

THIS INDENTURE, made this 22<sup>nd</sup> day of April, 1955, by and between SOUTHERN PACIFIC COMPANY, a corporation of the State of Delaware, herein called "Railroad" and CITY OF SAN LEANDRO, a municipal corporation of the State of California, herein called "City";

290

## WITNESSETH:

Railroad hereby grants to City (subject to the reservations and conditions herein contained) the right to construct, reconstruct, maintain and use a street upon that certain piece or parcel of land situate, lying and being in the City of San Leandro, County of Alameda, State of California, being a portion of the land described in deed dated November 15, 1951 from Alameda County-East Bay Title Insurance Company to Southern Pacific Company, recorded November 20, 1951 in Book 6592, Page 3, Official Records of Alameda County, and described as follows:

BEGINNING at the most westerly corner of that certain 2.985 acre parcel of land described as Parcel 3 in said deed; thence South 28° 13' 56" East along the southwesterly line of said 2.985 acre parcel of land, 2169.44 feet (bearing and distance shown as South 27° 30' East 2167.20 feet in said deed) to the most southerly corner thereof, said corner being on the northwesterly line of Tract 1507; thence North 61° 51' 25" East along the southeasterly line of said 2.985 acre parcel and the northeasterly prolongation thereof, (bearing of said southeasterly line shown as North 62° 30' East in said deed) being also along said northwesterly line of said Tract 1507, a distance of 74.28 feet to the northeasterly line of Alvarado Street in said tract; thence North 28° 44' 23" West 709.44 feet to a point in the southeasterly prolongation of a line parallel with and distant 8.00 feet northeasterly, measured at right angles, from the southwesterly line of that certain 44.39 acre parcel of land described as Parcel 1 in said deed; thence North 28° 13' 56" West along last said prolongation and said parallel line (last said southwesterly line shown as having a bearing of North 27½° West in said deed) 1460.00 feet to a point in the northwesterly line of said Parcel 1 as described in said deed; thence South 61° 53' 18" West (bearing shown as South 62½° West in said deed) along said northwesterly line of said Parcel 1, a distance of 8.00 feet to the most westerly corner of said Parcel 1, being also the most northerly corner of said 2.985 acre parcel of land; thence North 28° 13' 56" West along the northwesterly prolongation of the northeasterly line of said 2.985 acre parcel of land (said northeasterly line shown as having a bearing of North 27° 30' West in said deed) 30.00 feet to a point in the northwesterly line of land described as Parcel 5 in said deed; thence South 61° 53' 18" West along last said northwesterly line, 60.00 feet to the most westerly corner of said Parcel 5; thence South 28° 13' 56" East along the southwesterly line of said Parcel 5 (bearing shown as South 27° 30' East in said deed) a distance of 30.00 feet to the point of beginning, containing an area of 3.479 acres, more or less.

Reserving unto Railroad, its successors, and assigns, the right to construct, reconstruct, maintain, and operate not to exceed three (3) railroad spur tracks across the land described herein, and at an approximate right angle thereto, subject to the following conditions:

1. That said spur tracks are to be used for the transportation of freight only, and are not to be used as main line or part thereof.

2. Said tracks shall be so constructed and maintained as to interfere as little as possible with the use of the streets upon which it is located; it shall be laid level with the established street grade; and all construction work shall be done to the satisfaction of the Superintendent of Streets and City Engineer of the City.

3. The Railroad shall at its expense grade, pave, and improve the portion of the street between the tracks and for two feet on either side thereof in the same manner and at the same time that the balance of said street is hereafter graded, paved, or improved.

This grant is subject to all easements, encumbrances, or claims of title which may affect said land and the word GRANT as used herein shall not be construed as a covenant against the existence of any thereof.

Should City, its successors, or assigns, at any time abandon the use of said land or any part thereof, or fail at any time to use the same for said purpose for a continuous period of one (1) year, the right hereby given shall cease to the extent of the use so abandoned or discontinued.

IN WITNESS WHEREOF, Railroad has caused these presents to be executed by its officers thereunto duly authorized, and its corporate seal to be hereunto affixed, the day and year first herein written.

SOUTHERN PACIFIC COMPANY,

By J. J. [Signature]  
Vice President

Attest: T. P. [Signature]  
Assistant Secretary



BOOK 7680 PAGE 576  
STATE OF CALIFORNIA,  
City and County of San Francisco } ss.

On this 25th day of April in the year One Thousand Nine Hundred and Fifty Five  
before me, NORMAN T. STONE, a Notary Public in and for the City and County of San Francisco, State of California, personally appeared

J W Corbett & J F Ryan  
known to me to be the Vice Pres & Asst Secretary

of the corporation described in and that executed the within instrument, and also known to me to be the person A who executed it on behalf of the corporation therein named and J he acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the City and County of San Francisco, the day and year in this certificate first above written.

Norman Stone  
Corporation Notary Public in and for the City and County of San Francisco, State of California.

My Commission Expires October 25, 1956.

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 2634 C.M.S.

RESOLUTION ACCEPTING EASEMENT  
(Southern Pacific Company)

Whereas, there has been presented to this Council a certain grant of easement dated April 22, 1955, to a parcel of land more fully described in the said grant of easement to the same executed by Southern Pacific Company, a corporation of the State of Delaware, to the City of San Leandro, a municipal corporation, duly acknowledged and delivered to the City of San Leandro:

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

That said easement and the land herein described be and the same is hereby accepted by the said City of San Leandro, upon the condition subsequent nevertheless that said street be improved by the party making said conveyance and dedication thereof, said improvement to be without cost to the City of San Leandro.

Introduced by Councilman Swift and passed and adopted this 2d day of May, 1955, by the following called vote:

Ayes: Councilmen: Bellini, Dunnigan, Frazier, Kant, Swift, Vlahos, Knick ( 7 )

Noes: Councilmen: None ( 0 )

Absent: Councilmen: None ( 0 )

AK60165

DH RECORDED AT REQUEST OF City of San Leandro  
At 55 Min. Past 9A M. JUN - 6 1955  
15F OFFICIAL RECORDS OF ALAMEDA COUNTY, CALIF.  
Thomas W. Fitzsimmons, County Recorder

S/ THOMAS O. KNICK  
Mayor of the City of San Leandro

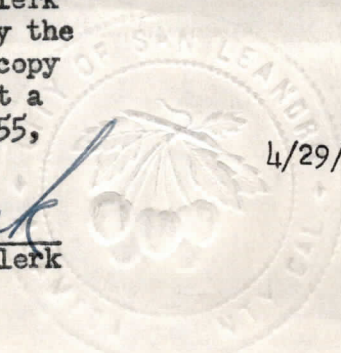
BOOK 7680 PAGE 573  
Attest:

H. H. Burbank City Clerk

I, the undersigned, H. H. Burbank, City Clerk of the City of San Leandro, hereby certify the foregoing to be a full, true and correct copy of Resolution No. 2634 C. M. S. adopted at a meeting of said City Council on May 2, 1955, at San Leandro, California.

5/3/55

H. H. Burbank  
City Clerk



4/29/55/a

55200







IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 2634 C.M.S. 2654

RESOLUTION ACCEPTING EASEMENT  
(Southern Pacific Company)

Whereas, there has been presented to this Council a certain grant of easement dated April 22, 1955, to a parcel of land more fully described in the said grant of easement to the same executed by Southern Pacific Company, a corporation of the State of Delaware, to the City of San Leandro, a municipal corporation, duly acknowledged and delivered to the City of San Leandro:

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

That said easement and the land herein described be and the same is hereby accepted by the said City of San Leandro, upon the condition subsequent nevertheless that said street be improved by the party making said conveyance and dedication thereof, said improvement to be without cost to the City of San Leandro.

Introduced by Councilman Swift and passed

and adopted this 2d day of May, 1955, by the following called vote:

Ayes: Councilmen: Bellini, Dunnigan, Frazier, Kant, Swift, Vlahos, Knick ( 7 )

Noes: Councilmen: None ( 0 )

Absent: Councilmen: None ( 0 )

Thomas Swift  
Mayor of the City of San Leandro

Attest: H. H. Burbank  
H. H. Burbank City Clerk

I, the undersigned, H. H. Burbank, City Clerk of the City of San Leandro, hereby certify the foregoing to be a full, true and correct copy of Resolution No. 2634 C.M.S. adopted at a meeting of said City Council on May 2, 1955, at San Leandro, California.

5/3/55

H. H. Burbank  
City Clerk

4/29/55/a

55-200



2/21/22

CITY CLERK

of San Leandro, California  
meeting of said City Council on May 5, 1922,  
of Resolution No. 2531 C.M.S. adopted at a  
thereof to be a lot, and collect cost  
of the City of San Leandro, hereby certify the  
I, the undersigned, H. H. Volbank, City Clerk

1/25/22/2

22-590

H. H. Volbank, City Clerk

Address: *[Handwritten address]*

Mayor of the City of San Leandro

Present:	Commission:	None	( 0 )
Absent:	Commission:	None	( 0 )
Absent:	Commission:	Bellini, D'Amico, Kater, King, Smith	( 5 )

and adopted this 5th day of May, 1922, by the following called vote:

Introduced by Commission Smith and passed  
cost to the City of San Leandro.

said conveyance and dedication thereof, said improvement to be without  
assessing nevertheless that said street be improved by the party making  
is hereby accepted by the said City of San Leandro, upon the condition  
that said assessment and the land herein described be and the same

RESOLVE as follows:

Now, therefore, the City Council of the City of San Leandro does  
to the City of San Leandro,  
of San Leandro, a municipal corporation, duly acknowledged and certified  
Pacific Company, a corporation of the State of Delaware, to the City  
stated in the said grant of easement to the same executed by Southern  
of assessment dated April 25, 1922, to a parcel of land more fully des-  
criptions, there has been presented to this Council a certain grant

(Southern Pacific Company)  
RESOLUTION ACCEPTING EASEMENT

RESOLUTION NO. 2531 C.M.S.

IN THE CITY COUNCIL OF THE CITY OF SAN LEANDRO