

MINUTE ITEM NO. 23  
APPROVED 12/1/75

MINUTE ITEM

12/1/75  
SCL

23. PROPOSED INCORPORATION OF THE CITY OF TRUCKEE OF ADJACENT  
SUBMERGED LANDS, NEVADA COUNTY; W 2400.109.

Mr. Robert C. Hight, Staff Counsel, explained that due to existing boundary disputes with regard to the bed of Donner Lake, in the opinion of Staff, it was not in the best interests of the State to approve this item.

Mr. James Porter, Attorney for the proponents of the proposed incorporation of the City of Truckee, questioned the Staff's recommendation on this matter. He explained that they could not proceed with the incorporation until approval from the State Lands Commission had been obtained. Chairman Cory suggested an alternative would be not to include the disputed area of Donner Lake.

Governor Dymally suggested an amendment be made to the application to the Local Agency Formation Commission which would separate Donner Lake from the proposed lands to be incorporated until the boundary dispute had been settled.

After considerable discussion, a motion was made by Governor Dymally and approved, that the Commission approve the incorporation with the condition that the bed of Donner Lake be deleted from the boundaries of the proposed city.

After consideration of Calendar Item 23 attached, and upon motion duly made and carried, the following resolution was adopted, as amended:

THE COMMISSION APPROVES THE PROPOSED BOUNDARIES OF PROPOSED INCORPORATION OF THE CITY OF TRUCKEE, PROVIDED THAT THE BED OF DONNER LAKE IS DELETED FROM THE BOUNDARIES OF THE PROPOSED CITY AS DESCRIBED IN EXHIBIT "A", ATTACHED AND BY REFERENCE MADE A PART HEREOF; THE PROPOSED DESCRIPTION OF DONNER LAKE TO BE EXCLUDED IS TO BE SUPPLIED BY STAFF COUNSEL OR IN THE ALTERNATIVE, IF NO STATE LANDS ARE INCLUDED IN THE BOUNDARIES OF THE PROPOSED CITY, EXCLUDING THE BED OF DONNER LAKE, THEN SAID DESCRIPTION IS DISAPPROVED; AND AUTHORIZES STAFF COUNSEL TO GIVE THE REQUISITE NOTICES TO THE COUNTY OF NEVADA, THE PROPONENTS OF THE PROPOSED INCORPORATION OF THE CITY OF TRUCKEE, AND THE EXECUTIVE OFFICER OF THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF NEVADA OF SAID DISAPPROVAL.

Attachment:  
Calendar Item 23 (4 pages)

A 3  
S 1

PROPOSED INCORPORATION OF THE CITY OF TRUCKEE  
OF ADJACENT SUBMERGED LANDS, NEVADA COUNTY

The City of Truckee proposes to incorporate certain submerged lands owned by the State of California. Section 34302.3 of the Government Code provides for approval or disapproval by the State Lands Commission of the boundaries of an incorporation that includes tide or submerged lands that are owned by the State, and for reporting its determination to the County, City and to the Executive Officer of the Local Agency Formation Commission of the County. Staff review of the map and of the legal description of the proposed incorporation has shown compliance with the provisions of said section.

Approval of the map and of the legal description is made pursuant to Section 34302.3 of the Government Code and does not constitute approval by the State, as owner of the submerged lands, of the proposed incorporation. This matter will be the subject of separate later consideration by the Commission.

In view of the fact that there presently exists unresolved tide and boundary problems at Donner Lake, it would not be in the best interest of the State to approve a description allowing incorporation of the City of Truckee so as to include Donner Lake. It is recommended that the Commission disapprove the description including Donner Lake. The Commission, at a later date, after the resolution of the title and boundary problems may wish to consider a new proposal for incorporation but until such time as the title and boundary problems are resolved, it would be in the best interest of the State to disapprove a description involving Donner Lake.

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

IT IS RECOMMENDED THAT THE COMMISSION DISAPPROVE THE PROPOSED BOUNDARIES OF PROPOSED INCORPORATION OF THE CITY OF TRUCKEE, AS DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF AND AUTHORIZE STAFF COUNSEL TO GIVE THE REQUISITE NOTICES TO THE COUNTY OF NEVADA, THE CITY OF TRUCKEE AND THE EXECUTIVE OFFICER OF THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF NEVADA OF SAID DISAPPROVAL.

Attachment: Exhibit "A"

## LAND DESCRIPTION

W 2400.109

### "Truckee Incorporation Boundary"

All those portions of the following described Sections lying entirely within Nevada County, State of California, as said county is described in Political Code Section 3937;

Section 1, 13, 14; E $\frac{1}{2}$  of Section 15; SE $\frac{1}{4}$  of Section 12 all being within T 17 N, R 15 E, M.D.M. and Section 31 T 18 N, R 16 E, M.D.M. and Sections 5, 6, 7, 8, 9, 13, 14, 15, 16, 17, 18; S $\frac{1}{2}$  of Sections 4, 10, 11, 12; NW $\frac{1}{4}$  of Section 4; S $\frac{1}{2}$  of NW $\frac{1}{4}$  Section 11 lying westerly of the following described line:

BEGINNING at the intersection of the South line of the N $\frac{1}{2}$  of the NW $\frac{1}{4}$  of Section 11, T17N, R16E, M.D.M. with the westerly R/W line of State Highway 89; thence along said westerly right of way line from a tangent that bears South 05° 18' 55" West, along the arc of a curve concave to the West having a radius of 5950.00 feet subtended by a chord bearing South 06° 35' 15" West 264.18 feet to a point on the Northwesterly right of way line of the Sierra Pacific Power Company as described as Parcel 1 of that certain agreement recorded in Book 314 of Official Records, Page 242, Nevada County Records; said point being on a curve concave Westerly with a radius of 5950 feet; thence following said Westerly right of way along said curve through a central angle of 00° 32' 05", an arc length of 55.53 feet; thence South 19° 57' 42" West, 250.59 feet; thence South 08° 27' 08" West, 567.68 feet; thence South 68° 27' 08" West, 34.64 feet; thence South 08° 27' 08" West, 30.00 feet; thence South 51° 32' 52" East, 34.64 feet; thence South 08° 27' 08" West, 131.68 feet to a point on the Northwesterly right of way line of Interstate 80 Freeway; thence Southwesterly along said right of way line South 65° 24' 54" West, 67.93 feet more or less to a point on the South line of the Northwest quarter of Section 11 and the end of the here in described Highway R/W line.

All within T 17 N, R 16 E, M.D.M.

Section 18, and that portion of Section 7 lying southerly of the centerline of the Truckee River. All within T 17 N, R 17 E, M.D.M.

Together with that certain area known as Alder Hill Annexation as shown on the map recorded in Book 5 of Surveys at Page 12, records of said County being portions of Section 3 and Section 4, T 17 N, R 16, E M.D.M. more particularly described as follows:

BEGINNING at the NW corner of the NE $\frac{1}{4}$  of Section 4, T 17 N, R 16 E, M.D.M.; thence North 87° 31' 00" East, 5432.41 feet along the North line of the Northeast one-quarter (NE $\frac{1}{4}$ ) of said Section 4 and the North line of the Northwest one-quarter (NW $\frac{1}{4}$ ) of said Section 3 to the North one-quarter corner of said Section 3 as shown on said Record of Survey; thence South 00° 50' 57" West, 2188.09 feet along the North-South centerline of said Section 3 to a point; thence South 89° 03' 25" West 1364.78 feet to a point on the North-South centerline of the Northwest one-quarter (NW $\frac{1}{4}$ ) of said Section 3; thence South 01° 04' 13" West 699.25 feet to a point on the East-West centerline of said Section 3; thence North 89° 43' 40" East, 2681.17 feet along said East-West centerline of Section 3 to a point as shown on said Record of Survey; thence South 00° 10' 42" West 4.71 feet to a point; thence South 89° 33' 23" West, 479.89 feet to a point; thence South 00° 12' 34" East, 178.74 feet to a point of the Northeasterly line of Beacon Road as shown on said Record of Survey; thence South 21° 09' 30" West, 88.27 feet across said Beacon Road to the beginning of a 180 foot not-tangent radius curve concave to the East; said beginning point of 180 foot non-tangent curve having a tangent bearing of South 34° 49' 41" West; thence along the arc of said 180 foot non-tangent radius curve to the left through a central angle of 65° 13' 01" for an arc distance of 204.89 feet to the point of reversing curve being the beginning of a 380 foot radius curve to the right being also concave to the West; thence along the arc of said 380 foot radius curve to the right through a central angle of 29° 53' 22" for an arc distance of 198.24 feet to the end thereof; thence non-radial to last mentioned curve North 88° 53' 44" East, 464.50 feet to a point as shown on said Record of Survey; thence South 00° 10' 42" West 657.89 feet to a point; thence South 89° 15' 25" West 1329.60 feet to a point on the North-South centerline of said Section 3; thence South 00° 50' 57" West, 1312.34 feet along said North-South centerline of Section 3 to the South one-quarter corner of said Section 3; thence South 88° 47' 48" West, 2690.36 feet along the South line of the Southwest one-quarter (SW $\frac{1}{4}$ ) of said Section 3 to the SW corner of said Section 3; thence North along the West line of said Section 3 to the E $\frac{1}{4}$  corner of Section 4, said Township and Range; thence west along the quarter section

line to the Center of said Section 4, thence along the  
Center Section line to the point of beginning.

EXCEPTING THEREFROM the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 9, T 17N, R 16 E M.D.M.

END OF DESCRIPTION

Prepared G.A.W. 11/14/75 Checked J.B.  
Reviewed Donald Buttrick Date 11/14/75