CHAPTER 174.

An act granting certain lands, tidelands and submerged lands of the State of California to the city of Oakland and regulating the management, use and control thereof.

[Approved May 18, 1923.]

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

SECTION 1. There is hereby granted to the city of Oakland, a municipal corporation of the 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 lands tidelands and submerged lands, whether filled or unfilled, in the present city of Oakland, consisting of three parcels hereinafter described, to wit:

Parcel 1. A piece of land bounded on the north by the line of ordinary low tide of May 4, 1852; on the south by the southern boundary of said city of Oakland; on the west by the projection southerly of the center line of Adeline street as the same now exists; and on the east by the projection southerly of the eastern line of Washington street as the same now exists.

Parcel 2. A piece of land bounded on the north by the southern line of property now owned by said city of Oakland; on the south by the southern boundary of said city of Oakland; on the west by the projection southerly of the center line of Franklin street as the same now exists; and on the

east by the projection southerly of the easterly line of Webster street as the same now exists.

Parcel 3. A piece of land bounded on the north by the present termination of Broadway street, on the south by the southern boundary line of said city of Oakland, on the west by the projection southerly of the western line of Broadway, as the same now exists, and on the east by the projection southerly of the easterly line of said Broadway street, as the same now exists.

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 suc- Use of lands. cessors, only for the establishment, improvement and conduct of a harbor, and 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 and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, Restrictions grant, convey, give or alien said lands, or any part thereof, tion. 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 fifty 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 fifty years), for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor.

(b) That said harbor shall be improved by said city with- Harbor to out expense to the state, and shall always remain a public be public. harbor 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 constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said No discrimination. 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 or its successors.

(d) There is hereby reserved, however, in the people of Right the State of California the absolute right to fish in the waters· to fish. of said harbor with the right of convenient access to said waters over said land for said purpose.