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RIGHT OF WAY FOR STORM DRAIN

THIS INDENTURE, made this 9th day of May, 1957, between BAY-FAIR, a California corporation, hereinafter called "Grantor," and CITY OF SAN LEANDRO, a municipal corporation of the State of California, hereinafter called "Grantee,"

W I T N E S S E T H:

Grantor, for and in consideration of the sum of one dollar (\$1.00) in lawful money of the United States to it in hand paid by Grantee, the receipt whereof is hereby acknowledged, and for other good and valuable considerations, the receipt of which is hereby acknowledged, does by these presents grant to Grantee, its successors and assigns, an easement for the purpose of maintaining, repairing, operating, and using as Grantee may see fit storm drains and appurtenances for flood control and related purposes for so long as it shall be used for said purposes in, through, along, and under any part of that certain real property in the County of Alameda, State of California, described as follows:

A 10 foot wide easement from the east line of Hesperian Boulevard in the City of San Leandro, Alameda County, California (as said boulevard was widened by deed from Bay-Fair, a California corporation, to the City of San Leandro, recorded MAY 24, 1957, in Book 8374 at page 87 Official Records of Alameda County, California), to the north line of the western entrance to Bay-Fair, the centerline of said easement being more particularly described as follows:

Beginning at a point on said east line of Hesperian Boulevard, as widened, from which the northwest corner of the Bay-Fair parcel, before said widening, bears N. 49° 15' W. 44 feet, more or less (said northwest corner being the northwest corner of that parcel described in quitclaim deed from R. H. Macy & Co., Inc., and Capital Company to Bay-Fair, a California corporation, recorded February 6, 1956, in Book 7926 at page 525, Official Records of Alameda County, California); thence

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S. 29° 03' E. 92.7 feet, more or less, to a point on said north line of the western entrance to Bay-Fair.

A 10 foot wide easement from the south line of said western entrance to Bay-Fair running in a general southeasterly and southerly direction to the south line of said Bay-Fair parcel, the centerline of said easement being more particularly described as follows:

Beginning at a point on said south line of the western entrance to Bay-Fair, from which said northwest corner of the Bay-Fair parcel bears N. 22° 42' W. 232.7 feet, more or less; thence S. 38° 09' E. 299.5 feet, more or less, to an angle point; thence S. 39° 48' E. 278.1 feet, more or less, to an angle point; thence S. 6.8 feet, more or less, to the south line of said Bay-Fair parcel.

The respective rights, covenants, and conditions contained herein shall inure to the benefit of and bind the respective successors and assigns of the parties hereto.

IN WITNESS WHEREOF, Grantor has executed this indenture the day and year first above written.

AM55879

RECORDED at REQUEST OF
CITY OF SAN LEANDRO
At 9 Min. Past 10 A.M.

JUN - 5 1957
BOOK 8382 PAGE 105
OFFICIAL RECORDS OF
ALAMEDA COUNTY, CALIFORNIA
Thomas W. Fitzsimmons
COUNTY RECORDER

D. H.

BAY-FAIR

By [Signature]
By [Signature]
ALAMEDA COUNTY, CALIFORNIA

STATE OF CALIFORNIA, }
City and County of San Francisco. } ss.

On this 9th day of May, 1957,
before me, Frank Sculley, a notary public in and
for said city and county and state, residing therein, duly
commissioned and sworn, personally appeared Edward F.
Ryan and R. C. Marks, known to
me to be the president and ^{asst} secretary, respectively, of
BAY-FAIR, the corporation that executed the within instrument,
and acknowledged to me that such corporation executed the
within instrument pursuant to its by-laws or a resolution of
its board of directors.

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

Frank Sculley
NOTARY PUBLIC
in and for the City and County of
San Francisco, State of California
MY COMMISSION EXPIRES JULY 8, 1957



This is to certify that this is a true
copy of the document on file in this
office.

Jack Blue

COUNTY RECORDER
ALAMEDA COUNTY, CALIFORNIA

Date MAR 30 1966

AM55879

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 3248 C.M.S.

RESOLUTION ACCEPTING GRANT OF RIGHT OF WAY
(Bay-Fair - Storm Drain)

Whereas, there has been presented to this City Council a certain Grant of Right of Way dated May 9, 1957 to a parcel of land more fully described in said Grant of Right of Way to the same executed by Bay-Fair, a California corporation, to the City of San Leandro, and which conveys to said City of San Leandro said parcel of land.

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

That said Grant of Right of Way and the land therein described be and the same hereby is accepted by said City of San Leandro.

Introduced by Councilman Kant and passed and adopted this 20th day of May, 1957, by the following called vote:

- Ayes: Councilmen: Frazier, Gill, Kant, Maltester, Swift, Erick (6)
- Noes: Councilmen: None (0)
- Absent: Councilmen: Bellini (1)

Thomas Cant
Mayor of the City of San Leandro

Attest: *H. H. Burbank*
H. H. Burbank, City Clerk

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 Resolution No. 3248 C.M.S. adopted at a meeting of said City Council on May 20, 1957, at San Leandro, California.

5/23/57

H. H. Burbank
City Clerk

5/16/57/ah