CHAPTER 46.

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

[Approved April 27, 1923.]

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

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

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 the inhabitants of the state; and

WHEREAS, The conveyance to the city of National City of the lands herinafter 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:

SECTION 1. There is hereby granted and conveyed to the city of National City, in the county of San Diego, State of California, all of the lands situate on the city of National City side of said bay, lying and being between the line of mean high tide and the pier head line in said bay, as the same has been or may hereafter be established by the federal government, and between the prolongation into the bay of

Lands granted to National City.
San Diego to the pier head line of the boundary line between
the city of National City and the city of San Diego, and the
prolongation into the bay of San Diego to the pier head line
of the northerly line of the street commonly known as
Thirtieth street, same being the southerly boundary of the
city of National City, California.

Sec. 2. The city of National City 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 develop­
ment of commerce, navigation and fishing, including the con­
struction of all wharves, docks, piers, slips, and the construc­
tion and operation of a municipal belt line railroad in con­
nection with said dock system.

Sec. 3. No grant, conveyance or transfer of any character
shall ever be made by the city of National City of the lands
described in section 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 National City 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.

Sec. 4. The city of National City may lease for a term not
exceeding twenty-five years any wharves, docks or piers con­
structed by it, and all such leases so executed shall reserve
to the board of trustees of the city of National City, the right
and privilege, by ordinance, to annul, change or modify such
leases upon the violation of any of the provisions thereof by
the lessee as in its judgment may seem proper. The aggregate
amount of all wharves, docks and piers so leased by said city
shall never exceed seventy-five per cent of all the wharves,
docks and piers actually constructed.

Sec. 5. The city of National City, may lease not to exceed
an aggregate of seventy-five 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, except by consent of the board of trustees
of the city of National City under an ordinance of such board
duly adopted, such leases shall not be assignable or transfer­
able, nor shall any lessee have the right to sublet the leased
premises or any part thereof without such consent.

Sec. 6. 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.