
CHAPTER 1857

An act conveying in trust certain tidelands and submerged lands lying under the waters of San Francisco Bay to the County of San Mateo in furtherance of navigation and commerce and the fisheries and providing for the government, management and control thereof, and reserving rights to the state.

[Approved by Governor July 17, 1965 Filed with
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The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the County of San Mateo, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California held by said state by virtue of its sovereignty in and to all tidelands and submerged lands, whether filled or unfilled, which are described as follows:

All that certain real property situate, lying and being partly in the City of San Mateo and partly in the City of Burlingame, County of San Mateo, State of California, described as follows:

Beginning at a point on the center line of Peninsular Avenue, distant along said center line North 48° 50' East 285.39

feet from the northeasterly line of Bayshore Boulevard (125 feet in width) as said Avenue and Boulevard are shown on "Map of College Highlands Subdivision San Mateo, Calif.," recorded July 9, 1926 in Volume 14 of Maps at pages 10 and 11, said point of beginning also being on the northeasterly line of the existing Bayshore Freeway; thence from said point of beginning along said northeasterly line of said Freeway, North $64^{\circ} 18' 40''$ West 35.89 feet; thence northerly on the arc of a curve to the left from a tangent that bears North $5^{\circ} 18' 02''$ West, with a radius of 365 feet, through an angle of $49^{\circ} 11' 58''$ an arc distance of 313.42 feet to a point of compound curvature; thence along a curve to the left, with a radius of 715 feet, through an angle of $4^{\circ} 49' 14.2''$ an arc distance of 60.16 feet to a point in the southerly line of that certain parcel of land described in deed to the State of California recorded in Volume 2193 at page 626 Official Records of San Mateo County; thence continuing along said line of Freeway, North $31^{\circ} 00' 42''$ East 23.94 feet; thence North $62^{\circ} 04' 01''$ West 58.03 feet; thence North $60^{\circ} 50' 04''$ West 14.10 feet; thence North $69^{\circ} 29' 30''$ West 408.99 feet; thence North $78^{\circ} 17' 56''$ West 441.03 feet; thence northerly on the arc of a curve to the left from a tangent that bears North $69^{\circ} 08' 52''$ West with a radius of 2053 feet, through an angle of $19^{\circ} 04' 08''$ a distance of 683.27 feet; thence North $88^{\circ} 13'$ West 205.21 feet; thence continuing along said line of Freeway North $82^{\circ} 36' 10''$ West 46.58 feet to the intersection thereof with the center line of Burlingame Avenue, as said Avenue is shown on that certain map entitled "Anza Airport Park Unit No. 1 Burlingame San Mateo County, California," recorded December 8, 1964 in Volume 61 of maps at pages 20 and 21, Records of San Mateo County; thence leaving said Freeway North $48^{\circ} 41'$ East along said center line of said Burlingame Avenue, 160 feet more or less to an angle point in the southwesterly boundary of that certain 165.88 acre tract of land described in deed from William H. Howard Estate Company, a corporation, to the County of San Mateo, a political subdivision of the State of California, recorded May 1, 1942 in Volume 1010 Official Records at Page 447 (52235-E), San Mateo County Records; thence leaving said center line North along the westerly line of said 165.88 Acre Tract 1631.13 feet to the line dividing sections 7 and 18 in Township 4 South Range 4 West, Mt. Diablo Base and Meridian; thence along said dividing line South $89^{\circ} 57'$ East 334.92 feet to the section corner common to sections 7, 8, 17 and 18 in said Township and Range; thence along the line between said sections 7 and 8 North 2640 feet to the quarter ($\frac{1}{4}$) section corner between said sections 7 and 8, and the northwest corner of said 165.88 Acre Tract; thence South $89^{\circ} 57'$ East, along the northerly line of said 165.88 Acre Tract, 1693.00 feet to the northwest corner of that certain 182.14 Acre Tract of land described in deed from William H. Howard Estate Company, a corporation, to the County of

San Mateo, a political subdivision of the State of California, recorded October 10, 1940, in Volume 909 Official Records at page 470 (1753-E), San Mateo County Records; thence South $89^{\circ} 57'$ East along the northerly line of said 182.14 Acre Tract, 947.00 feet to an angle point in said tract boundary and a point in the north line of the South half ($\frac{1}{2}$) of said Section 8; thence Easterly along said north line of the South half ($\frac{1}{2}$), a distance of 2640 feet to the quarter ($\frac{1}{4}$) section corner between said Section 8 and Section 9 Township 4 South Range 4 West, Mt. Diablo Base and Meridian; thence continuing Easterly on and along the north line of the South Half ($\frac{1}{2}$) of said Section 9, 1320 feet to the intersection thereof with the East line of the West Half ($\frac{1}{2}$) of the West Half ($\frac{1}{2}$) of said Section 9; thence South along said East line and continuing South along the East line of the West Half ($\frac{1}{2}$) of the West Half ($\frac{1}{2}$) of Section 16 Township 4 South Range 4 West Mt. Diablo Base and Meridian a distance of 6446.79 feet; thence leaving said line North $42^{\circ} 25' 30''$ West 389.21 feet and North $42^{\circ} 28'$ West 1566.21 feet to an angle point in the above mentioned 182.14 Acre Tract (1753-E); thence along said tract South $47^{\circ} 03' 20''$ West 507.66 feet to the lands now or formerly of the Pacific Gas and Electric Co.; thence along the boundary of last said lands North $42^{\circ} 53'$ West 371.05 feet and South $49^{\circ} 04'$ West 52.42 feet; thence leaving said boundary North $39^{\circ} 17' 10''$ West 24.28 feet to a point on the prolongation northeasterly of the center line of Poplar Avenue, distant along said line prolonged North $49^{\circ} 02' 30''$ East 2608.74 feet from the intersection thereof with the northeasterly line of the aforementioned Bayshore Boulevard; thence to and along the edge of the Bay of San Francisco, North $12^{\circ} 23' 40''$ West 298.84 feet; thence North $18^{\circ} 26' 30''$ West 100.00 feet; North $11^{\circ} 21' 30''$ West 100.00 feet; thence North $10^{\circ} 33' 30''$ East 3.033 feet to an angle point in that certain parcel of land described in deed from Bowie Estate Company, a corporation, American Trust Company, a corporation, and J. H. P. Howard, Jr. to the County of San Mateo, recorded December 30, 1942, in Volume 1050 Official Records at page 108 (71788-E), San Mateo County Records; thence along the southerly boundary of said parcel (71788-E) as follows:—South $64^{\circ} 18' 30''$ West 146.53 feet, North $74^{\circ} 16' 30''$ West 237.99 feet, North $49^{\circ} 16' 30''$ West 359.08 feet, North $40^{\circ} 01' 30''$ West 211.75 feet, North $5^{\circ} 31' 30''$ West 257.65 feet, North $48^{\circ} 01' 30''$ West 76.82 feet, South $89^{\circ} 58' 30''$ West 123.87 feet, South $72^{\circ} 28' 30''$ West 287.76 feet, South $43^{\circ} 58' 30''$ West 303.45 feet, South $84^{\circ} 28' 30''$ West 278.13 feet and North $69^{\circ} 01' 30''$ West 123.01 feet to the intersection thereof with the Northeasterly prolongation of the center line of said Peninsular Avenue; thence along said prolongation South $48^{\circ} 58' 30''$ West 1424.87 feet more or less to the point of beginning.

To be forever held by said county and by its successors in trust for the use and purposes, and upon the express conditions following, to wit:

(a) That said lands shall be used by said county and its successors for purposes in which there is a general statewide interest as follows:

(1) For the establishment, improvement and conduct of a harbor, and for the construction, reconstruction, repair, maintenance, and operation of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of commerce and navigation.

(2) For the establishment, improvement and conduct of an airport or heliport or aviation facilities, including but not limited to approach, takeoff and clear zones in connection with airport runways, and for the construction, reconstruction, repair, maintenance and operation of terminal buildings, runways, roadways, aprons, taxiways, parking areas and all other works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of air commerce and air navigation.

(3) For the construction, reconstruction, repair and maintenance of highways, streets, roadways, bridges, belt line railroads, parking facilities, power, telephone, telegraph or cable lines or landings, water and gas pipelines, and all other transportation and utility facilities or betterments incidental, necessary or convenient for the promotion and accommodation of any of the uses set forth in this Section 1.

(4) For the construction, reconstruction, repair, maintenance and operation of public buildings, public assembly and meeting places, convention centers, parks, playgrounds, bathhouses and bathing facilities, recreation and fishing piers, public recreation facilities, including but not limited to public golf courses, and for all works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of any such uses.

(5) For the establishment, improvement and conduct of small boat harbors, marinas, aquatic playgrounds and similar recreational facilities, and for the construction, reconstruction, repair, maintenance and operation of all works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of any of such uses, including, but not limited to snackbars, cafes, restaurants, motels, hotels, apartments, residences, launching ramps and hoists, storage sheds, boat repair facilities with cranes and marine ways, administration buildings, public restrooms, bait and tackle shops, chandleries, boat sales establishments, service stations and fuel docks, yacht club buildings, parking areas, roadways, pedestrian ways and landscaped areas.

(b) Said county, or its successors shall not, at any time, grant, convey, give or alienate said lands, or any part thereof, to

any individual, firm or corporation for any purposes whatever; provided, that said county, or its successors, may grant franchises thereon for limited periods, not exceeding 66 years, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, not exceeding 66 years, for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce and navigation, and collect and retain rents and other revenues from such leases, franchises and privileges. Such lease or leases, franchises and privileges may be for any and all purposes which shall not interfere with commerce and navigation. Nothing contained in this paragraph shall be deemed to affect the validity or term of any franchise granted by said county under Chapter 1 (commencing with Section 6001) of Division 3 of the Public Utilities Code, and any such franchise shall be effective with respect to said lands.

(c) Said lands shall be improved without expense to the state; provided, however, that nothing contained in this act shall preclude expenditures for the development of said lands for any public purpose not inconsistent with commerce, navigation and fishery, by the state, or any board, agency or commission thereof, when authorized or approved by the county, nor by the county of any funds received for such purpose from the state or any board, agency or commission thereof.

(d) In the management, conduct, operation and control of said lands or any improvements, betterments, or structures thereon, the county or its successors shall make no discrimination in rates, tolls or charges for any use or service in connection therewith.

(e) The State of California shall have the right to use without charge any transportation, landing or storage improvements, betterments or structures constructed upon said lands for any vessel or other watercraft or railroad owned or operated by the State of California.

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

(g) There is hereby excepted and reserved in the State of California all deposits of minerals, including oil and gas, in said lands, and to the State of California, the right to prospect for, mine, and remove such deposits from said lands.

(h) Said lands 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 county, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements, betterments or structures 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, betterments or structures taken or the damages to such interest.

(i) The State Lands Commission shall, at the cost of the county, survey and monument the granted lands and record a description and plat thereof in the office of the County Recorder of San Mateo County.

(j) Within 10 years from the effective date of this act the granted lands shall be substantially improved by the county without expense to the state and if the State Lands Commission determines that the county has failed to improve said lands as herein required, all right, title, and interest of said county in and to all lands granted by this act shall cease and all said right, title and interest in the granted lands shall revert and rest in the state.

(k) The county shall cause to be made and filed with the Department of Finance, annually, a detailed statement of receipts and expenditures by it of all rents, revenues, issues and profits in any manner hereafter arising from the granted lands or any improvements, betterments or structures thereon.
