

STATE OF CALIFORNIA  
STATE LANDS COMMISSION  
STATE BUILDING  
LOS ANGELES, CALIFORNIA

No. 2179.9

PUBLIC RESOURCES CODE SERIES

For such sole and exclusive purpose, and subject to such terms, conditions, restrictions, reservations, and limitations as are herein set forth:

The State of California, hereinafter designated as the State, acting through the State Lands Commission and pursuant to the authority contained in Division 6 of the Public Resources Code and the rules and regulations adopted thereunder, does hereby convey, demise and let to the City of San Leandro for 49 years, State of California, beginning June 25, 1958, an easement over, in, and upon those certain tide and submerged lands situated in the County of Alameda, State of California, and more particularly described as follows:

Beginning at the most southeastern corner of the parcel of land annexed to the City of San Leandro by Ordinance No. 976 N.S. and as shown on the map entitled, "MAP DELINEATING BOUNDARY OF TERRITORY ANNEXED TO THE CITY OF SAN LEANDRO, CALIFORNIA, BY ORDINANCE NO. 976 N.S. UNDER ANNEXATION OF UNINHABITED TERRITORY ACT OF 1939", filed July 29, 1955 in Book 32 of Maps, Page 94A, Records of Alameda County, California; thence south 44° west along the City of San Leandro boundary established by said Ordinance No. 976 N.S. and along the City of Oakland boundary established by Ordinance No. 4550 C.M.S., recorded August 9, 1955 in Book 7743, Page 131, Official Records of Alameda County, California, to the western boundary line of the County of Alameda; thence southeasterly along the last mentioned line to its intersection with a line drawn parallel with, and distant at right angles 300 feet southeasterly from the said City of Oakland boundary; thence north 44° east along the line so drawn to its intersection with the City of San Leandro boundary established by Ordinance No. 1009 N.S. and as shown on the map entitled, "MAP DELINEATING BOUNDARY OF TERRITORY ANNEXED TO THE CITY OF SAN LEANDRO, CALIFORNIA, BY ORDINANCE NO. 1009 N.S. UNDER ANNEXATION OF UNINHABITED TERRITORY ACT OF 1939", filed January 14, 1957 in Book 40 of Maps, Pages 81, 82, and 83, Records of Alameda County, California, being the western boundary of Tide Land lots, as shown on the "Sale Map No. 10 of Salt Marsh and Tide Lands situate in the County of Alameda, State of California", filed June 9, 1888 in Book 17 of Maps, Page 30, Records of Alameda County, California; thence northwesterly along the last mentioned line to the point of beginning, which site is the land reserved to the State of California for the benefit of the City of San Leandro in Legislative Grant to City of Oakland, Chapter 709, Statutes of 1957.

51.2

Rev. 2/58



254 5/29  
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as follows:

State of California, and more particularly described  
those certain lands and interests therein and the County of  
San Diego, and more particularly described as follows:  
State of California, registered  
and the same being, as shown on the map and  
containing in addition to the above described lands and  
interests therein the State lands and interests therein  
the State of California, registered as the State

therein:

containing therein, as shown on the map and  
the same being, as shown on the map and

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Public Resources Code Section



Said easement shall be used only for the construction, operation and maintenance of a sewer outfall which shall in all respects comply with all applicable laws, rules and regulations and shall in no way interfere with nor obstruct navigation. 377

Said easement shall continue and shall remain in effect only so long as the same shall be used, utilized, and maintained for the purpose herein specified, and any time upon the discontinuance of such use and maintenance for a period of 365 days said easement shall, at the option of the State and upon written notice thereof to the State, cease and terminate and the State shall have the right to forthwith re-enter upon and take possession of said land and at its option remove all, or any portion or portions, of any structures, roadways, and fills from said land at the cost and expense of said City of San Leandro.

The State expressly reserves the right to grant easements or crossings, over, upon and under the said demised right-of-way and nothing herein contained shall be construed as limiting the powers of the State to lease, convey, or otherwise transfer or encumber, during the life of this said easement, all or any portion or portions of the hereinbefore described State lands for any purpose whatsoever not inconsistent or incompatible with the rights or privileges granted to the said City of San Leandro.

There is reserved to the State all natural resources, timber, and minerals, including oil or gas in or above the described land, and the right to grant in, over, and across said lands, leases, easements and/or rights-of-way to extract or remove such natural resources, timber,



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and/or rights-of-way to express or convey any property interest, whether  
the right to enter in, over, and across said lands, tenements, and  
and minerals, including oil or gas in or upon the described lands, and  
there is reserved to the State all mineral resources, whether  
privileges granted to the said  
hereafter not inconsistent or inconsistent with the rights of  
holders of the mineral interests described above for any purpose  
the title of this act  
the State to lease, convey, or otherwise dispose of minerals, whether  
bearing therein contained shall be considered as vesting the powers of  
oil, gas, and coal, and other minerals, and the right to lease, convey, or  
the same exclusively to the State for the purpose of  
and expense of said  
lands, and the right to lease, convey, or otherwise dispose of  
oil, gas, and coal, and other minerals, and the right to lease, convey, or  
lands to be leased and the State shall have the right to determine the  
upon written notice thereof to the  
said  
shall be the option of the State and  
discontinuance of such use and maintenance for a period of  
determined for the purpose herein specified and any time upon the  
in effect only so long as the same shall be used, maintained, and  
said  
shall continue and shall remain  
and any in no way interfere with nor operate to prejudice  
in any manner with any other rights, titles, and interests  
existing, or to be created, in or upon the lands described in this act  
shall be used only for the con-



or minerals as provided by law and the rules and regulations of the State Lands Commission and without compensation to the said \_\_\_\_\_ 377

City of San Leandro.

This agreement will become binding on the State only when duly executed by the Executive Officer of the State Lands Commission of the State of California.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the date hereafter affixed.

LESSEE OR PERMITTEE:\*

City Hall

San Leandro, California

Address

*Jack W. Mantel*  
Mayor

(SEAL)

Approved as to form.

WALTER L. BOWERS  
FOR: ATTORNEY GENERAL

STATE OF CALIFORNIA  
STATE LANDS COMMISSION

By *F. J. Hortig*  
F. J. HORTIG  
Executive Officer

*6/2/58*  
Date

AP77085  
RECORDED at REQUEST OF  
*City of San Leandro*  
At *5* Min. Past *3* P. M.

AUG - 1 1958

BOOK 8742 PAGE 585

OFFICIAL RECORDS OF  
ALAMEDA COUNTY, CALIFORNIA  
*Thomas W. Fife*  
COUNTY RECORDER

*D. H.*

\* In executing this document the following is required:

Corporations.

1. Affixation of Corporate Seal.
2. ☐ If box is checked, a certified copy of the resolution or other document authorizing the execution of this agreement on behalf of the corporation.

Individuals.

- ☐ Acknowledgment of signature required.
- ☐ Acknowledgment of signature not required..



☐ Acknowledgment of signature not required.

☐ Acknowledgment of signature required.

Agreement on behalf of the corporation.

or other document authorizing the execution of this

2. ☐ If box is checked, a certified copy of the resolution

1. Authorization of corporate seal.

\* In executing this document the following is required:

FOR: VICTORIAN CEMENT  
MARTIN L. BOWERS

RECORDED - 1928  
APR 1 1928

RECORDED - 1928  
APR 1 1928

Address

San Francisco, California

Office



Witness on behalf of the State of California.

IN WITNESS WHEREOF, the Board of State Lands Commissioners of the State of California.

executed by the Executive Officer of the State Lands Commission of the State of California.

State and without compensation to the State.

of minerals as provided by law and the rules and regulations of the State.

AP77085  
INDEXED

RECORDED - 1928  
APR 1 1928

STATE OF CALIFORNIA,

County of Los Angeles

ss.

ON THIS 25th day of July, A. D., 19 58, before me,  
MYRTLE STRATTON

a Notary Public in and for said County and State, personally appeared  
F. J. HORTIG, EXECUTIVE OFFICER OF THE STATE LANDS  
COMMISSION, STATE OF CALIFORNIA, known to me,

to be the person whose name is subscribed to the within  
Instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal  
the day and year in this certificate first above written.

Myrtle Stratton  
Notary Public in and for said County and State.

My Commission Expires Oct. 30, 1958 53703

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## IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 3653 C.M.S.

RESOLUTION AUTHORIZING ACCEPTANCE OF EASEMENT  
(Outfall Sewer Easement)

Whereas, the State Lands Commission of the State of California has presented to this Council a proposed easement to certain lands for a period of 49 years over, in and upon certain tide and submerged lands situated in the County of Alameda, State of California, and particularly described in such proposed easement, said easement to be used only for the construction, operation and maintenance of the sewer outfall thereon and therein;

Now, therefore, the City Council of the City of San Leandro does RESOLVE as follows:

That said City Council hereby authorizes the acceptance of said easement and authorizes and directs the Mayor of the City of San Leandro to accept the same on behalf of the City of San Leandro, and further directs the City Clerk of the City of San Leandro to attest such acceptance by the Mayor.

Introduced by Councilman                      Swift                      and passed and  
adopted this 7th           day of           July           , 1958, by the following  
called vote:

Ayes:	Councilmen:	Cheatham, Frazier, Gill, Kant, Swift, Taylor, Maltester	( 7 )
Noes:	Councilmen:	None	( 0 )
Absent:	Councilmen:	None	( 0 )

/s/ Jack D. Maltester

Mayor of the City of San Leandro

Attest: /s/ H. H. Burbank  
H. H. Burbank, City Clerk

7/2/58/nf

I, the undersigned, H. H. Burbank, City Clerk of the City of San Leandro, hereby certify the foregoing to be a full, true and correct copy of Res. No. 3653 C.M.S. adopted at a meeting of said City Council on July 7, 1958, at San Leandro, California.

July 9, 1958

*H. H. Burbank*  
City Clerk



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GOODWIN J. KNIGHT  
GOVERNOR



F. J. HORTIG  
"ACTING"  
EXECUTIVE OFFICER

JOHN M. PEIRCE  
CHAIRMAN  
HAROLD J. POWERS  
MEMBER  
ROBERT C. KIRKWOOD  
MEMBER

## State Lands Commission

STATE LANDS DIVISION  
DEPARTMENT OF FINANCE  
STATE OF CALIFORNIA  
STATE BUILDING  
LOS ANGELES 12

ADDRESS REPLY TO:  
STATE LANDS DIVISION  
302 STATE BUILDING  
LOS ANGELES, 12, CALIF.

REFER TO FILE NO.

W. O. 2957  
P.R.C. 2179.9

JUN 27 1958

Mr. G. Homer Hamlin  
Public Works Director  
City of San Leandro  
San Leandro, California

Attn: Mr. J. L. Martin  
Assistant City Engineer

Gentlemen:

Enclosed are three copies of easement for sewer outfall line, as requested in your letter of June 6, 1958.

Please have these easements signed by the appropriate officials and attach to each a resolution by the City Council, authorizing the acceptance of said easement. Return these copies to this Division for final execution. Upon such final execution, a copy will be returned for your records.

Yours very truly,

*for* *Lea Blaine*  
BURTON TOOKER  
Assistant Real Property  
Appraiser and Negotiator

GBD:fe

Enc.: P.R.C. 2179.9 (3)

July 28, 1958

Mr. Burton Tooker, Assist. Real Property  
Appraiser and Negotiator  
State Lands Commission  
State Lands Division  
302 State Building  
Los Angeles 12, California

Re: W.O. 2957  
P.R.C. 2179.9  
June 27, 1958

Gentlemen:

I am returning the executed copy of easement for sewer out-  
fall that you sent me as it must be acknowledged by the  
State of California State Lands Commission before it can  
be recorder/.

I will appreciate it if you will have this document  
acknowledged and return to me as soon as possible.

Very truly yours.

H. H. BURBANK  
City Clerk

Encl.  
/k



WTA 53 ' 1328

T. H. Mugford  
JOHN M. PEIRCE  
CHAIRMAN

HAROLD J. POWERS  
MEMBER

ROBERT C. KIRKWOOD  
MEMBER

GOODWIN J. KNIGHT  
GOVERNOR



F. J. HORTIG  
ACTING  
EXECUTIVE OFFICER

## State Lands Commission

STATE LANDS DIVISION  
DEPARTMENT OF FINANCE  
STATE OF CALIFORNIA  
STATE BUILDING  
LOS ANGELES 12

ADDRESS REPLY TO:  
STATE LANDS DIVISION  
302 STATE BUILDING  
LOS ANGELES 12, CALIF.

REFER TO FILE NO.

P.R.C. 2179.9

JUL 30 1958

Mr. H. H. Burbank  
City Clerk  
City of San Leandro  
San Leandro, California

Dear Sir:

Enclosed is your copy of subject easement, to which has been added the acknowledgment of the Executive Officer, as requested in your letter of July 28, 1958.

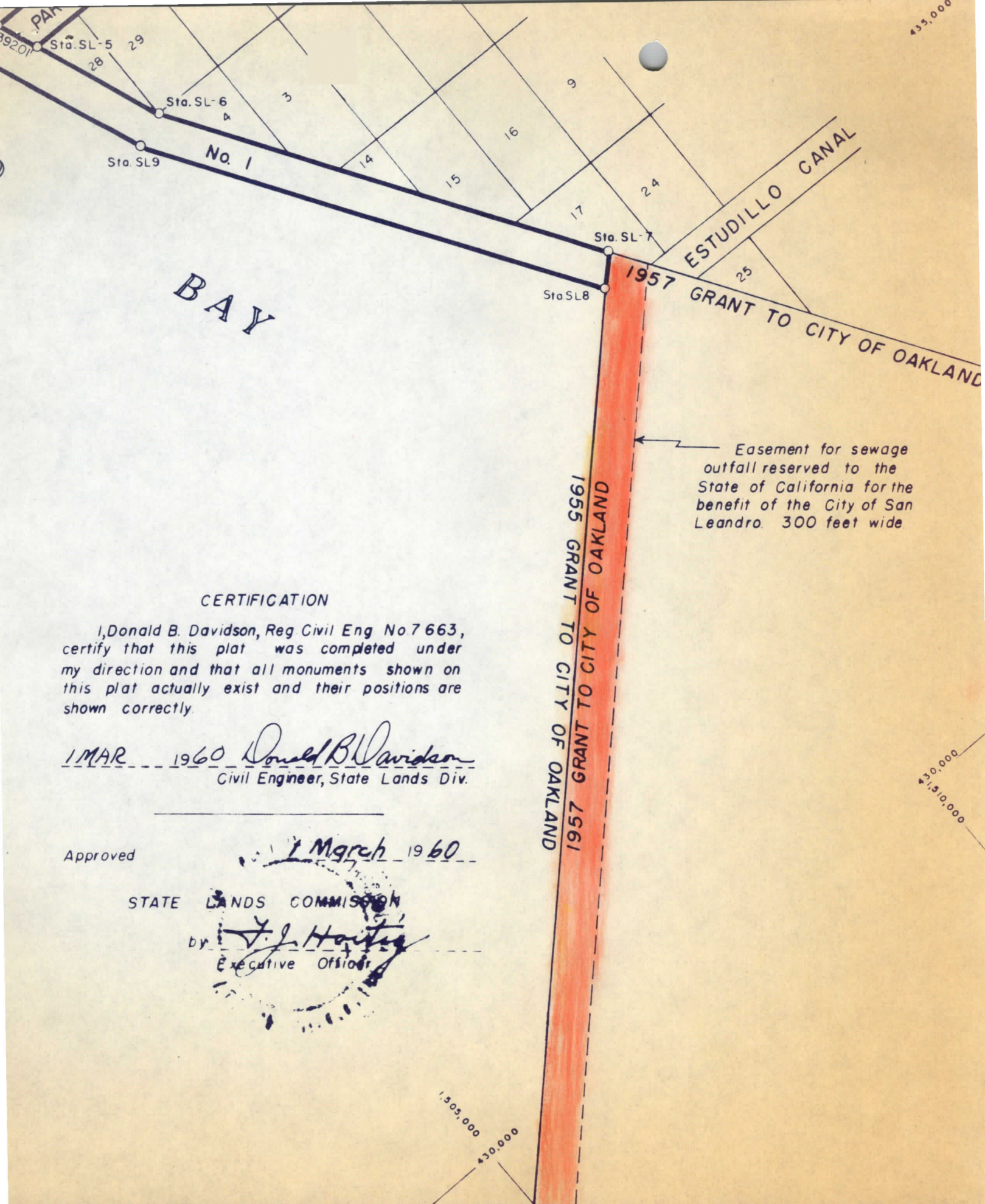
Yours very truly,

BURTON TOOKER  
Assistant Real Property  
Appraiser and Negotiator

GBD:fe

Enc.: P.R.C. 2179.9





CERTIFICATION

I, Donald B. Davidson, Reg Civil Eng No 7 663, certify that this plat was completed under my direction and that all monuments shown on this plat actually exist and their positions are shown correctly.

1 MAR 1960 *Donald B. Davidson*  
Civil Engineer, State Lands Div.

Approved

1 March 1960

STATE LANDS COMMISSION

by *J. J. Hartig*  
Executive Officer