

CHAPTER 187.

An act granting to the city of Eureka tide and submerged lands of the State of California including the right to wharf out therefrom to the city of Eureka and regulating the management, use and control thereof.

[Approved by the Governor April 20, 1927. In effect July 29, 1927.]

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

SECTION 1. There is hereby granted to the city of Eureka, 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 tide and submerged lands whether filled or unfilled, situate in the county of Humboldt of the State of California and described as follows, to wit:

Lands
granted to
Eureka.

Beginning at a point 1783 feet west and 474 feet north of the section corner, common to sections 13, 14, 23 and 24, township 5 north, range 1 west, Humboldt meridian, and running thence N. 60° 55' E., 195.36 feet; thence N. 60° 55' E., 195.36 feet; thence S. 80° 30' E., 532.62 feet; thence S. 46° 33' E., 325.38 feet; thence S. 61° 40' E., 474.54 feet; thence S. 52° 41' E., 752.4 feet; thence S. 66° 03' E., 367.62 feet; thence S. 51° 43' E., 281.16 feet; thence S. 77° 00' E., 509.52 feet; thence S. 66° 00' E., 306.90 feet; thence S. 38° 47' E., 446.62 feet; thence S. 62° 52' E., 323.24 feet; thence N. 85° 07' E., 347.16 feet; thence S. 77° 10' E., 182.82 feet; thence N. 61° 40' E., 540.54 feet; thence N. 70° 21' E., 543.84 feet; thence S. 49° 38' E., 514.24 feet; thence N. 84° 36' E., 338.58 feet; thence N. 73° 15' E., 287.76 feet; thence N. 36° 22' E., 345.18 feet; thence N. 18° 43' E., 133.98 feet; thence N. 23° 12' W., 295.68 feet; thence N. 11° 28' E., 331.98 feet; thence N. 79° 40' E., 960 feet; thence N. 33½° E., 680 feet; thence N. 45½° E., 660 feet; thence N. 22° E., 396 feet; thence N. 62° E., 475 feet; thence N. 86° E., 500 feet; thence S. 77° E., 540 feet; thence S. 85° E., 370 feet; thence N. 62° E., 230 feet; thence N. 36° E., 380 feet; thence N. 70½° E., 980 feet to the most southerly corner of tideland survey No. 121; thence N. 29½° W., 1505 feet; thence N. 38° W., 2350 feet; thence N. 48° W., 2838 feet; thence S. 61° 30' W., 8030 feet; thence S. 27° 50' E., 2090.27 feet; thence S. 67° 16' W., 2580.85 feet; thence S. 81° E., 1100 feet to the point of beginning, containing approximately 1299 acres.

Said lands shall be forever held by said city and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit:

That said lands shall be used by said city and its successors solely 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

Use of
lands.

Franchises
and leases.

utilities, structures and appliances necessary or convenient for the promotion and accomodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatever; *provided*, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands or any part thereof, for limited periods, 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, for a term not exceeding twenty-five years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding twenty-five years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reversion to the said city on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes and for such public and municipal purposes and uses as may be deemed necessary by the said city; *provided, however*, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands abutting on said lands within the boundary of the city of Eureka shall have a right to obtain a lease for a term of twenty-five years from said city of said lands and wharfing out privileges therefrom with a right of renewal for a further term of twenty-five years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first twenty-five years or refuse to renew the same or to terminate the lease so renewed during the term of such renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify.

Rights of
present
occupants.

Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quit claim to said city any right they or any of them may claim or have to the said lands hereby granted.

This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted.

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 watercraft, or railroad, owned or operated by the State of California. Use by state.

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 in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section. No discrimination.

There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose. Right to fish.
