

MINUTE ITEM

4/4/74  
SCL

23. INCORPORATION OF TIDE AND SUBMERGED LANDS TO THE CITY OF SAN DIEGUITO, SAN DIEGO COUNTY - W 2400.99.

After consideration of Calendar Item 21 attached, and upon motion duly made and carried, the following resolution was adopted:

THE COMMISSION:

1. RESCINDS ITS APPROVAL OF SUPPLEMENTAL CALENDAR ITLM NO. 19 OF THE JULY 26, 1973 STATE LANDS COMMISSION CALENDAR (MINUTE ITEM 20, PAGE 607) DEPICTING THE LEGAL DESCRIPTION OF THE OFFSHORE BOUNDARIES OF THE PROPOSED INCORPORATION OF THE CITY OF SOLANA BEACH.
2. APPROVES THE LEGAL DESCRIPTION OF OFFSHORE BOUNDARIES OF THE PROPOSED INCORPORATION OF THE CITY OF SAN DIEGUITO AS SET FORTH IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.
3. AUTHORIZES THE REQUISITE NOTICES OF THE FOREGOING APPROVAL AND CONSENT TO THE LEGISLATIVE BODY OF SAN DIEGUITO AND TO LOCAL AGENCY FORMATION COMMISSION OF SAN DIEGO COUNTY.

Attachment:

Calendar Item 21 (12 pages)

CALENDAR ITEM

21.

3/74  
SCL  
W 2400.99

INCORPORATION OF TIDE AND SUBMERGED LANDS  
TO THE CITY OF SAN DIEGUITO

At its July 1973 meeting, the State Lands Commission approved the legal description of the proposed incorporation of the City of Solana Beach as required by Government Code Section 34302.3. Subsequent to the approval, the Local Agency Formation Commission of San Diego County rejected the proposed incorporation by the City of Solana Beach and instead, approved the proposed incorporation of the City of San Dieguito. The proposed incorporation of the City of San Dieguito includes all the tide and submerged lands that were included in the description of the proposed incorporation of Solana Beach. However, the incorporation of San Dieguito includes other tide and submerged lands as well. The Local Agency Formation Commission of San Diego County has requested that the State Lands Commission approve the legal description of the proposed incorporation of tide and submerged lands to the City of San Dieguito. These tide and submerged lands include the Pacific Ocean, San Elijo Lagoon, and Batiquitos Lagoon. Pursuant to California Government Code Section 34302.3 the State Lands Commission is required by law to approve or disapprove a description of the boundaries of the incorporation in respect to the included State-owned tide and submerged lands.

The description of the boundaries has been reviewed by the Division and has been found to be technically sufficient and in compliance with Section 34302.3 of the Government Code.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. RESCIND ITS APPROVAL OF SUPPLEMENTAL CALENDAR ITEM NO. 19 OF THE JULY 26, 1973 STATE LANDS COMMISSION CALENDAR (MINUTE ITEM 20, PAGE 607) DEPICTING THE LEGAL DESCRIPTION OF THE OFFSHORE BOUNDARIES OF THE PROPOSED INCORPORATION OF THE CITY OF SOLANA BEACH.
2. APPROVE THE LEGAL DESCRIPTION OF OFFSHORE BOUNDARIES OF THE PROPOSED INCORPORATION OF THE CITY OF SAN DIEGUITO AS SET FORTH IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.
3. AUTHORIZE THE REQUISITE NOTICES OF THE FOREGOING APPROVAL AND CONSENT TO THE LEGISLATIVE BODY OF SAN DIEGUITO AND TO LOCAL AGENCY FORMATION COMMISSION OF SAN DIEGO COUNTY.

Attachment: Exhibit "A"

Proposed Incorporation of the City of Sa. Dieguito

All that territory in the County of San Diego, State of California, described as follows:

1. Beginning at the intersection of the Mean High Tide Line of the Pacific Ocean and the Southerly meander line of the Salt Marsh of the Baticuitos Lagoon, as said meander line is shown and depicted upon the plat of Fractional Township 12 South, Range 4 West, S.B.B. and M., dated October 25, 1875, on file in the J. S. Surveyor General's Office, San Francisco, California, said point being a point in the Northerly boundary of the San Dieguito Irrigation District;
2. Thence along said Northerly boundary and along the meander line of said Salt Marsh to the Northwesterly line of Lot 7 of Fractional Section 33, Township 12 South, Range 4 West, S.B.B. and M.;
3. Thence Northeasterly along said Northwesterly line and along the Northwesterly line of Lot 8 in said Section 33, to the Westerly line of State Highway XI-SD-5, map on file in the office of the State Division of Highways;
4. Thence North  $27^{\circ}44'27''$  West along said Westerly line to the East and West center line of said Section 33;
5. Thence Easterly along said North and South center line to the Northeasterly line of said State Highway XI-SD-5 being a point 929.78 feet westerly from the East Quarter Corner of said Section 33;
6. Thence along the Northeasterly line of said Highway, South  $33^{\circ}13'47''$  East, 257.29 feet;
7. Thence South  $46^{\circ}58'59''$  East, 695.63 feet;
8. Thence South  $68^{\circ}31'17''$  East, 439.99 feet;
9. Thence South  $28^{\circ}40'06''$  East to the Northerly line of County Road Survey No. 1796, map on file in the office of the County Engineer of said County;

EXHIBIT A -

10. Thence Easterly along said Northerly line to the East line of Lot 7 in Section 35, Township 12 South, Range 4 West, S.B.B. and M.;
11. Thence Southerly along said East line to the North line of Section 2, Township 13 South, Range 4 West, S.B.B. and M.;
12. Thence Westerly along said North line to the East line of Section 3 of said Township and Range;
13. Thence Southerly along said East line to the South line of the North 880 feet of Lot 1 (Northeast Quarter of Northeast Quarter) of said Section 3;
14. Thence Westerly along said South line to the East line of Lot 2 (Northwest Quarter of Northeast Quarter) of said Section 3;
15. Thence Northerly along said East line to the South line of the North 308 feet thereof;
16. Thence Westerly along said South line to the East line of the West 495 feet of said Lot 2;
17. Thence Southerly along said East line to the South line of the North 660 feet of said Lot 2;
18. Thence Westerly along said South line to the North and South center line of said Section 3, Township 13 South, Range 4 West;
19. Thence Southerly along said North and South center line of Section 3 and along the North and South center line of Section 10 of said Township and Range to the North line of the Southwest Quarter of the Northeast Quarter thereof;
20. Thence Easterly along said North line to the East line of said Quarter - Quarter;
21. Thence Southerly along said East line to the East and West center line of said Section 10;
22. Thence Westerly along said center line to the Easterly line of county Road Survey No. 373 map on file in the County Engineer's office of said County;

23. Thence Northwesterly along the prolongation of said Easterly line to the North line of county Road Survey No. 462 map on file in said County Engineer's office;
24. Thence Westerly along said North line to the North and South center line of said Section 10;
25. Thence Northerly along said North and South center line to the North line of the South Half of the Southeast Quarter of the Northwest Quarter of said Section 10;
26. Thence Westerly along said North line to the East line of county Road Survey No. 700 (Saxony Road) map on file in the County Engineer's office of said County;
27. Thence Southerly along said East line of County Road Survey 700 to the Easterly prolongation of the South line of the Northeast Quarter of the Northwest Quarter of the Southwest Quarter of said Section 10;
28. Thence Westerly along said prolongation and said South line to the West line of the Northeast Quarter of the Northwest Quarter of the Southwest Quarter of said Section 10;
29. Thence along said West line North  $0^{\circ}43'$  East (Record North  $1^{\circ}02'$  East) 153.26 feet;
30. Thence South  $60^{\circ}09'$  West, 58.16 feet;
31. Thence South  $35^{\circ}45'$  West, 521.94 feet to the Easterly line of State Highway XI-SD-5 map on file in the office of the State Division of Highways;
32. Thence Southeasterly along said Easterly line to a point on said line distant North  $18^{\circ}13'02''$  West, 407.97 feet from the South line of said Section 10;
33. Thence North  $89^{\circ}49'30''$  East to the West line of said county Road Survey No. 700 (Saxony Road);
34. Thence Northerly along said West line to the North line of the South Quarter of said Section 10;

35. Thence Easterly along the Northerly line of said South Quarter and along the North line of the Southwest Quarter of the Southwest Quarter of Section 11, Township 13 South, Range 4 West, S.B.B. and M., to the East line of the Northwest Quarter of the Southwest Quarter thereof;
36. Thence Northerly along said East line to the East and West center line of said Section 11;
37. Thence Easterly along said East and West center line to the East line of county Road Survey No. 1800-1, map on file in the County Engineer's office of said County;
38. Thence Northerly along said East line to the North line of the Southwest Quarter of the Northeast Quarter of said Section 11;
39. Thence Easterly along said North line to the East line of the Southwest Quarter of the Northeast Quarter of said Section 11;
40. Thence Southerly along said East line to the East and West center line of Section 11;
41. Thence Easterly along said East and West center line to the Westerly boundary of the Rancho Las Encinitas according to map thereof No. 848 filed in the County Recorder's office of said County;
42. Thence Northwesterly along said Westerly line to the North line of Lot 21 of said Map No. 848;
43. Thence Easterly along said North line of Lot 21 and along the North line of Lot 20, to the East line of said Lot 20;
44. Thence Southerly along said East line to the North line of Lot 24 of said Map 848;
45. Thence Easterly along said North line of Lot 24 to an intersection with the center line of "A" Street as shown on Colony of Olivenhain, according to Map thereof No. 326, filed in the office of the County Recorder of said County;

46. Thence South  $15^{\circ}33'16''$  West along said center line and its Southerly prolongation to the Westerly prolongation of the center line of 9th Street as shown on said Map No. 326;
47. Thence North  $73^{\circ}09'$  West, 220.31 feet along said prolongation to the Northerly prolongation of the center line of San Diego Avenue as shown on said Map No. 326;
48. Thence South  $15^{\circ}03'50''$  West to an intersection with the Northerly right of way line of West 8th Street as shown on said Map No. 326;
49. Thence South  $72^{\circ}53'00''$  East along said Northerly line of West 8th Street and the Easterly prolongation thereof to the Easterly line of San Diego Avenue as shown on said Map No. 326;
50. Thence South  $15^{\circ}08'00''$  West along said Easterly line of said San Diego Avenue to the Easterly prolongation of the Southerly line of West 7th Street as shown on said Map No. 326;
51. Thence North  $72^{\circ}52'40''$  West along said prolongation to the center line of said San Diego Avenue;
52. Thence South  $15^{\circ}40'41''$  West, 742.46 feet to the Westerly prolongation of the center line of West 6th Street as shown on said Map No. 326;
53. Thence North  $72^{\circ}43'10''$  West, (Record North  $73^{\circ}11'$  West) along said prolongation to the Northerly prolongation of the Westerly line of Lot 17 as shown on said Map No. 326;
54. Thence Southerly along said prolongation and said Westerly line of Lot 17 to the Northerly Right-of-Way line of Encinitas Boulevard according to County Road Survey 458-66 on file in the County Engineer's office of said County;
55. Thence Southeasterly along said Northerly line to the Easterly boundary of said Record of Survey Map No. 6407;
56. Thence along said boundary, South  $16^{\circ}13'00''$  West, 977.05 feet;

57. Thence South  $16^{\circ}13'49''$  West, 800.97 feet;
58. Thence North  $71^{\circ}59'13''$  West, 736.61 feet to said Westerly boundary of Rancho Las Encinitas;
59. Thence Southeasterly along said Westerly boundary to the Westerly boundary of Rancho San Dieguito according to Map in Patent Book No. 1, page 227, filed in the office of the County Recorder of said County;
60. Thence Southerly and Southeasterly along said boundary to the Southerly line of County Road Survey No 727 (Lomas Santa Fe Drive) on file in the office of the County Engineer of said County;
61. Thence Westerly along said Southerly line to the Easterly line of County Road Survey No. 821-2, map on file in the office of the County Engineer of said County;
62. Thence Southwesterly along said Easterly line to the South line of Section 36, Township 13 South, Range 4 West;
63. Thence Westerly along said south line to the Easterly line of County Road Survey No. 821 (Highland Drive) on file in said County Engineer's office;
64. Thence Southwesterly along said Easterly line to an angle point in the Southwesterly line of Parcel 1 as shown on Record of Survey Map No. 4423 filed in the office of the County Recorder of said County, being also an angle point in the boundary of Record of Survey Map No. 6692, records of said County;
65. Thence along the boundary of said Record of Survey Map No. 6692, South  $75^{\circ}38'40''$  East, 148.50 feet;
66. Thence South  $39^{\circ}50'36''$  East, 335.78 feet;
67. Thence South  $1^{\circ}12'31''$  West, 829.39 feet;
68. Thence South  $89^{\circ}43'12''$  East, 665.43 feet to the East line of the Northeast Quarter of Section 1, Township 14 South, Range 4 West, S.B.B. and M.;



69. Thence Southerly along said East line to the East and West center line of said Section 1 also being the Northerly boundary of the City of San Diego as described in City of San Diego Ordinance No. 7987 (New Series) adopted October 7, 1958;
70. Thence Westerly, Southerly, Westerly and Southerly along said City boundary to the Easterly line of County Road Survey No. 1210 map on file in the County Engineer's office of said County;
71. Thence Westerly to the most Southerly corner of land conveyed to the County of San Diego for the widening of County Road Survey No. 443 (Via De La Valle) by Document No. 88351 recorded May 4, 1969, being also a point in the Northwesterly line of County Road Survey No. 470, maps of said Road Surveys on file in said County Engineer's office;
72. Thence Northwesterly along the Southwesterly line of said widening to the West line thereof being a point on the East line of the West 198.00 feet of the Southeast Quarter of the Southeast Quarter of Section 2, Township 14 South, Range 4 West, S.B.B. and M.;
73. Thence North  $1^{\circ}28'$  East along the Westerly line of said widening to the South-Westerly line of said County Road Survey No. 443;
74. Thence Westerly along the Southerly line of said Road Survey and the Westerly prolongation thereof, to the Westerly line of the Atchison, Topeka and Santa Fe Railroad Right of Way, 200.00 feet wide;
75. Thence Westerly to the intersection of West line of State Highway XI-SD-2A, map on file in the office of the State Division of Highways, with the South line of County Road Survey No. 1589, (Border Avenue) map on file in the office of the County Engineer of said County;
76. Thence Westerly and Northwesterly along said South line of County Road Survey No. 1589 to the South line of Map thereof No. 6838, filed in the office of the County Recorder of said County;

77. Thence South  $89^{\circ} 49' 32''$  West along the South line of said Map No. 6838 and along the westerly prolongation thereof to the ownership boundary of the State of California (as determined according to the decree entered by the United States Supreme Court in United States v. California Original No. 5 on January 31, 1966);
78. Thence Northerly along said ownership boundary to the South-westerly prolongation of the aforementioned Southerly meander line of the Salt Marsh of the Batiquitos Lagoon;
79. Thence Northeasterly along said prolongation to the point of beginning.

LEGAL DESCRIPTION

All that real property situated in the County of San Diego, State of California, bounded and described as follows:

Beginning at the point of intersection of the Mean High Tide Line of the Pacific Ocean with the South line of Section 27, Township 13 South, Range 4 West, San Bernardino Meridian;

1. thence Easterly along the South line of Section 27 and 26 in said Township and Range to the South quarter corner of said Section 26;
2. thence Northeasterly in a direct line to the East quarter corner of said Section 26;
3. thence Northerly along the East line of said Section 26 to the Northeast corner of said 26;
4. thence Easterly along the North line of Section 25 in said Township and Range to the Southeasterly line of Manchester Avenue running in a Northeasterly direction according to Road Survey No. 426 on file in the County Engineer's office of said county;
- 4A. thence Northeasterly along said Southeasterly line to the centerline of Third Street of Rancho Las Encinitas according to Map No. 848, filed in the office of the County Recorder of said county and as shown on said Road Survey No. 426;
- 4B. thence Easterly along said centerline to the centerline of "D" Street of said Map. No. 848;
- 4C. thence Northerly along said centerline to the South line of 4th Street of said Map No. 848;
- 4D. thence Easterly along said South line to a point thereon distant 100 feet Easterly from the centerline of "G" Street of said Map No. 848;
- 4E. thence North  $15^{\circ}09'$  East 40 feet to the centerline of said 4th Street;
- 4F. thence Easterly along said centerline to the East line of "H" Street of said Map No. 848;
- 4G. thence Northerly along said East line to the South line of 5th Street of said Map No. 848;

5. thence Easterly along the South line of Fifth Street to the Southerly prolongation of "J" Street of Said Rancho Las Encinitas;
6. thence Northerly along said prolongation and said centerline of "J" Street to the centerline of 14th Street of said Rancho Las Encinitas;
7. thence North  $75^{\circ}38'$  West (Record North  $74^{\circ}52'$  West) 587.30 feet;
- 7A. thence North  $14^{\circ}18'$  East 200.00 feet;
- 7B. thence North  $58^{\circ}42'$  West 145.00 feet;
- 7C. thence South  $78^{\circ}45'$  West 541.00 feet;
- 7D. thence South  $3^{\circ}57'$  East 250.00 feet;
- 7E. thence North  $62^{\circ}34'$  West 1150.60 feet to the Easterly line of "C" Street as shown on said Map No. 848;
- 7F. thence North  $14^{\circ}44'30''$  East along said East line to the North line of said 14th Street;
8. thence Westerly along said North line of 14th Street to the centerline of "A" Street;
9. thence Southerly along the centerline of "A" Street to the North line of said 14th Street;
10. thence Westerly along said North line of 14th Street to the Westerly line of California Street;
11. thence Southerly along said Westerly line of California Street to the Northeasterly line of Rancho Santa Fe Road, Road Survey No. 454A according to maps thereof on file in the County Engineer's office of said county;
12. thence Northwesterly along said Northeasterly line of said Rancho Santa Fe Road to the Easterly prolongation of the Northerly line of Olivenhain Road which bears North  $86^{\circ}56'30''$  East according to Road Survey No. 1631 on file in the County Engineer's office of said county;
13. thence Westerly along said prolongation to and along said Northerly line of Olivenhain Road to the Easterly line of El Camino Real, Road Survey No. 1800-1 on file in the County Engineer's office of said county;

14. thence Northerly along said Easterly line of El Camino Real to the East-West centerline of Section 35, Township 12 South, Range 4 West, San Bernardino Meridian;
15. thence Westerly along said East-West centerline and along the East-West centerlines of Sections 34 and 33 of said Township and Range to the Mean High Tide Line of the Pacific Ocean;
16. thence Westerly along the westerly prolongation of said East-West centerline of said Section 33 to the ownership boundary of the State of California (as determined according to the decree entered by the United States Supreme Court in United States v. California Original No. 5 on January 31, 1966);
17. thence Southerly along said ownership boundary to the Westerly prolongation of said South line of Section 27, Township 13 South, Range 4 West;
18. thence Easterly along said prolongation to the point of beginning.