

MINUTE ITEM

This Calendar Item No. 20
was approved as Minute Item
No. 20 by the State Lands
Commission by a vote of 2
to 0 at its 11/29/82
meeting.

CALENDAR ITEM

20 1

11/82
W 22965
Frey

CESSION OF CONCURRENT CRIMINAL JURISDICTION TO
THE UNITED STATES OVER A PARCEL
OF LAND AT BORON, SAN BERNARDINO COUNTY

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

- a. That the lands are used for federal purposes.
- b. The United States has in writing requested such cession.
- c. The cession is in compliance with the laws of the United States.

The U.S. Bureau of Prisons maintains a prison in Boron, California. Within that facility there is a Federal Aviation Administration facility. By letter dated November 20, 1981, signed by Acting Attorney General Rudolph W. Giuliani, and by letter dated March 25, 1982, signed by Secretary of Transportation Drew Lewis, the United States requested a cession of concurrent criminal jurisdiction over the above mentioned parcels.

83-064550

RECORDED AT REQUEST OF
AND MAIL TO

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

NO FEE
A

83-064550

RECORDED IN
OFFICIAL RECORDS

1983 MAR 28 AM 9:57

SAN BERNARDINO
CO., CALIF.

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CALENDAR ITEM NO. 20 (CONTD)

On May 27, 1982, by calendar item C.23, the Commission authorized the staff to conduct a public hearing on whether the cession would be in the State's best interests. The hearing was noticed in newspapers of general circulation and the Clerk of the Board of Supervisors was served a notice of the hearing. The hearing was held on August 17, 1982. No comments regarding the cession were received at the hearing.

The staff believes that cession of concurrent criminal jurisdiction is in the best interests of the State and that it will facilitate the administration of criminal law over the parcels.

EXHIBITS: A. Location Map.
 B-1 and B-2. Land Descriptions.

IT IS RECOMMENDED THAT THE COMMISSION:

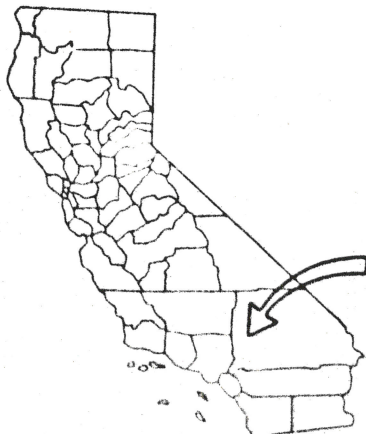
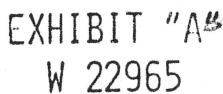
1. FIND THAT THE FOLLOWING CONDITIONS HAVE BEEN SATISFIED:
 - A. THE UNITED STATES HAS REQUESTED IN WRITING THAT THE STATE OF CALIFORNIA CEDE CONCURRENT CRIMINAL JURISDICTION OVER THE LAND DESCRIBED IN EXHIBITS "B-1" AND "B-2" ATTACHED AND BY REFERENCE MADE A PART HEREOF, SAID LANDS BEING WITHIN THE STATE OF CALIFORNIA.
 - B. THE LAND IS OWNED BY THE UNITED STATES AND USED FOR FEDERAL PURPOSES.
 - C. 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.
 - D. 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.

- E. 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 THE CESSION OF JURISDICTION HEARING HELD ON AUGUST 17, 1982, COMPLIED WITH THE STATUTES AND REGULATIONS FOR THE CESSION OF CONCURRENT CRIMINAL JURISDICTION.
 3. DETERMINE THAT A CESSION OF CONCURRENT CRIMINAL JURISDICTION OVER THE LAND DESCRIBED IN EXHIBITS "B-1" AND "B-2" ATTACHED AND BY REFERENCE MADE A PART HEREOF IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA.
 4. CEDE THE REQUESTED CONCURRENT CRIMINAL JURISDICTION OVER THE FEDERAL PRISON (DESCRIBED IN EXHIBIT "B-1") AND THE FEDERAL AVIATION ADMINISTRATION FACILITY (DESCRIBED IN EXHIBIT "B-2" AT BORON, CALIFORNIA. SAID CESSION TO BE EFFECTIVE UPON APPROVAL OF THIS CALENDAR ITEM BY THE COMMISSION, THE RECEIPT OF A LETTER OF ACCEPTANCE OF JURISDICTION BY THE UNITED STATES PURSUANT TO 40 USC 255, AND THE RECORDATION OF ALL NECESSARY DOCUMENTS WITH THE SECRETARY OF STATE AND THE SAN BERNARDINO COUNTY RECORDER.
 5. FIND THAT THIS ACTIVITY IS EXEMPT FROM CEQA PURSUANT TO PRC SECTION 21065.

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NA



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EXHIBIT "B-1"

LAND DESCRIPTION

W 22965

Four parcels of land in Sections 1 and 2, T11N, R7W, SBM, San Bernardino County, California, described as follows:

PARCEL 1

That portion of the NW $\frac{1}{4}$ of Section 1, T11N, R7W, SBM, described as follows:

BEGINNING at a point in the west line of said Section 1, distant N 0° 23' 08" E 117.48 feet from the west $\frac{1}{4}$ corner of said section; thence N 0° 23' 08" E 865.01 feet along said west line; thence N 89° 40' 21" E 664.72 feet; thence S 0° 23' 08" W 864.28 feet; thence S 89° 36' 35" W 664.73 feet to the point of beginning.

PARCEL 2

That portion of the W $\frac{1}{4}$ of Section 1, T11N, R7W, SBM, described as follows:

BEGINNING at the W $\frac{1}{4}$ corner of said Section 1; thence along the west line of said Section N 0° 23' 08" E 117.48 feet to the south line of the north 318 acres of said Section; thence along said south line N 89° 36' 35" E 664.73 feet; thence S 0° 23' 08" W 455.40 feet; thence S 89° 36' 24" W 661.47 feet to said west line of Section 1; thence along said west line N 0° 10' 15" W 337.92 feet to the point of beginning.

PARCEL 3

The NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 1, T11N, R7W, SBM.

EXCEPTING THEREFROM the portion described as follows:

BEGINNING at the W $\frac{1}{4}$ corner of said Section 1; thence along the west line of said Section S 0° 10' 15" E 337.92 feet; thence N 89° 36' 24" E 661.47 feet; thence N 0° 23' 08" E 337.98 feet, more or less, to the north line of said NW $\frac{1}{4}$ of the SW $\frac{1}{4}$; thence along said north line S 89° 36' 04" W 664.73 feet, more or less, to the point of beginning.

PARCEL 4

Lot 1 of the NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 2, T11N, R7W, SBM.

EXCEPTING THEREFROM that portion described as follows:

COMMENCING at the NE corner of Section 2, T11N, R7W, SBM; thence southerly along the easterly line of said Section 2, S 0° 23' 08" W 1372.07 feet to the NE corner of Lot 1 in the NE $\frac{1}{4}$ of said Section 2; thence westerly along the northerly line of said Lot 1 S 89° 56' 32" W 579.50 feet to the TRUE POINT OF BEGINNING; thence along the following twelve courses:

1. S 0° 03' 28" E 192.81 feet;
2. S 45° 03' 24" W 122.13 feet;
3. N 44° 56' 36" W 29.00 feet;
4. S 45° 03' 24" W 10.00 feet;
5. N 44° 56' 36" W 26.00 feet;
6. S 45° 03' 24" W 6.55 feet;
7. N 44° 56' 36" W 29.19 feet;
8. S 45° 03' 24" W 14.25 feet;
9. N 44° 56' 36" W 19.00 feet;
10. S 45° 03' 24" W 54.00 feet;
11. N 44° 56' 36" W 140.00 feet;
12. N 0° 03' 28" W 166.53 feet to said northerly line;

thence along said northerly line N 89° 56' 32" E 318.23 feet to
the true point of beginning.

END OF DESCRIPTION

PREPARED NOV. 10, 1982 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.

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EXHIBIT "B-2"

LAND DESCRIPTION

W 22965

A parcel of land in Section 2, T11N, R7W, SBM, San Bernardino County, California, described as follows:

COMMENCING at the NE corner of Section 2, T11N, R7W, SBM; thence southerly along the easterly line of said Section 2, S 0° 23' 08" W 1372.07 feet to the NE corner of Lot 1 in the NE 1/4 of said Section 2; thence westerly along the northerly line of said Lot 1 S 89° 56' 32" W 579.50 feet to the TRUE POINT OF BEGINNING; thence along the following twelve courses:

1. S 0° 03' 28" E 192.81 feet;
2. S 45° 03' 24" W 122.13 feet;
3. N 44° 56' 36" W 29.00 feet;
4. S 45° 03' 24" W 10.00 feet;
5. N 44° 56' 36" W 26.00 feet;
6. S 45° 03' 24" W 6.55 feet;
7. N 44° 56' 36" W 29.19 feet;
8. S 45° 03' 24" W 14.25 feet;
9. N 44° 56' 36" W 19.00 feet;
10. S 45° 03' 24" W 54.00 feet;
11. N 44° 56' 36" W 140.00 feet;
12. N 0° 03' 28" W 166.53 feet to said northerly line;

thence along said northerly line N 89° 56' 32" E 318.23 feet to the true point of beginning.

END OF DESCRIPTION

PREPARED NOV. 10, 1982 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.

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 2 PARTS, ON FILE IN THE OFFICE OF
THE STATE LANDS COMMISSION, THAT SAID
COPY HAS BEEN COMPARED BY THE UNDER-
SIGNED WITH THE ORIGINAL AND IS A COR-
RECT TRANSCRIPT THEREFROM.
IN WITNESS WHEREOF, THE UNDERSIGNED
HAS EXECUTED THIS CERTIFICATE AND
AFFIXED THE SEAL OF THE STATE LAND
COMMISSION THIS 21 DAY OF March
A.D. 1983
Leroy Weed

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Office of the Attorney General

Washington, D. C. 20530

February 3, 1983

Honorable George Deukmejian
Governor of California
1807 13th Street
Sacramento, California 95814

Dear Governor Deukmejian:

In accordance with the provisions of Section 355 of the Revised Statutes of the United States (Title 40 United States Code Section 255), acceptance is hereby made on behalf of the United States of concurrent jurisdiction with the State of California, as provided by California Government Code Section 126 and 2 California Administrative Code Section 2600 et seq., over the property known as the Federal Prison Camp at Boron, California.

We have been notified by the California State Lands Commission that my request to Governor Brown for cession of concurrent jurisdiction over the property was duly approved on November 29, 1982. The facility is located on the parcels of land hereinafter described:

Parcel No. 1

Tract A-100

That portion of the Northwest 1/4 of Section 1, Township 11 North, Range 7 West, San Bernardino Meridian, in the County of San Bernardino, State of California, described as follows, basis of bearings being California Coordinate System, Zone 6 (Chapter 1307, Statutes of 1947):

Beginning at a point in the West line of said Section 1, distant North 0° 23' 08" East 117.48 feet from the West one-quarter corner of said section; thence North 0° 23' 08" East 865.01 feet along said west line; thence North 89° 40' 21" East 664.72 feet; thence South 0° 23' 08" West 864.28 feet; thence South 89° 36' 35" West 664.73 feet to the point of beginning.

Containing 13.20 acres, more or less.

Tract A-101-1

That portion of the West 1/2 of Section 1, Township 11 North, Range 7 West, San Bernardino Meridian, in the County of San Bernardino, State of California, described as follows, basis of bearings being California Coordinate System, Zone 5, (Chapter 1307, Statutes of 1947):

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Beginning at the West 1/4 corner of said Section 1; thence along the West line of said Section North 0° 23' 08" East 117.48 feet to the South line of the North 318 acres of said Section; thence along said South line North 89° 36' 35" East 664.73 feet; thence South 0° 23' 08" West 455.40 feet; thence South 89° 36' 24" West 661.47 feet to said West line of Section 1; thence along said West line North 0° 10' 15" West 337.92 feet to the point of beginning.

Containing 6.90 acres, more or less.

Tract A-101-2

The Northwest 1/4 of the Southwest 1/4 of Section 1, Township 11 North, Range 7 West, San Bernardino Meridian, in the County of San Bernardino, State of California.

EXCEPT the portion thereof described as follows:
Beginning at the West 1/4 corner of said Section; thence along the West line of said Section South 0° 10' 15" East 337.92 feet; thence North 89° 36' 24" East 661.47 feet; thence North 0° 23' 08" East 337.98 feet, more or less, to the North line of said Northwest 1/4 of the Southwest 1/4; thence along said North line South 89° 36' 04" West 664.73 feet, more or less, to the point of beginning.

Containing 35.50 acres, more or less.

Parcel No. 2

Tract "A"

Lot 1 of the Northeast 1/4 and the Northeast 1/4 of the Southeast 1/4 of Section 2, Township 11 North, Range 7 West, San Bernardino Meridian, in the County of San Bernardino, State of California.

Containing 120 acres, more or less.

Less and except all that portion which is described as follows:

Parcel No. 4

Commencing at the Northeast corner of Section 2, Township 11 North, Range 7 West, S.B.M., County of San Bernardino; thence Southerly along the Easterly line of said Section 2 South 0° 23' 08" West 1372.07 feet to the Northeast corner of Lot 1 in the Northeast quarter of said Section 2; thence Westerly along the Northerly line of said lot 1 South 89° 56' 32" West 579.50 feet to the true point of beginning; thence at right angles South 0° 03' 28" East 192.81 feet;

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thence South 45° 03' 24" West 122.13 feet; thence at right angles North 44° 56' 36" West 29.00 feet; thence at right angles South 45° 03' 24" West 10.00 feet; thence at right angles North 44° 56' 36" West 26.00 feet; thence at right angles South 45° 03' 24" West 6.55 feet; thence at right angles North 44° 56' 36" West 29.19 feet; thence at right angles South 45° 03' 24" West 14.25 feet; thence at right angles North 44° 56' 36" West 19.00 feet; thence at right angles South 45° 03' 24" West 54.00 feet; thence at right angles North 44° 56' 36" West 140.00 feet; thence at right angles to the Northerly line of said Lot 1 North 0° 03' 28" West 166.53 feet to said Northerly line; thence along said Northerly line North 89° 56' 32" East 318.23 feet to the true point of beginning.

Containing 1.72 acres, more or less.

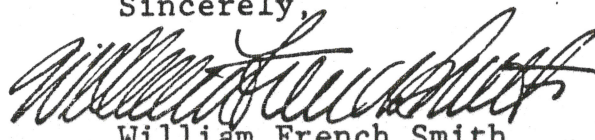
I will appreciate your acknowledging the receipt of this notice of acceptance by executing the acknowledgment below on the enclosed copy hereof and returning such copy to me for the records of the Department of Justice.

If you need further information, please feel free to contact me through Mr. Ira Kirschbaum, Assistant General Counsel for the Bureau of Prisons. Mr. Kirschbaum can be reached at:

United States Department of Justice
Bureau of Prisons
320 First Street, N.W.
Washington, D.C. 20534
(202) 724-3064

Your assistance is greatly appreciated.

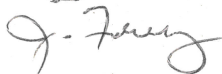
Sincerely,


William French Smith
Attorney General
of the United States

Enclosures

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 3 PARTS, ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION; THAT SAID COPY HAS BEEN COMPARED BY THE UNDERSIGNED WITH THE ORIGINAL AND IS A CORRECT TRANSCRIPT THEREFROM.

IN WITNES WHEREOF, THE UNDERSIGNED HAS EXECUTED THIS CERTIFICATE AND AFFIXED THE SEAL OF THE STATE LAND COMMISSION THIS 21 DAY OF March A.D. 1983.



George Deukmejian, Governor

83-064550

RECEIVED
APR 13 1983
STATE LANDS COMMISSION

Receipt is hereby acknowledged of the above notice _____, 1983.