

CHAPTER 317.

An act conveying certain tide lands and lands lying under inland navigable waters situate in the bay of San Francisco and the bay of San Pablo to the city of Richmond in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

[Approved June 11, 1913. In effect August 10, 1913.]

WHEREAS, Since the admission of California into the Union, all tide lands along the navigable waters of this state and all lands lying beneath the navigable waters of the state have been and now are held in trust by the state for the benefit of all the inhabitants thereof for the purpose of navigation, commerce and fishing; and

Title lands
held in
trust by
state.

WHEREAS, It is the duty of the state to govern, administer and control such lands and to improve and develop navigation, commerce and fishing thereon and thereover; and

WHEREAS, The state has not the general power of alienation of such lands, but may, when the interests of commerce, navigation and fishing require it, convey to municipalities limited and defined areas of such lands with the power to govern, control, improve and develop the same in the interests of all of the inhabitants of the state; and

May not
alienate.

WHEREAS, The conveyance to the city of Richmond of the lands hereinafter described, together with the right to govern, control, improve and develop the same will result in great

advantage and benefit to all the inhabitants of the state, it is provided; therefore

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

Tide lands
granted
to Rich-
mond.

SECTION 1. There is hereby granted and conveyed to the city of Richmond in the county of Contra Costa, in the State of California, all the lands situate on the city of Richmond side of the bay of San Francisco and the bay of San Pablo, lying and being between the line of mean high tide and the line of mean low tide as the same has been or may be hereafter established between the prolongation into the bay of San Pablo of the north boundary line of the said city of Richmond and the prolongation into the bay of San Francisco of the southerly boundary line of the city of Richmond.

City may
improve.

SEC. 2. The city of Richmond shall have and there is hereby granted to it the right to make upon said premises all improvements, betterments and structures of every kind and character, proper, needful and useful for the development of commerce, navigation and fishing, including the construction of all wharves, docks, piers, slips, and the construction and operation of a municipal belt line railroad in connection with said dock system.

City may
not trans-
fer lands.

SEC. 3. (No grant, conveyance or transfer of any character shall ever be made by the city of Richmond of the lands described in paragraph one, or of any part thereof, but the said city shall continue to hold said lands and the whole thereof unless the same revert or be receded to the State of California. The harbor of Richmond shall remain always a public harbor and the said city shall never charge or permit to be charged on any of the premises by this act conveyed any unreasonable rate or toll, nor make nor suffer to be made any unreasonable charge, burden or discrimination. In the event of a violation of any of the provisions of this act the said lands and the whole thereof shall revert to the State of California.)

May lease
wharves,
etc.

SEC. 4. The city of Richmond may lease for a term not exceeding twenty-five years any wharves, docks or piers constructed by it, and all such leases so executed shall reserve to the council of the city of Richmond the right and privilege, by ordinance to annul, change or modify such leases as in its judgment may seem proper. The aggregate amount of all wharves, docks and piers so leased by said city shall never exceed fifty per cent of all of the wharves, docks and piers actually constructed.

May lease
land for
wharves,
etc.

SEC. 5. The city of Richmond may lease not to exceed an aggregate of fifty per cent of the lands conveyed to it by this act, for a term not to exceed twenty-five years and upon which wharves, docks or piers have not been actually constructed and no such lease shall be for a larger area than forty acres, and such leases shall not be assignable or transferable, nor shall any lessee have the right to sublet the leased

premises or any part thereof except by the consent of the city council of said city of Richmond set forth in an order of said city council and all such leases so executed shall reserve to the council of the city of Richmond the right and privilege, by ordinance to annul, change or modify such leases as in its judgment may seem proper.

SEC. 6. The foregoing conveyance is made upon the condition that the city of Richmond shall, within twelve months from the approval of this act, exclusive of such times as said city may be restrained from so doing by an injunction issued out of any court of this state or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of not less than two hundred and fifty thousand dollars, and shall, within eighteen months after the approval of this act, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than two hundred and fifty thousand dollars shall be expended thereon within three years from the approval of this act exclusive of the time in this section hereinbefore mentioned. The said harbor improvement work shall be so done and performed that accommodation will be furnished and maintained for ocean going vessels and a depth of water shall be obtained and maintained at the piers of not less than twenty feet.

Condition of grant.

Two hundred and fifty thousand dollars.

If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then the lands by this act conveyed to the city of Richmond shall revert to the State of California.

Lands may revert to state.

SEC. 7. The state hereby reserves unto itself at all times, the reasonable use of and access to all wharves, docks, piers, slips and quays hereafter constructed under the provisions of this act, for any vessel or water craft owned, leased or operated by the state.

Reservations to state.

SEC. 8. The city of Richmond shall in the name of the State of California have and is hereby granted the power and authority to maintain and prosecute to final judgment in any court of the state or United States in which jurisdiction may be vested any and all actions necessary to recover possession, from any private persons, partnerships or corporations all or any part of the lands granted in section one hercof.

Actions to recover possession.