

CHAPTER 494.

An act granting certain tidelands and submerged lands of the State of California to the city of Newport Beach, upon certain trusts and conditions.

[Approved May 25, 1919. In effect July 25, 1919.]

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

SECTION 1. There is hereby granted to the city of Newport Beach, a municipal corporation of the State of California, and to its successors, all of the right, title and interest of the State of California held by said state by virtue of its sovereignty, in and to all that portion of the tidelands and submerged lands within the present boundaries of said city, and situated below the line of mean high tide of the Pacific ocean which border upon and are in front of the upland now owned by said city and such other upland as it may hereafter acquire, to be forever held by said city, and by its successors in trust for the uses and purposes and upon the express conditions following, to wit:

(a) Said lands shall be used by said city and by its successors solely for the establishment, improvement and conduct of a harbor and for the establishment and construction of bulk-

Tidelands
granted to
Newport
Beach.

Use of lands.

Use of
lands.

heads or breakwaters for the protection of lands within its boundaries, or for the protection of its harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, ways and streets, and other utilities, structures and appliances necessary or convenient for the promotion or accommodation of commerce and navigation, and the protection of the lands within said city. 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 a period not exceeding twenty-five years for wharves and other public uses and purposes, and may lease said lands or any part thereof for a period not exceeding twenty-five years for purposes consistent with the trust upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor.

Improvement
of harbor.

(b) 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.

Rates,
tolls, etc.

(c) 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 by its successors. The absolute right to fish in the waters of said harbor with the right of convenient access to said water over said lands for said purpose is hereby reserved to the people of the State of California.