

RESOLUTION NO. 263

WHEREAS, this City Council is of the opinion that the public interest of the people of the State of California and of The City of Chula Vista will be better served and promoted by removing certain restrictions from the use of a certain portion of the tidelands of San Diego Bay; and that this public interest demands the removal of certain restrictions from the lands to be filled above the bulkhead line, as such restrictions are now imposed by the Act of May 11th, 1925, conveying the tidelands to the City of Chula Vista and amendments thereto; and

WHEREAS, The City of Chula Vista is about to and will adopt a comprehensive plan for the development of said tidelands in the Harbor of San Diego Bay and in order to carry out such plan, it is necessary that the tidelands shoreward of the bulkhead line provided for in such plan be filled in and permanently released from the trusts and restrictions set forth in said Act of May, 11th, 1925; and

WHEREAS, the bulkhead line, as set forth in said plan, is either coincident with or shoreward of the bulkhead line of San Diego Bay as heretofore established; and

WHEREAS, the restrictions on the remaining portions of said tidelands below the bulkheadline, as imposed by said Act, are such as preclude the use of said lands for purposes to which they could be put, which purposes are not inconsistent with the said grant of May, 11th, 1925; and

WHEREAS, this City Council is of the opinion that the Legislature of the State of California should be importuned to amend the said Act of May, 11th, 1925.

NOW, THEREFORE,

BE IT RESOLVED, By the City Council of the City of Chula Vista, as follows:

That the said Act of May, 11th, 1925, conveying the tidelands to the City of Chula Vista be amended to declare that portion of said lands shoreward of the Bulkhead Line to have ceased to be tidelands and to be free from all trusts and restrictions imposed by the said Act of May 11th, 1925

PROVIDED, HOWEVER, that said filled lands shall never be used for any purpose which shall interfere with commerce or navigation of San Diego Bay and the ingress and egress thereto; and provided further, that The City of Chula Vista, or its assigns, shall not at any time have the right to sell, convey, give or alien said lands except that the City may use, lease rent or let, to any person, firm or corporation for a term not exceeding 50 years, but said leases, rentals or letting may be renewed.

That said amendment to said Act of May, 11th, 1925 further modify the restrictions for the use of the tidelands bayward of the bulkhead line so that the City may let, rent, lease or use any portion of said lands, for a period not to exceed 50 years, for any and all purposes which shall not interfere with the use of said lands for navigation, commerce and fisheries

PROVIDED, HOWEVER, that the City of Chula Vista shall at all times reserve the right, to, at any time such lease, rental, letting or use shall interfere with the use of said tidelands for any purpose for which said grant of May 11th, 1925, was made, cancel the same and reimburse the holder thereof in a manner to be agreed upon between the City and such lessee or other holder.

That the Senator and Assemblymen from this District, and each ~~xxx~~ of them, are hereby respectfully requested to present to and support in the State Legislature of California the said amendments.

BE IT FURTHER RESOLVED, that the City Clerk of said City be, and he is hereby authorized and directed to send a certified copy of this resolution to the Senator and Assemblymen herein referred to.

Passed, adopted and approved by the City Council of the City of Chula Vista, California, this 14th day of January 1929, by the following vote, to-wit:

AYES: Councilmen, Lyons, Hawkins, Barnes, Peters, Scott; _____

NOES : Councilmen, None. _____

ABSENT: Councilmen, None. _____

W. Peters
Mayor of the City of
Chula Vista, California.

ATTEST:

W. Simmons
City Clerk of the City of
Chula Vista, California.

I hereby approve the foregoing Resolution this 14th day of January, 1929

M. Peters
Mayor of the City of
Chula Vista, California.

I hereby certify that the above and foregoing Resolution was passed and adopted by the City Council of the City of Chula Vista at the time and by the vote above stated and on such date approved by the Mayor as above stated.

W. Simmons
City Clerk of the City of
Chula Vista, California.