

Recording requested by:

CITY OF SAN LEANDRO
Tara H. Peterson, Administrative Services Manager
835 East 14th Street
San Leandro, CA 94577



2012040016

02/02/2012 09:38 AM

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

When Recorded Mail To:

City of San Leandro
City Clerk
835 East 14th Street
San Leandro, CA 94577



6 PGS

Exempt from Recording Fees per Government
Code sections 6103, 27383

No Documentary Tax Due

**PUBLIC UTILITY EASEMENT
BY AND BETWEEN
THE CITY OF SAN LEANDRO AND FJM MERCED ASSOCIATES, LP**

For value received, receipt of which is hereby acknowledged, FJM Merced Associates, LP (GRANTOR) hereby grants to the City of San Leandro (CITY), its agents, employees and contractors, an Easement for construction and maintenance of public utility pipelines, conduits, structures, or other facilities on, over, under, and across a portion of that certain real property owned by the GRANTOR, located at 2700 Merced Street in San Leandro, CA also known as APN 077B-0855-001-02 and more particularly described in Exhibit A attached hereto and depicted in the attached Exhibit B.

In Witness Whereof the GRANTOR hereto has executed the easement as of the date set forth next to the signature below.

GRANTOR:

R. Matthew Mullan

Date: 1/13/12

By: [Signature]

Its: Manager

EXHIBIT "A"

**LEGAL DESCRIPTION
MERCED STREET PUBLIC UTILITY EASEMENT**

SAN LEANDRO, CALIFORNIA

AN EASEMENT RUNNING OVER ALL THAT CERTAIN REAL PROPERTY IN THE CITY OF SAN LEANDRO, COUNTY OF ALAMEDA AND STATE OF CALIFORNIA, BEING A PORTION OF PARCEL TWO OF THE DEED RECORDED SEPTEMBER 25, 2009 AS DOCUMENT NUMBER 2009306325, ALAMEDA COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINES OF FAIRWAY DRIVE AND MERCED STREET;

THENCE SOUTH 26°42'59" EAST ALONG THE CENTERLINE OF MERCED STREET, A DISTANCE OF 85.07 FEET;

THENCE NORTH 63°17'01" EAST A DISTANCE OF 40.00 FEET TO THE NORTHEASTERLY RIGHT OF WAY LINE OF MERCED STREET, AT THE POINT OF BEGINNING;

THENCE NORTH 26°42'59" WEST ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF MERCED STREET, A DISTANCE OF 15.03 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE, CONCAVE TO THE NORTHEAST;

THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF MERCED STREET AND ALONG THE ARC OF SAID CURVE, TO THE RIGHT, WITH RADIUS OF 40.00 FEET AND CENTRAL ANGLE OF 04°15'50", FOR AN ARC DISTANCE OF 2.98 FEET;

THENCE NORTH 63°17'01" EAST A DISTANCE OF 5.89 FEET;

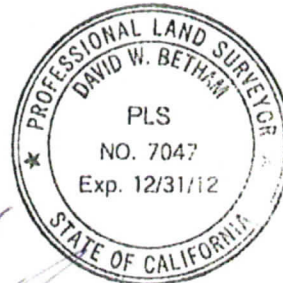
THENCE SOUTH 26°42'59" EAST A DISTANCE OF 18.00 FEET;

THENCE SOUTH 63°17'01" WEST A DISTANCE OF 6.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 108 SQUARE FEET, MORE OR LESS.

THE PROPERTY DESCRIBED HEREON IS SHOWN ON THE ATTACHED PLAT, EXHIBIT "B", AND BY REFERENCE, MADE A PART HEREOF.

FILE: Merced PUE.051611.doc
October 28, 2011



Kaiser - San Leandro Campus
Merced PUE
Revised Easement 10-28-11

Select figure: Figure Name: MERCED PUE

Course: N 26-42-59 W	Distance: 15.03
Arc Length: 2.98	Radius: 40.00
Delta: 4-15-50	
Course: N 63-17-01 E	Distance: 5.89
Course: S 26-42-59 E	Distance: 18.00
Course: S 63-17-01 W	Distance: 6.00

Perimeter: 47.90

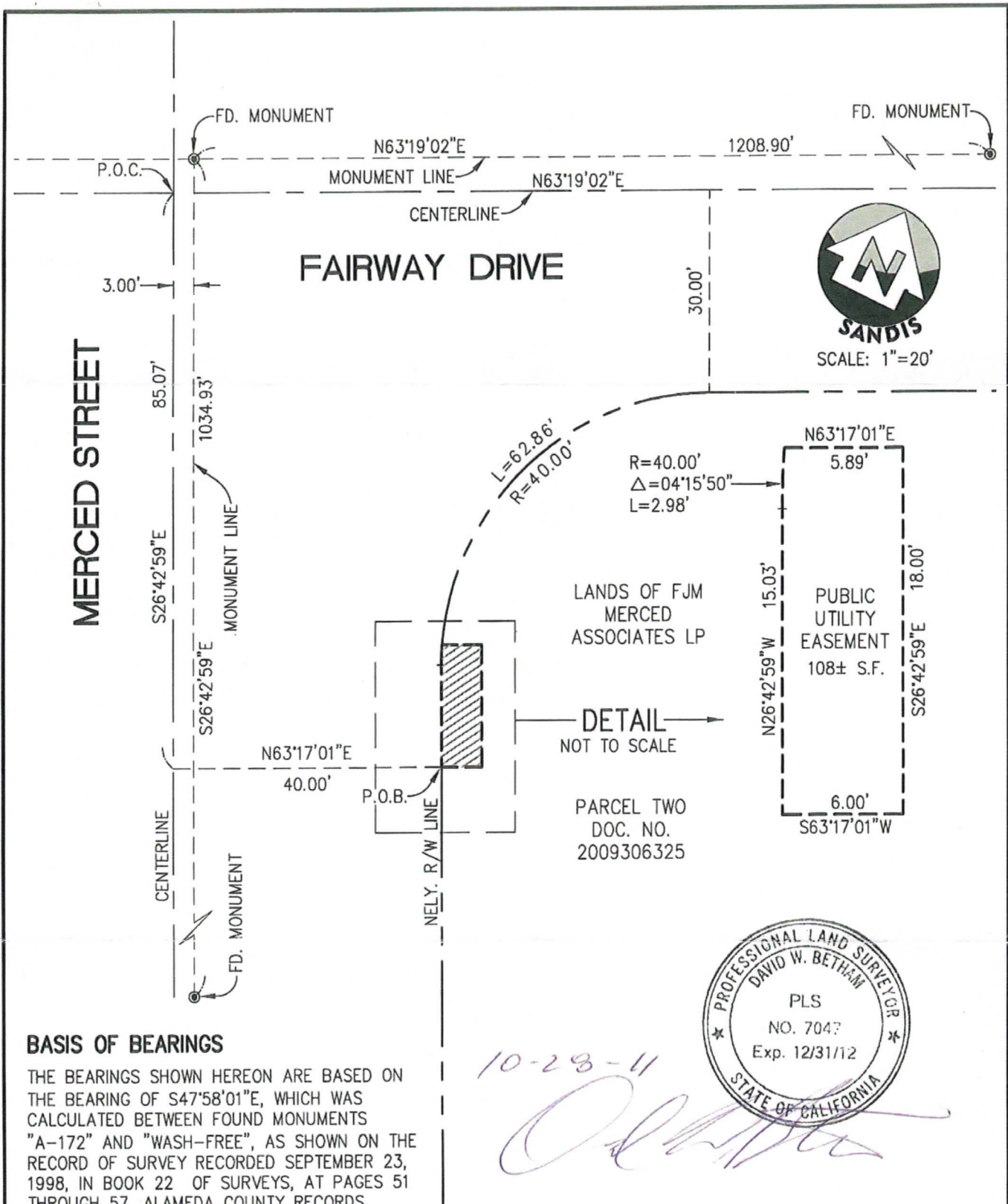
Area: 107.89 0.00 acres
Mapcheck Closure - (Uses listed courses & COGO Units)
Error of Closure: 0.004 Course: S 16-38-28 E
Precision 1: 11763.48

Figure Name: MERCED PUE

North: 2082934.83	East: 6079333.09
Course: N 26-42-59 W	Distance: 15.03
North: 2082948.25	East: 6079326.34
Arc Length: 2.98	Radius: 40.00
Delta: 4-15-50	
Tangent: 1.49	Chord: 2.98
Ch Course: N 24-35-04 W	
Course In: N 63-17-01 E	Out: S 67-32-51 W
Ctr North: 2082966.23	East: 6079362.07
End North: 2082950.95	East: 6079325.10
Course: N 63-17-01 E	Distance: 5.89
North: 2082953.60	East: 6079330.36
Course: S 26-42-59 E	Distance: 18.00
North: 2082937.52	East: 6079338.45
Course: S 63-17-01 W	Distance: 6.00
North: 2082934.83	East: 6079333.09

Perimeter: 47.89

Area: 107.89 0.00 acres
Mathematical Closure - (Uses Survey Units)
Press any key for more...
Error of Closure: 0.000 Course: S 90-00-00 E
Precision 1: 47892029.84



PLAT TO ACCOMPANY LEGAL DESCRIPTION

EXHIBIT 'B'

 SANDIS CIVIL ENGINEERS SURVEYORS PLANNERS 936 E. Duane Avenue Sunnyvale, CA 94085 P. 408.638.0900 F. 408.638.0999 www.sandis.net SUNNYVALE ROSEVILLE OAKLAND	DATE: 10-28-11 SCALE: 1"=20' DRAWN BY: DWB APPROVED: DRAWING NO: 605162	MERCED STREET PUBLIC UTILITY EASEMENT SAN LEANDRO, CA	SHEET 1 OF 1 SHEETS
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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San Francisco

On 1/13/12 before me, Brittney Bowman, Notary Public,
personally appeared R. Matthew Moran
Name(s) of Signer(s)



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 Brittney Bowman
Signature of Notary Public

Place Notary Seal Above

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: Public Utility Easement - City of San Leandro
Document Date: 1/12/12 Number of Pages: 4
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: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer Is Representing: _____

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb here

Signer Is Representing: _____



CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by Deed or Grant, dated January 13, 2012, from FJM Merced Associates, LP 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. 2005-143, adopted by the City Council of the City of San Leandro on October 17, 2005, and the grantee consents to recordation thereof by its duly authorized officer.

Dated: January 19, 2012

Seal:



MARIAN HANDA

City Clerk of the City of San Leandro



CITY OF SAN LEANDRO
FEB 16 2012
CITY CLERK'S OFFICE

cc: Pauline Tabilang / ET

SCANNED

FEB 16 2012

CITY CLERK'S OFFICE

Scan Operator: _____

300907

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 2011-158

**RESOLUTION AUTHORIZING ACQUISITION OF A PUBLIC UTILITY EASEMENT
OVER A PORTION OF 2700 MERCED STREET**

Recitals

A draft Public Utility Easement document granting the City of San Leandro easement rights over property in the city from a property owner, a draft of which is attached hereto, has been presented to this Council.

The City Council is familiar with the contents thereof.

The City Manager has recommended the approval of said draft easement document and acquisition of rights described in the document.

NOW, THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

That said draft easement document is hereby approved, and the City Manager or his/her designee is hereby authorized to negotiate, purchase, and accept agreements for a public utility easement over 2700 Merced Street.

Introduced by Councilmember Prola and passed and adopted this 6th day of September, 2011, by the following called vote:

Members of the Council:

AYES: Councilmembers Cutter, Gregory, Prola, Reed, Souza, Starosciak; (7)
Mayor Cassidy

NOES: None (0)

ABSENT: None (0)

ATTEST: Marian Handa
Marian Handa, City Clerk