

12/2/83 TDC:rjm (D-233)

RECORDED IN OFFICIAL RECORDS
OF ALAMEDA COUNTY, CALIF.
RENE C. DAVIDSON, County Recorder
JUN 19 1991
AM 7,8,9,10,11,12,1,2,3,4,5,6 PM

91157830

D.H.

E A S E M E N T D E E D

087

For and in consideration of the Legislature's termination pursuant to Chapter 1016, California Statutes of 1981, of all of the State's sovereign public trust right, title and interest, to the extent that any of the right, title and interest exists, in all former submerged lands, tidelands and salt marsh that may have been, on and after the date of the Spanish land grant to Luis Peralta in 1820, situated within those certain lands which are described in subdivision (b) of Sec. 5 of Chapter 1016, California Statutes of 1981, which description is set forth hereinbelow in this Easement Deed, the CITY OF OAKLAND, a municipal corporation, acting by and through its Board of Port Commissioners, hereby grants to the STATE OF CALIFORNIA, a public trust easement for commerce, navigation and fisheries in those certain lands which are described in subdivision (c) of Sec. 5 of chapter 1016, California Statutes of 1981, which description is set forth hereinbelow in this Easement Deed.

(1) Description of Land in Subdivision (b) of Sec. 5 of Chapter 1016, California Statutes of 1981, in Which Legislature Terminates Sovereign Public Trust Right, Title and Interest:

"All that property located above the presently existing line of mean high water located in the 'Port Area' of the City of Oakland bounded on the east by Hegenberger Road, on the northeast by the Nimitz Freeway, on the northwest by the south bank of East Creek Slough and its direct prolongation southwesterly to its point of intersection with the City of Oakland-City of Alameda boundary line, on the west by the

City of Oakland-City of Alameda boundary line from that point of intersection southerly to Doolittle Drive, and on the south and southwest by Doolittle Drive, excluding therefrom, however, Parcel 1 of that certain real property over which the Board of Port Commissioners relinquished control and jurisdiction by adoption of Port Ordinance No. 1235 on August 5, 1963, the Parcel 1 being more particularly described as follows:

Parcel 1

"Beginning at the point of intersection of the northwestern line of 50th Avenue, formerly Bay Avenue, with the southwestern line of the Nimitz Freeway, formerly known as the Eastshore Freeway, designated as 'State of California, Department of Public Works survey through the City of Oakland, Road IV-Ala-69-Oak', as described in deed from Pacific Gas and Electric Company, a corporation, to the State of California, dated February 5, 1943 and recorded July 17, 1943, in Book 4391 of Official Records of Alameda County, page 231; running thence along the southwestern line of that state freeway south $34^{\circ}52'44''$ east 408.30 feet until intersected by the direct prolongation northeasterly of the southeastern line of that certain parcel of land described in deed from City of Oakland, a municipal corporation, acting by and through its Board of Port Commissioners to Pacific Gas and Electric Company, a corporation, dated January 18, 1955, and recorded April 5, 1955, in Book 7621 of Official Records of Alameda County, page 111; thence along that line so produced south $55^{\circ}07'16''$ west 52.00 feet to the actual point of commencement; thence along a line parallel with that state freeway and distant 52.00 feet southwesterly therefrom, measured at a right angle therefrom, south $34^{\circ}52'44''$ east 2927.65 feet; thence south $55^{\circ}07'16''$ west 1888.01 feet; thence south $89^{\circ}49'48''$ west 54.73 feet; thence north $34^{\circ}52'44''$ west 2360.72 feet to a point on the southwestern boundary line of that certain parcel of land designated as Parcel 'E' in Final Judgment of Condemnation made on December 31, 1951, in the Superior Court of Alameda County, State of California, entitled City of Oakland, a municipal corporation, acting by and through its Board of Port Commissioners, vs. Pacific Gas and Electric Company, a corporation, et al., Case No. 209246, a certified copy whereof was recorded on December 31, 1951, in Book 6624 of Official Records of Alameda County, page 345; thence along the southwestern and northwestern lines of the Parcel 'E' north $22^{\circ}07'52''$ west 277.23 feet and north $35^{\circ}35'18''$ east 900.20 feet

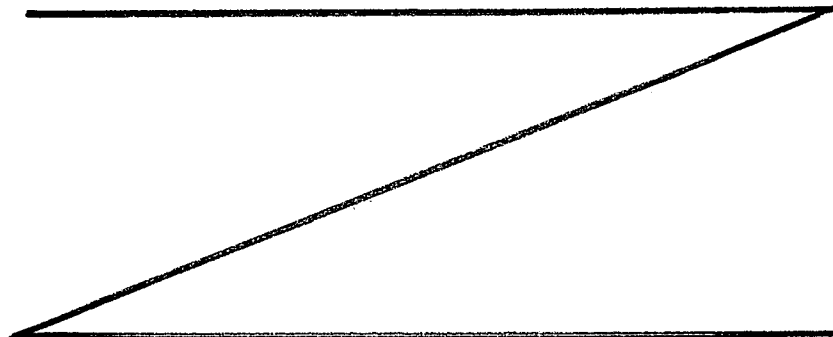
to a point on the southwestern boundary line of that certain parcel of land described in deed from City of Oakland, a municipal corporation, acting by and through its Board of Port Commissioners, to Pacific Gas and Electric Company, a corporation, dated January 18, 1955, and recorded April 5, 1955, in Book 7621 of Official Records of Alameda County, page 111; thence along the last mentioned line south 34°52'44" east 35.60 feet to the southeastern boundary line thereof; thence along the last mentioned line and its direct prolongation north 55°07'16" east 1023.43 feet to the actual point of commencement;

"Also excluding therefrom Arrowhead Marsh and also excluding all that property lying westerly of Arrowhead Marsh and Airport Channel along the northeasterly line of Doolittle Drive. Arrowhead Marsh is that portion of land labeled 'Arrowhead Marsh' depicted on a map entitled 'Attachment I San Leandro Bay Regional Shoreline,' such Attachment I being a portion of that document entitled 'Development Plan for San Leandro Bay Regional Shoreline' recorded on the 13th day of September 1977, in Reel 5043, Image 667, Official Records of Alameda County, such portion being bounded on the southeast and east by an 'L' shaped 'New Channel' adjoining the artificially filled Play Meadow, and being bounded elsewhere by the waters of San Leandro Bay, all as shown on that map."

2. Description of Land in Subdivision (c) of Sec. 5 of Chapter 1016, California Statutes of 1981 in Which There Is Hereby Granted to the State a Public Trust Easement for Commerce, Navigation and Fisheries:

"All of those portions of the following described lands which lie within the present City of Oakland, County of Alameda, State of California:

"Lots 29, 30, and 31 in Section 30, and lots 2, 3, and 4 in Section 31, all in township 2 south, range 3 west, Mount Diablo Base and Meridian, as such lots are shown on 'Sale Map No. 10, Salt Marsh and Tide Lands, situate in the County of Alameda, State of California,' filed June 9, 1888, in book 17 of maps at page 30, in



the office of the County Recorder of Alameda County, containing 84 acres more or less."

Dated: December 7th 1983

CITY OF OAKLAND, a municipal corporation, acting by and through its Board of Port Commissioners,

By W. A. Abernathy
WALTER A. ABERNATHY
Executive Director

Approved as to form and legality this 7th day of December, 1983.

Stanley P. Hebert
Port Attorney

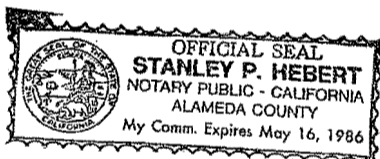
Port Resolution No. 28172

D-606
Port Officers

STATE OF CALIFORNIA)
) ss.
COUNTY OF ALAMEDA)

On this 7th day of December, in the year 1983, before me, Stanley P. Hebert, a Notary Public in and for the County of Alameda, State of California, residing therein, duly commissioned and sworn, personally appeared WALTER A. ABERNATHY, personally known to me (or proved to me on the basis of satisfactory evidence) to be the Executive Director of the Board of Port Commissioners of the City of Oakland, the municipal corporation that executed the within Instrument, and also known to me to be the officer who executed it on behalf of said City, and said officer acknowledged to me that said City executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Stanley P. Hebert
NOTARY PUBLIC in and for said
County of Alameda, State of California

RECORDED AT THE REQUEST OF,
AND WHEN RECORDED MAIL TO:

State of California
State Lands Commission
1807 13th Street
Sacramento, CA 95814

Attn.: Mary Howe
Telephone: 916- 445-2682

STATE OF CALIFORNIA - OFFICIAL BUSINESS
Document entitled to free recordation
pursuant to Government Code Section 27383
NO TAX DUE

D.H.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**CERTIFICATE OF ACCEPTANCE AND
CONSENT TO RECORDING**

(Govt. Code 27281)

(Sovereign Interest)

SLC No.: AD 88

Dictation
and typing: _____

This is to certify that the State of California, acting by and through the State Lands Commission, an Agency of the State of California, hereby accepts the right, title and interest in real property conveyed by, and consents to the recordation of, the attached deed or grant, dated 12/07/83, from the City of Oakland, a municipal corporation, acting by and through its Board of Port Commissioners, to the State of California.

The said interest in real property is accepted by the State of California in its sovereign capacity in trust for the people thereof, as real property of the legal character of tidelands and submerged lands.

This acceptance and consent to recording is executed by and on behalf of the State of California by the State Lands Commission, acting pursuant to law, as approved and authorized by its Minute Item No. 17 of its regular public meeting on 12/13/88, by its duly authorized undersigned officer.

Dated: June 5, 1991

State Lands Commission

By: James S. Grant

STATE OF CALIFORNIA)
COUNTY OF SACRAMENTO) ss.

On this 5th day of June, 19 91, before me, the undersigned, a Notary Public in and for the State of California, with principal office in the County of Sacramento, personally appeared James S. Grant, known to me to be the Assistant Executive Officer of the STATE LANDS COMMISSION, STATE OF CALIFORNIA, the Commission that executed the within instrument, known to me to be the person who executed the within instrument on behalf of the Commission therein named, and acknowledged to me that such Commission executed the within instrument pursuant to a resolution of its Commissioners.



WITNESS my hand and official seal.

Sharon Shaw
Notary Public in and for said
County and State