

Group 6

RECORDING REQUESTED BY:
NORTH AMERICAN TITLE COMPANY
RECORDING REQUESTED BY
STATE OF CALIFORNIA

1402784



2017243814 11/03/2017 01:04 PM
OFFICIAL RECORDS OF ALAMEDA COUNTY
STEVE MANNING
RECORDING FEE: 0.00

WHEN RECORDED RETURN TO
DEPARTMENT OF TRANSPORTATION
PO BOX 23440, MS-11A
OAKLAND, CA 94623-0440
Attn: RW Excess Lands



12 PGS

RECEIVED IN POOR CONDITION
Legibility for microfilming and copying is
unsatisfactory in a portion of this document.
Steve Manning, County Recorder

Space above this line for Recorder's Use

**DIRECTOR'S DEED
GRANT**

District	County	Route	Postmile	Number
04	ALA	92	8.2X	DD-033529-01-01

(033529-01-01, 033876-01-01)

The State of California, acting by and through its Director of Transportation, hereinafter called STATE, hereby grants to

City of Hayward, a municipal corporation,

hereinafter called GRANTEE, that real property in the City of Hayward, County of Alameda, State of California, described as follows:

See Exhibit "A", attached.

* State shall have the power to terminate the fee simple estate in the Property conveyed by this deed, as defined in California Civil Code Section 885.010 and more particularly described in EXHIBIT "B" attached hereto and made a part hereof.

Subject to special assessments if any, restrictions, reservations, and easements of record.

* State shall have the power to terminate the fee simple estate in the property conveyed by this deed, as defined in California Civil Code section 885.010 and more particularly described in Exhibit "B" attached here to and made part here of

**EXEMPT FROM RECORDING FEES PER
GOVERNMENT CODE §§6103, 27383**

No Tax Due Exempt Transfer
Rev and Tax Code 11922

MAIL TAX
STATEMENTS TO:

DOCUMENTARY TRANSFER TAX \$

COMPUTED ON FULL VALUE OF PROPERTY CONVEYED, OR

COMPUTED ON FULL VALUE LESS LIENS & ENCUMBRANCES REMAINING THEREON AT TIME OF SALE.

Signature of declarant or agent determining tax-firm name

City of Hayward Unincorporated

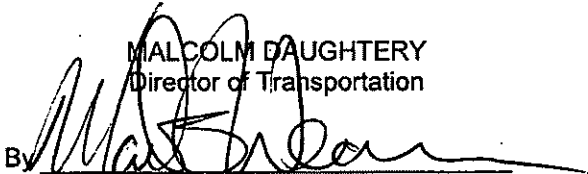
This conveyance is executed pursuant to the authority vested in the Director of Transportation by law and, in particular, by the Streets and Highways Code.

Dated 10/24/17
APPROVED AS TO FORM AND
PROCEDURE



ATTORNEY
DEPARTMENT OF TRANSPORTATION

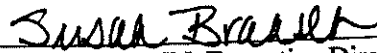
STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

MALCOLM DAUGHTERY
Director of Transportation
By 

MARK L. WEAVER, Attorney in Fact
Deputy District Director
Right of Way and Land Surveys

THIS IS TO CERTIFY that the California Transportation Commission has authorized the Director of Transportation to execute the foregoing deed at its meeting regularly called and held on the 18th day of October 2017, in the city of Modesto.

Dated this 18th day of October 2017.



SUSAN BRANSEN, Executive Director
CALIFORNIA TRANSPORTATION COMMISSION

ACKNOWLEDGMENT

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 } SS
County of Alameda

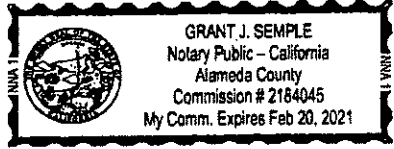
On October 24, 2017 before me, Grant J. Semple, Notary Public
Here insert Name and Title of the Officer
personally appeared Mark L. Weaver

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 *Grant J. Semple* (Seal)

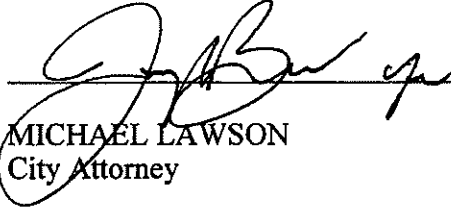


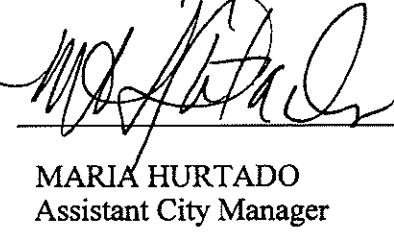
CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Director's Deed dated October 18, 2017, from the STATE OF CALIFORNIA, acting by and through its Director of Transportation, to the CITY OF HAYWARD, a municipal corporation (Grantee"), located in the County of Alameda, State of California, is hereby accepted by order of its City Council's Resolution No. 16-004, adopted on January 12, 2016 and approved by the Mayor on January 12, 2016, and Grantee consents to recordation thereof by its duly authorized officer.

Date: 11/1/17

Date: 11/1/17


MICHAEL LAWSON
City Attorney


MARIA HURTADO
Assistant City Manager

Date: 11/1/17

ATTEST:

MIRIAM LENS
City Clerk

for: 
~~Kevin Briggs~~
MORAD FAKHRAI
Director of Public Works

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

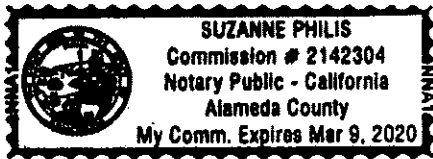
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
) ss.
County of Alameda)

On November 1, 2017, before me, Suzanne Philis, Notary Public, personally appeared Maria Hurtado, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person 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.



Suzanne Philis

Suzanne Philis, Notary Public

Suzanne Philis
Commission #2142304
Notary Public – California
Alameda County
Comm. Expires March 9, 2020

This California All-Purpose Acknowledgment was attached to:

Title of document: Certificate of Acceptance DD-033529-01-01
Number of pages: 1 page

EXHIBIT "A"

All that parcel of land described in the Grant Deed from Hawaii and San Francisco Investment Company to the State of California, recorded December 28, 1966, in Reel 1893, Image 332, Official Records of Alameda County, together with all that parcel of land described in the Grant Deed from Benson Manufacturing & Sales Co. to the State of California, recorded August 14, 1964 in Reel 1286, Image 553, Official Records of Alameda County, as described therein as follows:

PARCEL 1

"That portion of the 77.632 acre tract of land described as "Alloted to H. W. Meek", as shown on the "Map of Meek Hill Tract, Eden Township, Alameda County, California", filed October 18, 1905, in Book 20 of Maps, page 86, in the office of the County Recorder of Alameda County, described as follows:

Beginning at the most northern corner of Tract 1801, filed September 12, 1957, in Book 38 of Maps, pages 43 and 44, in the office of the County Recorder of Alameda County; thence along the general northeastern boundary of said Tract 1801; the eleven following courses: south 11°16'21" east, 186.318 feet; south 69°58'20" east, 188 feet; south 20°01'40" west, 5 feet; south 69°58'20" east, 120 feet; south 20°01'40" west, 75 feet; south 69°58'20" east, 30 feet; south 36°43'37" west, 156.605 feet; south 0°36'36" west, 71.315 feet, along the arc of a curve concave to the north from a tangent that bears south 89°23'24", east, and having a radius of 224 feet, an arc distance of 18.477 feet; south 4°06'58" east, 221.306 feet, and south 69°58'20" east, 20 feet to the intersection with a line drawn parallel with and distant northwesterly, 200 feet, measured at right angles from the southeastern line of said "Meek Hill Tract"; thence along said parallel line, northeasterly to the northeastern line of said 77.632 acre tract; thence along the last named line, and the northwestern line of said 77.632 acre tract, northwesterly to a point which lies north 0°30' east, 350 feet, and north 63° west, 250.084 feet from the point of beginning; and thence south 63° east, 250.084 feet and south 0°30' west, 350 feet to the point of beginning."

The bearings and distances used in the above description are on the California Coordinate System of 1927, Zone 3. Multiply distances by 1.0000787 to obtain ground level distances.

Number
DD-033529-01-01

PARCEL 2

"LOT 1 in Block "D", as said lot and block are shown on the map of Tract 1801, filed September 12, 1957, in Book 38 of Maps, pages 43 and 44, in the office of the County Recorder of Alameda County."

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature William D. Newton
Licensed Land Surveyor

Date 20 JAN 2016



EXHIBIT B

(CT 11-19-2015)

POWER OF TERMINATION

The subject Parcel is being conveyed by Grantor, State of California, Department of Transportation (State or Grantor) to Grantee City of Hayward, a municipal corporation of the State of California (City or Grantee) as one of several conveyances of Parcels, which together comprise the Property being conveyed by Grantor to the City pursuant to that certain Purchase and Sale Agreement dated January 20, 2016 and entered into by State and City. All definitions set forth in the above referenced Purchase and Sale Agreement are applicable to and incorporated into this deed. To assure the purposes and intentions of the Purchase and Sale Agreement, the satisfaction of each of the provisions of subsections (a)(1), (a)(2) and (a)(3), below, is expressly declared to be a condition subsequent for the benefit of Grantor. Should said conditions not be satisfied, Grantor shall have the power to terminate the fee simple estate in the Parcel conveyed by this deed, and to reenter and take possession and title to the Parcel, including without limitation, all improvements thereon, in the manner provided in subsection (b) hereof and subject to expiration and relinquishment of the Power of Termination pursuant to subsection (c) hereof. The interest created in Grantor by this paragraph is a "Power of Termination" as defined in California Civil Code Section 885.010.

- (a) With respect to the Parcel conveyed by this deed, the following are conditions subsequent:
- (1) The full Parcel Purchase Price as determined by the procedures set forth in the Purchase and Sale Agreement and any other fees owing as specified in the Purchase and Sale Agreement relating to the particular Parcel shall be paid by City to State.
 - (2) If the Parcel is sold to a third party by the City, the gross sales proceeds of such sale shall be deposited into the escrow account established for that sale pursuant to the terms of the Purchase and Sale Agreement, which sales proceeds shall be applied to pay the Parcel Purchase Price and further allocated, as applicable, as set forth in the Purchase and Sale Agreement; and
 - (3) If the Parcel is retained by the City, City shall notify State in writing of the same and shall transfer the full Parcel Purchase Price owing to State within 60 days of such notification as provided for in the Purchase and Sale Agreement.
- (b) Grantor shall have the right to exercise its Power of Termination in each of the following circumstances:
- (1) If at the end of the 6-year term specified in the Purchase and Sale Agreement, and following not less than 90 days prior written notice to

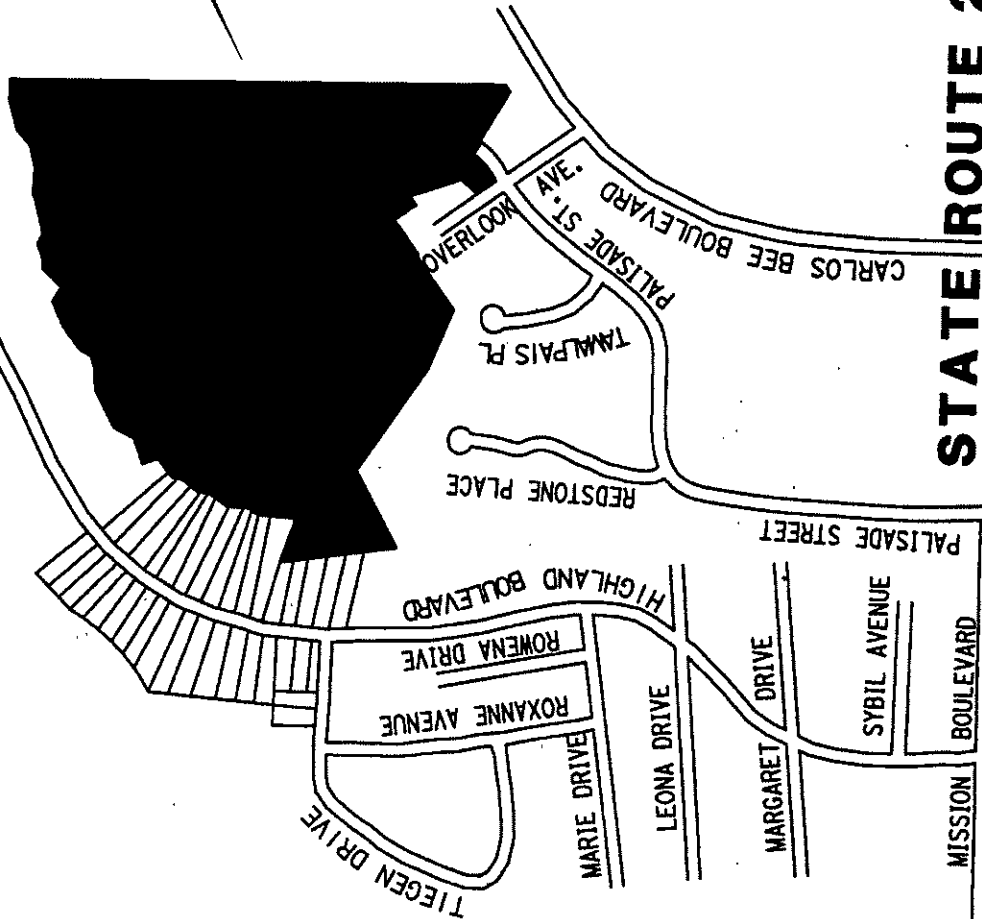
Grantee, City has not paid the full Parcel Purchase Price to State, and City and State have not agreed to extend the time to pay the Property/ Parcel Purchase Price as set forth in the Purchase and Sale Agreement;
or

- (2) Upon 30 days prior written notice to Grantee, if City fails to pay the fee for retaining the Parcel beyond the 6-year term as specified in the Purchase and Sale Agreement City.
-
- (c) Grantor's Power of Termination under this paragraph shall expire and be relinquished as to the Parcel, and Grantor agrees to the delivery and recordation of a Relinquishment of Power of Termination pursuant to the terms of the Purchase and Sale Agreement upon State's receipt from City of the full Parcel Purchase Price and any and all other funds owing as to said Parcel under the Purchase and Sale Agreement.
 - (d) Unless specifically agreed to in writing by Grantor, this Power of Termination shall be senior to and shall not be limited, defeated, rendered invalid by the terms of, or rights or interests of parties and others provided in: (i) any bond indenture, note, certificate of participation, mortgage, deed of trust, assignment or other security instrument entered into to finance the development of the Parcel or Property; and/or (ii) any agreement or contract entered into in furtherance of the financing or development of the Parcel or Property.

**ALAMEDA COUNTY
CITY OF HAYWARD**

DD-033529-01-01

29.804_AC.



STATE ROUTE 238

STATE OF CALIFORNIA BUSINESS, TRANSPORTATION AND HOUSING AGENCY DEPARTMENT OF TRANSPORTATION DISTRICT 4			
DIRECTOR'S DEED			
DD-033529-01-01			
DRAWN BY: CH	DATE: 1/20/16	CHECK BY: WDN	SCALE: NTS
COUNTY ROUTE	P.M.	DR.NO.	
ALA 92	8.2x	1 OF 3	

R-97A.00

ALAMEDA COUNTY CITY OF HAYWARD

DD-033529-01-01

29.804_AC

DISTANCES SHOWN ARE ON THE CALIFORNIA COORDINATE SYSTEM OF 1927, ZONE 3. MULTIPLY DISTANCES SHOWN BY 1.0000787 TO OBTAIN GROUND LEVEL DISTANCES.

POB

TRACT 1801
38 MAPS
43-44

PARCEL 1

(033876-01-01)
29.595 AC.

(AF33876)
1893 OR 332
12-28-1966

MEEK HILL
20 MAPS 86

PARCEL 2

(033529-01-01)
0.209 AC.
(9,100 Sq.Ft.)

(AF33529)
1286 OR 553
8-14-1964

LEGEND

() PER AF33876,
1893 OR 332,
12-28-1966

POB Point of Beginning

NOTES:

FOR LINE AND CURVE TABLE,
SEE SHEET 3

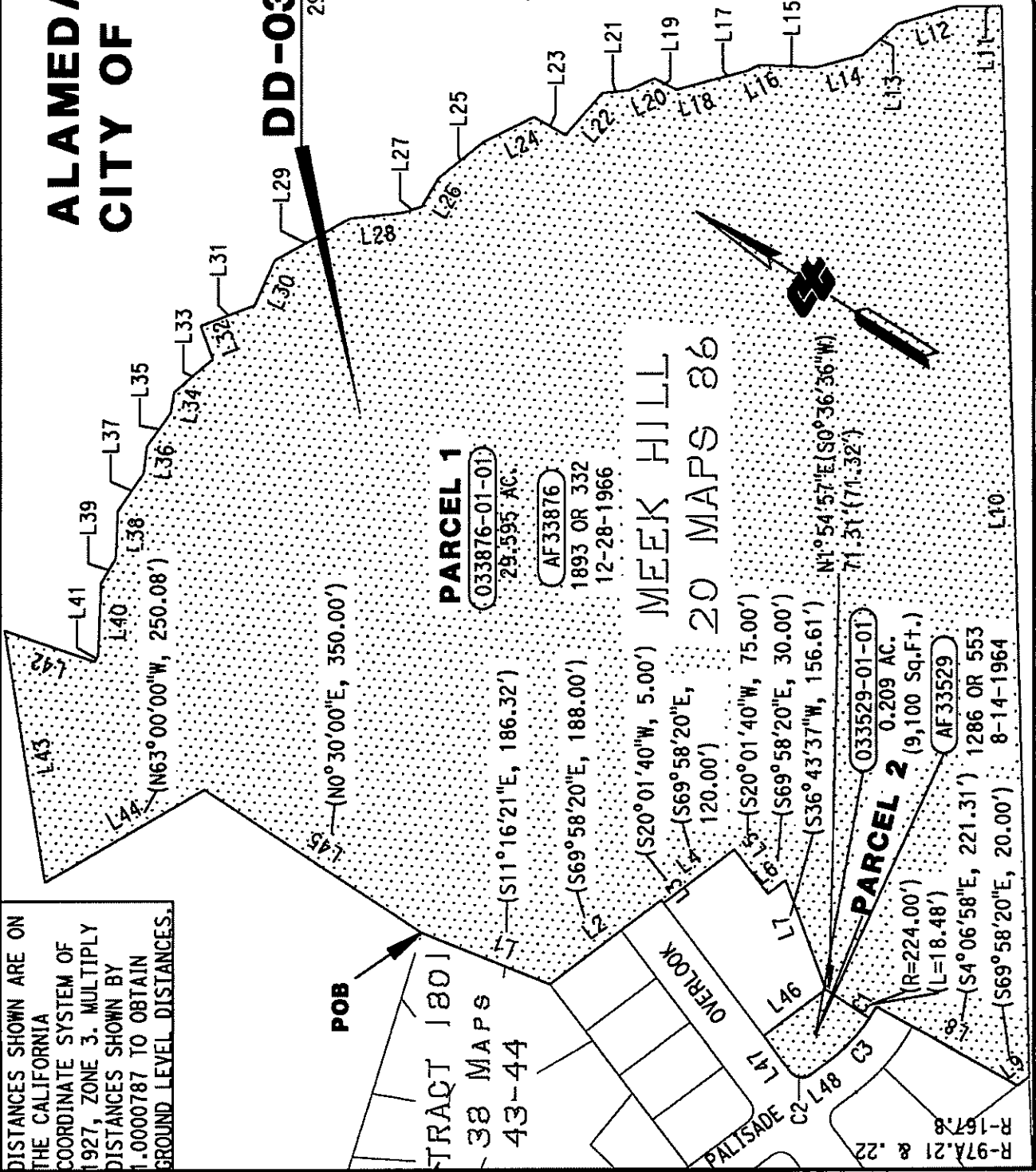
SCALE IN FEET



STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION
AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
DISTRICT 4

DIRECTOR'S DEED
DD-033529-01-01

DRAWN BY: CH	DATE: 1/20/16
CHECK BY: WDN	SCALE: 1"=200'
COUNTY ROUTE	P.M. DR.NO.
ALA 92	8.2X 2 OF 3



Line Table		
Line #	Direction	Length
L1	S9°58'01"E	186.30'
L2	S68°39'59"E	187.99'
L3	S21°20'08"W	5.00'
L4	S68°39'59"E	119.99'
L5	S21°20'00"W	74.99'
L6	S68°39'59"E	30.00'
L7	S38°01'58"W	156.59'
L8	S2°48'37"E	221.29'
L9	S68°39'59"E	20.22'
L10	N56°43'44"E	1437.45'
L11	N32°30'52"W	60.01'
L12	N47°20'52"W	85.64'
L13	N73°15'52"W	62.58'
L14	N46°15'52"W	65.88'
L15	N29°15'52"W	76.41'
L16	N57°40'52"W	17.79'
L17	N46°10'52"W	55.99'
L18	N46°30'52"W	43.47'
L19	N4°39'08"W	32.94'
L20	N56°00'52"W	38.21'

Line Table		
Line #	Direction	Length
L21	N37°05'52"W	36.23'
L22	N80°15'52"W	74.43'
L23	N2°15'52"W	48.75'
L24	N57°45'52"W	75.75'
L25	N70°15'52"W	77.07'
L26	S88°44'08"W	44.79'
L27	N49°15'52"W	28.33'
L28	N37°45'52"W	69.82'
L29	N60°45'52"W	115.30'
L30	S82°44'08"W	65.88'
L31	N52°30'52"W	77.73'
L32	S38°14'08"W	47.43'
L33	N71°45'52"W	68.52'
L34	S67°24'08"W	28.33'
L35	N85°55'52"W	54.68'
L36	S65°44'08"W	37.55'
L37	N87°05'52"W	61.26'
L38	S60°44'08"W	63.24'
L39	S88°59'08"W	38.87'
L40	S60°44'08"W	96.17'

Line Table		
Line #	Direction	Length
L41	N88°45'52"W	9.22'
L42	N13°06'42"W	129.09'
L43	S49°05'12"W	342.07'
L44	S61°35'13"E	250.06'
L45	S1°54'47"W	349.97'
L46	N68°39'59"W	104.99'
L47	S21°20'01"W	60.00'
L48	S68°39'59"E	34.24'

Curve Table			
Curve #	Radius	Delta	Length
C1	223.71'	4°43'55"	18.48'
C2	20.00'	90°00'00"	31.41'
C3	223.98'	19°25'04"	75.91'

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION
AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
DISTRICT 4

DIRECTOR'S DEED
DD-033529-01-01

DRAWN BY: CH DATE: 1/20/16
CHECK BY: WDN SCALE: 1"=200'
COUNTY ROUTE P.M. DR.NO.
ALA 92 8.2X 3 OF 3