LATHROP CITY LIMIT LINE ESTABLISHED BY STATE ROUTE 120 SEGMENT ANNEXATION TO THE CITY OF LATHROP, RESOLUTION NO. 1165, SAID POINT BEING AT THE INTERSECTION OF THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 3 WITH THE SOUTH LINE OF STATE HIGHWAY 120, BEING ON THE NORTH LINE OF MADRUGA ROAD, THENCE ALONG SAID CITY LIMIT LINE THE FOLLOWING SEVEN (7) COURSES (BEING COURSES 23 THROUGH 28):

COURSE #23. NORTH 72°01'18" EAST 316.25 FEET,

COURSE #24. ALONG A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 3,625.00 FEET, THROUGH A CENTRAL ANGLE OF 29°27'04", FOR AN ARC LENGTH OF 1,863.32 FEET,

COURSE #25. SOUTH 78°31'38" EAST 124.54 FEET,

COURSE #26. NORTH 00°38'31" EAST 365.62 FEET,

COURSE #27. NORTH 86°30'15" WEST 309.55 FEET,

COURSE #28. ALONG A NON TANGENT CURVE TO THE LEFT FROM WHICH THE RADIUS POINT BEARS SOUTH 7°12'06" WEST , HAVING A RADIUS OF 4,000.29 FEET, THROUGH A CENTRAL ANGLE OF 8°25'06", FOR AN ARC LENGTH OF 587.75 FEET,

COURSE #29. SOUTH 85°33'00" WEST 414.86 FEET TO A POINT ON THE LATHROP CITY LIMIT LINE ESTABLISHED BY LATHROP INCORPORATION/REORGANIZATION, LAFD 19-88 FILED IN INSTRUMENT NO. 89055167, SAN JOAQUIN COUNTY RECORDS, SAID POINT BEING ON THE SOUTHEASTERLY LINE OF THE 400 FOOT WIDE CONGRESSIONAL GRANT TO UNION PACIFIC RAILROAD (FORMERLY SOUTHERN PACIFIC RAILROAD),

THENCE ALONG SAID CITY LIMIT LINE THE FOLLOWING TWO (2) COURSES (BEING COURSES 30 THROUGH 31),

COURSE #30. NORTH 71°52'42" EAST 1,887.49 FEET,

COURSE #31. ALONG A TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 5,929.65 FEET, THROUGH A CENTRAL ANGLE OF 29°39'43" AND AN ARC LENGTH OF 3,069.77 FEET, TO THE POINT OF BEGINNING.

CONTAINING 464.5 ACRES MORE OR LESS

END OF DESCRIPTION

PREPARED BY:

IAN BRUCE MACDONALD
LICENSED PROFESSIONAL LAND SURVEYOR No. 8817
(EXP. DECEMBER 31, 2017)
STATE OF CALIFORNIA

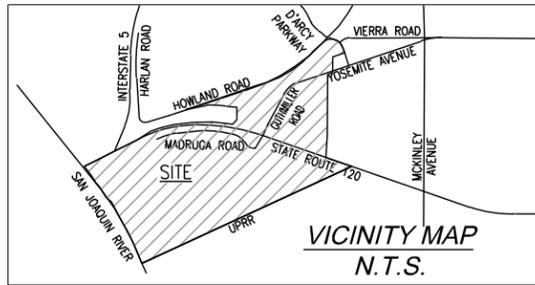
DATE

APPROVED AS TO DESCRIPTION:
COUNTY SURVEYOR

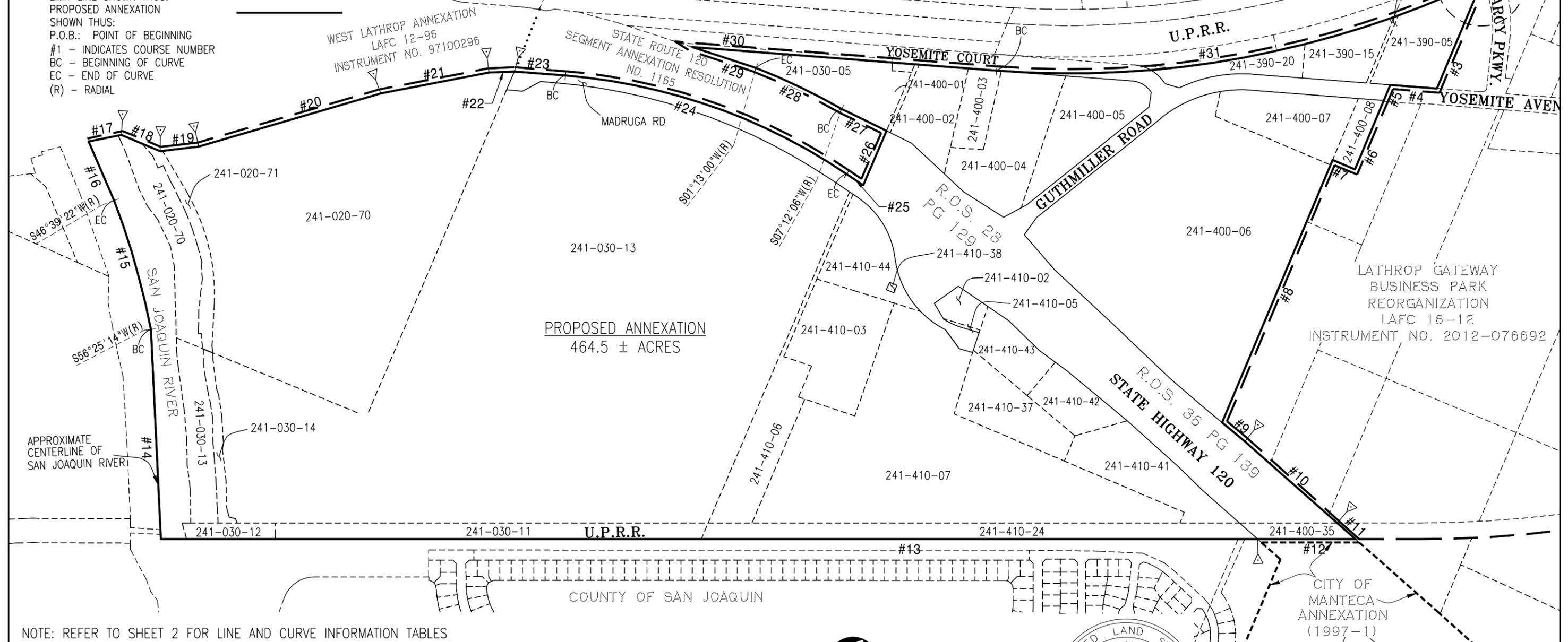
BY: _____
THOMAS M. GAU, R.C.E. 26994



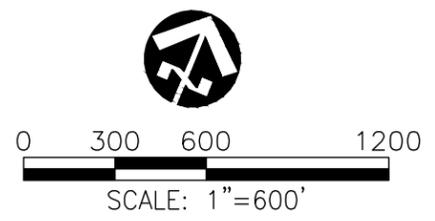
MAP OF
SOUTH LATHROP
ANNEXATION TO THE CITY OF LATHROP
SAN JOAQUIN COUNTY, CALIFORNIA
PORTIONS OF SECTIONS 1, 2, 3, & 10
OF TOWNSHIP 2 SOUTH, RANGE 6 EAST
MOUNT DIABLO BASE AND MERIDIAN
SHEET 1 OF 2



- LEGEND**
 EXISTING CITY OF LATHROP
 LIMIT LINE SHOWN THUS:
 EXISTING CITY OF MANTECA
 LIMIT LINE SHOWN THUS:
 PROPOSED ANNEXATION
 SHOWN THUS:
 P.O.B.: POINT OF BEGINNING
 #1 - INDICATES COURSE NUMBER
 BC - BEGINNING OF CURVE
 EC - END OF CURVE
 (R) - RADIAL



NOTE: REFER TO SHEET 2 FOR LINE AND CURVE INFORMATION TABLES



PLAT TO ACCOMPANY DESCRIPTION

Mackay & Somps
 ENGINEERS PLANNERS SURVEYORS
 5142B FRANKLIN DR, PLEASANTON, CA 94588 (925)225-0690

DRAWN	DATE	SCALE	JOB NO.
ALK	11/19/2014	1"=600'	25195