

## CHAPTER 70.

*An act granting certain tidelands and submerged lands of the State of California to the city of Newport Beach upon certain trusts and conditions.*

[Approved by the Governor April 5, 1927. In effect July 29, 1927.]

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

SECTION 1. There is hereby granted to the city of Newport Beach, a municipal corporation of the State of California, and to its successors, all of the right, title, and interest of the State of California held by said state by virtue of its sovereignty, in and to all of the tidelands and submerged lands bordering upon, in, and under Newport bay, situated below the line of mean high tide of the Pacific ocean not heretofore granted to said city or to the county of Orange, to be forever held by the city of Newport Beach and by its successors in trust for the uses and purposes and upon the express conditions following, to wit:

Lands granted to Newport Beach.

(a) Said lands shall be used by said city and by its successors solely for the establishment, improvement and conduct of a harbor and for the establishment and construction of bulkheads or breakwaters for the protection of lands within its boundaries, or for the protection of its harbor, and for the construction, maintenance, and operation thereon of wharves, docks, piers, slips, quays, ways and streets, and other utilities, structures and appliances necessary or convenient for the promotion or accommodation of commerce and navigation, and for the protection of the lands within said city. 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 a period not exceeding twenty-five years for wharves, and other public uses and purposes, and may lease said lands or any part thereof for limited periods, in any event not to exceed twenty-five years for any and all purposes which shall not interfere with commerce or navigation, and are not inconsistent with the trusts upon which said lands are held by the State of California or with the requirements of commerce or navigation at said harbor.

Use of lands.

(b) Said harbor shall be improved by said city without expense to the state and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times the right to use, without charge, all wharves, docks, piers, slips, quays and other improvement 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.

Harbor

No discrim-  
nation

(c) In the management, conduct, or operation of said harbor or any of the utilities, structures, or appliances mentioned in paragraph (a) 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 by its successors. The absolute right to fish in the waters of said harbor with the right of convenient access to said water over said lands for said purpose is hereby reserved to the people of the State of California.

Right to  
fish