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## CHAPTER 1143

An act relating to granted lands within the Mission Bay Development Area, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor October 14, 1991. Filed with Secretary of State October 14, 1991.]

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

**SECTION 1. As used in this act:**

(a) "Boundary of the Port of San Francisco" means that line defining the boundary of Parcel "A" in the description of the lands transferred in trust to the City and County of San Francisco pursuant to Chapter 1333 of the Statutes of 1968 recorded on May 14, 1976, in Book C169, pages 573 through 664 in the City and County of San Francisco Recorder's Office.

(b) "Burton Act trust" means the statutory trust imposed by the Burton Act (Chapter 1333 of the Statutes of 1968, as amended), pursuant to which the state conveyed to the City and County of San Francisco, in trust, by transfer agreement, and subject to certain

terms, conditions, and reservations, the state's interest in certain tide and submerged lands, including lands within the Mission Bay Development Area.

(c) "City" means the City and County of San Francisco, a municipal corporation of the State of California, and where necessary to effectuate the land exchanges contemplated in this act, the city acting by and through the San Francisco Port Commission.

(d) "Granted tidelands" means tidelands or submerged lands, or any interest therein, located within the Mission Bay Development Area and heretofore conveyed or conveyed pursuant to this act by the state to the city.

(e) "Mission Bay Development Area" means those lands within the city which are located in the city above the present line of mean high tide and enclosed by a line beginning at the intersection of the northerly line of Mariposa Street with the easterly line of Pennsylvania Street running thence from that point of intersection easterly along the northerly line of Mariposa Street north  $86^{\circ}49'04''$  east 940.17 feet; thence leaving that northerly line of Mariposa Street north  $3^{\circ}10'56''$  west 433.04 feet; thence easterly and parallel with that northerly line of Mariposa Street north  $86^{\circ}49'04''$  east 280.00 feet; thence north  $3^{\circ}10'56''$  west 433.04 feet to the southerly line of Sixteenth Street; thence easterly along that southerly line of Sixteenth Street north  $86^{\circ}49'04''$  east 100.00 feet to the westerly line of Third Street; thence southerly along the westerly line of Third Street south  $3^{\circ}10'56''$  east 866.08 feet to that northerly line of Mariposa Street; thence easterly crossing Third Street and running along that northerly line of Mariposa Street north  $86^{\circ}49'04''$  east 360.00 feet to the easterly line of Illinois Street; thence southerly along that easterly line of Illinois Street south  $3^{\circ}10'56''$  east 129.85 feet; thence leaving that easterly line of Illinois Street and running along the easterly line of the existing street known as China Basin Street the following courses: north  $35^{\circ}06'05''$  east 616.30 feet; thence northeasterly along an arc of a curve to the left tangent to the preceding course with a radius of 440.00 feet through a central angle of  $12^{\circ}49'53''$  an arc distance of 98.54 feet; thence tangent to the preceding curve north  $22^{\circ}16'12''$  east 700.07 feet; thence northerly along an arc of a curve to the left tangent to the preceding course with a radius of 340.00 feet through a central angle of  $12^{\circ}28'$  an arc distance of 73.98 feet; thence tangent to the preceding curve north  $9^{\circ}48'12''$  east 86.42 feet; thence northerly along the arc of a curve to the left tangent to the preceding course with a radius of 340.00 feet, through a central angle of  $11^{\circ}58'09''$  an arc distance of 71.03 feet; thence tangent to the preceding curve north  $2^{\circ}09'57''$  west 121.43 feet; thence north  $3^{\circ}10'56''$  west 198.86 feet; thence north  $2^{\circ}19'47''$  west 292.70 feet; thence northwesterly along an arc of a curve to the left tangent to the preceding course with a radius of 481.57 feet through a central angle of  $24^{\circ}30'49''$  an arc distance of 206.04 feet; thence tangent to the preceding curve north  $26^{\circ}50'36''$  west 402.03 feet; thence northwesterly along an arc of a curve to the right tangent to the

preceding course with a radius of 236.29 feet, through a central angle of 9°00'04" an arc distance of 37.12 feet; thence tangent to the preceding curve north 17°50'32" west 679.08 feet; thence south 86°49'04" west 282.38 feet; thence north 17°34'00" west 145.34 feet; thence north 72°26'00" east 13.36 feet; thence north 3°10'56" west 634.51 feet; thence south 86°49'04" west 112.12 feet; thence north 3°10'56" west 200.00 feet; thence north 47°36'05" east 456.59 feet; thence south 86°49'04" west 603.75 feet; thence south 64°21'26" west 108.21 feet to the point of intersection of the westerly line of Third Street with the southerly line of China Basin channel; running thence along southerly line of China Basin channel south 46°18'07" west 772.98 feet to the easterly line of Fourth Street; thence along that easterly line of Fourth Street north 43°41'53" west 440.00 feet to the southerly line of Berry Street; thence easterly along that southerly line of Berry Street north 46°18'07" east 825.95 feet to the westerly line of Third Street; thence northwesterly along that westerly line of Third Street north 43°41'53" west 667.50 feet to the southerly line of Townsend Street; thence southwesterly along that southerly line of Townsend Street south 46°18'07" west 3,549.21 feet to the easterly line of Seventh Street; thence southeasterly along the easterly line of Seventh Street south 43°41'53" east 3,166.68 feet to a point on the easterly line of Pennsylvania Street; thence southerly along that easterly line of Pennsylvania Street south 3°10'56" east 556.59 feet to the point of beginning and contains 319.397 acres of land, more or less.

Excepting therefrom the following described parcels:

Exception - Parcel 1

Beginning at the intersection of the southerly line of Sixteenth Street with the easterly line of Third Street and continuing along the easterly line of Third Street north 3°10'56" west 1,342.00 feet to the true point of beginning of the parcel herein described; thence continuing northerly along that easterly line of Third Street north 3°10'56" west 496.00 feet; thence leaving that easterly line of Third Street north 86°49'04" east 74.00 feet; thence southerly and parallel to that easterly line of Third Street south 3°10'56" east 496.00 feet; thence south 86°49'04" west 74.00 feet to the true point of beginning and containing 0.843 acres of land, more or less.

Exception - Parcel 2

Beginning at the intersection of the southerly line of Sixteenth Street with the easterly line of Third Street and continuing easterly along that southerly line of Sixteenth Street north 86°49'04" east 260.00 feet to the true point of beginning of the parcel herein described; thence continuing along the easterly prolongation of the southerly line of Sixteenth Street north 86°49'04" east 335.00 feet; thence leaving that easterly prolongation of southerly line of Sixteenth Street south 14°29'32" east 107.08 feet; thence parallel to that easterly line of Third Street south 3°10'56" east 232.00 feet; thence south 26°50'57" west 165.18 feet; thence south 86°49'04" west 273.33 feet to a point on the easterly line of Illinois Street; thence

continuing along that easterly line of Illinois Street north 3°10'56" west 480.00 feet to the true point of beginning and containing 3.762 acres of land, more or less.

The bearings herein are based upon the bearing north 43°41'53" west on the northeasterly line of Seventh Street as shown on CalTrans right-of-way map no. R-174.14 and as shown on that certain Record of Survey Map of Mission Bay prepared by KCA Engineers, Inc. dated July 1990, and consisting of 21 sheets, which Record of Survey shall be filed with the State Lands Commission within 180 days of the effective date of this act.

(f) "Mission Bay Specific Plan" means that certain specific plan enacted by the planning commission of the city in satisfaction of the requirements of Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of Title 7 of the Government Code and the requirements of the charter of the city by Resolution No. 12040, dated September 27, 1990, and by Resolution No. 13017, dated February 14, 1991.

(g) "Public trust" means the public trust for commerce, navigation, and fisheries.

SEC. 2. The Legislature hereby finds and declares as follows:

(a) Certain of the lands within the Mission Bay Development Area are tide or submerged lands which have been filled and reclaimed.

(b) The filled and reclaimed tide and submerged lands within the Mission Bay Development Area are useful for and in connection with, the highly beneficial plan of improvement for harbor development represented by the Mission Bay Specific Plan and related plans for developing consolidated modern port facilities outside the Mission Bay Development Area.

(c) Certain of the tide and submerged lands within the Mission Bay Development Area have been authorized to be, and have been, laid off and sold to private parties pursuant to various acts, including Chapter 41 of the Statutes of 1851, Chapter 160 of the Statutes of 1853, Chapter 543 of the Statutes of 1867-68; Chapter 490 of the Statutes of 1871-72; Chapter 265 of the Statutes of 1903, Chapter 434 of the Statutes of 1947, and Chapter 1252 of the Statutes of 1953.

(d) Certain of the streets originally laid out within the Mission Bay Development Area are filled and not used, suitable, or necessary for navigation purposes and certain portions of those streets are not necessary for street purposes.

(e) Section 3 of Article X of the California Constitution allows the sale to any city, city and county, municipal corporation, private person, partnership, or corporation of tidelands reserved to the state solely for street purposes, which tidelands the Legislature finds and declares are not used and not necessary for navigation purposes, subject to such conditions as the Legislature may establish.

(f) There is a dispute between the city and the state with respect to the extent to which certain street areas within the Mission Bay Development Area may be subject to the public trust or other

encumbrances that may have arisen because the lands were once sovereign lands of the state. The state contends that a total of approximately 40 disputed acres within the Mission Bay Development Area was (1) reserved to the state for street purposes, and (2) is held by the city subject to the public trust. The city contends that it holds those disputed street areas in fee simple free of the public trust or any other such encumbrances. It is in the public interest that this dispute be resolved in a manner that furthers public trust purposes.

(g) The existing fragmented pattern of public and private ownership within the Mission Bay Development Area, especially the industrial area street system and parcelization imposed on the area largely as the result of subdivisions and sales in the latter half of the 19th century, limit both the potential development of the area and the expansion of desirable public uses in the area consistent with the public trust and the Burton Act trust, such as open space and parks along the waterfront and elsewhere within the Mission Bay Development Area, public access to the shoreline, and consolidated, modern facilities for the city. Therefore, the city has developed and adopted the Mission Bay Specific Plan, and the city has negotiated a development agreement pursuant to Article 2.5 (commencing with Section 65864) of Chapter 4 of Division 1 of Title 7 of the Government Code with the current private owner of most of the real property within the Mission Bay Development Area to enable the redevelopment of the Mission Bay Development Area; to respond to and rectify the existing limitations on public trust uses which prevent implementation of the Mission Bay Specific Plan; and to facilitate development of consolidated, modern port facilities outside the Mission Bay Development Area. The Mission Bay Specific Plan and the development agreement approved by the city for the development of the Mission Bay Development Area contemplate that certain lands in dispute with the state and certain other lands subject to the public trust or the Burton Act trust shall be conveyed free of those trusts to the current private owner of most of the real property within the Mission Bay Development Area, and the public trust and the Burton Act trust over certain other lands shall be terminated, in exchange for (1) the conveyance to the city subject to the public trust and the Burton Act trust of certain lands owned by that private owner, or the conveyance to the city of an easement over those lands which will permanently subject the lands to the public trust and the Burton Act trust, (2) the conveyance to the city of an easement over certain other lands in private ownership which will permanently encumber those lands with the public trust, and (3) the agreement by the city that certain of the street areas in dispute with the state and other areas shall be permanently subjected to the public trust by easement or otherwise. In preparing the Mission Bay Specific Plan, the city has considered present and future public trust and Burton Act trust needs and the purposes for which the city holds or may hold property subject to those trusts within the

Mission Bay Development Area. The Mission Bay Specific Plan and that development agreement demonstrate that (1) those lands within the Mission Bay Development Area to be devoted to nonpublic trust purposes or purposes other than those stated in the Burton Act are no longer needed or required for public trust purposes or those purposes provided for in the Burton Act, and (2) the lands to be conveyed to the city, or which will be encumbered by a public trust easement, or which the city will agree to permanently subject to the trust, will be devoted to trust uses as provided for in the Mission Bay Specific Plan and other related plans for maritime development and will, therefore, be highly useful for public trust purposes and Burton Act trust purposes. Specifically, through acquisition of privately owned lands in the pier 70 through 80 area of the city, the city will be able to develop between four and nine container berths in the pier 70 through 80 area. Combining facilities in the pier 70 through 80 area through acquisition of those privately owned lands will also allow the city to take advantage of the existing container-oriented and intermodal infrastructure at piers 80 and 94-96, including the intermodal container transfer facility. In the Mission Bay Development Area, on the other hand, the consolidation of ownerships and the provision by the city of certain additional real property to be developed for public recreational use pursuant to license, together with the toxic remediation of all real property to be subjected to the public trust or the Burton Act trust or to be developed for recreational use will permit the development, pursuant to the Mission Bay Specific Plan, of improved open space, public access, waterfront parks, and other public facilities consistent with the public trust and the Burton Act trust. This development would otherwise not be feasible because of existing ownership patterns and lack of city funds. The consolidation of ownerships referred to in this section will also be facilitated by the resolution of the dispute with the state over the extent to which the street areas within the Mission Bay Development Area are subject to the public trust. It is intended that the resolution of that dispute and the consolidation of public and private ownerships will be accomplished by and through the exchanges of lands previously referred to. These exchanges shall be for the purpose of effectuating the public trust uses provided for in the Mission Bay Specific Plan and related plans for developing consolidated modern port facilities. The proposed exchanges will not interfere with, and will, in fact, be consistent with and further the purposes of the public trust and the Burton Act trust provided that:

(1) The value of the lands or interests in lands to be conveyed to the city and subjected to the public trust or the Burton Act trust, the value of the public trust easement to be conveyed to the city over certain other lands, and the value of the public trust interest created by the agreement of the city that certain of the street areas in dispute with the state and other areas shall be subjected to the public trust by easement or otherwise exceed the value of the lands to be

conveyed by the city and the value of the public trust or Burton Act trust interest to be terminated pursuant to those exchanges.

(2) The lands or interests in lands to be exchanged by the city and over which the public trust or the Burton Act trust or both will be terminated have been filled and reclaimed, those parcels consisting entirely of dry land lying above the present ordinary high water mark, and are not necessary for the highly beneficial program for development of the harbor and waterfront of the city represented by the Mission Bay Specific Plan and related plans for developing consolidated modern port facilities.

(3) The lands to be exchanged by the city and over which the public trust or the Burton Act trust or both will be terminated are nonwaterfront, having been cut off from direct access to the waters of San Francisco Bay by past filling of intervening property or by a major roadway (China Basin Street), which has provided, and will continue to provide, lateral public access to the water along the entirety of the Mission Bay Development Area.

(4) The lands to be exchanged by the city and over which the Burton Act trust or the public trust or both will be terminated constitute a relatively small portion of the tide and submerged lands granted to the city.

(5) The lands to be exchanged by the city and over which the public trust or the Burton Act trust or both will be terminated are no longer needed or required for the promotion of the public trust or the Burton Act trust.

(h) Substantial portions of the approximately 40 acres of granted tidelands in dispute within the Mission Bay Development Area to be conveyed into private ownership were reserved to the state for street purposes and are not used or necessary for navigation purposes, and therefore under Section 3 of Article X of the California Constitution can and should be conveyed into private ownership for uses consistent with and in furtherance of the Mission Bay Specific Plan.

(i) It is therefore the intent of the Legislature, on and subject to the terms and conditions set forth in this act, (1) to authorize, ratify, and confirm any agreement by the city to enter into an exchange or exchanges of granted tidelands and to terminate the public trust or the Burton Act trust or both over granted tidelands consistent with the findings and declarations stated in this act, and (2) to authorize the city to dispose of any and all granted tidelands originally laid out and reserved to the state for street purposes for private use free from those trusts consistent with and in furtherance of the Mission Bay Specific Plan.

SEC. 3. For the purposes of effectuating the exchanges of lands referred to in subdivision (g) of Section 2, including the conveyance of certain of those lands by the city free of the public trust and the Burton Act trust, the State Lands Commission is hereby authorized to grant and convey to the city all of the right, title, and interest held by the state by virtue of its sovereignty, including any public trust

interest or Burton Act trust interest, and not heretofore conveyed, in and to all of the filled tidelands and submerged lands within the Mission Bay Development Area, subject to such reservations as the State Lands Commission may deem appropriate.

SEC. 4. (a) Subject to the requirements for action by the State Lands Commission specified in subdivision (b), whenever it is determined by the city that any portions of the granted tidelands are cut off from access to the waters of San Francisco Bay, constitute a relatively small portion of the tide and submerged lands granted to the city, and are no longer needed or required for the promotion of the public trust for commerce, navigation, and fisheries or the Burton Act trust or both; and when it is further determined that no substantial interference with those trust uses and purposes will ensue; and when it is further determined that an exchange of those lands and the termination of the public trust or the Burton Act trust will be consistent with the findings and declarations contained in Section 2, the city may terminate the public trust or the Burton Act trust, or both, over those portions of the granted tidelands or exchange those portions of the granted tidelands, or any interest in those lands, to any state agency, political subdivision, person, entity, or corporation, or the United States, or any agency thereof, for lands or interests in lands of equal or greater value, including lands that are or may be subject to the public trust or lands in dispute with the state which the city agrees to subject to the public trust or the Burton Act trust or both, which are useful for public trust or Burton Act trust purposes.

(b) No such exchange and trust termination shall be effective unless and until the State Lands Commission, at a regular open meeting with the proposed exchange and trust termination as a properly scheduled agenda item, does or has done both of the following:

(1) Finds, or has found, that the lands or interests in lands to be acquired by the city and the value of the public trust or Burton Act trust interest to be created by agreement of the city have a value equal to or greater than the value of the granted tidelands for which they are to be exchanged and the value of the granted tidelands over which the public trust or the Burton Act trust or both will be terminated.

(2) Adopts, or has adopted, a resolution approving the proposed exchange, and trust termination which finds and declares that the granted tidelands to be exchanged and over which the public trust or the Burton Act trust or both will be terminated have been filled and reclaimed, are cut off from access to the waters of San Francisco Bay, constitute a relatively small portion of the tide and submerged lands granted to the city, and are no longer needed or required for the promotion of the public trust or the Burton Act trust; and, further, that no substantial interference with the public trust or Burton Act trust uses and purposes will ensue by virtue of the exchange and trust termination; and, further, that the exchange and

trust termination is consistent with the findings and declarations in Section 2 and in the best interests of the state and the city. Upon adoption of the resolution, or at such time as may otherwise be specified in the resolution, the granted tidelands to be exchanged and with respect to which the public trust or the Burton Act trust or both are to be terminated shall thereupon be free from the public trust or the Burton Act trust or both.

SEC. 5. (a) In addition to the authorization contained in Section 4, the city is hereby authorized pursuant to Section 3 of Article X of the California Constitution to sell to any private person, partnership, or corporation, with the approval of the State Lands Commission as specified in subdivision (b), any and all portions of the granted tidelands which were laid off and reserved to the state for street purposes.

(b) No such sale shall be effective unless and until the State Lands Commission, at a regular open meeting with the proposed sale as a properly scheduled agenda item, does or has done, both the following:

(1) Finds, or has found, that any consideration to be received by the city is equal to or greater than the value of the portions of granted tidelands which are to be sold.

(2) Adopts, or has adopted, a resolution approving the sale which finds and declares that the granted tidelands to be sold have been filled and reclaimed, are cut off from access to the waters of San Francisco Bay, and are no longer needed or required for the promotion of the public trust or the Burton Act trust; and, further, that no substantial interference with the public trust or Burton Act trust uses and purposes will ensue by virtue of the sale; and further that the sale is consistent with the findings and declarations in Section 2 and the sale is in the best interests of the state and city. Upon adoption of the resolution, or at such time as may otherwise be specified in the resolution, the granted tidelands to be sold shall thereupon be free from the public trust or the Burton Act trust or both.

SEC. 6. The city is hereby authorized to settle by agreement, exchange, or quitclaim, any dispute concerning whether or not particular land within the Mission Bay Development Area constitutes land in private or proprietary ownership by reason of title traceable to a state patent or other valid source, or rather constitutes granted tidelands, title to which is vested in the city. In the settlement of that dispute, the city may, by that agreement, exchange, or quitclaim, establish boundary or compromise boundary lines between granted tidelands and bordering private or proprietary lands. No settlement by agreement, exchange, or quitclaim pursuant to this section shall be effective unless and until the State Lands Commission, at a regular open meeting with that settlement as a properly scheduled agenda item approves or has approved this settlement.

SEC. 7. In determining the value of any granted tidelands to be

sold, exchanged, or conveyed under this act, the city and the State Lands Commission shall give effect in their evaluation to all factors bearing upon the value, if any, of the public's interest being conveyed, released, quitclaimed, or settled, and the rights, claims, and equities of the person in whose favor the conveyance, release, quitclaim, or settlement is being made and their predecessors in interest. In those cases where the granted tidelands have been filled, reclaimed, or improved without the expenditure of either state funds or of public moneys held in trust, the lands may be valued by excluding the value of the fill or improvements or both. Consideration under this act may consist of lands, property, interest in property, easements, moneys, or other things of value given by the grantee or any other person.

**SEC. 8.** Any lands, or interests therein, received by the city pursuant to any exchange authorized by this act and located within the boundary of the Port of San Francisco or located outside the Mission Bay Development Area shall be held by the city subject to the Burton Act trust and subject to those exceptions and reservations to the state, including, but not limited to, subsurface mineral deposits, contained in Chapter 1333 of the Statutes of 1968, as amended, as if those lands had been transferred to the city pursuant to the provisions of Chapter 1333 of the Statutes of 1968, as amended. Any lands, or interests therein, received by the city outside the boundary of the Port of San Francisco but within the Mission Bay Development Area pursuant to any exchange authorized by this act shall be held by the city subject to the public trust and for the purposes of effectuating the public trust uses provided for in the Mission Bay Specific Plan, except for those lands or interests in lands with respect to which the public trust or the Burton Act trust is terminated pursuant to the exchange.

**SEC. 9.** The city is hereby authorized to make minor adjustments by agreement, exchange, or quitclaim in the location of the boundaries between lands that are subject to the public trust or the Burton Act trust and lands that are not subject to those trusts, whether the lands are privately owned or owned or held by the city, as such boundaries may be established pursuant to any agreements approved by the State Lands Commission with respect to the granted tidelands or any other lands within the Mission Bay Development Area, provided as follows:

(a) The city determines that any such adjustment does not result in any significant net reduction in either the area or value of lands subject to the public trust or the Burton Act trust within the Mission Bay Development Area or in any significant impairment of the public trust uses provided for in the Mission Bay Specific Plan.

(b) The city notifies the State Lands Commission in writing of any such proposed adjustment, and the State Lands Commission either consents to the adjustment or does not, within 45 days from the notification, specify in writing to the parties to any agreement establishing or affecting the boundaries proposed to be adjusted the

basis for any objections to the proposed adjustment.

The State Lands Commission shall schedule a public hearing on any such objections within 60 days of the mailing of the written objection to the parties and shall expeditiously attempt to resolve those objections with the parties. Any lands which may be determined or agreed to be free of the public trust or the Burton Act trust by virtue of the adjustment shall thereupon be free of those trusts; and any lands which may be determined or agreed to be held subject to those trusts by virtue of the adjustment shall thereupon be held subject to those trusts in accordance with Section 8 of this act.

SEC. 10. Nothing in this act shall be construed to prohibit or limit amendment of the Mission Bay Specific Plan by the city subsequent to the effective date of this act, and no sale, exchange, agreement, quitclaim, or other conveyance authorized, ratified, confirmed, made, or entered into pursuant to this act shall be affected by any such amendment, provided that (1) the city determines that any such amendment does not result in any significant impairment of the public trust uses provided for in the Mission Bay Specific Plan, and (2) the city notifies the State Lands Commission in writing of any such proposed amendment, and the State Lands Commission either consents to the amendment, or does not within 45 days from that notification specify in writing to the city the basis for any objections to the proposed amendment. The State Lands Commission shall schedule a public hearing on any objections within 60 days of the mailing of the written objections to the city and shall expeditiously attempt to resolve those objections with the city.

SEC. 11. Sales, conveyances, or exchanges made by the city pursuant to this act are hereby found to be of statewide significance and importance and, therefore, any ordinance, charter provision, or other provision of local law inconsistent with this act shall not be applicable to the sales, conveyances, or exchanges.

SEC. 12. Any agreement for the exchange or sale of, or trust termination over, granted tidelands pursuant to Section 4 or 5, or any agreement for a boundary line adjustment pursuant to Section 9, shall be conclusively presumed to be valid unless held to be invalid in an appropriate proceeding in a court of competent jurisdiction to determine the validity of the agreement commenced within 60 days after the recording of the agreement.

SEC. 13. The State Lands Commission and the city are authorized to modify any description and plat prepared and recorded pursuant to Chapter 1333 of the Statutes of 1968, as amended, and Section II of that certain agreement relating to transfer of the port of San Francisco from the State of California to the city and dated January 24, 1969, and to record the modified plat and description in the office of the recorder of the city.

SEC. 14. This act is an urgency statute 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 the necessity are:

Certain of the granted tidelands are proposed to be more fully used by the city as a part of a development project that will maximize benefit to the trust purposes in furtherance of which the granted tidelands are held. The project will substantially and immediately further those trust purposes to an extent that would not be possible in the absence of the project. An immediate clarification of the availability of granted tidelands is necessary in order to avoid prolonged delays in realizing the fullest use of those lands for the maximum benefit of the statutory trust purposes. It is necessary, therefore, that this act take effect immediately.

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