CHAPTER 245.

An act granting to the city of San Mateo the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, and grant franchises and leases thereon, and regulating the management, use and control thereof, and authorizing suits against said city and the State to quiet title to any such lands, and regulating the procedure therein and conditions under which said suits may be brought.

[Approved by the Governor May 8, 1933. In effect August 21, 1933.]

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

SECTION 1. There is hereby granted to the city of San Mateo, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State
of California, held by said State by virtue of its sovereignty, in and to all the salt marsh, tide and submerged lands whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit: That said lands shall be used by said city and its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, 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 purpose whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor, for a term not exceeding twenty-five years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding twenty-five years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reservation to the said city, on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes, and for such public and municipal purposes and uses as may be deemed necessary by the said city; provided, however, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands abutting on said lands, within the boundaries of the city of San Mateo, shall have the right to obtain a lease for a term of twenty-five years from said city of said land and wharfing out privileges therefrom with a right of renewal for a further term of twenty-five years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first twenty-five years or refuse to renew the same, or to terminate the lease so renewed during the term of such
renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify. Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quitclaim to said city any right they or any of them may claim or have to the said lands hereby granted. This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted. The State of California shall have at all times the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands or any part thereof, for any vessel or other water craft or railroad owned or operated by the State of California. 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 in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section. There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose. This grant is without prejudice to the rights of any person, firm or corporation who may claim title to any such land or lands by virtue of any sale thereof under the provisions of the following act, to wit: An act entitled "An act to provide for the management and sale of lands belonging to the State," approved March 28, 1868, or under the provisions of the act entitled "An act to provide for the sale of certain lands belonging to the State," approved April 27, 1863, where full payment has been made therefor and no patent has been made or delivered by or on behalf of the State of California, or where the patent from the State of California therefor has been lost or destroyed, and was never recorded in the office of the county recorder of San Mateo County, or where relief has been granted to a purchaser or purchasers under the provisions of an act entitled "An act for the relief of purchasers of State lands," approved March 27, 1872; and any such person, firm or corporation is hereby authorized to bring suit against the said city of San Mateo and the State of California in any court of competent jurisdiction in said State, to quiet title to said land, or any portion thereof, and to prosecute the same to final judgment. In any case where such full payment has been made, or in any case where relief has been granted under the provisions of said act approved March 27, 1872, the title of the plaintiff may be quieted against the said city of San Mateo and the State of California in and by such judgment, whether or not any such patent has been made or delivered; provided, however, that it shall first appear that all taxes levied against such property during the thirty years next preceding the commencement of the action, have been fully paid.
CHAPTER 246.

An act adding section 470a to the Political Code, authorizing and empowering the Attorney General to prosecute or defend, when in his opinion the public interest so requires, any action involving title, possession or boundaries of any lands belonging to the State of California or in which it has any interest.

[Approved by the Governor May 8, 1933. In effect August 21, 1933.]

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

SECTION 1. A new section is hereby added to the Political Code, to be numbered 470a, and to read as follows:

470a. Whenever any action is brought against the State or any officer or department thereof involving the title, or right to possession or any question of boundary, of any lands belonging to the State or in which it has any interest, the Attorney General may, when in his judgment the public interest so requires, either upon his own motion or upon the request of any officer or State department, appear as attorney in said action in defense of the State or of said officer or State department; and likewise the Attorney General may, upon his own motion or upon the request of any State department or officer, institute any such action in the name of the people of the State of California, or on behalf of any department of said State, whenever in his judgment the public interest so requires.