

CHAPTER 365.

An act to amend section 2 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the city of Santa Barbara, subject to certain trusts," approved April 16, 1925, as amended, relating to tidelands and submerged lands, granting additional lands to the city of Santa Barbara, expressing the trusts and restrictions imposed thereon, releasing certain lands from trusts and restrictions heretofore imposed, and authorizing

Stats 1927,
p 181,
amended

the conveyance of certain lands to the State, and declaring the urgency thereof, to take effect immediately.

[Approved by the Governor May 24, 1937. In effect immediately.]

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

Stats 1937,
Ch 13.

SECTION 1. Section 2 of the act cited in the title hereof is hereby amended to read as follows:

Release of
certain
lands from
restrictions
and trusts

Sec. 2. All of the following described property, to wit: All reclaimed or filled lands or lands formed by accretions due to artificial obstructions lying within the city of Santa Barbara and seaward of the mean high tide line of the Pacific Ocean, as the same existed on April 16, 1925, and bounded on the seaward side by the mean high tide line of the Pacific Ocean now existing and extending easterly from Santa Barbara Point to a point on the easterly city limits line where said line intersects the mean high tide line of the Pacific Ocean; which was formerly tidelands and submerged lands, is hereby declared to have ceased to be tidelands, and submerged lands, and to be free from all trusts and restrictions imposed on said lands under and by any of the provisions of this act except that 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 whatsoever; provided, however, that the city of Santa Barbara, or its successors, may use, lease, rent, or otherwise let said lands, in parcels not to exceed ten acres to any one person, firm or corporation and for limited periods not to exceed twenty-five years, with the right of the city to renew the same for any and all purposes which shall not interfere with the use of the tidelands of the Santa Barbara channel lying seaward of said lands. If, during such lease, rental or other holding, such holding shall interfere with the use of any of the tidelands of Santa Barbara channel lying seaward of said property for navigation, commerce and fisheries, or in any manner become inconsistent with the trusts under which said tidelands are held by said city, the city shall have the right to terminate such holding and compensate such holder for the loss incurred, not exceeding an amount to be agreed upon by the terms of the lease or other holding.

Restriction
on
conveyance.

Leases

Additional
lands
granted

Lease or
conveyance
to State

There is hereby granted and conveyed to the city of Santa Barbara, a municipal corporation, and to its successors, all right, title and interest of the State of California in and to the reclaimed or filled lands or lands formed by accretions due to artificial obstructions hereinbefore in this section described, subject only to the restrictions and conditions contained in this section; except that, notwithstanding anything contained in this act, the city of Santa Barbara is hereby authorized, notwithstanding any law to the contrary, to lease to the State of California for a period of not to exceed ninety-nine years, or to convey to the State of California, that part of said reclaimed or filled lands or lands formed by accretions,

to wit: Commencing at the most southerly end of the 14th course, as given in a description of that certain real property described in a deed to Thos. B. Dibblee dated December 16, 1876, and recorded in Book "R" at page 98 of Deeds of Santa Barbara County records; thence S. 57° 19' 20" E. 406.18 feet to the point of intersection of a curve to the left having a radius of 170.00 feet, a delta of 56° 25', the long chord of which bears S. 85° 31' 50" E. 160.71 feet, said curve being the first course as described in Parcel 5 in a deed from the State of California to the City of Santa Barbara, dated August 15, 1934, and recorded in Book 314 of the official records at page 460 of Santa Barbara County records; thence N. 66° 15' 40" E. along the semitangent of said curve 91.18 feet to the end thereof; thence N. 58° 21' 34" E. 67.80 feet to the true point of beginning; said point of beginning being a point on the line of ordinary high water mark of the Pacific Ocean as given in a deed to Thos. B. Dibblee dated December 16, 1876, herein first above mentioned; thence S. 20° 39' 20" E. 355.00 feet to a point; thence N. 69° 20' 40" E. 735.00 feet to a point; thence N. 20° 39' 20" W. 355.00 feet more or less to a point on the line of ordinary high water mark of the Pacific Ocean as described in the deed of Dibblee herein first above mentioned; thence southerly and westerly along said line of high water mark of the Pacific Ocean to the true point of beginning containing 5.99 acres more or less; upon the condition that the said property shall be improved by the erection and construction thereon of an athletic field and stadium for Santa Barbara State College, costing not less than thirty thousand dollars, within three years after the date of such lease or conveyance. In the event the lands described in this paragraph are leased to the State of California as herein provided, the lease shall provide that the lands may be conveyed to the State during the term of said lease and upon such conveyance the lease shall terminate and be of no further force and effect. Whenever said lands shall be conveyed to the State of California, the conveyance may provide for the forfeiture of title to said lands to said city in the event said condition is not complied with and also in the event that the use of said property as an athletic field for such State college shall ever be discontinued by the State, for a period as long as one year.

Conditions
of
conveyance

SEC. 2. This act is hereby declared to be an urgency measure within the meaning of section 1 of Article IV of the Constitution, necessary for the immediate preservation of the public peace, health and safety, and shall therefore take effect immediately.

Urgency.

The following is the statement of facts constituting such necessity:

It is intended that there shall be erected and constructed on certain of the lands referred to in this act to be conveyed by the city of Santa Barbara to the State, an athletic field and stadium for Santa Barbara State College, and it is necessary that the lands be conveyed as soon as possible in order that

work may be commenced promptly so that this athletic field and stadium will be available for use during the fall semester of the present year. The prompt completion of an adequate athletic plant at Santa Barbara State College will be of substantial benefit both to the students at the college and to the residents of the city of Santa Barbara.
