

## MINUTE ITEM

This Calendar Item No. 49  
 was approved as Minute Item  
 No. 49 by the State Lands  
 Commission by a vote of 2  
 to 0 at its 12-16-80  
 meeting.

## CALENDAR ITEM

49

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12/80  
W 22434

THE UNDERSIGNED, ACTING IN THIS BEHALF FOR THE  
 STATE LANDS COMMISSION, HAS HEREBY CERTIFIED,  
 THAT THE ANNEXED IS A WHOLE, TRUE AND CORRECT  
 COPY OF THE ORIGINAL RECORD COPY, CONSISTING OF  
 SEVEN PARTS, ON FILE IN THE OFFICE OF THE STATE  
 LANDS COMMISSION; THAT SAID COPY HAS BEEN COM-  
 PARED BY THE UNDERSIGNED WITH THE ORIGINAL AND  
 IS A CORRECT TRANSCRIPT THEREFROM.

IN WITNESS WHEREOF, THE UNDERSIGNED  
 HAS EXECUTED THIS CERTIFICATE AND  
 AFFIXED THE SEAL OF THE STATE LANDS  
 COMMISSION THIS 18th DAY OF DECEMBER  
 A.D. 1980

STATE LANDS COMMISSION  
 EXECUTIVE OFFICE  
 1807 13TH STREET  
 SACRAMENTO, CA 95814

CESSION OF CONCURRENT CRIMINAL JURISDICTION  
 TO THE UNITED STATES OF AMERICA OVER  
 MOFFETT HOMES-ORION PARK,  
 MOFFETT NAVAL AIR STATION,  
 SANTA CLARA COUNTY

Pursuant to Government Code, Section 126, the State Lands  
 Commission is authorized on behalf of the State to cede  
 concurrent criminal jurisdiction to the United States upon  
 finding:

- a. The land is held for the erection of forts, arsenals  
 and other needful buildings within the purview of clause 17,  
 of Section 8, of Article 1 of the Constitution of the  
 United States;
- b. The cession is in compliance with the laws of the United  
 States;
- c. The United States has in writing requested such cession;  
 and
- d. The State reserves jurisdiction over the land, for  
 purposes of water acquisition and management.

By letter dated December 14, 1979, the United States Navy  
 requested a cession of concurrent criminal jurisdiction  
 over Moffett Homes-Orion Park, Moffett Naval Air Station,  
 Santa Clara County, California. The parcel in question  
 comprises approximately 83.92 acres. Calendar Item 44,  
 June 1980, authorized Commission staff to conduct a public  
 hearing pursuant to Government Code, Section 126. The hearing  
 was held on November 24, 1980. No comments regarding the  
 cession were received at the hearing.

The staff believes that therefore, cession of concurrent  
 criminal jurisdiction is in the best interest of the State  
 of California in connection with the administration of  
 police power over the area.

EXHIBITS: A. Location Map. B. Land Description.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT THE CESSION OF JURISDICTION HEARING  
 HELD ON NOVEMBER 24, 1980, COMPLIED WITH THE STATUTES  
 AND REGULATIONS FOR THE CESSION OF CONCURRENT CRIMINAL

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JURISDICTION AND THAT THE FOLLOWING CONDITIONS HAVE BEEN SATISFIED:

- A. THE UNITED STATES HAS REQUESTED IN WRITING THAT THE STATE OF CALIFORNIA CEDE CONCURRENT CRIMINAL JURISDICTION OVER THE LAND DESCRIBED IN EXHIBIT "B" ATTACHED AND BY REFERENCE MADE A PART HEREOF, SAID LANDS BEING WITHIN THE STATE OF CALIFORNIA.
  - B. THE LAND IS HELD BY THE UNITED STATES FOR THE ERECTION OF FORTS, MAGAZINES, ARSENALS, DOCKYARDS, AND OTHER NEEDFUL BUILDINGS WITHIN THE PURVIEW OF CLAUSE 17, OF SECTION 8 OF ARTICLE 1 OF THE CONSTITUTION OF THE UNITED STATES.
  - C. THE LAND IS HELD BY THE UNITED STATES IN FEE BY PURCHASE.
  - D. JURISDICTION CEDED PURSUANT TO GOVERNMENT CODE, SECTION 126, CONTINUES ONLY SO LONG AS THE LAND IS HELD BY THE UNITED STATES FOR THE ABOVE-DESCRIBED PURPOSES OR FOR FIVE YEARS, WHICHEVER PERIOD IS LESS.
  - E. IN CEDING SUCH CONCURRENT CRIMINAL JURISDICTION THE LEGISLATURE AND THE STATE RESERVE JURISDICTION OVER THE LAND, WATER AND USE OF WATER WITH FULL POWER OF CONTROL AND REGULATE THE ACQUISITION, USE, CONTROL AND DISTRIBUTION OF WATER WITH RESPECT TO THE LAND AFFECTED BY SUCH CESSION.
  - F. IN CEDING CONCURRENT CRIMINAL JURISDICTION THE LEGISLATURE AND THE STATE EXCEPT AND RESERVE TO THE STATE ALL DEPOSITS OF MINERALS, INCLUDING OIL AND GAS, IN THE LAND, AND TO THE STATE, OR PERSONS AUTHORIZED BY THE STATE, THE RIGHT TO PROSPECT FOR, MINE, AND REMOVE SUCH DEPOSITS FROM THE LAND.
2. DETERMINE THAT A CESSION OF CONCURRENT CRIMINAL JURISDICTION OVER THE LAND DESCRIBED IN EXHIBIT "B" ATTACHED AND BY REFERENCE MADE A PART HEREOF IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA.
  3. CEDE THE REQUESTED CONCURRENT CRIMINAL JURISDICTION OVER MOFFETT HOMES-ORION PARK, MOFFETT NAVAL AIR STATION, SANTA CLARA COUNTY, CALIFORNIA. SAID CESSION TO BE EFFECTIVE UPON APPROVAL OF THIS CALENDAR ITEM BY THE COMMISSION AND THE RECORDATION OF ALL NECESSARY DOCUMENTS.
  4. AUTHORIZE THE DISTRIBUTION OF CERTIFIED COPIES OF SAID RESOLUTION AS FOLLOWS:

- A. ONE COPY TO BE FILED WITH THE SECRETARY OF STATE,  
STATE OF CALIFORNIA:
- B. ONE COPY TO BE RECORDED IN THE OFFICE OF THE COUNTY  
RECORDER OF SANTA CLARA COUNTY:
- C. ONE COPY TO BE MAILED TO MR. F. S. STERNS, DEPUTY  
ASSISTANT COMMANDER FOR REAL ESTATE, NAVAL FACILITIES  
ENGINEERING COMMAND, 200 STOVALL STREET, ALEXANDRIA,  
VIRGINIA 22332.

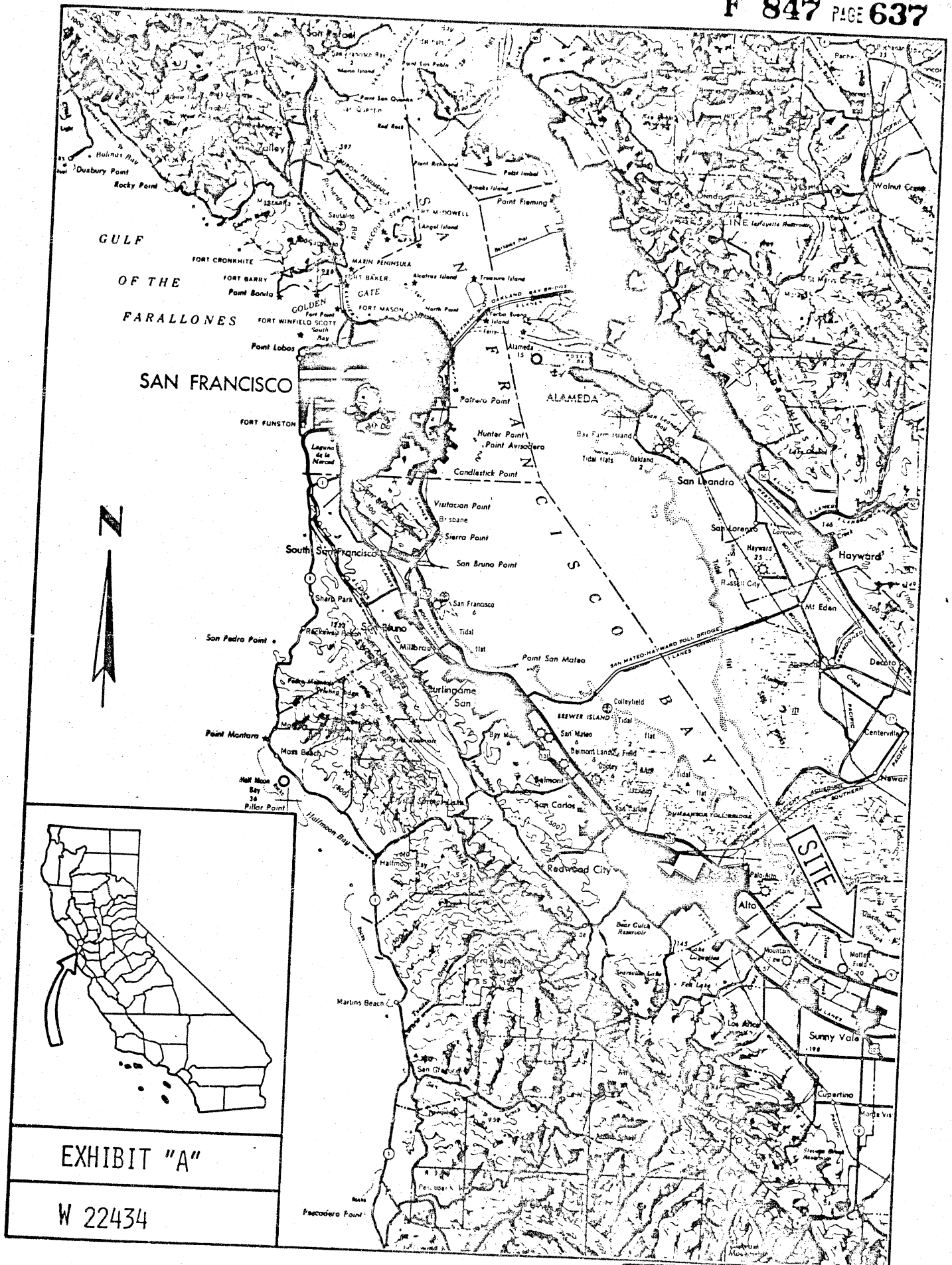


EXHIBIT "A"

W 22434

## EXHIBIT "B"

## LEGAL DESCRIPTION

W 22434

A parcel of land known as Moffett Housing of the Naval Air Station, Moffett Field, Sunnyvale, California, lying in the County of Santa Clara, State of California, described as follows:

BEGINNING at a point on the westerly line of said Moffett Field being described as a concrete monument set in the center of Section 15, Township 6 South, Range 2 West as described in Civil No. 21747 filed in the District Court of the United States for the Northern District of California, Southern Division; dated January 6, 1941

- (1) Thence, northerly along said westerly line, North  $0^{\circ}15'00''$  East, 696.65 feet to a point on the northerly line of said Civil 21747;
- (2) Thence easterly along said northerly line, South  $89^{\circ}56'48''$  East, 13.89 feet to southwesterly corner of Parcel 2 as described in Deed recorded in Book 7432, page 376, of said county, dated July 6, 1966;
- (3) Thence, northerly along the westerly line of said Parcel 2, North  $15^{\circ}17'56''$  East, 165.40 feet;
- (4) Thence, continuing northerly along the westerly line of said Parcel 2, North  $15^{\circ}17'56''$  East, 181.29 feet;
- (5) Thence, continuing northerly along said westerly line, North  $1^{\circ}15'35''$  East, 50.00 feet;
- (6) Thence, continuing northerly along said westerly line, North  $0^{\circ}14'02''$  East, 440.19 feet;
- (7) Thence, westerly along the boundary line as mentioned in said Parcel 2 in said deed (7432-or-376), North  $89^{\circ}45'58''$  West 10.00 feet to westerly line of said Parcel 2;
- (8) Thence, northerly along said westerly line, North  $0^{\circ}14'02''$  West, 878.36 feet to the northwesterly corner of said Parcel 2;
- (9) Thence, easterly along the northerly line of said Parcel 2, South  $86^{\circ}57'00''$  East, 1207.30 feet;
- (10) Thence, continuing along said northerly line, East 80.40 feet to the easterly line of said Parcel 2 and Moffett Boulevard;
- (11) Thence, along said easterly line, South 1633.00 feet to the southerly line of said Parcel 2;
- (12) Thence, along said southerly line, West 50.00 feet to the westerly line of said Moffett Boulevard and the easterly line of said Civil 21747;
- (13) Thence, southerly along said westerly line of Moffett Boulevard and said easterly line of Civil 21747, South 294.41 feet;

- (14) Thence, continuing southerly along said westerly line of Moffett Boulevard and said easterly line of Civil 21747 on a curve to the left, having a radius of 279.41 feet through a central angle of  $32^{\circ}37'30''$  for an arc distance of 158.95 feet;
- (15) Thence, continuing southerly along said westerly line of Moffett Boulevard and said easterly line of Civil 21747, South  $32^{\circ}37'30''$  East, 65.44 feet;
- (16) Thence, continuing southerly along said westerly line of Moffett Boulevard and said easterly line of Civil 21747 on a curve to the right, having a radius of 225.00 feet, through a central angle of  $48^{\circ}00'00''$  for an arc distance 188.50 feet;
- (17) Thence, continuing southerly along said westerly line of Moffett Boulevard and said easterly line of Civil 21747, South  $15^{\circ}22'30''$  West, 13.83 feet to the southeasterly corner of said Civil 21747 and the northeasterly corner of Parcel 1 as described in said Deed (7432-or-376);
- (18) Thence, continuing southerly along said westerly line of Moffett Boulevard and the easterly line of said Parcel 1, South  $16^{\circ}18'47''$  West, 107.58 feet to the southerly line of said Parcel 1;
- (19) Thence, westerly along said southerly line, South  $68^{\circ}24'47''$  West, 150.51 feet;
- (20) Thence, continuing westerly along said southerly line South  $73^{\circ}46'27''$  West, 427.72 feet;
- (21) Thence, continuing westerly along said southerly line on a curve to the left having a radius of 1050 feet, through a central angle of  $15^{\circ}52'35''$  for an arc distance of 290.95 feet;
- (22) Thence, continuing westerly along said southerly line, South  $57^{\circ}53'52''$  West, 403.82 feet;
- (23) Thence, continuing westerly along said southerly line on a curve to the right having a radius of 200.00 feet, through a central angle of  $54^{\circ}10'07''$  for an arc distance of 189.08 feet;
- (24) Thence, continuing westerly along said southerly line, North  $67^{\circ}56'01''$  West, 141.87 feet to the west line of said Parcel 1;
- (25) Thence, northerly along the west line of said Parcel 1, North  $2^{\circ}49'56''$  West; 130.13 feet;
- (26) Thence, continuing northerly along the west line of said Parcel 1, North  $1^{\circ}39'27''$  East, 102.02 feet;
- (27) Thence, continuing northerly along the west line of said Parcel 1, on a curve to the right having a radius of 749.96 feet, a central angle of  $9^{\circ}26'04''$  for an arc distance of 123.49 feet;
- (28) Thence, continuing northerly along the west line of said Parcel 1, North  $11^{\circ}05'31''$  East, 224.91 feet;



- (29) Thence, easterly along said Parcel 1 boundary line, North 84°52'34" East, 202.45 feet to the southerly line of said Civil 21747;
- (30) Thence, westerly along said southerly line of Civil 21747, North 89°06'55" West, 201.16 feet to the POINT OF BEGINNING.

Said parcel of land contains 83.92 acres, more or less, and as shown on U.S. Navy drawing identified as NAVFAC Dwg. No. 6117881, and WESTDIV Dwg. No. A-104038.

END OF DESCRIPTION

THIS DESCRIPTION PREPARED BY APPLICANT AND REVIEWED BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR.

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FILED FOR RECORD  
AT REQUEST OF

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*State Lands Commission*  
JAN 14 10 10 AM '81

OFFICIAL RECORDS  
SANTA CLARA COUNTY  
GEORGE A. MANN  
REGISTRAR RECORDER

*PPH*