



2007225225

06/15/2007 10:42 AM

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

6 PGS

Recording requested by

CITY OF SAN LEANDRO

When Recorded Mail To:City of San Leandro
City Clerk
835 East 14th Street
San Leandro, CA 94577No Documentary Tax Due

LPT**PERMANENT EASEMENT - CITY SIDEWALK ACCESS AREA
BY AND BETWEEN
THE CITY OF SAN LEANDRO AND SAFEWAY STORES, INC.**

This is an easement agreement made as of this 16 day of May, 2007, by and between Safeway Inc., a Delaware corporation, successor in interest by merger to Safeway Stores, Incorporated, a Maryland corporation ("**OWNER**") and the City of San Leandro ("**CITY**"), hereinafter referred to as the ("**PARTIES**"). OWNER hereby grants to CITY, its agents, employees and contractors, an easement on, over, under and across a portion of that certain real property owned by the OWNER, located at APN 0412-0001-012-00, also known as a portion of Greenhouse Marketplace, 699 Lewelling Boulevard, San Leandro, CA, and as more particularly described in Exhibit B attached hereto and made a part hereof, which easement area is that area identified as "City Sidewalk Easement 132.5 sq. ft +/-" and shown by hatch marks on Exhibit "A" attached hereto ("Easement Area"), for the purposes of installing and maintaining City-owned facilities within the sidewalk area.

CITY, from time to time, may exclude persons or other uses of all or a portion of the Easement Area if, in CITY's sole discretion, the presence of said persons or other uses would be hazardous or would hinder CITY's activities related to the installation of the sidewalk and necessary maintenance and repair as needed in the future.

CITY agrees to indemnify and hold OWNER harmless from and against any and all loss, damage, and/or liability for injuries or damage, that may be suffered or incurred by OWNER, and against any and all claims, demands, and causes of action that may be brought against OWNER,

caused by, or arising out of, or in any way connected with, the use and/or occupancy of, or the acts of, CITY's agent, employees or contractors on the Easement Area.

IN WITNESS WHEREOF the PARTIES hereto have executed this Agreement as of the date set forth next to their respective signatures as follows:

OWNER:

SAFEWAY INC.

a Delaware corporation

Date: May 14, 2007

By [Signature]
Its Assistant Vice President

By: [Signature]
Its Assistant Secretary

Form Approved [Signature]

CITY:

CITY OF SAN LEANDRO, a municipal
corporation of the State of California

Date: 6-7-07

APPROVED AS TO FORM

[Signature]
John J. Jermanis, City Manager

By: Stephanie Stuart
Assistant City Attorney

Attest: Marian Handa
Marian Handa, City Clerk

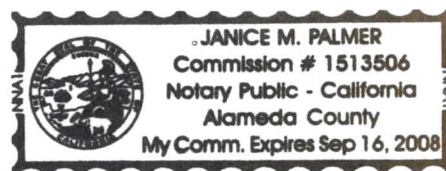
ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
COUNTY OF ALAMEDA)

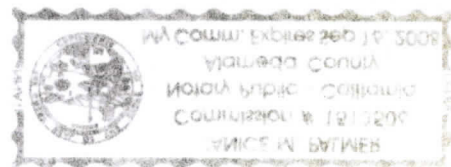
On May 16, 2007, before me, Janice M. Palmer, Notary Public, personally appeared Steven J. Gouig and Jerome P. Harrison, personally known to me (or proved on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument, the persons or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

Janice M. Palmer
Signature



(Seal)



**CITY OF SAN LEANDRO
COUNTY OF ALAMEDA
STATE OF CALIFORNIA
EXHIBIT A**



WASHINGTON AVENUE
RIGHT-OF-WAY WIDTH VARIES

CITY SIDEWALK EASEMENT
132.5 sq. ft. ±

FARGO AVENUE
50' RIGHT-OF-WAY WIDTH

N 89°45'53"W(R)

CITY RIGHT-OF-WAY

N00°14'07"E

80.00'

N 76°44'31"E(R)
(30'R)
P.O.B.

N 78°32'14"E(R)
(18.72'R)

PARCEL 5
149 M 80
14,658 sq. ft.
0.34 acres

MCDONALD'S PARCEL

N00°14'07"E
125.93'

PARCEL 7
149 M 80

N89°45'53"W 99.17'

N03°29'46"E(R)

11.91'

N 00°13'59"E(R)

CITY RIGHT-OF-WAY
S 00°14'07"W 64.00'

SAFEWAY PARCEL

PARCEL 7
149 M 80
177,702 sq. ft.
4.08 acres

N89°45'53"W 70.00'
262.75'

PARCEL 3
149 M 80

Course	Bearing	Distance
L1	N 89°45'53" W	11.86'
L2	S 00°14'07" W	7.44'
L3	N 00°14'07" E	8.10'

Curve	Radius	Length	Delta
C1	12.00'	14.19'	67°45'10"
C2	30.00'	40.06'	76°30'32"
C3	18.72'	24.52'	75°03'31"



**PLAT TO ACCOMPANY DESCRIPTION OF
CITY SIDEWALK EASEMENT**



MARK THOMAS & CO. INC.
PROVIDING ENGINEERING, SURVEYING AND PLANNING SERVICES
5000 HOPKINS ROAD, SUITE 315, PLEASANTON, CA 94588

DESIGNED BY DCL
CHKD. BY LJ
DATE 12/07/2008
SCALE 1" = 30'

APPROVED ON 09/18/2008
BY LARRY E JOHNSON
LS NO. 4998

JOB NO.
55-01768
FILE NO.
XXXX

SHEET
1
OF
1

EXHIBIT B

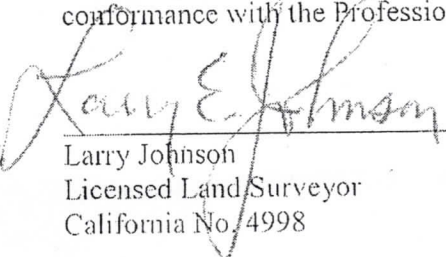
CITY SIDEWALK EASEMENT
NORTHEAST CORNER OF WASHINGTON AND FARGO AVENUES

A portion of Parcel 7 as said parcel is shown on Parcel Map No. 4377, filed December 28, 1984 in Book 149 of Parcel Maps Pages 80 and 81, Alameda County Records, situate in the City of San Leandro, County of Alameda, State of California, more particularly described as follows:

BEGINNING at the Southwesterly corner of Parcel 5 (also a common corner of Parcel 7) on a 30 ft. radius curved segment of the Easterly line of Washington Avenue, as said Parcels and Avenue are shown on the above referenced Parcel Map; from which corner the center of said curve segment bears North $76^{\circ} 44' 31''$ East; thence along said curved segment, southeasterly along the arc of a curve to the left, having a radius of 30.00 ft. through a central angle of $76^{\circ} 30' 32''$, an arc distance of 40.06 ft to an angle point in said Easterly line of Washington Avenue; thence leaving said Easterly line, N $00^{\circ} 14' 07''$ E 8.10 feet; thence N $89^{\circ} 45' 53''$ W 11.91 feet to a point on a non-tangent curve to the right, from which point the center bears North $03^{\circ} 29' 46''$ East 18.72 ft.; thence along the arc of said curve to the right, having a radius of 18.72 feet, through a central angle of $75^{\circ} 03' 31''$ an arc distance of 24.52 feet and to the **POINT OF BEGINNING**.

CONTAINING 132 square feet, more or less.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.


Larry Johnson
Licensed Land Surveyor
California No. 4998



11/14/2000
Date

Certificate of Acceptance

This is to certify that the interest in real property conveyed by Easement Agreement dated May 16, 2007 from Safeway Stores, Inc. to the City of San Leandro, a municipal corporation, is hereby accepted on behalf of the City Council of the City of San Leandro, pursuant to authority conferred by Resolution No. 2001-212, adopted by the City Council of the City of San Leandro on December 17, 2001, and the Owner consents to recordation thereof by its duly authorized officer.

Dated: June 8, 2007



Seal

Marian Handa

MARIAN HANDA

City Clerk of the City of San Leandro

CITY OF SAN LEANDRO

JUL 16 2007

CITY CLERK'S OFFICE

CC: ET

SCANNED

JUL 17 2007

CITY CLERK'S OFFICE

Scan Operator: _____

DO NOT RECORD

DOCUMENT NO

2007225275

STATEMENT OF DOCUMENTARY TRANSFER TAX DUE AND REQUEST THAT AMOUNT OF TAX NOT BE MADE A PART OF THE PERMANENT RECORD IN THE OFFICE OF THE COUNTY RECORDER

(Pursuant to Section 11932 Rev. & Tax Code and Section 2-29.01 et seq. Alameda County Ordinance Code)

To: **PATRICK O'CONNELL**
Alameda County Recorder

Request is hereby made in accordance with the provisions of the Documentary Transfer Tax Act that the amount of tax shall be shown on this statement which shall be affixed to the document by the Recorder after the record is made and before the original is returned as specified in Section 27321 of the Government Code.

Toll-Dublin, LLC

(Name of one grantor or lessor)

and

Daniel B. Poirier Gail J. Poirier

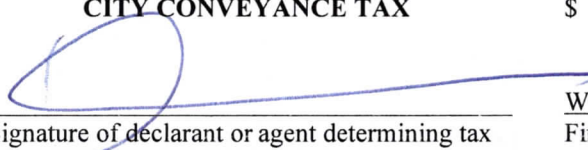
(Name of one grantor or lessor)

Property described said document is located in **(lot 378) Dublin, Alameda**
(Show name of city or unincorporated)

DOCUMENTARY TRANSFER TAX \$617.10

- ☐ Computed on full value of property conveyed, or
- ☐ Computed on full value less liens and encumbrances remaining thereon at time of sale.

CITY CONVEYANCE TAX \$


Signature of declarant or agent determining tax

Westminster Title Company
Firm Name

CITY OF SAN LEANDRO

JUL 16 2007

CITY CLERK'S OFFICE

CC:ET