

CHAPTER 2044

An act declaring portions of the lands granted to the County of Orange by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the County of Orange in said State upon certain trusts and conditions," approved May 25, 1919, as amended, which have been and which may be hereafter improved, filled, and reclaimed, unavailable and unuseful for navigation, commerce, and fisheries, and excluding such portions from use for navigation, commerce, and fisheries, and providing that such portions, and other portions of the lands granted by said act, may be irrevocably alienated and conveyed free of public use and trust by the said county by exchanging such lands with the owner or owners of uplands contiguous thereto.

[Approved by Governor July 8, 1957. Filed with
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In effect
September
11, 1957

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

SECTION 1. That portions of the lands heretofore granted to the County of Orange by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the County of Orange in said State upon certain trusts and conditions," approved May 25, 1919, as amended, have been heretofore improved by adapting the same to use for navigation in connection with the plan heretofore adopted and established for the improvement and development of Newport Bay in said County of Orange as a harbor, and that in

so adapting said lands to said use portions thereof which lie between the line of mean high tide and the established bulkhead or harbor lines have been filled and reclaimed, and that such portions of said lands as have been so filled and reclaimed are thereby excluded from the public channels and are no longer available or useful or susceptible of being used for navigation, commerce, and fishing, and are no longer in fact tidelands or submerged lands; and that the said portions of said lands which have been heretofore and which are now so improved, filled, and reclaimed are hereby declared to be free from the public use and trust for navigation, commerce, and fishery.

SEC. 2. That in connection with and in aid of the further improvement and development of the said Newport Bay as a harbor, portions of the said lands heretofore granted to the said county may be hereafter improved by adapting the same to use for navigation, and that in so adapting said lands to said use portions thereof which lie between the line of mean high tide and the established bulkhead or harbor lines may be hereafter filled and reclaimed, and portions of said lands so improved, filled, and reclaimed will be thereby excluded from the public channels and will no longer be available or useful or susceptible of being used for navigation, commerce, and fishing, and will no longer in fact be tidelands or submerged lands; and that such portions of said lands as shall be hereafter so improved, filled, and reclaimed by or in connection with the further improvement and development of said Newport Bay as a harbor shall, when so improved, filled, and reclaimed, be deemed free from the public use and trust for navigation, commerce, and fishery.

SEC. 3. That any and all of said portions of said lands hereinbefore referred to, which have been or which shall hereafter be improved, filled, and reclaimed, as hereinbefore provided, if and when so improved, filled, and reclaimed, may be irrevocably alienated and conveyed free of the public uses and trusts in said acts, by the said County of Orange, with the approval and concurrence of the State Lands Commission, to the owner or respective owners of the uplands lying contiguous thereto in exchange for lands of such owner or owners necessary or desirable for the improvement, development and conduct of said harbor upon a finding by the State Lands Commission that the lands located in the area commonly known as Upper Newport Bay which are to be exchanged are no longer useful for navigation, commerce, and fishing, and that the lands to be received in exchange are at least of equal value thereto. The lands received by the county in exchange shall be used by the county only for purposes of state-wide interest. Upon any conveyance as herein provided all right, title, and interest of the State and said County of Orange in the land exchanged shall vest in the grantee or grantees thereof.