

CHAPTER CLXXXVII.

AN ACT

To Cede Certain Property to the City of Benicia.

[Approved May 3, 1855.]

The People of the State of California, represented in Senate and Assembly, do enact as follows :

SECTION 1. The State of California hereby grants to the City of Grant of State. Benicia the entire water front of said city, and all of the right, title and interest, of the said State, in and to all of the lands within the corporate limits of said city which are subject to overflow ; *provided,* Proviso. that nothing in this Act shall be so construed as to convey any right or title to any part of the water-front which lies east of a north and south line drawn from the most western part of the land belonging to the United States, and now used for military purposes ; and *pro-* Further proviso. *vided further,* that nothing herein shall be so construed as to convey to said city any part of her water-front which may extend into the Straits of Carquines beyond where the water is eighteen feet deep at low tide.

SEC. 2. The said water-front and overflowed lands herein gran- Land not subject to execution. ted shall not be subject to execution upon any judgment against the said City of Benicia, but may be sold from time to time by the au- How sold. thorities of said city, in such manner as will be most to the interest of the same.

SEC. 3. Said cession is made upon this express condition, that the Condition of cession. authorities of the city of Benicia shall not sell the property ceded without first giving notice of said sale by publication in at least one daily newspaper in San Francisco, and one newspaper, if one be published, in the County of Solano for thirty days preceding said sale, and that said property so ceded shall be sold at public auction to the highest bidder, and in separate lots not exceeding in size one hundred feet, by one hundred and sixty feet in size.

SEC. 4. Any person who has erected useful and substantial build- Privilege of builders. ings upon any of the property ceded to the city of Benicia by this Act, believing that he had good title to such property by virtue of a purchase from the founders of the city shall have the privilege within six months from the passage of this Act, of purchasing the lots on which they have built, at private sale, from the said city, and at a fair valuation of the lot without the buildings ; such valuation to be determined by the City Council.