

**City of San Leandro
Redevelopment Agency
Redevelopment Plans**

2002

**A Codification of the Ordinances
of the City of San Leandro, California Redevelopment Agency**

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PREFACE

The City of San Leandro Redevelopment Agency Plans are a codification of the general and permanent ordinances of the San Leandro Redevelopment Agency. The ordinances were compiled, edited and indexed by the editorial staff of Matthew Bender & Company, Inc. Commencing with the December 2005 code supplement, the code is published by Quality Code Publishing.

The code is organized by subject matter under an expandable three-factor decimal numbering system which is designed to facilitate supplementation without disturbing the numbering of existing provisions. Each section number designates, in sequence, the numbers of the title, chapter, and section. Thus, Section 2.12.030 is Section .030, located in Chapter 2.12 of Title 2. In most instances, sections are numbered by tens (.010, .020, .030, etc.), leaving nine vacant positions between original sections to accommodate future provisions. Similarly, chapters and titles are numbered to provide for internal expansion.

In parentheses following each section is a legislative history identifying the specific sources for the provisions of that section. This legislative history is complemented by an ordinance disposition table, following the text of the code, listing by number all ordinances, their subjects, and where they appear in the codification.

A subject-matter index, with complete cross-referencing, locates specific code provisions by individual section numbers.

This supplement includes ordinances through Ordinance 2007-015, passed June 18, 2007.

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1.04.010 Designation of project area.

This project area was originally designated as the downtown plaza redevelopment project area and is redesignated as the Plaza 1 redevelopment project area. Said project area is as set forth on the map following this section, marked "Exhibit 1.04.010," and more particularly described as follows:

Beginning at the point of intersection of the southeasterly line of Callan Avenue with the northeasterly line of East 14th Street; thence southeasterly along the said northeasterly line of East 14th Street to its intersection with the northeasterly prolongation of the southeasterly line of West Juana Avenue; thence southwesterly along the said prolonga-

tion of the southeasterly line of West Juana Avenue and along the said southwesterly line of West Juana Avenue to an intersection with the southwesterly line of Hays Street; thence northwesterly along the said southwesterly line of Hays Street to its intersection with the northwesterly line of Davis Street; thence northeasterly along the said northwesterly line of Davis Street to its intersection with the southwestern line of East 14th Street; thence easterly in a direct line to the intersection of the northeasterly line of East 14th Street with the northwesterly line of Callan Avenue; thence southeasterly in a direct line to the point of beginning.

The redevelopment plan for the Plaza 1 redevelopment project area originally designated as the Downtown Plaza redevelopment project area, was approved by Ordinance No. 1295 N.S., adopted December 28, 1960, and amended by Ordinance No. 67-63, 71-29, 75-39, and 80-34 adopted on December 26, 1967, October 26, 1971, August 4, 1975 and July 14, 1980 respectively. The project area was redesignated as the Plaza 1 redevelopment project area by Ordinance No 75-39. (Plaza 1 redev. plan § 1, 1986)

Exhibit 1.04.010

PLAZA 1 REDEVELOPMENT PROJECT

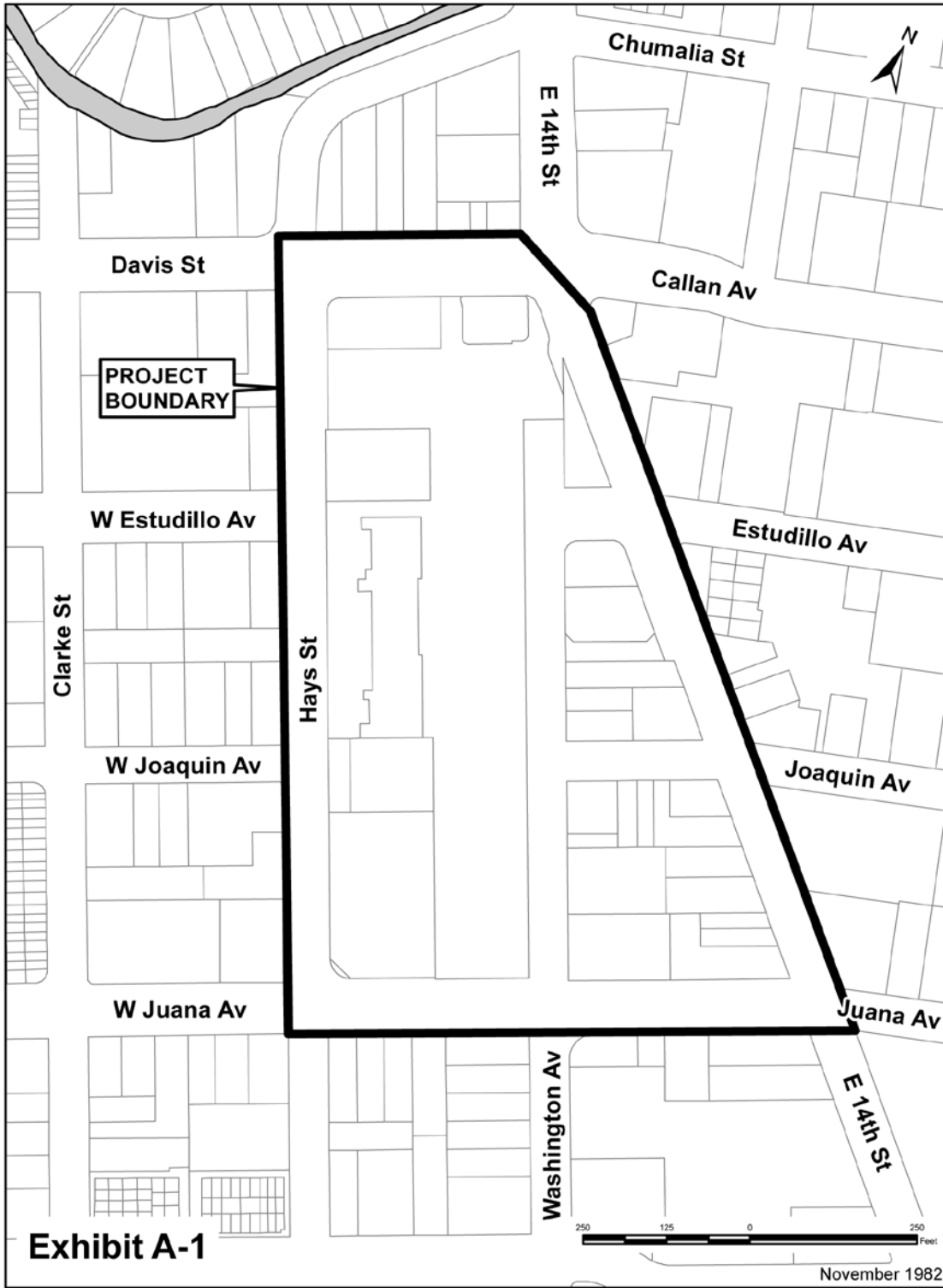


Exhibit A-1

CITY OF SAN LEANDRO

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1.04.020 Existing characteristics of project area.

The project area is characterized by the existence of buildings and properties that suffer from functional and structural obsolescence, economic deterioration, disuse, depreciated property values and impaired investments, due to age, deterioration, faulty interior arrangement, and faulty exterior spacing. It is declared that the project area is a blighted area, the redevelopment of which is necessary to effect the public purposes set forth in the Health and Safety Code of the state of California (33031, 33032, 33033). (Plaza 1 redev. plan § 2, 1986)

1.04.030 Purpose of redevelopment project.

A. The purpose of this redevelopment project is to revitalize the project area through the joint participation of property owners, businessmen and the redevelopment agency and to prevent further deterioration and obsolescence to the detriment of the public welfare.

B. This project will promote and protect the sound redevelopment of the project area and the resulting general welfare of the city of San Leandro:

1. By creating new parking areas, improving existing parking, improving circulation through creation of malls and new means of access, and by developing new public facilities and public open spaces;

2. By creating thereby a strong incentive for private rehabilitation and modernization of existing structures and the development of new ones;

3. By establishing rules, procedures and guidance to facilitate and expedite such private rehabilitation, modernization and new development;

4. By establishing a comprehensive design concept and development standards to enhance and unify the appearance of the project area through guidance and coordination of private and public improvement programs (33020, 33021, 33035-e). (Plaza 1 redev. plan § 3, 1986)

1.04.040 Population densities and building intensities.

Existing building intensities will be substantially increased by the project as the land covered by one-story buildings and grade-level parking areas is cleared to make room for multi-story buildings and parking garages. Average building height will increase as additional parking supplies and improved public transportation permit more intensive use of remaining building sites. No building shall exceed the height or coverage limitations specified in the zoning ordinance. Types of building construction permitted in this plan are as set forth in the fire district and building codes of the city of San Leandro. (33333)

In accordance with the General Plan, and in view of the very strong commercial character of this project, no residential uses will be permitted. (Plaza 1 redev. plan § 5, 1986)

1.04.050 Conformance with general plan.

This redevelopment plan is compatible with the general plan of the city of San Leandro and will protect and promote sound development and redevelopment of a blighted area in conformance with the provisions of said general plan. This redevelopment plan provides for the implementation of those sections of the general plan dealing with circulation and land use within the pro-

1.04.060

ject area. (33331) (Plaza 1 redev. plan § 6, 1986)

1.04.060 Nondiscrimination.

Every deed, lease, or contract for the sale, lease, sublease or other transfer of land to which the agency is a party in the redevelopment project shall contain the nondiscrimination clauses prescribed by the California Community Redevelopment Law. (33337, 33436) (Plaza 1 redev. plan § 7, 1986)

1.04.070 Relocation.

Residences and businesses displaced from locations Plaza 1, where such displacements are caused by activities associated with Plaza 1, will be assisted in accordance with the provisions of the California Uniform Relocation Assistance Act and guidelines therefor as adopted by the redevelopment agency. (Plaza 1 redev. plan § 8, 1986)

1.04.080 Miscellaneous.

A. Acquisition of Property. The agency may acquire by gift, purchase, lease or condemnation any part of the real property in the project area. (33342)

Any eminent domain proceedings to acquire property within the project area shall be commenced not later than twelve (12) years from the date of adoption of Ordinance No. 86-038, adopted December 15, 1986. (33333.4[3])

B. Disposal of Agency Land. The agency shall dispose of all land acquired by it through sale or lease, except property conveyed by the agency, to the city of San Leandro. (33335)

All such agency property shall be disposed of in accordance with the provisions

and objectives of this plan. The sale, lease or conveyance by agreement of agency property shall include provisions for the retention of controls, and the establishment of any restrictions or covenants running with the land sold, leased or conveyed for private use for such periods of time and under such conditions as the agency deems necessary to carry out this plan.

C. City Participation. The city may expend funds to undertake and complete any proceedings necessary to carry out the project. (33343, 33344)

D. Payments to Other Taxing Agencies. In any year during which it owns property in the project area, the agency is authorized, but not required, to pay directly to any city, county, city and county, district, including, but not limited to, a school district, or other public corporation for whose benefit a tax would have been levied upon such property had it not been exempt, an amount of money in lieu of taxes.

A proportionate share of any amount of money paid by the agency to any city and county pursuant to the preceding paragraph shall be disbursed by the city and county to any school district with territory located within the project area in the city and county. "Proportionate share," as used in this section, means the ratio of the school distinct tax rate, which is included in the total tax rate of the city and county, to the total tax rate of the city and county.

The agency may also pay for any taxing agency with territory located within the project area (other than the city) any amounts of money which in the agency's determination are appropriate to alleviate any financial

burden or detriment caused to such taxing agency by the project.

E. Duration of this Plan. Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity and the provisions of Chapter 1.16, the provisions of this plan shall be effective and the provisions of the documents formulated pursuant to this plan shall be effective until January 1, 2012.

F. Procedure for Amendment. This plan maybe amended by means of the procedure established in the Community Redevelopment Law or any other procedure established by law. (Ord. 2005-009 § 1(A); Ord. 2003-019 § 1 (part), 2003; Ord. 95-042 § 1, 1995; Plaza 1 redev. plan § 12, 1986)

1.08.010

Chapter 1.08

LAND UTILIZATION

Sections:

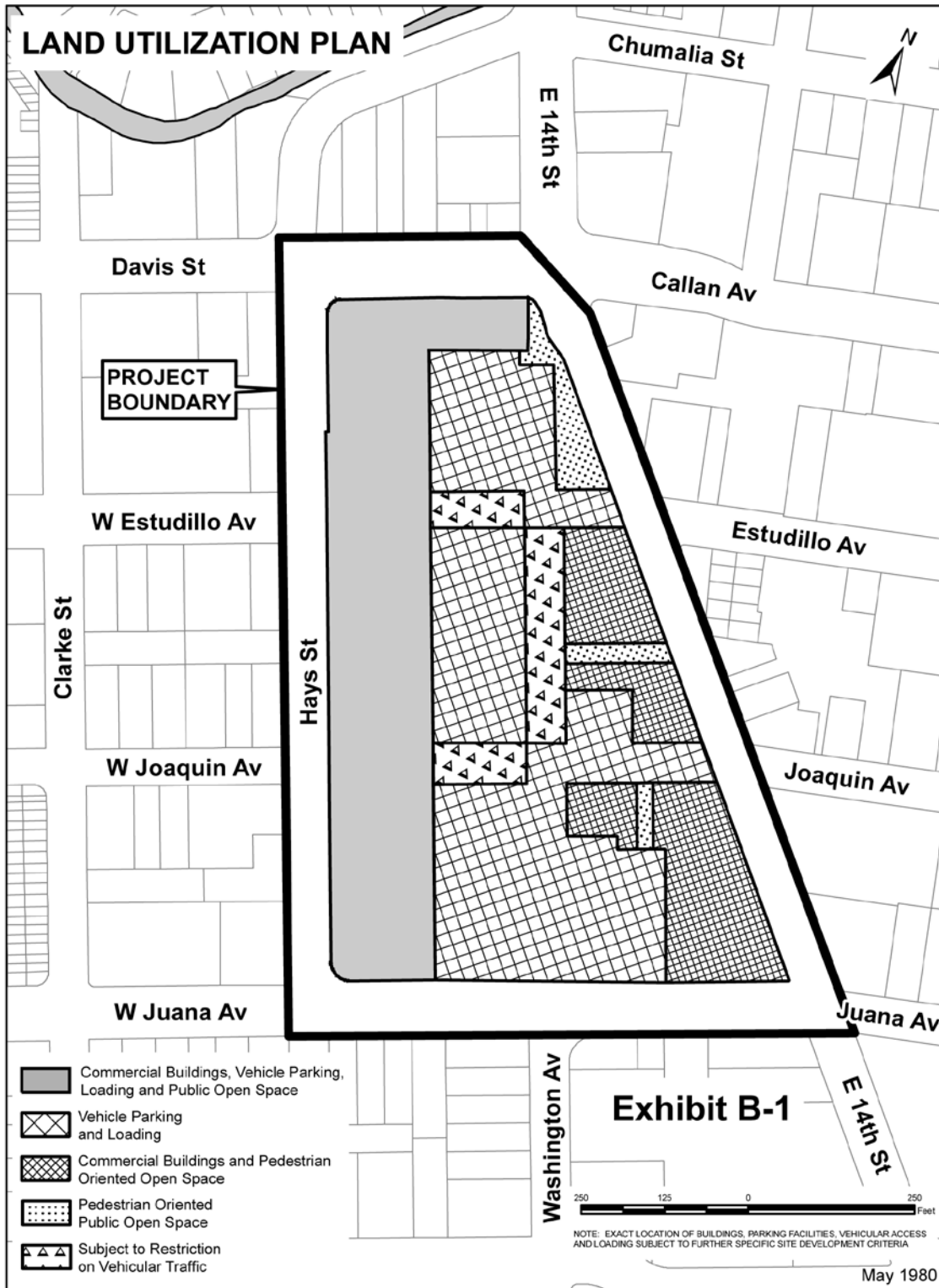
- 1.08.010 General.**
- 1.08.020 Uses permitted.**
- 1.08.030 Existing uses.**

1.08.010 General.

Land use in the project area will be largely confined to commercial and professional activities. Grouping of business activities which, in close proximity to one another, are mutually beneficial will be of paramount importance. The indefinite retention or development in the project area of uses having a disruptive influence on the physical cohesiveness of pedestrian shopping and business facilities is contrary to the purposes of this plan. Location, within the project area of permitted uses shall be as shown on the land utilization plan, Exhibit 1.08.010 of this chapter. (Plaza 1 redev. plan § 4(A), 1986)

Exhibit 1.08.010

PLAZA 1 REDEVELOPMENT PROJECT



1.08.020 Uses permitted.

All uses within the project area are subject to approval by the redevelopment agency as to design, construction, timing and continuing maintenance of private improvements. Approval shall be denied in all instances in which the agency determines that the proposed use would create an undue burden on public parking facilities within the project area. Parking shall be provided by property owners as determined by the agency as necessary to serve any new use or expanded existing use. Subject to such prior approval, the following uses are permitted within the project area in areas designated "commercial buildings" on Exhibit 1.08.010:

A. Retail sales of primarily new merchandise including, but not limited to, sale of confections, bakery goods, food, drugs, flowers, gifts, books, furniture, office supplies, hardware, clothes, shoes, cameras, appliances, radios, televisions, jewelry, paintings, liquor, paint, art and craft supplies;

B. Personal service establishment including, but not limited to, beauty shop, barber shop, portrait studio, radio and television repair, shoe repair, real estate, office machine repair, auto leasing, tailor;

C. Restaurant, theater;

D. Parking area and structure for passenger automobiles;

E. Household and business service establishment including, but not limited to, interior decorating, upholstery, blueprinting, job printing, automatic laundry, laundry pick-up station;

F. Business, professional, administrative and executive offices including, but not limited to, office for architect, attorney, en-

gineer, public utility, accountant, insurance company, physician and surgeon;

G. Financial institution, including bank, saving and loan company, finance company;

H. Tavern;

I. Business and professional school, including beauty academy, which does not occupy the street or ground floor of a building;

J. Lodge, club, social and fraternal organization, public or quasi-public building, post office. (Plaza 1 redev. plan § 4(B), 1986)

1.08.030 Existing uses.

Existing uses may continue to subject to the rules for owner-participation adopted by the agency. Existing residential uses in areas in which residential uses are not permitted in this plan may continue subject to compliance with the rules for residential occupancy adopted by the agency. Other existing uses not permitted in their present locations by this plan may continue only until the expiration of the lease or change in ownership existing on the date of adoption of this plan. The agency may permit extension of a lease or execution of a new lease in any case in which, in the opinion of the agency, an acute personal or financial hardship exists, provided such approval includes a specific time for discontinuance of such non-conforming use agreed to by the owner thereof. (Plaza 1 redev. plan § 4(C), 1986)

Chapter 1.12

IMPROVEMENTS

Sections:

- 1.12.010 General.**
- 1.12.020 Parking facilities.**
- 1.12.030 Pedestrian access.**
- 1.12.040 Traffic improvements.**
- 1.12.050 Bicycle access.**

1.12.010 General.

A. The Plaza 1 redevelopment project includes the construction of certain private and public improvements and the acquisition of property necessary therefor. Plaza 1 redevelopment project includes the renovation and rehabilitation of existing privately owned structures in accordance with the owner-participation provisions hereinafter set forth.

B. Plaza 1 provides for the construction of the following specific public improvements under the financing program set forth in Chapter 1.16:

1. Improvement and maintenance of public areas;
2. Widening of East 14th Street and restriction of vehicular traffic on portions of Washington Avenue, West Estudillo Avenue and West Joaquin Avenue;
3. Public plazas;
4. Pedestrian malls, including widening on the north side of the mall in the block bounded by West Estudillo Avenue, East 14th Street, Washington Avenue, and West Joaquin Avenue;
5. Landscaping and lighting of pedestrian areas and parking areas; installation of public amenities, including kiosks, foun-

tains, sculptures, benches, bus shelters and decorative paving.

C. Provision shall be made for a gradual transition from primary dependence on private transportation to primary dependence on public transportation as a means of access to and departure from the project area. These provisions shall include planned flexibility in public and private construction to accommodate later the addition of a transit link between the project area and the Bay Area Rapid Transit Station at Davis Street and San Leandro Boulevard.

D. The agency may, as it deems necessary to carry out this plan and subject to the consent of the city council and the determinations to be made under Health and Safety Code Section 33445, pay all or part of the value of the land for and the cost or installation and construction of such buildings, facilities, structures, street widenings or other improvements identified in this chapter which are publicly owned, either within or outside the project area, at such locations as determined by the agency in implementing plan.

E. When the value of such land or the cost of the installation and construction of such building, facility, structure or other improvement, or both, has been or will be paid for initially by the city or other public corporation, the agency may enter into a contract with the city or other public corporation under which it agrees to reimburse the city or other public corporation for all or part of the value of such land or all or part of the cost of such building, facility, structure or other improvement, or both, by lump sum, partial or periodic payment over a period of years.

F. The obligation of the agency, under such contract, shall constitute an indebted-

1.12.020

ness of the agency for the purpose of carrying out the redevelopment of the project area, which indebtedness may be made payable out of taxes levied in the project area and allocated to the agency under subdivision (b) of Section 33670 of the Health and Safety Code or out of any other available funds.

G. In a case where such land has been or will be acquired by, or the cost of the installation and construction of such building, facility, structure or other improvements has been paid by, a parking authority, joint powers entity or other public corporation to provide a building, facility, structure or other improvement which has been, or will be, leased to the city, such contract may be made with, and such reimbursement may be made payable to the city. (333445) (Plaza 1 redev. plan § 9(A), 1986)

1.12.020 Parking facilities.

This project will create new public off-street parking spaces located in the areas of greatest need in the project area. The locations of these parking areas are as indicated on Exhibit 1.08.010. (Plaza 1 redev. plan § 9(B), 1986)

1.12.030 Pedestrian access.

A. Improved pedestrian circulation access involves six types of public improvements:

1. Public sidewalks and plazas to the rear of existing commercial blocks and adjacent to off-street parking areas;
2. Public sidewalks adjacent to public streets;
3. Arcades, fountains, benches, landscaping and other amenities on principal sidewalks wherever they exist;

4. Public crossblock malls to connect off-street parking areas to commercial frontages;

5. Major public malls, plazas and other landscaped open spaces associated with new commercial developments;

6. Provision for safe, convenient, and unassisted movement of physically handicapped persons.

B. All buildings with direct access to an off-street parking area will be required to provide private customer and employee entrances to said parking area in conjunction with private rehabilitation work.

C. The agency may grant an exception to this provision if the property owner or occupant demonstrates that compliance with the requirement would result in extreme difficulty and unnecessary hardship to the owner or lessee and would fail to service the purposes of this section.

D. The emphasis on better pedestrian access will be on appearance as well as convenience. The specific objective is the creation of a pleasant pedestrian environment separate and distinct, to the greatest extent possible, from automobile and truck traffic.

E. The locations of pedestrian malls, plazas and public open spaces are as indicated on Exhibit 1.08.010. (Plaza 1 redev. plan § 9(C), 1986)

1.12.040 Traffic improvements.

This project provides for the widening of portions of East 14th Street and the modification of portions of West Estudillo Avenue, West Joaquin Avenue, Hays Street and Washington Avenue. Provisions will be made for future development and expansion of public transportation systems and for eliminating conflicts in movement of private and public transportation vehicles.

Additionally, the plan provides for widening and changing Hays Street from a one-way street to a two-way street and making related changes to traffic signals within and adjacent to the project area, and widening portions of Davis Street and West Juana Avenue.

Since the inception of the plan in 1960, several public streets have been modified to restrict vehicular movements to minimize or preclude the use thereof by vehicular traffic which has destinations other than in the project area. Washington Avenue between Davis Street and West Estudillo Avenue, one-way northbound, provides access to off-street parking and no longer intersects Davis Street. A traffic diversion barrier has been installed in Washington Avenue between West Juana and West Joaquin Avenues which precludes the through movement of two-way traffic resulting in a dispersal of traffic into adjacent public parking areas serving adjoining commercial uses. The traveled way or usable width of West Joaquin Avenue between East 14th and Hays Streets has been effectively reduced to accommodate one-way traffic and diagonal parking thus restricting east-west vehicular movement on portions of this street.

The parking, loading/delivery and street system delineated on the land utilization plan, Exhibit 1.08.010, reflects the continuation or furtherance of an already established plan objective of discouraging the use of streets within the core of the project area by vehicular traffic which has destinations elsewhere to minimize or preclude the potential for conflict between the two different types of traffic within the project. To provide for the proper utilization of property to be redeveloped, provide improved access, parking and traffic circulation, and to pre-

clude through movement of vehicular traffic from the core of the project area, West Estudillo and West Joaquin Avenues between the westerly right-of-way line of Washington Avenue and the easterly right-of-way line of Hays Street may be vacated. A small section of Washington Avenue, approximately one-half block in length southerly of Davis Street and northerly of West Estudillo Avenue, may also be vacated. (Plaza 1 redev. plan § 9(D), 1986)

1.12.050 Bicycle access.

Bicycle routes planned for portions of West Estudillo, West Joaquin and Washington Avenues in the project area and affected by this plan will be rerouted as necessary to the perimeter of the project area to permit continuation of east-west bicycle travel. Bicyclists will have access to and parking facilities in the project area. (Plaza 1 redev. plan § 9(E), 1986)

Chapter 1.16

FINANCING

Sections:

- 1.16.010 General.**
- 1.16.020 Tax increments.**
- 1.16.030 Bonds advances and indebtedness.**

1.16.010 General.

The agency is authorized to finance this project with financial assistance from the city, state, federal government of the United States of America, property tax increments, special assessment districts, donations, interest income, agency bonds, loans from private financial institutions, the lease of agency-owned property, sale of agency-

1.16.020

owned property and/or any other available source. (33600, 33601) (Plaza 1 redev. plan § 10(A), 1986)

1.16.020 Tax increments.

A. All taxes levied upon taxable property within the project area each year by or for the benefit of the state, county, city any district or other public corporation (hereinafter sometimes called "taxing agencies") after the effective date of the ordinance by which a redevelopment plan was established for the areas set forth in said ordinance and until such time as all indebtedness created pursuant to Section 1.16.030 of this chapter has been paid, shall be divided as follows:

1. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the redevelopment project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid to the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory of the project on the effective date of such ordinance but to which such territory is annexed or otherwise included after such effective date, the assessment roll last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the project on said effective date) and;

2. That portion of said levied taxes each year in excess of such amount shall be allo-

cated to and when collected shall be paid into a special fund of the agency to pay the principal of and interest on bonds, loans, monies advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the agency to finance or refinance, in whole or in part, this redevelopment project. Unless and until the total assessed value of the taxable property in the project exceeds the total assessed value of the taxable property in the project as shown by the last equalized assessment roll referred to in subsection (A)(1) of this section, all of the taxes levied and collected upon the taxable property in the project shall be paid to the respective taxing agencies. When such bonds, loans, advances and indebtedness, if any, and interest thereon, have been paid, all monies thereafter received from taxes upon the taxable property in the project shall be paid to

the respective taxing agencies as taxes on all other property paid. (33670)

B. The portion of taxes mentioned in subsection (A)(2) of this section are irrevocably pledged for the payment of the principal and interest on the advance of monies, or making of loans, or the incurring of any indebtedness (whether funded, refunded, assumed or otherwise) by the agency to finance or refinance the project in whole or in part.

C. The agency is authorized to make such pledges as to specific advances, loans, and indebtedness as appropriate in carrying out the plan.

D. The number of dollars of taxes which may be divided and allocated to the agency pursuant to the plan shall not exceed seven million five hundred thirty-seven thousand six hundred and fifty-seven dollars (\$7,537,657.00), exclusive of the housing setaside funds required by Section 33334.2 of the Community Redevelopment Law. Taxes shall not be divided and shall not be allocated to the Agency beyond said limitation without an amendment to this plan. (33333.4[1]) (Plaza 1 redev. plan § 10(B), 1986)

1.16.030 Bonds advances and indebtedness.

The agency is authorized to issue bonds if appropriate and feasible in an amount sufficient to finance all or any part of the project. (33341)

The agency is authorized to obtain advances, borrow funds and create indebtedness in carrying out this plan. The principal and interest on such advances, funds and indebtedness may be paid from tax increments or any other funds available to the agency. (33601, 33671)

Neither the members of the agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance. (33643)

The bonds and other obligations of the agency are not a debt of the city, the state, nor are any of its political subdivisions liable for them, nor in any event shall the bonds or obligations be payable out of any funds or properties other than those of the agency; and such bonds and other obligations shall so state on their face. The bonds do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction. (33644)

The agency shall not establish or incur loans, advances or indebtedness to finance, in whole or in part, the redevelopment project after the plan termination date as set forth in Section 1.04.080 of this title without amending this plan. This limit, however shall not prevent incurring debt to be paid from the low- and moderate-income housing fund or establishing more debt in order to fulfill the agency's housing obligations in accordance with state law.

Pursuant to Section 33333.6 of the Health and Safety Code, receipt of tax increment to finance, in whole or in part, the redevelopment project will terminate as of December 28, 2008, except to the extent that debt incurred prior to January 1, 1994 requires repayment and that the agency must fulfill certain affordable housing obligations. Repayment of debt established prior to January 1, 1994 must be repaid by December 28, 2026 pursuant to Sections 33333.6(h) and 33670 of the State Health and Safety Code. (Ord. 2005-009 § 1(B); Ord. 2003-019 § 1 (part), 2003; Ord. 94-018 § 1, 1994; Plaza 1 redev. Plan § 10(C), 1986)

Chapter 1.20

OWNER PARTICIPATION

Sections:

- 1.20.010 General.**
- 1.20.020 Rules and regulations governing owner participation.**
- 1.20.030 Owner participation agreements.**
- 1.20.040 Standards.**
- 1.20.050 Alternate provisions on failure of owner to participate.**

1.20.010 General.

The improvement of existing buildings by their owners is one of the primary objectives of Plaza 1.

In order to achieve this objective, and in order to protect the investments of property owners who undertake substantial remodeling and rehabilitation work, a uniform and equitable owner participation program in Plaza 1 is necessary. Property owners will be given the opportunity to participate by coordinating remodeling and rehabilitation work with the execution of a new lease or lease renewal. The plan includes a positive approach to insure that remodeling and rehabilitation work are carried out properly and promptly throughout the project area. (33339)

Participation opportunities shall necessarily be subject to and limited by such factors as the need for expansion of public facilities; elimination, relocation and/or modification of land uses; realignment and abandonment of streets; the ability of participants to finance acquisition and development in

accordance with the plan; reduction of the total number of, or change in the sizes of, individual parcels in the project area; and change in orientation and character of the area, or portion of the area; and preservation of existing buildings which have historical and/or architectural qualities that will enhance the plan.

The extent to which participation opportunities are feasible and afforded to property owners in the project area shall be at the sole discretion of the agency.

In carrying out the objectives of the plan, the agency may establish or appoint such committee or subcommittee as are necessary to assist the agency in achieving those objectives by developing and implementing policies and development standards related to, but not limited to, sign control, architectural treatment of structures, occupancy of buildings, on-site pedestrian and vehicular circulation, driveway locations, and prohibiting or restricting uses which may have adverse traffic generating characteristics inconsistent with the objectives of the plan. (Plaza 1 redev. plan § 11(A), 1986)

1.20.020 Rules and regulations governing owner participation.

A. The owner participation program providing for the repair, renovation and renewal of existing structures by their owners shall be subject to the following regulations:

1. Approval of the redevelopment agency will be required before any of the following shall occur:

a. Issuance of any building, plumbing or electrical permit within the project area; or

b. Any change in use or occupancy of any property or portion thereof. "Change in

occupancy” will include both the occupancy by a different tenant of property previously vacated, and the execution of a new lease, lease renewal, lease assignment, or other agreement providing for continuing occupancy by an existing occupant or new occupant after termination or expiration of lease.

2. Agency approval shall be granted only if the owner has:

a. Completed improvements in accordance with the redevelopment plan and all standards relating to such improvements adopted by the redevelopment agency; or

b. Entered into an owner participation agreement providing for such improvements.

3. Any change in use or occupancy, any lease renewal, or other agreement providing for continuing occupancy by an existing occupant or new occupant, or any unauthorized construction activity initiated without approval of the agency shall be a misdemeanor.

4. No business license shall be issued to any business within the project area which is not in compliance with this plan.

5. Any lease executed in violation of these provisions shall be voidable at the option of the lessee.

6. In the event of failure of an owner to fully comply with the provisions of an owner participation agreement into which owner has entered with the agency, the agency may thereupon, by motion, declare void all occupancy approvals granted by agency in said agreement. Continued occupancy of the premises thereafter by such occupants is a violation of this plan. (Plaza 1 redev. plan § 11(B), 1986)

1.20.030 Owner participation agreements.

Owner participation agreements will be prepared as soon after the adoption of the redevelopment plan as possible. Such agreements will be prepared by the redevelopment agency after consultation with property owners. Each agreement will contain a list of minimum improvements to be made for the specific property to which it applies, formulated in accordance with the standards and design concept established hereunder. In addition, each agreement will provide for the submission to the agency of specific plans and specifications for these improvements sufficiently in advance of the time at which the improvements are actually to be accomplished to permit thorough agency review. The time at which improvements to a building are to be accomplished will, when necessary, be coordinated with the lease period of its major occupant. In those cases with prolonged periods of time remaining on the current lease, earlier dates will be established by the agency. (Plaza 1 redev. plan § 11(C), 1986)

1.20.040 Standards.

All improvement plans presented to the redevelopment agency and all actual improvements shall conform to the standards adopted by said agency on August 14, 1967, as part of the rules and standards governing owner participation, and any subsequent amendments thereto.

The agency may approve a variance from the development standards on a showing by the owner that the extent of recent improvements, the location or orientation of the building or the nature of a proposed use of the building is such that strict adherence to all improvement standards would serious-

1.20.050

ly and adversely affect the operation of such use. (Plaza 1 redev. plan § 11(D), 1986)

**1.20.050 Alternate provisions on
failure of owner to
participate.**

In the event of failure of the owner to participate in accordance with the owner participation provisions of this plan, the redevelopment agency may acquire the property through eminent domain or as otherwise provided in any owner participation agreement for subsequent disposition for renovation according to standards established by this plan and use in accordance with this plan. This alternate procedure will become effective only if the owner fails to make required improvements or enter into an owner participation agreement within a period of six months following termination of an existing lease, tenancy or use. The agency may, on its own motion or by application of the owner, extend this period for an additional period or periods of six months. Execution of an owner participation agreement prior to actual acquisition by the agency, and reimbursement to the agency by the owner of any costs incurred in pursuance of such acquisition under this alternate procedure, will reinstate the owner participation provisions of the plan. (33340) (Plaza 1 redev. plan § 11(E), 1986)

Division II

PLAZA 2 REDEVELOPMENT PLAN

Chapter 1.24

GENERAL PROVISIONS

Sections:

- 1.24.010 Introduction.**
- 1.24.020 Project area boundaries and description.**
- 1.24.030 Purpose of redevelopment project.**
- 1.24.040 Population densities and building intensities.**
- 1.24.050 Housing—Replacement**
- 1.24.060 Conformance with general plan.**
- 1.24.070 Nondiscrimination.**
- 1.24.080 Relocation.**
- 1.24.090 Miscellaneous.**
- 1.24.100 Duration of this plan.**
- 1.24.110 Procedure for amendment.**

1.24.010 Introduction.

The Community Redevelopment Law of the state of California (Health and Safety Code Section 33000 et seq.) enables a local government to adopt a redevelopment plan for an area of the community when it determines that the physical, social or economic conditions of that area are such that they constitute blight or blighting influences (as defined by the Redevelopment Law) which neither the public nor private sectors, acting alone, can overcome.

The definitions of “blight” cover a broad range of physical, social and economic characteristics that adversely impact on a neigh-

bor hood or community. Examples of such conditions would include deteriorating or insufficient public infrastructure or public facilities, irregular or fragmented parcelization, inappropriate or mixed land uses, and detrimental economic conditions.

The city of San Leandro first established a redevelopment project in 1960 to deal with the inadequacies, deterioration and obsolescence of public and private buildings and facilities in the heart of the community. The location of this redevelopment project area, originally designated as the Downtown Plaza redevelopment project area and now known as the Plaza 1 redevelopment project area, is shown on Exhibit 1.24.010(A).

As noted in the Plaza 1 redevelopment plan, the intent of the redevelopment project was to “promote and protect the sound redevelopment of the project area and the resulting general welfare of the city of San Leandro.” This was to be accomplished in part by direct actions of the redevelopment agency to improve and expand parking and to develop new public facilities and public open spaces. These public actions would in turn create incentives for private rehabilitation, modernization and new development, all in accordance with agency rules and procedures intended to expedite such private actions.

In 1967 the city established the Plaza 2 redevelopment project area. This original Plaza 2 redevelopment project area was augmented by the addition of certain territory in 1974. The added area included the BART parking lot, Lincoln School site, Casa Peralta and the southeast corner of Davis and Clark Streets. The original Plaza 2 project area together with this first added area is shown as Area 1 on Exhibit 1.24.010(B).

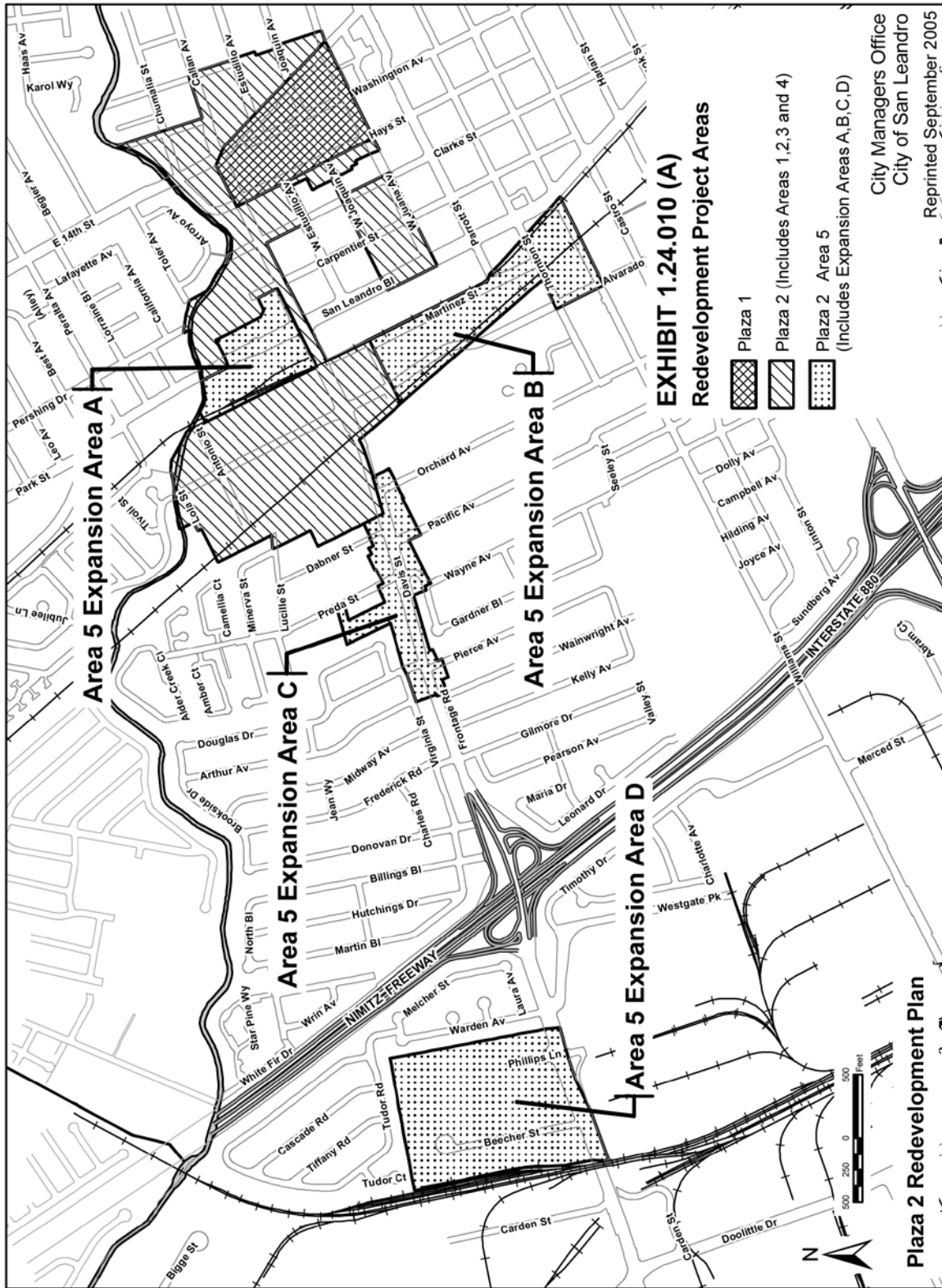







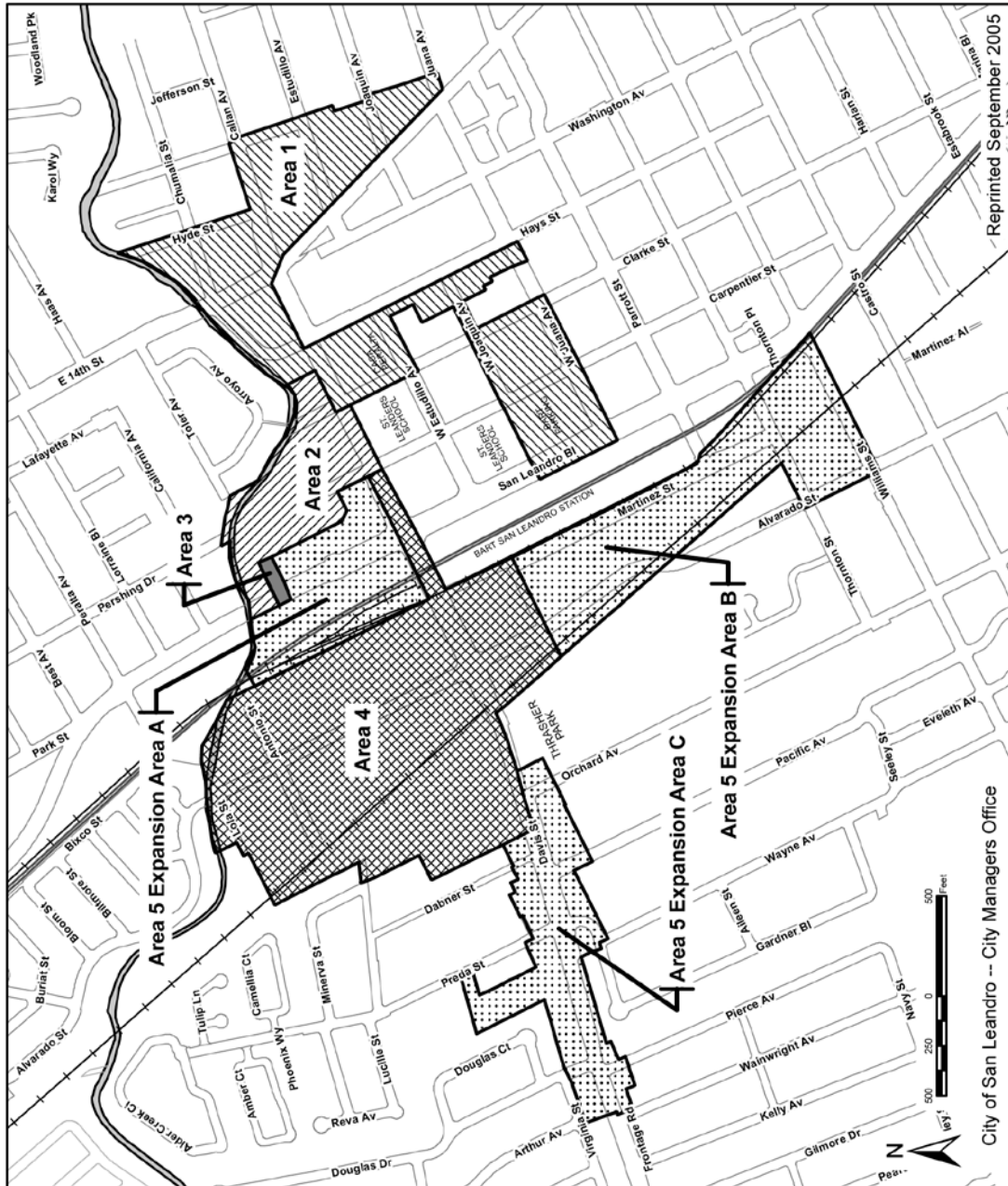
EXHIBIT 1.24.010 (B)

Plaza 2 Project Areas

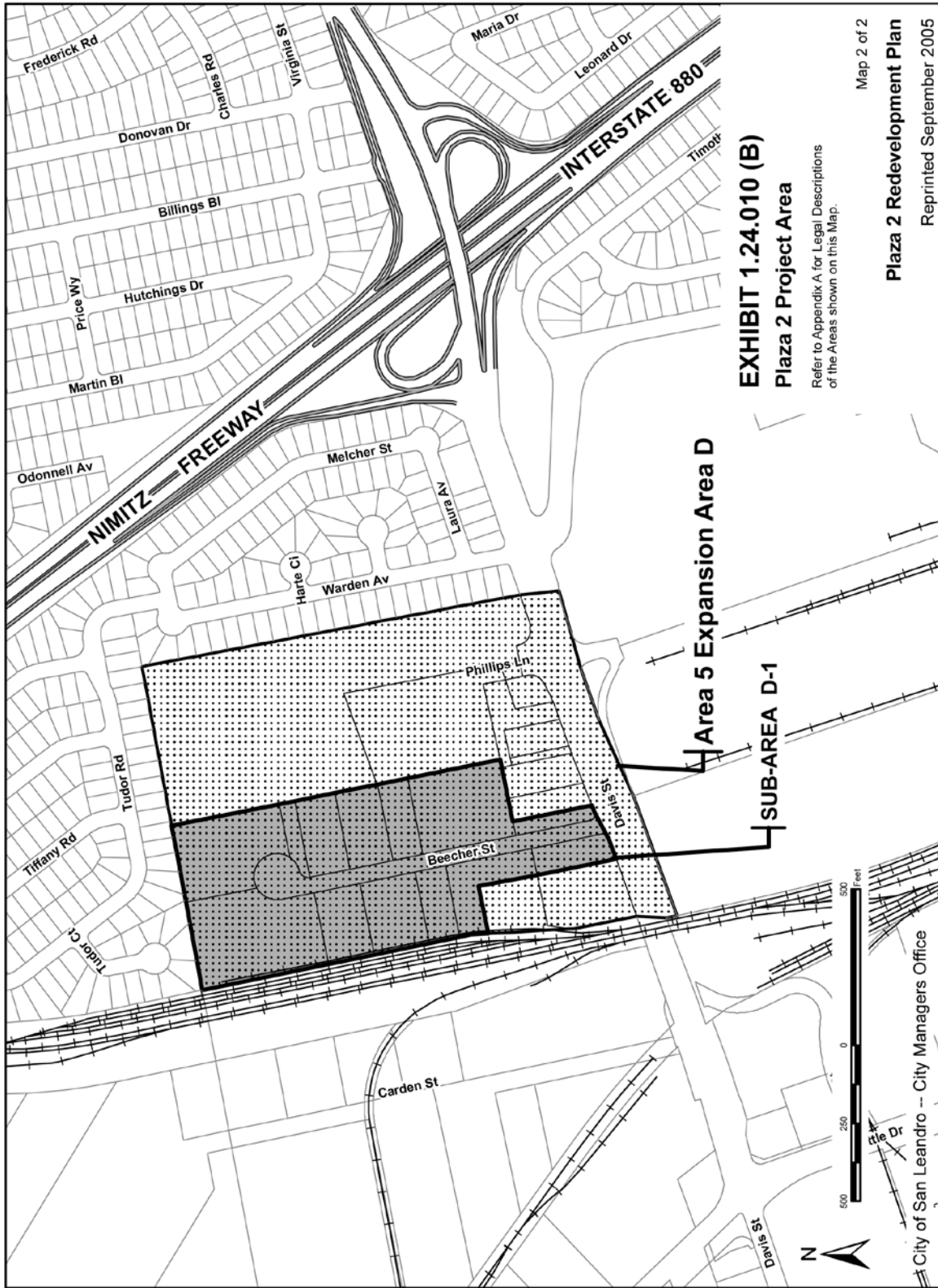
Refer to Appendix A for Legal Descriptions of the Areas shown on this Map.

Redevelopment Project Areas

-  Plaza 2 (Area 1)
-  Plaza 2 (Area 2)
-  Plaza 2 (Area 3)
-  Plaza 2 (Area 4)
-  Plaza 2 (Area 5)
(Includes Expansion Areas A,B,C)



Map 1 of 2
Plaza 2 Redevelopment Plan



While the private investment and new development of public improvements envisioned in the Plaza 1 plan have been largely realized, and many of the additional improvements slated for the Plaza 2 area are underway, the redevelopment agency has proposed this eighth amendment of the Plaza 2 redevelopment plan. The amendment, which is contained in this document, adds the territory noted above (Expansion Areas A, B, C and D), identifies various improvements and developments to be undertaken within these areas, and stipulates the agency's financing powers and expenditure limitations.

This amended Plaza 2 redevelopment plan incorporates and supersedes all previous versions of the Plaza 2 redevelopment plan. (Plaza 2 redev. plan § 1, 1988)

The Plaza 2 redevelopment plan has been amended several times-over the years, to add more territory to the project area and to revise and update the content of the plan. The lands subsequently added to Area 1 are identified as Areas 2, 3 and 4 on Exhibit 1.24.010(B). The territory to be added to the Plaza 2 project area by this proposed plan amendment is identified as Expansion Areas A, B, C and D (which together constitute Area 5 and is shown on Exhibit 1.24.010(B)). The specific city council actions to date adopting and amending the Plaza 2 redevelopment plan are as follows:

| | | |
|-----------|-------|-------------------------|
| Plan | Adop- | Ord. No.67-62, Decem- |
| | tion: | ber 26, 1967, |
| Amendment | | Ord. No.71-28, October |
| No.1: | | 26, 1971, |
| Amendment | | Ord. No.74-14, February |
| No.2: | | 25, 1974, |

| | |
|--------------|-------------------------|
| Amendment | Ord. No.79-39, Decem- |
| No.3: | ber 17, 1979, |
| Amendment | Ord. No.81-019, March |
| No.4: | 30, 1981, |
| Amendment | Ord. No.82-093, No- |
| No.5: | vember 29, 1982, |
| Amendment | Ord. No.83-026, Octo- |
| No.6: | ber 10, 1983, |
| Amendment | Ord. No.85-049, January |
| No.7: | 6, 1986. |
| Mandated Ac- | Ord. No.86-039, De- |
| tion: | cember 15, 1986* |

* Pursuant to Statutes 1985, Chapter 639, the city council, as the legislative body, was required to modify the redevelopment plan to establish limits on tax increment, bonds, advances and indebtedness, and the exercise of eminent domain. The city council complied with the requirement by approving an urgency measure identified as Ordinance No. 86-039, adopted December 15, 1986.

1.24.020 Project area boundaries and description.

The legal description of the Plaza 2 redevelopment project area, which includes the previously approved Areas 1, 2, 3 and 4 and the currently proposed Area 5 (Expansion Areas A, B, C and D), is contained in Appendix A of this division.

The Expansion Areas A, B, C and D that make up Area 5 are generally described as follows:

Expansion Area A is located along both sides of San Leandro Boulevard, between Davis Street and San Leandro Creek. The structures located along the east side of San Leandro Boulevard are being purchased by the city as a part of its San Leandro Boulevard and Davis Street widening and upgrading projects. The occupants are to be relo-

cated and the structures are to be demolished. The redevelopment agency intends to purchase the residual portions of these parcels from the city (and add them to the adjacent former city corporation yard site [included in a previous amendment to the Plaza 2 plan]), which is eventually to be redeveloped.

Several of the structures along the west side of San Leandro Boulevard are deteriorating or functionally obsolete. Also, several residential uses still exist in the area, inappropriately intermixed with commercial and light industrial uses. The intent of the plan is to cause this area to be redeveloped for commercial or light industrial uses.

The remaining portion of Expansion Area A includes the lands of the Union Pacific/Western Pacific Railroad right-of-way north of Davis Street, which is the site of the railroad's public loading dock and the elevated BART tracks. The agency plans the development of a public parking lot and access driveways in this area to serve the loading dock and the redeveloped properties fronting on the west side of San Leandro Boulevard.

Expansion Area B is that area situated west of BART's San Leandro station and is bounded generally by West Estudillo Avenue on the north, Martinez Street and the Union (Western) Pacific Railroad on the east, Williams Street on the south, and Alvarado Street and the Southern Pacific Railroad on the west. The major portion of this area, north of Thornton Street, contains several deteriorating former Del Monte food processing buildings now used for general warehousing and storage. Clearance and redevelopment of this area with predominately office uses is envisioned by the agency.

The portion of the area south of Thornton Street contains a mix of deteriorating and vacant buildings intended for light industrial, warehouse and office uses. The area west of the Southern Pacific right-of-way is earmarked for redevelopment as a business park, while the uses east of the railroad right-of-way may be selectively redeveloped with a business park or light industrial uses.

Expansion Area C is the area along the north and south sides of Davis Street, west of Orchard Avenue. This area extends west to Wainwright Avenue, which is the general limits of the commercial uses along this portion of Davis Street. Most of the commercial uses along the north side of Davis Street are of marginal quality, economically and physically. This area is generally envisioned to be redeveloped with commercial uses.

The properties along the south side of Davis Street were included as a part of the Davis Street Gateway project, a major thoroughfare widening and upgrading project. Also, an assisted senior housing project is to be developed along the south side of Davis Street, between Orchard and Wayne Avenues.

Expansion Area D is located west of Interstate 880 on the north side of Davis Street, between Warden Avenue and the eastern edge of the Southern Pacific Railroad right-of-way. This area is characterized by a mix of heavy commercial and industrial uses (including the Lasley Truck Stop), a truck farm and a single-family home adjacent to Phillips Lane, a twenty (20) foot wide unimproved private access road. This area suffers from an inappropriate mix of uses, inadequate access and circulation, improper parcelization and deteriorating and dilapidated structures. The area is proposed

to be selectively redeveloped with light industrial and/or business park uses.

Overall, the redevelopment project area expansion areas are characterized by the existence of buildings and properties which suffer from functional and structural obsolescence, economic dislocation, deterioration and disuse resulting from faulty interior arrangement and exterior spacing, depreciated property values and impaired investments, age, obsolescence, deterioration, dilapidation and mixed character, which constitute a serious physical, social, and economic burden on the community which cannot reasonably be expected to be reversed or alleviated by private enterprise acting alone.

It is declared that the Plaza 2 project area is a blighted area, the redevelopment of which is necessary to effect the public purposes set forth in the State Community Redevelopment Law. (Plaza 2 redev. plan § 2, 1988)

1.24.030 Purpose of redevelopment project.

A. The city of San Leandro redevelopment agency proposes to use the authority provided to it by this plan to eliminate or reduce blight and blighted conditions presently existing within the designated Plaza 2 redevelopment project area.

B. This action is necessary because within the project area there presently exists an inadequate circulation system; mixed and shifting land uses; fragmented parcelization; functionally obsolete and physically deteriorated structures; potential toxic contamination; and inadequate public improvements, including needed parking facilities, street reconstruction, traffic signalization, curb, gutter and sidewalk construction, street lighting, landscaping, recreational facilities

and municipal services facilities—all of which inhibit proper and desirable use and development of the project area.

C. The purpose of this redevelopment project is to revitalize the project area through the joint participation of property owners, business owners and the redevelopment agency and to prevent further deterioration, disuse and obsolescence to the detriment of the public welfare.

D. This project will promote and protect the sound redevelopment of the project area, and the benefits which will result from remedying blighted conditions will contribute to the general welfare of the city of San Leandro by:

1. Providing for the redevelopment of the central business district to a strong concentration of business and transportation facilities through the development of new parking areas, improved public transportation improved pedestrian circulation and access, and new public facilities and public open spaces;

2. Providing for the development of medium to high density residential development immediately adjacent to the central commercial area where commercial services, employment and public transportation are easily accessible;

3. Creating thereby a strong incentive for private rehabilitation and modernization of existing structures and the development of new ones;

4. Facilitating the development of under-utilized properties;

5. Establishing rules, procedures and guidelines to facilitate and expedite such private rehabilitation, modernization and new development;

6. Establishing a comprehensive design concept and development standards to en-

1.24.040

hance and unify the appearance of the project area through guidance and coordination of private and public improvement programs;

7. Providing for the redevelopment, in accordance with a precise development plan, of substantial acreage in close proximity to the city's central business district and rapid transit station to medium-to-high density residential uses and employment generating uses including offices and light industrial business uses;

8. Providing for and encouraging the grouping together of such combinations of offices and light industrial uses as are capable of being operated under high standards as to appearances of buildings and the treatment of the land around them and which are unobtrusive and not detrimental to surrounding residential, office, and commercial uses; and

9. Providing for the redevelopment of those lands within the project area but not within the central business district or adjacent areas, which are under-utilized, inappropriate, incompatible, deteriorated or obsolete, as industrial or commercial uses compatible with surrounding uses both inside and outside the project area. (Plaza 2 redev. plan § 3, 1988)

1.24.040 Population densities and building intensities.

In accordance with the city's general plan, new, permanent residential uses will be permitted in locations designated on the land utilization plan, Exhibit 1.28.020. Dwelling unit density will be in accordance with the provisions of the zoning ordinance. In general, residential densities will range from medium density (one dwelling unit per one thousand (1,000) square feet of site area) to

high density (one dwelling unit per five hundred (500) square feet of site area). The approximate number of dwelling units that may be developed within the entire Plaza 2 redevelopment project area is nine hundred (900).

Existing residences in the project area may continue in use. Residences shall not be required to convert to non-residential use under the provisions of this plan. Individual occupancy approval by the agency will not be required for individual dwelling units. All residential occupancies shall comply with the rules and regulations for residential occupancy heretofore adopted by the agency and any amendments thereto.

Existing building intensities will be substantially increased by the implementation of the plan as land covered by one-story buildings and grade-level parking is cleared to make room for multi-story buildings, pedestrian plazas, malls and parking areas. Average building height will increase as greater parking availability and improved public transportation permit more intensive use of remaining building sites. No building shall exceed the height or coverage limitations specified in the zoning ordinance. Types of building construction permitted by this plan are as set forth in the San Leandro Uniform Fire and Building Codes. (Plaza 2 redev. plan § 5, 1988)

1.24.050 Housing—Replacement.

Whenever dwelling units housing persons and families of low and moderate income are destroyed or removed from the low- or moderate-income housing market as part of a redevelopment project, the agency shall, within four years of such destruction or removal, rehabilitate, develop or construct, or cause to be rehabilitated, devel-

oped or constructed for rental or sale to persons and families of low or moderate income, an equal number of replacement dwelling units at affordable housing costs.

The provisions of this section of the plan apply only to Areas 2, 3, 4 and 5 of the project area.

The agency, at its discretion, may elect to make the provisions of this section applicable to all or of the project area. (Plaza 2 redev. plan § 6, 1988)

1.24.060 Conformance with general plan.

This redevelopment plan is consistent with the general plan of the city of San Leandro and will protect and promote sound development of a blighted area in conformance with the provisions of said general plan. This plan provides for the implementation of those sections of the general plan dealing with circulation, open space and land use within the project area. (Plaza 2 redev. plan § 7, 1988)

1.24.070 Nondiscrimination.

Every deed, lease, or contract for the sale, lease, sublease or other transfer of land to which the agency is a party in the redevelopment project area shall contain the nondiscrimination clauses prescribed by the California Community Redevelopment Law. (Plaza 2 redev. plan § 8, 1988)

1.24.080 Relocation.

Residences and businesses displaced from locations in the Plaza 2 project area, where such displacements are caused by activities of the agency to implement this plan, will be assisted in accordance with the provisions of the California Uniform Relocation Assistance Act and the guidelines

therefor as adopted by the redevelopment agency. (Plaza 2 redev. plan § 9, 1988)

1.24.090 Miscellaneous.

A. Acquisition of Property. The agency may acquire by gift, purchase, lease or the real property in the project area.

It is in the public interest and is necessary in order to eliminate the conditions requiring redevelopment, and in order to execute the plan, for the power of eminent domain to be employed by the agency to acquire real property in the project area.

Any eminent domain proceedings to acquire property within the project area shall be commenced not later than July 5, 2009. Such time limitation may be extended only by amendment to this plan.

The agency is not authorized by law to acquire real property owned by public bodies which do not consent to such acquisition. The agency is authorized, however, to acquire public property if it becomes private property by being transferred by deed, lease or otherwise to private ownership or control before the agency completes land disposition within the entire project area if the agency and the private owner do not enter into a participation agreement.

Except as provided herein, the agency shall not acquire real property to be retained by an owner pursuant to a participation agreement if the owner fully performs under the agreement. The agency is authorized to acquire structures without acquiring the land upon which those structures are located. The agency is also authorized to acquire any other interest in real property less than a fee.

The agency shall not acquire real property on which an existing building is to be continued on its present site and in its present form and use without the consent of the

owner, unless: (1) such building requires structural alteration, improvement, modernization or rehabilitation; or (2) the site or lot on which the building is situated requires modification in size, shape or use; or (3) it is necessary to impose upon such property any of the standards, restrictions and controls of the plan and the owner fails or refuses to participate in the plan by executing a participation agreement.

Generally, personal property shall not be acquired. However, where necessary in the execution of this plan, the agency is authorized to acquire personal property in the project area by any lawful means, including eminent domain. Notwithstanding the foregoing to the contrary, the agency is authorized to acquire any real property in the project area irrespective of the terms of an owner participation agreement, if such property, in the sole and exclusive determination of the agency, is (1) necessary for effective redevelopment of adjacent property acquired by the agency or intended to be acquired by the agency, or (2) necessary for vehicular access to adjacent properties, public rights of way, public utilities and services, proper traffic and pedestrian circulation or other public purposes.

B. Disposal of Agency Property. The agency shall dispose of all property acquired by it through sale or lease, except property conveyed by the agency to the city of San Leandro.

All such agency property shall be disposed of in accordance with the provisions and objectives of this plan. The sale, lease or conveyance by agreement of agency property shall include provisions for the retention of controls, and the establishment of any restrictions or covenants running with the land sold, leased or conveyed for private use

for such periods of time and under such conditions as the agency deems necessary to carry out this plan.

C. City Participation. The city of San Leandro may expend funds to undertake and complete any proceedings necessary to carry out this plan.

D. Payments to Other Taxing Agencies. In any year during which it owns property in the project area, the agency is authorized, but not required, to pay directly to any city, county, city and county, district, including, but not limited to, a school district, or other public corporation for whose benefit a tax would have been levied upon such property had it

not been exempt, an amount of money in lieu of taxes.

A proportionate share of any amount of money paid by the agency to any city and county pursuant to the preceding paragraph shall be disbursed by the city and county to any school district with territory located within the project area in the city and county. "Proportionate share," as used in this section, means the ratio of the school district tax rate, which is included in the total tax rate of the city and county, to the total tax rate of the city and county.

The agency may also pay to any taxing agency with territory located within the project area (other than the city) any amounts of money which in the agency's determination are appropriate to alleviate any financial burden or detriment caused to such taxing agency by the project. (Ord. 2000-010 § 1, 2000; Ord. 95-05 (part), 1995; Plaza 2 redev. Plan § 13, 1998)

Redevelopment Law or by any other procedure established by law. (Plaza 2 redev. plan § 15, 1988)

1.24.100 Duration of this plan.

Except for the nondiscrimination and nonsegregation provisions (which shall run in perpetuity), and the obligation to repay any indebtedness as provided in Section 1.36.020(F), the provisions of this plan shall be effective and the provisions of other documents formulated pursuant to this plan will remain effective through January 1, 2012 for Area 1; December 17, 2022 for Area 2; March 30, 2024 for Area 3; November 29, 2025 for Area 4; and July 5, 2029 for Area 5 (A—D). (Ord. 2005-009 § 1(C); Ord. 2003-019 § 1 (part), 2003; Ord. 94-019 § 2, 1992; Plaza 2 redev. Plan § 14, 1998)

1.24.110 Procedure for amendment.

This plan may be amended by means of the procedure established in the Community

1.28.010

Chapter 1.28

06 (part), 1995; Plaza 2 redev. Plan § 4(A), 1998)

LAND UTILIZATION

Sections:

- 1.28.010 General.**
- 1.28.020 Uses permitted in Plaza II.**
- 1.28.030 Private parking.**
- 1.28.040 Public parking and pedestrian areas.**
- 1.28.050 Open space (natural state).**
- 1.28.060 Existing uses (non-conformity).**
- 1.28.070 Streets and public rights-of-way.**
- 1.28.080 Historical landmarks.**
- 1.28.090 Fire Station No. 2.**
- 1.28.100 Hazardous waste and substances.**
- 1.28.110 Railroad facilities.**

1.28.010 General.

Land use in the project area will consist of residential, commercial and light industrial uses, and professional and business offices. Grouping of business activities which, in close proximity to one another, are mutually beneficial and development of medium to high density residential uses supportive of business and office activities will be of paramount importance. The land utilization plan is specifically designed to prevent the indefinite retention or development in the project area of uses having an adverse influence on the physical cohesiveness of pedestrian shopping and business facilities, offices, light industry and residential development. Location within the project area of permitted uses shall be as shown on land utilization plan, Exhibit 1.28.020. (Ord. 95-

1.28.020 Uses Permitted in Plaza II.

A. All uses within the project area are subject to approval by the redevelopment agency, as to design, construction, timing, and continuing maintenance and occupancy and use of private improvements. Regardless of whether a current or proposed use would otherwise comply with the provisions of this plan, approval shall be denied in all instances in which the agency determines that the proposed use would create an undue burden on public parking facilities or streets within the project area or would not be compatible with other land uses in the immediate area, or would adversely affect other property or streets in the immediate vicinity of the project area, or would not conform to improvement standards set forth in this plan, or other improvement plans, specifications, rules or guidelines adopted by the agency, or would create an undue economic burden on the agency or city.

B. In carrying out the purposes of the plan, the agency may, from time to time, establish guidelines applicable to the types of uses that permitted by the plan, to insure compliance with the provisions of the land utilization provisions of the plan. Said guidelines shall further clarify the character and operation of certain permitted uses, as appropriate, and shall set forth uses which are not acceptable. Said guidelines may be revised or amended from time to time, at the discretion of the agency, without amending this plan.

C. Subject to approval by the agency, the following uses and any uses determined by the agency to be of a compatible nature or similar characteristics, are permitted within the project area:

1.28.020

(Note: The establishment of a truck terminal is prohibited in Area 5 Expansion Area D, when adjacent to a residential land use)

1. The following uses may be permitted with agency discretion in areas designated “retail sales and office facilities ReO” on the land utilization plan, Exhibit 1.28.020:

a. Retail sales of primarily new merchandise including, but not limited to, sale of confections, bakery goods, food, drugs, flowers, gifts, books, furniture, office supplies, hardware, clothes, shoes, cameras, appliances, radios, television, jewelry, painting, liquor, paint;

b. Personal service establishments including, but not limited to, beauty shops, barber shops, portrait studios, radio and television repair, shoe repair, real estate, office machine repair, auto leasing, tailors;

c. Household and business service establishments including, but not limited to, interior decorating, upholstery, automatic laundry, laundry and dry cleaning pick-up station;

d. Business, professional, administrative and executive offices including, but not limited to, offices for doctors, dentists, architects, attorneys, engineers, public utilities, accountants, insurance companies;

e. Financial institutions including banks, savings and loan companies, finance companies;

f. Restaurants, taverns to be consistent with the provisions of the San Leandro Zoning Code;

g. Parking areas and structures for passenger automobiles;

h. Business and professional schools, including beauty academies which do not occupy the street or ground floor of a building;

i. Lodges, clubs, social and fraternal organizations, public or quasi-public buildings, post office;

j. Automotive service station, the activity of which provides for dispensing of fuel and petroleum products and minor auto repair services, but excludes major auto repair work;

k. Child-care facilities; and

l. Mortuary.

2. The following uses may be permitted in areas designated “professional office O” on the land utilization plan, Exhibit 1.28.020:

a. Professional, administrative and executive offices, the activities of which do not include the manufacture, storage, display or handling of merchandise for sale on the premises;

b. Medical or dental clinic or laboratory;

c. Any of the following when located within the same building as a use listed in (a) or (b); barber shop, beauty shop, retail confectionery, candy or gift store, pharmacy, newsstand, restaurant or dispensing optician;

d. Parking areas and structures for passenger automobiles;

e. School or studio for teaching art, dancing, dramatics, music or secretarial work;

f. Industrial laboratory or facility specializing in the production, assembly and testing of high technology research systems, such as biotechnology. Ancillary storage and warehousing uses;

g. Site-serving restaurant, or other personal service facilities of a type necessary to serve uses permitted herein, provided that applicant shall, in each instance, demonstrate that the proposed use is required to support uses permitted herein;

- h. Child-care facilities; and
 - i. Ancillary residential and retail would be looked at as part of an overall office use project.
3. The following uses may be permitted in areas designated “residential R” on the land utilization plan, Exhibit 1.28.020:
- a. Multiple family dwelling, including condominium development;
 - b. Private club or lodge building;
 - c. Parking lot when established to fulfill parking requirements for a permitted or conditional use;
 - d. Child-care facilities; and
 - e. Ancillary office and retail would be looked at as part of an overall residential development.
4. The following uses may be permitted in areas designated “institutional Int” on the land utilization plan, Exhibit 1.28.020:
- a. Clubs and lodges;
 - b. Cultural Institutions (including libraries, museums, and art galleries);
 - c. Child-care facilities; and
 - d. Religious Assembly, not including schools.
5. The following uses may be permitted in areas designated “retail sales, office facilities, and residential ROR” on the land utilization plan, Exhibit 1.28.020:
- a. Retail sales of primarily new merchandise including, but not limited to, sale of confections, bakery goods, food, drugs, flowers, gifts, books, furniture, office supplies, hardware, clothes, jewelry, painting, liquor, paint;
 - b. Personal service establishments including, but not limited to, beauty shops, barber shops, portrait studios, radio and television repair, shoe repair, real estate, office machine repair, auto leasing, tailors;
 - c. Household and business service establishments including, but not limited to, interior decorating, upholstery, automatic laundry, laundry and dry cleaning pick-up station;
 - d. Business, professional, administrative and executive offices including, but not limited to, offices for doctors, dentists, architects, attorney, engineers, public utilities accountants, insurance companies;
 - e. Financial institutions including banks, savings and loan companies, finance companies;
 - f. Restaurants, taverns;
 - g. Parking areas and structure for passenger automobiles;
 - h. Business and professional schools, including beauty academies which do not occupy the street or ground floor of a building;
 - i. Lodges, clubs, social and fraternal organizations, public or quasi-public office buildings, and post office facility;
 - j. Automotive service station, the activity of which provides for dispensing of fuel and petroleum products and minor auto repair services, but excludes major auto repair work;
 - k. Child-care facilities;
 - l. Multiple dwellings, including condominiums;
 - m. Business, professional and administrative offices;
 - n. Residential uses, except single family;
 - o. Sale of office supplies and equipment;
 - p. Commercial printing, blue printing;
 - q. Employment office; and
 - r. Office machine repair and service.
6. The following uses may be permitted in areas designated “residential or business

1.28.020

services RB” on the land utilization plan, Exhibit 1.28.020:

- a. Business, professional and administrative offices;
- b. Residential uses, except single family;
- c. Sale of office supplies and equipment;
- d. Commercial printing, blue printing;
- e. Employment office; and
- f. Office machine repair and service.

7. The following uses may be permitted in areas designated “business park BP” on the land utilization plan, Exhibit 1.28.020:

(Note: Neither principal nor accessory uses permitted shall be interpreted to include any use which by reason of its nature or manner of operation will create conditions hazardous, noxious or offensive to the project area or to the community.)

- a. Professional, administrative, medical and executive offices and business support services, the activities of which may include related accessory light manufacturing, storage, display, handling of merchandise and activities such as publishing, printing, lithographing, engraving;
- b. Assembly, packaging, repairing or secondary processing within a building of previously prepared materials;
- c. Manufacturing, processing, packaging, treatment or fabrication of goods and merchandise within a building, excluding any use or class of uses specifically mentioned as permitted only in the I-2 (general industrial) district zoning regulations of the city of San Leandro;
- d. Industrial laboratory, or facility specializing in the production, assembly and testing of high technology research systems, such as biotechnology, ancillary storage and warehousing uses;

e. Wholesale or retail sales of products not normally sold in pedestrian-oriented shopping centers, including sales at wholesale of products, or sales to the ultimate consumer of products made to the customer’s order;

f. Publishing, printing, lithographing, engraving;

g. Public and quasi-public office buildings, except utility buildings and corporation yards;

h. Site-serving restaurant, retail, or other personal service facilities of a type necessary to serve uses permitted herein, provided that applicant shall, in each instance, demonstrate that the proposed use is required to support uses permitted herein;

i. A light industrial use not listed herein provided that a showing of complete compatibility with uses permitted and with the stated purpose of this class of district can be made;

j. Full service sales facility for new automobiles and trucks on a building site of not less than one and three quarters acres, the activities of which may include related accessory used automobile and truck sales, and repair services, including body repair and painting;

k. Child-care facilities;

l. Residential facilities of a type necessary to serve uses permitted herein, provided that applicant shall, in each instance, demonstrate that the proposed use is secondary to the primary uses permitted herein.

8. The following uses may be permitted in areas designated “industrial I” on the land utilization plan Exhibit 1.28.020:

(Note: Neither principal nor accessory uses permitted shall be interpreted to include any use which by reason of its nature or manner of operation will create conditions

hazardous, noxious or offensive to the project area or to the community.)

a. Manufacture within a building of such goods as toys, novelties or clothing;

b. Assembly, packaging, repairing or secondary processing within a building of previously prepared materials;

c. Manufacturing, processing, packaging, treatment of fabrication of goods and merchandise within a building;

d. Industrial laboratory or facility specializing in the production, assembly and testing of high technology research systems, storage building, warehouse;

e. Publishing, printing, lithographing, engraving;

f. Public and quasi-public buildings and uses and public utility buildings or service yards, when necessary to serve the area;

g. Restaurant, or other personal service facilities of a type necessary to serve uses permitted herein, provided that applicant shall, in each instance, demonstrate that the proposed use is required to support uses permitted herein;

h. Medical offices, clinic or laboratory limited to the practice of industrial medicine;

i. An industrial use not listed herein provided that a showing of complete compatibility with uses permitted and with the stated purpose of this class of district can be made;

j. Mini-warehouse; warehouse; distribution facility.

9. Temporary Uses.

a. Temporary uses other than those provided for in Exhibit 1.28.020 may be approved by the agency where the following circumstances are determined by the agency to exist:

i. The agency owns the fee or holds a leasehold interest for a period greater than the duration of such temporary use; and

ii. The immediate development of the site in accordance with Exhibit 1.28.020 is not possible because of incomplete land assembly, infrastructure improvements, relocation of occupants, or for other reasons as determined by the agency.

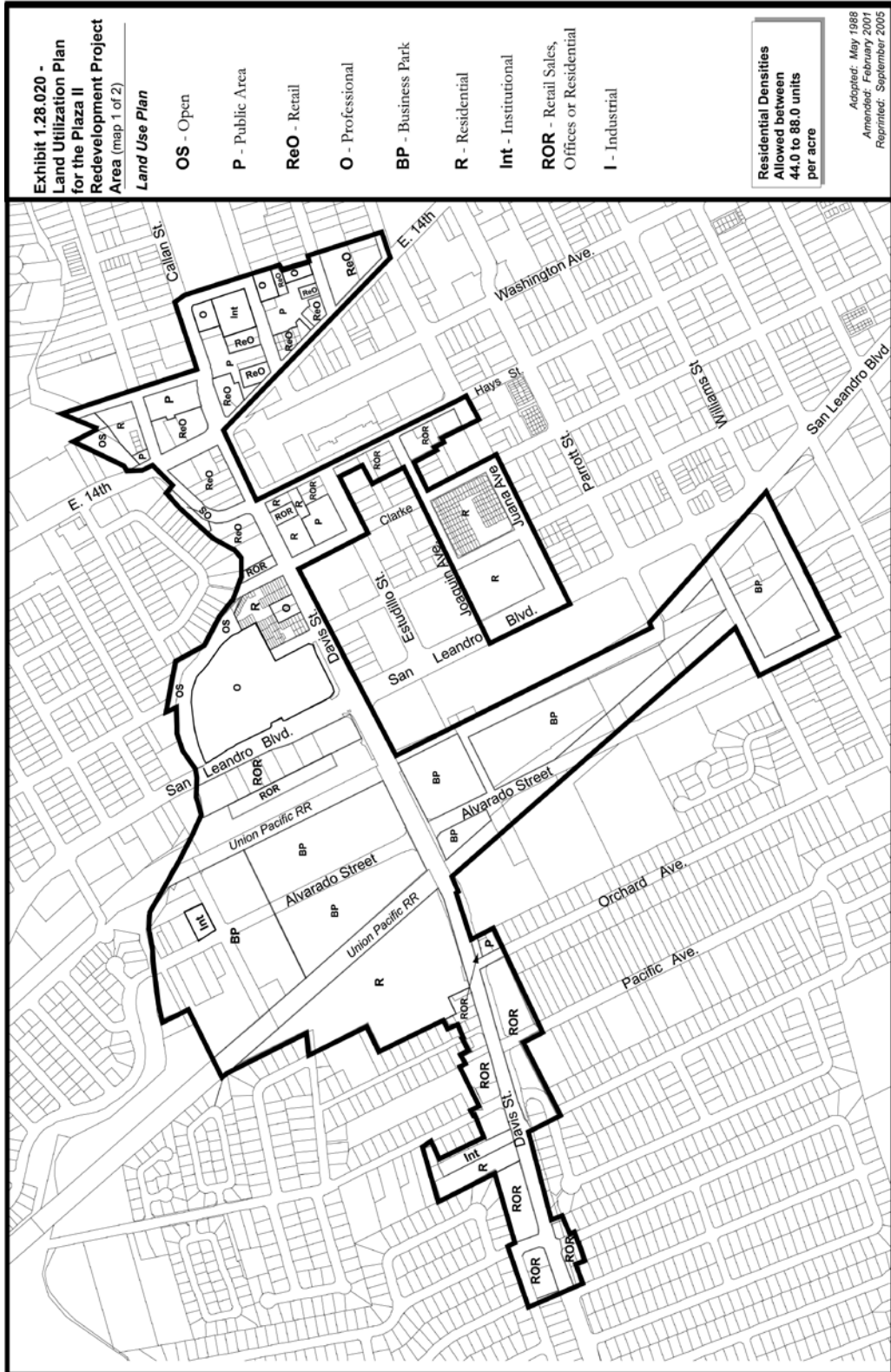
b. Such temporary use shall be governed by a temporary use plan approved by the agency. The temporary use plan shall provide as follows, to the satisfaction of the agency.

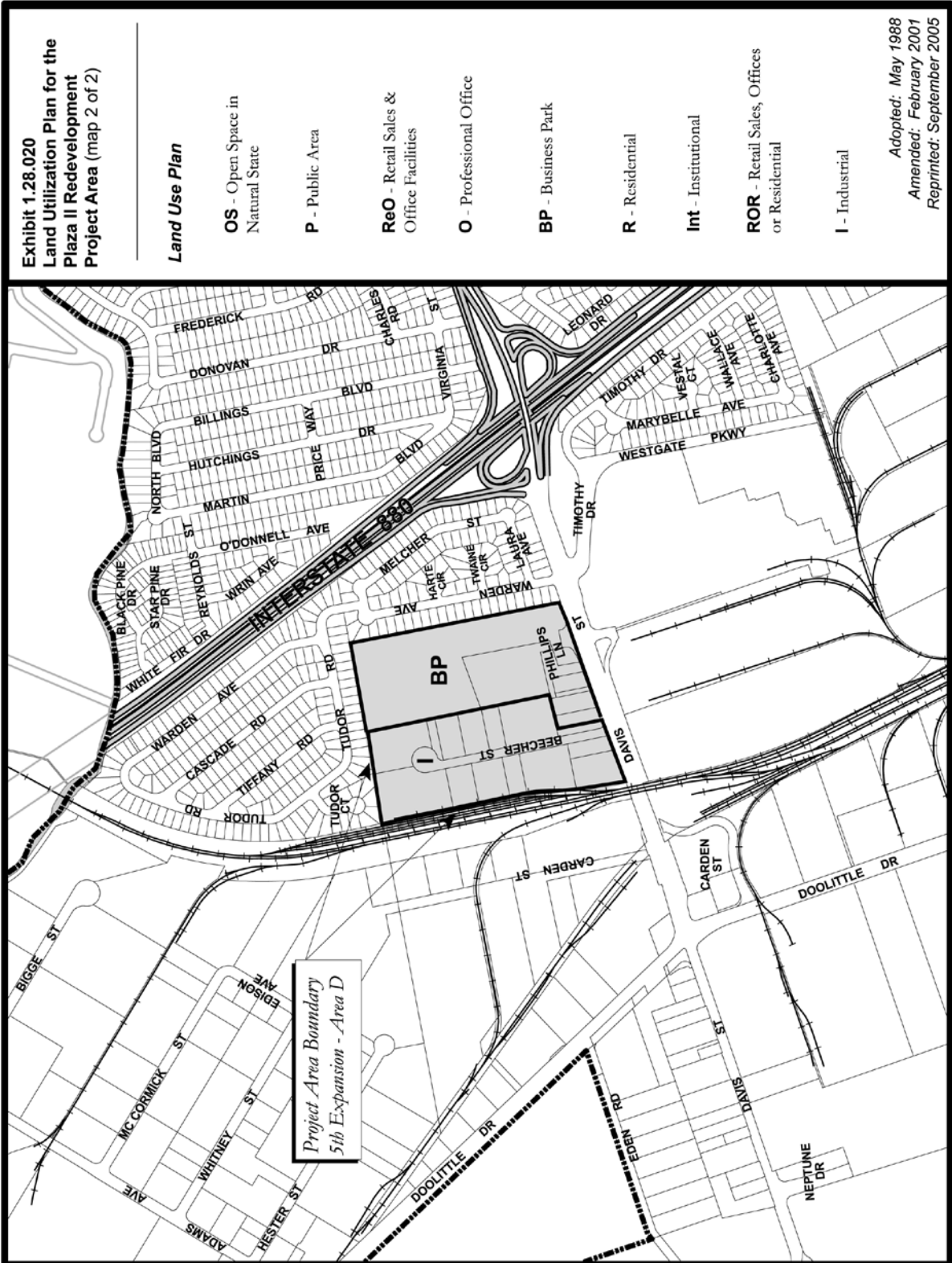
i. Buildings to be occupied by a temporary use shall substantially conform to current building and fire codes without extensive additional work;

ii. No building to be occupied by a temporary use shall be partitioned into sub-units for separate occupancy;

iii. No substantial exterior or interior remodeling shall be undertaken; and

iv. Screening of temporary use areas to minimize adverse impacts on adjacent property shall be provided. (Res. 2001-21, 2001; Ord. 95-06 (part), 1995; Plaza 2 redev. Plan § 4(B), 1998)



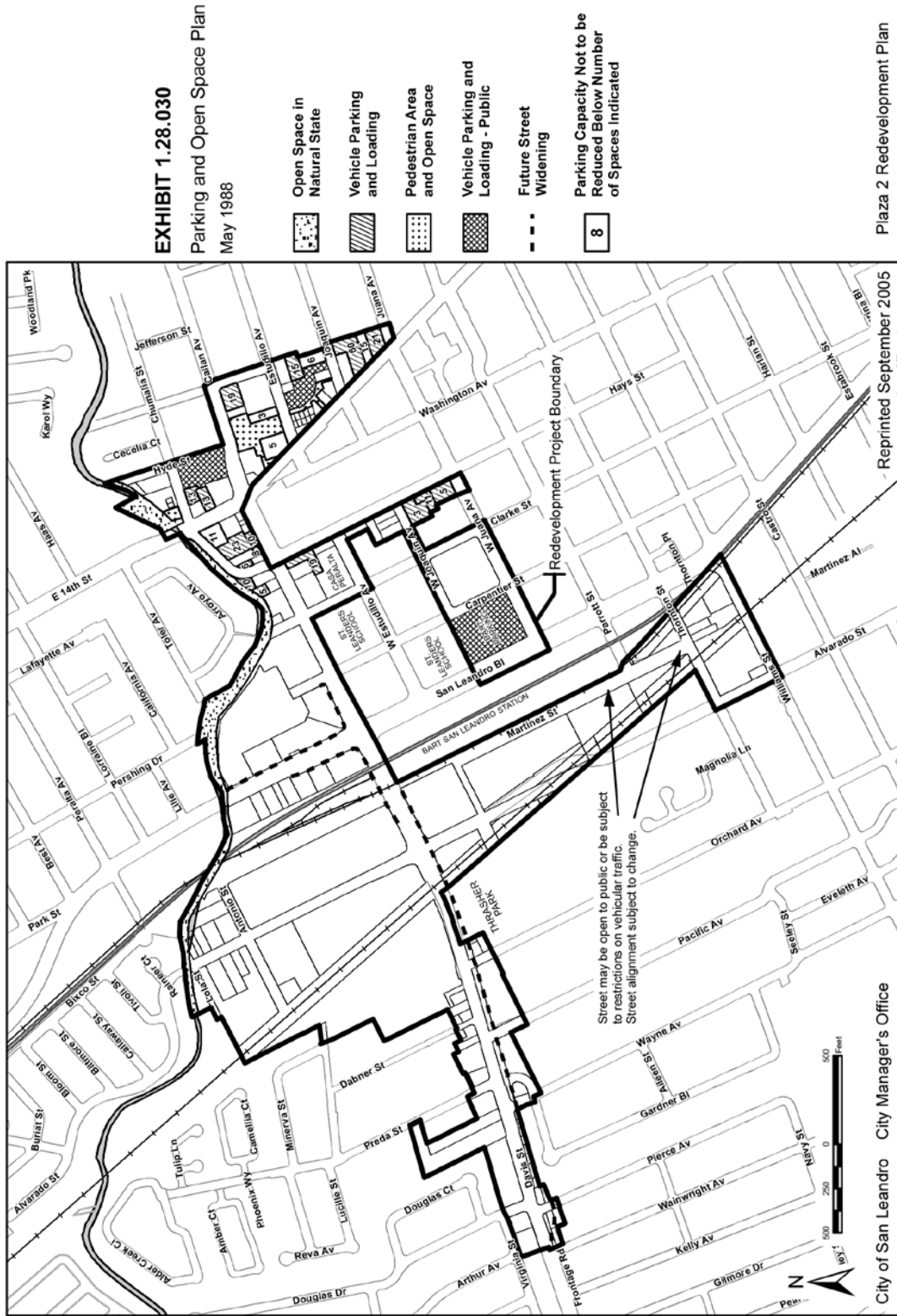


1.28.030

1.28.030 Private parking.

Where the parking and open space plan, Exhibit 1.28.030, indicates the minimum number of parking spaces now in existence or proposed to be developed as private off-street parking areas, these areas are to be paved and otherwise improved if they are not already so improved. The number of such parking spaces is not to be reduced, except that said parking spaces may be replaced by a like number of spaces located within four hundred (400) feet of the building or use served thereby, or by such other means permitted by the zoning ordinance and deemed acceptable by the agency and city council of the city of San Leandro, if the agency determines that equal utility is provided by such replacement.

Where Exhibit 1.28.030 does not show specific private parking facilities, parking shall be provided by property owners as determined by the agency as necessary to serve any new use or expanded existing use. (Plaza 2 redev. plan § 4(C), 1988)



1.28.040 Public parking and pedestrian areas.

The parking and open space plan, Exhibit 1.28.030, indicates the location of public parking areas and fully improved pedestrian open space areas; the latter consists of public malls and plazas improved with various amenities connecting off-street parking facilities with commercial and business frontages. (Plaza 2 redev. plan § 4(D), 1988)

1.28.050 Open space (natural state).

Open space in a natural state along San Leandro Creek, as delineated on the land utilization plan, Exhibit 1.28.020, and parking and open space plan, Exhibit 1.28.030, shall be preserved and maintained by the owners thereof. No tree larger than four inches in diameter, measured at a point twelve (12) inches above average natural grade, shall be cut, damaged or removed without prior approval by the agency. No cutting or filling of any land shall be undertaken without prior approval by the agency. No obstruction to the natural flow of water through such area shall be permitted. No building or structure shall be erected therein without prior agency approval. (Plaza 2 redev. plan § 4(E), 1988)

1.28.060 Existing uses (non-conformity).

Existing uses permitted by this plan may continue in use subject to the rules and standards governing owner participation referenced herein. Existing residential uses in areas in which residential uses are not permitted by this plan may continue subject to compliance with the rules for residential occupancy adopted by the agency. Other existing uses not permitted in their present locations by this plan, or any amendments

thereto, may continue only until the expiration of the lease or other rental agreement in effect on the date of adoption of this plan, or any amendments thereto, or until a change in ownership from that which exists on the date of adoption of this plan, or any amendment thereto, which results in a use or uses becoming non-conforming, whichever occurs first.

The agency may permit an extension of a lease or other rental agreement, or execution of a new lease or other rental agreement, or a change in use from an existing use to a similar use, or to a use of a more restrictive character (in any case of non-conformity) in which, in the exclusive determination of the agency, an acute personal or financial hardship exists, provided such approval includes a specific time for discontinuance of such non-conforming use agreed to by the owner and lessee or operator thereof. The agreement between the owner and lessee or operator and the agency shall conform with the provisions of Chapter 1.40 (Owner and Business Tenant Participation) of this plan and shall include such other provisions and conditions deemed necessary and reasonable by the agency in carrying out the purposes of the redevelopment plan.

A non-conforming use shall not be enlarged, increased, or expanded to occupy a greater area of space or property than that occupied or utilized at the time the use became non-conforming by this plan or by the city's zoning code. The agency may permit alterations to a building accommodating a non-conforming use or improvements to a site upon which such a use may be located, provided such alterations do not result in an expansion or enlargement of building space or area occupied by such use and provided they comply with applicable uniform build-

ing and fire codes or standards or regulations adopted by the agency applicable to the use, maintenance, operation and appearance of a non-conforming use or uses.

Furthermore, where a non-conforming use can reasonably be expected to remain in operation or use for an extended period of time, in excess of five years from the date upon which the use becomes non-conforming, the agency shall require the owner to make improvements or alterations to the building, structure or site to mitigate those elements of use, maintenance, operation and appearance that, in the exclusive determination of the agency, impact adversely on the project area, and in particular on streets and abutting uses that have been improved under the provisions of the plan. This provision shall apply to property and non-conforming uses that are owned and operated by the same party or entity and for which there is no lease, rental agreement or other instrument that limits the duration of the non-conforming use of the property. (Plaza 2 redev. plan § 4(F), 1988)

1.28.070 Streets and public rights-of-way.

The proposed layout of streets and public rights-of-way is shown on the land utilization plan, Exhibit 1.28.020. Notwithstanding said plan, all or portions of streets, alleys and public rights-of-way may be vacated and abandoned, and streets and alleys may be rerouted and traffic circulation changed, as deemed necessary by the agency to carry out development proposals within the project area. (Plaza 2 redev. plan § 4(G), 1988)

1.28.080 Historical landmarks.

Destruction or substantial alteration of any building of historic or architectural sig-

nificance within the project area is a project requiring preparation of an environmental clearance in accordance with the California Environmental Quality Act (CEQA). Such environmental clearance shall be specific as to the building reported on, establish the level and nature of significance, and provide for appropriate mitigation if, in the opinion of the agency, mitigation is appropriate. (Plaza 2 redev. plan § 4(H), 1988)

1.28.090 Fire Station No. 2.

The city fire station at 1040 Davis Street just east of Dabner Street is one of San Leandro's older stations and, as such, it may be subject to relocation to another site better situated to meet the changing public safety need of the community. In the event of relocation of the fire facility and subsequent sale of the property, the site would be available for residential or commercial uses consistent with surrounding development. (Plaza 2 redev. plan § 4(I), 1988)

1.28.100 Hazardous waste and substances.

Contaminated soil and groundwater have been discovered at several locations within the project area and action has been taken either to eliminate the contamination or to reduce it to acceptable levels in accordance with state of California standards. There are other sites within the project area that are suspect as to the presence of contaminants or hazardous wastes. Such sites are suspect because of existing or former uses that either engage in or have been engaged in the storage, processing or handling of products or substances, such as gasoline, diesel fuel and cleaning solvents, which, if not stored, processed and handled properly, can cause contamination of soil and groundwater.

1.28.110

Therefore, within the project area, the agency may take any actions which it determines are necessary and which are consistent with applicable state and federal laws to remedy or remove hazardous waste from property in said area in accordance with provisions in the Community Redevelopment Law. (Plaza 2 redev. plan § 4(J), 1988)

1.28.110 Railroad facilities.

The Southern Pacific and Union (Western) Pacific railroads have operating and non-operating rights-of-way within the project area westerly of San Leandro Boulevard. Railroad facilities located within such rights-of-way include, but are not limited to, above-ground private and commercial (Western Union) communication lines, track systems, including spur tracks, crossing signals and appurtenant railroad-related equipment.

The Union Pacific Railroad maintains and operates a shipping/receiving dock or platform and parking/loading area on the north side of Davis Street west of San Leandro Boulevard. This facility, which is accessible to the public street system only by a single driveway on Davis Street, has been used by local commercial and industrial firms for minor and occasional loading and unloading of rail cars to and from trucks. Only a portion of the area is paved with an all-weather surface suitable for year-round use for parking and movement of vehicles and trailers using the dock. The location of the facility and the existing improvements on it are inappropriate to a major regional shipping and receiving point, and major activity of this sort would impact adversely on adjacent public streets and privately owned properties. The agency determines that such activities in this location are

not essential to or integral with the operation of the railroad, that they are equivalent to and of the same nature as loading and unloading activities at spur tracks located on private properties elsewhere in the community, and that they are subject to local regulation.

In furtherance of the purposes of this plan and enhancing the appearance, operation and safety of Davis Street as a gateway, thoroughfare and designated scenic route in the city's general plan, the Agency may establish and impose operational, improvement and maintenance standards and guidelines regulating use, appearance, operation and maintenance of certain railroad facilities and equipment, such as a shipping/receiving platform or dock. The purpose of regulating such facilities, to the extent that such regulations do not conflict with California Public Utilities Commission rules and regulations, is to preclude such railroad facilities from having a blighting influence on adjacent public and private properties and facilities. The establishment and imposition of such standards and guidelines will not require an amendment to this plan. (Plaza 2 redev. plan § 4(K), 1988)

Chapter 1.32

IMPROVEMENTS

Sections:

- | | |
|-----------------|-----------------------------|
| 1.32.010 | General. |
| 1.32.020 | Parking facilities. |
| 1.32.030 | Pedestrian access. |
| 1.32.040 | Traffic improvement. |
| 1.32.050 | Bicycle access. |

1.32.010 General.

A. This redevelopment plan includes the construction of certain public improvements and the acquisition of property necessary therefor. This work shall include the renovation and rehabilitation of existing privately-owned structures in accordance with the owner participation provisions hereinafter set forth and the acquisition of privately owned property where the assembly of such property under unified control is necessary to implement this plan.

B. The following general types of public improvements are planned to be undertaken as a part of this project:

1. Improvement of pedestrian malls and pedestrian plazas;
2. Improvement and maintenance of public parking areas, access thereto and construction of parking structures;
3. Landscaping and lighting of pedestrian areas and parking areas, and installation of street and mall furniture, including kiosks, fountains, sculptures, benches, bus shelters and construction of decorative paving;
4. Installation of decorative street lighting on commercial frontages;
5. Widening of and related improvements to, including conversion of aerial utilities systems to underground systems, portions of streets providing direct access to the project area;
6. Development of a public transportation link between the BART station and the Plaza 1 redevelopment project area;
7. Construction of a pedestrian overcrossing between the BART parking lot and the BART station; and
8. Assemble land, provide relocation assistance, remove improvements, perform soils tests, undertake soil and groundwater

decontamination activities, and develop or market acquired properties for residential and non-residential uses in accordance with the plan.

C. The agency may, as it deems necessary to carry out this plan and subject to the consent of the city council and the determinations to be made under provisions contained in Community Redevelopment Law Section 33445, pay all or part of the value of the land for and the cost of installation and construction of such buildings, facilities, structures, street widenings, or other improvements identified in this chapter which are publicly owned, either within or outside the project area, at such locations as determined by the agency in implementing this plan.

D. When the value of such land or the cost of the installation and construction of such building, facility, structure or other improvement, or both, has been or will be paid for initially by the city or other public corporation, the agency may enter into a contract with the city or other public corporation under which it agrees to reimburse the city or other public corporation for all or part of the value of such land or all or part of the cost of such building, facility, structure or other improvement, or both, lump sum, partial or periodic payment over a period of years.

E. The obligation of the agency, under such contract, shall constitute an indebtedness of the agency for the purpose of carrying out the redevelopment of the project area, which indebtedness may be made payable out of taxes levied in the project area and allocated to the agency under subdivision (b) of Section 33670 of the Health and Safety Code or out of any other available funds.

1.32.020

F. In a case where such land has been or will be acquired by, or the cost of the installation and construction of such building, facility, structure or other improvements has been paid by a parking authority, joint powers entity or other public corporation to provide a building, facility, structure or other improvement which has been, or will be, leased to the city, such contract may be made with, and such reimbursement may be made payable to the city. (Plaza 2 redev. plan § 10(A), 1988)

1.32.020 Parking facilities.

This plan will create new public off-street parking spaces located in the areas of greatest need in the project area. The locations of these parking areas are as indicated on the land utilization plan, Exhibit 1.28.020, or the parking and open space plan, Exhibit 1.28.030. (Plaza 2 redev. plan § 10(B), 1988)

1.32.030 Pedestrian access.

A. The plan provides for improved pedestrian access from public transportation terminals, residential development within the project area and parking areas to shops and offices, and involves the following types of public improvements:

1. Public sidewalks and plazas to the rear of existing commercial blocks and adjacent to off-street parking areas;
2. Public sidewalks adjacent to public streets;
3. Arcades, fountains, benches, landscaping and other amenities on principal sidewalks as appropriate;
4. Public crossblock malls to connect off-street parking areas to commercial frontages;

5. Provisions for safe, convenient and unassisted movement of physically handicapped persons; and

6. Elevated pedestrian crossings where surface traffic makes pedestrian crossings at street level hazardous or otherwise inappropriate.

B. All buildings with direct access to an off-street parking area will be required to provide private customer and employee entrances to said parking area in conjunction with private rehabilitation work. The agency may grant an exception to this provision if the property owner or lessee demonstrates that compliance with the requirement would result in extreme difficulty and unnecessary hardship to the owner or lessee and would fail to serve the purposes of this section.

C. The emphasis on better pedestrian access will be on appearance as well as convenience. The specific objective is the creation of a pleasant environment, separate and distinct, to the greatest extent possible, from automobile and truck traffic.

D. The locations of pedestrian malls and plazas and public open spaces are as indicated on the parking and open space plan, Exhibit 1.28.030. (Plaza 2 redev. plan § 10(C), 1988)

1.32.040 Traffic improvement.

A. The widening of and related improvements to portions of East 14th, Davis and Hays Streets, Callan, Juana/West Juana Avenues and other streets in the Project Area are necessary to facilitate traffic circulation within said area. The widening of and related improvements to portions of Davis Street west of Carpentier Street to the Nimitz Freeway, and San Leandro Boulevard from Davis Street to San Leandro Creek, are also provided for in this plan. Both of these

streets are major access routes to all parts of the project area, the improvement of which is necessary to achieve the objectives of this plan.

B. In order to provide for proper utilization of property to be redeveloped, provide improved access, and improve parking and traffic circulation westerly of San Leandro Boulevard, the following street segments may be vacated or subject to restriction on vehicular traffic (refer to land utilization plan, Exhibit 1.28.020):

1. Martinez Street between West Estu-dillo Avenue and Thornton Street; and
2. Thornton Street between Martinez and Alvarado Streets.

C. Provisions shall be made to reduce the dependency on private transportation and enhance the availability of public transit as a means of access to and departure from the project area. These provisions shall include incorporating in the design of project elements, to the extent possible and within economic feasibility, features which will maximize access to bus and rail rapid transit, such as pedestrian bridges or overcrossings over major thoroughfares and improving levels of street lighting along major streets and key pedestrian corridors connecting places of employment, retail sales and dwelling units with public transit facilities. (Plaza 2 redev. plan § 10(D), 1988)

1.32.050 Bicycle access.

Bikeways planned for portions of Davis Street and San Leandro Boulevard within the project area will be retained and incorporated in street improvement plans. (Plaza 2 redev. plan § 10(E), 1988)

Chapter 1.36

FINANCING

Sections:

- 1.36.010 General.**
- 1.36.020 Tax increments.**
- 1.36.030 Bonds, advances and indebtedness.**
- 1.36.040 Low- and moderate-income housing fund.**

1.36.010 General.

The agency is authorized to finance the project with financial assistance from the city, state, federal government of the United States of America, property tax increments, special assessment districts, donations, interest income, agency bonds, loans from private financial institutions, the lease of agency-owned property, sale of agency-owned property and/or any other available source. (Plaza 2 redev. plan § 11(A), 1988)

1.36.020 Tax increments.

All taxes levied upon taxable property within the project area each year by or for the benefit of the state, county, city, any district or other public corporation (hereinafter sometimes called "taxing agencies") after the effective date of the ordinance by which a redevelopment plan was established for the areas set forth in said ordinance, and until such time as all indebtedness created pursuant to Section 1.36.030 hereof has been paid, shall be divided as follows:

1. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in

the redevelopment project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid to the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory of the project on the effective date of such ordinance but to which such territory is annexed or otherwise included after such effective date, the assessment roll last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the project on said effective date) and;

2. That portion of said levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the agency to pay the principal of and interest on bonds, loans, monies advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the agency to finance or refinance, in whole or in part, this redevelopment project. Unless and until the total assessed value of the taxable property in the project exceeds the total assessed value of the taxable property in the project as shown by the last equalized assessment roll referred to in subsection (A)(1) of this section, all of the taxes levied and collected upon the taxable property in the project shall be paid to the respective taxing agencies. When such bonds, loans, advances and indebtedness, if any, and interest thereon, have been paid, all monies thereafter received from taxes upon the taxable property in the project shall be

paid to the respective taxing agencies as taxes on all other property are paid.

B. The provisions of subsections (A)(1) and (A)(2) of this section notwithstanding, the agency shall not be allocated nor paid any portion of such taxes collected from the following properties, designated by their current assessor's parcel numbers as 77A-675-3, 77A-675-4-3, 77A-675-4-9, 77A-675-4-15, 77A-675-4-18, 77A-675-4-19, 77A-675-5-2, 77A-675-5-6, 77A-675-6-3, 77A-675-7, 77A-675-8-3, 77A-675-11, and 77A-675-12. These properties, which shall not be subject to capture of tax increment by the agency, are shown as Sub-Area D-1 in Exhibit 1.24.010(B).

C. The portion of taxes mentioned in subsection (A)(2) of this section collected by the agency are hereby irrevocably pledged for the payment of the principal of and interest on the advance of monies, or making of loans, or the incurring of any indebtedness (whether funded, refunded, assumed or otherwise) by the agency to finance or refinance the project in whole or in part.

D. The agency is authorized to make such pledges as to specific advances, loans and indebtedness as appropriate in carrying out the project.

E. The number of dollars of taxes which may be divided and allocated to the agency pursuant to this plan shall not exceed eighty-seven million five hundred thousand dollars (\$87,500,000), inclusive of the housing set-aside funds required by Section 33334.2 and replacement housing obligations created in accordance with Section 33413 of the Community Redevelopment Law. Taxes shall not be divided and shall not be allocated to the agency beyond said limitation without an amendment to this plan.

F. As to the tax increment generated within the project area, no loans, advances or indebtedness shall be established or incurred in the original project area and Areas 2 through 4 after January 1, 2004, and no loans, advances or indebtedness shall be established or incurred in Area 5 (A-D) after July 5, 2008. These limits, however shall not prevent incurring debt to be paid from the low- and moderate-income housing fund or establishing more debt in order to fulfill the agency's housing obligations in accordance with state law. The time limitation set forth herein may be extended only by amendment of this plan and in accordance with state law.

Pursuant to Section 33333.2 of the Health and Safety Code, loans, advances, or other indebtedness, except those used for affordable housing activities, must be repaid no later than January 1, 2020 for the original project area; December 17, 2030 for Area 2; March 30, 2032 for Area 3; November 29, 2033 for Area 4; and July 5, 2039 for Area 5 (A—D). (Ord. 2003-019 § 1 (part), 2003; Ord. 94-019 § 1, 1994; Plaza 2 redev. Plan § 11(B), 1988)

1.36.030 Bonds, advances and indebtedness.

The agency is authorized to issue bonds if appropriate and feasible in an amount sufficient to finance all or any part of the project.

The agency is authorized to obtain advances, borrow funds and create indebtedness in carrying out this plan. The principal and interest on such advances, funds and indebtedness may be paid from tax increments or any other funds available to the agency.

Neither the members of the agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

The bonds and other obligations of the agency are not a debt of the city, the state, nor are any of its political subdivisions liable for them, nor in any event shall the bonds or obligations be payable out of any funds or properties other than those of the agency; and such bonds and other obligations shall so state on their face. The bonds do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

The amount of bonded indebtedness to be repaid, in whole or in part, from the allocation of taxes from the project area described in Section 1.36.020(A)(2) which can be outstanding at any one time shall not exceed fifty million dollars (\$50,000,000.00), exclusive of any revenue bonds issued to finance housing, commercial and industrial projects. (Plaza 2 redev. plan § 11(C), 1988)

1.36.040 Low- and moderate-income housing fund.

The agency shall establish a low- and moderate-income housing fund and shall allocate thereto not less than twenty (20) percent of all proceeds which it receives annually under the tax increment repayment provisions of the California Community Redevelopment Law for the purposes of increasing and improving the city's supply of housing for persons and families of low or moderate income as income levels are defined in the law, unless a finding can be made to the contrary in conformance with the provisions contained in the law. Furthermore, the agency may use the monies in

1.40.010

said fund either inside or outside the project area.

The interest earned by the low- and moderate-income housing fund shall accrue to the fund and may only be used for those purposes for which the fund has been established.

The provisions of this section of the plan apply only to Areas 2, 3, 4 and 5 of the project area, except that the agency shall comply with those provisions of the Community Redevelopment Law requiring the agency to compute the amount of such funds that otherwise would have been generated in Area 1 of the project area and to allocate and expend such funds at the time and in the manner prescribed in the law. (Plaza 2 redev. plan § 11(D), 1988)

Chapter 1.40

OWNER AND BUSINESS TENANT PARTICIPATION

Sections:

- 1.40.010 General.**
- 1.40.020 Rules and regulations governing owner participation.**
- 1.40.030 Owner participation agreements.**
- 1.40.040 Standards.**
- 1.40.050 Alternate provisions on failure of owner to participate.**

1.40.010 General.

A. The agency shall extend reasonable preferences to persons who own property or are engaged in business in the project area, to continue in or re-enter business within the

project area, if they meet the requirements prescribed in this plan and the agency's rules and procedures for such participation.

B. The improvement of existing buildings and sites by their owners is one of the primary objectives of this plan. In order to achieve this objective, and in order to protect the investments of property owners who undertake new construction work or substantial remodeling and rehabilitation work, a uniform and equitable owner participation program is necessary. Property owners will be given the opportunity to participate by coordinating new construction, remodeling, rehabilitation and site improvement work with the execution of a new lease or lease renewal. The plan includes a positive approach to insure that new construction, remodeling rehabilitation and site improvement work is carried out properly and promptly throughout the project area.

C. Participation opportunities shall necessarily be subject to and limited by such factors as the need for expansion of public facilities; elimination and/or modification of land uses; realignment and vacation of streets; the ability of participants to finance acquisition and development in accordance with the plan; reduction of the total number of or change in the sizes of individual parcels in the project area; change in orientation and character of the area, or portion of the area; and preservation of existing buildings which have historical and/or architectural qualities that will enhance the project area.

D. The extent to which participation opportunities are feasible and afforded to property owners in the project area shall be at the sole discretion of the redevelopment agency.

E. All of the provisions of this section are subject to the following provisions con-

cerning the selection of a master developer or developers to develop parcels within the project area:

1. In the event the agency determines, either of its own volition or pursuant to a request of a property owner, that it is in the best interest of the project that several parcels within the project area be assembled and developed by a single property owner or other entity under a master developer plan, the agency may select and designate a master developer for the parcels based on the selected master developer's plan and his or her financial and technical ability to successfully undertake and complete the development program.

2. Any individual or other entity may apply to be selected as a master developer of or more parcels in the project area. Upon such application, the agency shall determine whether it is desirable to designate a master developer for such parcels and whether the applicant or another individual or entity meets the qualification to serve as the master developer. The agency shall designate a qualified master developer unless, in its exclusive judgement, no property owner or other individual or entity meets the necessary qualifications or it is not desirable to designate a master developer for those parcels.

3. The rights of particular property owners and business tenants to participate in the redevelopment of their respective properties shall be subject to or limited by or eliminated by the inclusion of their property within a master development to be developed by another entity.

F. In carrying out the purposes of the plan, the agency may establish or appoint such committees or subcommittees as are necessary to assist the agency in achieving

those purposes by developing and implementing policies and development standards related to, but not limited to, sign control, architectural treatment of structures, occupancy of buildings, on-site pedestrian and vehicular circulation, driveway locations, loading zones, parking areas and prohibiting or restricting uses which may have adverse traffic generating characteristics inconsistent with the purposes of the plan. (Plaza 2 re-dev. plan § 12(A), 1988)

1.40.020 Rules and regulations governing owner participation.

The owner participation program providing for the repair, renovation and renewal of existing structures by their owners shall be subject to the following regulations:

A. Approval of the redevelopment agency will be required before any of the following shall occur:

1. Issuance of any building, plumbing, electrical or demolition permit, or an excavation permit, including any permit required for the excavation and stockpiling of earth or soil, especially contaminated soil, within the project area; or

2. Any change in use or occupancy of any property or portion thereof. "Change of occupancy" includes both the occupancy by a different tenant of property previously vacated, and the execution of a new lease, lease renewal, lease assignment, or other agreement providing for continuing occupancy by an existing occupant or new occupant after termination or expiration of a lease or other rental agreement.

B. Agency approval shall be granted only if the owner has:

1. Completed improvements in accordance with this plan and all standards relating

1.40.030

to such improvements adopted by the redevelopment agency; or

2. Entered into an owner participation agreement providing for such improvements.

C. Any change in use or occupancy, any lease renewal, or other agreement providing for continuing occupancy by an existing occupant or new occupant, or any unauthorized construction activity initiated without approval of the agency shall be a misdemeanor.

D. No business license shall be issued to any business within the project area which is not in compliance with this plan.

E. Any lease or other agreement providing for continuing occupancy by an existing occupant or new occupant, executed in violation of these provisions shall be voidable at the option of the lessee.

F. In the event of failure of an owner to fully comply with the provisions of an owner participation agreement into which owner has entered. with the agency, the agency may thereupon, by motion, declare void all occupancy approvals granted by agency in said agreement. Continued occupancy of the premises thereafter by such occupants is a violation of this plan. (Plaza 2 redev. plan § 12(B), 1988)

1.40.030 Owner participation agreements.

Owner participation agreements will be prepared as soon after the adoption of the redevelopment plan as possible. Such agreements will be prepared by the redevelopment agency after consultation with property owners. Each agreement will contain a list of minimum improvements to be made to the specific property to which it applies, formulated in accordance with the standards

and design concept established hereunder. In addition, each agreement will provide for the submission to the agency of specific plan and specifications for these improvements sufficiently in advance of the time at which the improvements are actually to be accomplished to permit thorough agency review. The time at which improvements to a building and site are to be accomplished will, when necessary, be coordinated with the lease period of its major occupant. In those cases with prolonged periods of time remaining on the current lease, earlier dates will be established by the agency. (Plaza 2 redev. plan § 12(C), 1988)

1.40.040 Standards.

All improvement plans presented to the redevelopment agency and all actual improvements shall conform to the standards adopted by the agency on August 14, 1967, as part of the rules and standards governing owner participation, and any subsequent amendments thereto.

The agency may approve a variance from the improvement standards on a showing by the owner that the extent of recent improvements, the location or orientation of the building, or the nature of a proposed use of the building are such that strict adherence to all improvement standards would seriously and adversely affect the operation of such use. (Plaza 2 redev. plan § 12(D), 1988)

1.40.050 Alternate provisions on failure of owner to participate.

In the event of failure of the owner to participate in accordance with the owner participation provisions of the plan, the redevelopment agency may acquire the property through eminent domain or as otherwise

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provided in any owner participation agreement for subsequent disposition for renovation according to the standards established by this plan and for use in accordance with this plan. This alternate procedure will become effective only if the owner fails to make the required improvements or enter into an owner participation agreement within a period of six months following termination of an existing lease, tenancy or use. The agency may, on its own motion or by application of the owner, extend this period for an additional period or periods of six months. Execution of an owner participation agreement prior to actual acquisition by the agency, and reimbursement to the agency by the owner of any costs incurred in pursuance of such acquisition by the agency under this alternate procedure, will reinstate the owner participation provision of this plan. (Ord. 95-05 (part), 1995; Plaza 2 redev. Plan § 12(E), 1988)
1.40.050

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The Plaza 2 Redevelopment Project, at it existed on February 25, 1974, is shown on the map marked Exhibit 1.24.010(B). AREA 1 is more particularly described as follows:

AREA 1

Beginning at the intersection of the southeasterly line of West Juana Avenue with the southwesterly line of Hays Street; thence northwesterly along the southwesterly line of Hays Street to its intersection with the northwesterly line of Davis Street; thence northeasterly along the said north-

westerly line of Davis Street to its intersection with the southwesterly line of East 14th Street; thence easterly in a direct line to the intersection of the northeasterly line of East 14th Street with the northwesterly line of Callan Avenue as said street existed on March 4, 1968; thence southeasterly in a direct line to the point of intersection of the northeasterly line of East 14th Street with the southeasterly line of Callan Avenue; thence southeasterly along the said northeasterly line of East 14th Street to its intersection with the southeasterly line of Juana Avenue; thence northeasterly along the said southeasterly line of Juana Avenue to its intersection with the southeasterly prolongation of the northeasterly property line of Parcel 51, Block 551; thence northwesterly along the said southeasterly prolongation of the northeasterly property line of Parcel 51, and along the northeasterly property line of the said Parcel 51, and along the northeasterly property line of Parcel 53, Block 551, and along the northwesterly prolongation of the said northeasterly property line of Parcel 53 to its intersection with the northwesterly line of Joaquin Avenue, thence southwesterly along the said northwesterly line of Joaquin Avenue to its intersection with the northeasterly property line of Parcel 28, Block 551; thence northwesterly along the said northeasterly property line of the said Parcel 28 to the northeast corner thereof; thence northeasterly along the northwesterly property line of Parcel 27, Block 551 to its intersection with the northeasterly property line of Parcel 36, Block 551; thence northwesterly along the said northeasterly property line of the said Parcel 36 and along the northwesterly prolongation of the said northeasterly property line of the said Parcel 36 to its intersection with the northwesterly line of

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Estudillo Avenue: thence southwesterly along the said northwesterly line of Estudillo Avenue to its intersection with the northeasterly line of Harrison Street; thence northwesterly along the said northeasterly line of Harrison Street to its intersection with the southeasterly line of Callan Avenue; thence northwesterly in a direct line to the point of intersection of the northeasterly line of said Harrison Street with the northwesterly line of the said Callan Avenue; thence southwesterly in a direct line to the point of intersection of the southwesterly line of the said Harrison Street with the northwesterly line of the said Callan Avenue; thence southwesterly along the said northwesterly line of Callan Avenue to its intersection with the northeasterly line of Hyde Street; thence northwesterly along the said northeasterly line of Hyde Street across Chumalia Street and continuing northwesterly to the point of intersection of the said northeasterly line of Hyde Street with a line is perpendicular to the said northeasterly line of Hyde Street and projects southwesterly across the said Hyde Street to the northeast corner of Parcel 1-2, Block 446; thence southwesterly along the said perpendicular line to the said northeast corner of Parcel 1-2; thence southwesterly along the northwesterly property line of the said Parcel 1-2 to the most southerly corner of Parcel 2-3, Block 439, said northwesterly property line of Parcel 1-2 being also the center line of San Leandro Creek; thence northwesterly along the southwesterly property line of the said Parcel 2-3 to the most easterly corner of Parcel 8, Block 440; thence southwesterly along the southeasterly property line of Parcel 8 and along the southeasterly property line of Parcel 7-1, Block 440 to its point of intersection with the northeasterly line of

East 14th Street; thence southeasterly along the said northeasterly line of East 14th Street to its intersection with the centerline of San Leandro Creek; thence southwesterly along the said centerline of San Leandro Creek to its intersection with the southwesterly line of East 14th Street, said intersection of the centerline of San Leandro Creek with the southwesterly line of East 14th Street being also the southeasterly corner of Parcel 4, Block 162; thence southwesterly along the southeasterly property line of the said Parcel 4 and along the southeasterly property line of Parcels 5, 6, 7, 8, 9, 10 and 11, Block 162, to the northeast corner of Parcel 7, Block 16, said southeasterly property line of Parcels 4, 5, 6, 7, 8, 9, 10 and 11, Block 162 being also the center line of San Leandro Creek; thence southwesterly along the northwesterly property line of the said Parcel 7, Block 16 and along the northwesterly property line of Parcel 6, Block 16 to the northwesterly corner of the said Parcel 6; thence southerly along the westerly property line of the said Parcel 6 to its intersection with the northwesterly line of Davis Street; thence southwesterly along the said northwesterly line of Davis Street to its intersection with the southwesterly line of Clarke Street; thence southeasterly along the said southwesterly line of Clarke Street to its intersection with the southeasterly line of West Estudillo Avenue; thence northeasterly along the said southeasterly line of West Estudillo Avenue to the northwest corner of Parcel 5-1, Block 14; thence southeasterly along the southwesterly property line of the said Parcel 5-1, and along the southwesterly property line of Parcel 5-2, Block 14, to its intersection with the northwesterly property line of Parcel 6, Block 14; thence southwesterly along the said northwesterly prop-

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erty line of Parcel 6 to the northwest corner thereof; thence southeasterly along the southwesterly property line of the said Parcel 6, and along the southwesterly property line of Parcel 7-2, Block 14, to its intersection with the northwesterly line of West Joaquin Avenue; thence southwesterly along the said northwesterly line of West Joaquin Avenue, and the southwesterly prolongation thereof to the southwesterly line of San Leandro Boulevard; thence southeasterly along the said southwesterly line of San Leandro Boulevard to its intersection the southwesterly prolongation of the southeasterly line of West Juana Avenue; thence northeasterly along the said prolongation of the southeasterly line of West Juana Avenue, and along the southeasterly line of West Juana Avenue to its intersection with the northeasterly line of Clarke Street; thence northwesterly along the said northeasterly line of Clarke Street to its intersection with the southeasterly line of West Joaquin Avenue; thence northeasterly along the said southeasterly line of West Joaquin Avenue to the northwest corner of Parcel 14, Block 14; thence southeasterly along the southwest property line of the said Parcel 14 to the southwest corner thereof; thence northeasterly along the, southeasterly property line of the said Parcel 14 to its intersection with the southwesterly property line of the southwest portion of Parcel 17, Block 14; thence southeasterly along the said southwesterly line of Parcel 17 to the southwest corner thereof; thence northeasterly along the southeasterly property line of the said Parcel 17 to its intersection with the southwesterly property line of Parcel 18, Block 14; thence southeasterly along the said southwesterly property line of Parcel 18 and along the southeasterly prolongation of the said

southwesterly property line of Parcel 18, and across West Juana Avenue to the southeasterly line of the said West Juana Avenue; thence northeasterly along the said southeasterly line of West Juana Avenue to the point of beginning.

The area added to the Plaza 2 Redevelopment Project on December 17, 1979, is shown as AREA 2 on Exhibit B. AREA 2 is more particularly described as follows:

AREA 2

Real property in the City of San Leandro, County of Alameda, State of California, being a portion of Map of the Town of San Leandro, filed February 27, 1855, in Book 2, at page 43, Alameda County Records and being further described as follows:

Beginning at the intersection of the northwestern line of Davis Street with the southwestern line of Clarke Street, as said streets are shown on said map; thence southeasterly along the said southwestern line of Clarke Street to its intersection with the southeastern line of said Davis Street; thence southwesterly along the said southeastern line of Davis Street to its intersection with the southwestern line of Carpentier Street, as said street is shown on said map; thence northwesterly along the said southwestern line of Carpentier Street to a point 100 feet northwesterly of the northwesterly line of said Davis Street; thence at right angles, to said Carpentier Street, southwesterly, 150 feet, more or less, to a line drawn parallel with said Carpentier Street, thence northwesterly along said parallel line 660 feet, more or less, to the southeastern line of Ramon Street, as last said street is shown on said map; thence southwesterly along the said southeastern line of Ramon Street to the

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southwestern line of San Leandro Boulevard (formerly Estudillo Street), as last said street is shown on said map; thence northwesterly along said southwestern line of San Leandro Boulevard to the centerline of San Leandro Creek as said centerline is shown on the map entitled La Chateauhurst, filed September 17, 1926, in Book 9, at page 45, Alameda County Records; thence easterly, northeasterly, easterly and southeasterly along said centerline of San Leandro Creek, as said center line is shown on last said map, the general southern boundary line of Map of San Antonio Court, filed August 9, 1913, in Book 28, at page 38, Alameda County Records, said general southern boundary line being also the centerline of San Leandro Creek; thence continuing southeasterly, easterly, and northeasterly along the centerline of San Leandro Creek, as said centerline is shown on last said map, to a line drawn parallel with and 175 feet northeasterly, more or less measured at right angles, form the northeasterly line of said Clarke Street; thence southeasterly along said parallel line to the said northwestern line of Davis Street; thence southwesterly along said northwestern line of Davis Street to the Point of Beginning.

The area added to the Plaza 2 Redevelopment Project on March 30, 1981, is show as AREA 3 on Exhibit B. AREA 3 is more particularly described as follows:

AREA 3

Real property in the City of San Leandro, County of Alameda, State of California, being portions of Lots "D," "E," and "F," Block 34, and portions of San Leandro Boulevard (formerly Estudillo Street), as shown on the Map of Town of San Leandro,

filed February 27, 1855, in Book 2 of Maps, at page 43, Alameda County Records, and further described as follows:

Beginning at a point of the northeastern line of San Leandro Boulevard, formerly Estudillo Street, said point being 584.60 feet northwesterly from the intersection of said line with the northwestern line of Davis Street, as said streets are shown on said map; thence southwesterly at right angles to said line of San Leandro Boulevard, to the southwestern line of San Leandro Boulevard, as said street is shown on said map; thence northwesterly along last said line 75.40 feet to the southeastern line of Ramon Street, as last said street is shown on said map; thence northeasterly along last said line to the northeastern line of Lot D or Block 34 of said map; thence southeasterly along last said line 75.40 feet; thence at right angles to last said line, southwesterly, 150.00 feet to the Point of Beginning.

The area added to the Plaza 2 Redevelopment project on November 29, 1982, is shown on Exhibit B and is labeled AREA 4. This area is more particularly described as follows:

AREA 4

Real property in the City of San Leandro, County of Alameda, State of California, described as follows:

Beginning at the intersection of the southeastern line of Davis Street with the southwestern line of Carpentier Street, as said streets are shown on Map of the Town of San Leandro, filed February 27, 1855, in Book 2 at page 43, Alameda County Records; thence southwesterly along said line of Davis Street to the northeastern line of San Leandro Boulevard (formerly Estudillo Av-

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enue), as last said street is shown on said map; thence southeasterly along said line of San Leandro Boulevard, 11 feet, to a line drawn parallel with and 11 feet southeasterly, measured at right angles, from the said line of Davis Street; thence southwesterly along said parallel line to the northeastern line of Martinez Street, as last said street is shown on said map; thence southeasterly along last said line to the southeastern line of West Estudillo Avenue (formerly Ward Street), as last said street is shown on said map; thence southwesterly along said line, 558.9 feet, more or less, to the southwestern line of the Southern Pacific Transportation Company right-of-way (100 feet wide); thence northwesterly along last said line, 393.4 feet, more or less, to the said line of Davis Street; thence southwesterly along last said line, 82.7 feet, more or less, to the southwestern line of said Map of the Town of San Leandro; thence northwesterly along last said line, 13.1 feet, more or less, to its intersection with the most northerly line of Thrasher Park (southwesterly of said Map of the Town of San Leandro), as said Park was conveyed to the City of San Leandro by Decree of Final Distribution No. 12,606 Superior Court of Alameda County, dated April 28, 1915, said line of Thrasher Park being also the southern line of Davis Street (66 feet wide); thence westerly along said southern line of Davis Street, 541.0 feet, more or less, to its intersection with the southeasterly prolongation of a line drawn parallel with and 105 feet northeasterly, measured at right angles, from the northeastern line of Dabner Street as said street is shown on Dabner's Addition, filed May 16, 1871 in Book 2, at page 22, Alameda County Records, last said parallel line being also the prolongation of the northeastern line of Dabner's Addition;

thence northwesterly along last said parallel line, 67.1 feet to the southeastern corner of Dabner's Addition, said corner being on the northern line of Davis Street (66 feet wide); thence northwesterly, continuing along last said parallel line 525.0 feet, more or less, to the northern line of Lot 10, Block B of Dabner's Addition; thence northeasterly along the prolongation of the northwest line of Lot 10, last said line being also perpendicular to Dabner Street, 139.0 feet to a line drawn parallel with and 139 feet northeasterly, measured at right angles, from the said northeastern line of Dabner's Addition; thence northwesterly along said parallel line, 285.8 feet, more or less, to the southern line of Lucille Street (formerly Williams Lane) as said street is shown on Tract 717, filed September 7, 1945, in Book 11, at pages 32 and 33, Alameda County Records; thence northerly, at right angles to said southern line of Lucille Street, 35 feet to the northern line of Lucille Street; thence easterly along last said line of Lucille Street, 103.4 feet more or less, to the most eastern corner of said Tract 717; thence northwesterly along the northeastern line of said Tract 717, said northeastern line of Tract 717 being also parallel with and 100 feet northeasterly, measured at right angles, from the northeastern line of Minerva Street as said street is shown on said Map, 444.8 feet, more or less, to the said southwestern line of the Southern Pacific Transportation Company right-of-way; thence northwesterly along the prolongation of said northeastern line of Tract 717, 29.0 feet to the southwesterly prolongation of the southeastern line of Lola Street, as said street is shown on said Map of the Town of San Leandro; thence northeasterly along last said prolongation and said southeastern line of Lola Street, 372.9 feet,

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more or less, to a line drawn parallel with and 75 feet northeasterly, measured at right angles, from the said southwestern line of Town of San Leandro, last said parallel line being also perpendicular to Lola Street; thence northwesterly along last said parallel line to the centerline of San Leandro Street, as said creek is shown on said Map of the Town of San Leandro; thence along said center line northeasterly, easterly, and southeasterly along to the said northeastern line of Martinez Street; thence southeasterly along last said line to the northwestern line of said Davis Street, as said street is shown on said Map of the Town of San Leandro; thence northeasterly along last said line of Davis Street to the said line of Carpentier Street; thence southeasterly along said line of Carpentier Street to the Point of Beginning.

The area added to the Plaza 2 Redevelopment Project in June, 1988, is shown on Exhibit B and is labeled AREA 5, Expansion Areas A, B, C and D. This area is more particularly described as follows:

AREA 5

EXPANSION AREA "A"

The area generally located along both sides of San Leandro Boulevard between Davis Street and San Leandro Creek, and including the Union Pacific Railroad property located northerly of Davis Street and westerly of San Leandro Boulevard, and specifically described as follows:

Real property in the City of San Leandro, County of Alameda, State of California, being all of Blocks 36, 37 and 38, portions of Block 33 and 34, and a portion of San Leandro Boulevard (formerly Estudillo Street), all as shown on the Map of the

Town of San Leandro, filed February 27, 1855, in Book 2 of Maps, at page 43, Alameda County Records, and being further described as follows:

Beginning at the intersection of the southwestern line of Carpentier Street with the northwestern line of Davis Street, as said streets are shown on said map; thence northwesterly along said line of Carpentier Street to a point 100 feet northwesterly of the said line of Davis Street; thence at right angles to said line of Carpentier Street, southwesterly, 150 feet to a line drawn parallel with said line of Carpentier Street; thence northwesterly along said parallel line 484.60 feet; thence southwesterly, at right angles to said line of Carpentier Street, to the southwesterly line of said San Leandro Boulevard; thence northwesterly along said line of San Leandro Boulevard to the center line of San Leandro Creek, as said Creek is shown on said map; thence westerly and northwesterly along said centerline of San Leandro Creek to the northeastern line of Martinez Street, as said street is shown on said map; thence southeasterly along said line of Martinez Street to the said line of Davis Street; thence northeasterly along said line of Davis Street to the Point of Beginning.

EXPANSION AREA "B"

The area located westerly of BART's San Leandro Station bounded generally by West Estudillo Avenue on the north, Martinez Street and the Union Pacific Railroad on the east, Williams Street on the south and Alvarado Street and the Southern Pacific Railroad on the west, and specifically described as follows:

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Real property in the City of San Leandro, County of Alameda, State of California, described as follows:

Beginning at the intersection of the northeastern line of Martinez Street with the southeastern line of West Estudillo Avenue (formerly Ward Street), as said streets are shown on Map of the Town of San Leandro, filed February 27, 1855, in Book 2 of Maps, at page 43, Alameda County Records; thence southwesterly along said line of West Estudillo Avenue to the southwestern line of Southern Pacific Railroad right-of-way, as said right-of-way is shown on Parcel Map 4852, filed October I, 1986, in Book 164 of Maps, at pages 50 and 51, Alameda County Records; thence southeasterly along last said line to the northwestern line of Thornton Street, as last said street is shown on said Map of the Town of San Leandro; thence southwesterly along last said line to the southwestern line of Alvarado Street, as last said street is shown on last said map; thence southeasterly along last said line to the southeastern line of Williams Street, as last said street is shown on last said map; thence northeasterly along last said line to the northeastern line of the Union Pacific System (formerly Western Pacific Railroad Company) right-of-way (80 feet wide); thence northwesterly along last said line to the northwestern line of Parrott Street, as last said street is shown on last said map; thence southeasterly along last said line to the said line of Martinez Street; thence northwesterly along last said line to the Point of Beginning.

EXPANSION AREA "C"

The area generally located on both sides of Davis Street between Orchard and Wain-

wright Avenues, and specifically described as follows:

Real property in the City of San Leandro, County of Alameda, State of California, described as follows:

Beginning at the intersection of the southwestern line of Orchard Avenue with the southeastern line of Lot 41 as said avenue and lot are shown on Map of the Smith Subdivision San Leandro, CA, filed July 31, 1889, in Book 9 of Maps, at page 28, Alameda County Records; thence southwesterly along said line of lot 41 to the southwestern line of last said map, last said line being also the northeastern line of Tract 658, filed March 19, 1943, in Book 8 of Maps, at pages 48 and 49; thence northwesterly along last said line, 7.28 feet, more or less, to the southeastern line of Lot 7 of said Tract 658; thence southwesterly along last said line and the prolongation thereof to its intersection with the southwestern line of Pacific Avenue, as last said avenue is shown on said Tract 658, last said line being also the northeastern line of Map of Duman's Addition to the Town of San Leandro, filed December 16, 1870, Map Book 3, page 33, and also recorded January 10, 1871, Map Book 1, page 33, Alameda County Records; thence northwesterly along last said line to the southeastern line of Lot 1 of last said map; thence southwesterly along last said line and continuing southwesterly along the southeastern lines of Lots 2, 3, 4 and 5 successively, as said lots are shown on last said map, to a point on the southwestern line of last said map, last said point being also on the northeastern line of Tract 659, filed April 23, 1943, in Book 8 of Maps, at pages 54 and 55, Alameda County Records, last said point being also the most eastern corner of Lot 3 of last said map; thence southwest-

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erly along the southeastern line of last said Lot 3 and the prolongation thereof to its intersection with the southwestern line of Wayne Avenue, as said avenue is shown on last said tract; thence northwesterly along last said line to a line drawn parallel and 27 feet southerly, measured at right angles, from the southern line of Davis Street, as last said Davis Street was widened on said Tract 659; thence westerly along last said parallel line to the southwestern line of said Tract 659, last said line being also the northeastern line of Tract 632; filed July 18, 1942, in Book 8 of Maps, at pages 28 and 29, Alameda County Records; thence southeasterly along last said line to the southeastern line of Lot 1 of said Tract 632; thence southwestwardly along last said line to the northeastern line of Pierce Avenue, as said avenue is shown on said Tract 632; thence southeasterly along said line of Pierce Avenue to the easterly prolongation of the southern line of lot 32 and said Tract 632; thence westerly along the said prolongation of lot 32 and along the said line of said Lot 32 to the southwestern line of said Lot 32; thence northwesterly along last said line to the southern line of Lot 31 of said Tract 632; thence westerly along last said line to the southwestern line of said Lot 31; thence northwesterly along last said line and the prolongation thereof 50 feet; thence northwesterly on a straight line to the southern corner of Lot 95, Tract 636, files May 19, 1942, in Book 12 of Maps, at page 7, last said corner being on the northern line of Davis Street as last said Davis Street was widened on said Tract 636; thence northerly along the western line of said Lot 95 to the southern line of Virginia Street, as last said street is shown on Tract 636; thence easterly along the said line of Virginia Street and the

prolongation thereof to the northeastern line of Douglas Drive, as said drive is shown on said Tract 636; thence northwesterly along said line of Douglas Drive to the northern line of Lot 25 of said Tract 636; thence easterly along last said line to the northeastern line of said Tract 636; thence northwesterly along last said line to a line drawn parallel with and 66.25 feet northwesterly, measured along the southwestwardly line of Preda Street, as last said street is shown on Tract 756, filed May 25, 1946, in Book 10 of Maps, at page 25, Alameda County Records, from the northern line of Tract 701, filed February 21, 1945, in Book 9 of Maps, at page 73, Alameda County Records; thence easterly along last said parallel line to said line of Preda Street; thence southeasterly along said line of Preda Street to said line of Tract 701; thence westerly along last said line to the southwestern line of Lots 1 through 6 of last said map; thence southeasterly along last said line to the southeasterly line of said Lot 6; thence northeasterly along last said line to the northeastern line of Preda Street, as last said street is shown on Parcel Map 2285, filed October 13, 1983, in Book 141 of Maps, at pages 36 and 37, Alameda County Records; thence southeasterly along last said line of Preda Street to southeastern line of parcel 1 of last said map; thence northeasterly along last said line to the southwestern line of Dabner's Addition, filed May 16, 1871, in Book 2 of Maps, at page 22, Alameda County Records; thence southeasterly along last said line to the southeastern line of Lot 4 of Block A of said Dabner's Addition; thence northeasterly along last said line 52.50 feet; thence southeasterly, perpendicular to last said line, 41.67 feet; thence northeasterly, perpendicular to Dabner Street, as last said street is shown on said Dabner's

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Addition, 84.50 feet, more or less, to the northeastern line of said Dabner Street; thence southeasterly along last said line, 50.18 feet; thence northeasterly, perpendicular to said Dabner Street: to the southwestern line of Lot 1 of Block B of said Dabner's Addition; thence northwesterly along last said line to the northwestern line of last said Lot 1; thence northeasterly along last said line to the northeastern line of said Dabner's Addition; thence southeasterly along last said line and the prolongation thereof to the southern line of Davis Street (66 feet wide); thence easterly along said line of Davis Street to the northeastern line of said Map of the Smith Subdivision; thence southeasterly along last said line to the southeastern line of Lot 5 of last said subdivision; thence southwesterly along last said line and the prolongation thereof to the Point of Beginning.

EXPANSION AREA "D"

The area generally westerly of Interstate 880 on the north side of Davis Street between Warden Avenue and the eastern edge of the Southern Pacific Railroad right-of-way and specifically described as follows:

Real property in the City of San Leandro, County of Alameda, State of California, described as follows:

All that land bounded on the north by the southern boundary line of Tract 777, filed December 31, 1946, in Book 22 of Maps, at pages 46-48, Alameda County Records; bounded on the east by the western boundary line of Tract 677, filed February 15, 1944, in Book 10 of Maps, at pages 18-20, Alameda County Records and the prolongation of last said line southerly to the southern boundary line of the Territory Annexed to

the City of San Leandro by City Council Ordinance No. 862 N.S., a map of which territory was filed February 18, 1952 in Book 32 of Maps, at page 48, Alameda County Records; bounded on the south by last said line, last said line being also the southern line of Davis Street (66 feet wide), as said street is shown on last said map; and bounded on the west by the general western boundary line of the Territory Annexed to the City of San Leandro by City Council Ordinance No. 879 N.S., a map of which territory was filed December 19, 1952 in Book 32 of Maps, at page 82, Alameda County Records, and the southerly prolongation of that portion of last said line, shown on last said map as north 13° 02' 32" west, 9.28 feet, to the said southern line of Davis Street.

Division III**MERGER OF PLAZA 1 AND PLAZA 2
REDEVELOPMENT PROJECTS****Chapter 1.44****MERGER OF PLAZA 1 AND PLAZA 2*****Sections:****1.44.010 Terms of merger.****1.44.010 Terms of merger.**

A. The Plaza 1 redevelopment plan and the Plaza 2 redevelopment plan are merged into one redevelopment plan which shall be known as the plaza redevelopment plan and the Plaza 1 project area and the Plaza 2 project area shall heretofore be known as the plaza redevelopment project area.

B. This section incorporates the plaza redevelopment plan by reference and designates the plaza redevelopment plan as the official plan for the plaza redevelopment project area.

C. No provisions of the plaza redevelopment plan are amended except as provided by ordinance.

D. All findings made regarding the adoption of the Plaza 1 and Plaza 2 redevelopment plans and amendments thereto are incorporated by reference. (Ord. 2000-010 §§ 2—5, 2000; Ord. 2000-09 §§ 1—4, 2000)

*** Editor's note:**

1. Mandated Action—Ordinance 2007-013, June 18, 2007:

Pursuant to SB 53, which added Health and Safety Code Section 33342.7, the City Council, as the legislative body, was required to adopt an ordinance describing the redevelopment agency's program to acquire

real property by eminent domain for any final redevelopment plan adopted prior to January 1, 2007. The City Council complied with this mandate for the Plaza Project Area by adopting Ordinance 2007-013 on June 18, 2007.

2. Mandated Action—Revised Statement of Institution of Redevelopment Proceedings:

Pursuant to SB 1809, which amended Health and Safety Code Section 33373, the Redevelopment Agency recorded a Revised Statement of Institution for the Plaza Project Area on August 22, 2007, Instrument #2007308837, which included a description of the boundaries of the project area and information relating to eminent domain authority as described in the redevelopment plan and required by law.

1.44.010

Title 2

**REDEVELOPMENT PLAN FOR THE
ALAMEDA
COUNTY/CITY OF SAN LEANDRO
PROJECT AREA**

Chapters:

- 2.04 Introductory Provisions and Definitions
 - 2.08 Participation by Owners and Tenants
 - 2.12 Relocation of Persons Displaced by the Project
 - 2.16 Demolition, Clearance, Improvements, Site Preparation and Rehabilitation
 - 2.20 Property Disposition and Development
 - 2.24 Low and Moderate Income Housing
 - 2.28 Uses Permitted in Project Area
 - 2.32 Methods of Financing the Project
 - 2.36 Administration and Enforcement
- Appendix to Title 2

Chapter 2.04

INTRODUCTORY PROVISIONS AND DEFINITIONS*

Sections:

| | |
|-----------------|--------------------------------------|
| 2.04.010 | Introduction. |
| 2.04.020 | Purposes and objectives. |
| 2.04.030 | General definitions. |
| 2.04.040 | Project area boundaries. |
| 2.04.050 | Proposed development actions. |

2.04.010 Introduction.

The redevelopment plan for the Alameda County/City of San Leandro redevelopment project consists of this title, the redevelopment project area map (Attachment A), the land use map (Attachment B), the legal description of the project area boundary (Attachment C), and the list of public improvement projects (Attachment D). The county of Alameda and city of San Leandro are cooperating in this joint effort to upgrade the selected project area. (Ord. 93-012 § 100, 1993)

2.04.020 Purposes and objectives.

A. The purpose and objectives of this redevelopment plan are to eliminate the conditions of blight existing in the project area and to prevent the recurrence of blighting conditions in the project area. The agency, with the active efforts of the county, proposes to eliminate such conditions and prevent their recurrence by providing, pursuant to this plan, for the planning, development, replanning, redesign, clearance, redevelopment, reconstruction and rehabilitation of the project area and by providing for such structures and spaces as may be

appropriate or necessary in the interest of the general welfare, including, without limitation, recreational and other facilities incidental or appurtenant to them. The agency further proposes to eliminate the conditions of blight existing in the project area and prevent their recurrence by providing for the alteration, improvement, modernization, reconstruction or rehabilitation of existing structures in the project area and by providing for open space types of uses, public and private buildings, structures, facilities, and improvements. The agency further proposes to eliminate such conditions and prevent their recurrence by providing for the replanning or redesign or development of undeveloped areas. The agency proposes to:

1. Encourage employment opportunities through environmental and economic improvements resulting from the redevelopment activities.
2. Provide for the rehabilitation of commercial structures and residential dwelling units.
3. Provide for participation in the redevelopment of property in the project area by owners who agree to so participate in conformity with this redevelopment plan.
4. Provide for the management of property owned or acquired by the agency.
5. Provide relocation assistance where agency activities result in displacement.
6. Provide public infrastructure improvements and community facilities, such as the installation, construction and/or reconstruction of streets, utilities, public buildings, facilities, structures, street lighting, landscaping and other improvements which are necessary for the effective redevelopment of the project area.
7. Improve and increase the community's supply of affordable housing.

2.04.030

8. Acquire real property and encourage consolidation of parcels.

9. Dispose of real property acquired by the agency in the project area except property conveyed to it by the city or county.

10. Encourage the redevelopment of the project area through the cooperation of private enterprise and public agencies. In the unincorporated sections of the project area. The county will be the lead entity in implementing all projects and programs in this redevelopment plan.

B. The project area contains a substantial area within the city's boundaries and a substantial area in the unincorporated county. Both the city and county portions of the project area are characterized by significant blighting conditions that require substantial redevelopment efforts by the agency. It is intended that the agency will perform its activities in a manner that will promote the goals of the city general plan and other city policies within the city portion of the project area, and that promote the goals of the county general plan, pending Ashland Cherryland business district specific plan and other county policies within the unincorporated portion of the project area. It is further intended that the agency will devote equal budgetary staff, and policy resources to the city portion and the unincorporated portion of the project area over the life of the plan and over discrete implementation periods (e.g. three year planning periods). (Ord. 93-012 § 101, 1993)

2.04.030 General definitions.

The following references will be used generally in this plan unless the context otherwise requires:

"Agency" means, with the exception set forth in the following sentence, the city of

San Leandro Redevelopment Agency for the portion of the project area within the city of San Leandro and the Alameda County Redevelopment Agency for the portion of the project area within the unincorporated territory of the county of Alameda. For purposes of Section 2.32.020 (Tax Increments), "Agency" means the city of San Leandro Redevelopment Agency for the entire project area (subject to sharing of tax increments with the Alameda County Redevelopment Agency in accordance with any separate agreement between the city of San Leandro Redevelopment Agency and the Alameda County Redevelopment Agency).

"Agency board" means the governing body of the San Leandro Redevelopment Agency for the portion of the project area that is within the city of San Leandro and the board of directors of the Alameda County Redevelopment Agency for the portion of the project area that is within the unincorporated territory of Alameda County.

"Board of supervisors" means the board of supervisors of the county of Alameda.

"Bonds" means bonds, notes, interim certificates, debentures, or other obligations.

"City" means the city of San Leandro, California.

"City council" means the city council of the city of San Leandro, California.

"Community" means the city of San Leandro for the portion of the project area that is within the city of San Leandro and the county of Alameda for the portion of the project area that is within the unincorporated territory of the county of Alameda.

"County" means the county of Alameda, California.

"Development code" means the development code of the city of San Leandro or

Alameda County as it now exists or may hereafter be amended.

“Family” has the same meaning as specified in the State Relocation Guidelines, Section 6008, Definitions.

“General plan” means (1) with respect to the city portion of the project area, the general plan of the city or San Leandro as amended from time to time, and (2) with respect to the unincorporated portion of the project area, the general plan of the county of Alameda and any area plan or specific plan applicable to the unincorporated portion, each as in effect from time to time.

“General plans” means, collectively, the general plans described above.

“Map” means the map for the redevelopment project area, as set forth in Attachment A of this plan.

“Person” means any individual, or any public or private entity.

“Plan” means the redevelopment plan for the redevelopment project.

“Planning commission” means the planning commission of the city of San Leandro for the portion of the project area that is within the city of San Leandro and the Alameda County planning commission for the portion of the project area that is within the unincorporated territory of Alameda County.

“Project area” means the area included within the boundaries of the project, as shown on the map (Attachment A) and more particularly described in the legal description of the project area contained in Attachment C.

“Redevelopment Law” means the Community Redevelopment Law of the state of California (California Health and Safety Code, Section 33000 et seq.).

“State” means the state of California. (Ord. 2001-13 § 2 (part), 2001; Ord. 93-012 § 200, 1993)

2.04.040 Project area boundaries.

The boundaries of the project area are illustrated in the map contained in Attachment A. The legal description of the boundaries of the project area are as set forth in Attachment C, attached hereto. (Ord. 93-012 § 300, 1993)

2.04.050 Proposed development actions.

A. General. The agency, working with county, proposes to eliminate and prevent the spread of blight in the project area by:

1. Installation, construction, reconstruction, redesign, or reuse of streets, utilities, curbs, gutters, sidewalks, street lighting, landscaping, and other public improvements;

2. In appropriate cases, rehabilitation of structures and improvements or development of vacant land by present owners, their successors and the agency/county for uses in accordance with this plan;

3. Redevelopment of land by private enterprise or public agencies for uses in accordance with this plan;

4. Construction and improvement of recreational facilities, community facilities, parking facilities and other public facilities;

5. Acquisition, construction or rehabilitation of housing for low and moderate-income families, seniors and handicapped individuals; encourage rehabilitated and new market rate housing;

6. Financing of the construction of residential, commercial and industrial buildings and the mortgage financing of residential, commercial and industrial buildings, as

2.04.050

permitted by applicable state and local laws, to increase the residential, commercial and industrial base of the city and county and the number of temporary and permanent jobs within the city and county;

7. Acquisition and disposition of property acquired for uses in accordance with this plan;

8. Such other action as may be permitted by law. (Ord. 93-012 § 400, 1993)

*** Editor's note:**

1. Mandated Action—Ordinance 2007-014, June 18, 2007:

Pursuant to SB 53, which added Health and Safety Code Section 33342.7, the City Council, as the legislative body, was required to adopt an ordinance describing the redevelopment agency's program to acquire real property by eminent domain for any final redevelopment plan adopted prior to January 1, 2007. The City Council complied with this mandate for the Joint Project Area by adopting Ordinance 2007-014 on June 18, 2007.

2. Mandated Action—Revised Statement of Institution of Redevelopment Proceedings:

Pursuant to SB 1809, which amended Health and Safety Code Section 33373, the Redevelopment Agency recorded a Revised Statement of Institution for the Alameda County/City of San Leandro (Joint) Project Area on August 22, 2007, Instrument #2007308838, which included a description of the boundaries of the project area and information relating to eminent domain authority as described in the redevelopment plan and as required by law.

Chapter 2.08

PARTICIPATION BY OWNERS AND TENANTS

Sections:

- 2.08.010 Owner and tenant participation.**
- 2.08.020 Participation agreements.**
- 2.08.030 Certificate of conformance.**

2.08.010 Owner and tenant participation.

As provided for in Sections 33339 and 33339.5 of the California Health and Safety Code, the agency shall extend a reasonable opportunity to the present owners in the project area, to participate in the redevelopment of the project area if they otherwise meet the requirements prescribed by this plan and the rules governing participation promulgated by the agency, which rules may be amended from time to time. The agency shall further extend reasonable preference to persons who are engaged in businesses in the project area to re-enter in business within the redeveloped area if they otherwise meet the requirements prescribed by this plan and as maybe from time to time be promulgated by the agency.

The agency desires participation in redevelopment by as many owners and business tenants as reasonably feasible. However, participation opportunities shall necessarily be subject to and limited by such factors as the expansion of public facilities; elimination and changing of land uses; realignment of streets; the ability of the agency and/or owners to finance acquisition and redevelopment in accordance with this plan; development experience, assembly and redevelop-

ment of areas for public and/or private development in accordance with this plan; and any reduction in the total number of individual parcels in the project area. (Ord. 93-012 § 406, 1993)

2.08.020 Participation agreements.

The agency may enter into a binding agreement with each person desiring to participate in redevelopment pursuant to the redevelopment plan by which the participant agrees to rehabilitate, develop or use the property in conformance with the plan and be subject to the provisions hereof and such other provisions and conditions to which the parties may agree. In the agreement, whenever it is appropriate to do so, participants who retain real property shall be required to join in the recordation of such documents as are necessary to make the provisions of this plan applicable to their properties. In the event a participant breaches the terms of an owner participation agreement, the agency shall declare the agreement terminated and may acquire the real property of any interest herein. In the event that the agency is not directly involved in the development of a particular property a participation agreement shall not be required. The determination of whether or not a participation agreement is beneficial to the implementation of the redevelopment plan shall be made by the executive director of the agency or his/her designated representative whose decision, subject to an appeal to the agency board, shall be final. For potential agreements in the unincorporated sections of the project area, the county must consider and approve such agreements prior to any determination by the executive director or a designated representative and action by the agency.

2.08.030

Whether or not a potential participant enters into a participation agreement with the agency, the provisions of this plan are applicable to all public and private property in the project area. (Ord. 93-012 § 407, 1993)

2.08.030 Certificate of conformance.

So as not to require a participation agreement for each property not to be purchased, the agency is authorized to make determinations of these properties which conform to this plan. If such determination is made by the agency, the agency may issue a certificate of conformance to qualifying properties and such property will not be subject to acquisition by eminent domain under this plan so long as the property continues to conform to this plan and to such further terms and conditions as the agency may require as necessary or appropriate to carry out this plan. (Ord. 93-012 § 408, 1993)

Chapter 2.12

**RELOCATION OF PERSONS
DISPLACED BY THE PROJECT**

Sections:

- 2.12.010 Relocation housing requirements.**
- 2.12.020 Replacement housing plan.**
- 2.12.030 Assistance in finding other locations.**
- 2.12.040 Relocation benefits and assistance.**

2.12.010 Relocation housing requirements.

No persons or families of low and moderate income shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by such displaced person or family at rents comparable to those at the time of their displacement. Such housing units shall be suitable to the needs of such displaced persons or families and must be decent, safe, sanitary and otherwise standard dwellings. The agency shall not displace such person or family until such housing units are available and ready for occupancy.

Permanent housing facilities shall be made available within three years from the time occupants are displaced. Pending the development of such facilities, there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those in the community at the time of their displacement. (Ord. 93-012 § 412, 1993)

2.12.020 Replacement housing plan.

Not less than thirty (30) days prior to the execution of an agreement for acquisition of real property, or the execution of an agreement for the disposition and development of property, or the execution of an owner participation agreement, which agreement would lead to the destruction or removal of dwelling units from the low and moderate income housing market, the agency shall adopt by resolution a replacement housing plan.

Such plan shall include: the general location of housing to be rehabilitated, developed or constructed pursuant to Section 33413 of the Community Redevelopment Law; an adequate means of financing such

rehabilitation, development or construction; a finding that the replacement housing does not require the approval of the voters pursuant to Article XXXIV of the California Constitution, or that such approval has been obtained; the number of dwelling units housing persons and families of low or moderate income planned for construction or rehabilitation; and the timetable for meeting the plan's relocation, rehabilitation and replacement housing objectives. A dwelling unit whose replacement is required by Section 33413 but for which no replacement housing plan has been prepared, shall not be destroyed or removed from the low and moderate income housing market until the agency has by resolution adopted a replacement housing plan.

Nothing in this section shall prevent the agency from destroying or removing from the low and moderate income housing market a dwelling unit which the agency owns and which is an immediate danger to health and safety. The agency shall, as soon as practicable, adopt by resolution a replacement housing plan with respect to such dwelling unit. (Ord. 93-012 § 413, 1993)

2.12.030 Assistance in finding other locations.

The agency shall assist in the relocation of all persons (including families, businesses and others) displaced by agency acquisition of property in the project area. The agency intends to accomplish all redevelopment pursuant to this plan with as little displacement of persons from businesses or residences as is feasible. In order to carry out the project with a minimum of hardship to persons displaced from their homes, the agency shall assist individuals and families in finding housing that is decent, safe, sani-

tary, within their financial means, in reasonably convenient locations, and otherwise suitable to their needs. The agency is also authorized to provide housing outside the project area for displaced persons. (Ord. 93-012 § 412, 1993)

2.12.040 Relocation benefits and assistance.

In accordance with the provisions of the California Relocation Assistance Act (Government Code Section 7260 et seq.), the relocation rules, procedures and guidelines adopted by the agency (the "relocation guidelines"), the agency shall provide relocation benefits and assistance to all persons (including families, business concerns and others) displaced by agency acquisition of property in the project area. Such relocation assistance shall be provided in the manner required by the relocation guidelines as may be amended from time to time. The agency may provide additional benefits or payments as it may deem appropriate from available funds to implement the objectives of this plan and to alleviate hardship. All relocation shall be conducted in accordance with Article 9, Chapter 4 of the Community Redevelopment Law. (Ord. 93-012 § 415, 1993)

Chapter 2.16

**DEMOLITION, CLEARANCE,
IMPROVEMENTS, SITE
PREPARATION AND
REHABILITATION**

Sections:

- 2.16.010 Demolition and clearance.**
2.16.020 Public improvements.

2.16.010

2.16.030 Preparation of building sites.

2.16.040 Rehabilitation.

2.16.050 Moving of structures.

2.16.010 Demolition and clearance.

The agency may clear or move buildings, structures, or other improvements from real property as necessary to carry out the purposes of this plan. (Ord. 93-012 § 417, 1993)

2.16.020 Public improvements.

To the extent permitted and in the manner required by law, the agency is authorized to install and construct or to cause to be installed and constructed the public improvements and public utilities (within or outside the project area) necessary to carry out this plan. Such public improvements include, but are not limited to the following: parking lots or structures, over or underpasses, bridges, streets, curbs, gutters, sidewalks, street lights, sewers, storm drains, traffic signals, electrical distribution systems, flood control facilities, natural gas distribution systems, water distribution systems, landscaping, parks, plazas, playgrounds, and any buildings, structures or improvements necessary and convenient to the full development of any of the above. A list of possible projects is set forth in Attachment D.

Public improvements of the nature as hereinafter set forth may be constructed or installed, or cause to be constructed or installed, in whole or in part by the Agency with tax increment moneys that would otherwise be set aside pursuant to Health and Safety Code Section 33334.2 provided that such public improvements, pursuant to said Section 33334.2 of the Redevelopment Law will be for the purposes of increasing and

improving the supply of low and moderate income housing available at affordable housing costs within the city and county to persons and families of low or moderate income and very low income households.

The agency presently contemplates paying all or part of the cost of and the acquisition, installation or construction of the publicly owned improvements set forth in Attachment D, structures and facilities which the agency and the city council have found specifically benefit the territory included within the project area. The county will implement such projects in the unincorporated areas of the project area.

As provided for in Section 33445 of California Health and Safety Code, the agency, with the prior consent of the city council, or board of supervisors, as applicable, may pay all or part of the value of the land for and the cost of the installation and construction of any building, facility, or other improvement described in Attachment D which is publicly owned either within or outside the project area upon a determination by resolution of the agency and city council or board of supervisors, as applicable: (1) that such buildings, facilities, structures and other improvements are of benefit to the project area or the immediate neighborhood in which the project area is located; and (2) that no other reasonable means of financing such buildings, facilities, structures or other improvements are available to the community; and (3) that the payment of funds for acquisition of land or the cost of buildings, facilities, structures, or other improvements will assist in the elimination of one or more blighting conditions inside the project area or provide housing for low- or moderate-income persons, and is consistent with the implementa-

tion plan adopted pursuant to Section 33490 of the California Health and Safety Code.

When the value of such land or the cost of the installation and construction of such building, facility or other improvement, or both has been, or will be, paid or provided for initially by the community or other public corporation, the agency may enter into a contract with the community or other public corporation under which it agrees to reimburse the community or other public corporation for all or part of the value of such land or all or part of the cost of such building, facility or other improvement, or both, by periodic payments over a period of years. Any obligation of the agency under such contract shall constitute an indebtedness of the agency for the purpose of carrying out the project. (Ord. 2001-13 § 2 (part), 2001; Ord. 93-012 § 418, 1993)

2.16.030 Preparation of building sites.

The agency may develop as a building site any real property owned or acquired by it. In connection with such development it may cause, provide or undertake or make provision with other agencies for the installation, or construction of parking facilities, streets, utilities, parks, playgrounds and other public improvements necessary for carrying out this plan in the project area. The agency may construct foundations, platforms, and other like structural forms necessary for the provisions or utilization of air rights sites for buildings. (Ord. 93-012 § 419, 1993)

2.16.040 Rehabilitation.

The agency is authorized and directed to advise, encourage, and with the consent of the owner, assist in the rehabilitation of

property in the project area not owned by the agency. The agency is also authorized to rehabilitate, or to cause to be rehabilitated, buildings or structures in the project area. (Ord. 93-012 § 421, 1993)

2.16.050 Moving of structures.

As necessary in carrying out this plan, the agency is authorized to move or to cause to be moved any standard structure or building or any structure or building which can be rehabilitated to a location within or outside the project area. (Ord. 93-012 § 422, 1993)

Chapter 2.20

PROPERTY DISPOSITION AND DEVELOPMENT

Sections:

- 2.20.010 General.**
- 2.20.020 Purchase and development.**
- 2.20.030 Purchase and development documents.**
- 2.20.040 Development of publicly owned improvements.**
- 2.20.050 Personal property disposition.**

2.20.010 General.

For the purpose of this plan, the agency is authorized to sell, lease, exchange, subdivide, assign, encumber or otherwise dispose of any interest in real property. Such activity will be carried out as permitted by law.

To the extent permitted by law, the agency is authorized to dispose of real property by leases or sales by negotiation without public bidding.

2.20.020

All real property acquired by the agency in the project area shall be sold or leased to persons or entities for development for the uses permitted in this plan. Real property may be conveyed by the agency to the city or county or any other public body without charge.

The agency shall reserve such powers and controls in any disposition and development documents as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to insure that development is carried out pursuant to this plan.

All purchasers or lessees of property shall be obligated to use the property for the purposes designated by this plan, to begin and complete development of the property within a period of time which the agency fixes as reasonable, and to comply with other conditions which the agency deems necessary to carry out the purposes of this plan.

In the manner required and to the extent permitted by law, before any property of the agency acquired in whole or in part, directly or indirectly, with tax increment monies is sold or leased for development pursuant to plan, such sale, lease or other disposition shall be done in accordance with the provisions of Health and Safety Code Section 33433.

To the greatest extent allowed in implementing this plan, the agency shall avoid unnecessary duplication with city and county regulations for agreements with property owners and/or developers. (Ord. 93-012 § 425, 1993)

2.20.020 Purchase and development.

Pursuant to the provisions of this plan and the rules adopted by the agency, the agency shall to the greatest extent feasible

offer real property acquired by the agency for disposition and development by owner participants on a preference basis over other persons. (Ord. 93-012 § 426, 1993)

2.20.030 Purchase and development documents.

To provide adequate safeguards to ensure that the provisions of this plan will be carried out and to prevent the recurrence of blight, all real property sold, leased, or conveyed by the agency, as well as all property subject to participation agreements, is subject to the provisions of this plan.

Leases, deeds, contracts, agreements and declarations of restrictions may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provision necessary to carry out this plan.

All property in the project area is subject to the restriction that there shall be no discrimination or segregation based upon race, color, religion, sex, marital status, national origin, or ancestry, in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the project area. All property sold, leased, conveyed, or subject to a participation agreement shall be made expressly subject by appropriate documents to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other transfer of land in the project area shall contain such nondiscrimination and nonsegregation clauses as are required by law, including Health and Safety Code Section 33436. (Ord. 93-012 § 427, 1993)

2.20.040 Development of publicly owned improvements.

To the greatest extent now or hereafter permitted by law, the agency is authorized to

pay for, develop, or construct any building, facility, structure, or other improvement as provided for in Attachment D hereto either within or outside the project area for itself or for any public body or entity to the extent that such improvement would be of benefit to the project area.

The agency is authorized to financially (and otherwise) assist any public entity in the cost of public land, buildings, facilities, structures or other improvements (within or outside the project area) to the extent permitted by law.

During the period of development in the project area, the agency shall insure that all provisions of this plan and other documents formulated pursuant to this plan are being observed, and that development of the project area is proceeding in accordance with development documents and time schedules.

All development must conform to this plan and all applicable federal, state, and local laws, including without limitation, the city's and county's development codes, building, environmental and other land use development standards, and must receive the approval of all other appropriate public agencies. (Ord. 93-012 § 428, 1993)

2.20.050 Personal property disposition.

For the purpose of this plan, the agency is authorized to sell, lease, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property which is acquired by the agency. (Ord. 93-012 § 429, 1993)

Chapter 2.24

LOW AND MODERATE INCOME HOUSING

Sections:

- 2.24.010 Definition of terms.**
- 2.24.020 Authority generally.**
- 2.24.030 Replacement housing.**
- 2.24.040 New or rehabilitated dwelling units developed within the project area.**
- 2.24.050 Duration of dwelling unit availability.**
- 2.24.060 Relocation housing.**
- 2.24.070 Tax increment funds.**

2.24.010 Definition of terms.

The terms "affordable rent," "replacement dwelling unit," "persons and families of low or moderate income" and "very low income households" as used herein shall have the meanings as defined by the Community Redevelopment Law, and other state and local laws and regulations pertaining thereto as amended from time to time. (Ord. 93-012 § 431, 1993)

2.24.020 Authority generally.

The agency may, inside the incorporated sections of project area or the city, acquire land, donate land, improve sites, construct or rehabilitate structures, and undertake other activities authorized by the Redevelopment Law to provide or rehabilitate housing for persons and families or low or moderate income, and may, in the unincorporated portion of the project area, finance the cost of the above-described activities to be approved and implemented by the county. (Ord. 93-012 § 432, 1993)

2.24.030 Replacement housing.

To the extent required by Health and Safety Code Sections 33413 and 33413.5, whenever dwelling units housing persons and families of low or moderate income are destroyed or removed from the low and moderate income housing market as part of a redevelopment project which is subject to a written agreement with the agency or where financial assistance has been provided by the agency, the agency shall, within four years of such destruction or removal, rehabilitate, develop or construct, or cause to be rehabilitated, developed or constructed for rental or sale to persons and families of low or moderate income an equal number of replacement dwelling units at affordable housing costs as defined by Section 50052.5 of the Health and Safety Code, within the territorial jurisdiction of the agency. Seventy-five percent (75%) of the replacement dwelling units shall replace dwelling units available at affordable housing costs to the same income level of very low income households, lower income households and persons and families of low and moderate income as the persons displaced from those destroyed or removed units. (Ord. 93-012 § 433, 1993)

2.24.040 New or rehabilitated dwelling units developed within the project area.

While the housing programs to be implemented in the project area will emphasize rehabilitation and home ownership assistance as a priority, state law requires the following standards for the project:

To the extent required by Section 33413 of the Health and Safety Code, at least thirty percent (30%) of all new or rehabilitated dwelling units developed within the project

area by the agency shall be for persons and families of low or moderate income; and of such thirty percent (30%), not less than fifty percent (50%) thereof shall be for very low income households. At least fifteen percent (15%) of all new or rehabilitated units developed within the project area by public or private entities or persons other than the agency shall be for persons and families of low and moderate income; and of such fifteen percent (15%), not less than forty percent (40%) thereof shall be for very low income households. The percentage requirements set forth in this section shall apply in the aggregate to housing in the project area and not to each individual case of rehabilitation, development or construction of dwelling units.

The agency shall require, by contract or other appropriate means, that whenever any low and moderate income housing units are developed within the project area, such units shall be made available on a priority basis for rent or purchase, whichever the case may be, to persons and families of low and moderate income displaced by the project; provided, however, that failure to give such priority shall not affect the validity of title to the real property upon which such housing units have been developed. (Ord. 93-012 § 434, 1993)

2.24.050 Duration of dwelling unit availability.

The agency shall require that the aggregate number of dwelling units rehabilitated, developed or constructed pursuant to Sections 433 and 434 shall remain available for persons and families to the extent and for the period(s) required by Health and Safety Code Sections 33334.3(e) and 33413. (Ord. 93-012 § 435, 1993)

2.24.060 Relocation housing.

If insufficient suitable housing units are available in the project area for use by persons and families of low and moderate income displaced by the project, the agency may, to the extent of that deficiency, direct or cause the development, rehabilitation or construction of housing units within the city or county, both inside and outside of the project area. (Ord. 93-012 § 436, 1993)

2.24.070 Tax increment funds.

Except as otherwise provided in Health and Safety Code Section 33334.2 and, to the extent applicable, Health and Safety Code Section 33334.6, not less than twenty percent (20%) of all taxes which are allocated to the agency pursuant to Health and Safety Code Section 33670 shall be used by the agency for the purpose of increasing, improving and preserving the city's and county's supply of housing for persons and families of low or moderate income and very low income households in accordance with the provisions of Health and Safety Code Section 33334.3. (Ord. 93-012 § 437, 1993)

Chapter 2.28

USES PERMITTED IN PROJECT AREA

Sections:

- 2.28.010 Redevelopment project area map.**
- 2.28.020 Public rights-of-way.**
- 2.28.030 Other public uses.**
- 2.28.040 Other public, semi-public, institutional and nonprofit uses.**

- 2.28.050 General controls and limitations.**
- 2.28.060 New construction.**
- 2.28.070 Existing nonconforming uses.**
- 2.28.080 Rehabilitation.**
- 2.28.090 Limitations on the size, height and number of buildings.**
- 2.28.100 Number of dwelling units.**
- 2.28.110 Open space and landscaping.**
- 2.28.120 Land coverage.**
- 2.28.130 Light, air and privacy.**
- 2.28.140 Signs.**
- 2.28.150 Utilities.**
- 2.28.160 Incompatible uses.**
- 2.28.170 Nondiscrimination and nonsegregation.**
- 2.28.180 Minor variations.**
- 2.28.190 Consistency with the general plans and development code.**
- 2.28.200 Design for development.**
- 2.28.210 Building permits.**

2.28.010 Redevelopment project area map.

Attachment A illustrates the project area boundaries. It is intended that the permitted land uses and land use standards set forth in the general plans now or as hereafter amended shall be permitted land uses and land use standards governing the applicable portions of the project area under this plan. The permitted land uses in Attachment B are drawn from the applicable provisions of the general plans in effect at the time of the adoption of this plan, and shall be deemed to be automatically modified as the permitted land use(s) in the applicable general plan

2.28.020

may be revised from time to time, in order to maintain conformance of this plan with the general plan. (Ord. 93-012 § 501, 1993)

2.28.020 Public rights-of-way.

The public street system in the project area shall be developed in accordance with the general plan of the city and county, as amended from time to time, and street design standards as adopted by the city council or county.

Streets and alleys may be widened, altered, abandoned, repaired, or closed as necessary for property development of the project.

It is contemplated that the agency will construct, or aid in the construction of, certain streets designed in the plan which are not now constructed or which may require further widening or improvement. The public rights-of-way may be used for vehicular and/or pedestrian traffic, as well as for public improvements, public and private utilities, and activities typically found in public rights-of-way. In addition, all necessary easements for public uses, public facilities, and public utilities may be retained or erected. (Ord. 93-012 § 503, 1993)

2.28.030 Other public uses.

Parking, open space, public and semi-public uses may be interspersed, with other uses in any area. (Ord. 93-012 § 504, 1993)

2.28.040 Other public, semi-public, institutional and nonprofit uses.

In any area the agency is authorized to permit the maintenance, establishment or enlargement of public, semi-public, institutional or nonprofit uses, including park and recreational facilities, parking facilities, li-

braries, educational, fraternal, employee, philanthropic, and charitable institutions, utilities, multi-modal transit facilities, and facilities of other similar purposes, associations or organizations. All such uses shall conform so far as possible to the provisions of this plan applicable to the uses in the specific area involved. The agency may impose such other reasonable restrictions as are necessary to protect the development and uses in the project area. (Ord. 93-012 § 505, 1993)

2.28.050 General controls and limitations.

All real property in the project area is made subject to the controls and limitations of this plan. No real property shall be developed, rehabilitated, or otherwise changed after the date of the adoption of this plan, except in conforming with the provisions of this plan. The agency reserves the right to condition any development which requires a building permit with such conditions as to make the proposed development consistent with the overall purposes of this plan. The type, size, height, number, and use of buildings within the project area shall be controlled by applicable city and county planning and development codes consistent with general plans, as amended from time to time. (Ord. 93-012 § 506, 1993)

2.28.060 New construction.

Except as otherwise permitted or required by the agency all new construction shall comply with all applicable state and local laws and regulations pertaining thereto as amended from time to time, including without limitation the building, electrical, energy, heating and ventilating, housing and plumbing codes of the city and county and

the city and county development codes, as amended from time to time. Off-street parking spaces and loading facilities shall be designated to comply with the city's or county's development codes, as amended from time to time. The number of off-street parking spaces required shall be regulated by the city's or county's development codes, as amended from time to time. All off-street parking spaces and loading areas shall be paved, lighted and landscaped in accordance with the city's or county's development codes, or other applicable city or county regulations, as amended from time to time. (Ord. 93-012 § 507, 1993)

2.28.070 Existing nonconforming uses.

The requirements of the municipal or county zoning codes shall determine if existing nonconforming uses will remain in the project area.

The agency may, but shall not be required to authorize additions, alterations, repairs or other improvements in the project area for uses which do not conform to the provisions of plan where such improvements are within a portion of the project where, in the determination of agency, such improvements would be compatible as interim uses with surrounding uses and development. In unincorporated segments of the project area, the agency will rely upon the county to determine such non-conforming matters. (Ord. 93-012 § 508, 1993)

2.28.080 Rehabilitation.

The agency is authorized to rehabilitate and conserve or cause to be rehabilitated and conserved, buildings and structures in the project area. Any existing structure within the project area which the agency shall ap-

prove for retention and rehabilitation shall be repaired, altered, reconstructed, or rehabilitated in such manner that it will meet the following requirements: (i) be safe and sound in all physical respects, and (ii) be attractive in appearance and not detrimental to the surrounding areas. The preservation and rehabilitation of structures of historical significance will also be considered a priority by the agency. Property rehabilitation standards for the rehabilitation of existing buildings and site improvements may be established by the agency but must be not less than the minimum requirements of the city or county. (Ord. 93-012 § 509, 1993)

2.28.090 Limitations on the size, height and number of buildings.

Except as set forth in other sections of this plan to the extent that limitations are imposed, the type, size, height, and number of buildings in the project area that may be expected upon completion of the project may be regulated by the agency, and shall not exceed the limitations set forth in the general plan and development codes of the city or county or applicable federal, state and local statutes, ordinances and regulations, as amended from time to time. (Ord. 93-012 § 510, 1993)

2.28.100 Number of dwelling units.

The approximate number of dwelling units located within the project area is 6,854. (Ord. 93-012 § 511, 1993)

2.28.110 Open space and landscaping.

The approximate amount of open space to be provided in the project area will be the total of all areas that will be in the public

rights-of-way, the public grounds, the space around buildings, and all other outdoor areas not permitted through limits on land covered by this plan to be covered by buildings. (Ord. 93-012 § 512, 1993)

2.28.120 Land coverage.

Land coverage by structures in the project area shall not exceed the land coverage permitted by the city's or county's development codes, as amended from time to time. (Ord. 93-012 § 513, 1993)

2.28.130 Light, air and privacy.

In all areas sufficient space shall be maintained between buildings to provide adequate light, air and privacy. (Ord. 93-012 § 514, 1993)

2.28.140 Signs.

All signs shall be subject to the provisions of the city's or county's development codes, and applicable municipal or county codes, as amended from time to time. (Ord. 93-012 § 515, 1993)

2.28.150 Utilities.

The agency shall require that all utilities be placed underground when physically, legally and economically feasible. (Ord. 93-012 § 516, 1993)

2.28.160 Incompatible uses.

No use or structure which by reason of appearance, traffic, smoke, glare, noise, odor, or similar factors which would be incompatible with the surrounding areas or structures shall be permitted in any part of the project area. The agency, as with all other elements of development, will coordinate with the county in the unincorporated areas of the project. (Ord. 93-012 § 517, 1993)

2.28.170 Nondiscrimination and nonsegregation.

There shall be no discrimination or segregation based upon race, color, creed, sex, marital status, religion, national origin, or ancestry permitted in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the project area. (Ord. 93-012 § 518, 1993)

2.28.180 Minor variations.

A. The agency board is authorized to permit minor variations from the limits, restrictions and controls established by this plan. In order to permit such variation, the agency must determine that:

1. The application of certain provisions of this plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this plan.

2. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions and controls.

3. Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area.

4. Permitting a variation will not be contrary to the objectives of this plan or of the general plans of the city or county as may be applicable.

B. In permitting any such variation, the agency shall impose such conditions as are necessary to protect the public health, safety, and welfare, and to assure compliance with the purpose of this plan. Any variation permitted by the agency hereunder shall not

supersede any other approval required under city or county codes and ordinances. In the unincorporated, the county shall provide the agency with direction on such matters pertaining to minor variances. (Ord. 93-012 § 519, 1993)

2.28.190 Consistency with the general plans and development code.

All development within the project area shall be consistent with the general plans and development codes of the city and county, as amended from time to time. (Ord. 93-012 § 520, 1993)

2.28.200 Design for development.

Within the limits, restrictions, and controls established in the plan, the agency may establish traffic circulation, traffic access, and other development controls necessary for proper development of both private and public areas within the project area.

New improvements in this area shall be reviewed in accordance with all of the city's and county's development codes, building, planning and environmental ordinances, rules, regulations and requirements. The agency's review and approval of development within the project area shall be undertaken in accordance with guidelines and procedures adopted from time to time by the agency but will basically rely upon the city's and county's design and development process except for projects receiving agency financial assistance or agreements. (Ord. 93-012 § 521, 1993)

2.28.210 Building permits.

The county and city shall continue to issue permits for the construction of new buildings and for construction on existing

building in the project area from the date of adoption of this plan. Where a proposed project is in the redevelopment area, the agency staff shall participate in the county or city normal permit process. In the case of property which is the subject of a disposition and development or participation agreement with the agency, and any other property in the discretion of the agency, agency shall review any application for a permit prior to acting on any agreement. Any such project approved by the agency must be in conformance with the provisions of this plan and any applicable disposition and development agreement or owner participation agreement. (Ord. 93-012 § 522, 1993)

Chapter 2.32

METHODS OF FINANCING THE PROJECT

Sections:

- 2.32.010 General description of the proposed financing methods.**
- 2.32.020 Tax increments.**
- 2.32.030 Other loans and grants.**

2.32.010 General description of the proposed financing methods.

Upon adoption of this plan by the city council, the agency is authorized to finance the project with property tax increments, interest income, agency bonds, loans from private institutions, proceeds from the sale or lease of property, financial assistance from the city, county, state of California, federal government, or any other public

2.32.020

agency, or any other legally available source.

The city or county may, in accordance with the law, make advances and expend money as necessary to assist the agency in carrying out this project. Such assistance shall be on terms established by an agreement between the city or county and the agency.

As available, gas tax funds from the state of California and the county will be used for the street system. As available, federal loans and grants will be used to finance portions off project costs.

The agency is authorized to issue bonds if appropriate and feasible in an amount sufficient to finance all or any part of the project.

The agency is authorized to obtain advances, borrow funds and create indebtedness in carrying out this plan. The principal and interest on such advances, funds, and indebtedness may be paid from tax increments or any other funds available to the agency. (Ord. 93-012 § 601, 1993)

2.32.020 Tax increments.

All taxes levied upon taxable property within the project area each year by or for the benefit of the state of California, county of Alameda, city of San Leandro, any district, or other public corporation (hereinafter sometimes called "taxing agencies") after the effective date of the ordinance approving this plan shall be divided as follows:

A. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the project as shown upon the assessment roll used in connection with the taxation of

such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to and stated above, all the taxes levied and collected upon the taxable property in the project shall be paid into the funds of the respective taxing agencies. When said bonds, loans, advances and collected shall be paid into the funds for the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory of the project on the effective date of such ordinance but to which such territory is annexed or otherwise included after such effective date, the assessment roll last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the project on said effective date); and

B. Except as provided in subsections C and D, that portion of the levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the agency to pay the principal of and interest on bonds, loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the agency to finance or refinance, in whole or in part, this project. Unless and until the total assessed value of the taxable property in the project exceeds the total assessed value of the taxable property in the project as shown by the last equalized assessment roll referred to in subsection A, all of the taxes levied and collected upon the respective taxing agencies shall be allocated in accordance with this section. When said bonds, loans, advances and indebtedness, if any, and interest thereon, have been paid, all moneys thereafter received

from taxes upon the taxable property in the project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid; and

C. That portion of the taxes identified in subsection B, which are attributable to a tax rate levied by any of said taxing agencies for the purpose of providing revenues in an amount sufficient to make annual repayments of the principal of, and the interest on, any bonded indebtedness for the acquisition or improvement of real property shall be allocated to, and when collected shall be paid into, the fund of that taxing agency. This paragraph shall only apply to taxes levied to repay bonded indebtedness approved by the voters of said taxing agency or agencies on or after January 1, 1990.

D. That portion of tax revenues allocated to the agency pursuant to subsection B which is attributable to increases in the rate of tax imposed for the benefit of any affected taxing agency whose levy occurs after the tax year in which the ordinance adopting this plan becomes effective, shall be allocated to such affected taxing agency to the extent the affected taxing agency has elected in the manner required by law to receive such allocation.

Any advanced moneys are hereby irrevocably pledged for the payment of the principal of and interest on the advance of moneys, or making of loans, or the incurring of any indebtedness (whether funded, refunded, assumed, or otherwise) by the agency to finance or refinance the project in whole or in part.

The agency is authorized to make such pledges as to specific advances, loans and indebtedness as appropriate in carrying out the project. Taxes shall be allocated and paid to the agency consistent with the provisions

of this plan only to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the agency to finance or refinance, in whole or in part, the project.

E. The number of tax dollars which may be divided and allocated to the agency pursuant to California Health and Safety Code Section 33670 shall not exceed two billion, six hundred fifty million dollars (\$2,650,000,000.00) except by amendment of this plan.

F. No loan, advance or indebtedness to finance in whole or in part the project and payable in whole or in part from tax increment revenues shall be established after a date twenty (20) years from the effective date of the ordinance approving and adopting this plan. This limit, however, shall not prevent incurring debt to be paid from the low- and moderate-income housing fund or establishing more debt in order to fulfill the agency's housing obligations in accordance with state law. Such time limitation may be extended only by amendment of this plan and in accordance with state law. Pursuant to Section 33333.2 of the Health and Safety Code, such loan, advance or indebtedness must be repaid no later than July 11, 2044, fifty-one (51) years from the effective date of the ordinance approving and adopting this plan. This limitation shall not apply to certain affordable housing activities as contained in state law.

G. The amount of tax allocation bonded indebtedness issued pursuant to Section 33640 et seq., of the Health and Safety Code, exclusive of other agency subordinated contractual obligations, other forms of indebtedness of the agency to the city which can be outstanding at anyone time shall not

2.32.030

exceed eight hundred eighty million dollars (\$880,000,000.00) in principal amount, except by amendment of this plan. (Ord. 2003-018 § 1 (part), 2003; County Ord. O-95-5, § A; Ord. 94-017, § 1, 1994; Ord. 93-012, § 602, 1993)

2.32.030 Other loans and grants.

Any other loans, grants, guarantees or financial assistance from the United States or any other public or private source will be utilized if available as appropriate in carrying out the project. (Ord. 93-012 § 603, 1993)

Chapter 2.36

ADMINISTRATION AND ENFORCEMENT

Sections:

- 2.36.010 Acquisition of real property.**
- 2.36.020 Acquisition of personal property.**
- 2.36.030 Cooperation with public bodies.**
- 2.36.040 Property management in lieu payments.**
- 2.36.050 Actions by the city and county.**
- 2.36.060 Administration, enforcement and amendment of the plan.**
- 2.36.070 Duration of this plan.**

2.36.010 Acquisition of real property.

Any eminent domain proceedings on properties are hereby added in this section must commence within twelve (12) years of

the effective date of the ordinance approving and adopting this plan.

The agency may purchase, lease, obtain option upon or otherwise acquire any interest in real property located in the project area by gift, devise, exchange, purchase, or any other means authorized by law. The agency will, in the unincorporated areas of the project, have the power of eminent domain to acquire commercial or industrial properties so zoned on the effective date of the adopting ordinance for this project and properties in the area north of East Lewelling Boulevard, east of Western Pacific Railroad right-of-way. In the incorporated portion of the project area, the agency will have the power of eminent domain to acquire all properties listed on Exhibits 2.36.010(1), 2.36.010(2), 2.36.010(3), 2.36.010(4), 2.36.010(5) and 2.36.010(6) incorporated herein by reference, on the effective date of the ordinance adopting Amendment No. 2 to the redevelopment plan for this project. The agency will also retain the power of eminent domain on a limited number of industrially and commercially zoned property, so zoned on the effective date of the adopting ordinance for Amendment No. 4 to the plan and identified in Exhibits 2.36.010(7), 2.36.010(8), 2.36.010(9) and 2.36.010(10) to Amendment No. 4. Any eminent domain proceedings on properties identified in Exhibits 2.36.010(7), 2.36.010(8), 2.36.010(9) and 2.36.010(10) must commence within twelve (12) years of the effective date of the ordinance adopting Amendment No. 4 to the plan. Any eminent domain proceedings, except on the properties identified in Exhibits 2.36.010(7), 2.36.010(8), 2.36.010(9) and 2.36.010(10) must commence within twelve (12) years of the effective date of the ordinance approving

and adopting this plan. Such time limitation may be extended only by amendment of this plan. Acquisition of property will generally be achieved by cooperative negotiations between the owner of such property and the agency.

The agency shall not acquire real property to be retained by an owner pursuant to a participation agreement unless provisions for such acquisition is made in the agreement. The agency is authorized to acquire structures without acquiring the land upon which those structures are located. The agency is also authorized to acquire any other interest in real property less than a fee interest.

Property owners and developers will be encouraged to participate in upgrading efforts including agreements with the agency for financial and other incentives. (Ord. 99-029 § 1, 1999; Ord. 96-04, 1996; Ord. 95-039, 1995; Ord. 93-012, § 403, 1993)

Exhibit 2.36.010(1)**EMINENT DOMAIN PROPERTY LIST**

The following is a list of properties approved for inclusion in the Agency's eminent domain authority. Addresses are provided for information only and may not be all inclusive. Note: * = Property acquired by RDA. ** = Property redeveloped by RDA and/or private developer since plan's inception.

| Number | Street | APN | Reference | Ord. No. | Expiration |
|---------------------------|---|------------------|------------------|-----------------|-------------------|
| No Address | North of East Lewelling Blvd. and east of Western Pacific ROW (County jurisdiction) | Not identified | County Node | 93-012 | August 11, 2005 |
| No Address | Bayfair Mall and adjacent properties | Not identified | Bayfair Node | 93-012 | August 11, 2005 |
| 14845 to 14883 | East 14th St. | 77D-1475-026-02 | Bal/Eden Node | 95-039 | August 11, 2005 |
| 14895 | East 14th St. | 77D-1475-025-10 | Bal/Eden Node | 95-039 | August 11, 2005 |
| 2187 | Alvarado St.** | 075-0102-003-03 | Marina Node | 95-039 | August 11, 2005 |
| 620 | Marina Blvd. | 075-0105-012-01 | Marina Node | 95-039 | August 11, 2005 |
| 651, 655 | Marina Blvd. | 75-0093-008-02 | Marina Node | 95-039 | August 11, 2005 |
| 665, 667, 669 | Marina Blvd. | 75-0093-002-06 | Marina Node | 95-039 | August 11, 2005 |
| 733, 765 | Marina Blvd. | 75-0093-001-02 | Marina Node | 95-039 | August 11, 2005 |
| 908 | Marina Blvd. | 075-0102-007-02 | Marina Node | 95-039 | August 11, 2005 |
| 635, 637 | Marina Blvd. | 75-0093-007-02 | Marina Node | 95-039 | August 11, 2005 |
| 797 | Marina Blvd. | 75-0093-001-22 | Marina Node | 95-039 | August 11, 2005 |
| 846 | Marina Blvd. | 075-0102-003-03 | Marina Node | 95-039 | August 11, 2005 |
| 872 | Marina Blvd. | 075-0102-005-02 | Marina Node | 95-039 | August 11, 2005 |
| 884, 890 | Marina Blvd. | 075-0102-006-02 | Marina Node | 95-039 | August 11, 2005 |
| 936 | Marina Blvd. | 075-0102-008-02 | Marina Node | 95-039 | August 11, 2005 |
| 954 | Marina Blvd. | 075-0102-009-02 | Marina Node | 95-039 | August 11, 2005 |
| 1042 | Marina Blvd.** | 077A-0718-036-00 | Marina Node | 95-039 | August 11, 2005 |
| 1050 | Marina Blvd.** | 077A-0714-029-02 | Marina Node | 95-039 | August 11, 2005 |
| 1152, 1186 | Marina Blvd.** | 077A-0714-005-03 | Marina Node | 95-039 | August 11, 2005 |
| 1186, 1200 | Marina Blvd.** | 077A-0714-002-10 | Marina Node | 95-039 | August 11, 2005 |
| 1250 | Marina Blvd.** | 077A-0714-002-08 | Marina Node | 95-039 | August 11, 2005 |
| 1302, 1308, 1314, 1320 | Marina Blvd.** | 077A-0714-003-03 | Marina Node | 95-039 | August 11, 2005 |
| 1444 | Marina Blvd.** | 077A-0714-004-00 | Marina Node | 95-039 | August 11, 2005 |
| No Address | Marina Blvd. | 075-0102-004-02 | Marina Node | 95-039 | August 11, 2005 |
| 1066 | Marina Blvd.** | 077A-0719-028-00 | Marina Node | 95-039 | August 11, 2005 |
| 1072 | Marina Blvd.** | 077A-0719-029-00 | Marina Node | 95-039 | August 11, 2005 |

| Number | Street | APN | Reference | Ord. No. | Expiration |
|------------------------------|--|------------------|------------------|----------|------------------|
| 1088 | Marina Blvd.** | 077A-0720-026-04 | Marina Node | 95-039 | August 11, 2005 |
| 2180 | Orchard Avenue | 075-0102-010-02 | Marina Node | 95-039 | August 11, 2005 |
| West of | Teagarden btwn. Marina & Aladdin | 079A-0295-002-12 | Marina Node | 95-039 | August 11, 2005 |
| 2001, 2009, 2017, 2055, 2085 | Wayne Ave.** | 077A-0714-003-03 | Marina Node | 95-039 | August 11, 2005 |
| 2125, 2151, 2169 | Wayne Ave.** | 077A-0714-002-06 | Marina Node | 95-039 | August 11, 2005 |
| 2255, 2257 | Bancroft Ave. | 077E-1525-006-02 | Islander Node | 96-04 | August 11, 2005 |
| 2398 | East 14th St. | 077E-1525-003-04 | Islander Node | 96-04 | August 11, 2005 |
| 14500, 14530 | East 14th St.** | 077E-1575-002-03 | Maskell Property | 96-04 | August 11, 2005 |
| 189 | Franklin Ln.** | 075-0207-004-00 | Peralta Node | 96-04 | August 11, 2005 |
| | Peralta Ave. adjacent to 863 Peralta** | 075-0155-004-00 | Peralta Node | 96-04 | August 11, 2005 |
| | Peralta Ave. btwn. 890 & 948 Peralta** | 075-0207-006-01 | Peralta Node | 96-04 | August 11, 2005 |
| 715 | Peralta Ave.** | 075-0155-001-02 | Peralta Node | 96-04 | August 11, 2005 |
| 753 | Peralta Ave.** | 075-0155-002-11 | Peralta Node | 96-04 | August 11, 2005 |
| 753 | Peralta Ave.** | 075-0155-002-12 | Peralta Node | 96-04 | August 11, 2005 |
| 851 | Peralta Ave.** | 075-0155-002-08 | Peralta Node | 96-04 | August 11, 2005 |
| 863 | Peralta Ave.** | 075-0155-002-02 | Peralta Node | 96-04 | August 11, 2005 |
| 948 | Peralta Ave.** | 075-0207-006-04 | Peralta Node | 96-04 | August 11, 2005 |
| 1034 | Peralta Ave.** | 075-0207-005-01 | Peralta Node | 96-04 | August 11, 2005 |
| | San Leandro Blvd. adj. to 189 Franklin Ln.** | 075-0207-003-01 | Peralta Node | 96-04 | August 11, 2005 |
| 1111 | Marina Blvd.** | 077A-0648-023-01 | Auto Center Node | 99-029 | November 3, 2011 |
| 1434 | 148th Ave. | 077E-1593-006-00 | Bal Theater Node | 99-029 | November 3, 2011 |
| 14800 | East 14th St. | 077E-1593-007-00 | Bal Theater Node | 99-029 | November 3, 2011 |
| 14808 | East 14th St. | 077E-1593-008-00 | Bal Theater Node | 99-029 | November 3, 2011 |
| 14810 to 14814 | East 14th St. | 077E-1593-009-00 | Bal Theater Node | 99-029 | November 3, 2011 |
| 15693 | East 14th St.** | 080C-0500-032-00 | Bayfair Node | 99-029 | November 3, 2011 |
| 15739 | East 14th St.** | 080C-0500-033-00 | Bayfair Node | 99-029 | November 3, 2011 |
| 15741 | East 14th St.** | 080C-0500-031-00 | Bayfair Node | 99-029 | November 3, 2011 |
| 15773 | East 14th St.** | 080C-0500-005-00 | Bayfair Node | 99-029 | November 3, 2011 |
| 16285 | East 14th St. (County jurisdiction) | 080C-0479-006-03 | County Node | 99-029 | November 3, 2011 |
| 16301 | East 14th St. (County jurisdiction) | 080C-0479-006-04 | County Node | 99-029 | November 3, 2011 |
| 16305 | East 14th St. (County jurisdiction) | 080C-0479-006-13 | County Node | 99-029 | November 3, 2011 |

2.36.010

| Number | Street | APN | Reference | Ord. No. | Expiration |
|---------------|-------------------------------------|------------------|------------------|-----------------|-------------------|
| 16335 | East 14th St. (County jurisdiction) | 080C-0479-006-07 | County Node | 99-029 | November 3, 2011 |

| Number | Street | APN | Reference | Ord. No. | Expiration |
|---------------|-------------------------------------|------------------|------------------|-----------------|-------------------|
| No Address | East 14th St. (County jurisdiction) | 080C-0479-006-11 | County Node | 99-029 | November 3, 2011 |
| 19100 | Mission Blvd. (County jurisdiction) | 0414-0011-004-06 | County Node | 99-029 | November 3, 2011 |
| 19610 | Mission Blvd. (County jurisdiction) | 0414-0011-004-07 | County Node | 99-029 | November 3, 2011 |
| 111 | East 14th St. | 075-0196-001-00 | N. Area Gateway | 99-029 | November 3, 2011 |
| 301 | East 14th St. | 075-0189-001-00 | N. Area Gateway | 99-029 | November 3, 2011 |
| 355 | East 14th St. | 075-0188-001-00 | N. Area Gateway | 99-029 | November 3, 2011 |
| 401 | East 14th St. | 075-0181-001-00 | N. Area Gateway | 99-029 | November 3, 2011 |
| 497 | East 14th St. | 075-0181-008-00 | N. Area Gateway | 99-029 | November 3, 2011 |

Exhibit 2.36.010 (2)

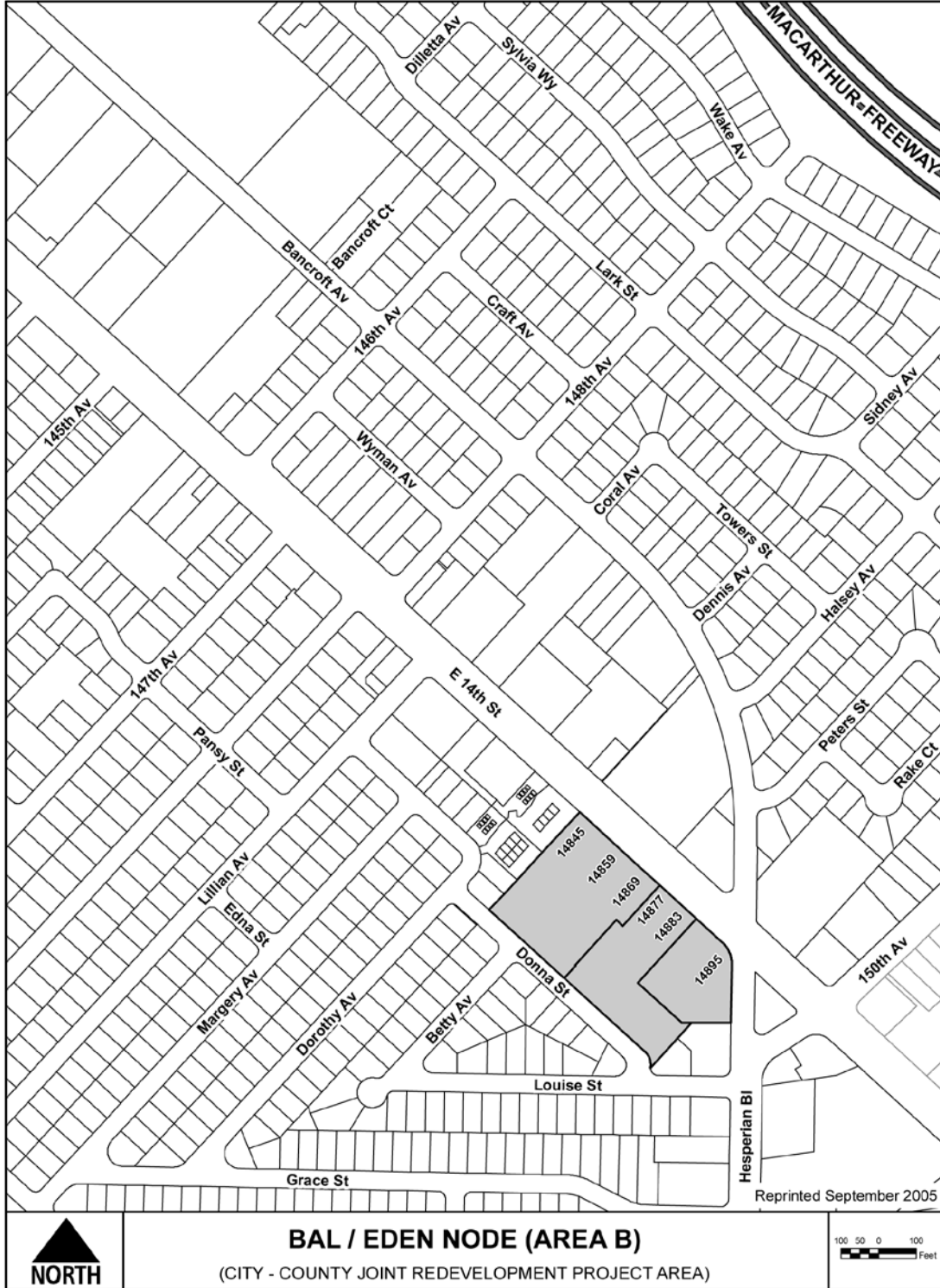


Exhibit 2.36.010 (3)



Exhibit 2.36.010 (4)



Exhibit 2.36.010 (5)

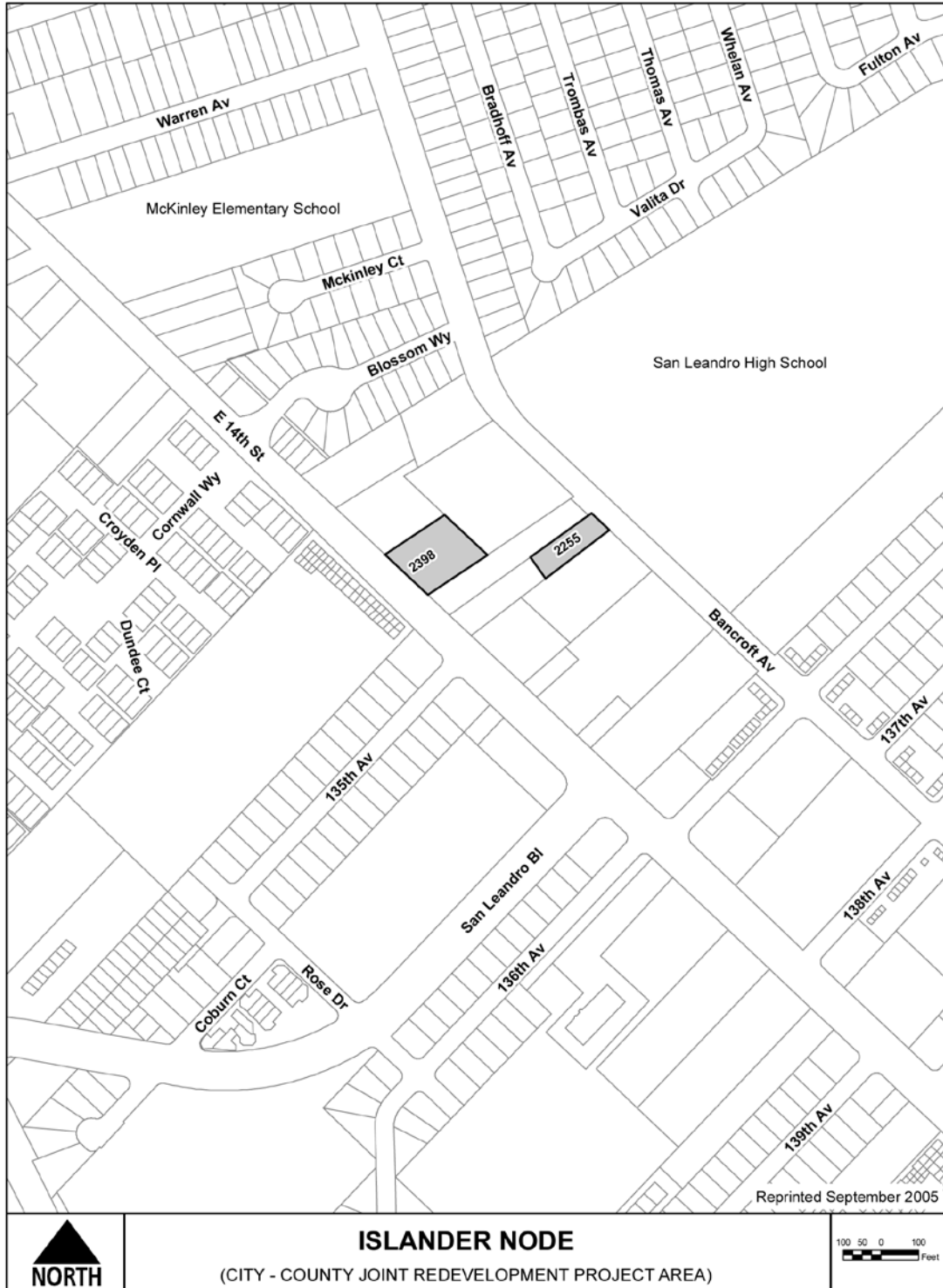


Exhibit 2.36.010 (6)



Exhibit 2.36.010 (7)



Exhibit 2.36.010 (8)

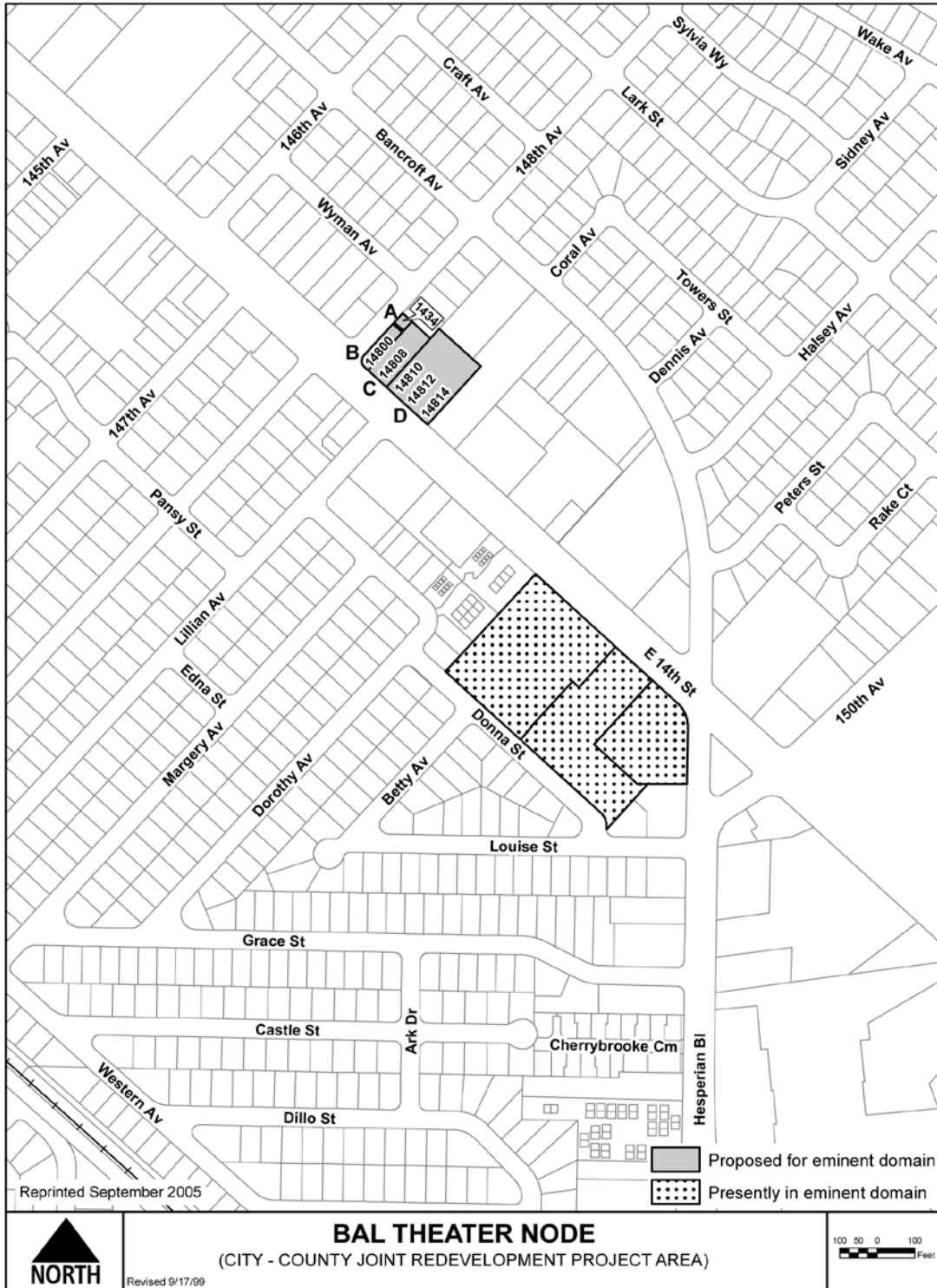


Exhibit 2.36.010 (9)

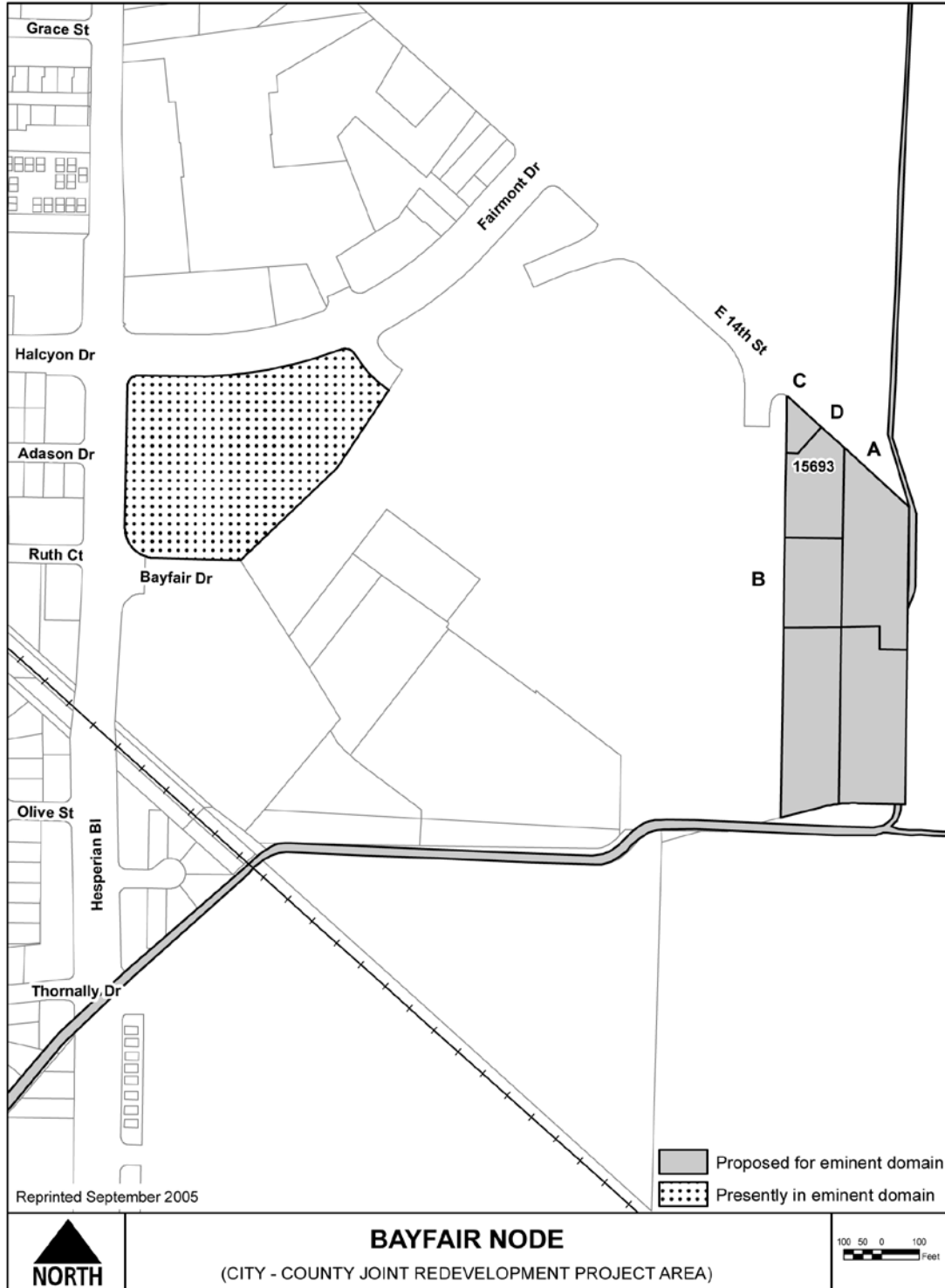
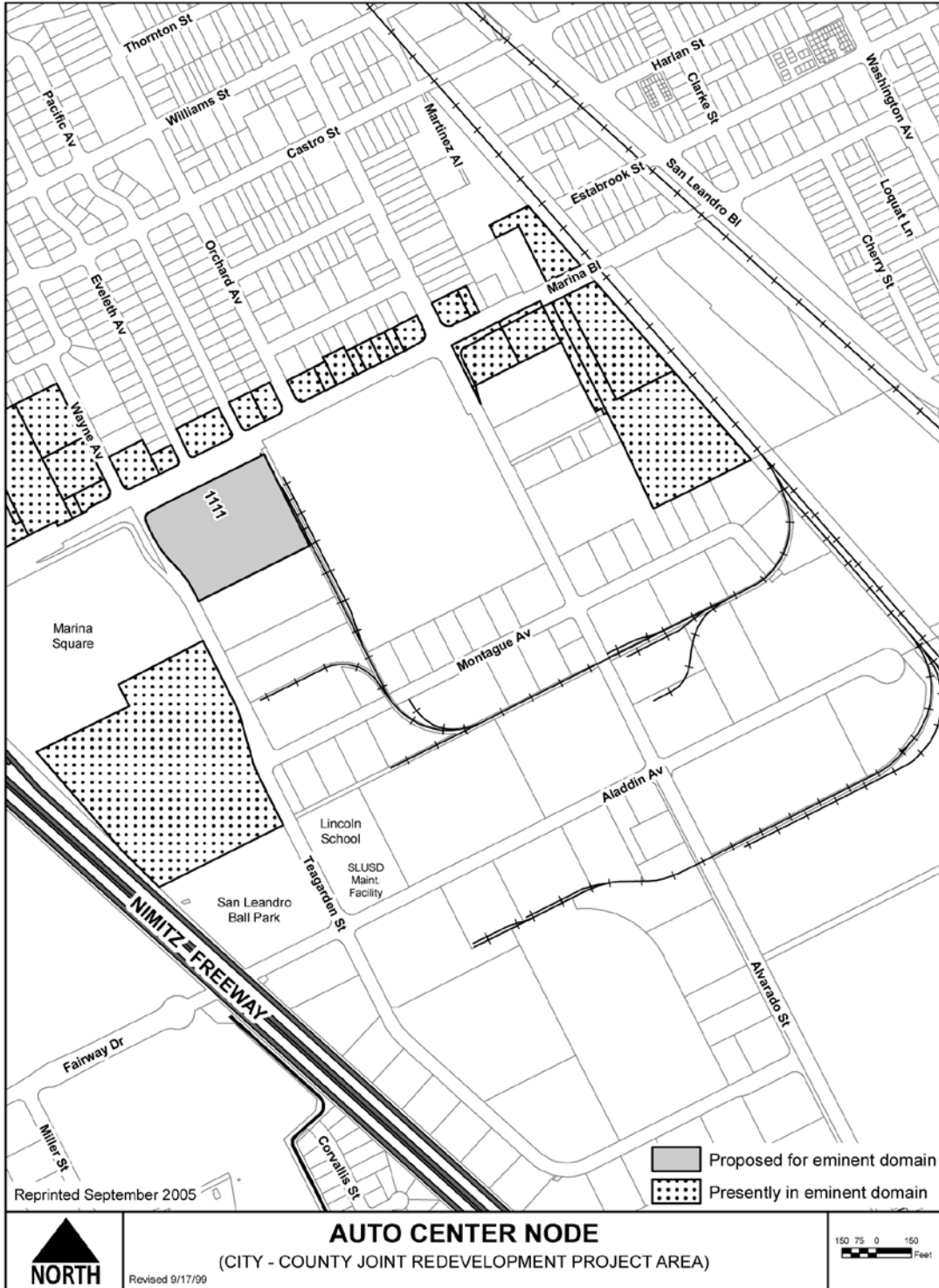


Exhibit 2.36.010 (10)



2.36.020 Acquisition of personal property.

Generally, personal property shall not be acquired, unless such acquisition is necessary in connection with the acquisition of real property. However, where necessary in the execution of this plan, the agency is authorized to acquire personal property in the project area and, to the greatest extent allowed by law, within a survey area for purpose of redevelopment, by any lawful means. (Ord. 93-012 § 404, 1993)

2.36.030 Cooperation with public bodies.

Certain public bodies are authorized by the state law to aid and cooperate, with or without consideration in the planning, undertaking, construction, or operation of this project. The agency shall seek the aid and cooperation of such public bodies and shall attempt to coordinate this plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.

The agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. However, the agency shall seek the cooperation of all public bodies which own or intend to acquire property in the project area. Any public body which owns or leases property in the project area will be afforded all the privileges of owner and tenant participation if such public body is willing to enter into a participation agreement with the agency. (Ord. 93-012 § 409, 1993)

2.36.040 Property management in lieu payments.

During such time as property, if any, in the project area is owned by the agency,

such property shall be under the management and control of the agency. The agency may rent or lease, maintain, manage, operate, repair and clear real property of the agency. The agency may insure or provide for the insurance of any real property or personal property of the agency pending its disposition for redevelopment. All such actions shall be pursuant to such policies as the agency may adopt.

As provided for in Health and Safety Code Section 33401, the agency may pay an amount of money in lieu of taxes in any year during which it owns property in the project area.

The agency may also make payments, in accord with Health and Safety Code Section 33401, to alleviate any financial burden or detriment caused to a taxing agency by the project. (Ord. 93-012 § 410, 1993)

2.36.050 Actions by the city and county.

The city and county shall aid and cooperate with the agency in carrying out this plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this plan and to prevent the recurrence or spread in the area of conditions causing blight. Action by the city and county shall include, but not be limited to, the following:

A. Institution and completion of proceedings for opening, closing, vacating, widening, or changing the grades of streets, alleys, and other public rights-of-way, and for other necessary modifications of the streets, the street layout, and other public rights-of-way in the project area. Such action by the city and county shall include the requirements of abandonment and relocation by the public utility companies of their op-

2.36.060

erations in public rights-of-way as appropriate to carry out this plan.

B. Institution and completion of proceedings necessary for changes and improvements in publicly-owned public utilities within or affecting the project area.

C. Revision of zoning within the project area to permit the land uses and development authorized by this plan.

D. Performance of the above, and of all other functions and services relating to public health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the project area to be commenced and carried to completion without unnecessary delays.

E. The undertaking and completing of any other proceedings necessary to carry out the project. (Ord. 93-012 § 700, 1993)

2.36.060 Administration, enforcement and amendment of the plan.

A. The administration and enforcement of this plan or other documents implementing this plan shall be performed by the agency (subject to alternative administrative and enforcement arrangements as may be agreed upon between the city of San Leandro Redevelopment Agency and the Alameda County Redevelopment Agency).

The provisions of this plan or other documents entered into pursuant to this plan may also be enforced by court litigation instituted by either the agency, county, or the city. Such remedies may include, but are not limited to, specific performance, damages, re-entry, injunctions, or any other remedies appropriate to the purposes of this plan. In addition, any recorded provisions which are expressly for the benefit of owners of prop-

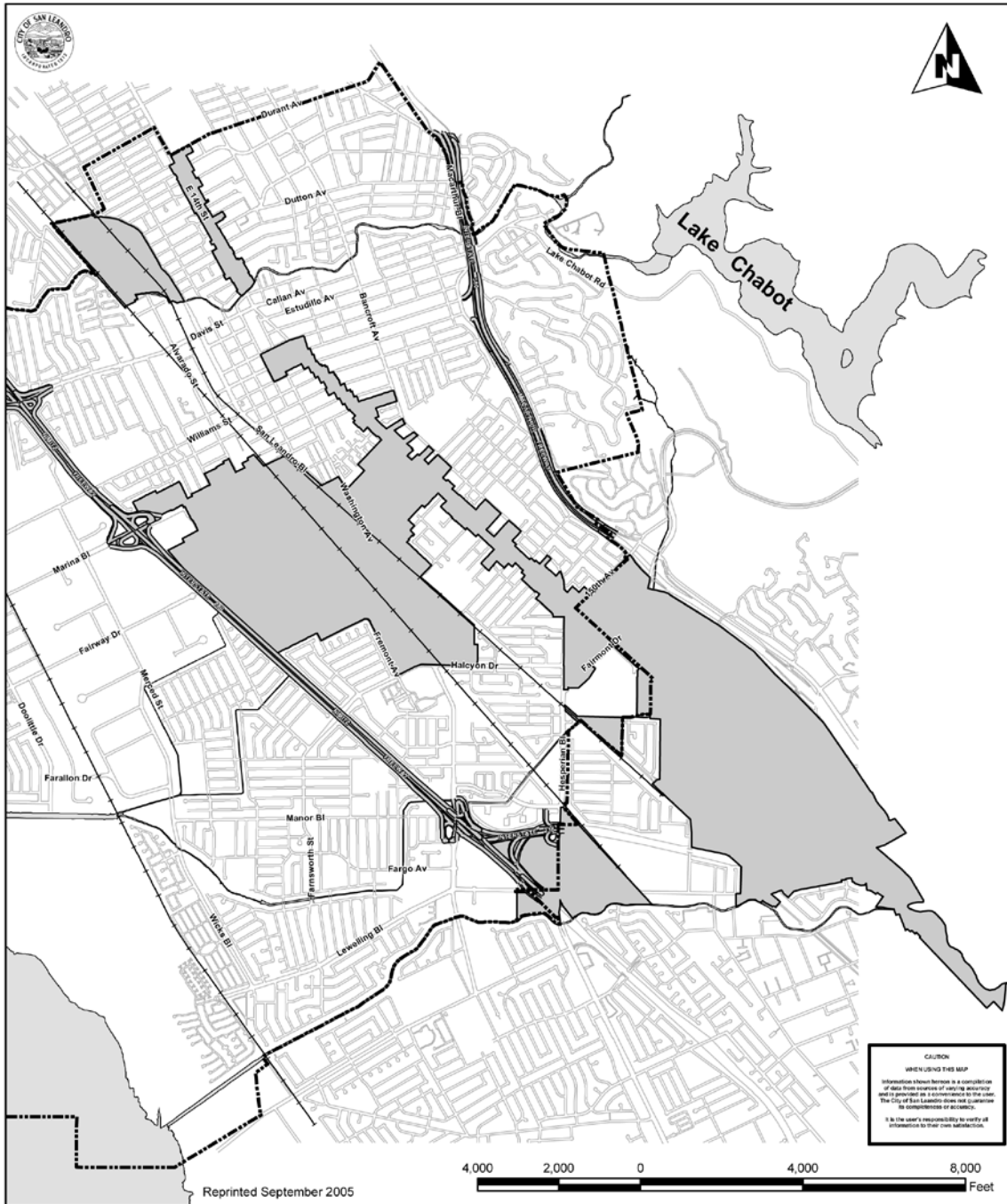
erty in the project area may be enforced by such owners.


B. This plan may be amended by means of the procedure established in Sections 33450—33458 of the Community Redevelopment Law or by any other procedure hereinafter established by law. Any amendment to the city's or county's general plans affecting any portion of the plan text and/or map shall automatically amend this plan accordingly to conform thereto. (Ord. 2001-13 § 2 (part), 2001; Ord. 93-012 § 800, 1993)

2.36.070 Duration of this plan.

Except for the nondiscrimination and nonsegregation provisions (which shall run in perpetuity), or the obligation to repay any indebtedness as provided in Sections 2.32.010 and 2.32.020, the provisions of this plan shall be effective and the provisions of other documents formulated pursuant to this plan may be made effective for forty (40) consecutive years from the date of adoption of this plan by the city council. The effectiveness of the redevelopment plan shall terminate on July 11, 2034. The agency shall not receive property taxes pursuant to Section 33670 after July 11, 2044. (Ord. 2003-018 § 1 (part), 2003; County Ord. O-95-5 § B, 1995; Ord. 94-017 § 2, 1994; Ord. 93-012, § 900, 1993)

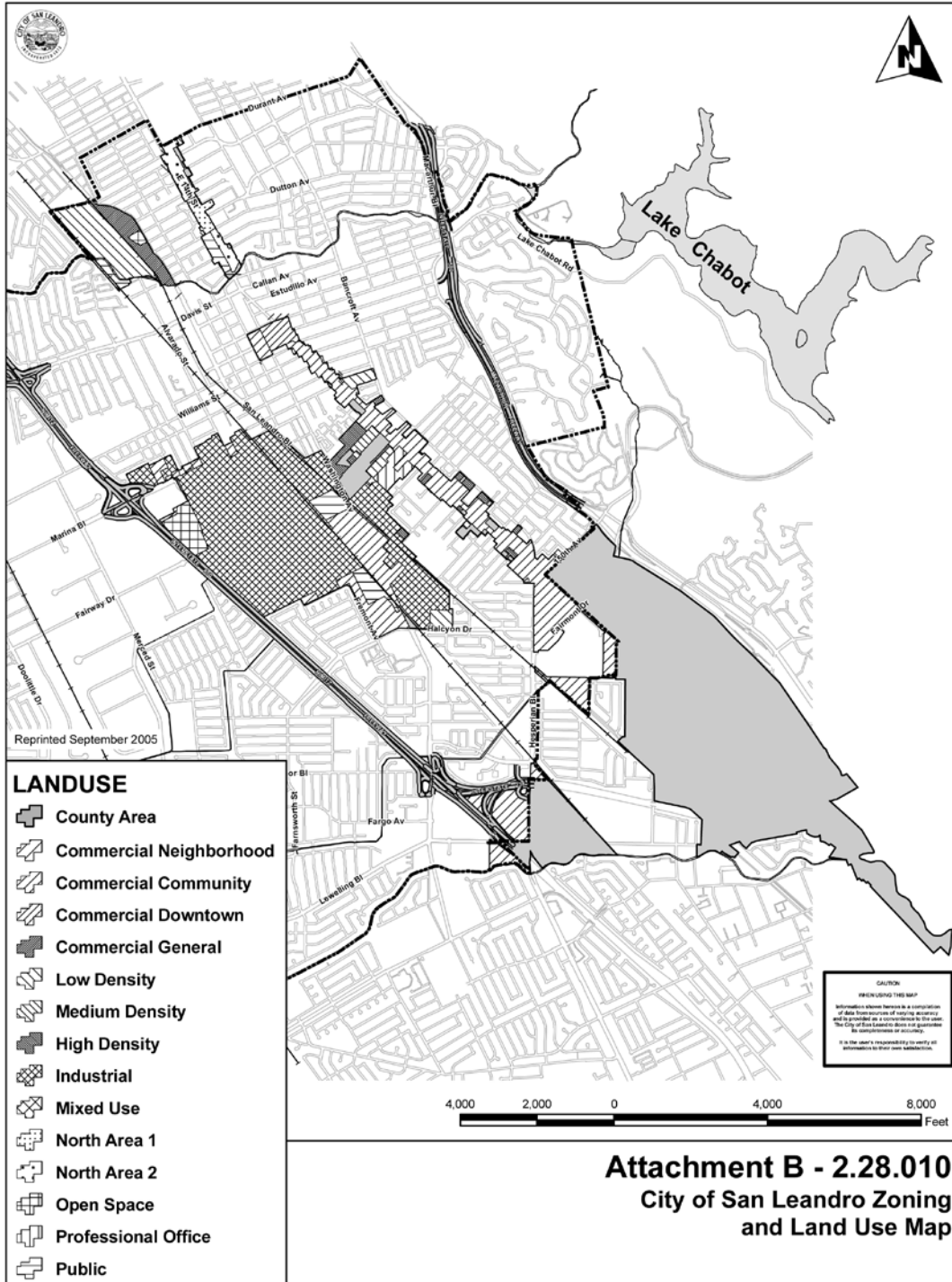
Attachment A – 2.28.010-A PROJECT AREA BOUNDARIES



 City of San Leandro / Alameda County Project Area

Attachment A - 2.28.010 Project Area Boundaries

**Attachment B – 2.28.010-B
CITY OF SAN LEANDRO ZONING AND LAND USE MAP**



**Attachment B - 2.28.010
City of San Leandro Zoning
and Land Use Map**

Attachment C

LEGAL DESCRIPTIONS

AREA A

Alameda County — City of San Leandro Redevelopment Project, as it exists on December 21, 1992, is shown on the map marked Exhibit 2.36.010(4). Area A is more particularly described as follows:

BEGINNING at the intersection of the easterly of San Leandro Boulevard and the centerline of San Leandro Creek; thence westerly and northwesterly along the centerline of said San Leandro Creek to the intersection of said San Leandro Creek and the northeasterly line of Martinez Street, said point being on the northerly line of Area 4 as described in the San Leandro Plaza 2 Redevelopment Project; thence continuing northwesterly along the centerline of San Leandro Creek and the northerly line of said San Leandro Plaza 2 Redevelopment Project Area 4 to a point on a that is 75 feet northeasterly, measured at right angles from the southwesterly line of the Town of San Leandro as shown on Book 1 of Maps at Page 19, Alameda County Records; thence southeasterly along a line 75 feet northeasterly of and parallel with the southwesterly line of the Town of San Leandro and the northerly line of said San Leandro Plaza 2 Redevelopment Project Area 4 to a point on the southeasterly line of Lola Street; thence westerly along the southeasterly line of said Lola Street and its westerly prolongation and the northerly line of said San Leandro Plaza 2 Redevelopment Project Area 4 to a point on the westerly line of the Southern Pacific Transportation Company Right-of-Way; thence northwesterly along the westerly line

of said Southern Pacific Transportation Company Right-of-Way to its point of intersection with the centerline of San Leandro Creek; thence continuing northwesterly along the westerly of said Southern Pacific Transportation Company Right-of-Way and the City Limit Line common to the City of San Leandro and the City of Oakland to an angle point in the said common City Limit Line; thence southeasterly along said common City Limit Line to a point on the easterly line of the said Southern Pacific Transportation Company Right-of-Way; thence easterly and continuing along said common City Limit Line to an angle point on said common City Limit Line, said point being on the north line of the Map of Franklin Subdivision as shown in Book 12 of Maps at Page 71, Alameda County Records and lying 11.17 feet, more or less southwesterly of the southwesterly line of said San Leandro Boulevard; thence northeasterly along the northerly line of said Franklin Subdivision to a point on the easterly line of Apricot Street; thence southerly along the easterly line of said Apricot Street to the intersection of said easterly line with the easterly line of Park Street; thence southerly along the easterly line of Park Street to the intersection of Park Street with the easterly line of San Leandro Boulevard; thence southerly along the easterly line of said San Leandro Boulevard to the intersection of the easterly line of said San Leandro Boulevard and the centerline of San Leandro Creek and the point of beginning.

Contains 77 acres, more or less.

AREA B

Alameda County — City of San Leandro Redevelopment Project, as it exists on De-

ember 21, 1992, is shown on the map marked Exhibit 2.36.010(7). Area B is more particularly described as follows:

BEGINNING at the intersection of the east line of East 14th Street and the centerline of San Leandro Creek; thence southwesterly to the intersection of the west line of said East 14th Street and the centerline of said San Leandro Creek; thence northerly along the west line of East 14th Street to the northeasterly corner of Root Park, said point being the intersection of the west line of East 14th Street and the easterly prolongation of the south line of Lot 47 of the Map of San Antonio Court as shown in Book 28 of Maps at Page 38, Alameda County Records; thence westerly along the southerly line of said Lot 47 and its said prolongation to the southwesterly corner of said Lot 47 and the easterly line of Arroyo Avenue; thence northerly along the easterly line of said Arroyo Avenue to a point on the northerly line of Toler Avenue; thence westerly along the northerly line of said Toler Avenue to southwesterly corner of Lot 4 of said San Antonio Court; thence northerly along the westerly line of said Lot 4, said line being 160 feet westerly of and parallel with the westerly line of East 14th Street, to the northwesterly corner of said Lot 4, said point being on the northerly line of said San Antonio Court and the easterly prolongation of the southerly line of Del Orta Subdivision as shown in Book 4 of Maps at page 1, Alameda County Records; thence westerly along said southerly line of said Del Orta Subdivision to the southeasterly corner of Lot 33 of said Del Ota Subdivision; thence northerly along the easterly line of said lot 33, said line being 268 feet westerly of and parallel with the westerly line of East 14th Street, to a point on the southerly line of

California Avenue; thence easterly along the southerly line of said California Avenue to its point of intersection with the easterly line of Lafayette Avenue; thence northerly along the easterly line of Lafayette Avenue to the northerly line of Peralta Avenue; thence easterly along the northerly line of Peralta Avenue to the southwesterly corner of Lot 1 of the Resubdivision of Lots 1 to 29 inclusive, Best Manor, as shown in Book 2 of Maps at page 72, Alameda County Records; thence northerly along the westerly line of Lots 1, 2, 3, and 4 of said subdivision, said line lying 95 feet westerly of and parallel with the westerly line of said East 14th Street, to the northwesterly corner of said Lot 4; Thence westerly along the southerly line of Lot 5 of said Best Manor Subdivision to the southwesterly corner of said Lot 5; Thence northerly along the westerly line of Lots 5, 6, 7, and 8 of said subdivision, said line lying 150 feet westerly of and parallel with the westerly line of said East 14th Street, to the northwesterly corner of said Lot 8; thence easterly along the northerly line of said Lot 8 to the southwesterly corner of Lot 9 of said Best Manor Subdivision; thence northerly along the westerly line of Lots 9, 10, 11, 12, 13, and northerly prolongation of the westerly line of Lot 13 of said Best Manor Subdivision, said line lying 95 feet westerly of and parallel with the westerly line of said East 14th Street, to the northerly line of Best Avenue and the southwesterly corner of Lot 139 of Best Manor Subdivision as shown in Book 3 of Maps at Page 73, Alameda County Records; thence continuing northerly along the westerly line of Lots 139 through 158 inclusive of said Best Manor Subdivision, said line lying 95 feet westerly of and parallel with the westerly line of said East 14th Street, to the north-

westerly corner of said Lot 158; thence westerly along the northerly line of said Best Manor Subdivision to a point lying 130 feet west of the westerly line of said East 14th Street; thence northerly along a line 130 feet westerly of and parallel with the westerly line of said East 14th Street to a point on the northerly line of Stoakes Avenue; thence easterly along the northerly of said Stoakes Avenue to a point that lies 110 feet west of the westerly line of East 14th Street; thence northerly along a line 110 feet west of and parallel with the westerly line of said East 14th Street to a point on the southerly line of Belleview Gardens Subdivision as shown in Book 3 of Maps at Page 87, Alameda County Records; thence continuing northerly along a line 110 feet west of and parallel with the westerly line of said East 14th Street to a point on the southerly line of the Map No. 1 of the Garcia Homestead Subdivision as shown in Book 4 of Maps at Page 69, Alameda County Records; thence easterly along the southerly line of said Garcia Homestead Subdivision to the southwest corner of Lot 4 of said subdivision; thence northerly along the westerly line of Lots 4, 3, 2, and 1 of said Subdivision, said line lying 100 feet west of and parallel with the westerly line of said East 14th Street, to the northwesterly corner of said Lot 1 of said Garcia Homestead Subdivision; thence easterly along the northerly line of said Lot 1 to southwest corner of Lot 6 of the West Broadmoor Extension Subdivision as shown in Book of Maps at Page 73, Alameda County Records; thence northerly along the westerly line of Lots 6, 5, 4 and the northerly prolongation of the westerly line of Lot 4 of said West Broadmoor Extension Subdivision, said line lying 79 feet west of the westerly line of said East 14th Street to a point

on the northerly line of West Broadmoor Boulevard; thence westerly along the northerly line of said West Broadmoor Boulevard to the southwest corner of Lot 7 of said West Broadmoor Extension Subdivision; thence northerly along the westerly line of said Lot 7, said line lying 104 feet west of and parallel with the westerly line of said East 14th Street, to the northwesterly corner of said Lot 7, said point also being the southwest corner of Lot 66 of Tract 559 as shown in Book 29 of Maps at Page 58, Alameda County Records; thence continuing northerly along the westerly line of Lot 66 of said Tract 559 to the northwesterly corner of said Lot 66 and the southerly line of Farrelly Drive; thence easterly along the southerly line of said Farrelly Drive to the southerly prolongation of the east line of Lot 8 of said Tract 559, said point also being on the westerly line of East 14th Street; thence northerly along the westerly line of East 14th Street to the intersection of the westerly line of East 14th Street and the westerly prolongation of the southerly line of Durant Avenue; thence easterly along the westerly prolongation of the southerly line of Durant Avenue and the southerly line of Durant Avenue to northeasterly corner of Lot 12, Block 1, of Broadmoor Subdivision as shown in Book 23 of Maps at page 68, Alameda county Records; thence southerly along the easterly line of said Lot 12, said line being 490 feet east of and parallel with the easterly line of said East 14th Street, to the southeasterly corner of said Lot 12; thence westerly along the southerly line of said Lots 12, 13, 14, and 2 of Block 1 of said Broadmoor Subdivision to a point 180 feet east of the easterly line of said East 14th Street; thence southerly along a line 180 feet east of and parallel with the easterly line of

East 14th Street to a point on the southerly line of Broadmoor Boulevard; thence easterly along the southerly line of said Broadmoor Boulevard to the northeasterly corner of Lot 1 of Block 3 of said Broadmoor Subdivision; thence southerly along the easterly line of Lots 1 and 2 of Block 3 of said Broadmoor Subdivision, said line being 190 feet easterly of and parallel with the easterly line of said East 14th Street, to the southeasterly corner of said Lot 2 of Block 3; thence westerly along the southerly line of said Lot 2 of Block 3 to the northeasterly corner of Lot 9 of the Broadmoor Addition Subdivision as shown in Book 26 of Maps at Page 39, Alameda County Records; thence southerly along the easterly line of said Lot 9, said line being 180 feet east of and parallel with the easterly line of said East 14th Street, to a point on the southerly line of Cambridge Avenue; thence westerly along the southerly line of said Cambridge Avenue to the northeasterly corner of Lot 4 of said Broadmoor Addition Subdivision; thence southerly along the easterly line of Lots 4, 3, 2, and 1 of said Broadmoor Addition, said line lying 130 feet east of and parallel with the easterly line of said East 14th Street, to the southeasterly corner of said Lot 1; thence westerly along the southerly line of said Lot 1 to a point lying 123 feet east of the easterly line of said East 14th Street; thence southerly along a line 123 feet east of and parallel with the easterly line of East 14th Street to a point on the southerly line of Sunnyside Drive; thence continuing southerly along a line 123 feet east of and parallel with the easterly line of said East 14th Street to a point 50 feet south of the southerly line of said Sunnyside Drive; Thence easterly along a line 50 feet south of and parallel with the southerly line of said

Sunnyside Drive to a point 163 feet east of the easterly line of said East 14th Street; thence southerly along a line 163 feet east of and parallel with the easterly line of said East 14th Street to a point 136.87 feet south of the southerly line of said Sunnyside Drive; thence easterly along a 136.87 feet south of and parallel with the southerly line of said Sunnyside Drive to a point 223 feet east of the easterly line of East 14th Street; thence southerly along a line 223 feet east of and parallel with the easterly line of East 14th Street to a point 81.10 feet north of the northerly line of Georgia way; thence westerly along a line 81.10 feet north of and parallel with the northerly line of said Georgia Way to a point 95 feet east of the easterly line of said East 14th Street; thence southerly along a line 95 feet east of the easterly line of said East 14th Street to a point on the southerly line of said Georgia Way; thence easterly along the southerly line of said Georgia Way to a point 100 feet east of the easterly line of said East 14th Street; thence southerly along a line 100 feet east of and parallel with the easterly line of said East 14th Street to a point on the northerly line of Lot 1 of the Orange Grove Tract as shown in Book 22 of Maps at page 46, Alameda County Records; thence easterly along the northerly line of Lot 1 of said Orange Grove Tract to the northeasterly corner of said Lot 1; thence southerly along the easterly line of Lots 1, 2, 3 and the southerly prolongation of the easterly line of said Lot 3 to a point on the southerly line of Euclid Avenue; thence easterly to the northeasterly corner of Assessors Map Book 76, Page 279-2, Parcel 22: Thence southerly along the easterly line of Parcel 22 to the most easterly corner thereof; thence westerly along the southerly line of said Parcel 22 to the north-

westerly corner of Assessors Map Book 76, Page 279-2, Parcel 14; thence southerly along the westerly line of said Parcel 14 to the northeasterly corner of Assessors Map Book 76, Page 279-2, Parcel 15; thence westerly along the northerly line of Assessors Map Book 76, Page 279-2, Parcels 15, 16, 17, 18, 19, and 20 to the northwesterly corner of said Parcel 20, said point being 103.04 feet easterly of the easterly line of East 14th Street; thence southerly along a line 103.04 feet east of and parallel with the east line of said East 14th Street to a point on the southerly line of said Dutton Avenue; thence easterly along the southerly line of said Dutton Avenue to a point 120 feet east of the easterly line of said East 14th Street; thence southerly, along a line 120 feet east of and parallel with the easterly line of said East 14th Street to a point 136.50 feet north of the northerly line of Begier Avenue; thence easterly along a line 136.50 feet north of and parallel with the northerly line of said Begier Avenue to a point 145 feet east of the easterly line of East 14th Street; thence southerly along the easterly line of Parcels 42 and 41 of Assessors Map Book 76, Page 413-2 to a point on the southerly line of said Begier Avenue; thence westerly along the southerly line of said Begier Avenue to a point 120 feet east of the easterly line of said East 14th Street; thence southerly along the easterly line of Parcels 36, 35, 34, and 33 of Assessors Map Book 76, Page 414-2, to a point 130 feet north of the northerly line of Haas Avenue; thence easterly along a line 130 feet north of and parallel with the northerly line of said Haas Avenue to the northeasterly corner of Parcel 30 of Assessors Map book 76, Page 414-2; thence southerly along the easterly line of said Parcel 30 and prolongation of said line to a point on the

southerly line of Haas Avenue; thence easterly along the southerly line of said Haas Avenue to a point 223.18 feet east of the easterly line of said East 14th Street; thence southerly to a point 227.70 feet east of the easterly line of said East 14th Street and said point being 243.95 feet south of the southerly line of said Haas Avenue; thence westerly along a line 243.95 feet south of the southerly line of said Haas Avenue to a point 205.70 feet east of the easterly line of said East 14th Street; thence southerly along a line 205.70 feet east of and parallel with the easterly line of said East 14th Street to a point 345.0 feet south of the southerly line of said Haas Avenue; thence easterly along a line 345.0 feet south of and parallel with the southerly line of said Haas Avenue to a point 227.70 feet east of the easterly line of said East 14th Street; thence southerly along the easterly line of Parcel 8 of Assessors Map 76, Page 440 and southerly along the prolongation of the easterly line of said Parcel 8 to the centerline of San Leandro Creek; thence southwesterly along the centerline of said San Leandro Creek to the east line of East 14th Street and the point of beginning.

Contains 31 acres more or less.

AREA C

Alameda County — City of San Leandro Redevelopment Project, as it exists on December 21, 1992, is shown on the map marked Exhibit 2.36.010(8). Area C is more particularly described as follows:

BEGINNING at the intersection of the easterly line of East 14th Street and the southerly line of Juana Avenue; thence easterly along the southerly line of said Juana Avenue to the northeasterly corner of Lot 3 of the Estudillo Tract as shown in Book 5 of

Maps at page 32, Alameda County Records; thence southerly along the easterly line of Lots 3 and 18 and the southerly prolongation of the east line of said Lot 18 to a point on the southerly line of Dolores Avenue; thence easterly along the southerly line of said Dolores Avenue to the northwesterly corner of Lot 25 of Tract 572 as shown in Book 29 of Maps at Page 59, Alameda County Records; thence southerly to the southwesterly corner of said Lot 25; thence easterly along the southerly line of Lot 25 of said Tract 572 to the southeasterly corner of said Lot 25 and the northwesterly corner of Lot 12 of said Tract 572; thence southerly along the westerly line of said Lot 12 and its southerly prolongation to a point on the southerly line of Maud Avenue; thence easterly along the southerly line of Maud Avenue to the northeasterly corner of Assessors Map Book 77, Page 529-2, Parcel 36; thence southerly along the easterly line of Assessors Map Book 77, Page 529-2, Parcel 36 and 34 to the southeasterly corner of said Parcel 34; thence easterly along the northerly line of Assessors Map Book 77, Page 529-2, Parcel 33-1 to the northeasterly corner of said Parcel 33-1; thence southerly along the easterly line of said Parcel 33-1 a distance of 42.42 feet; thence easterly along said parcel line 40 feet; thence southerly along the easterly line of Assessors Map Book 77, Page 529-2, Parcels 33-1 and 29 and the southerly prolongation of said Parcel 29 to a point on the southerly line of Elsie Avenue; thence easterly along the southerly line of said Elsie Avenue to the northeasterly corner of Assessors Map Book 77, Page 530-2, Parcel 25-1; thence along the easterly line of said Parcel 25-1 the following seven (7) courses:

- (1) thence southerly 16.75 feet;
- (2) thence westerly 0.60 feet;

- (3) thence southerly 45.00 feet;
- (4) thence easterly 23.83 feet;
- (5) thence southerly 45.00 feet;
- (6) thence easterly 8.68 feet;
- (7) thence southerly 18.25 feet to the northwesterly corner of Assessors Map Book 77, Page 530-2, Parcel 19;

Thence easterly along the northerly line of said Parcel 19 to the northeasterly corner thereof; thence southerly along the easterly line of said Parcel 19 and the southerly prolongation of the easterly line of said Parcel 19 to a point on the southerly line of Sybil Avenue; thence easterly along the southerly line of said Sybil Avenue to the northeasterly corner of Assessors Map Book 77, Page 572-2, Parcel 21-2; thence southerly along the easterly line of Assessors Map Book 77, Page 572-2, Parcels 21-2, 21-3, and 19 to a point on the northerly line of Parcel 1 of Parcel Map No. 1055 recorded in Book 79 of Maps at Page 48, Alameda County Records; thence easterly along the northerly line of said Parcel 1 to the northeast corner thereof; thence southerly along the easterly line of said Parcel 1 to the northwesterly corner of Parcel 1 of Parcel Map No. 1909 recorded in Book 94 of Parcel Maps at Page 36, Alameda County Records; thence easterly along the northerly line of said Parcel 1 to the northeasterly corner thereof; thence southerly along the easterly line of said Parcel 1 and the southerly prolongation of easterly line of Parcel 1 to a point on the southerly line of Warren Avenue; thence easterly along the southerly line of said Warren Avenue to the northeasterly corner of Assessors Map Book 77, Page 571-3, Parcel 43-2; thence southerly along the easterly line of said Parcel 43-2 to a point on the northerly line of the McKinley School Property described as Assessors Map Book 77E, Page

571-1, Parcel 2; thence easterly along the northerly line of said Parcel 2 to the northeasterly corner of said Parcel 2; thence southerly along the easterly line of Parcel 2, said line being the westerly line of Bancroft Avenue, to the southeasterly corner of said Parcel 2; thence westerly along the southerly line of said Parcel 2 to the northeasterly corner of Assessors Map Book 77, Page 571-2, Parcel 40; thence southerly along the easterly line of Assessors Map Book 77, Page 571-2, Parcels 40, 39, 38, and 37 to the southeasterly corner of said Parcel 37; thence westerly along the southerly line of said Parcel 37 to the northwesterly corner of Lot 28 of Cherry Manor Subdivision as shown in Book 18 of Maps at Page 66; thence southerly along the westerly line of Lots 28, 6, 7, and 8 of said Cherry Manor Subdivision to southwest corner of said Lot 8; thence easterly along the southerly line of said Cherry Manor Subdivision to the northeasterly corner of Parcel A of Parcel Map No. 1640 recorded in Book 87 of the Maps at Page 70, Alameda County Records, and the westerly line of Bancroft Avenue; thence southerly along the easterly line of said Parcel A and the westerly line of said Bancroft Avenue to the southeasterly corner of said Parcel A; thence westerly along the southerly line of said Parcel A and the westerly prolongation of the southerly line of said Parcel A to the northwesterly corner of Assessors Map Book 77E, Page 1525-1, Parcel 4-3; thence southerly along the westerly line of said Parcel 4-3 to the southwest corner thereof; thence easterly along the southerly line of said Parcel 4-3 to the southeasterly corner thereof, said point being on the westerly line of Bancroft Avenue; thence southerly along the westerly line of Bancroft Avenue to the southeasterly corner

of Assessors Map Book 77E, Page 1525-1, Parcel 6-2; thence westerly along the southerly line of said Parcel 6-2 and 6-1 to the northeasterly corner of Assessors Map Book 77E, Page 1525-2, Parcel 7-2; thence southerly along the easterly line of said Parcel 7-2 to the southeasterly corner thereof; thence westerly along the southerly line of said parcel 7-2 to the northeasterly corner of Assessors Map Book 77E, Page 1525-2, Parcel 12; thence southerly along the easterly line of said Parcel 12 to the southeasterly corner thereof; thence westerly along the southerly line of said Parcel 12 to the southwest corner thereof and the easterly line of East 14th Street; thence southerly along the easterly line of said East 14th Street to the northwesterly corner of Assessors Map Book 77E, Page 1525-2, Parcel 11; thence easterly along the northerly line of said parcel 11 to the northeasterly corner thereof; thence southerly along the easterly line of said Parcel 11 to the southeasterly corner thereof; thence easterly along the northerly line of Assessors Map Book 77E, Page 1532, Parcel 2-4 to the northeasterly corner thereof, said point being on Bancroft Avenue; thence southerly along the easterly line of said Parcel 2-4 and the westerly line of said Bancroft Avenue to the southeasterly corner of said Parcel 2-4 and the northeasterly corner of Block A, Tact 4220 as shown in Book 112 of Maps at Page 67, Alameda County Records; thence westerly along the northerly line of said Block A to the northwesterly corner thereof; thence southerly along the westerly line of said Block A and its southerly prolongation to a point on the southerly line of 136th Avenue; thence northeasterly along the southerly line of said 136th Avenue to the westerly line of Bancroft Avenue; thence southeasterly along the

westerly line of said Bancroft Avenue to the southerly line of 138th Avenue; thence southwesterly along the southerly line of said 138th Avenue to the northeasterly corner of Assessors Map 77E, Page 1548, Parcel 9-1; thence southeasterly along the easterly line of said parcel 9-1 to the southeasterly corner thereof; thence northeasterly along the northeasterly line of Assessors Map Book 77E, Page 1548, Parcel 1-4 to the northeasterly corner of said Parcel 1-4; thence southeasterly along the easterly line of said Parcel 1-4 to the southeasterly corner thereof; thence southwesterly along the southerly line of said parcel 1-4 to the northeasterly corner of Lot 1 of Block A of Tract 708 as shown in Book 11 of Maps at Page 26; thence southeasterly along the easterly line of said Lot 1 and its southeasterly prolongation to a point on the southerly line of 140th Avenue; thence continuing southeasterly along the easterly line of Lot 1 of Block B of said Tract 708 to the southeasterly corner thereof; thence northeasterly along the southerly line of said Tract 708 to the northeasterly corner of Lot 1 of Tract 639 as shown in Book 8 of Maps at Page 30, Alameda County Records; thence southeasterly along the easterly line of Lots 1, 2, 3, 4, 15, 14, 13, and 12 of said Tract 639 to the southeasterly corner of said Lot 12; thence northeasterly along the southerly line of said Tract 639 to the westerly line of Bancroft Avenue; thence southeasterly along the westerly line of said Bancroft Avenue to the northeasterly corner of Assessors Map Book 77E, Page 1569, Parcel 12-3; thence southwesterly along the northerly line of said parcel 12-3 to the northwesterly corner thereof; thence southwesterly along the westerly line of Parcel 12-3 to the southwesterly corner thereof; thence southeasterly along the

southerly line of said Parcel 12-3 to the southeasterly corner thereof and the westerly line of said Bancroft Avenue; thence southwesterly along the westerly line of said Bancroft Avenue to the northwesterly corner of Assessors Map Book 77E, Page 1575-1, Parcel 1-3; thence southwesterly along the northerly line of Parcels 1-3 and 1-6 to the easterly line of East 14th Street; thence southerly along the easterly line of said East 14th Street to the southwesterly corner of Assessors Map Book 77E, Page 1575-1, Parcel 1-5; thence northeasterly along the southerly line of said Parcel 1-5 and Parcel 1-4 of said Assessors Map Book and Page to the westerly line of Bancroft Avenue; thence southeasterly along the westerly line of said Bancroft Avenue to the northeasterly corner of Assessors Map Book 77E, Page 1575-2, Parcel 4-2; thence southwesterly along the northwesterly line of said Parcel 4-2 to the southwesterly corner thereof; thence southeasterly to the southwesterly corner of Assessors Map Book 77E, page 1575-2, Parcel 4-1 said point being on the northerly line of Tract 704 as shown in Book 11 of Maps at Page 18, Alameda County Records; thence southwesterly along the northerly line of said Tract 704 to the southwesterly corner of Lot 5 of Block 13 of said Tract 704; thence southeasterly along the southwesterly line of said Lot 5 and the southeasterly prolongation of said Lot 5 to a point on the southerly line of 146th Avenue; thence southwesterly along the southerly line of said 146th Avenue to the northeasterly corner of Lot 1 of Block 16 of said Tract 704; thence southeasterly along the northeasterly line of Lots 1, 16, 15, 14, 13, 12, 11, 10, and the southeasterly prolongation of the northeasterly line of Lot 10, Block 16 to a point on the southerly line of 148th Avenue; thence

northeasterly along the southerly line of said 148th Avenue to the northeasterly corner of Assessors Map Book 77E, Page 1593-1, Parcel 6; thence southeasterly along the northeasterly line of parcels 6 and 8 of said Assessors Map Book 77E, Page 1593-1; thence northeasterly to the northeasterly corner of Parcel 9 of said Assessors Map Book 77E, Page 1593-1; thence southeasterly to the southeasterly corner of Assessors Map Book 77E, Page 1593-1, Parcel 10-1; thence northeasterly along the southeasterly line of said Parcel 10-1 to the westerly line of Bancroft Avenue; thence southeasterly along the westerly line of said Bancroft Avenue to the northeasterly corner of Assessors Map Book 77E, Page 1593-2, Parcel 11-6; thence southwestwardly along the northwesterly line of said Parcel 11-6 to the northwesterly corner thereof; thence southeasterly to the southwest corner of Assessors Map Book 77E, Page 1593-2, Parcel 11-3; thence northeasterly along the southerly line of said parcel 11-3 to the westerly line of said Bancroft Avenue; thence southerly along the westerly line of said Bancroft Avenue to the point of intersection with the northwesterly prolongation of the northeasterly line of Assessors Map Book 77E, Page 1606-1, Parcel 7-2; thence southeasterly to the southeasterly corner of said parcel 7-2; thence northeasterly along the northwesterly line of Assessors Map Book 77E, Page 1606-1, Parcel 6-3 to the northeasterly corner thereof; thence southeasterly along the northeasterly line of said Parcel 6-3 to the southeasterly corner thereof; thence northeasterly to the northeasterly corner of Assessor Map Book 77E, Page 1606-1, Parcel 1; thence southeasterly to the southeasterly corner of said parcel 1 and the northerly line of 150th Avenue; thence easterly along the northerly line

of 150th Avenue to the westerly line of State Highway 580; thence southerly along the westerly line of said State Highway 580 to the northerly line of State Highway 238; thence westerly along the northerly line of said State Highway 238 to a point on the northerly prolongation of the east line of Tract 840 as shown in Book 21, Page 75, Alameda County Official Records; thence along the prolonged East line of said Tract 840 to appoint on the north line of Tract 840 to a point on the north line of Tract 4396; thence westerly along said north line of said Tract 4396 to a point to the northwesterly corner of said Tract; thence southerly along the west line of said Tract 4396 to a point on the north line of Gilbert Street; thence easterly and southerly along the northerly and easterly side of Angus Way to a point at the southwest corner of Parcel 41-3, as shown in Book 414, page 46 of the Alameda County Assessors Plats; thence along a line measured at right angles to the centerline of Mattox Road to a point on the southwestwardly line of said Mattox Road; thence northwesterly along the southwestwardly line of Mattox Road to the most northerly corner of parcel 2, as shown in Book 414, page 56 of the Alameda County Assessors Plats; thence along the northwesterly line of said Parcel 2 to the point of Intersection with the centerline of San Lorenzo Creek; thence continuing southeasterly and southerly along the center of said San Lorenzo Creek to a point of intersection with the Hayward City Limit Line; thence southerly along said City Limit Line said line being common with the north line of Tract 585 to a point on the westerly line of Mission Boulevard; thence northerly along said westerly line of Mission Boulevard to the northeasterly corner of Lot 35 to the Cherryland Subdivision filed in Book 26

of Maps at Page 18, Alameda County Records; thence westerly along the southerly line of said Lot 35 to the southerly corner of said Lot 35; thence northerly along a line parallel with and 130 feet westerly of the west line of Mission Boulevard to the northwest corner of Lot 2 of said Cherryland Subdivision; thence westerly 10 feet, more or less, to the southwest corner of Parcel 54 as shown in Book 414, Page 61 of the Alameda County Assessors Plats; thence northerly along the easterly line of said Lot 54 to a point on the southerly line of parcel 46 as shown in Book 414, Page 61 of the Alameda County Assessors Plats; thence easterly along said southerly line of Parcel 46 to the southeasterly corner of said Parcel 46; thence along the line parallel with and 130 feet westerly of the westerly line of Mission Boulevard to a point to the most northwest corner of Lot 14 of said Colonial Acres Map filed in Book 3 of Maps at Page 63, Alameda County Records; thence westerly along the northerly line of said Lot 14 to the southwest corner of Lot 11 of said Colonial Acres; thence northerly along a line 150 feet westerly of and parallel with the westerly line of Mission Boulevard to the southeasterly corner of Parcel 36 as shown in Book 414, Page 41 of the Alameda County Assessors Plats; thence westerly along the southerly line of Parcel 36 to the southwest corner of said Parcel 36; thence northerly along the westerly line of Parcel 36 to the northeasterly corner of Lot 22, Block C of said Colonial Acres; thence westerly along the northerly line of Lots 22 and 21, Block C of said Colonial Acres to the southwest corner of said Lot 5, Block C of said Colonial Acres; thence northerly along the westerly line of Lots 5, 6, 7, 8, and 9, Block C of said Colonial Acres, to a point on the south-

erly line of Hampton Road; thence westerly along the south line of Hampton Road to the southerly prolongation of the westerly line of Assessors Map Book 414, Page 21, Parcel 74-3; thence northerly along the said prolonged line to the northwest corner of Parcel 76-3 as shown in Assessors Map Book 414, Page 21, said point being on the northerly line of San Lorenzo Creek; thence westerly along said northerly line of San Lorenzo Creek to the northwesterly corner of the Parcel 61 shown in Assessors Map Book 414, Page 21; thence northeasterly along the northwesterly line of said parcel 61 and the said line being the southeasterly line of Tract 642 as shown in Book 8, page 22 of Alameda County Records to the southwest corner of Lot 27 of said Tract 642; thence northwesterly along the southwesterly line of said Lot 27 and the northwesterly prolongation of the southwesterly line of Lot 27 to a point on the northwesterly line of Paradise Boulevard; thence along the said northwesterly line of Paradise Boulevard to the point of intersection of the west line of Mission Boulevard northwesterly along said southwesterly line of Mission Boulevard to the northeast corner of Lot 69 of said Lot Tract 642; thence southerly along the northerly line of said lot 69 to the northerly line of Harmony Drive; thence westerly along said northerly line of Harmony Drive to the southwest corner of Lot 71 of said Tract 642; thence northerly along the westerly line of said Lot 71 a distance of 100 feet; thence westerly to a point on the easterly line of Lot 73 of said Tract 642; thence northerly along the easterly line of Lot 73 to the northeasterly corner thereof; thence southwest, westerly and northwesterly along the northerly line of Lots 73 through 81 inclusive of said Tract 642 to the

northeasterly corner of said Lot 81; thence westerly along the northerly line of said Lot 81 and the westerly prolongation of the northerly line of said Lot 81 to a point on the westerly line of Harmony Drive; thence southerly along said westerly line of Harmony Drive to the northeast corner of Lot 84 of said Tract 642; thence westerly along the north line of said Lot 84 to a point on the east line of Lot 86 of said Tract 642; thence northerly along the east line of said Lot 86 to the northeast corner of said Lot 86; thence westerly along the northerly line of said Lots 86 through 92 to the northwest corner of Lot 92 of said Tract 642 said point being common to Lots 92 and 93 of said Tract 642 and Lots 98 and 99 of Tract 650 as shown in Book 8 of Maps at Page 79, Alameda County Records; thence continuing westerly along the line common to Lot 98 and 99 to the northwesterly corner of said Lot 98; thence south along the west line of said Lot 98 a distance of 6 feet; thence westerly along a line 104 feet northerly of and parallel with the north line of Harmony Drive to a point on the line common to Lot 96 and 97 of said Tract 650; thence northerly along said common line to the northeast corner of said Lot 96; thence westerly along the north line of said Lot 96 through 87 to the northwesterly corner of Lot 87 of said Tract 650; thence along the south line of Lots 111, 112, and 113 of said Tract 650 to the southwest corner of Lot 113 of said Tract 650; thence southwestwesterly along the southeasterly line of Lots 114, 115, and 117 to the southeasterly corner of Lot 117 of said Tract; thence northwestwesterly along the northeasterly line of Lots 117 and 118 of said Tract to the most northerly corner of Lots 118 of said Tract; thence southwestwesterly along the northwestwesterly line of said Lot 118 and its southwestwesterly

projection to the southwestwesterly line of Paradise Boulevard; thence northwestwesterly along the southwestwesterly line of said Paradise Boulevard to the most northerly point of Lot 3 of said Tract 650; thence southwestwesterly along the line common to Lots 2 and 3 of said Tract 650 to the northeasterly line of the Western Pacific Railroad Right of Way; thence southeasterly along said northeasterly right of way to a point of intersection with the northeasterly prolongation of the northwestwesterly line of Tract 3226 as shown in Book 66 of Maps, Page 78, Alameda County Records; thence southwestwesterly along said projected line to the point of intersection of said line and the northeasterly line of Wickman Court; thence northwestwesterly along said northeast line of Wickman Court to the beginning of a curve concave to the northeast; thence southwestwesterly along a line perpendicular to last said line to the center of the San Lorenzo Creek; thence northwestwesterly and westerly along the centerline of said San Lorenzo Creek to the point of intersection with the southerly prolongation of the westerly line of Assessors Map Book 413, Page 31, Parcel 10-3; thence northerly along said west line of said Parcel 10-3 to a point on the northerly line of East Lewelling Boulevard; thence easterly along the said north line of said Lewelling Boulevard to a point of intersection on the westerly line of Alisal Court; thence northerly along the westerly line of Alisal Court to a point at the northeasterly corner of Assessors Map Book 413, Page 27, Parcel 57; thence westerly and northwestwesterly along the northeasterly line of said Assessors Parcel 57 to a point on the northerly line of State Highway 238; thence northwestwesterly along said northerly line of State Highway 238 to the southwestwesterly line of the Western Pacific Railroad; thence

westerly along the northerly line of State Highway 238 to a point on the east line of Ashland Avenue; thence northerly along the easterly line of said Ashland Avenue to the southwesterly line of Western Pacific Railroad Right of Way; thence northwesterly along the southwesterly line of the Western Pacific Railroad Right of Way to a point; thence along a line measured at right angles to the previously said line northeasterly to the southeast corner of Lot 36 of Tract 1078 as shown in Book 31 of Maps at Page 36, Alameda County Records; thence northerly along the east line of said Tract 1078 to the northeast corner of said Tract; thence westerly along the north line of said Tract 1078 to a point on the southerly line of Coelho Drive; thence northwesterly to the southeasterly corner of Assessors Map Book 77D, Page 1490, Parcel 16-1, said point being on the northerly line of said Coelho Drive; thence westerly along the northerly line of Coelho Drive to a point on the easterly line of Assessor Book 77D, Page 1490 Parcel 19; thence southerly along the easterly line of said Parcel 19 and the southerly prolongation of the easterly line of said Parcel 19 to a point on the southwesterly line of said Western Pacific Railroad Right of Way; thence northwesterly along the southwesterly line of said Western Pacific Railroad Right of Way to the easterly line of Hesperian Boulevard; thence northerly along the easterly line of said Hesperian Boulevard to the intersection the northerly line of Louise Street; thence westerly along the northerly line of Louise Street to the southeasterly corner of Lot 10 of Tract 831 as shown in Book 27 of Maps at Page 59 of Alameda County Records; thence northerly and northwesterly along the easterly line of said Lot 10 to the most easterly corner of Lot 9

of said Tract 831; thence southwesterly along the line common to Lot 9 and Lot 10 of said Tract 831 to the northeasterly line of Donna Street; thence northwesterly along said northeasterly line of Donna Street to a point on the southeasterly line of Tract 769 as shown in Book 12 of Maps at Page 46 and 47, Alameda County Records; thence northeasterly along said southeasterly line to the southeasterly corner of said Tract 769; thence northwesterly along the northeasterly line of said Tract 769 to the most easterly corner of Lot 4, Block E of said Tract 769; thence southwesterly along the line common to Lots 4 and 5, Block E of said Tract 769 to the northeasterly line of Donna Street; thence northwesterly along the northeasterly line of Donna Street to the intersection of the southerly line of Lillian Avenue; thence northeasterly along said southerly line of said Lillian Avenue to the most northerly corner of Lot 1, Block E of said Tract 769 Thence northwesterly to the most easterly corner of Lot 1, Block A of said Tract 769 said point being on the northerly line of Lillian Avenue; thence continuing northwesterly along the northeasterly line of said Lot 1 of Block A to the most northerly corner thereof; thence northeasterly along the southerly line of Tract 547 as shown in Book 29 of Maps at Page 42, Alameda County Records to a point on the most southerly corner of Lot 1 of said Tract 547; thence northwesterly to the most westerly corner of Lot 16 of said Tract 547; thence northeasterly along the northwesterly line of said Lot 16 a distance of 8.00 feet; thence along the southwesterly lines of Assessors Map Book 77D, Page 1468, Parcel 1 the following three (3) courses:

- (1) thence northwesterly 8.75 feet;
- (2) thence southwesterly 8.00 feet;

(3) thence northwesterly along the southwesterly line of said parcel 1 and the northwesterly prolongation of the southwesterly line of said parcel 1 to a point on the northwesterly line of 147th Avenue; thence southwesterly along the northwesterly line of said 147th Street to the most southerly corner of Assessors Map Book 77D, Page 1460-1 parcel 8; thence northwesterly along the southerly line of parcels 8, 4, 3-2, and 2 of said Assessors Map Book 77D, Page 1460 to the southeasterly line of Assessors Map Book 77D, Page 1460-1, Parcel 1; thence southwesterly along the southeasterly line of said parcel to the most southerly corner thereof; thence northwesterly along the southwesterly line of said Parcel 1 to a point on the southeasterly line of the Map of Edenville as shown in Book 23 of Maps at Page 10 Alameda County Records; thence northeasterly along said southeasterly line of the Edenville Tract to the southeasterly corner of Assessors Map Book 77D, Page 1458, Parcel 5; thence northwesterly along the southwesterly line of said Parcel 5 to the southeasterly line of 145th Avenue; thence northeasterly along the southeasterly line of 145th Street to the southeasterly prolongation of the southwesterly line of Assessors Map Book 77DE, Page 1456, Parcel 4-1; thence northwesterly along said line to the northeasterly corner of said Assessors Map Book 77D, Page 1456, Parcel 17-1; thence southwesterly along the southeasterly line of said Parcel 17-1 to the most southerly corner of said parcel; thence northwesterly along southwest line of said Parcel 17-1, said line also being line common to Lots 91 and 92 of the said Map of Edenville to a point on the southeasterly line of 144th Avenue; thence southwesterly along the southeasterly line of said 144th

Avenue to the southeasterly prolongation of a line common to Lots 156 and 157 of the said Map of Edenville; thence northwesterly along said line to a point on the northwesterly line of the said Map of Edenville and said point being the corner common to Lots 156 and 157 of said map; thence southwesterly along the northwesterly line of said Map of Edenville to the most southerly corner of Assessors Map Book 77D, Page 1455, Parcel 15; thence northwesterly along the southwesterly line of said Parcel 15 to the southeasterly line of 143th Avenue; thence southwesterly to a point on the southeasterly prolongation of the northeasterly line of Parcel 1 and 2 of Parcel Maps No. 2148 as recorded in Book 97 of Parcel Maps at Page 79, Alameda County Records; thence northwesterly along said line to the southeasterly line of Assessors Map Book 77D, Page 1432, Parcel 42; Thence southwesterly to the most southerly corner of said Parcel 42; thence northwesterly along the southwesterly line of said Parcel 42 and its northwesterly prolongation to the northwesterly line of 141st Avenue; Thence northeasterly along the northwesterly line of the said 141st Avenue to the northeaster corner of Lot 1 of Tract 1625 as shown in Book 37 of Maps at Page 31, Alameda County Records; thence northwesterly along the northeasterly line of said Lot 1 to the most northerly corner of said Parcel 1; thence southwesterly along the said northwesterly line of Parcel 1 to the most southerly corner of Tract No. 4748 as shown in Book 126 of Map at Page 84, Alameda County Records; thence northwesterly along the southwesterly line of said Tract 4748 to the southeasterly line of Tract 761 as shown in Book 12 of Maps, Pages 36 and 37 Alameda County Records; thence northeasterly to the most southerly corner of Lot

2, Block A of said Tract 761; thence northwesterly along the southwesterly line of Lot 1 and 2, Block A and Lot 1 of Block C of said Tract 761 to a point on the southeasterly line of Lot 2 of Tract 4295 as shown in Book 112 of Maps at Page 87, Alameda County Records; thence southwesterly along the southeasterly line of Lot 2 to the northeasterly corner of Lot 1 of Said Tract 4295; thence northwesterly along the northeasterly line of said Lot 1 to the most northerly corner of said Lot 1; thence southwesterly along the northwest line of said Lot 1 to the most westerly corner of said Lot 1; thence southeasterly along the southwesterly line of said Lot 1 and its prolongation to the southeasterly line of 139th Avenue; thence southwesterly along said southeasterly line of 139th Avenue to the most westerly corner of Assessors Map Book 77D, Page 1437-1, Parcel 16-2; thence southeasterly along the southwesterly line of said Parcel 16-2 to the northwesterly line of Tract 641 as shown in Book 8 of Maps at Page 26 and 27, Alameda County Records; thence southwesterly along said northwesterly line of said Tract 641 to the most westerly corner of Lot 21 of said Tract 641; thence northwesterly along the southwesterly line of Assessors Map Book 77D, Page 1437-1, parcel 15-1 a distance of 20 feet; thence southwesterly along a line 20 feet northwesterly and parallel with the northwesterly line of said Tract 641 to the northeasterly line of Assessors Map Book 77D, Page 1437-1, Parcel 13-4; thence southeasterly along the northeasterly line of said Parcel 13-4 to the point on the northwesterly line of said Tract 641; thence southwesterly along the northwesterly line of said Tract 641 to the most westerly corner of said Tract; thence southeasterly along the southwesterly line of said Tract 641 and its

southeasterly prolongation to the southeasterly line of 143rd Avenue; thence southwesterly along the southeasterly line of 143rd Avenue to the northwesterly corner of Assessors Map Book 77C, Page 1235, Parcel 4-4; thence southeasterly along the northeasterly line of said Parcel 4-4 to the northeasterly corner of said parcel 4-4; thence southwesterly along the southeasterly line of said Parcel 4-4 to the northwesterly corner of Assessors Map Book 77C, Page 1240, Parcel 1-3; thence southeasterly along the northeasterly line of said Parcel 1-3 to a point on the northwesterly line of 147th Avenue; thence southwesterly along the northwesterly line of said 147th Avenue to the northeasterly line of the Western Pacific Railroad Right of Way; thence southeasterly along the northeasterly line of said Western Pacific Railroad Right of Way to the northerly prolongation of the west line of Tract 3838 as shown in Book 96 of Maps at Page 73, Alameda County Records; thence south along the west line of said Tract 3838 to the southwest corner of Lot 4 of said Tract 3838; thence easterly along the south line of said lot 4 of said Tract 3838 to the southeasterly corner thereof; thence southerly along the west line of said Tract 3838 to the northerly line of Halcyon Drive; thence westerly along the northerly line of Halcyon Drive to the intersection of the northerly line of Floresta Boulevard; thence westerly along the northerly line of Floresta Boulevard to the intersection of the northerly line of Floresta Boulevard and the northeasterly line of Fremont Avenue; thence northwesterly and westerly along the northeasterly and northerly line of Fremont Avenue to the point of intersection with the northerly line of Fremont Avenue and the northeasterly line of Alvarado Street; thence northerly

along the northeasterly line of Alvarado Street to a point on the northeasterly prolongation of the southeasterly line of Assessors Map Book 77B, Page 1201, Parcel 15; thence southwesterly along the southeasterly line of said Parcel 15 to the northeasterly line of Highway 880; thence northwesterly along the northeasterly line of State Highway 880 to the most southerly corner of Parcel 1 of Parcel Map No., 5515, recorded in Book 184 of Maps at Page 35, Alameda County Records; thence northerly and easterly along the southerly lines of said Parcel 1 the following four (4) courses:

- (1) north 42°25'56" West, 563.10 feet;
- (2) north 62°11'39" East, 445.53 feet;
- (3) north 28°13'56" West, 104.07 feet;
- (4) north 61°48'44" East, 411.00 feet to

a point on the westerly line of Tea Garden Street; thence northerly along the westerly line of said Tea Garden Street and the northerly prolongation of the westerly line of said Tea Garden Street to the northerly line of Marina Boulevard; thence westerly along the northerly line of said Marina Boulevard to the northeasterly line of State Highway 880; thence westerly along the northeasterly line of said State Highway 880 to the southwest corner of Assessors Map Book 77A, Page 714, Parcel 4; thence northerly along the westerly line of said Parcel 4; thence northeasterly along the northerly line of said Parcel 4 to the northeasterly corner of said Parcel 4; Thence southerly to the northwesterly corner of Assessors Map Book 77A, Page 714, parcel 3-3; thence northeasterly to the northeasterly corner of Assessors Map Book 77A, Page 714, Parcel 1-9; thence southerly to the northwesterly corner of Assessors Map Book 77A, Page 720-2, Parcel 26-4; thence northeasterly along the northerly line of said Parcel 26-4

and the northeasterly prolongation of the northerly line of said Parcel 26-4 to a point on the easterly line of Eleventh Avenue; thence northerly along the easterly line of Eleventh Avenue to the southerly line of Tract No. 1192 as shown in Book 33 of Maps at Page 24, Alameda County Records; thence easterly along the southerly line of said Tract No. 1192 and the easterly prolongation of the southerly line of said Tract No. 1192 to a point on the easterly line of Orchard Avenue; thence northerly along the easterly line of said Orchard Avenue to northwesterly corner of Assessors Map Book 75, Page 103, Parcel 11; thence northeasterly along the northerly line of Parcels 11, 9, 8, and 7 of said Assessors Map Book 75, Page 103 to the northeasterly corner of said Parcel 7; thence northerly to the northwesterly corner of Assessors Map Book 75, Page 103, Parcel 4-3; thence northeasterly along the northerly line of said Parcel 4-3 and the northeasterly prolongation of the northerly line of said Parcel 4-3 to a point on the easterly line of Alvarado Street; thence southerly along the easterly line of said Alvarado Street to the northwesterly corner of Assessors Map Book 75, Page 105-1, Parcel 18-3; thence northeasterly along the northerly line of Parcels 18-3, 15-2 and 14-2 of said Assessor Map Book and Page to the northeasterly corner of said Parcel 14-2; thence northerly along the westerly line of Assessors Map Book 75, Page 105-2, Parcel 13-7 to the northeasterly corner of said Parcel 13-7; thence northeasterly to the northeasterly corner of said Parcel 13-7; thence northerly along the westerly line of Parcels 12-2 and 12-1 of said Assessors Map Book and Page to the northwesterly corner of Assessors Map Book 75, Page 105-2, Parcel 12-1; thence northeasterly along the northerly line

of said Parcel 12-1 to a point on the westerly line of the Central Pacific Railroad Right of Way; thence southerly along the westerly line of said Central Pacific Railroad Right of Way line to northerly line of Marina Boulevard; thence easterly along the northerly line of said Marina Boulevard to the easterly line of San Leandro Boulevard; thence southerly along the easterly line of San Leandro Boulevard to the southerly line of Hudson Lane; thence easterly along the southerly line of said Hudson Lane and easterly prolongation of the southerly line of said Hudson Lane to a point on the easterly line of Washington Avenue; thence southerly along the easterly line of said Washington Avenue to the northwesterly corner of Assessors Map Book 77D, Page 1410, Parcel 3-3; thence northeasterly along the northwesterly line of said Parcel 3-3 to the northwesterly corner of said Parcel 3-3; thence northerly along the easterly line of said Assessors Map Book 77D, Page 1410, Parcel 25 to a point on the southerly boundary of Tract No. 3849 as shown in Book 96 of Maps at Page 1, Alameda County Records; thence easterly along the southerly boundary of said Tract No. 3849 to the westerly line of East 14th Street; thence northerly along the westerly line of East 14th Street to the southerly line of Assessors Map Book 77, Page 630, Parcel 152; thence southwest along the southerly line of said Parcel 152 to the southwest corner of said Parcel 152; thence northerly along the westerly line of Parcels 152 and 153 of said Assessors Map Book 77, Page 630 to the northwest corner of Parcel 153 said point being on the southerly line of Assessors Map Book 77, Page 556-4, Parcel 57-3; thence southwest along the southwest corner of said Parcel 57-3 to the northwesterly corner thereof; thence north-

easterly along the northwesterly line of said Parcel 57-3 to the southwest corner of said Assessors Map Book 77, Page 556-4, Parcel 55; thence along the northwesterly boundary lines of said Parcel 55 and southwest corner of Parcel 54 of said Assessors Map Book 77, Page 556-4 and the northwesterly prolongation of the southwest corner of said Parcel 54 to a point on the northerly line of Estabrook Street; thence westerly along the northerly line of said Estabrook Street to the southwest corner of Lot 27 of tract 557 as shown in Book 29 of Maps at Page 52, Alameda County Records; thence northerly to the northwesterly corner of said Lot 27; thence westerly to the southwest corner of Lot 17; thence northerly along the westerly line of said Lot 17 and the northerly prolongation of the westerly line of said Lot 17 to a point on the northerly line of Harlan Street; thence westerly along the northerly line of said Harlan Street to the southwest corner of Assessors Map Book 77, Page 553, Parcel 5; thence northerly along the westerly line of said Parcel 5 to the northwesterly corner thereof; Thence westerly along the southerly line of Parcels 34, 33, and 32 of said Assessors Map Book 77, Page 553 to the southwest corner of Assessors Map Book 77, Page 553, Parcel 32; thence northerly along the westerly line of said Parcel 32 and the northerly prolongation of said Lot 32 to a point on the northerly line of Castro Street; thence easterly along the northerly line of Castro Street to the southeast corner of Assessors Map Book 77, Page 550, Parcel 7; thence northerly along the easterly line of said Parcel 7 to the northeast corner thereof; thence westerly to the southwest corner of Assessors Map Book 77, Page 550, Parcel 1-3; thence northerly along the westerly line of

said Parcel 1-3 and the northerly prolongation of the westerly line of said Parcel 1-3 to a point on the northerly line of Williams Street; thence westerly along the northerly line of Williams Street to the southeasterly corner of Assessors Map Book 77, Page 549, Parcel 7; thence northerly along the easterly line of said Parcel 7 to the northeasterly corner thereof; thence westerly to the northwesterly corner of said Parcel 7 said point being on the easterly line of Parcel 34 of said Assessors Map Book 77, Page 549; thence southerly to the southeasterly corner of the Assessors Map Book 77, Page 549, Parcel 34; thence westerly to the southwest corner of said Parcel 34; thence northerly along the westerly line of said Parcel 34 and the northerly prolongation of the westerly line of said Parcel 34 to a point on the northerly line of Thornton Street; thence westerly along the northerly line of said Thornton Street to the southwest corner of Assessors Map Book 77, Page 545, Parcel 47; thence northerly to the northwesterly corner of said Parcel 47; thence westerly along the southerly line of Parcels 44-1, 41 and 40-1 to a point on the easterly line of Washington Avenue; thence southerly along the easterly line of Washington Avenue to a point of intersection of the easterly prolongation of the southerly line of Thornton Street; thence westerly along said easterly prolongation of the southerly line of Thornton Street and the southerly line of said Thornton Street and the westerly prolongation of southerly line Thornton Street to a point of intersection with the westerly line of Hays Street; thence northerly along the westerly line of Hays Street to the southerly line of West Juana Avenue; thence easterly along the southerly line of West Juana Avenue and the easterly prolongation of the southerly

line of said West Juana Avenue to the intersection of the easterly line of East 14th Street and the southerly line of Juana Avenue and the Point of the beginning. EXCEPTING THEREFROM the area described as follows: Beginning at the northwesterly corner of Parcel C of Parcel Map 5501 as shown in Book 184 of Maps at Page 15, Alameda County Records; thence southeasterly along the northeasterly line of said Parcel C to the northeasterly corner thereof and the northerly line of San Leandro Boulevard; thence southwest along the northwesterly line of said San Leandro Boulevard to the northeasterly line of Rose Drive; thence southeasterly along the northeasterly line of said Rose Drive to the intersection of northeasterly line of said Rose Drive with the southerly line of said San Leandro Boulevard; thence southwest along the northwesterly line of Tract 860 as shown in Book 18 of Maps at Page 46, Alameda County Records, to the southwest corner of said Tract 860; thence southeasterly along the southwest line of said Tract 860 to a point on the westerly line of 136th Avenue; thence southerly along the westerly line of said 136th Avenue to the easterly corner of Assessors Map Book 77D, Page 1500, Parcel 1; thence southwest along the southeasterly line of said Parcel 1 to the westerly corner thereof; thence northwesterly along the southwest line of said Parcel 1 to the westerly corner thereof; thence northeasterly along the northwesterly line of said Parcel 1 to the intersection of the southeasterly line of Coburn Court with the southerly line of said San Leandro Boulevard; thence at right angle to last said line northwesterly to a point on the northerly line of San Leandro Boulevard and the southerly line of Tract No. 4055 as shown in Book 104 of Maps at

Page 38, Alameda County Records; thence westerly along the northerly line of said San Leandro Boulevard to the southwesterly corner of said Tract No. 4055; thence northeasterly along the northwesterly line of said Tract No. 4055 to the northwesterly corner of said Tract No. 4055; thence southeasterly along the northeasterly line of said Tract No. 4055 to the northeasterly corner of said Tract No. 4055; thence southwesterly along the southeasterly line of said Tract No. 4055 to the northwesterly corner of Assessors Map Book 77D, page 1410, Parcel 6; thence southeasterly along the southwesterly line of said Parcel 6 to the northwesterly line of said Coburn Court; Thence northeasterly along the northwesterly line of said Coburn Court and the northeasterly prolongation of the northwesterly line of said Coburn Court to the southwesterly corner of Parcel C of said Parcel Map No. 5501; thence northeasterly along the northwesterly line of said Parcel C to the point of beginning. ALSO EXCEPTING THEREFROM the area described as follows: All of Assessors Map Book 77D, Page 1490, Parcel 16-02.

Contains (1,434) acres, more or less.

NEW AREA C

All that real property situate in the City of San Leandro, County of Alameda, State of California, described as follows:

A portion of that real property described in "Attachment C" of that certain document labeled Redevelopment Plan for the Alameda County — City of San Leandro Redevelopment Project, dated June 1993, further described as follows:

All of "Area C."

Excepting therefrom, that portion of property described in that certain Grant

Deed to Bayfair 580, LLC filed July 6, 2001 in Series Number 2001238683, Official Records of Alameda County, described as follows.

BEGINNING at a point on the southwestern line of East 14th Street, 100 feet wide, distant thereon North 48°55'20" West, 140 feet from the western line of said Lot 5; thence along said line of East 14th Street, South 48°55'20" East, 803.42 feet to the eastern line of said Lot 6; thence along last said line; South 0°20'18" East, 1166.63 feet to the southern line of said Lot 6; thence along last said line and along the southern line of Lots 5 and 1, North 88°56' West, 1519.36 feet to the northeastern line of the right of way 80 feet wide of the Western Pacific Railroad Company; thence along last said line, North 49°27'45" West, 377.01 feet to the eastern line of Hesperian Boulevard; thence along last said line, North 0°26' West, 422.85 feet; thence North 89°30'10" East, 364.54 feet; thence North 44°53'10" East, 354.39 feet, thence North 31°37'10" East, 309.93 feet to a line drawn South 41°04'40" West from the point of beginning; thence North 41°04'40" East, 638.22 feet to the point of beginning.

AREA D

Alameda County — City of San Leandro Redevelopment Project, as it exists on December 12, 1992, is shown on the map marked Exhibit 1. Area D is more particularly described as follows:

BEGINNING at the intersection of the east line of Hesperian Boulevard and the southwesterly line of Central Pacific Railroad right of way; thence southerly along the southwesterly line of said Central Pacific Railroad right of way to the centerline of

San Lorenzo Creek; thence westerly along the centerline of said San Lorenzo Creek to a point on the northeasterly line of State Highway 880; thence northwesterly along the northeasterly line of said State Highway 880 to the intersection of the east line of said Hesperian Boulevard and the northeasterly line of said State Highway 880; thence westerly to the intersection of the westerly line of said Hesperian Boulevard and the northeasterly line of said State Highway 880; thence southerly along the prolongation of said west line of Hesperian Boulevard to a point on the centerline of said San Lorenzo Creek; thence westerly along the centerline of said San Lorenzo Creek to a point of intersection with the west line of Assessors Map Book 412, Page 11, Parcel 1-5; thence northerly along said west line of said Parcel 1-5 to a point of intersection with the easterly prolongation of the north line of Lewelling Boulevard; thence easterly along the easterly prolongation of the north line of Lewelling Boulevard to a point of intersection on the northeasterly line of State Highway 880; thence northwesterly along the northeasterly line of State Highway 880 to a point of intersection with the southerly line of State Highway 238; thence easterly along the south line of said State Highway 238 to a point at the most northeasterly corner of Assessors Map Book 413, Page 3, Parcel 1-1; thence northerly on a line that is perpendicular to the south line of State Highway 238 to a point common with the north line of said State Highway 238 and the southerly line of Assessors Map Book 77C, Page 1290, Parcel 15; thence northerly and easterly along the east line of said Parcel 15 and the south line of Assessors Map Book 77C, Page 1290, Parcel 14 to a point on the west line of said Hesperian Boulevard; thence easterly

along the prolongation of the south line of said Parcel 14 to a point on the east line of said Hesperian Boulevard; thence northerly along line east line of said Hesperian Boulevard to the point of beginning.

Contains 118 acres, more or less.

REDEVELOPMENT AGENCY PROPOSED LIST OF PUBLIC IMPROVEMENTS,
PROJECTS AND PROGRAMS

Attachment D

**REDEVELOPMENT AGENCY PROPOSED LIST OF PUBLIC IMPROVEMENTS,
PROJECTS AND PROGRAMS**

| | | | | | |
|----------------|----------------------|-------------|-----------|--------------|--------------|
| Infrastructure | A. Utilities | | | | \$41,121,740 |
| | 1. underground | \$9,200,000 | \$0 | \$25,000,000 | \$34,200,000 |
| | 2. resid lighting | \$50.00 | \$0 | \$0 | \$50,000 |
| | 3. Water Main Impr | \$0 | \$0 | \$1,000 | \$1,000 |
| | 4. Sewer Upgrd | \$0 | \$0 | \$1,000 | \$1,000 |
| | 5. Utility Improv | \$0 | \$0 | \$1,000 | \$1,000 |
| | | | | TOTAL | \$34,253,000 |
| | B. Roadway.sw | | | | |
| | 1. Wash Undrpass | \$0 | \$0 | \$1,000 | \$1,000 |
| | 2. Bayfair | \$0 | \$0 | \$1,060,000 | \$1,060,000 |
| | 3. BART | \$0 | \$0 | \$1,750,840 | \$1,750,640 |
| | 4. sidewalks | \$400,000 | \$400,000 | \$400,000 | \$1,200,000 |
| | 5. Bridge | \$0 | \$754,900 | \$0 | \$754,900 |
| | 6. Ped. to Park | \$90,000 | \$0 | \$0 | \$90,000 |
| | 7. Drainage | \$0 | \$0 | \$1,000 | \$1,000 |
| | 8. Ashland Wid-ening | \$0 | \$0 | \$1,000 | \$1,000 |
| | 9. E.Lewelling | \$1,000 | \$0 | \$0 | \$1,000 |
| | 10 Road Resurf. | \$0 | \$0 | \$1,000 | \$1,000 |
| | | | | TOTAL | \$4,860,740 |
| | C. Transit | | | | |
| | 1. BART Shuttle | \$0 | \$0 | \$1,000 | \$1,000 |
| | 2. Transit Shut-tles | \$0 | \$0 | \$1,000 | \$1,000 |
| | 3. Signal System | \$0 | \$0 | \$1,000 | \$1,000 |
| | 4. Hesperian Imprv. | \$0 | \$0 | \$1,000 | \$1,000 |
| | 5. 150th Ave Impr | \$0 | \$0 | \$1,000 | \$1,000 |
| | 6. Traffic Signals | \$0 | \$0 | \$1,000 | \$1,000 |

Attachment D

REDEVELOPMENT AGENCY PROPOSED LIST OF PUBLIC IMPROVEMENTS,
PROJECTS AND PROGRAMS

| | | | | | | |
|-------------------|---------------------|-------------|-------------|--------------|---------------|---------------|
| | 7. It rail plus | \$0 | \$0 | \$2,000,000 | \$2,000,000 | |
| | 8. Bike Lane | \$0 | \$0 | \$1,000 | \$1,000 | |
| | | | | TOTAL | \$2,008,000 | |
| Commercial Assist | A. Commercial Impvt | | | | | |
| | 1. Bayfair | \$0 | \$0 | \$62,000,000 | \$62,000,000 | \$167,272,000 |
| | 2. Business Asst. | \$0 | \$0 | \$20,000,000 | \$20,000,000 | |
| | 3. Code Asst. | \$0 | \$0 | \$500,000 | \$500,000 | |
| | 4. Commercial ren. | \$0 | \$0 | \$18,000,000 | \$18,000,000 | |
| | 5. Un. masonry | \$0 | \$1,000 | \$0 | \$1,000 | |
| | 6. Mix use (ROM) | \$0 | \$0 | \$15,000,000 | \$15,000,000 | |
| | 7. Parking | \$3,540,000 | \$5,000,000 | \$4,360,000 | \$12,900,000 | |
| | | | | TOTAL | \$128,401,000 | |
| | B. Streetscape | | | | | |
| | 1. Comm. Streets | \$3,707,500 | \$3,707,500 | \$7,415,000 | \$14,830,000 | |
| | 2. Medians | \$0 | \$741,000 | \$0 | \$741,000 | |
| | 3. Residential | \$3,300,000 | \$0 | \$0 | \$3,300,000 | |
| | | | | TOTAL | \$18,871,000 | |
| | C. Contam. Prop. | \$0 | \$0 | \$20,000,000 | \$20,000,000 | |
| Recreation | A. Plazas & Parks | \$6,691,500 | \$1,490,000 | \$175,000 | \$8,356,500 | \$12,356,500 |
| | B. Sports Facil | \$4,000,000 | \$0 | \$0 | \$4,000,000 | |
| Facilities | A. Libraries | \$0 | \$1,300,000 | \$0 | \$1,300,000 | \$1,304,000 |
| | B. Fire Station | \$0 | \$0 | \$1,000 | \$1,000 | |
| | C. Seismic Retro | \$0 | \$0 | \$1,000 | \$1,000 | |
| | D. Comm. Cir. | \$0 | \$0 | \$1,000 | \$1,000 | |
| | E. Siren | \$0 | \$0 | \$1,000 | \$1,000 | |
| Housing | A. Mobile Homes | \$1,300,000 | \$2,700,000 | \$0 | \$4,000,000 | \$96,401,000 |

REDEVELOPMENT AGENCY PROPOSED LIST OF PUBLIC IMPROVEMENTS,
PROJECTS AND PROGRAMS

| | | | | | | |
|-----------------|------------------------|--------------|--------------|---------------|---------------|---------------|
| | | 0 | | | | |
| | B. Emergency Prep | \$0 | \$0 | \$1,000,000 | \$1,000,000 | |
| | C. Disaster | \$0 | \$0 | \$200,000 | \$200,000 | |
| | D. Rehab | \$0 | \$0 | \$15,000,000 | \$15,000,000 | |
| | E. Replacement | \$2,000,000 | \$1,800,000 | \$0 | \$3,800,000 | |
| | F. Write Down | \$0 | \$0 | \$25,000,000 | \$25,000,000 | |
| | G. 1st Time Buyer | \$0 | \$0 | \$15,000,000 | \$15,000,000 | |
| | H. Rental Housing | \$0 | \$0 | \$1,000 | \$1,000 | |
| | I. Code Asst. | \$0 | \$0 | \$3,500,000 | \$3,500,000 | |
| | J. Rental Up- grade | \$0 | \$0 | \$2,400,000 | \$2,400,000 | |
| | K. Contam. Prop | \$0 | \$0 | \$10,500,000 | \$10,500,000 | |
| | L. URM | \$0 | \$0 | \$1,000,000 | \$1,000,000 | |
| | M. Mixed Use | \$0 | \$0 | \$15,000,000 | \$15,000,000 | |
| Social Services | A. Community Svc. | \$0 | \$0 | \$1,200,000 | \$1,200,000 | \$5,050,000 |
| | B. Economic Devel | \$0 | \$0 | \$2,850,000 | \$2,850,000 | |
| | C. Cultural Res. | \$0 | \$0 | \$1,000,000 | \$1,000,000 | |
| | | \$34,280,000 | \$17,894,400 | \$271,330,840 | \$323,505,240 | \$323,505,240 |

Title 3

REDEVELOPMENT PLAN FOR THE WEST SAN LEANDRO/MACARTHUR BOULEVARD REDEVELOPMENT AREA

Chapters:

- 3.04 Introduction
- 3.08 Administration and Enforcement
- 3.12 Owner Participation and Business Reentry
- 3.16 Relocation of Persons and Businesses Displaced By the Project
- 3.20 Public Improvements and Site Preparation
- 3.24 Property Disposition and Development
- 3.28 Rehabilitation, Conservation and Moving of Structures
- 3.32 Low- and Moderate-Income Housing
- 3.36 Land Use and Development Requirements
- 3.40 Financing the Project
- Appendix to Title 3

Chapter 3.04

INTRODUCTION

Sections:

- 3.04.010 Project history.**
 - 3.04.020 General.**
 - 3.04.030 Boundary and legal description.**
 - 3.04.040 Influences on the project area.**
- 3.04.010 Project history.**

A. On November 6, 1995, the city council approved the designation of a survey area

to study the potential for a West San Leandro/MacArthur Boulevard Redevelopment project area. The city council found that the West San Leandro/MacArthur Boulevard survey area exhibited economic and physical blighting conditions sufficient to warrant further study.

B. In November of 1996, the city council appointed a citizen advisory committee to gather information and determine whether redevelopment would be an effective tool to improve the survey area to help San Leandro maintain a competitive edge in the regional economy. The committee consisted of stakeholders within and around the study area including members of the business community, property owners, bankers, brokers and others with development expertise.

C. In October of 1997, the committee presented its preliminary report to the council for consideration. The council approved the committee's recommendation to undertake a series of public outreach meetings and incorporate the concerns and suggestions raised in these meetings into its final report.

D. On May 12, 1998, the final report of the citizen advisory committee was presented to the council. It recommended that the city, acting as the redevelopment agency, proceed with establishing a redevelopment project area. A redevelopment advisory committee (RAC) was elected in December of 1998 to assist in the redevelopment planning process.

E. The selection of project area boundaries were guided by:

1. Physical and economic conditions in the project area,
2. Requirements of Community Redevelopment Law Section 33320.1 which requires that project areas be blighted and predominantly urbanized,

3.04.020

3. Policies of the general plan of the city of San Leandro, and

4. Direction from the city council planning commission, property owners and citizen advisory groups.

F. On September 10, 1998, the planning commission approved a resolution adopting the preliminary plan for the redevelopment plan in accordance with Section 33324 of the Health and Safety Code.

G. On March 1, 1999, a preliminary report to affected taxing entities was presented to the redevelopment agency. The report summarized staff's findings regarding conditions in the project area (including blight and financial analyses) and contained proposed project information as required by law. The redevelopment agency approved the report for distribution to all affected taxing entities. (Ord. 99-025 § 101, 1999)

3.04.020 General.

This is the redevelopment plan for the West San Leandro/MacArthur Boulevard redevelopment project (the "project area") in the city of San Leandro (the "city"), county of Alameda, state of California. The San Leandro redevelopment agency (the "agency") prepared this plan pursuant to the Community Redevelopment Law of the state of California (The "CRL") (Health and Safety Code, Section 33000 et seq.) and all applicable local codes and ordinances. Statutory changes enacted after adoption of this plan, which are applicable to the agency, the project area, or the plan, shall supersede the requirements of the plan, whether or not the plan is formally amended to reflect such changes.

The Plan sets forth the agency's powers, duties, and obligations to implement the redevelopment program for the project area.

The plan does not constitute a specific plan for the project area or set priorities for specific projects. Rather, the plan provides a framework and process for preparing specific plans, establishing priorities, and proposing solutions for specific problem areas. (Ord. 99-025 § 102, 1999)

3.04.030 Boundary and legal description.

The boundaries of the project area are shown on the redevelopment plan map (the "map") attached as Appendix A and are described in the legal description of the project area attached as Appendix B. (Ord. 99-025 § 201, 1999)

3.04.040 Influences on the project area.

The project area consists of a total of approximately one thousand forty (1,040) acres divided into two sub-areas: the West San Leandro Sub-Area and the MacArthur Boulevard sub-area.

The West San Leandro sub-area consists of approximately one thousand twenty-four (1,024) acres and primarily contains industrial and commercial properties. The sub-area encompasses nearly all non-residential properties west of Interstate 880, north of Burroughs Avenue. All properties within the West San Leandro sub-area are predominantly urbanized and none are in agricultural use. A number of structures are older, poorly maintained and inadequate to meet the requirements of businesses located in or potentially relocating to the area. This is evidenced by instances of inadequate setbacks, utilities and loading areas; building deterioration and dilapidation; faulty additions; outdoor storage and production; and underutilized structures.

The MacArthur Boulevard portion of the project area consists of approximately sixteen (16) acres located along MacArthur Boulevard between Durant Avenue and Joaquin Avenue (including a parcel just south of Joaquin Avenue). Most of the properties are commercially zoned and consist of vacant parcels, older shopping centers, professional buildings and some newer retail establishments. All properties within the MacArthur Boulevard sub-area are predominantly urbanized and none are in agricultural use. A number of structures are older, poorly maintained and inadequate to meet the requirements of businesses located in or potentially relocating to the area. This is evidenced by instances of inadequate setbacks, utilities and loading areas; building deterioration and dilapidation; faulty additions; outdoor storage; and underutilized structures.

Both sub-areas were selected for redevelopment because a significant portion of each area is blighted as described above. In addition, both the West San Leandro subarea and the MacArthur Boulevard sub-area are characterized by the existence of inadequate public improvements that limit the use and reuse of properties. These include vehicular circulation problems, parking deficiencies, and deteriorated pavement. As a result, properties within

the project area carry a serious physical and economic burden which cannot reasonably be expected to be reversed or alleviated by private enterprise acting alone. (Ord. 99-025 § 202, 1999)

Chapter 3.08

ADMINISTRATION AND ENFORCEMENT*

Sections:

- 3.08.010 Generally authorized agency activities.**
- 3.08.020 Implementation plans.**
- 3.08.030 Cooperation with public bodies.**
- 3.08.040 Property acquisition.**
- 3.08.050 Property management.**
- 3.08.060 Building permits.**
- 3.08.070 Planning commission review.**
- 3.08.080 Actions by the city.**
- 3.08.090 Enforcement.**
- 3.08.100 Duration of the plan.**
- 3.08.110 Procedure for amending the plan.**
- 3.08.120 Severability.**

3.08.010 Generally authorized agency activities.

The agency is authorized to use all of the powers provided in this plan and all the powers to the extent now or hereafter permitted by law, unless otherwise expressly limited by this plan. Specifically, the agency is authorized to, among other things:

- A. Provide reasonable opportunities to property owners in the project area to participate in the redevelopment process, consistent with the plan and rules adopted by the agency.
- B. Acquire and dispose of property in the project area as needed to accomplish the purposes of the plan.
- C. Manage property under the ownership and control of the agency.

D. Provide relocation assistance to persons displaced by redevelopment activities in the project area.

E. Demolish or remove buildings and improvements.

F. Plan, install, construct, expand, repair, or reconstruct streets, utilities, and other public infrastructure.

G. Act jointly with private parties and/or other public agencies to redevelop property in the project area according to the plan.

H. Acquire and rehabilitate property for resale.

I. Work with property owners in the project area to rehabilitate structures and other improvements.

J. Rehabilitate, develop, or construct low and moderate income housing within the project area and/or the city.

K. Require the recording of property restrictions and covenants running with the land to assure that future owners of property in the project area will continue to comply with the requirements of the plan.

L. Establish a program to provide loans and grants for renovation of commercial and industrial structures.

M. Establish shuttle systems to increase the range and efficiency of existing public transportation facilities. (Ord. 99-025 § 203, 1999)

3.08.020 Implementation plans.

Pursuant to subparagraph 33352(C) of the Health and Safety Code, the agency has prepared an initial implementation plan that describes specific goals and objectives of the agency, specific projects proposed by the agency, including a program of actions and expenditures proposed to be made within the first five years of the redevelopment plan, and a description of how these projects will im-

improve or alleviate the conditions of blight in the project area.

The agency shall, after a public hearing, adopt an implementation plan every five years commencing with the fifth year after adoption of the redevelopment plan. The agency may adopt implementation plans that include more than one project area. The implementation plan shall, as appropriate, include a plan for satisfying inclusionary housing requirements pursuant to the plan.

The agency shall, at least once within the five-year term of the implementation plan, conduct a public hearing after providing the notice required by subparagraph 33490(d) of the Health and Safety Code and hear testimony of all interested parties for the purpose of reviewing the redevelopment plan and the corresponding implementation plan and evaluating the progress of the project. The hearing shall take place no earlier than two years and no later than three years after the adoption of the implementation plan. (Ord. 99-025 § 213, 1999)

3.08.030 Cooperation with public bodies.

Certain public bodies are authorized by state law to participate in planning and implementing the project. The agency shall seek their aid and cooperation and shall attempt to coordinate the project with their activities, to accomplish the project area purposes and promote the public health, safety and welfare.

The agency may enter into agreements with public bodies and other persons when such agreements are necessary or convenient to the exercise of agency powers and the purposes of the project area. Such agreements may include, without limitation,

agency participation in establishing joint powers authorities.

The agency is prohibited by law from acquiring real property owned by public bodies without their consent. The agency shall, however, seek the cooperation of all public bodies that own or acquire property within the project area. The agency will extend to any public body that owns property in the project area an opportunity to participate in redevelopment if that public body agrees to enter into a participation agreement with the agency. All plans for development of property in the project area by a public body shall be subject to agency approval. (Ord. 99-025 § 205, 1999)

3.08.040 Property acquisition.

The agency may, within project area or for redevelopment purposes, purchase, lease, obtain an option upon, acquire by gift, grant, bequest, devise, or otherwise, any real or personal property, any interest in property, and any improvements on it, including repurchase of developed property previously owned by the agency.

The agency is authorized to employ its power of eminent domain to acquire property within the project area. No condemnation proceeding to acquire property within the project area shall be commenced after twelve (12) years following the adoption of the plan. This time limitation may be extended only by amendment of the plan.

Without the consent of the owner, the agency shall not acquire any real property on which an existing building is to be continued on its present site and in its present form and use unless such building requires structural alteration, improvement, modernization or rehabilitation, or the site or lot on which the building is situated requires modi-

3.08.050

fication in size, shape or use or it is necessary to impose upon such property any of the standards, restrictions and controls of the plan and the owner fails or refuses to agree to participate in redevelopment by executing participation agreement.

The agency shall not acquire, without the owner's consent, property to be retained pursuant to a participation agreement, so long as the owner fully performs the agreement. (Ord. 99-025 § 206, 1999)

3.08.050 Property management.

Property owned by the agency shall be under the agency's management and control. The agency may rent or lease such property pending its disposition for redevelopment and may adopt property management policies. (Ord. 99-025 § 207, 1999)

3.08.060 Building permits.

The agency is authorized to establish building permit application procedures in addition to those generally required by the city. The city shall issue a building permit only after the applicant has obtained the necessary approvals from the agency and has demonstrated compliance with the provisions of the plan, any design guide adopted by the agency, any restrictions or controls established by the agency, and any applicable agreement.

The city shall not issue any building permit in the project area for the construction of any new structure or any addition, construction, moving, conversion or alteration to an existing structure, or preparation of any site, or the installation of any physical improvement, including grading and landscaping, until the applicant has complied with all pertinent procedures estab-

lished by the agency. (Ord. 99-025 § 310, 1999)

3.08.070 Planning commission review.

A. If the redevelopment advisory committee or its successor body (if any) so directs, the following projects shall be submitted to the planning commission for review and recommendation prior to submittal to the redevelopment agency. The commission shall report its findings and recommendations to the agency prior to the agency's consideration of the project.

1. Any design guidelines proposals submitted to the agency for adoption;
2. Any project that would necessitate a change in land use designation or zoning;
3. Streetscape master plans;
4. Any land use plans for identifiable multi-parcel areas within the project area, including specific plans or master plans;
5. Any plans for new development on sites larger than two acres in the West San Leandro sub-area or larger than one-half acre in the MacArthur Boulevard sub-area;
6. Any project for which an environment impact report is required to be prepared pursuant to the California Environmental Quality Act.

B. This section shall not apply to any projects reviewed by the board of zoning adjustments pursuant to the San Leandro zoning code. (Ord. 99-025 § 311, 1999)

3.08.080 Actions by the city.

A. Upon the agency's request, the city shall aid and cooperate with the agency in implementing the plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of the plan and to prevent the recurrence or spread in the pro-

ject area of conditions causing blight. Actions by the city may include, but are not limited to, the following:

1. Instituting and completing proceedings to open, close, vacate, widen, or change the grade of streets, alleys, and public rights-of-way, and for other necessary modifications of the streets, the street layout, and other public rights-of-way in the project area. The city may require the abandonment, removal, and relocation by public utility companies of their operations in public rights-of-way as appropriate to carry out the plan, provided that nothing in the plan shall be construed to require the cost of such abandonment, removal, and relocation be borne by others than those legally required to bear such costs.

2. Instituting and completing proceedings necessary for changes and improvements in private and publicly-owned public utilities within or affecting the project area.

3. Revising the zoning code or adopting specific plans as appropriate within the project area to permit the land uses and development authorized by the plan.

4. Imposing wherever necessary (by covenants or restrictions, conditional use permits or other means) appropriate controls within the limits of the plan upon parcels in the project area to ensure their proper development and use.

5. Executing statutory development agreements where necessary and appropriate to facilitate developments approved by the agency.

6. Providing for administrative enforcement of the plan by the city after development.

7. Performing the above actions, and all other functions and services relating to public health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the project area to be commenced

and carried to completion without unnecessary delays.

8. Providing services and facilities and the various officials, offices and departments of the city for the agency's purposes under the plan.

9. Providing financial assistance.

10. Undertaking and completing any other proceedings necessary to carry out the project.

B. The foregoing does not constitute a commitment by the city to make any outlays of funds, although it may elect to do so. (Ord. 99-025 § 500, 1999)

3.08.090 Enforcement.

The administration and enforcement of the plan, including the preparation and execution of any documents implementing the plan, shall be by the agency and/or the city, as appropriate.

The provisions of the plan or other agreements entered into pursuant to the plan may be enforced by court action instituted by either the agency or the city. The agency or the city may pursue any and all remedies available to it, including specific performance, damages, reentry, injunctions, or any other remedies appropriate to the purposes of the plan. In addition, the owners of property in the project area may seek enforcement of any recorded provisions that are expressly for their benefit. (Ord. 99-025 § 600, 1999)

3.08.100 Duration of the plan.

The plan shall remain effective for a period of thirty-one (31) years from the date of adoption of the plan. After the time limit on the effectiveness of the plan, the agency shall have no authority to act pursuant to the plan except to pay previously incurred in-

3.08.110

debtedness and to enforce existing covenants or contracts. Provided that, if the agency has not completed its replacement housing obligations pursuant to Health and Safety Code Section 33413, the agency shall retain its authority to implement requirements under Section 33413, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete these housing obligations as soon as is reasonably possible. (Ord. 2003-020 § 1 (part), 2003; Ord. 99-025 § 700, 1999)

3.08.110 Procedure for amending the plan.

The plan may be amended as provided in the Community Redevelopment Law encoded as Health and Safety Code Section 33000, et seq. (Ord. 99-025 § 800, 1999)

3.08.120 Severability.

If any portion of the plan is held to be invalid, unenforceable, or unconstitutional, such decision shall not affect the validity and effectiveness of the remaining portion or portions of the plan. If any portion of the project area shall be determined to have been invalidly or incorrectly included in the project area, such portion of the project area shall be deemed severed from the remainder of the project area, which shall remain fully subject to the plan. (Ord. 99-025 § 900, 1999)

*** Editor's note:**

1. Mandated Action—Ordinance 2007-015, June 18, 2007:

Pursuant to SB 53, which added Health and Safety Code Section 33342.7, the City Council, as the legislative body, was required to adopt an ordinance describing the redevelopment agency's program to acquire

real property by eminent domain for any final redevelopment plan adopted prior to January 1, 2007. The City Council complied with this mandate by adopting Ordinance 2007-015 on June 18, 2007 for the West San Leandro/MacArthur Boulevard Project Area.

2. Mandated Action—Revised Statement of Institution of Redevelopment Proceedings:

Pursuant to SB 1809, which amended Health and Safety Code Section 33373, the Redevelopment Agency recorded a Revised Statement of Institution for the West San Leandro/MacArthur Boulevard Project Area on August 22, 2007, Instrument #2007308839, which included a description of the boundaries of the project area and information relating to eminent domain authority as described in the redevelopment plan and as required by law.

Chapter 3.12

OWNER PARTICIPATION AND BUSINESS REENTRY

Sections:

- 3.12.010** Agency rules.
- 3.12.020** Owner participation in redevelopment.
- 3.12.030** Participation agreements.
- 3.12.040** Business reentry preference.

3.12.010 Agency rules.

The provisions of this chapter shall be implemented according to the owner participation and business reentry preference rules adopted by the agency (the “rules”). When there is a conflict between the provisions for owner participation and reentry preference in the plan and the provisions in the rules, the provisions in the plan shall prevail. (Ord. 99-025 § 204.1, 1999)

3.12.020 Owner participation in redevelopment.

The agency will extend to owners of real property in the project area a reasonable opportunity to participate in redevelopment of the property. Owner participation projects must conform to the plan and the rules.

An owner may participate by remaining in substantially the same location and retaining and redeveloping all or portions of the property. An owner may also purchase adjacent property to redevelop together with the property retained. A property owner may affiliate with another person or entity to jointly propose an owner participation project.

Participation opportunities will necessarily be limited by factors relating to implementation of the plan, such as the elimination of certain land uses, the alteration of public streets and other rights-of-way, the relocation of public utilities and public services, the need to assemble parcels for public or private projects, and similar changes associated with redevelopment projects. The agency will also consider factors relating to the owner’s ability to successfully carry out the proposed redevelopment. These factors include the ability to finance the proposed project area experience with similar projects, and the overall feasibility of the proposal. (Ord. 99-025 § 204.2, 1999)

3.12.030 Participation agreements.

The agency may require, as a condition to participating in redevelopment of the project area, that the owner enter into a binding agreement with the agency. The participation agreement will obligate the owner to acquire, dispose of, rehabilitate, redevelop, and use the property consistent with the Plan and will impose other conditions as agreed by the owner and the agency.

The provisions of the plan are applicable to all public and private property in the project area, whether or not an owner enters into a participation agreement with the agency. (Ord. 99-025 § 204.3, 1999)

3.12.040 Business reentry preference.

Businesses displaced from property within the project area by redevelopment activities shall be granted a reasonable preference to reestablish on redeveloped sites in the project area. Businesses seeking to reenter the project area must meet the requirements of the plan and comply with the rules adopted by the agency.

3.16.010

Whenever a business will be displaced from property within the project area by re-development activities, the agency will determine whether the business wishes to relocate directly to an already redeveloped property within the project area or would rather reenter the project area at a later time after other property has been redeveloped.

If the business wishes to relocate directly to an already redeveloped property within the project area, the agency will use its relocation assistance program to provide the necessary aid. However, the business must meet the criteria established in the agency’s rules in order to be referred to a particular redeveloped property. Those criteria include the business’ compatibility with the uses planned for the property and the desired character of the redevelopment, and the business’ ability to pay the lease rate or purchase price.

If the business prefers to wait and reenter the project area after other property has been redeveloped, the agency will keep the business information on file and will contact the business when such property becomes available. The business will not be eligible for the agency’s relocation assistance program to aid its move back into the project area. However, the business will be extended a preference for reentry in the form of agency notification when appropriate redeveloped sites become available. (Ord. 99-025 § 204.4, 1999)

Chapter 3.16

**RELOCATION OF PERSONS AND
BUSINESSES DISPLACED BY THE
PROJECT**

Sections:

- 3.16.010 General.**
- 3.16.020 Relocation plan.**
- 3.16.030 Assistance in finding other locations.**
- 3.16.040 Displaced persons of low and moderate income.**
- 3.16.050 Relocation payments.**

3.16.010 General.

The agency shall establish relocation rules to guide assistance and payments to by project persons and businesses displaced activities. The rules shall comply with the requirements of the relocation assistance and real property acquisition guidelines adopted by the California Department of Housing and Community Development (Cal. Code Regs., title 25, Section 6000 et seq.) (the “state guidelines”). Such rules shall include a feasible method for relocating persons to be displaced from housing in the project area. The agency may use funds derived from any public or private source to carry out the purposes of this chapter.

The agency shall establish a grievance procedure for persons or businesses that are dissatisfied with the relocation assistance or payments provided. (Ord. 99-025 § 208.1, 1999)

3.16.020 Relocation plan.

Before proceeding with any activity that will displace more than fifteen (15) residents or five businesses, the agency shall prepare a relocation plan and submit it to the city council for approval. The relocation plan shall include the information required in Section 6038 of the state guidelines and shall be consistent with the housing element of the city’s general plan. The agency shall provide public notice of the relocation plan

and make copies of such plan available upon request. (Ord. 99-025 § 208.2, 1999)

3.16.030 Assistance in finding other locations.

The agency shall provide assistance to persons and businesses displaced by project area activities in locating suitable replacement property. The assistance to be provided is described in the agency's relocation rules, which shall be made available to individuals and businesses at least ninety (90) days before they are scheduled to be displaced. If there is any conflict between the agency's rules and the state guidelines, the state guidelines shall control.

No eligible person shall be required to move from his or her dwelling unless within a reasonable period of time prior to displacement comparable replacement dwellings or, in the case of a temporary move, adequate replacement dwellings are available to such person. Such replacement dwellings shall be made available in the city of San Leandro if the eligible person requests. The agency shall notify any eligible person of this requirement in writing. (Ord. 99-025 § 208.3, 1999)

3.16.040 Displaced persons of low and moderate income.

The agency's method or plan for relocation shall provide that no persons or families of low and moderate income shall be displaced unless and until there is a suitable housing unit available and ready for occupancy at rents comparable to those at the time of their displacement. Such housing units shall be suitable to the needs of such displaced persons or families and must be decent, safe, sanitary, and otherwise standard dwellings. The agency shall not displace

such person or family until such housing units are available and ready for occupancy.

If suitable housing units are not available in the city for low- and moderate-income persons and families who will be displaced from the Project Area, the city council shall assure that sufficient land is made available for such housing. The agency may direct or cause the development, rehabilitation or construction of such housing within the city, both inside and outside of the project area, as needed to correct the deficiency in housing for displaced low- and moderate-income persons and families.

Whenever all or any portion of the project area is developed with low- or moderate-income housing units, the agency shall require by contract or other appropriate means that such housing be made available for rent or purchase to the persons and families of low or moderate income displaced by the project. Such persons and families shall be given priority in renting or buying such housing. (Ord. 99-025 § 208.4, 1999)

3.16.050 Relocation payments.

The agency shall make fair and reasonable relocation payments as prescribed by the state guidelines and the agency's relocation rules and regulations. If there is any conflict between the agency's rules and regulations and the state guidelines, the state guidelines shall control. The agency may exceed the maximum payments established in the state guidelines in accordance with agency policy establishing the requirements and conditions for providing excess payments. (Ord. 99-025 § 208.5, 1999)

Chapter 3.20

PUBLIC IMPROVEMENTS AND SITE PREPARATION

Sections:

- 3.20.010 Demolition and clearance.**
- 3.20.020 Removal of graffiti.**
- 3.20.030 Public improvements.**
- 3.20.040 Financing of facilities or capital equipment.**
- 3.20.050 Preparation of building sites.**
- 3.20.060 Hazardous waste.**

3.20.010 Demolition and clearance.

The agency is authorized to demolish and clear or move buildings, structures, and other improvements from any real property in the project area as it determines necessary or convenient to carry out the purposes of the plan. (Ord. 99-025 § 209.1, 1999)

3.20.020 Removal of graffiti.

The agency may take any actions within the project area that the agency determines are necessary to remove graffiti from public or private property upon making a finding that, because of the magnitude and severity of the graffiti within the project area the action is necessary to effectuate the purposes of the plan and that the action will assist with the elimination of blight. (Ord. 99-025 § 209.2, 1999)

3.20.030 Public improvements.

A. Subject to the requirements of Health and Safety Code Section 33445, the agency is authorized to pay all or a part of the value of the land for and the cost of the installation and construction of any building, facility,

structure, or other improvement which is publicly owned either within or without the project area. Such payments are subject to the city council's finding all of the following:

1. That the buildings, facilities, structures, or other improvements are of benefit to the project area or the immediate neighborhood in which the public improvement is located;
2. That no other reasonable means of financing the buildings, facilities, structures, or other improvements are available to the city; and
3. That the payment of funds for the acquisition of land or the cost of buildings, facilities, structures, or other improvements will assist in the elimination of one or more blighting conditions inside the project area or provide housing for low- or moderate-income persons, and is consistent with the implementation plan for the project.

B. Such determinations by the agency and the city council shall be final and conclusive. The agency may pay all or part of the value of the land for and the cost of the installation and construction of any building, facility, structure or other improvement set forth in Appendix C to the plan, "proposed public improvements and facilities projects."

C. When the value of the land or the cost of the installation and construction of the public improvement has been or will be paid or provided for initially by the city or other public corporation, the agency may enter into a contract with the city or other public corporation under which it agrees to reimburse the city or other public corporation for all or part of the value of the land or all or part of the cost of the building, facility, structure, or other improvement, or both, by periodic payments over a period of years.

D. The obligation of the agency under such contract shall constitute an indebtedness of the agency for the purpose of carrying out the redevelopment project for the project area, which indebtedness may be made payable out of tax increment funds, or out of any other available funds.

E. In a case where the land has been or will be acquired by, or the cost of the installation and construction of the building, facility, structure or other improvement has been paid by, a parking authority, joint powers entity, or other public corporation to provide a building, facility, structure, or other improvement which has been or will be leased to the city, the contract may be made with, and the reimbursement may be made payable to, the city.

F. Before the agency commits to use tax increment funds to pay all or part of the value of the land for, and the cost of the installation and construction of, any publicly owned building, other than parking facilities, the city council shall hold a public hearing in conformity with Health and Safety Code Section 33679.

G. The agency shall not pay for the normal maintenance or operations of buildings, facilities, structures, or other improvements that are publicly owned. The agency shall not use tax increment funds to pay for, either directly or indirectly, the construction or rehabilitation of a building that is, or that will be, used as a city hail or county administration building, except as permitted by the Community Redevelopment Law. (Ord. 99-025 § 209.3, 1999)

3.20.040 Financing of facilities or capital equipment.

Within the project area and as part of a development or rehabilitation agreement for

property that will be used for industrial or manufacturing purposes, the agency may assist with the financing of facilities or capital equipment, including, but not necessarily limited to, pollution control devices. Before entering into an agreement providing for such assistance, the agency shall find, after a public hearing, that the assistance is necessary for the economic feasibility of the development and that the assistance cannot be obtained on economically feasible terms in the private market. (Ord. 99-025 § 209.4, 1999)

3.20.050 Preparation of building sites.

A. Subject to the limitations contained herein, the agency is authorized to develop as a building site any real property owned or acquired by it. In connection with such development it may cause, provide or undertake or make provision with other agencies for the installation, or construction of streets, utilities, parks, playgrounds and other public improvements necessary for carrying out the plan in the project area.

B. The agency may construct foundations, platforms, and other like structural forms necessary for the provision or utilization of air rights sites for buildings to be used for residential, commercial, industrial, or other uses contemplated by plan.

C. Without the prior consent of the city council, the agency may not develop a site for industrial or commercial use so as to provide streets, sidewalks, utilities, or other improvements that an owner or operator of the site would otherwise be obliged to provide. In giving consent, the city council shall make a finding that providing such improvements is necessary to effectuate the purposes of the plan.

D. Pursuant to Health and Safety Code Section 33426.5, the agency shall not provide any form of direct assistance to the following:

1. An automobile dealership that will be or is on a parcel of land that has not previously been developed for urban use.

2. A development that will be or is on a parcel of land of five acres or more that has not previously been developed for urban use and that will, when developed, generate sales or use tax pursuant to Revenue and Taxation Code Section 7200 et seq., unless the principal permitted use of the development is office, hotel, manufacturing, or industrial.

3. A development or business, either directly or indirectly, for the acquisition, construction, improvement, rehabilitation, or replacement of property that is or would be used for gambling or gaming of any kind whatsoever including, but not limited to, casinos, gaming clubs, bingo operations, or any facility wherein banked or percentage games, any form of gambling device, or lotteries, other than the California State Lottery, are or will be played. (Ord. 99-025 § 209.5, 1999)

3.20.060 Hazardous waste.

The agency may take any actions that it determines are necessary and that are consistent with other state and federal laws to remedy or remove a release of hazardous substances on, under, or from property within the project area whether the agency owns that property or not, subject to provisions contained in Health and Safety Code Section 33454 et seq., commonly referred to as the Polanco Act. (Ord. 99-025 § 209.6, 1999)

Chapter 3.24

PROPERTY DISPOSITION AND DEVELOPMENT

Sections:

- 3.24.010 Real property disposition.**
- 3.24.020 Disposition and development documents.**
- 3.24.030 Nondiscrimination provisions.**
- 3.24.040 Development plans.**
- 3.24.050 Personal property disposition.**

3.24.010 Real property disposition.

The agency may, within the project area or for purposes of redevelopment, sell, lease for a period not to exceed ninety-nine (99) years, exchange, subdivide, transfer, assign, pledge, encumber by mortgage, deed of trust, or otherwise, or otherwise dispose of any real property or any interest in property. The agency is authorized to dispose of real property by negotiated lease, sale, or transfer without public bidding, but only after noticed public hearing.

Before any of the agency’s property that was acquired in whole or in part, directly or indirectly, with tax increment moneys is sold or leased for development pursuant to the plan, the sale or lease shall first be approved by the city council by resolution after public hearing in conformance with Health and Safety Code Section 33433.

The agency shall lease or sell all real property acquired by it in the project area, except that it may transfer property to the city or other public body for any amount of consideration or without requiring any consideration at all.

The agency shall obligate persons purchasing or leasing property from the agency to use the property for the purpose designated in the plan, to begin redevelopment within a reasonable period of time, to comply with the covenants, conditions, or restrictions that the agency deems necessary to prevent speculation or excess profit taking in undeveloped land, including right of reverter to the agency, and to comply with other conditions that the agency deems necessary to carry out the purposes of the plan. (Ord. 99-025 § 210.1, 1999)

3.24.020 Disposition and development documents.

The agency may enter into agreements for the lease or sale and development of real property in the project area. Such agreements shall contain provisions as needed to prevent speculation in the property and to ensure that development is carried out in a timely manner pursuant to the plan.

Every sale, lease, or other conveyance of real property owned by the agency shall be conditioned on compliance with the plan, the zoning ordinance governing the property, and any conditions imposed by the agency through agreements, declarations of restrictions, conditional use permits, or other means. The agency may require the recording of any document pertaining to the sale, lease, or other conveyance, or to the use of such property. Conveyance documents may create rights of reversion in favor of the agency or other provisions deemed necessary to carry out the purposes of the plan. (Ord. 99-025 § 210.2, 1999)

3.24.030 Nondiscrimination provisions.

All real property acquired or disposed of by the agency shall be subject to nondiscrimination provisions. Disposition and development agreements and owner participation agreements shall obligate the lessee or purchaser to refrain from restricting the rental, sale, or lease of the property on the basis of race, color, religion, sex, marital status, ancestry, or national origin of any person. All deeds, leases or contracts that the agency proposes to enter into for the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of any land in the project shall include express provisions in substantially the form set forth in Health and Safety Code Section 33436. (Ord. 99-025 § 210.3, 1999)

3.24.040 Development plans.

All development plans, whether public or private, shall be processed in the manner provided by applicable city codes. In addition, all development in the project area must comply with city review procedures unless the agency in its discretion conducts the project review. (Ord. 99-025 § 210.4, 1999)

3.24.050 Personal property disposition.

For the purposes of the plan, the agency is authorized to lease, sell, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property acquired by the agency. (Ord. 99-025 § 210.5, 1999)

3.28.010

Chapter 3.28

REHABILITATION, CONSERVATION AND MOVING OF STRUCTURES

Sections:

- 3.28.010 Rehabilitation and conservation.**
- 3.28.020 Moving of structures.**

3.28.010 Rehabilitation and conservation.

The agency is authorized to acquire property within the project area for rehabilitation and resale, as needed to further the purposes of the plan. Property acquired by the agency for rehabilitation and resale shall be offered for resale within one year after completion of rehabilitation, or the agency shall publish an annual report in a local newspaper of general circulation listing any rehabilitated property held by the agency in excess of such one-year period, stating the reasons such property remains unsold and indicating plans for its disposition.

The agency may establish a program under which it loans or grants funds to owners or tenants for the purpose of rehabilitating commercial buildings or structures within the project area. The agency shall not loan or grant funds for the rehabilitation or conservation of properties that are not structurally or economically feasible, or that do not further the purposes of the plan. The agency may adopt standards for the rehabilitation of properties within the project area and may condition loans of rehabilitation funds on compliance with such standards.

The agency shall render an annual report to the Legislature setting forth in detail its rehabilitation activities, including expenditure of public funds, number and kinds of

units rehabilitated, and disposition of rehabilitated units. (Ord. 99-025 § 211.1, 1999)

3.28.020 Moving of structures.

As needed to carry out the purposes of the plan and when economically and structurally feasible, the agency is authorized to move or cause to be moved any structure or building to a location within or outside the project area. (Ord. 99.025 § 211.2, 1999)

Chapter 3.32

LOW- AND MODERATE-INCOME HOUSING

Sections:

- 3.32.010 Use of tax increment funds to increase, improve, and preserve the supply of affordable housing.**
- 3.32.020 Replacement housing.**
- 3.32.030 Inclusionary requirements for new or rehabilitated dwelling units within the project area.**
- 3.32.040 Duration of affordability.**
- 3.32.050 Monitoring affordable housing.**
- 3.32.060 Provision of down payment for peace officer's purchase of principal residence.**

3.32.010 Use of tax increment funds to increase, improve, and preserve the supply of affordable housing.

A. The agency shall use not less than twenty (20) percent of all taxes allocated to it pursuant to Health and Safety Code Section 33670 for the purposes of increasing, improving, and preserving the community's supply of low- and moderate-income housing available at affordable housing cost to persons and families of low or moderate income and very low income. The definitions contained in Health and Safety Code Sections 50052.5 ("affordable housing cost"), 50079.5 ("lower-income households"), 50093 ("persons and families of low or moderate income"), and 50105 ("very low income households") shall apply to these requirements.

B. The funds for these purposes shall be held in a separate low- and moderate-income housing fund (the "fund") until used. Any interest earned by the fund and any repayments or other income to the agency for loans, advances, or grants, of any kind from the fund, shall accrue to and be deposited in, the fund and may only be used in the manner prescribed for the fund.

C. The agency shall, to the maximum extent possible, use the fund to defray the costs of production, improvement, and preservation of low- and moderate-income housing. The agency shall not spend amounts for planning and general administrative activities that are disproportionate to the amount actually spent for the costs of production, improvement, or preservation of that housing. The agency shall determine annually that the planning and administrative expenses are necessary for the produc-

tion, improvement, or preservation of low- and moderate-income housing.

D. The agency may use these housing fund inside or outside the project area, but may use the funds outside the project area only upon a resolution of the agency and the city council that the use will be of benefit to the project. The agency may use these funds to meet, in whole or in part, the replacement housing provisions in this title. Expenditures or obligations incurred by the agency pursuant to this section shall constitute an indebtedness of the project.

E. In carrying out the purposes of this section, the agency may exercise any or all of its powers, including the following:

1. Acquire real property or building sites;
2. Improve real property or building sites with onsite or offsite improvements, but only if either (a) the improvements are made as part of a program which results in the new construction or rehabilitation of affordable housing units for low- or moderate-income persons who are directly benefited by the improvements or (b) the agency finds that the improvements are necessary to eliminate a specific condition that jeopardizes the health or safety of existing low- or moderate-income residents;
3. Donate real property to private or public persons or entities;
4. Finance insurance premiums;
5. Acquire, rehabilitate, and construct buildings or structures;
6. Provide subsidies to, or for the benefit of, very low income households, low income households, or persons and families of low to moderate income to the extent those households cannot obtain housing at affordable costs on the open market;

3.32.020

7. Develop plans, pay principal and interest on bonds, loans, advances, or other indebtedness, or pay financing or carrying charges;

8. Maintain the community's supply of mobile homes; and

9. Preserve the availability to lower income households of affordable housing units in housing developments that are assisted or subsidized by public entities and that are threatened with imminent conversion to market rates. (Ord. 99-025 § 212.1, 1999)

3.32.020 Replacement housing.

The agency shall comply with the requirements herein below whenever dwelling units housing persons and families of low or moderate income are destroyed or removed from the low- and moderate-income housing market as part of a redevelopment project subject to a written agreement with the agency or where financial assistance has been provided by the agency.

The agency shall, within four years of the destruction or removal, rehabilitate, develop, or construct, or cause to be rehabilitated, developed, or constructed, for rental or sale to persons and families of low or moderate income, an equal number of replacement dwelling units that have an equal or greater number of bedrooms as those destroyed or removed units at affordable housing costs within the agency's territorial jurisdiction.

When dwelling units are destroyed or removed, seventy-five percent (75%) of the replacement dwelling units shall replace dwelling units available at affordable housing cost in the same income level of very low-income households, lower-income households, and persons and families of low and moderate income, as the persons dis-

placed from those destroyed or removed units.

Replacement Housing Plan. Not less than thirty (30) days prior to the execution of an agreement for acquisition of real property, or the execution of an agreement for the disposition and development of property, or the execution of an owner participation agreement, which agreement would lead to the destruction or removal of dwelling units from the low- and moderate-income housing market, the agency shall adopt by resolution a replacement housing plan. For a reasonable time prior to adopting a replacement housing plan, the agency shall make available a draft of such plan for review and comment by the project area committee, if any, other public agencies, and the general public.

The replacement housing plan shall include (1) the general location of replacement housing to be provided, (2) an adequate means of financing such housing, (3) a finding that the replacement housing either does not require the approval of the voters pursuant to Article 34 of the California Constitution, or that such approval has been obtained, (4) the number of dwelling units housing persons and families of low or moderate income to be provided, and (5) the timetable for meeting relocation, rehabilitation, and replacement housing objectives. A dwelling unit whose replacement is required but for which no replacement housing plan has been prepared, shall not be destroyed or removed from the low- and moderate-income housing market until the agency has adopted replacement housing plan.

Nothing in this section shall prevent the agency from destroying or removing from the low- and moderate-income housing market a dwelling unit that the agency owns and

that is an immediate danger to health and safety. The agency shall, as soon as practicable, adopt by resolution a replacement housing plan with respect to such dwelling unit. (Ord. 99-025 § 212.2, 1999)

3.32.030 Inclusionary requirements for new or rehabilitated dwelling units within the project area.

At least thirty percent (30%) of all new and substantially rehabilitated dwelling units developed by the agency shall be available at affordable housing cost to persons and families of low or moderate income. Not less than fifty percent (50%) of the dwelling units required to be available at affordable housing cost to persons and families of low or moderate income shall be available at affordable housing cost to, and occupied by, very low income households.

At least fifteen percent (15%) of all new and substantially rehabilitated dwelling units developed within the project area by public or private entities or persons other than the agency shall be available at affordable housing cost to persons and families of low or moderate income. Not less than forty percent (40%) of the dwelling units required to be available at affordable housing cost to persons and families of low or moderate income shall be available at affordable housing cost to very low-income households.

To satisfy these inclusionary requirements, the agency may cause, by regulation or agreement, to be available at affordable housing costs to persons and families of low or moderate income or to very low-income households, as applicable, two units outside the project area for each unit that otherwise would have had to be available inside the, project area. The agency may also aggregate

new or substantially rehabilitated dwelling units in one or more project areas, provided that the agency finds, based on substantial evidence, after a public hearing, that the aggregation will not cause or exacerbate racial, ethnic, or economic segregation.

As an alternative means of meeting these inclusionary requirements, the agency may purchase or otherwise acquire or cause by regulation or agreement the purchase or other acquisition of, long-term affordability covenants on multifamily units that restrict the cost of renting or purchasing those units. To be eligible, the units must be multifamily units that either: (1) are not presently available at affordable housing cost to persons and families of low or very low-income households, as applicable; or (2) are units that are presently available at affordable housing cost to this same group of persons or families, but are units that the agency finds, based upon substantial evidence, after a public hearing, cannot reasonably be expected to remain affordable to this same group of persons or families. The agency shall require the affordability covenants to be maintained on dwelling units at affordable housing cost for not less than thirty (30) years.

The agency may not use affordability covenants to provide more than fifty percent (50%) of the affordable housing units to be made available. Not less than fifty percent (50%) of the units made available through the use of long-term affordability covenants shall be available at affordable housing cost to, and occupied by, very low-income households.

These inclusionary requirements apply independently of the requirements for replacement housing.

Inclusionary Housing Plan. The agency, as part of the implementation plan required

3.32.040

by Health and Safety Code Section 33490, shall adopt a plan to comply with the requirements of subparagraph 33413(b) of the Health and Safety Code governing inclusionary requirements for new and rehabilitated, dwelling units. The plan shall be consistent with, and may be included within, the city's housing element of its general plan.

The plan for inclusionary housing shall be reviewed and, if necessary, amended at least every five years in conjunction with either the housing element cycle or the plan implementation cycle. The plan shall ensure that the inclusionary requirements are met every ten (10) years. If the inclusionary requirements are not met by the end of each ten (10) year period, the agency shall meet these goals on an annual basis until the requirements for the ten (10) year period are met. If the agency has exceeded the requirements within the ten (10) year period, the agency may count the units that exceed the requirement in order to meet the requirements during the next ten (10) year period. (Ord. 99-025 § 212.3, 1999)

3.32.040 Duration of affordability.

The agency shall require that the aggregate number of affordable replacement dwelling units provided and other affordable dwelling units rehabilitated, developed, or constructed remain available at affordable housing cost to persons and families of low-income, moderate-income, and very low-income households, respectively, for the longest feasible time, as determined by the agency, but for not less than the period of the land use controls established by the plan, except to the extent a longer period of time may be required by other provisions of law.

All new or substantially rehabilitated dwelling units developed or otherwise as-

sisted with moneys from the low- and moderate-income housing fund shall remain available at affordable housing costs to persons and families of low or moderate income and very low-income households for the longest feasible time, but not for less than fifteen (15) years for rental units and ten (10) years for owner-occupied units, except to the extent a longer period of time may be required by other provisions of law. The agency shall require the recording in the office of the county recorder of covenants or restrictions implementing this requirement for each parcel or unit of real property subject to this requirement. Notwithstanding any other provision of law, the covenants or restrictions shall run with the land and shall be enforceable by the agency or the city against the original owner and successors in interest. (Ord. 99-025 § 212.4, 1999)

3.32.050 Monitoring affordable housing.

The agency shall monitor, on an ongoing basis, any housing affordable to persons and families of low or moderate income developed or otherwise made available pursuant to any provisions of the Community Redevelopment Law. As part of this monitoring, the agency shall require owners or managers of the housing to submit an annual report to the agency. The annual reports shall include for each rental unit the rental rate and the income and family size of the occupants, and for each owner-occupied unit whether there was a change in ownership from the prior year and, if so, the income and family size of the new owners. The information on income and family size shall be supplied by the tenant in a certified statement on a form provided by the agency. (Ord. 99-025 § 212.5, 1999)

3.32.060 Provision of down payment for peace officer's purchase of principal residence.

The Legislature has authorized redevelopment agencies in specified counties, including Alameda County, to provide the down payment for a peace officer's purchase of a principal residence in an urban neighborhood.

The following definitions shall control the construction of this section:

"Crimes" means those crimes reported in the California Crime Index prepared by the Department of Justice.

"Peace officer" means a peace officer as defined in Section 830 of the Penal Code who is employed by the city and whose income at the time of the purchase does not exceed one hundred twenty percent (120%) of the area median income, adjusted for family size pursuant to Health and Safety Code 50093.

"Urban neighborhood" means territory within the project area that is all or a portion of a census tract designated by the agency, after consulting with the city's law enforcement officials, where the number of crimes per capita in the census tract over the last year is at least ten percent (10%) greater than the number of crimes per capita countywide, over the last year.

From the low- and moderate-income housing fund or any other source, the agency may provide up to one hundred percent (100%) of the down payment for the purchase of a principal residence by a peace officer in an urban neighborhood. The down payment shall not exceed twenty percent (20%) of the purchase price of the residence. The peace officer shall occupy the residence as his or her principal residence for at least

ten (10) years. If, during those ten (10%) years, the peace officer ceases to be employed by the city or establishes another principal residence, he or she shall repay the agency a prorated amount of the down payment, based on the time remaining, subject to the provisions of Health and Safety Code Section 33334.21.

The agency may adopt any rules, regulations, or limitations necessary to implement this section. If the agency provides such down payments, it shall prepare the report required by Health and Safety Code Section 33334.21(k). (Ord. 99-025 § 212.6, 1999)

Chapter 3.36

LAND USE AND DEVELOPMENT REQUIREMENTS

Sections:

- 3.36.010 Conformity with the city's general plan.**
- 3.36.020 Redevelopment plan map.**
- 3.36.030 Designated land uses.**
- 3.36.040 Other land uses.**
- 3.36.050 Interim uses.**
- 3.36.060 Nonconforming uses.**
- 3.36.070 Conforming uses.**
- 3.36.080 General controls and limitations.**
- 3.36.090 Construction controls.**
- 3.36.100 Parking and loading.**
- 3.36.110 Buildings of historic significance.**
- 3.36.120 Rehabilitation and retention of properties.**
- 3.36.130 Limit on the number of buildings.**
- 3.36.140 Number of dwelling units.**

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- 3.36.150** **Limitations on type, size and height of buildings.**
- 3.36.160** **Open spaces, landscaping, light, air and privacy.**
- 3.36.170** **Signs.**
- 3.36.180** **Utilities.**
- 3.36.190** **Incompatible uses.**
- 3.36.200** **Subdivision of parcels.**
- 3.36.210** **Minor variations.**
- 3.36.220** **Design guidelines.**

3.36.010 **Conformity with the city's general plan.**

The land uses to be permitted with the project area shall conform to the city's general plan, as it currently exists or as it may from time to time be amended, and as implemented by city ordinances and other laws. (Ord. 99-025 § 301, 1999)

3.36.020 **Redevelopment plan map.**

Appendix A illustrates the project area boundaries. It is intended that the permitted land uses and land use standards set forth in the general plan now or as hereafter amended shall be permitted land uses and land use standards governing the applicable portions of the project area under this plan. (Ord. 99-025 § 302, 1999)

3.36.030 **Designated land uses.**

The permitted land uses illustrated in the land use map attached as Appendix D are drawn from the applicable provisions of the general plan of the city of San Leandro in effect at the time of the adoption of this plan, and shall be deemed to be automatically modified as the permitted land use(s) in the applicable general plan may be revised from time to time, in order to maintain con-

formance of this Plan with the general plan. (Ord. 99-025 § 303, 1999)

3.36.040 **Other land uses.**

A. Public Rights-of-Way. The public street system in the project area shall be developed in accordance with the general plan of the city, as amended from time to time, and street design standards as adopted by the city council.

Streets and alleys may be widened, altered, abandoned, repaired, or closed as necessary for property development of the project.

It is contemplated that the agency will construct, or aid in the construction of, certain streets designated in the plan which are not now constructed or which may require further widening or improvement. The public rights-of-way may be used for vehicular and/or pedestrian traffic, as well as for public improvements, public and private utilities, and activities typically found in public rights-of-way. In addition, all necessary easements for public uses, public facilities, and public utilities may be retained or erected.

B. Public, Semi-Public, Institutional and Non-Profit Uses. Parking, open space, public and semi-public uses may be interspersed with other uses in any area.

In any area the agency is authorized to permit the maintenance, establishment or enlargement of public, semi-public, institutional or nonprofit uses, including park and recreational facilities, parking facilities, libraries, educational, fraternal, employee, philanthropic, and charitable institutions, utilities, multi-modal transit facilities, and facilities of other similar purposes, associations or organizations. All such uses shall conform so far as possible to the provisions

of this plan applicable to the uses in the specific area involved. The agency may impose such other reasonable restrictions as are necessary to protect the development and uses in the project area. (Ord. 99-025 § 304, 1999)

3.36.050 Interim uses.

The agency is authorized to use or permit the use of any real property in the project area, pending its ultimate development pursuant to the plan for interim uses that do not conform to the uses permitted in the plan. Such interim uses shall comply with all applicable city codes. (Ord. 99-025 § 305, 1999)

3.36.060 Nonconforming uses.

The agency is authorized to permit an existing use that does not conform to the provisions of the plan to remain in an existing structure that is in good condition, provided that such use is generally compatible with existing and proposed developments and uses in the project area and abatement of such nonconforming use is not required by applicable city codes. The agency may authorize additions, alterations, repairs or other improvements to nonconforming properties when the agency determines that such repairs or improvements would be compatible with surrounding uses and are permitted under applicable city codes.

The agency may require the owner of a nonconforming property to record a covenant imposing reasonable restrictions on the property, as the agency deems necessary to protect the project. (Ord. 99-025 § 306, 1999)

3.36.070 Conforming uses.

The agency may, at its sole and absolute discretion, determine that some properties within the project area already meet the requirements of the plan. The agency may issue certificates of conformance for such properties, evidencing that the owners may remain as owners of conforming properties without entering into a participation agreement with the agency, so long as such owners continue to operate, use, and maintain such properties in conformity with the plan.

The agency may require the owner of a conforming property to enter into a participation agreement if the owner wishes to (1) construct any additional improvements or substantially alter or modify existing structures on such conforming property; or (2) acquire additional property within the project area. (Ord. 99-025 § 307, 1999)

3.36.080 General controls and limitations.

All real property in the project area is made subject to the controls and requirements of the plan. No real property shall be developed, rehabilitated, or otherwise improved after the effective date of the ordinance adopting the plan except in conformance with the provisions of the plan. (Ord. 99-025 § 308, 1999)

3.36.090 Construction controls.

All construction undertaken in the project area shall comply with applicable state and local laws and regulations. The agency may adopt additional performance and development standards to control and direct construction in the project area, including property rehabilitation standards and design standards. (Ord. 99-025 § 308.1, 1999)

3.36.100

3.36.100 Parking and loading.

The parking and loading requirements are those set forth in the general plan and the city zoning code. The agency is authorized to establish additional parking and loading requirements. (Ord. 99-025 § 308.2, 1999)

3.36.110 Buildings of historic significance.

The general plan and zoning code set forth the provisions for protecting and preserving buildings of historic significance in the project area. The agency is authorized to adopt a program establishing additional requirements to protect, rehabilitate and preserve any buildings of historic significance in the project area. (Ord. 99-025 § 308.3, 1999)

3.36.120 Rehabilitation and retention of properties.

The agency is authorized to rehabilitate and conserve or cause to be rehabilitated and conserved, buildings and structures in the project area. Any existing structure within the project area which the agency shall approve for retention and rehabilitation shall be repaired, altered, reconstructed, or rehabilitated in such manner that it will meet the following requirements: (i) be safe and sound in all physical respects, and (ii) be attractive in appearance and not detrimental to the surrounding areas. The preservation and rehabilitation of structures of historical significance will also be considered a priority by the agency property rehabilitation standards for the rehabilitation of existing buildings and site improvements may be established by the agency but must be not less than the minimum requirements of the city. (Ord. 99-025 § 308.4, 1999)

3.36.130 Limit on the number of buildings.

Except as set forth in other sections of this plan and to the extent that limitations are imposed, the number of buildings in the project area that may be expected upon completion of the project may be regulated by the agency, and shall not exceed the limitations set forth in the general plan and the city zoning code, or applicable federal, state and local statutes, ordinances and regulations, as amended from time to time. (Ord. 99-025 § 308.5, 1999)

3.36.140 Number of dwelling units.

The approximate number of dwelling units located within the project area is forty-five (45). (Ord. 99-025 § 308.6, 1999)

3.36.150 Limitations on type, size and height of buildings.

Except as set forth in other sections of this plan and to the extent that limitations are imposed, the type, size, height, and number of buildings in the project area that may be expected upon completion of the project may be regulated by the agency, and shall not exceed the limitations set forth in the general plan and the city's zoning codes or applicable federal, state and local statutes, ordinances and regulations, as amended from time to time. (Ord. 99-025 § 308.7, 1999)

3.36.160 Open spaces, landscaping, light, air and privacy.

The approximate amount of open space to be provided in the project area will be the total of all areas that will be in the public rights-of-way, the public grounds, and space around buildings, and all other outdoor areas

not permitted through limits on land to be covered by buildings.

In all areas sufficient space shall be maintained between buildings to provide adequate light, air and privacy. (Ord. 99-025 § 308.8, 1999)

3.36.170 Signs.

All signs shall be subject to the provisions of the city's zoning codes, and any applicable municipal codes, as amended from time to time. The agency is authorized to review signs in the project area for conformity with the plan and may impose signage conditions different than those set forth in the zoning code. (Ord. 99-025 § 308.9, 1999)

3.36.180 Utilities.

The agency shall require that all utilities be placed underground when physically, legally and economically feasible. (Ord. 99-025 § 308.10, 1999)

3.36.190 Incompatible uses.

No use or structure that in the agency's determination would, because of appearance, traffic, smoke, glare, noise, odor, or similar factors, be incompatible with the surrounding uses or structures shall be permitted in any part of the project area. (Ord. 99-025 § 308.11, 1999)

3.36.200 Subdivision of parcels.

No parcels in the project area shall be consolidated, subdivided or re-subdivided without the agency's approval. The agency shall establish reasonable procedures and requirements for obtaining such approval. (Ord. 99-025 § 308.12, 1999)

3.36.210 Minor variations.

The agency is authorized to permit minor variations from the limits, restrictions, standards, and controls established pursuant to the plan. In authorizing such variations, the agency shall consider whether:

A. The application of certain limits, restrictions, standards, or controls would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the plan.

B. There are exceptional circumstances or conditions relating to the property or the planned development that are not generally shared with other properties subject to the same limits, restrictions, standards, and controls.

C. The variation sought will not create a material detriment to the public welfare or injure property or improvements in the area.

D. The variation sought will not be contrary to the plan's objectives.

In granting such variation, the agency shall impose such conditions as are necessary to protect the public health, safety, or welfare, and to assure compliance with the purposes of the plan. Any variation permitted by the agency shall not supersede any other approval required pursuant to city codes and ordinances. (Ord. 99-025 § 308.13, 1999)

3.36.220 Design guidelines.

The agency is authorized to establish guidelines and standards for, among other things, building heights, site coverage, setbacks, landscaping, building design, signage, circulation, screening of activities from the view of adjacent properties or the public right-of-way, and parking, which are different than the generally applicable codes and regulations, upon a finding that such guide-

lines are consistent with and further the purpose of the plan. The agency shall establish such guidelines and standards as it deems necessary for proper development and use of private and public property within the project area pursuant to the plan. The agency may establish guidelines and standards through its approval of projects designated as exemplary, adoption of general standards by resolution, or adoption of one or more design guides.

One of the project’s objectives is to create an attractive and pleasant environment in the project area. The agency may require that the architectural, landscape, and site plans for any new improvement constructed or any existing improvement substantially modified, repaired, or rehabilitated be approved in writing. Such plans shall give consideration to good design, open space, and other amenities to enhance the aesthetic and architectural quality of the project area. The agency shall not approve any project plans that do not comply with the redevelopment plan. (Ord. 99-025 § 309, 1999)

Chapter 3.40

FINANCING THE PROJECT

Sections:

- 3.40.010 General description of the proposed financing methods.**
- 3.40.020 Tax increment funds.**
- 3.40.030 Payments to taxing entities.**
- 3.40.040 Agency bonds.**
- 3.40.050 Time limit on establishing indebtedness.**

3.40.060 Time limit on use of tax increment funds to repay indebtedness.

3.40.010 General description of the proposed financing methods.

The agency is authorized to finance the project with tax increment funds; interest income; agency bonds; donations; loans from private financial institutions; proceeds from the lease or sale of agency-owned property; owner participant or developer loans; use or transient occupancy taxes; participation in development; or with financial assistance from the city of San Leandro, Alameda County, the state of California, the federal government, or any other available source, public or private.

The agency is also authorized to obtain advances, borrow funds, issue bonds, and create indebtedness in carrying out the plan. The principal and interest on such indebtedness may be paid from tax increments or any other funds available to the agency

Public transit sales tax funds and gas tax funds or other legally available funds from the state and county may be used for street improvements and public transit facilities.

The city council may appropriate to the agency such amounts as the city council deems necessary for the administrative expenses and overhead of the agency. The money appropriated may be paid to the agency as a grant to defray the expenses and overhead, or as a loan to be repaid upon such terms and conditions as the city council may provide. In addition to the common understanding and usual interpretation of the term, “administrative expense” includes, but is not limited to, expenses of redevelopment planning and dissemination of redevelop-

ment information. The city may also provide additional assistance in the form of bonds, loans, grants, and in-kind assistance. (Ord. 99-025 § 401, 1999)

3.40.020 Tax increment funds.

The taxes levied upon taxable property in the project area each year by or for the benefit of the state of California, the city of San Leandro, the county of Alameda, any district, or other public corporation (“taxing agencies”) after the effective date of the ordinance approving the plan, shall be divided as follows:

A. That portion of the taxes that would be produced by the rate upon which the tax is levied each year by or for each of the taxing agencies upon the total sum of the assessed value of the taxable property in the project area as shown upon the assessment roll used in connection with the taxation of that property by the taxing agency, last equalized prior to the effective date of the ordinance, shall be allocated to and when collected shall be paid to the respective taxing agencies as taxes by or for the taxing agencies on all other property are paid; and

B. Except as provided in subsection C of this section, that portion of the levied taxes each year in excess of that amount shall be allocated to and when collected shall be paid into a special fund of the agency to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the agency to finance or refinance, in whole or in part, the project. When the loans, advances, and indebtedness, if any, and interest thereon, have been paid, all moneys thereafter received from taxes upon the taxable property in the project area

shall be paid to the respective taxing agencies as taxes on all other property are paid.

C. That portion of the taxes in excess of the amount identified in subsection A that are attributable to a tax rate levied by a taxing agency for the purpose of producing revenues in an amount sufficient to make annual repayments of the principal of, and the interest on, any bonded indebtedness for the acquisition or improvement of real property shall be allocated to, and when collected shall be paid into, the fund of that taxing agency.

The agency is authorized to irrevocably pledge tax increment funds for the payment of the principal of and interest on any advance of moneys, loans, or any indebtedness incurred (whether funded, refunded, assumed, or otherwise) to finance or refinance, in whole or in part, the project.

The agency shall decline tax increment funds generated from the parcels set forth in Attachment A to the ordinance codified in this section. From the effective date of this amendment, the tax increment from these parcels shall accrue to the taxing agencies as if no redevelopment plan were in effect.

Attachment A

Area A

077A-0647-009-27
 077A-0647-009-32
 077A-0647-009-35
 077A-0647-009-37
 077A-0647-009-40*
 077A-0647-009-42
 077A-0647-009-44*
 077A-0647-010-00
 077A-0647-011-00
 077A-0647-012-03

Area B

3.40.030

077A-0745-040-01
077A-0745-041-01**
077A-0745-043-01**
077A-0745-045-06
077A-0745-049-01

Area C

079A-0395-006-10***
079A-0395-006-11***

* Shown as APN 077A-0647-009-45 in 1998-99 Base Year APN List.

** Shown as APN 077A-0745-041-00, 077A-0745-042-00 and 077A-0745-043-00 in 1998-99 Base Year APN List.

*** Shown as APN 079A-0395-005-01 and 079A-0395-006-06 in 1998-99 Base Year APN List.

(Ord. 2000-14 § 2, 2000; Ord. 99-025 § 402, 1999)

3.40.030 Payments to taxing entities.

Commencing with the first fiscal year in which the agency receives tax increments and continuing through the last fiscal year in which the agency receives tax increments, the agency shall pay to the affected taxing entities, including the city if the city elects to receive a payment, an amount equal to twenty-five percent (25%) of the tax increments received by the agency after the amount required to be deposited in the low- and moderate-income housing fund has been deducted. In any fiscal year in which the agency receives tax increments, the city may elect to receive the amount authorized by this paragraph.

Commencing with the eleventh fiscal year in which the agency receives tax increments and continuing through the last fiscal year in which the agency receives tax

increments, the agency shall pay to the affected taxing entities, other than the in addition to the amounts paid during the previous ten (10) fiscal years and after deducting the amount allocated to the low- and moderate-income housing fund, an amount equal to, twenty-one percent (21%) of the portion of tax increments received by the agency, which shall be calculated by applying the tax rate against the amount of assessed value by which the current year assessed value exceeds the first adjusted base year assessed value. The first adjusted base year assessed value is the assessed value of the project area in the tenth fiscal year in which the agency receives tax increment revenues.

Commencing with the thirty-first fiscal year in which the agency receives tax increments and continuing through the last fiscal year in which the agency receives tax increments, the agency shall pay to the affected taxing entities, other than the city, in addition to the amounts paid during the preceding thirty (30) fiscal years and after deducting the amount allocated to the low- and moderate-income housing fund, an amount equal to fourteen percent (14%) of the portion of tax increments received by the agency, which shall be calculated by applying the tax rate against the amount of assessed value by which the current year assessed value exceeds the second adjusted base year assessed value. The second adjusted base year assessed value is the assessed value of the project area in the thirtieth fiscal year in which the agency receives tax increment revenues.

Prior to incurring any loans, bonds, or other indebtedness, except loans or advances from the city, the agency may subordinate to the loans, bonds or other indebtedness the amount required to be paid to an affected

taxing entity, provided that the affected taxing entity has approved these subordinations. At the time the agency requests an affected taxing entity to subordinate the amount to be paid to it, the agency shall provide the affected taxing entity with substantial evidence that sufficient funds will be available to pay both the debt service and the payments required, when due.

Notwithstanding any other provision of law, the agency may make payments from tax increment funds to an affected taxing entity that is a state water supply contractor in accordance with the provisions of Health and Safety Code Section 33607.8.

The payments to be made hereunder are the exclusive payments that are required to be made by the agency to affected taxing entities during the term of the plan. The agency shall reduce its payments to an affected taxing entity by any amount the agency has paid, directly or indirectly, pursuant to Health and Safety Code Section 33445, 33445.5, 33445.6, 33446, or any other provision of law for, or in connection with, a public facility in the project area owned or leased by that affected taxing entity. Any reduction in the agency's payment to a school district, community college district, or county office of education, or for special education, shall comply with the applicable requirements of Health and Safety Code Section 33607.5. (Ord. 99-025 § 402.1, 1999)

3.40.040 Agency bonds.

The agency is authorized to issue bonds and expend the proceeds from their sale in carrying out the plan. The agency shall use the funds allocated to pay the principal and interest on such bonds as it becomes due and payable.

The bonds and other obligations of the agency are not a debt of the city, the state, or any of its political subdivisions and are not payable out of any funds or assets other than those of the agency; and such bonds and other obligations shall so state on their face. Neither do the bonds constitute debt for the purposes of constitutional or statutory debt limitations or restrictions. The total indebtedness of the agency shall not exceed seven hundred fifty million dollars (\$750,000,000.00) outstanding at any time. (Ord. 99-025 § 403, 1999)

3.40.050 Time limit on establishing indebtedness.

The agency shall not establish loans, advances, and indebtedness to be paid with tax increment funds to finance in whole or in part the project, beyond a date that is twenty years from the date of adoption of the plan. Provided, that the agency may incur debt to be paid from the low- and moderate-income housing fund or establish more debt in order to fulfill the agency's obligation to provide replacement housing pursuant to Health and Safety Code Section 33413.

No loans, advances, or indebtedness to be repaid from the allocation of taxes shall be established or incurred by the agency beyond this twenty (20) year time limitation, unless the agency extends this limitation by amending the plan. The agency may amend the plan to extend the time limitation an additional ten (10) years if the agency finds, based on substantial evidence, that (i) significant blight remains within the project area; and (ii) this blight cannot be eliminated without establishing additional debt.

The limitation on establishment of debt shall not prevent the agency from refinancing, refunding, or restructuring indebtedness

3.40.060

after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be repaid is not extended beyond the time limit to repay indebtedness established herein below. (Ord. 99-025 § 404, 1999)

3.40.060 Time limit on use of tax increment funds to repay indebtedness.

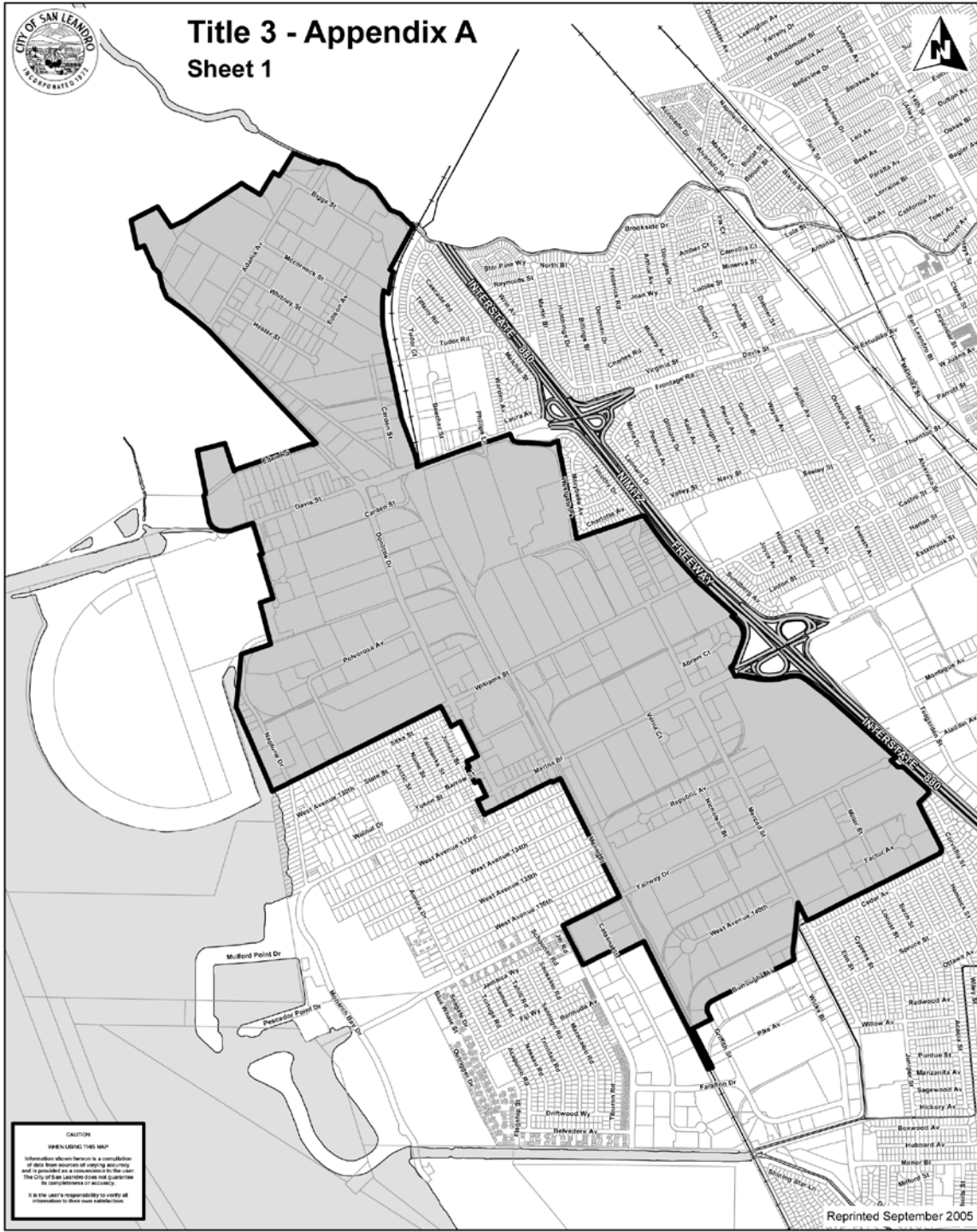
Pursuant to Section 33333.2 of the Health and Safety Code, the agency shall not use tax increment funds to repay indebtedness more than forty-six (46) years from the date of adoption of the plan. After the time limit established herein, the agency may not receive property taxes pursuant to Health and Safety Code Section 33670. (Ord. 2003-020 § 1 (part), 2003; Ord. 99-025 § 405, 1999)

3.40.060

APPENDIX A

REDEVELOPMENT PLAN MAP

The Redevelopment Plan Map consists of two sheets. The first Sheet Illustrates the boundaries of the West San Leandro Subarea of the Redevelopment Plan and the Second Sheet Illustrates the MacArthur Boulevard Subarea.



**WEST SAN LEANDRO SUB-AREA
PROJECT AREA BOUNDARIES**



APPENDIX B**CITY OF SAN LEANDRO**

WEST SAN LEANDRO

REDEVELOPMENT PROJECT AREA

LEGAL DESCRIPTION

BEING THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF SAN LEANDRO, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, LYING GENERALLY WESTERLY OF THE INTERSTATE HIGHWAY NO. 880 COMMONLY KNOWN AS THE NIMITZ FREEWAY. SAID PROPERTY IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHEASTERLY BOUNDARY OF THE CITY OF SAN LEANDRO AND THE NORTHWESTERLY RIGHT-OF-WAY LINE OF THE SOUTHERN PACIFIC TRANSPORTATION COMPANY RIGHT-OF-WAY, SAID CITY BOUNDARY ALSO BEING COINCIDENT WITH THE BOUNDARY OF THE CITY OF OAKLAND; THENCE GENERALLY SOUTHERLY ALONG SAID RIGHT-OF-WAY THE FOLLOWING COURSES;

(1) S26°56'40"W, A DISTANCE OF 682.22 FEET;

(2) THENCE S63°03'20"E, A DISTANCE OF 48.05 FEET;

(3) THENCE SOUTHERLY ALONG A CURVE CONCAVE SOUTHEAST HAVING A RADIUS OF 1959.91 FEET, THROUGH A CENTRAL ANGLE OF

09°09'03" AN ARC DISTANCE OF 313.02 FEET;

(4) THENCE N63°03'20"W, A DISTANCE OF 85.99 FEET;

(5) THENCE SOUTHERLY ALONG A CURVE CONCAVE SOUTHEAST HAVING A RADIUS OF 2039.91 FEET THROUGH A CENTRAL ANGLE OF 16°40'21" AN ARC DISTANCE OF 593.59 FEET;

(6) THENCE S10°47'32"E, A DISTANCE OF 57.56 FEET;

(7) THENCE S13°02'32"E, A DISTANCE OF 1140.46 FEET;

(8) THENCE S22°24'32"E, A DISTANCE OF 498.01 FEET;

(9) THENCE S11°38'02"E, A DISTANCE OF 203.86 FEET, MORE OR LESS, TO THE SOUTHERLY RIGHT-OF-WAY OF DAVIS STREET;

(10) THENCE ALONG SAID RIGHT-OF-WAY N69°30'04"E, A DISTANCE OF 1305.00 FEET, MORE OR LESS, TO THE MONUMENTED LINE OF TIMOTHY DRIVE;

(11) THENCE ALONG SAID MONUMENT LINE, S72°06'40"E, A DISTANCE OF 308.35 FEET AND

(12) S89°03'05"E, A DISTANCE OF 450.24 FEET TO A POINT ON THE WEST BOUNDARY OF TRACT NO. 680 RECORDED IN BOOK 10 OF MAPS AT PAGES 27 AND 28, ALAMEDA COUNTY RECORDS;

(13) THENCE ALONG THE BOUNDARY OF SAID TRACT, S12°20'40"E, A DISTANCE OF 1316.78 FEET AND

(14) N69°30'00"E, A DISTANCE OF 962.45 FEET, MORE OR LESS, TO THE WESTERLY RIGHT-OF-WAY OF THE PREVIOUSLY MENTIONED NIMITZ FREEWAY;

3.40.060

THENCE GENERALLY SOUTH-EASTERLY. ALONG SAID RIGHT-OF-WAY THE FOLLOWING COURSES:

(15) S36°35'06"E, A DISTANCE OF 275.37 FEET;

(16) THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE NORTH-EAST, HAVING A RADIUS OF 5000.00 FEET, THROUGH A CENTRAL ANGLE OF 08°07'57" AN ARC DISTANCE OF 709.70 FEET TO A POINT ON A COMPOUND CURVE;

(17) THENCE ALONG SAID COMPOUND CURVE CONCAVE NORTH-EAST, HAVING A RADIUS OF 6115.00 FEET, THROUGH A CENTRAL ANGLE OF 04°18'07" AN ARC DISTANCE OF 459.13 FEET;

(18) THENCE S49°01'10"E, A DISTANCE OF 414.66 FEET;

(19) THENCE S48°18'37"E, A DISTANCE OF 1311.69 FEET;

(20) THENCE S53°47'02"E, A DISTANCE OF 425.22 FEET;

(21) THENCE S48°47'18"E, A DISTANCE OF 1234.95 FEET TO A POINT ON THE CENTERLINE OF FAIRWAY DRIVE;

(22) THENCE LEAVING SAID FREEWAY RIGHT-OF-WAY AND ALONG SAID CENTERLINE, S62°30'00"W, A DISTANCE OF 83.99 FEET TO THE INTERSECTION OF THE WESTERLY LINE OF THE ALAMEDA COUNTY FLOOD CONTROL DISTRICT RIGHT-OF-WAY;

THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING COURSES:

(23) S48°47'18"E, A DISTANCE OF 113.32 FEET;

(24) THENCE N86°12'42"E, A DISTANCE OF 56.57 FEET;

(25) THENCE S48°47'18"E, A DISTANCE OF 522.47 FEET;

(26) THENCE S00°28'48"E, A DISTANCE OF 46.56 FEET;

(27) THENCE S47°49'41"W, A DISTANCE OF 181.81 FEET;

(28) THENCE S27°33'50"E, A DISTANCE OF 709.25 FEET;

(29) THENCE S17°26'10"W, A DISTANCE OF 66.41 FEET;

(30) THENCE S62°01'37"W, A DISTANCE OF 705.06 FEET;

(31) THENCE S62°26'10"W, A DISTANCE OF 690.28 FEET;

(32) THENCE S62°19'30"W, A DISTANCE OF 658.30 FEET TO A POINT ON THE MONUMENTED LINE OF MERCED STREET;

(33) THENCE LEAVING SAID FLOOD CONTROL DISTRICT RIGHT-OF-WAY ALONG SAID MONUMENTED LINE, N27°43'30"W, A DISTANCE OF 276.48 FEET TO A POINT ON THE MONUMENTED LINE OF WICKS BOULEVARD;

(34) THENCE ALONG SAID MONUMENTED LINE, S05°46'30"W, A DISTANCE OF 599.06 FEET AND

(35) S03°14'24"E, A DISTANCE OF 189.60 FEET TO A POINT ON THE MONUMENTED LINE OF BURROUGHS AVENUE;

(36) THENCE ALONG SAID MONUMENTED LINE, S62°16'30"W, A DISTANCE OF 1259.71 FEET AND

(37) S39°46'30"W, A DISTANCE OF 103.32 FEET TO A POINT ON THE MONUMENTED LINE OF GRIFFITH STREET;

(38) THENCE ALONG SAID MONUMENTED LINE, S05°13'30"E, A DISTANCE OF 103.32 FEET AND

(39) S27°43'30"E, A DISTANCE OF 95.09 FEET;

(40) THENCE LEAVING SAID LINE, S62°16'30"W, A DISTANCE OF 335.00 FEET TO A POINT ON A LINE 40.00 FEET, MEASURED AT RIGHT ANGLES, FROM THE WESTERLY LINE OF THAT CERTAIN 100.00 FOOT WIDE RIGHT-OF-WAY FOR MENLO STREET AND THE SOUTHERN PACIFIC TRANSPORTATION COMPANY RAILROAD;

(41) THENCE ALONG SAID LINE, N27°31'00"W, A DISTANCE OF 1382.45 FEET;

(42) THENCE LEAVING SAID LINE, S62°30'00"W, A DISTANCE OF 434.93 FEET TO A POINT ON THE MONUMENTED LINE OF CATALINA STREET;

(43) THENCE ALONG SAID LINE, N27°30'00"W, A DISTANCE OF 86.00 FEET;

(44) THENCE LEAVING SAID LINE, S62°30'00"W, A DISTANCE OF 470.75 FEET TO A POINT ON THE MONUMENT LINE OF DOOLITTLE DRIVE;

(45) THENCE ALONG SAID LINE, N27°30'00"W, A DISTANCE OF 604.00 FEET TO THE MONUMENTED LINE OF FAIRWAY DRIVE;

(46) THENCE ALONG SAID LINE, N62°30'00"E, A DISTANCE OF 904.94 FEET TO A POINT ON THAT LINE FOR MENLO STREET MENTIONED IN (40) ABOVE;

(47) THENCE ALONG SAID LINE, N27°30'00"W, A DISTANCE OF 1835.20 FEET;

(48) THENCE ALONG SAID LINE, S62°30'00"W, A DISTANCE OF 150.00 FEET;

(49) THENCE N27°30'00"W, A DISTANCE OF 25.00 FEET;

(50) THENCE S62°30'00"W, A DISTANCE OF 1030.00 FEET TO A POINT ON THE EASTERLY LINE OF TRACT NO. 5910 RECORDED IN BOOK 188 OF MAPS AT PAGE 15, ALAMEDA COUNTY RECORDS;

(51) THENCE ALONG SAID LINE, N27°30'00"W, A DISTANCE OF 215.00 FEET TO THE CENTERLINE OF MARINA BOULEVARD;

(52) THENCE ALONG SAID CENTERLINE, N62°30'00"E, A DISTANCE OF 139.50 FEET;

(53) THENCE LEAVING SAID CENTERLINE, N27°30'00"W, A DISTANCE OF 234.20 FEET;

(54) THENCE S62°30'00"W, A DISTANCE OF 62.70 FEET;

(55) THENCE N27°30'00"W, A DISTANCE OF 140.00 FEET;

(56) THENCE N62°30'00"E, A DISTANCE OF 2.20 FEET;

(57) THENCE N27°30'00"W, A DISTANCE OF 90.80 FEET;

(58) THENCE N62°30'00"E, A DISTANCE OF 32.00 FEET;

(59) THENCE N27°30'00"W, A DISTANCE OF 82.20 FEET;

(60) THENCE N62°30'00"E, A DISTANCE OF 169.00 FEET TO A POINT ON THE CENTERLINE OF DOOLITTLE DRIVE;

(61) THENCE ALONG SAID CENTERLINE, N27°30'01"W, A DISTANCE OF 530.80 FEET;

(62) THENCE LEAVING SAID CENTERLINE, S62°30'00"W, A DISTANCE OF 145.00 FEET;

(63) THENCE N27°30'00"W, A DISTANCE OF 313.00 FEET TO A POINT ON THE MONUMENTED LINE OF WILLIAMS STREET;

(64) THENCE ALONG SAID LINE, S62°30'00"W, A DISTANCE OF 2351.60 FEET TO A POINT ON THE WESTERLY LINE OF NEPTUNE DRIVE;

(65) THENCE S27°30'00"E, A DISTANCE OF 6.00 FEET ALONG SAID WESTERLY LINE TO THE SOUTHEASTERLY CORNER OF PARCEL "B" OF PARCEL MAP NO. 3088 RECORDED IN BOOK 113 OF PARCEL MAPS AT PAGE 94, RECORDS OF SAID COUNTY;

(66) THENCE S61°59'20"W A DISTANCE OF 235.27 FEET ALONG THE SOUTH LINE OF SAID PARCEL "B" TO ITS SOUTHWESTERLY CORNER;

(67) DELETED;

(68) THENCE N24°41'24"W, A DISTANCE OF 1245.56 FEET ALONG THE WESTERLY LINE OF SAID PARCEL MAP 3088 AND ITS NORTHERLY PROLONGATION, N24°41'24"W, A DISTANCE OF 1245.56 FEET;

(69) THENCE N03°49'28"E, A DISTANCE OF 729.65 FEET;

(70) THENCE N70°54'04"E, A DISTANCE OF 462.60 FEET;

(71) THENCE N14°11'04"W, A DISTANCE OF 594.62 FEET;

(72) THENCE N71°11'56"E, A DISTANCE OF 189.20 FEET;

(73) THENCE N17°34'04"W, A DISTANCE OF 624.57 FEET;

(74) THENCE N17°18'00"W, A DISTANCE OF 434.81 FEET TO THE CENTERLINE OF DAVIS STREET;

(75) THENCE ALONG SAID CENTERLINE, S69°13'00"W, A DISTANCE OF 454.22 FEET AND

(76) THENCE N85°42'00"W, A DISTANCE OF 113.73 FEET AND

(77) THENCE N12°43'00"W, A DISTANCE OF 553.08 FEET, MORE OR

LESS, TO THE EXISTING NORTH BOUNDARY OF THE CITY OF SAN LEANDRO AND COINCIDENT WITH THE BOUNDARY OF THE CITY OF OAKLAND;

THENCE ALONG SAID BOUNDARY THROUGH ITS VARIOUS COURSES NOTED AS FOLLOWS:

(78) EAST 29.26 FEET;

(79) THENCE N13°38'00"W, A DISTANCE OF 602.00 FEET;

(80) THENCE N74°04'00"W, A DISTANCE OF 390.29 FEET;

(81) THENCE S20°25'00"W, A DISTANCE OF 399.18 FEET;

(82) THENCE N49°41'40"E, A DISTANCE OF 15.56 FEET;

(83) THENCE N69°35'00"E, A DISTANCE OF 1168.37 FEET;

(84) THENCE N45°04'00"W, A DISTANCE OF 2312.85 FEET, MORE OR LESS;

(85) THENCE N55°05'15"W, A DISTANCE OF 515.00 FEET, MORE OR LESS;

(86) THENCE N25°30'45"W, A DISTANCE OF 800.00 FEET, MORE OR LESS;

(87) THENCE S71°19'50"W, A DISTANCE OF 103.94 FEET;

(88) THENCE N11°54'00"W, A DISTANCE OF 401.94 FEET;

(89) THENCE N61°51'00"E, A DISTANCE OF 403.92 FEET;

(90) THENCE S33°54'00"E, A DISTANCE OF 330.00 FEET;

(91) THENCE N63°40'00"E, A DISTANCE OF 230.00 FEET, MORE OR LESS;

(92) THENCE N55°35'40"E, A DISTANCE OF 932.00 FEET, MORE OR LESS;

(93) THENCE S60°14'20"E, A DISTANCE OF 288.91 FEET;

(94) THENCE N29°45'40"E, A DISTANCE OF 332.80 FEET;

(95) THENCE S60°14'20"E, A DISTANCE OF 100.25 FEET;

(96) THENCE N29°45'40"E, A DISTANCE OF 409.46 FEET;

(97) THENCE S62°41'00"E, A DISTANCE OF 170.73 FEET;

(98) THENCE S75°00'00"E, A DISTANCE OF 460.00 FEET;

(99) THENCE S55°30'20"E, A DISTANCE OF 285.89 FEET;

(100) THENCE S71°59'20"E, A DISTANCE OF 169.85 FEET;

(101) THENCE S56°05'50"E, A DISTANCE OF 150.70 FEET;

(102) THENCE S37°09'20"E, A DISTANCE OF 357.40 FEET;

(103) THENCE S69°31'50"E, A DISTANCE OF 149.90 FEET;

(104) THENCE S46°31'50"E, A DISTANCE OF 234.00 FEET;

(105) THENCE S60°00'20"E, A DISTANCE OF 20.89 FEET TO THE POINT OF BEGINNING.

NOTE: IT IS THE PURPOSE OF THIS LEGAL DESCRIPTION TO ONLY DEFINE THE LIMITS OF THE PROPOSED WEST SAN LEANDRO REDEVELOPMENT PROJECT AREA. THIS DESCRIPTION SHOULD NOT BE INTERPRETED AS A FIELD AND/OR OFFICE BOUNDARY ANALYSIS. CITY OF SAN LEANDRO MACARTHUR BOULEVARD REDEVELOPMENT PROJECT AREA LEGAL DESCRIPTION BEING THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF SAN LEANDRO, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, SAID PROPERTY IS

MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT AT THE INTERSECTION OF THE CENTERLINE OF MACARTHUR BOULEVARD (FORMERLY HOLLYWOOD BOULEVARD) AND THE CENTERLINE OF DURANT AVENUE (FORMERLY STANLEY AVENUE) AS SHOWN ON RESUBDIVISION OF PORTION OF HOLLYWOOD AS PER MAP RECORDED IN BOOK 4, PAGE 37 OF MAPS, RECORDS OF ALAMEDA COUNTY;

(1) THENCE N70°28'30"E, A DISTANCE OF 138.72 FEET ALONG THE CENTERLINE OF SAID DURANT AVENUE TO A POINT ON THE NORTHWESTERLY PROLONGATION OF THE NORTHEASTERLY LINE OF LOT 19 OF BLOCK 12 OF SAID MAP OF RESUBDIVISION OF PORTION OF HOLLYWOOD;

(2) THENCE S44°57'22"E, A DISTANCE OF 149.26 FEET ALONG SAID NORTHWESTERLY PROLONGATION AND NORTHEASTERLY LINE OF SAID LOT 19 TO ITS MOST SOUTHEASTERLY CORNER, SAID POINT ALSO LYING ON THE NORTHWESTERLY LINE OF LOT 14 OF MAP OF HOLLYWOOD, AS PER MAP RECORDED IN BOOK 28, PAGE 92 OF MAPS, RECORDS OF SAID COUNTY;

(3) THENCE N70°28'30"E, A DISTANCE OF 99.15 FEET ALONG SAID NORTHWESTERLY LINE OF LOT 14 TO ITS MOST NORTHEASTERLY CORNER;

(4) THENCE S59°22'00"E, A DISTANCE OF 58.61 FEET ALONG THE NORTHEASTERLY LINE OF SAID LOT 14 TO ITS MOST EASTERLY CORNER;

(5) THENCE N70°28'30"E, A DISTANCE OF 12.00 FEET ALONG THE SOUTHEASTERLY LINE OF SAID LOT 14 TO A POINT ON A LINE WHICH IS PARALLEL WITH AND 12.00 FEET, MEASURED AT RIGHT ANGLES, SOUTHWESTERLY OF THE NORTHEASTERLY LINE OF LOT 18 OF BLOCK 12 OF SAID MAP OF RESUBDIVISION OF HOLLYWOOD;

(6) THENCE S35°53'30"E, A DISTANCE OF 70.35 FEET ALONG SAID PARALLEL LINE AND ITS SOUTHEASTERLY PROLONGATION TO A POINT ON THE CENTERLINE OF BROADMOOR BOULEVARD (FORMERLY MANTHEY AVENUE) AS SHOWN ON SAID MAP OF RESUBDIVISION OF HOLLYWOOD;

(7) THENCE S70°28'30"W, A DISTANCE OF 50.00 FEET, MORE OR LESS, TO A POINT ON THE NORTHWESTERLY PROLONGATION OF THE SOUTHEASTERLY LINE OF LOT 30 OF BLOCK 6 OF SAID MAP OF RESUBDIVISION OF HOLLYWOOD;

(8) THENCE S59°22'00"E, A DISTANCE OF 267.42 FEET ALONG SAID NORTHWESTERLY PROLONGATION AND SOUTHEASTERLY LINE OF SAID LOT 30 AND ALSO ITS SOUTHEASTERLY PROLONGATION TO A POINT ON THE NORTHWESTERLY LINE OF LOT 22 OF SAID BLOCK 6;

(9) THENCE N63°53'00"E, A DISTANCE OF 36.10 FEET ALONG SAID NORTHWESTERLY LINE OF LOT 22 TO ITS MOST NORTHERLY CORNER;

(10) THENCE S35°46'30"E, A DISTANCE OF 146.73 FEET ALONG THE NORTHEASTERLY LINE OF SAID LOT 22 AND ITS SOUTHEASTERLY PRO-

LONGATION TO A POINT ON THE CENTERLINE OF WESTBAY AVENUE AS SHOWN ON SAID MAP OF RESUBDIVISION OF HOLLYWOOD;

(11) THENCE N63°53'00"E, A DISTANCE OF 50.00 FEET, MORE OR LESS;

(12) THENCE S48°41'00"E, A DISTANCE OF 96.00 FEET TO AN ANGLE POINT;

(13) THENCE S52°00'00"W, A DISTANCE OF 42.24 FEET TO A POINT ON THE NORTHWESTERLY LINE OF LOT 16 OF BLOCK 5 OF SAID MAP OF RESUBDIVISION OF HOLLYWOOD;

(14) THENCE N63°53'00"E, A DISTANCE OF 21.23 FEET ALONG SAID NORTHWESTERLY LINE OF LOT 16 TO ITS MOST NORTHERLY CORNER;

(15) THENCE S59°22'00"E, A DISTANCE OF 158.63 FEET ALONG THE NORTHEASTERLY LINE OF SAID LOT 16 AND ITS SOUTHERLY PROLONGATION TO A POINT ON THE CENTERLINE OF VICTORIA AVENUE, AS SHOWN ON SAID MAP OF RESUBDIVISION OF HOLLYWOOD;

(16) THENCE NORTHEASTERLY 100.00 FEET, MORE OR LESS, ALONG SAID CENTERLINE OF VICTORIA AVENUE FOLLOWING ALL OF ITS VARIOUS COURSES TO A POINT ON THE NORTHWESTERLY PROLONGATION OF THE NORTHEASTERLY LINE OF LOT 35 OF BLOCK 4 OF SAID MAP OF RESUBDIVISION OF HOLLYWOOD;

(17) THENCE S35°46'30"E, A DISTANCE OF 166.94 FEET ALONG SAID NORTHWESTERLY PROLONGATION AND NORTHEASTERLY LINE OF LOT 35 TO ITS MOST EASTERLY CORNER;

(18) THENCE N63°53'00"E, A DISTANCE OF 19.37 FEET ALONG THE

SOUTHWESTERLY LINE OF SAID LOT 35 TO THE MOST WESTERLY CORNER OF LOT 6 OF SAID BLOCK 4 OF MAP OF RESUBDIVISION OF HOLLYWOOD;

(19) THENCE S47°46'20"E, A DISTANCE OF 97.04 FEET ALONG THE SOUTHWESTERLY LINE OF SAID LOT 35 AND ITS SOUTHEASTERLY PROLONGATION OF THE MOST SOUTHERLY CORNER OF LOT 9 OF SAID BLOCK 4 OF MAP OF RESUBDIVISION OF HOLLYWOOD;

(20) THENCE N63°53'00"E, A DISTANCE OF 135.38 FEET ALONG THE SOUTHEASTERLY LINE OF SAID LOT 9 AND ITS NORTHEASTERLY PROLONGATION TO A POINT ON THE CENTERLINE OF FOOTHILL BOULEVARD, SAID POINT ALSO LYING ON THE CITY BOUNDARY LINE FOR THE CITY OF SAN LEANDRO;

(21) THENCE SOUTHEASTERLY AND SOUTHERLY ALONG SAID CITY BOUNDARY LINE FOLLOWING ALL OF ITS VARIOUS COURSES TO THE SOUTHEASTERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS N28°18'54"W, 58.43 FEET, AS SHOWN ON PARCEL MAP NO. 2313 AS PER MAP RECORDED IN BOOK 98, PAGE 24, RECORDS OF SAID COUNTY;

(22) THENCE SOUTHWESTERLY ALONG THE PROLONGATION OF THAT CERTAIN LINE WHICH BEARS N6813'41"E, AS SHOWN ON SAID PARCEL MAP NO. 2313 TO A POINT ON THE CENTERLINE OF THE MACARTHUR FREEWAY (R-88A);

(23) THENCE SOUTHERLY ALONG SAID CENTERLINE OF MACARTHUR FREEWAY FOLLOWING ALL OF ITS VARIOUS COURSES TO A POINT ON

THE SOUTHEASTERLY PROLONGATION OF THE SOUTHWESTERLY LINE OF LOT 7 OF BLOCK "A" OF DEL MONTE TERRACE, AS SHOWN ON A MAP RECORDED IN BOOK 4, PAGE 83, RECORDS OF SAID COUNTY;

(24) THENCE N67°40'29"W A DISTANCE OF 340.00 FEET, MORE OR LESS, TO A POINT ON THE CENTERLINE OF GRAND AVENUE (FORMERLY FOOTHILL BOULEVARD) AS SHOWN ON SAID MAP OF DEL MONTE TERRACE;

(25) THENCE NORTHWESTERLY ALONG SAID CENTERLINE OF GRAND AVENUE FOLLOWING ALL OF ITS VARIOUS COURSES TO A POINT ON THE CENTERLINE OF JOAQUIN AVENUE AS SHOWN ON SAID MAP OF DEL MONTE TERRACE;

(26) THENCE S70°35'00"W, A DISTANCE OF 150.00 FEET, MORE OR LESS, TO A POINT ON THE SOUTHEASTERLY PROLONGATION OF THE SOUTHWESTERLY LINE OF LOTS 10 AND 19 OF MAP OF ESTUDILLO TRACT, AS PER MAP RECORDED IN BOOK 5, PAGE 32, RECORDS OF SAID COUNTY;

(27) THENCE N19°25'00"W, A DISTANCE OF 346.50 FEET ALONG SAID SOUTHEASTERLY PROLONGATION AND SOUTHWESTERLY LINES OF LOTS 10 AND 19 AND THE NORTHWESTERLY PROLONGATION TO A POINT ON THE CENTERLINE OF ESTUDILLO AVENUE AS SHOWN ON MAP OF ESTUDILLO ESTATES AS PER MAP RECORDED IN BOOK 11, PAGE 76, RECORDS OF SAID COUNTY;

(28) THENCE N70°35'00"E, A DISTANCE OF 75.00 FEET, MORE OR LESS,

TO THE CENTERLINE INTERSECTION OF COLLIER DRIVE AS SHOWN ON SAID MAP OF ESTUDILLO ESTATES;

(29) THENCE N19°25'00"W, A DISTANCE OF 113.00 FEET TO A POINT ON THE SOUTHWESTERLY PROLONGATION OF THE SOUTHEASTERLY LINE OF LOT 11 OF BLOCK "A" OF SAID MAP OF ESTUDILLO ESTATES;

(30) THENCE N70°35'00"E, A DISTANCE OF 101.00 FEET ALONG SAID SOUTHWESTERLY PROLONGATION AND SOUTHEASTERLY LINE OF LOT 11 TO ITS MOST EASTERLY CORNER;

(31) THENCE N19°25'00"W, A DISTANCE OF 356.00 FEET ALONG THE NORTHEASTERLY LINE OF SAID LOT 11 AND ITS NORTHWESTERLY PROLONGATION TO THE MOST WESTERLY CORNER OF LOT 1 OF BLOCK "M" OF SAID ESTUDILLO ESTATES;

(32) THENCE N70°35'00"E, A DISTANCE OF 107.12 FEET ALONG THE NORTHWESTERLY LINE OF SAID LOT 1 TO ITS MOST NORTHERLY CORNER, SAID POINT ALSO BEING THE MOST SOUTHEASTERLY CORNER OF LOT 13 OF SAID BLOCK "M" OF MAP OF ESTUDILLO ESTATES;

(33) THENCE N12°45'00"W, A DISTANCE OF 83.80 FEET ALONG THE EASTERLY LINE OF SAID LOT 13 TO ITS MOST EASTERLY CORNER;

(34) THENCE N62°36'00"W, A DISTANCE OF 53.35 FEET ALONG THE NORTHEASTERLY LINE OF SAID LOT 13 TO A POINT ON THE SOUTHERLY PROLONGATION OF THE EASTERLY LINE OF LOT 25 OF MEYERS-MILLER TRACT, AS PER MAP RECORDED IN BOOK 27, PAGE 25, RECORDS OF SAID COUNTY;

(35) THENCE N01°48'00"W A DISTANCE OF 62.86 FEET ALONG SAID SOUTHERLY PROLONGATION TO THE MOST SOUTHERLY CORNER OF SAID LOT 25, SAID POINT ALSO LYING ON THE NORTHERLY RIGHT-OF-WAY LINE OF THE SAN LEANDRO CREEK;

(36) THENCE N53°38'00"W, A DISTANCE OF 131.10 FEET ALONG THE SOUTHWESTERLY LINE OF SAID LOT 25 AND ITS NORTHWESTERLY PROLONGATION TO AN ANGLE POINT;

(37) THENCE N79°38'00"W, A DISTANCE OF 190.20 FEET TO A POINT AT THE MOST SOUTHWESTERLY CORNER OF LOT 31 OF SAID MEYERS-MILLER TRACT, SAID POINT ALSO BEING THE MOST SOUTHEASTERLY CORNER OF COLLEGE PARK TRACT AS PER MAP RECORDED IN BOOK 5, PAGE 33, RECORDS OF SAID COUNTY;

(38) THENCE N07°22'00"W, A DISTANCE OF 841.62 FEET ALONG THE EASTERLY BOUNDARY LINE OF SAID MAP OF COLLEGE PARK TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF MACARTHUR BOULEVARD;

(39) THENCE ALONG SAID RIGHT-OF-WAY, N12°45'00"W, A DISTANCE OF 94.03 FEET;

(40) THENCE LEAVING SAID RIGHT OF WAY, N81°24'00"W, A DISTANCE OF 98.71 FEET TO A POINT ON THE CENTERLINE OF ST. MARY AVENUE;

(41) THENCE ALONG SAID CENTERLINE, N07°22'00"E, A DISTANCE OF 121.45 FEET TO THE CENTERLINE OF DUTTON AVENUE;

(42) THENCE ALONG SAID CENTERLINE, S87°47'00"W, A DISTANCE OF 178.00 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY PROLONGATION

GATION OF THE EASTERLY LINE OF THE "LE DON PARK" UNIT NO. 2 SUBDIVISION RECORDED IN BOOK 9 OF MAPS AT PAGES 77 AND 78, RECORDS OF SAID COUNTY;

(43) THENCE ALONG SAID PROLONGATION AND EASTERLY LINE, N07°16'15"E, A DISTANCE OF 987.75 FEET TO THE CENTERLINE OF DOWLING BOULEVARD;

(44) THENCE ALONG SAID CENTERLINE, N82°41'20"W, A DISTANCE OF 128.72 FEET TO THE CENTERLINE OF FORTUNA AVENUE;

(45) THENCE ALONG SAID CENTERLINE, N07°18'40"E A DISTANCE OF 228.00 FEET;

(46) THENCE LEAVING SAID CENTERLINE N82°41'20"W A DISTANCE OF 128.75 FEET;

(47) THENCE N07°18'40"E A DISTANCE OF 120.00 FEET;

(48) THENCE N82°41'20"W A DISTANCE OF 128.75 FEET TO THE CENTERLINE OF DIEHL AVENUE;

(49) THENCE ALONG SAID CENTERLINE, N07°18'40"E A DISTANCE OF 123.00 FEET;

(50) THENCE LEAVING SAID CENTERLINE, N82°41'20"W A DISTANCE OF 128.75 FEET;

(51) THENCE N07°18'40"E A DISTANCE OF 37.00 FEET;

(52) THENCE N82°41'20"W A DISTANCE OF 162.30 FEET TO THE CENTERLINE OF SUPERIOR AVENUE;

(53) THENCE ALONG SAID CENTERLINE, N07°18'40"E A DISTANCE OF 44.33 FEET;

(54) THENCE LEAVING SAID CENTERLINE, N82°41'20"W A DISTANCE OF 158.00 FEET;

(55) THENCE N07°18'40"E A DISTANCE OF 79.63 FEET;

(56) THENCE N82°41'20"W A DISTANCE OF 148.00 FEET TO THE CENTERLINE OF LEWIS AVENUE;

(57) THENCE ALONG SAID CENTERLINE, N07°33'51"E A DISTANCE OF 54.31 FEET;

(58) THENCE AT RIGHT ANGLES TO SAID CENTERLINE, N82°28'38"W A DISTANCE OF 25.00 FEET TO THE EAST LINE OF SAID LEWIS AVENUE;

(59) THENCE N78°18'13"W A DISTANCE OF 123.26 FEET;

(60) THENCE N07°33'51"E A DISTANCE OF 32.80 FEET;

(61) THENCE N59°22'00"W A DISTANCE OF 133.65 FEET TO A POINT ON THE EAST LINE OF MITCHEL AVENUE;

(62) THENCE N77°20'56"W A DISTANCE OF 50.22 FEET TO THE WEST LINE OF MITCHEL AVENUE;

(63) THENCE N78°14'30"W A DISTANCE OF 100.26 FEET;

(64) THENCE N07°35'30"W A DISTANCE OF 94.21 FEET TO THE SOUTHERLY LINE OF VICTORIA AVENUE;

(65) THENCE AT RIGHT ANGLES TO SAID LINE, N26°07'00"W A DISTANCE OF 30.00 FEET TO THE CENTERLINE OF SAID VICTORIA AVENUE;

(66) THENCE ALONG SAID CENTERLINE, S63°53'00"W A DISTANCE OF 50.55 FEET AND

(67) SOUTHWESTERLY ALONG A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 150.00 FEET THROUGH A CENTRAL ANGLE OF 3752'30" AN ARC DISTANCE OF 99.16 FEET AND

3.40.060

(68) N78°14'30"W A DISTANCE OF 32.38 FEET;

(69) THENCE LEAVING SAID CENTERLINE, N11°45'30"E A DISTANCE OF 30.00 FEET TO THE NORTHERLY LINE OF VICTORIA AVENUE;

(70) THENCE N17°00'30"E A DISTANCE OF 63.00 FEET;

(71) THENCE N67°28'30"W A DISTANCE OF 150.69 FEET;

(72) THENCE S87°55'00"W A DISTANCE OF 123.61 FEET;

(73) THENCE N67°36'00"W A DISTANCE OF 88.94 FEET;

(74) THENCE N33°02'00"W A DISTANCE OF 140.61 FEET;

(75) THENCE N33°18'15"W A DISTANCE OF 25.20 FEET;

(76) THENCE N40°11'00"W A DISTANCE OF 97.93 FEET;

(77) THENCE S63°53'00"W A DISTANCE OF 68.26 FEET TO THE EASTERLY LINE OF HERMA COURT;

(78) THENCE AT RIGHT ANGLES TO SAID LINE, S72°40'30"W A DISTANCE OF 30.00 FEET TO THE CENTERLINE OF SAID HERMA COURT;

(79) THENCE ALONG SAID CENTERLINE, N17°19'30"W A DISTANCE OF 134.23 FEET TO THE CENTERLINE OF BROADMOOR BOULEVARD;

(80) THENCE ALONG SAID CENTERLINE, S70°28'30"W A DISTANCE OF 179.37 FEET;

(81) THENCE LEAVING SAID CENTERLINE N17°19'30"W A DISTANCE OF 255.15 FEET TO THE CENTERLINE OF DURANT AVENUE;

(82) THENCE ALONG SAID CENTERLINE, N70°28'30"E A DISTANCE OF 80.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

NOTE: IT IS THE PURPOSE OF THIS LEGAL DESCRIPTION TO ONLY DEFINE THE LIMITS OF THE PROPOSED MACARTHUR BOULEVARD REDEVELOPMENT PROJECT AREA. THIS DESCRIPTION SHOULD NOT BE INTERPRETED AS A FIELD AND/OR OFFICE BOUNDARY ANALYSIS.

APPENDIX C

PROPOSED PUBLIC IMPROVEMENTS AND FACILITIES PROJECTS

The public improvements and facilities projects for the West San Leandro/MacArthur Boulevard Redevelopment Project Area are as follows:

1. Infrastructure Improvements - These programs are intended to ensure that adequate infrastructure is installed and available for business retention and development and to reduce tensions between industrial and residential uses. These programs are expected to help eliminate economic blight by improving depreciated property values. They are also expected to encourage reinvestment in properties (reducing the physical conditions of blight) and reduce residential opposition to the siting of new businesses.

a. Storm Drains—Targeted Upgrades (including laterals) and Replacement of Worn-Out Facilities as Needed. This program is intended to supplement rather than substitute for the City's regular capital improvement program. It should be used on a project-by-project basis to help attract and retain business within the Redevelopment Area.

b. Sewer System—Targeted Replacement of Worn-Out Facilities (including laterals). This program is intended to supplement rather than substitute for the City’s regular capital improvement program. It should be used on a project-by-project basis to help attract and retain business within the Redevelopment Area.

c. Road Improvements

i. Westgate Parkway/880 Overpass Expansion—Assist with land assembly and right-of-way acquisition as needed.

ii. Neptune Road/Polvorosa Extension—Assist with land assembly, right-of-way acquisition and feasibility work as needed.

iii. Truck Routes—Evaluate and update planned truck routes to lessen impacts on residential areas.

iv. Bicycle Network—Help extend the bicycle network where it connects with the Project Area. Include a bike lane adjacent to 580 along MacArthur.

v. MacArthur/Dutton—Add a north-bound turn-pocket on MacArthur at Dutton.

vi. Eden Road Extension—Assist with land assembly and right-of-way acquisition as needed to connect Eden Road with Davis Street.

vii. Aurora Drive Cul-de-sac—Assist with installation of a cul-de-sac on Aurora Road north of Williams Street.

d. Off-Street Parking—establish more off-street parking

e. Noise Mitigation—Develop program to install noise attenuation facilities as needed.

f. Increase Recreational Opportunities for Youth

g. Ensure Adequate Fiber-Optic Capacity

2. Gateway/Streetscape Improvements—These programs are intended to establish gateways into distinct areas of the community and improve streetscapes to help establish a clear identity and market for business growth. It is also intended that the Agency will use its best efforts to coordinate these programs with other streetscape programs for adjoining areas to integrate such programs into a larger planning context. This activity is expected to help eliminate physical blight by encouraging property owner reinvestment in the area, but it is not intended to require the expenditure of redevelopment funds outside the project area. This investment will in turn help reduce economic blight by improving depreciated property values.

a. Doolittle Gateway and Master Streetscape Plan—Assist with development of construction plans for the Doolittle Gateway and help fund expansion of the airport gateway improvements. Also, complete a Master Streetscape Plan for the Doolittle Corridor between the Airport and Marina Boulevard.

b. Marina/Doolittle Streetscape Plan—Fund a streetscape plan to create an entry statement for the Marina and Marina Conference Center at the corner of Marina and Doolittle.

c. Master Streetscape and Gateway Plan for MacArthur (from Grand Avenue to Oakland) — Work with the MacArthur-Estudillo Gateway Association, property and business owners and other interest groups to develop and implement a Master Streetscape and Gateway Plan for traffic calming, improved parking and aesthetic enhancements (including creek renovation) along the MacArthur Corridor. The Project could include narrowing MacArthur to create more

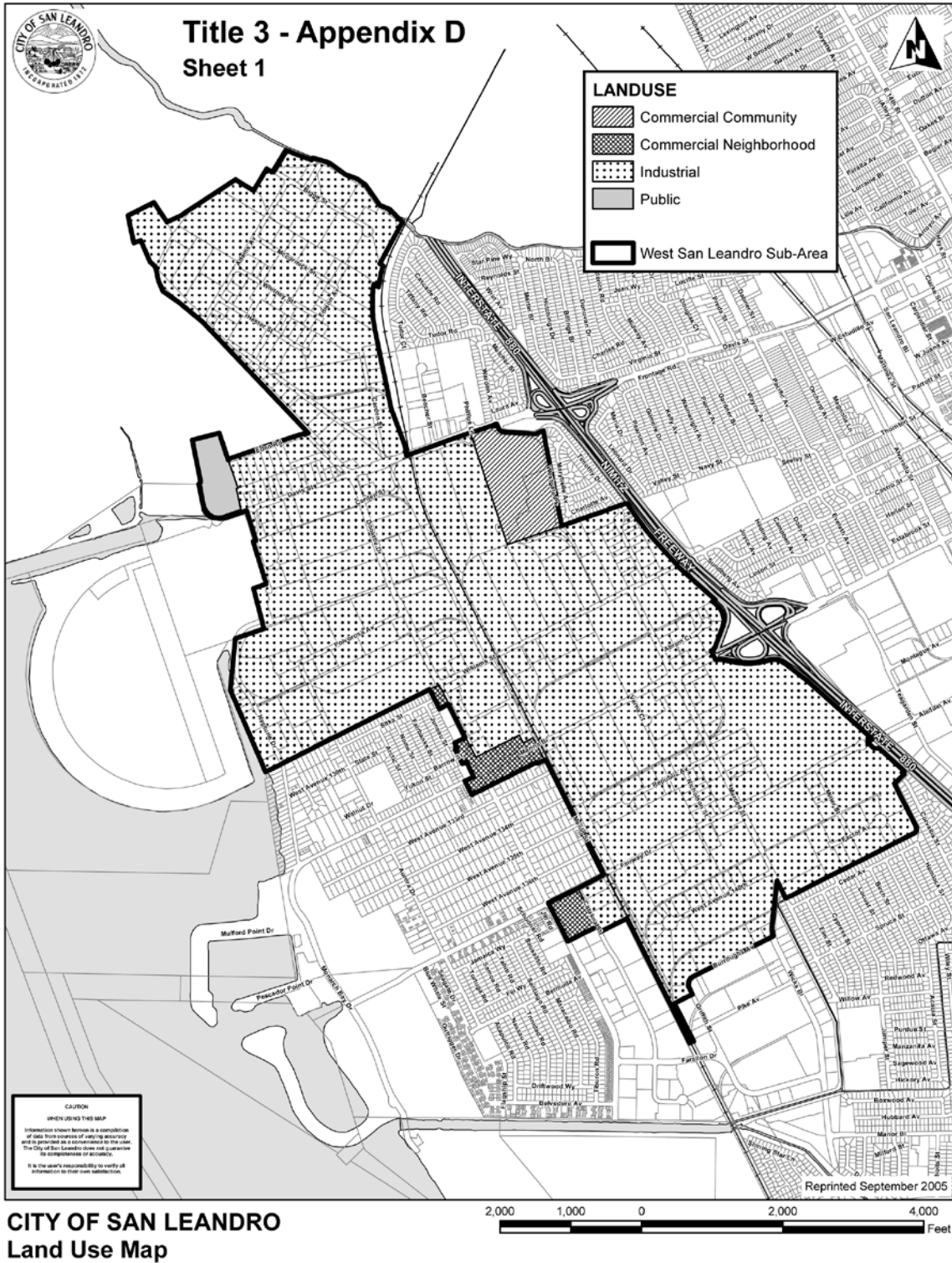
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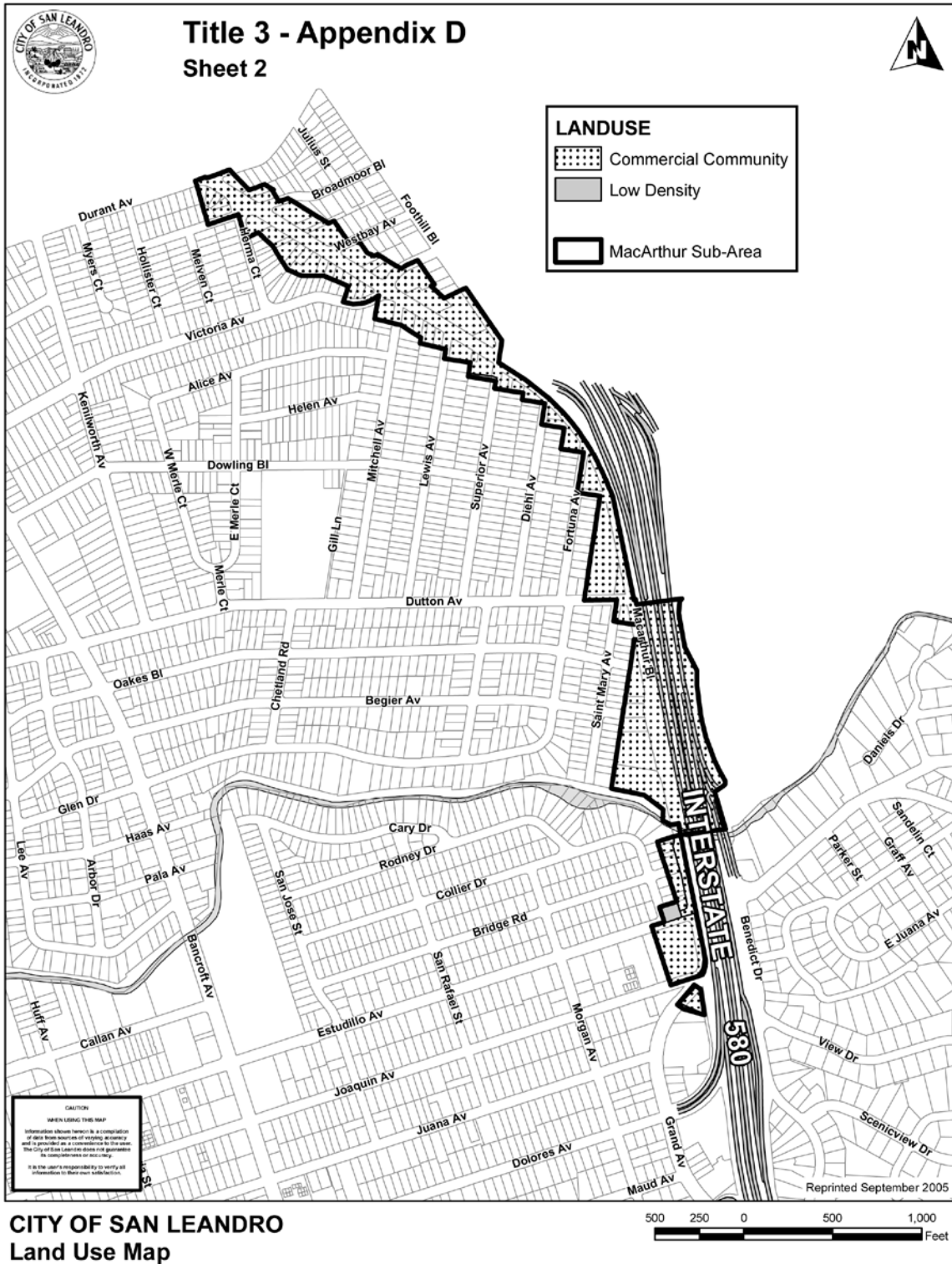
parking and wider sidewalks and should create distinctive gateways into San Leandro. Link this project with Business Expansion, Attraction and Retention projects in the area.

APPENDIX D

LAND USE MAP

The Land Use Map consists of two sheets. The first sheet illustrates the land uses allowed within the West San Leandro Subarea of the Redevelopment Plan and the second sheet illustrates the land uses allowed within the MacArthur Boulevard Subarea.





ORDINANCE LIST AND DISPOSITION TABLE

| Ordinance Number | | Ordinance Number | |
|-----------------------------|--|-----------------------------|---|
| 93-012 | Adopts redevelopment plan for the Alameda County/city of San Leandro redevelopment project (2.04, 2.08, 2.12, 2.16, 2.20, 2.24, 2.28, 2.32, 2.36) | 99-029 | Amends § 403 of the Alameda County/city of San Leandro redevelopment plan (2.36) |
| 94-017 | Amends §§ VI(B)(6) and IX of the Alameda County/city of San Leandro redevelopment plan (2.32, 2.36) | 2000-09 | Combines the Plaza 1 and Plaza 2 redevelopment plans (1.44) |
| 94-018 | Amends § 10(C)(5) of the Plaza 1 redevelopment plan (1.16) | 2000-10 | Amends § 13(A) of the Plaza 2 redevelopment plan (1.24, 1.44) |
| 94-019 | Amends §§ 11(B)(7) and 14 of the Plaza 2 redevelopment plan (1.24, 1.36) | 2000-14 | Amends § 402 of the West San Leandro/MacArthur Boulevard redevelopment plan (3.40) |
| 95-05 | Adopts Amendment No. 9 of the Plaza 2 redevelopment plan (1.24, 1.28) | 2001-13 | Amends §§ 200, 418 and 800 of the Alameda County/city of San Leandro redevelopment plan (2.04, 2.16, 2.36) |
| 95-06 | Adopts Amendment No. 10 of the Plaza 2 redevelopment plan (1.28) | Res. 2001-16 | Amends Amendment No. 1 to the Plaza redevelopment plan to accommodate certain land use policy changes recommended in the Central San Leandro/BART area revitalization strategy (1.28) |
| 95-039 | Amends § 403 of the Alameda County/city of San Leandro redevelopment plan (2.36) | 2001-021 | Approves Amendment No. 1 to the Plaza redevelopment plan to accommodate certain land use policy changes recommended in the Central San Leandro/BART area revitalization strategy (Not codified) |
| 95-042 | Amends § 12(E) of the Plaza 1 redevelopment plan (1.04) | 2001-027 | Amends redevelopment plan for the Alameda County/city of San Leandro redevelopment project (2.36, Appendix to Title 2) |
| 96-04 | Amends § 403 of the Alameda County/city of San Leandro redevelopment plan (2.36) | 2003-018 | Amends § 602 and 900 of redevelopment plan for the Alameda County/city of San Leandro redevelopment project (2.32, 2.36) |
| 97-025 | Amends Exhibit C of the Plaza 2 redevelopment plan (1.28) | | |
| 99-025 | Adopts redevelopment plan for the West San Leandro/ MacArthur Boulevard redevelopment project (3.04, 3.08, 3.12, 3.16, 3.20, 3.24, 3.28, 3.32, 3.36, 3.40) | | |

TABLES

**Ordinance
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2003-019 Amends §§ 10(C), 11(B), 12(E) and 14 of redevelopment plan for the Plaza redevelopment project area (1.04, 1.16, 1.24, 1.36)

2003-020 Amends § 405 and 700 of redevelopment plan for the West San Leandro/MacArthur Boulevard redevelopment project area (3.08, 3.40)

2005-009 Amends §§ 1.04.080(E), 1.16.030 and 1.24.100, Plaza redevelopment project area (1.04, 1.16, 1.24)

2007-013 Mandated action pursuant to SB 53 describing program for acquisition of property by eminent domain in the Plaza Project Area. (Did not amend Plan)

2007-014 Mandated action pursuant to SB 53 describing program for acquisition of property by eminent domain in the Joint Project Area. (Did not amend Plan)

2007-015 Mandated action pursuant to SB 53 describing program for acquisition of property by eminent domain in the West San Leandro Project Area. (Did not amend Plan)

Mandated

Action: Revised Statement of Institution of Redevelopment Proceedings, recorded 8/22/07, #2007308837, for the Plaza Project Area, pursuant to SB 1809. (Did not amend Plan)

**Ordinance
Number**

Mandated

Action: Revised Statement of Institution of Redevelopment Proceedings, recorded 8/22/07, #2007308838, for the Joint Project Area, pursuant to SB 1809. (Did not amend Plan)

Mandated

Action: Revised Statement of Institution of Redevelopment Proceedings, recorded 8/22/07, #2007308839, for the West San Leandro Project Area, pursuant to SB 1809. (Did not amend Plan)

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