
CHAPTER 818

An act conveying in trust certain tidelands and submerged lands in the County of Santa Cruz to the Santa Cruz Port District in furtherance of navigation and commerce and the fisheries and providing for the government, management and control thereof, and reserving rights to the state.

[Approved by Governor July 31, 1968. Filed with
Secretary of State July 31, 1968]

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

SECTION 1. There is hereby granted to the Santa Cruz Port District, 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 the tidelands and submerged lands, whether

filled or unfilled, situated in the County of Santa Cruz, which are described as follows:

1. Parcel 1.

Beginning at the common point where the easterly boundary of Section 18, T. 11 S., R. 1 W. intersects the angle point in the easterly boundary of the City of Santa Cruz shown on that Record of Survey Map of part of "East Boundary of City of Santa Cruz" filed in Volume 32 at Page 43, Santa Cruz County Official Records; thence North $24^{\circ} 25' 43''$ East (said bearings being rotated $1^{\circ} 47' 49''$ clockwise from the County Plat mentioned above for the purposes of this description to conform to the basis of bearings used by the United States Corps of Engineers on their Drawing No. 83-55-1 dated 15 Dec. 1961) 496.76 feet; thence South $63^{\circ} 41' 47''$ East 234.34 feet; thence North $27^{\circ} 13' 13''$ East 100.00 feet; thence South $63^{\circ} 41' 47''$ East 25.92 feet; thence South $22^{\circ} 17' 01''$ West 736.65 feet; thence South $39^{\circ} 41' 11''$ West 374.83 feet; thence South $87^{\circ} 28' 13''$ West 58.08 feet; thence South $89^{\circ} 28' 13''$ West 79.20 feet; thence North $88^{\circ} 31' 47''$ West 226.71 feet; thence North $36^{\circ} 19' 25''$ East 672.21 feet to the point of beginning.

2. Parcel 2.

Beginning at a point which bears North $24^{\circ} 25' 43''$ East (said bearings being rotated $1^{\circ} 47' 49''$ clockwise from the County Plat mentioned below for the purposes of this description to conform to the basis of bearings used by the United States Corps of Engineers on their Drawing No. 83-55-1 dated 15 Dec. 1961) 496.76 feet from the common point where the easterly boundary of Section 18, T. 11 S., R. 1 W. intersects the angle point in the easterly boundary of the City of Santa Cruz shown on that Record of Survey Map of part of "East Boundary of City of Santa Cruz," filed in Volume 32 at Page 43, Santa Cruz County Official Records; thence North $24^{\circ} 25' 43''$ East 344.54 feet; thence South $63^{\circ} 40' 59''$ East 298.21 feet; thence South $36^{\circ} 11' 35''$ West 85.87 feet; thence South $27^{\circ} 32' 21''$ West 29.77 feet; thence South $30^{\circ} 33' 39''$ West 130.47 feet; thence North $63^{\circ} 41' 47''$ West 25.92 feet; thence South $27^{\circ} 13' 13''$ West 100.00 feet; thence North $63^{\circ} 41' 47''$ West 234.34 feet to the point of beginning.

3. Parcel 3.

Beginning at a point which bears North $24^{\circ} 25' 43''$ East (said bearings being rotated $1^{\circ} 47' 49''$ clockwise from the County Plat mentioned below for the purposes of this description to conform to the basis of bearings used by the United States Corps of Engineers on their Drawing No. 83-55-1 dated 15 Dec. 1961) 841.30 feet from the common point where the easterly boundary of Section 18, T. 11 S., R. 1 W. intersects the angle point in the easterly boundary of the City of Santa Cruz shown on that Record of Survey Map of part of "East Boundary of City of Santa Cruz, filed in Volume

32 at Page 43, Santa Cruz County Official Records; thence North $24^{\circ} 25' 43''$ East 79.04 feet; thence South $63^{\circ} 43' 52''$ East 294.88 feet; thence South $27^{\circ} 06' 02''$ West 29.09 feet; thence South $19^{\circ} 05' 39''$ West 50.39 feet; thence North $63^{\circ} 40' 59''$ West 298.21 feet to the point of beginning.

4. Parcel 4.

Beginning at a point which bears North $24^{\circ} 25' 43''$ East (said bearings being rotated $1^{\circ} 47' 49''$ clockwise from the County Plat mentioned below for the purposes of this description to conform to the basis of bearings used by the United State Corps of Engineers on their Drawing No. 83-55-1 dated 15 Dec. 1961) 920.34 feet from the common point where the easterly boundary of Section 18, T. 11 S., R. 1 W. intersects the angle point in the easterly boundary of the City of Santa Cruz shown on that Record of Survey Map of part of "East Boundary of City of Santa Cruz," filed in Volume 32 at page 43. Santa Cruz County Official Records; thence North $24^{\circ} 25' 43''$ East 50.00 feet; thence South $63^{\circ} 42' 39''$ East 305.83 feet; thence South $36^{\circ} 52' 40''$ West 50.76 feet; thence North $63^{\circ} 43' 52''$ West 294.88 feet to the point of beginning.

5. Parcel 5.

Beginning at a point which bears North $24^{\circ} 25' 43''$ East (said bearings being rotated $1^{\circ} 47' 49''$ clockwise from the County Plat mentioned below for the purposes of this description to conform to the basis of bearings used by the United States Corps of Engineers on their Drawing No. 83-55-1 dated 15 Dec. 1961) 970.34 feet from the common point where the easterly boundary of Section 18, T. 11 S., R. 1 W. intersects the angle point in the easterly boundary of the City of Santa Cruz shown on that Record of Survey Map of Part of "East Boundary of City of Santa Cruz," filed in Volume 32 at Page 43. Santa Cruz County Official Records; thence North $24^{\circ} 25' 43''$ East 43.40 feet; thence North $54^{\circ} 08' 43''$ East 100.73 feet; thence South $63^{\circ} 42' 39''$ East 285.00 feet; thence South $36^{\circ} 52' 40''$ West 134.66 feet; thence North $63^{\circ} 42' 39''$ West 305.83 feet to the point of beginning.

6. Parcel 6.

Beginning at a point which bears North $24^{\circ} 25' 43''$ East (said bearings being rotated $1^{\circ} 47' 49''$ clockwise from the County Plat mentioned below for the purposes of this description to conform to the basis of bearings used by the United States Corps of Engineers on their Drawing No. 83-55-1 dated 15 Dec. 1961) 1013.74 feet and North $54^{\circ} 08' 43''$ East 100.73 feet from the common point where the easterly boundary of Section 18, T. 11 S., R. 1 W. intersects the angle point in the easterly boundary of the City of Santa Cruz shown on that Record of Survey Map of part of "East Boundary of City of San Cruz," filed in Volume 32 at Page 43, Santa Cruz County Official Records; thence North 54°

08' 43" East 382.59 feet; thence North 22° 55' 04" East 58.15 feet; thence North 50° 40' 04" East 134.27 feet; thence South 63° 29' 49" East 80.00 feet; thence South 26° 58' 51" West 513.71 feet; thence North 63° 42' 39" West 285.00 feet to the point of beginning.

7. Parcel 7.

Beginning at the Southwestern corner of the above mentioned land and running thence from said point of beginning South 63° 29' 49" East along the Southern line of said lands 156.39 feet; thence leaving said Southern line North 34° 05' 30" West 158.21 feet to the Western line of said lands; thence along said Western line South 22° 40' 04" West 31.64 feet and South 50° 40' 04" West 50.53 feet to the place of beginning.

8. Parcel 8.

Beginning at a point which bears North 24° 25' 43" East (said bearings being rotated 1° 47' 49" clockwise from the County Plat mentioned below for the purposes of this description to conform to the basis of bearings used by the United States Corps of Engineers on their Drawing No 83-55-1 dated 15 Dec. 1961) 1013.74 feet from the common point where the easterly boundary of Section 18, T. 11 S., R. 1 W. intersects the angle point in the easterly boundary of the City of Santa Cruz shown on that Record of Survey Map of Part of "East Boundary of City of Santa Cruz," filed in Volume 32 at Page 43, Santa Cruz County Official Records; thence North 46° 53' 29" West 501.89 feet; thence North 35° 26' 10" East 120.00 feet; thence South 52° 00' 00" East 220.00 feet; thence North 87° 30' East 60.00 feet; thence North 30° 00' 00" East 255.00 feet; thence North 14° 30' East 70.00 feet; thence North 10° 20' East 110.00 feet; thence North 36° 32' East 380.96 feet; thence South 41° 59' 28" East 288.6 feet; thence South 27° 41' 53" East 183.57 feet; thence South 22° 39' 23" East 182.47 feet; thence South 15° 20' 29" East 177.30 feet; thence South 22° 40' 04" West 31.64 feet; thence South 50° 40' 04" West 184.80 feet; thence South 2° 55' 04" West 58.15 feet; thence South 54° 08' 43" West 483.32 feet to the point of beginning.

9. Parcel 9

Beginning at a point which bears North 24° 25' 43" East (said bearings being rotated 1° 47' 49" clockwise from the County Plat mentioned below for the purposes of this description to conform to the basis of bearings used by the United States Corps of Engineers on their Drawing No. 83-55-1 dated 15 Dec. 1961) 1013.74 feet and North 46° 53' 29" West 359.43 feet from the common point where the easterly boundary of Section 18, T. 11 S., R. 1 W. intersects the angle point in the easterly boundary of the City of Santa Cruz shown on that Record of Survey Map of Part of "East Boundary of City of Santa Cruz," filed in Volume 32 at Page 43, Santa Cruz County Official Records; thence South 81° 52' 26" West 178.84

feet: thence North 30° 00' 00" East 143.18 feet; thence South 46° 53' 29" East 144.46 feet to the point of beginning

10. Parcel 10

Beginning at a point which bears North 24° 25' 43" East (said bearings being rotated 1° 47' 49" clockwise from the County Plat mentioned below for the purposes of this description to conform to the basis of bearings used by the United States Corps of Engineers on their Drawing No. 83-55-1 dated 15 Dec. 1961) 1013.74 feet and North 46° 53' 29" West 213.99 feet from the common point where the easterly boundary of Section 18, T. 11 S., R. 1 W. intersects the angle point in the easterly boundary of the City of Santa Cruz shown on that Record of Survey Map of part of "East Boundary of City of Santa Cruz." filed in Volume 32 at page 43, Santa Cruz County Official Records; thence South 81° 52' 26" West 208.88 feet; thence North 36° 24' 44" West 128.78 feet; thence North 81° 52' 26" East 178.84 feet; thence South 46° 53' 29" East 145.44 feet to the point of beginning

11. Parcel 11.

Beginning at a point which bears North 24° 25' 43" East (said bearings being rotated 1° 47' 49" clockwise from the County Plat mentioned below for the purposes of this description to conform to the basis of bearings used by the United States Corps of Engineers on their Drawing No. 83-55-1 dated 15 Dec. 1961) 1013.74 feet and North 46° 53' 29" West 135.56 feet from the common point where the easterly boundary of Section 18, T. 11 S., R. 1 W. intersects the angle point in the easterly boundary of the City of Santa Cruz shown on that Record of Survey Map of part of "East Boundary of City of Santa Cruz" filed in Volume 32 at page 43, "Santa Cruz County Official Records; thence South 81° 52' 26" West 225.00 feet; thence North 36° 24' 44" West 69.48 feet; thence North 81° 52' 26" East 208.88 feet; thence South 46° 53' 29" East 78.43 feet to the point of beginning.

12. Parcel 12.

Beginning at a point which bears North 24° 25' 43" East (said bearings being rotated 1° 47' 49" clockwise from the County Plat mentioned below for the purposes of this description to conform to the basis of bearings used by the United States Corps of Engineers on their Drawing No. 83-55-1 dated 15 Dec. 1961) 221.35 feet from the common point where the easterly boundary of Section 18, T. 11 S., R. 1 W. intersects the angle point in the easterly boundary of the City of Santa Cruz shown on that Record of Survey Map of part of "East Boundary of City of Santa Cruz," filed in Volume 32 at page 43, Santa Cruz County Official Records; thence North 88° 20' 30" West 322.59 feet; thence North 49° 44' 25" East 197.04 feet; thence North 26° 00' 44" East 363.85 feet; thence North 12° 51' 51" East 172.71 feet, thence North 7° West 150.00 feet;

thence North $81^{\circ} 52' 26''$ East 225.00 feet; thence South $46^{\circ} 53' 29''$ East 133.56 feet; thence South $24^{\circ} 25' 43''$ West 792.39 feet to the point of beginning.

13. Parcel 13.

Beginning at a point which bears North $24^{\circ} 25' 43''$ East (said bearings being rotated $1^{\circ} 47' 49''$ clockwise from the County Plat mentioned below for the purposes of this description to conform to the basis of bearings used by the United States Corps of Engineers on their Drawing No. 83-55-1 dated 15 Dec. 1961) 132.75 feet from the common point where the easterly boundary of Section 18, T. 11 S., R. 1 W. intersects the angle point in the easterly boundary of the City of Santa Cruz shown on that record of Survey Map of part of "East Boundary of City of Santa Cruz" filed in Volume 32 at Page 43, Santa Cruz County Official Records; thence North $88^{\circ} 20' 39''$ West 350.14 feet; thence North $38^{\circ} 41' 18''$ East 102.34 feet; thence South $88^{\circ} 20' 30''$ East 322.59 feet; thence South $24^{\circ} 25' 43''$ West 88.60 feet to the point of beginning.

14. Parcel 14.

Beginning at a point which bears North $24^{\circ} 25' 43''$ East (said bearings being rotated $1^{\circ} 47' 49''$ clockwise from the County Plat mentioned below for the purposes of this description to conform to the basis of bearings used by the United States Corps of Engineers on their Drawing No. 83-55-1 dated 15 Dec. 1961) 49.51 feet from the common point where the easterly boundary of Section 18, T. 11 S., R. 1 W. intersects the angle point in the easterly boundary of the City of Santa Cruz shown on that Record of Survey Map of part of "East Boundary of City of Santa Cruz", filed in Volume 32 at Page 43, Santa Cruz County Official Records; thence North $88^{\circ} 20' 39''$ West 375.82 feet; thence North $38^{\circ} 41' 18''$ East 96.16 feet; thence South $88^{\circ} 20' 39''$ East 350.14; thence South $24^{\circ} 25' 48''$ West 83.24 feet to the point of beginning.

15. Parcel 15.

Beginning at the common point where the easterly boundary of Section 18, T. 11 S., R. 1 W. intersects the angle point in the easterly boundary of the City of Santa Cruz shown on that Record of Survey Map of part of "East Boundary of City of Santa Cruz", filed in Volume 32 at Page 43, Santa Cruz County Official Records; thence South $36^{\circ} 19' 25''$ West (said bearings being rotated $1^{\circ} 47' 49''$ clockwise from the County Plat mentioned above for the purposes of this description to conform to the basis of bearings used by the United States Corps of Engineers on their Drawing No. 83-55-1 dated 15 Dec. 1961) 37.83 feet; thence North $88^{\circ} 20' 39''$ West 393.06 feet; thence North $38^{\circ} 41' 18''$ East 96.16 feet; thence South $88^{\circ} 20' 39''$ East 375.82 feet; thence South $24^{\circ} 25' 43''$ West 49.51 feet to the point of beginning.

16. Parcel 16.

Beginning at a point which bears South $36^{\circ} 19' 25''$ West (said bearings being rotated $1^{\circ} 47' 49''$ clockwise from the County Plat mentioned below for the purposes of this description to conform to the basis of bearings used by the United States Corps of Engineers on their Drawing No. 83-55-1 dated 15 Dec. 1961) 37.83 feet from the common point where the easterly boundary of Section 18, T. 11 S., R. 1 W. intersects the angle point in the easterly boundary of the City of Santa Cruz shown on that Record of Survey map of part of "East Boundary of City of Santa Cruz" filed in Volume 32 at Page 43. Santa Cruz County Official Records; thence South $36^{\circ} 19' 25''$ West 634.38 feet; thence North $89^{\circ} 49' 35''$ West 298.87 feet; thence North $28^{\circ} 37'$ East 81.78 feet; thence North 12° East 131.00 feet; thence North $24^{\circ} 31' 01''$ East 135.21 feet; thence North $38^{\circ} 41' 18''$ East 254.56 feet; thence South $88^{\circ} 20' 39''$ East 393.05 feet to the point of beginning.

To be forever held by said district and by its successors in trust for the use and purposes, and upon the express conditions following, to wit:

(a) That said lands shall be used by said district 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 the establishment, improvement and conduct of an airport or 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.

(3) 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.

(4) 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.

(5) 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, cafés, restaurants, motels, hotels, apartments, residences, 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, pedestrian ways and landscaped areas.

(b) Said district, 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 district, 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 district, nor by the district 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 district 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 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, 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 district, 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 district, survey and monument the granted lands and record a description and plat thereof in the office of the County Recorder of Santa Cruz County.

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

(k) The district shall cause to be made and filed with the Department of Finance, annually, a detailed statement of receipts and expenditures by it of all rents, revenues, issues and profits in any manner hereafter arising from the granted lands or any improvements, betterments or structures thereon.