

CHAPTER 379.

An act granting to the city of Richmond and its successors certain salt marsh, tide and submerged land of the State of California, including the right to wharf out therefrom and grant franchises and leases thereon and regulating the management, use and control thereof, also including the right of said city to collect the rents, issues and profits in any manner hereafter arising from the lands or wharf-out privileges hereby granted.

[Approved by the Governor July 5, 1935. In effect September 15, 1935.]

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

Grant of
tidelands to
city of
Richmond.

SECTION 1. There is hereby granted to the city of Richmond, 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, and situated below the line of mean high tide of the Pacific Ocean or of any harbor, estuary, bay or inlet within the areas described as follows:

Description.

Parcel 1. All of the said salt marsh, tide and submerged lands lying west of the prolongation northerly of the westerly line of section three, township one north, range five west, Mount Diablo base and meridian, to the city limits of said city of Richmond, and northerly of a line drawn from a point on the line of mean high tide westerly to the city limits of said city of Richmond, six hundred sixty feet southerly from, and parallel to, the prolongation westerly of the center line of sec-

tion five of said township and range, to the city limits of said city of Richmond.

Parcel 2. All of the salt marsh, tide and submerged lands lying between the prolongations westerly to the city limits of said city of Richmond of the northerly and southerly lines of section nine, township one north, range five west, Mount Diablo base and meridian;

To be forever held by said city and its successors, in trust for the uses and purposes and upon the conditions and subject to the reservations following, to-wit: Conditions.

(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 or plants, structures and appliances necessary or convenient for the promotion and accomodation 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, nevertheless, that said city, or its successors, may grant franchises thereon for limited periods (in no event exceeding fifty years) for wharves or other public uses and purposes, and may lease said lands, or any part thereof, for limited periods (in no event exceeding fifty years) for purposes consistent with the trust upon which said lands are held by the State of California and with the requirements of commerce and navigation at said harbor, and may renew any such lease or leases for a further term not exceeding twenty-five years or may terminate the same upon such conditions and provisions as may be stipulated in such lease or leases. This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands, wharves, or privileges hereby granted. Franchises and leases.

(b) That the improvement of said harbor by said city shall be without expense to the State; that said harbor shall always remain a public harbor for all purposes of commerce and navigation, and said city shall never charge or permit to be charged on any of said lands any unreasonable rate or toll, nor make nor suffer to be made any unreasonable charges, burden or discrimination. Public harbor.

(c) The State of California hereby reserves unto itself, at all times, the reasonable use of and access to all wharves, docks, piers, slips and quays hereafter constructed under the provisions of this act, for any vessel or water craft owned, leased or operated by the State. Rights of State.

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

(e) There is excepted and reserved to the State of California all deposits of mineral, including oil and gas, in said lands. Mineral deposits reserved.

Rights of
prior
grantees
protected

(f) This grant is made subject to the rights of any and all persons under any title derived from the State of California in or to any part of said lands.
