

CHAPTER 117

An act to amend Section 1 of, and to add Section 2 to, Chapter 483 of the Statutes of 1947, relating to tidelands and submerged lands in the County of Solano.

In effect
September
11, 1957

[Approved by Governor April 17, 1957. Filed with
Secretary of State April 17, 1957.]

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

SECTION 1. Section 1 of Chapter 483 of the Statutes of 1947 is amended to read:

Section 1. There is hereby granted and conveyed to the City of Vallejo, in the County of Solano, State of California, all of the tide and submerged lands situate on the northeasterly shore of San Pablo Bay, immediately north of Mare Island Naval Yard, more particularly bounded and described as follows:

Commencing at the intersection of the ordinary high-water mark along the northeastern shore of San Pablo Bay and the west line of Sec. 6, T. 3 N., R. 4 W., M. D. B. & M.; running thence southeasterly along said ordinary high-water mark of San Pablo Bay to the intersection thereof with a line common to the SE. $\frac{1}{4}$ and the SW. $\frac{1}{4}$ of said Sec. 6, said intersection being the true point of beginning of the parcel of tide and submerged lands herein described; continuing thence along the ordinary high-water mark of San Pablo Bay southeasterly to the point of intersection thereof with the northwestern boundary line of the lands owned by the United States Government and commonly known as Mare Island Naval Shipyard; thence south 71 degrees west, to the western boundary line of Solano County; thence along said county boundary line approximately north $26\frac{1}{2}$ degrees west 14,000 feet; thence leaving said county boundary line and running northeasterly in a straight line to the point of beginning.

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, including an airport or aviation facilities, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures, facilities and appliances necessary or convenient for the promotion and accommodation of commerce and navigation by air as well as by water, 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 50 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 50 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 collect and retain rents from such leases

(b) That said lands shall be improved by said city without expense to the State, and shall always remain available for public use 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 and facilities constructed on said lands, or any part thereof, for any vessel or other water or aircraft, 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, appliances or facilities 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.

(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.

SEC. 2. Section 2 is added to said act, to read:

Sec. 2. The State Lands Commission shall, at the cost of the grantee, survey, monument, plat and record in the Office of the Recorder of Solano County, the area of state lands described in this act.