CHAPTER 310.

An act conveying to the city of Vallejo certain tide lands and lands of the State of California lying under inland navigable waters within the boundaries of the said city, situate in the Napa creek, the Mare island straits and the straits of Carquinez, including the right to wharf out therefrom to the city of Vallejo, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

[Approved June 11, 1913. In effect August 10, 1913.]

WHEREAS, Since the admission of California into the Union, all tide lands along navigable waters of this state and all lands lying beneath the navigable waters of the state have been and now are held in trust by the state for the benefit of all the inhabitants thereof for the purposes of navigation, commerce and fishing; and

WHEREAS, It is the duty of the state to govern, administer and control such lands and to improve and develop navigation, commerce and fishing thereon and thereover; and

WHEREAS, The state has not the general power of alienation of such lands but may, when the interests of commerce, navigation and fishing require it, convey to municipalities limited and defined areas of such lands with the power to govern, control, improve and develop the same in the interests of all the inhabitants of the state; and

WHEREAS, The conveyance to the city of Vallejo of the lands hereinafter described, together with the right to govern, control, improve and develop the same will result in great advantage and benefit to all the inhabitants of the state, it is provided:

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

SECTION 1. There is hereby granted and conveyed to the city of Vallejo, a municipal corporation, in the county of Solano, 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 tide lands and lands lying under inland navigable waters within the boundaries of the present city of Vallejo, situate in the Napa creek, the Mare Island straits and the Straits of Carquinez, lying and being between the line of mean high tide and the pier head line in said straits, as the same has been or may hereafter be established by the federal government, and the right to wharf out therefrom to the city of Vallejo, to be forever held by said city
and by its successors in trust for the uses and purposes and
upon the expressed conditions following to wit: That said
lands shall be used by said city and its successors, only 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, struc-
tures and appliances necessary or convenient for the promo-
tion and accommodation of commerce and navigation, and
said city, or its successors shall not; at any time, grant, con-
vey, give or alien said lands, or any part thereof, to any indi-
vidual, firm or corporation for any purposes whatever; pro-
vided, 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 Cali-
for,nia, and with the requirements of commerce and naviga-
tion 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 ter-
minate 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 inter-
fere with navigation or commerce, with revision to the said
city on the termination of said lease or leases of any and all
improvements thereon, and on such other terms and condi-
tions 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 wharving out
privileges of a street, or of such other reservation as the said
city may determine for a belt line railroad or other railroad
where the same may be deemed necessary by the said city;
and such other reservations as the city may require, and for
sewer outlots, and for gas and oil mains and water 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 pos-
session of land or lands within the boundaries of the said city
of Vallejo as hereinbefore firstly described, situate in the
Napa creek, the Mare Island straits and the Straits of Car-
quinez, and lying and being between the line of mean high tide
and the pier head line in said straits, as the same has been or
may hereafter be established by the federal government, shall
have a right to obtain a lease for a term of twenty-five years
from said city of said land and wharving out privileges there-
from 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, and
said renewed lease may be terminated at any time by mutual
agreement of the city and the lessee, on such just and reasonable terms for compensation for improvements as may be mutually agreed upon. 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 watercraft, 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.

Sec. 2. The foregoing conveyance is made upon the condition that the city of Vallejo shall, within five years from the approval of this act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this state or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, cause to be expended for harbor improvement purposes an amount not less than twenty-five thousand ($25,000) dollars. If said harbor improvement work be not done and if said amount be not expended for harbor improvement as herein provided, then the lands by this act conveyed to the city of Vallejo shall revert to the State of California.