

RECORDING REQUESTED BY AND WHEN
RECORDED MAIL TO:

Successor Agency to the Redevelopment
Agency of the City of San Leandro
835 E. 14th St.
San Leandro, CA 94577

Tax Statement to be sent to the address above

Exempt from Recording Fees
Government Code §§ 6103, 27383

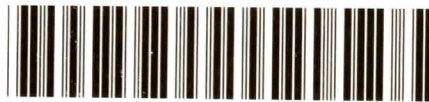
Exempt from Documentary Transfer Tax Per
Rev. & Tax. Code §11922 *Governmental
agency acquiring title.*



2013124543

04/08/2013 09:36 AM

OFFICIAL RECORDS OF ALAMEDA COUNTY
PATRICK O'CONNELL
RECORDING FEE: 0.00



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mx
(Space Above This Line Reserved For Recorder's Use)

APN: 077A-0649-008-25

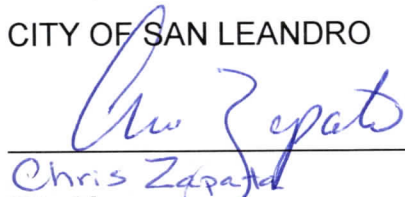
CITY OF SAN LEANDRO QUITCLAIM DEED

For zero consideration, the receipt and sufficiency of which is hereby acknowledged, the City of San Leandro ("**Grantor**") hereby quitclaims, releases and conveys to the Successor Agency to the Redevelopment Agency of the City of San Leandro ("**Grantee**") any and all right, title and interest in certain property located at 2512 Davis Street in the City of San Leandro, County of Alameda known as 077A-0649-008-25, as more particularly described in Exhibit A attached to this Quitclaim Deed and incorporated herein by this reference.

IN WITNESS WHEREOF, Grantor has executed this Quitclaim Deed as of the of Eighteenth of March, 2013.

GRANTOR:

CITY OF SAN LEANDRO


Chris Zapata
City Manager

[Signatures Must Be Notarized]

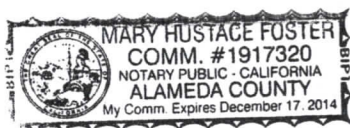


CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California)
) ss.
County of Alameda)

On APRIL 2, 2013 before me, MARY HUSTACE FOSTER, NOTARY PUBLIC,
personally appeared CHRIS ZAPATA, CITY MANAGER,

My commission number is 1917320.



who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

My commission expires on December 17, 2014.

WITNESS my hand and official seal.

Mary Hustace Foster
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document:

Document Date:

Number of Pages:

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

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Exhibit A
PROPERTY

(Attach legal description.)

Exhibit A

The land described herein is situated in the State of California, County of Alameda, City of San Leandro, and is described as follows:

Beginning at a point on the northern line of Davis Street, formerly known as County Road No. 5952 (50.00 feet wide), distant thereon south 69 degrees 13 minutes west 1394.75 feet from the point of intersection thereof with the southwestern line of Doolittle Drive, formerly known as County Road No. 1434 (66.00 feet wide), running thence along the said line of Davis Street south 69 degrees 13 minutes west 75.00 feet; thence north 20 degrees 47 minutes west 208.00 feet; thence north 69 degrees 13 minutes east 75.00 feet; thence south 20 degrees 47 minutes east 208.00 feet to the Point of Beginning.

APN: 077A-0649-008-25

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Quitclaim Deed dated the 18th of March, 2013 from the City of San Leandro ("City") to the Successor Agency of the Redevelopment Agency of the City of San Leandro ("Successor Agency"), is hereby accepted on behalf of the Successor Agency by the undersigned officer or agent on behalf of the Board of the Successor Agency pursuant to authority conferred by resolution of the Board of the Successor Agency adopted on the 18th of March, 2013, and that Successor Agency consents to recordation of the Quitclaim Deed by its duly authorized officer.

Dated 4/2, 2013

SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
OF THE CITY OF SAN LEANDRO

By:

Chris Zapata

Its:

Executive Director

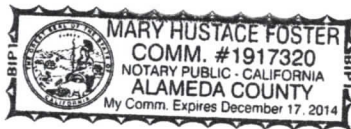
SIGNATURES MUST BE NOTARIZED

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California)
) ss.
County of Alameda)

On APRIL 2, 2013 before me, MARY HUSTACE FOSTER, NOTARY PUBLIC,
personally appeared CHRIS ZAPATA, EXECUTIVE DIRECTOR,

My commission number is 1917320.



who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

My commission expires on December 17, 2014.

WITNESS my hand and official seal.

Mary Hustace Foster
Signature of Notary Public

OPTIONAL

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Signer's Name: _____

- ☐ Individual
☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

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RIGHT THUMBPRINT
OF SIGNER

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CITY OF SAN LEANDRO
MAY 10 2013
CITY CLERK'S OFFICE

From: Rezsing Gonzalez / BD

SCANNED

MAY 10 2013

CITY CLERK'S OFFICE
Scan Operator: _____

344427

GRANT DEED

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Office of Business Development
City of San Leandro 835 East 14th Street
San Leandro, CA 94577

EXEMPT FROM RECORDING FEES PER
GOVERNMENT CODE §§6103, 27383



2011078200

03/10/2011 12:48 PM

OFFICIAL RECORDS OF ALAMEDA COUNTY
PATRICK O'CONNELL
RECORDING FEE: 0.00



69 PGS

67

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

R&T CODE 11922
GOVERNMENTAL AGENCY
ACQUIRING TITLE

GRANT DEED

For valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Redevelopment Agency of the City of San Leandro, a public body, corporate and politic (the "**Grantor**") acting to carry out the Redevelopment Plan for the West San Leandro/MacArthur Boulevard Project Area (the "**Redevelopment Plan**") for redevelopment purposes pursuant to the Community Redevelopment Law of the State of California, hereby grants and conveys to the City of San Leandro, a municipal corporation (the "**Grantee**"), the real property (the "**Property**") located in the City of San Leandro at 2512 Davis Street, designated as Alameda County Assessors Parcel Nos. 077A 0649 008 25 and more particularly described in Exhibit A attached hereto and incorporated in this grant deed ("**Grant Deed**") by this reference.

1. Disposition and Development Agreement. The Property is conveyed subject to the Redevelopment Plan attached hereto as Exhibit B and that certain unrecorded Disposition and Development Agreement entered into by and between the Grantor and the Grantee dated as of March 7, 2011 (the "**Agreement**").
2. Nondiscrimination. Grantee shall not restrict the rental, sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Property, or any portion thereof, on the basis of race, color, religion, creed, sex, sexual orientation, disability, marital status, ancestry, or national origin of any person. Grantee covenants for itself and all persons claiming under or through it, and this Grant Deed is made and accepted upon and subject to the condition that there shall be no discrimination against or segregation of any person or group of persons on account of any basis listed in subdivision (a) or (d) of Section 12955 of the Government Code, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2 of the Government Code, in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the Property or part thereof, nor shall Grantee

or any person claiming under or through 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, of, or for the Property or part thereof.

All deeds, leases or contracts made or entered into by Grantee, its successors or assigns, as to any portion of the Property or the Improvements shall contain the following language:

(a) In Deeds, the following language shall appear:

“(1) 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 any basis listed in subdivision (a) or (d) of Section 12955 of the Government Code, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2 of the Government Code, 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.

“(2) Notwithstanding paragraph (1), with respect to familial status, paragraph (1) shall not be construed to apply to housing for older persons, as defined in Section 12955.9 of the Government Code. With respect to familial status, nothing in paragraph (1) shall be construed to affect Sections 51.2, 51.3, 51.4, 51.10, 51.11 and 799.5 of the Civil Code, relating to housing for senior citizens. Subdivision (d) of Section 51 and Section 1360 of the Civil Code and subdivisions (n), (o), and (p) of Section 12955 of the Government Code shall apply to paragraph (1).”

(b) In Leases, the following language shall appear:

“(1) 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, creed, religion, sex, sexual orientation, marital status, national origin, ancestry or disability in the leasing, subleasing, transferring, use, occupancy, tenure or enjoyment of the property 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 property herein leased.

“(2) Notwithstanding paragraph (1), with respect to familial status, paragraph (1) shall not be construed to apply to housing for older persons, as defined in Section 12955.9 of the Government Code. With respect to familial status, nothing in paragraph (1) shall be construed to affect Sections 51.2, 51.3, 51.4, 51.10, 51.11 and 799.5 of the Civil Code, relating to housing for senior citizens. Subdivision (d) of Section 51 and Section 1360 of the Civil Code and subdivisions (n), (o), and (p) of Section 12955 of the Government Code shall apply to paragraph (1).”

(c) In Contracts, the following language shall appear:

“There shall be no discrimination against or segregation of any person or group of persons on account of any basis listed in subdivision (a) or (d) of Section 12955 of the Government Code, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2 of the Government Code, 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.”

3. Term of Restrictions. The covenants against discrimination contained in Section 2 shall remain in effect in perpetuity.

4. Mortgagee Protection. No violation or breach of the covenants, conditions, restrictions, provisions or 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 Agreement; 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.

5. Binding On Successors. The covenants contained in Sections 2 of this Grant Deed, without regard to technical or legal classification or designation specified in this Grant Deed or otherwise, shall to the fullest extent permitted by law and equity, be binding upon Grantee and any successor in interest to the Property or any part thereof, for the benefit of Grantor, and its successors and assigns, and such covenants shall run in favor of and be enforceable by the Grantor and its successors and assigns for the entire period during which such covenants shall be in force and effect, without regard to whether the Grantor is or remains an owner of any land or interest therein to which such covenants relate. In the event of any breach of any of such covenants, the Grantor and its successors and assigns shall have the right to exercise all rights and remedies available under law or in equity to enforce the curing of such breach.

6. Enforcement. The Grantor shall have the right to institute such actions or proceedings as it may deem desirable to enforce the provisions set forth herein. Any delay by the Grantor in

instituting or prosecuting any such actions or proceedings or otherwise asserting its rights hereunder shall not operate as a waiver of or limitation on such rights, nor operate to deprive Grantor of such rights, nor shall any waiver made by the Grantor with respect to any specific default by the Grantee, its successors and assigns, be considered or treated as a waiver of Grantor's rights with respect to any other default by the Grantee, its successors and assigns, or with respect to the particular default except to the extent specifically waived.

7. Amendment. Only the Grantor, its successors and assigns, and the Grantee and the successors and assigns of the Grantee in and to all or any part of the fee title to the Property shall have the right to consent and agree to changes or to eliminate in whole or in part any of the covenants contained in this Grant Deed. For purposes of this Section, successors and assigns of the Grantee shall be defined to include only those parties who hold all or any part of the Property in fee title, and not to include a tenant, lessee, easement holder, licensee, mortgagee, trustee, beneficiary under deed of trust, or any other person or entity having an interest less than a fee in the Property .

8. Conflict. In the event there is a conflict between the provisions of this Grant Deed and the Agreement, it is the intent of the parties that the Agreement shall control.

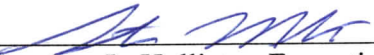
9. Counterparts. This Grant Deed may be executed in counterparts, each of which shall be an original and all of which taken together shall constitute one and the same instrument.

SIGNATURES ON FOLLOWING PAGES.

IN WITNESS WHEREOF, Grantor and Grantee have executed this Grant Deed as of this 9th day of March, 2011.

GRANTOR:

**REDEVELOPMENT AGENCY
OF THE CITY OF SAN LEANDRO,
a public body corporate and politic**

By: 
Stephen L. Hollister, Executive Director

ATTEST:

By Marian Handa
Marian Handa, Agency Secretary

APPROVED AS TO FORM:


for Jayne Williams, Agency Counsel

GRANTEE:

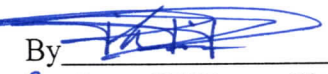
**CITY OF SAN LEANDRO,
a municipal corporation**

By: 
Stephen L. Hollister, City Manager

ATTEST:

By Marian Handa
Marian Handa, City Clerk

APPROVED AS TO FORM:


for Jayne Williams, City Attorney

SIGNATURES MUST BE NOTARIZED.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California)
) ss.
County of Alameda)

On MARCH 9, 2011 before me, MARY HUSTACE FOSTER, NOTARY PUBLIC,
personally appeared STEPHEN L. HOLLISTER,

My commission number is 1917320.



who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

My commission expires on December 17, 2014.

WITNESS my hand and official seal.

Mary Hustace Foster
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Grant Deed

Document Date: March 9, 2011

Number of Pages: 5

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name: Stephen L. Hollister

- ☒ Individual
☒ Corporate Officer – Title(s): Executive Director

- ☐ Partner – ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer – Title(s): _____

- ☐ Partner – ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

Signer is Representing: _____

RIGHT THUMBPRINT
OF SIGNER

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Exhibit A

The land described herein is situated in the State of California, County of Alameda, City of San Leandro, and is described as follows:

Beginning at a point on the northern line of Davis Street, formerly known as County Road No. 5952 (50.00 feet wide), distant thereon south 69 degrees 13 minutes west 1394.75 feet from the point of intersection thereof with the southwestern line of Doolittle Drive, formerly known as County Road No. 1434 (66.00 feet wide), running thence along the said line of Davis Street south 69 degrees 13 minutes west 75.00 feet; thence north 20 degrees 47 minutes west 208.00 feet; thence north 69 degrees 13 minutes east 75.00 feet; thence south 20 degrees 47 minutes east 208.00 feet to the Point of Beginning.

APN: 077A-0649-008-25

Exhibit B

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. 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") pre-

pared 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 proper-

ties 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

3.04.040

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-

prove 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 modification 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

3.08.050

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 established 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 project 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 indebtedness 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

3.08.110

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)

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.

Whenever a business will be displaced from property within the project area by redevelopment 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)

contained in Health and Safety Code Section 33454 et seq., commonly referred to as the Polanco Act. (Ord. 99-025 § 209.6, 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

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)

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 production, 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;

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 displaced 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 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 assisted 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

3.32.060

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.
- 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 conformance 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 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 guidelines 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 redevelopment 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

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 re-

quired 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 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)

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 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

Appendix to Title 3

Appendix to Title 3

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;

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THENCE GENERALLY SOUTHEASTERLY. 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 NORTHEAST, 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 NORTHEAST, 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 SOUTHERNPACIFIC 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;

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(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;

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(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 PROLONGATION 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 $N63^{\circ}53'00''E$, 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 $S47^{\circ}46'20''E$, 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 $N63^{\circ}53'00''E$, 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 $N28^{\circ}18'54''W$, 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 $N68^{\circ}13'41''E$, 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 $N67^{\circ}40'29''W$ 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 $S70^{\circ}35'00''W$, 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 $N19^{\circ}25'00''W$, 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

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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 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;

Appendix to Title 3

(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

(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 northbound 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

Appendix to Title 3

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 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.

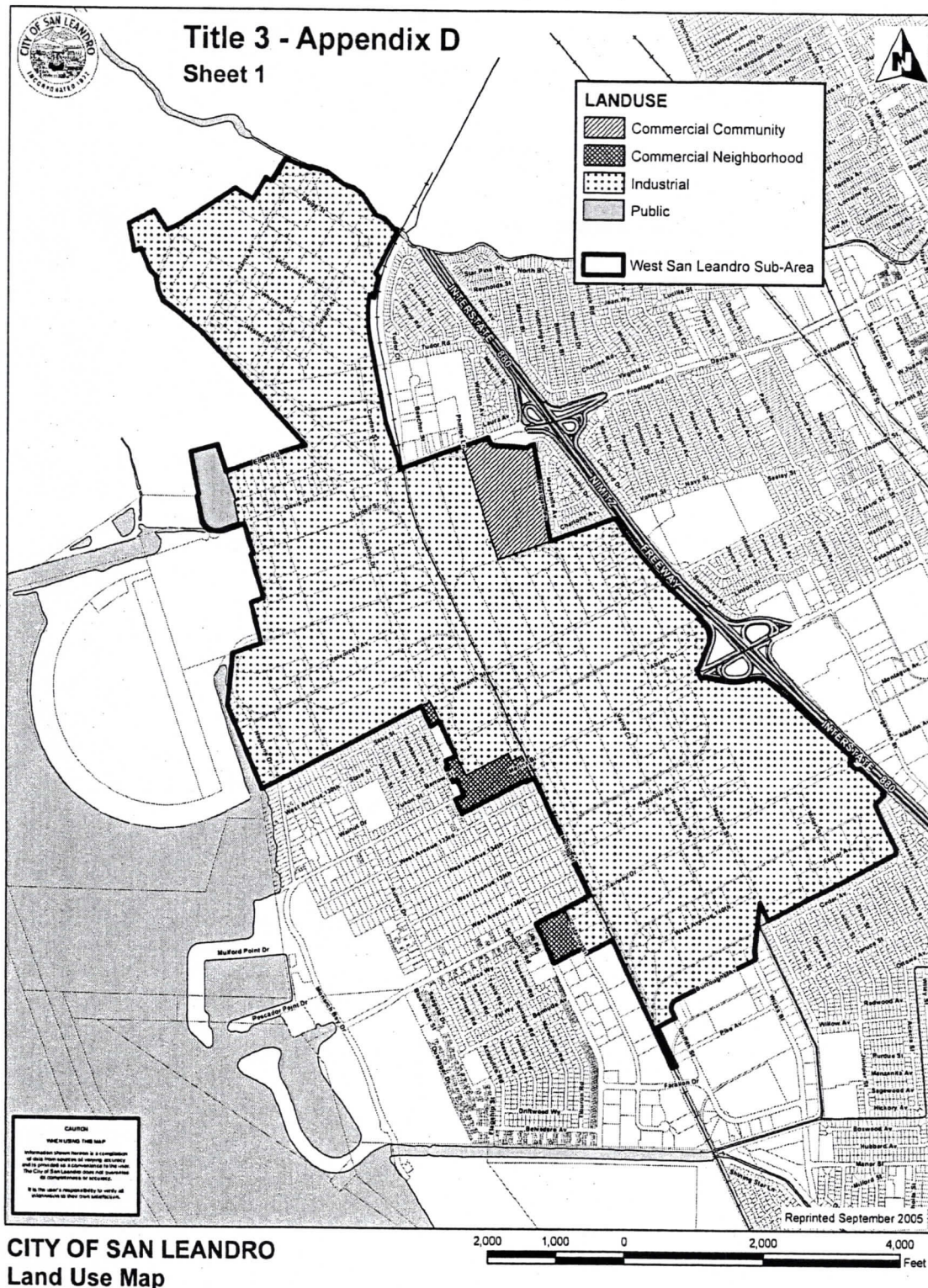
APPENDIX D

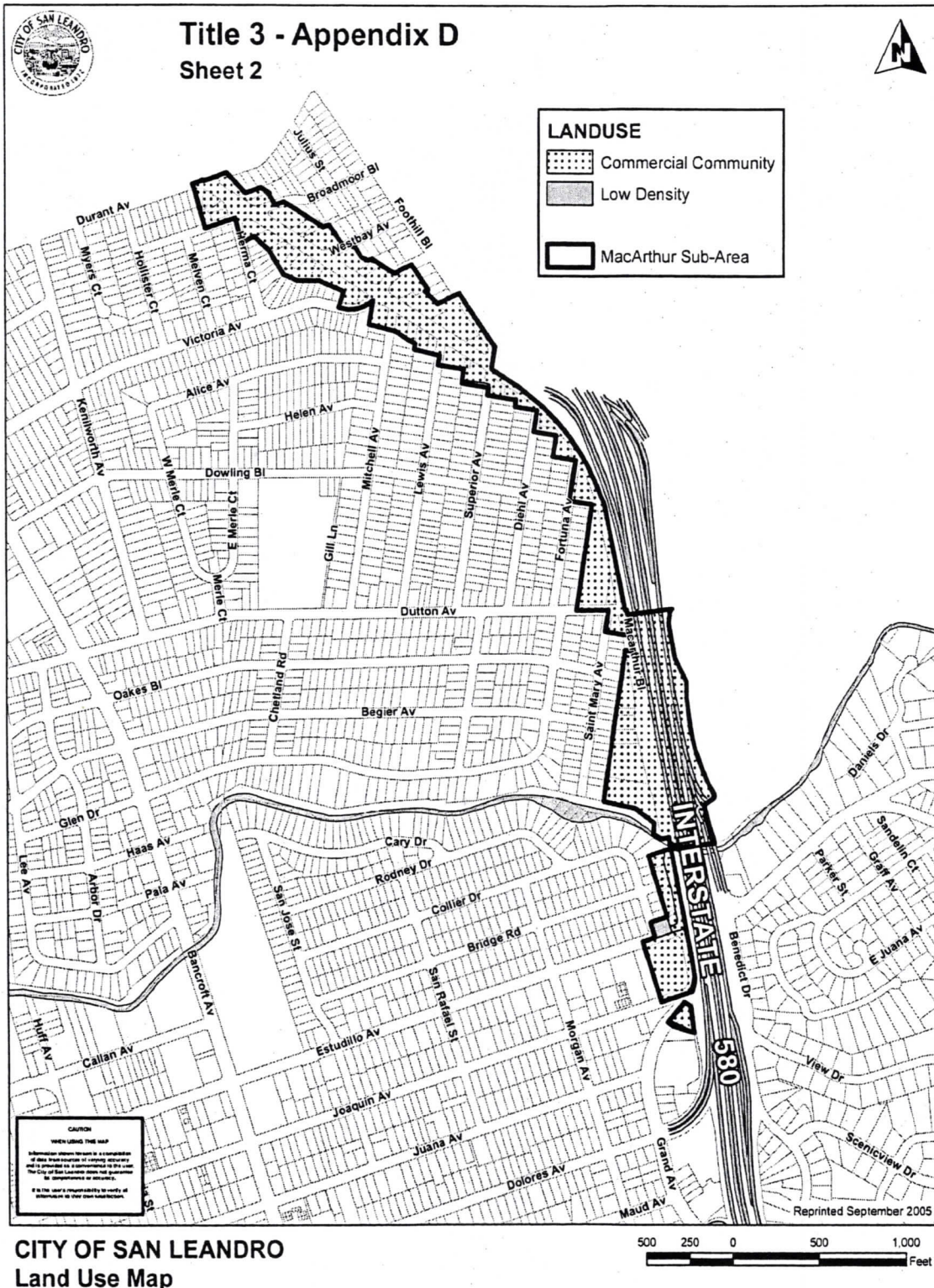
LAND USE MAP

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.

ORIGINAL CAN BE FOUND AT
CITY OF SAN LEANDRO
835 E. 14TH ST.
SAN LEANDRO, CA 94577

Appendix to Title 3





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)		

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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 rede-
velopment plan for the West
San Leandro-McArthur Boule-
vard redevelopment project area
(3.08, 3.40)
- 2005-009 Amends §§ 1.04.080(E),
1.16.030 and 1.24.100, Plaza
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(1.04, 1.16, 1.24)

ALAMEDA COUNTY/CITY OF SAN LEANDRO REDEVELOPMENT PLAN

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PLAZA 1 REDEVELOPMENT PLAN

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WEST SAN LEANDRO/MACARTHUR BOULEVARD REDEVELOPMENT PLAN

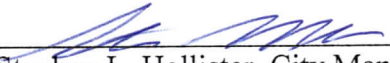
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CERTIFICATE OF ACCEPTANCE

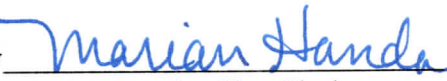
This is to certify that the interest in real property, identified in the Disposition and Development Agreement approved by Resolution No. 2011-058, conveyed by the Grant Deed dated March 9, 2011, from the Redevelopment Agency of the City of San Leandro, a public body corporate and politic to the City of San Leandro, a municipal corporation ("**City**"), is hereby accepted on behalf of the City by its City Manager pursuant to authority conferred by Resolution No. 2011-058, adopted by the City Council of the City of San Leandro on March 7, 2011, and that the City consents to recordation of the Grant Deed by its duly authorized officer. .

Dated March 9, 2011

**CITY OF SAN LEANDRO,
a municipal corporation**

By: 
Stephen L. Hollister, City Manager

ATTEST:

By 
Marian Handa, City Clerk

APPROVED AS TO FORM:

By 
for Jayne Williams, City Attorney

SIGNATURES MUST BE NOTARIZED

CITY OF SAN LEANDRO
APR 01 2011
CITY CLERK'S OFFICE

From: Nina Hinton / BD

SCANNED

APR 14 2011

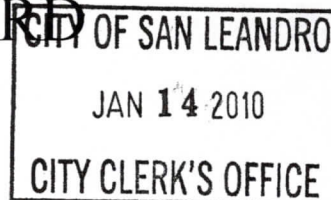
CITY CLERK'S OFFICE
Scan Operator: _____



cc: Tara Peterson /ET

ASSESSMENT APPEALS BOARD

CANCELLATION OF TAXES



Date: **January 13, 2010**

In reply, refer to CT No(s):

2009-93046

Reference Number: **77A-649-8-25**

Previous Owner:

**CITY OF SAN LEANDRO
MARIAN HANDA
CIVIC CENTER 835 E 14TH ST
SAN LEANDRO, CA 94577**

CANCELLATION OF TAXES

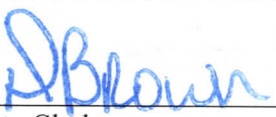
SUBJECT: Request for Cancellation of Taxes

Enclosed is a copy of the Assessor's Report (Exhibit #2009-93046) 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,

Crystal Hishida Graff, Clerk of the Board
ASSESSMENT APPEALS BOARD

By: 
Deputy Clerk

Encl.

cc: Tax Collector, QIC 20114



**OFFICE OF ASSESSOR
COUNTY OF ALAMEDA**

1221 Oak Street, County Administration Building
Oakland, California 94612-4288
(510) 272-3787 / FAX (510) 272-3803

RON THOMSEN
ASSESSOR

CANCELLATION OF TAXES

Date: 12/22/2009

To: Patrick O'Connell, AUDITOR-CONTROLLER

From: Ron Thomsen, ASSESSOR

Subject: Cancellation of taxes specified by Revenue and 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 of the taxes on the property indicated by the account numbers listed on the schedule below be cancelled.

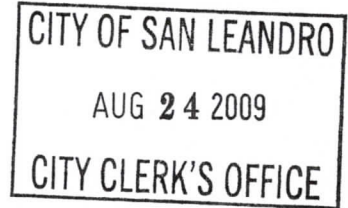
Supporting Document	Date of Apportionment	Roll Year Affected	Assessment Roll Account Number	All/Portion	Assessed Value
2009171460	06/01/2009	2009-2010	77A-649-8-25	All	Land: Improvements:
2009171460	06/01/2009	2008-2009	77A-649-8-25	All	Land: Improvements:
					Land: Improvements:
					Land: Improvements:
					Land: Improvements:
					Land: Improvements:
					Land: Improvements:
					Land: Improvements:
					Land: Improvements:
					Land: Improvements:



cc: Tara Peterson / ET

ASSESSMENT APPEALS BOARD

CANCELLATION OF TAXES



In reply, refer to CT No(s):
2009-93046

Reference Number: 77A-649-8-25
Previous Owner:

Date: August 12, 2009

TO: Assessor, Attn: Mapping Section, QIC 20116

FROM: Donna Brown, Clerk of the Board

SUBJECT: Request for Cancellation of Taxes

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

<u>City or Agency</u>	<u>Recorder's No.</u>	<u>APN or Address</u>	<u>Date of Request</u>
CITY OF SAN LEANDRO	2009-171460	77A-649-8-25	08/12/2009

This is referred to you for processing.

cc:

CITY OF SAN LEANDRO
MARIAN HANDA
CIVIC CENTER 835 E 14TH ST
SAN LEANDRO, CA 94577

Pro-rata check YES NO AMOUNT \$_____ Date Rec'd. _____ Date Sent to TxColl. _____

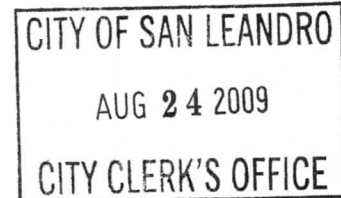


CLERK, BOARD OF SUPERVISORS

Assessment Appeals Board

August 12, 2009

CITY OF SAN LEANDRO
MARIAN HANDA
CIVIC CENTER, 835 E 14TH ST
SAN LEANDRO, CA 94577



RE: Cancellation of taxes for parcel 77A-649-8-25

Dear Applicant:

If you are requesting to cancel taxes for the parcel referenced above, please provide the Assessor a copy of the following: map of the acquired property. Please attention it to Donna Brown at the address below. Please include a phone number where you can be reach on all future requests.

If you have any questions, please call Donna Brown at (510) 272-6343.

Crystal K. Hishida Graft, Clerk of the Board
ASSESSMENT APPEALS BOARD

Deputy Clerk

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



August 18, 2009

Donna Brown
Assessment Appeals Board
County of Alameda
1221 Oak Street, Room 536
Oakland, CA 94612

RE: Cancellation of Taxes for APN 077A-0649-008-25

Dear Ms. Brown:

Enclosed are two (2) copies of a map relating to the cancellation of taxes for 2512 Davis Street, San Leandro, APN 077A-0649-008-25. The subject site is highlighted on the map.

If you have any questions, please call me at (510) 577-3366. Thank you.

Sincerely,

Vivian Chiu
Deputy City Clerk

Enclosures: 2

Tony Santos, Mayor

City Council:

Michael J. Gregory;
Diana M. Souza;

Jim Prola;
Joyce R. Starosciak;

Ursula Reed;
Bill Stephens



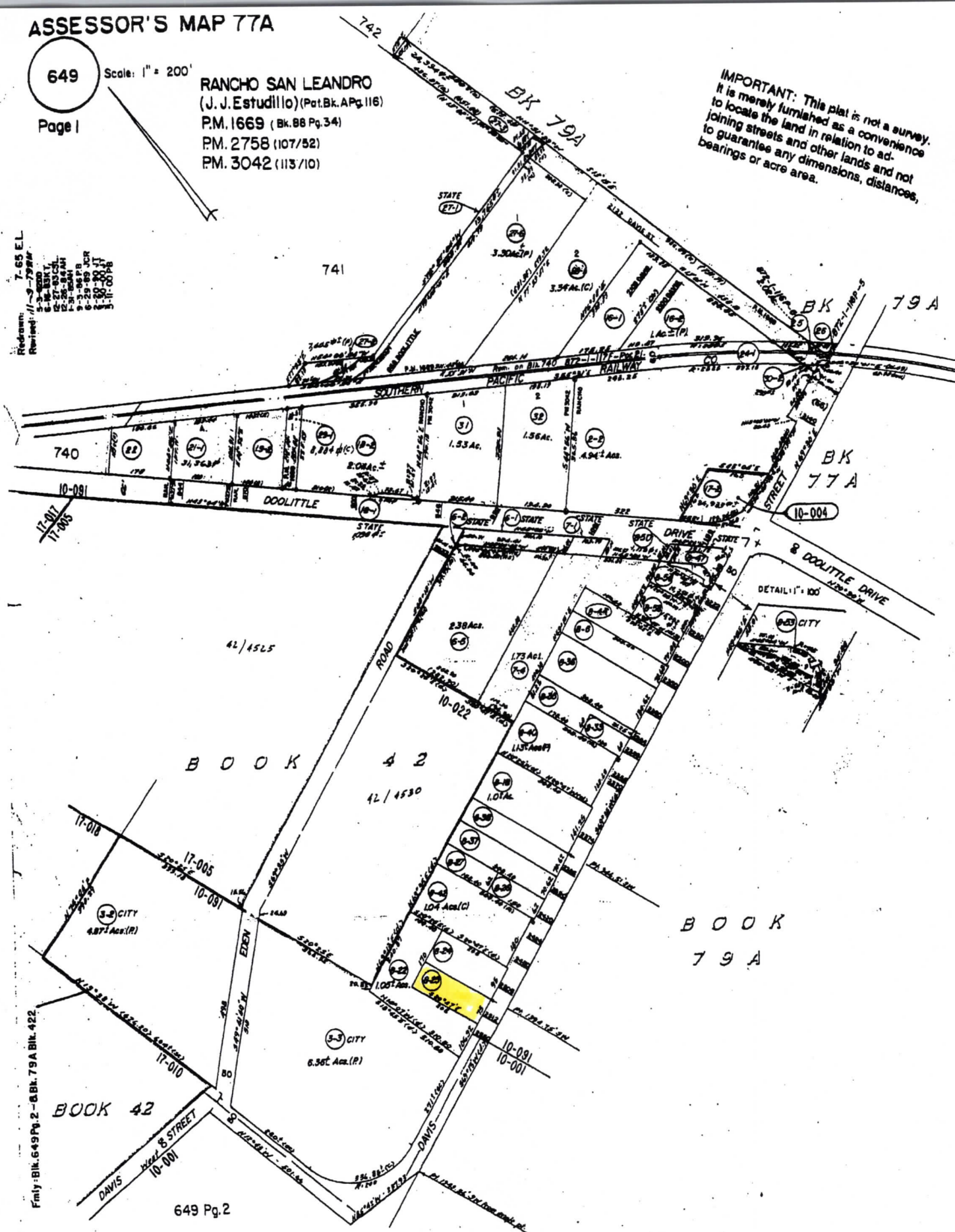
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Page 1

Redrawn: 7-65 EL
Revised: 11-9-79 MM

5-3-6800	9-3-86 PB
6-16-83 KY	6-29-89 JCR
12-27-83 CSJL	3-20-90 JT
12-26-84 AH	3-30-90 JT
1-31-85 SAH	3-11-00 PB

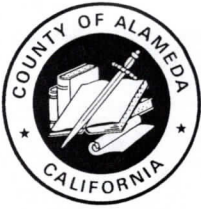
IMPORTANT: This plat is not a survey. It is merely furnished as a convenience to locate the land in relation to adjoining streets and other lands and not to guarantee any dimensions, distances, bearings or acre area.



Description: Alameda.CA Assessor Map 77.649 Page: 1 of 2

HPN - 5

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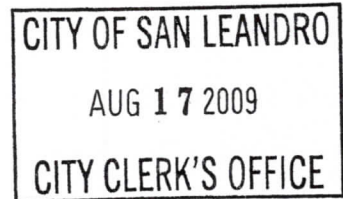


CLERK, BOARD OF SUPERVISORS

Assessment Appeals Board

August 12, 2009

CITY OF SAN LEANDRO
MARIAN HANDA
CIVIC CENTER, 835 E 14TH ST
SAN LEANDRO, CA 94577



RE: Cancellation of taxes for parcel 77A-649-8-25

Dear Applicant:

If you are requesting to cancel taxes for the parcel referenced above, please provide the Assessor a copy of the following: map of the acquired property. Please attention it to Donna Brown at the address below. Please include a phone number where you can be reach on all future requests.

If you have any questions, please call Donna Brown at (510) 272-6343.

Crystal K. Hishida Graft, Clerk of the Board
ASSESSMENT APPEALS BOARD

Deputy Clerk 

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



July 28, 2009

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

RE: Cancellation of Taxes

Dear Board of Supervisors:

The Redevelopment Agency 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 **Kenneth F. Bartlett, an unmarried man**, the real property commonly known as:

2512 Davis Street, San Leandro, California, APN 077A-0649-008-25

and recorded in the Official Records of the County of Alameda under the County Recorder's **Instrument No. 2009171460** on **June 1, 2009**, two (2) copies of which are enclosed.

It is requested that your Honorable Board will cancel taxes on the above property. Upon your approval, we would appreciate receiving a certified copy of the adopting resolution.

Sincerely,

Marian Handa
Agency Secretary

Enclosures: 2

cc: Tara Peterson, Engineering and Transportation

Tony Santos, Mayor

City Council:

Michael J. Gregory;
Diana M. Souza;

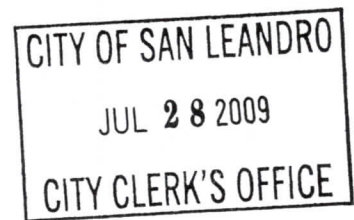
Jim Prola;
Joyce R. Starosciak;

Ursula Reed;
Bill Stephens



CITY OF SAN LEANDRO

MEMORANDUM



DATE: July 27, 2009

TO: Marian Handa, City Clerk

FROM: Tara Peterson, Administrative Services Manager - Engineering & Transportation

SUBJECT: Copy of Grant Deed Submittal and Tax Cancellation Request

I received the attached documents from Placer Title. At this time, the taxes should be cancelled on the acquired property.

If I receive an original copy of the grant deed, I will immediately forward it to you.

Thank you.

8
Recording Requested by
and when Recorded, return to:

Redevelopment Agency of the
City of San Leandro
835 East 14th Street
San Leandro, CA 94577
Attention: City Clerk

EXEMPT FROM RECORDING FEES PER
GOVERNMENT CODE §§6103, 27383



2009171460

06/01/2009 08:30 AM

OFFICIAL RECORDS OF ALAMEDA COUNTY
PATRICK O'CONNELL
RECORDING FEE: 0.00



5 PGS

815-1324 -1

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

Placer Title

GRANT DEED

* Not code 11922 /
Gov. agency acquiring title

For valuable consideration, receipt of which is hereby acknowledged, Kenneth F. Bartlett, an unmarried man ("Grantor") hereby grants to the Redevelopment Agency of the City of San Leandro, a public agency ("Buyer") all of Grantors' right, title and interest in and to that certain real property located in the County of Alameda, State of California commonly known as 2512 Davis Street, San Leandro, California, Assessor's Parcel Number 077A-0649-008-25, and more particularly described in Exhibit A attached hereto and incorporated herein (the "Property").

IN WITNESS WHEREOF, Grantor has executed this Grant Deed as of

MAY 27, 2009.

GRANTOR:

KENNETH F. BARTLETT

an unmarried man

* mail tax statements to: Same as above.

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

State of California)

)ss.

County of ALAMEDA)

On MAY 27, 2009 before me, T. PAPIERNIAK, Notary Public,
personally appeared _____

KENNETH F. BARTLETT

who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal.

Signature  (Seal)

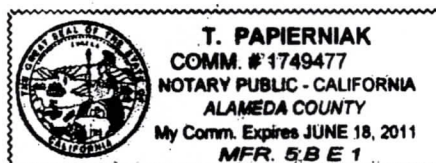
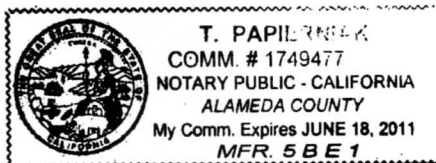


Exhibit A

The land situated in the State of California, County of Alameda, city of San Leandro and described in the attached.

Order No. 815-1324
UPDATE
Version 3

EXHIBIT "A"
LEGAL DESCRIPTION

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF ALAMEDA, CITY OF SAN LEANDRO, AND IS DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERN LINE OF DAVIS STREET, FORMERLY KNOWN AS COUNTY ROAD NO. 5952, (50.00 FEET WIDE), DISTANT THEREON SOUTH 69 DEGREES 13 MINUTES WEST 1394.75 FEET FROM THE POINT OF INTERSECTION THEREOF WITH THE SOUTHWESTERN LINE OF DOOLITTLE DRIVE, FORMERLY KNOWN AS COUNTY ROAD NO. 1434 (66.00 FEET WIDE) RUNNING THENCE ALONG THE SAID LINE OF DAVIS STREET SOUTH 69 DEGREES 13 MINUTES WEST 75.00 FEET; THENCE NORTH 20 DEGREES 47 MINUTES WEST 208.00 FEET; THENCE NORTH 69 DEGREES 13 MINUTES EAST 75.00 FEET; THENCE SOUTH 20 DEGREES 47 MINUTES EAST 208.00 FEET TO THE POINT OF BEGINNING.

APN: 077A-0649-008-25

CLTA Preliminary Report

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Grant Deed dated MAY 27, 2009, executed by Kenneth F. Bartlett, an unmarried man ("**Grantor**"), to the Redevelopment Agency of the City of San Leandro, a public agency ("**Agency**"), is hereby accepted on behalf of the Agency by its Executive Director pursuant to authority conferred by Resolution No. ~~2009-010~~ ²⁰⁰⁹⁻⁰¹¹ adopted by the Agency governing board on MAY 4, 2009, and that the Grantee consents to recordation of the Grant Deed by its duly authorized officer.

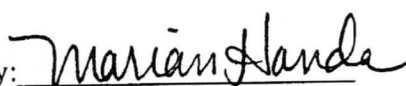
Dated 12 MAY, 2009

By: 

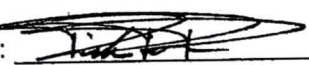
Print Name: Stephen L. Hollister

Title: Executive Director

ATTEST:

By: 
Agency Secretary

APPROVED AS TO FORM:

By: 
Agency Counsel

8
Recording Requested by
and when Recorded, return to:

Redevelopment Agency of the
City of San Leandro
835 East 14th Street
San Leandro, CA 94577
Attention: City Clerk

EXEMPT FROM RECORDING FEES PER
GOVERNMENT CODE §§6103, 27383



2009171460

06/01/2009 08:30 AM

OFFICIAL RECORDS OF ALAMEDA COUNTY
PATRICK O'CONNELL
RECORDING FEE: 0.00



5 PGS

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

815-1324 -1

* Ret code 11922 /
Gov. agency acquiring title

Placer Title

GRANT DEED

For valuable consideration, receipt of which is hereby acknowledged, Kenneth F. Bartlett, an unmarried man ("**Grantor**") hereby grants to the Redevelopment Agency of the City of San Leandro, a public agency ("**Buyer**") all of Grantors' right, title and interest in and to that certain real property located in the County of Alameda, State of California commonly known as 2512 Davis Street, San Leandro, California, Assessor's Parcel Number 077A-0649-008-25, and more particularly described in Exhibit A attached hereto and incorporated herein (the "**Property**").

IN WITNESS WHEREOF, Grantor has executed this Grant Deed as of

MAY 27, 2009.

GRANTOR:

KENNETH F. BARTLETT

an unmarried man

original - Clerk
C: Sara Peterson
Redevelopment file
7/7/09

* mail tax statements to: Same as above.

CDD – Bus. Dev.

JUL 06 2009

City of San Leandro

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

State of California)

)ss.

County of ALAMEDA)

On MAY 27, 2009 before me, T. PAPIERNIAK, Notary Public,
personally appeared _____

KENNETH F. BARTLETT

who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal.

Signature T. Papierniak (Seal)

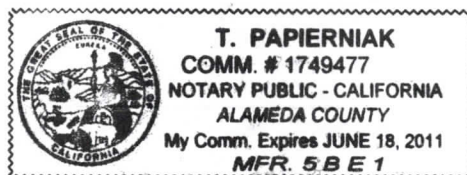
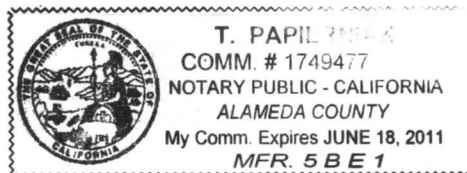


Exhibit A

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Order No. 815-1324
UPDATE
Version 3

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APN: 077A-0649-008-25

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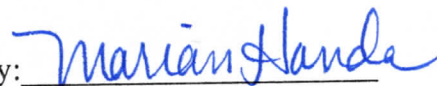
Dated 12 MAY, 2009

By: 

Print Name: Stephen L. Hollister

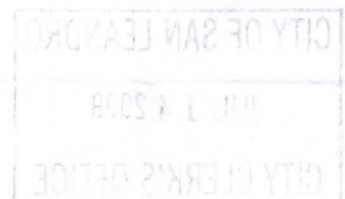
Title: Executive Director

ATTEST:

By: 
Agency Secretary

APPROVED AS TO FORM:

By: 
Agency Counsel



CITY OF SAN LEANDRO
JUL 14 2009
CITY CLERK'S OFFICE

From: Pat Greig / CD
(3110)

SCANNED

JUL 14 2009
CITY CLERK'S OFFICE
Scan Operator: _____
ID 237536