

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/W 5831 A,B,C

SLCC Veteran Park

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APNs:Portion of 74-1040-1

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 GRANT OF EASEMENT (“**Easement**”), made by and between THE CITY OF ALAMEDA, a municipal corporation (“**Grantor**”), and EAST BAY MUNICIPAL UTILITY DISTRICT, a public corporation organized and existing under the laws of the State of California (“**Grantee**”).

WITNESSETH:

Grantor, for a good and valuable consideration, hereby grants to Grantee and to its successors and assigns, a perpetual underground easement and utility crossing right-of-way for the purpose of constructing, installing, repairing, maintaining, operating and using the facilities necessary for the transmission and distribution of utilities, including the construction of a tunnel, a pipeline and all necessary braces, connections, fastenings and other equipment in connection therewith, under the real property of Grantor at the location described in **Exhibit "A"**, and shown on **Exhibit "B"** (the “**Easement Area**”), attached hereto and made a part hereof.

This Easement, as described above, is granted by Grantor and accepted by Grantee upon the following terms and conditions, and Grantee does hereby covenant with Grantor as follows:

1. In consideration of the rights granted herein Grantee agrees to pay the sum of Three Thousand Nine Hundred Dollars (\$3,900) to Grantor.
2. Grantee shall drill a tunnel under Grantor’s property in the Easement Area to house a 30” water pipeline within a casing pipeline at a depth ranging from 40’ to 170’.
3. Grantee hereby acknowledges that fee title to the Easement Area is held by Grantor and Grantee agrees never to assail or to resist said title.

4. Grantor and Grantor's heirs, successors or assigns shall not approve any request to build a structure within the Easement Area, such as, but not limited to, a bridge or pier, if such structure would materially interfere with the use of the Easement Area for the purposes described herein.
5. The above paragraph notwithstanding Grantor and Grantor's successors and assigns reserve the right to approve, construct and maintain on or over the Easement Area structures that are for the protection, mitigation, and adaptation of sea level rise, including but not limited to a sea wall and/or a levee, which will be subject to the Grantee's review and satisfaction that it will not interfere with the use of the Easement Area for the purposes described herein.
6. Grantee, for itself and its successors and assigns, hereby warrants to defend (with counsel acceptable to Grantor) and agrees to hold harmless and indemnify Grantor, its council members, commission members, agents, officers, attorneys, employees, heirs, successors and assigns, free from any and all claims, liabilities, expenses and damages of every kind, nature or description, including without limitation, those applicable to real property and persons or parties, including but not limited to Grantee's employees and Grantor's employees, caused by the acts, omissions, intention or negligence, whether active or passive, of Grantee, its contractors, agents, employees, invitees and suppliers, in any way related to or arising from rights and obligations granted herein and the Easement. This warranty does not apply to liabilities, expenses and damages arising in connection with this Easement resulting solely from Grantor's gross negligence or intentional misconduct.

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

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

THE CITY OF ALAMEDA,
a municipal corporation

By: _____
Jennifer Ott
City Manager

Approved as to form – City Attorney

By: _____
Len Aslanian
Assistant City Attorney

EXHIBIT "A"
LEGAL DESCRIPTION
AFFECTING LANDS OF THE CITY OF ALAMEDA
"DOOLITTLE DRIVE"

EASEMENT

Real property situated in the City of Alameda, County of Alameda, State of California, being that portion of Parcel 22 (APN: 74-1040-1) lying within Doolittle Drive as said Parcel 22 is described in The Final Order of Condemnation of Parcel No. 22, recorded as condemnation No. 228455, in Book 6418 of Deeds at Page 388 (6418 OR 388), in the office of Official Records of Alameda County, more particularly described as follows:

All that portion of said Parcel 22 lying within a strip of land 25.00 feet wide, the centerline of which is described as follows:

COMMENCING at the City Monument designated as "OTIS-MARK" as shown on that Record of Survey No. 1398, filed July 31, 1996, in Book 20 of Records of Survey at Page 94 (20 RS 94), in the office of Official Records of Alameda County, with said City Monument lying North 00°36'03" West 1,216.56 feet from the City Monument designated as "MAIT-HARB" as shown on the map titled "Property of Utah Construction Company Bay Farm Island", filed August 13, 1956, in Book 40 of Maps at Page 53 (40 M 53), in the Office of the Recorder of the County of Alameda; thence North 08°36'37" East 334.36 feet to the **POINT OF BEGINNING** of said centerline; thence along said centerline the following three (3) courses:

1. South 02°33'22" West 1004.87 feet to the beginning of a curve concave to the east, having a radius of 1200.00 feet; thence
2. Southerly along said curve through a central angle of 13°43'47", an arc length of 287.55 feet; thence
3. South 11°10'25" East 685.44 feet to a point lying South 19°28'33" East 440.50 feet from said City Monument designated as "MAIT-HARB", and to the **POINT OF TERMINATION** of this description.

EXCEPTING THEREFROM all that portion of the hereinabove described strip of land lying southerly of the northerly line of Veterans Memorial Park as said line is shown as having a bearing of South 80°03'50" West and a distance of 135.48 feet on the Right of Way Record Map R-57.3, last revised September 1990, on file with the California Department of Transportation, Oakland, California.

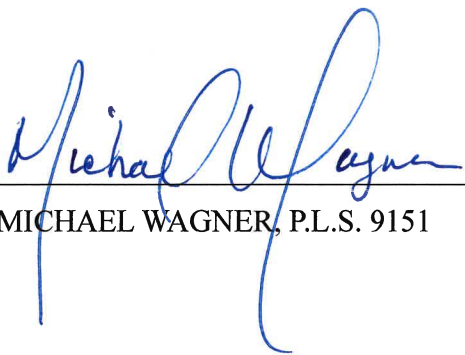
Containing 7,750 square feet, more or less.

Bearings and Distances shown for the area described herein are based on the California Coordinate System of 1983 (CCS83), Zone 3. All distances are grid distances. Divide distances by 0.99993387 to obtain ground distances.

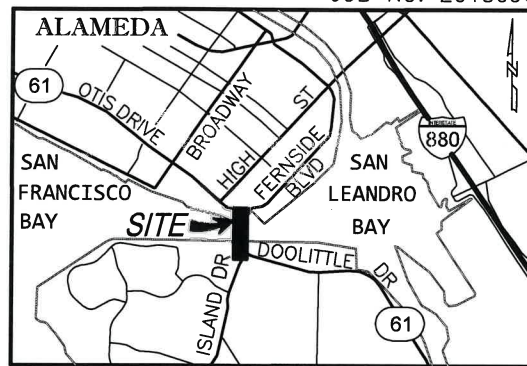
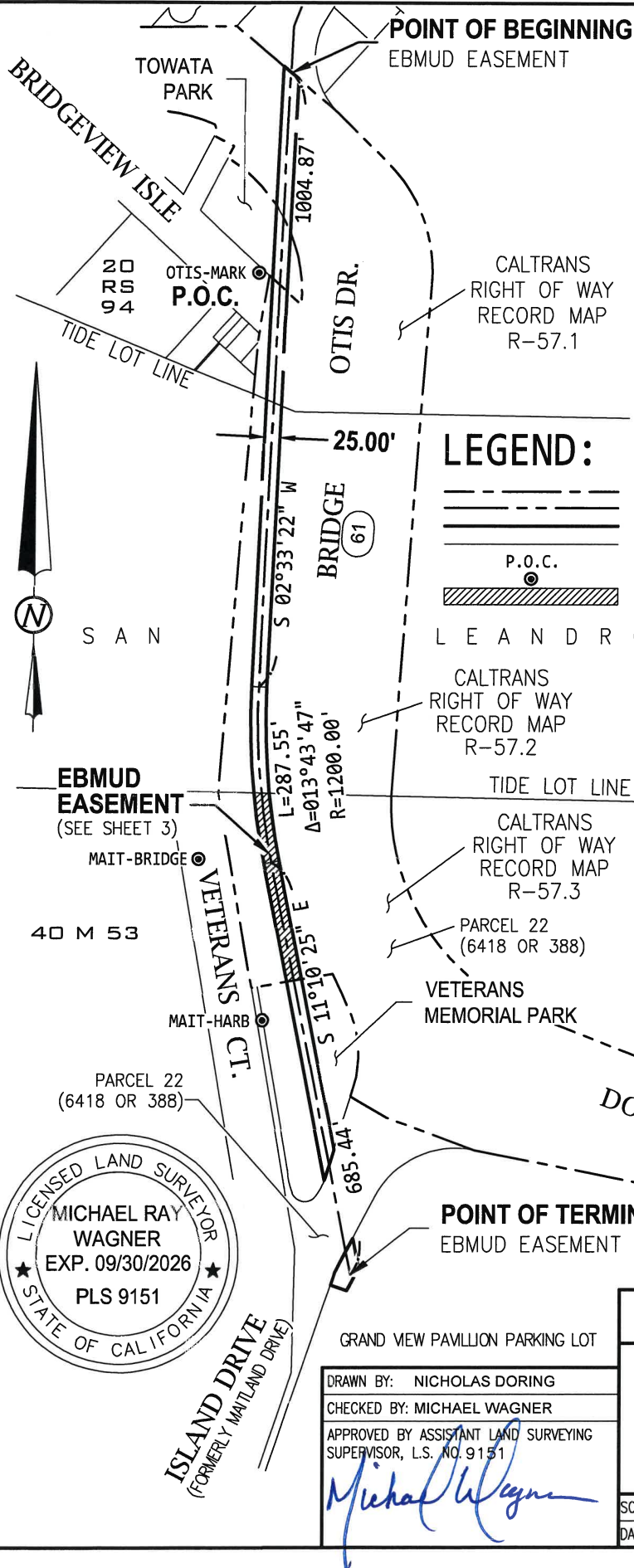
EXHIBIT "B" IS ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT, IN OCTOBER 2025.



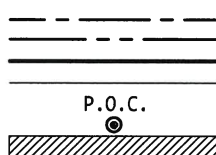

MICHAEL WAGNER, P.L.S. 9151

10.1.2025
DATE



VICINITY MAP
(NO SCALE)

LEGEND:



CENTERLINE OF 25' STRIP EASEMENT
CALTRANS RIGHT OF WAY LINE
EXTENTS OF 25' STRIP EASEMENTS TO EBMUD. (SEE NOTES)
PARCEL LINE AND TIDE LOT LINE
POINT OF COMMENCEMENT
SURVEY MONUMENT
PORTION OF EBMUD EASEMENT ON CITY OF ALAMEDA PROPERTY

NOTE:

1. SEE SHEETS 2 FOR ADDITIONAL GEOMETRY OF DESCRIBED 25' STRIP EASEMENT.
2. SEE SHEETS 3 FOR MORE DETAIL.
3. PORTIONS OF EBMUD EASEMENTS SHOWN HEREON, NOT INCLUDED IN EXHIBIT "A" ARE TO BE RECORDED BY SEPARATE INSTRUMENT.

INDEX

EAST BAY MUNICIPAL UTILITY DISTRICT
OAKLAND, CALIFORNIA

RIGHT OF WAY

EASEMENT
CITY OF ALAMEDA TO EBMUD
OTIS DRIVE TO ISLAND DRIVE

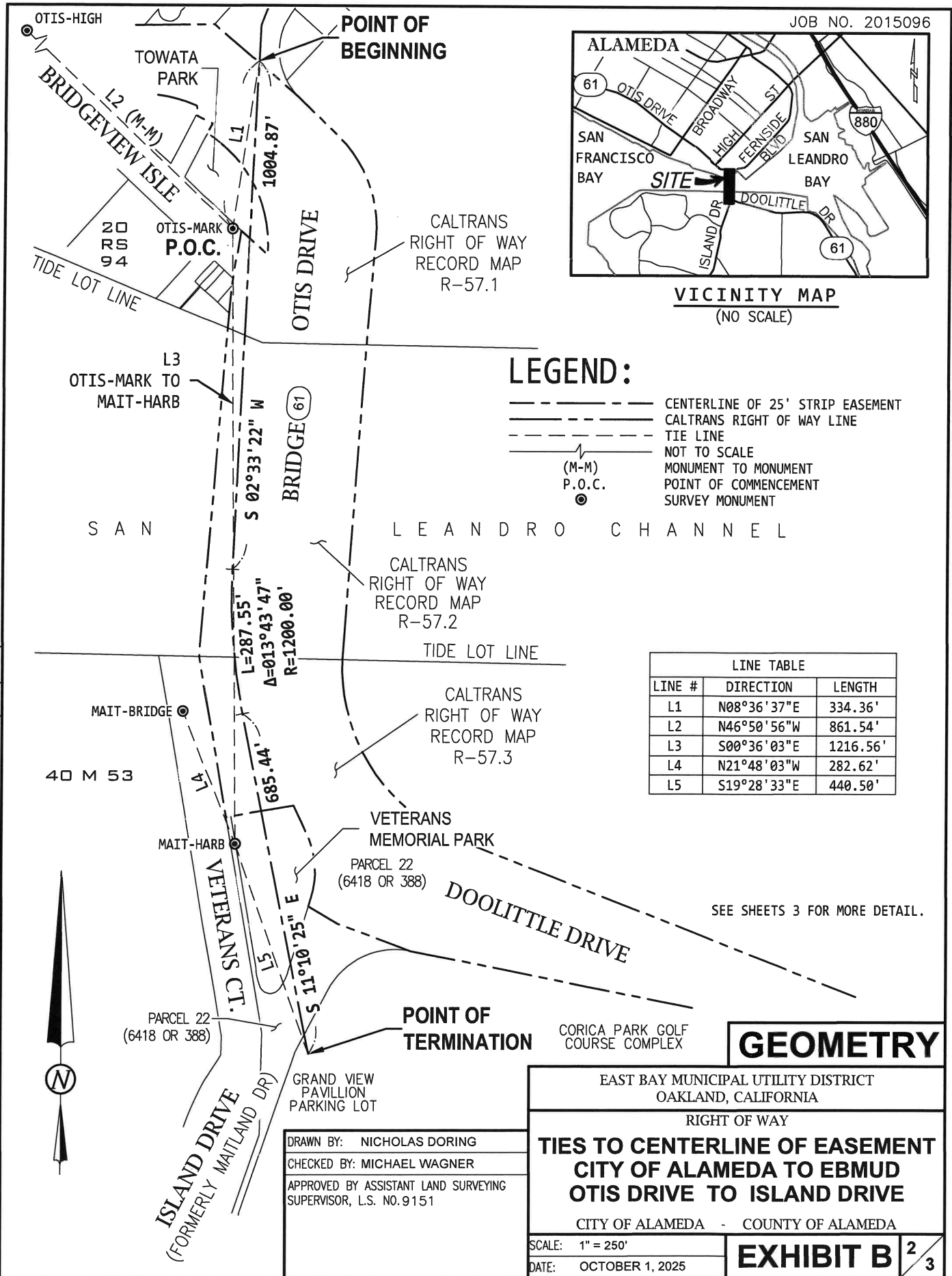
CITY OF ALAMEDA - COUNTY OF ALAMEDA

SCALE: 1" = 250'

DATE: OCTOBER 1, 2025

EXHIBIT B 1/3

H:\00_JOB-2009\2015096\SAN LEANDRO CHANNEL PIPELINE CROSSING, ALAMEDA\RES\DWG\2015096_EXHB B A2.DWG



SAN LEANDRO
CHANNEL

TIDE LOT LINE



MAIT-BRIDGE
SEE SHEET 2

40 M 53

TRACT 3773
104 M 19

VETERANS COURT
(FORMERLY WAITLAND DRIVE)

CENTERLINE OF
DESCRIBED 25'
STRIP EASEMENT

EDGE OF CALTRANS RIGHT OF WAY
323.23' E
(S 9°56'10" E)

CITY OF ALAMEDA
APN: 74-1040-1

CALTRANS RIGHT OF WAY

"VETERANS
MEMORIAL
PARK"

MAIT-HARB
SEE SHEET 2

CALTRANS
RIGHT OF WAY RECORD
MAP R-57.2

(N 88°56'10" W)

BRIDGE
(61)

(N 3°38'58" E)

SAN
LEANDRO
CHANNEL

LEGEND:

- EASEMENT OVER OVER CITY PARCEL
- CENTERLINE OF EBMUD EASEMENT
- CALTRANS RIGHT OF WAY LINE
- (T) TOTAL
- EBMUD EAST BAY MUNICIPAL UTILITY DISTRICT
- () RECORD DATA (SEE REFERENCES)
- SURVEY MONUMENT

EBMUD EASEMENT WITHIN
CITY OF ALAMEDA PARCEL
OWNED IN FEE PER 6418 OR 388

PARCEL 22
(6418 OR 388)

DOOLITTLE DRIVE
(61)

CALTRANS
RIGHT OF WAY
RECORD MAP
R-57.3

TO ISLAND DRIVE

NOTES:

1. RECORD DATA IN () PER CALTRANS RIGHT OF WAY MAP R-57.3
2. SEE SHEETS 1 & 2 FOR GEOMETRY OF DESCRIBED 25' STRIP EASEMENT.
3. PORTIONS OF EBMUD EASEMENTS SHOWN HEREON, NOT INCLUDED IN EXHIBIT "A" ARE TO BE RECORDED BY SEPARATE INSTRUMENT.

REFERENCES:

1. CALTRANS RIGHT OF WAY RECORD MAP "R-57", 2/21/1950
2. DIRECTOR'S DEED, 4327 OR 334, 76-056559, 4/14/1976
3. RECORD OF SURVEY NO. 1398, 20 RS 94, 7/31/1996

DRAWN BY: NICHOLAS DORING
CHECKED BY: MICHAEL WAGNER
APPROVED BY ASSISTANT LAND SURVEYING
SUPERVISOR, L.S. NO. 9151

EAST BAY MUNICIPAL UTILITY DISTRICT
OAKLAND, CALIFORNIA

RIGHT OF WAY

**EASEMENT
DOOLITTLE DRIVE
APN: 74-1040-1**

CITY OF ALAMEDA - COUNTY OF ALAMEDA

SCALE: 1" = 60'

DATE: OCTOBER 1, 2025

EXHIBIT B

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