

CHAPTER 83.

An act granting to the city of San Rafael the salt marsh, tide and submerged lands of the State of California, within the present boundaries of said city, including the right to wharf out therefrom, and regulating the management, use and control thereof.

[Approved May 2, 1923.]

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

Lands
granted
to San
Rafael.

SECTION 1. There is hereby granted to the city of San Rafael, 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 the salt marsh, tide and submerged lands, whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific ocean, or of any harbor, estuary, bay or inlet within said boundaries, 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:

That said lands shall be used by said city and its successors, solely 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, warehouses, factories, storehouses, structures and appliances necessary or convenient for the promotion, benefit and accommodation of commerce and navigation, and said city, or its successors, shall not, except as herein authorized, at any time, grant, convey, give, or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatever; *provided*, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California and this grant, for a term not exceeding fifty years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding twenty-five years, or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce.

Use of
lands.

Leases.

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.

Use by
State.

That in the operation, management or conduct of said harbor, or of any wharves, docks, piers, slips, quays or property or any improvements constructed or operated on said lands, 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.

No dis-
crimination.

There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purposes, such enjoyment of access and right to fish to be regulated by ordinance of the city of San Rafael, so as not to interfere, obstruct, retard, or limit the right of navigation or the right of lessees or licensees under lease or license given.

Right
to fish.