

CHAPTER 59.

An act to amend section one of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Oakland, and regulating the management, use and control thereof," approved May 1, 1911.

[Approved April 5, 1917. In effect July 27, 1917.]

The people of the State of California do enact as follows:

SECTION 1. Section one of the act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Oakland, and regulating the management, use and control thereof," approved May 1, 1911, is hereby amended to read as follows: Stats. 1911,
p. 1258.

Section 1. There is hereby granted to the city of Oakland, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California held by said state by virtue of its sovereignty in and to all tidelands and submerged lands whether filled or unfilled which are included within that portion of the city of Oakland that lies westerly of the western line of Pine street, as Pine street exists between Atlantic street and Goss street and as shown upon that certain map entitled "map of land on Oakland point (railroad ferry landing) city of Oakland, tract four hundred six." filed May 24, 1864, in book of maps five, page thirty-three, records of Alameda county, and said western line of Pine street produced northerly and southerly, excepting, however, from said tidelands and submerged lands such of said lands as lie northerly of the northern boundary line of the city of Oakland, and the western extension thereof, as said northern boundary line was established by an act of the legislature of the State of California entitled "An act to amend an act entitled 'An act to incorporate the city of Oakland,' passed March twenty-fifth, one thousand eight hundred fifty-four, and repealing certain other acts in relation to said city," approved April 24, 1862, to be forever held by said city and by its successors in trust for the use and purposes and upon the expressed conditions following, to wit:

(a) That said lands shall be used by said city and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; *provided*, that said city, or its successors, may grant franchises thereon for limited periods, but in no event exceeding fifty years for wharves and other public uses and purposes, and

Tidelands
granted to
Oakland.

Purposes
for which
lands may
be used

may lease said lands or any part thereof for limited periods, but in no event exceeding fifty years, for the purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor.

Harbor improved without expense to state.

(b) That said harbor shall be improved by said city without expense to the state, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

No discrimination in rates.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures, or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

Right to fish reserved to people.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in all the waters of said harbor, with the right of convenient access to said waters over said land for said purpose.