

MINUTE ITEM

This Calendar Item No. 31
was approved as Minute Item
No. 31 by the State Lands
Commission by a vote of 3
to 0 at its 5/7/84
meeting.

CALENDAR ITEM

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05/07/84
W 20776
Frey

CLARIFY CALENDAR ITEM TO REFLECT A
RETROCESSION OF EXCLUSIVE JURISDICTION
UNITED STATES OF AMERICA, HAMILTON AIR FORCE BASE

On August 29, 1974, the Commission approved a retrocession of jurisdiction at Hamilton Air Force Base. A recent review of the Calendar Item revealed a typographical error in the Commission's findings. The intent of the United States and the Commission in 1974 was to accomplish a retrocession of exclusive jurisdiction and to leave the air base in a proprietary status. The original Calendar Item found the retrocession to be in the State's interest, but it accepted a retrocession of concurrent jurisdiction rather than exclusive jurisdiction. The United States has requested that the Calendar Item be clarified to reflect a retrocession of exclusive jurisdiction so that it conforms to the intent of the parties.

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

Authority: PRC 21065 and 14 Cal. Adm. Code 15378.

EXHIBIT: A. Calendar Item 21, August 29, 1974.
B. Site Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PRC 21065 AND 14 CAL. ADM. CODE 15378.
2. MODIFY ITS ORIGINAL FINDING TO READ: "AUTHORIZES THE EXECUTION ON BEHALF OF THE COMMISSION OF A RESOLUTION ACCEPTING RETROCESSION OF EXCLUSIVE JURISDICTION AND

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CALENDAR ITEM NO. 31 CONT'D

ESTABLISHING PROPRIETAR' JURISDICTION OVER HAMILTON AIR
FORCE BASE AS DESCRIBED HEREIN AND TO ISSUE ALL DOCUMENTS
TO MAKE IT EFFECTIVE".

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35412

EXHIBIT "A"

File Ref: W20776

MINUTE ITEM

8/29/74
SFL

22. PROPOSED ACCEPTANCE BY STATE OF CALIFORNIA OF RETROCESSION OF EXCLUSIVE JURISDICTION FROM THE UNITED STATES OF 1438.01 ACRES, MORE OR LESS, OF LAND AT HAMILTON AFB, MARIN COUNTY - W 20776.

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

THE COMMISSION:

1. DETERMINES THAT THE RETROCESSION OF JURISDICTION HEARING HELD ON AUGUST 12, 1974, 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 CONCURRENT JURISDICTION OF 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 TO CEDE JURISDICTION TO THE STATE OF CALIFORNIA.

2. DETERMINES THAT A RETROCESSION OF EXCLUSIVE JURISDICTION OF 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. AUTHORIZES THE EXECUTION ON BEHALF OF THE COMMISSION OF A RESOLUTION ACCEPTING RETROCESSION OF CONCURRENT JURISDICTION AND ALL OTHER NECESSARY DOCUMENTS TO MAKE IT EFFECTIVE.

4. AUTHORIZES THE DISTRIBUTION OF CERTIFIED COPIES OF SAID RESOLUTION 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 MARIN COUNTY;
- C. ONE COPY TO BE MAILED TO JOHN L. MCLUCAS, SECRETARY OF THE AIR FORCE, WASHINGTON, D.C.

BOOK 2835 PAGE 607

Attachment:
Calendar Item 21 (6 pages)

RECORDED AT REQUEST OF
35412 State Lands Comm
55 MIN. PAST 12

OCT 3 - 1974

Official Records of Marin County, Calif.

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FEE G.C. RECORDER
6103

STEVEN C. LINDFELDT
STAFF COUNSEL

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 ... PARTS, ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION, THAT SAID COPY HAS BEEN COMPILED BY THE UNDERSIGNED WITH THE OFFICIAL RECORDS OF THE COMMISSION.

IN WITNESS WHEREOF, THE UNDERSIGNED HAS EXECUTED THIS CERTIFICATE AND AFFIXED THE SEAL OF THE STATE LANDS COMMISSION, THIS 30th DAY OF October, A.D. 1974.

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CALENDAR ITEM

21.

8/74
SCL
W 20776

PROPOSED ACCEPTANCE BY STATE OF CALIFORNIA OF
RETROCESSION OF EXCLUSIVE JURISDICTION FROM THE UNITED STATES OF
1438.01 ACRES, MORE OR LESS, OF LAND AT
HAMILTON AFB, MARIN COUNTY

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 interests of the state. Notice of such hearing shall be published pursuant to Section 6061 in each county in which the land or any part hereof 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.
- (c) The determination of the State Lands Commission shall be final and jurisdiction accepted 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 situate."

On June 12, 1974, John L. McClucas, Secretary of the Air Force, addressed a letter to Governor Reagan, requesting that the State of California accept retrocession of exclusive jurisdiction of 1438.01 acres, more or less, of land within Hamilton AFB.

On June 27, 1974, Supplemental Calendar Item No. 37, the State Lands Commission, authorized a public hearing for the purpose of determining whether it was in the best interest of the State to accept retrocession of exclusive jurisdiction from the United States over the lands described in the letter of June 12, 1974, and set forth in Exhibit "A" of said Calendar Item.

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CALENDAR ITEM NO. 21. (CONTD)

The hearing was scheduled for August 12, 1974, at 10:00 a.m., at 1807 - 15th Street, Sacramento, California. Notice thereof was published in the San Rafael Independent Journal, and notice of said hearing was personally served on the Clerk of the Board of Supervisors of Marin County. Affidavits of publication and service are on file in the records of the Division.

Copies of the Notice of Hearing were mailed to interested parties requesting the Notice.

The hearing was held as noticed. No objections to retrocession were received. 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 AUGUST 12, 1974, 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 CONCURRENT JURISDICTION OF 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 TO CEDE JURISDICTION TO THE STATE OF CALIFORNIA.
2. DETERMINE THAT A RETROCESSION OF EXCLUSIVE JURISDICTION OF 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. AUTHORIZE THE EXECUTION ON BEHALF OF THE COMMISSION OF A RESOLUTION ACCEPTING RETROCESSION OF CONCURRENT JURISDICTION AND ALL OTHER NECESSARY DOCUMENTS TO MAKE IT EFFECTIVE.
4. AUTHORIZE THE DISTRIBUTION OF CERTIFIED COPIES OF SAID RESOLUTION 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 MARIN COUNTY;
 - C. ONE COPY TO BE MAILED TO JOHN L. MCLUCAS, SECRETARY OF THE AIR FORCE, WASHINGTON, D.C.

Attachment: Exhibit "A"

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EXHIBIT "A"

W 20776

PARCEL 1:

A parcel of land situate on the western shore of San Pablo Bay, T 3 N, R 5 W, NDM, County of Marin, State of California, more particularly described as follows:

COMMENCING at a concrete monument set to mark point S.J.-32 of the final and official survey of the exterior boundary line of Rancho San Jose and delineated upon that certain plat entitled "Plat of Rancho San Jose, July 1858" and filed in the Office of the County Recorder of Marin County in Book "A" of Patents on page 1; thence S 36° 00' W, 500.00 feet to the POINT OF BEGINNING; thence along the boundary line of a tract of land presently known as Tract 5 of Hamilton Air Force Base acquired by deed dated April 21, 1943, recorded in Volume 443, page 480, Official Records of Marin County the following 5 courses:

1. N 53° 55' 19" W, 200.00 feet;
2. N 36° 04' 41" E, 583.81 feet;
3. N 81° 33' E, 1253.87 feet;
4. N 45° 03' 25" E, 801.67 feet;
5. S 44° 56' 35" E, 4141.30 feet to a point on the

boundary line of a tract of land presently known as Tract 4 of Hamilton Air Force Base, acquired by the United States as Tract 1, by Declaration of Taking (Civil Action 22540-R) filed March 22, 1943;

thence along the boundary line of said Tract 4, S 73° 43' E, 4421.23 feet to a point on the boundary line of a tract of land presently known as Tract 6 of Hamilton Air Force Base, acquired by the United States as Tract 1 by Declaration of Taking (Civil Action No. 23288-R) filed May 9, 1944; thence along the boundary line of said Tract 6 the following 7 courses:

1. N 19° 08' 30" E, 93.84 feet;
2. East 509.61 feet;
3. North 527.00 feet;
4. East 286.60 feet;
5. N 60° 00' 00" E, 1951.68 feet;
6. S 19° 49' 04" W, 2236.71 feet;
7. N 73° 43' W, 231.59 feet to a point on the

boundary line of said Tract 4;

thence along the boundary line of said Tract 4, S 40° 00' W, 16.38 feet to a point on the boundary line of a parcel of land within Hamilton Air Force Base described in the Deed dated February 13, 1932; recorded in Volume 246, page 175, Official Records of Marin County; thence along the boundary line of said parcel the following 7 courses:

EXHIBIT "A" (CONT'D)

1. S 40° 00' 10" W, 158.00 feet;
2. S 25° 30' 07" W, 309.99 feet;
3. S 08° 30' 06" W, 989.97 feet;
4. S 18° 20' 07" W, 1278.45 feet;
5. S 24° 00' 07" W, 376.19 feet;
6. S 15° 00' 07" W, 765.58 feet;
7. S 05° 29' 56" W, 306.62 feet to a point on the

northerly line of a parcel of land described in a Deed from the United States to the Roman Catholic Archbishop of San Francisco dated September 9, 1937;

thence along last said northerly line N 89° 59' 59" W, 3398.67 feet to a point on the westerly line of said parcel of land described in said Deed to the Roman Catholic Archbishop of San Francisco by the United States; thence along said westerly line South 154.68 feet to a point on the easterly line of a parcel of land acquired by the United States by Deed dated August 22, 1936;

thence along the boundary line of the last-mentioned parcel the following 5 courses:

1. South 198.63 feet, more or less;
2. S 36° 17' 10" W, 788.83 feet;
3. S 76° 00' 10" W, 901.42 feet;
4. S 85° 00' 40" W, 763.45 feet;
5. N 00° 29' 55" E, 1627.10 feet to a point on the

boundary line of a parcel of land acquired by the United States by Decree of Condemnation, No. 18928-L, judgment rendered December 4, 1931;

thence along the boundary line of last said parcel of land the following 4 courses:

1. N 28° 24' 35" W, 983.12 feet;
2. N 70° 10' 50" W, 1609.22 feet;
3. N 75° 30' 10" W, 218.96 feet;
4. N 26° 30' 30" W, 1040.89 feet to a point on the

easterly right-of-way line of the Northwestern Pacific Railroad Company;

thence across said railroad right-of-way line and along the boundary line of a tract of land presently known as Tract 1 of Hamilton Air Force Base, acquired by the United States by Deed dated August 6, 1942, the following 9 courses:

1. S 74° 13' 30" W, 353.16 feet, more or less;
2. Along a curve to the right, having a radius of 360.00 feet, a central angle of 42° 18' 00" and an arc length of 265.78 feet;

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EXHIBIT "A" (CONTD)

3. N 63° 28' 30" W, 493.67 feet;
4. Along a curve to the left, having a radius of 640.00 feet, a central angle of 11° 26' 00" and an arc length of 111.75 feet;
5. N 74° 54' 30" W, 56.97 feet;
6. N 28° 12' 00" W, 142.64 feet;
7. N 03° 36' 00" E, 462.75 feet;
8. N 02° 37' 00" E, 334.44 feet;
9. N 26° 45' 00" E, 205.53 feet to a point on the

boundary line of a tract of land presently known as Tract 3 of Hamilton Air Force Base acquired by the United States as Lot F and a portion of Lot 10 by Declaration of Taking (Civil Action No. 22190-R) filed May 21, 1942;

thence along the boundary of said Tract 3 the following 11 courses:

1. N 85° 41' 04.12" W, 1332.10 feet;
2. N 23° 59' 45" W, 181.25 feet;
3. Along a curve to the right, having a radius of 770.00 feet, a central angle of 06° 51' 46" and an arc length of 92.23 feet;
4. N 04° 01' W, 30.00 feet;
5. Along a curve to the left having a radius of 530.00 feet, a central angle of 31° 17' 59" and an arc length of 289.53 feet;
6. N 35° 19' 00" W, 300.78 feet;
7. Along a curve to the left, having a radius of 1350.00 feet, a central angle of 09° 13' 30", and an arc length of 249.27 feet;
8. N 35° 20' 14" W, 303.57 feet;
9. N 54° 34' 45" E, 1166.08 feet;
10. N 11° 30' 00" E, 385.18 feet;
11. N 36° 00' 00" E, 918.90 feet to the point of

beginning.

EXCEPTING THEREFROM all that portion lying within the right-of-way of the Northwestern Pacific Railroad Company.

Containing 1411.01 acres, more or less.

PARCEL 2:

A parcel of land situate on the western shore of San Pablo Bay, T-3 N, R 6 W, MDM, County of Marin, State of California, more particularly described as follows:

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EXHIBIT "A" (CONT'D)

COMMENCING at the southwest corner of the subdivision known as Grand View Tract, Subdivision B, said point being the intersection of the course designated as West 2685 feet and the course designated as N 03° 37' E; thence S 35° 04' W, 2684.79 feet to the TRUE POINT OF BEGINNING;

1. thence S 14° 33' E, 1590.00 feet along a line which is 10 feet distant from and parallel with the approximate centerline of the existing farm road;
- 2. thence S 73° 31' W, 800.50 feet;
3. thence N 14° 33' W, 1350.08 feet;
4. thence N 57° 00' E, 843.39 feet to the

true point of beginning.

Containing an area of 27.00 acres, more or less.

The combined acreage of Parcel 1 and Parcel 2 is 1438.01 acres, more or less.

END OF DESCRIPTION

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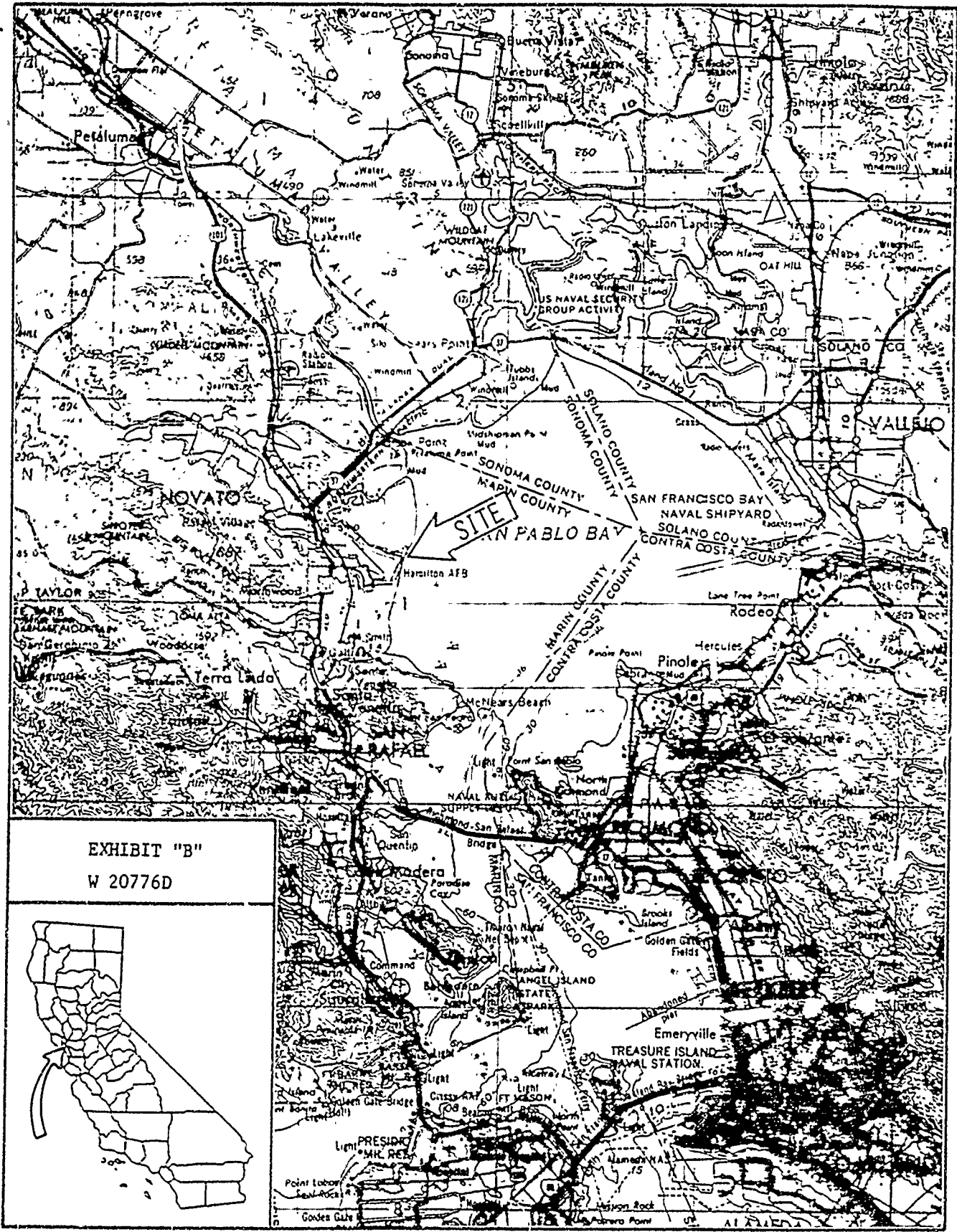


EXHIBIT "B"
W 20776D



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