

CHAPTER 734

An act to amend Sections 1 and 2 of Chapter 669 of the Statutes of 1919, relating to lands granted in trust to the City of Monterey.

[Approved by Governor August 23, 1984. Filed with
Secretary of State August 24, 1984]

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

SECTION 1. Section 1 of Chapter 669 of the Statutes of 1919 is amended to read:

Section 1. The State of California does hereby grant and convey to the City of Monterey, a municipal corporation organized and existing under and by virtue of the laws of the State of California, all the right, title, and interest of the State of California, held by the state by virtue of its sovereignty, of, in, and to, all the tidelands and submerged lands within the corporate limits of the City of Monterey, as the corporate limits existed in 1919, and bounded and described as follows, to wit: Commencing at a point where the line of the corporation limits of the city, as the corporate limits existed in 1919, strikes the Bay of Monterey on the north, and running along the entire waterfront thereof in a southerly and westerly direction to the point where the southern or western boundary of the city strikes the bay, comprising the entire waterfront of the city, out to a depth of 60 feet at low tide water; to be forever held by the City of Monterey in trust for uses and purposes of commerce, navigation, fisheries, and recreation, which are of general statewide interest and benefit, and upon the conditions set forth in this act; provided, that the rights of all persons, if any exist, under any title derived from the State of California, in and to any part of the property and premises hereby granted and conveyed, be and the same are hereby reserved from the operation of this act.

SEC. 2. Section 2 of Chapter 669 of the Statutes of 1919 is amended to read:

Sec. 2. The tidelands and submerged lands hereby granted and conveyed to the City of Monterey shall not be subject to execution upon any judgment against the city, but, from time to time, may be let or leased for a term not exceeding 66 years, as the the city or its successors may deem to be most advantageous to the city; provided, that not more than 300 feet frontage of the tidelands and submerged lands shall be leased to one lessee; except that, at the discretion of the city, and with the approval of the State Lands Commission, any owner of upland property immediately adjacent to the waterfront may lease, in whole or in part, those tidelands and submerged lands adjacent to that upland property, regardless of whether the frontage of tidelands and submerged lands exceeds 300 feet; and provided, further, that, at and upon any wharf or dock erected or built upon property so leased, any and all vessels shall have a right to dock, land, and discharge passengers or merchandise upon payment to the lessee or lessees of reasonable dockage and wharfage. The dockage and wharfage shall be regulated and prescribed in the lease, and as thereafter, from time to time, may be determined by ordinance or resolution of the City of Monterey or by statute of the State of California.