RECORDED AT THE RE(Γ OF:

PLACER TITLE COMPANY
80406191

Recording Requested By:

City of San Leandro
Redevelopment Agency
835 E. 14th Street
San Leandro, CA 94577

When Recorded Mail to and
Mail Tax Statements to:

Gordon L. Epstein
1331 Washington Avenue
San Leandro, CA 94577

This is a true and correct copy of the
document recorded 4-4-00
under Recorder's Series No. 2000-099287
PLACER TITLE COMPANY
By: [signature]

Resos.
99-21
and 99-124
08-02-99
1-318

APN 77-545-38-1

COUNTY TRANSFER TAX $330.00
CITY TRANSFER TAX $1,800.00

GRANT DEED

For valuable consideration, receipt of which is hereby acknowledged,

THE REDEVELOPMENT AGENCY OF THE CITY OF SAN LEANDRO, a public body, corporate and politic, of the State of California, herein called "Grantor", acting to carry out the Redevelopment Plan, herein called "Redevelopment Plan", for the Alameda County/City of San Leandro Joint Redevelopment Project, herein called "Project", under the Community Redevelopment Law of California, hereby grants to Gordon L. Epstein and Gillian Epstein, husband and wife,* the real property commonly known as 1598 Washington Avenue, City of San Leandro, County of Alameda, State of California, hereinafter referred to as the "Property", described in the document attached hereto, labeled Exhibit 1 and incorporated herein by this reference.

1. Both Gordon L. Epstein and Gillian Epstein (hereinafter collectively called "Grantee") hereby acknowledge that the Property is conveyed subject to the Redevelopment Plan and pursuant to a certain Disposition and Development Agreement entered into by and between Grantor and Grantee as of August 3, 1999. The Disposition and Development Agreement is hereafter referred to as the "DDA," a copy of which is available in the City Clerk's office of the City of San Leandro.

2. Grantee covenants and agrees for itself, its successors, its assigns and every successor in interest that during construction and thereafter, Grantee, its successors

* as Community Property

and assigns shall devote the Property to the uses specified in the Redevelopment Plan for the remainder of its term, for the periods of time specified therein, and the DDA for the periods of time specified therein. Subject to the respective periods of time, the foregoing covenant shall run with the land.

3. Prior satisfaction by Grantee of the conditions for recordation by Grantor, as provided in the DDA, of a Certificate of Completion of construction, Grantee shall not, except as permitted by the DDA, sell, transfer, convey, assign or lease the whole or any part of the Property or the buildings or structures on the Property without the prior approval of Grantor, which approval will not be unreasonably withheld by Grantor. This prohibition shall not be deemed to prevent granting of easements or permits to facilitate the development of the Property.

4. Prior to satisfaction of the conditions for issuance of a Certificate of Completion, Grantor shall have the additional right, at its option, to reenter and take possession of the Property with all improvements thereon, and revest in Grantor the estate theretofore conveyed to Grantee if after conveyance of title and prior to recordation of the Certificate of Completion, Grantee (or its successors in interest) shall:

(a) Fail to prosecute to completion the construction of the Improvements pursuant to Section 1.10 of the DDA;

(b) Abandon or substantially suspend construction of the Improvements for a continuous period of sixty (60) days after written notice of such abandonment or suspension from Grantor;

(c) Transfer, or suffer any involuntary transfer of the Property, or any part thereof, in violation of the DDA.

Such right to reenter, repossess and revest, to the extent provided in this Grant Deed, shall be subordinate and subject to, and be limited by and shall not defeat, render invalid, or limit:

(a) Any mortgage, deed of trust or other security instrument permitted by the DDA;

(b) Any rights or interest provided in the DDA for the protection of the holder of such mortgages, deeds of trust or other security instruments.

5. Grantee covenants by and for itself, and any successors in interest, that there shall be no discrimination against or segregation of any person, or group of persons, on account of sex, race, color, creed, religion, marital status, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Property, nor shall Grantee itself or any person claiming under or through it establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees, or vendees of the Property. The foregoing covenants shall run with the land.

All such deeds, leases or contracts shall contain or be subject to substantially the following nondiscrimination or nonsegregation clauses:

(a) In deeds: "Grantee herein covenants by and for itself, its successors and assigns, and all persons claiming under or through it, that there shall be no discrimination against or segregation of a person, or of a group of persons, on account of race, color, religion, creed, sex, marital status, ancestry, or national origin in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the property herein conveyed nor shall the grantee or any person claiming under or through the grantee establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees or vendees in the property herein conveyed. The foregoing covenant shall run with the land."

(b) In leases: "The lessee herein covenants by and for the lessee and lessee's heirs, personal representatives and assigns, and all persons claiming under the lessee or through the lessee, that this lease is made subject to the condition that there shall be no discrimination against or segregation of any person or of a group of persons on account of race, color, religion, creed, sex, marital status, ancestry, or national origin in the leasing, subleasing, transferring, use, occupancy, tenure or enjoyment of the land herein leased nor shall the lessee or any person claiming under or through the lessee establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, sublessees, subtenants, or vendees in the land herein leased."

(c) In contracts: "There shall be no discrimination against or segregation of any person or group of persons on account of race, color, religion, creed, sex, marital status, ancestry or national origin in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the property nor shall the transferee or any person claiming under or through the transferee establish or permit any such practice or practices of discrimination or segregation with reference to selection, location, number, use or occupancy of tenants, lessee, subtenants, sublessees or vendees of the land."

6. No violation or breach of the covenants, conditions, restrictions, provisions of limitations contained in this Grant Deed shall defeat or render invalid or in any way impair the lien or charge of any mortgage, deed of trust or other financing or security instrument permitted by the DDA; provided, however, that any successor of Grantee to the Property shall be bound by such remaining covenants, conditions, restrictions, limitations and provisions, whether such successor's title was acquired by foreclosure, deed in lieu of foreclosure, trustee's sale or otherwise.

7. The covenants contained in paragraphs 2, 3 and 5 of this Grant Deed shall be binding for the benefit of Grantor and its successors and assigns and such covenants shall run in favor of Grantor and for the entire periods during which such covenants shall be in force and effect, without regard to whether Grantor is or remains an owner of any land of interest therein to which such covenants relate. Grantor, in the event of any breach of any such covenants shall have the right to exercise all of the rights and remedies, and to maintain any actions at law or suits in equity or other property proceedings to enforce the curing of such breach pursuant to the conditions and limitations of the DDA. The covenants contained in this Grant Deed shall be for the benefit of and shall be enforceable only by Grantor and its successors.

8. In the event of any express conflict between this Grant Deed and the DDA, the provisions of the DDA shall control.

IN WITNESS WHEREOF, Grantor and Grantee have caused this instrument to be executed on their behalf by their respective officers thereunto duly authorized, this 24th day of March, 2000, [redacted].

REDEVELOPMENT AGENCY OF THE
CITY OF SAN LEANDRO

____
John Jermanis, Executive Director

Approved as to form:

____
Steven R. Meyers, Agency Counsel

Attest:

____
Gayle Petersen, Agency Secretary

The provisions of this Grant Deed are hereby approved and accepted.

____
By: Gordon L. Epstein

____
By: Gillian Epstein

J:\WPD\CSL\136\001\AGREE\1999\CROCKERD.W61
LMR:kag

ACKNOWLEDGMENT

State of California)
) ss.
County of Alameda)

On March 24, 2000 before me, a Notary Public, personally appeared John J. Jermanis, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(is), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Linda M. Adams
NOTARY PUBLIC

LINDA M. ADAMS
Commission # 1131961
Notary Public — California
Alameda County
My Comm. Expires Apr 1, 2001

ORDER NO.: 80406191-JLG

EXHIBIT 1

Those parcels of land in the City of San Leandro, County of Alameda, State of California, described as follows:

PARCEL 1:

A portion of the parcel of land described in the Corporation Grant Deed from Sierra Central Credit Union, a California Corporation to Joseph H. Friend and Ida Friend, Trustees of the Friend Living Trust, dated February 14, 1986 recorded February 29, 1988, in Series No. 88-050614 Official Records of Alameda County, being more particularly described as follows:

Commencing at the point of intersection of the southeasterly line of West Juana Avenue (formerly Saunders Avenue) with the northeasterly line of Washington Avenue; thence South 28° 00' 00" East a distance of 300.56 feet along said northeasterly line to the most westerly corner of Parcel 1 and the Point of Beginning; thence along the northwesterly line of Parcel 1 North 62° 00' 00" East a distance of 120.00 feet to the most northerly corner of said parcel; thence South 28° 00' 00" East a distance of 41.55 feet to the intersection with the northwesterly line of Parrott Street, said point being the beginning of a non-tangent curve concave northerly having a radius of 72.15 feet, with a radial bearing of South 2° 20' 53" East; thence westerly along said northwesterly line and along said curve through a central angle of 9° 06' 44" 11.47 feet to a point of reverse curvature, said curve having a radius of 158.00 feet; thence continuing along said northerly line, northwesterly and westerly along said curve through a central angle of 34° 45' 51" a distance of 95.87 feet; thence continuing along said northwesterly line, South 62° 00' 00" West a distance of 10.00 feet to the beginning of a tangent curve concave northerly, having a radius of 12.00 feet; thence northwesterly along said curve through a central angle of 56° 27' 52" a distance of 11.83 feet to a point of non-tangent intersection with the northeasterly line of Washington Avenue; thence along said northeasterly line North 28° 00' 00" West a distance of 2.21 feet to the Point of Beginning.

PARCEL 2:

A portion of the parcel of land described in the Corporation Grant Deed from Sierra Central Credit Union, a California Corporation to Joseph H. Friend and Ida Friend, Trustees of the Friend Living Trust, dated February 14, 1986 recorded February 29, 1988, in Series No. 88-050614 Official Records of Alameda County, being more particularly described as follows:

Commencing at the point of intersection of the southeasterly line of West Juana Avenue (formerly Saunders Avenue) with the northeasterly line of Washington Avenue; thence South 28° 00' 00" East a distance of 300.56 feet along said northeasterly line to the most southerly corner of Parcel 2, said corner being the most westerly corner of the above mentioned Parcel 1 and the Point of Beginning; thence northeasterly along the line common to Parcel 1 and Parcel 2, North 62° 00' 00" East a distance of 120.00 feet; thence continuing northeasterly along the southeasterly line of Parcel 2, North 62° 00' 00" East a distance of 20.00 feet to the most easterly corner of Parcel 2; thence along the northeasterly line of Parcel 2, North 28° 00' 00" West a distance of 60.00 feet to the most northerly corner of Parcel 2; thence along the northwesterly line of Parcel 2, South 62° 00' 00" West a distance of 140.00 feet to the most westerly corner of Parcel 2, said corner being on the northeasterly line of Washington Avenue; thence along the northeasterly line of Washington Avenue, South 28° 00' 00" East a distance of 60.00 feet to the Point of Beginning.

PARCEL 3:

A portion of the parcel of land described in the Corporation Grant Deed from Wells Fargo Bank, N.A. to Joseph H. Friend and Ida Friend, Trustees of the Friend Living Trust, dated February 14, 1986 recorded April 14, 1989, in Series No. 89-101861 Official Records of Alameda County, being more particularly described as follows:

Commencing at the point of intersection of the southeasterly line of West Juana Avenue (formerly Saunders Avenue) with the northeasterly line of Washington Avenue; thence South 28° 00' 00" East a distance of 240.00 feet along said northeasterly line to the most southerly corner of Parcel 3, said corner being the most westerly corner of the above mentioned Parcel 2 and the Point of Beginning; thence northeasterly along the line common to Parcel 2 and Parcel 3, North 62° 00' 00" East a distance of 140.00 feet to the most easterly corner of Parcel 3; thence along the northeasterly line of Parcel 3, North 28° 00' 00" West a distance of 52.00 feet to the most northerly corner of Parcel 3; thence along the northwesterly line of Parcel 3, South 62° 00' 00" West a distance of 140.00 feet to the most westerly corner of Parcel 3, said corner being on the northeasterly line of Washington Avenue; thence along the northeasterly line of Washington Avenue, South 28° 00' 00" East a distance of 52.00 feet to the Point of Beginning.

A.P.N. 077-0545-038-1

CLERK, BOARD OF SUPERVISORS

Date: **December 24, 1997**

In reply, refer to CT No(s):
***1997*-93031**
Reference Number: **77-545-38-1**
Previous Owner: **FRIEND, JOSEPH H., TRUSTEE**

SAN LEANDRO CITY OF
835 E. 14TH ST.
ATTN: JACQUELYN L. DIAZ, ACTING CITY CLERK
SAN LEANDRO, CA 94577

(1-318)

CANCELLATION OF TAXES

SUBJECT: <u>Request for Cancellation of Taxes</u>

Enclosed is a copy of the Assessor's Report (Exhibit #1997-93031) in response to your request for cancellation of taxes on the above parcel(s).

Per the Assessor's Report, the Auditor has been requested to cancel a portion or all of the subject taxes.

Sincerely,

LESLIE J. BURNS
Interim Assistant, Clerk of the Board
ASSESSMENT APPEALS BOARD

By: Sonia White
Deputy Clerk

Encl.

cc: Tax Collector, QIC 20114

W:\PROD\CBS\SPECS\AAB\MAIL_MRG\CT2_95.DOC

COUNTY OF ALAMEDA

OFFICE OF ASSESSOR

ADMINISTRATION BUILDING • ROOM 145 • 1221 OAK STREET
OAKLAND, CALIFORNIA 94612-4288

JOHN N. SCOTT, MAI
ASSESSOR

STEPHEN R. SARA, CPA
CHIEF DEPUTY

97 SEP -8 AM 9:00
CLERK, BOARD OF SUPERVISORS' OFFICE
COUNTY OF ALAMEDA

DATE: SEPTEMBER 2, 1997

TO: PATRICK O'CONNELL, AUDITOR-CONTROLLER

FROM: JOHN N. SCOTT, MAI, ASSESSOR

SUBJECT: CANCELLATION OF TAXES SPECIFIED BY REVENUE & TAXATION CODE, SECTION 4986

FOR REDEVELOPMENT AGENCY OF THE CITY OF SAN LEANDRO

Pursuant to Revenue and Taxation Code Section 4804, and the Board of Supervisors' Resolution No. 187874, it is requested that a portion or all the taxes on the property indicated by the account numbers listed on the schedule below be cancelled.

Supporting Doc. No. Date of Apportionment	Roll Year Effected	Assessment Roll Account No.	Por. / All	Assessed Value
97-028736, 1-31-97	96-97	77-545-38-1		Ld
			ALL	Imp
	97-98	↓		Ld
			ALL	Imp
				Ld
				Imp
				Ld
				Imp
				Ld
				Imp
				Ld
				Imp
				Ld
				Imp
				Ld
				Imp
				Ld
				Imp
				Ld
				Imp

Request Prepared By R. Prien Date 9-2-97

Exhibit # 1997-93031

111-1012-253 (6/93)

100 ... MISC ... NAL/CASHI ... E (08)]

ALAMEDA C(OU)NTY ASSESSMENT APPEA(L) BOARD
1221 Oak Street, Suite 536, Oakland, CA 94612 (510) 272-6352 or 6347

RECEIVED
SAN LEANDRO
AUG 25 1997
DEVELOPMENT SERVICES DEPT.

CANCELLATION OF TAXES

Date: August 21, 1997

In reply, refer to CT No(s):
***1997*-93031**
Reference Number: 77-545-38-1
Previous Owner: FRIEND, JOSEPH H., TRUSTEE OF JOSEPH H. FRIEND & IDA FRIEND

TO: **Assessor, Attn: Mapping Section, QIC 20116**

FROM: **Clerk of the Board**

SUBJECT: **Request for Cancellation of Taxes**

Enclosed is a request for cancellation of taxes from the following:

City or Agency	Recorder's No.	APN or Address	Date of Request
SAN LEANDRO CITY OF	97028736	77-545-38-1	04/02/1997

This is referred to you for processing.

cc:
SAN LEANDRO CITY OF
835 E. 14TH ST.
ATTN: JACQUELYN L. DIAZ, ACTING CITY CLERK
SAN LEANDRO, CA: 94577

Pro-rata check ■YES ☐ NO AMOUNT $379.79 Date Rec'd. 4/2/97 Date Sent to TxColl.________

W:\PROD\CBS\SPECS\AAB\MAIL_MRG\CT95.DOC

COUNTY OF ALAMEDA
THE AUDITOR-CONTROLLER

: 8/22/97

№ 781559

CEIPT

$ 379.79

& 79/100 —— DOLLARS

City of San Leandro
to 1-31-97; APN 77-545-38-1

DEPT. NO.: 103

14728 dtd 1/31/97

☐ OTHER:

ution: White - Payor Yellow & Pink - Depart.

City of San Leandro
Civic Center, 835 E. 14th Street
San Leandro, California 94577

April 2, 1997 (1-318)

The Honorable Board of Supervisors
County of Alameda
1221 Oak Street
Oakland, California 94612

Subject: Cancellation of Taxes

Gentlemen:

The City Council of the City of San Leandro has acquired fee title to the real property described in the attached legal description and all improvements thereon.

Title was taken by deed from Joseph H. Friend, Surviving Trustee of Joseph H. Friend and Ida Friend, Trustees of the Friend Living Trust, Dated February 14, 1986; APN 77-545-38-1; for 1598 Washington Avenue, San Leandro, CA and recorded in the Official Records of the County of Alameda under the County Recorder's Serial No. 97-028736 on January 31, 19 97.

It is requested that your Honorable Board will:

1. ( ) Cancel taxes on the above property.

2. (X) Accept the attached Check No. 804-14728 made by Placer Title Company in the amount of $379.79, to cover the accrued current real property taxes to the above date of recordation (included in the check amount is any current personal property taxes which are secured by a lien on the real property) and cancel the current lien from that date on, as provided in Section 4986 of the Revenue and Taxation Code.

3. ( ) Refund to this City Council the unearned portion of the current property taxes, as provided for in Section 1268.440 of the Code of Civil Procedure, in the sum of $____________.

Upon your approval, we would appreciate receiving a certified copy of the adopting resolution.

Very truly yours,

Jacquelyn L. Diaz
dd

Jacquelyn L. Diaz
Acting City Clerk

JLD:dd
Enclosures (3)
F:\COUNTY\CANCLTAX.FM1-10

The Face of This Document Has A Colored Background On White Paper

PLACER TITLE COMPANY
ESCROW TRUST ACCOUNT
PH. (510) 614-2965
801 DAVIS STREET
SAN LEANDRO, CA 94577
BRANCH No. 804

IMPERIAL BANK
San Francisco Regional Office
456 Montgomery Street
San Francisco, CA 94104

11-3425
1210

80414728

ESCROW NO. 80401333   January 31, 1997

PAY THE SUM 379 DOLS 79 CTS   DOLLARS $ 379.79

TO THE ORDER OF

ALAMEDA COUNTY TAX COLLECTOR
A.P.N. 77-545-38-1

VOID AFTER 180 DAYS
Two Signatures Required

THIS CHECK NEGOTIABLE ONLY WITH PROPER ENDORSEMENT

⑈80414728⑈ ⑆121034256⑆ ⑈16⑈148 350⑈

The Back of This Document Contains An Artificial Watermark - Hold At An Angle To View

PLACER TITLE COMPANY
ALAMEDA COUNTY T/O BRANCH 804

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

80414728

DATE	DESCRIPTION	AMOUNT
1-31-97	40801333 - prorata portion due from 1-1-97 to 1-31-97 being the date the Redevelopment Agency of the City of San Leandro acquired title to the property A.P.N. 77-545-38-1	$379.79

RECORDING REQUESTED BY

PLACER TITLE COMPANY

AND WHEN RECORDED, MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENTS TO:

REDEVELOPMENT AGENCY OF
THE CITY OF SAN LEANDRO
835 East 14th Street
San Leandro, CA 94577

Attn: Rosie Rios

ESCROW NO.

TITLE ORDER NO. 80401333 (1)

Recorded in Official R s, Alameda County
Patrick O'Connell, ... -Recorder

25.00

97028736 08:30am 01/31/97

004 921099 32 12 000070
A03 7 7.00 18.00 0.00 0.00 0.00 0.00 0.00
0.00 0.00

CITY OF SAN LEANDRO
MAR 0 3 1997
CITY CLERK'S OFFICE

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

CITY OF SAN LEANDRO TAX IS EXEMPT Sec. 2-3-120

The undersigned grantor(s) declare(s):
Documentary transfer tax is $ None Due A.P.N. 77-545-38-1
(xx) computed on full value of property conveyed, or
( ) computed on full value less value of liens and encumbrances remaining at time of sale.
( ) Unincorporated area: (xx) City of San Leandro , and

By this instrument dated JANUARY 21, 1997 , for a valuable consideration
JOSEPH H. FRIEND, SURVIVING TRUSTEE OF JOSEPH H. FRIEND AND IDA FRIEND, TRUSTEES OF THE FRIEND LIVING TRUST, DATED FEBRUARY 14, 1986

hereby GRANTS to REDEVELOPMENT AGENCY OF THE CITY OF SAN LEANDRO, a body politic and corporate

the following described real property in the City of San Leandro,
County of Alameda , State of California

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

X Joseph H. Friend Trustee

JOSEPH H. FRIEND, Surviving Trustee of Joseph H. Friend and Ida Friend, Trustees of the Friend Living Trust, dated February 14, 1986

Notary Acknowledgment(s) Attached

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY IS SHOWN, MAIL AS DIRECTED ABOVE.

FORM 1057 Name Street Address City & State

97028736

STATE OF CALIFORNIA)
) ss
COUNTY OF SAN FRANCISCO)

On JANUARY 23rd, 1997, before me, the undersigned, a Notary Public, personally appeared JOSEPH H. FRIEND

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person~~(s)~~ whose name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~ or the entity upon behalf of which the person~~(s)~~ acted, executed the instrument.

WITNESS my hand and offical seal.

IRENE GONG
COMM. # 1027470
Notary Public — California
SAN FRANCISCO COUNTY
My Comm. Expires MAY 22, 1998

STATE OF ____________)
) ss
COUNTY OF ____________)

On ____________, before me, the undersigned, a Notary Public, personally appeared ____________

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and offical seal.

____

97028736

This is to certify that the interest in real property conveyed by Deed or Grant, dated January 21, 1997, from Joseph H. Friend, Surviving Trustee of Joseph H. Friend and Ida Friend, Trustees of the Friend Living Trust, Dated February 14, 1986 to the Redevelopment Agency of the City of San Leandro, a public body corporate and politic, is hereby accepted on behalf of the Redevelopment Agency of the City of San Leandro, pursuant to authority conferred by Resolution No. 92-13, adopted by the Redevelopment Agency of the City of San Leandro on September 21, 1992, and the grantee consents to recordation thereof by its duly authorized officer.

CITY OF SAN LEANDRO
ALAMEDA COUNTY, CAL.

Jacquelyn Diaz, Acting Secretary
City of San Leandro Redevelopment Agency

97028736

EXHIBIT "A"

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

PARCEL 1:

A portion of the parcel of land described in the Corporation Grant Deed from Sierra Central Credit Union, a California Corporation to Joseph H. Friend and Ida Friend, Trustees of the Friend Living Trust, dated 2-14-86 recorded February 29, 1988, in Series No. 88-050614 Official Records of Alameda County, being more particularly described as follows:

Commencing at the point of intersection of the southeasterly line of West Juana Avenue (formerly Saunders Avenue) with the northeasterly line of Washington Avenue;

Thence, South 28° 00' 00" East a distance of 300.56 feet along said northeasterly line to the most westerly corner of Parcel 1 and the POINT OF BEGINNING;

Thence, along the northwesterly line of Parcel 1 North 62° 00' 00" East a distance of 120.00 feet to the most northerly corner of said parcel;

Thence, South 28° 00' 00" East a distance of 41.55 feet to the intersection with the northwesterly line of Parrott Street, said point being the beginning of a non-tangent curve concave northerly having a radius of 72.15 feet, with a radial bearing of South 2° 20' 53" East;

Thence, westerly along said northwesterly line and along said curve through a central angle of 9° 06' 44" 11.47 feet to a point of reverse curvature , said curve having a radius of 158.00 feet;

Thence, continuing along said northerly line, northwesterly and westerly along said curve through a central angle of 34° 45' 51" a distance of 95.87 feet;

Thence, continuing along said northwesterly line, South 62° 00' 00" West a distance of 10.00 feet to the beginning of a tangent curve concave northerly, having a radius of 12.00 feet;

Thence, northwesterly along said curve through a central angle of 56° 27' 52" a distance of 11.83 feet to a point of non-tangent intersection with the northeasterly line of Washington Avenue;

Thence, along said northeasterly line North 28° 00' 00" West a distance of 2.21 feet to the POINT OF BEGINNING.

Containing 2,108 square feet, more or less.

PARCEL 2:

A portion of the parcel of land described in the Corporation Grant Deed from Sierra Central Credit Union, a California Corporation to Joseph H. Friend and Ida Friend, Trustees of the Friend Living Trust, dated 2-14-86 recorded February 29, 1988, in Series No. 88-050614 Official Records of Alameda County, being more particularly described as follows:

Commencing at the point of intersection of the southeasterly line of West Juana Avenue (formerly Saunders Avenue) with the northeasterly line of Washington Avenue;

Thence, South 28° 00' 00" East a distance of 300.56 feet along said northeasterly line to the most southerly corner of Parcel 2, said corner being the most westerly corner of the abovementioned Parcel 1 and the POINT OF BEGINNING;

Thence, northeasterly along the line common to Parcel 1 and Parcel 2, North 62° 00' 00" East a distance of 120.00 feet;

Thence, continuing northeasterly along the southeasterly line of Parcel 2, North 62° 00' 00" East a distance of 20.00 feet to the most easterly corner of Parcel 2;

Thence, along the northeasterly line of Parcel 2, North 28° 00' 00" West a distance of 60.00 feet to the most northerly corner of Parcel 2;

Thence, along the northwesterly line of Parcel 2, South 62° 00' 00" West a distance of 140.00 feet to the most westerly corner of Parcel 2, said corner being on the northeasterly line of Washington Avenue;

Thence, along the northeasterly line of Washington Avenue, South 28° 00' 00" East a distance of 60.00 feet to the POINT OF BEGINNING.

Containing 8,400 square feet, more or less.

PARCEL 3:

A portion of the parcel of land described in the Corporation Grant Deed from Wells Fargo Bank, N.A. to Joseph H. Friend and Ida Friend, Trustees of the Friend Living

Trust, dated 2-14-86 recorded April 14, 1989, in Series No. 89-101861 Official Records of Alameda County, being more particularly described as follows:

Commencing at the point of intersection of the southeasterly line of West Juana Avenue (formerly Saunders Avenue) with the northeasterly line of Washington Avenue;

Thence, South 28° 00' 00" East a distance of 240.00 feet along said northeasterly line to the most southerly corner of Parcel 3, said corner being the most westerly corner of the abovementioned Parcel 2 and the POINT OF BEGINNING;

Thence, northeasterly along the line common to Parcel 2 and Parcel 3, North 62° 00' 00" East a distance of 140.00 feet to the most easterly corner of Parcel 3;

Thence, along the northeasterly line of Parcel 3, North 28° 00' 00" West a distance of 52.00 feet to the most northerly corner of Parcel 3;

Thence, along the northwesterly line of Parcel 3, South 62° 00' 00" West a distance of 140.00 feet to the most westerly corner of Parcel 3, said corner being on the northeasterly line of Washington Avenue;

Thence, along the northeasterly line of Washington Avenue, South 28° 00' 00" East a distance of 52.00 feet to the POINT OF BEGINNING.

Containing 7,280 square feet, more or less.

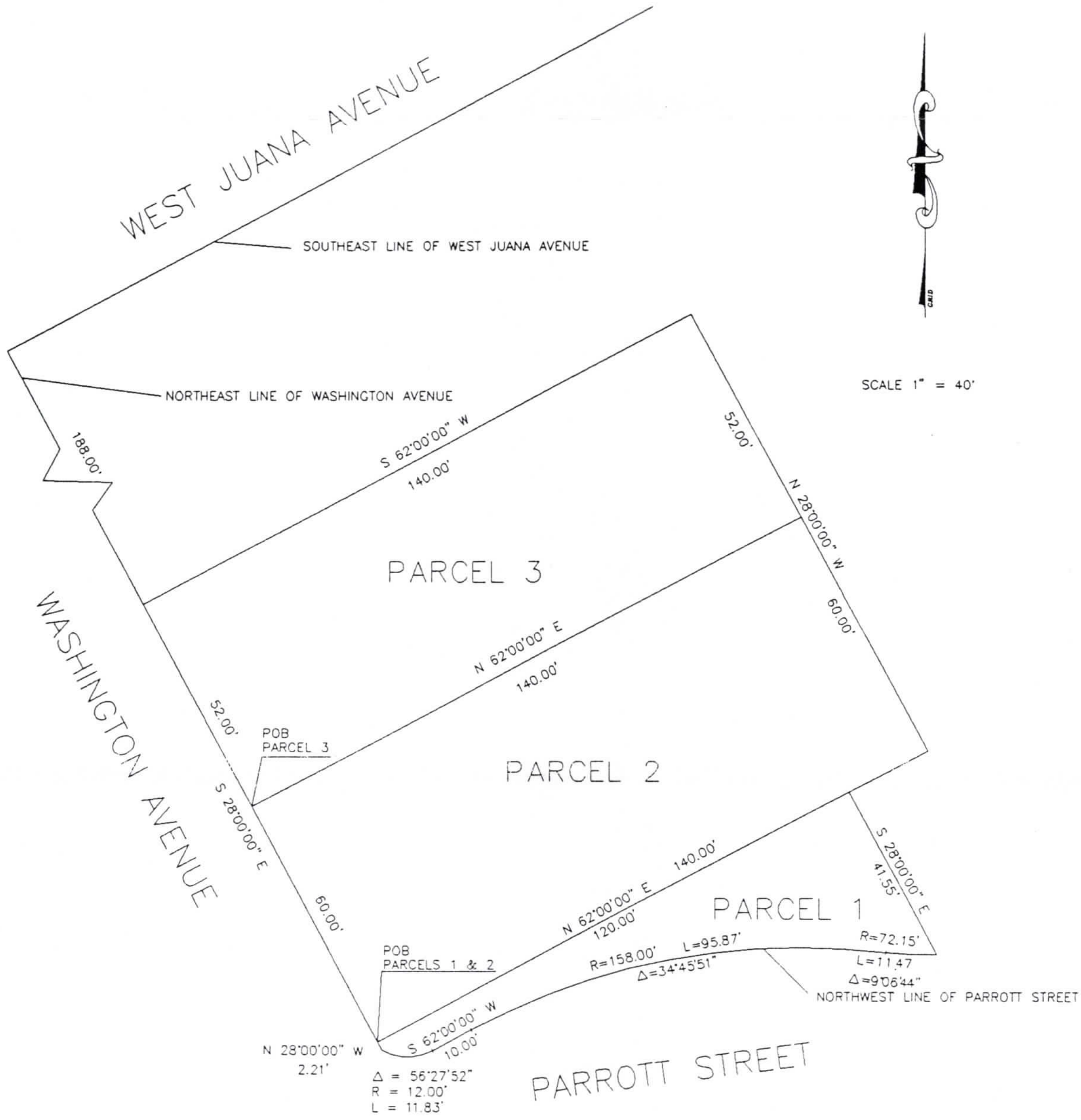
The Basis of Bearing for the descriptions of Parcel 1, Parcel 2 and Parcel 3 is the northeasterly line of Washington Avenue taken as North 28° 00' 00" East.

A. P. N. 77-545-38-1
End of Description.

LICENSED LAND SURVEYOR
GREGORY GAGE SHORT
No. 7125
EXP. 12-31-98
STATE OF CALIFORNIA

Gregory G. Short
Licensed Surveyor No. 7125

97028736



LICENSED LAND SURVEYOR
GREGORY GAGE SHORT
No. 7125
EXP. 12-31-98
STATE OF CALIFORNIA

CITY OF SAN LEANDRO

NO.	REVISIONS	DATE

EXHIBIT "A"

APPROVED

City Surveyor, L.S. No. 7125

DRAWN B.S.	CHECKED G.S.	DATE 01/28/97	SCALE 1" = 40'	SHEET 1 OF 1	DWG. NO. ______ CASE ______

Buyer's Closing Statement

PLACER TITLE COMPANY

Alameda County Division
801 Davis Street
San Leandro, California 94577
Telephone: (510) 614-2965
Fax: (510) 483-5408

REDEVELOPMENT AGENCY OF
THE CITY OF SAN LEANDRO
835 East 14th Street
San Leandro, CA 94577

Attn: Rosie Rios

Date: January 31, 1997

Order No.: 80401333

Subject: 1598 Washington Avenue
San Leandro, CA

In accordance with instructions, we have closed the above referenced escrow and the funds have been disbursed as follows:

	DEBITS	CREDITS
Sales Price	$ 280,000.00	
☐ Balance of existing loan being assumed		
☒ Paid City Transfer Tax Exempt		
☐ 1st ☐ 2nd ☐ 3rd new note and trust deed to seller		
☒ Amount received from you		282,114.00
☐ Credit for loan proceeds		
☐		
☒ Standard policy fee	1,186.00	
☐ ALTA loan policy fee		
☒ Escrow Fee	595.00	
☒ Recording deed fee exempt		
☐ Recording Trust Deed		
☒ Drawing Papers $ 25.00 ☐ Notary Fees $	25.00	
☐		
☐		
☒ New fire insurance premium outside of escrow		
☐		
☐ Loan charges:		
☐ Paid Taxes		
☐		
☐ Termite inspection fee		
☐ Prorata Interest		
☒ Prorata Taxes **		
☒ Prorata Rent none		
☐		
☐		
☐		
☐		
☒ Check to you enclosed Co.Trans.Tax not charged	308.00	
☐ Statement to you enclosed		
TOTALS	$ 282,114.00	$ 282,114.00

Remarks: ** ENCLOSED IS PLACER TITLE COMPANY'S CHECK PAYABLE TO THE ALAMEDA COUNTY TAX COLLECTOR IN THE AMOUNT OF $379.79 WHICH REPRESENTS TAXES FOR THE MONTH OF JANUARY. THIS CHECK SHOULD BE SENT WITH A COPY OF YOUR ACQUISITION DEED AND A REQUEST FROM THE REDEVELOPMENT AGENCY TO THE BOARD OF SUPERVISORS FOR CANCELLATION OF THE TAXES.
ALSO ENCLOSED ARE THE SELLER'S AFFIDAVIT & 590RE FORMS FOR YOUR RECORDS.

Your policy of title insurance, if you are to receive one, is now being written and will follow under separate cover. If you are to receive any recorded documents, they will be mailed directly to you from the County Recorder's office in approximately four weeks.

Very truly yours,

J Gibson

Judith L. Gibson

THIS STATEMENT CONTAINS IMPORTANT TAX INFORMATION.
KEEP WITH YOUR TAX RECORDS.

PTC

PLACER TITLE COMPANY

801 Davis Street
San Leandro, CA 94577
(510) 614-2965

Escrow# 80401333
Property: 1598 Washington Avenue
San Leandro, CA

SELLER'S AFFIDAVIT
(FEDERAL FIRPTA)

Section 1445 of the Internal Revenue Code provides that a transferee (buyer) of a U.S. real property interest must withhold tax if the transferor (seller) is a foreign person or entity. The withholding rate is 10% of the selling price.

To inform the transferee (buyer) that withholding tax IS NOT required upon my disposition of a U.S. real property interest, I, JOSEPH H. FRIEND, TRUSTEE, hereby certify the following:

1. I am not a nonresident alien for purposes of U.S. income taxation;
2. My U.S. taxpayer identifying number is 546-69-4279;
3. My home address is 1333 Jones St #1002 S.F. 94109

I understand that this certification may be disclosed to the Internal Revenue Service by the transferee and that any false statement I have made here could be punished by fine, imprisonment, or both.

Under penalties of perjury, I declare that I have examined this certification and to the best of my knowledge and belief it is true, correct and complete.

DATED: 1/23/97 at S.F, California

X Joseph H. Friend - Trustee
JOSEPH H. FRIEND, TRUSTEE

RECEIVED: Jan 24 1997
PLACER TITLE COMPANY
BY: A. Gibson

NOTE: The Transferee must retain this affidavit until the end of the fifth taxable year following the taxable year in which the transfer takes place.

YEAR 19 97

Nonresident Withholding Exemption Certificate for Real Estate Sales (For use by sellers of California real estate)

CALIFORNIA FORM **590-RE**

File this form with your withholding agent or buyer.

Name
JOSEPH H. FRIEND, TRUSTEE , c/o J. Henry Corp.

Address (number and street)
5618 Geary Blvd., Suite 104

Daytime telephone number
(415) 751-2102

City
San Francisco,

State
CA

ZIP code
94121

Complete the appropriate line:
Individuals – Social security number ____
Corporations – California corporation number (issued by Secretary of State) or F.E.I.N. ____
Partnerships, Estates, Irrevocable Trusts and Tax-Exempt Entities – F.E.I.N. 54609-4279
Limited Liability Company – Secretary of State file number ____

Note: Failure to provide your identification number will render this certificate void.

To ____
(Withholding Agent or Buyer)

Certificate of Residency — Individuals: Under penalties of perjury, I hereby certify that I am a resident of California and that I reside at the address shown above. See Side 2 for the definition of a resident.

Signature ____ Date ____

Certificate of Principal Residence — Individuals: Under penalties of perjury, I hereby certify that the California real property located at ____ was my principal residence within the meaning of IRC Section 1034. See Side 2 for the definition of a principal residence.

Signature ____ Date ____

Certificate of Residency of Deceased Person — Estates: Under penalties of perjury, I hereby certify as executor of the above-named person's estate that the decedent was a California resident at the time of death.
Name of executor (type or print) ____

Signature ____ Date ____

Corporations: Under penalties of perjury, I hereby certify that the above-named corporation has a permanent place of business in California at the address shown above or is qualified to do business in California. See Side 2 for the definition of permanent place of business.

Name and Title (type or print) ____

Signature ____ Date ____

Partnerships: Under penalties of perjury, I hereby certify that the above-named entity is a partnership and that the recorded title to the property is in the name of the partnership.

Name and Title (type or print) ____

Signature ____ Date ____

Limited Liability Companies (LLC): Under penalties of perjury, I hereby certify that the above named entity is an LLC and that the recorded title to the property is in the name of the LLC.

Name and Title (type or print) ____

Signature ____ Date ____

Tax-Exempt Entities and Nonprofit Organizations: Under penalties of perjury, I hereby certify that the above-named entity is exempt from tax under California or federal law.

Name and Title (type or print) ____

Signature ____ Date ____

Irrevocable Trusts: Under penalties of perjury, I hereby certify that at least one trustee of the above-named irrevocable trust is a California resident.

Name and Title (type or print) Joseph H. Friend, Trustee

Signature X Joseph H. Friend Trustee Date 1/23/97

For Privacy Act Notice, see form FTB 1131 (individuals only).

Instructions for Form 590-RE

Nonresident Withholding Exemption Certificate for Real Estate Sales

Reference in these instructions are to the Internal Revenue Code (IRC) as of **January 1, 1993**, and to the California Revenue and Taxation Code (R&TC)

General Information

A Purpose of Form

Use Form 590-RE to obtain an exemption from withholding for the sale of California real estate. The completed Form 590-RE should be presented to the buyer or other withholding agent and retained in their records for a period of five years following the close of the transaction. The buyer will be relieved of the withholding requirements if the buyer relies in good faith on a completed and signed Form 590-RE.

B Law

R&TC Section 18662 requires withholding of income (or franchise) tax when California real estate is sold by a nonresident.

C When Should this Form be Used

The certifications on Side 1 should be completed when:

- **The seller is a California resident on the date escrow closes.** Residents of California who have an out-of-state address to which funds are disbursed will need to complete Form 590-RE to be exempt from withholding. Form 590-RE will not become invalid if the seller moves out of California after the close of escrow.
- **The property meets the definition of principal residence under IRC Section 1034 at the time escrow closes.** Form 590-RE can be signed even if you do not plan to purchase a new home or if the purchase price of your new home is less than the sales price of your old home. Recognition of this gain in the year of sale or in subsequent years will be taxable to California and must be reported on a California tax return.
- **The seller is a California estate.** For withholding purposes, an estate is considered a California estate if the decedent was a California resident at the time of death. Estates are required to withhold on distributions of California source income to their nonresident beneficiaries.
- **The seller is a corporation that has a permanent place of business in California immediately after the transfer.**
- **The seller is a partnership and the recorded title to the property is in the name of the partnership.** A partnership may be required to withhold on distributions of California source income to nonresident partners. For more information get FTB Pub. 1017, Nonresident Withholding – Partnership Guidelines.
- **The seller is an LLC and the recorded title to the property is in the name of the LLC.** An LLC may be required to withhold on distributions of California source income to nonresident members. For more information get FTB Pub. 1017.
- **The seller is exempt from tax under either California or federal law.** For withholding purposes, this includes the insurance companies, IRAs and pension and profit sharing plans.
- **The seller is a California trust.** For withholding purposes, an irrevocable trust is considered a California trust if at least one trustee is a California resident. Irrevocable trusts are required to withhold on distributions of California source income to their nonresident beneficiaries.

  Note: This applies only to irrevocable non-grantor trusts. Irrevocable trusts cannot be revoked by the grantor. The grantor is the person(s) who transferred (granted) assets to the trust. An irrevocable trust is also called a non-grantor trust because the trust **does not** have a provision to allow the grantor to revoke the trust. A revocable or grantor trust **does** have a provision allowing the grantor to revoke the trust and take back the assets. The grantor of a grantor trust shall be treated as the seller of real estate owned by such a trust. Therefore, if the seller is a revocable or grantor trust and one or more of the grantors is a nonresident, withholding is required. If all of the grantors of a revocable or grantor trust are residents, no withholding is required.

D Requirement to File a California Return

A completed Form 590-RE exempts the seller from withholding but does not eliminate the requirement to file a California tax return and pay the tax due.

E Who is a Resident

A California resident is every individual who is in California for other than a temporary or transitory purpose or any individual domiciled in California who is absent for a temporary or transitory purpose.

An individual domiciled in California who is absent from California for an uninterrupted period of at least 546 consecutive days under an employment-related contract is considered outside California for other than a temporary or transitory purpose. This does not apply if an individual has income from stocks, bonds, notes or other intangible personal property in excess of $200,000 in any taxable year in which the employment-related contract is in effect.

A spouse who is absent from California for an uninterrupted period of at least 546 days to accompany a spouse under an employment-related contract is considered outside of California for other than a temporary or transitory purpose.

Sellers who are uncertain of their residency status can get assistance in determining their residency status by calling the Franchise Tax Board Information Center at the numbers listed below:

From within the United States, call.	1-800-852-5711
From outside the United States, call.	1-916-845-6500
For hearing impaired with TDD, call.	1-800-822-6268

Sellers may also get FTB Pub 1031, Guidelines for Determining Resident Status, for more information.

F What is a Principal Residence

Usually, the home in which you live is your principal residence. If you have more than one home, only the sale of your main home qualifies as a sale of a principal residence. If you have two homes and live in both of them, the main home is the one lived in most of the time. A mobile home, houseboat, cooperative apartment, or condominium can also be a principal residence.

Property may qualify as your principal residence even if you temporarily rent it out while it is in the process of being sold, as long as it is rented out only as a matter of convenience or for another nonbusiness purpose. IRC Section 1034 does not contain a bright-line test for determining what is considered temporary. In federal case law on this subject, the Tax Court considered the facts and circumstances of each case, including the intent of the seller, to determine if the property met the definition of principal residence at the time of sale. Generally, if the property is rented out for less than a year while it is on the market, it will still be considered a principal residence for withholding purposes. You should evaluate your factual situation, the law, and applicable federal case law to determine if the property qualifies as your principal residence within the meaning of IRC Section 1034. For more information, get Federal Publication 523, Selling Your Home.

G What is Not a Principal Residence

The following are **not** principal residences under IRC Section 1034:

1. Rental property.
2. Part of home used for business.
3. Vacant land.
4. Vacation home or second home.

Withholding is required on sales of these types of properties unless another withholding exception is met or a waiver of withholding is obtained. Get Form 597-A, Nonresident Withholding Waiver Request for Real Estate Sales, for more information.

H What is a Permanent Place of Business

A corporation has a permanent place of business in this state if it is organized and existing under the laws of this state or if it is a foreign corporation qualified to transact intrastate business by the California Secretary of State's Office. A corporation which has not qualified to transact intrastate business (e.g., a corporation engaged exclusively in interstate commerce) will be considered as having a permanent place of business in this state only if it maintains a permanent office in this state which is permanently staffed by its employees.

For more information contact:

Franchise Tax Board
Withhold at Source Unit
P.O. Box 651
Sacramento, CA 95812-0651

Telephone: (916) 845-4900
FAX: (916) 845-4831

CITY OF SAN LEANDRO

MEMORANDUM

DATE: February 21, 1997

TO: City Clerk's Office

FROM: Debbie Potter, Redevelopment Administrator DP sm

(1-318)

SUBJECT: Cancel Taxes at 1598 Washington Avenue
APN: 77-545-38-1

Attached is a closing statement and an executed Grant Deed for the above subject project, and a check made payable to the Alameda County Board of Supervisors for property tax proration. Approximately 30 days from today, you should receive a copy of the recorded deed from the County Assessor. Upon receipt of this document, please pay the County Tax Collector and cancel the property taxes.

Also, please send me a copy of the recorded Deed for my file. Call me at Ext. 6003 if you have any questions.