

CHAPTER 1013

An act to amend Section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Coronado, in furtherance of navigation, commerce and fisheries, and providing for the government, management and control thereof," approved April 27, 1923, relating to tidelands in San Diego Bay.

Stats 1923,
p 85,
amended

[Approved by Governor July 20, 1949 Filed with
Secretary of State July 20, 1949]

In effect
October 1,
1949

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

SECTION 1. Section 1 of the act cited in the title hereof is amended to read:

Section 1. There is hereby granted and conveyed to the City of Coronado, a municipal corporation in the County of San Diego, State of California, 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 tidelands and submerged lands (whether filled or unfilled), and situated upon the Coronado side of the Bay of San Diego, in the County of San Diego, State of California, lying between the line of mean high tide and the pierhead line in said bay, as said pierhead line has been or may hereafter be established by the Federal Government, and between the prolongation of the easterly boundary line of the City of Coronado into Glorietta Bay, a portion of said San Diego Bay, and the prolongation of the westerly boundary line of said City of Coronado into Spanish Bight, a portion of said San Diego Bay; to be forever held by said City of Coronado in trust for the uses and purposes and upon the express conditions following, to wit:

Lands
granted to
Coronado

(a) That said lands shall be used by said city for the establishment, improvement and conduct of the harbor, 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 of com-

Use of
lands

merce, navigation and fisheries, for the establishment and maintenance of bathhouses, bathing facilities, and boathouses necessary or convenient for the inhabitants of said city, and for the construction, maintenance, or operation of residences, or recreational facilities and parks; but said city shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm or corporation for any purpose whatsoever; except that said City of Coronado may grant franchises thereon for wharves, docks, piers, slips, quays, bathhouses and bathing facilities, boathouses and any other public uses and purposes, and may lease said lands or any part thereof for any of said uses or purposes hereinabove enumerated, or for any purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce and navigation of said harbor, to persons, firms or corporations for a period not exceeding fifty years; provided, however, that said city may have the right to renew such lease or leases for the further term not exceeding twenty-five years, or to terminate the same upon such terms, reservations and conditions as may be stipulated in such lease or leases.

Franchises and leases

Rent

Every such lease shall provide for the payment of rentals to the City of Coronado, which said rentals shall either be at an agreed figure, or shall be arrived at in such manner as may be mutually agreed upon, and provided for in said lease or leases.

Improvements, modifications, etc

Said leases shall also provide that at no time during their term, shall the said City of Coronado be required to make any improvements on or for the benefit of the leased lands. Every lease so executed shall reserve to the city council and to the people of the City of Coronado, the right and privilege by ordinance duly adopted, to terminate, change or modify such lease or leases on such terms, reservations and conditions as may be stipulated in such lease or leases.

Harbor to be public

(b) That said harbor shall be improved by said city without expense to the State of California, and it shall always remain a public harbor for all purposes of commerce, 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 land or any part thereof for any vessel or other water craft or railroad, owned and operated by the State of California.

No discrimination

(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.

Right to fish

Reserving, however, for 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.

Construction Boundaries Stats. 1947, p 3211

SEC. 2. The amendment by this act of the act cited in the title hereof is not intended to modify the boundaries of the lands granted to the City of Coronado, as described in "An act respect-

ing the tidelands and submerged lands granted pursuant to Chapter 49, Statutes of 1923, and Chapter 293, Statutes of 1931, located in San Diego Bay, describing and fixing the boundaries of said lands and providing for the execution of deeds with reference thereto," approved July 19, 1947.
