

CHAPTER 34

An act to amend Section 1 of Chapter 1359 of the Statutes of 1945, relating to the granting of certain lands, salt marsh, tidelands, submerged lands, swamp and overflowed lands of the State of California to the City of Redwood City, including the management, use and control thereof, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor April 16, 1954. Filed with
Secretary of State April 16, 1954.]

In effect
immediately

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

SECTION 1. Section 1 of Chapter 1359 of the Statutes of 1945 is amended to read:

Section 1. There is hereby granted to the City of Redwood City, a municipal corporation of the State of California, and to its successors, all of the rights, title and interest of the State of California held by said State by virtue of its sovereignty in and to all lands, salt marsh, tidelands and submerged lands, swamps and overflowed lands, whether filled or unfilled, included within that portion of the City of Redwood City, County of San Mateo, State of California, particularly described as follows:

Beginning at a point in the line of privately owned lands on the northwesterly bank of Redwood Creek, at the intersection thereof with the line of privately owned lands on the southerly bank of Corkscrew Slough in Sec. 5 of T. 5 S., R. 3 W.; running thence S. 45 degrees E. across Redwood Creek to the line of privately owned lands on the southeasterly bank of said creek; thence southwesterly along said line of privately

Grant and
conveyance
of tidelands
to Red-
wood City

Description

owned lands to and across the mouth of West Point Creek to the line of privately owned lands at the junction of the southerly bank of said West Point Creek and the southeasterly bank of Redwood Creek; thence southeasterly along the line of privately owned lands on said southeasterly bank of Redwood Creek to the mouth of Boundary Slough; thence along the line of privately owned lands on the southeasterly bank of Boundary Slough and on the northerly bank thereof to the intersection of said line of privately owned lands with the northwesterly line of a public highway known as Harbor Boulevard; thence southwesterly along said line of said highway to the line of privately owned lands on the southerly bank of Boundary Slough; thence westerly and northerly along said line of privately owned lands on the southerly bank of said slough to the junction thereof with the line of privately owned lands on the southeasterly bank of Redwood Creek; thence southwesterly, southerly, southeasterly, southwesterly and southerly along the line of privately owned lands of said bank of Redwood Creek to the northeasterly boundary line of Rancho las Pulgas; thence northwesterly along said boundary line and across Redwood Creek to the line of privately owned lands on the westerly bank of Redwood Creek; thence northeasterly, northerly, northwesterly, northerly, and northeasterly along the line of privately owned lands on the westerly bank of Redwood Creek across the mouth of Smith Slough and both mouths of Deepwater Slough to the point of beginning.

Also beginning at a point in the line of privately owned lands on the easterly bank of Redwood Creek at the intersection thereof with the line of privately owned lands on the northerly bank of a slough running through Swamp and Overflowed Lands Survey No. 15, sometimes known as Steinberger Creek; running thence southeasterly and easterly along the line of privately owned lands on the northerly bank of said Steinberger Creek to the easterly boundary line of said City of Redwood City; thence southerly along said boundary line to the intersection thereof with the line of privately owned lands on the southwesterly bank of said Steinberger Creek; thence northerly and westerly along the line of privately owned lands on the southerly bank of said Steinberger Creek to the intersection thereof with the line of privately owned lands on the easterly bank of said Redwood Creek; and thence northeasterly across said Steinberger Creek to the point of beginning; it being the intention of this act to convey to the City of Redwood City all right, title and interest of the State in and to the areas of Redwood Creek, Boundary Slough and Steinberger Creek within the City of Redwood City between the first course in the above description and the northerly boundary line of said Rancho las Pulgas.

Conditions: To be forever held by said city, and 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 its successors, only for the establishment, improvement and conduct of a harbor, including an airport or aviation facilities, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures, facilities and appliances necessary or convenient for the promotion and accommodation of commerce and navigation by air as well as by water, and for the construction, maintenance, and operation of flood control projects, and 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 purposes whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods (but in no event exceeding 50 years), for wharves and other public uses and purposes and may lease said lands, or any part thereof, for limited periods (but in no event exceeding 50 years), for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce and navigation at said harbor, and collect and retain rents from such leases.

Use

(b) That said lands shall be improved by said city without expense to the State, and shall always remain available for public use for all purposes of commerce and navigation, and the State of California shall have at all times, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements and facilities constructed on said lands, or any part thereof, for any vessel or other water or aircraft, or railroad, owned or operated by the State of California.

Improve-
ments

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures, appliances or facilities mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

Rate dis-
crimination

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purposes.

Reservations:
Right to fish

(e) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, 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 land; provided, however, that dredging operations may be conducted by or on behalf of said grantee in any part of the granted areas for the improvement of navigation in Redwood Creek and the spoils resulting from such dredging may be disposed of at the discretion of the City of Redwood City, and if any monetary benefit is derived from the disposal of sand or shell, such benefit shall inure to the State of California.

Mineral
deposits

(f) The lands herein described are granted subject to the express reservation and condition that the State may at any

Highway
rights of way

time in the future use said lands or any portion thereof for highway right of way purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements 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 taken or the damages to such interest.

Survey, rec-
ordation,
etc.

SEC. 2. The State Lands Commission shall, at the cost of the grantee, survey, monument, plat, and record in the Office of the Recorder of San Mateo County, the area of state lands described in this act.

Urgency

SEC. 3. 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:

The City of Redwood City is engaged in a project of flood control which includes the construction and maintenance of a floodgate which affects the lands described in this act and which is designed to alleviate the critical flood control problem. In order for this program to proceed promptly and without undue and costly delay, it is necessary that this act take effect immediately.
