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 to ... 3/24/83
 meeting

CALENDAR ITEM
 39

3/24/83
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INCORPORATION OF TIDE AND SUBMERGED LANDS INTO THE
 PROPOSED CITY OF EAST PALO ALTO

The State Lands Commission has received from the proponents of incorporation of the new City of East Palo Alto a request to review and approve the proposed boundaries of the new city.

This area is presently an unincorporated part of San Mateo County. A considerable portion of the proposed city is existing and historic tide and submerged lands owned by the State of California by virtue of its sovereignty.

Pursuant to Government Code Section 35009, the Commission reviews and approves or disapproves the proposed boundaries of areas to be incorporated into new cities. In addition, the Commission, as a landowner, may object to the proposed incorporation. The staff of the Commission has reviewed the boundary description of the proposed city in accordance with the requirements of Government Code Section 35009 and has found the description adequate.

Section 35009 requires that the proponents of incorporation submit the boundary description and a map of the new city

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boundaries for approval by the Commission prior to filing the petition for incorporation. In this case, however, the petition for incorporation has already been filed with and approved by the San Mateo County Local Agency Formation Commission. The San Mateo County Board of Supervisors has scheduled a special election to be held on June 7, 1983 for submission of the incorporation question to the voters.

As a result, it can be said that the application for Commission review and approval of the incorporation is not timely. However, staff is aware of no prejudice or detriment to the State as a result of this delay by the applicants, and has therefore treated the application as though it were timely.

Staff has reviewed the proposed incorporation boundary description and finds it adequate. Further, staff has found no reason to object as a landowner to transfer of police power from San Mateo County to the new city.

AB 884: N/A.

EXHIBITS: A. Boundary Description.
B. Location Plat.

IT IS RECOMMENDED THAT THE COMMISSION:

1. APPROVE THE PROPOSED BOUNDARIES OF THE INCORPORATION AS DESCRIBED IN EXHIBIT "A", PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 35009.
2. APPROVE, AS A LANDOWNER, THE PROPOSED ANNEXATION OF THE LANDS UNDER THE OWNERSHIP OR JURISDICTION OF THE STATE LANDS COMMISSION WITHIN THE AREA DESCRIBED IN EXHIBIT "A".
3. AUTHORIZE STAFF TO GIVE THE REQUISITE NOTICES OF SAID APPROVALS TO THE COUNTY OF SAN MATEO AND TO THE EXECUTIVE OFFICER OF THE SAN MATEO COUNTY LOCAL AGENCY FORMATION COMMISSION.
4. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21065, 14 CAL. ADM. CODE 15037 and 15060.

EXHIBIT 'A'
BOUNDARY DESCRIPTION

Beginning at an iron pipe monument set on the north-south centerline, of Section 30, Township 5 South, Range 2 West, Mount Diablo Base and Meridian, said monument being set by and shown on that Record of Survey filed December 29, 1960 in Book 4, Licensed Land Survey Maps of San Mateo County, Page 100, said monument being at an angle point in the corporate limits of Menlo Park as reorganized July 20, 1976 by Resolution No. 36264; THENCE along said corporate limits as shown on said reorganization North 66°26' East 1677.60 feet, North 12°55' West 177.20 feet, and South 66°26' West 2605 feet, more or less, to the easterly boundary of the Rancho de las Pulgas and a point in the corporate limits of Menlo Park adopted July 14, 1959 by Ordinance No. 318; THENCE in a general northerly direction along said Rancho line and said corporate limits, (Ordinance No. 318) to the southeasterly right of way line of the Lands of the S.P.R.R. Co., (Dumbarton Branch); THENCE leaving said Rancho line southwesterly along said right of way line and said corporate limits 2500 feet, more or less, to said Rancho line; THENCE southwesterly along said Rancho line 550 feet, more or less, to the intersection thereof with an angle point in the corporate limits of the City of Menlo Park as established by Menlo Park Ordinance No. 306, adopted August 12, 1958, by the City Council of said City, said angle point being the most northeasterly corner of said annexation; THENCE leaving said Rancho line along said corporate limits, (Ordinance No. 306) in a southerly direction 1850 feet, more or less, to the intersection thereof with the southerly line of the 25 foot planting strip as shown on the "AMENDED MAP OF FLOOD PARK ESTATES", recorded in Volume 43 of Maps at Pages 11 and 12, Records of San Mateo County; THENCE southwesterly along said southerly line 1892.08 feet to the westerly boundary of said subdivision; THENCE southwesterly along said westerly boundary and its southwesterly prolongation 733.13 feet, more or less, to the intersection thereof with the northerly line of that certain map of "BAYSHORE PARK" recorded in Volume 14 of Maps at Pages 60 to 62 inclusive, Records of San Mateo County; THENCE northwesterly along said northerly line and said corporate limits 2076.36 feet, more or less, to the intersection thereof with the easterly line of Willow Road, said intersection being in the corporate limits of the City of Menlo Park as established by that certain annexation to said City by Ordinance No. 217, (Willow Road Annexation) adopted March 25, 1952, by the City Council of said City; THENCE southwesterly along said easterly line and said corporate limits to the intersection thereof with the southwesterly line of the Bayshore Highway as shown on the Official Map of San Mateo County, copyright 1950, said intersection being in the corporate limits of the City of Menlo Park as established by that certain annexation to said City by Ordinance No. 211, (North Palo Alto), adopted July 3, 1951, by the City Council of said City; THENCE southeasterly along said southwesterly line and said corporate limits to an angle point in said corporate limits; THENCE leaving said southwesterly line of Bayshore Highway and running in a general southeasterly direction along said corporate limits by Ordinance No. 211, and those by Ordinance No. 582, Ordinance No. 314, Resolution No. 3490, and Ordinance No. 329 to the intersection thereof with the center of San Francisco Creek

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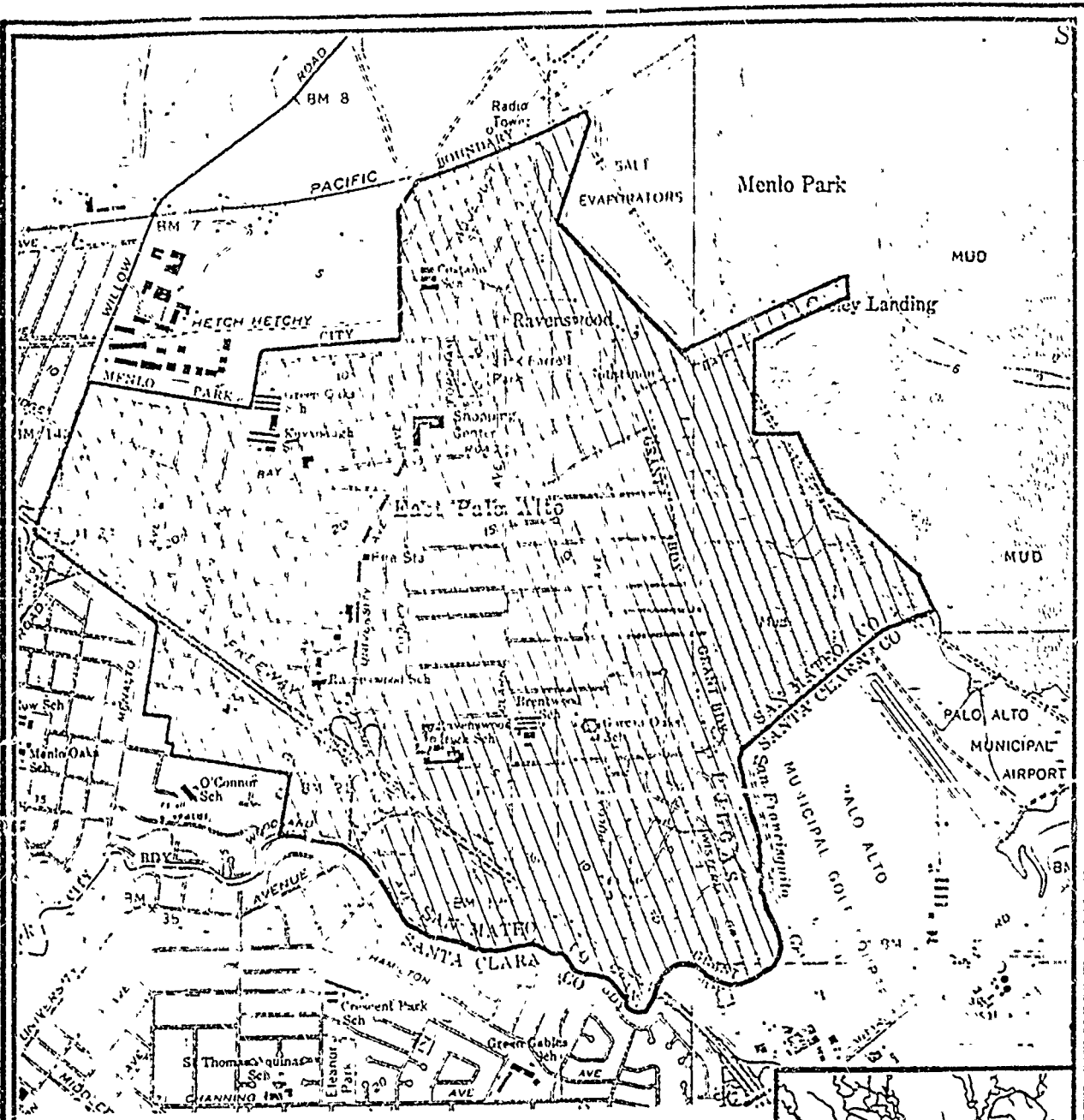
and the boundary common to the County of San Mateo and the County of Santa Clara; THENCE in a general southeasterly direction along the center of San Francisquito Creek and said common boundary to the intersection thereof with the D 2 centerline of the Bayshore Freeway at California State Highway Engineer's Station D 2 322+68.88 P.O.T. as said Engineer's Station and said common boundary is designated on "AS BUILT - PLAN AND PROFILE OF STATE HIGHWAY IN SAN MATEO AND SANTA CLARA COUNTIES, BETWEEN 0.3 MILE SOUTH OF WILLOW ROAD AND 0.5 MILE SOUTH OF SAN MATEO - SANTA CLARA COUNTY LINE", - San Mateo, Santa Clara Route 68, Section D., A., accepted June 4, 1958; THENCE northeasterly along said boundary 105 feet, more or less, to the point of beginning of the dividing line between the County of San Mateo and the County of Santa Clara, as said dividing line was established by San Mateo County Board of Supervisors Ordinance No. 1619, adopted October 15, 1963, by said Board, last mentioned point being the southwesterly terminus of that certain course "South 40°47' West" designated "Sta. 78+45+ End of Work" as said course and said station are shown on "MAP AND GENERAL CONSTRUCTION PLANS OF ZONE NW-1 "NORTHWEST", PROJECT NO. 2, SAN FRANCISQUITO CREEK IMPROVEMENT FROM BAYSHORE HIGHWAY TO SAN FRANCISCO BAY, SANTA CLARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, SANTA CLARA COUNTY, CALIFORNIA, DATED SEPTEMBER 1958" - said plans on file in San Mateo County Engineer's Office in Case 3, H-1691; THENCE along said dividing line, said line being the centerline of said San Francisquito Creek improvement, North 40°47' East 126.12 feet, more or less, to Station 77+16.88 of said centerline; THENCE on a curve to the right, said curve having a radius of 305.00 feet and a central angle of 82°30' an arc distance of 439.17 feet; THENCE South 56°43' East 235.00 feet; THENCE South 61°43' East 204.00 feet; THENCE on a curve to the left said curve having a radius of 250.00 feet and a central angle of 49°00' an arc distance of 213.80 feet; THENCE North 69°17' East 404.14 feet; THENCE on a curve to the left said curve having a radius of 425.00 feet and a central angle of 96°45' an arc distance of 717.66 feet; THENCE North 27°28' West 367.46 feet; THENCE on a curve to the right said curve having a radius of 455.00 feet and a central angle of 28°15' an arc distance of 224.38 feet; THENCE North 0°47' East 295.00 feet; THENCE on a curve to the left said curve having a radius of 855.00 feet and a central angle of 13°37' an arc distance of 203.20 feet; THENCE North 12°50' West 1075.00 feet; THENCE on a curve to the right, said curve having a radius of 300.00 feet and a central angle of 65°35' an arc distance of 343.39 feet; THENCE North 52°45' East 1250.00 feet; THENCE North 50°20' East 820.00 feet; THENCE on a curve to the right said curve having a radius of 300.00 feet and a central angle of 20°00' an arc distance of 104.72 feet; THENCE North 70°20' East 500.00 feet to Station 3+00, designated "Beginning of Project" on said San Francisquito Creek Improvement; THENCE continuing along last mentioned course North 70°20' East 300.00 feet, more or less, to a point in the corporate limits of the City of Menlo Park, as established by the above mentioned annexation to the City of Menlo Park by Ordinance No. 318, adopted July 14, 1959, by the City Council of said City; THENCE in a general northwesterly direction along said corporate limits to the Point of Beginning.

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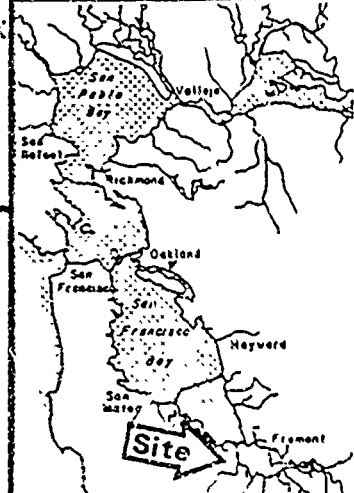


Area of Proposed Incorporation

STATE LANDS COMMISSION

EXHIBIT "B"

LOCATION PLAT



Prepared by D. Plummer

Date: 3-5-83

A: 21 S: 10

Title Study Last Palo Alto Incorporation

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