

CHAPTER 1185

*An act conveying certain lands to the City of National City and reserving to the State of California navigation, commerce, fishing and mineral rights and other rights.*

In effect  
September 9,  
1953

[Approved by Governor June 17, 1953 Filed with  
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*The people of the State of California do enact as follows:*

Conveyance  
to National  
City.

SECTION 1. There is hereby granted and conveyed to the City of National City all the lands described as follows: Beginning at Bulkhead Station No 238 as shown on U. S. Army Engineers Map of Harbor Lines, San Diego Bay, California. File No. 424, Sheet 2 of 2 dated May 1952 and bearing the certification of the Secretary of the Army, Mr Frank Pace Jr., dated July 30, 1952; thence S 8° 02' 19" E. along the bulkhead line a distance of 1626.59 feet. to the true point of beginning; thence S. 81° 57' 41" W a distance of 1,000.00 feet to a point on the "Pierhead Line" as shown on said map File No 424; thence S. 8° 02' 19" E. along said "Pierhead Line" a distance of 1697.98 feet; thence N 81° 57' 41" E. a distance of 1,000.00 feet to a point on the bulkhead line; thence N. 8° 02' 19" W. along said "Bulkhead Line" a distance of 1697.98 feet to the true point of beginning.

Condition

The grant and conveyance is made upon the following express conditions, to wit:

(a) That said lands shall always remain available for public use for all purposes of commerce and navigation.

(b) There is hereby reserved in the people of the State of California the absolute right to fish in the waters on said lands with the right of convenient access to said waters over said lands for said purposes.

(c) 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 person authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land.

(d) 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.

SEC. 2. The City of National City shall have and there is hereby granted to it the right to make upon said premises all improvements, betterments and structures of every kind and character, proper, needful and useful for the development of commerce, navigation and fishing, including the construction of all wharves, docks, piers, slips, and the construction and operation of a municipal belt line railroad in connection with said dock system. Right to improve

SEC. 3. No grant, conveyance or transfer of any character shall ever be made by the City of National City of the lands described in Section 1, or of any part thereof, but the said city shall continue to hold said lands and the whole thereof unless the same revert or be receded to the State of California. The Harbor of National City shall remain always a public harbor and the said city shall never charge or permit to be charged on any of the premises by this act conveyed any unreasonable rate or toll, nor make nor suffer to be made any unreasonable charge, burden or discrimination. In the event of a violation of any of the provisions of this act, the said lands and the whole thereof shall revert to the State of California. Right of reversion

SEC. 4. The City of National City may lease for a term not exceeding 25 years any wharves, docks or piers constructed by it, and all such leases so executed shall reserve to the Board of Trustees of the City of National City, the right and privilege, by ordinance, to annul, change or modify such leases upon the violation of any of the provisions thereof by the lessee as in its judgment may seem proper. The aggregate amount of all wharves, docks and piers so leased by said city shall never exceed 75 percent of all the wharves, docks and piers actually constructed. Right to lease

SEC. 5. The City of National City, may lease not to exceed an aggregate of 75 percent of the lands conveyed to it by this act, for a term not to exceed 25 years and upon which wharves, docks or piers have not been actually constructed, and, except by consent of the Board of the Trustees of the City of National City under an ordinance of such board duly adopted, such leases shall not be assignable or transferable, nor shall any lessee have the right to sublet the lease premises or any part thereof without such consent. Limitation