

Recorded at the request of:
Contra Costa County Flood
Control & Water Conservation
District

Return to:
Contra Costa County
Public Works Department
Real Estate Division
255 Glacier Drive
Martinez, CA 94553
Attn: Olivia D. Reynolds

Portion of Assessor's Parcel No. 037-500-092
FCPID: 5095

ACCESS EASEMENT

THIS INDENTURE, made by and between the City of Oakley, a municipal corporation, hereinafter called the GRANTOR, and CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a flood control district organized under the laws of the State of California, hereinafter called the GRANTEE,

WITNESSETH:

That the GRANTOR, for value received, hereby grants to the GRANTEE a perpetual easement and right of way for ingress and egress purposes, in, under, along, and across that certain real property in the County of Contra Costa, State of California, described as follows:

FOR DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

The easement herein granted shall include the right by said GRANTEE, its officers, agents and employees, and by persons under contract with it and their employees whenever and wherever necessary for flood control purposes, to enter upon said land with personnel, vehicles and equipment, to remove all trees, vegetation and structures thereon that interfere with the purpose for which the easement herein is granted.

It is understood that GRANTEE is not responsible for repairing or replacing any of GRANTOR's improvements including, but not limited to, the driveway, concrete ramp, and bollards within the area described in Exhibit "A" herein, unless damage is a result of the GRANTEE's negligence or misconduct.

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 12th day of April, 2016.

CITY

City of Oakley, a municipal corporation

By: Bryan H. Montgomery
Bryan H. Montgomery, City Manager

Attest:

By: Kim Carmody
or Libby Vreonis, City Clerk

ABOVE SIGNATURES MUST BE NOTARIZED

PORTION OF PARCEL B, SUBDIVISION 8680 (486 M 1)
CONTRA COSTA COUNTY

FCD PARCEL 5095

JANUARY 20, 2010
JOB NO.: 0985-010
ACCESS EASEMENT FOR THE
CONTRA COSTA COUNTY FLOOD CONTROL AND
WATER CONSERVATION DISTRICT (CCCFC & WCD)
FROM THE CITY OF OAKLEY

EXHIBIT 'A'

LEGAL DESCRIPTION

REAL PROPERTY, SITUATE IN THE CITY OF OAKLEY, COUNTY OF CONTRA COSTA,
STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF PARCEL B, AS SAID PARCEL B IS SHOWN AND DESIGNATED
ON THE MAP OF SUBDIVISION 8680, RECORDED FEBRUARY 23, 2005, IN BOOK
476 OF MAPS AT PAGE 1, IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA
COSTA COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WESTERN CORNER OF SAID PARCEL B;

THENCE, FROM SAID POINT OF COMMENCEMENT, ALONG THE NORTHWESTERN LINE
OF SAID PARCEL B, ALONG THE ARC OF A NON-TANGENT 464.00 FOOT RADIUS
CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH
55°10'15" WEST, THROUGH A CENTRAL ANGLE OF 12°02'06", AN ARC DISTANCE
OF 97.46 FEET TO THE POINT OF BEGINNING;

THENCE, FROM SAID POINT OF BEGINNING, CONTINUING ALONG SAID
NORTHWESTERN LINE, ALONG SAID 464.00 FOOT RADIUS CURVE TO THE LEFT,
FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 67°12'21" WEST,
THROUGH A CENTRAL ANGLE OF 07°15'41", AN ARC DISTANCE OF 58.81 FEET;

THENCE, LEAVING SAID NORTHWESTERN LINE, SOUTH 74°28'02" EAST 10.00
FEET;

THENCE, ALONG THE ARC OF A NON-TANGENT 474.00 FOOT RADIUS CURVE TO THE
RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 74°28'02" WEST,
THROUGH A CENTRAL ANGLE OF 03°37'37", AN ARC DISTANCE OF 30.01 FEET;

THENCE, SOUTH 01°50'13" EAST 90.61 FEET;

THENCE, ALONG THE ARC OF A TANGENT 179.00 FOOT RADIUS CURVE TO THE
LEFT, THROUGH A CENTRAL ANGLE OF 20°02'35", AN ARC DISTANCE OF 62.62
FEET;

THENCE, ALONG THE ARC OF A COMPOUND 24.00 FOOT RADIUS CURVE TO THE
LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 68°07'12" EAST,
THROUGH A CENTRAL ANGLE OF 87°27'30", AN ARC DISTANCE OF 36.63 FEET TO
A POINT ON THE EASTERN LINE OF SAID PARCEL B;

THENCE, ALONG SAID EASTERN LINE, ALONG THE ARC OF A NON-TANGENT 272.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH $63^{\circ}16'40''$ EAST, THROUGH A CENTRAL ANGLE OF $9^{\circ}15'18''$, AN ARC DISTANCE OF 43.94 FEET;

THENCE, LEAVING SAID EASTERN LINE, ALONG THE ARC OF A NON-TANGENT 19.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH $52^{\circ}54'33''$ EAST, THROUGH A CENTRAL ANGLE OF $86^{\circ}59'34''$, AN ARC DISTANCE OF 28.85 FEET;

THENCE, SOUTH $40^{\circ}05'53''$ WEST 12.00 FEET;

THENCE, NORTH $49^{\circ}54'07''$ WEST 8.43 FEET;

THENCE, ALONG THE ARC OF A TANGENT 193.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL OF $48^{\circ}03'54''$, AN ARC DISTANCE OF 161.91 FEET;

THENCE, NORTH $01^{\circ}50'13''$ WEST 63.97 FEET;

THENCE, NORTH $67^{\circ}12'21''$ WEST 7.42 FEET TO SAID POINT OF BEGINNING.

CONTAINING 4,993 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

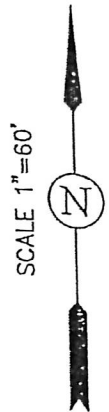


Christopher S. Harmison

CHRISTOPHER S. HARMISON, P.L.S.
L.S. NO. 7176
EXPIRES: DECEMBER 31, 2011

EXHIBIT 'B'

TANGENT TABLE		
NO.	BEARING	LENGTH
L1	S74°28'02"E(R)	10.00'
L2	S01°50'13"E	90.61'
L3	S40°05'53"W	12.00'
L4	N49°54'07"W	8.43'
L5	N01°50'13"W	63.97'
L6	N67°12'21"W(R)	7.42'



POB
N67°12'21"W(R)

POC
N55°10'15"W(R)

MARSH CREEK

PARCEL B
476 M 1

ACCESS
EASEMENT
(PARCEL 5095)
4,993 SF

N68°07'12"E(R)

N63°16'40"E(R)

SUBDIVISION
8680
476 M 1

WAREHOL WAY

S52°54'33"E(R)

BNSF RAILROAD

CURVE TABLE			
NO.	DELTA	RADIUS	LENGTH
C1	07°15'41"	464.00'	58.81'
C2	03°37'37"	474.00'	30.01'
C3	20°02'35"	179.00'	62.62'
C4	87°27'30"	24.00'	36.63'
C5	09°15'18"	272.00'	43.94'
C6	86°59'34"	19.00'	28.85'
C7	48°03'54"	193.00'	161.91'
C8	12°02'06"	464.00'	97.46'

PLAT TO ACCOMPANY LEGAL DESCRIPTION ACCESS EASEMENT

CONTRA COSTA COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT (CCCFC&WCD)
CITY OF OAKLEY, CONTRA COSTA COUNTY, CALIFORNIA

DATE: NOVEMBER 2009

CCCFC & WCD DRAWING NO. FA-20,027

Carlson, Barbee, & Gibson, Inc.

CIVIL ENGINEERS • SURVEYORS • PLANNERS

6111 BOLLINGER CANYON ROAD, SUITE 150 SAN RAMON, CALIFORNIA 94583

TELEPHONE: (925) 866-0322 FAX: (925) 866-8575

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 Contra Costa)

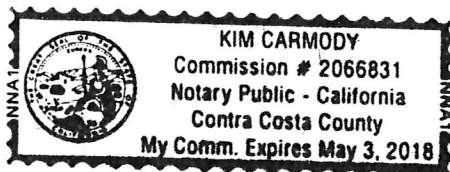
On 4/14/2016 before me, Kim Carmody, Notary Public,
Date Here Insert Name and Title of the Officer

personally appeared Bryan H Montgomery
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 Kim Carmody
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: Access Easement 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: _____

RESOLUTION NO. 41- 16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY,
CALIFORNIA, APPROVING AN ACCESS EASEMENT FROM THE CITY OF
OAKLEY TO CONTRA COSTA COUNTY FLOOD CONTROL AND WATER
CONSERVATION DISTRICT RELATED TO ASSESSOR'S PARCEL NUMBER
037-500-092 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE
ACCESS EASEMENT

WHEREAS, the City of Oakley is the fee title owner of Parcel B of
Subdivision 8680, also referred to as Assessor's Parcel Number 037-500-092;
and

WHEREAS, Parcel B is adjacent to the Marsh Creek and owned by the
Contra Costa County Flood Control and Water Conservation District; and

WHEREAS, the Access Easement is necessary to allow the Contra Costa
County Flood Control and Water Conservation District to have ingress and
egress of a portion of Parcel B for flood control purposes for Marsh Creek; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the City
Council of the City of Oakley approve the Access Easement from the City of
Oakley to Contra Costa County Flood Control and Water Conservation District
affecting a portion of Parcel B of Subdivision 8680 as more particularly and
precisely described in Exhibit A attached hereto and the City Manager is hereby
authorized to execute the Access Easement.

PASSED, APPROVED AND ADOPTED by the City Council of the City of
Oakley at a meeting held on this 12th day of April, 2016 by the following vote:

AYES: Hardcastle, Higgins, Perry, Pope, Romick

NOES:

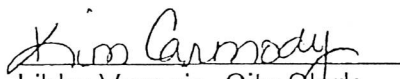
ABSENT:

ABSTENTIONS:

APPROVED:


Kevin Romick, Mayor

ATTEST:


Libby Vreonis, City Clerk

4-13-16
Date

PORTION OF PARCEL B, SUBDIVISION 8680 (486 M 1)
CONTRA COSTA COUNTY

FCD PARCEL 5095

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LEGAL DESCRIPTION
PAGE 2 OF 2

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Christopher S. Harmison

CHRISTOPHER S. HARMISON, P.L.S.
L.S. NO. 7176
EXPIRES: DECEMBER 31, 2011