

CHAPTER 515.

An act granting certain tidelands and submerged lands of the State of California to the city of Emeryville, and regulating the management, use and control thereof.

[Approved May 23, 1919. In effect July 23, 1919.]

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

SECTION 1. There is hereby granted to the city of Emeryville, 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 the present boundaries of the city of Emeryville, to be forever held by said city and by its successors in trust for the use and purposes, and upon the express conditions following, to wit:

Tidelands
granted to
Emeryville.

(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 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.

Use of lands.

(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.

Improvement
of harbor.

(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.

Rates,
tolls, etc.

(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.

Right to fish
reserved to
people.