

MINUTE ITEM

This Calendar Item No. 82 was approved as Minute Item No. 83 by the California State Lands Commission by a vote of 2 to 0 at its 5/9/96 meeting.

CALENDAR ITEM

83(A)

A 17

05/09/96

S 5

W 25293

Frey

RETROCESSION OF PARTIAL LEGISLATIVE JURISDICTION AND ESTABLISHMENT OF CONCURRENT LEGISLATIVE JURISDICTION AT DEFENSE DISTRIBUTION REGION WEST, LATHROP, CALIFORNIA

PARTY:

United States of America
Department of the Army
110 Army Pentagon
Washington, D. C. 20310-0110

BACKGROUND:

The United States exercises partial jurisdiction over the Defense Distribution Region West, Lathrop, San Joaquin County. By letter dated February 8, 1996 the Department of the Army requested that California accept a retrocession of partial legislative jurisdiction over this facility so as to establish concurrent legislative jurisdiction over this facility.

California Government Code Section 113 authorizes the State Lands Commission to accept such a retrocession if the following conditions are met:

1. The United States has in writing requested that the State accept a retrocession of jurisdiction;
2. The State Lands Commission has held a public hearing to determine whether it is in the State's best interests to accept the retrocession; and
3. The United States has agreed to pay for the costs associated with the retrocession process.

The United States has made the written request for the retrocession and has agreed to bear the costs associated with the retrocession. The noticed hearing was held on May 8, 1996. No comments in opposition to the retrocession and establishment of concurrent jurisdiction were received.

CALENDAR PAGE	492
MINUTE PAGE	001252

CALENDAR ITEM NO. 83(A) (CONT'D)

AB 884:

N/A

OTHER PERTINENT INFORMATION:

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

Authority: Public Resources Code Section 21065 and 14 California Code of Regulations Section 15378.

EXHIBIT:

- A1. Land Description
- A2. Form of Retrocession Certificate

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 PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL. CODE REGS. 15378.
2. FIND THAT THE U.S. DEPARTMENT OF THE ARMY HAS REQUESTED THAT THE COMMISSION ACCEPT A RETROCESSION OF PARTIAL LEGISLATIVE JURISDICTION AND ESTABLISH CONCURRENT LEGISLATIVE JURISDICTION OVER LANDS COMPRISING THE DEFENSE DISTRIBUTION REGION WEST, LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA.
3. FIND THAT THE UNITED STATES HAS AGREED TO PAY FOR THE COSTS OF THE RETROCESSION PROCESS.
4. FIND THAT THE STATUTORY PUBLIC HEARING WAS HELD AS REQUIRED.
5. DETERMINE THAT IT IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA TO ACCEPT THE RETROCESSION OF PARTIAL LEGISLATIVE JURISDICTION AND ESTABLISH CONCURRENT LEGISLATIVE JURISDICTION AS REQUESTED BY THE UNITED STATES BECAUSE SUCH AN ACTION WILL ALLOW THE ENFORCEMENT OF THE LAWS OF

CALENDAR ITEM NO. 83(A) (CONT'D)

CALIFORNIA AND ITS POLITICAL SUBDIVISIONS ON THE DEFENSE DISTRIBUTION REGION WEST.

6. ACCEPT THE RETROCESSION OF PARTIAL LEGISLATIVE JURISDICTION AND ESTABLISH CONCURRENT JURISDICTION OVER THE DEFENSE DISTRIBUTION REGION WEST AS DESCRIBED IN EXHIBIT "A1" ATTACHED HERETO.
7. AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE AN ACCEPTANCE OF RETROCESSION IN SUBSTANTIALLY THE SAME FORM AS FOUND IN EXHIBIT "A2" ATTACHED HERETO.
8. AUTHORIZE THE FILING OF THE RETROCESSION WITH THE CALIFORNIA SECRETARY OF STATE AND THE SAN JOAQUIN COUNTY RECORDER AS REQUIRED BY GOVERNMENT CODE SECTION 113.

EXHIBIT "A1"

**LAND DESCRIPTION
DEFENSE DISTRIBUTION REGION WEST, LATHROP, CALIFORNIA**

Commencing at a point on the South line of Section 23, Township 1 South, Range 6 East, Mount Diablo Meridian, San Joaquin County, on or near the center line of Lathrop Road, at which point, said South line is intersected by the Easterly 400 foot right of way line of the Southern Pacific Railroad; thence, Easterly along said South Line of Section 23 and Section 24 in said Township and Range, to the intersection thereof with the Westerly line of the 200 foot right of way of the Western Pacific Railroad in the Southwest quarter (SW $\frac{1}{4}$) of said Section 24, thence Northerly along said Westerly right of way line to the North line of Section 13 in said Township and Range, on or near the center line of Roth Road; thence, Westerly along said North line of Section 13 and Section 14, in said Township and Range, to the Easterly right of way line of said Southern Pacific Railroad; thence, Southerly along said Easterly right of way line to the Point of Beginning, containing 724.15 acres, more or less.

This description was provided by the United States Army Corps of Engineers.

CALENDAR PAGE	495
MINUTE PAGE	001255

EXHIBIT "A2"

RECORDED AT THE REQUEST OF
AND WHEN RECORDED MAIL TO:

STATE OF CALIFORNIA
STATE LANDS COMMISSION
100 HOWE AVE., SUITE 100 SOUTH
SACRAMENTO, CA 95825
ATTN: LEGAL UNIT
TELEPHONE: (916) 574-1829

STATE OF CALIFORNIA IS ENTITLED TO
FREE RECORDATION PURSUANT TO
GOVERNMENT CODE SECTION 27383

FOR RECORDER'S USE ONLY

ACCEPTANCE OF RETROCESSION OF LEGISLATIVE JURISDICTION
California Government Code Section 113

Whereas the United States acting by and through the Department of the Army has requested that the State of California accept a retrocession of partial legislative jurisdiction and establish concurrent legislative jurisdiction over lands comprising the Defense Distribution Region West, Lathrop, California; and

Whereas the California State Lands Commission, pursuant to California Government Code Section 113, has been authorized by the California State Legislature to accept such a retrocession and establish concurrent jurisdiction; and

Whereas the Executive Officer of the California State Lands Commission has been authorized to execute this instrument;

NOW, THEREFORE, I, Robert C. Hight, Executive Officer of the California State Lands Commission hereby certify that the Commissioners for the California State Lands Commission met on _____ and accepted a retrocession of partial legislative jurisdiction and established concurrent legislative jurisdiction over certain lands comprising the Defense Distribution Region West, Lathrop, California. A copy of the Commission's Calendar Item No. ____ is attached hereto as Exhibit "A".

ROBERT C. HIGHT, EXECUTIVE OFFICER

Date: _____

CALENDAR PAGE	496
MINUTE PAGE	001256

MINUTE ITEM

This Calendar Item No. 82 was approved as Minute Item No. 83 by the California State Lands Commission by a vote of 2 to 0 at its 5-9-96 meeting.

CALENDAR ITEM

83(B)

A 17

05/09/96

S 5

W 25303

Frey

RETROCESSION OF PARTIAL LEGISLATIVE JURISDICTION AND ESTABLISHMENT OF CONCURRENT LEGISLATIVE JURISDICTION AT DEFENSE DISTRIBUTION REGION WEST, TRACY, CA

PARTY:

United States of America
Department of the Army
110 Army Pentagon
Washington, D. C. 20310-0110

BACKGROUND:

The United States exercises partial jurisdiction over the Defense Distribution Region West, Tracy, San Joaquin County. By letter dated April 9, 1996 the Department of the Army requested that California accept a retrocession of partial legislative jurisdiction over this facility so as to establish concurrent legislative jurisdiction over this facility.

California Government Code Section 113 authorizes the State Lands Commission to accept such a retrocession if the following conditions are met:

1. The United States has in writing requested that the State accept a retrocession of jurisdiction;
2. The State Lands Commission has held a public hearing to determine whether it is in the State's best interests to accept the retrocession; and
3. The United States has agreed to pay for the costs associated with the retrocession process.

The United States has made the written request for the retrocession and has agreed to bear the costs associated with the retrocession. The noticed hearing was held on May 8, 1996. No comments in opposition to the retrocession and establishment of concurrent jurisdiction were received.

CALENDAR PAGE	497
MINUTE PAGE	001257

CALENDAR ITEM NO. 83(B) (CONT'D)

AB 884:

N/A

OTHER PERTINENT INFORMATION:

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

Authority: Public Resources Code Section 21065 and 14 California Code of Regulations Section 15378.

EXHIBIT:

- B1. Land Description
- B2. Form of Retrocession Certificate

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 PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL. CODE REGS. 15378.
2. FIND THAT THE U.S. DEPARTMENT OF THE ARMY HAS REQUESTED THAT THE COMMISSION ACCEPT A RETROCESSION OF PARTIAL LEGISLATIVE JURISDICTION AND ESTABLISH CONCURRENT LEGISLATIVE JURISDICTION OVER LANDS COMPRISING THE DEFENSE DISTRIBUTION REGION WEST, TRACY, SAN JOAQUIN COUNTY, CALIFORNIA.
3. FIND THAT THE UNITED STATES HAS AGREED TO PAY FOR THE COSTS OF THE RETROCESSION PROCESS.
4. FIND THAT THE STATUTORY PUBLIC HEARING WAS HELD AS REQUIRED.
5. DETERMINE THAT IT IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA TO ACCEPT THE RETROCESSION OF PARTIAL LEGISLATIVE JURISDICTION AND ESTABLISH CONCURRENT LEGISLATIVE JURISDICTION AS REQUESTED BY THE UNITED STATES BECAUSE SUCH AN ACTION WILL ALLOW THE ENFORCEMENT OF THE LAWS OF CALIFORNIA

CALENDAR ITEM NO. 83(B) (CONT'D)

AND ITS POLITICAL SUBDIVISIONS IN THE DEFENSE DISTRIBUTION REGION WEST.

6. ACCEPT THE RETROCESSION OF PARTIAL LEGISLATIVE JURISDICTION AND ESTABLISH CONCURRENT JURISDICTION OVER THE DEFENSE DISTRIBUTION REGION WEST AS DESCRIBED IN EXHIBIT "B1" ATTACHED HERETO.
7. AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE AN ACCEPTANCE OF RETROCESSION IN SUBSTANTIALLY THE SAME FORM AS FOUND IN EXHIBIT "B2" ATTACHED HERETO.
8. AUTHORIZE THE FILING OF THE RETROCESSION WITH THE CALIFORNIA SECRETARY OF STATE AND THE SAN JOAQUIN COUNTY RECORDER AS REQUIRED BY GOVERNMENT CODE SECTION 113.

EXHIBIT "B1"

LAND DESCRIPTION DEFENSE DISTRIBUTION REGION WEST, TRACY, CALIFORNIA

That portion of Sections 26 and 35, Township 2 South, Range 5 East and Section 2, Township 3 South, Range 5 East, all in the County of San Joaquin, State of California.

Beginning at the Northwest corner of Section 35, Township 2 South, Range 5 East, at a point common to Sections 26, 27, 34, 35, which point is also in the center line of Chrisman Road, a 60 foot laid out road as recorded in the records of the Board of County Supervisors, San Joaquin County, California; thence easterly along the northerly line of said Section 35, 30 feet to a point in the easterly right of way of said road; thence northerly along said right of way line 7 feet more or less to the intersection of said line with the southerly right of way line of the Southern Pacific Railroad, which point lies in Section 26, Township 2 South, Range 5 East; thence south 69 degrees - 15' east along said right of way line 20 feet more or less to a point on the southerly line of said Section 26, said point being approximately at Engineers Station 4181+00 along said railroad measured 50 feet southerly at right angles to center line of track; thence continuing along said right of way line south 69 Degrees 15' east 1430 feet to a point in said line, said point being at right angles of Engineers Station 4194+00 being in Section 35, Township 2 South, Range 5 East; thence on a curve right 2829 feet more or less along right of way line to a point, said point being at right angles of Engineer's Station 4222+30 in center line of said railroad right of way; thence continuing along said railroad right of way line south 41 degrees 05' east 1357 feet to a point at the northerly corner of a tract of land belonging to Western Pacific Railroad Company; thence along the north westerly boundary of said tract south 3 Degrees 55' west 509.1 feet more or less to a point on a 100 foot right of way of Western Pacific Railroad Company; thence south 48 Degrees 38'30" west 2515.0 more or less to the south line of said Section 35; thence continuing along said line and said bearing into Section 2, Township 3 South, Range 5 East, 3322.06 feet more or less to a point in the West line of said Section, said Section Line being the center line of Chrisman Road; thence along said center line and said Section line North 0 Degrees 4'10" east 2214.4 feet more or less to the northwest corner of said Section 2; thence continuing along the line of said road along the west line of Section 35, North 0 Degrees 42' east 5289.45 feet more or less to the point of beginning.

All said land is situated in Township 2 and 3 South, Range 5 East, Mt. Diablo Base and Meridian, County of San Joaquin, State of California.

This description was provided by the United States Army Corps of Engineers.

CALENDAR PAGE	500
MINUTE PAGE	001260

EXHIBIT "B2"

RECORDED AT THE REQUEST OF
AND WHEN RECORDED MAIL TO:

STATE OF CALIFORNIA
STATE LANDS COMMISSION
100 HOWE AVE., SUITE 100 SOUTH
SACRAMENTO, CA 95825
ATTN: LEGAL UNIT
TELEPHONE: (916) 574-1829

STATE OF CALIFORNIA IS ENTITLED TO
FREE RECORDATION PURSUANT TO
GOVERNMENT CODE SECTION 27383

FOR RECORDER'S USE ONLY

ACCEPTANCE OF RETROCESSION OF LEGISLATIVE JURISDICTION
California Government Code Section 113

Whereas the United States acting by and through the Department of the Army has requested that the State of California accept a retrocession of partial legislative jurisdiction and establish concurrent legislative jurisdiction over lands comprising the Defense Distribution Region West, Tracy, California; and

Whereas the California State Lands Commission, pursuant to California Government Code Section 113, has been authorized by the California State Legislature to accept such a retrocession and establish concurrent jurisdiction; and

Whereas the Executive Officer of the California State Lands Commission has been authorized to execute this instrument;

NOW, THEREFORE, I, Robert C. Hight, Executive Officer of the California State Lands Commission hereby certify that the Commissioners for the California State Lands Commission met on _____ and accepted a retrocession of partial legislative jurisdiction and established concurrent legislative jurisdiction over certain lands comprising the Defense Distribution Region West, Tracy, California. A copy of the Commission's Calendar Item No. _____ is attached hereto as Exhibit "A".

ROBERT C. HIGHT, EXECUTIVE OFFICER

Date: _____

CALENDAR PAGE	501
MINUTE PAGE	001261

MINUTE ITEM

This Calendar Item No. 83 was approved as Minute Item No. 83 by the California State Lands Commission by a vote of 2 to 0 at its 5-9-96 meeting.

CALENDAR ITEM

83(C)

A 16
S 9

05/09/96
W 25281
Frey

**RETROCESSION OF LEGISLATIVE JURISDICTION AT
FLEET AND INDUSTRIAL SUPPLY CENTER, OAKLAND, ALAMEDA COUNTY**

PARTY:

United States of America
Department of the Navy
1000 Navy Pentagon
Washington, D. C. 20350-1000

BACKGROUND:

The United States exercises a combination of exclusive, partial and proprietary jurisdiction over the Fleet and Industrial Supply Center, Oakland, Alameda County. By letter dated December 8, 1995 the Department of the Navy requested that California accept a retrocession of all exclusive and partial legislative jurisdiction over this facility so as to establish uniform proprietary legislative jurisdiction over the entire base.

California Government Code Section 113 authorizes the State Lands Commission to accept such a retrocession if the following conditions are met:

1. The United States has in writing requested that the State accept a retrocession of jurisdiction;
2. The State Lands Commission has held a public hearing to determine whether it is in the State's best interests to accept the retrocession; and
3. The United States has agreed to pay for the costs associated with the retrocession process.

The United States has made the written request for the retrocession and has agreed to bear the costs associated with the retrocession. The noticed hearing was held on April 2, 1996. No comments in opposition to the retrocession were received.

AB 884:

N/A

CALENDAR PAGE	502
MINUTE PAGE	001262

CALENDAR ITEM NO. 83(C) (CONT'D)

OTHER PERTINENT INFORMATION:

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

Authority: Public Resources Code Section 21065 and 14 California Code of Regulations Section 15378.

EXHIBIT:

- "C1". Land Description
- "C2". Form of Retrocession Certificate

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 PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL. CODE REGS. 15378.
2. FIND THAT THE U.S. DEPARTMENT OF THE NAVY HAS REQUESTED IN WRITING THAT THE COMMISSION ACCEPT A RETROCESSION OF ALL LEGISLATIVE JURISDICTION OVER LANDS COMPRISING THE FLEET AND INDUSTRIAL SUPPLY CENTER, OAKLAND, ALAMEDA COUNTY.
3. FIND THAT THE UNITED STATES HAS AGREED TO PAY FOR THE COSTS OF THE RETROCESSION PROCESS.
4. FIND THAT THE STATUTORY PUBLIC HEARING WAS HELD AS REQUIRED.
5. DETERMINE THAT IT IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA TO ACCEPT THE RETROCESSION OF JURISDICTION REQUESTED BY THE UNITED STATES BECAUSE THE RETROCESSION WILL ALLOW STATE AND LOCAL LAW ENFORCEMENT AND CIVILIAN PROSECUTION AND FIRE PROTECTION SERVICES TO BE MADE AVAILABLE TO ENSURE PROPER PROTECTION OF TENANTS AT THE BASE AS IT PROCEEDS TOWARD CLOSURE. THE RETROCESSION WILL ALSO FACILITATE THE ADMINISTRATION OF LEASES WITH THE PORT OF OAKLAND.

CALENDAR ITEM NO. 83(C) (CONT'D)

6. ACCEPT THE RETROCESSION OF ALL LEGISLATIVE JURISDICTION OVER THE FLEET AND INDUSTRIAL SUPPLY CENTER, OAKLAND, ALAMEDA COUNTY AS DESCRIBED IN EXHIBIT "C1" ATTACHED HERETO.
7. AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE AN ACCEPTANCE OF RETROCESSION IN SUBSTANTIALLY THE SAME FORM AS FOUND IN EXHIBIT "C2" ATTACHED HERETO.
8. AUTHORIZE THE FILING OF THE RETROCESSION WITH THE CALIFORNIA SECRETARY OF STATE AND THE ALAMEDA COUNTY RECORDER AS REQUIRED BY GOVERNMENT CODE SECTION 113.

EXHIBIT "C1"

**LAND DESCRIPTION
FLEET AND INDUSTRIAL SUPPLY CENTER, OAKLAND, CALIFORNIA**

PARCEL ONE

A parcel of land lying in the City of Oakland, County of Alameda, State of California, being of all the land described in the Deed from the City of Oakland to the U.S.A., Recorded May 17, 1940 in Book 3869, Official Records, at Page 386, and all of those lands described in the Final Judgment as to Parcel K for Civil No. 22298-R filed in July 23, 1945 in the District Court of the United States in and for the Northern District of California Southern Division, and all of those lands described in the Final Judgment as to Parcel G, G-A, 2, F, F-A, H and H-A for Civil No. 22298-R filed in February 26, 1946 in the District Court of the United States in and for the Northern District of California Southern Division, and all that land described in the Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940 in Book 3917, Official Records, at Page 278, and all that land described in Deed from the Southern Pacific Company to the U.S.A., Recorded May 17, 1940 in Book 3931, Official Records, at Page 122;

BEGINNING at the most southwesterly corner of said land described in the Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940 in Book 3931, Official Records, at Page 386, located on the United States Pierhead Line;

1. Thence North along said Pierhead Line per Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940 in Book 3869, Official Records, at Page 386, 591.72 feet (rec. = 591.20 feet);
2. Thence along the northerly and westerly boundary per said Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940 in Book 3869, Official Records, at Page 386, S74°49'00"E, 729.61 feet (rec. = 760+/-feet);
3. Thence along the westerly boundary per said Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940 in Book 3869, Official Records, at Page 386, N15°11'00"E, 1084.92 feet (rec. = 1085.00 feet);
4. Thence continuing along the westerly boundary per said Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940 in Book 3869, Official Records, at Page 386, N45°12'00"E, 999.93 feet (rec. = 1000.00 feet);

CALENDAR PAGE	505
MINUTE PAGE	001265

5. Thence along the northerly boundary per said Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940 in Book 3869, Official Records, at Page 386, N83°58'00"E, 2167.57 feet (rec. = 2167.72 feet);
6. Thence along the northerly boundary per said Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940 in Book 3869, Official Records, at Page 386, S77°00'00"E, 1132.16 feet (rec. = 1132.24 feet);
7. Thence along the northerly boundary per said Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940 in Book 3869, Official Records, at Page 386, S59°01'00"E, 945.93 feet (rec. = 946.00 feet) to the northwesterly corner of said land described in the Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940 in Book 3917, Official Records, at Page 278;
8. Thence along the northerly boundary line of said land described in the Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940 in Book 3917, Official Records, at Page 278, S59°01'00"E, 829.99 feet (rec. = 830.03 feet) to the northwesterly corner of those lands described in Final Judgment as to Parcel K for said Civil No. 22298-R filed in July 23, 1945 in the District Court of the United States in and for the Northern District of California Southern Division;
9. Thence along the northerly boundary of those lands described in said Final Judgment as to Parcel K for Civil No. 22298-R filed in July 23, S59°01'00"E, 292.20 feet, (rec. = 292.22 feet);
10. Thence along the northeasterly boundary of those lands described in said Final Judgment as to Parcel K for Civil No. 22298-R filed in July 23, 1945, S27°36'20"E, 2909.63 feet, (rec. = 2909.84 feet);
11. Thence along the easterly boundary of those lands described in the said Final Judgment as to Parcel G, G-A, 2, F, F-A, H and H-A for Civil No. 22298-R filed in February 26, 1946, S15°11'00"W, 256.98 feet, (rec. = 257.00 feet);
12. Thence along the southerly boundary of those lands described in the said Final Judgment as to Parcel G, G-A, 2, F, F-A, H and H-A for Civil No. 22298-R filed in February 26, 1946, S84°55'00"W, 525.25 feet, (rec. = 525.29 feet);

13. Thence continuing along the southerly boundary of those lands described in the said Final Judgment as to Parcel G, G-A, 2, F, F-A, H and H-A for Civil No. 22298-R filed in February 26, 1946, S89°15'10"W, 506.79 feet, (rec. = 506.83 feet);
14. Thence continuing along the southerly boundary of those lands described in the said Final Judgment as to Parcel G, G-A, 2, F, F-A, H and H-A for Civil No. 22298-R filed in February 26, 1946, N86°48'00"W, 716.32 feet, (rec. = 716.37 feet);
15. Thence continuing along the southerly boundary of those lands described in the said Final Judgment as to Parcel G, G-A, 2, F, F-A, H and H-A for Civil No. 22298-R filed in February 26, 1946, S84°57'00"W, 936.06 feet, (rec. = 936.13 feet);
16. Thence continuing along the southerly boundary of those lands described in the said Final Judgment as to Parcel G, G-A, 2, F, F-A, H and H-A for Civil No. 22298-R filed in February 26, 1946, N74°49'00"W, 326.98 feet, (rec. = 327.00 feet) to the southeasterly corner per Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940 in Book 3869, Official Records, Page 278;
17. Thence along the southerly boundary per said Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940 in Book 3869, Official Records, at Page 278, N74°49'00"W, 2089.85 feet (rec. = 2090.00 feet);
18. Thence continuing along the southerly boundary per said Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940 in Book 3869, Official Records, at Page 278, N53°40'00"W, 1108.53 feet (rec. = 1108.61 feet);
19. Thence continuing along the southerly boundary per said Deed from the Central Pacific Railway Company to the U.S.A., Recorded May 17, 1940 in Book 3869, Official Records, at Page 278, N74°49'00"W, 2183.35 feet (rec. = 2200+/-feet) to the POINT OF BEGINNING.

Said Parcel One Contains 498.96 Acres.

ALL AS SHOWN ON DEPT. OF THE NAVY, WESTDOCKS DRAWINGS #C-55016, #C-55017 & #C-55018 AND DESIGNATED AS ACQUISITION ITEMS 1, 2, 3, 4, 5 and 6.

CALENDAR PAGE	507
MINUTE PAGE	001267

PARCEL TWO

A parcel of land lying in the City of Oakland, County of Alameda, State of California, being of all of that certain 7.69 acre parcel of land described in Final Judgment of Civil Action No. 22378-S, filed 29 January 1944 in the District Court of the United States, in and for the Northern District of California, Southern Division;

BEGINNING at the southeasterly corner of said 7.69 acre parcel of land described in the Final Judgment in Civil Action No. 22378-S, filed 29 January 1944 in the District Court of the United States, in and for the Northern District of California, Southern Division;

1. Thence along the easterly boundary line of said 7.69 acre parcel of land described in the Final Judgment in Civil Action No. 22378-S, filed 29 January 1944, N3°00'10"W, 15.04 feet to a the point of beginning of a non-tangent curve to the right;
2. Thence continuing along the easterly boundary line of said 7.69 acre parcel of land described in the Final Judgment in Civil Action No. 22378-S, filed 29 January 1944 and along said curve having a radius of 379.26 feet through a central angle of 36°38'12" for an arc distance of 238.40 feet, said curve also having a chord bearing and distance of N68°40'45"E, 238.40 feet to the end of curve;
3. Thence continuing along the easterly boundary line of said 7.69 acre parcel of land described in the Final Judgment in Civil Action No. 22378-S, filed 29 January 1944 N43°19'04"E, 117.47 feet to the northeast corner of said 7.69 acre parcel of land;
4. Thence along the northerly boundary line of said 7.69 acre parcel of land described in the Final Judgment in Civil Action No. 22378-S, filed 29 January 1944, N72°01'00"W, 311.11 feet;
5. Thence continuing along the northerly boundary line of said 7.69 acre parcel of land described in the Final Judgment in Civil Action No. 22378-S, filed 29 January 1944, N74°49'00"W, 547.94 feet;
6. Thence continuing along the northerly boundary line of said 7.69 acre parcel of land described in the Final Judgment in Civil Action No. 22378-S, filed 29 January 1944, N83°05'00"W, 170.00 feet;
7. Thence continuing along the northerly boundary line of said 7.69 acre parcel of land described in the Final Judgment in Civil Action No. 22378-

S, filed 29 January 1944, S76°56'00"W, 206.79 feet;

8. Thence along the westerly boundary line of said 7.69 acre parcel of land described in the Final Judgment in Civil Action No. 22378-S, filed 29 January 1944, S39°52'00"W, 355.88 feet;
9. Thence along the southerly boundary line of said 7.69 acre parcel of land described in the Final Judgment in Civil Action No. 22378-S, filed 29 January 1944, N83°58'00"E, 393.20 feet;
10. Thence continuing along the southerly boundary line of said 7.69 acre parcel of land described in the Final Judgment in Civil Action No. 22378-S, filed 29 January 1944, "S77°00'00"E, 749.26 feet to the POINT OF BEGINNING.

Said Parcel Two Contains 7.71 Acres (record 7.69 Acres).

ALL AS SHOWN ON DEPT. OF THE NAVY, WESTDOCKS DRAWINGS #C-55016, #C-55017 & #C-55018 AND DESIGNATED AS ACQUISITION ITEM 8.

PARCEL THREE

A parcel of land lying in the City of Oakland, County of Alameda, State of California, being of all of that certain parcel of land described in Final Judgment of Civil Action No. 22212-R, filed April 5, 1943 in the District Court of the United States, in and for the Northern District of California, Southern Division;

BEGINNING at the southwesterly corner of said parcel of land described in the Final Judgment in Civil Action No. 22212-R filed April 5, 1944 in the District Court of the United States, in and for the Northern District of California, Southern Division, said southwesterly corner is at the intersection of the northerly line of Seventh Street Extension with the low tide line of 1852 as agreed upon by Ordinance No. 3099 of said City of Oakland as mentioned in said Civil Action No. 22212-R;

1. Thence along the northwesterly boundary line of said parcel of land described in the Final Judgment in Civil Action No. 22212-R, filed April 5, 1943, N39°52'10"E, 804.64 feet to the northeasterly corner thereof;
2. Thence along the northeasterly boundary line of said parcel of land described in the Final Judgment in Civil Action No. 22212-R, filed April 5, 1943, S52°35'08"E, 1047.74 feet to the southeasterly corner thereof;
3. Thence along the southerly boundary line of said parcel of land described

in the Final Judgment in Civil Action No. 22212-R, filed April 5, 1943, N74°28'20"W, 36.01 feet to a the point of beginning of a tangent curve to the left;

4. Thence continuing along the southerly boundary line of said parcel of land described in the Final Judgment in Civil Action No. 22212-R, filed April 5, 1943 and along said curve having a radius of 537.33 feet for an arc distance of 337.58 feet;
5. Thence continuing along the southerly boundary line of said parcel of land described in the Final Judgment in Civil Action No. 22212-R, filed April 5, 1943, S69°31'55"W, 100.00 feet to the pont of beginning of a tangent curve to the right;
6. Thence continuing along the southerly boundary line of said parcel of land described in the Final Judgment in Civil Action No. 22212-R, filed April 5, 1943 and along said curve having a radius of 485.67 feet for an arc distance of 156.84 feet;
7. Thence continuing along the southerly boundary line of said parcel of land described in the Final Judgment in Civil Action No. 22212-R, filed April 5, 1943, N83°05'20"W, 740.04 feet to the POINT OF BEGINNING.

Said Parcel Three Contains 10.49 Acres.

ALL AS SHOWN ON DEPT. OF THE NAVY, WESTDOCKS DRAWINGS # C-55016, C-55017 & C-55018 AND DESIGNATED AS ACQUISITION ITEM 7.

EXHIBIT "C2"

RECORDED AT THE REQUEST OF
AND WHEN RECORDED MAIL TO:

STATE OF CALIFORNIA
STATE LANDS COMMISSION
100 HOWE AVE., SUITE 100 SOUTH
SACRAMENTO, CA 95825
ATTN: LEGAL UNIT
TELEPHONE: (916) 574-1829

STATE OF CALIFORNIA IS ENTITLED TO
FREE RECORDATION PURSUANT TO
GOVERNMENT CODE SECTION 27383

FOR RECORDER'S USE ONLY

ACCEPTANCE OF RETROCESSION OF LEGISLATIVE JURISDICTION
California Government Code Section 113

Whereas the United States acting by and through the Department of the Navy has requested that the State of California accept a retrocession of legislative jurisdiction over lands comprising the Fleet and Industrial Supply Center, Oakland, California; and

Whereas the California State Lands Commission, pursuant to California Government Code Section 113, has been authorized by the California State Legislature to accept such a retrocession; and

Whereas the Executive Officer of the California State Lands Commission has been authorized to execute this instrument;

NOW, THEREFORE, I, Robert C. Hight, Executive Officer of the California State Lands Commission hereby certify that the Commissioners for the California State Lands Commission met on _____ and accepted a retrocession of legislative jurisdiction over certain lands comprising the Fleet and Industrial Supply Center, Oakland, California. A copy of the Commission's Calendar Item No. _____ is attached hereto as Exhibit "A".

ROBERT C. HIGHT, EXECUTIVE OFFICER

(Date)

CALENDAR PAGE	511
MINUTE PAGE	001271

MINUTE ITEM

This Calendar Item No. 83 was approved as
Minute Item No. 83 by the California State Lands
Commission by a vote of 2 to 0 at its
5-9-96 meeting.

CALENDAR ITEM

83(D)

A 64

05/09/96

S 36

W 25268

Frey

**RETROCESSION OF LEGISLATIVE JURISDICTION AT
MARCH AFB, RIVERSIDE COUNTY**

PARTY:

United States of America
Department of the Air Force
%U. S. Army Corps of Engineers
P. O. Box 2711
Los Angeles, California 90053-2325

BACKGROUND:

The United States currently exercises a combination of exclusive and partial jurisdiction over 5354.75 acres at March Air Force Base, Riverside County. By letter dated December 26, 1995 the Department of the Air Force requested California accept a retrocession of all exclusive and partial legislative jurisdiction such that at the conclusion of the retrocession process the United States has only proprietary jurisdiction. The United States desires that California have full legislative jurisdiction over the Base including over any offenses that may be committed by civilians on the Base.

California Government Code Section 113 authorizes the State Lands Commission to accept a retrocession of jurisdiction if the following conditions are met:

1. The United States has in writing requested that the State accept a retrocession of jurisdiction;
2. The State Lands Commission has held a public hearing to determine whether it is in the State's best interests to accept the jurisdiction; and
3. The United States has agreed to pay for the costs associated with the cession process.

The United States has made the written request for the retrocession and has agreed to bear the costs associated with the retrocession.

CALENDAR PAGE	512
MINUTE PAGE	001272

CALENDAR ITEM NO. 83(D) (CONT'D)

to bear the costs associated with the retrocession.

A public hearing was held on April 30, 1996. Notice of the hearing was published as required by Section 113 and served upon the Clerk of the Board of Supervisors for Riverside County. Affidavits of the publication and service are found in the Commission's files. No comments in opposition to the retrocession were received.

AB 884:

N/A

OTHER PERTINENT INFORMATION:

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

Authority: Public Resources Code Section 21065 and 14 Cal. Code Regs. 15378.

EXHIBIT:

"D1". Land Description.
"D2". Form of Certificate of Acceptance of Retrocession.

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 PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL. CODE REGS. 15378.
2. FIND THAT THE U.S. DEPARTMENT OF THE AIR FORCE HAS REQUESTED IN WRITING THAT THE COMMISSION ACCEPT A RETROCESSION OF EXCLUSIVE AND PARTIAL LEGISLATIVE JURISDICTION OVER 5354.75 ACRES AT MARCH AFB, RIVERSIDE COUNTY AS DESCRIBED IN EXHIBIT "D1" ATTACHED HERETO.
3. FIND THAT THE STATE LANDS COMMISSION HAS CONDUCTED THE PUBLIC HEARING REQUIRED BY GOVERNMENT CODE SECTION 113.

CALENDAR ITEM NO. 83(D) (CONT'D)

JURISDICTION OVER 5354.75 ACRES AT MARCH AIR FORCE BASE, RIVERSIDE COUNTY, CALIFORNIA IS IN THE BEST INTERESTS OF THE STATE BECAUSE THIS WILL PERMIT THE STATE OF CALIFORNIA TO HAVE FULL LEGISLATIVE JURISDICTION OVER THIS FACILITY INCLUDING ANY OFFENSES THAT MAY BE COMMITTED ON IT.

5. ACCEPT THE RETROCESSION OF EXCLUSIVE AND PARTIAL LEGISLATIVE JURISDICTION RESULTING IN PROPRIETARY JURISDICTION OVER 5354.75 ACRES AT MARCH AIR FORCE BASE, RIVERSIDE COUNTY AS DESCRIBED IN EXHIBIT "D1" ATTACHED HERETO.
6. AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE AN ACCEPTANCE OF RETROCESSION IN SUBSTANTIALLY THE SAME FORM AS FOUND IN EXHIBIT "D2" ATTACHED HERETO.
7. AUTHORIZE THE FILING OF THE ACCEPTANCE OF RETROCESSION WITH THE OFFICE OF THE CALIFORNIA SECRETARY OF STATE AND TO RECORD IT IN THE OFFICE OF THE RECORDER FOR RIVERSIDE COUNTY.

EXHIBIT "D1"

PARCEL 1. MAIN BASE

That certain real property in the County of Riverside, State of California, described as follows, the basis of bearings being the California State Plane Coordinate System (Chapter 1307, Statutes of 1947), North American Datum of 1927:

BEGINNING at the southwest corner of the south half of the northeast quarter of Section 32, Township 3 South, Range 4 West, San Bernardino Base & Meridian (SBB&M),

THENCE the following forty-seven (47) courses, numbered (1) through (47) below:

- (1) northerly along the west line of said south half to the northwest corner thereof;
- (2) easterly along the north line of said south half to the northeast corner thereof;
- (3) northerly along the east line of said Section 32 to the corner common to Sections 28, 29, 32 and 33 of said township and range, being also a point at or near the intersection of Mariposa Avenue (vacated) and Barton Street;
- (4) northerly along the west line of said Section 28 to the corner common to Sections 20, 21, 28 and 29, being also a point at or near the intersection of Iris Avenue (vacated) and said Barton Street;
- (5) westerly along said Iris Avenue and along the south line of said Section 20 to the south quarter corner thereof, being a point at or near the intersection of said Iris Avenue and Cole Street;
- (6) northerly along said Cole Street and along the center-of-section lines of Sections 20 and 17 to the north quarter corner of said Section 17, being a point at or near the intersection of said Cole Street and Alessandro Boulevard;
- (7) easterly along said Alessandro Boulevard and along the north lines of Sections 17, 16, 15, 14 and 13 of said Township 3 South, Range 4 West, to the northeast corner of said Section 13, being a point at or near the intersection of said Alessandro Boulevard and Heacock Street;
- (8) southerly along said Heacock Street and along the east line of said Section 13 to the southeast corner thereof, being a point at or near the intersection of said Heacock Street and John F. Kennedy Drive (formerly Eschscholtzia Avenue [vacated]);

- (9) easterly along said John F. Kennedy Drive and along the north line of Section 19, Township 3 South, Range 3 West, SBB&M, to the north quarter corner thereof, being a point at or near the intersection of said John F. Kennedy Drive and Indian Street;
- (10) southerly along said Indian Street and along the center-of-section lines of Sections 19, 30 and 31 of said Township 3 South, Range 3 West, to the southeast corner of the north half of the northwest quarter of said Section 31;
- (11) westerly along the south line of said north half of the northwest quarter of Section 31 to the southwest corner of said north half, being a point in or near the aforesaid Heacock Street;
- (12) southerly along said Heacock Street and along the west line of said Section 31 to a point which lies northerly along said section line North $1^{\circ} 16' 31''$ East, 162.01 feet from the west quarter corner of said Section 31, being also a point in the northeasterly line of the March Air Force Base Air Installation Compatible Use Zone (hereinafter AICUZ);
- (13) southeasterly along said northeasterly AICUZ line, South $30^{\circ} 06' 43''$ East, 3035.06 feet to an intersection with a southeasterly AICUZ line lying in Lot 30 of Block 1, Riverside Alfalfa Acres, as shown on map recorded in Book 8, Page 21, of Maps, in the Riverside County Recorder's office;
- (14) at right angles to last-said course, and southwesterly along said southeasterly AICUZ line, South $59^{\circ} 53' 17''$ West, 400.00 feet to an intersection with a northeasterly AICUZ line, being also a point in the north line of Section 6, Township 4 South, Range 3 West, being also a point in or near Oleander Avenue;
- (15) at right angles to last-said course, and southeasterly along said northeasterly AICUZ line, South $30^{\circ} 06' 43''$ East, 648.13 feet to an angle point therein;
- (16) southeasterly along said northeasterly AICUZ line, South $37^{\circ} 14' 13''$ East 949.03 feet to a point in or near Nance Street;
- (17) continuing South $37^{\circ} 14' 13''$ East, 683.42 feet to an intersection with the most southeasterly AICUZ line at a point in Lot 1 of Block 4, Riverside Tract as shown on map recorded in Book 14, Page 668, of Maps, in said Recorder's office;
- (18) southwesterly along said AICUZ line, South $59^{\circ} 53' 17''$ West, 1542.46 feet to an intersection with a boundary of the Rancho San Jacinto Nuevo;
- (19) leaving said AICUZ line, northwesterly along said rancho boundary North $30^{\circ} 06'$

43" West, 90.03 feet, more or less, to a point in the north-south boundary common to Lots 6 and 7 of said Block 4, Riverside Tract;

(20) southerly along said lot boundary, South $0^{\circ} 28' 34''$ West, 104.59 feet, more or less, to intersect said most southeasterly AICUZ line;

(21) southwesterly along said AICUZ line, South $59^{\circ} 53' 17''$ West, 1056.12 feet to the most southerly corner of the AICUZ, being a point in Lot 9 of Golden Valley Farms No. 5 as shown
on map recorded in Book 17, Page 68, of Maps, in said Recorder's office;

(22) North $22^{\circ} 59' 13''$ West, 593.54 feet to a point at or near the centerline of Markham Street;

(23) continuing North $22^{\circ} 59' 13''$ West, 145.27 feet to a point at or near the centerline of Webster Avenue (also known as Heacock Street);

(24) North $22^{\circ} 56' 56''$ West, 570.20 feet to a point in the centerline of Washington Street lying westerly along said centerline, North $89^{\circ} 37' 40''$ West, 227.03 feet from the intersection of the center lines of Washington Street and Webster Avenue;

(25) westerly along the centerline of Washington Street to the southwest corner of Lot 12 of Block F, Golden Valley Farms as shown on map recorded in Book 14, Page 78, of Maps, in said Recorder's office;

(26) northerly along the west line of said Lot 12, North $0^{\circ} 30' 44''$ East, 133.95 feet;

(27) North $22^{\circ} 56' 35''$ West, 157.72 feet;

(28) North $30^{\circ} 06' 43''$ West, 57.62 feet to a point in the south line of Lot 8 of said Block F;

(29) westerly along said south line, North $89^{\circ} 37' 08''$ West, 41.14 feet to the southwest corner of said Lot 8;

(30) northerly along the west line of said Lot 8, North $0^{\circ} 30' 39''$ East, 69.60 feet;

(31) North $30^{\circ} 06' 43''$ East, 302.34 feet to a point in the centerline of Nance Street;

(32) westerly along the centerline of said Nance Street, North $89^{\circ} 36' 40''$ West, 110.04 feet to the southwest corner of Lot 15 of Block D, said Golden Valley Farms;

- (33) northerly along the west line of said Lot 15, North 0° 30' 33" East, 175.78 feet;
- (34) South 59° 53' 17" West, 400.00 feet;
- (35) at right angles to last-said course, North 30° 06' 43" West, 1514.83 feet to a point in the south line of Section 36, Township 3 South, Range 4 West, being also a point at or near the centerline of Oleander Avenue;
- (36) continuing North 30° 06' 43" West, 3073.00 feet to a point in the south line of the northwest quarter of said Section 36, being also a point in Nandina Avenue (vacated);
- (37) westerly along said Nandina Avenue and along said south line to the quarter corner common to Sections 36 and 35;
- (38) westerly along the center-of-section lines of said Section 35 to the quarter corner common to Sections 35 and 34, being also a point at or near the intersection of said Nandina Avenue and Day Street (vacated);
- (39) westerly along the center-of-section lines of said Section 34 to the center thereof, being also a point at or near the intersection of said Nandina Avenue and Clark Street (vacated);
- (40) westerly along the center-of-section lines of said Section 34 to the quarter corner common to Sections 34 and 33, being also a point at or near the intersection of said Nandina Avenue and Brown Street (vacated);
- (41) westerly along the center-of-section lines of said Section 33 to the center thereof, being also a point at or near the intersection of said Nandina Avenue and Alexander Street (vacated);
- (42) westerly along the center-of-section lines of said Section 33 to a point therein lying easterly of the quarter corner common to Sections 33 and 32, South 89° 58' 07" East, 2300.00 feet;
- (43) at right angles to said center-of-section line, South 0° 01' 53" West, 200.00 feet;
- (44) at right angles to last-said course, North 89° 58' 07" West, 1500.00 feet;
- (45) at right angles to last-said course, North 0° 01' 53" East, 200.00 feet to a point in said center-of-section line;

(46) at right angles to last-said course and westerly along said center-of-section line, North 89° 58' 07" West, 800.00 feet to the said quarter corner common to Sections 33 and 32;

(47) westerly along the south line of the south half of the northeast quarter of said Section 32 to the **POINT OF BEGINNING.**

PARCEL 2, SANITARY DISPOSAL AREA

That certain real property in the County of Riverside, State of California, in Township 3 South, Ranges 4 and 5 West, SBB&M, described as follows:

SECTION 23, T. 3 S., R. 5 W.: N $\frac{1}{2}$ NE $\frac{1}{4}$;

SECTION 24, T. 3 S., R. 5 W.: NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, and the west 200.00 feet of NE $\frac{1}{4}$ SE $\frac{1}{4}$;

SECTION 19, T. 3 S., R. 4 W.: In the NW $\frac{1}{4}$ SW $\frac{1}{4}$, those Lots 16, 17, 18, 19, 30 and 31 of Woodcrest Acres No. 2 shown on map recorded in Book 13, Page 100, of Maps, in the office of the Riverside County Recorder; and the aggregate area of said Parcel 2 described above being about 261 acres of land, more or less.

END OF DESCRIPTION

NOTE: The description above was adapted from project maps ("acquisition maps") numbered 281-FP-1 through -FP-10, copies of which are on file in the offices of the Real Estate Division (Attention: CESPL-RE-PC) of the U. S. Army Engineer District, Los Angeles. The Description does not attempt to picture the perimeter of March AFB as it existed just prior to Base Realignment & Closure in 1994-95. but is rather in the nature of a "blanket description", which would cover more territory than necessary, in order not to leave any land out of the retrocession. Therefore, although following the base boundaries in most calls, it will also encompass a number of parcels which were reported as excess, and disposed of by the U. S. General Services Administration many years ago. It will also cover lands which have long since become portions of the Cities of Moreno Valley and Perris. It will also include some lands over which the United States never had jurisdiction. However, this will have no deleterious effect, as the retrocession contemplated is of the same general nature as "quitclaims", which often cover more territory than is actually vested in the quitclaim. The purpose of this disclaimer is to give notice to persons doing cadastral research in the future that this should not be taken as a whole to be an up-to-date March AFB boundary description.

NOTE: This description and the above note were provided by the United States in its application package.

CALENDAR PAGE	520
MINUTE PAGE	001280

EXHIBIT "D2"

RECORDED AT THE REQUEST OF
AND WHEN RECORDED MAIL TO:
STATE OF CALIFORNIA
STATE LANDS COMMISSION
100 HOWE AVE., SUITE 100 SOUTH
SACRAMENTO, CA 95825-8202
ATTN: LEGAL UNIT
TELEPHONE: (916) 574-1850

STATE OF CALIFORNIA - OFFICIAL BUSINESS
DOCUMENT ENTITLED TO FREE RECORDATION
PURSUANT TO GOVERNMENT CODE SECTION 27383

RETROCESSION OF LEGISLATIVE JURISDICTION

California Government Code Section 113

WHEREAS the United States acting by and through the Department of the Air Force by letter dated December 26, 1995 has requested that the State of California accept a retrocession of exclusive and partial legislative jurisdiction over lands comprising 5354.75 acres at March Air Force Base, Riverside County; and

WHEREAS the California State Lands Commission, pursuant to California Government Code Section 113, has been authorized by the California State Legislature to accept a such a retrocession of jurisdiction; and

WHEREAS the Executive Officer of the State Lands Commission has been authorized to execute this instrument;

NOW, THEREFORE, I, Robert C. Hight, Executive Officer of the California State Lands Commission hereby certify that the Commissioners for the California State Lands Commission met on _____ and accepted a retrocession of exclusive and partial legislative jurisdiction from the United States over those lands comprising a portion of March Air Force Base, Riverside County and more particularly described in Exhibit A attached hereto. A copy of the Commission's Agenda Item No. ____ is attached hereto as Exhibit B.

ROBERT C. HIGHT, EXECUTIVE OFFICER
CALIFORNIA STATE LANDS COMMISSION

Date: _____

CALENDAR PAGE	521
MINUTE PAGE	001281

MINUTE ITEM

This Calendar Item No. 83 was approved as Minute Item No. 83 by the California State Lands Commission by a vote of 2 to 0 at its 5-9-96 meeting.

CALENDAR ITEM

83(E)

A 78
S 39

05/09/96
W 25274
FREY

RETROCESSION OF EXCLUSIVE LEGISLATIVE JURISDICTION AND THE ESTABLISHMENT OF CONCURRENT LEGISLATIVE JURISDICTION AT NAVAL TRAINING CENTER, SAN DIEGO, SAN DIEGO COUNTY

PARTY:

United States of America
Department of the Navy
1000 Navy Pentagon
Washington, D. C. 20350-1000

BACKGROUND:

The United States exercises exclusive legislative jurisdiction over 540 acres at the Naval Training Center, San Diego, San Diego County. By letter dated November 27, 1995 the Department of the Navy requested that California accept a retrocession of exclusive legislative jurisdiction over 497 acres of this facility and establish concurrent legislative jurisdiction over the 497 acres.

California Government Code Section 113 authorizes the State Lands Commission to accept such a retrocession and to establish concurrent jurisdiction if the following conditions, are met:

1. The United States has in writing requested that the State accept a retrocession of jurisdiction;
2. The State Lands Commission has held a public hearing to determine whether it is in the State's best interests to accept the retrocession; and
3. The United States has agreed to pay for the costs associated with the retrocession process.

The United States has made the written request for the retrocession and has agreed to bear the costs associated with the retrocession. The noticed hearing was held on March 28, 1996. No comments in opposition to the retrocession were received.

AB 884:

N/A

CALENDAR PAGE	522
MINUTE PAGE	001282

CALENDAR ITEM NO. 83(E) (CONT'D)

OTHER PERTINENT INFORMATION:

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

Authority: Public Resources Code Section 21065 and 14 California Code of Regulations Section 15378.

EXHIBIT:

- E1. Land Description
- E2. Form of Retrocession Certificate

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 PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL. CODE REGS. 15378.
2. FIND THAT THE U.S. DEPARTMENT OF THE NAVY HAS REQUESTED IN WRITING THAT THE COMMISSION ACCEPT A RETROCESSION OF EXCLUSIVE LEGISLATIVE JURISDICTION AND ESTABLISH CONCURRENT LEGISLATIVE JURISDICTION AS SPECIFIED IN GOVERNMENT CODE SECTION 113 OVER 497 ACRES LANDS COMPRISING A PORTION OF THE NAVAL TRAINING CENTER, SAN DIEGO, SAN DIEGO COUNTY AS DESCRIBED IN EXHIBIT "E1" ATTACHED HERETO.
3. FIND THAT THE STATUTORY PUBLIC HEARING WAS HELD AS REQUIRED.
4. DETERMINE THAT IT IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA TO ACCEPT THE RETROCESSION OF EXCLUSIVE LEGISLATIVE JURISDICTION AND TO ESTABLISH CONCURRENT LEGISLATIVE JURISDICTION AS REQUESTED BECAUSE SUCH ACTIONS WILL MAKE POLICE SERVICES AVAILABLE FROM THE LOCAL COMMUNITY TO ENSURE PROPER PROTECTION AS THE TRAINING CENTER PROCEEDS TOWARD CLOSURE AND DISPOSAL.
5. ACCEPT THE RETROCESSION OF EXCLUSIVE LEGISLATIVE JURISDICTION AND ESTABLISH CONCURRENT LEGISLATIVE JURISDICTION OVER THE NAVAL TRAINING CENTER, SAN DIEGO, SAN DIEGO COUNTY AS DESCRIBED IN EXHIBIT "E1" HERETO.

CALENDAR ITEM NO. 83(E) (CONT'D)

6. AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE AN ACCEPTANCE OF RETROCESSION IN SUBSTANTIALLY THE SAME FORM AS FOUND IN EXHIBIT "E2" ATTACHED HERETO.
7. AUTHORIZE THE FILING OF THE RETROCESSION OF EXCLUSIVE LEGISLATIVE JURISDICTION AND THE ESTABLISHMENT OF CONCURRENT LEGISLATIVE JURISDICTION WITH THE CALIFORNIA SECRETARY OF STATE AND THEIR RECORDATION WITH THE COUNTY RECORDER FOR THE COUNTY OF SAN DIEGO.

CALENDAR PAGE	524
MINUTE PAGE	001284

Exhibit "E1"

**U. S. NAVAL TRAINING CENTER
RETROCESSION LAND DESCRIPTION**

All of Blocks 108, 111, 112, 113, 124, 125, 126, 128, 129, 140, 141, 144, 145, 156, 184, 186, 200, 203, 217, 218, 219, 222, 223, 224, 237, 238, 239, 240, 243, 244, 245 AND 246, all of Fractional Blocks 127, 142, 143, 157, 158, 170, 171, 185, 201, 202, 220, 221, 241 and 242, all of Lots 1, 2, 3, 10, 11, 12 and portions of Lots 4 and 9 of Block 109, of ROSEVILLE, according to Map thereof No. 165, dated January, 1869, a copy of which was filed in the Office of the County Recorder, August 14, 1914, all of Blocks 199 and 204 of REMONDINO'S SUBDIVISION, according to Map thereof No. 443, filed in the Office of the County Recorder of San Diego County, OCTOBER 7, 1880, all of Blocks 256, 257, 258, 259, 262, 263, 264, 265, 272, 273, 274, 275, 278, 279, 280, 281, 288, 289, 290, 291, 294, 295, 296, 297, 304, 305, 306, 307, 309, 310 and 311, all of Fractional Lots 260, 261, 276, 277, 292, 293 AND 308 of SUBDIVISION OF PUEBLO LOT NO. 209 FOR MANNASSE AND SCHILLER, according to Map thereof No. 275, filed in the Office of the County Recorder of San Diego County, September 25, 1869, a portion of the Tidelands of the Bay of San Diego, as described in document recorded September 5, 1917 in Book 739, Page 307 of Deeds, a portion of the Tidelands of the Bay of San Diego, as described in document recorded June 6, 1921 in Book 853, Page 126 of Deeds, a portion of the Tidelands of the Bay of San Diego as described in document recorded October 25, 1933 in Book 239, Page 408 of Official Records, all in the City of San Diego, County of San Diego, State of California, together with the streets and alleys vacated and closed to public use per City of San Diego Council Resolution No.s 25105 and 25281 and together with Harbor Drive as dedicated to public use, described as follows:

BEGINNING at the Northwest corner of the U.S. Marine Corps Recruit Depot as shown on Record of Survey No. 9050; thence along the Jurisdictional Boundary between U.S. Marine Corps Recruit Depot and the U.S. Naval Training Center the following seven courses; South 15°38'02" East, 1934.29 feet (North 16°08'40" West, 1935.28 feet per Record of Survey No. 9050); thence South 07°30'30" West, 811.78 feet (North 07°00'00" East, 810.94 feet per Record of Survey No. 9050) to POINT "A"; thence South 82°29'30" East, 85.00 feet (North 83°00'00" West per Record of Survey No. 9050); thence North 39°16'25" East, 740.24 feet (North 38°45'55" East per Record of Survey No. 9050); thence South 73°29'30" East, 407.08 feet (North 74°00'00" West per Record of Survey No. 9050); thence South 16°30'30" West, 411.60 feet (North 16°00'00" East per Record of Survey No. 9050); thence South 73°29'30" East, 415.51 feet (North 74°00'00" West, 415.39 feet per Record of Survey No. 9050) to the Southeasterly line of the land described in deed recorded in Book 3306, Page 458 of Official Records and shown on said Record of Survey No. 9050; thence along said Southeasterly line, South 07°30'04" West, 1902.86 feet (North 6°59'15" East, 1902.82 feet per Record of Survey No. 9050) to the Northerly line of Harbor Drive (200 feet wide), said point being on the arc of a 5200.00 foot radius curve, concave to the South, a radial line to said point bears North 01°05'39" West (North 01°36'16" West per Record of Survey No. 9050), being also POINT "B"; thence Westerly, along said Northerly line of Harbor Drive and along said curve, through a central angle of 05°05'45", a distance of 462.48 feet (CA=05°05'43", AD=462.43 feet per Record of Survey

No. 9050); thence South 83°48'36" West, 235.02 feet (North 83°18'01" East per Record of Survey No. 9050) to the Southeast corner of that certain parcel of land as conveyed to the City of San Diego by Grant of Easement recorded November 7, 1962 as File No. 191492 of Official Records; thence along the Easterly line of said City Easement, North 06°11'24" West, 220.00 feet (North 6°41'59" West per Record of Survey No. 9050) to the Northeast corner thereof; thence along the Northerly line of said City Easement, South 83°48'36" West, 441.36 feet (North 83°18'01" East per Record of Survey No. 9050) to the Northwest corner thereof; thence along the Westerly line of said City Easement, South 07°30'41" West, 226.44 feet (North 7°00'00" East per Record of Survey No. 9050) to said Northerly line of Harbor Drive; thence along said Northerly line, South 83°48'36" West, 61.91 feet (North 83°18'01" East, 62.05 feet per Record of Survey No. 9050) to the boundary line common to the U.S. Marine Corps Recruit Depot and the U.S. Naval Training Center as described in Grant of Easement to the City of San Diego recorded April 18, 1962 as File No. 66681 of Official Records to POINT "C"; thence along said common boundary line, South 07°30'30" West, 205.86 feet (North 7°00'00" East per Record of Survey No. 9050) to the Southerly line of said Harbor Drive; thence along said Southerly line, South 83°48'36" West, 1292.59 feet (Record: North 83°48'32" East) to the beginning of a tangent 3900.00 foot radius curve, concave to the South; thence Westerly, along said curve, through a central angle of 24°16'43", a distance of 1652.59 feet (Record: CA=24°16'30"); thence South 59°31'53" West, 827.72 feet (Record: North 59°32'04" East) to the beginning of a tangent 1000.00 foot radius curve, concave to the Northwest; thence Southwesterly, along said curve, through a central angle of 04°10'57", a distance of 73.00 feet to the Southwesterly boundary line of the U.S. Naval Training Center, said point being on the Southeasterly prolongation of the Northeasterly line of Nimitz Boulevard (formerly Lowell Street); thence along said Southwesterly boundary line and said Southeasterly prolongation, North 53°45'35" West, 233.64 feet to the Northerly line of said Harbor Drive, said point being on the arc of a non-tangent 800.00 foot radius curve, concave to the Northwest, a radial line to said point bears South 18°32'34" East; thence Northeasterly, along said curve, through a central angle of 11°55'33", a distance of 166.52 feet; thence North 59°31'53" East, 111.84 feet (Record: North 59°32'04" East); thence leaving said Northerly line and parallel with said Northeasterly line of Nimitz Boulevard, North 53°45'35" West, 624.77 feet; thence South 36°14'25" West, 40.45 feet; thence North 53°45'35" West, 60.40 feet; thence North 36°14'25" East, 40.45 feet; thence North 53°45'35" West, 476.22 feet; thence North 36°14'25" East, 19.50 feet; thence North 53°45'35" West, 73.02 feet; thence South 36°14'25" West, 267.25 feet to said Northeasterly line of Nimitz Boulevard; thence along said Northeasterly line, North 53°45'35" West, 534.92 feet to the Southeasterly line of Rosecrans Street, said point being on the Southeasterly line of the Northwesterly 10.50 feet of the Southeasterly 20.00 feet of Rosecrans Street as closed and vacated to public use by Resolution No. 25281 by the Council of the City of San Diego, February 18, 1920 and described in deed to the City of San Diego recorded March 16, 1942 in Book 1312, Page 396 of Official Records; thence along said Southeasterly line of Rosecrans Street, North 36°16'06" East, 6903.50 feet to the beginning of a tangent 37.00 foot radius curve, concave to the South, said curve being described in street widening (Lytton Street) deed to the City of San Diego recorded June 11, 1943 in Book 1512, Page 234 of Official Records; thence Easterly, along said curve, through a central angle of 89°28'40", a distance of 57.78 feet (Record: CA=89°30'35", AD=57.80 feet); thence continuing along said street widening of Lytton Street, South 54°15'14" East, 1087.60 feet (Record: South 54°46'45" East, 1087.67 feet) thence North 35°52'66" East, 1087.67 feet (Record: North 35°52'66" East, 1087.67 feet).

MINUTE PAGE	001386
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East, 0.37 feet (Record: North 35°13'15" East) to the POINT OF BEGINNING.

EXCEPTING THEREFROM that portion lying within the following described parcel of land:

BEGINNING at the hereinabove described POINT "A"; thence North 82°29'30" West, 270.45 feet; thence North 41°37'23" East, 482.21 feet to said Jurisdictional Boundary between U.S. Marine Corps Recruit Depot and the U.S. Naval Training Center as shown on Record of Survey No. 9050; thence along said boundary line, South 07°30'30" West, 399.23 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM that portion lying within the following described parcel of land:

BEGINNING at the hereinabove described POINT "B", said point being on the Northerly line of Harbor Drive and on the arc of a non-tangent 5200.00 foot radius curve, concave to the South, a radial line to said point bears North 01°05'39" West; thence Westerly, along said Northerly line of Harbor Drive and along said curve, through a central angle of 05°05'45", a distance of 462.48 feet (CA=05°05'43", AD=462.43 feet per Record of Survey No. 9050); thence South 83°48'36" West, 235.02 feet (North 83°18'01" East per Record of Survey No. 9050) to the Southeast corner of that certain parcel of land as conveyed to the City of San Diego by Grant of Easement recorded November 7, 1962 as File No. 191492 of Official Records; thence along the Easterly line of said City Easement, North 06°11'24" West, 220.00 feet (North 6°41'59" West per Record of Survey No. 9050) to the Northeast corner thereof; thence along the Northerly line of said City Easement, South 83°48'36" West, 36.79 feet; thence leaving said Northerly line, North 12°25'55" West, 36.79 feet; thence North 27°37'00" West, 96.48 feet; thence North 74°40'40" East, 69.00 feet; thence North 12°35'43" West, 78.72 feet; thence North 73°58'52" East, 53.50 feet to the beginning of a tangent 585.00 foot radius curve, concave to the South; thence Easterly, along said curve, through a central angle of 45°37'20", a distance of 465.81 feet; thence North 22°25'15" East, 29.68 feet; thence South 79°05'39" East, 50.13 feet; thence South 62°33'09" East, 75.63 feet; thence South 81°41'44" East, 169.89 feet to the Southeasterly line of the land described in deed recorded in Book 3306, Page 458 of Official Records and shown on said Record of Survey No. 9050; thence along said Southeasterly line, South 07°30'04" West, 298.75 feet (North 6°59'15" East per Record of Survey No. 9050) to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM that portion lying within the following described parcel of land:

BEGINNING at the hereinabove described POINT "C", said point being on the Northerly line of Harbor Drive; thence along said Northerly line, South 83°48'36" West, 29.60 feet; thence leaving said Northerly line, North 18°02'00" West, 22.68 feet; thence North 41°11'00" East, 22.90 feet; thence South 81°55'00" East, 25.85 feet to the boundary line common to the U.S. Marine Corps Recruit Depot and the U.S. Naval Training Center as described in Grant of Easement to the City of San Diego recorded April 18, 1962 as File No. 66681 of Official Records; thence along said common

boundary line, South 07°30'30" West, 32.25 feet to the POINT OF BEGINNING.

Containing: 503.142 Acres (Net), more or less

Lonie K. Cyr P.L.S. 6929

Expiration: 9-30-97

(Description provided by the Department of the Navy.)

CALENDAR PAGE	528
MINUTE PAGE	001288

EXHIBIT "E2"

RECORDED AT THE REQUEST OF
AND WHEN RECORDED MAIL TO:

STATE OF CALIFORNIA
STATE LANDS COMMISSION
100 HOWE AVE., SUITE 100 SOUTH
SACRAMENTO, CA 95825
ATTN: LEGAL UNIT
TELEPHONE: (916) 574-1829

STATE OF CALIFORNIA IS ENTITLED TO
FREE RECORDATION PURSUANT TO
GOVERNMENT CODE SECTION 27383

FOR RECORDER'S USE ONLY

ACCEPTANCE OF RETROCESSION OF LEGISLATIVE JURISDICTION
California Government Code Section 113

Whereas the United States acting by and through the Department of the Navy has requested that the State of California accept a retrocession of exclusive legislative jurisdiction and establish concurrent legislative jurisdiction over lands comprising the Naval Training Center, San Diego, California; and

Whereas the California State Lands Commission, pursuant to California Government Code Section 113, has been authorized by the California State Legislature to accept such a retrocession and establish concurrent jurisdiction; and

Whereas the Executive Officer of the California State Lands Commission has been authorized to execute this instrument;

NOW, THEREFORE, I, Robert C. Hight, Executive Officer of the California State Lands Commission hereby certify that the Commissioners for the California State Lands Commission met on _____ and accepted a retrocession of exclusive legislative jurisdiction and established concurrent legislative jurisdiction over certain lands comprising a portion of the Naval Training Center, San Diego, California and more particularly described in Exhibit "A" hereto. A copy of the Commission's Calendar Item No. _____ is attached hereto as Exhibit "B".

ROBERT C. HIGHT, EXECUTIVE OFFICER

(Date)

CALENDAR PAGE	529
MINUTE PAGE	001289

MINUTE ITEM

This Calendar Item No. 83 was approved as Minute Item No. 83 by the California State Lands Commission by a vote of 2 to 0 at its 5/9/96 meeting.

CALENDAR ITEM

83(F)

A 76
S 39

05/09/96
W 25300
FREY

**RETROCESSION OF LEGISLATIVE JURISDICTION AT
NAVAL RADIO TRANSMITTING FACILITY, SAN DIEGO, SAN DIEGO COUNTY**

PARTY:

United States of America
Department of the Navy
1000 Navy Pentagon
Washington, D. C. 20350-1000

BACKGROUND:

The United States exercises exclusive jurisdiction over the Naval Radio Transmitting Facility, San Diego. By letter dated March 21, 1996 the Department of the Navy requested that California accept a retrocession of exclusive jurisdiction over this facility so as to establish uniform proprietary legislative jurisdiction.

California Government Code Section 113 authorizes the State Lands Commission to accept such a retrocession if the following conditions are met:

1. The United States has in writing requested that the State accept a retrocession of jurisdiction;
2. The State Lands Commission has held a public hearing to determine whether it is in the State's best interests to accept the retrocession; and
3. The United States has agreed to pay for the costs associated with the retrocession process.

The United States has made the written request for the retrocession and has agreed to bear the costs associated with the retrocession. The noticed hearing was held on May 3, 1996. No comments in opposition to the retrocession were received.

AB 884:
N/A

CALENDAR PAGE	530
MINUTE PAGE	001290

CALENDAR ITEM NO. 83(F) (CONT'D)

OTHER PERTINENT INFORMATION:

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

Authority: Public Resources Code Section 21065 and 14 California Code of Regulations Section 15378.

EXHIBIT:

- F1. Land Description
- F2. Form of Retrocession Certificate

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. FIND THAT THE U.S. DEPARTMENT OF THE NAVY HAS REQUESTED THAT THE COMMISSION ACCEPT A RETROCESSION OF ALL LEGISLATIVE JURISDICTION OVER LANDS COMPRISING THE NAVAL RADIO TRANSMITTING FACILITY, SAN DIEGO, SAN DIEGO COUNTY.
3. FIND THAT THE UNITED STATES HAS AGREED TO PAY FOR THE COSTS OF THE RETROCESSION PROCESS.
4. FIND THAT THE STATUTORY PUBLIC HEARING WAS HELD AS REQUIRED.
5. DETERMINE THAT IT IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA TO ACCEPT THE RETROCESSION OF JURISDICTION REQUESTED BY THE UNITED STATES BECAUSE THE RETROCESSION WILL ALLOW STATE AND LOCAL LAW ENFORCEMENT AND FIRE PROTECTION SERVICES TO BE MADE AVAILABLE TO CIVILIANS ON THE FACILITY WHICH WILL BE USED AS A HOUSING SITE.
6. ACCEPT THE RETROCESSION OF ALL LEGISLATIVE JURISDICTION OVER THE NAVAL RADIO TRANSMITTING FACILITY, SAN DIEGO, SAN DIEGO COUNTY AS DESCRIBED IN EXHIBIT "F1" ATTACHED HERETO.

CALENDAR PAGE	531
MINUTE PAGE	001291

CALENDAR ITEM NO. 83(F) (CONT'D)

7. AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE AN ACCEPTANCE OF RETROCESSION IN SUBSTANTIALLY THE SAME FORM AS FOUND IN EXHIBIT "F2" ATTACHED HERETO.
8. AUTHORIZE THE FILING OF THE RETROCESSION WITH THE CALIFORNIA SECRETARY OF STATE AND THE SAN DIEGO COUNTY RECORDER AS REQUIRED BY GOVERNMENT CODE SECTION 113.

EXHIBIT "F1"

LAND DESCRIPTION

NAVAL RADIO TRANSMITTING FACILITY, SAN DIEGO, SAN DIEGO COUNTY

All that portion of Parcel "00" of Lot Nineteen (19) of Rancho Mission of San Diego, in the County of San Diego, State of California, according to Partition map of a portion of Section Thirty-five (35) and other property, in Township Sixteen (16) South Range Two (2) West, San Bernardino Meridian, all lying in said Lot Nineteen (19) as shown in Case No. 12524 Superior Court of San Diego County, entitled J. W. Sefton vs. Viola M. Roach, executrix described as follows:

Commencing as the Southwest corner of said Parcel "00" and running thence North along the West line of said Parcel, Twelve Hundred (1200) feet; thence East on a line parallel with the South line of said Parcel, Twenty-six Hundred Forty (2640) feet to a point in the East line of said Parcel; thence South Twelve Hundred (1200) feet to the Southeast corner of said Parcel; thence West along the South line of said Parcel, Twenty-six Hundred Forty (2640) feet to the point of commencement.*

*This legal description was provided by the Department of the Navy and is the description per the Deed dated 21 July 1914 and Recorded 21 November 1914 at the County Recorder's Office, San Diego, CA in Book 648 of Deeds, page 226, by which the United States of America took possession of the property known as the "Navy Radio Transmitting Facility."

CALENDAR PAGE	533
MINUTE PAGE	001293

EXHIBIT "F2"

RECORDED AT THE REQUEST OF
AND WHEN RECORDED MAIL TO:

STATE OF CALIFORNIA
STATE LANDS COMMISSION
100 HOWE AVE., SUITE 100 SOUTH
SACRAMENTO, CA 95825
ATTN: LEGAL UNIT
TELEPHONE: (916) 574-1829

STATE OF CALIFORNIA IS ENTITLED TO
FREE RECORDATION PURSUANT TO
GOVERNMENT CODE SECTION 27383

FOR RECORDER'S USE ONLY

ACCEPTANCE OF RETROCESSION OF LEGISLATIVE JURISDICTION
California Government Code Section 113

Whereas the United States acting by and through the Department of the Navy has requested that the State of California accept a retrocession of legislative jurisdiction over lands comprising the Naval Radio Transmitting Facility, San Diego; and

Whereas the California State Lands Commission, pursuant to California Government Code Section 113, has been authorized by the California State Legislature to accept such a retrocession; and

Whereas the Executive Officer of the California State Lands Commission has been authorized to execute this instrument;

NOW, THEREFORE, I, Robert C. Hight, Executive Officer of the California State Lands Commission hereby certify that the Commissioners for the California State Lands Commission met on _____ and accepted a retrocession of legislative jurisdiction over certain lands comprising the Naval Radio Transmitting Facility, San Diego, California. A copy of the Commission's Calendar Item No. _____ is attached hereto as Exhibit "A".

ROBERT C. HIGHT, EXECUTIVE OFFICER

Date: _____

CALENDAR PAGE	534
MINUTE PAGE	001294

MINUTE ITEM

This Calendar Item No. 83 was approved as Minute Item No. 83 by the California State Lands Commission by a vote of 2 to 0 at its 5/9/96 meeting.

CALENDAR ITEM

83(G)

A 7

05/09/96

S 2

W 25288

FREY

RETROCESSION OF LEGISLATIVE JURISDICTION AND THE ESTABLISHMENT OF CONCURRENT LEGISLATIVE JURISDICTION AT MARE ISLAND NAVAL SHIPYARD, SOLANO COUNTY

PARTY:

United States of America
Department of the Navy
1000 Navy Pentagon
Washington, D. C. 20350-1000

BACKGROUND:

The United States exercises a combination of exclusive and proprietary jurisdiction over the Mare Island Naval Shipyard, Solano County. By letter dated January 18, 1996 the Department of the Navy requested that California accept a retrocession of exclusive legislative jurisdiction over this facility and establish concurrent legislative jurisdiction over the area previously under exclusive jurisdiction.

California Government Code Section 113 authorizes the State Lands Commission to accept such a retrocession and to establish concurrent jurisdiction if the following conditions are met:

1. The United States has in writing requested that the State accept a retrocession of jurisdiction;
2. The State Lands Commission has held a public hearing to determine whether it is in the State's best interests to accept the retrocession; and
3. The United States has agreed to pay for the costs associated with the retrocession process.

The United States has made the written request for the retrocession and has agreed to bear the costs associated with the retrocession.

A noticed hearing was held on March 25, 1996. During the hearing the City of Vallejo

CALENDAR PAGE	535
MINUTE PAGE	001295

CALENDAR ITEM NO. 83(G) (CONT'D)

requested that the retrocession process be delayed until the City and the Navy could come to terms on the provision and payment of services to the facility after its scheduled closure. Subsequently, the City and the Navy came to such an agreement and the City withdrew its request for a delay.

AB 884:

N/A

OTHER PERTINENT INFORMATION:

1. Exhibit "G1" (attached to this calendar item and incorporated by reference as part of it) is taken from a map and land description prepared by the Department of the Navy which depicts the property which the Navy has determined to include within this retrocession of exclusive jurisdiction and establishment of concurrent jurisdiction. Exhibit G1 is to be used for the limited purpose of this retrocession and concurrent jurisdiction request as made by the Navy. Exhibit "G1" is not to be used for the determination of the boundaries of or State title to lands granted by the State to the United States through Chapter 43, Statutes of 1854; Chapter 81, Statutes of 1897; and Chapter 1452, Statutes of 1963.

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

Authority: Public Resources Code Section 21065 and 14. Cal. Code Regs. 15378.

EXHIBIT:

- G1. Land Description
- G2. Form of Retrocession Certificate

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 PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL. CODE REGS. 15378.

CALENDAR ITEM NO. 83(G) (CONT'D)

2. FIND THAT THE U.S. DEPARTMENT OF THE NAVY HAS REQUESTED IN WRITING THAT THE COMMISSION ACCEPT A RETROCESSION OF EXCLUSIVE LEGISLATIVE JURISDICTION AND ESTABLISH CONCURRENT LEGISLATIVE JURISDICTION AS SPECIFIED IN GOVERNMENT CODE SECTION 113 OVER LANDS FORMERLY UNDER EXCLUSIVE LEGISLATIVE JURISDICTION AND COMPRISING A PORTION OF THE MARE ISLAND NAVAL SHIPYARD, SOLANO COUNTY AS DESCRIBED IN EXHIBIT "G1" ATTACHED HERETO.
3. FIND THAT THE STATUTORY PUBLIC HEARING WAS HELD AS REQUIRED ON MARCH 25, 1996.
4. DETERMINE THAT IT IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA TO ACCEPT THE RETROCESSION OF EXCLUSIVE LEGISLATIVE JURISDICTION AND TO ESTABLISH CONCURRENT LEGISLATIVE JURISDICTION AS REQUESTED BECAUSE SUCH ACTIONS WILL ALLOW STATE AND LOCAL LAW ENFORCEMENT AND FIRE PROTECTION SERVICES TO BE MADE AVAILABLE TO ENSURE PROPER PROTECTION TO MARE ISLAND OCCUPANTS. SUCH ACTION WILL ALSO FACILITATE ADMINISTRATION OF LEASES WITH THE LOCAL REDEVELOPMENT AGENCY.
5. ACCEPT THE RETROCESSION OF EXCLUSIVE LEGISLATIVE JURISDICTION AND ESTABLISH CONCURRENT LEGISLATIVE JURISDICTION OVER MARE ISLAND NAVAL SHIPYARD, VALLEJO, SOLANO COUNTY AS DESCRIBED IN EXHIBIT "G1" HERETO.
6. AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE AN ACCEPTANCE OF RETROCESSION IN SUBSTANTIALLY THE SAME FORM AS FOUND IN EXHIBIT "G2" ATTACHED HERETO.
7. AUTHORIZE THE FILING OF THE RETROCESSION OF EXCLUSIVE LEGISLATIVE JURISDICTION AND THE ESTABLISHMENT OF CONCURRENT LEGISLATIVE JURISDICTION WITH THE CALIFORNIA SECRETARY OF STATE AND RECORDATION WITH THE COUNTY RECORDER OF SOLANO COUNTY.
8. FIND THAT EXHIBIT "G1" IS TO BE USED FOR THE LIMITED PURPOSE OF

CALENDAR ITEM NO. 83(G) (CONT'D)

THIS RETROCESSION OF EXCLUSIVE LEGISLATIVE JURISDICTION AND ESTABLISHMENT OF CONCURRENT LEGISLATIVE JURISDICTION REQUEST AS MADE BY THE NAVY. EXHIBIT "G1" IS NOT TO BE USED FOR THE DETERMINATION OF THE BOUNDARIES OF OR STATE TITLE TO LANDS GRANTED BY THE STATE TO THE UNITED STATES THROUGH CHAPTER 43, STATUTES OF 1854; CHAPTER 81, STATUTES OF 1897; AND CHAPTER 1452, STATUTES OF 1963.

CALENDAR PAGE	538
MINUTE PAGE	001298

EXHIBIT "G1"
MARE ISLAND NAVAL SHIPYARD, VALLEJO, CALIFORNIA
LAND DESCRIPTION FOR RETROCESSION OF EXCLUSIVE JURISDICTION
AND ESTABLISHMENT OF CONCURRENT JURISDICTION

A tract of land being a portion of Tract No. 38 , Mare Island Navy Yard, as shown on the Official Government Plat delineating the Public Survey for Fractional Township No. 3 North, Range No. 4 West, Mount Diablo Meridian, California, based on the official U.S. Government Survey by the U.S. Cadastral Engineer, Francis E. Joy, approved by the U.S. Surveyor General on October, 24, 1923 and filed in the U.S. Surveyor General's Office , San Francisco, California; as said Tract 38 being acquired by the United States of America per the findings of the Supreme Court Decision, U.S. v O'Donnell 303 U.S. 501 (1938) granting fee title to the United States of America; and a portion of those lands where the United States of America acquired title as described in Chapter 81, Statutes of California, approved March 9, 1897 and being described for the purposed of retrocession of legislation for the area described as follows:

1. **BEGINNING** at a point designated AP-1 in the official Government Field Notes of the U.S. Cadastral Engineer Francis E. Joy, GLO, for said Tract No. 38, Mare Island Navy Yard , approved by the U.S. Surveyor General on October 24, 1923 and made apart of the Official Plat thereof; also said point AP-1 having California State Plane Zone 3 Coordinates of X=1,918,847.38 and Y=164,697.98; thence near the easterly shoreline of said Mare Island Shipyard and through those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, S26°13'55"E, 1,908.09 feet;
2. thence continuing near the easterly shoreline of said Mare Island Navy Yard and through those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, S35°58'07"E, 11,871.80 feet to a point on the most easterly portion of a tip of land southerly of pier 24;
3. thence continuing near the easterly shoreline of said Mare Island Navy Yard and through those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, S30°30'39"E, 4,943.49 feet to a point on the most southeasterly tip of pier 34;
4. thence through the submerged lands at the southerly portion of said Mare Island Navy Yard, being a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, S19°14'57"W, 2,226.96 feet;

5. thence continuing through the submerged lands at the southerly portion of said Mare Island Navy Yard, being a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, S74°53'13"W, 514.40 feet to the most southeasterly corner of pier 35;

6. thence along the southerly line of pier 35 and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, S68°47'13"W, 494.15 feet to the most southwesterly corner of pier 35;

7. thence through the submerged lands and the uplands of the southerly portion of said Mare Island Navy Yard, and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N46°06'39"W, 3,686.35 feet to the westerly line of a portion of said Tract No. 38, Mare Island Navy Yard, as shown on the Official Government Plat delineating the Public Survey for Fractional Township No. 3 North, Range No. 4 West, Mount Diablo Meridian, California, based on the official U.S. Government Survey by the U.S. Cadastral Engineer, Francis E. Joy, approved the U.S. Surveyor General on October, 24, 1923 and filed in the U.S. Surveyor General's Office, San Francisco, California;

8. thence along the westerly boundary line of said Tract No. 38, and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N35°49'22"W, 561.46 feet;

9. thence continuing along the westerly boundary line of said Tract No. 38, and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N40°04'10"W, 317.05 feet;

10. thence continuing along the westerly boundary line of said Tract No. 38, and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N35°19'24"W, 653.94 feet;

11. thence continuing along the westerly boundary line of said Tract No. 38, and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N43°33'59"W, 488.78 feet;

12. thence continuing along the westerly boundary line of said Tract No. 38, and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, S72°22'49"W, 330.03 feet;

13. thence continuing along the westerly boundary line of said Tract No. 38, and a portion

of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N01°23'48"E, 250.99 feet;

14. thence continuing along the westerly boundary line of said Tract No. 38, and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N22°19'09"W, 323.67 feet;

15. thence continuing along the westerly boundary line of said Tract No. 38, and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N26°34'50"W, 667.16 feet;

16. thence continuing along the westerly boundary line of said Tract No. 38, and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N29°49'40"W, 171.74 feet;

17. thence continuing along the westerly boundary line of said Tract No. 38, and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N33°04'30"W, 475.59 feet;

18. thence continuing along the westerly boundary line of said Tract No. 38, and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N11°27'35"W, 297.90 feet;

19. thence continuing along the westerly boundary line of said Tract No. 38, and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N44°48'56"W, 363.28 feet;

20. thence continuing along the westerly boundary line of said Tract No. 38, and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N28°04'45"W, 191.56 feet;

21. thence continuing along the westerly boundary line of said Tract No. 38, and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N00°08'51"E, 211.36 feet;

22. thence continuing along the westerly boundary line of said Tract No. 38, and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N36°19'21"W, 442.56 feet;

23. thence continuing along the westerly boundary line of said Tract No. 38, and a portion

CALENDAR PAGE	541
MINUTE PAGE	001301

of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N22°50'01"W, 733.21 feet;

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24. thence continuing along the westerly boundary line of said Tract No. 38, and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N31°34'35"W, 1,274.86 feet;

25. thence continuing along the westerly boundary line of said Tract No. 38, and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N36°49'19"W, 1,017.23 feet;

26. thence continuing along the westerly boundary line of said Tract No. 38, and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N34°34'26"W, 1,063.48 feet;

27. thence continuing along the westerly boundary line of said Tract No. 38, and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N34°11'27"W, 672.43 feet;

28. thence continuing along the westerly boundary line of said Tract No. 38, and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N44°48'56"W, 1,129.48 feet;

29. thence continuing along the westerly boundary line of said Tract No. 38, and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N43°04'01"W, 1,988.18 feet;

30. thence continuing along the westerly boundary line of said Tract No. 38, and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N47°52'28"W, 2,285.36 feet;

31. thence continuing along the westerly boundary line of said Tract No. 38, and a portion of those lands as mentioned in Chapter 81, Statutes of California, approved March 9, 1897, N54°52'28"W, 546.21 feet to a point designated AP-5 in the official Government Field Notes of the U.S. Cadastral Engineer Francis E. Joy, GLO, for said Tract No. 38, Mare Island Navy Yard, approved by the U.S. Surveyor General on October 24, 1923 and made apart of the Official Plat thereof; also said point AP-5 being the northwest corner of said Tract No. 38;

32. thence along the northerly boundary line of said Tract No. 38, N40°11'50"E, 1,286.58 feet to a point designated AP-4 in the official Government Field Notes of the U.S. Cadastral Engineer Francis E. Joy, GLO, for said Tract No. 38, Mare Island Navy Yard , approved by the U.S. Surveyor General on October 24, 1923 and made apart of the Official Plat thereof;

33. thence leaving the northerly boundary line of said Tract No. 38, and along the northerly boundary line of the Mare Island Naval Shipyard also being the southerly boundary line of that certain parcel of land conveyed to the City of Vallejo by deed from the United States of America, recorded in the Official Records of Solano County in Book 1978, Page 56592 on July, 12, 1978, N53°11'39"E, 821.14 feet;

34. thence continuing said northerly boundary line of the Mare Island Naval Shipyard also being the southerly boundary line of that certain parcel of land conveyed to the City of Vallejo by Deed from the United States of America, recorded in the Official Records of Solano County in Book 1978, Page 56592 on July, 12, 1978, N89°06'34"E, 93.02 feet;

35. thence continuing said northerly boundary line of the Mare Island Naval Shipyard also being the southerly boundary line of that certain parcel of land conveyed to the City of Vallejo by Deed from the United States of America, recorded in the Official Records of Solano County in Book 1978, Page 56592 on July 12, 1978, N03°23'43"W, 325.93 feet;

36. thence continuing said northerly boundary line of the Mare Island Naval Shipyard also being the southerly boundary line of that certain parcel of land conveyed to the City of Vallejo by Deed from the United States of America, recorded in the Official Records of Solano County in Book 1978 , Page 56592 on July 12, 1978, N86°43'47"E, 239.61 feet;

37. thence continuing said northerly boundary line of the Mare Island Naval Shipyard also being the southerly boundary line of that certain parcel of land conveyed to the City of Vallejo by Deed from the United States of America, recorded in the Official Records of Solano County in Book 1978 , Page 56592 on July 12, 1978, N30°11'31"E, 737.25 feet to the northerly boundary line of said Tract No. 38, as described in the official Government Field Notes of the U.S. Cadastral Engineer Francis E. Joy, GLO, for Mare Island Navy Yard , approved by the U.S. Surveyor General on October 24, 1923 and made apart of the Official Plat thereof;

38. thence continuing along the northerly boundary line of said Tract No. 38, S89°51'35"E,

644.24 feet to a point designated AP-2 in the official Government Field Notes of the U.S. Cadastral Engineer Francis E. Joy, GLO, for Mare Island Navy Yard, approved by the U.S. Surveyor General on October 24, 1923 and made apart of the Official Plat thereof;

39. thence continuing along the northerly boundary line of said Tract No. 38, N64°57'52"E, 1,090.32 feet to the POINT OF BEGINNING designated AP-1 in the official Government Field Notes of the U.S. Cadastral Engineer Francis E. Joy, GLO, for Mare Island Navy Yard, approved by the U.S. Surveyor General on October 24, 1923 and made apart of the Official Plat thereof; END OF DESCRIPTION.

This description was provided by the Department of the Navy and is used for purposes of retroceding legislative jurisdiction and was prepared from evidentiary documents as described in the above mentioned description.

CALENDAR PAGE	544
MINUTE PAGE	001304

EXHIBIT "G2"

RECORDED AT THE REQUEST OF
AND WHEN RECORDED MAIL TO:

STATE OF CALIFORNIA
STATE LANDS COMMISSION
100 HOWE AVE., SUITE 100 SOUTH
SACRAMENTO, CA 95825
ATTN: LEGAL UNIT
TELEPHONE: (916) 574-1829

STATE OF CALIFORNIA IS ENTITLED TO
FREE RECORDATION PURSUANT TO
GOVERNMENT CODE SECTION 27383

FOR RECORDER'S USE ONLY

ACCEPTANCE OF RETROCESSION OF LEGISLATIVE JURISDICTION

California Government Code Section 113

Whereas the United States acting by and through the Department of the Navy has requested that the State of California accept a retrocession of exclusive legislative jurisdiction and establish concurrent legislative jurisdiction over lands comprising Mare Island Naval Shipyard, Vallejo, California; and

Whereas the California State Lands Commission, pursuant to California Government Code Section 113, has been authorized by the California State Legislature to accept such a retrocession and establish concurrent jurisdiction;

Whereas the Executive Officer of the California State Lands Commission has been authorized to execute this instrument,

NOW, THEREFORE, I, Robert C. Hight, Executive Officer of the California State Lands Commission hereby certify that the Commissioners for the California State Lands Commission met on _____ and accepted a retrocession of exclusive legislative jurisdiction and established concurrent legislative jurisdiction over the certain lands comprising Mare Island Naval Shipyard, Vallejo, California and more particularly described in Exhibit "A" hereto. A copy of the Commission's Calendar Item No. _____ is attached hereto as Exhibit "B".

ROBERT C. HIGHT, EXECUTIVE OFFICER

Date: _____

CALENDAR PAGE	545
MINUTE PAGE	001305

MINUTE ITEM

This Calendar Item No. 83 was approved as
Minute Item No. 83 by the California State Lands
Commission by a vote of 2 to 0 at its
5-9-96 meeting.

CALENDAR ITEM

83(H)

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**CESSION OF CONCURRENT CRIMINAL JURISDICTION
PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 126
AT THE NATIONAL TRAINING CENTER AND FORT IRWIN,
SAN BERNARDINO COUNTY**

Pursuant to Government Code Section 126 the State Lands Commission is authorized on behalf of the State of California to cede concurrent criminal jurisdiction to the United States upon finding:

- a. the land is held for the erection of forts, arsenals and other needful buildings, or other public purpose within the purview of Clause 17 of Section 8 of Article 1 of the United States Constitution;
- b. the cession is in compliance with the laws of the United States;
- c. the United States has in writing requested such cession; and
- d. the State reserves jurisdiction over the land for purposes of water acquisition and management.
- e. the United States has agreed to compensate the State for costs incurred in processing the cession.

The United States presently has concurrent criminal legislative jurisdiction over the National Training Center and Fort Irwin, San Bernardino County. This jurisdiction was ceded by the California State Lands Commission on June 5, 1991 and will expire on June 5, 1996. By letter the United States has requested that the State of California cede concurrent criminal legislative jurisdiction over these facilities for another five years.

A noticed public hearing was held on May 1, 1996. Notice of the hearing was published as required by Section 126 and served upon the Clerk of the Board of Supervisors for San Bernardino County. Affidavits of the publication and service are found in the Commission's files. No comments in opposition to the cession were received.

CALENDAR PAGE	546
MINUTE PAGE	001306

CALENDAR ITEM NO. 83(H) (CONT'D)

The Commission staff believe that the cession of concurrent criminal jurisdiction is in the best interest of the State of California in connection with the exercise of criminal jurisdiction over these facilities.

EXHIBIT:

- H1. Land Descriptions
- H2. Form of Certificate of Cession of Jurisdiction

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL. CODE REGS. 15378.
2. DETERMINE THAT THE PUBLIC HEARING HELD ON MAY 1, 1996 COMPLIED WITH THE GOVERNMENT CODE SECTION 126 AND THE REGULATIONS DEALING WITH THE CESSION OF CONCURRENT CRIMINAL JURISDICTION AND THAT THE FOLLOWING REQUIREMENTS HAVE BEEN SATISFIED:
 - A. THE UNITED STATES HAS REQUESTED IN WRITING THAT THE STATE OF CALIFORNIA CEDE CONCURRENT CRIMINAL JURISDICTION OVER THE LANDS DESCRIBED IN EXHIBIT "H1" ATTACHED AND BY REFERENCE MADE A PART HEREOF, SAID LANDS BEING WITHIN THE STATE OF CALIFORNIA.
 - B. THE LANDS ARE HELD BY THE UNITED STATES FOR THE ERECTION OF FORTS, MAGAZINES, ARSENALS, DOCKYARDS AND OTHER NEEDFUL BUILDINGS OR OTHER PUBLIC PURPOSE WITHIN THE PURVIEW OF CLAUSE 17 OF SECTION 8 OF ARTICLE 1 OF THE CONSTITUTION OF THE UNITED STATES.
 - C. THE LANDS WERE ACQUIRED BY THE UNITED STATES BY PURCHASE OR WERE WITHDRAWN FROM THE PUBLIC DOMAIN.
 - D. JURISDICTION CEDED HEREIN SHALL CONTINUE FOR THE LESSER OF FIVE YEARS OR SO LONG AS THE UNITED STATES OWNS THE LANDS.

CALENDAR ITEM NO. 83(H) (CONT'D)

- E. IN CEDING CONCURRENT CRIMINAL JURISDICTION THE LEGISLATURE AND THE STATE RESERVE JURISDICTION OVER THE LAND, WATER AND USE OF WATER WITH FULL POWER OF CONTROL AND REGULATE THE ACQUISITION, USE, CONTROL AND DISTRIBUTION OF WATER WITH RESPECT TO THE LAND AFFECTED BY SUCH CESSION.
 - F. IN CEDING CONCURRENT JURISDICTION THE LEGISLATURE AND THE STATE EXCEPT AND RESERVE TO THE STATE ALL DEPOSITS OF MINERALS, INCLUDING OIL AND GAS, IN THE LAND, AND THE RIGHT TO PROSPECT FOR, MINE, AND REMOVE SUCH DEPOSITS FROM THE LAND.
 - G. THE CESSION IS PURSUANT TO AND IN COMPLIANCE WITH THE LAWS OF THE UNITED STATES.
 - H. THE UNITED STATES HAS AGREED TO COMPENSATE THE STATE FOR ITS COSTS INCURRED IN PROCESSING THE CESSION.
- 3. DETERMINE THAT A CESSION OF CONCURRENT CRIMINAL JURISDICTION OVER THE LANDS DESCRIBED IN EXHIBIT "H1" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA BECAUSE THE UNITED STATES WILL THEN HAVE THE AUTHORITY TO CONDUCT FEDERAL INVESTIGATIONS AND PROSECUTIONS OF CRIMINAL OFFENSES AT THESE FACILITIES.
 - 4. DETERMINE THAT THE UNITED STATES HAS AGREED TO PAY FOR THE COSTS INCURRED IN THE CESSION PROCESS.
 - 5. CEDE CONCURRENT CRIMINAL JURISDICTION OVER THE NATIONAL TRAINING CENTER AND FORT IRWIN, SAN BERNARDINO COUNTY FOR THE LESSER OF FIVE YEARS OR SO LONG AS THE UNITED STATES OWNS THE LANDS. THE CESSION SHALL NOT BE EFFECTIVE UNTIL THE RECEIPT OF A LETTER OF ACCEPTANCE OF JURISDICTION FROM THE UNITED STATES PURSUANT TO 40 U.S.C. 255.

CALENDAR ITEM NO. 83(H) (CONT'D)

6. FIND THAT THE UNITED STATES, BY LETTER DATED APRIL 23, 1996, HAS ACCEPTED THE CESSION AS REQUIRED BY 40 USC 255.
7. AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE A CERTIFICATE OF CESSION OF JURISDICTION IN SUBSTANTIALLY THE SAME FORM AS FOUND IN EXHIBIT "H2" ATTACHED HERETO.
8. AUTHORIZE THE FILING AND RECORDING OF THE CERTIFICATE OF CESSION OF JURISDICTION AND THIS CALENDAR ITEM WITH THE OFFICE OF THE SECRETARY OF STATE, STATE OF CALIFORNIA AND THE COUNTY RECORDER FOR SAN BERNARDINO COUNTY.

CALENDAR PAGE	549
MINUTE PAGE	001309

EXHIBIT "H1"

**NATIONAL TRAINING CENTER AND FORT IRWIN
CESSION LAND DESCRIPTION**

Those certain parcels of land located within San Bernardino County, State of California, all on the San Bernardino Base and Meridian and described as follows:

All of Townships 15, 16, 17 North, Ranges 1, 2, 3, 4 East.

All of Townships 13, 14 North, Ranges 2, 3, 4 East.

All of Townships 14, 15, 16 North, Range 5 East.

Sections 1, 2, 3, 4, 5, 8, 11, 12, 30, 31 Township 12 North, Range 2 East.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 Township 12 North, Range 3 East.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 Township 12 North, Range 4 East.

Sections 5, 6, 7, 8, 18 Township 12 North, Range 5 East.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 27, 28, 29, 30, 31, 32, 33 Township 13 North, Range 5 East.

Section 6, Township 13 North, Range 6 East.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 23, 24 Township 14 North, Range 1 East.

Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, 34 Township 14 North, Range 6 East.

Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, 34 Township 15 North, Range 6 East.

Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, 34 Township 16 North, Range 6 East.

Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36 Township 17 North, Range 5 East.

Sections 19, 20, 21, 28, 29, 30, 31, 32, 33 Township 17 North, Range 6 East.

Sections 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36 Township 18 North, Ranges 1, 2, 3, 4 North.

End of Description

EXHIBIT "H2"

RECORDED AT THE REQUEST OF
AND WHEN RECORDED MAIL TO:
STATE OF CALIFORNIA
STATE LANDS COMMISSION
100 HOWE AVE. SUITE 100 SOUTH
SACRAMENTO, CA 95825
ATTN: LEGAL UNIT
TELEPHONE: (916) 574-1850

STATE OF CALIFORNIA - OFFICIAL BUSINESS
DOCUMENT ENTITLED TO FREE RECORDATION
PURSUANT TO GOVERNMENT CODE SECTION 27383

CESSION OF CONCURRENT CRIMINAL LEGISLATIVE JURISDICTION

California Government Code Section 126

WHEREAS the United States acting by and through the Department of the Army has requested that the State of California cede concurrent criminal legislative jurisdiction to the United States over lands comprising the National Training Center and Fort Irwin ; and

WHEREAS the California State Lands Commission, pursuant to California Government Code Section 126, has been authorized by the California State Legislature to cede such jurisdiction; and

WHEREAS the United States, acting by and through the Department of Justice and pursuant to Title 40, Section 255 of the United States Code, by letter dated _____ has agreed to accept such cession of concurrent criminal legislative jurisdiction; and

WHEREAS the Executive Officer of the State Lands Commission has been authorized to execute this instrument;

NOW, THEREFORE, I, Robert C. Hight, Executive Officer of the California State Lands Commission hereby certify that the Commissioners for the California State Lands Commission met on _____ and ceded concurrent criminal legislative jurisdiction to the United States over those lands comprising the National Training Center and Fort Irwin. A copy of the Commission's Agenda Item No. _____ describing the terms and conditions of the cession is attached hereto as Exhibit "A".

ROBERT C. HIGHT, EXECUTIVE OFFICER
CALIFORNIA STATE LANDS COMMISSION

Date: _____

CALENDAR PAGE	551
MINUTE PAGE	001311