

CHAPTER 1427

An act conveying certain tide and submerged lands to the City of Manhattan Beach, in furtherance of navigation, commerce, and fisheries upon certain trusts and conditions, and providing for the government, management, use and control thereof.

[Approved by Governor June 27, 1955 Filed with
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In effect
September
7, 1955

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

SECTION 1. There is hereby granted to the City of Manhattan Beach, a municipal corporation, 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 tide and submerged lands, whether filled or unfilled, lying within the corporate limits of the City of Manhattan Beach, bordering upon, in, under and adjacent to the waters of the Pacific Ocean, and situated below the mean high tide line of the Pacific Ocean, to be forever held by said city, and its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

Conveyance
of tidelands
to City of
Manhattan
Beach

(a) That said lands shall be used by said city, and its successors, only for the establishment, improvement and conduct of a harbor and the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, roadways, parking areas and other utilities, structures, facilities and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and for the construction, maintenance and operation of public buildings, public works and playgrounds, and for public recreational purposes; 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 whatsoever; provided, however, that nothing herein contained shall be so construed as to prevent the city from granting easements, franchises or leases for limited periods not exceeding 50 years,

Limitations
on use

or rights of way in, under, over or across said tidelands or submerged lands for power, telephone, telegraph or cable lines or landings, sewage, disposal conduits, wharves and other public uses and purposes not inconsistent with the trusts upon which said lands are held, and collect and retain rents from such leases, franchises and privileges.

Improvement
of lands

(b) That said lands shall be improved by said city without expense to the State, and shall always remain available for public use 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 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.

Management

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a) hereof, 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.

Fishing
rights

(d) The absolute right to fish in the waters of said harbor, with the right of convenient access to said waters over said lands for said purpose, is hereby reserved to the people of the State of California; provided, however, that said city may take such measures as may be necessary in the interests of public safety to protect persons from moving vessels.

Reservation
of mineral
rights

(e) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said lands, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said lands.

Reservation
of right
of way

(f) 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 city, or its successors, or any person, firm, or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for highway purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

Records
plat, etc

SEC. 2. The State Lands Commission shall, at the cost of the grantee, survey, monument, plat, and record in the Office of the County Recorder of Los Angeles County, the area of state lands described in this act. Said city shall enter into a contract with the State Lands Commission for surveying, monumenting and platting the area of state lands described in this act, and shall, upon submission of invoices by the State Lands Commission, pay said costs.

Severability

SEC. 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the

act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.

SEC. 4. Nothing contained in this act shall preclude the city from accepting and retaining any grant of funds from the State made available for the purpose of aiding in the development of said lands for any public purpose not inconsistent with the promotion and accommodation of commerce and navigation.

Acceptance
of state
funds