

MINUTE ITEM

This Calendar Item No. C48
was approved as Minute Item
No. 48 by the State Lands
Commission by a vote of 3
to 0 at its May 3, 1995
meeting. 05/03/95
W 2400.167
Fossum

CALENDAR ITEM
C48

A 41
S 23

CONSIDERATION OF PROPOSED BOUNDARIES AND
CONSENT TO ANNEXATION OF TIDE AND SUBMERGED LANDS
INTO THE CITY OF MALIBU, LOS ANGELES COUNTY

APPLICANT:

City of Malibu
Attn: Joyce Parker-Bozylinski, AICP
Planning Director
City of Malibu
23555 Civic Center Way
Malibu, California 90265

The State Lands Commission has received a request from the City of Malibu to process an approval of boundaries and consent to annexation of the state owned tide and submerged lands lying adjacent to the present city limits.

The Commission first approved offshore boundaries for a proposal to incorporate the area nearly twenty years ago (Minute Item No. 37, W 2400.108, SLC Meeting of July 24, 1975). That incorporation attempt failed. On January 21, 1988, the Commission again approved proposed boundaries submitted by incorporation proponents (Minute Item No. 45, W 2400.108). The approval obtained in 1988 was conditioned on final incorporation taking place within one year, otherwise the boundaries were to be deemed disapproved. Furthermore, the calendar item clearly states the necessity to return to the Commission for its consent, as the landowner, to having state property included in the City (Government Code §56108 (a)).

Subsequently, the boundaries approved by the Commission were unilaterally modified and the approval of the Local Agency Formation Commission was obtained over eighteen months after State Lands Commission approval. The Notice of Completion of the City Incorporation was dated more than two years after Commission approval. No consent by the Commission as landowner has been obtained.

The City now wishes (to correct the prior failures) to comply fully with Government Code §56108 and obtain the necessary approvals to annex the States offshore sovereign public trust lands into the City of Malibu.

CALENDAR PAGE	280
MINUTE PAGE	704

The staff of the Commission has reviewed the proposed incorporation boundary description in Exhibit "A" and finds it adequate. Furthermore, the staff has no objection to the transfer of local governmental jurisdiction over the tide and submerged lands described in Exhibit "A" from the County of Los Angeles to the City of Malibu.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Code Regs.: Title 2, Div. 3; Title 14, Div. 6.
- C. Government Code §56108

AB 884:

N/A.

OTHER PERTINENT INFORMATION:

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

Authority: P.R.C. 21065 and 14 CCR 15378.

EXHIBITS

- A. Land Description
- B. Location Map

IT IS RECOMMENDED THAT THE COMMISSION:

- 1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CCR 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CCR 15378.
- 2. FIND THAT THE TERMS AND CONDITIONS OF THE PRIOR APPROVAL OF OFFSHORE BOUNDARIES FOR INCORPORATION OF THE CITY OF MALIBU, AS REFLECTED BY MINUTE ITEM #45 OF THE COMMISSION'S JANUARY 21, 1988, MEETING, WERE NOT COMPLIED WITH AND THAT APPROVAL IS, THEREFORE, NO LONGER VALID.
- 3. APPROVE THE PROPOSED BOUNDARIES OF ANNEXATION INVOLVING LANDS UNDER THE COMMISSION'S JURISDICTION FOR THE CITY OF MALIBU, AS DESCRIBED IN EXHIBIT "A" ATTACHED, AND BY REFERENCE MADE A PART HEREOF, PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 56108 (c) AND (d).

CALENDAR PAGE	281
MINUTE PAGE	705

4. CONSENT, AS LANDOWNER, TO THE INCLUSION OF STATE OWNED SOVEREIGN TIDE AND SUBMERGED LANDS OF THE PACIFIC OCEAN, LYING WITHIN THE AREA DESCRIBED IN EXHIBIT "A", FOR ANNEXATION INTO THE CITY OF MALIBU PURSUANT TO GOVERNMENT CODE SECTION 56108 (a).
5. AUTHORIZE STAFF TO GIVE THE REQUISITE NOTICE OF SAID APPROVAL TO THE CITY OF MALIBU AND THE LOS ANGELES COUNTY LOCAL AGENCY FORMATION COMMISSION, PURSUANT TO GOVERNMENT CODE SECTION 56108 (e).

CALENDAR PAGE	282
MINUTE PAGE	706

EXHIBIT "A"

DESCRIPTION OF THE PROPOSED BOUNDARY OF THE CITY OF MALIBU

That portion of the Rancho Topanga Malibu Sequit as shown on map recorded in Book 1, pages 414, 415 and 416 of Patents, in the office of the Recorder of the County of Los Angeles, all of Fractional Sections 35 and 36, Township 1 South, Range 17 West, S.B.M., all of Fractional Sections 31 and 32, Township 1 South, Range 16 West, S.B.M., and that portion of the County of Los Angeles (in the Pacific Ocean) within the following described boundaries:

Beginning at the intersection of the northerly boundary of said Rancho Topanga Malibu Sequit with that certain course having a bearing and length of North 16° 52' 10" East 864.12 feet in the easterly boundary of Leo Carillo Beach State Park as shown on County Surveyor's Map B-2454, sheet 5, on file in the office of the County Engineer of the County of Los Angeles; thence easterly along said northerly boundary to the northwesterly corner of that certain parcel of land described as Parcel 1 of deed to VMS/Anden Rancho Malibu Venture, recorded as Instrument No. 88-94346 of Official Records, in the office of said Recorder (at Encinal Canyon Road); thence along the boundary of said certain parcel of land the following described courses: South 1158.29 feet, East 260 feet, South 2280 feet, East 2450 feet and North 1034.46 feet to the westerly terminus of that certain course having a bearing and length of South 84° 21' 30" East 101.46 feet in the northerly boundary of the first exception as described in Parcel 2 of said Instrument No. 88-94346; thence along said last mentioned northerly boundary the following described courses: South 84° 21' 30" East 101.46 feet, North 12° 35' 03" East 773.36 feet and South 48° 56' 19" East 608.15 feet to the easterly line of said Parcel 2; thence North 14° 45' 50" East 695.91 feet to said northerly boundary of the Rancho Topanga Malibu Sequit; thence

CALENDAR PAGE	283
MINUTE PAGE	707

southeasterly and easterly along said last mentioned northerly boundary to a point that is distant westerly thereon 1200.76 feet from an angle point designated as T.M. No. 8 in said boundary, said point being the northwesterly corner of that certain parcel of land described in deed to Jack Scott Burnett et ux., recorded in Book 19308, page 12 of said Official Records; thence South 28° 56' 24" West 294.96 feet to the easterly terminus of that certain course having a bearing of North 81° 43' 08" West in the northerly boundary of that certain parcel of land described in deed to Hope Ann Goodrich, recorded in Book 19183, page 261 of said Official Records; thence North 81° 43' 08" West 164.49 feet along said certain course to the southeasterly line of Point Dume Road (now known as Kanan Dume Road, 100 feet wide) as shown on map filed in Book 89, pages 23 and 24 of Record of Surveys, in the office of said recorder; thence southwesterly along said southeasterly line a distance of 313.74 feet to that certain course having a bearing of South 75° 41' 05" East in the southerly boundary of said certain parcel of land to Goodrich; thence South 75° 41' 05" East 2016.03 feet to the easterly terminus thereof; thence North 53° 18' 38" East along said southerly boundary a distance of 3.31 feet to the southerly terminus of that certain course having a bearing and length of North 11° 38' 10" East 20.03 feet in the westerly delineated boundary as shown on said map of Record of Surveys; thence North 11° 38' 10" East 20.03 feet to its intersection with that certain 20-foot radius curve in said westerly delineated boundary and which a radial of said curve bears North 35° 15' 14" East from said last mentioned intersection; thence northwesterly, northerly and northeasterly along the westerly continuation of said curve, through an angle of 86° 13' 12" to the southerly terminus of that certain course having a bearing and length of South 11° 38' 10" East 181.68 feet in said westerly delineated boundary; thence along said westerly delineated boundary the following described courses: North 11° 38'

CALENDAR PAGE	284
MINUTE PAGE	708

10" West 181.68 feet, North 60° 51' 34" West 135.52 feet, North 55° 30' 41" West 213.49 feet, North 76° 02' 50" West 10.72 feet, North 6° 05' 30" West 376.06 feet and North 60° 40' 03" West 310.43 feet to said northerly boundary of the Rancho Topanga Malibu Sequit; thence easterly, northeasterly and easterly along said last mentioned northerly boundary to a point that is distant thereon 1271.32 feet from the southwest corner of Lot 1 in Fractional Section 36, Township 1 South, Range 18 West, S.B.M., said last mentioned point being an angle point in the westerly boundary of that certain parcel of land described as Parcel 1 of deed to Pepperdine University, recorded as Instrument No. 81-102075 of said Official Records; thence along said last mentioned westerly boundary the following described courses: South 6° 27' 06" East 564.72 feet, South 23° 33' 08" East 730.44 feet, South 2° 42' 07" West 403.80 feet, South 7° 01' 08" East 892.07 feet and South 55° 14' 53" East, 1208.13 feet to a line parallel with and 390 feet northerly, measured at right angles from the center line of Pacific Coast Highway as shown on County Surveyor's Filed Map No. 11698, Sheet 3, on file in the office of said County Engineer; thence easterly in a direct line to the most southerly corner of Lot 12 of Tract No. 30134 as shown on map filed in Book 820, pages 15 through 22 of Maps, in the office of said recorder; thence northwesterly along the boundary of said tract and following the same in all its various courses to the northerly corner of Lot 51 of said tract; thence southeasterly in a direct line to the easterly corner of said last mentioned lot; thence northeasterly along the northwesterly line of Bayberry Lane as shown on said last mentioned map to the southerly corner of Lot 52 of said tract; thence northwesterly and northeasterly along the boundary of said last mentioned lot to the westerly corner of Lot 53 of said tract; thence northeasterly along the northwesterly boundary of said last mentioned lot to the northerly corner thereof; thence northwesterly along that certain

CALENDAR PAGE	285
MINUTE PAGE	709

44-foot radius curve in the boundary of Laurel Ridge Drive as shown on said last mentioned map to the northwesterly terminus of that certain course having a bearing of North 30° 18' 28" West in said last mentioned boundary; thence southeasterly along the boundary of said tract and following the same in all its various courses and curves to its first intersection with the northerly line of Pacific Coast Highway, 100 feet wide, as shown on said last mentioned map; thence easterly along said last mentioned northerly line to the beginning of a tangent curve concave to the northwest and having a radius of 27 feet, said last mentioned curve being tangent at its point of ending with that certain course having a bearing of North 5° 04' 21" West in the northwesterly boundary of Malibu Canyon Road, 100 feet wide as shown on County Surveyor's Map No. B-5040, Sheets 1 and 2, on file in the office of said County Engineer; thence easterly, northeasterly and northerly along said last mentioned certain curve to said last mentioned certain course; thence northerly, northeasterly, easterly and northeasterly along said northwesterly boundary of Malibu Canyon Road to that certain course having a bearing and length of South 30° 32' 30" East 776.53 feet in the westerly boundary of that certain parcel of land described in deed to Hughes Aircraft Company, recorded as Instrument No. 84-721936 of said Official Records; thence northwesterly along said last mentioned certain course to the northwesterly terminus thereof; thence continuing along said last mentioned westerly boundary the following described courses: North 8° 50' 50" West 457.93 feet, North 12° 53' 38" East 405.74 feet, North 79° 02' 15" East 152.64 feet and North 24° 57' 47" East to said northerly boundary of the Rancho Topanga Malibu Sequit; thence easterly along said northerly boundary and following the same in all its various courses to the northwesterly corner of said Fractional Section 35; thence easterly along section lines to the northeasterly corner of said Fractional Section 32; thence southerly

CALENDAR PAGE	286
MINUTE PAGE	710

along section line to the northeasterly corner of Government Lot 2 in said last mentioned fractional section; thence continuing southerly along the easterly line of said Government Lot 2 to the southeast corner of said Government Lot 2 being a point on the Ordinary High Water Mark of the Pacific Ocean; thence due south to the boundary of the State of California (in the Pacific Ocean); thence westerly along said last mentioned boundary and following the same in all its various courses and curves to the southerly prolongation of that certain course having a bearing of South 7° 44' 25" West in said easterly boundary of Leo Carillo Beach State Park; thence northerly along said last mentioned prolongation and continuing northerly along said last mentioned boundary and following the same in all its various courses to the point of beginning.

CALENDAR PAGE	287
MINUTE PAGE	711

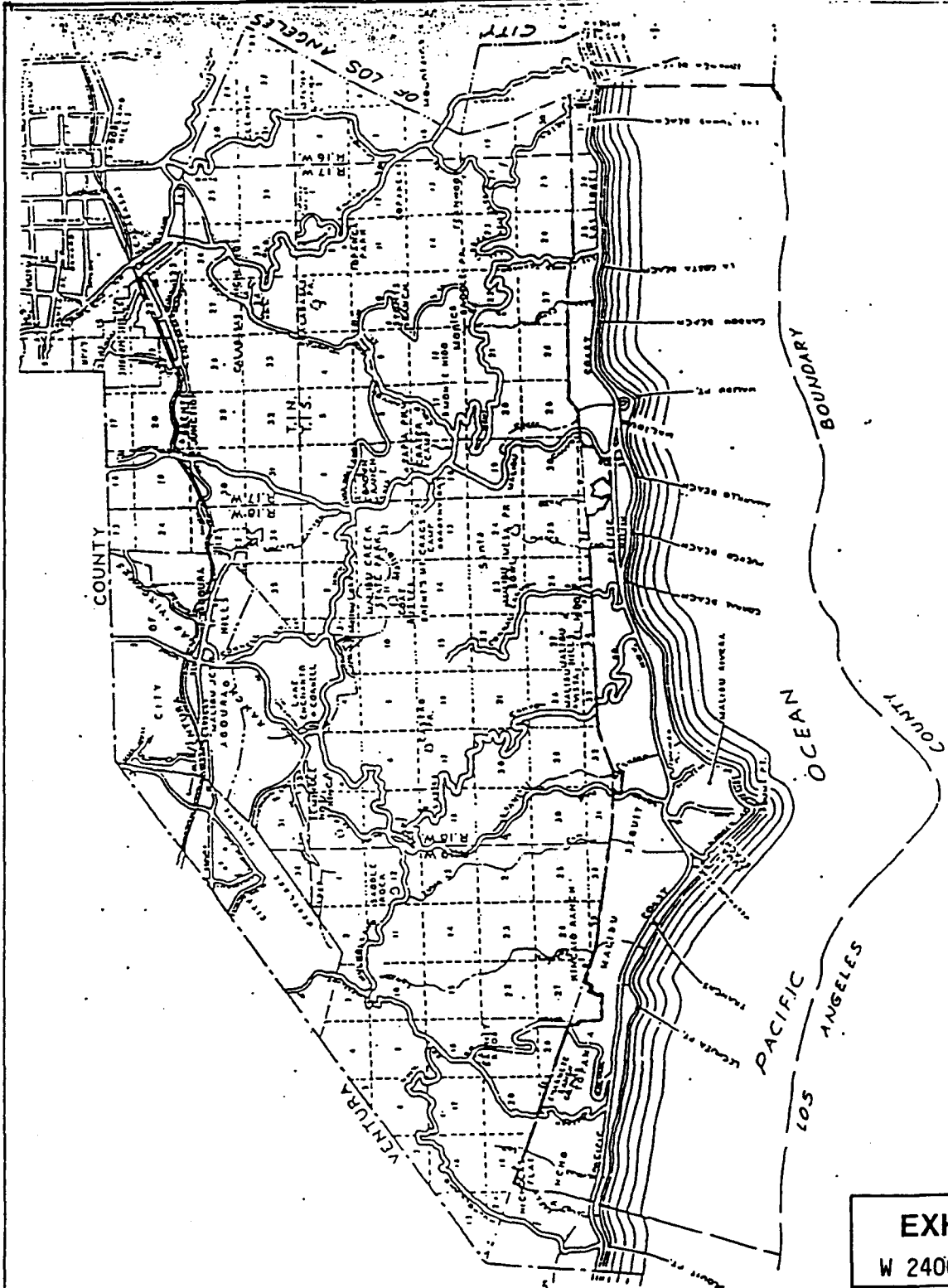
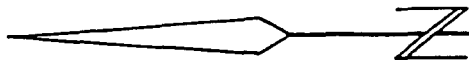


EXHIBIT "B"
 W 2400.167



CALENDAR PAGE 287.1
 MINUTE PAGE 112