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RECORDER
COUNTY CLERK
JAMES M. JOHNSTONE

RECORDED AT THE REQUEST OF
AND WHEN RECORDED MAIL TO:

STATE OF CALIFORNIA
STATE LANDS COMMISSION
100 HOWE AVE., SUITE 100 SOUTH
SACRAMENTO, CA 95825
ATTN: LEGAL UNIT
TELEPHONE: (916) 574-1829

STATE OF CALIFORNIA IS ENTITLED TO
FREE RECORDATION PURSUANT TO
GOVERNMENT CODE SECTION 27383

96 MAY 20 AM 11:18

SAN JOAQUIN COUNTY
STATE OF CALIFORNIA

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exempt

FOR RECORDER'S USE ONLY

ACCEPTANCE OF RETROCESSION OF LEGISLATIVE JURISDICTION

California Government Code Section 113

Whereas the United States acting by and through the Department of the Army has requested that the State of California accept a retrocession of partial legislative jurisdiction and establish concurrent legislative jurisdiction over lands comprising the Defense Distribution Region West, Lathrop, California; and

Whereas the California State Lands Commission, pursuant to California Government Code Section 113, has been authorized by the California State Legislature to accept such a retrocession and establish concurrent jurisdiction; and

Whereas the Executive Officer of the California State Lands Commission has been authorized to execute this instrument;

NOW, THEREFORE, I, Robert C. Hight, Executive Officer of the California State Lands Commission hereby certify that the Commissioners for the California State Lands Commission met on May 9, 1996 and accepted a retrocession of partial legislative jurisdiction and established concurrent legislative jurisdiction over certain lands comprising the Defense Distribution Region West, Lathrop, California. A copy of the Commission's Calendar Item No. 83(A) is attached hereto as Exhibit "A".

Robert C. Hight

ROBERT C. HIGHT, EXECUTIVE OFFICER
CALIFORNIA STATE LANDS COMMISSION

Date:

May 15, 1996

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENTState of CaliforniaCounty of SacramentoOn May 15, 1996 before me, Sharon Shaw, Notary Public,
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")personally appeared Robert C. Hight,
Name(s) of Signer(s)

☒ personally known to me – OR – ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Sharon Shaw
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Acceptance of Retrocession of Legislative
Title or Type of Document: Jurisdiction - Lathrop, CA

Document Date: May 15, 1996 Number of Pages: SixSigner(s) Other Than Named Above: None**Capacity(ies) Claimed by Signer(s)**Signer's Name: Robert C. Hight

- ☐ Individual
☐ Corporate Officer
 Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☒ Other: Executive

Officer

Signer Is Representing:

State Lands Commission

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer
 Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney-in-Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer Is Representing:

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

CALENDAR ITEM

83(A)

A 17

05/09/96

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**RETROCESSION OF PARTIAL LEGISLATIVE JURISDICTION AND
ESTABLISHMENT OF CONCURRENT LEGISLATIVE JURISDICTION AT
DEFENSE DISTRIBUTION REGION WEST, LATHROP, CALIFORNIA**

PARTY:

United States of America
Department of the Army
110 Army Pentagon
Washington, D. C. 20310-0110

BACKGROUND:

The United States exercises partial jurisdiction over the Defense Distribution Region West, Lathrop, San Joaquin County. By letter dated February 8, 1996 the Department of the Army requested that California accept a retrocession of partial legislative jurisdiction over this facility so as to establish concurrent legislative jurisdiction over this facility.

California Government Code Section 113 authorizes the State Lands Commission to accept such a retrocession if the following conditions are met:

1. The United States has in writing requested that the State accept a retrocession of jurisdiction;
2. The State Lands Commission has held a public hearing to determine whether it is in the State's best interests to accept the retrocession; and
3. The United States has agreed to pay for the costs associated with the retrocession process.

The United States has made the written request for the retrocession and has agreed to bear the costs associated with the retrocession. The noticed hearing was held on May 8, 1996. No comments in opposition to the retrocession and establishment of concurrent jurisdiction were received.

CALENDAR ITEM NO. 83(A) (CONT'D)**AB 884:**

N/A

OTHER PERTINENT INFORMATION:

Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because this activity is not a "project" as defined by the State CEQA Guidelines.

Authority: Public Resources Code Section 21065 and 14 California Code of Regulations Section 15378.

EXHIBIT:

- A1. Land Description
- A2. Form of Retrocession Certificate

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL. CODE REGS. 15378.
2. FIND THAT THE U.S. DEPARTMENT OF THE ARMY HAS REQUESTED THAT THE COMMISSION ACCEPT A RETROCESSION OF PARTIAL LEGISLATIVE JURISDICTION AND ESTABLISH CONCURRENT LEGISLATIVE JURISDICTION OVER LANDS COMPRISING THE DEFENSE DISTRIBUTION REGION WEST, LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA.
3. FIND THAT THE UNITED STATES HAS AGREED TO PAY FOR THE COSTS OF THE RETROCESSION PROCESS.
4. FIND THAT THE STATUTORY PUBLIC HEARING WAS HELD AS REQUIRED.
5. DETERMINE THAT IT IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA TO ACCEPT THE RETROCESSION OF PARTIAL LEGISLATIVE JURISDICTION AND ESTABLISH CONCURRENT LEGISLATIVE JURISDICTION AS REQUESTED BY THE UNITED STATES BECAUSE SUCH AN ACTION WILL ALLOW THE ENFORCEMENT OF THE LAWS OF

CALENDAR ITEM NO. 83(A) (CONT'D)

CALIFORNIA AND ITS POLITICAL SUBDIVISIONS ON THE DEFENSE DISTRIBUTION REGION WEST.

6. ACCEPT THE RETROCESSION OF PARTIAL LEGISLATIVE JURISDICTION AND ESTABLISH CONCURRENT JURISDICTION OVER THE DEFENSE DISTRIBUTION REGION WEST AS DESCRIBED IN EXHIBIT "A1" ATTACHED HERETO.
7. AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE AN ACCEPTANCE OF RETROCESSION IN SUBSTANTIALLY THE SAME FORM AS FOUND IN EXHIBIT "A2" ATTACHED HERETO.
8. AUTHORIZE THE FILING OF THE RETROCESSION WITH THE CALIFORNIA SECRETARY OF STATE AND THE SAN JOAQUIN COUNTY RECORDER AS REQUIRED BY GOVERNMENT CODE SECTION 113.

EXHIBIT "A1"

LAND DESCRIPTION
DEFENSE DISTRIBUTION REGION WEST, LATHROP, CALIFORNIA

Commencing at a point on the South line of Section 23, Township 1 South, Range 6 East, Mount Diablo Meridian, San Joaquin County, on or near the center line of Lathrop Road, at which point, said South line is intersected by the Easterly 400 foot right of way line of the Southern Pacific Railroad; thence, Easterly along said South Line of Section 23 and Section 24 in said Township and Range, to the intersection thereof with the Westerly line of the 200 foot right of way of the Western Pacific Railroad in the Southwest quarter (SW $\frac{1}{4}$) of said Section 24, thence Northerly along said Westerly right of way line to the North line of Section 13 in said Township and Range, on or near the center line of Roth Road; thence, Westerly along said North line of Section 13 and Section 14, in said Township and Range, to the Easterly right of way line of said Southern Pacific Railroad; thence, Southerly along said Easterly right of way line to the Point of Beginning, containing 724.15 acres, more or less.

This description was provided by the United States Army Corps of Engineers.

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Whereas the California State Lands Commission, pursuant to California Government Code Section 113, has been authorized by the California State Legislature to accept such a retrocession and establish concurrent jurisdiction; and

Whereas the Executive Officer of the California State Lands Commission has been authorized to execute this instrument;

NOW, THEREFORE, I, Robert C. Hight, Executive Officer of the California State Lands Commission hereby certify that the Commissioners for the California State Lands Commission met on _____ and accepted a retrocession of partial legislative jurisdiction and established concurrent legislative jurisdiction over certain lands comprising the Defense Distribution Region West, Lathrop, California. A copy of the Commission's Calendar Item No. _____ is attached hereto as Exhibit "A".

ROBERT C. HIGHT, EXECUTIVE OFFICER

Date: _____

CALENDAR PAGE

496

MINUTE PAGE