

CHAPTER 2

An act declaring certain salt marsh and tide and submerged lands to be free from the public trust for navigation, commerce, and fisheries, and from any trust, requirement, or conditions that such land be used for street or railway purposes, and authorizing the State Lands Commission to relinquish, grant, and convey all right, title, and interest of the State of California in and to such lands to the City and County of San Francisco for uses of general statewide interest, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 3, 1958. Filed with
Secretary of State April 4, 1958.]

In effect
immediately

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

SECTION 1. It is hereby determined and declared that the streets and railway right-of-way described in Section 2 of this act are no longer required for navigation, commerce, and fisheries, or for street or railway purposes, and such streets and railway right-of-way are hereby declared to be free from the public trust for navigation, commerce, and fisheries, and

from any trust, requirement or condition that such areas be used for street or railway purposes.

It is further determined and declared that the use of such streets and railway right-of-way by the City and County of San Francisco for the purposes described in this act, including but not limited to public parking, is of general statewide interest.

SEC. 2. The State Lands Commission shall convey to the City and County of San Francisco, for the uses described in Section 3 of this act, upon such terms and upon such payment therefor as may be prescribed by the commission, any and all right, title, and interest of the State of California in and to all streets and the 200-foot railway right-of-way within that territory situated in the City and County of San Francisco, State of California, whose exterior boundaries are described as follows:

Beginning at the point of intersection of the boundary line between the City and County of San Francisco and the County of San Mateo with the northeasterly line of Olney Avenue in said City and County; and running thence northwesterly along said northeasterly line of Olney Avenue to the northwesterly boundary of Tide Land Block 618, according to "Map of the Salt Marsh and Tide Lands and Lands Lying Under Water South of Second Street and situate in the City and County of San Francisco," certified March 19, 1869 by the Board of Tide Land Commissioners and approved March 4, 1870 by Order No. 911 of the Board of Supervisors of the City and County of San Francisco; thence northeasterly along last named boundary and along the northwesterly terminus of Nelson Avenue, (formerly Thirty-Eighth Avenue) as shown on above mentioned map, to the most southerly corner of the land conveyed to California Pacific Title Insurance Company by deed recorded July 31, 1953 in Volume 6203 Official Records at page 241 in the office of the Recorder of the City and County of San Francisco, State of California; thence northwesterly along the southwesterly line of said land so conveyed to California Pacific Title Insurance Company to the most southerly corner of that certain parcel of land conveyed to the City and County of San Francisco by deed recorded December 30, 1902 in Book 1980 of Deeds at pages 65 to 69 in the office of the Recorder of the City and County of San Francisco; thence northwesterly along the southwesterly line of said land so conveyed to the City and County to the most westerly corner of said land; thence northeasterly along the northwesterly line of said land 250 feet; thence northerly along a straight line to a point in the southwesterly prolongation of the southeasterly line of Ignacio Avenue distant thereon southwesterly 170 feet from the southwesterly line of Jamestown Avenue; thence northeasterly along said prolongation and along said southeasterly line of Ignacio Avenue, and its northeasterly prolongation, northeasterly to a point on a line parallel with and perpendicularly distant southwesterly 77 feet from the south-

westerly line of Ingerson Avenue; thence northwesterly along said parallel line 200 feet; thence northeasterly and parallel with Fitch Street 357 feet to the southwesterly line of Hollister Avenue; thence at right angles northwesterly along last named line 62.50 feet to the easterly boundary of property of the City and County of San Francisco; thence northerly along said boundary 83.75 feet to the northeasterly line of Hollister Avenue; thence southeasterly along last named line 87.38 feet; thence at a right angle northeasterly 200 feet to the southwesterly line of Gilman Avenue; thence southeasterly along said southwesterly line of Gilman Avenue to its intersection with a line drawn perpendicularly northerly from the said boundary line between the City and County of San Francisco and the County of San Mateo to a point distant 30 feet southeasterly along said southwesterly line of Gilman Avenue, from the southeasterly line of Coleman Street; thence southerly along said line so drawn to the said boundary line; thence westerly along said boundary line to the point of beginning.

There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land lying 100 feet or more below the surface thereof, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from the land with the consent of the grantee.

Sec. 3. The City and County of San Francisco, its successors, and assigns, may use such streets and railway right-of-way for any purpose of general statewide interest, including but not limited to public parking, and may, for such purposes, reclaim or fill such streets and railway right-of-way.

Sec. 4. The lands to be conveyed shall be valued at substantially their appraised market value as of December 31, 1957.

Sec. 5. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Until the City and County of San Francisco has acquired the interest now held by the State in these lands it is impossible for it to undertake the construction of structures necessary for the utilization of these lands for purposes of general statewide interest. It is, therefore, necessary that this act take effect immediately.