

AP54906

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1 ARTHUR M. CARDEN, City Attorney  
2 STEPHEN M. CHANDLER, Assistant City Attorney  
3 BREED, ROBINSON & STEWART, Special Counsel  
4 1215 Financial Center Building  
5 Oakland 12, California  
6  
7 Templebar 2-5373

ENDORSED  
FILED  
JUN 4 1958  
JACK G. BLUE, County Clerk  
L. H. FORD  
RECORDS

7 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE  
8 COUNTY OF ALAMEDA

9 CITY OF SAN LEANDRO, a municipal  
10 corporation,

11 Plaintiff,

No. 280211

12 vs.

FINAL ORDER OF CONDEMNATION

13 GERALD P. CONNITT and BERNICE J.  
14 OVERPACK, trustees, et al.

15 Defendants.

16 It appearing that plaintiff has made the payments required  
17 to be made under the terms of the judgment in condemnation made  
18 and rendered by the above entitled Court on April 23, 1958,

19 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that plaintiff  
20 has acquired and is the owner of a fee simple title in and to  
21 that certain parcel of real property condemned by the judgment  
22 in the above entitled action, and more particularly described  
23 as situated in the City of San Leandro, County of Alameda,  
24 State of California, described as follows:

25 All of Lots A and B and the northwestern 25 feet of  
26 Lot C, said lots being in Block 4, as said lots and  
27 block are shown on that certain map entitled, "Map of  
28 the Town of San Leandro, County Seat of Alameda County,  
29 Surveyed For the Proprietors, February 1855 by H. A.  
Higley, County Surveyor", filed June 14, 1870 in Book  
of Maps No. 1 at page 19, Records of Alameda County,  
California.

30 IT IS FURTHER ORDERED, ADJUDGED AND DECREED pursuant to  
31 stipulation between plaintiff and answering defendants that  
32 plaintiff shall not be entitled to take possession of the above

RECORDED AT REQUEST OF City of San Leandro  
46 Min. Fee JUN - 4 1958  
OFFICIAL RECORDS OF ALAMEDA COUNTY, CALIF.  
AP54906  
BOOK 8588 PAGE 579  
DH



25 Blainville shall not be entitled to take possession of the above  
27 contribution between Blainville and the other defendants until  
30 it is further ordered, adjudge and decreed hereunto to

32 California,  
34 of which No. 1 is to be in the records of the County of  
36 the County of San Francisco, dated June 14, 1940 in Book  
38 the County of San Francisco, dated June 14, 1940 in Book  
40 the County of San Francisco, dated June 14, 1940 in Book  
42 the County of San Francisco, dated June 14, 1940 in Book  
44 the County of San Francisco, dated June 14, 1940 in Book  
46 the County of San Francisco, dated June 14, 1940 in Book  
48 the County of San Francisco, dated June 14, 1940 in Book  
50 the County of San Francisco, dated June 14, 1940 in Book

52 State of California, described as follows:  
54 as situated in the City of San Francisco, County of Alameda,  
56 in the above entitled action, and more particularly described  
58 that certain parcel of best property condemned by the judgment  
60 was admitted and is the owner of a fee simple estate in and to

62 it is hereby ordered, adjudge and decreed that Blainville  
64 and rendered by the above entitled Court on April 23, 1928,  
66 to be made under the terms of the judgment in condemnation made  
68 it appearing that Blainville has made the payments required

70	Defendants.	}	FINAL ORDER OF CONDEMNATION No. 580511
72	OLNEY, et al.		
74	GEORGE B. COMBELL and BENJAMIN A.		
76	as.		
78	Blainville,	}	
80	corporation,		
82	CITY OF SAN FRANCISCO, & Municipal		
84	COUNTY OF ALAMEDA		

86 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, IN AND FOR THE

88 Defendant 5-2313  
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CLERK OF THE COURT

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described property until July 1, 1958, or the earlier opening for business of the new General Petroleum Corporation gasoline service station at the corner of Juana and Hayes Streets, San Leandro, California.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED pursuant to stipulation between plaintiff and the answering defendants that defendant General Petroleum Corporation shall have the right and privilege of taking possession of and becoming the owner of either or both of the underground 4,000 gallon and 6,000 gallon tanks located on the premises sought to be condemned in this action in the following manner: Plaintiff shall prior to paving the condemned premises for vehicle parking remove both of said tanks from the ground, and thereupon notify defendant General Petroleum Corporation personally or by mail at 330 West 20th Avenue, San Mateo, California, of such fact; within five days thereafter defendant General Petroleum Corporation shall elect to take possession and ownership of either or both of said tanks by removing the same from the condemned premises; if defendant General Petroleum Corporation shall fail within the period aforesaid to act pursuant hereto, the ownership of said tanks shall remain in plaintiff.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the purpose of the condemnation of said real property is a use authorized by law, to-wit, for motor vehicle parking purposes as more particularly set forth in the first and supplemental amended/complaint of plaintiff on file herein.

Dated: June 4 1958.

the foregoing instrument is a  
correct copy of the original  
on file in this office

Thomas J. Ledwich

Judge of the Superior Court

ATTEST: JUN 4 - 1958

JACK G. BLUE, County Clerk  
County Clerk and ex-officio Clerk of the  
Superior Court of the State of California in  
and for the County of Alameda  
BY \_\_\_\_\_  
DEPUTY



AP54906

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described property until July 1, 1958, or the earlier opening  
for business of the new General Petroleum Corporation gasoline  
service station at the corner of Janna and Hayes Streets, San  
Leandro, California.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED pursuant to  
stipulation between plaintiff and the answering defendants that  
defendant General Petroleum Corporation shall have the right and  
privilege of taking possession of and becoming the owner of  
either or both of the underground 4,000 gallon and 6,000 gallon  
tanks located on the premises sought to be condemned in this  
action in the following manner: Plaintiff shall prior to paving  
the condemned premises for vehicle parking remove both of said  
tanks from the ground, and thereupon notify defendant General  
Petroleum Corporation personally or by mail at 330 West 20th  
Avenue, San Mateo, California of such fact; within five days  
thereafter defendant General Petroleum Corporation shall elect  
to take possession and ownership of either or both of said  
tanks by removing the same from the condemned premises; if de-  
fendant General Petroleum Corporation shall fail within the  
period aforesaid to act pursuant hereto, the ownership of said  
tanks shall remain in plaintiff.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the purpose  
of the condemnation of said real property is a use authorized  
by law, to-wit, for motor vehicle parking purposes as more par-  
ticularly set forth in the amended complaint of plaintiff on  
file herein.

Dated: June 4, 1958.

Thomas L. Ledwith

Judge of the Superior Court

The foregoing instrument is a  
correct copy of the original  
on file in the office

JUN 4 - 1958

CLERK OF THE SUPERIOR COURT  
COUNTY OF ALAMEDA  
RECEIVED



## POLICY OF TITLE INSURANCE

ISSUED THROUGH

OAKLAND TITLE OFFICE

OF

## CALIFORNIA PACIFIC TITLE INSURANCE COMPANY

CALIFORNIA PACIFIC TITLE INSURANCE COMPANY, a California corporation, herein called the Company, for a valuable consideration paid for this policy of title insurance, the number, date, and amount of which are shown in Schedule A, does hereby insure the parties named as Insured in Schedule A, together with the persons and corporations included in the definition of "the insured" as set forth in the stipulations of this policy, against loss or damage not exceeding the amount stated in Schedule A which the Insured shall sustain by reason of:

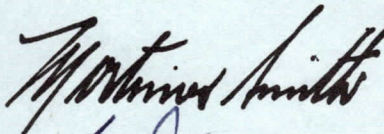
1. Title to the land described in Schedule A being vested, at the date hereof, otherwise than as herein stated; or
2. Unmarketability, at the date hereof, of the title to said land of any vestee named herein, unless such unmarketability exists because of defects, liens, encumbrances, or other matters shown or referred to in Schedule B; or
3. Any defect in, or lien or encumbrance on, said title, existing at the date hereof, not shown or referred to in Schedule B; or
4. Any defect in the execution of any mortgage or deed of trust shown in Schedule B securing an indebtedness, the owner of which is insured by this policy, but only insofar as such defect affects the lien or charge of such mortgage or deed of trust upon said land; or
5. Priority, at the date hereof, over any such mortgage or deed of trust, of any lien or encumbrance upon said land, except as shown in Schedule B, such mortgage or deed of trust being shown in the order of its priority in Part Two of Schedule B;

All subject, however, to Schedules A and B and the Stipulations herein, all of which schedules and stipulations are hereby made a part of this policy.

*In Witness Whereof*, California Pacific Title Insurance Company has caused its corporate name and seal to be hereunto affixed by its duly authorized officers on the date shown in Schedule A.

CALIFORNIA PACIFIC TITLE INSURANCE COMPANY

By



Vice-President.

And



Assistant Secretary.





## SCHEDULE A

Amount \$ 55,350.00

Policy No. 534751

Fee \$ 265.50

Policy Date: June 4, 1958 at 4:00 P.M.

### INSURED

CITY OF SAN LEANDRO

1. The title to said land is, at the date hereof, vested in:

CITY OF SAN LEANDRO  
(a municipal corporation)

2. The land referred to in this policy is situated in the City of San Leandro,  
County of Alameda, State of California, and is described as follows:

ALL of Lots A and B and the northwestern 25 feet of Lot C, said lots being in Block 4, as said lots and block are shown on that certain map entitled, "Map of the Town of San Leandro, County Seat of Alameda County, Surveyed For the Proprietors, February 1855, by H. A. Higley, County Surveyor", filed June 14, 1870, in Book of Maps No. 1 at page 19, Records of Alameda County, California.



## SCHEDULE B

This policy does not insure against loss by reason of the matters shown or referred to in this Schedule except to the extent that the owner of any mortgage or deed of trust shown in Part Two is expressly insured in paragraphs numbered 4 and 5 on page 1 of this policy.

PART ONE: This part of Schedule B refers to matters which, if any such exist, may affect the title to said land, but which are not shown in this policy:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing agency or by the public records; and easements, liens or encumbrances which are not shown by the public records.
2. Rights or claims of persons in possession of said land which are not shown by the public records.
3. Any facts, rights, interests, or claims which are not shown by the public records, but which could be ascertained by an inspection of said land, or by making inquiry of persons in possession thereof or by a correct survey.
4. Mining claims, reservations in patents, water rights, claims or title to water.
5. Any laws, governmental acts or regulations, including but not limited to zoning ordinances, restricting, regulating or prohibiting the occupancy, use or enjoyment of the land or any improvement thereon, or any zoning ordinances prohibiting a reduction in the dimensions or area, or separation in ownership, of any lot or parcel of land; or the effect of any violation of any such restrictions, regulations or prohibitions.

PART TWO: This part of Schedule B shows liens, encumbrances, defects and other matters affecting the title to said land or to which said title is subject:

(1st) 1958-59 General and Special County and City taxes now a lien; not yet payable or ascertainable.

(2nd) RIGHTS reserved in that certain Final Order of Condemnation, rendered in the Superior Court, of Alameda County, Case No. 280211, "City of San Leandro, a municipal corporation, plaintiff, vs. General Petroleum Corporation, et al", a certified copy whereof was recorded June 4, 1958, under Recorder's Series No. AP/54906, Alameda County Records, as follows:

IT IS FURTHER ORDERED, adjudged and decreed pursuant to stipulation between plaintiff and the answering defendants that defendant General Petroleum Corporation shall have the right and privilege of taking possession of and becoming the owner of either or both of the underground 4,000 gallon and 6,000 gallon tanks located on the premises sought to be condemned in this action in the following manor: Plaintiff shall prior to paving the condemned premises for vehicle parking remove both of said tanks from the ground, and thereupon notify defendant General Petroleum Corporation personally or by mail at 330 West 20th Avenue, San Mateo, California, of such fact; within five days thereafter defendant General Petroleum Corporation shall elect to take possession and ownership of either or both of said tanks by removing the same from the condemned premises; if defendant General Petroleum Corporation shall fail within the period aforesaid to act pursuant hereto, the ownership of said tanks shall remain in plaintiff.



NOTE: 1957-58 General and Special County and City taxes all payable to County Tax Collector:

1st installment \$518.88 Paid (including personal property taxes of \$4.38)

2nd installment \$518.87 Paid (including personal property taxes of \$4.37)

County Account No. 75-4-3-1



July 2, 1958

Board of Supervisors  
Alameda County Court House  
Oakland, California

Attn: Harold Schulze, Deputy

Gentlemen:

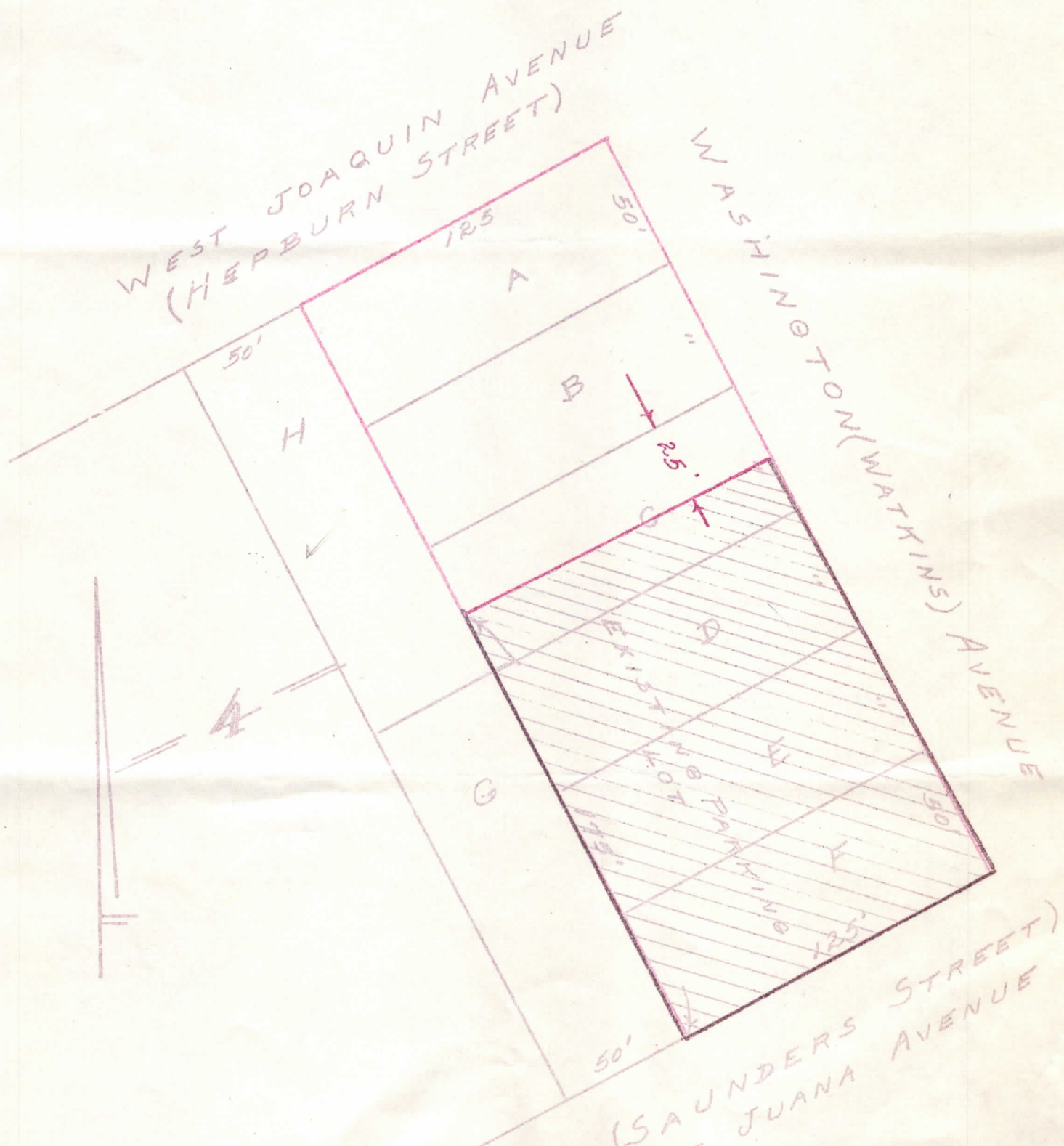
Will you kindly cancel the taxes on the property deeded to the city of San Leandro by Final Order of Condemnation No. 280211 and assessed to Connitt & Overpack, Trustees, Assessor's description No. 75-4-3-1, as recorded on June 4, 1958, in Book No. 8688, Page 579, No. AP 54906, in the Official Records of Alameda County, California?

Very truly yours,

H. H. BURBANK  
City Clerk

/k





This diagram is delineated from the records in the office of the County Recorder of the County in which the property herein concerned is situated, and is not a part of this report or policy. The location of said property, and of the boundary lines thereof and the monuments referred to therein, should be determined by a survey, if deemed necessary by the insured.



Handwritten text at the top of the page, mostly illegible due to fading and bleed-through. Some words like "and" and "the" are visible.

