

CHAPTER 1501

An act to convey certain tide and submerged lands to the City of Vallejo, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use, and control thereof.

In effect
September
11, 1957

[Approved by Governor July 4, 1957. Filed with
Secretary of State July 6, 1957.]

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

SECTION 1. There is hereby granted to the City of Vallejo, a municipal corporation in the County of Solano, 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 of the tide and submerged lands bounded and described as follows:

All of the tide and submerged lands situate on the northeasterly shore of San Pablo Bay, immediately west of and adjacent to Mare Island Naval Shipyard, bounded on the south and west by Solano County boundary and on the north by lands of the City of Vallejo as described in Chapter 483, Statutes of 1947, 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 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, said point being the true point of beginning of the parcel of tide and submerged lands herein described; and running thence South 71° West, to the western boundary line of Solano County; thence along said county boundary line approximately South 26°-30' East, to the point of intersection thereof with the southern boundary line of said county; thence easterly along said southern boundary line of Solano County to the point of intersection thereof with the western boundary line of said United States Government Lands; thence northeasterly, northerly and northwesterly along last said western boundary line and its meanderings, to the point of

intersection thereof with said northern boundary line of United States Government Lands; thence northeasterly along last said northern boundary 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. The State Lands Commission shall, at the cost of the grantee, survey, monument, plat, and record in the Office of the County Recorder of Solano County, the area of state lands described in this act. Said city shall enter into a contract with the State Lands Commission for surveying, monumenting and platting the area of state lands described in this act, and shall, upon submission of invoices by the State Lands Commission, pay said costs.

SEC. 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

SEC. 4. Nothing contained in this act shall preclude the city from accepting and retaining any grant of funds from the State made available for the purpose of aiding in the development of said lands for any public purpose not inconsistent with the promotion and accommodation of commerce and navigation.
