

CHAPTER 1744

An act conveying in trust certain tidelands and submerged lands located in San Diego Bay to the San Diego Unified Port District in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, and reserving certain rights to the state.

[Approved by Governor July 17, 1965 Filed with
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The people of the State of California do enact as follows:

SECTION 1. There is hereby granted and conveyed in trust to the San Diego Unified Port District (hereinafter referred to as the "district") in the County of San Diego, State of California, all the right, title and interest of the State of California (hereinafter referred to as the "state"), except as hereinafter reserved and upon the conditions specified herein, held by the state by virtue of its sovereignty in and to all of those certain tidelands and submerged lands in and underlying San Diego Bay, whether filled or unfilled, which are described as follows and referred to herein as the "granted lands":

That portion of the tidelands and submerged lands in the Cities of Coronado, Chula Vista, National City, and San Diego, within the County of San Diego, State of California, described as follows:

Parcel No. 1

Beginning at the intersection of the southerly city limit line of the City of Chula Vista with the Mean High Tide Line, as said Mean High Tide Line is shown on Miscellaneous Map Number 79, on file in the Recorder's Office of the County of San Diego, said point being the true point or place of beginning of Parcel No. 1; thence along the said Mean High Tide Line the following courses and distances:

South 8° 19' west a distance of 1109 80 feet; thence
South 16° 16' east a distance of 200 feet; thence
South 5° 40' west a distance of 300 feet; thence
South 16° 37' east a distance of 800 feet; thence
South 2° 33' west a distance of 600 feet; thence
North 85° 44' west a distance of 300 feet; thence
South 60° west a distance of 770 feet; thence
South 81° west a distance of 530 feet; thence
South 43° west a distance of 1170 feet; thence
South 5° 11' west a distance of 1740 feet; thence
South 57° west a distance of 850 feet; thence
South 24° east a distance of 200 feet; thence
South 60° west a distance of 1000 feet; thence
South 90° west a distance of 730 feet; thence
North 70° west a distance of 1300 feet; thence
North 51° 26' west a distance of 1275.3 feet;

Thence, leaving the Mean High Tide Line per Miscellaneous Map No. 79 and continuing along the Mean High Tide Line as shown on Miscellaneous Map No. 149 on file in the Recorder's Office of the County of San Diego; thence

North 51° 23' west a distance of 287.29 feet; thence

South 67° 16' west a distance of 55.6 feet; thence

North 43° 13' west a distance of 81.1 feet;

Thence, leaving the said Mean High Tide Line as shown on Miscellaneous Map No. 149, and continuing to the closest station on the Mean High Water Line of San Diego Bay as said Mean High Water Line was established by the U.S. Engineering Department in October of 1941, and described in Book 1594, page 87, O.R. on file in the Recorder's Office of the County of San Diego; thence along said Mean High Water Line to a point on the westerly prolongation of a proposed combined U.S. Bulkhead-Pierhead Line between existing U.S. Pierhead Line Stations 493 and 491, as said U.S. Pierhead Line was established for the Bay of San Diego; thence along said westerly prolongation north 80° 19' 00" east to said U.S. Pierhead Line Station 493; thence along said proposed combined U.S. Bulkhead-Pierhead line north 80° 19' 00" east, to an intersection with the westerly line of the 1961 grant to the City of Chula Vista by the State of California per Chapter 328, Statutes of 1961, Map No. A-221, dated March 29, 1962; said grant subsequently conveyed to the San Diego Port District; then southerly along said grant line to the southwesterly corner of said grant; thence easterly along to the southerly line of the said grant, and along the southerly city limit line of the City of Chula Vista to the true point or place of beginning of Parcel No. 1, containing approximately 804 acres of Tideland area.

Parcel No. 2

Beginning at the intersection of the Mean High Tide Line of the Bay of San Diego as said Mean High Tide Line is shown on Miscellaneous Map No. 215, on file in the Recorder's Office of the County of San Diego, and the northerly boundary line of the U.S. Naval Radio Station R, formerly known as Fort Emory; said point being the true point or place of beginning; thence along the said Mean High Tide Line the following courses and distances:

First north 50° 23' 03" west a distance of 18.30 feet; thence

North 22° 54' 03" west a distance of 216.33 feet; thence

North 15° 43' 03" west a distance of 291.85 feet; thence

North 7° 42' 03" west a distance of 80.90 feet; thence

North 29° 24' 03" west a distance of 61.40 feet; thence

North 9° 52' 03" west a distance of 90.10 feet; thence

North 3° 08' 03" west a distance of 120.10 feet; thence

North 1° 35' 57" east a distance of 529.90 feet; thence

North 12° 23' 57" east a distance of 394.20 feet; thence

North 15° 28' 03" west a distance of 130.90 feet; thence

North 14° 07' 57" east a distance of 104.30 feet; thence

North 34° 32' 57" east a distance of 10.65 feet; thence

North 34° 32' 57" east a distance of 105.05 feet; thence
 North 3° 53' 57" east a distance of 163.00 feet; thence
 North 31° 44' 57" east a distance of 87.60 feet; thence
 North 46° 52' 57" east a distance of 110.90 feet; thence
 North 88° 42' 57" east a distance of 83.10 feet; thence
 North 46° 07' 57" east a distance of 250.80 feet; thence
 North 39° 36' 57" east a distance of 117.50 feet; thence
 North 45° 42' 57" east a distance of 155.10 feet; thence
 North 41° 07' 57" east a distance of 261.50 feet; thence
 North 46° 34' 57" east a distance of 236.10 feet; thence
 North 52° 41' 57" east a distance of 167.40 feet; thence
 North 40° 28' 57" east a distance of 396.00 feet; thence
 North 2° 41' 03" west a distance of 172.20 feet; thence
 North 30° 18' 03" west a distance of 99.90 feet; thence
 North 41° 04' 03" west a distance of 100.20 feet; thence
 North 3° 53' 03" west a distance of 141.00 feet; thence
 North 67° 03' 03" west a distance of 174.60 feet; thence
 North 63° 19' 03" west a distance of 130.70 feet; thence
 North 72° 50' 03" west a distance of 133.88 feet; thence
 North 64° 14' 03" west a distance of 169.30 feet; thence
 North 55° 33' 03" west a distance of 132.50 feet; thence
 North 48° 24' 03" west a distance of 153.60 feet; thence
 North 39° 09' 03" west a distance of 59.50 feet; thence
 North 14° 59' 03" west a distance of 133.70 feet; thence
 North 25° 09' 03" west a distance of 199.30 feet; thence
 North 13° 33' 03" west a distance of 43.10 feet; thence
 North 11° 31' 57" east a distance of 62.80 feet; thence
 North 7° 54' 03" west a distance of 171.30 feet; thence
 North 6° 58' 57" east a distance of 127.80 feet; thence
 North 17° 13' 03" west a distance of 153.90 feet; thence
 North 00° 13' 57" east a distance of 244.30 feet; thence
 North 10° 44' 03" west a distance of 50.30 feet; thence
 North 2° 58' 57" east a distance of 257.10 feet; thence
 North 1° 17' 57" east a distance of 34.40 feet; thence
 North 32° 12' 03" west a distance of 57.80 feet; thence
 North 8° 58' 57" east a distance of 78.30 feet; thence
 North 1° 17' 57" east a distance of 272.60 feet; thence
 North 4° 55' 57" east a distance of 184.84 feet; thence
 North 00° 57' 03" west a distance of 149.70 feet; thence
 North 7° 18' 57" east a distance of 131.20 feet; thence
 North 00° 23' 03" west a distance of 66.90 feet; thence
 North 10° 48' 57" east a distance of 156.20 feet; thence
 North 21° 08' 57" east a distance of 139.20 feet; thence
 North 30° 26' 57" east a distance of 177.80 feet; thence
 North 33° 16' 57" east a distance of 133.20 feet; thence
 North 39° 53' 57" east a distance of 123.50 feet;

Thence, continuing northeasterly along said Mean High Tide Line to an intersection with the U.S. Pierhead Line, as said U.S. Pierhead Line was established for the Bay of San Diego; thence along said U.S. Pierhead Line south 37° 45' 10" east to Pierhead Line Station 499; thence along the said U.S. Pierhead Line the following courses and distances; south 12°

45' 34" east a distance of 4253.40 feet to Pierhead Line Station 497; thence south 32° 00' 19" west a distance of 2353.67 feet to Pierhead Line Station 495; thence south 15° 04' 07" east a distance of 2019.49 feet to Pierhead Line Station 493; thence leaving said U.S. Pierhead Line and continuing south 80° 19' 00" west along the said westerly prolongation of a proposed combined U.S. Bulkhead-Pierhead Line between existing U.S. Pierhead Line Stations 493 and 491 to an intersection with the Mean High Water Line of the Bay of San Diego, as said Mean High Water Line was established by the U.S. Engineering Department in October, 1941; said Mean High Water Line also being the easterly boundary line of the U.S. Naval Radio Station R, said boundary being established in Civil No. 202, Book 1594, page 87, O.R., on file in the Recorder's Office of the County of San Diego; thence northwesterly along said boundary line to the true point or place of beginning of Parcel No. 2, containing 120 acres, more or less of tideland area.

Parcel No. 3

Beginning at the intersection of the Mean High Tide Line of the Bay of San Diego, as said Mean High Tide Line is shown on Miscellaneous Map No. 215, on file in the Recorder's Office of the County of San Diego, and the southerly boundary line of the Silver Strand State Park; said point being Mean High Tide Line Station No. 58 and the true point or place of beginning of Parcel No. 3; thence along the easterly prolongation of the said southerly boundary line of the Silver Strand State Park to an intersection with the U.S. Pierhead Line, as said U.S. Pierhead Line was established for the Bay of San Diego; thence along the said U.S. Pierhead Line south 37° 45' 10" east to an intersection with the above mentioned Mean High Tide Line of the Bay of San Diego; thence along said Mean High Tide Line the following courses and distances; first south 72° 57' 57" west to Mean High Tide Line Station 71; thence

South 64° 43' 57" west a distance of 120.20 feet; thence
 South 68° 01' 57" west a distance of 153.30 feet; thence
 South 71° 52' 57" west a distance of 265.90 feet; thence
 South 79° 07' 57" west a distance of 205.20 feet; thence
 South 87° 30' 57" west a distance of 236.60 feet; thence
 South 81° 18' 57" west a distance of 144.00 feet; thence
 South 86° 39' 57" west a distance of 277.30 feet; thence
 North 87° 41' 03" west a distance of 166.60 feet; thence
 North 82° 14' 03" west a distance of 137.30 feet; thence
 North 76° 43' 03" west a distance of 123.60 feet; thence
 North 72° 07' 03" west a distance of 108.30 feet; thence
 North 67° 04' 03" west a distance of 114.70 feet; thence
 North 59° 45' 03" west a distance of 101.19 feet

to the true point or place of beginning of Parcel No. 3, containing 16.4 acres, more or less, of tideland area.

Parcel No. 4

Beginning at the intersection of the Mean High Tide Line of the Bay of San Diego, as said Mean High Tide Line shown

on Miscellaneous Map No. 215, on file in the Recorder's Office of the County of San Diego, and the southerly boundary line of the Silver Strand State Park; said point being Mean High Tide Line Station No. 57 and the true point or place of beginning of Parcel No. 4; thence along the said Mean High Tide Line the following courses and distances, first:

North 48° 23' 52" west a distance of 180.86 feet; thence
 North 41° 15' 04" west a distance of 183.50 feet; thence
 North 18° 29' 55" west a distance of 366.06 feet; thence
 North 16° 52' 12" west a distance of 306.92 feet; thence
 North 18° 57' 53" west a distance of 425.67 feet; thence
 North 1° 42' 42" west a distance of 461.77 feet; thence
 North 5° 49' 09" east a distance of 339.93 feet; thence
 South 75° 10' 52" west a distance of 340.59 feet; thence
 North 22° 29' 42" west a distance of 453.94 feet; thence
 North 45° 28' 06" east a distance of 163.57 feet; thence
 North 62° 03' 24" east a distance of 299.97 feet; thence
 North 69° 49' 35" east a distance of 413.62 feet; thence
 North 67° 15' 46" east a distance of 181.35 feet; thence
 North 13° 56' 41" west a distance of 156.48 feet; thence
 North 35° 29' 14" west

to an intersection with the northerly boundary line of the Silver Strand State Park; thence easterly along the said northerly boundary line of the Silver Strand State Park and its easterly prolongation to an intersection with the said U. S. Pierhead Line; thence along the said U. S. Pierhead Line south 23° 00' 02" east to U. S. Pierhead Station No. 501; thence continuing along the said U. S. Pierhead Line south 37° 45' 10" east to an intersection with the easterly prolongation of the said southerly boundary line of the Silver Strand State Park; thence westerly along the said easterly prolongation of the southerly boundary line of the Silver Strand State Park to the true point or place of beginning of Parcel No. 4, containing 103 acres, more or less, of tideland area.

The grant of the tidelands and submerged lands described in Parcel No. 1 herein is expressly subject to all leases of any portion of said tidelands and submerged lands heretofore granted by the State of California to Western Salt Company and the San Diego Gas and Electric Company in existence on the effective date of this act.

SEC. 2. The district shall have and there is hereby granted to it and its authorized agents and lessees the right to make within and upon the granted lands, or within and upon the granted lands in combination with neighboring lands of the district, all improvements, betterments and structures of every kind and character proper, needful, useful, convenient or incidental to and for the development of commerce, navigation and fisheries, including without limiting the generality of the foregoing, the following:

(a) The establishment, improvement and conduct of a harbor, and the construction, reconstruction, repair and maintenance of works and facilities incidental to a harbor.

(b) The construction, reconstruction, repair and maintenance of highways, streets, roadways, bridges, beltline railroads and other transportation facilities or betterments incidental to a harbor.

(c) The construction, reconstruction, repair and maintenance of small boat harbors, marinas, aquatic playground and similar recreational facilities, together with hotels, motels, residences and other structures and facilities incidental thereto.

(d) The construction, reconstruction, repair and maintenance of wharves, docks, piers, warehouses, and commercial and industrial buildings, plants and facilities.

SEC. 3. The district may lease the granted lands, or any part thereof, and any utilities, structures, improvements or appliances thereon for the term and under such covenants and conditions as govern the leasing of tidelands pursuant to the provisions of the San Diego Unified Port District Act (Chapter 67, Statutes 1962, First Extraordinary Session.).

SEC. 4. The granted lands shall be improved and all improvements, betterments and structures thereon shall be made or erected by the district or its authorized agents or lessees, without expense to the state; provided, that nothing contained in this act shall preclude the district from accepting and expending any grant of funds from the state for the development of the granted lands for any public purpose not inconsistent with the trusts for commerce, navigation and fishery. In the management, conduct, operation and control of the granted lands or any improvements, betterments or structures thereon, the district and its successors shall make no discrimination in rates, tolls or charges for any use of service in connection therewith.

This grant is made upon the express condition that within 10 years from the effective date of this act, the granted lands shall be substantially improved by the district without expense to the state and that if the State Lands Commission determines that the district has failed to improve the lands as herein required, all right, title, and interest of the district in and to all lands granted by this act shall cease and all the right, title and interest in the granted lands shall revert and rest in the state.

SEC. 5. There is hereby reserved to the people of the state the right to fish in the waters upon the granted lands with the right of convenient access to the waters over the granted lands for the purpose.

SEC. 6. There is hereby excepted and reserved to the state the following:

(a) All deposits of minerals, including oil and gas in the land, together with the right of the state or persons authorized by the state to prospect for, mine and remove such deposits from the granted lands.

(b) The right to use without charge any transportation, landing or storage improvements, betterments or structures

constructed upon the granted lands for any vessel or other watercraft or railroad owned or operated by the state.

(c) The right at any time in the future to use the granted lands or any portion thereof for highway purposes without compensation to the district, its successors, or any person, firm or public corporation claiming under it, except that in the event improvements, betterments or structures have been made or erected within or upon the portions of the granted lands so used by the state, compensation shall be made to the person entitled thereto for the value of his interest in the improvements, betterments or structures so used or the damages to such interest.

SEC. 7. In the event of a violation of any of the provisions of this act, the granted lands and the whole thereof shall revert to the state.

SEC. 8. The State Lands Commission shall, at the expense of the district, prepare a description and plat of the granted lands and record such description and plat in the office of the County Recorder of San Diego County.

SEC. 9. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

SEC. 10. The district shall cause to be made and filed with the Department of Finance, annually, a detailed statement of receipts and expenditures by it of all rents, revenues, issues and profits in any manner hereafter arising from the granted lands or any improvements, betterments or structures thereon.
