

MINUTE ITEM

This Calendar Item No. 40
was approved as Minute Item
No. 40 by the State Lands
Commission by a vote of 3
to 0 at its 6/24/81
meeting.

CALENDAR ITEM

E 40

6/81
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W 2400.107
Fossum

PROPOSED ANNEXATION

The State Lands Commission has received from San Diego Local Agency Formation Commission (LAFCO) a proposal to annex an unincorporated area of San Diego County to the City of Del Mar. This area, adjacent to Del Mar city limits contains historic and existing sovereign tide and submerged lands located within San Dieguito Lagoon and the Pacific Ocean and as such are subject to the Common Law Public Trust and under the jurisdiction and trusteeship of the State Lands Commission.

The State Lands Commission has on three prior occasions approved boundaries for annexation or incorporation involving lands also involved in this annexation. In order to preclude any possible confusion the staff suggests the rescission of these three prior Calendar Items.

California Government Code Section 35009 provides for the approval or disapproval by the State Lands Commission of the description of the tide and submerged land boundaries submitted for a proposed annexation. The Section further provides for the reporting of such determination to the Executive Officer of the LAFCO involved and to the local agency or person(s), if any, who filed the boundary description and map.

The staff has reviewed the map and description and they comply with Government Code Section 35009. Staff review of the map and the legal description was restricted to Government Code Section 35009 and does not constitute approval of the proposed annexation by the State as an owner of tide and submerged lands.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. RESCIND THE APPROVAL OF SUPPLEMENTAL CALENDAR ITEM NO. 19 OF THE JULY 26, 1973 STATE LANDS COMMISSION CALENDAR (MINUTE ITEM 20, PAGE 607) DEPICTING THE LEGAL

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CALENDAR ITEM NO. 40 (CONTD)

DESCRIPTION OF THE BOUNDARIES OF THE PROPOSED INCORPORATION OF THE CITY OF SOLANO BEACH.

2. RESCIND THE APPROVAL OF CALENDAR ITEM NO. 21 OF THE APRIL 4, 1974 STATE LANDS COMMISSION CALENDAR (MINUTE ITEM 23, PAGE 277) DEPICTING THE BOUNDARIES OF THE PROPOSED INCORPORATION OF THE CITY OF SAN DIEGUITO.
3. RESCIND THE APPROVAL OF CALENDAR ITEM NO. 26 OF THE JUNE 27, 1974 STATE LANDS COMMISSION CALENDAR (MINUTE ITEM 27, PAGE 619) DEPICTING THE BOUNDARIES OF THE PROPOSED ANNEXATION TO THE CITY OF DEL MAR.
4. APPROVE THE PROPOSED BOUNDARIES OF THE ANNEXATION TO THE CITY OF DEL MAR AS DESCRIBED IN EXHIBIT "A" (ATTACHED AND BY REFERENCE MADE A PART HEREOF) PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 35009.
5. AUTHORIZE STAFF COUNSEL TO GIVE THE REQUISITE NOTICES OF SAID APPROVAL TO THE CITY OF DEL MAR AND TO THE EXECUTIVE OFFICER OF THE SAN DIEGO COUNTY LOCAL AGENCY FORMATION COMMISSION.

EXHIBIT "A"

LAND DESCRIPTION

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All that portion of Section 2, Township 14 South, Range 4 West, San Bernardino Base and Meridian, in the County of San Diego, State of California, according to United States Government Survey, and that portion of adjacent tidelands lying within the following described boundaries.

Beginning at the Southeast corner of said Section 2;

1. Thence Northerly along the Easterly line of said Section to the Northerly line of Via De La Valle as it existed on May 22, 1981, and a portion of which is shown as Road Survey No. 443, map on file in the County Engineer's Office of said County;
2. Thence Westerly along the Northerly line of said Via De La Valle, of varying widths, to the Westerly line of the 200.00 foot Atchison Topeka and Santa Fe Railroad Right of Way;
3. Thence Westerly in a straight line to a point on the Northerly line of Border Avenue, Road Survey No. 1589, on file in the County Engineer's Office of said County, being North 89° 49' 32" East, 125.87 feet from the most Southerly Southeast Corner of Lot 1 of Del Mar Beach Club East according to Map No. 7402, records of said County;
4. Thence Westerly along said Northerly line of Border Avenue and the prolongation thereof to the Westerly line of Sierra Avenue being also the Easterly line of Lot 1 of Del Mar Beach Club East according to Map No. 6838, records of said County;
5. Thence Southerly along said Easterly line of Lot 1 to the Southerly line of said Map No. 6838 being also the Northerly line of the Southerly 660.00 feet of Lot 5 of said Section 2.
6. Thence South 89° 49' 32" West, 562.32 feet along said South line to the mean high tide line as shown on said Map No. 6838;
7. Thence South 89° 49' 32" West, three miles to the Westerly boundary of the State of California.
8. Thence Southerly along said boundary to an intersection with the Westerly prolongation of the South line of said Section 2;
9. Thence Easterly along said Westerly prolongation and along said South line to the point of beginning.

END OF DESCRIPTION

REVIEWED JUNE 10, 1981, BY TECHNICAL SERVICES UNIT, ROY MINNICK, SUPERVISOR

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