

EXHIBIT 3
GRANT OF EASEMENT
(ON CITY LAND)

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 (RK)

R/W _____ EA _____
Alameda Point – Navy Portion

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN: _____

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 the CITY OF ALAMEDA, a municipal corporation of the State of California, 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 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 September 2022.

CITY OF ALAMEDA
A municipal corporation

By: _____
Nancy Bronstein,
Interim City Manager

RECOMMENDED FOR APPROVAL:

By: _____
Lisa Maxwell
Director of Base Reuse & Community
Development

APPROVED AS TO FORM – CITY ATTORNEY

By: _____
Len Aslanian,
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 Officer

personally 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: _____

**EXHIBIT A
LEGAL DESCRIPTION
EBMUD EASEMENTS
LANDS OF THE CITY OF ALAMEDA
ALAMEDA, CALIFORNIA**

THREE (3) PARCELS OF LAND LYING IN THE INCORPORATED TERRITORY OF THE CITY OF ALAMEDA, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

EASEMENT C-1

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PHASE 1 AGREED TRUST LANDS PARCEL FIVE IN THAT CERTAIN STATE OF CALIFORNIA PATENT DEED RECORDED JUNE 30, 2014, AS DOCUMENT NO. 2014-154596 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE FOUND USC&GS DISC, POINT 207, DESIGNATED AS "MAIN-SING" ON THAT CERTAIN RECORD OF SURVEY NO. 1816, FILED JUNE 6, 2003, IN BOOK 28 OF RECORDS OF SURVEY AT PAGE 14, IN SAID OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY, FROM WHICH POINT 204, DESIGNATED AS "MAIN-ALT" ON SAID RECORD OF SURVEY 1816 (28 RS 14) BEARS SOUTH 00°28'45" WEST 2,539.63 FEET;

THENCE, FROM SAID POINT OF COMMENCEMENT, NORTH 79°55'28" WEST 5,422.70 FEET, TO A POINT ON THE EXTERIOR BOUNDARY LINE OF SAID PHASE 1 AGREED TRUST LANDS PARCEL FIVE (DN 2014-154596), AND THE **POINT OF BEGINNING** FOR THIS DESCRIPTION;

THENCE, FROM SAID **POINT OF BEGINNING**, LEAVING SAID EXTERIOR BOUNDARY LINE, NORTH 85°12'42" WEST 95.83 FEET TO A POINT ON SAID EXTERIOR BOUNDARY LINE;

THENCE, ALONG SAID EXTERIOR BOUNDARY LINE, NORTH 03°11'38" EAST 60.02 FEET;

THENCE, LEAVING EXTERIOR BOUNDARY LINE, SOUTH 85°12'42" EAST 97.36 FEET TO A POINT ON SAID EXTERIOR BOUNDARY LINE;

THENCE, ALONG SAID EXTERIOR BOUNDARY LINE, SOUTH 04°39'28" WEST 60.00 FEET TO SAID **POINT OF BEGINNING**.

CONTAINING 5,796 SQUARE FEET OF LAND, MORE OR LESS.

EASEMENT C-2

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PHASE 1 AGREED TRUST LANDS PARCEL SEVEN, IN SAID STATE OF CALIFORNIA PATENT DEED (DN 2014-154596), AND A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PHASE 1 TRUST TERMINATION LANDS PARCEL EIGHT IN THAT CERTAIN STATE OF CALIFORNIA PATENT AND TRUST TERMINATION DEED RECORDED JUNE 30, 2014, AS DOCUMENT NO. 2014-154597 OF OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT SAID FOUND USC&GS DISC, POINT 207, DESIGNATED AS "MAIN-SING" ON SAID RECORD OF SURVEY 1816 (28 RS 14), FROM WHICH POINT 204, DESIGNATED AS "MAIN-ALT" ON SAID RECORD OF SURVEY 1816 (28 RS 14) BEARS SOUTH 00°28'45" WEST 2,539.63 FEET;

THENCE, FROM SAID POINT OF COMMENCEMENT, NORTH 78°33'39" WEST 3,575.52 FEET, TO THE NORTHEASTERN CORNER OF SAID PHASE 1 AGREED TRUST LANDS PARCEL SEVEN (DN 2014-154596), AND THE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE EASTERN LINES OF SAID PHASE 1 AGREED TRUST LANDS PARCEL SEVEN (DN 2014-154596) AND PHASE 1 TRUST TERMINATION LANDS PARCEL EIGHT (DN 2014-154597), THE FOLLOWING TWO (2) COURSES:

- 1) SOUTH 05°11'36" WEST 38.75 FEET AND
- 2) SOUTH 04°47'01" WEST 9.79 FEET;

THENCE, LEAVING SAID EASTERN LINE, NORTH 85°12'42" WEST 896.49 FEET;

THENCE, ALONG THE ARC OF A TANGENT 520.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 25°18'48", AN ARC DISTANCE OF 229.74 FEET TO A POINT ON THE NORTHERN LINE OF SAID PHASE 1 AGREED TRUST LANDS PARCEL SEVEN (DN 2014-154596);

THENCE, ALONG SAID NORTHERN LINE, SOUTH 85°08'27" EAST 1,119.10 FEET TO SAID POINT OF BEGINNING.

CONTAINING 51,467 SQUARE FEET OF LAND, MORE OR LESS.

EASEMENT C-3

BEING A PORTION OF THOSE CERTAIN PARCELS OF LAND DESCRIBED AS PHASE 1 AGREED TRUST LANDS PARCEL THREE AND PHASE 1 TRUST ADDITION LANDS PARCEL FIVE, AS SAID PARCELS ARE DESCRIBED IN SAID STATE OF CALIFORNIA PATENT DEED (DN 2014-154596), MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT SAID FOUND USC&GS DISC, POINT 207, DESIGNATED AS "MAIN-SING" ON SAID RECORD OF SURVEY 1816 (28 RS 14), FROM WHICH POINT 204, DESIGNATED AS "MAIN-ALT" ON SAID RECORD OF SURVEY 1816 (28 RS 14) BEARS SOUTH 00°28'45" WEST 2,539.63 FEET;

THENCE, FROM SAID POINT OF COMMENCEMENT, NORTH 79°06'49" WEST 3,441.21 FEET, TO A POINT ON THE WESTERN LINE OF SAID PHASE 1 AGREED TRUST LANDS PARCEL TWO (DN 2014-154596), AND THE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE, FROM SAID POINT OF BEGINNING, ALONG SAID WESTERN LINE, THE FOLLOWING TWO (2) COURSES:

- 1) NORTH 04°47'01" EAST 9.34 FEET AND
- 2) NORTH 05°11'36" EAST 99.68 FEET;

THENCE, LEAVING SAID WESTERN LINE, NORTH 40°11'12" EAST 285.66 FEET;

THENCE, ALONG THE ARC OF A TANGENT 20.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 35°18'48", AN ARC DISTANCE OF 12.33 FEET;

THENCE, NORTH 04°52'24" EAST 146.96 FEET;

THENCE, ALONG THE ARC OF A TANGENT 75.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 96°50'26", AN ARC DISTANCE OF 126.76 FEET;

THENCE, SOUTH 78°17'10" EAST 138.07 FEET;

THENCE, ALONG THE ARC OF A TANGENT 3,201.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 06°42'50", AN ARC DISTANCE OF 375.09 FEET;

THENCE, SOUTH 85°00'00" EAST 1,638.48 FEET;

THENCE, ALONG THE ARC OF A TANGENT 764.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 10°00'29", AN ARC DISTANCE OF 133.45 FEET TO A POINT ON THE EASTERN LINE OF SAID PHASE 1 AGREED TRUST LANDS PARCEL TWO (DN 2014-154596);

THENCE, ALONG SAID EASTERN LINE, SOUTH 01°05'59" WEST 51.62 FEET;

THENCE, LEAVING SAID EASTERN LINE, ALONG THE ARC OF A NON-TANGENT 714.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 16°00'14" WEST, THROUGH A CENTRAL ANGLE OF 11°00'14", AN ARC DISTANCE OF 137.13 FEET;

THENCE, NORTH 85°00'00" WEST 1,638.48 FEET;

THENCE, ALONG THE ARC OF A TANGENT 3,251.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 06°42'50", AN ARC DISTANCE OF 380.95 FEET;

THENCE, NORTH 78°17'10" WEST 109.89 FEET;

THENCE, ALONG THE ARC OF A TANGENT 50.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 96°50'26", AN ARC DISTANCE OF 84.51 FEET;

THENCE, SOUTH 04°52'24" WEST 118.78 FEET;

THENCE, ALONG THE ARC OF A TANGENT 70.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 35°18'48", AN ARC DISTANCE OF 43.14 FEET;

THENCE, SOUTH 40°11'12" WEST 287.60 FEET;

THENCE, SOUTH 04°47'18" WEST 78.47 FEET;

THENCE, NORTH 85°12'42" WEST 40.34 FEET TO SAID POINT OF BEGINNING.

CONTAINING 146,070 SQUARE FEET OF LAND, MORE OR LESS.

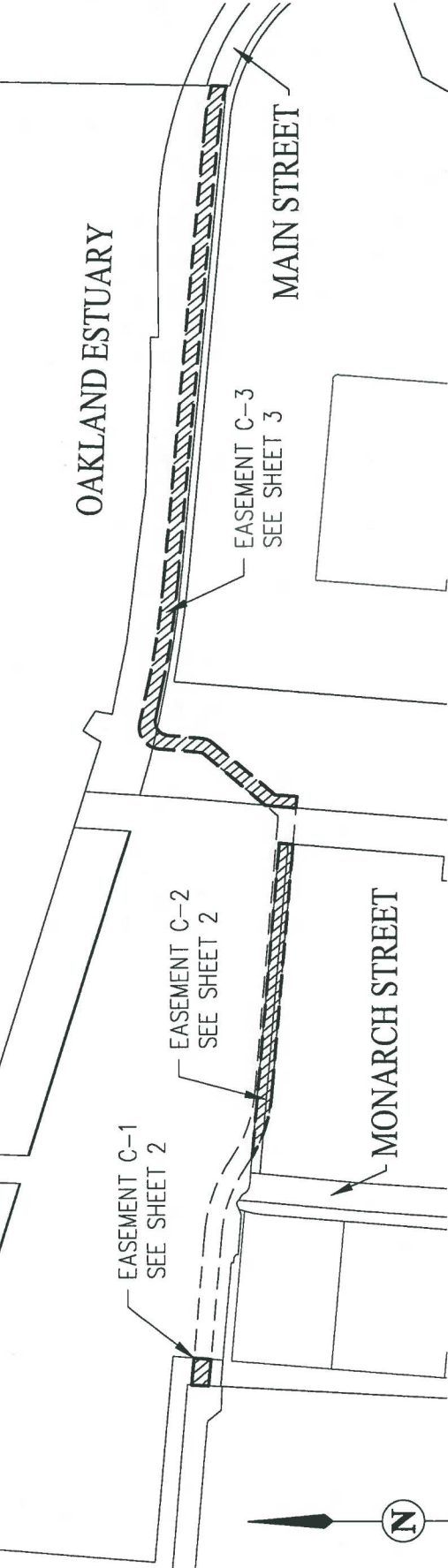
COURSES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 3. DISTANCES SHOWN ARE GROUND DISTANCES. TO OBTAIN GRID DISTANCES DIVIDE GROUND DISTANCES BY THE COMBINED SCALE FACTOR OF 1.00007055, AS SHOWN ON THAT CERTAIN RECORD OF SURVEY NO. 1816, FILED JUNE 6, 2003, IN BOOK 28 OF RECORDS OF SURVEY AT PAGE 14, ALAMEDA COUNTY RECORDS.

END OF DESCRIPTION



S. Kyle Pack

SABRINA KYLE PACK, P.L.S.
L.S. NO. 8164
DATE SIGNED: 3 AUG 2022



GRAPHIC SCALE

- LEGEND:**
- POB POINT OF BEGINNING
 - SF SQUARE FEET
 - City EASEMENT AREA
 - POC POINT OF COMMENCEMENT

POC
 POINT 207
 "MAIN-SING"
 FOUND USC&GS
 BRASS DISK

POINT 204
 "MAIN-ATL"
 FOUND USC&GS
 BRASS DISK

NO 28' 45" E
 2539.63'

DETAIL A
 NOT TO SCALE

EXHIBIT B

SHEET 1 OF 4



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

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PLAT TO ACCOMPANY LEGAL DESCRIPTION

EBMUD EASEMENTS
 LANDS OF THE CITY OF ALAMEDA
 CITY OF ALAMEDA, ALAMEDA COUNTY, CALIFORNIA
 AUGUST 3, 2022

LINE TABLE		
NO	BEARING	LENGTH
L1	N85°12'42"W	95.83'
L2	N03°11'38"E	60.02'
L3	S85°12'42"E	97.36'
L4	S04°39'28"W	60.00'

PARCEL 1
(PORTION)
RS 1816
28 RS 14

PHASE 1 AGREED
TRUST LANDS
PARCEL SEVEN
DN 2014-154596

PHASE 1 AGREED TRUST
LANDS PARCEL FIVE
DN 2014-154596

EASEMENT C-1
5,796 SF±

N79°55'28"W
5422.70'

POINT 207
"MAIN-SING"
SEE DETAIL
A, SHEET 1

POB C-1

POB C-2

S05°11'36"W 38.75'

S85°08'27"E 1119.10'

R=520.00'
Δ=25°18'48"
L=229.74'

N85°12'42"W 896.49'

EASEMENT C-2
51,467 SF±

PHASE 1 TRUST TERMINATION
LANDS PARCEL EIGHT
DN 2014-154597

S04°47'01"W 9.79'

POC, POINT 207
"MAIN-SING"
SEE DETAIL A, SHEET 1

PARCEL 1 (PORTION)
RS 1816, 28 RS 14

SEE SHEET 3



- LEGEND:**
- POB POINT OF BEGINNING
 - SF SQUARE FEET
 - CITY EASEMENT AREA
 - POC POINT OF COMMENCEMENT



GRAPHIC SCALE

EXHIBIT B

SHEET 2 OF 4

PLAT TO ACCOMPANY LEGAL DESCRIPTION

EBMUD EASEMENTS
LANDS OF THE CITY OF ALAMEDA
CITY OF ALAMEDA, ALAMEDA COUNTY, CALIFORNIA
AUGUST 3, 2022



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OAKLAND INNER HARBOR

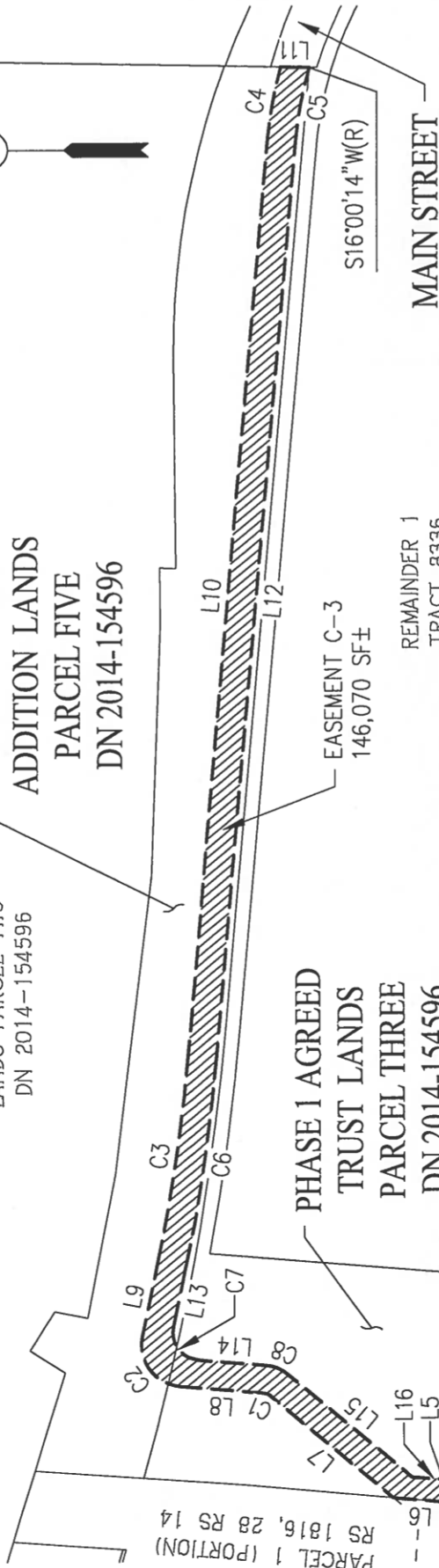
PHASE 1 AGREED TRUST
LANDS PARCEL TWO
DN 2014-154596

PHASE 1 TRUST
ADDITIONAL LANDS
PARCEL FIVE
DN 2014-154596

PHASE 1 AGREED
TRUST LANDS
PARCEL THREE
DN 2014-154596

EASEMENT C-3
146,070 SF±

REMAINDER 1
TRACT 8336
347 M 1

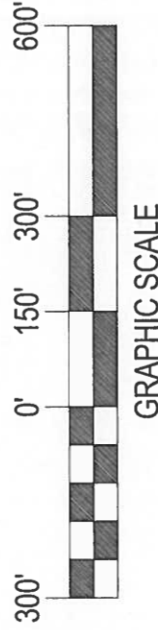


SEE SHEET 2

PARCEL 1 (PORTION)
RS 1816, 28 RS 14

POB C-3
N79°06'49"W
3441.21'

POC
POINT 207
"MAIN-SING"
SEE DETAIL
A, SHEET 1



LEGEND:

- POB POINT OF BEGINNING
- SF SQUARE FEET
- CITY EASEMENT AREA
- POC POINT OF COMMENCEMENT

EXHIBIT B

SEE SHEET 4 FOR COURSE TABLES

SHEET 3 OF 4

PLAT TO ACCOMPANY LEGAL DESCRIPTION

EBMUD EASEMENTS
 LANDS OF THE CITY OF ALAMEDA
 CITY OF ALAMEDA, ALAMEDA COUNTY, CALIFORNIA

AUGUST 3, 2022



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LINE TABLE		
NO	BEARING	LENGTH
L5	N04°47'01"E	9.34'
L6	N05°11'36"E	99.68'
L7	N40°11'12"E	285.66'
L8	N04°52'24"E	146.96'
L9	S78°17'10"E	138.07'
L10	S85°00'00"E	1638.48'
L11	S01°05'59"W	51.62'
L12	N85°00'00"W	1638.48'
L13	N78°17'10"W	109.89'
L14	S04°52'24"W	118.78'
L15	S40°11'12"W	287.60'
L16	S04°47'18"W	78.47'
L17	N85°12'42"W	40.34'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	20.00'	35°18'48"	12.33'
C2	75.00'	96°50'26"	126.76'
C3	3201.00'	6°42'50"	375.09'
C4	764.00'	10°00'29"	133.45'
C5	714.00'	11°00'14"	137.13'
C6	3251.00'	6°42'50"	380.95'
C7	50.00'	96°50'26"	84.51'
C8	70.00'	35°18'48"	43.14'

EXHIBIT B

SHEET 4 OF 4

PLAT TO ACCOMPANY LEGAL DESCRIPTION

EBMUD EASEMENTS
 LANDS OF THE CITY OF ALAMEDA
 CITY OF ALAMEDA, ALAMEDA COUNTY, CALIFORNIA
 AUGUST 3, 2022



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