

74

JAN 14 1985

Recorded at the request of:

Contra Costa County

Return to:

Contra Costa County
Public Works Department
Real Property Division
255 Glacier Drive
Martinez, CA 94553

Attention: Donna Dawkins

85 181262

RECORDED AT REQUEST OF
Westerly Title
DEC 9 1985
3 O'CLOCK P.M.
CONTRA COSTA COUNTY RECORDS
J. R. OLSSON
COUNTY RECORDER
FEE:
Offl.

Order No. 487770

GRANT DEED
(CORPORATION)

SOUTHERN PACIFIC TRANSPORTATION COMPANY, a Delaware corporation, Grantor, hereby GRANTS to CONTRA COSTA COUNTY, a political subdivision of the State of California, Grantee, that certain real property situated in the County of Contra Costa, State of California, and more particularly described in Exhibit "A", attached and hereby made a part hereof.

Grantor excepts from the property hereby conveyed that portion thereof lying below a depth of 500 feet, measured vertically, from the contour of the surface of said property; however, Grantor, or its successors and assigns, shall not have the right for any purpose whatsoever to enter upon, into or through the surface of said property or any part thereof lying between said surface and 500 feet below said surface.

This grant is made subject to easements, covenants, conditions, reservations and restrictions of record.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed this 3rd day of DECEMBER 1985.

DOCUMENTARY TRANSFER TAX \$ None

- ☐ COMPUTED ON FULL VALUE OF PROPERTY CONVEYED, OR
☐ COMPUTED ON FULL VALUE LESS LIENS & ENCUMBRANCES REMAINING THEREON AT TIME OF SALE.

Sharon O'Brien Western
Signature of declarant or agent determining tax - firm name

SOUTHERN PACIFIC TRANSPORTATION COMPANY

By

(Title)

Attest

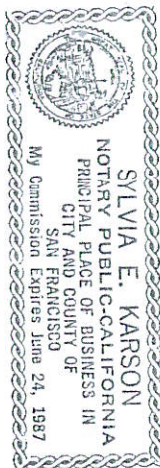
A. F. O'Donnell
Assistant Secretary

DD:pg
gd.spt.t11

STATE OF CALIFORNIA }
City and County of San Francisco } s.s.

BOOK 12652 PG 571

On this 5th day of December in the year One Thousand Nine Hundred and Eighty Five
before me, SYLVIA E. KARSON, a Notary Public in and for the City and County of San Francisco, State of California, personally appeared
(One Market Plaza)
Mr. S. A. Sutfin



personally known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed the within instrument as president (or secretary) or on behalf of the Corporation therein named and acknowledged to me that the Corporation executed it.

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.

Corporation

My Commission Expires June 24, 1987

Sylvia E. Karson
Notary Public in and for the City and County of San Francisco, State of California.

D. E. 815

SP TO COUNTY 1985

EXHIBIT "A"

That real property situated in the County of Contra Costa, State of California, described as follows:

PARCEL SEVENTEEN - Fee Title

All the parcel of land described in the deed from Wm. K. Daley to Southern Pacific Railroad Company, recorded June 10, 1891 in Book 60 of Deeds, page 147, described as follows:

A strip or tract of land one hundred feet wide lying equally on each side of the located line of the San Ramon Branch of the Southern Pacific Railroad Company's railroad, where the same was located through the Rancho San Miguel, in the County of Contra Costa, and being more particularly described as follows, to wit:

Commencing at a point on the center line of the said Railroad where said center line intersects the northerly boundary line of land formerly owned by Wm. K. Daley, at or near survey station 512+45 of said center line and running thence southerly along said center line of said Southern Pacific Railroad and following the curvature thereof embracing a strip of land fifty (50) feet wide on each side of said center line to the easterly boundary line of land formerly owned by Wm. K. Daley at or near survey station 514+61 of said center line, a distance of two hundred and sixteen (216) feet, more or less.

Containing an area of 0.496 acres, more or less.

PARCEL EIGHTEEN - Fee Title

- a. All the parcel of land firstly described in the deed from Louisa Rice to Southern Pacific railroad Company, recorded October 1, 1891 in Book 60 of Deeds, page 397, described as follows:

A strip or tract of land one hundred feet wide lying equally on each side of the located line of the San Ramon Branch of the Southern Pacific Railroad Company's railroad, where the same was located through the Rancho Arroyo de las Nueces Y Bolbones in the County of Contra Costa and being more particularly described as follows, to wit:

Commencing at a point on the center line of said railroad where said center line intersects the center of Walnut Creek at or near survey station 499+90 of said center line and running thence southerly along said center line of said Railroad, embracing a strip of land fifty (50) feet wide on each side of said center line to the northerly line of the land formerly owned by the Griffin Estate at or near survey station 512+45 of said center line of said railroad, a distance of one thousand and two hundred and fifty five (1,255) feet, more or less.

Containing an area of 2.88 acres, more or less.

- b. All the parcel of land secondly described in the deed from Louisa Rice to Southern Pacific Railroad Company, recorded October 1, 1891 in Book 60 of Deeds, page 397, described as follows:

A strip or tract of land one hundred feet wide lying equally on each side of the located line of the San Ramon Branch of the Southern Pacific Railroad Company's railroad, where the same was located through the Rancho Arroya de las Nueces Y Bolbones in the County of Contra Costa and being more particularly described as follows, to wit:

Commencing where the center line of said railroad intersects the easterly boundary line of land formerly owned by the Griffin Estate at or near survey station 514+61 of center line of said railroad and running thence southerly along said center line of said railroad and following the curvature thereof, embracing a strip of land fifty (50) feet wide on each side of said center line to the easterly boundary line of land formerly owned by C. Waite at or near survey station 521+76 of said center line, a distance of seven hundred and fifty four and three-tenths (754 $\frac{3}{10}$) feet, more or less.

Containing an area of 1.641 acres, more or less.

- c. All the parcel of land thirdly described in the deed from Louisa Rice to Southern Pacific Railroad Company, recorded October 1, 1891 in Book 60 of Deeds, page 397, described as follows:

A strip or tract of land one hundred feet wide lying equally on each side of the located line of the San Ramon Branch of the Southern Pacific Railroad Company's railroad, where the same was located through the Rancho Arroyo de las Nueces Y Bolbones in the County of Contra Costa and being more particularly described as follows, to wit:

Commencing at a point on the center line of said railroad where said center line intersects the easterly boundary line of land formerly owned by Jno. B. Hopkins, et al at or near survey station 550+58 of said center line and running thence southerly along said center line of said railroad and following the curvature thereof, embracing a strip of land fifty (50) feet wide on each side of said center line to the northeasterly boundary line of land formerly owned by F. Webb, at or near survey station 564+38 of said center line, a distance of one thousand three hundred and eighty (1,380) feet, more or less.

Containing an area of 3.17 acres, more or less.

PARCEL NINETEEN - Fee Title

All of the parcel of land described in the deed from C. Waite to Southern Pacific Railroad Company, recorded July 18, 1891 in Book 60 of Deeds, page 207, described as follows:

A strip or tract of land one hundred feet wide lying equally on each side of the located line of the San Ramon Branch of the Southern Pacific Railroad

Company's railroad, where the same was located through the Rancho in the County of Contra Costa, and being more particularly described as follows, to wit:

Commencing at a point on the center line of the said Railroad where said center line intersects the easterly boundary line of land formerly owned by C. Waite, at or near survey station 521+76 of said center line and running thence southwesterly along said center line of said Southern Pacific Railroad and following the curvature thereof, embracing a strip of land fifty (50) feet wide on each side of said center line to the southerly boundary line of land formerly owned by C. Waite, at or near survey station 525+88 of said center line, a distance of four hundred and twelve (412) feet, more or less.

EXCEPTING THEREFROM: That portion thereof lying within the parcel of land described as Parcel 2 in the deed from Southern Pacific Transportation Company to City of Walnut Creek, recorded September 29, 1972 in Book 6762, page 812, Official Records.

ALSO EXCEPTING THEREFROM: That portion thereof lying within the parcel of land described in the deed from Southern Pacific Transportation Company to City of Walnut Creek, recorded May 26, 1981 in Book 10338, page 796, Official Records.

EXCEPTING THEREFROM: The following described parcel,

Beginning at the most easterly corner of Lot 10 as said lot is shown on the map entitled "Tract 2249, The Village" recorded August 11, 1955 in Book 60 of Maps at page 20, records of said County; thence leaving said corner, south $69^{\circ} 37' 17''$ east, 13.00 feet; thence south $20^{\circ} 22' 43''$ west 71.20 feet; thence southerly along the arc of a tangent curve, concave to the east, having a radius of 507.00 feet through a central angle of $18^{\circ} 37' 53''$, a distance of 164.87 feet to a point on the northerly line of Mt. Diablo Boulevard, from which the radial line of a non-tangent curve concave to the southeast bears south $19^{\circ} 17' 07''$ east; thence westerly along the arc of said curve having a radius of 1000.00 feet through a central angle of $10^{\circ} 32' 54''$, a distance of 184.10 feet to a point on the northwesterly line of that strip of land described in the deed to the Southern Pacific Transportation Company recorded July 18, 1891 in Book 60 of Deeds at page 207, Records of said County; thence northerly along said line to the point of beginning.

Containing a net area of 0.737 acres, more or less.

PARCEL TWENTY-TWO - Fee Title

A portion of that certain parcel of land described in the deed from Jno. B. Hopkins and J. M. Stow to Southern Pacific Railroad Company, recorded June 10, 1891 in Book 60 of Deeds, page 137, described as follows:

A strip or tract of land one hundred feet wide lying equally on each side of the located line of the San Ramon Branch of the Southern Pacific Railroad Company's railroad, where the same was located through the Rancho San Miguel in the County of Contra Costa, and being more particularly described as follows, to wit:

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Commencing at a point on the center line of the said railroad where said center line intersects the northerly boundary line of land formerly owned by Jno. B. Hopkins, et al, at or near survey station 543+49 of said center line and running thence southerly along said center line of said Southern Pacific Railroad and following the curvature thereof, embracing a strip of land fifty (50) feet wide on each side of said center line to the easterly boundary line of land formerly owned by Jno. B. Hopkins, et al, at or near survey station 550+58 of said center line, a distance of seven hundred and nine (709) feet, more or less.

EXCEPTING THEREFROM: Those parcels of land described as Parcels 4, 5 and 6 and that portion of Parcel 7, described in the deed from Southern Pacific Transportation Company to City of Walnut Creek recorded September 29, 1972 in Book 6762, page 812, Official Records.

ALSO EXCEPTING THEREFROM: That portion thereof lying within Parcel "B", as shown on the Parcel Map filed December 20, 1972 in Book 25 of Parcel Maps, page 43, Contra Costa County Records.

Containing a net area of 0.528 acres, more or less.

PARCEL TWENTY-FIVE - Fee Title

- a. Portion of Lot 1, in Block 1, and a portion of Lot 1 in Block 8, as shown on the map entitled "Map No. 2 of Walnut Heights, Walnut Creek, California, Contra Costa County," which map was filed in the office of the County Recorder of said County on December 29, 1913, in Book 10 of Maps, page 245, and a portion of the Rancho San Miguel, described as follows:

Beginning at the intersection of the southeastern line of the Southern Pacific Railroad right of way with a northern line of the parcel of land described in the deed to City of Walnut Creek, recorded June 26, 1964, in Book 4647 of official Records of said County, at page 135, from said intersection on the center of a curve concave to the northwest having a radius of 1195.95 feet bears north 52° 16' 52" west; thence northeasterly along the arc of said curve, being also along the southeastern line of said Southern Pacific Railroad right-of-way; through a central angle of 0° 05' 51" an arc distance of 2.04 feet; thence northeasterly along the arc of a compound curve concave to the northwest, having a radius of 813.99 feet through a central angle of 02° 15' 00" an arc distance of 31.96 feet; thence northeasterly along the arc of a compound curve concave to the northwest having a radius of 623.14 feet through a central angle of 05° 03' 42" an arc distance of 55.050 feet to a point from which the center of said curve bears north 59° 41' 25" west; thence leaving said southeasterly right-of-way south 25° 36' 22" west, 79.516 feet to a point from which the center of a curve concave to the southeast having a radius of 540.00 feet bears south 11° 28' 00" east; thence southwesterly along the arc of said curve through a central angle of 07° 48' 10" an arc distance of 16.991 feet to the point of beginning.

- b. Portion of the Rancho San Miguel, being a portion of that parcel of land described in the deed from J. J. Botelho, et al, to Mary F. Silveria,

dated October 7, 1925 and recorded October 16, 1925 in Book 2 of Official Records of said County, at page 331, described as follows:

Commencing at the most northeasterly corner of the Maria L. Botelho property on the westerly line of the Walnut Heights Map No. 2, as the same is of record in Volume 10 of Maps, at page 245, and running thence southerly along the westerly line of said Walnut Heights Map No. 2 as follows:

South 6° 39' 23" east (the bearing south 6° 39' 23" east being used on said westerly line for the purpose of this description), 23.518 feet to the true point of beginning of the hereinafter described parcel of land; thence from said true point of beginning, continuing along said westerly line as follows:

South 6° 39' 23" east, 871.482 feet; south 0° 57' 38" east, 40.97 feet; south 8° 19' 38" east, 209.87 feet; and south 10° 04' 38" east, 84.09 feet; thence leaving said westerly line south 68° 37' 17" west, 123.04 feet; thence north 24° 45' 13" west, 383.00 feet; thence north 65° 14' 47" east, 125.254 feet; thence north 9° 29' 00" west, 368.245 feet; thence north 7° 38' 16" west, 444.489 feet to a point from which the center of a curve concave to the south, having a radius of 916.00 feet, bears south 20° 07' 32" east, thence easterly along the arc of said curve, through a central angle of 8° 43' 34", an arc distance of 139.506 feet to the true point of beginning.

EXCEPTING THEREFROM: That parcel of land described as Parcel 2 and that portion of Parcel 1, described in the deed from Southern Pacific Transportation Company to Southern Pacific Land Company, recorded October 25, 1977 in Book 8562, page 70, Official Records.

EXCEPTING THEREFROM: The following described parcel,

Commencing at the most northerly corner of Lot 17 as said lot is shown on the map entitled "Map of Darrell Heights" recorded July 26, 1939 in Book 23 of Maps at page 711, records of said county; thence southerly along the westerly line of said Lot 17 south 6° 39' 23" east 23.52 feet (the bearing south 6° 39' 23" east being used for the purpose of this description) to the true point of beginning; thence from said true point of beginning, continuing along said line and its southerly prolongation, south 6° 39' 23" east 396.48 feet; thence leaving said line north 22° 03' 58" west 151.11 feet; thence north 13° 00' 00" west 84.00 feet; thence north 25° 30' 00" west 52.00 feet; thence north 12° 00' 00" west 109.00 feet to a point on a non-tangent curve having a radius of 916.00 feet, concave to the south, the center of which bears south 16° 12' 57" east, said curve also being the southerly line of Mt. Diablo Boulevard; thence easterly along said curve, through a central angle of 4° 48' 59", an arc distance of 77.00 feet to the true point of beginning.

- c. Portion of Lot 2 in Block 9, as shown on the map entitled "Map No. 2 of Walnut Heights, Walnut Creek, California, Contra Costa County", which map was filed in the office of the County Recorder of said County on December 29, 1931, in Book 10 of Maps, at page 245, and a portion of

the Rancho San Miguel, described as follows:

Commencing on the east line of the land of the Southern Pacific Transportation Company, as described in the deed from Jno. B. Hopkins, et ux, to Southern Pacific Railroad Company, dated July 17, 1890 and recorded June 10, 1891 in Book 60 of Deeds at page 137, at the south line of the parcel of land described in the deed from Mary F. Silveria to Charles S. Hughes Company dated October 3, 1944 and recorded October 18, 1944 in Book 787 of Official Records of said County at page 111; thence from said point of commencement north 78° 34' 47" east, (the bearing north 78° 34' 47" east being used on this line for the purpose of this description) along said south line and along the easterly prolongation thereof, 51.374 feet to the true point of beginning of the hereinafter described parcel of land; thence from said true point of beginning, leaving said south line north 24° 45' 13" west, 417.250 feet to a point on the northern line of the parcel of land described in the deed to Walnut Creek Aggregates Company, a California corporation, recorded August 21, 1953, in Book 2179 of Official Records of said County at page 487; running thence along the exterior boundary line of said parcel (2179 OR 487) as follows:

North 68° 37' 17" east, 123.034 feet; north 10° 04' 38" west, 3.35 feet; north 68° 59' 37" east, 134.47 feet; south 19° 18' 16" east, 256.25 feet; south 19° 37' 18" east, 101.62 feet; south 44° 42' 47" west, 176.97 feet and south 78° 34' 47" west, 60.326 feet to the true point of beginning.

EXCEPTING THEREFROM: That portion thereof lying within the parcel of land described as Parcel 1 in the deed from Southern Pacific Transportation Company to Southern Pacific Land Company, recorded October 25, 1977 in Book 8562, page 70 Official Records.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

Beginning at the most northerly corner of Parcel One as said parcel is described in the deed to Southern Pacific Transportation Company recorded September 29, 1972 in Book 6762 at page 822 of Official Records of said county; thence along the exterior boundary of said Parcel One south 19° 18' 16" east 256.25 feet; thence south 19° 37' 18" east 101.62 feet; thence

south 44° 42' 47" west 160.07 feet; thence leaving said boundary north 17° 42' 24" west 424.25 feet to a point on the northwesterly line of said Parcel One (6762 OR 822); thence along said northwesterly line north 68° 59' 37" east 131.56 feet to the point of beginning.

Containing an area of .3.66 acres, more or less.

PARCEL TWENTY-SEVEN - Fee Title

- a. Portion of Lot 2 in Block 9 as shown on the map entitled, "Map No. 2, Walnut Heights," which map was filed in the office of the County Recorder of said County on December 29, 1913, in Volume 10 of Maps at page 245, and a portion of the Rancho San Miguel, more particularly described as follows:

Commencing on the eastern line of the Southern Pacific Transportation Company's land at the most western corner of the parcel of land described as Parcel Three in the deed from MacDonald Walnut Creek project, a partnership to O. Kelly Anderson, et al, recorded December 2, 1958 in Book 3273 of Official Records of said County at page 1; thence from said point of commencement north 78° 34' 47" east along the northwestern line of said parcel 3273 OR 1 a distance of 51.374 feet to the true point of beginning of the hereinafter described parcel of land; thence from said true point of beginning continuing along the northwestern line of said parcel as follows: North 78° 34' 47" east, 60.326 feet and north 44° 42' 47" east, 1.388 feet; thence leaving said northwestern line south 24° 45' 13" east, 92.774 feet; thence southeasterly along the arc of a tangent curve concave to the southwest having a radius of 915.00 feet to a central angle of 09° 24' 46" an arc distance of 150.320 feet to the northern line of Newell Avenue; thence north 87° 25' 44" west along said north line, 63.289 feet to a point from which the center of a curve concave to the southwest having a radius of 855 feet bears south 73° 21' 17" west; thence northerly along the arc of said curve through a central angle of 08° 06' 30" an arc distance of 120.997 feet; thence north 24° 45' 13" west, 106.199 feet to the true point of beginning.

EXCEPTING THEREFROM: The parcel of land described in the deed from Southern Pacific Transportation Company to the City of Walnut Creek, recorded May 7, 1982 in Book 10774, page 135, Official Records.

Containing a net area of 0.308 acres, more or less.

- b. Portion of Lot 4, in Block 9, as shown on the map entitled, "Map No. 2 of Walnut Heights," which map was filed in the office of the County Recorder of said County on December 29, 1913, in Book 10 of Maps, page 245, described as follows:

Commencing on the northeastern line of the Southern Pacific Transportation Company's land at the northwestern corner of the parcel of land described as Parcel "B" in the deed from Senabco Properties, a California corporation, to Security Capital Corporation, a California corporation, recorded August 10, 1970 in Book 6189 of Official Records of said County at page 432; thence from said point of commencement running

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along the northwestern line of said Parcel "B" south 82° 25' 37" east, 72.345 feet at the true point of beginning of the herein described parcel of land; thence from said true point of beginning continuing along said northwestern line, south 82° 25' 37" east, 29.217 to a point from which the center of a curve concave to the west having a radius of 915.00 feet bears south 80° 58' 59" west; thence southerly along the arc of said curve through a central angle of 21° 48' 36" an arc distance of 348.301 feet to the eastern line of said Southern Pacific Transportation Company's land; thence north 13° 41' 44" west along said eastern line, 162.442 feet to a point from which the center of a curve concave to the west having a radius of 855 feet bears north 86° 59' 50" west; thence northerly along the arc of said curve through a central angle of 11° 00' 10" an arc distance of 164.190 feet to a point from which the center of a reverse curve having a radius of 25.00 feet bears north 82° 00' 00" east; thence northerly and northeasterly along the arc of said curve to a central angle of 105° 34' 22", an arc distance of 46.065 feet to the true point of beginning.

Containing 0.377 acres, more or less.

PARCEL TWENTY-EIGHT - Fee Title

All the parcel of land described in the deed from Frank Webb, et ux, to Southern Pacific Railroad Company, recorded June 10, 1891 in Book 60 of Deeds, page 135, described as follows:

A strip or tract of land one hundred feet wide lying equally on each side of the located line of the San Ramon Branch of the Southern Pacific Railroad Company's railroad, where the same was located through the San Ramon Valley in the County of Contra Costa, and being more particularly described as follows, to wit:

Commencing at a point on the center line of the said Railroad where said center line intersects the easterly line of land formerly owned by Frank Webb, et ux, at or near survey station 564+38 of said center line and running thence southerly along said center line of said Southern Pacific Railroad and following the curvature thereof, embracing a strip of land fifty (50) feet wide on each side of said center line to the northerly line of land formerly owned by J. Baker, at or near survey station 568+31 of said center line, a distance of three hundred and ninety-three (393) feet, more or less.

Containing an area of 0.902 acres, more or less.

PARCEL TWENTY-NINE - Fee Title

The parcel of land described in the deed from John Baker to Southern Pacific Railroad Company, recorded August 14, 1891, in Book 60 of Deeds, page 265, described as follows:

A strip or tract of land one hundred feet wide lying equally on each side of the located line of the San Ramon Branch of the Southern Pacific Railroad Company's railroad, where the same was located through the Rancho San Miguel in the County of Contra Costa, and being more particularly described as follows, to wit:

Commencing at a point on the center line of the said railroad where said center line intersects the northwesterly boundary line of land formerly owned by John Baker, at or near survey station 568+31 of said center line and running thence southeasterly along said center line of said Southern Pacific Railroad and following the curvature thereof and embracing a strip of land fifty (50) feet wide on each side of said center line to the center of San Ramon Creek, at or near survey station 588+00 of said center line of said railroad, a distance of two thousand and thirty one (2,031) feet, more or less.

Containing an area of 4.52 acres, more or less.

PARCEL THIRTY - Fee Title

All that real property described in the deed from A.D. Biggs to Southern Pacific Railroad Company, a California corporation, recorded June 10, 1891 in Book 60 of Deeds, page 109, described as follows:

A strip or tract of land 100 feet wide lying equally on each side of the located line of the San Ramon Branch of the Southern Pacific Railroad Company's railroad where the same is located through the Rancho San Ramon in said County of Contra Costa described as commencing at a point on the center line of said railroad where said center line intersects the center line of San Ramon Creek at or near survey station 588+00 of center line of said railroad and running thence southerly along said center line of said Southern Pacific Railroad and embracing a strip of land 50 feet wide on each side of said center line to the southerly boundary line of land of said party of the first part at or near survey station 590+41 of said center line of said railroad a distance of 241 feet, more or less.

Containing an area of 0.553 acres, more or less.

PARCEL THIRTY-ONE - Fee Title

All that real property situated in the County of Contra Costa, State of California, described as follows:

That real property described in the deed from M.D. Young to the Southern Pacific Railroad Company, a California corporation, recorded August 14, 1891 in Book 60 of Deeds page 266, described as follows:

A strip or tract of land 100 feet wide, lying equally on each side of the located line of the San Ramon Branch of the Southern Pacific Railroad Company's railroad where the same is located through the Rancho San Ramon in said County of Contra Costa and described as commencing at a point on the center line of the said railroad where said center line intersects the northerly boundary line of land of said party of the first part at or near survey station 590+41 of center line of said railroad and running thence southwesterly along said center line of said Southern Pacific Railroad and following the curvature thereof and embracing a strip of land 50 feet wide on each side of said center line to the westerly boundary line of land of said party of the first part at or near survey station 603+65 of said center line a distance of 1324 feet, more or less.

EXCEPTING THEREFROM:

1. The interest conveyed to the State of California by instrument recorded April 23, 1953, Book 2110, Official Records, page 170.
2. The interests conveyed to the State of California by instrument recorded May 21, 1962, Book 4123, Official Records, page 137.

Containing an area of 3.039 acres, more or less.

PARCEL THIRTY-THREE - Fee Title

All that real property described in the deed from Richard Dowling to Southern Pacific Railroad Company, a California corporation, recorded June 10, 1891 in Book 60 of Deeds page 142, described as follows:

A strip or tract of land 100 feet wide, lying equally on each side of the located line of the San Ramon Branch of the Southern Pacific Railroad Company's railroad where the same is located through the Rancho San Ramon in said County of Contra Costa described as commencing at a point on the center line of the said railroad where said center line intersects the northerly boundary line of land of said party of the first part at or near survey station 626+97 of said center line and running thence southerly along said center line of said Southern Pacific Railroad and following the curvature thereof embracing a strip of land 50 feet wide on each side of said center line to the southerly boundary line of land of said party of the first part at or near survey station 654+18 of said center line a distance of 2721 feet, more or less.

Containing an area of 6.247 acres, more or less.

PARCEL THIRTY-FOUR - Fee Title

All that real property described in the deed from A.J. McGovern and J.D. Smith to Southern Pacific Railroad Company, a California corporation, recorded July 15, 1891 in Book 60 of Official Records, page 197, described as follows:

A strip or tract of land 50 feet wide, lying equally on each side of the located line of the San Ramon Branch of Southern Pacific Railroad Company's railroad where the same is located through the lands of the parties of the first part in the San Ramon Rancho in the said County of Contra Costa described as commencing at a point on the center line of the said railroad where said center line intersects the north line of the lands of the parties of the first part at the point known as Engineers Station 654+18 of the center line of said railroad and running thence southerly along said center line of said Southern Pacific Railroad and following the curvatures thereof and embracing a strip of land 25 feet on each side of said center line of said railroad to its intersection with the southerly line of the lands of the parties of the first part at Engineers Station 667+83 a distance of 1897.4 feet, more or less.

Containing an area of 1.569 acres, more or less.

PARCEL THIRTY-FIVE - Fee Title

All the real property described in the deed from Edward Shuey to Southern Pacific Railroad Company, a California corporation, recorded August 3, 1891 in Book 60 of Deeds page 244, described as follows:

A strip or tract of land 100 feet wide, lying equally on each side of the located line of the San Ramon Branch of the Southern Pacific Railroad Company's railroad where the same is located through the San Ramon Valley in said County of Contra Costa and described as commencing at a point on the center line of the said railroad where said center line intersects the northerly line of the land of said party of the first part at or near survey station 667+83 of said center line and running thence southerly along said center line of said Southern Pacific Railroad embracing a strip of land 50 feet wide on each side of said center line to the southerly line of land of said party of the first part at or near survey station 672+99 of said center line a distance of 516 feet, more or less.

EXCEPTING THEREFROM: The easterly 25 feet of said strip of land.

Containing a net area of 0.889 acres, more or less.

PARCEL THIRTY-SIX - Fee Title

All the real property described in the deed from David P. Smith to Southern Pacific Railroad Company, a California corporation, recorded July 17, 1891 in Book 60 of Deeds page 201, described as follows:

A strip or tract of land 100 feet wide, lying equally on each side of the located line of the San Ramon Branch of the Southern Pacific Railroad Company's railroad where the same is located through the San Ramon Valley in said County of Contra Costa and described as commencing at a point on the center line of said railroad where said center line intersects the northerly line of land of said first party at or near survey station 672+99 of said center line and running thence southerly along said center line of said Southern Pacific Railroad and following the curvature thereof embracing a strip of land 50 feet wide on each side of said center line to the southerly line of land of said first party at or near survey station 692+67 of said center line a distance of 1968 feet, more or less.

Containing an area of 4.518 acres, more or less.

PARCEL THIRTY-SEVEN - Fee Title

All the real property described in the deed from M.W. Hall to Southern Pacific Railroad Company, a California corporation, recorded July 29, 1891 in Book 60 of Deeds page 236, described as follows:

A strip or tract of land 100 feet wide, lying equally on each side of the located line of the San Ramon Branch of the Southern Pacific Railroad Company's railroad, where the same is located through the San Ramon Valley in said County of Contra Costa and described as commencing at a point on the center line of the said railroad where said center line intersects the northerly line of the land of said party of the first part at or near survey

station 692+67 of said center line and running thence southerly along said center line of said Southern Pacific Railroad and following the curvature thereof, embracing a strip of land 50 feet wide on each side of said center line to the southerly line of land of said first party at or near survey station 709+66 of said center line a distance of 1699 feet, more or less.

EXCEPTING AND RESERVING THEREFROM: A permanent surface parking easement subject to Grantee's paramount rights to use the property for transit, trail, and utility purposes over that portion of the above described parcel 37 which is southerly of the westerly extension of the northerly line of lot 9, Subdivision 4561 shown on the map filed in Book 173 of maps, page 24, records of Contra Costa County, California.

Containing an area of 3.9 acres, more or less.

PARCEL THIRTY-EIGHT - Fee Title

All the real property described in the deed from Mary Jones to Southern Pacific Railroad Company, a California corporation, recorded July 29, 1891 in Book 60 of Deeds page 238, described as follows:

A strip or tract of land 100 feet wide lying equally on each side of the located line of the San Ramon Branch of the Southern Pacific Company's railroad where the same is located through the San Ramon Valley in said County of Contra Costa and described as commencing at a point on the center line of the said railroad where said center line intersects the northwesterly line of land of first party at or near survey station 709+66 of said center line and running thence southeasterly along said center line of said Southern Pacific Railroad, embracing a strip of land 50 feet wide on each side of said center line to the southeasterly line of land of said first party at or near survey station 725+64 of said center line a distance of 1598 feet, more or less.

EXCEPTING THEREFROM that portion thereof described in the deed to Del Prado Company, a general partnership, recorded August 20, 1981 in Book 10457 of Official Records, page 970.

EXCEPTING AND RESERVING THEREFROM: A permanent surface parking easement, subject to Grantee's paramount rights to use the property for transit, trail, and utility purposes, over that portion of the above described parcel 38 lying north of Stone Valley Road.

Containing a net area of 3.122 acres, more or less.

PARCEL FORTY-SEVEN - Fee Title

All the real property described in the deed from John Conway to Southern Pacific Railroad Company, a California corporation, recorded June 10, 1891 in Book 60 of Deeds page 111, described as follows:

A strip or tract of land 100 feet wide, lying equally on each side of the located line of the Southern Pacific Railroad Company's railroad where the same is located through the land of John Conway, described as commencing at a point on the center line of the said railroad where said center line

intersects the south boundary line of John Conway's land which is the line dividing the land of said Conway from that of Hartz, at about Engineer's station 866+80 of the center line of said railroad and running thence northwesterly along said center line of said Southern Pacific Railroad Company's railroad embracing a strip of land 50 feet wide on each side of said center line to the north boundary of the land of said Conway a distance of 660 feet, more or less.

EXCEPTING AND RESERVING THEREFROM: A permanent surface parking easement subject to Grantee's paramount rights to use the property for transit, trail, and utility purposes.

Containing an area of 1.515 acres, more or less.

PARCEL FORTY-EIGHT - An Easement

An easement for transit system, recreation, and utility purposes over the westerly 30 feet of the following described strip of land:

A portion of the Rancho San Ramon, County of Contra Costa, State of California being a portion of that parcel of land described in the deed to Southern Pacific Transportation Company, formerly the Southern Pacific Railroad Company recorded October 2, 1891, in Book 60 of Deeds at page 402 records of said County further described as follows:

Commencing at the intersection of the southeasterly prolongation of the center line of said Southern Pacific Railroad Company's parcel (60 D 402) and the center line of San Ramon Valley Boulevard as shown on the map entitled "A Precise Section of the Streets and Highways Plan, Contra Costa County, San Ramon Valley Boulevard and Hartz Avenue" recorded October 24, 1966 in Book 5230 of Official Records at page 517 records of said County; thence leaving said point of commencement along the prolongation of the center line said Southern Pacific Railroad Company's parcel north 51° 45' 33" west 31.41 feet to the east line of said Southern Pacific Railroad parcel (60 D 402) said line also being the west line of San Ramon Valley Boulevard; thence along said line south 0° 59' 35" west 150.74 feet; thence leaving the west line of San Ramon Valley Boulevard along the southwesterly line of said Southern Pacific Railroad Company parcel (60 D 402) north 51° 45' 33" west 1676.88 feet to the most westerly corner of said parcel (60 D 402); thence along the northwesterly line of said parcel north 48° 11' 39" east 137.05 feet; thence leaving said line southeasterly along the arc of a non-tangent curve concave to the southwest, the center of which bears south 38° 29' 32" west, having a radius of 600.00 feet, through a central angle of 23° 53' 45", an arc length of 250.24 feet to the point of a reverse curve concave to the northeast the center of which bears north 62° 23' 17" east; thence southeasterly along said curve having a radius of 600.00 feet, through a central angle of 24° 08' 50", an arc length of 252.87 feet; thence tangent to said curve south 51° 45' 33" east 677.02 feet, along a line parallel with and 30.00 feet northeasterly measured at right angles to said southwesterly line of said Southern Pacific Railroad Company parcel (60 D 402); thence southeasterly along the arc of a tangent curve having a radius of 600.00 feet, through a central angle of 24° 08' 50" an arc length of 252.87 feet to the point of a reverse curve concave to the southwest the center of which bears south 14° 05' 37" west; thence southeasterly along said curve having a radius of 600.00 feet through a

central angle of 14° 37' 01", an arc length of 153.07 feet to the west line of said Southern Pacific Railroad Company parcel; thence along said line south 0° 59' 35" west 8.44 feet to the point of beginning.

Containing an area of 2.19 acres of land, more or less.

Bearings and distances given are based on the California Coordinate System Zone III. To obtain ground distances multiply given distances by 1.0000942.

RESERVING AND EXCEPTING, however, to Grantor and to Southern Pacific Pipe Lines, Inc. (SPPL) within, over, across and through said property for the sole use and benefit of SPPL, its successors and assigns, hereafter referred to as "Beneficiary" an easement for right of way ten (10) feet in width to construct, alter, replace, maintain, use and operate one or more pipe line, valves, cathodic protection, test leads and other appurtenances useful or convenient in connection therewith or incidental thereto.

This reservation shall also carry with it the right to inspect, patrol (including aerial patrol), reconstruct and repair the said pipe lines, valves, cathodic protection and other appurtenances, the right to mark the location of said right of way by suitable markers set and maintained in the ground at locations which shall not interfere with such reasonable use as Grantee shall make of the land within limits of said right of way, the right to use such lands of Grantee immediately adjacent to either side of the right of way as may reasonably be required by said Beneficiary in connection with the construction, reconstruction, maintenance, replacement and removal of the pipe lines, valves, cathodic protection and other appurtenances, and the right of ingress to and egress from the said right of way across the lands of the Grantee for all purposes useful or convenient in connection with or incidental to the exercise and enjoyment of the rights herein granted, provided that said Beneficiary shall reasonably restore the surface of said right of way and other lands of the Grantee so used in connection therewith to the condition of same prior to said use.

Except in emergency instances, Beneficiary shall notify Grantee in writing of the proposed manner and route of any such proposed use of Grantee's lands adjacent to said right of way and of the proposed manner and route of any such ingress and egress across the lands of the Grantee for the purposes aforesaid, and such proposed manner and route of use of adjacent lands and of ingress and egress, shall be subject to the written consent on the part of Grantee, which shall not be unreasonably withheld.

Grantee shall act and respond as promptly as practicable to any such notice and request for approval by Beneficiary.

TO HAVE AND TO HOLD the above-described rights and right of way unto said Beneficiary, its successors and assigns, for as long as it desired to exercise the same, including the right to assign the rights and right of way herein reserved either in whole or in part, subject to the terms of this grant.

The pipes, valves, cathodic protection and other appurtenances shall at all times remain the property of Beneficiary, notwithstanding the same may be annexed or affixed to the freehold, and shall at any time and from time to

time be removed, in whole or in part, by said Beneficiary, its successors or assigns.

In the event said Beneficiary permanently abandons the pipe lines, it may at its option, leave the pipe in place and shall execute and record a reconveyance and release of this reservation.

Grantee shall have the right to full use and enjoyment of the said premises, except for the reserved use for the purposes hereinabove set forth, provided that such use and enjoyment shall not unreasonably hinder, conflict, or interfere with the exercise of Beneficiary's rights hereunder, and that no building, reservoir, structure improvement, obstruction or impediment (including but not limited to paving, undercutting or alteration of ground level) shall be constructed on the said right of way without Beneficiary's written consent.

Beneficiary, insofar as it is practicable to do so, shall bury all pipe to a sufficient depth at time of construction so as not to interfere unreasonably with the ordinary cultivation of the right of way and shall restore the surface of the ground, so far as is practicable, to its condition prior to installation of the pipe.

The provisions of the foregoing reservation and exception shall further constitute a covenant running with the land, and shall inure to the benefit of and be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns.

ALSO RESERVING FROM ALL OF THE ABOVE DESCRIBED PARCELS: An easement for fiber optics purposes within the easement described as follows: The unrecorded easement for pipelines and appurtenances thereto granted to Southern Pacific Pipe Lines Inc., on February 27, 1970 as disclosed by "Memorandum Indenture", recorded June 5, 1970 Book 6143, Official Records, page 154.

By quitclaim deed recorded May 29, 1979, Book 9372, Official Records, page 954, a portion of said easement was conveyed to Southern Pacific Transportation Company, a Delaware corporation.

By deed recorded May 29, 1979, Book 9372, Official Records, page 967, Southern Pacific Transportation Company, a Delaware corporation conveyed the same easement as described in 9372/954 to Southern Pacific Pipe Lines, Inc. which realigns said easement as to a portion of the parcels which are the subject of this title examination.

1985Deed

TO: Board of Supervisors

FROM: Phil Batchelor, County Administrator

DATE: December 3, 1985

SUBJECT: Acquisition of Southern Pacific Right of Way

BOOK 12652 PG 587

SPECIFIC REQUESTS(S) OR RECOMMENDATION(S) & BACKGROUND AND JUSTIFICATION**1. Recommended Action:**

- A. **APPROVE** the Purchase Agreement dated December 3, 1985 with Southern Pacific Transportation Company and the Contra Costa County Redevelopment Agency **AUTHORIZE** the County Administrator to sign said Purchase Agreement on behalf of the County.
- B. **ACCEPT** the Grant Deed dated December 3, 1985 and Grant of Easement dated December 3, 1985 from Southern Pacific Transportation Company and **DIRECT** the Real Property Division to cause said documents to be recorded in the Office of the County Recorder along with a certified copy of this order.
- C. **AUTHORIZE** the County Auditor to issue a check to Western Title Insurance Company Escrow No. 487770 in the amount of \$2,930,000 to be delivered by the Real Property Division.
- D. **FIND** that there is no substantial evidence that the acquisition will have a significant effect on the environment, and that it has reviewed and considered the Initial Study and Negative Declaration together with any comments received during the public review process (all on file with the Board), and **APPROVES** its adequacy for California Environmental Quality Act purposes. The Community Development Director is **ORDERED** to file a Notice of Determination with the County Clerk. The requirements of Government Code Section 65402 have been met.

2. Financial Impact:**3. Reasons for Recommendations:****4. Background:****5. Consequences of Negative Action:**

)
)
) See Staff Report dated
) November 27, 1985
)
)

Continued on Attachment: _____ yes

Signature: _____

____ Recommendation of County Administrator
____ Approve _____ Other

____ Recommendation of Board Committee

Signature(s)

*Phil Batchelor*Action of Board on December 3, 1985 Approved as recommended x Other __

Vote of Supervisors

X Unanimous (Absent _____)
Ayes: _____ Noes: _____
Absent: _____ Abstain: _____

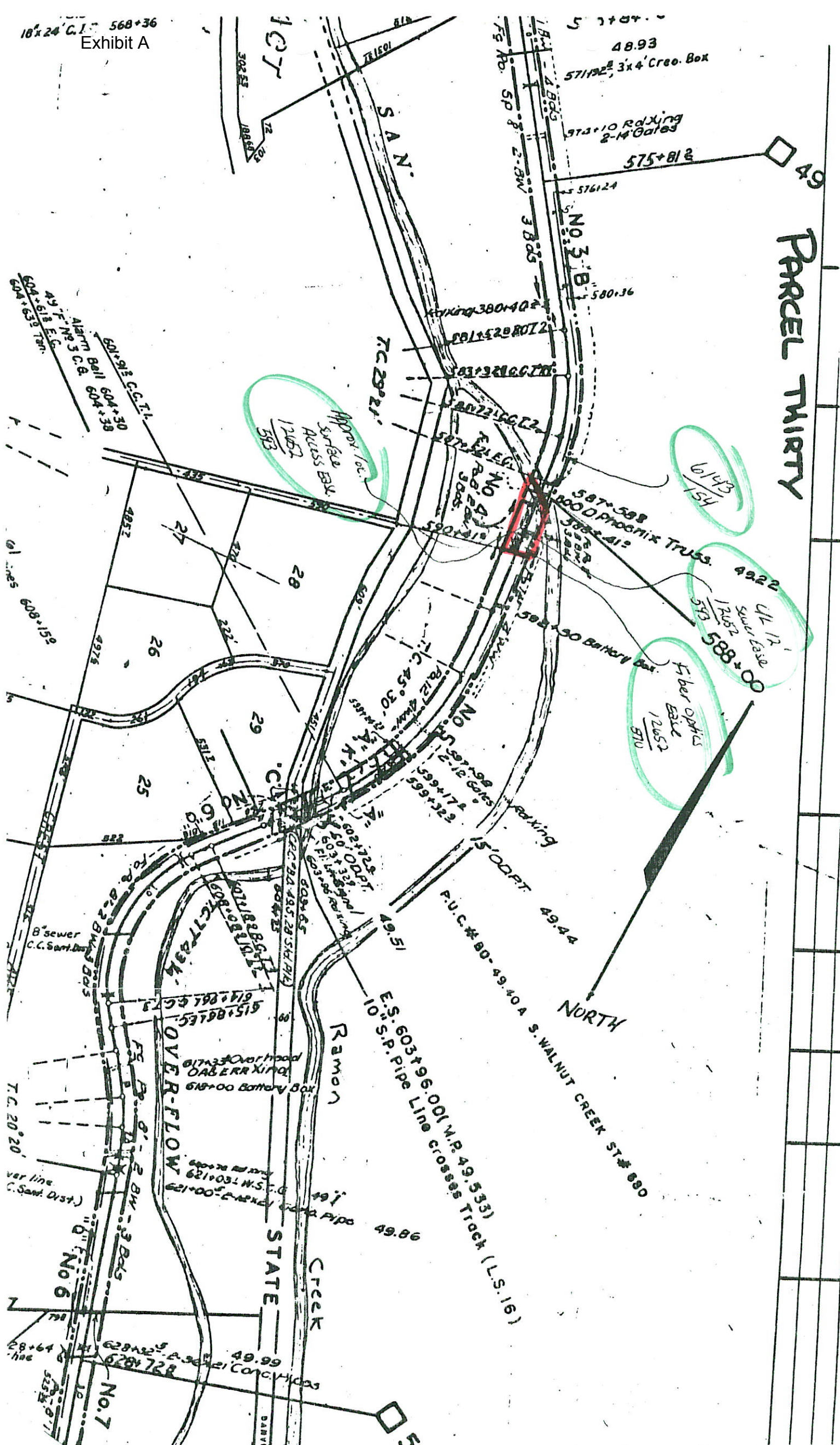
I HEREBY CERTIFY THAT THIS IS A TRUE
AND CORRECT COPY OF AN ACTION TAKEN
AND ENTERED ON THE MINUTES OF THE BOARD
OF SUPERVISORS ON THE DATE SHOWN.

ATTESTED December 3, 1985PHIL BATCHELOR, Clerk of the Board of
Supervisors and County AdministratorBY *John deWard*, DEPUTYDD:pg
AcqSP.t11

cc: Auditor (via R/P)
Recorder - certified (via R/P)
Public Works Accounting
Southern Pacific (via R/P)
County Counsel

END OF DOCUMENT

Parcel Thirty



in 412302 137
noted in yellow

701110

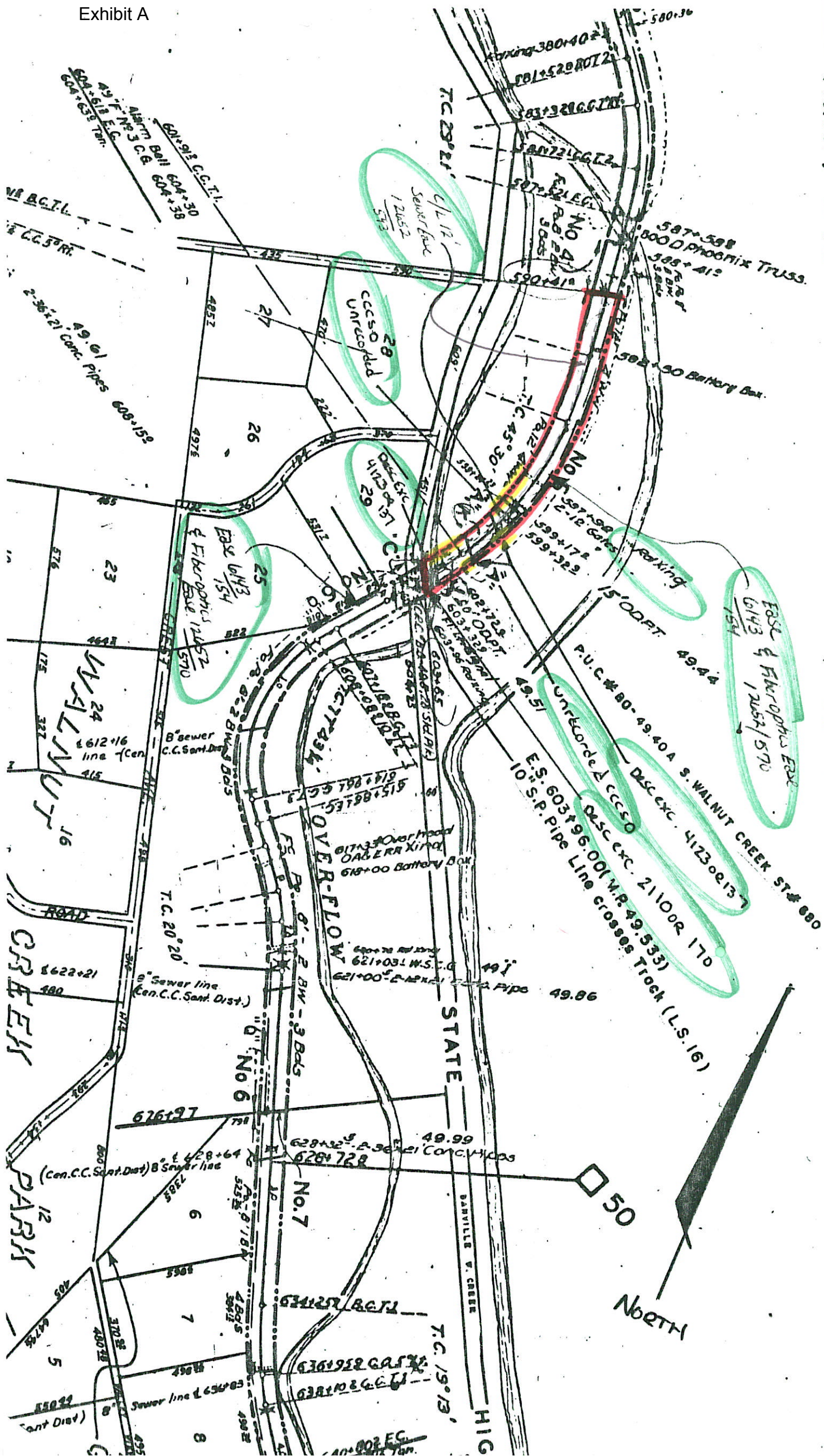
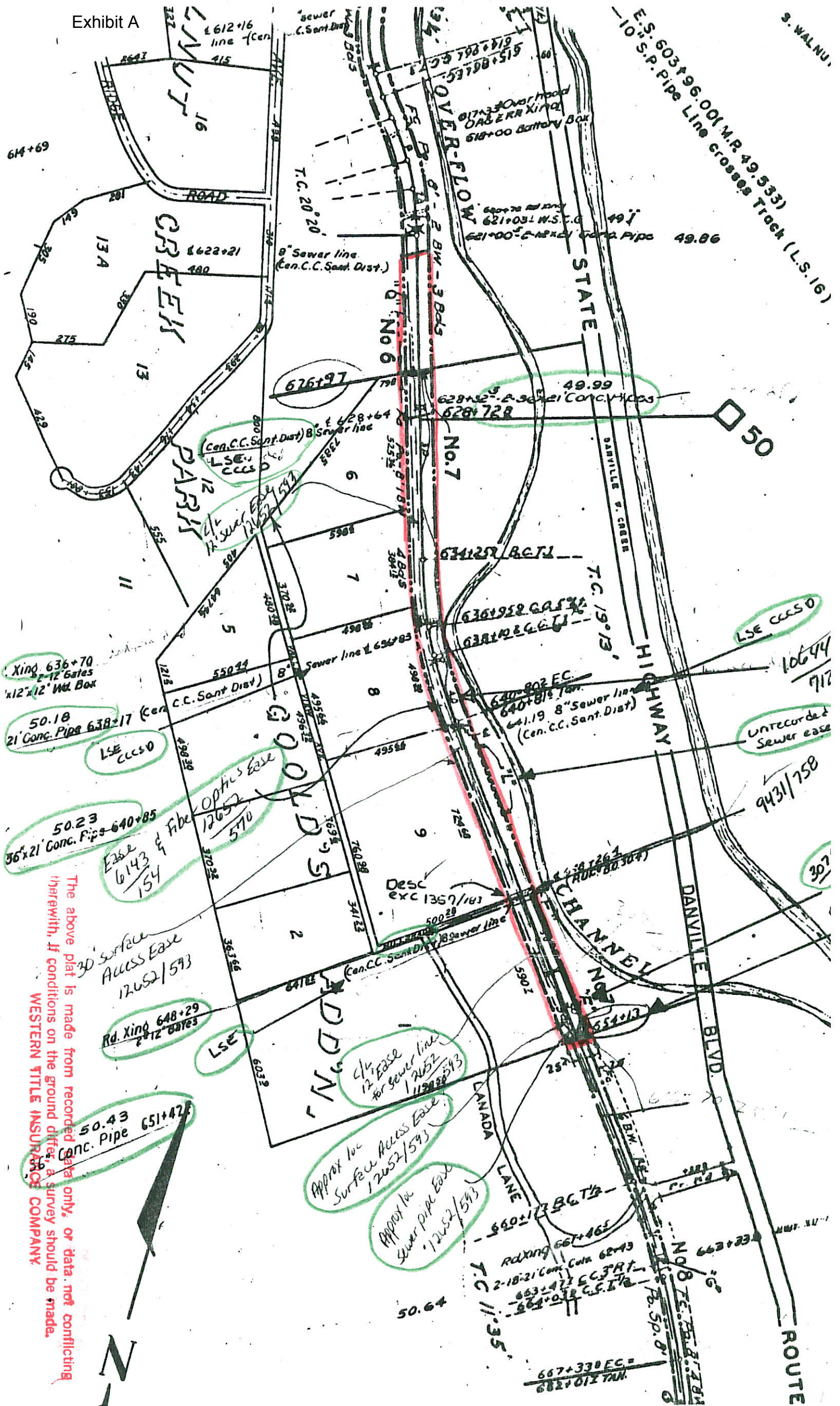


Exhibit A



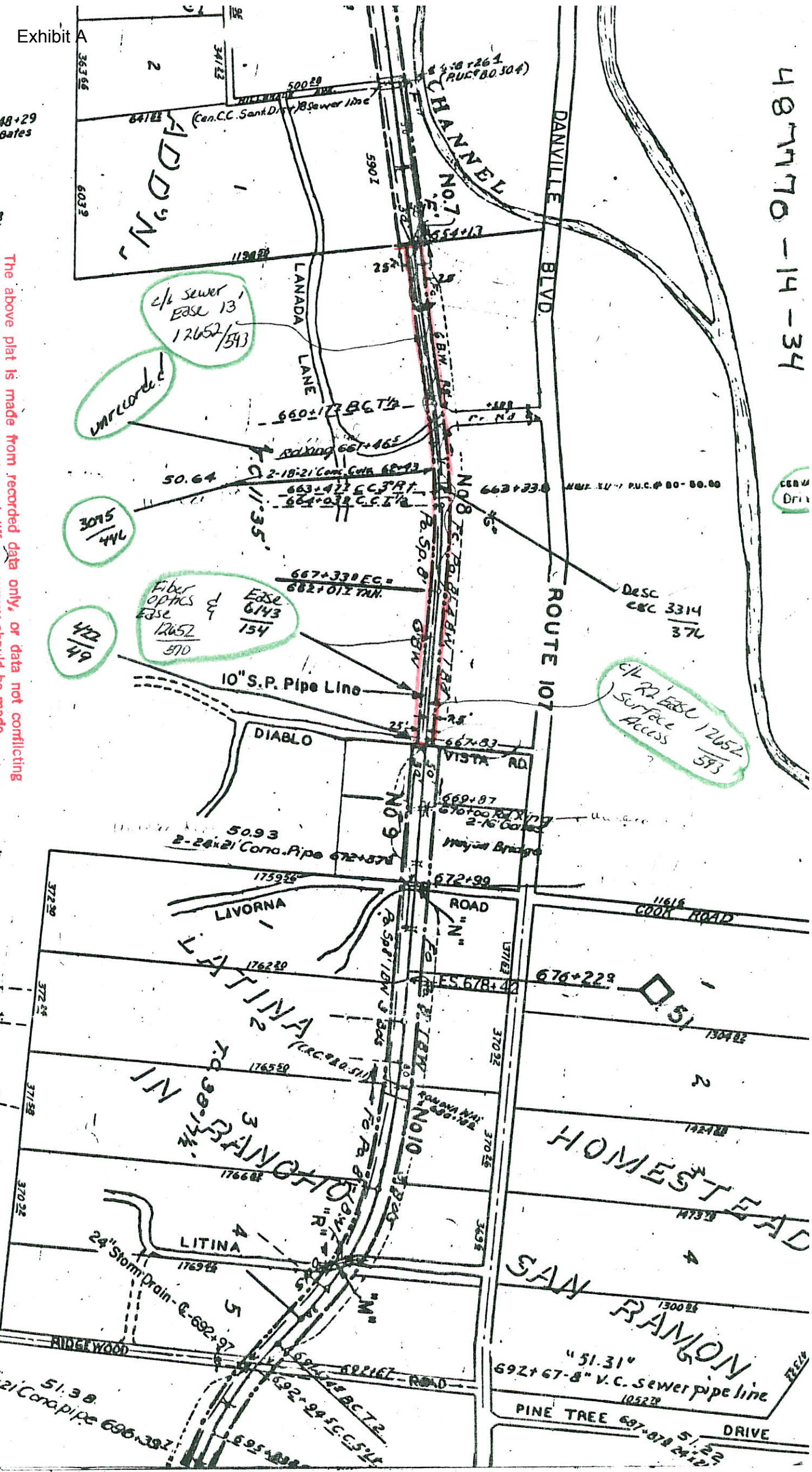
487770-14-34

Exhibit A

Id. Xing 648+29
2' 12" Gates

651+428

The above plat is made from recorded data only, or data not conflicting
therewith. If conditions on the ground differ, a survey should be made.
WESTERN TITLE INSURANCE COMPANY



1-16' Gates

2' 7 1/2"
2' 1' 30" FH

CC 6° RT

92+60
V.C. Box

93+61

51.38
18x21' Cona pipe 696+392

"51.31"
692+67-8" V.C. Sewer pipe line
105229
PINE TREE 697+078 51.22
DRIVE

Exhibit A

Id. Xing 648+29
2" 12" Gates

651+428

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therewith. If conditions on the ground differ, a survey should be made.
WESTERN TITLE INSURANCE COMPANY

1-16' Gates

1" 30" R/L

5" 6" R/L

9" 6" R/L

13" 6" R/L

17" 6" R/L

21" 6" R/L

25" 6" R/L

29" 6" R/L

33" 6" R/L

37" 6" R/L

NORTH

LITINA

HIDGEWOOD

51.30

10" 21" Corapipe 690+392

692+392

695+392

698+392

701+392

704+392

707+392

710+392

713+392

716+392

719+392

722+392

725+392

728+392

731+392

734+392

737+392

740+392

743+392

746+392

749+392

752+392

755+392

758+392

761+392

764+392

767+392

770+392

773+392

776+392

779+392

782+392

785+392

788+392

791+392

794+392

797+392

800+392

803+392

806+392

809+392

812+392

815+392

818+392

821+392

824+392

827+392

830+392

833+392

836+392

839+392

842+392

845+392

848+392

851+392

854+392

857+392

860+392

863+392

866+392

869+392

872+392

875+392

878+392

881+392

884+392

887+392

890+392

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896+392

899+392

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905+392

908+392

911+392

914+392

917+392

920+392

923+392

926+392

929+392

932+392

935+392

938+392

941+392

944+392

947+392

950+392

953+392

956+392

959+392

962+392

965+392

968+392

971+392

974+392

977+392

980+392

983+392

986+392

989+392

992+392

995+392

998+392

1001+392

1004+392

1007+392

1010+392

1013+392

1016+392

1019+392

1022+392

1025+392

1028+392

1031+392

1034+392

1037+392

1040+392

1043+392

1046+392

1049+392

1052+392

1055+392

1058+392

1061+392

1064+392

1067+392

1070+392

1073+392

1076+392

1079+392

1082+392

1085+392

1088+392

1091+392

1094+392

1097+392

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1106+392

1109+392

1112+392

1115+392

1118+392

1121+392

1124+392

1127+392

1130+392

1133+392

1136+392

1139+392

1142+392

1145+392

1148+392

1151+392

1154+392

1157+392

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1163+392

1166+392

1169+392

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1175+392

1178+392

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1184+392

1187+392

1190+392

1193+392

1196+392

1199+392

1202+392

1205+392

1208+392

1211+392

1214+392

1217+392

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1379+392

1382+392

1385+392

1388+392

1391+392

1394+392

1397+392

1400+392

1403+392

1406+392

1409+392

1412+392

1415+392

1418+392

1421+392

1424+392

1427+392

1430+392

1433+392

1436+392

1439+392

1442+392

1445+392

1448+392

1451+392

1454+392

1457+392

1460+392

1463+392

1466+392

1469+392

1472+392

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1490+392

1493+392

1496+392

1499+392

1502+392

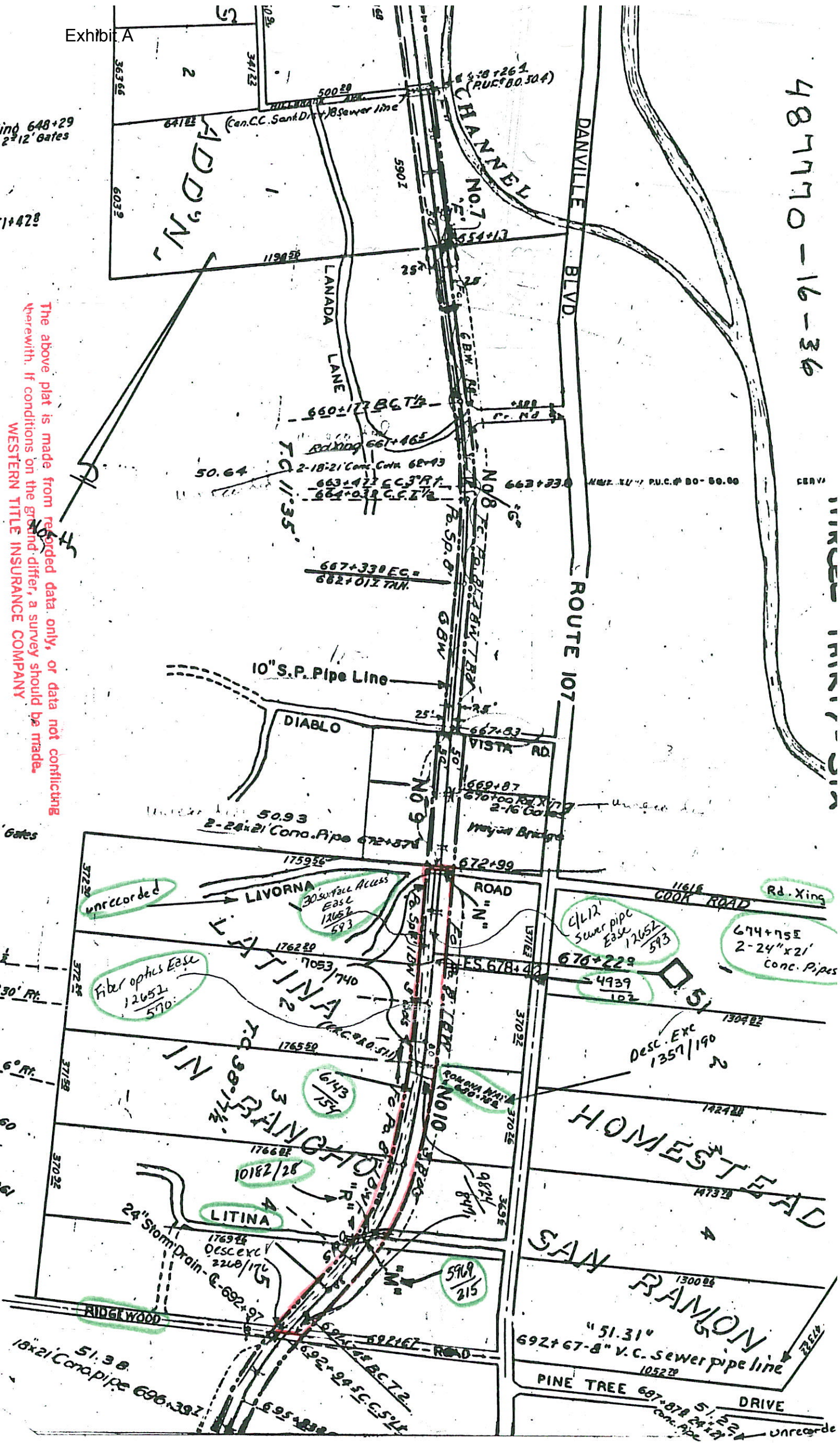
487770-16-36

Xing 648+29
2" 12" Gates

651+428

The above plat is made from recorded data only, or data not conflicting therewith. If conditions on the ground differ, a survey should be made.
WESTERN TITLE INSURANCE COMPANY

16' Gates



CERVA

UNRECORDED

Rd. Xing

674+75E
2-24"x21"
Conc. Pipes

DESC. EXC
1357/190

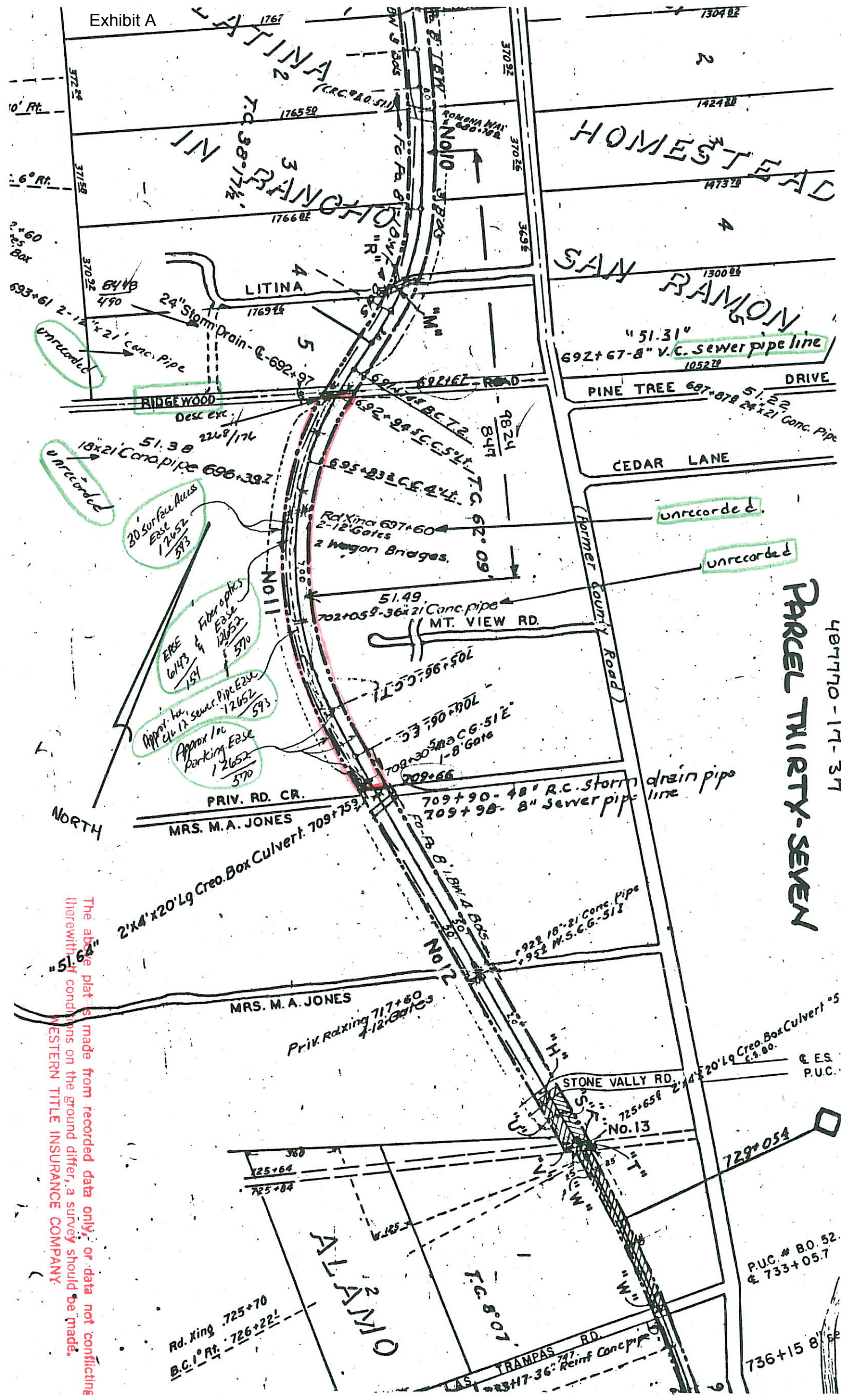
HOMESTEAD

SAN RANON

"51.31"
692+67-8" V.C. Sewer pipe line

PINE TREE DRIVE

UNRECORDED



Parcel Thirty-Seven

407770-17-37

The above plat is made from recorded data only, or data not conflicting therewith conditions on the ground differ, a survey should be made.
WESTERN TITLE INSURANCE COMPANY

Exhibit A

51.38
18x21 Conc pipe 696+39.2

PINE TREE 687+87.8 24x21 Conc. P.
CEDAR LANE

NORTH

Unrecorded

PRIV. RD. CR.

MRS. M.A. JONES

2'x4'x20' Lg. Box Culvert 709+75.2
Unrecorded

Ease of Fiberoptics
EASE
6143
154

MRS. M.A. JONES

Priv. Rd. xing 717+80
4-12' Gates

Unrecorded

30' surface
Access
EASE
12652
593

Desc. exc.
3798
95

STONE VALLY RD.

No. 13

3075
446

2'x4'x20' Lg. Box Culvert 714+51.00
E. ES. 2
P.U.C. #

Desc.
10457
970

729+054

Rd. Xing 725+70
B.C. 1st Rt. 726+22.1

ALAMO

T.C. 8.01

TRAMPAS RD.
733+17.36 Reinf. Conc. pipe

E.C. 734+33.8

ALAMO

ALAMO

P.U.C. # B.O. 52.1
& 733+05.7

736+15.8' SEW

I.C.C. Docket No. AB-12 Date 7/18/78
Retired by A.F.E. No. 2-95980-1981
Mile of Main Line 5408.0'

IMREC INKIX-EION

