

RECORDING REQUESTED BY

East Bay Municipal Utility District

AND WHEN RECORDED MAIL TO

East Bay Municipal Utility District

P. O. Box 24055 - MS #903

Oakland, CA 94623

Attn: Real Estate Services (AS)

R/W5707A

DEA 21-006

Clement Ave, Alameda

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN:Portion of 71-288-3

Pursuant to Government Code Section 27383, Grantee is exempt from paying recording fees.

R&T 11911 - Consideration is less than \$100

Certificate of Acceptance Attached

GRANT OF EASEMENT

THIS INDENTURE, made by and between CITY OF ALAMEDA, hereinafter called the Grantor, and EAST BAY MUNICIPAL UTILITY DISTRICT, a public corporation organized and existing under the laws of the State of California, hereinafter called the Grantee,

WITNESSETH:

THAT the Grantor, for a good and valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, hereby grants to the Grantee and to its successors and assigns a perpetual, non-exclusive easement and right-of-way for the purpose of laying down, constructing, reconstructing, removing, replacing, repairing, maintaining, operating and using, as the Grantee may see fit, any facilities necessary for the transmission of utilities, including all necessary braces, connections, fastenings and other appliances and fixtures, in, under, along and across that certain real property described in **Exhibit "A"** and shown on **Exhibit "B"**, attached hereto and made a part hereof.

TOGETHER with the right of ingress to and egress from said right-of-way and the right at all times to enter in, over and upon said right-of-way and every part thereof and also to use said right-of-way for all purposes connected with the laying down, constructing, reconstructing, replacing, removing, repairing, maintaining, operating and using said utilities.

The Grantor and the Grantor's heirs, successors, or assigns shall not place or permit to be placed on said right-of-way any building or structure, including but not limited to houses, garages, outbuildings, swimming pools, tennis courts, retaining walls, decks, and patios nor allow to be done anything which may interfere with the full enjoyment by the Grantee of the rights herein granted.

The above paragraph notwithstanding Grantor reserves the right to landscape the easement area in a manner consistent with the Grantee's use; however, such use by Grantor shall

not include the planting of trees nor a change in the existing surface elevation (grade) of the easement area by more than one (1) foot without first having prior written consent of the Grantee.

The Grantee agrees that said utilities shall be constructed and maintained at a depth of at least eighteen (18) inches below the present surface of the ground.

The Grantee agrees upon the completion of any of its works hereunder to restore as near as possible the surface of the ground to the condition in which it was prior to the commencement of said work.

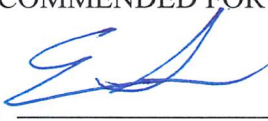
TO HAVE AND TO HOLD, all and singular, the rights above described unto the Grantee and the Grantee's successors and assigns forever.

IN WITNESS WHEREOF, the Grantor has executed this indenture this _____ day of _____, 20____.

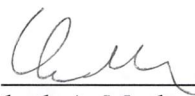
As owner:
CITY OF ALAMEDA
a municipal corporation

By: _____
Gerry Beaudin
Interim City Manager

RECOMMENDED FOR APPROVAL:

By:  _____
Erin Smith
Public Works Director

APPROVED AS TO FORM
City Attorney

By:  _____
Elizabeth A. Mackenzie
Chief Assistant City Attorney

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of _____)

On _____ before me, _____,
Date Here Insert Name and Title of the Officerpersonally appeared _____
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 _____
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended 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: _____

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

Signer Is Representing: _____

Signer's Name: _____

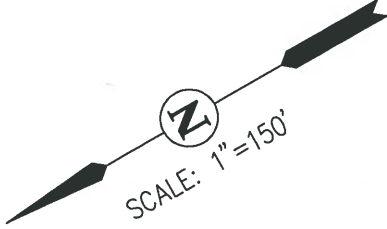
☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

GRAND STREET

CITY OF ALAMEDA
LOT 1
47 PM 69

CITY OF ALAMEDA
PER CHAPTER 348,
STATUTES OF 1913



EASEMENT
3,251 SF±

L2
POB
L1
L3
L4
L5

TRACT 8500
PARCEL D
363 M 90

TRACT 8500
LOT 1
363 M 90

TRACT 8500
LOT 3
363 M 90

TRACT 8500
PARCEL E
363 M 90

CLEMENT AVENUE

EXHIBIT B

LINE TABLE		
NO	BEARING	LENGTH
L1	S72°47'00"E	15.37'
L2	N29°47'47"E	72.45'
L3	S60°12'13"E	48.50'
L4	S29°47'47"W	61.63'
L5	N72°47'00"W	49.69'

SHEET 1 OF 1

PLAT TO ACCOMPANY LEGAL DESCRIPTION

EASEMENT
CITY OF ALAMEDA PROPERTY
ALAMEDA, CALIFORNIA

SEPTEMBER 21, 2021

cbg

SAN RAMON (925) 866-0322
ROSEVILLE (916) 788-4456
WWW.CBANDG.COM

CIVIL ENGINEERS • SURVEYORS • PLANNERS

EXHIBIT "A"
LEGAL DESCRIPTION

REAL PROPERTY, SITUATE IN THE INCORPORATED TERRITORY OF THE CITY OF ALAMEDA, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF THE LANDS OF THE CITY OF ALAMEDA, GRANTED TO SAID CITY BY THE STATE OF CALIFORNIA PER CHAPTER 348, STATUTES OF 1913, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE BOUNDARY LINE OF SAID LANDS OF THE CITY OF ALAMEDA, SAID POINT BEING THE NORTHERN CORNER OF PARCEL E, AS SAID PARCEL E IS SHOWN AND SO DESIGNATED ON THE FINAL MAP FOR TRACT 8500 ENTITLED, "ALAMEDA MARINA," FILED DECEMBER 9, 2020, IN BOOK 363 OF MAPS, AT PAGE 90, IN SAID OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY;

THENCE, FROM SAID POINT OF COMMENCEMENT, ALONG SAID BOUNDARY LINE, SOUTH 72°47'00" EAST 15.37 FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE, FROM SAID POINT OF BEGINNING, LEAVING SAID BOUNDARY LINE, NORTH 29°47'47" EAST 72.45 FEET;

THENCE, SOUTH 60°12'13" EAST 48.50 FEET;

THENCE, SOUTH 29°47'47" WEST 61.63 FEET TO A POINT ON SAID BOUNDARY LINE;

THENCE, ALONG SAID BOUNDARY LINE, NORTH 72°47'00" WEST 49.69 FEET TO SAID POINT OF BEGINNING.

CONTAINING 3,251 SQUARE FEET OF LAND, MORE OR LESS.

ATTACHED HERETO IS A PLAT TO ACCOMPANY LEGAL DESCRIPTION, AND BY THIS REFERENCE MADE A PART HEREOF.

END OF DESCRIPTION





SABRINA KYLE PACK, P.L.S.
L.S. NO. 8164