WhyDrE ITEM This Galandar Item No. 40 Was approved as Minute Item No. 70 by the State Lands Commission by a yota of to ______at its ______ meeting.

CALENDAR ITEM

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CONSIDERATION OF CONSENT TO INCORPORATION OF TIDE AND SUBMERGED LANDS INTO THE PROPOSED CITY OF DANA POINT, ORANGE COUNTY

APPLICANT:

Dana Point Citizens for Incorporation c/o Robert J. Wagner 25672 Eastwind Drive Dana Point, California 92629

The State Lands Commission has received a request from the Applicant to consent as the landowner, to the proposed incorporation of tide and submerged lands in the Pacific Ocean (as described in Exhibit B and as depicted on Exhibit A) into the proposed City of Dana Point pursuant to Government Code Section 56108(a).

The Commission approved, on November 19, 1987, pursuant to Minute Item #29, the description of the proposed boundaries (Exhibit B) and in addition approved the boundaries and consented as landowner to the incorporation of an adjacent offshore area.

Because of a controversy between the Dana Point Incorporation proponents and proponents of incorporation of Laguna Niguel the decision on consent to incorporation was postponed until both the citizens in the effected area and the Orange County Local Agency Formation Commission could determine which proposed city should be allowed to incorporate this land.

The citizens in the subject area voted in an advisory election on November 3 and the Orange County LAFCO rendered its decision on December 2, 1987. That decision was appealed, the appeal being rejected on December 16, 1987. On January 27, 1988, Orange County LAFCO again heard the matter and upheld its prior approval of Dana Point as the appropriate local government for incorporation.

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(CALENDAR ITEM NO. 40 CONT'D)

The staff of the Commission has no objection to the incorporation of tide and submerged lands into the proposed City of Dana Point.

P.R.C.; Div. 6, Parts 1 and 2; Div. 13. STATUTORY AND OTHER REFERENCES: Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6. Α.

Β.

N/A. AB 884:

Punsuant to the Commission's delegation of OTHER PERTINENT INFORMATION: authority and the State CEQA Guidelines (14 Gal. Adm. Code 15061), the staff has 1. 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 Cal. Adm. Code 15378.

EXHIBITS:

Location Map. Land Description, Α. Β.

IT IS RECOMMENDED THAT THE COMMISSION:

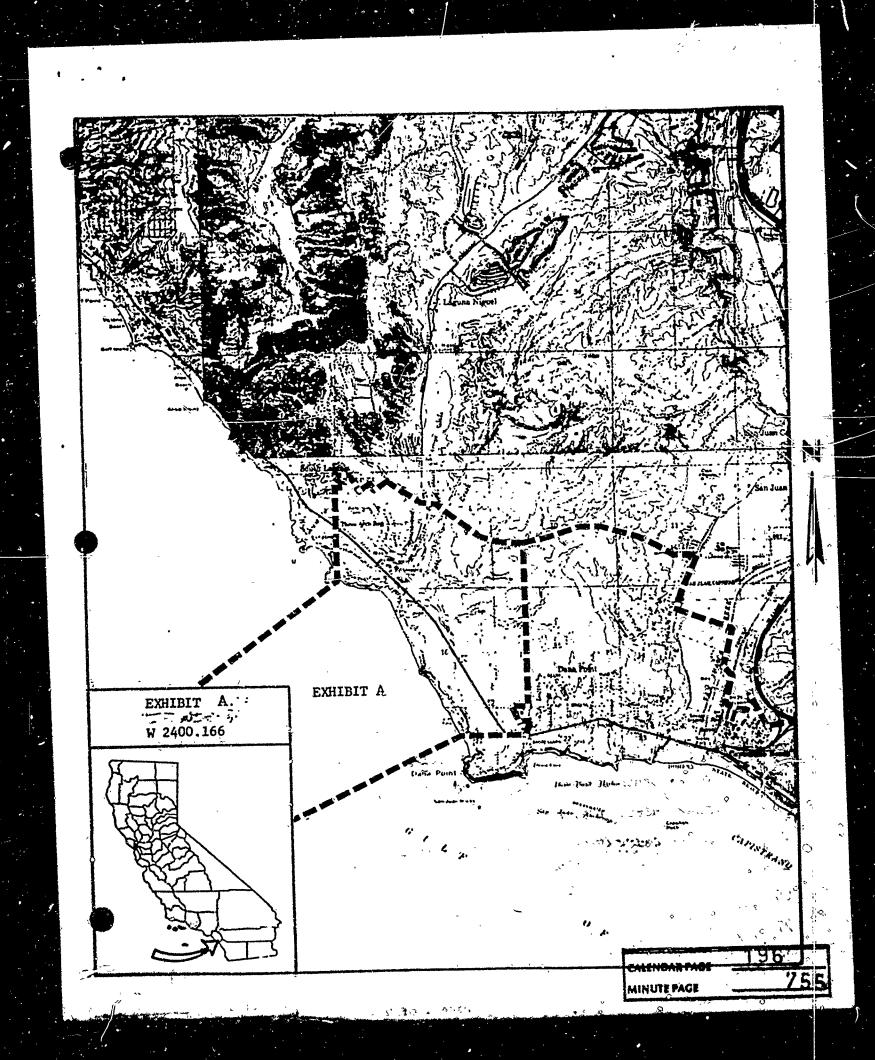
FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15051 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 1. 14 CAL. ADM. CODE 15378,

CONSENT, AS THE LANDOWNER, TO THE PROPOSED INCORPORATION OF TIDE AND SUBMERGED LANDS UNDER THE JURISDICTION OF THE STATE LANDS COMMISSION IN THE PACIFIC OCEAN WITHIN THE AREA DESCRIBED IN EXHIBIT "A", PURSUANT TO GOVERNMENT CODE 2. SECTION 56108(a).

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AUTHORIZE STAFF TO GIVE THE REQUESTED NOTICE OF SAID APPROVAL TO THE INCORPORATION PROPONENTS AND ORANGE COUNTY LAFCO, PURSUANT TO CALIFORNIA GOVERNMENT CODE Ś. – SECTION 56108(e).

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3	Dana Point			
4	Coastal Advisory Election Area			
5	Those portions of Section 10, 14, 15, 21, 22 and 23 of Township 8 South, Range 8			
6	West, Sau Bernardino Heridian in the Unincorporated Territory, County of Orange,			
7	State of California, as shown on the Official Plat, filed in the District Land			
8	Office on April 12, 1875 and that portion of the Rancho Boca de la Playa, as shown			
9	on a map recorded June 29, 1887 in Book 4, Pages 118 and 119 of Patents Records of			
: 10	Los Angeles County, California and described as a whole as follows:			
11	Beginning at the intersection of the South line of the Northwest guarter of the			
12	Northeast guarter of said Section 21 with the Nean Bigh fide Line of the Pacific			
13	Ocean;			
14	Thence following along said South line and the South line of the Northeast			
15	guarter of the Northeast guarter of said Section 21; Easterly 900.00 feet more or			
16	less to a point on the existing boundary line of the Laguna Niguel Community			
17	Services District (LNCSD) as established by "Reorganization No. 11-A" to County			
18	Service Area No. 3 (CSA #3), said point being the most Southerly Southwest corner of			
19	Parcel 2 of said Reorganization;			
20) Thence following along the existing boundary line of INCSD through the			
21 following described courses: South 89010'25" East, 550.00 feet;				
22	Thence South 89000'14" East, 1,325.65 feet:			
23	Thence North 00°54'14" East, 559-11 feet;			
2	Thence South 49019'38" West, 404.84 feet;			
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EXHIBIY"B"

Dana Point

Coastal Advisory Election Area

5 Thence North 89°15'05" West, 269.15 feet;
6 Thence North 06°48'49" West, 655.37 feet;
7 Thence North 32°10'24" West, 457.91 feet;
8 Thence South 88°56'03" east, 910.06 feet;
9 Thence North 00°53'34" East, 3,003.63 feet;
10 Thence North 00°52'44" East, 2,277.23 feet;
11 Thence North 00°01'53" West, 1,575.46 feet to the most Easterly Northeast

12 corner of said Parcel 2;

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Thence leaving the existing boundary line of LNCSD, following along the East, 14 line of a map filed in Book 141 Page 39 of Parcel Map in the officer of the County 15 Recorder of said Orange County, North 00°02'37" East, 346.28 feet more or less to a 16 point on the Southerly right-of-way line of Camino Del Avion (110.00 feet wide) as 17 conveyed to the County of Orange by Document 87-439846 of Official Records, said 18 point also being on a non-tangent curve, concave Northwesterly and having a radius 19 of 1,850.00 feet, a radial bearing from said point bears North 11933'23" West;

20 Thence following along said right-of-way line Westerly along said curve through 21 a central angle of 37°11'44" an arc distance of 1,200.99 feet to the beginning of a 22 reverse curve concave Southeasterly and having a radius of 42.00 facts

Thence continuing along said right-of-way line Northwesterly along said current through a central angle of 03000'08" an arc distance of 2.20 feets

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CALENDAR PAGE

MINUTE PAGE

EXHIBIT "B"

Dana Point

Coastal Advisory Election Area

5 Thence North 67°21'47" West, 54.70 feet to the beginning of a tangent curve 6 concave Northeasterly having a radius of 58.00 feet;

7 Thence Northwesterly along said curve through a central angle of 04054*45" an 8 arc distance of 4.97 feet to the beginning of a compound curve concave Northeasterly 9 and having a radius of 1,854.00 feet;

10 Thence Northwesterly along said curve through a cental angle of 02032*47* and 11 arc distance of \$2.40 feet;

12 Thence South 72°27'54" West, 38.45 feet to a point on a non-tangent curve, 13 concave Southeasterly and having a radius of 1,940.00 feet, a radial bearing from 14 gald point bears South 63°07'17" East;

Thence Northeasterly along said curve through a central angle of 0°57*57* an arc distance of 32.70 feet to a point on a non-tangent curve concave Northeasterly and having a radius of 1,850.00 feet, a radial bearing from said point bears North 30°56*52* West;

Thence continuing along said Southerly right-of-way line Northwesterly along
aid curve through a central angle of 0°18'14" an arc distance of 9.81 feet;
Thence North 58°44'54" West, 249.57 feet to the intersection of said Southerly
right-of-way line with the East boundary line of Tract No. 10712 as shown on a map
filed in Book 463 Pages 11 through 16 inclusive of Miscellaneous Maps, records of

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EXHIBIT "B"

Dana Point

Coastal Advisory Election Area

5 Thence following the Southerly right-of-way line of Camino Bel Avion as shown 6 on the map of said Tract, through the following described coursesr-7 North 58°45'00" West, 330,93 feet to the beginning of a tangent curve concave 8 Northemsterly and having a radius of 1,750.00 feet:

9 Thence Northwesterly along said curve through a central angle of 33°42'12" an 10 arc distance of 1,029.41 feet;

11Thence North 25°02;48° West, 311.40 feet to the beginning of a tangent curver12concave Southweaterly having a radius of 1,150.00 feet;

Thence Northwesterly along said curve through a central angle of 32°23'00" an arc distance of 649.97 feet to the intersection of said Southerly right-of-way line with the East boundary line of Tract No. 11900 as shown on a map filed in Book 535 Pages 45 through 48 inclusive of said Miscellaneous Maps;

17 Thence following along said Southerly right-of-way line as shown on the map of 18 said Tract No. 11900, continuing Northwesterly along last-mentioned curve through a 19 central angle of 42049'07" an arc distance of 859.42 feet;

20 Thence South 60°56'26" Nest, 39.10 feet to a point on a non-tangent curve 21 concave Southeasterly and having a radius of 1,138.00 feet, a radial bearing from 22 said point bears South 12°07'15" East;

Thence Southwesterly along said curve through a central angle of 03959'59" a arc distance of 79.44 feet;

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4 Coastal Advisory Elect	- 	ି କା
5 Thence South 2000 as	ion Area	
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6 line of Crown Valley Parkway as shown on the map of 7 being on a non-tangent curve concave Westerly and h	point on the Easterly right.	
7 being on a non-tangent and	said Tract No. 24545	-074-M
8 a radial bearing a		Poils
Dearing from said point here	aving a radius of 2,013.00	les i
9 Thence South 76941:55" West, 123.12 feet; 10 Thence North (100	D5" West;	e,
10 Thence North 58°27'40" West, 123.12 feet; 11 Way line of Pacific Island Drive as described in dor		
11 Way line of Protect	•	•
11 way line of Pacific Island Drive as described in doc 12 of said County and also shown on a map of Tract No. 13 and 31 of said up	int on the Southerly right-	к.) К.)
12 of said County and also at a described in doc	ment 85-369316 Are.	
to und an a sap of Track in	CILICIAN BAN	
		ords
I DELG MISCEllaneous	TILLOG IN BOOK AFE ST	oray 5 3(),
 14 concave Northerly and having a radius of 500.00 feet; 15 point bears North 17°34'20* West; 16 Thence following said or the 	ing on a non-tangent curve a radial bearing from said	югду (= З(), , Ф
14 Concave Northerly and having a radius of 500.00 feet, 15 Point bears North 17°34'20* West; 16 Thence following said on the	ing on a non-tangent curve a radial bearing from said	
14 Concave Northerly and having a radius of 500.00 feet, 15 point bears North 17°34'20* West; 16 Thence following said on the	ing on a non-tangent curve a radial bearing from said	ior₫¥ ≡ 13(), , , , , , ,
14 Concave Northerly and having a radius of 500.60 feet; 15 Point bears North 17°34'20* West; 16 Thence following said Southerly right-of-way line 17 Westerly along said curve through a central angle of 3. 18 465.94 feet;	of Pacific Island Drive,	= : 3(), , , ,
14 Concave Northerly and having a radius of 500.60 feet; 15 Point bears North 17°34'20* West; 16 Thence following said Southerly right-of-way line 17 Westerly along said curve through a central angle of 3 18 465.94 feet; 19 Thence continuing along onto	of Pacific Island Drive,	= : 3(), , , ,
14 concave Northerly and having a radius of 500.60 feet; 15 point bears North 17°34'20* West; 16 Thence following said Southerly right-of-way line 17 Westerly along said curve through a central angle of 3. 165.94 feet; 19 Thence continuing along with	of Pacific Island Drive,	• : 3(). , O
14 Concave Northerly and having a radius of 500.60 feet; 15 point bears North 17°34'20* West; 16 Thence following said Southerly right-of-way line 17 Westerly along said curve through a central angle of 5 18 465.94 feet; 19 Thence continuing along said Southerly right-of-way 10 described courses: South 80°46'105 m	of Pacific Island Drive,	• : 3(). ,
14 Concave Northerly and having a radius of 500.60 feet; 15 Point bears North 17 ⁰ 34'20* West; 16 Thence following said Southerly right-of-way line 17 Westerly along said curve through a central angle of 3 165.94 feet; 19 Thence continuing along said Southerly right-of-way 19 described courses: South 80°46'10* West, 20.86 feet; 10 Thence North 64°48'10* West, 10 West, 20.86 feet;	of Pacific Island Drive,	• : 3(). , O
14 concave Northerly and having a radius of 500.60 feet; 15 Point bears North 17 ⁰ 34'20" West; 16 Thence following said Southerly right-of-way line 7 Westerly along said curve through a central angle of 3 465.94 feet; 9 Thence continuing along said Southerly right-of-way described courses: South 80 ⁰ 46'10" West, 20.86 feet; 16 Thence North 64 ⁰ 48'10" West, 20.86 feet;	of Pacific Island Drive,	• : 3(). , O
<pre>14 Concave Northerly and having a radius of 500.60 feet; 15 Point bears North 17⁰34'20* West; 16 Thence following said Southerly right-of-way line 17 Westerly along said curve through a central angle of 3 18 465.94 feet; 19 Thence continuing along said Southerly right-of-way 19 described courses: South 80⁰46'10* West, 20.86 feet; 10 Thence North 64⁰48'10* West, 19.00 feet; 11 Thence North 25⁰11'50* Feet 16.00</pre>	of Pacific Island Drive,	• : 3(). ,
<pre>14 14 concave Northerly and having a radius of 500.00 feet; 15 point bears North 17°34'20" West; 16 Thence following said Southerly right-of-way line 17 Westerly along said curve through a central angle of 3 165.94 feet; 19 Thence continuing along said Southerly right-of-way 19 described courses: South 80°46'10" West, 20.86 feet; 19 Thence North 64°48'10" West, 19.00 feet; 10 Thence North 25°11'50" East; 16.67 feet; 10 Thence North 64°48'10" West, 18 00 6</pre>	of Pacific Island Drive,	• : 3(). , O
 14 concave Northerly and having a radius of 500.00 feet; 15 point bears North 17°34'20" West; 16 Thence following said Southerly right-of-way line 17 Westerly along said curve through a central angle of 3 18 465.94 feet; 19 Thence continuing along said Southerly right-of-way 19 described courses: South 80°46'10" West, 20.86 feet; 10 Thence North 64°48'10" West, 19.00 feet; 11 Thence North 25°11'50" East; 16.67 feet; 12 Thence North 64°48'10" West, 18 00 6 	of Pacific Island Drive,	• : 3(). , O
 14 concave Northerly and having a radius of 500.00 feet; 15 Point bears North 17°34'20" West; 16 Thence following said Southerly right-of-way line 17 Westerly along said curve through a central angle of 3 18 \$65.94 feet; 19 Thence continuing along said Southerly right-of-way 10 described courses: South 80°46'10" West, 20.86 feet; 11 Thence North 64°48'10" West, 19.00 feet; 12 Thence North 64°48'10" West, 19.00 feet; 13 Thence North 64°48'10" West, 19.00 feet; 14 Thence North 64°48'10" West, 19.00 feet; 15 Thence North 20°32'30" West, 16.61 feet; 	of Pacific Island Drive,	• : 3(). , O
<pre>14 concave Northerly and having a radius of 500.00 feet; 15 point bears North 17°34'20" West; 16 Thence following said Southerly right-of-way line 17 Westerly along said curve through a central angle of 5 18 465.94 feet; 19 Thence continuing along said Southerly right-of-way 19 described courses: South 80°46'10" West, 20.86 feet; 10 Thence North 64°48'10" Mest, 19.00 feet; 11 Thence North 64°48'10" Mest, 19.00 feet; 12 Thence North 64°48'10" West, 19.00 feet; 13 Thence North 64°48'10" West, 19.00 feet; 14 Thence North 64°48'10" West, 19.00 feet; 15 Thence North 64°48'10" Mest, 19.00 feet; 16 Thence North 64°48'10" Mest, 19.00 feet; 17 Thence North 64°48'10" Mest, 19.00 feet; 17 Thence North 64°48'10" Mest, 19.00 feet; 18 Thence North 64°48'10" Mest, 19.00 feet; 19 Thence North 20°32'30" Mest, 16.61 feet; 10 Thence North 20°32'30" Mest, 16.61 feet;</pre>	ing on a non-tangent curve a radial bearing from said of Facific Island Drive, 1023:53* an arc distance of Y line through the following	• : 3(). , O
 14 concave Northerly and having a radius of 500.00 feet; 15 point bears North 17°34'20* West; 16 Thence following said Southerly right-of-way line 17 Westerly along said curve through a central angle of 3 18 \$65.94 feet; 9 Thence continuing along said Southerly right-of-way 19 described courses: South 80°46'10* West, 20.86 feet; 10 Thence North 64°48'10* West, 19.00 feet; 11 Thence North 64°48'10* West, 19.00 feet; 12 Thence North 64°48'10* West, 19.00 feet; 13 Thence North 64°48'10* West, 19.00 feet; 14 Thence North 20°32'30* West, 16.61 feet; 	ing on a non-tangent curve a radial bearing from said of Facific Island Drive, 1023:53* an arc distance of Y line through the following	• : 3(). ,
<pre>14 14 15 15 15 16 16 17 16 17 16 17 16 17 16 17 16 17 17 18 16 17 17 18 19 19 19 19 19 19 19 19 19 19 19 19 19</pre>	ing on a non-tangent curve a radial bearing from said of Facific Island Drive, 1023:53* an arc distance of Y line through the following	• : 3(). ,
<pre>14 14 concave Northerly and having a radius of 500.60 feet; 15 15 point bears North 17°34'20* West; 16 17 Mesterly along said curve through a central angle of 3 18 18 465.94 feet; 19 19 10 10 10 10 10 11 11 12 13 14 15 16 17 17 18 18 19 19 10 10 10 10 10 10 10 10 10 10 10 10 10</pre>	ing on a non-tangent curve a radial bearing from said of Facific Island Drive, 1023:53* an arc distance of Y line through the following	• : 3(). ,
<pre>14 14 concave Northerly and having a radius of 500.60 feet; 15 point bears North 17°34'20* West; 16 Thence following said Southerly right-of-way line 17 Westerly along said curve through a central angle of 3 18 \$65.94 feet; 19 Thence continuing along said Southerly right-of-way 19 described courses: South 80°46'10* West; 20.86 feet; 10 Thence North 64°48'10* West, 19.00 feet; 11 Thence North 64°48'10* West; 19.00 feet; 12 Thence North 64°48'10* West; 19.00 feet; 13 Thence North 64°48'10* West; 19.00 feet; 14 Thence North 64°48'10* West; 19.00 feet; 15 Thence North 64°48'10* West; 19.00 feet; 16 Thence North 64°48'10* West; 19.00 feet; 17 Thence North 64°48'10* West; 19.00 feet; 17 Thence North 20°32'30* West; 16.61 feet; 17 Thence North 20°32'30* West; 16 feet; 17 Thence North 20°32'30* West; 17 Thence North 20°32'3</pre>	ing on a non-tangent curve a radial bearing from said of Facific Island Drive, 1023.33 an arc distance of Y line through the following	• : 3(). ,
<pre>14 14 concave Northerly and having a radius of 500.60 feet; 15 15 point bears North 17°34'20* West; 16 17 Mesterly along said curve through a central angle of 3 18 18 465.94 feet; 19 19 10 10 10 10 10 11 11 12 13 14 15 16 17 17 18 18 19 19 10 10 10 10 10 10 10 10 10 10 10 10 10</pre>	ing on a non-tangent curve a radial bearing from said of Facific Island Drive, 1023:53* an arc distance of Y line through the following	• : 3(). ,

EXHIBIT "B"

Dana Point

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Coastal Advisory Election Area

Thence North 49048-06" West, 51.75 feet to the intersection of said Southerly right-of-way line with the Southeasterly boundary line of Lot A, Tract No. 12041 as shown on asmap filed in Book 533 Pages 33 through 41 inclusive of said Miscellaneous Maps;

Thence continuing along said Southerly right-of-way line of Pacific Island. 9 Drive (86.00 feet wide) as shown on said map of Tract No. 12041 through the 10 following described courses: North 49046 48" Mest, 62.05 feet to the beginning of a 11 tangent curve concave Northeasterly and having a radius of 1,050.00 feets 12

Thence Northwesterly zlong said curve through a central angle of 05031*08 an arc distance of 101.14 feet;

Thence North 44015 40" West, 21.16 feet to the beginning of a tangent curves 15 concave Southwesterly and having a radius of 950.00 feets 16

Thence Northwesterly along said curve through a central angle of 14008 40 " in arc distance of 234.52 feets

Thence North 58024. 20" West, 62.48 feet to the beginning of a tangent curve. concave Northeasterly and having a radius of 1,050,00 feet; 20

Thence Northwesterly along said curve through a central angle of 11045 02" in 21 arc distance of 216.26 feets 22

Thence North 46036'18" West, 665.38 feet;

Thence leaving said right-of-way line, South 69017'51" Fest, 428.55 feet more

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Dana Point

Coastal Advisory Election Area

9: Thence North 47933.32? West, 41.35 feet to the beginning of a fangent curve 10 concave Northeasterly and having a radius of 270.00 feet?

11 Thence Northerly along said curve through a central angle of 30°36'48" an arc 12 distance of 144.26 feet;

Thence South 73003'16" West, 635.54 feet;

Thence North 25°33'55" West, 690.38 feet;

Thence North 89004*05" West; 482.90 feet to a point on the Westerly boundary 16 line of the Rancho Niguel, as shown on a map recorded June 30, 1877 in Book 2, Pages 17 230 and 231 of Patents, records of Los Angeles County, said point and being the 18 Nost Westerly Southwest corner of said Tract No. 12041;

Thence along said Rancho line, South 0°44'39" Mest, 38.10 feet to an angle
point in the existing boundary line of the City of Laguna Beach as established by
"Nouth Laguna Annexation", said angle point being the Northeasterly terminus of that
certain course described as "South 0°44'57" West, 949.86 feet" in said Annexation;
Thence following along said existing boundary line of the City of Laguna Beach
per said Annexation through the following described courses: South 0°44'57" West,

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Dana Point

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Thence South 89°14'57" East, 63.69 feet; Thence South 59°16'42" East, 59.84 feet; Thence South 19°19'17" East, 60.02 feet; Thence South 59°44'19" East, 224.33 feet; Thence South 25°31'03" West, 118.59 feet; Thence South 66°52'05" West, 86.00 feet; Thence South 01°15'57" West, 175.00 feet; Thence North 89°18'40" West, 201.51 feet;

Thence South 00044'57" West, 3,431.00 feet more or less to the point on the south Hean High Tide Line of the Pacific Ocean;

16 Thence continuing along said existing boundary line of the City of Laguna Baach 17 per said Annexation, South 52°45'00" West to an intersection with 18 the Southwesterly line of the State of California, an envelope line every point of which is at a distance of three (3) geographic miles from the nearest point on the 19 Mean Lower Low Water Line of the Pacific Ocean.

20 Thence leaving the existing boundary line of the City of Laguna Beach,
21 Southeasterly along said envelope line to the intersection with a line which bear south 64°01'04" West from the POINT OF BEGINNING;

Thence North 64001'04" Zast to the POINT OF BEGINNING;

The above-described parcel of land contains 4,460.98 acres more or less.

Page 1 of 9

EXHIBIT "B" 1 Dana Point 2 Coastal Advisory Election Area 3 Attached and made a part of is a map designated as "Exhibit 4 5 6 ¥0. 1. ORANGE COUNTY SURVEYOR'S OFFICE 7 This document, was prepared by me 8 of under my direction. 9 10 11 mo Paul A. Cuomo, L.S. 4136 My license expires 6-30-88 12 Date 13 . 1 14 This proposal does meet the approval -1 of the Surveyor's Office t 15 ς ξ C. R. Nelson, County Surveyor. ~16 • • 1 91 17 18 11 19 I. By Deputy County Surveyor 20 7: 7 31 Date 14. 22 15- 1-0.012 111 23 111 24 25 111 111 26 5 111 CALENDAR PAGE 27 /// REVIEWED NOVEMBER 17, 1987 BY BIU 1. MINUTE PAGE 28 Page 9 of 9 PG/RA: BWPWS01-1 7292 - - - -