

CHAPTER 642.

An act to amend sections 4 and 5 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, relating to the trusts and restrictions heretofore imposed upon said tidelands, and to the use and leasing of the tidelands by the city.

[Approved by the Governor June 3, 1929 In effect August 14, 1929]

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

Stats 1915,
p 1323,
amended.

SECTION 1. Section 4 of an act of the Legislature of the State of California, entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the bay of San Diego to the city of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, is hereby amended to read as follows:

Land ceases
to be
tidelands.

Sec. 4. All of the land described in this act, lying shoreward from the bulkhead line as now established, is hereby declared to have ceased to be tidelands and to be free from all trusts and restrictions imposed on said lands under and by any of the provisions of this act, except that 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 whatsoever; *provided, however*, that the city of San Diego or its successors may use, lease, rent or otherwise let said lands, in parcels not to exceed forty acres to any one person, firm or corporation, and for limited periods, not to exceed fifty years, with the right of the city to renew the same for any and all purposes which shall not interfere with the use of the tidelands of said bay, lying bayward of said bulkhead line. If during such lease, rental, or other holding, such holding shall interfere with the use of any of the tidelands of San Diego bay, lying bayward of said bulkhead line, for navigation, commerce and the fisheries, or in any manner become inconsistent with the trust under which said tidelands are held by the State of California, the city shall have the right to terminate such holding and compensate such holder for the loss incurred, not exceeding an amount to be agreed upon by the terms of the lease or other holding. No provision contained in this act shall be construed to supersede or in any way limit or affect the provisions of any law which may be passed by the Legislature at its forty-eighth session, granting to the county and to the city of San Diego, jointly, for county and municipal purposes, any of the tidelands herein described.

San Diego
may lease
lands.

Termination
of lease

SEC. 2. That section 5 of said above entitled act is hereby amended to read as follows:

Stats 1917,
p. 916,
amended.

Sec. 5. All of the land described in this act, lying bayward from the bulkhead line as now established, the city of San Diego or its successors may use, lease, rent or otherwise let said tidelands to any person, firm or corporation, and for limited periods not to exceed fifty years, with the right of the city to renew the same for any and all purposes which shall not interfere with the use of the said tidelands for navigation, commerce and the fisheries; *provided, however*, that if during such use, lease, rental or other holding, such holding shall interfere with the use of said tidelands, or any part thereof, for navigation, commerce and the fisheries, or in any way be inconsistent with the trust under which said tidelands are held by the State of California, the city shall have the right to terminate such holding, and compensate such holder for the loss incurred not exceeding an amount to be agreed upon by the terms of the lease or other holding.

Lease of
land by city.

Termination
of lease