

MINUTE ITEM

1138

This Calendar Item No. 30  
was approved as Minute Item  
No. 30 by the State Lands  
Commission by a vote of 3  
to 0 at its 5/24/84  
meeting.

CALENDAR ITEM

A 77

30

05/24/84

S 39

W 23349

Frey

ACCEPTANCE OF RETROCESSION OF  
PARTIAL JURISDICTION AND ESTABLISHMENT OF  
CONCURRENT JURISDICTION OVER  
CARROLL CANYON NAVY FAMILY HOUSING AREA

Government Code Section 113 provides as follows:

"The Legislature of California hereby consents to the retrocession of jurisdiction by the United States of land within this State upon and subject to each and all of the following express conditions:

"(a) The United States must in writing have requested State Acceptance of retrocession, and unless there is an officer of the United States Empowered by a United States statute to cede jurisdiction, said request shall be by the act of Congress; such retrocession may return all jurisdiction to the State or may provide for concurrent jurisdiction.

"(b) When the conditions of subsection (a) of this section have been found and declared to have occurred and to exist, by the State Lands Commission, the Commission shall hold a hearing to determine whether acceptance of such retrocession is in the best interest of the State. Notice of such hearing shall be published pursuant to Section 6061 in each county in which the land or any part thereof is situated and a copy of such notice shall be personally served upon the clerk of the board of supervisors of each county. The State Lands Commission shall make rules and regulations governing the conditions and procedure of such hearings.

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. -2-

Added 5/23/84

IN WITNES WHEREOF, THE UNDERSIGNED HAS EXECUTED THIS CERTIFICATE AND AFFIXED THE SEAL OF THE STATE LAND COMMISSION, THIS 20 DAY OF Sept, A.D. 1984

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"(c) The determination of the State Lands Commission shall be final and jurisdiction acceptance shall become effective when certified copies of its orders or resolutions have been filed in the Office of the Secretary of State and recorded in the Office of the County Recorder of each county in which any part of the land is situated."

On February 21, 1984, F. S. Sterns, Deputy Assistant Commander for Real Estate, United States Navy, addressed a letter to the State of California requesting that the State of California accept retrocession of partial jurisdiction and establishment of concurrent jurisdiction over Carroll Canyon Navy Family Housing Area, San Diego, California. The request was made pursuant to authority granted the Secretary of the Navy under Title 10, United States Code, Section 2683.

On March 24, 1984, the State Lands Commission authorized a public hearing for the purpose of determining whether it was in the best interest of the State to adjust the jurisdiction of the United States over the lands described in the letter of February 21, 1984.

The hearing was scheduled for May 22, 1984, at 10:30 a.m., 1220 Pacific Highway, San Diego, California. Notice thereof was published in the San Diego Tribune, and notice of said hearing was personally served on the Clerk of the Board of Supervisors of San Diego County. Affidavits of publication and service are filed in the records of the Commission.

The hearing was held as noticed. No comments regarding the adjustment were received at the hearing. The Housing Area is within the boundaries of the City of San Diego. The City was contacted by the Navy and agrees with the adjustment.

The retrocession would be in the best interest of the State in connection with the administration of local police power over the area.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT THE RETROCESSION OF JURISDICTION HEARING HELD ON MAY 22, 1984 COMPLIED WITH THE STATUTES AND

REGULATIONS FOR RETROCESSION OF JURISDICTION AND THAT THE FOLLOWING CONDITIONS HAVE BEEN SATISFIED:

- A. THE UNITED STATES HAS REQUESTED IN WRITING THAT THE STATE OF CALIFORNIA ACCEPT THE RETROCESSION OF PARTIAL JURISDICTION AND THE ESTABLISHMENT OF CONCURRENT JURISDICTION OVER THE LANDS DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, SAID LANDS BEING WITHIN THE STATE OF CALIFORNIA.
- B. SAID REQUEST WAS MADE BY AN OFFICER OF THE UNITED STATES EMPOWERED BY THE UNITED STATES STATUTE (10 U.S.C. 2683) TO CEDE JURISDICTION TO THE STATE OF CALIFORNIA.
2. DETERMINE THAT A RETROCESSION OF PARTIAL JURISDICTION AND ESTABLISHMENT OF CONCURRENT JURISDICTION OVER THE LANDS DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA.
3. ACCEPT THE RETROCESSION OF PARTIAL JURISDICTION AND ESTABLISH CONCURRENT JURISDICTION OVER THE LANDS DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.
4. AUTHORIZE THE DISTRIBUTION OF CERTIFIED COPIES OF THIS CALENDAR ITEM 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 SAN DIEGO COUNTY;
  - C. ONE COPY TO BE MAILED TO F. S. STERNS, DEPUTY ASSISTANT COMMANDER FOR REAL ESTATE, UNITED STATES NAVY, ALEXANDRIA, VIRGINIA.

Added 5/23/84

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## EXHIBIT "A"

## LAND DESCRIPTION

W 23349

Those portions of Section 4, T15S, R2W, SBM, in the City of San Diego, County of San Diego, State of California, described as follows:

PARCEL I

COMMENCING at the intersection of the West line of said Section 4 with the center line of S.D.C.H.C. Mission Road 1-A according to the Road Map thereof on file in the Office of the San Diego County Surveyor; thence N 66° 36' 00" E along the center line of said road, 271.88 feet to the beginning of a tangent curve to the left, having a radius of 3000.00 feet and a central angle of 11° 16'; thence easterly along the arc of said curve 219.04 feet to the TRUE POINT OF BEGINNING; thence continuing along the arc of said curve a distance of 370.88 feet; thence N 55° 20' 00" E 1056.21 feet to the beginning of a tangent curve to the right, having a radius of 2000.00 feet; thence easterly along the arc of said curve through an angle of 0° 34' a distance of 19.78 feet; thence leaving said road center line, S 34° 40' 00" E 867.00 feet; thence S 66° 39' 08" W 1548.87 feet; thence N 27° 35' 00" W 590.50 feet to the point of beginning.

PARCEL II

COMMENCING at the intersection of the West line of said Section 4 with the center line of S.D.C.H.C. Mission Road 1-A according to the Road Map thereof on file in the Office of the San Diego County Surveyor; thence N 66° 36' 00" E along the center line of said road, 271.88 feet to the beginning of a tangent curve to the left, having a radius of 3000.00 feet and a central angle of 11° 16' 00"; thence easterly along the arc of said curve a distance of 589.92 feet; thence N 55° 20' 00" E, 1056.21 feet to the beginning of a tangent curve to the right, having a radius of 2000.00 feet; thence easterly along the arc of said curve through an angle of 0° 34' 00" a distance of 19.78 feet to the TRUE POINT OF BEGINNING; thence leaving said road center line, S 34° 40' 00" E 1100.00 feet; thence N 54° 39' 20" E, 1214.00 feet; thence N 34° 40' 00" W, 719.99 feet to a point that is radially distant S 26° 40' 42" E, 80.00 feet from a 1000.00 foot radius curve on the center line of said Mission Road 1-A; thence N 26° 40' 42" W, 80.00 feet to a point on the centerline of said Mission Road 1-A; said point begin on the arc of 1000.00 foot radius curve concave northwesterly whose center bears N 26° 40' 42" W; thence southwesterly along the arc of said curve, being also along said centerline, through a central angle of 10° 17' 42" a distance of 176.77 feet to the end of said curve; thence along said centerline and tangent to said curve S 73° 27' 00" W, 474.46 feet to the beginning of a tangent 2000.00 foot radius curve concave southeasterly; thence southwesterly along said centerline and along the arc of said 2000.00 foot radius curve, through a central angle of 17° 33' 00" a distance of 612.61 feet to the point of beginning.

END OF DESCRIPTION

REVIEWED MARCH 26, 1984 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR

Added: 5/23/84

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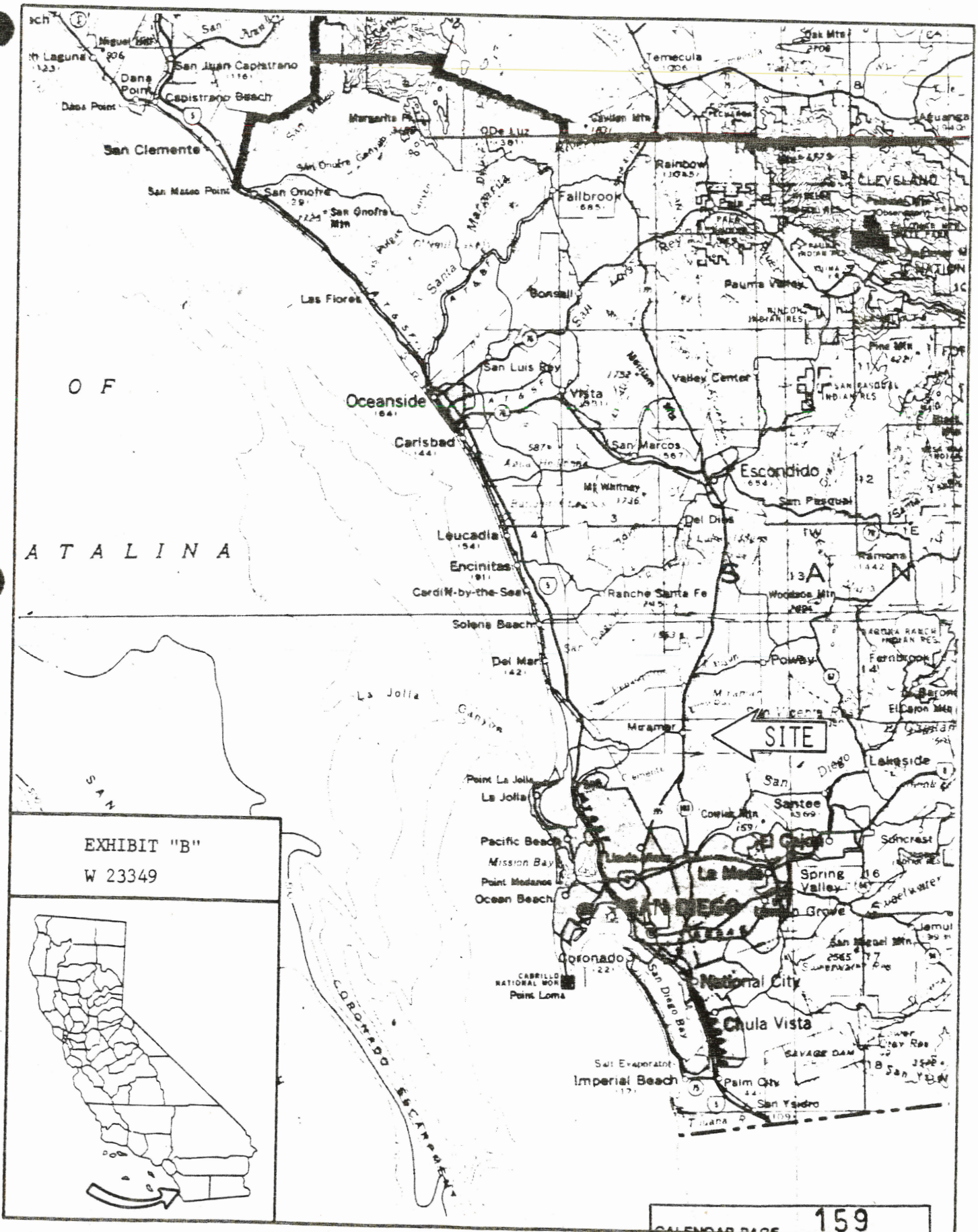


EXHIBIT "B"

W 23349

Added 5/23/84

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RECORDING REQUESTED BY  
AND MAIL TO:

1143

84-364605

STATE OF CALIFORNIA

STATE LANDS COMMISSION

EXECUTIVE OFFICE

1807 - 13th Street

Sacramento, California 95814

RECORDED IN  
OFFICIAL RECORDS  
OF SAN DIEGO COUNTY, CA.

1984 SEP 26 AM 11:02

VERA L. LYNE  
COUNTY RECORDER

NO FEE