
CHAPTER 343.

An act granting certain salt marsh, tide and submerged lands of the State of California to the city of Oakland, including the management, use and control thereof.

[Approved by the Governor May 24, 1937 In effect August 27, 1937]

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

Grant to
city of
Oakland

SECTION 1. There is hereby granted to the city of Oakland, 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 lands, salt marsh, tidelands and submerged lands, whether filled or unfilled, included within that portion of the city of Oakland described as follows:

Bounded on the north by the line of ordinary low tide, as said line may have come to rest under natural conditions; on the south by the southern boundary line of said city of Oakland; on the west by the projection southerly of the western line of Alice Street, a public street of said city, as the same now exists; on the east by the north arm of the estuary of San Antonio.

To be forever held by said city, and its successors, in trust for the uses and purposes and upon the express 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 may lease said lands, or any part thereof, for limited periods (but 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.

(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.

(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.

(d) There is hereby reserved, however, 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 purposes.

(e) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized

by the State of California, the right to prospect for, mine, and remove such deposits from said land.

Highways

(f) The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.
