

CHAPTER 941

An act relating to the conveyance of land to the City and County of San Francisco.

[Approved by Governor June 13, 1963 Filed with
Secretary of State June 13, 1963]

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

SECTION 1. There is hereby granted to the City and County of San Francisco, a municipal corporation of the State of California, all the right, title and interest of the State of California, held by said State by reason of its sovereign power, and to the following described parcels of land situate in the City and County of San Francisco, State of California, and described as follows, to wit:

Parcel 1.

Beginning at the point of intersection of the center line of Laguna Street with the easterly prolongation of the center line of Marina Boulevard, 100 feet wide, according to "Map showing the widening and opening of streets in the Marina Gardens and portion of Western Addition", recorded February 3, 1931 in Book "M" of Maps at pages 38 and 39 in the office of the Recorder of the City and County of San Francisco, State of California, and thence running northerly along said center line of Laguna Street and the northerly prolongation thereof 1,359.337 feet; thence at a right angle westerly 996.875 feet to the easterly line of the real property granted to the City and County of San Francisco by the State of California under authority of an Act described in Statutes of 1935, Chapter 437, page 1484; thence at a right angle southerly along said easterly line 28.087 feet to the easterly prolongation

of the northerly line of real property acquired by the City and County of San Francisco and described in Parcel "B" of the deed recorded August 18, 1921 in Book 318 of Official Records at page 356 in the office of said Recorder; thence at a right angle easterly along said easterly prolongation of said northerly line 34.375 feet to the northerly prolongation of the center line of Webster Street; thence at a right angle southerly along said northerly prolongation and the center line of Webster Street 817.34 feet to a line drawn parallel with and perpendicularly distant northeasterly 50 feet from the southwesterly line of Marina Boulevard according to above mentioned Map; thence deflecting 47 degrees 45' 00" to the left from the preceding course and running southeasterly along said line so drawn, being also the center line of said Marina Boulevard 100 feet wide, 694.27 feet to the westerly prolongation of the center line of said Marina Boulevard, 100 feet wide; thence deflecting 42 degrees 15' 00" to the left from the preceding course and running easterly along said line so prolonged, and said center line and the easterly prolongation thereof 495.69 feet to the point of beginning.

Parcel 2.

Beginning at the point of intersection of the center line of Steiner Street with a line parallel with and 50 feet northerly from the southerly line of Marina Boulevard and thence running northerly along said center line of Steiner Street 659.38 feet to the southerly line of the real property granted to the City and County of San Francisco by the State of California under authority of an Act described in Statutes of 1935, Chapter 437, page 1484; thence at a right angle easterly along said southerly line and its easterly prolongation 962.50 feet to the northerly prolongation of the center line of Webster Street; thence at a right angle southerly along said northerly prolongation and the center line of Webster Street 817.34 feet to a line drawn parallel with and perpendicularly distant northeasterly 50 feet from the southwesterly line of Marina Boulevard according to "Map showing the widening and opening of streets in the Marina Gardens and portion of Western Addition", recorded February 3, 1931 in Book "M" of Maps at pages 38 and 39 in the office of the Recorder; of City and County of San Francisco, State of California; thence deflecting 132 degrees 15' 00" to the right from the preceding course and running northwesterly along said line so drawn 100.00 feet; thence running northwesterly and westerly along the arc of a curve to the left, tangent to the preceding course with radius 256.189 feet, central angle 47 degrees 45' 00", a distance of 213.51 feet to said hereinabove first mentioned parallel line, said line being also the center line of said Marina Boulevard, 100 feet wide; thence running westerly along said parallel line tangent to the preceding curve, 705.63 feet to the point of beginning.

Parcel 3.

Beginning at the point of intersection of the center line of Steiner Street with a line parallel with and 50 feet northerly from the southerly line of Marina Boulevard and thence running northerly along said center line of Steiner Street 659.38 feet to the southerly line of the real property granted to the City and County of San Francisco by State of California under authority of an Act described in Statutes of 1935, Chapter 437, page 1484; thence at a right angle westerly along said southerly line to the center line of Lyon Street; thence southerly along said center line of Lyon Street 659.82 feet, more or less, to the westerly prolongation of the center line of Marina Boulevard; (formerly Tonquin Street) thence easterly along said line so prolonged and said center line of Marina Boulevard and the easterly prolongation thereof to the point of beginning.

All of the above described real property hereby granted shall be forever held by said City and County of San Francisco and by its successors in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city and county and its successors for purposes in which there is a general statewide interest as follows:

(1) For the establishment, improvement and conduct of a harbor, and for the construction, reconstruction, repair, maintenance, and operation of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of commerce and navigation

(2) For all commercial and industrial uses and purposes, and the construction, reconstruction, repair and maintenance of commercial and industrial buildings, plants and facilities, as may be specified by the city council, after public hearing.

(3) For the establishment, improvement and conduct of an airport and heliport or aviation facilities, including but not limited to approach, takeoff and clear zones in connection with airport runways, and for the construction, reconstruction, repair, maintenance and operation of terminal buildings, runways, roadways, aprons, taxiways, parking areas, and all other works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of air commerce and air navigation.

(4) For the construction, reconstruction, repair and maintenance of highways, streets, roadways, bridges, belt line railroads, parking facilities, power, telephone, telegraph or cable lines or landings, water and gas pipelines, and all other transportation and utility facilities or betterments incidental, necessary or convenient for the promotion and accommodation of any of the uses set forth in this Section 1.

(5) For the construction, reconstruction, repair, maintenance and operation of public buildings, public assembly and meeting places, convention centers, parks, playgrounds, bathhouses and bathing facilities, recreation and fishing piers,

public recreation facilities, including but not limited to public golf courses, and for all works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of any such uses.

(6) For the establishment, improvement and conduct of small boat harbors, marinas, aquatic playgrounds and similar recreational facilities, and for the construction, reconstruction, repair, maintenance and operation of all works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of any of such uses, including but not limited to snackbars, cafes, restaurants, motels, launching ramps and hoists, storage sheds, boat repair facilities with cranes and marine ways, administration buildings, public restrooms, bait and tackle shops, chandleries, boat sales establishments, service stations and fuel docks, yacht club buildings, parking areas, roadways, pedestrianways and landscaped areas.

(b) Said city and county, or its successors shall not, at any time, grant, convey, give or alienate said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city and county, or its successors, may grant franchises thereon for limited periods, not exceeding 66 years, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, not exceeding 66 years, for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce and navigation, and collect and retain rents and other revenues from such leases, franchises and privileges. Such lease or leases, franchises and privileges may be for any and all purposes which shall not interfere with commerce and navigation.

(c) Said lands shall be improved without expense to the State; provided, however, that nothing contained in this act shall preclude expenditures for the development of said lands for any public purpose not inconsistent with commerce, navigation and fishery, by the State, or any board, agency or commission thereof, when authorized or approved by the city and county, nor by the city and county of any funds received for such purpose from the State or any board, agency or commission thereof.

(d) In the management, conduct, operation and control of said lands or any improvements, betterments, or structures thereon, the city and county or its successors shall make no discrimination in rates, tolls or charges for any use or service in connection therewith.

(e) The State of California shall have the right to use without charge any transportation, landing or storage improvements, betterments or structures constructed upon said lands for any vessel or other watercraft, aircraft, or railroad owned or operated by the State of California.

(f) There is hereby reserved to the people of the State of California the right to fish in the waters on said lands with

the right of convenient access to said water over said lands for said purpose.

(g) There is hereby excepted and reserved in the State of California, all deposits of minerals, including oil and gas, in said lands, 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 said lands.

(h) Said lands are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city and county, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements, betterments or structures have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements, betterments or structures taken or the damages to such interest.

(i) The State Lands Commission shall, at the cost of the city, survey and monument the granted lands and record a description and plat thereof in the office of the County Recorder of the City and County of San Francisco.

(j) That within 10 years from the effective date of this act said lands shall be substantially improved by said city and county without expense to the State, and if the State Lands Commission determines that the city and county has failed to improve said lands as herein required, all right, title, and interest of said city and county in and to all lands granted by this act shall cease and said lands shall revert and vest in the State.