

U.S.C. Title 43, Sec. 32
W.S. 32
No. 32
Commission on Lands
to 0 at its 1/25/79
meeting.

CALENDAR ITEM

32.

1/79
W 21886
Rusconi

ACCEPTANCE OF RETROCESSION OF
CONCURRENT JURISDICTION FROM THE UNITED STATES OF
38.69 ACRES, MORE OR LESS, OF LAND AT FORMER NAVAL
AIR STATION, LOS ALAMITOS, ORANGE COUNTY

Government Code Section 113 provides as follows:

"The Legislature of California hereby consents to the retrocession of jurisdiction by the United States of land within this State upon and subject to each and all of the following express conditions:

- (a) The United States must in writing have requested State acceptance of retrocession, and unless there is an officer of the United States empowered by a United States statute to cede jurisdiction, said request shall be by the act of Congress; such retrocession may return all jurisdiction to the State or may provide for concurrent jurisdiction.
- (b) When the conditions of subsection (a) of this section have been found and declared to have occurred and to exist, by the State Lands Commission, the Commission shall hold a hearing to determine whether acceptance of such retrocession is in the best interest of the State. Notice of such hearing shall be published pursuant to Section 6061 in each county in which the land or any part thereof is situated and a copy of such notice shall be personally served upon the clerk of the board of supervisors of each county. The State Lands Commission shall make rules and regulations governing the conditions and procedure of such hearings.
- (c) The determination of the State Lands Commission shall be final and jurisdiction acceptance shall become effective

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when certified copies of its orders or resolutions have been filed in the Office of the Secretary of State and recorded in the Office of the County Recorder of each county in which any part of the land is situated."

On February 14, 1978, F. S. Sterns, Deputy Assistant Commander for Real Estate, United States Navy, addressed a letter to the State of California requesting that the State of California accept retrocession of exclusive jurisdiction of 38.69 acres, more or less, of land within Naval Air Station, Los Alamitos, Orange County. The request was made pursuant to authority granted the Secretary of the Navy under Title 10, United States Code, Section 2683.

On December 20, 1978, Calendar Item No. 24, the State Lands Commission, authorized a public hearing for the purpose of determining whether it was in the best interest of the State to accept retrocession of concurrent jurisdiction from the United States over the lands described in the letter of February 14, 1978.

The hearing was scheduled for January 22, 1978 at 10:00 a.m. at 1807 13th Street, Sacramento, California. Notice thereof was published in the Santa Ana Register, and notice of said hearing was personally served on the Clerk of the Board of Supervisors of Orange County. Affidavits of publication and service are filed in the records of the Commission.

The hearing was held as noticed. No comments regarding the retrocession were received at the hearing. The Sheriff of Orange County was contacted and has no comments on the proposed action.

The retrocession would be in the best interest of the State in connection with the administrative of local police power over the area.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT THE RETROCESSION OF JURISDICTION HEARING HELD ON JANUARY 22, 1979 COMPLIED WITH THE STATUTES AND REGULATIONS FOR RETROCESSION OF JURISDICTION AND THAT THE FOLLOWING CONDITIONS HAVE BEEN SATISFIED:

- A. THE UNITED STATES HAS REQUESTED IN WRITING THAT THE STATE OF CALIFORNIA ACCEPT THE RETROCESSION

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OF CONCURRENT JURISDICTION OF THE LANDS DESCRIBED IN EXHIBIT "B" ATTACHED AND BY REFERENCE MADE A PART HEREOF, SAID LANDS BEING WITHIN THE STATE OF CALIFORNIA.

- B. SAID REQUEST WAS MADE BY AN OFFICER OF THE UNITED STATES EMPOWERED BY THE UNITED STATES STATUTE (10 U.S.C. 2683) TO CEDE JURISDICTION TO THE STATE OF CALIFORNIA.
2. DETERMINE THAT A RETROCESSION OF CONCURRENT JURISDICTION OF THE LANDS DESCRIBED IN EXHIBIT "B" ATTACHED AND BY REFERENCE MADE A PART HEREOF IS IN THE BEST INTERESTS OF THE STATE OF CALIFORNIA.
 3. AUTHORIZE THE EXECUTION ON BEHALF OF THE COMMISSION OF A RESOLUTION ACCEPTING RETROCESSION OF CONCURRENT JURISDICTION AND ALL OTHER NECESSARY DOCUMENTS TO MAKE IT EFFECTIVE.
 4. AUTHORIZE THE DISTRIBUTION OF CERTIFIED COPIES OF SAID RESOLUTION AS FOLLOWS:
 - A. ONE COPY TO BE FILED WITH THE SECRETARY OF STATE, STATE OF CALIFORNIA;
 - B. ONE COPY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF ORANGE COUNTY;
 - C. ONE COPY TO BE MAILED TO F. S. STERNS, DEPUTY ASSISTANT COMMANDER FOR REAL ESTATE, UNITED STATES NAVY, WASHINGTON, D.C.

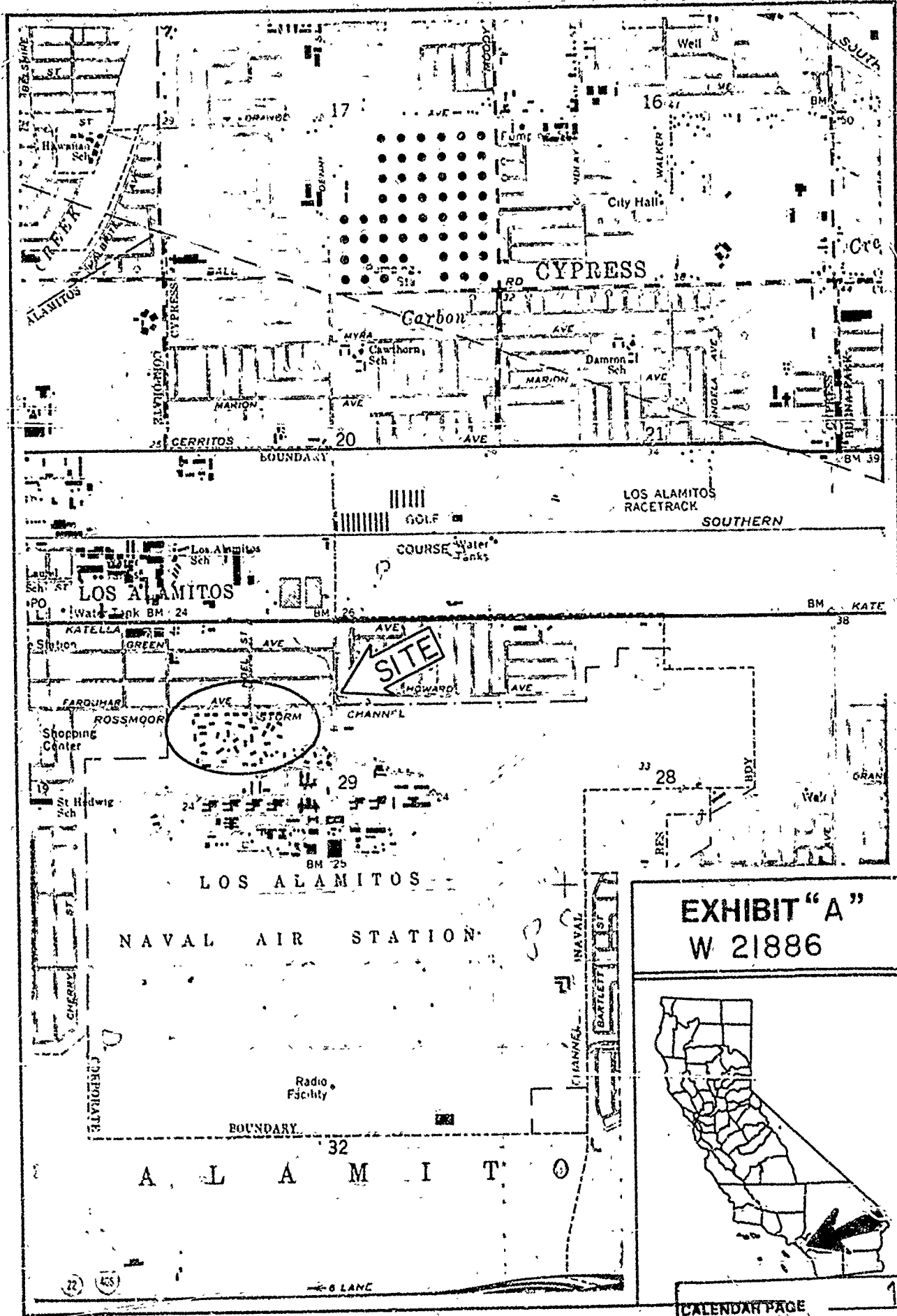


EXHIBIT "A"
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EXHIBIT B

Proposal Area to be Included in the
Retrocession of Concurrent Jurisdiction

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

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

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

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

Said parcel contains 38.69 Acres More or Less.

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