

CHAPTER 15

An act to add Sections 1.75, 1.80, and 1.85 to Chapter 390 of the Statutes of 1909, relating to the use of the lands granted to the City of Oakland by said act for public multipurpose recreation.

[Approved by Governor April 11, 1960. Filed with
Secretary of State April 12, 1960]

In effect
July 7,
1960

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

SECTION 1. Section 1.75 is added to Chapter 390 of the Statutes of 1909, to read:

Sec. 1.75. The City of Oakland, acting by and through its city council and board of port commissioners as their interests may appear, may use or permit to be used for the acquisition, construction, maintenance, operation, improvement and development of public multipurpose recreation centers, stadiums for football, baseball, basketball and all other sports, together with facilities for public recreation, public assembly and meeting places, parking facilities and all other facilities for public recreation and the public exhibition of events, fairs and other public activities, any or all of the lands, salt marsh and tidelands described and granted to the City of Oakland by Chapter 390 of the Statutes of 1909.

Use of lands
for public
multipurpose
recreation

Sec. 2. Section 1.80 is added to said act, to read:

Sec. 1.80. If the lands, or any part thereof, granted to the city by this act are not used for the additional purposes authorized by Section 1.75 within ten years from the effective date of the act adding this section, or if such use is discontinued thereafter, the authorization to use said lands for said additional purposes shall automatically terminate and lapse.

Lapse of
authoriza-
tion

Sec. 3. Section 1.85 is added to said act, to read:

Sec. 1.85. (a) The lands granted to the city by this act shall be held by the city in trust for the purposes of navigation, commerce, and fishery.

Lands held
in trust

(b) Said lands shall be improved by the 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 any water or aircraft or railroad owned or operated by the State of California.

(c) In the management, conduct, or operation of said harbor or any of the utilities, structures, appliances, or facilities constructed thereon, 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 lands, 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 lands.

(f) The State Lands Commission shall, at the cost of the grantee, survey, monument, plat, and record in the office of the Recorder of Alameda County, the area of state lands described in this act. Said city shall enter into a contract with the State Lands Commission for the 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 the costs of the survey.
