

MINUTE ITEM

This Calendar Item No. 38
was approved as Minute Item
No. 38 by the State Lands
Commission by a vote of 3
to 0 at its 12/17/81
meeting.

CALENDAR ITEM

38

12/17/81
W. 21886
Frey

CLARIFICATION OF JURISDICTIONAL
STATUS OVER HOUSING AREA,
LOS ALAMITOS NAVAL AIR STATION

There has been some confusion over the jurisdictional status of the housing area of Los Alamitos Naval Air Station. This status was considered by the Commission at its January 1979 meeting.

At that meeting the Commission approved a staff recommendation that the Commission accept a retrocession of concurrent jurisdiction. This recommendation erroneously expressed the intent of the United States and Commission staff. The statement as written provides for the retrocession of concurrent jurisdiction. Such a retrocession leaves no authority in the United States. By its letter dated February 14, 1978, the United States requested a retrocession of exclusive jurisdiction and the establishment of concurrent jurisdiction. It was this adjustment which the parties intended and which was erroneously described in the staff recommendation. Staff recommends that the Commission modify its order to reflect the parties' real intent. All administrative procedures required by statute were complied with at the time of the original hearings.

AB 884: N/A.

EXHIBITS: A. Site Map.
B. Property Description.

IT IS RECOMMENDED THAT THE COMMISSION MODIFY ITS ORDER TO READ:

1. THE UNITED STATES HAS REQUESTED IN WRITING THAT THE STATE OF CALIFORNIA ACCEPT THE RETROCESSION OF EXCLUSIVE JURISDICTION AND THE ESTABLISHMENT OF CONCURRENT JURISDICTION OVER THE LANDS DESCRIBED IN EXHIBIT "B" ATTACHED AND BY REFERENCE MADE A PART HEREOF, SAID LANDS BEING WITHIN THE STATE OF CALIFORNIA.
2. DETERMINE THAT A RETROCESSION OF EXCLUSIVE JURISDICTION AND THE ESTABLISHMENT OF CONCURRENT JURISDICTION OVER THE LANDS DESCRIBED IN EXHIBIT "B" ATTACHED AND BY

A 69, 70, 71, 72, 73

S 35, 36, 37

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REFERENCE MADE A PART HEREOF IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA.

3. ACCEPT BY ITS APPROVAL OF THIS CALENDAR ITEM THE RETROCESSION OF EXCLUSIVE JURISDICTION AND GRANT THE ESTABLISHMENT OF CONCURRENT JURISDICTION OVER THE LANDS DESCRIBED IN EXHIBIT "B" ATTACHED AND BY REFERENCE MADE A PART HEREOF.
4. AUTHORIZE THE DISTRIBUTION OF CERTIFIED COPIES OF SAID ACCEPTANCE AS FOLLOWS:
 - A. ONE COPY TO BE FILED WITH THE SECRETARY OF STATE OF CALIFORNIA.
 - B. ONE COPY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF ORANGE COUNTY.
 - C. ONE COPY TO BE MAILED TO F. S. STERNS, DEPUTY ASSISTANT COMMANDER FOR REAL ESTATE, UNITED STATES NAVY, ALEXANDRIA, VIRGINIA.

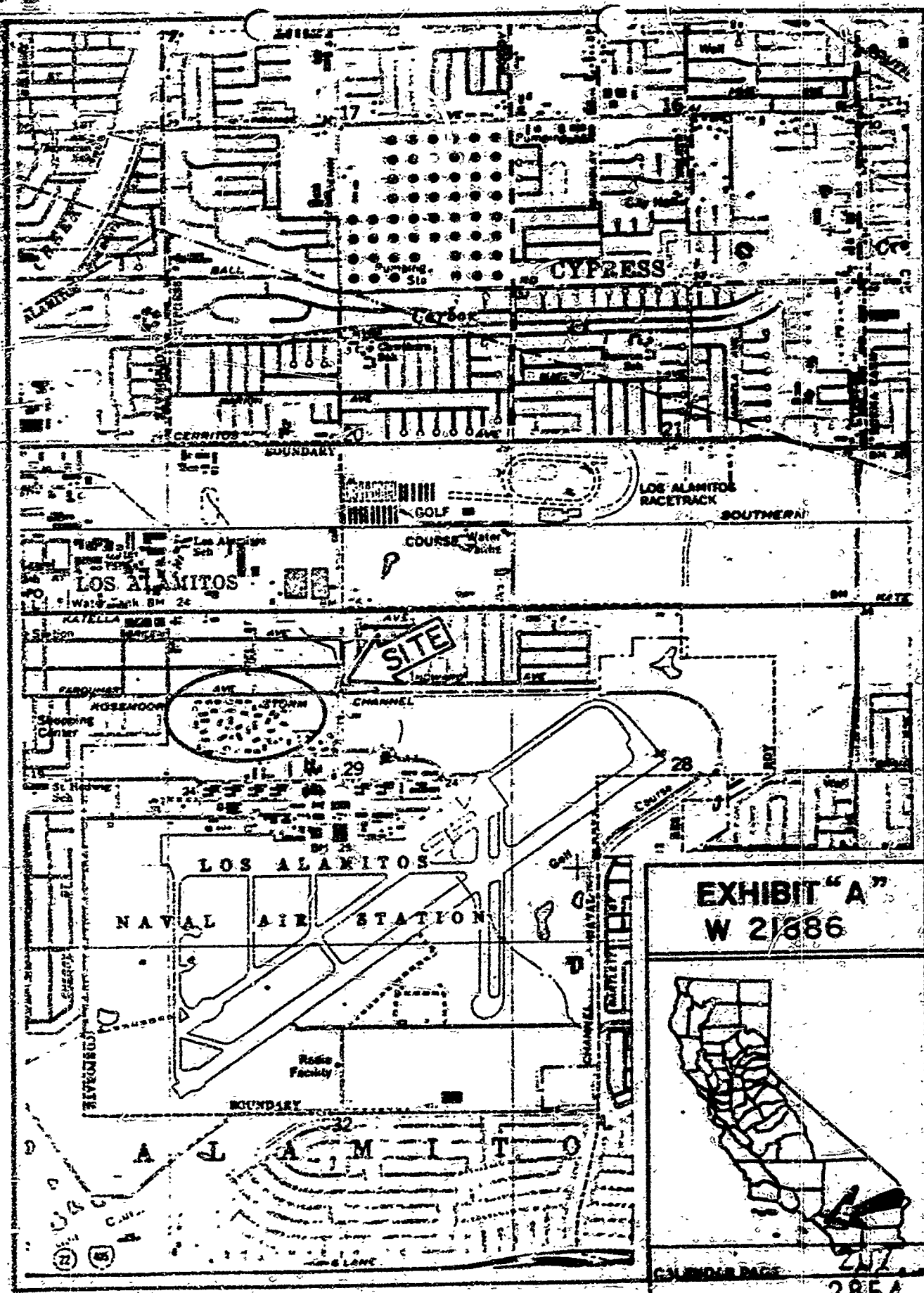


EXHIBIT "A"
W 21686



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EXHIBIT B

**Proposal Area to be Included in the
Retrosession of Concurrent Jurisdiction**

That portion of the parcel of land described as "Parcel K" in Judgment in Condemnation, Civil No. 2225-H docketed on April 12, 1943 in Court Order Book 16, Page 39, at the District Court of the United States, in and for the Southern District of California, Central Division, said portion more particularly described as follows:

Commencing at the northwest corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 29, Township 4 South, Range 11 West, San Bernardino Base and Meridian:

1. thence, along the north boundary line of said SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ South 89° 48' 05" East 342.00 feet to TRUE POINT OF BEGINNING;
2. thence, South 0° 11' 55" West 947.25 feet;
3. thence, South 89° 48' 05" East 1,007.80 feet;
4. thence, North 0° 11' 55" East 6.30 feet;
5. thence, South 89° 48' 05" East 1,111.95 feet;
6. thence, North 0° 11' 55" East 195.00 feet;
7. thence, South 89° 48' 05" East 70.00 feet;
8. thence, North 0° 11' 55" East 25.00 feet;
9. thence, South 89° 48' 05" East 45.00 feet;
10. thence, North 0° 11' 55" East 137.70 feet to the southerly line of parcel of land licensed by the Department of Navy to the Rossmoor-Los Alamitos Little League, Inc., filed for record under License No. NF(R)-22954 on April 1, 1974 at the Department of Navy, Western Division, Naval Facilities Engineering Command, San Bruno, California;
11. thence, along the southerly line of said parcel North 89° 48' 05" West 686.55 to the westerly line of said parcel;

12. thence, along the westerly line of said parcel North $0^{\circ} 11' 45''$ East 583.25 feet to the North line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 29;
13. thence, North $89^{\circ} 48' 05''$ West 1,548.18 feet to TRUE POINT OF BEGINNING.

Said parcel contains 38.69 Acres More or Less.

THE UNDERSIGNED SECRETARY OF THE BOARD FOR THE STATE LAND COMMISSION, HAS HEREBY CERTIFIED THAT THE ATTACHED IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD, CONSISTING OF 6 PAGES, FILED IN THE OFFICE OF THE STATE LAND COMMISSION, THIS 10 DAY OF MAY 1979, BY THE UNDERSIGNED SECRETARY OF THE BOARD AND IS A CORRECT TRANSCRIBED COPY.

IN WITNESS WHEREOF I, THE UNDERSIGNED HAS EXECUTED THIS OATH AND AFFIRMED THE SEAL OF THE STATE LAND COMMISSION THIS 10 DAY OF MAY 1979.

Joseph P. [Signature]

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