

MINUTE ITEM
This Calendar Item No. 34
was approved as Minute Item
No. 34 by the State Lands
Commission by a vote of 3
to 0 at its 3/23/89
meeting.

CALENDAR ITEM

34

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03/23/89
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CONSIDERATION OF BOUNDARIES AND
PROPOSAL TO ANNEX TIDE AND SUBMERGED LANDS
INTO THE CITY OF STOCKTON, SAN JOAQUIN COUNTY

APPLICANT: Basell Land Company
c/o Steven A. Malcoun, Inc
87 West March Lane, Suite 1
Stockton, California 95204

The State Lands Commission has received a request from the Basell Land Company to review and approve the boundaries for the Harbor Cove Annexation Proposal.

The area proposed for annexation includes approximately 362.953 acres of land, more or less, and includes portions of Bear Creek and Mosher Slough.

The general location of the subject area lies southeast of Disappointment Slough, south of Bear Creek, and north and east of Mosher Slough. The area is primarily farm land, but a water-oriented residential development with a marina is planned.

Pursuant to Government Code Section 56108(a), the Commission must consent before land under its jurisdiction can be annexed. Government Code Sections 56108(c) and (d), further state that the Commission is to review and approve or deny the proposed annexation boundaries as appropriate and correct.

The staff has no objection to transfer of local political jurisdiction from the County of San Joaquin to the City of Stockton pursuant to Section 56108(a). The staff of the Commission has also reviewed the proposed annexation boundary description and finds it adequate pursuant to Section 56108(c) and (d).

(ADDED 03/22/89)

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CALENDAR ITEM NO. 34 (CONT'D)

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Code Regs.: Title 2, Div. 3; Title 14, Div. 6.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

- 1. The City of Stockton, acting as Lead Agency for the purposes of CEQA, has certified an EIR for the Harbor Cove Annexation (EIR 6-87).

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Site Map.

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 P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.
2. CONSENT TO THE PROPOSED ANNEXATION, PURSUANT TO GOVERNMENT CODE SECTION 56108(a), AS THE LANDOWNER HAVING EXCLUSIVE JURISDICTION (P.R.C. SECTION 6301) OF ANY AND ALL SOVEREIGN TIDE AND SUBMERGED LANDS LYING IN THE BEDS OF TIDAL AND NAVIGABLE WATERWAYS WITHIN THE AREA DESCRIBED IN EXHIBIT "A", WHICH CONSENT SHALL BE VALID FOR A PERIOD OF TWO YEARS, DURING WHICH THAT PROPOSED ANNEXATION MUST BE FINALIZED.
3. APPROVE THE PROPOSED BOUNDARIES FOR THE HARBOR COVE ANNEXATION, CITY OF STOCKTON, SAN JOAQUIN COUNTY, PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 56108(c) AND (d) AS DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF, SUCH APPROVAL SHALL BE OPERATIVE FOR A PERIOD OF TWO YEARS DURING WHICH TIME THE PROPOSED ANNEXATION MUST BE FINALIZED.
4. AUTHORIZE STAFF COUNSEL TO GIVE THE REQUISITE NOTICE OF SAID APPROVAL TO THE CITY OF STOCKTON AND TO THE EXECUTIVE OFFICER OF SAN JOAQUIN COUNTY LAFCO, PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 56108(e).

(ADDED 03/22/89)

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EXHIBIT "A"

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LAND DESCRIPTION

A portion of Section 12, T2N, R5E, MDM, San Joaquin County, California, described as follows:

BEGINNING at the northwest corner of said Section 12, said corner being on the Stockton City Limit line; thence along said City Limit line the following two (2) courses:

- (1) S 88° 21' 35" E along the north line of said Section 12, being in Bear Creek, 4564.56 feet to the northeast corner of said Section 12;
- (2) S 00° 28' 10" E along the east line of said Section 12, a distance of 3872.62 feet to the southeast corner of Parcel "C" of Parcel Map, filed in Book 14 of Parcel Maps, at page 94, San Joaquin County Records, said corner being in Mosher Slough;

thence leaving said City Limit line and running along the boundary of said Parcel "C", being in Mosher Slough, the following two (2) courses:

- (1) N 89° 34' 05" W 2639.59 feet;
- (2) N 00° 27' 15" W 1148.51 feet;

thence leaving said Parcel "C" boundary and running in Mosher Slough the following two (2) courses:

- (1) S 89° 35' 31" W 1997.35 feet to the west line of said Section 12,
- (2) N 01° 02' 08" E along said west line 2849.46 feet to the point of beginning.

... END OF DESCRIPTION

PREPARED MARCH 20, 1989 BY BIU 1.

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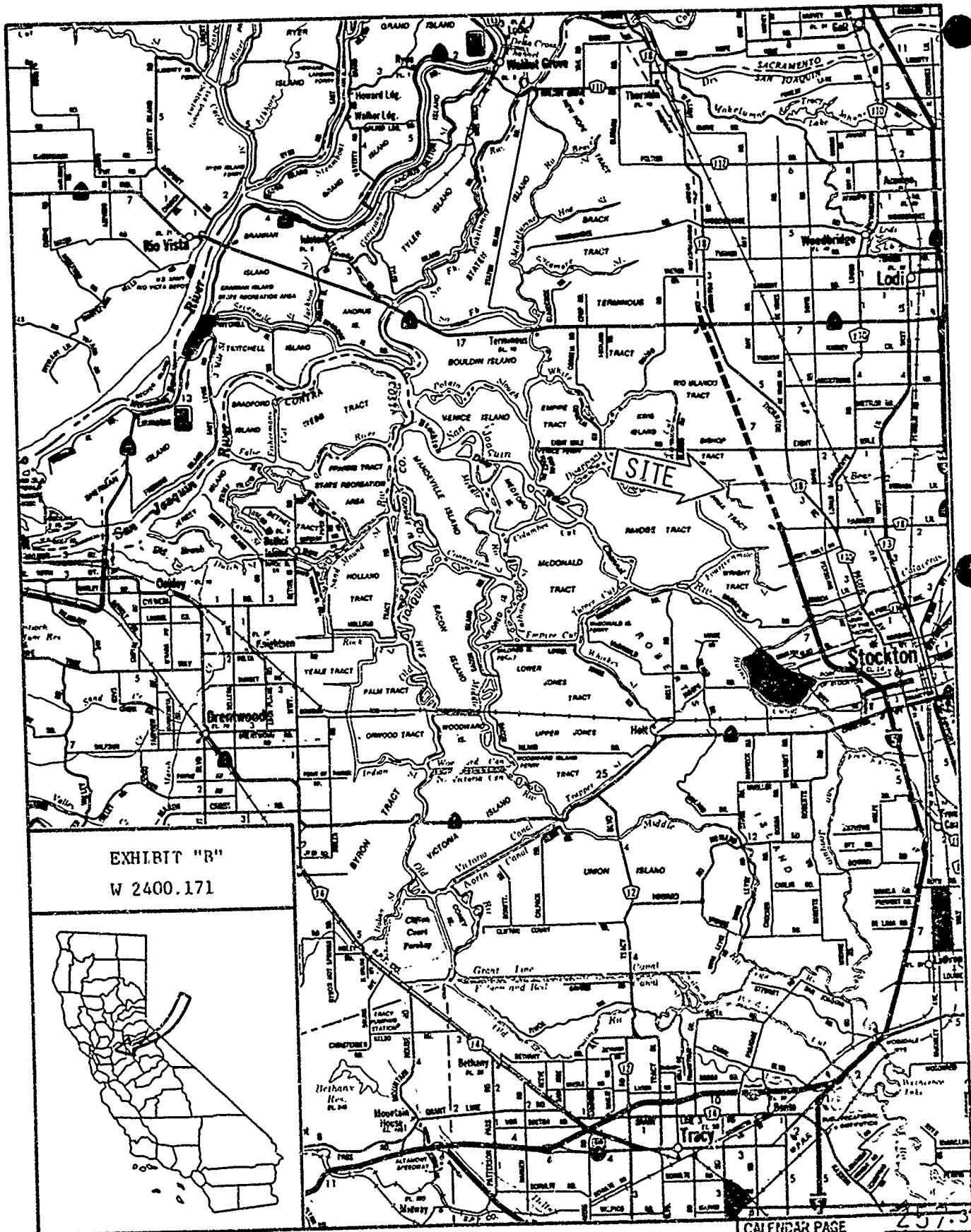
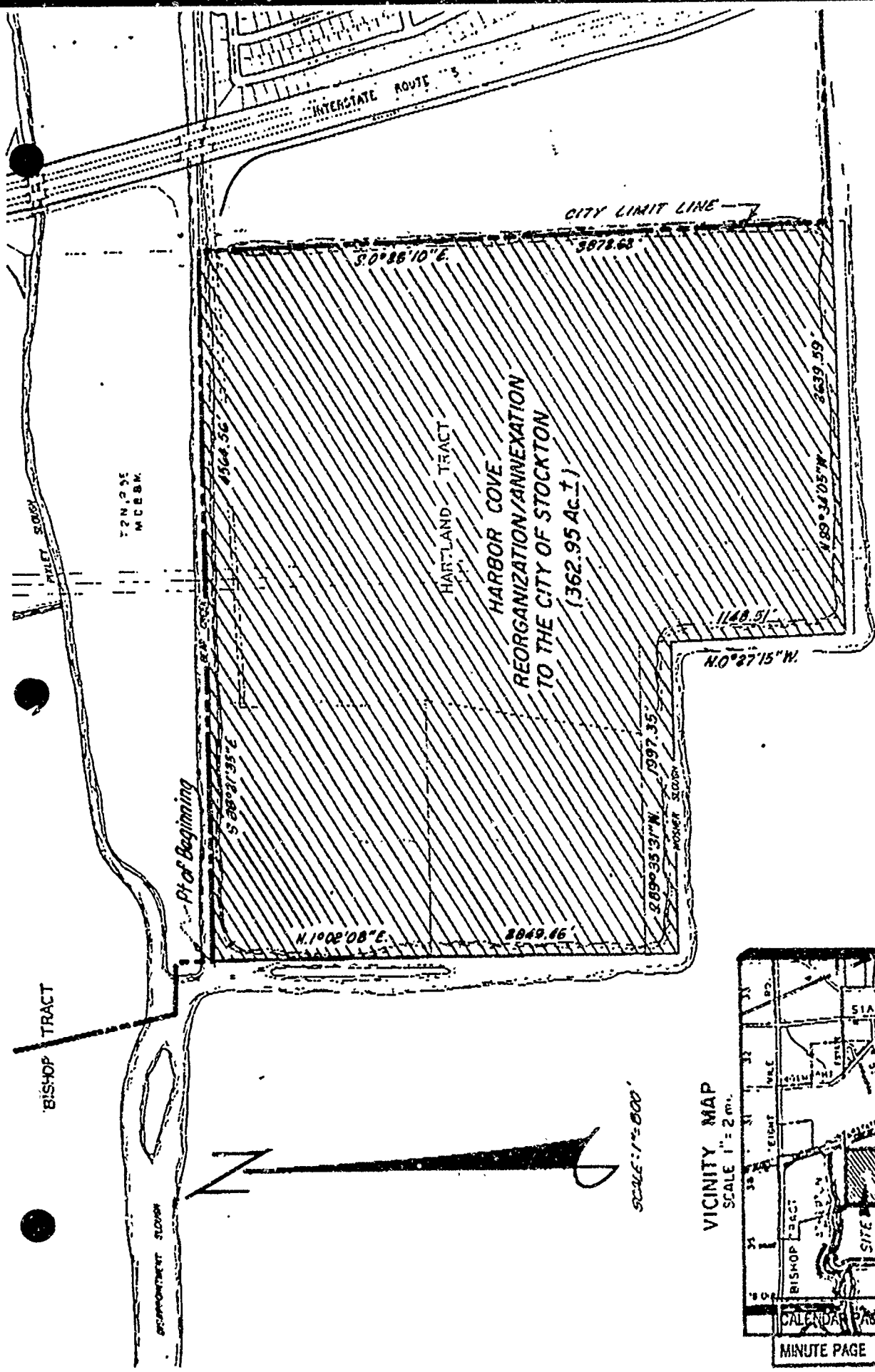


EXHIBIT "B"
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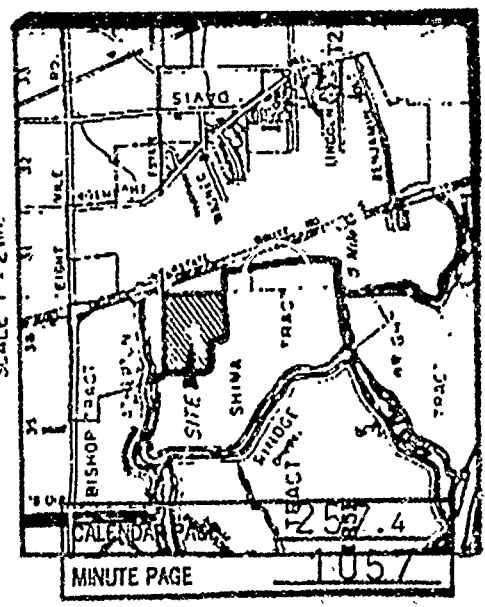


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EXHIBIT "C"
SITE MAP



VICINITY MAP
SCALE 1" = 2 mi.

SCALE: 1" = 800'

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