



Meeting Notice

1111 Broadway, Suite 800, Oakland, CA 94607

510.208.7400

www.AlamedaCTC.org

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City of Oakland

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Councilmember Michael Gregory

City of Union City
Mayor Carol DuTra-Vernaci

Executive Director
Arthur L. Dao

Alameda County Transportation Commission

Thursday, July 24, 2014, 2:00 p.m.

1111 Broadway, Suite 800
Oakland, CA 94607

Mission Statement

The mission of the Alameda County Transportation Commission (Alameda CTC) is to plan, fund, and deliver transportation programs and projects that expand access and improve mobility to foster a vibrant and livable Alameda County.

Public Comments

Public comments are limited to 3 minutes. Items not on the agenda are covered during the Public Comment section of the meeting, and items specific to an agenda item are covered during that agenda item discussion. If you wish to make a comment, fill out a speaker card, hand it to the clerk of the Commission, and wait until the chair calls your name. When you are summoned, come to the microphone and give your name and comment.

Recording of Public Meetings

The executive director or designee may designate one or more locations from which members of the public may broadcast, photograph, video record, or tape record open and public meetings without causing a distraction. If the Commission or any committee reasonably finds that noise, illumination, or obstruction of view related to these activities would persistently disrupt the proceedings, these activities must be discontinued or restricted as determined by the Commission or such committee (CA Government Code Sections 54953.5-54953.6).

Reminder

Please turn off your cell phones during the meeting. Please do not wear scented products so individuals with environmental sensitivities may attend the meeting.

Glossary of Acronyms

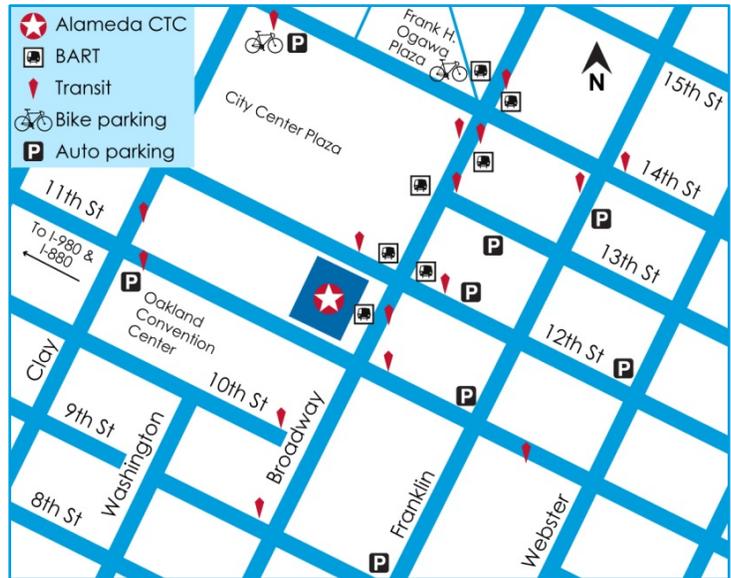
A glossary that includes frequently used acronyms is available on the Alameda CTC website at www.AlamedaCTC.org/app_pages/view/8081.

Location Map

Alameda CTC

1111 Broadway, Suite 800
Oakland, CA 94607

Alameda CTC is accessible by multiple transportation modes. The office is conveniently located near the 12th Street/City Center BART station and many AC Transit bus lines. Bicycle parking is available on the street and in the BART station as well as in electronic lockers at 14th Street and Broadway near Frank Ogawa Plaza (requires purchase of key card from bikelink.org).



Garage parking is located beneath City Center, accessible via entrances on 14th Street between 1300 Clay Street and 505 14th Street buildings, or via 11th Street just past Clay Street. To plan your trip to Alameda CTC visit www.511.org.

Accessibility

Public meetings at Alameda CTC are wheelchair accessible under the Americans with Disabilities Act. Guide and assistance dogs are welcome. Call 510-893-3347 (Voice) or 510-834-6754 (TTD) five days in advance to request a sign-language interpreter.



Meeting Schedule

The Alameda CTC meeting calendar lists all public meetings and is available at www.AlamedaCTC.org/events/upcoming/now.

Paperless Policy

On March 28, 2013, the Alameda CTC Commission approved the implementation of paperless meeting packet distribution. Hard copies are available by request only. Agendas and all accompanying staff reports are available electronically on the Alameda CTC website at www.AlamedaCTC.org/events/month/now.

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Commission Meeting Agenda

Thursday, July 24, 2014, 2 p.m.

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1. Pledge of Allegiance
2. Roll Call
3. Public Comment
4. Chair/Vice Chair Report
5. Executive Director Report

Chair: Supervisor Scott Haggerty,
Alameda County, District 1

Vice Chair: Councilmember Rebecca Kaplan,
City of Oakland

Executive Director: Arthur L. Dao

Clerk: Vanessa Lee

	Page	A/I*
6. Approval of Consent Calendar		
On July 14, 2014 Alameda CTC standing committees approved all action items on the consent calendar, except Item 6.1.		
6.1. Approval of June 26, 2014 Minutes	1	A
Recommendation: Approve the June 26, 2014 meeting minutes.		
6.2. I-580 Corridor High Occupancy Vehicle Lane Projects (PN 720.5 /724.4/724.5): Monthly Progress Report	5	I
6.3. I-580 Express Lane Projects (PN 720.4/724.1): Monthly Progress Report	15	I
6.4. I-580 Express Lanes Education and Outreach Update	27	I
6.5. Congestion Management Program (CMP): Summary of Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments	29	I
6.6. Countywide Goods Movement Plan Performance Measures	37	A
Recommendation: Approve the Goods Movement Plan performance measures.		
6.7. Resolution of Support for Regional Active Transportation Program Grant application for East Bay Greenway Project	65	I
Recommendation: Approve the Alameda CTC resolution of support for the East Bay Greenway Project.		A
6.8. California Transportation Commission June 2014 Meeting Summary	71	I
6.9. Public Transportation Modernization, Improvement, and Service Enhancement Account FY2014-15 Allocation Request	75	A
Recommendation: Authorize the Executive Director, or his designee, to submit an allocation request for FY 2014-15 Proposition 1B Public Transportation Modernization, Improvement, and Service		

*(A = Action Item; I = Information Item)

Enhancement Account (PTMISEA) funds.

- 6.10. [I-680 Sunol Express Lane – Northbound Project \(PN 721.0\): Allocation of \\$1 million in Measure B funding to ACTIA 08B](#) 85 A
- Recommendation: 1) Allocate \$1 million in Measure B funding to the I-680 Sunol Express Lane – Northbound Project (ACTIA 08B), and 2) Authorize the Executive Director, or his designee to encumber the allocated funds.
- 6.11. [I-880/Mission Blvd. \(Route 262\) Interchange Completion Project \(PN 501.0\): Contract with Alameda County Public Works Agency](#) 87 A
- Recommendation: Authorize the Executive Director, or designee, to enter into a new contract with the Alameda County Public Works Agency (Agreement No. 14-0049), for a total not-to-exceed budget of \$100,000, for right-of-way and closeout activities for the I-880/Mission Blvd. (Route 262) Interchange Completion Project.
- 6.12. [Webster Street SMART Corridor Project \(PN 740.0\): Contract Amendments to the Professional Services Agreements with TJKM Transportation Consultants, Inc. and Harris and Associates](#) 89 A
- Recommendation: Approve and authorize the Executive Director to execute amendments for the following Professional Service Agreements in support of the Webster Street SMART Corridor Project: 1) Amendment No. 5 to Agreement No. A09-006 with TJKM Transportation Consultants, Inc. for an additional not-to-exceed budget of \$26,000 for system integration and for a six month time extension and 2) Amendment No. 6 to Agreement No. 10-010 with Harris and Associates for additional not-to-exceed budget of \$32,000 for additional construction management services.
- 6.13. [I-880 North Safety and Operational Improvements at 23rd and 29th Avenues Project \(PN 717.0\): Reallocation of Measure B Funds and Authorization to Encumber Right of Way Phase Funds](#) 93 A
- Recommendation: 1) Approve a \$2.5 million increase to the right of way phase budget and authorize the Executive Director, or designee, to perform contractual actions relative to the use of the right of way phase budget for the I-880 North Safety and Operational Improvements at 23rd and 29th Avenues project, 2) Authorize the Executive Director, or designee to negotiate and execute a Cooperative Agreement for the I-880 North Safety and Operational Improvements at 23rd and 29th Avenues Project with Caltrans to implement utility relocations by Contract Change Order (CCO) for a total not-to-exceed amount of \$2.3 million, and 3) Approve the reallocation of \$200,000 of Measure B funds from Sub-Project 27B (PN 791.0) to 27C (PN 717.0).
- 6.14. [Community Advisory Appointments](#) 101 A

Recommendation: Approve the Alameda Community Advisory Appointments

7. Community Advisory Committee Reports

(Time limit: 3 minutes per speaker)

- 7.1. [Bicycle and Pedestrian Advisory Committee](#) - Midori Tabata, Chair 105 I
- 7.2. [Citizens Watchdog Committee](#) – James Paxson, Chair 113 I
- 7.3. [Paratransit Advisory and Planning Committee](#) – Sylvia Stadmire, Chair 121 I

8. Planning, Policy and Legislation Committee Action Items

On July 14, 2014, the Planning, Policy and Legislation Committee approved the following action items, unless otherwise noted in the recommendations.

- 8.1. [Legislative Update](#) 129 I
- 8.2. Transportation Expenditure Plan Update (Verbal) I
- 8.3. [2014 Level of Service Monitoring Study Results](#) 147 I

9. Programs and Projects Action Item

- 9.1. Closed Session- Pursuant to California Government Code section 54956.9 (c) Conference with General Counsel regarding anticipated litigation related to proposed acquisition of real property interests necessary for Route 84 Expressway - South Segment Project (PN 624.2) – Six (6) Items

- 9.2. Report on Closed Session I
- 9.3. [Resolution of Necessity Hearing- Consideration of Adoption of Resolutions of Necessity Authorizing Filing of Eminent Domain Action to Acquire Real Property Interests for the State Route 84 Expressway - South Segment \(624.2\)](#) 169 A

(A minimum of 18 affirmative Commissioners' (not weighted) votes required)

Recommendation: A) Conduct hearings on Resolutions of Necessity and consider all the evidence presented for the acquisition of the real property interests necessary for the State Route 84 Expressway - South Segment Project as outlined in the report; and

B) Adopt, by at least a four-fifths vote of the membership of the Commission (e.g., at least 18 members), Resolutions of Necessity making the findings that the public interest and necessity require that the Project, is planned or located in the manner that will be most compatible with the greatest public good and the least private injury, that the property sought to be acquired is necessary for the Project, and that the offer required by Section 7267.2 of the Government

Code has been made to the owners of record, and authorize the commencement of eminent domain proceedings.

10. Member Reports (Verbal)

11. Adjournment

Next meeting: September 27, 2014

All items on the agenda are subject to action and/or change by the Commission.



Alameda County Transportation Commission
Commission Meeting Minutes
Thursday, June 26, 2014, 2:00 p.m.

6.1

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1. Pledge of Allegiance

2. Roll Call

The Clerk conducted a roll call. All members were present with the exception of the following: Commissioner Keith Carson, Commissioner Margaret Fujioka, Commissioner Michael Gregory and Commissioner John Marchand. There was also no appointed representative from the City of Albany present.

Commissioner Pauline Cutter was present as the Alternate for Commissioner Wilma Chan. Commissioner Dan Kalb was present as the Alternate for Commissioner Larry Reid.

Subsequent to the roll call:

Commissioner Jeff Weiler arrived as an alternate for Commissioner Margaret Fujioka during item 7.1.

Commissioner Keith Carson and Commissioner John Marchand arrived during item 8.1.

3. Public Comment

There were no public comments.

4. Chair/Vice Chair Report

There was no Chair/Vice Chair Report.

5. Executive Director's Report

Art Dao stated that the Executive Director report was included in the Commission folder. He informed the Commission that last Tuesday he testified on Bill AB211 and that the bill was approved by the Senate earlier in the morning.

6. Consent Calendar

6.1. Approval of May 22, 2014 Minutes

6.2. I-580 Corridor High Occupancy Vehicle Lane Projects (PN 720.5 /724.4/724.5):
Monthly Progress Report

6.3. I-580 Express Lane Projects (PN 720.4/724.1): Monthly Progress Report

6.4. Congestion Management Program: Summary of the Alameda CTC's Review and
Comments on Environmental Documents and General Plan Amendments

6.5. Countywide Goods Movement Plan Vision and Goals

6.6. California Transportation Commission May 2014 Meeting Summary

6.7. FY 2012-2013 Measure B and Vehicle Registration Fee Program Compliance Reports

6.8. FY 2014-15 Measure B Paratransit Program and Overview

6.9. Alameda CTC At Risk Monitoring Reports

- 6.10. Transportation Fund for Clean Air (TFCA) FY 2014-15 Program
- 6.11. State Route 84 Widening - Pigeon Pass to I-680 Project (PN 780.0): Preliminary Design and Environmental Studies
- 6.12. I-680 Southbound Express Lane (PN 950.0) – Contract Amendments to the Professional Services Agreements with Novani LLC (Agreement No. A09-028), Electronic Transaction Consultants Corporation (Agreement No. A08-001) and CDM Smith (Agreement No. A04-007)
- 6.13. Alameda CTC Proposed Overall Work Program and Consolidated Budget for FY2014-15
- 6.14. Community Advisory Appointments

Commissioner Atkin moved to approve the Consent Calendar. Commissioner Cutter seconded the motion. The motion passed unanimously (Carson, Fujioka, Gregory and Marchand absent).

7. Community Advisory Committee Reports

7.1. Bicycle and Pedestrian Advisory Committee (BPAC)

No one was present from BPAC.

7.2. Citizens Watchdog Committee (CWC)

James Paxson, Chair of CWC, stated that the committee met on June 9, 2014. He stated that the committee approved new bylaws and reviewed and prepared the CWC annual report. He concluded by stating that the CWC audit committee will meet to review the annual agency audit and he reviewed vacancies on the committee.

7.3. Paratransit Advisory and Planning Committee (PAPCO)

Sylvia Stadmire, Chair of PAPCO, stated that the Committee met on June 23, 2014. She stated that the committee will finalize bylaws and will demo the new 211-transportation website in July. She concluded by reviewing vacancies on the committee.

8. Planning, Policy and Legislation Committee Action Items

8.1. Review of Polling Results

Tess Lengyel introduced the review of the polling results. She gave a brief overview of the voter research and polling outcomes. She then introduced Ruth Bernstein, Principal from EMC Research to present more details on the polling results.

Ruth informed the Commission of key research findings including overall optimism throughout the county and initial voter polling done in April. She covered measure elements and support levels, voter progression and general election turnout over time. Ruth stated that a web survey was conducted that focused specifically on the ballot question language and she provided information on ballot placement.

Ruth concluded by updating the Commission on final conclusions regarding ballot language and potential voter turnout.

This item was for information only.

8.2. Final 2014 Transportation Expenditure Plan Ordinance and Placement on the Ballot

Tess Lengyel recommended that the Commission approve the 2014 Transportation Expenditure Plan Ordinance and Request the Board of Supervisors to Place the Measure on the November 2014 Ballot. Tess stated that the plan development essentially started in 2010 with extensive outreach and marketing done throughout the county and that the plan garnered unanimous approvals from 13 cities and is scheduled to go to the Board of Supervisors on July 8, 2014. Tess stated that the approval is of the ordinance which acts as the vehicle to enforce the tax and she also stated that the TEP Steering Committee unanimously approved the item.

Tess introduced Tracy Gross from the Bay Area Economic Institute, who presented the results of the economic analysis of the TEP.

Commissioner Kaplan wanted a breakdown and better detail of the jobs and employment impacts as a result of the TEP. Tracy stated that the labeling could be expanded and detailed to better emphasize the impact the TEP has on jobs.

Zack Wasserman stated that the commission had a redline document that detailed changes in the ordinance that were made after the mail-out. The Commission also received a one-page document, from legal counsel, that added clarity on Section 2. Period of Tax.

Commissioner Marchand moved to approve the item as amended by legal counsel. Commissioner Kalb seconded the motion. The motion passed unanimously (*Gregory absent*)

8.3. Legislative Update

Tess Lengyel provided an update on state legislative initiatives specifically the Governor's budget and cap and trade. She stated that the final approval of the cap and trade program was similar to the initial program proposed by the governor. Tess also recommended that the Commission take a support position on AB 1721.

Commissioner Kaplan wanted to know the timeline for applying for funding for the cap and trade program. Tess stated that there still needs to be guidelines developed but the funding is available. She stated that staff will be following the development of the guidelines and will follow up with the Commission.

Commissioner Harrison moved to approve the recommendation. Commissioner Sbranti seconded the motion. The motion passed unanimously (Gregory absent.

9. Closed Session

- 9.1. Pursuant to California Government Code section 54956.9 (c) Conference with General Counsel regarding anticipated litigation related to proposed acquisition of real property interests necessary for Route 84 Expressway - South Segment Project (PN 624.2) – Six (6) Items
- 9.2. Report on Closed Session

Chair Haggerty stated that the Commission would not go into closed session.

10. Adjournment

The next meeting is:

Date/Time: Thursday, July 24, 2014 @ 2:00 p.m.

Location: Alameda CTC Offices, 1111 Broadway, Suite 800, Oakland, CA 94607

Attested by:



Vanessa Lee,
Clerk of the Commission



Memorandum

6.2

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DATE: July 17, 2014

SUBJECT: I-580 Corridor High Occupancy Vehicle Lane Projects (PN 720.5 / 724.4 / 724.5): Monthly Progress Report

RECOMMENDATION: Receive a monthly status update on the I-580 Corridor High Occupancy Vehicle Lane Projects.

Summary

The Alameda CTC is sponsoring the I-580 Corridor High Occupancy Vehicle (HOV) Lane Projects along the I-580 corridor in the Tri-Valley. This monthly progress report provides a status update of the various projects currently underway in the corridor. This item is for information only.

Background

The Alameda CTC is the sponsor for the I-580 Corridor High Occupancy Vehicle (HOV) Lane Projects which include HOV lanes in the Eastbound and Westbound directions between Pleasanton and Livermore. The projects provide increased capacity, safety and efficiency for commuters and freight along the primary corridor connecting the Bay Area with the Central Valley. In its role as project sponsor, the Alameda CTC has been working in partnership with Caltrans, the Metropolitan Transportation Commission (MTC), Alameda County, and the cities of Livermore, Dublin, and Pleasanton to deliver the projects.

The I-580 Corridor HOV Lane Projects will be completed with the construction of three final projects in the Livermore Valley (two westbound HOV segments and one eastbound auxiliary (AUX) lanes project). All of these projects are currently in construction and are being administered by Caltrans. Construction activity began in March 2013 and the project partners held a groundbreaking ceremony in June 2013.

Attached for the Committee's review are the June 2014 progress reports for the I-580 Eastbound HOV Lane Project (Segment 3 Aux Lanes) and the I-580 Westbound HOV Lane Project (Segments 1 and 2).

Fiscal Impact: There is no fiscal impact.

Attachments

- A. I-580 Eastbound HOV Lane Project Monthly Progress Report (PN 720.5)
- B. I-580 Westbound HOV Lane Projects Monthly Progress Report (PN 724.4/724.5)
- C. I-580 Corridor HOV Lane Projects – Location Map

Staff Contact

[Stewart Ng](#), Deputy Director of Programming and Projects

[Stefan Garcia](#), Project Controls Team

ATTACHMENT A
I-580 Eastbound HOV Lane Project (PN 720.5)
Monthly Progress Report
June 2014

PROJECT DESCRIPTION

The Eastbound I-580 HOV Lane Project is completing one final construction segment, Segment 3 Auxiliary (AUX) Lanes, between Hacienda Drive and Greenville Road. The Project scope includes:

- Construction of auxiliary lanes from Isabel Avenue to First Street;
- Pavement width necessary for a double express (high occupancy toll lane facility);
- Final lift of asphalt concrete (AC) pavement and striping for entire eastbound project limits from Hacienda Drive to Portola Avenue;
- The soundwall that was deleted from the I-580/Isabel Avenue Interchange Project; and
- The widening of two bridges at Arroyo Las Positas in the eastbound direction.

CONSTRUCTION STATUS

Traffic Handling & Night Work

Construction activities include both day and night work. Significant work is involved in rehabilitating the existing pavement which requires closing traffic lanes; however, no complete freeway closures are anticipated. Due to heavy daytime traffic volumes, closing traffic lanes in the daytime is not feasible. For this reason, pavement rehabilitation work can only be done during nighttime hours. Night work will include setting lane closures and shifting traffic lanes (placement of safety barrier (k-rail) and striping work), existing pavement rehabilitation work (crack and seat, slab replacement and overlay) and electrical work. Caltrans lane closure charts permit the contractor to perform this work at night between 9pm and 4am. Work behind k-rail and all bridge work is expected to occur during daytime hours.

Construction Challenges

Alameda CTC staff is working in close coordination with Caltrans to implement the project within limited funding. Challenges and managed risks for this project include:

- Bird Nesting on structures and in adjacent field areas
- Installation of future express Lane components to facilitate express lane completion. Project staff is working to combine HOV and express lane construction work in a manner that will keep the single HOV lane open until the double lane HOT/HOV express facility is completed

Completed Activities – 54% of the contract work was completed as of 5/20/14

Construction activities began in April 2013. Work completed to date includes:

- Las Positas Creek (EB and WB) bridge widening
- Widening of major box culvert at Arroyo Seco and modification of drainage facilities. Creek diversion is removed and area restored.
- Several retaining walls on the outside edges of the freeway corridor

Ongoing & Upcoming Activities

Caltrans maintains a project website

(<http://www.dot.ca.gov/dist4/projects/i580wbhov/>) and conducts public information and outreach efforts in cooperation with Alameda CTC. Ongoing and upcoming work activities include:

- Construct and backfill remaining retaining walls
- Install Lighting and Traffic Operation Systems
- Install infrastructure to support express lane operations
- Complete Subgrade preparation and cement treated soil
- Paving activities will occur between Hacienda Drive and Greenville Road from May to October 2014

FUNDING AND FINANCIAL STATUS

The I-580 Eastbound HOV Project is funded through federal, state and local funds.

Funding Plan – SEGMENT 3

Project Phase	Funding Source (\$ million)						Total
	CMIA	RM2	TVTC	FED	SHOPP	Meas. B	
PA&ED						0.02	0.02
PS&E		1.72	1.30	0.23			3.25
ROW		0.17	0.08			0.28	0.53
Construct Cap	17.87	2.20	0.14		4.69	6.57	31.47
Construct Sup	2.53	1.12	0.10			0.71	4.46
Total	20.40	5.21	1.62	0.23	4.69	7.58	39.73
Total Project Cost: \$39.7M							

SCHEDULE STATUS

The Eastbound AUX Lane project between Hacienda Drive and Greenville Road was advertised on July 9, 2012; bids were opened on October 5, 2012. Caltrans awarded the contract to OC Jones & Sons (with a bid 6.33 percent below the Engineer's Estimate) on November 16, 2012. With the inclusion of infrastructure to support express lane operations, construction is now planned to complete in late 2015.

Project Approval	December 2011 (A)
RTL	May 2012 (A)
CTC Vote	May 2012 (A)
Begin Construction (Award)	November 2012 (A)
End Construction	October 2015 (T)

ATTACHMENT B
I-580 Westbound HOV Lane Projects (PN 724.4/724.5)
Monthly Progress Report
June 2014

PROJECT DESCRIPTION

The Westbound I-580 HOV Lane Project includes three segments:

- **SEGMENT 1** – WB HOV Eastern Segment from Greenville Road to Isabel Avenue
- **SEGMENT 2** – WB HOV Western Segment from Isabel Avenue to San Ramon Road
- **SEGMENT 3** – Bridge widening at Arroyo Las Positas Creek. This work is included in the construction contract for the EB HOV Lane Project (see Attachment A).

CONSTRUCTION STATUS – SEGMENTS 1 & 2**Traffic Handling & Night Work**

Construction activities include both day and night work. Significant work is involved in rehabilitating the existing pavement which requires closing traffic lanes; however, no complete freeway closures are anticipated. Due to heavy daytime traffic volumes, closing traffic lanes in the daytime is not feasible. For this reason, pavement rehabilitation work can only be done during nighttime hours. Night work will include setting lane closures and shifting traffic lanes (placement of safety barrier (k-rail) and striping work), existing pavement rehabilitation work (crack and seat, slab replacement and overlay) and electrical work. Caltrans lane closure charts permit the contractor to perform this work at night between 9pm and 4am. Work behind k-rail and all bridge work is expected to occur during daytime hours.

Construction Challenges

Alameda CTC staff is working in close coordination with Caltrans to implement the project within limited funding. Challenges and managed risks for the project include:

SEGMENT 1 (Eastern Segment)

- Installation of future express Lane components to facilitate express lane completion. Project staff is working to combine HOV and express lane construction work in a manner that will allow the HOV/express lane facility to be opened concurrently
- Additional widening of the North Livermore Avenue structure to accommodate express lane width requirements
- New retaining wall to account for recent, accelerated erosion within the Arroyo Seco Creek adjacent to the widening necessary for westbound lanes
- Coordination with concurrent Caltrans projects in the area to reduce cost
- Bird Nesting on structures and in adjacent field areas
- Revision of pavement slab replacements to prioritize in areas most in need

SEGMENT 2 (Western Segment)

- Installation of future express lane components to facilitate express lane completion. Project staff is working to combine HOV and express lane

construction work in a manner that will allow the HOV/express lane facility to be opened concurrently

- Elimination of a retaining wall to reduce project cost
- Changes to the pavement cross section to reduce project cost
- Bird Nesting on structures and in adjacent field areas
- Revision of pavement slab replacements to prioritize in areas most in need

Completed Activities

Construction activities began in March 2013. Work completed to date includes:

SEGMENT 1 (Eastern Segment) – 49% of the contract work was completed as of 5/20/14

- North Livermore Ave bridge widening
- Bridge widening at Arroyo Las Positas (2 locations)
- Arroyo Seco RCB culvert extension
- Construct major drainage facilities (e.g. double box culvert)
- Concrete pavement slab replacements
- Temporary striping, shift traffic lanes and placement of k-rail on outside shoulder from Greenville to Airway

SEGMENT 2 (Western Segment – 47% of the contract work was completed as of 5/20/14

- Stage 1 median widening from Airway to Hacienda
- BART Barrier modifications
- Temporary striping, shift traffic lanes and placement of safety barrier (k-rail) to allow for Stage 2 outside widening
- Bridge widening at Dougherty Undercrossing near Dublin BART station
- Bridge widening at Tassajara Creek
- Precast slab pavement replacements
- K-rail placed for Stage 2 from Airway to just east of Tassajara Creek

Ongoing & Upcoming Activities

Caltrans maintains a project website

(<http://www.dot.ca.gov/dist4/projects/i580wbhov/>) and conducts public information and outreach efforts in cooperation with Alameda CTC. Ongoing and upcoming work activities include:

SEGMENT 1 (Eastern Segment)

- Excavate and construct retaining walls and soil nail walls
- Soundwall construction at Vasco Road
- Install Lighting and Traffic Operation Systems
- Install infrastructure to support express lane operations
- Median widening for HOV lane
- Paving of ramps and conform areas will begin at Greenville and progress westward starting in May 2014

SEGMENT 2 (Western Segment)

- Completion of Stage 2 outside widening
- Installation of drainage systems
- Median barrier reconfiguration
- Install Lighting and Traffic Operation Systems

- Install infrastructure to support express lane operations
- Final paving and striping of westbound I-580 will occur between Airway Boulevard and Hacienda Drive from May to October 2014

FUNDING AND FINANCIAL STATUS

The I-580 Westbound HOV Lane Project is funded through federal, state and local funds available for the I-580 Corridor. The total project cost is \$143.9M, comprised of programmed (committed) funding from federal, state and local sources.

Funding Plan – SEGMENT 1 (Eastern Segment)

Project Phase	Funding Source (\$ million)							Total
	CMIA	RM2	TCRP	FED	SHOPP	Meas. B	TVTC	
Scoping		0.53	0.04					0.57
PA&ED		4.38						4.38
PS&E		2.29	0.11	0.15		1.69	0.42	4.66
ROW		1.16				0.04		1.20
Utilities		0.32						0.32
Const Cap	35.34		5.92	6.19	13.54	1.60		62.59
Const. Sup	6.52		1.59			1.08		9.19
Total	41.86	8.68	7.66	6.34	13.54	4.41	0.42	82.91
Total Project Cost: \$82.9M								

Funding Plan – SEGMENT 2 (Western Segment)

Project Phase	Funding Source (\$ million)							Total
	CMIA	RM2	TCRP	FED	SHOPP	Meas. B	TVTC	
Scoping		0.36	0.02					0.38
PA&ED		2.92						2.92
PS&E		1.53	0.07	0.10		1.12	0.28	3.10
ROW		0.77				0.03		0.80
Utilities		0.21						0.21
Const Cap	33.73		2.49		9.61	0.10	0.30	46.23
Const. Sup	6.75					0.58		7.33
Total	40.48	5.79	2.58	0.10	9.61	1.83	0.58	60.97
Total Project Cost: \$61.0M								

SCHEDULE STATUS

SEGMENT 1 (Eastern Segment):

The Westbound HOV Eastern Segment from Greenville Road to Isabel Avenue was advertised on July 16, 2012 and bids were opened on September 19, 2012. Caltrans awarded the contract to Ghilotti Construction Company, Inc. (with a bid 16.33 percent below Engineer's Estimate) on November 20, 2012. With the inclusion of infrastructure to support express lane operations, construction is now planned to complete in late 2015.

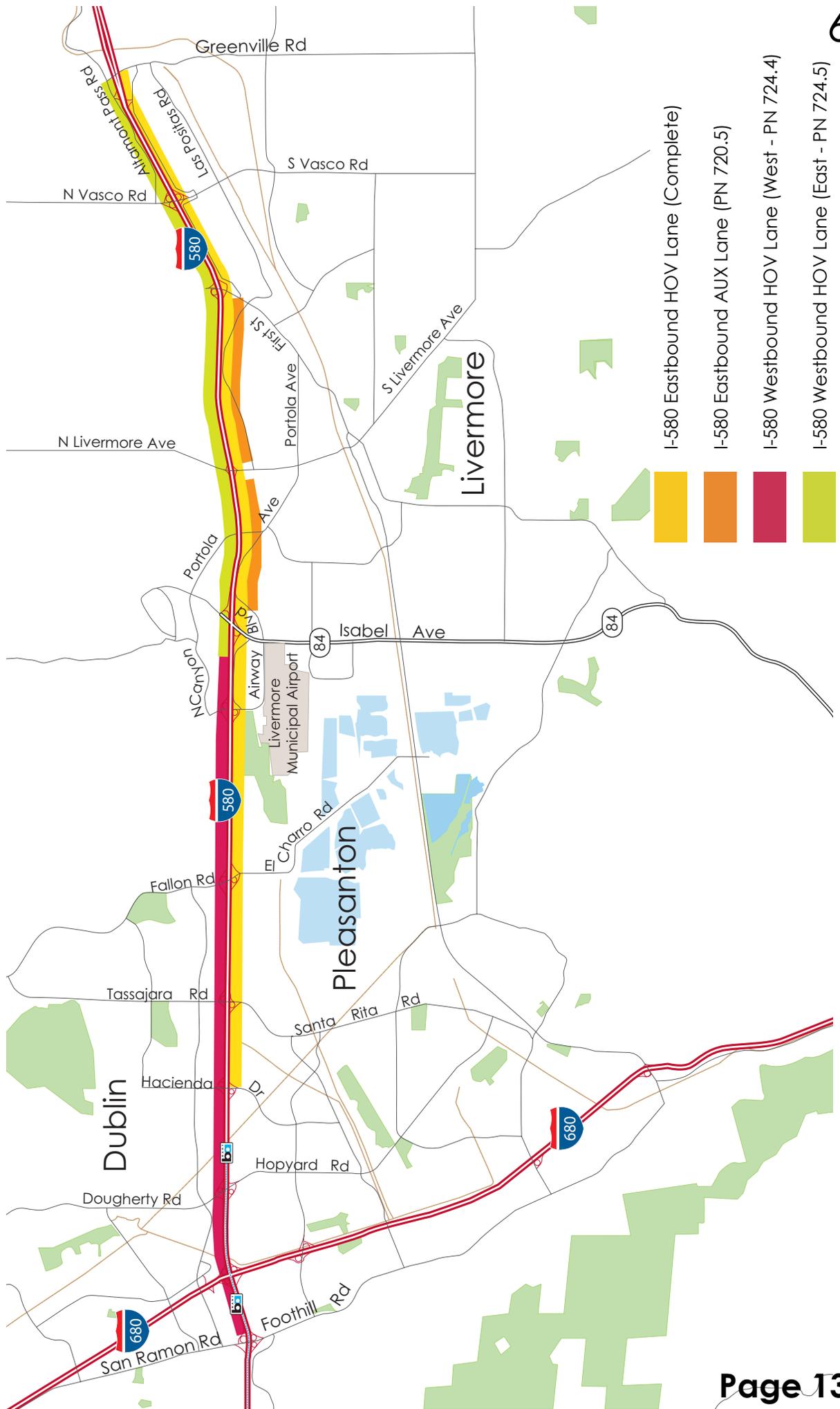
Project Approval	January 2010 (A)
RTL	May 2012 (A)
CTC Vote	May 2012 (A)
Begin Construction (Award)	November 2012 (A)
End Construction	December 2015 (T)

SEGMENT 2 (Western Segment):

The Westbound HOV Western Segment from Isabel Avenue to San Ramon Road was advertised on June 25, 2012 and bids were opened on August 29, 2012. Caltrans awarded the contract to DeSilva Gates Construction (with a bid 23.32 percent below Engineer's Estimate) on October 29, 2012. With the inclusion of infrastructure to support express lane operations, construction is now planned to complete in mid 2015.

Project Approval	January 2010 (A)
RTL	April 2012 (A)
CTC Vote	April 2012 (A)
Begin Construction (Award)	October 2012 (A)
End Construction	July 2015 (T)

I-580 Corridor HOV Lane Projects - Location map



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DATE: July 17, 2014

SUBJECT: I-580 Express Lane Projects (PN 720.4 / 724.1): Monthly Progress Report

RECOMMENDATION: Receive a monthly status update on the I-580 Express Lane Projects.

Summary

The Alameda CTC is sponsoring the Express Lane Projects along the I-580 corridor in the Tri-Valley. The Eastbound I-580 Express Lane Project will convert the newly constructed eastbound High Occupancy Vehicle Lane (HOV), from Hacienda Drive to Greenville Road, to a double express lane facility. The I-580 Westbound Express Lane Project will convert the westbound HOV lane (currently under construction) to a single express lane facility from west of Greenville Road to west of the San Ramon Road/Foothill Road Overcrossing in Dublin/Pleasanton.

The environmental and civil design work is complete for both eastbound and westbound. Civil construction is being implemented through multiple contract change orders (CCO's) to the on-going construction contracts. The I-580 Eastbound and Westbound Express Lane civil construction work will construct the necessary infrastructure, such as signing, sign gantries for dynamic messaging and toll reading, electrical conduit for connecting power and communication sources, and striping to accommodate the express lanes. The System Integrator contractor will install the required communication equipment and software. The express lane facility is scheduled to open for use in November 2015.

For detailed information on project funding, schedule and status of the Eastbound I-580 Express Lane Project, Westbound I-580 Express Lane Project and System Integration activities, see Attachments A, B and C of this report. This item is for information only.

Background

I-580 Eastbound Express and I-580 Westbound Express Projects have been combined into one project for the civil construction phase. All the CCO's for civil construction have already been issued to the on-going construction contracts along I-580 (I-580 Westbound HOV, I-580 Eastbound Auxiliary Lane and Freeway Performance Project). The benefit of implementing CCO's is to avoid working in the environmentally sensitive area, minimize additional traffic disruptions to the traveling public, reduce or eliminate re-work and

potentially finish construction sooner. Items included in already issued CCOs and under consideration to be included in the potential future CCOs include:

- Electrical Conduit – across and along I-580
- Service and controller cabinets
- Striping – to final express lane configuration
- Install K-rail along median at sign locations
- Median concrete barrier
- Fiber Optics Cable
- Sign structures including tolling gantries, dynamic messaging signs, lighting standards and other sign structures.

“Near Continuous” Access Configuration Status

Staff is currently moving forward with the concept of a “near continuous” (aka “more open”) access configuration in lieu of “limited” access for the express lanes on the I-580 corridor. The “near continuous” access configuration will eliminate the two foot buffer between the express lane and the general purpose lanes except at “hot spots” or “safety zones” such as between Hacienda and Fallon Road (eastbound) and Hacienda and I-680 (westbound). To support the implementation of near continuous access, zone tolling and automated toll violation enforcement strategies have been incorporated in the project design.

Fiscal Impact: There is no fiscal impact.

Attachments

- A. I-580 Eastbound Express Lane Project Monthly Progress Report
- B. I-580 Westbound Express Lane Project Monthly Progress Report
- C. I-580 Express Lanes System Integration Monthly Progress Report
- D. I-580 Corridor Express Lane Projects – Location Map

Staff Contact

[Stewart Ng](#), Deputy Director of Programming and Projects

[Gary Sidhu](#), Project Controls Team

ATTACHMENT A
I-580 Eastbound Express Lane Project
Monthly Progress Report
July 2014

PROJECT DESCRIPTION

The I-580 Eastbound Express Lane Project will convert the newly constructed eastbound HOV lane, from Hacienda Drive in Dublin/Pleasanton to Greenville Road in Livermore, to a double express lane facility, a distance of approximately 11 miles.

PROJECT DELIVERY STATUS

- The environmental phase is complete
- Civil design is complete and combined with the westbound component as one contract package. The civil construction is being implemented through CCO's under the three I-580 HOV lane projects currently in construction (I-580 Westbound HOV Lane - West Segment, I-580 Westbound HOV Lane - East Segment and I-580 Eastbound HOV Lane - Segment 3 with Auxiliary Lanes). All the CCOs have been issued to the contractors.
- Electronic toll system design is in progress.

RECENT ACTIVITIES

- Negotiated CCO's prices with the contractors
- Construction cooperative agreement amendments executed to implement tier 2 and 3 CCO work
- Completed Preliminary Design Document (PDD) for electronic toll system

UPCOMING ACTIVITIES

- Negotiate and execute various agreements
- Negotiate and process ETCC CCOs related to Vehicle Enforcement System
- Complete Detailed Design Document (DDD) for the electronic system design

POTENTIAL ISSUES/RISKS

The civil construction has to be completed by early March 2015 to allow ETCC to start the electronic toll system equipment so that express lanes can be opened by November 2015. This schedule is very aggressive. Staff will work closely with Caltrans and ETCC to monitor progress and take appropriate actions as necessary.

FUNDING AND FINANCIAL STATUS

See Attachment C for combined project funding and financial status.

SCHEDULE STATUS

I-580 Eastbound Express Lane Project Schedule:

Project Approval	March 2014
Civil Design Completion	April 2014
Begin Construction	June 2014
End Construction (Civil and System Integrator)	November 2015

ATTACHMENT B
I-580 Westbound Express Lane Project
Monthly Progress Report
July 2014

PROJECT DESCRIPTION

The I-580 Westbound Lane Project will convert the planned westbound HOV lane to a single express lane facility from west of the Greenville Road Undercrossing in Livermore to west of the San Ramon Road / Foothill Road Overcrossing in Dublin / Pleasanton, a distance of approximately 14 miles.

PROJECT DELIVERY STATUS

- The environmental phase is complete
- Civil design is complete and combined with the eastbound component as one contract package. The civil construction is being implemented through CCO's under the three I-580 HOV lane projects currently in construction (I-580 Westbound HOV Lane - West Segment, I-580 Westbound HOV Lane - East Segment and I-580 Eastbound HOV Lane - Segment 3 with Auxiliary Lanes). All the CCOs have been issued to the contractors.
- Electronic toll system design is in progress.

RECENT ACTIVITIES

- Negotiated CCO's prices with the contractors
- Construction cooperative agreement amendments executed to implement tier 2 and 3 CCO work
- Completed Preliminary Design Document (PDD) for electronic toll system

UPCOMING ACTIVITIES

- Negotiate and execute various agreements
- Negotiate and process ETCC CCOs related to Vehicle Enforcement System
- Complete Detailed Design Document (DDD) for the electronic system design

POTENTIAL ISSUES/RISKS

The civil construction has to be completed by early March 2015 to allow ETCC to start installation of the electronic toll system equipment so that express lanes can be opened by November 2015. This schedule is very aggressive. Staff will work closely with Caltrans and ETCC to monitor progress and take appropriate actions as necessary.

FUNDING AND FINANCIAL STATUS

See Attachment C for combined project funding and financial status.

SCHEDULE STATUS

I-580 Westbound Express Lane Project Schedule:

Project Approval	August 2013
Civil Design Completion	April 2014
Begin Construction	June 2014
End Construction (Civil and System Integrator)	November 2015

ATTACHMENT C
I-580 Express Lanes Systems Integration
Monthly Progress Report
July 2014

SYSTEM INTEGRATION SCOPE DESCRIPTION

The I-580 Express Lane civil contract will construct the necessary infrastructure, such as signing, sign gantries for dynamic messaging and toll reading, electrical conduit for connecting power and communication sources and pavement striping to accommodate express lanes. The System Integrator will include tolling hardware design and software development, factory testing of design, equipment and system installation and road geometry and toll system integration. It will also consist of field testing of the toll equipment and all subsystems including the interfaces to the Bay Area Toll Authority Regional Customer Service Center and Caltrans prior to implementing the new express lanes.

Detailed Discussion

The systems integration focuses on the most recent technologies including software, hardware and traffic detection that will be deployed to optimize the existing corridor capacity in order to effectively manage the current and forecasted traffic in the corridor. The system integrator, however, will continue to own the software while the implementing agency will pay for a license to allow for the use of the toll integrator's software.

ETC Corporation (ETCC), the project toll system integrator, has been updating the electronic toll system design to support the "near continuous" access configuration in both directions of I-580. The "near continuous" concept provides additional access opportunities while reducing the foot-print required for implementing a shared express/general purpose lane facility. In addition, it looks and feels similar to an HOV facility and, therefore, is expected to provide driver familiarity.

Project Geometry and Electronic Toll System Design

The latest version of the express lanes concept proposes the following:

In the eastbound I-580 direction:

- Buffer separated single-lane HOV/Express Lane will be installed from Hacienda Drive to Fallon Road
- Continuous access dual-lane HOV/Express Lane will be installed from Fallon Road to west of Vasco Road
- Continuous access single-lane HOV/Express Lane will be installed from west of Vasco Road to Greenville Road

In the westbound I-580 direction:

- Continuous access single-lane HOV/Express Lane will be installed from Greenville Road to Hacienda Drive

- A buffer separated single-lane HOV/Express Lane will be installed from Hacienda Drive to the I-580/I-680 Interchange

PROJECT STATUS

Software and hardware design

ETCC staff has been preparing a Detailed Design Document (DDD) for submittal by mid-August for review and approval by Alameda CTC. Subsequent to DDD approval by Alameda CTC, they will perform a series of factory and field tests and work with the agency staff to validate its hardware and software design, prior to opening the new express lanes facility.

Toll Pricing and Rate Publishing

As discussed in previous meetings, for practical purposes and to curtail toll violation, zone-based tolling has been included in the design to effectively support the “near continuous” access configuration. The zone-based toll rates will be displayed to patrons via the Dynamic Message Signs.

Toll Antennas, Readers and Violation Enforcement Subsystem

The toll gantries will be placed at approximately $\frac{3}{4}$ mile intervals. Closely spaced toll antennas and readers will help facilitate a “near continuous” access express lane configuration since it will lead to an effective FasTrak® transponder read. It should also support more effective toll violation enforcement.

As discussed previously, the system design includes an automated toll violation enforcement to effectively manage toll violations in this “near continuous” access express lane facility.

Agency staff are also working to deploy a comprehensive public education/outreach program to support the implementation of a “near continuous” access configuration and the use of switchable transponders, which will be new to Bay Area toll customers.

The Golden Gate Bridge Authority implemented another payment option, payment through pay-by-plate. The user is required to open up an account to pay via their license plate. Our initial assessment indicates that this payment option is likely to encounter challenges since it will be difficult to distinguish the HOV and SOV users in an open/shared express lane facility, unless every vehicle is required to register as either an HOV or SOV vehicle. Staff will continue to evaluate and collaborate with other toll operators and report back to the committee on whether or not the I-580 Express Lanes will employ such a payment option.

In summary, even though the “near continuous” access concept provides additional opportunities it is a relatively new concept for implementation in the region. Staff is committed to working closely with other like-minded agencies/industry experts to move forward and implement an effective electronic toll collection system strategy to effectively support a “near continuous” access express lane configuration.

RECENT ACTIVITIES

- Staff reviewed and provided comments to ETC Corporation on the Preliminary Design Document and other deliverables related to electronic toll system design based on a near continuous access configuration, “zone tolling” and automated violation enforcement

UPCOMING ACTIVITIES

- ETCC to complete a DDD for accommodating “zone tolling” and automated violation enforcement by mid-August 2014.
- Continue the public outreach and marketing campaign efforts
- Complete a draft customer services agreement for collecting tolls and processing toll violation enforcement services by summer 2014

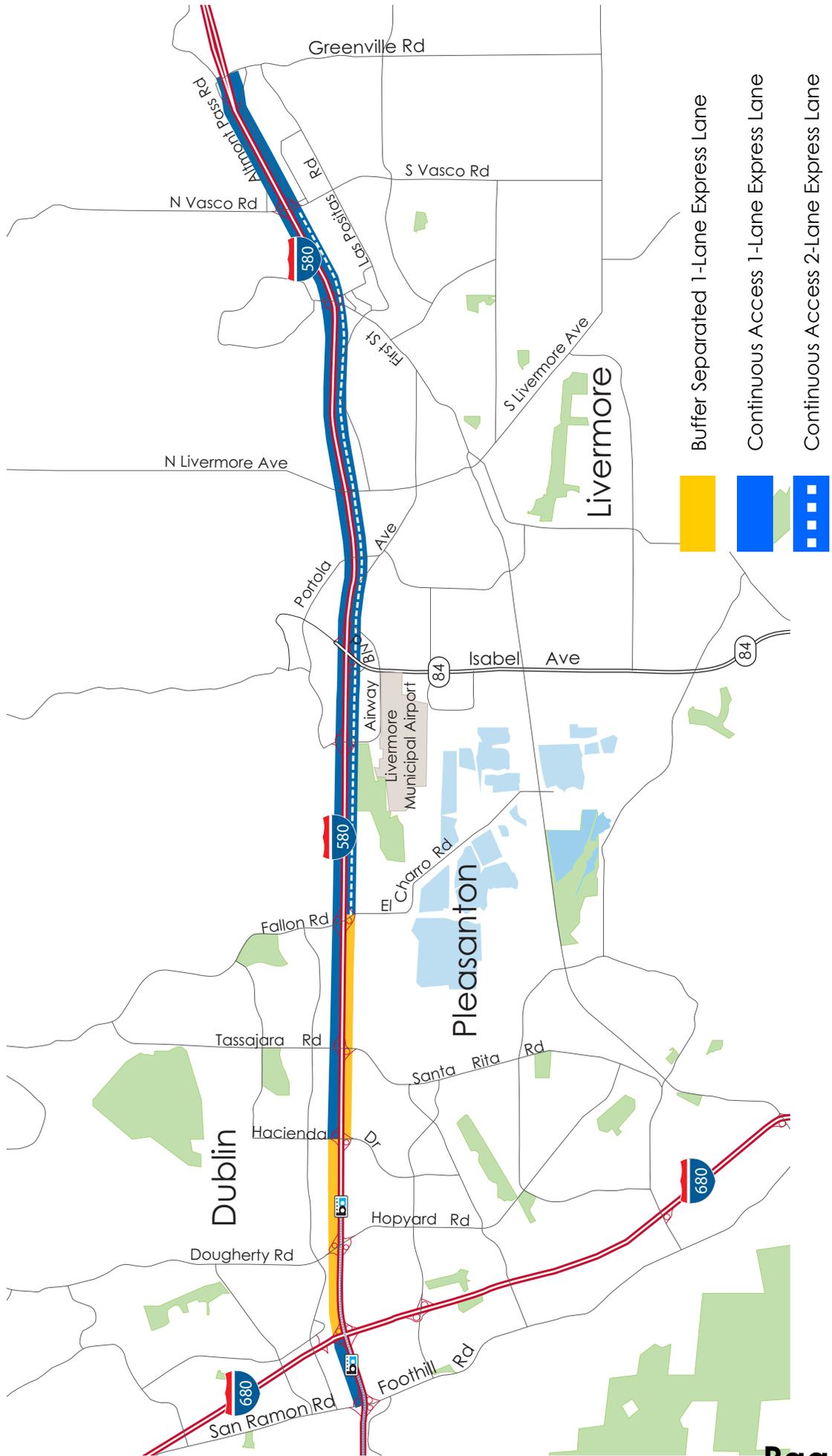
FUNDING AND FINANCIAL STATUS

Combined Eastbound & Westbound Funding Plan for “near continuous” access

Project Phase	Funding Source (\$ million)						Total
	ARRA	Federal Earmark	RM2	TVTC	TCRP Deferred	Local (Meas. B)	
PA&ED			1.39	2.17	0.10		3.66
PS&E	0.70		0.11	0.93	3.10		4.84
Sys. Int.	6.80			0.68	1.47	8.05	17.00
ROW				0.37			0.37
Const. Support			2.55		0.05	1.47	4.07
Construct		1.00		0.63	1.28	21.65	24.56
Cap						0.48	0.48
O&M						0.48	0.48
TOTAL	7.50	1.00	4.05	4.78	6.0	31.65	54.98
Total Project Cost: \$54.98M							

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I-580 Express Lane Projects Location map



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DATE: July 17, 2014

SUBJECT: I-580 Express Lanes Education and Outreach Update

RECOMMENDATION: Receive education and outreach update.

Summary

Alameda CTC will open new I-580 Express Lanes in fall 2015. Launching the I-580 Express Lanes will once again place Alameda County on the leading edge of creating new transportation choices for Bay Area travelers. Preparing and educating the public for the express lanes on I-580 involves an integrated education and communications program that will result in positive word of mouth for the project, safe and proper use of the lanes, and a model for future projects. Education and outreach planning has commenced, including a research element and review of the draft outreach plan.

Background

In December 2013, the Alameda CTC Commission approved the execution of a contract for I-580 Express Lanes Public Outreach and Education Services provided by Frank Wilson and Associates (FW&A), who have considerable experience promoting the benefits of managed lanes, and did similar work for the Commission for the I-680 Southbound Express Lane facility.

The I-580 Public Education and Outreach contract includes the following tasks:

1. Finalize the implement Public Outreach and Education Plan
 - a. Examination of perceptions and concerns, and recommendations of solutions to support success of the lanes;
 - b. Development of messaging strategy and materials and;
 - c. Robust pre-launch, launch and post-opening outreach and education to commuters, business and media
2. Post-Opening Education and Outreach Report

Task 1 is currently underway and began with a review of the Draft Outreach and Education Plan and the development and implementation of a research plan. This research allows Alameda CTC to understand the deeper attitudes and values that affect driver behavior to enable the best targeting and greatest impact of our outreach and messaging.

In order to efficiently determine user perceptions of Express Lanes in the Bay Area, particularly as they relate to facilities being developed by Alameda CTC, FW&A conducted four two-hour, in-depth focus groups each consisting of 10 participants including I-580 FasTrak users and non-FasTrak commuters, carpool and transit users, and the general non-commuter driving public. This research tool allows FW&A to probe and understand the deeper attitudes and values that may be driving behavior. Following the focus groups, FW&A created and conducted a statistically projectable telephone survey in which to administer an approximately 15-minute interview to a randomly chosen sample of people in the I-580 corridor area, to determine what people understand and believe about express lanes and how that may impact how they respond to the lane.

At the September 8, 2014 Committee Meeting FW&A will provide a report and presentation on the research findings, and how they will be used to inform outreach and education to support the use of the I-580 Express Lanes.

Next Steps

Staff will bring outreach and education updates to the I-580 Express Lane Policy Committee throughout the coming year as we plan and implement public education and outreach tasks to ensure the successful launch and use of the I-580 Express Lanes. Topics will include:

1. Research findings - September 8, 2014 Meeting
2. Education and outreach implementation and regional coordination –January 2015
3. Transponder user education and marketing – Spring 2015
4. Outreach and education for Express Lanes launch – Summer 2015
5. Update on launch activities – Fall 2015

Additionally, Alameda CTC staff and consultants participate monthly in the regional Express Lanes Public Information Working Group (PIWG) to ensure region-wide coordination and success of the entire “Bay Area Express Lanes” network, and will update the Committee on these efforts, including branding, a website portal and coordinated messaging.

Fiscal Impact: There is no fiscal impact.

Staff Contact

[Tess Lengyel](#), Deputy Director of Planning and Policy

[Heather Barber](#), Communications Manager



Memorandum

6.5

1111 Broadway, Suite 800, Oakland, CA 94607 • PH: (510) 208-7400 • www.AlamedaCTC.org

DATE: July 17, 2014

SUBJECT: Congestion Management Program (CMP): Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments

RECOMMENDATION: Receive an update on the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments.

Summary

This item fulfills one of the requirements under the Land Use Analysis Program (LUAP) element of the Congestion Management Program (CMP). As part of the LUAP, Alameda CTC reviews Notices of Preparations (NOPs), General Plan Amendments (GPAs), and Environmental Impact Reports (EIRs) prepared by local jurisdictions and comments on them regarding the potential impact of proposed land development on the regional transportation system.

Since the last update on June 9, 2014, the Alameda CTC reviewed four NOPs and one Draft EIR. Comments were submitted for two of these documents and are attached below.

Fiscal Impact: There is no fiscal impact.

Attachments

- A) Alameda CTC comments on Berkeley 2211 Harold Way Mixed Use Project NOP
- B) Alameda CTC comments on Dublin The Green Mixed Use Project Draft Supplemental EIR

Staff Contact

[Tess Lengyel](#), Deputy Director of Planning and Policy

[Matthew Bomberg](#), Assistant Transportation Planner

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June 18, 2014

Aaron Sage
Senior Planner
City of Berkeley
Planning and Development Department
2120 Milvia St
Berkeley, CA 94704

SUBJECT: Response to Notice of Preparation of a Draft Environmental Impact Report (DEIR) for the 2211 Harold Way Mixed-Use Project

Dear Mr. Sage,

Thank you for the opportunity to comment on the Notice of Preparation of a Draft Environmental Impact Report (DEIR) for the 2211 Harold Way Mixed-Use Project. The project site is a portion of a 1.63-acre property forming one city block in Downtown Berkeley, bounded by and fronting Shattuck Avenue to the east, Kittredge Street to the south, Harold Way to the west, and Allston Way to the north. The proposed project would consist of 302 residential units, 10,535 square feet of retail or restaurant, a 665 seat cinema, 171 auto parking spaces, and 100 bicycle parking spaces.

The Alameda County Transportation Commission (Alameda CTC) respectfully submits the following comments:

Basis for CMP Review

- The City of Berkeley adopted Resolution No. 56593 on September 29, 1992 establishing guidelines for reviewing the impacts of local land use decisions consistent with the Alameda County Congestion Management Program (CMP). It appears that the proposed project will generate at least 100 p.m. peak hour trips over existing conditions, and therefore the CMP Land Use Analysis Program requires the City to conduct a transportation impact analysis of the project.

Use of Countywide Travel Demand Model

- The Alameda Countywide Travel Demand Model should be used for CMP Land Use Analysis purposes. The CMP was amended on March 26th, 1998 so that local jurisdictions are responsible for conducting travel model runs themselves or through a consultant. The City of Berkeley and the Alameda CTC signed a Countywide Model Agreement on September 15, 2010. Before the model can be used for this project, a letter must be submitted to the Alameda CTC requesting use of the model and describing the project. A copy of a sample letter agreement is available upon request. The most current version of the Alameda CTC Countywide Travel Demand Model is the August 2011 update, however a new model version will be released on July 1, 2014.

Impacts

- The DEIR should address all potential impacts of the project on the Metropolitan Transportation System (MTS) roadway network.
 - MTS roadway facilities in the project area include Shattuck Way, Martin Luther King Jr. Way, University Avenue, Dwight Way, Bancroft Way, Ashby Avenue (SR-13), Interstate 880, and San Pablo Avenue (SR-123).
 - For the purposes of CMP Land Use Analysis, the Highway Capacity Manual 2010 freeway and urban streets methodologies are the preferred methodologies to study vehicle delay impacts.
 - The Alameda CTC has *not* adopted any policy for determining a threshold of significance for Level of Service for the Land Use Analysis Program of the CMP. Professional judgment should be applied to determine the significance of project impacts (Please see chapter 6 of 2013 CMP for more information).
- The DEIR should address potential impacts of the project on Metropolitan Transportation System (MTS) transit operators.
 - MTS transit operators potentially affected by the project include BART and AC Transit.
 - Transit impacts to consider include the effects of project vehicle traffic on mixed flow transit operations, transit capacity, transit access/egress, need for future transit service, and consistency with adopted plans. See Appendix L of the 2013 CMP document for more details.
- The DEIR should address potential impacts of the project to cyclists on the Countywide Bicycle Network.
 - Countywide bicycle facilities near the project area include Channing Way, Hearst Avenue, and Milvia Street.
 - Bicycle related impacts to consider include effects of vehicle traffic on bicyclist conditions, site development and roadway improvements, and consistency with adopted plans. See Appendix L of the 2013 CMP document for more details.
- The DEIR should address potential impacts of the project to pedestrians in Countywide Pedestrian Plan Areas of Countywide Significance.
 - The project is within Downtown Berkeley and therefore is within an Area of Countywide Significance as defined in the Countywide Pedestrian Plan.
 - Pedestrian related impacts to consider include effects of vehicle traffic on pedestrian conditions, site development and roadway improvements, and consistency with adopted plans. See Appendix L of the 2013 CMP document for more details.

Mitigation Measures

- Alameda CTC policy regarding mitigation measures is that to be considered adequate they must be:
 - Adequate to sustain CMP roadway and transit service standards;
 - Fully funded; and
 - Consistent with project funding priorities established in the Capital Improvement Program of the CMP, the Countywide Transportation Plan (CWTP), and the Regional Transportation Plan (RTP) or the federal Transportation Improvement Program, if the agency relies on state or federal funds programmed by Alameda CTC

- The DEIR should discuss the adequacy of proposed mitigation measure according to the criteria above. In particular, the DEIR should detail when proposed roadway or transit route improvements are expected to be completed, how they will be funded, and the effect on service standards if only the funded portions of these mitigation measures are built prior to Project completion. The DEIR should also address the issue of transit funding as a mitigation measure in the context of the Alameda CTC mitigation measure criteria discussed above.
- Jurisdictions are encouraged to discuss multimodal tradeoffs associated with mitigation measures that involve changes in roadway geometry, intersection control, or other changes to the transportation network. This analysis should identify whether the mitigation will result in an improvement, degradation, or no change in conditions for automobiles, transit, bicyclists, and pedestrians. The HCM 2010 MMLOS methodology is encouraged as a tool to evaluate these tradeoffs, but project sponsors may use other methodologies as appropriate for particular contexts or types of mitigations.
- The DEIR should consider the use of TDM measures, in conjunction with roadway and transit improvements, as a means of attaining acceptable levels of service. Whenever possible, mechanisms that encourage ridesharing, flextime, transit, bicycling, telecommuting and other means of reducing peak hour traffic trips should be considered. The Alameda CTC CMP Menu of TDM Measures and TDM Checklist may be useful during the review of the development proposal and analysis of TDM mitigation measures (See Appendices G and H of the 2013 CMP).

Other

- For projects adjacent to state roadway facilities, the analysis should address noise impacts of the project. If the analysis finds an impact, then mitigation measures (i.e., soundwalls) should be incorporated as part of the conditions of approval of the proposed project. It should not be assumed that federal or state funding is available.

Thank you for the opportunity to comment on this NOP. Please contact me at (510) 208-7405 or Matthew Bomberg of my staff at (510) 208-7444 if you have any questions.

Sincerely,



Tess Lengyel
Deputy Director of Planning and Policy

cc: Matthew Bomberg, Assistant Transportation Planner
file: CMP/Environmental Review Opinions/2014

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June 18, 2014

Kristi Bascom
Principal Planner
City of Dublin, Community Development Department
100 Civic Plaza
Dublin, CA 94568
kristi.bascom@dublin.ca.gov

SUBJECT: Comments on the Draft Supplemental Environmental Impact Report for The Green Mixed Use Project (PLPA-2013-00013)

Dear Ms. Bascom,

Thank you for the opportunity to comment on the Draft Supplemental Environmental Impact Report (DSEIR) for The Green Mixed Use Project (PLPA-2013-00013). The proposed project would involve construction of a mixed-use commercial and residential development of up to 40,000 gross square feet of retail and restaurant floor area and up to 400 multifamily dwelling units on the approximately 27.5 acres at the southwest corner of Martinelli Way and Hacienda Drive.

The Alameda County Transportation Commission (Alameda CTC) respectfully submits the following comments:

- On page 67 of the DEIR, the project trip generation calculations assume a reduction of 5 percent in vehicle trips for walk to BART trips. This assumption may be low given the proximity of the project site to regional heavy rail service as well as the proposed density and mix of land uses in the proposed project. Furthermore, no reduction for external trips made by walking or bicycling is applied, though the project is in close proximity to various shopping, dining, and other opportunities. Consideration should be given to using a trip generation methodology that is designed to accurately reflect transit oriented development projects or using a transit trip reduction that is based on observed data from a similar development in a similar context.
- On page 74, the DEIR identifies an impact (TR-1) and a mitigation measure (SM-TR-1) at the Dublin Blvd./Arnold Rd. intersection. The DEIR should provide an assessment of potential secondary impacts to other road users from the proposed mitigation measure, as is done for other impacts throughout the DEIR (e.g. SM-TR-2 and SM-TR-3).
- On page 77-8, the DEIR outlines elements of a TDM plan that the project developer will be required to develop as a mitigation measure. In addition to the elements listed, which are generally comprehensive, consideration should be given to:
 - Specifying not just an amount of bicycle parking facilities that will be required but also minimum requirements with respect to quality of parking (e.g. that bicycle racks are in easy to find locations, etc.)
 - Level of parking provision, parking restrictions, and parking pricing strategies
- On page 79, the DEIR identifies an impact (TR-4) and mitigation measure (SM-TR-4) at the Dublin Blvd./Tassajara Rd. intersection. The DEIR should provide an assessment of potential

secondary impacts to other road users from the proposed mitigation measure, as is done for other impacts throughout the DEIR (e.g. SM-TR-2 and SM-TR-3).

- On page 82-83, the DEIR discusses a grade separated crossing for bicyclists and pedestrians as the City's preferred mitigation measure for an impact at the Dublin Blvd/Scarlett Dr. intersection. The DEIR should clarify whether the Project Applicant will be required to make a fair share payment towards mitigation at this intersection "prior to the occupancy of the last building on the project site" (as is mentioned in the first paragraph on page 83) or "prior to the issuance of the first building permit" (as is mentioned in the third paragraph on page 83).
- On page 106-7, as part of the discussion of impacts to bicycle facilities and pedestrian facilities, consideration should be given to adding analysis of the following:
 - The extent to which the project site plan and internal street network promote walking and bicycling, consistent with the City's Complete Streets Policy and Circulation Element vision and goals. For instance, strategies that could be employed include siting surface parking adjacent to Hacienda Drive and Interstate 880 (which are less likely to have significant pedestrian activity) rather than Martinelli Way and Arnold Road (which are more natural walking routes to and from the project site), minimizing cul-de-sacs in the internal street network, and incorporating an access point for bicyclists and pedestrians at the southwest corner of the project site to ensure that they need not deviate from the most direct route to access the BART station.
 - Need for additional treatments to facilitate mobility and safety of bicyclists at wide, high volume intersections, particularly to the extent that the project adds vehicle traffic to the nearby roadway network that may impact the safety and comfort of existing and future bicyclists.

Thank you for the opportunity to comment on this DSEIR. Please contact me at (510) 208-7428 or Matthew Bomberg of my staff at (510) 208-7444 if you have any questions.

Sincerely,



Tess Lengyel
Deputy Director of Planning and Policy

cc: Matthew Bomberg, Assistant Transportation Planner



Memorandum

6.6

1111 Broadway, Suite 800, Oakland, CA 94607 • PH: (510) 208-7400 • www.AlamedaCTC.org

DATE: July 17, 2014

SUBJECT: Countywide Goods Movement Plan Performance Measures

RECOMMENDATION: Approve the Countywide Goods Movement Plan Performance Measures

Summary

Goods movement is critical to a strong economy and a high quality of life in Alameda County. The central location of the county in the Bay Area, combined with significant freight transportation assets, such as major interstates, the Port of Oakland and two major rail lines, position it as a goods movement hub for Northern California. Alameda CTC is developing a Countywide Goods Movement Plan that will outline a long-range strategy for how to move goods efficiently, reliably, and sustainably within, to, from and through Alameda County by roads, rail, air and water. The performance measures support plan development including the identification of gaps and needs in the goods movement system, the evaluation and prioritization of strategies to improve goods movement, and the ongoing monitoring of goods movement system performance.

Attachment A presents the Draft Countywide Goods Movement Plan multimodal performance measures which incorporate comments received by the Goods Movement Technical Team, ACTAC and PPLC at their June and July meetings. The memorandum presents both an overview of how performance measures will be used in the development of the plan as well as the recommended set of performance measures. The performance measures are designed to correspond to the vision and goals that were approved by the Commission in June 2014. This item is recommended for approval.

Fiscal Impact: There is no fiscal impact.

Attachments:

- A. Alameda County and MTC Regional Goods Movement Plans – Performance Measures Technical Memorandum

Staff Contact

[Tess Lengyel](#), Deputy Director of Planning and Policy,

[Matthew Bomberg](#), Assistant Transportation Planner

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ALAMEDA COUNTY AND MTC REGIONAL GOODS MOVEMENT PLANS

Task 3a – Multimodal Performance Measures

Draft Technical Memorandum

prepared for

**Alameda County Transportation Commission
and Metropolitan Transportation Commission**

prepared by

Cambridge Systematics, Inc.

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1.0 INTRODUCTION

As part of Goods Movement Plan development for the Alameda County Transportation Commission (ACTC) and Metropolitan Transportation Commission (MTC), a robust set of performance measures will be implemented to evaluate the physical and operational performance of the multimodal goods movement system. These measures will support these agencies in gauging freight system condition and use, identifying freight system priorities, developing policy, and making strategic investments that align with the overarching goods movement system vision and goals. After Plan development is complete, the performance measures may be adapted for continued monitoring of system-level trends and progress towards goals.

The set of recommended performance measures presented in this technical memorandum will form one basis for evaluating projects, programs and policies identified through the Goods Movement Plan. A performance-based evaluation process will help stakeholders and decision makers understand the benefits of proposed goods movement actions through the analysis of objective qualitative and quantitative information. Consistent with Plan Bay Area and the Alameda Countywide Transportation Plan, this technical memorandum lays out a performance-based evaluation process, as well as specific performance measure categories and metrics that will be used in the Plan's Task 4 evaluation. This memorandum contains the following sections:

- **Section 2.0 – Overview of Performance Measures.** This section describes the purpose of performance measures, criteria that should be considered when selecting performance measures, and current performance measurement development at the Federal and state levels. Information in this section provides context and describes the basis for how the proposed performance measures were developed.
- **Section 3.0 – Performance-Based Evaluation Process.** This section details the process developed to evaluate the projects, programs and policies using performance measures as part of this Plan. This includes tying measures to Plan Vision and Goals, as well as to goods movement system issues, needs and opportunities. The process incorporates quantitative and qualitative data into evaluation, but does not rely exclusively on measures, in order to create a more flexible process.

Section 4.0 – Performance Measure Development and Recommendations. This section presents recommended performance measures to align with the evaluation process described in Section 3.0, and includes identification of potential data sources and description of how they will be applied during the evaluation.

2.0 OVERVIEW OF PERFORMANCE MEASURES

In recent years, the use of performance measures in the public sector has matured and expanded significantly, yet nationally the use of freight-specific performance measures remains limited, and performance measures used vary significantly between states and regions. This is due in part to the shared public- and private-sector roles in the freight system and the lack of data available to support measures. This section provides an overview of performance measures, describes current Federal guidance on the development and use of these measures, and highlights current efforts underway in California in terms of developing freight specific measures.

In this memorandum, the term “strategy” is used to describe an overall approach to addressing an issue, need or opportunity. A strategy includes projects, programs and policies. Projects typically represent individual and geographically specific capital investments. Programs represent funding pools that may be applied to similar types of small projects, but are typically open to jurisdictions across the county or region. Policies are incentives or restrictions for the Alameda CTC or MTC to oversee and implement, and typically require broad organizational partnerships and advocacy.

2.1 Purpose of Transportation System Performance Measures

Performance measures are data-driven tools that provide one way for agencies to assess the condition of the transportation system, identify gaps and opportunities for system improvement, identify and evaluate strategies to meet goods movement goals, and monitor ongoing performance. They can also be used to help decision makers allocate limited resources more effectively than would otherwise be possible. It is common for different performance measures to be applied to each of these unique purposes, situations and system needs. A variety of performance measure applications are described, below:

- **Linking Strategies to Vision and Goals.** Performance measures can be developed and applied to help link Plan strategies to the Vision and Goals of the Plan. **As Section 3.0 shows, linking performance measures to the Vision and Goals is central to developing a performance-based project evaluation process.**
- **Needs Assessment and Strategy Development.** Performance measures can be applied to assess condition, performance, and use of the transportation system. They also help identify system gaps where additional projects, programs or policies may be needed. **The “Round 1” evaluation of the performance-based evaluation process described in Section 3.0 is focused on this gap analysis application of performance measures.**
- **Project Evaluation and Prioritization.** Performance measures can provide information needed to know when and where to invest in projects and programs that provide the greatest

benefits. Performance measures can help determine which projects, programs, and policies should be included in high priority strategies and can also help in the analysis of tradeoffs and/or synergies between different projects, programs, and policies. **The “Round 2” evaluation of the performance-based evaluation process described in this memorandum is focused on this application of performance measures.**

- **Managing Performance.** Applying performance measures can improve the management and delivery of programs, projects and services. The right performance measures can highlight the technical, administrative, and financial issues critical to governing the fundamentals of any program or project.
- **Communicating Results.** Performance measures help communicate the value of public investments in transportation and provide a concrete way for stakeholders to see an agency’s commitment to improving the transportation system and help build support for transportation investments.
- **Strengthening Accountability.** Performance measures promote accountability with respect to the use of taxpayer resources and reveal whether transportation investments are providing the expected performance or demonstrate the need for improvements.

2.2 Choosing Performance Measures

Performance measures should be carefully selected to align with transportation agency goals and the existing (or potential) data and resources available. When considering performance measures, questions related to how they will be applied and the availability of data should be considered. The most appropriate performance measures will also depend on regional and local characteristics and unique features. An example of a unique feature in Alameda County and the Bay Area is the presence of global gateways such as the Port of Oakland, the Oakland International Airport, San Francisco International Airport, and other smaller seaports. These gateways serve as major connectors to local and regional surface transportation systems and international destinations; they facilitate import and export activity, and are critical pieces of the region’s economy. Performance measures should encapsulate the multimodal nature of the goods movement system and types of goods movement activities. Another example is the Bay Area’s awareness and concern about public health and environmental quality. The high level of awareness and commitment of residents and businesses to environmentally sustainable values and policies suggests that these issues should also be reflected in recommended performance measures per adopted Vision and Goals.

While performance measures provide many benefits, a few pitfalls should be avoided when implementing performance measurement systems, including:

- **Selecting performance measures based only on available data, and not adequately fulfilling agency Vision and Goals.** High-quality data may not immediately be available to measure performance against overarching Vision and Goals. Although it is prudent to begin with measures for which data are available, it is also important to ensure that each of the measures implemented does in fact link to the Vision and Goals of the agency, and are not selected purely on the basis of data availability.
- **Avoiding performance measures based on availability of quantitative data and robust forecasting and analysis tools.** Similar to the previous point, while high-quality data are important to performance evaluation (and desired), qualitative information can also be applied and provide insight into system conditions and use. In addition, in some cases, there may be an inability of quantitative measures to adequately address all political and community value considerations and/or project types. Likewise, while robust tools such as travel demand and economic models can provide detailed evaluation of discrete projects, other lower-tech tools such as spreadsheets and sketch analyses can also be applied and provide useful results.
- **Too many, or too few, performance measures can undermine the agency’s ability to utilize them effectively.** Too many performance measures may cause a lack of focus and foster wide-ranging data collection efforts that consume valuable resources. As states and regions progress in their efforts to incorporate performance measures they tend to reduce their number of measures to a “critical few.” However, utilizing too few performance measures can leave agencies with gaps in critical areas, undermining the effectiveness of their performance measurement program. One solution to the “too many” or “too few” measures conundrum is the development of performance indices. The philosophy behind using performance indices is simple - consolidate a great deal of information into one number. When it is necessary to present information from several related areas simultaneously (e.g., demand and capacity), a performance index can be used as a management tool that allows these sets of information to be compiled into an overall measure.

2.3 National Performance Measure Development

Prior to the most recent transportation legislation, freight performance measures were not widely used, in part due to shared public- and private-sector roles. The signing of the Moving

Ahead for Progress in the 21st Century (MAP-21)¹ transportation legislation in July 2012, thrust performance measures into the spotlight. MAP-21 notes that State DOTs and MPOs will be required to establish and use a performance-based approach to transportation decision making and the development of short and long-range transportation plans.

Performance measures, to be established by U.S. DOT, will be developed to align with the seven National Goals established as part of the legislation, which include: safety, infrastructure condition, congestion reduction, system reliability, freight movement and economic vitality, environmental sustainability, and reduced project delivery delays. Several of these core goal areas can be directly tied to the freight system. At this time, national performance measures related to goods movement have not been formalized, however dialog on the subject indicates the need to include system condition and system performance (e.g., travel time, delay and travel time reliability) as meaningful freight system measures. Other categories of measures may also be applied to the freight system. The U.S. DOT is required to establish performance measures for States and MPOs to use to assess the Interstate and National Highway Systems. Once performance measures are set, States and MPOs must establish performance targets in coordination with other State and local transportation agencies.

2.3.1 Current Status of U.S. DOT Mandated MAP-21 Performance Measure Development

In March 2014, the U.S. DOT published a Notice of Proposed Rulemaking (NPRM) for State DOT and MPO performance measure development as part of the requirements to implement MAP-21 performance provisions. The Safety Performance Measures NPRM proposes safety performance measures and State DOT and MPO requirements for establishing and reporting specific annual targets for fatalities and serious injuries. Not yet released, a second set of performance-related NPRMs will focus on pavement, bridges, and asset management; a third will focus on congestion, emissions, system performance, freight, and public transportation.²

2.3.2 U.S. DOT Freight Condition and Performance Report

While states are required by MAP-21 to develop highway-focused performance measures, U.S. DOT is developing a multimodal freight system condition and performance report. Due for release in fall 2014, this report is expected to provide best practices for freight system condition and performance monitoring. Much like the best practice framework, U.S. DOT is in the process of identifying at least one measure to link to each of the National Freight Goals so that they can

¹ <http://www.dot.gov/map21>.

² <https://www.fhwa.dot.gov/tpm/rule.cfm>.

gauge how the Nation is achieving those goals. The draft measures, as of April 2014, include those in Table 2.1.

Table 2.1 U.S. DOT Freight Condition and Performance Report Draft Performance Measures

National Freight Goals	Draft Performance Measures
Reducing adverse environmental and community impacts of the freight transportation system	GHG emissions from freight transportation; energy usage; hazmat releases; community impacts
Improving the contribution of the freight transportation system to economic efficiency, productivity, and competitiveness	Total cost of moving freight; productivity indices
Reducing congestion on the freight transportation system	Free-flow/optimal traffic volume congestion measures; fluidity index
Improving the safety, security, and resilience of the freight transportation system	Number and rate of fatalities and serious injuries; TSA/Coast Guard reduction in security risks; resilience measures
Improving the state of good repair of the freight transportation system	Reduction in long-term maintenance costs; reduction in user costs; highway/bridge conditions indices
Using advanced technology, performance management, innovation, competition, and accountability in operating and maintaining the freight transportation system	Adoption of ITS technologies; other measures on adoptions of innovative technology (e.g., cold ironing)

Source: Jack Wells, U.S. DOT FHWA Talking Freight Webinar: MAP-21 Freight Provisions, January 22, 2014.

U.S. DOT has admitted that they are experiencing significant data challenges as part of this effort, and are working diligently to identify measures that are meaningful to the diverse group of public- and private sector stakeholders that have an interest in freight system condition and performance.

2.4 California Freight Mobility Plan Performance Measures

At the state level, the California Freight Advisory Committee was commissioned by Caltrans to advise on the development of state freight performance measures consistent with MAP-21. In November 2013 the Committee reviewed draft performance measures tied to six goals. While the goals have been solidified, the specific measures are still under review and have not been finalized. The six goals developed by Caltrans as part of that process are described below.

- Economic Contribution Goal.** Improve the contribution of the California freight transportation system to economic efficiency, productivity, and competitiveness. The performance measures that are being developed to support this goal track factors related to the cost of moving goods, the state's market share and the value of international trade.

- **Congestion Relief Goal.** Manage congestion on the freight transportation system. Performance measures related to this goal track the extent of congestion and delay on the network; they measure cumulative delay and system reliability.
- **Safety and Security Goal.** Improve the safety, security, and resilience of the freight transportation system. Performance measures track the number of crashes, injuries and fatalities associated with different freight.
- **System Infrastructure and Preservation Goal.** Improve the state of good repair of the freight transportation system. Performance measures tied to this goal will track the condition of pavement, bridges, rail tracks, and channels.
- **Innovative Technology and Innovation Practices Goal.** Use technology and innovation to develop, operate, maintain, and optimize the efficiency of the freight transportation system and to reduce its environmental and community impacts. Performance measures within this category are tied to the rate of implementation of new technologies or practices that improve performance.
- **Environmental Stewardship Goal:** Reduce adverse environmental and community impacts of the freight transportation system. Performance measures in this category include reductions in criteria pollutants, noise impacts and impacts to threatened species.

3.0 PLAN DEVELOPMENT PROCESS AND HOW PERFORMANCE MEASURES WILL BE USED

The intent of employing a performance-based evaluation process is to provide an objective means of evaluating projects, programs and policies (i.e. strategies) relative to the Goods Movement Plan vision and goals. The performance measures should inform strategy development and advance key needs and issues. This section describes the Goods Movement Plan performance evaluation process and how it will be used to evaluate projects, programs and policies.

3.1 Goods Movement Plan Building Blocks

There are several critical building blocks for the development of the Plan. These include:

- **Vision and Goals.** The vision and goals are aspirational statements about what the Plan is intended to accomplish. It also hints at the types of benefits businesses and residents of the County will receive if the Plan is successful. The Vision and Goals were developed to align with higher-level goals developed for the Countywide Transportation Plan and the Regional Transportation Plan but they also reflect the need to address critical issues and opportunities focused specifically on the freight system as identified by stakeholders and prior studies.
- **Goods Movement Functions.** The goods movement functions describe, at a high level, what functions different elements of the goods movement system perform to serve all of the different goods movement needs of the County and the region. We have described the goods movement system in terms of the following functions:
 - **Global Gateways.** This function is the County's and region's conduit to international trade. The primary global gateways in Alameda County and in the region include the major maritime facilities at the Port of Oakland, and the Oakland International Airport and San Francisco International Airport. At the regional scale, there are also several smaller ports outside of Alameda County that contribute to the global gateway function.
 - **Interregional Corridors and the Intra-regional Core System.** A number of highway routes and parallel rail routes in the County and region are classified as interregional corridors because their primary, though not exclusive, function is to move freight between regional economic centers. The intra-regional core network serves areas with the highest concentration of population and subsequently highest share of demand for goods movement. This core network also provides primary access to major facilities such as the Port of Oakland, rail yards, warehouse/industrial districts, and connections to the interregional corridors. The intra- and interregional corridor functions are necessarily intertwined, as many intra-regional movements occur on the interregional corridors.

- **Urban Goods Movement System and Last-Mile Connectors.** The urban goods movement system refers to networks of city streets that move freight to or from its origin or final destination. Last-mile connectors are local truck routes within the urban goods movement system and include connections between major freight facilities (such as seaports, airports, intermodal terminals, industrial parks, and major warehousing clusters) and the rest of the transportation system.

The freight system in the county/region needs each of the functional elements to perform effectively. We will look at the goods movement needs, issues, and opportunities of each of the functional elements.

- **Needs, Issues, and Opportunities.** Needs generally refer to gaps or deficiencies in the system which, if corrected, will move the freight system closer to the Vision and Goals. Issues are similar to needs but they tend to be more cross-cutting, such as impacts on community livability and quality of life. Opportunities are ways that the system can be modified or transformed to deliver a higher level of benefits than the current system delivers.
- **Strategies.** The Plans will include a portfolio of strategies that will address the needs, issues, and opportunities of all the functional elements in combination. Strategies will be comprised of projects, programs, and policies grouped together for ease in communicating how individual elements, when taken together, achieve the Vision and Goals of the Plans. The number of strategies evaluated during this project will relate to the number of needs, issues and opportunities identified. Table 3.1 provides an example of how these elements are linked. As shown, the effect of interstate congestion on trucks and lack of truck parking could translate into a strategy for improved truck mobility, access, and parking. Projects, programs or policies that facilitate those improvements could be included within that strategy.

Table 3.1 Example Strategy Development

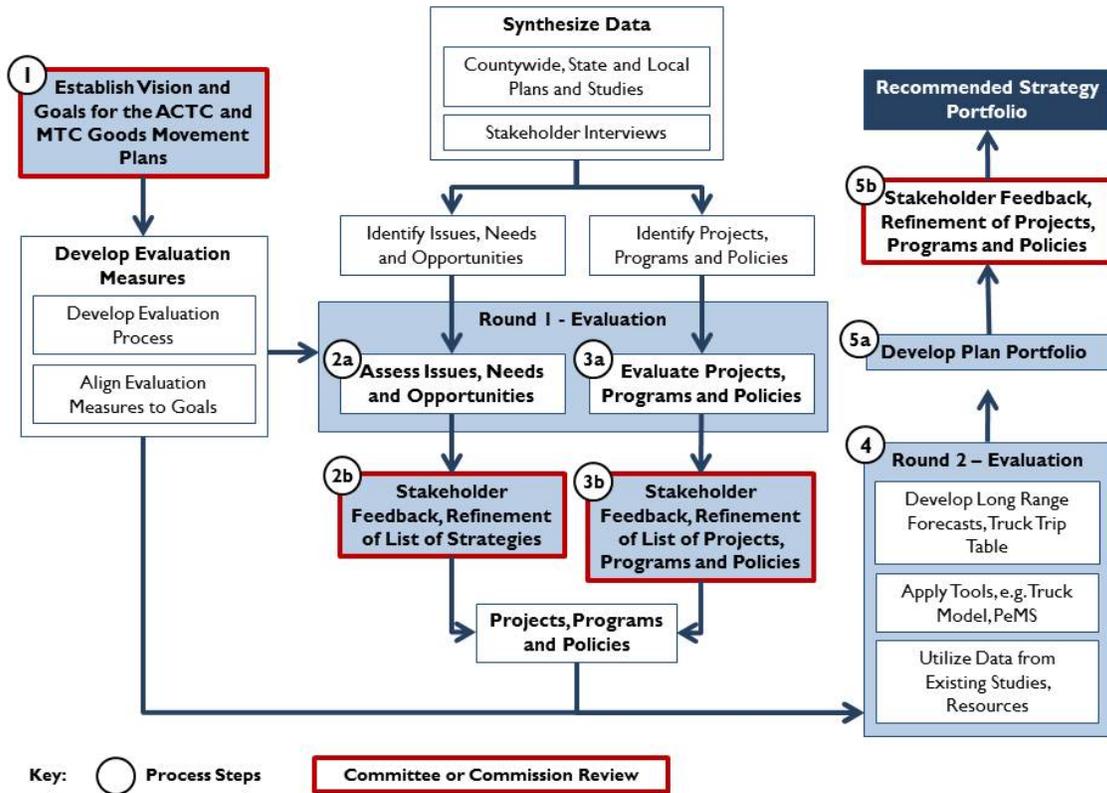
Needs, Issues, or Opportunities	Example Strategy	Example Projects, Programs, or Policies
Recurrent congestion on I-880 and I-580 truck corridors will increase	Improve Truck Mobility, Access, and Parking	Various projects including interchange improvements, lane additions, ramp metering, service patrols, etc.
No public truck stopping or parking locations in Alameda County		Reexamine STAA Designated Routes
		Additional Truck Rest Areas
		Truck Stop Electrification

3.2 Performance-Based Evaluation Process Description

Figure 3.1 shows the overall performance-based evaluation framework, with the numbered steps below corresponding to the numbering on the figure.

- Step 1 – Establish Vision and Goals.** As the Vision and Goals are a foundational element of the Plan, they will be reviewed with stakeholders, the Executive Team, and the Technical Teams before being presented to the Alameda CTC Commission for approval. Ultimately, strategies will be designed to ensure that there is progress towards the Vision and Goals and the effectiveness of the Plan will be measured against how well the Vision and Goals are being met.
- Step 2a – Identify and Assess Issues, Needs and Opportunities.** The initial input on issues, needs and opportunities is taken from stakeholders and prior studies. A matrix will be developed to highlight how the “Issues, Needs, and Opportunities” relate to both the Plan Goals and Goods Movement Functions. The reason for this matrix is to show how addressing issues, needs and opportunities will contribute to achieving Goals as well as to show which particular Goods Movement Functions have needs and present opportunities so that strategies can be more effectively designed. In addition, if issues, needs, and opportunities cut across multiple Goods Movement Functions, they may deserve greater attention or higher priority in developing strategies. Ultimately, the Plan that will be developed in later stages of the process can be thought of as a “portfolio”. For the portfolio to be “balanced” it needs to include strategies that address all of the issues, needs, and opportunities and all of the Goods Movement Functions. In some cases, improving the performance of the system to achieve a goal for a particular function (and addressing a particular need) could create the need to create a balancing strategy for a different Goods Movement Function. For example, expanding activity at the Port of Oakland (global gateway function) by improving rail service in order to meet economic/jobs goals could create community noise and at-grade crossing impacts on communities and reduce the efficiency of the urban goods movement. The matrix of issues, needs, and opportunities in this case would help indicate the need to develop balancing strategies such as grade separations or quiet zones.

Figure 3.1 Performance-Based Evaluation Framework



Performance measures can play a useful role in assessing the issues, needs, and opportunities at this stage of Plan development by corroborating the qualitative input provided by stakeholders. They can also play a useful role in targeting which specific components of the system exhibit the highest priority issues, needs, and opportunities by providing a measurable way of comparing, for example, the severity of a need in one part of the system with that of another. For example, safety may be a goal and stakeholders may have identified specific roadways or at-grade rail/roadway crossings that present safety issues. A performance measure such as number of crashes/incidents could be used to determine which locations present the highest priority safety problems.

It is important to note that performance measures are just an input to the assessment of issues, needs, and opportunities and will not always take precedence over stakeholder input or other policy considerations. This is because the data and tools available to assess performance measures may be insufficient to reach definitive conclusions and stakeholder perceptions are an important part of the assessment process. It is also important to note that some performance measures may be useful for assessing issues, needs, and opportunities based on current condition but tools may not be available to estimate

quantitatively the impact of projects, programs, and policies on this same performance measure. Thus, a mix of different performance measures will be needed for needs assessment and project evaluation.

- **Step 2b – Stakeholder Feedback.** After the issues, needs and opportunities are identified and assessed (both qualitatively and with quantitative performance measures) the results will be presented to stakeholders in a series of interest group meetings and at a Roundtable to receive their input on the results of the assessment. The assessment will also be presented to the Executive Team and the Technical Team for their input.
- **Step 3a – Initial Evaluation of Projects, Programs, and Policies.** As the consultant team is developing the needs assessment that comprises Step 2a, a parallel process will begin to develop potential strategies that can address issues, needs, and opportunities. The consultant team will compile as comprehensive a list of potential projects, programs, and policies as possible drawing from projects already incorporated in the Countywide Transportation Plan and Regional Transportation Plan, prior studies and plans, and best practices. In Step 3a, this list of potential projects, programs and policies will be evaluated to determine 1) if there are projects, programs, and policies that address each of the identified issues, needs, and opportunities for each Goods Movement Function (as appropriate); 2) to determine if projects, programs, and policies are likely to have sufficient goods movement benefits to be considered for more detailed analysis; and 3) to determine if there appear to be synergies or tradeoffs among particular projects, programs, and policies that will need to be considered in subsequent analysis.

The strategies (projects, programs, and policies) will first be evaluated qualitatively to determine if there are at least some projects, programs, and policies that will address each of the issues, needs, and opportunities for each of the goods movement functions to which those issues, needs, and opportunities are applicable. While this will largely be a qualitative process, performance measures can be used to inform the evaluation. In this step the team will also identify “gaps” that need to be filled, and introduce new projects, programs or policies to address issues and needs.

The consultant team will compile any existing data (e.g. from completed Project Study Reports, environmental documents, or from analyses of similar projects in similar contexts) on the expected performance improvements (performance measures) associated with the projects, programs, and policies to help determine if they will really result in freight benefits that help achieve the goals. We will also examine the degree to which the projects, programs, and policies address priority needs and opportunities as identified during the Step 2a needs assessment. While performance measures will not be a sole determinant of this evaluation, they will provide one valuable source of input. Some projects may be eliminated from further consideration within these Plans if they have minimal freight benefits or if they

do not address priority needs; this does not mean that these projects do not have merit, just that they are not expected to provide significant benefit to the freight system. Ultimately, the Plans will include projects, programs, and policies that address as many of the issues, needs, and opportunities for each of the goods movement functions as possible in order to develop a “balanced portfolio” of strategy recommendations.

Finally, this step will examine whether any of the strategies appear to have critical interdependencies or tradeoffs. For example, one strategy to reduce truck related congestion on a major freeway route would be to improve operations on truck routes on parallel arterial roadways. This strategy might represent a tradeoff when compared to a strategy to increase capacity on the freeway itself. At this stage, some projects that have critical interdependencies may be combined into larger mega projects for subsequent evaluation.

- **Step 3b – Stakeholder Feedback.** The results of the evaluation process will determine the final list of projects, programs, and policies that will be evaluated in the second round of evaluation. At the same Roundtable and the Executive and Technical Team meetings that are described at the conclusion of Task 2b, input will also be requested on the types of strategies that should be evaluated to address the needs, issues, and opportunities. The preliminary set of strategies identified in Step 3a will be presented to stakeholders, the Executive Team, and the Technical Team along with the initial evaluation along with the results of the needs assessment to get input before the list of strategies to be evaluated in more detail in subsequent phases is finalized. Once this input has been incorporated, the results of the assessment and the proposed list of strategies to be evaluated will be presented to the Commission for their concurrence prior to full evaluation of the strategies. Since the Regional Plan is scoped to develop strategies with less detailed analysis and less detailed scoping of projects than the Countywide Plan, the needs analysis conducted through Steps 2 and 3 will be sufficient to provide the necessary information to develop the proposed Regional Plan. Therefore, the analysis described in Step 4 will not be applied to the Regional Plan.
- **Step 4 – Evaluate Strategies (Projects, Programs, and Policies).** For the Alameda Countywide Goods Movement Plan, the projects, programs and policies developed in Step 3 will be subject to a more comprehensive evaluation that will use performance measures as a major organizing framework. Where possible the performance measures will apply quantitative data.

The performance measures may need to be slightly different than those used in the needs assessment task to the extent that the data and tools that are available to evaluation future performance will not be the same as those used to measure existing conditions. Methods and data will be sought to assess all performance measures but for certain types of projects,

programs and policies there may not be any available data and tools with which to predict performance measure impacts and in these cases, the assessment of performance improvements will need to be qualitative.

Performance measure values for each of the strategies will provide an input to the evaluation process, providing information for stakeholders and decision makers. Quantitative performance measure evaluations and the qualitative assessments will be used to develop a performance rating of each strategy (e.g. “high”, “medium”, or “low”) with respect to each of the five goals defined in the Vision and Goals statement. In addition, for the cases where project tradeoffs or synergies are defined, the projects may be evaluated in combination to examine synergistic benefits. Project combinations will be defined in consultation with Alameda CTC staff.

- Step 5a – Develop Plan Portfolio.** As described previously, a project, program and policy portfolio will address the identified issues, needs, and opportunities for each of the goods movement functions. By selecting from amongst the strategies that are rated “high” for at least one of the evaluation categories and that address a critical issue, need, or opportunity for one or more of the goods movement functions, the portfolio will provide balance amongst all of the issues, needs, and opportunities and goods movement functions. In this way, the portfolio will ensure that that the highest priority strategies applied to the highest priority issues, needs, and opportunities will be selected and the Plan will achieve the Goals identified in Step 1.
- Step 5b – Stakeholder Feedback.** To ensure that the application of the performance measure evaluation process is not a simple mechanical process, the results of the evaluation will be provided to the stakeholders in a final Plan Development Workshop/Roundtable. During this workshop, the stakeholders will have access to the evaluation results and recommended projects, programs and policies. The data and information associated with performance measures will also be provided. Participants can use this information and other information that they have about the strategies to recommend adjustments to the final set of strategies to be incorporated in the Plan. The results of this workshop will be reviewed by the Executive Team and the Technical Teams. Stakeholder input received through this process will be used to create the Goods Movement Plan. The Plan will also require review and approval recommendations from the Alameda CTC Technical Advisory Committee and the Planning, Policy and Legislation Committee. The Alameda CTC Commission has the authority to approve the final Goods Movement Plan. All of these meetings are open to the public and welcome comment and discussion.

The recommended performance measures, how they align with the Plan’s Goals and the identified issues, needs, and opportunities, and whether the measures can be applied to needs

assessment (Steps 2 and 3), strategy evaluation (Step 4), or both is presented in the next section of this memorandum.

4.0 PERFORMANCE MEASURE DEVELOPMENT AND RECOMMENDATIONS

In developing and selecting the performance measures, the key points raised in Section 2.0 of this memorandum were fully considered. Performance measures have been selected to reflect the Visions and Goals, as well as issues, needs and opportunities identified to date. Thus, the performance measures developed in this memorandum are clearly mapped to individual goals; they are also linked to the issues, needs and opportunities through “Round 1” of the evaluation process. The alignment with regional goods movement visions and goals also ensures that the measures will be consistent with the U.S. Department of Transportation’s (DOT) MAP-21 guidance and consistent with the approaches that are being used by Caltrans to evaluate and prioritize projects for the Statewide Freight Mobility Plan.

4.1 Performance Measure Recommendations

In order to understand the recommendations in this memorandum, two terms must be explained; performance measures and performance metrics. Performance measures are broad categories of measures that address specific goal areas. Within these categories, specific performance metrics have been developed that are essentially the evaluation criteria that can be used to determine needs and benefits. Metrics can be evaluated using models, quantitative data from prior studies, or can be evaluated qualitatively.

Performance metrics have been selected based on a combination of factors including best practices, ability to be quantified, data availability and resource capability, and ease of understanding. Because the ability to quantify the metrics is important to ensure objective project evaluations, the metrics focus on the highway system, where the Alameda CTC travel demand model can be applied. For the non-highway modes, other data tools and methods will be employed, such as data from the State Rail Plan, data from prior studies (such as the Caltrans Corridor System Master Plans), data from prior health risk assessments, emissions impacts estimates using emissions factors from the Air Resources Board’s EMFAC model, and the IMPLAN economic input-output model.

Table 4.1 contains the complete list of recommended performance measures and performance metrics under each goal area and identification of when they can be applied during the performance evaluation.

Table 4.1 Recommended Set of Performance Measures and Metrics, by Goal Area

Goals	Measures	Metrics	Application
Reduce environmental and community impacts from goods movement operations to create healthy communities and a clean environment, and improve quality of life for those communities most impacted by goods movement.	Emissions/Air Quality/Public Health	Tons of GHG emissions	Step 4 – Strategy Evaluation
		Tons of PM _{2.5} emissions	Step 4 – Strategy Evaluation
		Tons of NO _x emissions	Step 4 – Strategy Evaluation
	Equity	Freight Impacts, such as light, noise pollution, safety, air pollution and encroachment on specific, adjacent communities most affected	Steps 2 and 3- Needs Assessment Step 4 – Strategy Evaluation
Provide safe, reliable, efficient and well-maintained goods movement facilities.	Travel Time Reliability	Buffer time index on freight (truck) routes	Step 4 – Strategy Evaluation
	Freight-Related Crashes	Truck-involved crashes and crash rates (including crashes with bikes and pedestrians)	Steps 2 and 3- Needs Assessment
		Crashes at at-grade rail crossings	Steps 2 and 3- Needs Assessment
	Freight Infrastructure Conditions	Bridge conditions ratings	Steps 2 and 3- Needs Assessment
		Freight (truck) highway and arterial routes pavement conditions ratings	Steps 2 and 3- Needs Assessment
	Freight Resiliency	Addresses freight system vulnerability to major service disruptions due to major natural or other events	Steps 2 and 3- Needs Assessment; Related to Goal 1 Multimodal Connectivity and Redundancy measure
Promote innovative technology strategies to improve the efficiency of the goods movement system.	Use of Innovative Technologies	Use of ITS and innovative technologies, such as zero-emission technologies	Steps 2 and 3- Needs Assessment Step 4 – Strategy Evaluation
Preserve and strengthen an integrated and connected, multimodal goods movement system that supports freight mobility and access, and is coordinated with passenger transportation systems and local land use decisions.	Travel Time Delay	Travel time delay on freight (truck) routes	Steps 2 and 3- Needs Assessment Step 4 – Strategy Evaluation
		Travel time delay on railways, terminals, ports, airports	Steps 2 and 3- Needs Assessment
	Multimodal Connectivity and Redundancy	Freight routes access from/to locations with significant freight activities	Steps 2 and 3- Needs Assessment Step 4 – Strategy Evaluation

Goals	Measures	Metrics	Application
		Access to rail lines, terminals, ports, and airports from/to locations with significant freight activities	Steps 2 and 3- Needs Assessment Step 4 – Strategy Evaluation
	Coordinate with Passenger Systems	Freight system element shared use with passenger system and addresses passenger/freight conflicts	Steps 2 and 3- Needs Assessment
	Compatibility with Land Use Decisions	Locations and corridors with significant freight activities in proximity to non-compatible land uses currently and in the future	Steps 2 and 3- Needs Assessment Step 4 – Strategy Evaluation
Increase economic growth and prosperity that supports communities and businesses.	Economic Contribution	Jobs and output generated (including co-benefits of public health strategies)	Step 4 – Strategy Evaluation

4.2 Recommended Performance Measure Descriptions

For each of the performance measures selected, a detailed discussion of what they are, why they are included, what metrics are included and how these metrics can be evaluated are included below under each goal area.

Reduce environmental and community impacts from goods movement operations to create healthy communities and a clean environment, and improve quality of life for those communities most impacted by goods movement.

- Emissions/Air Quality/Public Health.** Consistent with Plan Bay Area and Countywide Transportation Plan’s performance measures and targets, measuring air quality/health impacts can be focused on *GHG (CO₂) as well as Fine Particulate Matter (PM_{2.5}) and Nitrogen Oxides (NO_x) reduction*. Tracking GHG emissions will help us understand if projects help meet SB 375 goals to reduce greenhouse gas emissions. The Alameda CTC travel demand model and the CARB EMFAC model can be used to estimate changes in vehicle emissions of the aforementioned pollutants. Local studies, such as those published by the BAAQMD can also provide useful data sources.
- Equity.** While measuring total air quality and health impacts of freight is important, it is critical to evaluate the impact on specific communities that are disproportionately affected by freight, including communities adjacent to freight facilities, communities that are socio-

economically disadvantaged, or both. Freight impacts on such communities can be determined with the aid of visual tools including GIS maps. These impacts can include light, noise pollution, air pollution and emissions related to goods movement vehicles, job creation, and encroachment due to close proximity to freight sources. Projects that help reduce such impacts on communities most burdened by goods movement can support quality of life goals.

Provide safe, reliable, efficient and well-maintained goods movement facilities.

- **Travel Time Reliability.** Travel time reliability is one of the most commonly used performance measures and directly addresses the goal to provide a reliable and efficient goods movement facility. Reliability measures are used in the Countywide Transportation Plan as well for auto and transit trips. For freight, buffer time index (BTI) can be calculated on key freight routes for each project. BTI expresses the percentage of extra travel time for a typical trip needed to ensure an on-time arrival, and this is also calculated as part of the Caltrans PeMS database. Travel times can be calculated using the Alameda CTC travel demand model.
- **Freight-Related Crashes.** Understanding the safety benefits of projects is another essential performance measure for freight projects, the change in both the *number and rate of truck-related crashes* should be looked at. These truck-involved crashes will include crashes with pedestrians, bicycles, as well as passenger vehicles. In the Countywide Transportation Plan, safety is measured similarly using annual injury and fatality crashes. Baseline crash data is readily available from the Statewide Integrated Traffic Records System (SWITRS). Also, GIS visualization is available through the Transportation Injury Mapping System (TIMS) developed by UC Berkeley. VMT data can be obtained from Caltrans to normalize the absolute number of crashes into a crash rate.

In addition, the *number of crashes at at-grade crossings* is of particular importance from a freight perspective, as crashes at at-grade crossings demonstrates a key preventable source of crashes for which countermeasures can be deployed from both the rail and the roadside. The FHWA Office of Safety offers existing at-grade crossing crash data for which project-specific impacts can be estimated from.

- **Freight System Resiliency.** Addresses freight system vulnerability to major service disruptions due to major natural or other events, such as sea level rise.

Promote innovative technology strategies to improve the efficiency of the goods movement system.

- **Use of Innovative Technologies.** Technological advances including vehicle technologies to reduce emissions (such as zero, or near-zero emission technologies), Intelligent Transportation System technologies to improve efficiency should be included as part of the

project evaluation process. A simple qualitative method can be used to determine whether projects employ innovative technologies.

Preserve and strengthen an integrated and connected, multimodal goods movement system that supports freight mobility and access, and is coordinated with passenger transportation systems and local land use decisions.

- **Travel Time Delay.** Delay due to recurrent and non-recurrent congestion on the freight network is one of the most critical issues facing Alameda County, and significantly impedes mobility on the system. By quantifying the travel time delay on the freight links and nodes, projects can be evaluated based on how well they support and improve mobility. Two specific metrics can be developed for this measure that calculates the delay on key freight (truck) routes³ and delay on rail lines and various freight nodes (terminals, ports, airports).

Travel delay on key freight routes is measured as the sum of all of the extra time trucks experience due to speeds below the selected delay threshold. The Caltrans PeMS database contains existing delay data on all major highways that can serve as a standard for delay calculations. Changes in truck travel time delay can be calculated through changes in Vehicle Miles Traveled (VMT) and Vehicle Hours Traveled (VHT) using the Alameda CTC travel demand model for project evaluation.

The *delay on rail lines and terminals, ports, and airports* metric can be used for needs assessment. The delay data can be calculated using quantitative data obtained from individual sources such as railroads, the Port of Oakland, and various studies that have quantified these delays. However, it should be kept in mind that some of the delay in this metric will be hard to capture, and in such cases, qualitative evaluations may be used based on input from stakeholders or drawing from best practice examples in other locations.

- **Multimodal Connectivity and Redundancy.** To provide better access, projects should improve/support multimodal connectivity and redundancy. Redundancy of the system can also support system resiliency and emergency response goals by providing alternative routes of transport. By using GIS spatial tools, projects can be evaluated for providing access on freight routes from/to locations with significant freight activities (e.g., businesses, warehouses, etc.) both in terms of *highway access as well as access to rail line, terminals, ports and airports*.
- **Coordinate with Passenger Systems.** Freight projects should be coordinated with the passenger transportation system in such as way that the project should also be beneficial for

³ It is expected that as part of this project key freight routes that are important for truck movement in Alameda County will be selected.

passenger movement, or at the very least, not conflict with passenger movement. For instance, on shared-use rail tracks, freight improvements should be coordinated with passenger improvements so as to maximize project benefit. By evaluating whether a project has shared use with passenger service, we can determine how well it is coordinated with passenger service. In addition, data will be compiled that show the degree that each mode in a shared-use corridor or facility contributes to delay for all users and/or safety issues (e.g., crashes involving multiple modes or incidents at rail-road crossings).

- **Compatibility with Land Use Decisions.** Freight projects should be coordinated with land use decisions to ensure that land use plans do not introduce non-compatible land uses when expanding residential/commercial developments about existing freight facilities or freight facilities are expanded in proximity to neighborhoods. For instance, freight projects should be integrated with complete streets and Priority Development Area (PDA) and Growth Opportunity Area (GOA) areas so that the projects do not cause negative effects for the communities in the vicinity. To evaluate projects, GIS spatial tools can be used to determine the *proximity of the freight infrastructure (both specific locations as well as corridors) to non-compatible land uses* (e.g., PDA areas) with and without the project. In cases where there are non-compatible land uses in proximity to freight uses, strategies will be developed that either move towards more effective buffers or that offset the impacts of higher exposure of communities to adverse impacts of proximity to freight uses.
- **Freight Infrastructure Conditions.** *Bridge and pavement* conditions on key highway and arterial freight routes are two important metrics in understanding the County's maintenance goals. For example, estimates of MTC's StreetSaver Pavement Condition Index (PCI) are reported in both MTC's and Alameda CTC's monitoring reports. Highway and bridge condition data is also available through Caltrans.

Increase economic growth and prosperity that supports communities and businesses.

- **Economic Contribution.** *Jobs and output generated* by projects is the most direct way to measure whether a project supports economic growth and prosperity. Co-benefits of public health strategies can also be qualitatively evaluated. Changes in employment and output can be modeling through IMPLAN and other economic modeling tool, or through quantitative calculations. While it will be beneficial to determine jobs generated for different income and skill levels, most of the available economic modeling tools do not provide this level of detail. However, it may be possible to examine the existing job and income profile of specific economic sectors in which job growth is anticipated as a result of freight investments to get a general sense of the occupational impacts of freight investments. The project can also be qualitatively evaluated for providing opportunities for workforce development.



Memorandum

6.7

1111 Broadway, Suite 800, Oakland, CA 94607 • PH: (510) 208-7400 • www.AlamedaCTC.org

DATE: July 17, 2014

SUBJECT: Resolution of Support for Regional Active Transportation Program grant application for East Bay Greenway Planning Project

RECOMMENDATION: Approve Resolution of Support for Regional Active Transportation Program grant application for East Bay Greenway Planning Project

Summary

The East Bay Greenway is a bicycle and pedestrian facility that will improve mobility and access for thousands of Alameda County residents and workers and support countywide and regional goals related to safety, equity, environmental sustainability, connectivity, and public health.

The Alameda Countywide Bicycle and Pedestrian Plans depict the East Bay Greenway as traversing the entire county, from the Contra Costa countyline to the Santa Clara countyline. An initial half-mile segment of the East Bay Greenway is currently under construction near the Coliseum BART station. As part of a phased approach, Alameda CTC is currently pursuing funding to support project development for the roughly 15-mile portion of the project that runs along the BART alignment from north of the Fruitvale BART station to the South Hayward BART station through Oakland, San Leandro, Ashland/Cherryland, and Hayward.

Consistent with the 2014 Legislative Program which authorizes staff to “seek, acquire, and implement grants to advance project and program delivery” applications were recently submitted for the East Bay Greenway to fund planning, preliminary engineering, and stakeholder/agency coordination work. Applications were submitted for a TIGER VI planning grant and a State Active Transportation Program grant. The scope of work and budget for the Regional Active Transportation Program will be the same. A resolution of support is required in addition to pre-existing authorization to pursue grant funding through the Legislative Program in order to meet requirements specific to the regional ATP program.

The Resolution of Support is included as Attachment A.

Fiscal Impact: There is no fiscal impact.

Attachments

- A. Resolution authorizing the filing of an application for funding assigned to MTC and committing any necessary matching funds and stating the assurance to complete the project

Staff Contact

[Tess Lengyel](#), Deputy Director of Planning and Policy

[Matthew Bomberg](#), Assistant Transportation Planner



ALAMEDA COUNTY TRANSPORTATION COMMISSION

RESOLUTION 14-014

Authorizing the filing of an application for funding assigned to MTC and committing any necessary matching funds and stating the assurance to complete the project

Commission Chair
Supervisor Scott Haggerty, District 1

Commission Vice Chair
Councilmember Rebecca Kaplan,
City of Oakland

AC Transit
Director Elsa Ortiz

Alameda County
Supervisor Richard Valle, District 2
Supervisor Wilma Chan, District 3
Supervisor Nate Miley, District 4
Supervisor Keith Carson, District 5

BART
Director Thomas Blalock

City of Alameda
Mayor Marie Gilmore

City of Albany
Vacant

City of Berkeley
Councilmember Laurie Capitelli

City of Dublin
Mayor Tim Sbranti

City of Emeryville
Vice Mayor Ruth Atkin

City of Fremont
Mayor Bill Harrison

City of Hayward
Councilmember Marvin Peixoto

City of Livermore
Mayor John Marchand

City of Newark
Councilmember Luis Freitas

City of Oakland
Vice Mayor Larry Reid

City of Piedmont
Mayor Margaret Fujioka

City of Pleasanton
Mayor Jerry Thorne

City of San Leandro
Councilmember Michael Gregory

City of Union City
Mayor Carol Dutra-Vernaci

Executive Director
Arthur L. Dao

WHEREAS, Alameda CTC (herein referred to as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$3,000,000 in funding assigned to MTC for programming discretion, which includes federal funding administered by the Federal Highway Administration (FHWA) and federal or state funding administered by the California Transportation Commission (CTC) such as Surface Transportation Program (STP) funding, Congestion Mitigation and Air Quality Improvement (CMAQ) funding, Transportation Alternatives (TA)/Active Transportation Program (ATP) funding, and Regional Transportation Improvement Program (RTIP) funding (herein collectively referred to as REGIONAL DISCRETIONARY FUNDING) for the East Bay Greenway (herein referred to as PROJECT) for the MTC Regional Active Transportation Program (herein referred to as PROGRAM); and

WHEREAS, the Moving Ahead for Progress in the 21st Century Act (Public Law 112-141, July 6, 2012) and any extensions or successor legislation for continued funding (collectively, MAP 21) authorize various federal funding programs including, but not limited to the Surface Transportation Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives Program (TA) (23 U.S.C. § 213); and

WHEREAS, state statutes, including California Streets and Highways Code §182.6, §182.7, and §2381(a)(1), and California Government Code §14527, provide various funding programs for the programming discretion of the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

WHEREAS, pursuant to MAP-21, and any regulations promulgated thereunder, eligible project sponsors wishing to receive federal or state funds for a regionally-significant project shall submit an application first with the appropriate MPO, or RTPA, as applicable, for review and

inclusion in the federal Transportation Improvement Program (TIP); and

WHEREAS, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region; and

WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of REGIONAL DISCRETIONARY FUNDING; and

WHEREAS, APPLICANT is an eligible sponsor for REGIONAL DISCRETIONARY FUNDING; and

WHEREAS, as part of the application for REGIONAL DISCRETIONARY FUNDING, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- the commitment of any required matching funds; and
- that the sponsor understands that the REGIONAL DISCRETIONARY FUNDING is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional REGIONAL DISCRETIONARY FUNDING; and
- that the PROJECT will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- the assurance of the sponsor to complete the PROJECT as described in the application, subject to environmental clearance, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and
- that the PROJECT will have adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application; and
- that the PROJECT will comply with all project-specific requirements as set forth in the PROGRAM; and
- that APPLICANT has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT; and
- in the case of a transit project, the PROJECT will comply with MTC Resolution No. 3866, revised, which sets forth the requirements of MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region; and
- in the case of a highway project, the PROJECT will comply with MTC Resolution No. 4104, which sets forth MTC's Traffic Operations System (TOS) Policy to install and activate TOS elements on new major freeway projects; and
- in the case of an RTIP project, state law requires PROJECT be included in a local congestion management plan, or be consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and

WHEREAS, that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and

WHEREAS, there is no legal impediment to APPLICANT making applications for the funds; and

WHEREAS, there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and

WHEREAS, APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and

WHEREAS, MTC requires that a copy of this resolution be transmitted to the MTC in conjunction with the filing of the application.

NOW, THEREFORE, BE IT RESOLVED that the APPLICANT is authorized to execute and file an application for funding for the PROJECT for REGIONAL DISCRETIONARY FUNDING under MAP-21 or continued funding; and be it further

RESOLVED that APPLICANT will provide any required matching funds; and be it further

RESOLVED that APPLICANT understands that the REGIONAL DISCRETIONARY FUNDING for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional REGIONAL DISCRETIONARY FUNDING; and be it further

RESOLVED that APPLICANT understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and APPLICANT has, and will retain the expertise, knowledge and resources necessary to deliver federally-funded transportation and transit projects, and has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT; and be it further

RESOLVED that PROJECT will be implemented as described in the complete application and in this resolution, subject to environmental clearance, and, if approved, for the amount approved by MTC and programmed in the federal TIP; and be it further

RESOLVED that APPLICANT has reviewed the PROJECT and has adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application; and be it further

RESOLVED that PROJECT will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the PROGRAM; and be it further

RESOLVED that, in the case of a transit project, APPLICANT agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution No. 3866, revised; and be it further

RESOLVED that, in the case of a highway project, APPLICANT agrees to comply with the

requirements of MTC's Traffic Operations System (TOS) Policy as set forth in MTC Resolution No. 4104; and be it further

RESOLVED that, in the case of an RTIP project, PROJECT is included in a local congestion management plan, or is consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and be it further

RESOLVED that APPLICANT is an eligible sponsor of REGIONAL DISCRETIONARY FUNDING funded projects; and be it further

RESOLVED that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and be it further

RESOLVED that there is no legal impediment to APPLICANT making applications for the funds; and be it further

RESOLVED that there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and be it further

RESOLVED that APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and be it further

RESOLVED that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and be it further

RESOLVED that the MTC is requested to support the application for the PROJECT described in the resolution, and if approved, to include the PROJECT in MTC's federal TIP upon submittal by the project sponsor for TIP programming.

Duly passed and adopted by the Alameda County Transportation Commission at the regular meeting of the Board held on Thursday, July 24, 2014 in Oakland, California by the following votes:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

ATTEST:

Scott Haggerty, Chairperson

Vanessa Lee, Clerk of the Commission



Memorandum

6.8

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: July 17, 2014

SUBJECT: California Transportation Commission June 2014 Meeting Summary

RECOMMENDATION: Receive an update on the June 2014 California Transportation Commission Meeting.

Summary

The June 2014 California Transportation Commission (CTC) meeting was held in Sacramento. Detailed below is a summary of the three (3) agenda items of significance pertaining to Projects/Programs within Alameda County that were considered at the June 2014 CTC meeting.

Background

The California Transportation Commission is responsible for programming and allocating funds for the construction of highway, passenger rail, and transit improvements throughout California. The CTC consists of eleven voting members and two non-voting ex-officio members. The San Francisco Bay Area has three (3) CTC members residing in its geographic area: Bob Alvarado, Jim Ghielmetti and Carl Guardino.

Detailed below is a summary of the three (3) agenda items of significance pertaining to Projects / Programs within Alameda County that were considered at the June 25, 2014 CTC meeting.

1. 2014 Active Transportation Program

CTC adopted guidelines at its March 20, 2014 meeting for purposes of adopting an initial two-year Active Transportation Program funded with \$360 million for fiscal years 2014-15 and 2015-16. The deadline to apply for this first programming cycle was May 21, 2014.

The CTC received approximately 770 project applications statewide requesting an estimated \$1 billion in Active Transportation Program funds. Of these, 32 applications were submitted by Alameda County jurisdictions requesting approximately \$45 million. CTC staff intends to release program recommendations by August 8, 2014, for adoption by the CTC at the August 20, 2014 Commission meeting.

Projects not selected for programming in the statewide competitive component will be forwarded to the respective Metropolitan Planning Organizations (MPO) for consideration in the regional program. CTC staff expects to bring forward MPO programming recommendations at the November 12, 2014 Commission meeting.

Outcome: The Metropolitan Transportation Commission (MTC) released a regional call for projects on May 21, 2014. Approximately \$30 Million will be available on a region wide competitive basis.

2. Proposition 1B Intercity Rail (ICR) Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA) / Emeryville Station and Track Improvements Project

The CTC de-allocated \$99,000 in Proposition 1B ICR-PTMISEA funds from the Emeryville Station and Track Improvements project in Alameda County, to reflect project savings.

Outcome: The Project is complete and final billing and close out occurred in July 2012.

3. State Transportation Improvement Program (STIP) / Bicycle Lockers at Capitol Corridor Stations

CTC approved a 12-month extension to the period of allocation for the construction phase of the Bike Lockers at Capitol Corridor Stations project.

Outcome: Extension will allow project to allocate and fully expend STIP funds.

Fiscal Impact: There is no significant fiscal impact to the Alameda CTC budget due to this item. This is information only.

Attachments

- A. June 2014 CTC Meeting summary for Alameda County Project / Programs

Staff Contact

[Stewart Ng](#), Deputy Director of Programming and Projects

[Vivek Bhat](#), Senior Transportation Engineer

June 2014 CTC Summary for Alameda County Projects/ Programs

Sponsor	Program / Project	Item Description	CTC Action / Discussion
Caltrans	2014 Active Transportation Program (ATP)	The CTC received approximately 770 project applications statewide requesting an estimated \$1 billion in ATP funds. Of these, 32 applications were submitted by Alameda County jurisdictions requesting approximately \$45 million	Information Only
Caltrans	Proposition 1B Intercity Rail (ICR) Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA) / Emeryville Station and Track Improvements Project	De-allocate \$99,000 in Proposition 1B ICR-PTMISEA funds to reflect project savings	Approved
BART	State Transportation Improvement Program (STIP) / Bicycle Lockers at Capitol Corridor Stations	Approval of 12-month extension to the period of allocation	Approved

http://www.catc.ca.gov/meetings/agenda/2014Agenda/2014_06/000_ETAs.pdf

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Memorandum

6.9

1111 Broadway, Suite 800, Oakland, CA 94607

PH: (510) 208-7400

www.AlamedaCTC.org

DATE: July 17, 2014

SUBJECT: Public Transportation Modernization, Improvement, and Service Enhancement Account FY 2014-15 Allocation Request

RECOMMENDATION: Authorize the Executive Director, or his designee, to submit an allocation request for FY 2014-15 Proposition 1B Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) funds.

Summary

Since the inception of the Proposition 1B Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) grant program, the Alameda County Transportation Commission has received appropriations of approximately \$1.3 million (FYs 2007-08 through 2013-14). The Alameda CTC's FY 2014/15 allocation from PTMISEA totals \$377,794 and is based on the Altamont Commuter Express (ACE) service within Alameda County. The allocations for ACE are made available through the Alameda CTC whereas agencies such as AC Transit and BART have received their allocations directly.

Background

The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B in November 2006, included a directive that approximately \$3.6 billion be deposited into the Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA) for use by transit operators over a 10-year period. The Alameda CTC's allocation from PTMISEA is based on the ACE service within Alameda County.

Since the inception of the PTMISEA grant program, the Alameda CTC has received appropriations of approximately \$1.3 million (FYs 2007-08 to 2013-14). Table 1 summarizes PTMISEA allocations requests approved by the Alameda CTC Board to date. The allocations for ACE are made available through the Alameda CTC whereas agencies such as AC Transit and BART have received their allocations directly.

Table 1: PTMISEA Allocations approved by Alameda CTC to date

Year	Allocation Amount	Project
2007-08	\$283,155	ACE Platforms Extension Project
2008-09	\$159,509	Santa Clara Station Improvement Project
2009-10	\$160,217	Santa Clara Station Improvement Project
2010-11 to 2013-14	\$707,887	Maintenance and Layover Facility Project
Total	\$1,310,768	

The State Controller's Office has released a list of allocations for eligible agencies. The Alameda CTC's FY 2014-15 allocation from PTMISEA totals \$377,794. Staff proposes that the funds be used for the Electronic Fare Collection (eTicketing) Project. This allocation will be one of the funding sources used to fulfill the contribution of Alameda for the capital project portion of the ACE Service and is consistent with the FY 2014-15 ACE Baseline Service Plan approved by the Alameda CTC Board in April 2015.

PTMISEA funding will be used to enhance and expand the functionality and reliability of the San Joaquin Regional Rail Commission's fare collection system. eTicketing will replace existing legacy ticket processing technology with new electronic fare collection equipment including hand-held readers for use on-board, ticket vending machines, and validation kiosks as well as the back-office infrastructure to manage and process payments. eTicketing will require that users be registered and provide a real-time passenger manifest for active trains.

It is recommended the Commission authorize the Executive Director, or his designee, to submit project application requesting allocations for FY 2014-15 PTMISEA funds.

Fiscal Impact: This action will authorize the encumbrance of project funding for subsequent expenditure. Funding will be included in FY 14-15 through the mid-year budget update process.

Attachments

- A. PTMISEA FY 2014-15 project Description and Allocation Request

Staff Contact

[Stewart Ng](#), Deputy Director of Programming and Projects

[Vivek Bhat](#), Senior Transportation Engineer

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**Public Transportation Modernization, Improvement and
Service Enhancement Program (PTMISEA)
PROJECT DESCRIPTION AND ALLOCATION REQUEST**

	Metropolitan Transportation Commission
Project Lead*:ALAMEDA CTC (ACCMA)	Regional Entity:
	County: ALAMEDA
Project Title: ACE Electronic Fare Collection Project	

I certify the scope, cost, schedule, and benefits as identified in the attached Project Description and Allocation Request (Request) and attachments are true and accurate and demonstrate a fully funded operable project. I understand the Request is subject to any additional restrictions, limitations or conditions that may be enacted by the State Legislature, including the State's budgetary process, which may effect the amount of bond proceeds received by the project sponsor now and in the future. Project sponsors may need to consider alternative funding sources if bond proceeds are not available. In the event the project cannot be completed as originally scoped, scheduled and estimated, or the project is terminated prior to completion, project sponsor shall, at its own expense, ensure that the project is in a safe and operable condition for the public. I understand this project will be monitored by the California Department of Transportation -- Division of Mass Transportation.

Name: Stewart D. Ng

Signature:

Title: Deputy Director, Projects and Programming

Agency: Alameda County Transportation Commission

Date:

*If this project includes funding from more than one project sponsor, the project sponsor above becomes the "recipient agency" and the additional contributing project sponsor(s) must also sign and state the amount and type of PTMISEA funds (GC Section 8879.55(a)(2) and/or Section 8879.55(a)(3)) contribution. Sign below or **attach a separate officially signed letter providing that information.**

Name:

Signature:

Title:

Agency:

Date: _____ **Amount:** _____

PTMISEA PROJECT DESCRIPTION AND ALLOCATION REQUEST

	7/8	8/9	9/10	14/15
Request Amount per GC 8879.55(a)(2)/PUC 99313:	\$0	\$0	\$0	\$0
Request Amount per GC 8879.55(a)(3)/PUC 99314:	\$0	\$0	\$0	\$377,794
Total Project Allocation Request:	\$0	\$0	\$0	\$377,794
Project Title:	ACE Electronic Fare Collection Project			
Project Location/Address:	ACE Stations in Alameda, Santa Clara and San Joaquin Counties			

Table 1: Project Lead/Recipient Agency Information

Project Lead/ Recipient Agency: <u>Alameda County Transportation Commis:</u> Contact: <u>Stewart D. Ng</u> Contact Phone #: <u>510-208-7400</u> Email Address: <u>Stewartng@alamedact.org</u> Address: <u>1111 Broadway Suite 800</u> <u>Oakland CA 94607</u>	Legislative District Numbers Assembly: _____ Senate: <u>15,18</u> Congressional: <u>10,11</u> Amount: _____ Fund Type: _____ \$ <u>377,794</u> _____ \$ _____ _____
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Table 2: Contributing PTMISEA-Eligible Project Sponsor Information

PTMISEA Contributors: _____	Amount :	Fund Type:
Contact: _____	\$ _____	_____
Contact Phone #: _____	\$ _____	_____
Email Address: _____		
Address: _____		

Other PTMISEA Contributors (Attach sheet with contact info)	Amount:	Fund Type:
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____
TOTAL	\$0	_____

(*Contributing project sponsors attach signed letters of verification as to amount and eligibility or sign cover page)

Table 3: Project Category

Check **only 1** box that best fits the description of the project being funded.

<input checked="" type="checkbox"/> Rehabilitation, Safety or Modernization Improvement	<input type="checkbox"/> Bus Rapid Transit
<input type="checkbox"/> Capital Service Enhancement or Expansion	<input type="checkbox"/> Rolling Stock Procurement:
<input type="checkbox"/> New Capital Project	___ Expansion
	___ Rehabilitation
	___ Replacement

Table 4: Project Summary

a) Describe the project (or minimum operable segment) for which you are applying for funds. Attach additional sheets if necessary. If the application is for the purchase of vehicles or rolling stock, please include information on number of vehicles, size, passenger count, accessibility, and fuel type:

This system would immediately validate tickets used on board, and allow for On-Board ticket sales with real time validation of credit card sales. The system also allows for a better accounting of on-board sales and insures timely compliance with established revenue remittance procedures. The other main component of the system is the ability to create a positive train manifest in real time. Completion and implementation of the E-Ticketing project will allow for the following:

- Station Ticket Sales
- On-Board Ticket Sales
- On-Board Ticket Validation
- Real Time Validation of Credit Card Transactions
- Internet Based Recharging of Fare Media
- Real Time Passenger Manifesting

b) Useful Life of the Project: 15 years

Table 5: Description of Major Benefits/Outcomes

a) Please check appropriate Benefit/Outcome:

- | | |
|-----------------------------------------------------------------------|------------|
| <input checked="" type="checkbox"/> Increase Ridership | by _____ % |
| <input checked="" type="checkbox"/> Reduce Operating/Maintenance Cost | by _____ % |
| <input type="checkbox"/> Reduce Emissions | by _____ % |
| <input checked="" type="checkbox"/> Increase System Reliability | by _____ % |

b) Please summarize and describe any other benefits:

Table 6: Project Schedule

	Date
Begin Project Approval & Environmental Document Phase	
CEQA/ Environmental Compliance	
End Project Approval & Environmental Document Phase	
Begin Plans, Specifications & Estimates Phase	Aug-14
End Plans, Specifications & Estimates Phase	Dec-14
Begin Right of Way Phase	
End Right of Way Phase	
Begin Construction Phase (Contract Award)	Jan-15
End Construction Phase (Contract Acceptance)	Dec-15
Begin Vehicle/Equipment Order (Contract Award)	
End Vehicle/Equipment Order (Contract Acceptance)	
Begin Closeout Phase	Dec-15
End Closeout Phase	Mar-16

Table 7: Tax Compliance Information

Is it reasonably anticipated that any money will be derived at any point in the future as a result of the project that will be paid to the State?

<input type="checkbox"/>	YES
<input checked="" type="checkbox"/>	NO

If yes, please describe the source of the money and provide an estimate of the amount: Estimate: \$ _____

**Public Transportation Modernization, Improvement, and Service Enhancement Account
Total Project Cost and Funding Plan**

Shaded fields are automatically calculated. Please do not fill these fields.

Proposed Total Project Cost									Project Total
Component	Prior	10/11	11/12	12/13	13/14	14/15	15/16	16/17	
PA&ED	0	0	18,463	0	38,826	246,281	0	0	303,570
PS&E	0	0	0	0	0	0	0	0	0
R/W	0	0	0	0	0	0	0	0	0
CON	821,495	0	0	0	1,167,148	377,794	0	0	2,366,437
Veh/Equip Purchase	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0
TOTAL	821,495	0	18,463	0	1,205,974	624,075	0	0	2,670,007

Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA)									
Component	Prior	10/11	11/12	12/13	13/14	14/15	15/16	16/17	Total
PA&ED									0
PS&E									0
R/W									0
CON						377,794			377,794
Veh/Equip Purchase									0
Other									0
TOTAL	0	0	0	0	0	377,794	0	0	377,794

Funding Source: SJ - TSSSDRA									
Component	Prior	10/11	11/12	12/13	13/14	14/15	15/16	16/17	Total
PA&ED			18,463						18,463
PS&E									0
R/W									0
CON									0
Veh/Equip Purchase									0
Other									0
TOTAL	0	0	18,463	0	0	0	0	0	18,463

Funding Source: ACTC - TSSDRA									
Component	Prior	10/11	11/12	12/13	13/14	14/15	15/16	16/17	Total
PA&ED					38,826				38,826
PS&E									0
R/W									0
CON									0
Veh/Equip Purchase									0
Other									0
TOTAL	0	0	0	0	38,826	0	0	0	38,826

Funding Source: SJRRC - CTSGP									
Component	Prior	10/11	11/12	12/13	13/14	14/15	15/16	16/17	Total
PA&ED									0
PS&E									0
R/W									0
CON					1,167,148				1,167,148
Veh/Equip Purchase									0
Other									0
TOTAL	0	0	0	0	1,167,148	0	0	0	1,167,148

Funding Source: SJCOG - PTMISEA									
Component	Prior	10/11	11/12	12/13	13/14	14/15	15/16	16/17	Total
PA&ED						246,281			246,281
PS&E									0
R/W									0
CON									0
Veh/Equip Purchase									0
Other									0
TOTAL	0	0	0	0	0	246,281	0	0	246,281

**Public Transportation Modernization, Improvement, and Service Enhancement Account
Total Project Cost and Funding Plan**

Shaded fields are automatically calculated. Please do not fill these fields.

Funding Source: FTA - 5307									
Component	Prior	10/11	11/12	12/13	13/14	14/15	15/16	16/17	Total
PA&ED									0
PS&E									0
R/W									0
CON	821,495								821,495
Veh/Equip Purchase									0
Other									0
TOTAL	821,495	0	0	0	0	0	0	0	821,495

Funding Source:									
Component	Prior	10/11	11/12	12/13	13/14	14/15	15/16	16/17	Total
PA&ED									0
PS&E									0
R/W									0
CON									0
Veh/Equip Purchase									0
Other									0
TOTAL	0	0	0	0	0	0	0	0	0

Funding Source:									
Component	Prior	10/11	11/12	12/13	13/14	14/15	15/16	16/17	Total
PA&ED									0
PS&E									0
R/W									0
CON									0
Veh/Equip Purchase									0
Other									0
TOTAL	0	0	0	0	0	0	0	0	0

Funding Source:									
Component	Prior	10/11	11/12	12/13	13/14	14/15	15/16	16/17	Total
PA&ED									0
PS&E									0
R/W									0
CON									0
Veh/Equip Purchase									0
Other									0
TOTAL	0	0	0	0	0	0	0	0	0

Funding Source:									
Component	Prior	10/11	11/12	12/13	13/14	14/15	15/16	16/17	Total
PA&ED									0
PS&E									0
R/W									0
CON									0
Veh/Equip Purchase									0
Other									0
TOTAL	0	0	0	0	0	0	0	0	0

Funding Source:									
Component	Prior	10/11	11/12	12/13	13/14	14/15	15/16	16/17	Total
PA&ED									0
PS&E									0
R/W									0
CON									0
Veh/Equip Purchase									0
Other									0
TOTAL	0	0	0	0	0	0	0	0	0

Public Transportation Modernization, Improvement, and Service Enhancement Program (PTMISEA) Projected Cash Flow Schedule

Project Title: ACE Electronic Fare Collection Project
Sponsor Agency: Alameda County Transportation Commission
Sponsor Contact: Stewart D. Ng

PTMISEA : Cash Flow Projections														
PTMISEA Funded Phase	Start Date	Prior	Jul 2014 - Dec 2014		Jan 2015 - Jun 2015		Jul 2015 - Dec 2015		Jan 2016 - Jun 2016		Jul 2016 - Dec 2016		Total this request	Future requests
			Jul 2014	Dec 2014	Jan 2015	Jun 2015	Jul 2015	Dec 2015	Jan 2016	Jun 2016	Jul 2016	Dec 2016		
PS&E													\$0	
Right of Way					\$100,000		\$277,794						\$377,794	
Construction - Scope of work task #1													\$0	
Construction - Scope of work task #2													\$0	
Construction - Scope of work task #3													\$0	
Construction - Scope of work task #4													\$0	
Vehicle / Equipment Order													\$0	
PTMISEA Cash Flow Projections														
		Jul 2012 - Dec 2012		Jan 2013 - Jun 2013		Jul 2013 - Dec 2013		Jan 2014 - Jun 2014		Jul 2014 - Dec 2014		Total		
		\$0		\$100,000		\$277,794		\$0		\$0		\$377,794		
Totals:														



Memorandum

6.10

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DATE: July 17, 2014

SUBJECT: I-680 Sunol Express Lane – Northbound Project (PN 721.0): Allocation of \$1 million in Measure B funding to ACTIA 08B

RECOMMENDATION: 1) Allocate \$1 million in Measure B funding to the I-680 Sunol Express Lane – Northbound Project (ACTIA 08B), and
2) Authorize the Executive Director, or his designee to encumber the allocated funds.

Summary

With the addition of express lanes on I-680 and widening of State Route (SR) 84 from two to four lanes between I-680 and 580, the traffic demand at the I-680/SR 84 Interchange is expected to increase. As such, a connectivity assessment between I-680 and SR 84 is necessary to evaluate capacity, safety and operational adequacy of this interchange. The requested \$1 million of Measure B funds will be used to conduct traffic and other engineering studies to determine the scope of improvements needed for the I-680/SR 84 Interchange to accommodate future traffic volumes.

Background

I-680 Sunol Express Lane – Northbound Project (PN: 721.0/ACTIA 08B) will add one express lane in the northbound direction between 84 and SR237. This project is currently in the project approval and environmental document (PA&ED) phase with target completion of this phase in summer 2015. Currently, there is an existing express lane in the southbound direction almost within the same limits. Future express lanes are also expected to be implemented on I-680 from SR 84 to Alcosta. Staff is currently in the process of starting preliminary engineering and environmental studies for the Route 84 Widening – Pigeon Pass to I-680 Project (PN: 780.0), which intends to widen SR 84 from two to four lanes between Pigeon Pass and I-680. Following completion of this segment, SR 84 between I-580 and I-680 will have four to six lanes. With the addition of the express lanes on I-680 and the widening of SR 84, traffic demand at I-680/SR 84 interchange is expected to experience a moderate increase in traffic volumes. To maintain an acceptable level of service, certain improvements may be needed at the I-680/SR84 Interchange. The requested \$1 million of Measure B funds will be used to perform traffic analysis and other appropriate engineering studies to evaluate the necessary improvements at the I-680/SR84 interchange.

R:\AlaCTC_Meetings\Commission\Commission\20140724\Consent Items\6.10_Sunol680_Allocate_MeasureB_Funding_ACTIA08\6.10_I680_Sunol_ExpressLane_Northbound_Project_MeasureB_Allocation_20140702.docx

Currently, the preliminary engineering and environmental studies for the I-680 Sunol Express Lane – Northbound Project are complete and the next step is circulation of the Draft Environmental Document for public review in August 2014. As such, the proposed traffic and other studies for the I-680/SR84 Interchange will be conducted under the SR 84 Widening – Pigeon Pass to I-680 Project.

Fiscal Impact: 1) This action will allocate \$1 million from Measure B funds programmed to ACTIA 08B. 2) This action will authorize the encumbrance of the allocated project funding for subsequent expenditure. This encumbrance amount will be included in the mid-year update to the Alameda CTC FY 2014-2015 Capital Program Budget.

Staff Contact

[Stewart Ng](#), Deputy Director of Programming and Projects

[Gary Sidhu](#), Project Controls Team



Memorandum

6.11

1111 Broadway, Suite 800, Oakland, CA 94607 • PH: (510) 208-7400 • www.AlamedaCTC.org

DATE: July 17, 2014

SUBJECT: I-880/Mission Blvd. (Route 262) Interchange Completion Project (PN 501.0): Contract with Alameda County Public Works Agency

RECOMMENDATION: Authorize the Executive Director, or designee, to enter into a new contract with the Alameda County Public Works Agency (Agreement No. 14-0049), for a total not-to-exceed budget of \$100,000, for right-of-way closeout activities for the I-880/Mission Blvd. (Route 262) Interchange Completion Project.

Summary

The I-880/Mission Boulevard (Route 262) Interchange Completion Project (ACTA MB196) is one of the remaining active capital projects included in the 1986 Measure B Expenditure Plan. The Project was split into two stages. Phase 1A, was completed in 2009. Phase 1B is being implemented by the Santa Clara Transportation Authority (VTA) as part of their BART to Silicon Valley efforts. Construction on Phase 1B began in 2012 and is expected to be completed in spring 2015. Project closeout activities are currently underway.

The Alameda County Public Works Agency (ACPWA), under a prior agreement, provided right-of-way services for the Project. This action would allow ACPWA to return to the Project to perform the necessary right-of-way closeout activities for the successful completion of the Project.

Background

The I-880/Mission Boulevard (Route 262) Interchange Completion Project (ACTA MB196) is one of the remaining active capital projects included in the 1986 Measure B Expenditure Plan. The Project was split into two stages. The first stage, Phase 1A, included the majority of the 1986 Measure B project funding for the interchange reconfiguration and the mainline widening for the HOV lane. Phase 1A was completed in 2009.

Phase 1B consisted of the Mission Boulevard (Route 262) widening and Kato Road ramps reconfiguration which were deferred from the Phase 1A scope. The widening of Mission

Boulevard (Route 262) required the replacement of the multiple railroad bridges crossing Mission Boulevard. Coordination with the railroad was a primary consideration related to the decision to defer that portion of the project while Phase 1A proceeded into construction. Phase 1B was subsequently combined with the Warren Avenue Grade Separation and Truck Rail Transfer Facility improvements and is being implemented by the VTA as part of their BART to Silicon Valley efforts. Construction on Phase 1B began in 2012 and is scheduled to be completed in spring 2015.

Project closeout activities are currently underway. ACPWA, under a prior agreement, provided the right-of-way services for the Project. The right-of-way closeout is a significant part of completing the Project and would be best facilitated by the team involved with the original transactions. The recommended action will allow ACPWA to be reengaged for the right-of-way closeout of the Project for a total not-to-exceed amount of \$100,000. It is anticipated that right-of-way close-out will be completed in late 2015.

Fiscal Impact: The recommended action will authorize the encumbrance of up to \$100,000 of previously allocated Measure B project funds for subsequent expenditure and is included in the Alameda CTC Adopted FY 2014-2015 Capital Program Budget.

Staff Contact

[Stewart Ng](#), Deputy Director of Programming and Projects

[Trinity Nguyen](#), Project Manager



Memorandum

6.12

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: July 17, 2014

SUBJECT: Webster Street SMART Corridor Project (PN 740.0): Contract Amendments to the Professional Services Agreements with TJKM Transportation Consultants, Inc. and Harris and Associates

RECOMMENDATION: Approve and authorize the Executive Director to execute amendments for the following Professional Service Agreements in support of the Webster Street SMART Corridor Project:

- 1) Amendment No. 5 to Agreement No. A09-006 with TJKM Transportation Consultants, Inc. for an additional not-to-exceed budget of \$26,000 for system integration and for a six month time extension, and
- 2) Amendment No. 6 to Agreement No. 10-010 with Harris and Associates for additional not-to-exceed budget of \$32,000 for additional construction management services.

Summary

Alameda CTC is the sponsor of the Webster Street SMART Corridor Project which expands the existing East Bay SMART Corridor System along Webster Street in the city of Alameda. This amendment request is for:

- 1) An additional not-to-exceed budget of \$26,000 and six month time extension which will allow TJKM Transportation Consultants, Inc. to provide additional system integration services as required during construction, and
- 2) An additional not-to-exceed budget of \$32,000 for Harris & Associates, Inc to complete construction management services for construction and system integration.

Background

The Alameda CTC in partnership with the City of Alameda, Metropolitan Transportation Commission (MTC), Caltrans and AC Transit are implementing the Webster Street SMART Corridor Project. This project will be an expansion of the existing East Bay SMART Corridors System. The project will install Closed Circuit Television Cameras (CCTV) for monitoring, Video Image Detection (VID) Systems for actuating pre-timed traffic signals, and Microwave Vehicle Detection System (MVDS) devices along Webster Street in the city of

Alameda. The field elements connect to a communications network that will transmit data to the City of Alameda Traffic Management Center (TMC). The City of Alameda will be responsible for the Operations and Maintenance of this corridor.

In order to complete the project, additional system integration is needed to address unanticipated field conditions beyond the initial estimate. An amendment to TJKM Transportation Consultants is needed to complete this required work. A summary of previous and proposed amendments for A09-006 is shown in Table A.

Table A: Summary of Agreement No. A09-006			
Contract Status	Work Description	Value	Total Value
Original Contract	Traffic modeling, prepare design report, prepare PS&E, design support during construction and system integration	\$265,207.00	\$265,207.00
Amendment No. 1	Prepare environmental revisions and additional design scope	\$96,989.50	\$362,196.50
Amendment No. 2	Additional scope for design revisions	\$35,000.00	\$397,196.50
Amendment No. 3	Time Extension	\$0	\$397,196.50
Amendment No. 4	Additional budget for design and system integration services during construction and 6 month time extension	\$15,000.00	\$412,196.50
Proposed Amendment No. 5	Additional budget for system integration services during construction and 6 month time extension	\$26,000.00	\$438,196.50
Total Amended Contract Not to Exceed Amount			\$438,196.50

In addition, additional construction management services are required to close out the project and manage the system integration work during construction. An amendment to Harris & Associates, Inc. contract is needed to complete this required work. A summary of previous and proposed amendments for A10-010 is shown in Table B.

Table B: Summary of Agreement No. A10-010			
Contract Status	Work Description	Value	Total Value
Original Contract	Construction Management Services	\$112,000.00	\$112,000.00
Amendment No. 1	1 year time extension	\$0	\$112,000.00
Amendment No. 2	1 year time extension	\$0	\$112,000.00
Amendment No. 3	6 month time extension	\$0	\$112,000.00
Amendment No. 4	Additional budget for construction management services	\$53,000.00	\$165,000.00
Amendment No. 5	1 year time extension	\$0	\$165,000.00
Proposed Amendment No. 6	Additional budget for construction management services	\$32,000.00	\$197,000.00
Total Amended Contract Not to Exceed Amount			\$197,000.00

Fiscal Impact: The recommended action will authorize the encumbrance of \$58,000 of funds from the project budget. This encumbrance amount has been included in the Alameda CTC Adopted FY 2014-2015 Capital Program Budget.

Staff Contact

[Stewart Ng](#), Deputy Director of Programming and Projects

[Connie Fremier](#), Project Controls Team

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Memorandum

6.13

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: July 17, 2014

SUBJECT: I-880 North Safety and Operational Improvements at 23rd and 29th Avenues Project (PN 717.0): Reallocation of Measure B Funds and Authorization to Encumber Right of Way Phase Funds

RECOMMENDATION:

- 1) Approve a \$2.5 million increase to the right of way phase budget and authorize the Executive Director, or designee, to perform contractual actions relative to the use of the right of way phase budget for the I-880 North Safety and Operational Improvements at 23rd and 29th Avenues project,
- 2) Authorize the Executive Director, or designee to negotiate and execute a Cooperative Agreement for the I-880 North Safety and Operational Improvements at 23rd and 29th Avenues Project with Caltrans to implement utility relocations by Contract Change Order (CCO) for a total not-to-exceed amount of \$2.3 million, and
- 3) Approve the reallocation of \$200,000 of Measure B funds from Sub-Project 27B (PN 791.0) to 27C (PN 717.0).

Summary

The Alameda CTC is the sponsor for the I-880 North Safety and Operational Improvements at 23rd and 29th Avenues Project in Oakland. For the development phases of the project, the Alameda CTC is also the implementing agency responsible for the relocation of utilities necessary to support the construction of the project. Caltrans is the implementing agency for the construction phase of the project, which was awarded in April 2014.

The I-880 North Safety and Operational Improvements a 23rd and 29th Avenues Project previously requested Commission authority for the right of way phase budget. At its May 28, 2014 meeting, the Metropolitan Transportation Commission allocated an additional \$2.3 million in RM2 funds for Right of Way / Utility Relocation activities for the project.

Due to the complexity of the project, some utilities were planned to be relocated by Alameda CTC, by separate contract, concurrent with Caltrans' on-going construction contract. The utility relocation work is now being proposed to be added to the Caltrans' on-going construction contract as a Contract Change Order (CCO). Based on the latest conditions, this approach will reduce support costs and minimize potential conflicts in the field.

A construction cooperative agreement between the Alameda CTC and Caltrans will allow for the relocation of utilities to be performed under a CCO for the on-going construction contract for the I-880 North Safety and Operational Improvements at 23rd and 29th Avenues Project.

The recommended action to shift \$200,000 of Measure B funds from Sub-Project 27B (PN 791.0 – I-80 ICM Project) to Sub-Project 27C (PN 717.0) would make an additional \$200,000 available for encumbrance and subsequent expenditure to fund right of way and utility relocation activities. Activities related to Measure B funds in Sub-project 27B are complete and the remaining funds are available for Sub-project 27C.

Staff is requesting approval to increase and encumber the right of way budget by a total of \$2.5 million.

Background

The Alameda CTC is the sponsor of the I-880 North Safety and Operational Improvements at 23rd and 29th Avenues Project. The project proposes to construct operational and safety improvements on I-880 at the existing overcrossings of 23rd Avenue and 29th Avenue in the City of Oakland. Improvements include replacing three freeway overcrossing structures, improvements to the northbound on and off ramps as well as the freeway mainline. The Project is funded in part with \$73 million from the Trade Corridor Improvements Fund (TCIF) of the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, which was approved by the voters as Proposition 1B in November 2006. Caltrans awarded the construction contract in April 2014.

Action 1:

The Alameda CTC is the implementing agency for the Final Design and Right of Way Phases of the project which includes the responsibility to address all right of way issues. Right of way tasks may occur during design, into construction, and through closeout of a project. Agreements are entered into with various entities, including Caltrans, utility owners, local agencies, property owners, and support vendors, as required. Right of way phase funds have been fully allocated by the respective funding agencies.

Staff recommends that the Commission approve the additional encumbrance of the project right of way budget as shown in Attachment A and authorize all contractual actions relative to the use of the authorized right of way budget.

Action 2:

The relocation of utility facilities is required for the construction of the I-880 North Safety and Operational Improvements at 23rd and 29th Avenues Project and is estimated to cost \$2.3 million, funded by Regional Measure 2, CMA-TIP, and Measure B funds.

To allow the relocation of utilities to be performed through the CCO process under the on-going construction contract for the I-880 North Safety and Operational Improvements at 23rd

and 29th Avenues Project, Caltrans requires a construction cooperative agreement be executed between the Alameda CTC and Caltrans.

The construction cooperative agreement will define the roles and responsibilities of each agency as well as add the utility relocation scope and funds for the proposed CCO to Caltrans' on-going construction project.

Action 3:

Table 2 in Attachment B reflects the current amounts allocated for each of the ACTIA No. 27 sub-projects. The recommended action would reallocate \$200,000 of Measure B funds from Sub-Project 27B (PN 791.0 – I-80 ICM Project) to Sub-Project 27C (PN 717.0). The funds allocated for Sub-Project 27B have not been encumbered. Activities related to Measure B funds in Sub-project 27B are complete and the remaining funds are available for Sub-project 27C. The shift of funds would make an additional \$200,000 available for encumbrance and subsequent expenditure to fund costs related to the delivery of the I-880 North Safety and Operational Improvements at 23rd and 29th Avenues Project. Table 3 in Attachment B reflects the recommended action and the revised amounts allocated for each of the sub-projects.

The recommended action to shift \$200,000 of Measure B funds from Sub-Project 27B to Sub-Project 27C, as shown in Attachment B would make an additional \$200,000 available for encumbrance and subsequent expenditure to fund right of way and utility relocation activities.

Fiscal Impact:

- 1) The fiscal impact for approving an increase to the right of way phase encumbrance is \$2.5 million, as shown in Attachment A. This amount has been included in the FY 2014-15 capitol budget.
- 2) The fiscal impact for approving the cooperative agreement with Caltrans is \$2.3 million and the action will authorize the encumbrance of project funding. This budget is included in the corresponding project funding plan.
- 3) There is no fiscal impact for approving the reallocation of \$200,000 of Measure B funds from Sub-Project 27B to 27C. This amount will be transfered in the FY 2014-15 mid-year budget update.

Attachments

- A. Right of Way Budget Summary
- B. Summary of Measure B Allocations for the Congestion Relief Emergency Funds Project (ACTIA No. 27)

Staff Contact

[Stewart Ng](#), Deputy Director of Programming and Projects

[Stefan Garcia](#), Project Controls Team

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A. Table 1: Right of Way Phase Budget Summary

Index No.	Project No.	Project Description	Current Phase	Right of Way and Utilities Budget	Previously Authorized	Requested Authorization	Funding Source
1	717.0	I-880 North Safety and Operational Improvements a 23 rd and 29 th	Construction	\$11,795,000	\$9,295,000	\$2,500,000	Local Regional State Federal
TOTAL:						\$2,500,000	

Note:

1. Funding sources identified are presently assigned to the Right of Way phase. Previously allocated funds to the project, not specifically identified, may be substituted as required to meet project funding needs.
2. Right of Way phase includes utilities capital and support work.

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Summary of Measure B Allocations for the Congestion Relief Emergency Funds Project (ACTIA No. 27)

Table 2: Summary of Current Measure B Allocations for the Congestion Relief Emergency Funds Project (ACTIA No. 27)	
Description	Amount Allocated (\$ x 1,000)
27A Vasco Road Safety Improvements	\$ 1,500
27B I-80 Integrated Corridor Mobility Project	\$ 2,800
27C I-880 Corridor Improvements in Oakland and San Leandro	\$ 5,350
27D CWTP/TEP Development	\$ 50
27E Project Studies for Congested Segments and Locations on the CMP Network	\$ 551
Total Amount Allocated	\$ 10,251

Table 3: Summary of Revised (Recommended) Measure B Allocations for the Congestion Relief Emergency Funds Project (ACTIA No. 27)	
Description	Amount Allocated (\$ x 1,000)
27A Vasco Road Safety Improvements	\$ 1,500
27B I-80 Integrated Corridor Mobility Project	\$ 2,600
27C I-880 Corridor Improvements in Oakland and San Leandro	\$ 5,550
27D CWTP/TEP Development	\$ 50
27E Project Studies for Congested Segments and Locations on the CMP Network	\$ 551
Total Amount Allocated	\$ 10,251

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RECEIVED



Application for the Alameda CTC
Citizens Watchdog Committee (CWC)

Alameda CTC invites Alameda County residents to serve on its **Citizens Watchdog Committee**, which meets quarterly on the second Monday of the month from 6:30 to 8:30 p.m. Each member is appointed for a two-year term.

Membership qualifications:

Each CWC member must be a resident of Alameda County and must not be an elected official at any level of government or be a public employee of any agency that oversees or benefits from the proceeds of the Measure B sales tax or have any economic interest in any Measure B-funded projects or programs.

Name: Harriette W. Saunders
Home Address: _____
Mailing Address (if different): _____
Phone: (home) _____ (work) _____ (fax) _____
Email: _____

Please respond to the following sections on a separate attachment:

- I. **Commission/Committee Experience:** What is your previous experience on a public agency commission or committee? Please also note if you are currently a member of any commissions or committees.
- II. **Statement of Qualifications:** Provide a brief statement indicating why you are interested in serving on the CWC and why you are qualified for this appointment.
- III. **Relevant Work or Volunteer Experience:** Please list your current employer or relevant volunteer experience including organization, address, position and dates.
- IV. **Bio or Resume :** Please include your current biography or resume.

Certification: I certify that the above information is true and complete to the best of my knowledge.

Signature: Harriette W. Saunders Date: 6/19/14

Return the application to your appointing party for signature (see www.alamedactc.org/app_pages/view/8), or fax (510.893.6489) or mail it to Alameda CTC.

Appointing Party: ACMC
Signature: Nancy Osterblad
Date: 7/11/14

Application for the Alameda CTC
Citizens Watchdog Committee (CWC)

Harriette W. Saunders



- 1) I have been a member of the East Bay Paratransit Service Review Advisory Committee (SRAC) since 2008. While serving on the committee for three consecutive terms, I had the opportunity to do the appeals for Paratransit. I was chosen to represent a couple of SRAC projects designed to better serve people who use East Bay Paratransit.

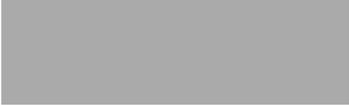
I am a member of the Alameda CTC Paratransit Advisory and Planning Committee (PAPCO) since 2009.

I've been a member of the CWC since 2011, elected by PAPCO. I served as CWC vice chair for 2012 and 2013.

- 2) I want to continue to serve on the CWC as an appointed member. I find serving on the CWC very rewarding personally and as a tax payer. It is good to know and be part of a committee whose sole purpose is to ensure that the money set aside from the sales tax revenue, Measure B, is spent the way voters intended.
- 3) I was a County Assessor for Allegheny County 1980-1981 in Pittsburgh, PA. I was Board Secretary for Alma Illery Inc. in Pittsburgh, PA. I was in charge of purchase orders and all office supplies for 13 medical sites and 7 social programs and the mail room (1990-1995). I also put the ads in for our physicians and secured the rides for our annually health fair. I have been volunteer/ambassador for Mayor Jean Quan of Oakland for the past three years. I did the Oakland Festival 2011 and 2013 and the Redwood concert series. I am a Board member of United Seniors of Oakland and Alameda County (USOAC). USOAC is an organization dedicated to the enrichment and wellbeing of seniors, youths and people with disabilities. We are constantly working with other non-profit organizations, every member of the Board volunteers constantly to achieve the organizations goals.

Application for Citizens Watchdog Committee

Harriette W. Saunders



I have been a resident of Alameda County Since December of 2001. I have been a resident of the City of Alameda since 2006. I am originally from Pittsburgh, Pennsylvania. I attended the Community College of Allegheny, where I achieved Dean's list; accounting was the major at that time. I also attended the University of Pittsburgh Pennsylvania. Due to family obligations, I did not get my associates degree until May 2005. I have a Liberal Arts degree from Laney College in Oakland, CA. I am a veteran, Air National Guard and a Reserve of the Air Force enlistment 1984-1992. I received an honorable discharge. I worked the polls for Alameda County; two times as a clerk and two times as a Judge. I also did the last census for Alameda County in the City of Alameda. I was brought up to always give of myself. I am grateful now that I have serious health issues to be able to continue to do so.

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Bicycle and Pedestrian Advisory Committee Meeting Minutes Thursday, April 10, 2014, 5:30 p.m.

1111 Broadway, Suite 800, Oakland, CA 94607

510.208.7400

www.AlamedaCTC.org

1. Welcome and Introductions

BPAC Chair Midori Tabata called the meeting to order at 5:30 p.m. The meeting began with introductions, and the chair confirmed a quorum. All BPAC members were present, except the following: Mike Ansell, Lucy Gigli, and Preston Jordan.

2. Public Comment

Ken Bukowski with Emeryville Property Owners Association informed the committee that he would video record the meeting and place the video on YouTube. Brian Geiser, an Oakland resident, said he parked his bicycle at Oakland City Hall. He was not able to park his bike in the Alameda CTC building. Sara Zimmerman stated that she is frustrated with bike parking in this building. Staff stated that Alameda CTC would provide better instructions for bicycle parking for this building.

3. Approval of January 9, 2014 Minutes

Ben Schweng moved to approve the January 9, 2014 minutes as written. Jeremy Johansen seconded the motion. The motion passed unanimously (6-0; Mike Ansell, Lucy Gigli, and Preston Jordan were absent).

4. TDA Article 3 Project Review

Matt Bomberg informed the committee that one role of the BPAC is to review and provide input on Transportation Development Act Article 3 projects in Alameda County, on request by local jurisdictions. He stated that the BPAC has been requested to review five projects submitted by three local jurisdictions for funding in fiscal year 2014-2015. He noted that all projects submitted for TDA Article 3 funding in this funding cycle are listed in the agenda packet. Matt introduced Paul Keener with the Alameda County Public Works Agency (ACPWA) that is responsible for administering the TDA Article 3 funding.

Paul presented the TDA Article 3 projects for ACPWA and the City of Hayward. Obaid Khan presented the two City of Dublin projects.

Questions/feedback from the members:

- The committee was very pleased with the City of Dublin project improvements, especially for the left-hand turn lanes for cyclists. The committee members stated that they like the technology in Dublin, in particular the longer signaling for pedestrians. Obaid stated the technology that Dublin will use is currently being tested and successfully used in Santa Clara.
- A member inquired about locations in Castro Valley without sidewalks that impact children walking to school. Paul stated that a few years ago TDA Article 3 funding was used to install sidewalks on San Miguel Avenue, which is near Castro Valley Elementary school. The county is currently petitioning for funds to install sidewalks along Anita Avenue in Castro Valley.

- Are the TDA Article 3 projects from the ACPWA Bicycle and Pedestrian Plans? Paul affirmed this and said during the planning process, if safety is an issue, the project may be prioritized.

5. Countywide Bicycle and Pedestrian Advisory Committee Project Review Guidelines

Matt Bomberg recommended that BPAC provide additional input and approve the Countywide BPAC Project Review Guidelines. He stated that the guidelines will clarify the goals, scope, and roles and responsibilities of project sponsors, the BPAC, and Alameda CTC staff. He explained that the ACTAC reviewed the proposed guidelines in January and March. ACTAC adopted the guidelines with a few amendments in March. Matt highlighted ACTAC comments and amendments with the committee.

Questions/feedback from the members:

- BPAC members wanted to know how big the universe of projects funded by Alameda CTC is. Since the project review guidelines say that up to 10 projects per year will be reviewed, members wanted to know how this compares to the overall number of projects funded. Tess stated that in the current measure, most of the projects have already been delivered, but the new expenditure plan could provide a number of projects for review that would be brought before BPAC. Matt Todd mentioned that projects also come from discretionary funding cycles. Overall, the number of projects varies greatly from year to year.
- BPAC members thought that the requirement that project sponsors respond in writing to BPAC comments was a good addition and a nice compromise between desire for greater explanation from sponsors and being overly burdensome. Several members inquired about responding to responses or an iterative process. Matt Bomberg clarified that the process was not designed to be iterative.
- Mike Bucci suggested that the guidelines be amended so that the recommendation of which projects will receive BPAC review go to the full BPAC, not just the chair and vice chair. Staff considered this to be a friendly amendment.
- Members expressed concern that responses could be formulaic. Will staff review the responses before BPAC reviews them or inform the project sponsors to flesh out responses? Matt said that project sponsors will attend the BPAC meeting, and the committee will have an opportunity to ask questions face to face, which should allow for clarifying questions, if needed.
- The City of Hayward does not have a BPAC, and the city wants Alameda CTC's BPAC to review their projects. Will Hayward's projects come to this committee for review? Matt Bomberg explained that Hayward's use of the BPAC is for the TDA Article 3 fund source which is a small annual formula allotment.
- Public comment: Brian Geiser an Oakland resident stated that his comments are about representation and communication. He stated that he realizes that Alameda County represents unincorporated areas. When it comes to the idea of representation, many people may not be concerned about new roads; however, they will be concerned about new bike paths and pedestrian accommodations. Is there a method through BPAC to communicate comments or can citizens communicate their community comments to staff? Tess clarified that

Alameda CTC is separate from the County of Alameda. The composition of the BPAC includes appointments from the Mayors' Conference, the Board of Supervisors, and a transit agency. The people who sit on the Countywide BPAC are from cities and unincorporated communities within Alameda County. Can the comments be accumulated and represented at the Countywide BPAC? Tess mentioned that the project will go to BPAC two weeks before the meeting, and it's on the website. She said that the public will have time to review and provide comments. They can write comments or come to the BPAC meetings to comment on any of the items.

- The committee discussed if BPAC should review the local master plans, expressing that this could be an appropriate role, and that commenting on infrastructure projects could be difficult for members as they are not technical experts. Matt Bomberg stated that members could still offer input on projects from a user perspective. Matt Bomberg also said that the logistics to review the local master plan documents for jurisdictions may be challenging due to the size of the documents and the fact that these are developed over a year long process. Matt Bomberg said that many jurisdictions establish a citizen advisory committee in conjunction with the plan, to give input on the process. Members noted that in the past the BPAC has reviewed a local master plan for a jurisdiction – the ACPWA. Tess asked the committee at what stage it would be meaningful for the plans to come to BPAC. The committee said at the project-list phase.
- Matt Bomberg noted that Alameda CTC needs to develop guidelines for local master plans in order to ensure consistency across the county, so that local plans smoothly feed into the Countywide Bicycle and Pedestrian Master Plan. He offered that the BPAC could give input on these guidelines, and that after a year, when the BPAC project review guidelines are revisited, the question of whether BPAC should review local master plans can be reconsidered.

Sara Zimmerman moved to approve the Countywide BPAC Project Review Guidelines with the amendment to bring the full BPAC a complete list of projects being considered. Jeremy Johansen seconded the motion. The motion passed unanimously (6-0; Mike Ansell, Lucy Gigli, and Preston Jordan were absent).

6. 2013 Performance Report Including Bicycle and Pedestrian Performance Measure Trends

Matt Bomberg informed the committee that the full 2013 Performance Report will be on the website soon. He gave a presentation on the bicycle and pedestrian portion of the report. He stated that the report tracks trends and progress toward goals in all transportation plans. Matt stated that the report covers fiscal year 2012-2013 or the most currently available data.

Members asked about the data on changes in walking and biking mode share. Matt Bomberg noted that the information presented was only for work trips.

7. Commission Actions and Staff Reports

7.1. Sustainable Communities Technical Assistance Program

Matt Bomberg said that as part of the One Bay Area Grant Program, the Sustainable Communities Technical Assistance Program was created. This program is intended to provide planning support to local jurisdictions in Alameda County for priority development areas. It also provides support to jurisdictions for bicycle and pedestrian technical assistance. Alameda CTC received a number of applications from jurisdictions. The Commission approved about \$4.5 million for planning projects. Matt highlighted the following projects:

- City of Oakland Bikeway Network 2.0
- Central County Complete Streets Implementation
- City of Hayward Downtown Specific Plan

7.2. Bike to Work Day and Ride into Life Campaign Update

Laurel Poeton informed the committee that Bike to Work Day is scheduled for May 8, 2014. Laurel accessed the map from Bike East Bay that showed the energizer stations for Bike to Work Day. She said it's the 20th anniversary of Bike to Work Day.

Laurel mentioned that Alameda CTC revamped the "Ride into Life" and "Step into Life" campaigns. She shared with the committee the webpage for "I Bike" and "I Walk" campaigns and mentioned that links are available to Alameda CTC partners from both pages. Laurel informed the committee that the ads will appear on AC Transit and Wheels buses.

Ben Schweng suggested staff expand the graphics for ad placement in local bike stores next year. The suggestion was to include people wearing street clothes not only people wearing bike gear in the pictures and to ensure a variety of ages in the photos.

7.3. Transportation Expenditure Plan Outreach Update

Laurel Poeton informed the committee that Alameda CTC has received approval of the Transportation Expenditure Plan (Plan) from nine cities in Alameda County. She stated that the goal is to present the Plan to the Board of Supervisors in July for placement on the November 2014 ballot.

Laurel mentioned to the committee that Alameda CTC staff will complete messaging materials for outreach and education purposes at the end of April. Seven different postcards are being generated as follows:

- General Plan postcard
- BART postcard
- Biking and walking postcard
- Bus transit postcard
- Seniors and people with disabilities postcard
- Student Transit Pass Program postcard
- Street repair and traffic reduction postcard

7.4. Alameda CTC Public Outreach Activities

Laurel informed the committee that Alameda CTC is performing extensive outreach. She will be at the following events and encouraged committee members to join staff:

- April 19 – Spring Carnival in Emeryville
- April 22 – Earth Day at Oakland Airport (staff appreciation)
- April 22 – Earth Day at Oakland City Center
- May 3 – Wine Festival in Livermore
- May 8 – Bike to Work Day at Frank Ogawa Plaza
- May 8 – Bike to Work Day at the Dublin BART Station

8. BPAC Members Reports

Jeremy Johansen stated that San Leandro will discuss preparing an energizer station for Bike to Work Day at its next BPAC meeting. As of Monday, the city council approved the Tech Campus that will be built next to BART. This is a major section of the East Bay Greenway bicycle path.

Midori congratulated Mike Bucci on the change of his marital status. He was married on April 5, 2014.

9. Meeting Adjournment

The meeting adjourned at 7:50 p.m.

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**Alameda County Transportation Commission
Bicycle and Pedestrian Advisory Committee
Roster and Attendance Fiscal Year 2014-2015**

	Suffix	Last Name	First Name	City	Appointed By	Term Began	Re- apptmt.	Term Expires	Mtgs Missed Since Jul '14*
1	Ms.	Tabata, Chair	Midori	Oakland	Alameda County Mayors' Conference, D-4	Jul-06	Sep-13	Sep-15	0
2	Ms.	Zimmerman, Vice-Chair	Sara	Berkeley	Alameda County Mayors' Conference, D-5	Apr-14		Apr-16	0
3	Mr.	Ansell	Mike	Livermore	Alameda County Mayors' Conference, D-1	Sep-12		Sep-14	1
4	Mr.	Bucci	Mike	Newark	Alameda County Supervisor Richard Valle, District 2	Sep-12		Sep-14	1
5	Mr.	Fishbaugh	David	Fremont	Alameda County Supervisor Scott Haggerty, District 1	Jan-14		Jan-16	0
6	Ms.	Gigli	Lucy	Alameda	Alameda County Supervisor Wilma Chan, District 3	Jan-07	Oct-12	Oct-14	0
7	Mr.	Johansen	Jeremy	San Leandro	Alameda County Mayors' Conference, D-3	Sep-10	Sep-13	Sep-15	0
8	Mr.	Jordan	Preston	Albany	Alameda County Supervisor Keith Carson, District 5	Oct-08	Sep-12	Sep-14	1
9	Mr.	Schweng	Ben	Alameda	Alameda County Mayors' Conference, D-2	Jun-13		Jun-15	1
10	Ms.	Shaw	Diane	Fremont	Transit Agency (Alameda CTC)	Apr-14		Apr-16	0
11	Mr.	Turner	Matt	Castro Valley	Alameda County Supervisor Nate Milley, District 4	Apr-14		Apr-16	0

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Citizens Watchdog Committee Meeting Minutes Monday, June 9, 2014, 6:30 p.m.

1111 Broadway, Suite 800, Oakland, CA 94607

510.208.7400

www.AlamedaCTC.org

1. Welcome and Call to Order

CWC Chair James Paxson called the meeting to order at 6:30 p.m. The meeting began with introductions, and the chair confirmed a quorum. All CWC members were present, except the following: Cynthia Dorsey, Arthur Geen, Sandra Hamlat, William Klinke, and Brian Lester.

2. Public Comment

There were no public comments.

3. Approval of March 10, 2014 Minutes

Harriette Saunders moved to approve the minutes as written. Mike Dubinsky seconded the motion. The motion passed (8-0), with one abstention, Miriam Hawley.

4. Organizational Meeting

4.1. Approval of CWC Bylaws

Tess Lengyel led the discussion on the CWC bylaws. She mentioned that the CWC reviews its bylaws annually at the organizational meeting, and the review process is scheduled each year to allow staff and the CWC to update the bylaws to reflect current practices or to improve the way the committee functions. Tess highlighted the changes that staff recommended to the CWC bylaws:

- Section 1.7 – Remove the "Citizens Advisory Committee (CAC)" section.
- Section 1.17 – Update "Technical Advisory Committee" to read "Paratransit Technical Advisory Committee."
- Section 3.5 – Add the word "consecutive," which will change the language to read "... three consecutive absences ..."
- Section 3.12 – Change "East Bay Bicycle Coalition" to read "Bike East Bay, formerly known as East Bay Bicycle Coalition."
- Section 5.9 – Add a new section, "Meeting Conduct."

Public comment: Regarding conflict of interest in section 1.7, Ken Bukowski requested that it include the word "personally" after "benefit." He also mentioned that committee agenda packets should be available for the public at the meeting. Ken stated that he agreed that the bylaws should include the specific month of the organizational meeting. He informed the committee that in Emeryville a committee specifies a definite number of members present to constitute a quorum and suggested the CWC consider adding this to the bylaws to make them clearer.

Steve Jones moved to approve the recommended staff changes to the CWC bylaws. Harriette Saunders seconded the motion. The motion passed (8-1), with one opposed, James Haussener.

The committee members made the following recommendations:

- Section 1.1.3 – Insert the word “incorporated,” which will change the language to read “... of the incorporated 13 cities ...”

Miriam Hawley moved to approve the above change. JoAnn Lew seconded the motion. The motion passed (7-2), with two opposed, Mike Dubinsky and Hale Zukas.

- Section 1.7 – Add the word “personally” after “benefit.”
- Section 3.3 – Change language to read “... or be an employee of any entity ...”

JoAnn Lew moved to approve the above changes to sections 1.7 and 3.3. Harriette Saunders seconded the motion. The motion passed (7-2), with one abstention, Steve Jones and one opposed, Mike Dubinsky.

- Section 1.14 – Change the language to read “... will be scheduled to be in June.”

Deborah Taylor moved to approve the above change. JoAnn Lew seconded the motion. The motion passed (7-2), with two opposed, Mike Dubinsky and Hale Zukas.

- Sections 4.1 and 4.2 – Change “... annually ...” to “... bi-annually (every two years) ...”

Deborah Taylor moved to approve the above change. JoAnn Lew seconded the motion. The motion passed (8-1), with one opposed, James Paxson.

- Section 7.4 – Include the Alameda CTC website for meeting notices.

Harriette Saunders moved to approve the above change. Deborah Taylor seconded the motion. The motion passed (8-1), with one opposed, _____.

These grammatical changes did not require a vote:

- Section 3.1.2 – Change commas to semi-colons between organizations.
- Section 3.6.3 – Double space between 3.6.3 and 3.6.4.

4.2. Approval of Agenda/Calendar for FY14-15

Tess Lengyel pointed out that the FY14-15 calendar shows the November CWC meeting has moved to October to accommodate the CWC request to review the Comprehensive Audited Financial Report and provide comments prior to the report being presented to the Finance and Administration Committee (FAC). A member requested including capital project presentations on the calendar. Staff noted that projects and programs updates are presented to the committee during the January meeting. If committee members notify staff in advance on the project they are interested in, staff will focus on that project in January.

The committee discussed the timing of the compliance and audit summary report going to FAC for approval prior to CWC reviewing and commenting on the report. Staff stated that there is not a particular schedule that Alameda CTC must legally adhere to by taking the report to FAC in July. Staff suggested that the compliance and audit summary report be reviewed by CWC in June and go before FAC in July.

The committee discussed whether or not to accelerate the schedule to generate the CWC Annual Report to ensure the information is still relevant. It was noted that the information is old by the time the report is distributed to the public. Staff stated that the cities need six months to prepare the information needed for the compliance and audit reports. The CWC has made an effort to bring the report as current as possible (up to July of the current year) with all information except the financial activity that requires information from the cities. A member suggested including a note in the report on why it has to be reported a year later.

Deborah Taylor moved to approve the FY14-15 calendar. Jim Haussener seconded the motion. The motion passed unanimously (9-0).

4.3. Election of Officers for FY14-15

JoAnn Lew nominated James Paxson for chair and Deborah Taylor as vice chair. James Paxson called the motion, and the motion passed unanimously (9-0).

5. Draft CWC Annual Report

5.1. Review of Draft CWC Annual Report

James Paxson explained what the CWC has done historically to generate the CWC Annual Report. He informed the committee that once the updates are complete, staff will email the updated report to the CWC Annual Report Subcommittee for review. The final report will be presented to the full CWC at the July meeting for adoption.

Questions/feedback from members:

- Ensure the report is consistent throughout and speaks with one voice.
- Ensure the report is consistent throughout, and subscripts exist for all footnotes, and the text referenced is for the actual footnote.
- Add a footnote on what negative numbers mean.
- On page 1, ensure that bicyclists in photos are wearing helmets.
- On page 1, split the "Public Transit" piece of the pie chart to reflect "Transit Capital Projects" and "Transit Operational Maintenance" to match the numbers on the second page of the report.
- On page 1, modify the first sentence in column two under "Measure B Sales Tax Activities" to read "... and CWC activities through July 2014."
- On page 2, correct the math in the second paragraph.
- On page 7, add a separate column on the "Project Status" page to show the FY12-13 Measure B expenditures.

5.2. Discussion of Publication Methods and Costs

Tess Lengyel stated that the CWC Annual Report Subcommittee discussed low-cost methods to use Constant Contact for outreach. She mentioned that the items are listed on page 30 of the agenda packet. Tess and James suggested members review the enclosed publication methods and costs and email questions to staff.

5.3. List of Organizations in Constant Contact

James Paxson advised the members review this agenda item and email questions to staff.

5.4. Alameda CTC Public Outreach Calendar

James Paxson advised the members review this agenda item and email questions to staff.

6. Establishment of CWC Audit Subcommittee, Confirmation of Meeting Availability with Auditor Between June 16 and June 27, and Discussion of Areas of Interest

Jim Haussener moved to establish an Audit Subcommittee. JoAnn Lew seconded the motion. The motion passed unanimously (9-0).

The following members volunteered to serve on the CWC Audit Subcommittee:

- James Paxson
- James Haussener
- Harriette Saunders
- Hale Zukas

James Paxson requested that staff invite committee members who were not present at the meeting and poll the members for a CWC Audit Subcommittee meeting date between June 16 and June 27.

7. Projects and Programs Watchlist (signup for Projects and Programs)

James Paxson requested staff include in the letters to the project sponsors a request for them to specify which agenda items are related to Measure B. He reminded members to fill out the watch list and to submit the list to staff as soon as possible.

8. Responses to CWC Requests for Information

James Paxson and staff requested the members review the remaining agenda items and email questions/comments to staff. Staff will include responses to CWC requests at the July meeting. The following items were identified in the meeting:

- Brown Act public noticing requirements: Members want to know how Alameda CTC staff will notice public meetings outside of the building during the 72 hours immediately prior to the meeting.
- Follow-up questions to the FY2014-15 Proposed Budget: Members will email these to staff before the CWC agenda planning meeting.

9. CWC Member Reports/Issues Identification

9.1. CWC Issues Identification Process and Form

There were no issues identified.

9.2. Issues Discussion

There were no issues discussed.

10. Staff Reports/Board Actions

James Paxson requested the members review agenda items 10.1 through 10.5 and email questions/comments to staff.

10.1. Draft Compliance Summary and Audit Report Review

10.2. Final FY 2013-14 Budget Update

10.3. Alameda CTC FY 2013-14 Third Quarter Investment Report

10.4. Draft Proposed Budget for FY 2014-15

10.5. Final Strategic Plan Review

10.6. CWC Roster

The committee roster is in the agenda packet for review purposes.

10.7. Alameda CTC Commission Action Items

Alameda CTC Commission action items are listed in the agenda packet.

11. Adjournment

The meeting adjourned at 8:45 p.m. The next meeting is scheduled for July 14, 2014 at Alameda CTC offices.

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**Alameda County Transportation Commission
Citizens Watchdog Committee
Roster - Fiscal Year 2014-2015**

	Title	Last	First	City	Appointed By	Term Began	Re-apptmt.	Term Expires	Mtgs Missed Since July '14*
1	Mr.	Paxson, Chair	James	Pleasanton	East Bay Economic Development Alliance	Apr-01		N/A	0
2	Ms.	Taylor, Vice Chair	Deborah	Oakland	Alameda County Supervisor Wilma Chan, D-3	Jan-13		Jan-15	0
3	Ms.	Dorsey	Cynthia	Oakland	Alameda County Mayors' Conference, D-5	Jan-14		Jan-16	0
4	Mr.	Dubinsky	Peter "Mike"	Fremont	Alameda County Supervisor Richard Valle, D-2	Oct-10	Mar-13	Mar-15	0
5	Mr.	Geen	Arthur B.	Oakland	Alameda County Taxpayers Association	Jan-01		N/A	1
6	Ms.	Hamlat	Sandra	Oakland	Bike East Bay	Apr-13		N/A	0
7	Mr.	Haussener	James	Castro Valley	Alameda County Supervisor Nate Miley, D-4	Feb-10	Sep-12	Sep-14	0
8	Ms.	Hawley	Miriam	Berkeley	League of Women Voters	Apr-14		N/A	1
9	Mr.	Jones	Steven	Dublin	Alameda County Mayors' Conference, D-1	Dec-12		Dec-14	0
10	Mr.	Klinke	William	Berkeley	Alameda Labor Council AFL-CIO	Feb-13		N/A	1
11	Mr.	Lester	Brian	Pleasanton	Alameda County Supervisor Scott Haggerty, D-1	Sep-13		Sep-15	1
12	Ms.	Lew	Jo Ann	Union City	Alameda County Mayors' Conference, D-2	Oct-07	Sep-13	Sep-15	0
13	Ms.	Saunders	Harriette	Alameda	Paratransit Advisory and Planning Committee	Jul-09		N/A	0
14	Mr.	Tucknott	Robert A.	Pleasanton	Alameda County Mayors' Conference, D-4	Jun-14		Jun-16	0
15	Mr.	Zukas	Hale	Berkeley	Alameda County Supervisor Keith Carson, D-5	Jun-09	May-14	May-16	0
16		Vacancy			Alameda County Mayors' Conference, D-3				
17		Vacancy			Sierra Club				

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Paratransit Advisory and Planning Committee
Meeting Minutes
Monday, May 19, 2014, 1:00 p.m.

1111 Broadway, Suite 800, Oakland, CA 94607

510.208.7400

www.AlamedaCTC.org

MEETING ATTENDEES

Attendance Key (A = Absent, P = Present)

Members:

<u>P</u> Sylvia Stadmire, Chair	<u>P</u> Sandra Johnson-Simon	<u>P</u> Carmen Rivera- Hendrickson
<u>P</u> Will Scott, Vice-Chair	<u>P</u> Jonah Markowitz	<u>P</u> Michelle Rousey
<u>P</u> Aydan Aysoy	<u>A</u> Rev. Carolyn Orr	<u>P</u> Harriette Saunders
<u>P</u> Larry Bunn	<u>A</u> Suzanne Ortt	<u>A</u> Margaret Walker
<u>P</u> Shawn Costello	<u>P</u> Thomas Perez	<u>P</u> Esther Waltz
<u>P</u> Herb Hastings	<u>P</u> Sharon Powers	<u>P</u> Hale Zukas
<u>P</u> Joyce Jacobson	<u>P</u> Vanessa Proee	

Staff:

P Matt Todd, Principal Transportation Engineer
P Jacki Taylor, Program Analyst
P Naomi Armenta, Paratransit Coordinator
P Krystle Pasco, Paratransit Coordination Team
P Terra Curtis, Paratransit Coordination Team
P Christina Ramos, Alameda CTC Projects/Programs Team

Guests:

Jennifer Cullen, Senior Support Program of the Tri-Valley; Pam Deaton, City of Pleasanton Paratransit Program

MEETING MINUTES

1. Welcome and Introductions

Sylvia Stadmire, PAPCO Chair, called the meeting to order at 1:10 p.m. The meeting began with introductions and a review of the meeting outcomes.

2. Public Comment

There were no public comments.

3. Review Prior Meeting Minutes

Harriette Saunders moved to approve the April 28, 2014 PAPCO and Joint PAPCO and ParaTAC Meeting minutes as written. Michelle Rousey seconded the motion. The motion passed (15-0-0). Members Aydan Aysoy, Shawn Costello, Herb Hastings, Joyce Jacobson, Sandra Johnson-Simon, Thomas Perez, Sharon Powers, Vanessa Proee, Carmen Rivera-Hendrickson, Michelle Rousey, Harriette Saunders, Will Scott, Sylvia Stadmire, Esther Waltz and Hale Zukas were present.

4. PAPCO Bylaws Review

Naomi Armenta reviewed the PAPCO Bylaws and members discussed and proposed amendments.

Questions and feedback from PAPCO members:

- Section 1.7 (page 2) – Remove “Citizens Advisory Committee (CAC)” section
- Section 1.24 (page 5) – Update “Technical Advisory Committee (TAC)” section to read “Paratransit Technical Advisory Committee (ParaTAC)”. It is mentioned twice in this section.
- Section 5.1 (page 9) – Check in with other advisory committees regarding the five minute limit for comments made by the public.
- Section 5.2 (page 9) – Update “Regular Meetings” section to read “Paratransit Technical Advisory Committee (ParaTAC)”. It is mentioned twice in this section.

5. Gap Grant Cycle 5 Program Report: Pleasanton Downtown Route

Pam Deaton with the City of Pleasanton Senior Center gave a Gap Grant Cycle 5 program report on the Pleasanton Downtown Route. She gave an overview of their program and services.

Questions and feedback from PAPCO members:

- Can you further explain your \$1.50 fare? For \$1.50 you can board the Pleasanton Downtown Route and transfer onto the WHEELS bus. This transfer is free and is good for two hours. Therefore you

can continue using the bus service and transferring option throughout the day for just \$1.50.

- How many buses do you run per day? We run just one bus and the schedule is available in the green packet that I handed out. Wait time is about one hour.
- Do you offer any transportation to the Alameda County Fair? We do not provide transportation to the Alameda County Fair but WHEELS does provide bus service to the Fair. More information regarding the bus schedule will be provided soon.
- What kind of surveys or qualitative information do you collect from your users to determine how well the service is being utilized? We conduct surveys with our consumers every year and we ask questions regarding on time performance, driver courtesy, bus connections to WHEELS, fares, rider experience, preferred destinations, etc.
- Is there a BART connection with the Pleasanton Downtown Route? We tried a BART connection for several years and we did not receive much response so we no longer have a BART connection on our route.
- Do you have any special trips with your program? Our special trips are with our RAD program and require pre-registration and a fee. These programs are promoted through our senior center newsletter.

6. Member Reports on PAPCO Mission, Roles, and Responsibilities Implementation

Vanessa Proee will be going to Sacramento for Capital Disability Action Day on Wednesday.

Michelle Rousey won the Jack Campbell award and it will be presented on Wednesday at Capital Disability Action Day. Michelle also attended the new BART car viewing event as well as the Transform event in Sacramento last month.

Harriette Saunders attended the Ashland Youth Center event and she really enjoyed the facilities.

Esther Waltz will be attending the Alameda County Fair Senior Days.

Will Scott is involved with the Behavioral Healthcare Services and he attended the Mental Health Day in Sacramento.

Jonah Markowitz stated that the Berkeley Mental Health Division will be hosting an event on May 29th.

Herb Hastings stated that the Alameda County Developmental Disabilities Council is having their annual dinner in June. They are also accepting applications for new members.

Joyce Jacobson is continuing her work with securing funding for the Emery-Go-Round bus service in Emeryville.

Sylvia Stadmire attended the Transform summit in April as well as the California Senior Legislative meeting regarding SB 395 in Sacramento. She also attended the Older Americans Month celebration at St. Mary's Center in Oakland. She is also attending meetings and presentations regarding Measure AA and Measure B.

7. Committee Reports (Verbal)

7.1 East Bay Paratransit Service Review Advisory Committee (SRAC)

Sharon Powers attended the meeting on Tuesday, May 6th. She noted that agenda items included an update and discussion regarding the Interactive Voice Response (IVR) system.

7.2 Citizens Watchdog Committee (CWC)

Harriette Saunders noted that the next CWC meeting is on June 9th from 5:30 to 8:30 p.m. and everyone is welcome.

8. ADA Mandated Program and Policy Reports

PAPCO members were asked to review these items in their packets.

9. Information Items

9.1 Mobility Management – Aging and Disability Resource Centers

Naomi Armenta reviewed the mobility management attachment in the packet and noted that the Aging and Disability Resource Center is a national initiative that the Area Agencies on Aging, independent living programs and housing resources are working on. Unfortunately, this initiative does not currently exist in Alameda County; however, other initiatives are being discussed among partner agencies.

Alameda CTC staff is currently working on data scrubbing for the 211/Eden I&R website. Staff is also working on the final edits for the Access Alameda guide and website which will be ready for distribution next fiscal year. Naomi is also involved with the National Center for Mobility Management's One Call One Click training and she will provide more information once she completes the training.

9.2 Outreach Update

Krystle Pasco gave an update on the following outreach events:

- 5/1/14 – Health Fair, Kenneth Aitken Senior Center from 9:00 a.m. to 1:00 p.m.
- 5/3/14 – Cinco de Mayo con Orgullo Celebration, REACH Ashland Youth Center from 11:00 a.m. to 3:00 p.m.
- 5/10/14 – Healthy Living Expo, Robert Livermore Community Center from 10:00 a.m. to 2:00 p.m.
- 6/6/14 – Four Seasons of Health Expo, Fremont Multi-Service Senior Center from 9:30 a.m. to 1:30 p.m.
- 6/19/14 – Alameda County Fair Senior Days, Alameda County Fairgrounds from 1:00 p.m. to 5:00 p.m.
- 6/21/14 – Tropics Senior Resource Fair, Tropics Mobilehome Park from 11:00 a.m. to 1:30 p.m.
- 6/26/14 – Alameda County Fair Senior Days, Alameda County Fairgrounds from 1:00 p.m. to 5:00 p.m.

9.3 Transportation Expenditure Plan Update

Laurel Poeton gave an update on the Transportation Expenditure Plan (TEP). She noted that staff has received approval of the TEP by 12 of the 14 cities in Alameda County, which constitutes a majority of the population in Alameda County. The Alameda

County Board of Supervisors will be reviewing the TEP in early July. Laurel also stated that the final TEP postcards are now ready for mass distribution. If any members are interested in distributing these postcards to their communities, please contact Laurel for more information.

9.4 2014 Annual Mobility Workshop Update

Naomi Armenta gave a brief update on the 2014 Annual Mobility Workshop and reminded members that the Workshop is scheduled for October 17, 2014.

9.5 Other Staff Updates

There were no other staff updates.

10. Draft Agenda Items for June 23, 2014 PAPCO Meeting

10.1 PAPCO Bylaws Approval

10.2 FY14-15 Officer (Chair, Vice Chair, SRAC, CWC) Elections

10.3 Gap Grant Cycle 5 Program Report: Emeryville 8-to-Go

10.4 2014 Annual Mobility Workshop Update

11. Adjournment

The meeting adjourned at 3:00 p.m. The next PAPCO meeting is scheduled for June 23, 2014 at Alameda CTC's offices located at 1111 Broadway, Suite 800, in Oakland.

**Alameda County Transportation Commission
Paratransit Advisory and Planning Committee
Roster - Fiscal Year 2014-2015**

	Title	Last	First	City	Appointed By	Term Began	Re-apptmt.	Term Expires	Mtgs Missed Since July '14
1	Ms.	Stadmire, Chair	Sylvia J.	Oakland	Alameda County Supervisor Wilma Chan, D-3	Sep-07	Jan-13	Jan-15	0
2	Mr.	Scott, Vice Chair	Will	Oakland	Alameda County Supervisor Keith Carson, D-5	Mar-10	May-14	May-16	0
3	Ms.	Aysoy	Aydan	Berkeley	City of Berkeley Councilmember Laurie Capitelli	Jul-09	Jan-14	Jan-16	0
4	Mr.	Bunn	Larry	Union City	Union City Transit Wilson Lee, Transit Manager	Jun-06	Dec-13	Dec-15	0
5	Mr.	Costello	Shawn	Dublin	City of Dublin Mayor Tim Sbrantfi	Sep-08	May-14	May-16	0
6	Mr.	Hastings	Herb	Dublin	Alameda County Supervisor Scott Haggerty, D-1	Mar-07	Jan-14	Jan-16	0
7	Ms.	Jacobson	Joyce	Emeryville	City of Emeryville Councilmember Ruth Atkin	Mar-07	Jan-14	Jan-16	0
8	Ms.	Johnson-Simon	Sandra	San Leandro	Alameda County Supervisor Nate Miley, D-4	Sep-10	Dec-13	Dec-15	0
9	Mr.	Markowitz	Jonah	Berkeley	City of Albany Vacant	Dec-04	Oct-12	Oct-14	0
10	Rev.	Orr	Carolyn M.	Oakland	City of Oakland Councilmember Rebecca Kaplan	Oct-05	Jan-14	Jan-16	0
11	Ms.	Oirt	Suzanne	Union City	City of Union City Mayor Carol Dutra-Vernaci	Sep-12		Sep-14	0
12	Mr.	Perez	Thomas M.	Fremont	Alameda County Supervisor Richard Valle, D-2	Feb-14		Feb-16	0

**Alameda County Transportation Commission
Paratransit Advisory and Planning Committee
Roster - Fiscal Year 2014-2015**

	Title	Last	First	City	Appointed By	Term Began	Re-apptmt.	Term Expires	Mtgs Missed Since July '14
13	Ms. Powers		Sharon	Fremont	City of Fremont Mayor William Harrison	Dec-07	Jan-14	Jan-16	0
14	Ms. Proee		Vanessa	Hayward	City of Hayward Councilmember Marvin Peixoto	Mar-10	Jan-14	Jan-16	0
15	Ms. Rivera-Hendrickson		Carmen	Pleasanton	City of Pleasanton Mayor Jerry Thorne	Sep-09	Feb-14	Feb-16	0
16	Ms. Rousey		Michelle	Oakland	BART Director Tom Blalock	May-10	Jan-14	Jan-16	0
17	Ms. Saunders		Harriette	Alameda	City of Alameda Mayor Marie Gilmore	Jun-08	Oct-12	Oct-14	0
18	Ms. Walker		Margaret	San Leandro	City of San Leandro Vice Mayor Michael Gregory	Jul-13		Jul-15	0
19	Ms. Waltz		Esther Ann	Livermore	LAVTA Executive Director Paul Matsuoka	Feb-11	May-14	May-16	0
20	Mr. Zukas		Hale	Berkeley	A. C. Transit Director Elsa Ortiz	Aug-02	Jan-14	Jan-16	0
21	Vacancy				City of Livermore Mayor John Marchand				
22	Vacancy				City of Newark Councilmember Luis Freitas				
23	Vacancy				City of Piedmont Mayor Margaret Fujioka				



Memorandum

8.1

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: July 17, 2014

SUBJECT: Legislative Update

RECOMMENDATION: Receive an update on state and federal legislative activities.

Summary

This memo provides an update on federal, state and local legislative activities including an update on the federal budget, federal transportation issues, legislative activities and policies at the state level, as well as an update on local legislative activities.

Alameda CTC's legislative program was approved in December 2014 establishing legislative priorities for 2014 and is included in summary format in Attachment A. The 2014 Legislative Program is divided into six sections: Transportation Funding, Project Delivery, Multi-Modal Transportation and Land Use, Climate Change, Goods Movement and Partnerships. The program was designed to be broad and flexible to allow Alameda CTC the opportunity to pursue legislative and administrative opportunities that may arise during the year and to respond to political processes in Sacramento and Washington, DC. Each month, staff brings updates to the Commission on legislative issues related to the adopted legislative program, including recommended positions on bills as well as legislative updates.

Background

Federal Update

The following updates provide information on activities and issues at the federal level within each category of Alameda CTC's Legislative Program and include information contributed from Alameda CTC's lobbyist team (CJ Lake/Len Simon).

Federal Budget Update

The House and Senate continue to take up Fiscal Year (FY) 2015 appropriations bills and are continuing to work to pass each of their 12 respective bills.

House Transportation and Housing and Urban Development (THUD): The full House approved its FY15 THUD bill the week of June 9th. The bill reflects an allocation of \$52 billion in discretionary spending – an increase of \$1.2 billion above the fiscal year 2014 enacted level

and a decrease of \$7.8 billion below the President's budget request. However, given the reduction in offsets caused by a decline in Federal Housing Administration receipts, the program level within the bill is more accurately \$1.8 billion below the current level.

In 2014, the net total discretionary appropriations at DOT totaled \$17.7 billion. 91 percent of that total came from just six budget accounts: FAA operations, FAA procurement, New Starts, Amtrak capital and debt service subsidies, TIGER, and Amtrak operations subsidies. Those six accounts totaled \$16.2 billion in 2014 and are cut to \$15.3 billion in the House bill. The FY15 total for DOT discretionary spending would be \$17.1 billion (so about a \$700 million cut from FY14).

- The bill sets Highway Trust Fund (HTF) obligations at last year's levels.
- The bill freezes FTA formula grants at FY14 level of \$8.595 billion.
- The bill would cut TIGER grants down to \$100 million from \$600 million in FY14 (but remember the House usually zeros out the program), (this is a Senator Patty Murray (D-WA) favorite that she always makes certain to include).
- The bill would cut Amtrak capital grants by \$200 million from \$1.05 billion in 2014 to \$850 million in FY15
- The bill would cut New Starts by \$252 million from \$1.943 billion in 2014 to \$1.691 billion in FY15.
- The bill cuts transit research from \$43 million in FY14 to \$15 million and cuts the transit research and training account from \$5 million to \$3 million.

Senate THUD: Due to disagreements between Democratic and Republican leadership, the bill has been stalled as of the time of this writing. Specifically, Senate Majority Leader Harry Reid (D-NV) and Minority Leader Mitch McConnell (R-KY) have not been able to reach an agreement on the amendment process for the bill. Senate leaders have said they may make a second attempt at trying to pass the package after the July 4th recess.

The Senate draft bill provides \$54.4 billion in discretionary spending for FY15. This is \$2.4 billion above the House level and \$3.6 billion below the FY14 level. \$16.3 billion is provided for the six, main discretionary budget accounts: FAA operations, FAA procurements, New Starts, Amtrak capital and debt service subsidies, TIGER, and Amtrak operation subsidies. This is \$926 million above FY15 House funding levels (\$15.331 billion) and \$73 million above current funding levels.

- HTF obligations: The bill provides \$40.25 billion, the same funding level as the FY15 House bill and enacted level for FY14.
- FTA formula grants: \$8.6 billion; this is a slight increase of \$5 million above both the FY14 level and FY15 House THUD bill.
- TIGER Grants: \$550 million; the House provides only \$100 million for FY15; the current level is \$600 million.
- FTA Capital Investment Grants account (New Starts and Small Starts) is \$2.163 billion, \$472 million more than the House THUD bill.
 - The Committee press release states that this funding will help communities build new rail and bus rapid transit capacity in California and other states.
- Amtrak capital grants: \$1.39 billion (which is the current FY14 level); the House cut \$200 million from Amtrak.

- Transit research and technical assistance received \$36.5 million for FY15.

Highway Trust Fund: There continues to be movement in the Senate and House but it is becoming increasingly more likely that Congress will pass some type of short term fix for the Highway Trust Fund and a short-term extension of MAP-21 in the coming weeks.

In mid-June, a bipartisan proposal led by Senators Chris Murphy (D-CT) and Bob Corker (R-TN) to shore up the Highway Trust Fund (HTF) was discussed which would increase the gas tax by 12 cents per gallon over the next two years and index the tax to inflation. According to the two senators, this would raise \$164 billion over 10 years. In order to offset the revenue raised by the increased tax, the two senators propose finding tax relief by either permanently extending some of the tax provisions in the tax extenders bill or reducing taxes by at least the amount of revenue raised from the gas tax over the next decade. Some Senate Republicans have already expressed their concern over the proposal. Orrin Hatch (R-UT), the ranking member of the Senate Finance Committee, which has jurisdiction over funding the surface transportation bill, immediately stated he opposed the gas tax increase.

Although Senators Murphy and Corker claim the proposal will fund the HTF over the next decade, the bill does not address the immediate shortfall the HTF faces this summer. Senators Murphy and Corker realize that their proposal will not garner the support necessary for passage in the next month; instead they hope they can work to gain enough support to provide funding for the HTF over the long-term, and that this proposal could be a viable option during debate about a long-term solution as early as in the lame-duck session.

Senate EPW: The Senate EPW Committee marked up its bipartisan bill on May 15. The MAP-21 Reauthorization Act (S.2322) would reauthorize the Federal-aid Highway Program at current funding plus inflation from FY2015 through FY2020. The bill gradually boosts the core highway program from \$38.44 billion in 2015 to \$42.59 billion by 2020. The plan does not specify how it would pay for the programs; this will be left up to the Senate Finance and House Ways & Means Committees. In general, the reauthorization proposal follows a similar structure to MAP-21.

Senate Finance and House Ways & Means continue to say they are looking for a long-term solution, while also considering a stop gap patch to buy more time this year. The Committees will need to find approximately \$16 billion per year to deposit into the Highway Trust Fund to keep it solvent and pay for this next surface transportation reauthorization bill. If the Committees are unable to find the full amount (approximately \$100 billion) to support the full six-year bill, EPW will likely start to take years off of the bill starting with FY2020.

Senate Banking: The Senate Banking Committee staff continues to say they are ready to mark up and are simply waiting for the go ahead from both Senate Majority Leader Reid and the Senate Finance Committee.

Senate Finance: Senate Finance Committee Members have had several bipartisan discussions over the last few weeks on possible funding fixes for the Highway Trust Fund and are scheduled to address a short-term patch for the HTF during the week of July 7.

State Update

The following update provides information on activities and issues at the state level and includes information contributed from Alameda CTC's state lobbyist, Platinum Advisors.

Budget

In June, Governor Brown signed the fiscal year 2014-2015 budget, including a final program that allocates cap and trade funds for the 2014-15 FY and beyond.

For the 2014-15 fiscal year, the budget appropriates \$872 million largely in accordance with the Governor's original proposal released in January and his May Revise. This amount includes a \$100 million payment on the loan taken from the cap and trade account last year, which means the Governor assumes auction revenue will only generate approximately \$772 million next year. Many expect cap and trade auction revenue in 2014-15 will far exceed \$1 billion, particularly with the fuels on transportation coming on line in January 2015 as part of the cap and trade program.

The budget trailer bill that included the cap and trade agreement, SB 862, is expected to be amended by a clean-up bill. In particular, the existing provisions for the Transit and Intercity Rail Capital program include eligibility for rail operators, yet don't explicitly authorize bus operators. The California State Transportation Agency (CalSTA) has drafted amendments to make bus eligibility more clear. The amendments will add equal emphasis to bus projects and amend the definition of an eligible application to include all transit operators. Additional amendments will address concerns about the expenditure of high speed rail funds, and provide greater clarity on public review and comment on the guidelines to be developed for the various programs.

Future Year Cap and Trade Allocations:

For the 2015/16 fiscal year and beyond the package would allocate all cap & trade revenue based on the percentages as shown in Table 1 and as described below. Each of these programs will be continuously appropriated except for the 40% pot of funds.

- 20% for housing and Sustainable Communities Strategies projects. Half of these funds must be used for affordable housing projects. The remaining funds would be used to implement sustainable communities plans. The Strategic Growth Council (SGC) would administer these funds, and would be responsible for developing guidelines and selection criteria for this competitive grant program. The language also states that the SGC shall coordinate with metropolitan planning commissions to identify and recommend projects. This program has goal of expediting 50% of these funds on projects that benefit disadvantaged communities.

- 10% for transit capital and intercity rail projects. The California Transportation Commission and the Transportation Agency would administer this competitive grant program for rail and bus capital funds. While bus transit projects are eligible, the emphasis is rail connectivity projects. The disadvantage community benefit goal for this program is 25%.
- 5% for public transit operations. Each transit operator would receive a portion of these funds based on the State Transit Assistance (STA) formula. However, receipt of these funds will be dependent on Caltrans determination of whether the use of the funds meets criteria established by CalSTA and CARB to ensure that the funds result in GHG reductions.
- 25% for high speed rail. This allocation will be a continuous appropriation which will allow the High Speed Rail Authority to securitize these revenues.
- 40% for various state programs. These funds would be appropriated to various programs administered by CARB, such as the Low Carbon Transportation program, as well as programs administered by the Energy Commission and the Resources Agency. Unlike the other programs these funds will be annually appropriated as part of the Budget Act.

In addition to creating these programs, the budget trailer bill will also establish an accountability program to ensure the cap & trade funds are appropriately spent and result in GHG emission reductions. MTC prepared analyses of potential cap and trade allocations to the Bay Area, including to transit operators (Attachment B), as well as a comparison of how the CalEnviroScreen program, which the state is using to identify communities of concern, differs from the region's definition of community of concerns (Attachment C).

On July 1, 2014, a meeting of the SGC was announced for July 10th to begin the guideline process for the Affordable Housing and SCS program. Attachment D includes the staff memo to the SGC establishing the initial administrative structure of this program, which is very different from the advocacy of Alameda CTC, MTC and the Transportation Coalition for Sustainable Communities.

Below provides a summary of the 2014-2015 cap and trade authorized funding amounts, the administering agencies and future year allocations beginning in FY 2015-2016.

Table 1: 2014-15 Cap and Trade Funding

Program	Administering Agency	FY 14-15 Budget	Future Year Allocations
Sustainable Communities and Clean Transportation			
High Speed Rail	High Speed Rail Authority	\$250.0	25%
Transit and Intercity Rail Capital Program	CalSTA	\$25.0	10%
Low Carbon Transit Operations	Caltrans/California Air Resources Board (CARB)	\$25.0	5%
Affordable Housing and Sustainable Communities	Strategic Growth Council	\$130.0	20% (split evenly)
Low Carbon Transportation	CARB	\$200.0	Annual appropriation
Energy Efficiency and Clean Energy			
Energy efficiency upgrades/Weatherization	Dept. of Community Services and Development	\$75.0	Annual appropriation
Agricultural Energy and Operational Efficiency	Dept. of Food and Agriculture	\$15.0	
Energy efficiency for public buildings	Energy Commission	\$20.0	
Natural Resources and Waste Diversion			
Water Action Plan - Water-Energy Efficiency (SB 103 has been appropriated)	Dept. of Fish and Wildlife	\$40.0	Annual appropriation
Water Action Plan - Wetlands and Watershed Restoration	Dept. of Fish and Wildlife	\$25.0	
Fire Prevention and Urban Forests	Dept. of Forestry and Fire Protection	\$42.0	
Waste Diversion	Cal Recycle	\$25.0	
Total		\$872.0	

Legislation: Alameda CTC has sponsored and Assemblymember Buchanan has carried AB 1811 which will authorize Alameda CTC the ability to require a high-occupancy vehicle to have an electronic transponder or other electronic device for law enforcement purposes. This bill was passed out of the Senate on June 26th and has gone to the Governor's office for approval. Staff met with the Governor's office on July 2 to discuss the importance of the bill and urged the Governor's support. The Governor is expected to take action on this bill before mid-July.

Legislative coordination efforts: Alameda CTC is leading and participating in many legislative efforts at the local, regional, state and federal levels, including coordinating with other agencies and partners as well as seeking grant opportunities to support transportation investments in Alameda County.

Fiscal Impact: There is no fiscal impact.

Attachments

- A. Alameda CTC 2014 Legislation Program
- B. MTC Cap and Trade summary for Bay Area Transportation Allocations
- C. MTC CalEnviroscreen and Communities of Concern Comparison map
- D. Strategic Growth Council proposed administration structure for the Affordable Housing and SCS program

Staff Contact

[Tess Lengyel](#), Deputy Director of Planning and Policy

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2014 Alameda County Legislative Program

The legislative program herein supports Alameda CTC's transportation vision adopted in the 2012 Countywide Transportation Plan described below:

1111 Broadway, Suites 800
Oakland, CA 94607
(510) 208-7400
www.AlamedaCTC.org

“Alameda County will be served by a premier transportation system that supports a vibrant and livable Alameda County through a connected and integrated multimodal transportation system promoting sustainability, access, transit operations, public health and economic opportunities. Our vision recognizes the need to maintain and operate our existing transportation infrastructure and services while developing new investments that are targeted, effective, financially sound and supported by appropriate land uses. Mobility in Alameda County will be guided by transparent decision-making and measurable performance indicators. Our transportation system will be: Multimodal; Accessible, Affordable and Equitable for people of all ages, incomes, abilities and geographies; Integrated with land use patterns and local decision-making; Connected across the county, within and across the network of streets, highways and transit, bicycle and pedestrian routes; Reliable and Efficient; Cost Effective; Well Maintained; Safe; Supportive of a Healthy and Clean Environment.”

Issue	Priority	Strategy Concepts
Transportation Funding	<p>Increase transportation funding</p> <p>Protect and enhance voter-approved funding</p>	<ul style="list-style-type: none"> • Support efforts to lower the two-thirds-voter threshold for voter-approved transportation measures. • Support increasing the buying power of the gas tax and/or increasing transportation revenues through vehicle license fees, vehicle miles traveled or other reliable means. • Support increased funding from new and/or flexible funding sources to Alameda County for operating, maintaining, restoring and improving transportation infrastructure and operations. • Support efforts that protect against transportation funding diversions. • Support increases in federal, state and regional funding to expedite delivery of Alameda CTC projects and programs. • Support efforts that give priority funding to voter-approved measures and oppose those that negatively affect the ability to implement voter-approved measures. • Support rewarding Self-Help Counties and states that provide significant transportation funding into transportation systems. • Seek, acquire and implement grants to advance project and program delivery. • Support Alameda County as the recipient of funds to implement grants and pilot programs
Project Delivery	<p>Advance innovative project delivery</p> <p>Ensure cost-effective project delivery</p>	<ul style="list-style-type: none"> • Support environmental streamlining and expedited project delivery. • Support contracting flexibility and innovative project delivery methods. • Support HOT lane expansion in Alameda County and the Bay Area, and efforts that promote effective implementation. • Support efforts to allow local agencies to advertise, award and administer state highway system contracts largely funded by locals • Support efforts that reduce project and program implementation costs by reducing or eliminating the requirements for state or other agency reimbursements to implement projects on state/regional systems. • Support accelerating funding and policies to implement transportation projects that create jobs and economic growth
Multimodal Transportation and Land Use	<p>Reduce barriers to the implementation of transportation and land use investments</p> <p>Expand multimodal systems and flexibility</p>	<ul style="list-style-type: none"> • Support legislation that increases flexibility and reduces technical and funding barriers to investments linking transportation, housing and jobs. • Support local flexibility and decision-making on land-use for transit oriented development and priority development areas. • Support innovative financing opportunities to fund TOD and PDA implementation • Support policies that provide increased flexibility for transportation service delivery through innovative, flexible programs that address the needs of commuters, youth, seniors, people with disabilities and low-income people and do not create unfunded mandates. • Support investments in transportation for transit-dependent communities that provide enhanced access to goods, services, jobs and education. • Support parity in pre-tax fringe benefits for public transit/vanpooling and parking.

Issue	Priority	Strategy Concepts
Climate Change	Support climate change legislation	<ul style="list-style-type: none"> • Support funding for innovative infrastructure, operations, and programs that relieve congestion, improve air quality, reduce emissions and support economic development. • Support the expansion of funding for housing that does not conflict with or reduce transportation funding
	Support cap-and-trade expenditure plan	<ul style="list-style-type: none"> • Support cap and trade funds derived from transportation fuels for transportation purposes.
	Support emerging technologies	<ul style="list-style-type: none"> • Support incentives for emerging technologies, such as alternative fuels and fueling technology, and research for transportation opportunities to reduce GHG emissions.
Goods Movement	Expand goods movement funding and policy development	<ul style="list-style-type: none"> • Support a multi-modal goods movement system and efforts that enhance the economy, local communities and the environment, and reduce impacts. • Support a designated funding stream for goods movement. • Support goods movement policies that enhance Bay Area goods movement planning, funding, delivery, and advocacy. • Ensure that Bay Area transportation systems are included in and prioritized in state and federal planning and funding processes.
	Expand partnerships at the local, regional, state and federal levels	<ul style="list-style-type: none"> • Support efforts that encourage regional cooperation and coordination to develop, promote and fund solutions to regional transportation problems and that support governmental efficiencies and cost savings in transportation. • Support policy development to influence transportation planning, policy and funding at the county, regional, state and federal levels. • Support efforts to maintain and expand local-, women-, minority- and small-business participation in competing for contracts.

Cap and Trade Funding for S.F. Bay Area Transportation in FY 2014-15 and Future Years

	Fiscal Year 2014-15	Future Years Scenario 1 (\$2.5 billion total)	Future Years Scenario 2 (\$3.75 billion total)	Future Years Scenario 3 (\$4.5 billion total)
State-Administered Competitive Programs				
Sustainable Communities (Includes transportation & affordable housing, split 50/50)	\$ 130,000,000	20% (~ \$500,000,000)	20% (~ \$750,000,000)	20% (~ \$900,000,000)
Transit Statewide Competitive Program	\$ 25,000,000	10% (~ \$250,000,000)	10% (~ \$375,000,000)	10% (~ \$450,000,000)
Low Carbon Transportation (<i>Clean Vehicles</i>) ¹	\$ 200,000,000	TBD	TBD	TBD

	Fiscal Year 2014-15	Future Years Scenario 1 (\$2.5 billion total)	Future Years Scenario 2 (\$3.75 billion total)	Future Years Scenario 3 (\$4.5 billion total)
Transit Formula Program² (Statewide Amount)	\$ 25,000,000	\$ 125,000,000	\$ 187,500,000	\$ 225,000,000
San Francisco Bay Area Total	\$ 9,306,250	\$ 46,531,250	\$ 69,796,875	\$ 83,756,250
Revenue-Based Funds³	\$ 6,893,750	\$ 34,468,750	\$ 51,703,125	\$ 62,043,750
Population-Based Funds	\$ 2,412,500	\$ 12,062,500	\$ 18,093,750	\$ 21,712,500
SFMTA	\$ 2,335,980	TBD	TBD	TBD
BART	\$ 1,867,003			
Santa Clara VTA	\$ 834,322			
AC Transit	\$ 652,051			
Caltrain	\$ 347,828			
Golden Gate Transit	\$ 311,795			
SamTrans	\$ 290,238			
ACE	\$ 28,765			
CCCTA	\$ 40,277			
City of Dixon	\$ 323			
ECCTA	\$ 17,177			
City of Fairfield	\$ 8,064			
City of Healdsburg	\$ 51			
LAVTA	\$ 19,252			
NCPTA	\$ 3,144			
City of Petaluma	\$ 1,706			
City of Rio Vista	\$ 401			
City of Santa Rosa	\$ 8,719			
Solano County Transit	\$ 20,530			
Sonoma County Transit	\$ 10,062			
City of Union City	\$ 3,027			
VTA - Corresponding to ACE	\$ 16,281			
WCCTA	\$ 22,377			
WETA	\$ 70,657			

Notes

1) Pursuant to funding plan to be adopted on June 26, 2014 by Air Resources Board. Proposed plan can be found at this URL:

http://www.arb.ca.gov/msprog/aqip/fundplan/fy1415_funding_plan_aqip_ggrf_final.pdf

2) Pursuant to SB 862, Statutes of 2014, 5 percent of annual Cap and Trade Revenue will be disbursed by the State Transit Assistance formula pursuant to Public Utilities Code 99313 and 99314

3) Operator shares for FY 2014-15 are based on State Transit Assistance shares from State Controller's 2013-14 3rd Quarter payment, which were used in the 2015 Fund Estimate. Individual operator shares vary annually based on each operator's share of statewide qualifying revenue, including fares as well as local funds. Future revenue scenarios are based on a December 2013 ICF International Study, "Modeling the Economic Impacts of AB 32 Auction Proceeds Investment Opportunities."

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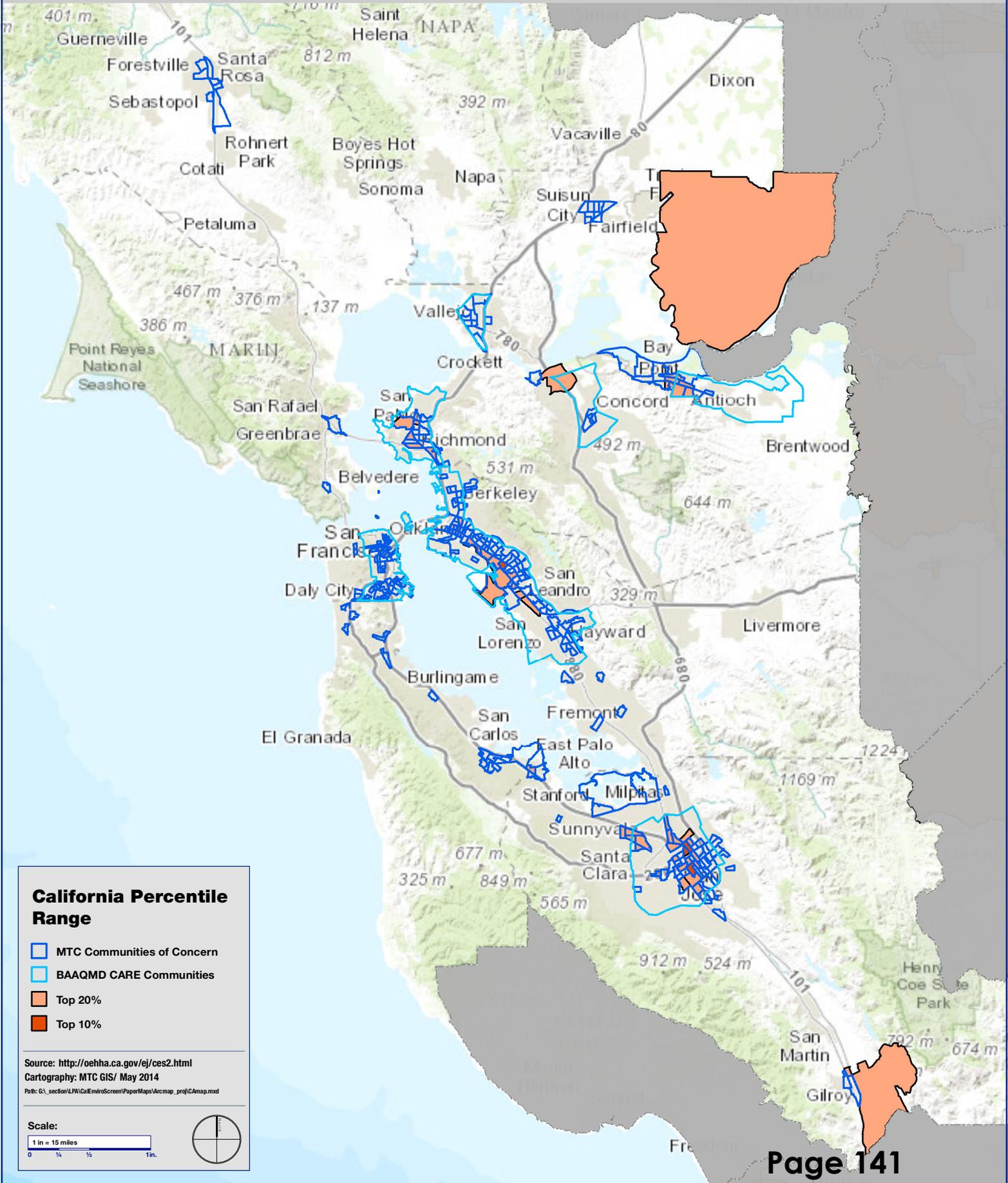
Comparison of CalEnviroScreen 2.0 with MTC "Communities of Concern" and Air District "CARE Communities"



Metropolitan Transportation Commission
Planning, Financing and Coordinating
Transportation for the nine-county
San Francisco Bay Area

Analytical Services

Geographic Information Systems



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STAFF REPORT: ADMINISTRATION OF THE AFFORDABLE HOUSING AND SUSTAINABLE COMMUNITIES (AHSC) PROGRAM

BACKGROUND

The [Budget Act of 2014](#) appropriates \$130 million from the Greenhouse Gas Reduction Fund (GGRF) for the FY 2014-15 budget to the Strategic Growth Council (Council) to develop and administer the Affordable Housing and Sustainable Communities (AHSC) Program. Accompanying legislation, [SB 862](#), apportions 20 percent of the GGRF's proceeds on an annual basis to the AHSC program beginning in FY 2015-16.

The AHSC Program furthers the regulatory purposes of [AB 32](#) and [SB 375](#) by investing in projects that reduce greenhouse gas emissions by creating more compact, infill development patterns, encouraging active transportation and mass transit usage, and protecting agricultural land from sprawl development. These projects, described in the [AB 32 Scoping Plan](#), will support ongoing climate objectives and contribute substantial co-benefits by:

- Reducing vehicles miles traveled and associated greenhouse gas and other emissions by improving mobility options and increasing infill development; or
- Preventing conversion of agricultural lands by making strategic investments that protect agricultural lands to reduce greenhouse gases emissions.

Applicable law requires that 50 percent of AHSC funds be utilized to provide housing opportunities for lower income households. The law also requires 50 percent of funds must benefit disadvantaged communities.

The Council is charged with leveraging the programmatic and administrative expertise of relevant state departments and agencies in implementing the program. The Council is also charged with coordinating with the metropolitan planning organizations and other regional agencies to identify and recommend projects within their respective jurisdictions that best reflect the program's goals and objectives. These projects must be consistent with regional Sustainable Communities Strategies, or where not applicable, other regional greenhouse gas emission reduction plans.

In addition to creating the AHSC Program, [SB 862](#) increased the Council membership by two members. One member will be appointed by the Speaker of the Assembly and one member will be appointed by the Senate Committee on Rules. Each will serve at the pleasure of their appointing authority.

OVERVIEW

The Affordable Housing and Sustainable Communities Program contains a variety of land use and transportation-oriented strategies to reduce greenhouse gas emissions. These include, but are not limited to: intermodal affordable housing projects that support infill and compact development; transit

capital projects; complete streets and active transportation projects; and tools to preserve agricultural land under pressure from being converted to non-agricultural uses.

Pursuant to SB 862, the Council is required to develop and administer the AHSC Program and to leverage the programmatic and administrative expertise of relevant state agencies and departments in implementing the program. The Council is responsible for the overall administration of the AHSC Program and will retain the central authority for the governance of this program. The Council and its members acting together have joint responsibility for the development of program design, program guidelines, selection criteria, and selection of projects and other administrative duties as defined by the Council. The Council will use the breadth of expertise in its multi-agency and member constituency to collaboratively discharge these responsibilities.

It is recommended that the specific implementation of the AHSC Program rely on the programmatic and administrative expertise of relevant state agencies and departments as recommended in statute. It is recommended that the AHSC Program be funded and Implemented through two parallel components – 1) a majority component focused on compact, infill and transit-oriented development and associated infrastructure, described herein simply as the AHSC Program; and 2) a complementary agricultural component that will focus on the protection of agricultural lands from sprawl development, referenced below as the Sustainable Communities Agricultural Land Preservation Program (SCAPP).

In order to successfully implement each program component, staff recommends the Department of Housing and Community Development within the Business, Consumer Services, and Housing Agency implement the housing, transportation and infrastructure development components of the AHSC Program. Staff further recommends that the SCAP Program be implemented separately by the California Natural Resources Agency or the California Department of Conservation. Each program component is described further below.

THE AFFORDABLE HOUSING AND SUSTAINABLE COMMUNITIES PROGRAM

The AHSC Program will provide grants and affordable housing loans for infill and compact transit-oriented development and infrastructure. Projects funded by the AHSC Program will demonstrate how they support reduction of greenhouse gas emissions by increasing accessibility of housing, employment centers and key destinations via low-carbon transportation options (walking, biking and transit), resulting in fewer vehicle miles traveled. A minimum of 50 percent of available funds will be invested in projects benefitting disadvantaged communities, and a minimum of 50 percent of program funds will be utilized to provide housing opportunities for lower income households.

The complexity of multi-component projects involving housing, transportation, infrastructure, transit ridership and other elements will require special technical knowledge of contracting negotiation, management and administration, underwriting, and monitoring. The Department of Housing and Community Development, in cooperation with the California State Transportation Agency, has successfully supported a TOD-Housing program with many administrative requirements similar to those

required for support of the statutory guidelines and emerging other criteria for the Affordable Housing and Sustainable Communities Program. The Department of Housing and Community Development (HCD) has effectively managed \$300 million from Prop 1C bond funds for the TOD Housing Program over the past 7 years, coordinated with the Infill Infrastructure Grant Program and other local funds, and incorporating provisions supporting implementation of regional and local plans. This positions the department well to work as the administrative center for most elements of the Affordable Housing and Sustainable Communities Program.

SUSTAINABLE COMMUNITIES AGRICULTURAL LAND PROTECTION PROGRAM

Senate Bill 862 designates the Strategic Growth Council with coordinating the implementation of the Affordable Housing and Sustainable Communities Program. A component of the program is the protection of agricultural lands to support infill development. In Section 75212, projects eligible for funding include, “acquisition of easements or other approaches or tools that protect agricultural lands that are under pressure of being converted to nonagricultural uses, particularly those adjacent to areas most at risk of urban or suburban sprawl or those of special environmental significance.”

Protecting agricultural lands at risk of conversion to non-agricultural uses reduces GHG emissions, and may result in enhanced carbon sequestration depending on the crop and management of the protected lands. Investments under this program can also further climate adaptation strategies, not only by considering where critical agricultural lands currently exist, but also by understanding more fully where to plan for and protect agricultural lands as the population grows and climate changes.

As its being developed, it will remain a goal of the larger Affordable Housing and Sustainable Communities Program to protect agricultural lands as a way to support and encourage infill development. However, staff recognizes that the types of strategies that are used to protect agricultural lands are unique to land conservation practice, leaving some eligible projects difficult to administer if they had to be included as part of a larger development project. By administering the agricultural lands component through a separate process, informed by its own set of guidelines, it will allow for a more effective implementation without losing the connection to the broader goals of the program.

RECOMMENDED ACTION

Staff Recommendation: The Department of Housing and Community Development within the Business, Consumer Services, and Housing Agency implement the housing, transportation and infrastructure components of this program and that the Sustainable Communities Agricultural Land Preservation Program component be implemented separately by the California Natural Resources Agency or the California Department of Conservation. This implementation will include, but not limited to, working with the Council to develop program guidelines including grants and loans, evaluating applications, preparing agreements, monitoring agreement implementation, reporting and amendments.

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Memorandum

8.3

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: July 17, 2014

SUBJECT: 2014 Level of Service Monitoring Study Results

RECOMMENDATION: Receive information on the 2014 Level of Service Monitoring Study results.

Summary

As required by the Congestion Management Program (CMP) legislation, Alameda CTC monitors the Level of Service (LOS) on CMP roadways in Alameda County biennially. The last LOS Monitoring was completed in 2012, and the subsequent monitoring cycle is in 2014. Monitoring the roadways for the 2014 cycle began in March and completed in the first week of June 2014. Travel time data was collected for monitoring purposes using the floating car survey method until 2012. In December 2013, the Alameda CTC Commission approved using commercially available travel time data for monitoring LOS on a majority of CMP roadways starting with the 2014 monitoring cycle. Accordingly, two types of data collection methodologies have been used in the 2014 cycle. This provides a cost effective approach for LOS monitoring and an opportunity for additional monitoring due to robust data, which can allow for more analysis options. The data collection for the 2014 cycle was completed by the first week of June and maps showing final results for each CMP network are attached to this memorandum. Detailed spreadsheet results are available on the website at <http://www.alamedactc.org/events/view/12969>. Detailed analysis of these results will be presented at the Committee meeting, including identification of potential deficiency. The final report will be developed and published in September 2014.

Background

The Level of Service on CMP roadways in Alameda County is monitored biennially for both the morning and the evening peak periods. The data for the evening peak period on the CMP network (Tier 1) that is subject to CMP Conformity is used to identify deficiency. All other data collected, such as for the morning peak period on Tier 1, morning and afternoon peak periods on Tier 2 and weekend peak period on freeways (Tier 1), is used for informational purposes only.

The CMP network, shown in Attachment A, contains 232 miles of Tier 1 and 90 miles of Tier 2 roadways. Of the total 232 miles of Tier 1, 134 miles (58 percent) are interstate freeways, 71 miles (31 percent) are conventional state highways, and 27 miles (11 percent) are

city/county arterials. In addition, Tier 1 roadways also include 23 freeway-to-freeway connector ramps. All Tier 2 roadways are arterials.

Until 2012 LOS monitoring cycle, data collection was performed using floating car surveys. In December 2013, the Commission approved, based on a validation exercise, the use of commercially available data for monitoring purposes on a majority of Tier 1 roadways (all the freeways and ramps with the exception of two segments in each group) and on about two thirds of Tier 2 roadways. As a result of this decision, additional special roadways such as the three bay crossing bridges, where commercial data is available, were included for monitoring in 2014. In addition, the 2014 monitoring scope also includes monitoring of the HOV/Express Lanes (managed lanes) in the county using the floating car methodology because commercial data is not yet available for these managed lanes. The following table provides a summary of the types of data collected in 2014 for various parts of the CMP roadway network and other roadways.

CMP Network	Miles/# Number	2012 Data Collection	2014 Data Collection
Tier 1 Freeways	134	Floating Car Surveys	Commercial Data*
Tier 1 Arterials	98	Floating Car Surveys	Floating Car Surveys
Tier 1 Ramp Connectors	23 ramps	Floating Car Surveys	Commercial Data*
Tier 2 Arterials	90	Floating Car Surveys	65 miles INRIX/25 miles Floating Car Surveys
Bay Crossing Bridges	3 bridges	From Caltrans/MTC as available	Commercial Data
HOV/Express Lanes	84**	Not Monitored	Floating Car Surveys

* Two segments for these roads and ramps that did not have adequate INRIX coverage will be monitored using floating car surveys.

** Directional miles for HOVs; centerline miles for other CMP roadways are shown.

For the commercial data, INRIX data is used; it is obtained free of cost from the Metropolitan Transportation Commission. For the 2014 monitoring cycle, data was downloaded beginning from the first week of March through end of May 2014. Floating car surveys began in the first week of April and data collection was completed by the first week of June. Attachments B through H present the 2014 LOS results for various components of the CMP network. Detailed results including information on the CMP segments and prior monitoring year results are available on the Alameda CTC website. During the data collection period, draft results for Tier 1 and 2 networks, as available, were shared with ACTAC for review.

Based on the LOS results, analysis for deficiency determination was performed for CMP conformity purposes. After applying applicable statutory exemptions, no deficiency was found for the 2014 LOS Monitoring cycle. Detailed analysis of the LOS results in terms of LOS trend, potential reasons for any significant changes in performance will be presented at the Committee meeting in July. The study report will be developed and shared with the Committee in September 2014.

Fiscal Impact: There is no fiscal impact.

Attachments

- A. CMP Tiers 1 and 2 Network
- B. 2014 LOS Monitoring Results – Tier 1 Freeways & Bridges PM Peak Period
- C. 2014 LOS Monitoring Results – Tier 1 Freeways AM Peak Period
- D. 2014 LOS Monitoring Results – Tier1 and Tier 2 Arterials PM Peak Period
- E. 2014 LOS Monitoring Results – Tier1 and Tier 2 Arterials AM Peak Period
- F. 2014 LOS Monitoring Results – CMP Network LOS F segments
- G. 2014 LOS Monitoring Results – HOV/Express Lanes PM Peak Period
- H. 2014 LOS Monitoring Results – HOV/Express Lanes AM Peak Period
- I. 2014 LOS Monitoring Results – Freeways & Bridges Weekend Peak Period

Staff Contacts

[Tess Lengyel](#), Deputy Director of Planning and Policy

[Saravana Suthanthira](#), Senior Transportation Planner

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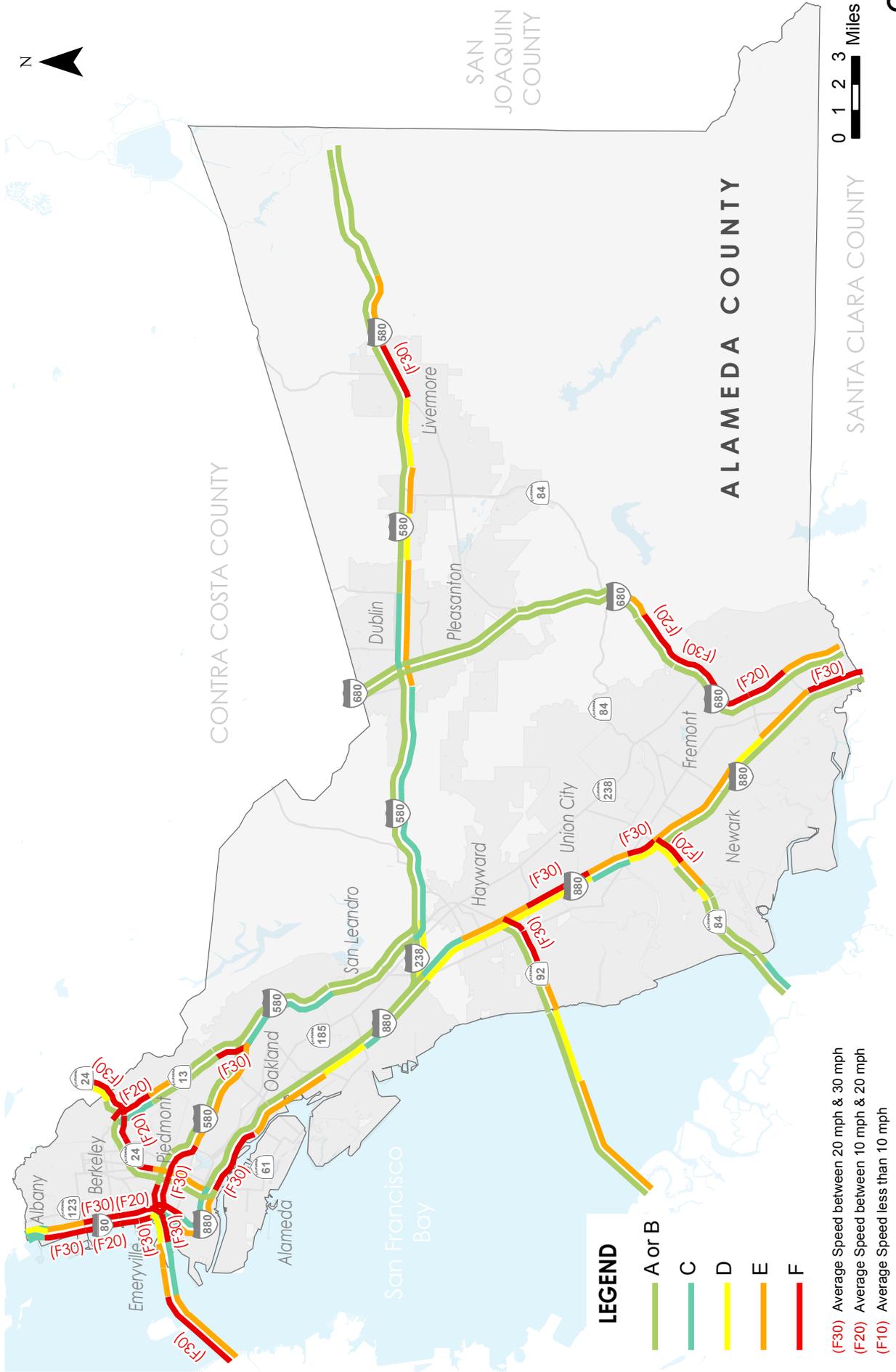
LEGEND

- ▬ Interstate/Freeway (Tier 1)
- ▬ State Highway and Principal Arterial (Tier 1)
- ▬ Principal Arterial (Tier 2)



CONGESTION MANAGEMENT PROGRAM ROADWAY NETWORK

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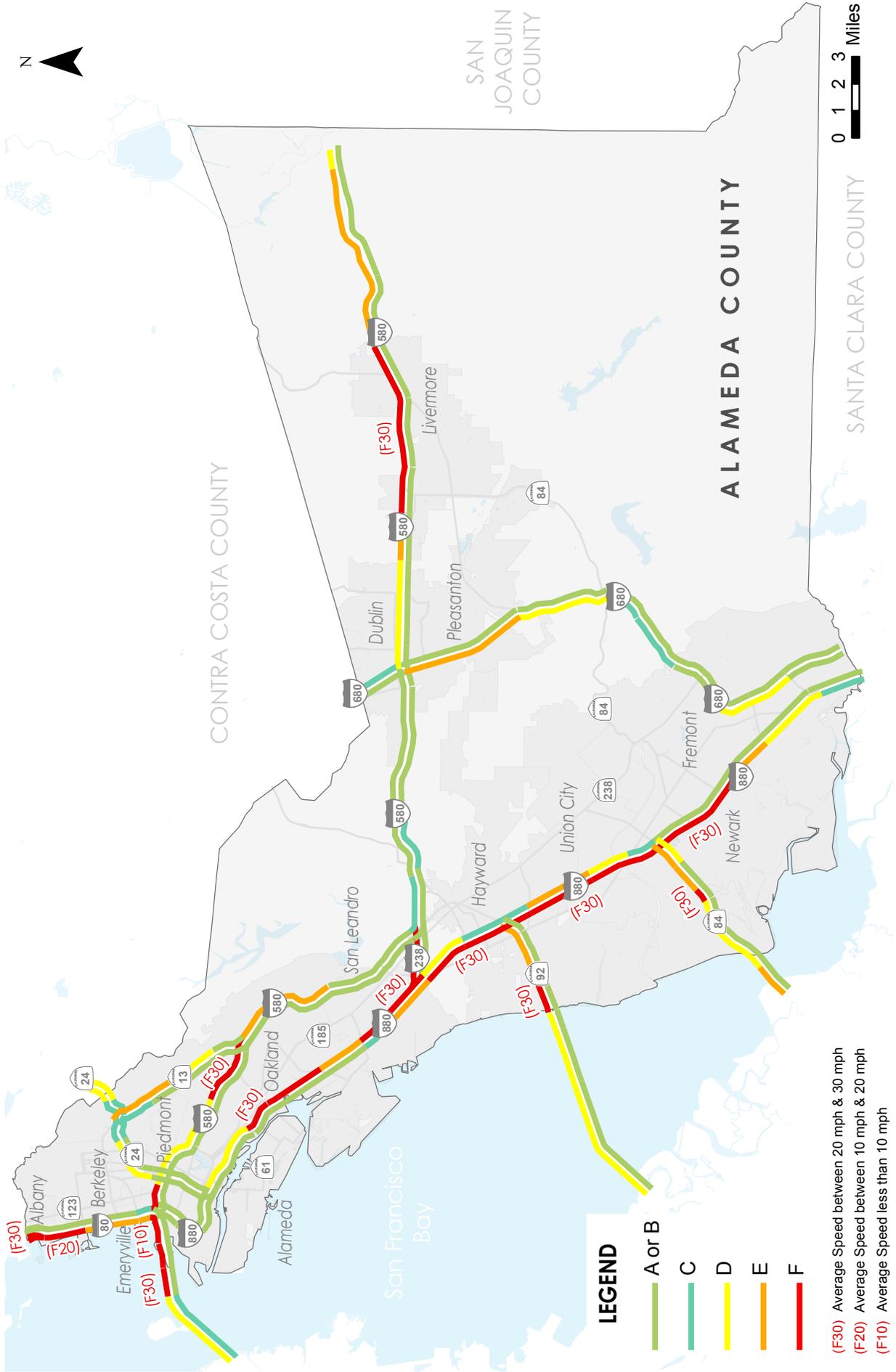
	A or B
	C
	D
	E
	F

- (F30) Average Speed between 20 mph & 30 mph
- (F20) Average Speed between 10 mph & 20 mph
- (F10) Average Speed less than 10 mph

**2014 LEVEL OF SERVICE MONITORING RESULTS:
TIER 1 FREEWAYS & BRIDGES - PM PEAK PERIOD**



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- LEGEND**
- A or B —
 - C —
 - D —
 - E —
 - F —

(F30) Average Speed between 20 mph & 30 mph
 (F20) Average Speed between 10 mph & 20 mph
 (F10) Average Speed less than 10 mph



**2014 LEVEL OF SERVICE MONITORING RESULTS:
 TIER 1 FREEWAYS & BRIDGES - AM PEAK PERIOD**

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LEGEND

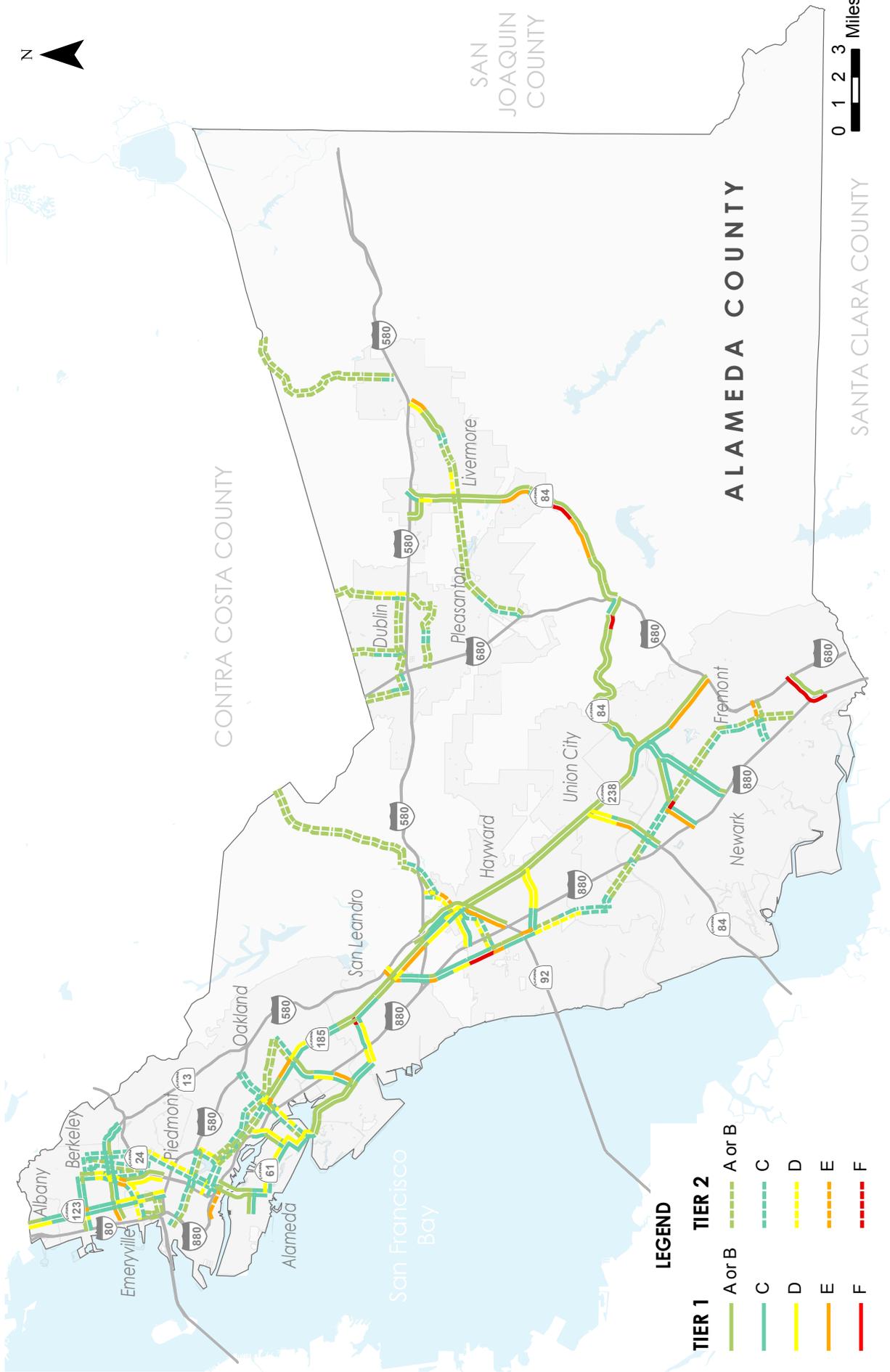
TIER 1	TIER 2
A or B	A or B
C	C
D	D
E	E
F	F

**2014 LEVEL OF SERVICE MONITORING RESULTS:
TIER 1 & TIER 2 ARTERIALS - PM PEAK PERIOD**



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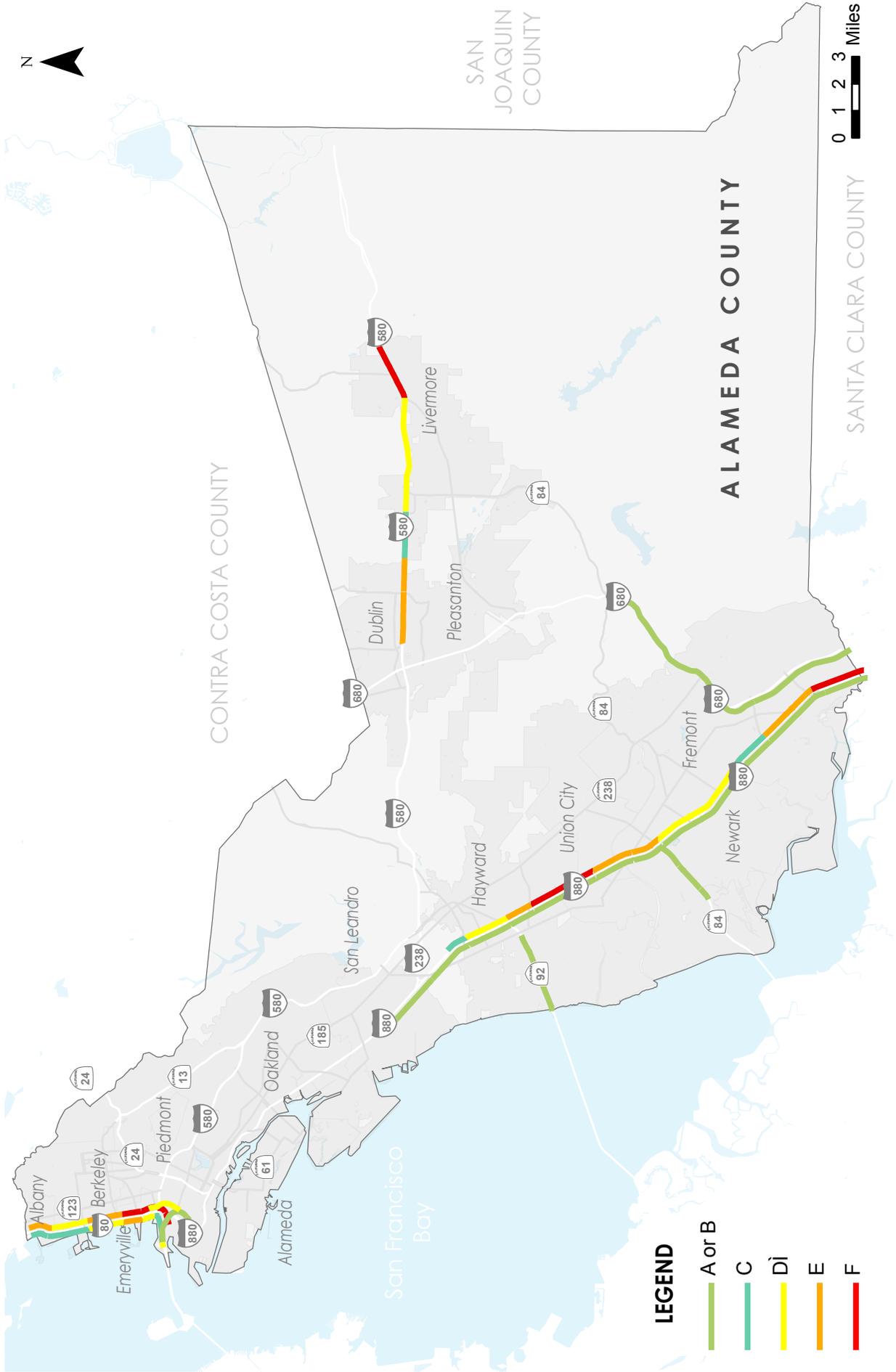
LEGEND

TIER 1	TIER 2	
— A or B	--- A or B	
— C	--- C	
— D	--- D	
— E	--- E	
— F	--- F	

**2014 LEVEL OF SERVICE MONITORING RESULTS:
TIER 1 & TIER 2 ARTERIALS - AM PEAK PERIOD**

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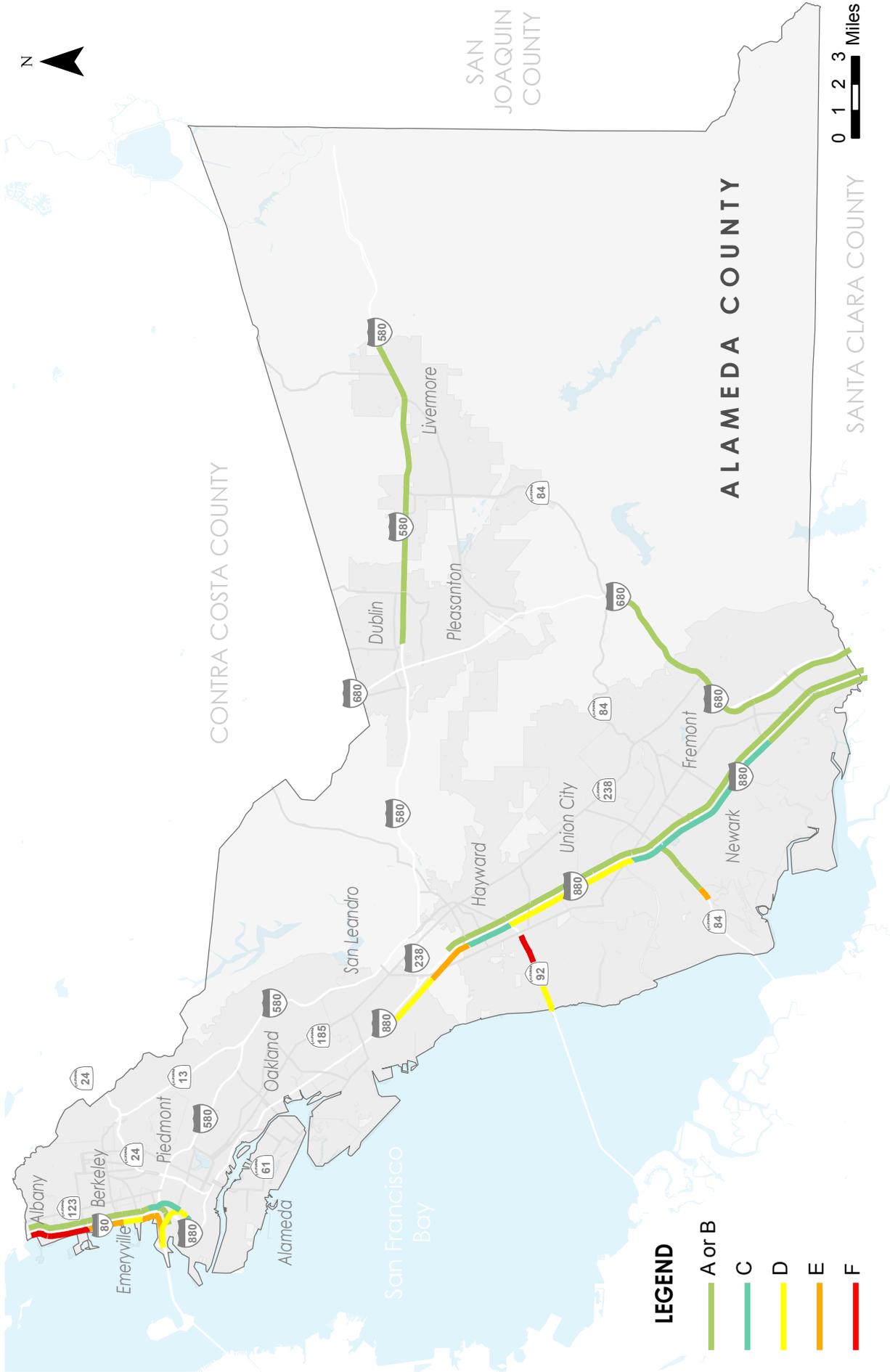
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- LEGEND**
- A or B
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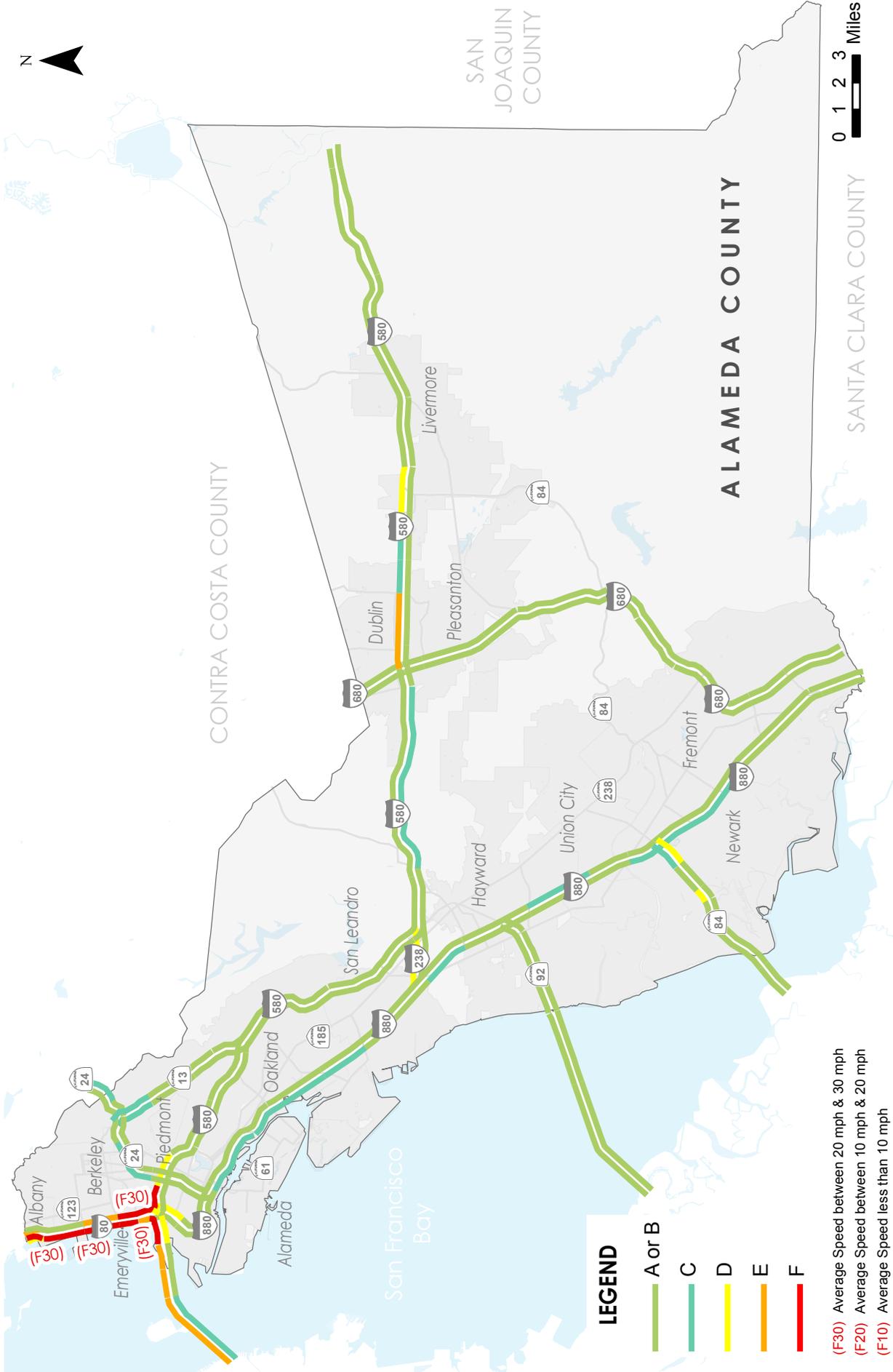
**2014 LEVEL OF SERVICE MONITORING RESULTS:
HOV or EXPRESS LANES - PM PEAK PERIOD**

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**2014 LEVEL OF SERVICE MONITORING RESULTS:
HOV & EXPRESS LANES - AM PEAK PERIOD**

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Memorandum

9.3

1111 Broadway, Suite 800, Oakland, CA 94607 • PH: (510) 208-7400 • www.AlamedaCTC.org

DATE: July 17, 2014

SUBJECT: Consideration of Adoption of Resolutions of Necessity Authorizing Filing of Eminent Domain Action to Acquire Real Property Interests for the State Route 84 Expressway - South Segment Project (624.2)

RECOMMENDATION: A) Conduct hearings on Resolutions of Necessity and consider all the evidence presented for the acquisition of the real property interests necessary for the State Route 84 Expressway - South Segment Project as outlined in the report; and

B) Adopt, by at least a four-fifths vote of the membership of the Commission (e.g., at least 18 members), Resolutions of Necessity making the findings that the public interest and necessity require that the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury, that the property sought to be acquired is necessary for the Project, and that the offer required by Section 7267.2 of the Government Code has been made to the owners of record, and authorize the commencement of eminent domain proceedings.

Summary

A variety of real property interests, including fee simple acquisitions and the relinquishment of abutter's and access rights onto State Route 84; permanent easements for soil nail, ingress and egress, PG&E underground gas and overhead electrical, sanitary sewer, waterline purposes; and 24 month temporary construction easements (TCEs) from 9 private owners, 2 cities, and 1 utility are necessary for the construction of State Route (SR) 84 Expressway Project – South Segment (624.2) (the Project). The Project will also moderately realign portions of the exiting mining limits on two parcels owned by the two quarries. Alameda CTC has successfully negotiated acquisitions with six owners; however, mutually acceptable agreements have not been reached with six remaining private property owners. This memorandum will discuss the real property interests needed for the Project from six remaining private property owners. To keep the Project on schedule and to avoid the risk of delay and a loss of funding for the Project, Alameda CTC must move forward with considering adopting resolutions of necessity to authorize filing eminent domain actions to acquire the real property interests necessary for the Project.

Staff recommends the following:

A) Conduct hearings on Resolutions of Necessity and consider all the evidence presented for the acquisition of the following real property interests necessary for the State Route 84 Expressway - South Segment Project:

1. Caltrans Parcel 61515 (Located at Isabel Avenue and Concannon Boulevard intersection in Livermore, CA):

61515-1, -2: 75,748 square feet fee simple, and abutter's rights to SR 84

61515-3: 39,394 sf permanent PG&E underground gas easement

61515-5: 178,500 sf TCE

Caltrans Parcel 61519 (Located north of Arroyo Mocho in Livermore, CA):

61519-1: 2,483 sf permanent ingress and egress easement

61519-2, -3: 4,405 sf in TCEs

2. Caltrans Parcel 61514 (Located at the northwest quadrant of the State Route 84 and Vineyard Avenue intersection in Livermore, CA):

61514-1: 9,842 sf fee simple, and abutters right's to SR 84

61514-2: 32,442 sf permanent ingress and egress easement

61514-3: 98,190 sf TCE

Caltrans Parcel 61566 (Located northeast quadrant of State Route 84 and Vineyard Avenue in Livermore, CA):

61566-1, -3: 91,444 sf fee simple, and abutter's rights to SR 84

61566-2: 16,420 sf permanent PG&E underground gas easement

61566-4: 92,243 sf TCE

61566-5: 6,246 sf waterline easement

3. Caltrans Parcel 61512 (400-410 Vineyard Avenue, Pleasanton, CA):

61512-1: 6,240 sf fee simple

61512-2: 9,740 sf sanitary sewer easement

61512-3: 7,967 sf underground PG&E gas easement

61512-4: 26,074 sf TCE

61512-5: 16,676 sf waterline easement

4. Caltrans Parcel 61508 (342 Kalthoff Common, Livermore, CA):
61508-1: 611 sf fee simple

5. Caltrans Parcel 61530 (301 Kalthoff Common, Livermore, CA):
61530-1: 894 sf fee simple

6. Caltrans Parcel 61507 (2900 E. Ruby Hill Drive, Pleasanton, CA):
61507-1, -2, -3, -4, -5: 63,311 sf fee simple
61507-6: 34,971 sf soil nail wall easement
61507-7: 21,156 sf underground PG&E gas easement
61507-8, -9: 17,614 sf in overhead PG&E electrical transmission line easements
61507-10, -11, -12: 28,838 sf temporary construction easements (TCE)

- Caltrans Parcel 61529 (2900 E. Ruby Hill Drive, Pleasanton, CA):
61529-1: 959 linear feet (lf) relinquishment of access rights

B) Adopt, by at least a four-fifths vote of the membership of the Commission (e.g., at least 18 members), Resolutions of Necessity making the findings that the public interest and necessity require that the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury, that the property sought to be acquired is necessary for the Project and that the offer required by Section 7267.2 of the Government Code has been made to the owners of record, and authorize the commencement of eminent domain proceedings.

Background

Project Purpose and Need

The State of California Department of Transportation (Caltrans) in cooperation with Alameda CTC proposes to widen the existing SR 84 from two lanes to four lanes from Ruby Hill Drive to just north of Concannon Boulevard in the Cities of Livermore and Pleasanton.

The Project is being constructed to improve SR 84 as a regional connection between I-680 and I-580, and to improve local traffic circulation by adding capacity on SR 84 and implementing intersection improvements. The Project will complete the statutory designation of this segment of SR 84 as an expressway facility by providing controlled access and relocating private utilities outside of State right-of-way. Traffic studies for the Project indicate that average traffic volumes between Ruby Hill Drive and north of Concannon Boulevard are expected to increase by over 50% by 2035. Heavy congestion

on I-680 and I-580 has caused regional traffic to find alternative routes including diverting to local streets through the Cities of Pleasanton and Livermore. Widening SR 84 will:

- Move regional traffic currently using local streets to avoid area congestion back to SR 84, I-580 and I-680, which improves the safety on local streets.
- Complete the statutory designation of this segment of SR 84 as an expressway facility by providing controlled access and relocating private utilities outside of State right-of-way, which improves public safety on SR 84.
- Improve pedestrian and bicycle access along this section of SR 84 by connecting and extending multiuse trails, consistent with regional transportation plan objectives, improve pedestrian and bicycle on local streets by moving through traffic back to arterial roadways.
- Create adequate outside shoulders where possible, which will allow refuge areas for disabled vehicles, and improve accessibility for the emergency and maintenance vehicles. The adequate shoulders will also provide buffer space protecting maintenance workers from moving traffic.
- Support regional air quality objectives by improving intersection levels of service and reducing vehicle hours of delay, which would in turn reduce emissions related to vehicle idling.

Project Description

The proposed improvements will be constructed over 2.8 miles from Ruby Hill Drive to just north of Concannon Boulevard. The Project will widen SR 84 from two lanes to four lanes, and widen and upgrade signalized intersections at Ruby Hill Drive, Vallecitos Road, Vineyard Avenue and Concannon Boulevard to accommodate current and future traffic demand. The Project will relocate existing private driveways so that they access SR 84 from signalized intersections, and will relocate most of the existing utilities out of State right-of-way.

The total Project cost is \$95.4M. The Project is funded using a combination of Federal, State and local funding, including \$44.8M from State Transportation Improvement Program (STIP), \$2.2M from STIP Transportation Enhancement (STIP-TE), \$34.9M from Measure B, \$2M from CMA TIP, \$10M from Tri-Valley Transportation Development Fees, and \$1.5M from Rule 20A funding from Pacific Gas & Electric (PG&E) for underground relocation of existing overhead electric distribution line, as authorized by the California Public Utility Commission. The Project is relying on STIP and STIP-TE funds, which it will receive if the Project is able to meet the CTC's 2014/2015 Fiscal Year requirements, which include requesting funding allocation before the June 2015 CTC meeting deadline. Securing the right of way necessary for the Project is an essential step in meeting this CTC funding deadline.

Environmental Review

The environmental impacts of the Project were analyzed under both the California Environmental Quality Act (CEQA) and the National Environmental Protection Act (NEPA). In August 2008, Caltrans gave environmental clearance to the Project through a Negative Declaration pursuant to CEQA, and through approval of a Finding of No Significant Impact pursuant to NEPA.

Project Right of Way Needs

On July 25, 2013, the Alameda County Transportation Commission (Alameda CTC) adopted a resolution requesting authority from Caltrans to hear resolutions of necessity for the Project, if any were necessary. Caltrans approved this request on April 2, 2014, and delegated its authority to hear any resolutions of necessity for the Project to Alameda CTC, which has the authority to hear any resolutions of necessity for the Project under its power of eminent domain pursuant to Article 1, Section 19 of the Constitution of the State of California, Section 25350.5 of the Government Code of the State of California as delegated in Section 14 of the Alameda CTC Joint Powers Agreement, Section 760 of the Streets and Highways Code of the State of California, and Sections 1240.010 and 1240.110 of the Code of Civil Procedure of the State of California within the jurisdictional limits of the County of Alameda.

The Project requires a variety of real property interests, including fee simple acquisitions and the relinquishment of abutter's and access rights onto State Route 84; permanent easements for soil nail, ingress and egress, PG&E underground gas and overhead electrical, sanitary sewer, waterline purposes; and 24 month temporary construction easements (TCEs) from the six private property owners with whom it has not yet been able to negotiate agreements. The Project will also moderately realign some mining limits on three parcels owned by the two quarries.

Some of the property interests required for the Project are temporary in nature and will be returned to the owners at the end of construction. The TCEs will last for 24 months to begin on notice to owner, and will conclude no later than December 31, 2017.

The Subject Properties Required for the Project

Negotiations have been ongoing with the property owners and their representatives but mutually acceptable agreements have not been reached with 6 private property owners. Discussions will continue with all owners in hopes of negotiating agreements outside of court; however, to meet the construction schedule and to avoid the loss of critical STIP and STIP-TE funding, the adoption of resolutions of necessity to acquire the needed right-of-way is required at this time.

1) Pleasanton Gravel Company – A portion of APNs 904-0008-002-04, 904-0010-002-02, 904-0007-003-02, and 904-0007-006-05 located at the State Route 84 and Concannon Boulevard intersection in Livermore, CA.

An offer pursuant to Government Code section 7267.2 was initially made to the owner on December 20, 2010. An updated Government Code section 7267.2 offer was made on February 6, 2014. The parcels being acquired are along the frontage of the property on SR 84. The acquisitions do not affect any improvements on the parcels, but the Project does require a realignment of some of the mining limits. The Project requires:

- Caltrans Parcel 61515-1, -2: A total of 75,748 sf in fee acquisitions, which includes the relinquishment of abutter's rights along the east end of the property abutting SR 84, to widen SR 84 and construct a new private access road.
- Caltrans Parcel 61515-3: A 39,394 sf permanent PG&E gas line easement is required to relocate the 24" gas line outside of the State right-of-way to meet expressway standards.
- Caltrans Parcel 61515-5: A 178,500 sf temporary construction easement along the frontage the property abutting State Route 84 to construct a new access road, fences, and to install underground utilities within the new utility easements.
- Caltrans Parcel 61519-1: A 2,483 sf permanent ingress and egress easement to provide access to the Arroyo Mocho Access Bridge for PG&E, Zone 7 Water Agency, and the City of Livermore. A private road will be constructed within this easement
- Caltrans Parcels 61519-2, -3: A total of 4,405 sf of temporary construction easements to construct a new private access road within the acquired ingress and egress easement.

2) Lonestar California, Inc. – Portions of APNs 950-0006-001-05, 904-0008-001-02, and 099-0290-011-07 located at the northwest and northeast quadrants of the State Route 84 and Vineyard Avenue intersection in Livermore, CA.

An offer pursuant to Government Code section 7267.2 was initially made to the owner on December 20, 2010. An updated Government Code section 7267.2 offer was made on April 10, 2014. The parcels being acquired are along the frontage of the property, which is located at the intersection of SR 84 and Vineyard Avenue. The acquisitions do not affect any improvements on the parcels, but the Project does require a realignment of some of the mining limits on the parcels. The Project requires:

- Caltrans Parcel 61514-1: A 9,842 sf fee acquisition, which includes the relinquishment of abutter's rights at the south-east corner of the property, to widen the north-west quadrant of the SR 84 and Vineyard Avenue intersection to expressway standards.
- Caltrans Parcel 61514-2: A 32,442 sf permanent ingress and egress easement within the existing mining buffer to provide Caltrans access to the Arroyo Del Valle Bridge for maintenance purposes.
- Caltrans Parcel 61514-3: A 98,190 sf temporary construction easement along the frontage of the property abutting State Route 84 and Vineyard Avenue to construct a private access road within the ingress and egress easement area. A new fence will be placed by the Project along the State right of way line.
- Caltrans Parcel 61566-1, -3: A total of 91,444 sf of fee acquisitions, which include the relinquishment of abutter's rights along the west end of the property, to widen SR 84 and construct a City of Livermore trail.
- Caltrans Parcel 61566-2: A 16,420 sf permanent PG&E gas line easement to relocate the 24" gas line outside of the State right of way to meet expressway standards.
- Caltrans Parcel 61566-4: A 92,243 sf temporary construction easement along the frontage of the property abutting State Route 84 and Vineyard Avenue to construct a new trail bridge, a multi-use trail, and to install underground utilities within new utility easements. The property is fenced and any fencing that is damaged or moved by the Project will be replaced.
- Caltrans Parcel 61566-5: A 6,246 sf permanent water line easement between Alden Lane and Vineyard Avenue to relocate the 12" Cal-Water water line outside of the State right of way to meet expressway standards.

3) Stealth Street Partners – A portion of APN 950-0010-007-02 and 950-0010-008-00 located at 400-410 Vineyard Avenue, Pleasanton, CA.

An offer pursuant to Government Code section 7267.2 was initially made to the owner on July 13, 2010. An updated Government Code section 7267.2 offer was made on November 22, 2013. The parcels being acquired are along the frontage of the property located at the intersection of SR 84 and Vineyard Avenue. The acquisitions do not affect any buildings on the parcel. There is some landscaping, asphalt roadway, and fencing within the fee, permanent easement, and TCE areas, which will be acquired and replaced by the Project. This property is encumbered by a conservation easement. The Project requires:

- Caltrans Parcel 61512-1: A 6,240 sf fee acquisition at the north-east corner of the property is needed to widen the south-west quadrant of the SR 84 and Vineyard Avenue intersection to expressway standards.
- Caltrans Parcel 61512-2: A 9,740 sf permanent sanitary sewer easement to relocate the City of Livermore 15" sanitary sewer line outside of the State right of way to meet expressway standards.
- Caltrans Parcel 61512-3: A 7,976 sf permanent PG&E gas line easement to relocate the PG&E 6" gas line outside of the State right of way to meet expressway standards.
- Caltrans Parcel 61512-4: A 26,074 sf temporary construction easement along the frontage of the property abutting SR 84 and Vineyard Avenue to provide a work area to relocate the various utilities along Piedmont Drive into new utility easements within the property. A new fence will be placed by the Project along the State right of way line. Any other improvements within the TCE area that are damaged or moved due to the Project will be replaced.
- Caltrans Parcel 61512-5: A 16,676 sf permanent water line easement to relocate the City of Pleasanton water line outside of the State right of way to meet expressway standards.

4) Saul – A portion of APN 099-1343-035 located at 342 Kalthoff Common, Livermore, CA.

An offer pursuant to Government Code section 7267.2 was made to the owner on April 11, 2014. The parcel being acquired is currently used as private roadway, and will continue to be used as a roadway after the Project. The acquisition does not affect the vineyards on the parcel. This property is encumbered by a conservation easement. The Project requires:

- Caltrans Parcel 61508-1: A 611 sf fee acquisition along Kalthoff Common to widen SR 84 as well as construct improvements to the Isabel Ave/ Kalthoff Common intersection.

5) Rao – A portion of APN 099-1343-034-02 located at 301 Kalthoff Common, Livermore, CA.

An offer pursuant to Government Code section 7267.2 was made to the owners on October 24, 2011. The parcel being acquired is currently used as private roadway, and will continue to be used as a roadway after the Project. The acquisition does not affect

the residence or vineyard on the parcel. This property is encumbered by a conservation easement. The Project requires:

- Caltrans Parcel 61530-1: An 894 sf fee acquisition along Kalthoff Common to widen SR 84 as well as construct improvements to the Isabel Ave/ Kalthoff Common intersection.
- 6) **Ruby Hill Owners' Association – Portions of APNs 950-0023-013-03, 950-0023-004-02, 950-0023-005-00, 950-0023-006-02, 950-0023-009-00, 950-0023-010-00, 950-0023-011-00, 950-0010-012 & 950-0010-013 located at 2900 E. Ruby Hill Drive, Pleasanton, CA.**

An offer pursuant to Government Code section 7267.2 was initially made to the owner on August 11, 2010. An updated Government Code section 7267.2 offer was made on February 14, 2013. The parcels being acquired are common areas and are owned by a homeowners' association. The acquisitions do not affect any individually owned properties, nor do they affect ingress and egress to and from the housing development. This property is encumbered by a conservation easement. There are no residences located within the areas being acquired, and no residences will be affected during construction. There is some landscaping and fencing within the fee, permanent easement, and TCE areas. The landscaping and fencing affected by the construction activities will be replaced as part of the Project. The Project requires:

- Caltrans Parcel 61507-1, -2, -3, -4, -5: A total of 63,311 sf in fee acquisitions near the east Ruby Hill entrance abutting SR 84 to widen the roadway on the west side of the SR 84, and to avoid impacting the environmentally sensitive areas on the east side of the State Route 84.
- Caltrans Parcel 61507-6: A 34,971 sf permanent soil nail wall easement to construct a 30-foot high soil nail retaining wall along the State right of way.
- Caltrans Parcel 61507-7: A 21,156 sf permanent PG&E gas line easement to relocate the 24" gas line outside of the State right of way to meet expressway standards.
- Caltrans Parcel 61507-8, -9: A total of 17,614 sf of permanent overhead PG&E electrical transmission line easements to relocate the existing PG&E 60kV transmission line and AT&T aerial telephone lines outside of the State right of way to meet expressway standards.
- Caltrans Parcel 61507-10, -11, -12: A total of 28,838 sf of temporary construction easements along the frontage of the common areas abutting SR 84. The TCEs will be used to construct a new fence along the proposed State right of way line as well as to install a gas line within the acquired utility easement.

- Caltrans Parcel 61529-1: A 959 linear foot relinquishment of access rights limiting access from a small piece of property to SR 84. This relinquishment was inadvertently omitted from the previous right of way transfer to Caltrans.

The Proposed Resolutions of Necessity

Adoption of Resolutions of Necessity with the following findings, **by at least four-fifths vote (by membership)** of the Commission, is required for the initiation of the proposed eminent domain actions:

1) The public interest and necessity require the proposed project.

Traffic studies indicate that average traffic volumes on State Route 84 between Ruby Hill Drive and north of Concannon Boulevard are expected to increase by over 50% by 2035. Heavy congestion on I-680 and I-580 has caused regional traffic to find alternative routes including diverting to local streets through the Cities of Pleasanton and Livermore.

The Project will convert SR 84 to expressway standards, which will expand this critical link as a regional connection between heavily used I-680 and I-580, and improve local traffic circulation by adding capacity on SR 84 and implementing intersection improvements. The Project will provide controlled access at improved intersections, which will increase public safety, and will relocate local utilities outside of the State right-of-way. As a consequence, traffic will be taken off local city streets, thus reducing through traffic on local streets and improving public safety on those local streets. Consistent with regional planning, the project also provides the opportunity to improve pedestrian and bicycle access along this section of SR 84 by connecting and extending multiuse trails

The Project will create adequate outside shoulders, where possible, which will allow for refuge areas for disabled vehicles, and improve accessibility for emergency and maintenance vehicles. The adequate shoulders will also provide buffer space protecting maintenance workers from moving traffic. Finally, the Project will support regional air quality objectives by improving intersection levels of service and reducing vehicle hours of delay, which will reduce emissions related to vehicle idling.

2) The proposed project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

Alameda CTC staff and consultants studied and considered a number of alternatives for the Project design. No other alternative that was studied provided the needed congestion relief and public safety afforded by the Project. The Project as planned will be a benefit to the residents of Alameda County and the region as a whole, since it will alleviate area and regional traffic congestion, increase public safety, and reduce through traffic on local city streets, while impacting nine (9) private property owners.

3) The property described in the resolution of necessity is necessary for the proposed project.

As noted, alternatives for the Project were studied, and it was determined that the Project as planned provided the greatest benefit to the residents of Alameda County and the region as a whole. All the noted proposed acquisitions are necessary for the Project as planned. After the Project is completed, the temporary construction easements will be returned in a functionally equivalent state to the owners.

4) The offer required by Government Code Section 7267.2 has been made to all owners of record.

The Project right-of-way consultants made the required written offers and updated written offers to the owner of record or the representative of the owner of record for each parcel, based on an approved appraisal of the fair market value of the property as a whole and the specific property interests necessary for the Project. The offers included the appraisals that provided the basis for the offer as required by Government Code section 7267.2, and an informational pamphlet setting out the eminent domain process and the property owner's rights. Written notices and amended notices of Alameda CTC's Intent to Adopt a Resolution of Necessity, setting forth the date, time and location of the Alameda CTC meeting during which the Commission would consider adopting the requisite Resolutions of Necessity were mailed to the owners of record pursuant to statutory requirements.

5) Issues related to compensation for the real property interests necessary for the Project are not considered as part of the hearing on the proposed Resolutions of Necessity.

Staff recommends that Alameda CTC hold a hearing regarding the proposed Resolutions of Necessity, and thereafter adopt each of the Resolutions based on the above findings and information.

Fiscal Impact: There is no significant fiscal impact to the Alameda CTC budget due to this item.

Attachments

- A. Proposed Resolutions of Necessity with attached legal descriptions and plat maps
- B. Letters from Property Owners

Staff Contact

[Stewart Ng](#), Deputy Director of Programming and Projects

Pamela Schock Mintzer, Wendel, Rosen, Black & Dean LLP

RESOLUTION NO. 14-008

A RESOLUTION OF THE ALAMEDA COUNTY TRANSPORTATION COMMISSION
 DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE
 ACQUISITION OF CERTAIN LAND AND DIRECTING THE FILING OF EMINENT
 DOMAIN PROCEEDINGS ON CERTAIN PROPERTY FOR THE
STATE ROUTE 84 EXPRESSWAY PROJECT – SOUTH SEGMENT (624.2)

WHEREAS, the Alameda County Transportation Commission (“Alameda CTC”) is vested with the power of eminent domain and is authorized to acquire real property by virtue of Article 1, Section 19 of the Constitution of the State of California, Section 25350.5 of the Government Code of the State of California as delegated in Section 14 of the Alameda CTC Joint Powers Agreement, Section 760 of the Streets and Highways Code of the State of California, and Sections 1240.010, 1240.110, and 1240.350 of the Code of Civil Procedure of the State of California within the jurisdictional limits of the County of Alameda; and

WHEREAS, it is desirable and necessary for Alameda CTC to acquire certain real property and property interests, particularly described in **Exhibit 1**, for the purpose of, *inter alia*, widening State Route 84 (SR 84) to expressway standards to improve the facility as a regional connection between I-680 and I-580, and to improve local traffic circulation by adding capacity on SR 84 and implementing intersection improvements in the County of Alameda, State of California; and

WHEREAS, pursuant to the provisions of Section 1245.235 of the Code of Civil Procedure, written notice has been duly given to all persons whose property is to be acquired by eminent domain and whose names and addresses appear on the last County of Alameda equalized assessment roll, all of whom have been given a reasonable opportunity to appear and be heard before the governing body of Alameda CTC (the “Commission”) on the following matters:

- a) Whether the public interest and necessity require the project;
- b) Whether the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- c) Whether the property sought to be acquired is necessary for the project; and
- d) Whether the offer required by Section 7267.2 of the Government Code has been made to the owners of record.

NOW THEREFORE, BE IT RESOLVED, by at least a **four-fifths** vote of the Commission, pursuant to Sections 1240.030 and 1245.230 of the Code of Civil Procedure of the State of California, that this Commission does and it hereby finds and determines each of the following:

Section 1. Based upon the evidence presented, this Commission finds and resolves as follows:

- (a) The property to be acquired is described in **Exhibit 1** attached hereto and incorporated herein;
- (b) Said property is to be acquired for public use, to wit, for public highway purposes, pursuant to the authority granted by Article 1, Section 19 of the Constitution of the State of California, Section 25350.5 of the Government Code of the State of California as delegated in Section 14 of the Alameda CTC Joint Powers Agreement, Section 760 of the Streets and Highways Code of the State of California, and Part 3, Title 7 of the Code of Civil Procedure;

(c) The public interest and necessity require the project, which is to improve public health, safety and welfare by widening State Route 84 (SR 84) to expressway standards to improve the facility as a regional connection between I-680 and I-580, to provide access for adjacent property owners and easement holders from and to SR 84 (which access will be cut off by the project), to improve local traffic circulation by adding capacity on SR 84 and implementing intersection improvements in the County of Alameda, State of California, and to provide a private access easement to a public road pursuant to Code of Civil Procedure section 1240.350;

(d) The proposed project is planned and located in the manner which will be most compatible with the greatest public good and the least private injury;

(e) The property described in **Exhibit 1** is being acquired in fee and for the relinquishment of abutter's rights, for a permanent ingress and egress easement, for a permanent underground gas line easement, and for 24 month temporary construction easements, and is necessary for the construction of the proposed project; and

(f) The offer required by Government Code Section 7267.2 has been made to the owners of record of the real property.

Section 2. General Counsel of Alameda CTC or his duly authorized designee, be, and is hereby authorized and directed to institute and conduct to conclusion an action in eminent domain for the acquisition of the estates and interests aforesaid and to take such action as counsel may deem advisable or necessary in connection therewith. An order for prejudgment possession may be obtained in said action and a warrant issued and deposited with the State Treasurer Condemnation Fund, in the amount determined the most probable compensation for the property sought to be acquired, as a condition to the right of possession.

ADOPTED July 24, 2014, by the Commission of the Alameda County Transportation Commission by the following vote, to wit:

AYES: **NOES:** **ABSTAIN:** **ABSENT:**

SIGNED:

Scott Haggerty, Chairperson

ATTEST:

APPROVED AS TO FORM:

Vanessa Lee, Clerk of the Commission

General Counsel of the Alameda
County Transportation Commission

EXHIBIT 1

FEE ACQUISITION

An acquisition in fee for state highway purposes of, and abutter's rights of access from, the parcels of land described in **EXHIBIT A** and shown upon **EXHIBIT B** attached hereto and made a part hereof.

EXHIBIT "A"

LAND DESCRIPTION OF ONE (1) PARCEL OF LAND IN THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING A PORTION OF PARCEL 2 AND PARCEL 3, AS SAID PARCELS ARE DESCRIBED IN THE GRANT DEED TO PLEASANTON GRAVEL COMPANY, INC. RECORDED NOVEMBER 25, 1980 UNDER DOCUMENT NUMBER 80-208332, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1 (61515-1)

BEGINNING AT A POINT IN THE EASTERLY LINE OF SAID PARCEL 3, FROM WHICH THE SOUTHEASTERLY CORNER THEREOF BEARS SOUTH 01°20'41" WEST 514.91 FEET, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 19961.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 89°07'07" EAST);

1. THENCE LEAVING LAST SAID LINE, NORTHERLY 294.71 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°50'45" TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 20039.00 FEET;
2. THENCE NORTHERLY 456.96 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°18'24";
3. THENCE NORTH 01°20'31" EAST 106.06 FEET;
4. THENCE NORTH 88°39'29" WEST 35.75 FEET;
5. THENCE NORTH 03°04'01" WEST 18.93 FEET;
6. THENCE NORTH 01°20'41" EAST 181.13 FEET;
7. THENCE SOUTH 88°39'29" EAST 37.20 FEET;
8. THENCE NORTH 01°20'31" EAST 1148.83 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 17500.00 FEET;
9. THENCE NORTHERLY 594.67 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°56'49" TO THE EASTERLY LINE OF SAID PARCEL 2;
10. THENCE SOUTH 01°21'55" WEST 601.86 FEET ALONG SAID EASTERLY LINE;
11. THENCE SOUTH 01°20'41" WEST 2199.19 FEET ALONG LAST SAID LINE AND THE EASTERLY LINE OF SAID PARCEL 2 AND PARCEL 3 TO THE **POINT OF BEGINNING**.

CONTAINING 29,893 SQUARE FEET (0.686 ACRES), MORE OR LESS.

THIS CONVEYANCE IS MADE FOR THE PURPOSES OF A FREEWAY AND THE GRANTOR HEREBY RELEASES AND RELINQUISHES TO THE GRANTEE ANY AND ALL ABUTTER'S RIGHTS OF ACCESS, APPURTENANT TO GRANTOR'S REMAINING PROPERTY, IN AND TO SAID FREEWAY OVER AND ACROSS THE FOLLOWING DESCRIBED LINES BEGINNING AT SOUTHEASTERLY CORNER OF SAID PARCEL 3; THENCE NORTH 01°20'41" EAST 514.91 FEET. AND BEGINNING AT A POINT ON SAID EASTERLY LINE OF PARCEL 2, FROM WHICH THE NORTHEASTERLY CORNER THEREOF BEARS NORTH 01°21'55" EAST 27.93 FEET; THENCE NORTH 01°21'55" 27.93 FEET; THENCE NORTH 00°45'56" EAST 1088.64 FEET; THENCE NORTH 00°48'12" EAST 838.69 FEET; THENCE NORTH 00°48'03" EAST 982.20 FEET; THENCE NORTH 00°47'53" EAST 656.82 FEET, ALSO RELEASES AND RELINQUISHES ANY AND ALL OTHER ABUTTER'S RIGHTS OTHER THAN ACCESS APPURTENANT TO SAID REMAINING PROPERTY IN AND TO SAID FREEWAY.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART HEREOF

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



SEPTMBER 20, 2012
DAN S. SCOTT III, PLS 7840 DATE



EXHIBIT "A"

LAND DESCRIPTION OF ONE (1) PARCEL OF LAND IN THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING A PORTION OF PARCEL 3, AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO PLEASANTON GRAVEL COMPANY, INC. RECORDED NOVEMBER 25, 1980 UNDER DOCUMENT NUMBER 80-208332, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 61515-2

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID PARCEL 3;

1. THENCE NORTH 78°13'09" WEST 38.09 FEET ALONG THE SOUTHERLY LINE OF SAID PARCEL 3 TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 30.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 78°35'18" EAST);
2. THENCE LEAVING LAST SAID LINE, NORTHERLY 5.27 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°04'01"
3. THENCE NORTH 01°20'41" EAST 1249.68 FEET;
4. THENCE NORTH 03°04'01" WEST 111.07 FEET;
5. THENCE SOUTH 88°39'29" EAST 30.00 FEET;
6. THENCE SOUTH 01°20'31" WEST 106.06 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 20039.00 FEET;
7. THENCE SOUTHERLY 456.96 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°18'24" TO THE BEGINNING OF A REVERSE CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 19961.00 FEET;
8. THENCE SOUTHERLY 294.71 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°50'45" TO THE EASTERLY LINE OF SAID PARCEL 3;
9. THENCE SOUTH 01°20'41" WEST 514.91 FEET ALONG LAST SAID LINE TO **THE POINT OF BEGINNING.**

CONTAINING 45,855 SQUARE FEET (1.053 ACRES), MORE OR LESS.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART HEREOF

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



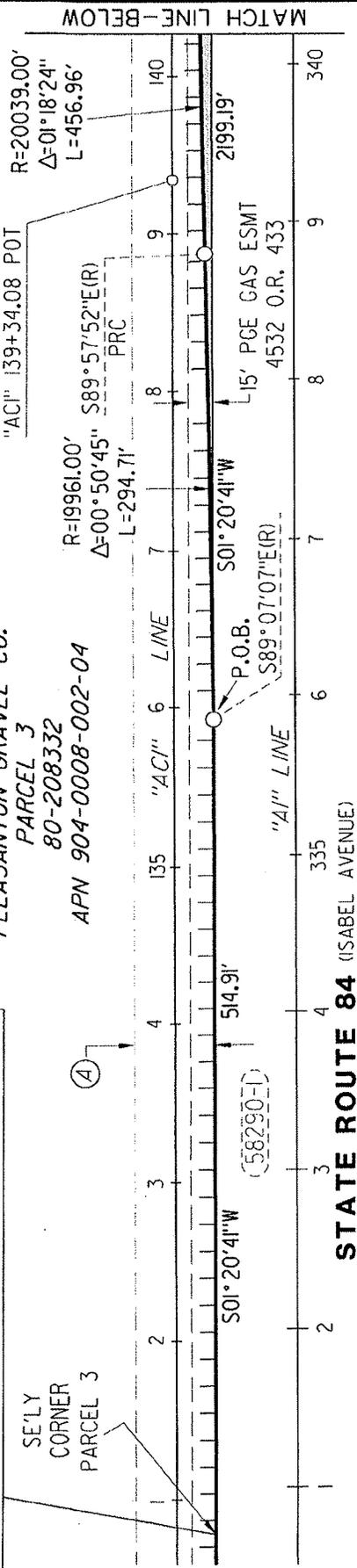
DAN S. SCOTT III, PLS 7840 SEPTEMBER 20, 2012
DATE



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.

COUNTY OF ALAMEDA

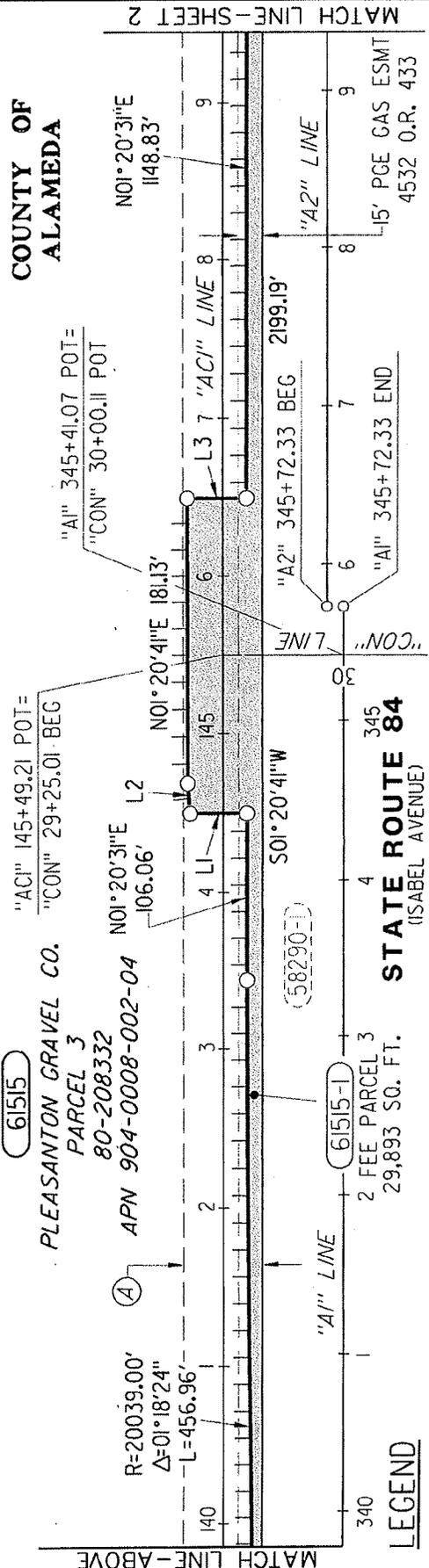
61515
PLEASANTON GRAVEL CO.
PARCEL 3
80-208332
APN 904-0008-002-04



MATCH LINE-BELOW

COUNTY OF ALAMEDA

61515
PLEASANTON GRAVEL CO.
PARCEL 3
80-208332
APN 904-0008-002-04



MATCH LINE-ABOVE

LEGEND

- = ACCESS CONTROLLED
- O = DIMENSION POINT
- ▨ = AREA TO BE CONVEYED
- XXXXX = STATE PARCEL NUMBER
- P.O.B. = POINT OF BEGINNING
- () = INDICATES PRIOR CONVEYANCE
- (A) = MINING LIMITATIONS WITHIN 50' OF EXISTING R/W PER VESTING QUARRY PERMIT No. 0-40

LINE TABLE

LINE	BEARING	DISTANCE
L1	N88°39'29"W	35.75'
L2	N03°04'01"W	18.93'
L3	S88°39'29"E	37.20'

STATE ROUTE 84
(ISABEL AVENUE)

PLAT TO ACCOMPANY DESCRIPTION

A PARTIAL FEE TAKE OVER THE LANDS OF PLEASANTON GRAVEL COMPANY TO BE CONVEYED TO THE STATE OF CALIFORNIA
PARCEL NO. 61515-1

COUNTY OF ALAMEDA CALIFORNIA

URS CORPORATION
3440 VINCENT ROAD, SUITE C
PLEASANT HILL, CA 94070
(925) 974-1550 FAX (925) 256-1260

EXHIBIT "B"

A-10411.09 & 10

SHEET 1 OF 4

DATE: SEPT 20, 2012 SCALE: 1"=100' JOB NO: 2009-74

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPCN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008671 to obtain ground level distances.

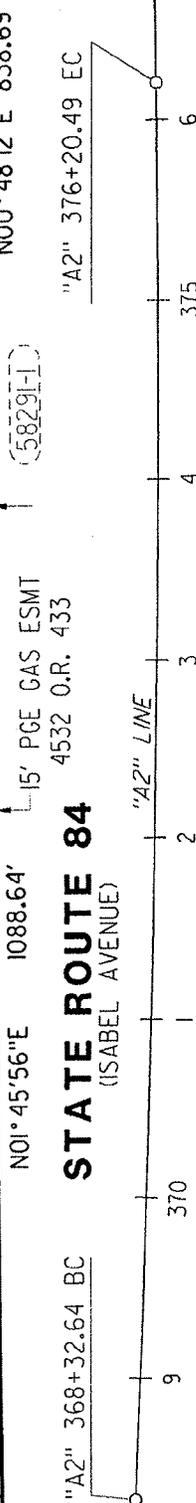


SCALE 1"=100'

61515
PLEASANTON GRAVEL CO.
PARCEL 6
80-208332

MINING LIMITATIONS WITHIN 50'
OF EXISTING R/W PER VESTING
QUARRY PERMIT No. 0-40

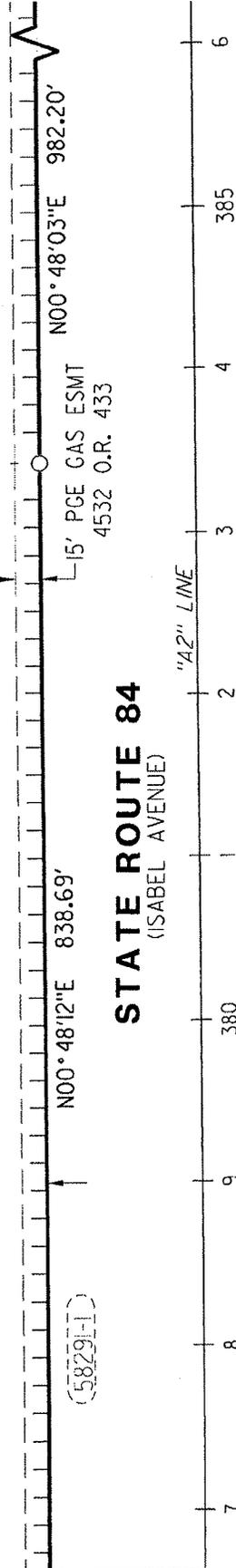
MATCH LINE-BELOW



MINING LIMITATIONS WITHIN 50'
OF EXISTING R/W PER VESTING
QUARRY PERMIT No. 0-40

61515
PLEASANTON GRAVEL CO.
PARCEL 10
80-208332

MATCH LINE-ABOVE



LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- = AREA TO BE CONVEYED
- = STATE PARCEL NUMBER
- = INDICATES PRIOR CONVEYANCE
- = COMMON OWNERSHIP

EXHIBIT "B"

URS CORPORATION
3440 VINCENT ROAD, SUITE C
PLEASANT HILL, CA 94070
(925) 974-1550 FAX (925) 256-1260

PLAT TO ACCOMPANY DESCRIPTION

ACCESS RIGHTS OVER THE LANDS OF PLEASANTON GRAVEL COMPANY TO BE
CONVEYED TO THE STATE OF CALIFORNIA

COUNTY OF ALAMEDA CALIFORNIA

A-10411.11 & .12

SHEET 3 OF 4

DATE: SEPT 20, 2012 SCALE: 1"=100'

JOB No: 2009-74

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HEPN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.



61515
PLEASANTON GRAVEL COMPANY
 PARCEL 10
 80-206332
 APN 904-0007-003-02

COUNTY OF ALAMEDA

STANLEY BLVD.
 COUNTY: RE 4557 IM 806

MINING LIMITATIONS WITHIN 50'
 OF EXISTING R/W PER VESTING
 QUARRY PERMIT No. 0-40

15' PGE ESMT
 4532 O.R. 433

500° 48' 03" W 982.20'

(58291-1)

500° 47' 53" W 656.82'

"A3" 393+21.29 BEG

"A2" LINE

"A2" 393+10.75 POT=

"ST" 93+10.75 BEG

"A2" 393+21.29 END

395

"ST" 94+27.03 BC

"A3" LINE

STATE ROUTE 84
 (ISABEL AVENUE)

LEGEND

- ||||| = ACCESS CONTROLLED
- O = DIMENSION POINT
- ▒ = AREA TO BE CONVEYED
- <XXXX> = NON-STATE PARCEL NUMBER
- P.O.B. = POINT OF BEGINNING
- (---) = INDICATES PRIOR CONVEYANCE

PLAT TO ACCOMPANY DESCRIPTION

ACCESS RIGHTS OVER THE LANDS OF PLEASANTON GRAVEL COMPANY TO BE CONVEYED TO THE STATE OF CALIFORNIA

COUNTY OF ALAMEDA

CALIFORNIA

URS CORPORATION
 3440 VINCENT ROAD, SUITE C
 PLEASANT HILL, CA 94070
 (925) 974-1550 FAX (925) 256-1260

SHEET 4 OF 4

A-10411.13

DATE: SEPT 20, 2012 SCALE: 1"=100' JOB NO: 2009-74

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPGN, Epoch 1911.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.

SCALE: 1"=100'



61515

PLEASANTON GRAVEL CO.
PARCEL 3
80-208332
APN 904-0008-002-04

LONESTAR CALIFORNIA
PARCEL 15
2000-116048

S78°35'18"E(R)

(A)

"ACI" LINE

38.09'

330

R=30.00'
Δ=10°04'01"
L=5.27'

<61515-2>
FEE PARCEL
45,855 SQ.FT.

N01°20'41"E

4

S01°20'41"W

"A1" LINE

3

STATE ROUTE 84
(ISABEL AVENUE)

514.91'

1249.68'

15' PGE GAS ESMT
4532 O.R. 433

S89°07'07"E(R)

6

R=19961.00'
Δ=00°50'45" L=294.71'

S89°57'52"E(R) PRC

9

SEE SHEET 2

LEGEND

— = ACCESS CONTROLLED

○ = DIMENSION POINT

▨ = AREA TO BE CONVEYED

<XXXX> = NON-STATE PARCEL NUMBER

P.O.B. = POINT OF BEGINNING

() = INDICATES PRIOR CONVEYANCE

(A) = MINING LIMITATIONS WITHIN 50' OF EXISTING R/W PER VESTING QUARRY PERMIT No. Q-40

EXHIBIT "B"

PLAT TO ACCOMPANY DESCRIPTION

A PARTIAL FEE TAKE OVER THE LANDS OF THE PLEASANTON GRAVEL COMPANY TO BE CONVEYED TO THE CITY OF LIVERMORE
PARCEL NO. 61515-2

COUNTY OF ALAMEDA

CALIFORNIA

URS CORPORATION
3440 VINCENT ROAD, SUITE C
PLEASANT HILL, CA 94070
(925) 974-1550 FAX (925) 256-1260

SHEET 1 OF 2

A-10411.08

DATE: SEPT 20, 2012

SCALE: 1"=100'

JOB NO: 2009-74

PERMANENT GAS LINE EASEMENT

A permanent gas line easement for the benefit of Pacific Gas & Electric Company ("PG&E"), which PG&E may at any time, and from time to time, excavate for, install, replace (of the initial or any other size), maintain and use such pipe lines as PG&E shall from time to time elect for conveying gas, with necessary and proper valves and other appliances and fittings, and devices for controlling electrolysis for use in connection with said pipe lines, and such underground wires, cables, conduits, appliances, fixtures and appurtenances, as PG&E shall from time to time elect for communication purposes, together with adequate protection therefor, and also a right of way, within the hereinafter described easement area lying within the lands which are situated in an unincorporated area of the County of Alameda, State of California, and are described as follows:

APN 904-0008-002-04

That being a portion of parcel 2 and parcel 3, as said parcels are described in the grant deed to Pleasanton Gravel Co., Inc. recorded November 25, 1980 under document number 80-208332, official records of said county

The aforesaid easement area is described as follows:

The parcel of land described in **EXHIBIT A** and shown upon **EXHIBIT B** attached hereto and made a part hereof.

This permanent easement allows PG&E:

(a) the right of ingress to and egress from said easement area over and across said lands by means of roads and lanes thereon, if such there be, otherwise by such route or routes as shall occasion the least practicable damage and inconvenience to the fee owner of APN 904-0008-002-04 ("Owner"), provided, that such right of ingress and egress shall not extend to any portion of said lands which is isolated from said easement area by any public road or highway, now crossing or hereafter crossing said lands;

(b) the right, from time to time, to trim or to cut down any and all trees and brush now or hereafter within said easement area, and shall have the further right, from time to time, to trim and cut down trees and brush along each side of said easement area which now or hereafter in the opinion of PG&E may interfere with or be a hazard to the facilities installed hereunder, or as PG&E deems necessary to comply with applicable state or federal regulations;

(c) the right to use such portion of said lands contiguous to said easement area as may be reasonably necessary in connection with the installation and replacement of said facilities;

(d) the right to install, maintain and use gates in all fences which now cross or shall hereafter cross said easement area; and

(e) the right to mark the location of said easement area by suitable markers set in the ground; provided that said markers shall be placed in fences or other locations which will not interfere with any reasonable use Owner shall make of said easement area.

PG&E shall:

(a) not fence said easement area;

(b) promptly backfill any excavations made by it on said easement area and repair any damage it shall do to any private roads or lanes on said lands; and

(c) indemnify Owner against any loss and damage which shall be caused by any wrongful or negligent act or omission of PG&E or of its agents or employees in the course of their employment, provided, however, that this indemnity shall not extend to that portion of such loss or damage that shall have been caused by Owner's comparative negligence or willful misconduct.

Owner reserves the right to use said easement area for purposes which will not interfere with PG&E's full enjoyment of the rights hereby granted; provided that Owner shall not erect or construct any building or other structure, or drill or operate any well, or construct any reservoir or other obstruction within said easement area, or plant any trees or vines, or construct associated supporting structures, within ten feet of edge(s) of the pipeline(s), or diminish or substantially add to the ground cover over said facilities, or construct any fences that will interfere with the maintenance and operation of said facilities.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

EXHIBIT "A"

LAND DESCRIPTION OF ONE (1) PARCEL OF LAND IN THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING A PORTION OF PARCEL 2 AND PARCEL 3, AS SAID PARCELS ARE DESCRIBED IN THE GRANT DEED TO PLEASANTON GRAVEL COMPANY, INC. RECORDED NOVEMBER 25, 1980 UNDER DOCUMENT NUMBER 80-208332, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1 (61515-3)

A 15 FOOT EASEMENT FOR GAS LINE PURPOSES AND INCIDENTS THERETO, UPON, IN, OVER AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHEASTERLY CORNER OF SAID PARCEL 3;

1. THENCE NORTH 01°20'41" EAST 514.91 FEET ALONG THE EASTERLY LINE OF SAID PARCEL 3 TO THE BEGINNING OF A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 19961.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 89°07'07" EAST);
2. THENCE LEAVING LAST SAID LINE, NORTHERLY 175.20 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°30'10" TO **THE TRUE POINT OF BEGINNING**;
3. THENCE RADIAL TO LAST SAID CURVE, NORTH 89°37'17" WEST 15.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 19946.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 89°37'17" EAST);
4. THENCE NORTHERLY 119.42 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°20'35" TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 20054.00 FEET;
5. THENCE NORTHERLY 457.31 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°18'24";
6. THENCE NORTH 01°20'31" EAST 1454.89 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 17515.00 FEET;
7. THENCE NORTHERLY 594.93 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°56'46";
8. THENCE SOUTH 87°40'24" EAST 15.00 FEET TO THE EASTERLY LINE OF SAID PARCEL 2, SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 17500.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING NORTH 86°42'40" WEST);
9. THENCE SOUTHERLY 594.67 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°56'49";
10. THENCE SOUTH 01°20'31" WEST 1454.89 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 20039.00 FEET;
11. THENCE SOUTHERLY 456.96 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°18'24" TO THE BEGINNING OF A REVERSE CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 19961.00 FEET;
12. THENCE SOUTHERLY 119.51 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°20'35" TO **THE TRUE POINT OF BEGINNING**.

CONTAINING 39,394 SQUARE FEET (0.904 ACRES), MORE OR LESS.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART HEREOF

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



DAN S. SCOTT III, PLS 7840

SEPTEMBER 20, 2012
DATE



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPCN, Epoch 1994.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008617 to obtain ground level distances.

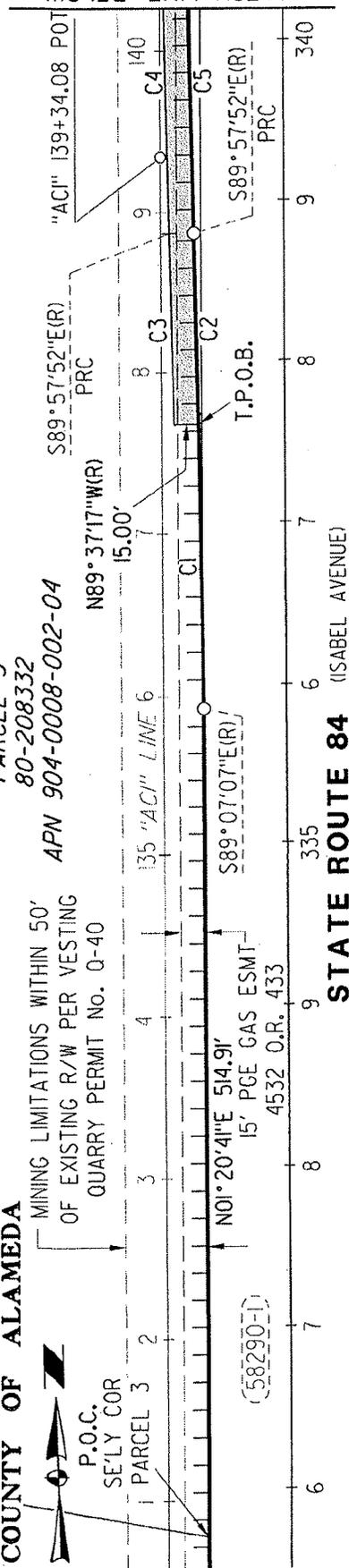
COUNTY OF ALAMEDA



MINING LIMITATIONS WITHIN 50' OF EXISTING R/W PER VESTING QUARRY PERMIT No. 0-40

PLOT 9 RANCHO EL VALLE DE SAN JOSE

PLEASANTON GRAVEL CO. PARCEL 3 APN 904-0008-002-04



MATCH LINE-ABOVE

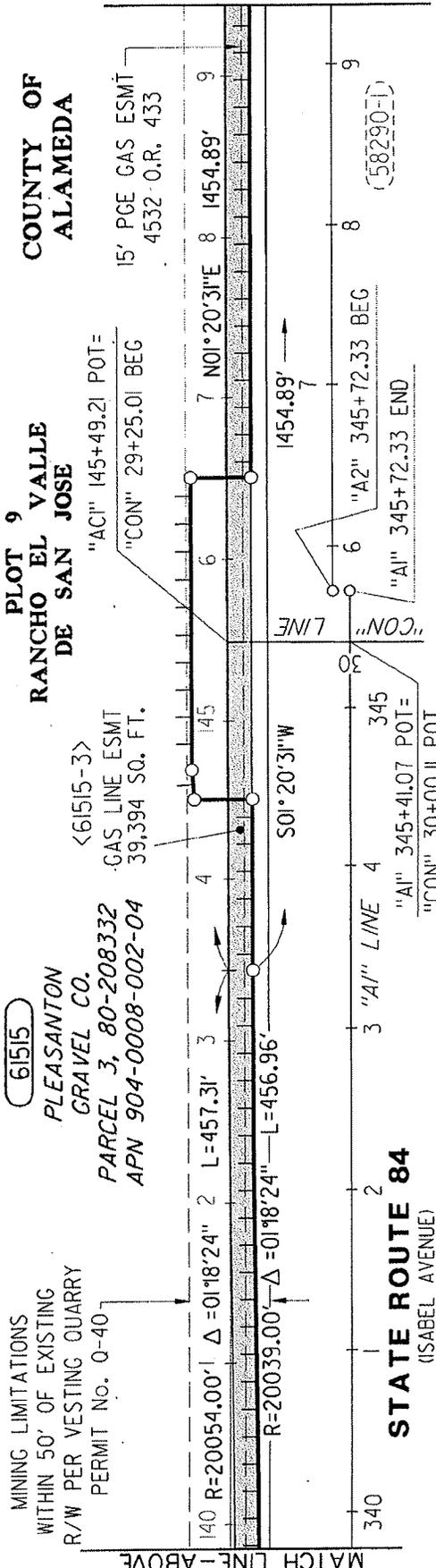
MATCH LINE-BELOW

MINING LIMITATIONS WITHIN 50' OF EXISTING R/W PER VESTING QUARRY PERMIT No. 0-40

COUNTY OF ALAMEDA

PLOT 9 RANCHO EL VALLE DE SAN JOSE

PLEASANTON GRAVEL CO. PARCEL 3, 80-208332 APN 904-0008-002-04



MATCH LINE-ABOVE

MATCH LINE-SHEET 2

LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- = AREA TO BE CONVEYED
- = STATE PARCEL NUMBER
- = POINT OF BEGINNING
- = INDICATES PRIOR CONVEYANCE

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH
C1	19961.00'	00°30'10"	175.20'
C2	19961.00'	00°20'35"	119.51'
C3	19946.00'	00°20'35"	119.42'
C4	20054.00'	01°18'24"	457.31'
C5	20039.00'	01°18'24"	456.96'

PLAT TO ACCOMPANY DESCRIPTION

A PERMEMENT EASEMENT FOR GAS LINE PURPOSES OVER THE LANDS OF PLEASANTON GRAVEL COMPANY TO BE CONVEYED TO PGE
 PARCEL NO. 6151-3
 COUNTY OF ALAMEDA
URS CORPORATION
 3440 VINCENT ROAD, SUITE C
 PLEASANT HILL, CA 94070
 (925) 974-1550 FAX (925) 256-1250
 CALIFORNIA
 DATE: SEPT 20, 2012 SCALE: 1"=100' SHEET 1 OF 2
 JOB NO: 2009-74

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HFGN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.

SCALE 1"=100'

15' PGE GAS ESMT
4532 O.R. 433

40' PRIVATE ROAD

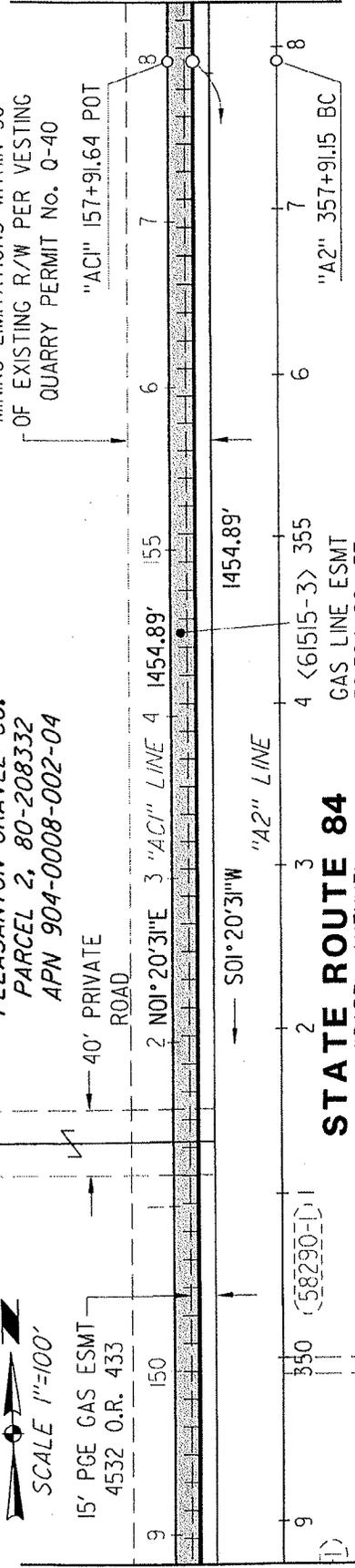
PLEASANTON GRAVEL CO.
PARCEL 2, 80-208332
APN 904-0008-002-04

PLOT 9
RANCHO EL VALLE DE SAN JOSE
COUNTY OF ALAMEDA

MINING LIMITATIONS WITHIN 50' OF EXISTING R/W PER VESTING QUARRY PERMIT No. Q-40

MATCH LINE - BELOW

MATCH LINE - SHEET 1

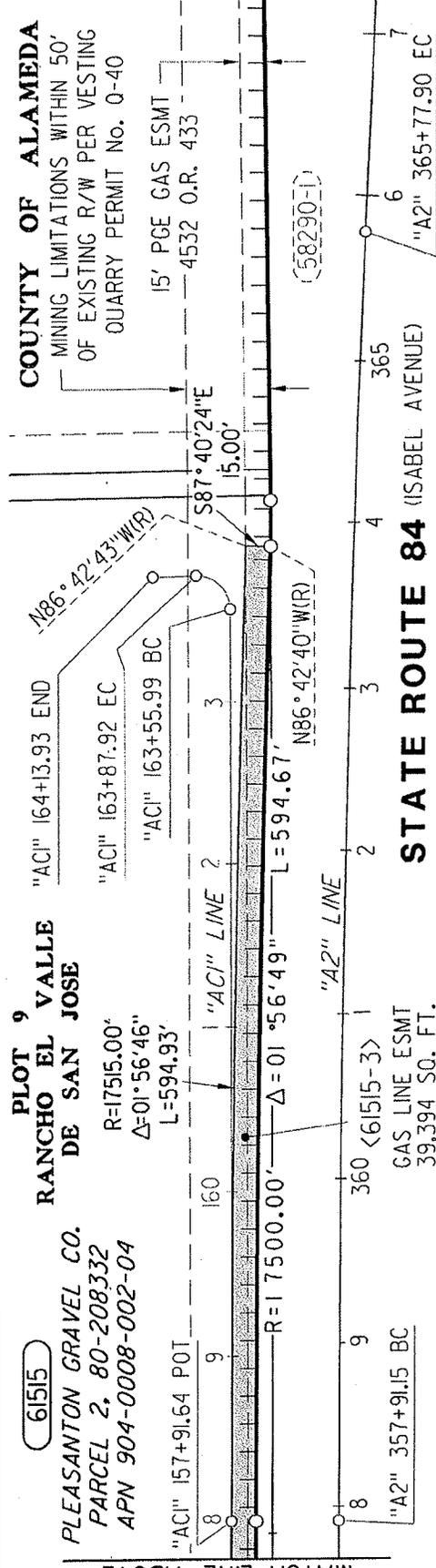


STATE ROUTE 84
(ISABEL AVENUE)

PLOT 9
RANCHO EL VALLE DE SAN JOSE
COUNTY OF ALAMEDA

MINING LIMITATIONS WITHIN 50' OF EXISTING R/W PER VESTING QUARRY PERMIT No. Q-40

PLEASANTON GRAVEL CO.
PARCEL 2, 80-208332
APN 904-0008-002-04



STATE ROUTE 84 (ISABEL AVENUE)

LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- ▨ = AREA TO BE CONVEYED
- XXXXX = STATE PARCEL NUMBER
- ⋈ = INDICATES PRIOR CONVEYANCE
- ⋈ = COMMON OWNERSHIP

PLAT TO ACCOMPANY DESCRIPTION

A PERMANENT EASEMENT FOR GAS LINE PURPOSES OVER THE LANDS OF PLEASANTON GRAVEL COMPANY TO BE CONVEYED TO PGE
PARCEL NO. 61515-3

COUNTY OF ALAMEDA CALIFORNIA

URS CORPORATION

3440 VINCENT ROAD, SUITE C
PLEASANT HILL, CA 94070
(925) 974-1550 FAX (925) 256-1250

A-10411.09, .10 & .11 SHEET 2 OF 2

DATE: SEPT 20, 2012 SCALE: 1"=100'

JOB NO: 2009-74

TEMPORARY CONSTRUCTION EASEMENT

Temporary Construction Easement for the benefit of Alameda County Transportation Commission ("Alameda CTC"), over, across, under and through the real property situated in an unincorporated area of the County of Alameda, State of California, described in **EXHIBIT A** and shown upon **EXHIBIT B**, attached hereto and made a part hereof ("EASEMENT AREA") for public road construction and conformance purposes related to the State Route 84 Expressway Widening Project ("PROJECT").

Alameda CTC's rights under the easement granted hereby shall include, without limitation, the right of Alameda CTC, its officers, agents, contractors, and employees, and other governmental agencies responsible for review or construction of any portion of the PROJECT and such agencies' officers, agents, contractors, and employees, to enter upon the EASEMENT AREA with personnel, vehicles and equipment for construction of the PROJECT, and all other activities related thereto, to remove all improvements, trees and vegetation thereon that interfere with the purpose for which this easement is granted, to conform the EASEMENT AREA to the PROJECT, and do any and all other actions necessary and appropriate to the construction of the PROJECT.

If improvements in the EASEMENT AREA are removed pursuant to this Temporary Construction Easement, such improvements will be reconstructed at Alameda CTC's sole expense upon the termination of the Temporary Construction Easement and will be restored to their original condition or as close thereto as is feasible. If reconstruction is not feasible, Alameda CTC will pay the underlying fee owner ("Owner") the value of such improvements.

This Temporary Construction Easement is for a period of twenty four (24) months, to commence upon fourteen (14) days written notice from Alameda CTC to Owner, and shall terminate twenty four (24) months after such commencement. In the event Alameda CTC desires to utilize or occupy the Temporary Construction Easement area beyond the twenty four (24) month period described above, Alameda CTC shall pay Owner, on a month-to-month basis, additional compensation for the use of the Temporary Construction Easement. In no event shall this Temporary Construction Easement extend beyond the completion of construction, or December 31, 2017. At no additional cost to Alameda CTC, Alameda CTC shall have the right to enter upon Owner's retained property, where necessary, to reconstruct or perform any warranty or conformance works during or after the expiration of the Temporary Construction Easement and any extension thereto and/or the completion of the PROJECT. Said works include conforming driveways, walkways, lawn, landscaped and hardscaped areas, irrigation systems, sidewalks or any area where reconstruction or warranty work on Owner's retained property is necessary.

All work performed by Alameda CTC in the EASEMENT AREA shall conform to applicable building, fire, and sanitary laws, ordinances and regulations relating to such work and shall be done in a good and workmanlike manner.

The rights and obligations contained in this Grant of Temporary Construction Easement will (a) run with the land and burden, inure to and be for the benefit of and are binding on the land, Owner and its successors and assigns, and be an equitable servitude of Owner and its successors and assigns, and (b) constitute an easement in gross for the benefit of Alameda CTC and its successors and assigns, and will be binding on Alameda CTC and its successors and assigns.

EXHIBIT "A"

LAND DESCRIPTION OF ONE (1) PARCEL OF LAND IN THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING A PORTION OF PARCEL 2 AND PARCEL 3, AS SAID PARCELS ARE DESCRIBED IN THE GRANT DEED TO PLEASANTON GRAVEL COMPANY, INC. RECORDED NOVEMBER 25, 1980 UNDER DOCUMENT NUMBER 80-208332, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 61515-5

A TEMPORARY EASEMENT TO TERMINATE DECEMBER 31, 2017 FOR CONSTRUCTION PURPOSES AND INCIDENTS THERETO, UPON AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY CORNER OF SAID PARCEL 3, THENCE NORTH 78°13'09" WEST 38.09 FEET ALONG THE SOUTHERLY LINE OF SAID PARCEL 3 TO THE **TRUE POINT OF BEGINNING**;

1. THENCE CONTINUING ALONG SAID SOUTHERLY LINE, NORTH 78°13'09" WEST 58.52 FEET;
2. THENCE LEAVING LAST SAID LINE, NORTH 10°03'12" EAST 59.54 FEET;
3. THENCE NORTH 01°06'05" EAST 209.48 FEET;
4. THENCE NORTH 01°00'59" EAST 292.32 FEET;
5. THENCE NORTH 01°16'01" EAST 390.79 FEET;
6. THENCE NORTH 04°01'43" EAST 237.25 FEET;
7. THENCE NORTH 02°26'33" EAST 92.44 FEET;
8. THENCE NORTH 03°46'08" EAST 383.30 FEET;
9. THENCE NORTH 01°09'56" EAST 645.32 FEET;
10. THENCE NORTH 27°11'27" WEST 40.70 FEET;
11. THENCE NORTH 00°24'12" WEST 114.93 FEET;
12. THENCE NORTH 04°32'06" EAST 315.28 FEET;
13. THENCE NORTH 00°26'02" WEST 145.00 FEET;
14. THENCE NORTH 17°14'26" WEST 58.28 FEET;
15. THENCE NORTH 11°06'53" EAST 64.56 FEET;
16. THENCE NORTH 00°56'12" EAST 93.25 FEET;
17. THENCE NORTH 07°50'01" EAST 198.47 FEET TO THE SOUTHERLY LINE OF THE QUITCLAIMED DEED TO PLEASANTON GRAVEL COMPANY, INC. RECORDED JUNE 26, 1985 AS DOCUMENT NUMBER 85-126963 OFFICIAL RECORDS OF SAID COUNTY;
18. THENCE SOUTH 89°16'40" EAST 57.98 FEET ALONG LAST SAID LINE TO THE EASTERLY LINE OF SAID PARCEL 2;
19. THENCE SOUTH 00°45'56" WEST 3.04 FEET ALONG LAST SAID LINE;
20. THENCE SOUTH 01°21'55" WEST 27.93 FEET ALONG LAST SAID LINE TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 17500.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING NORTH 86°42'40" WEST);
21. THENCE LEAVING LAST SAID LINE, SOUTHERLY 594.67 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°56'49";
22. THENCE SOUTH 01°20'31" WEST 1148.83 FEET;
23. THENCE NORTH 88°39'29" WEST 37.20 FEET;
24. THENCE SOUTH 01°20'41" WEST 181.13 FEET;
25. THENCE SOUTH 03°04'01" EAST 130.00 FEET;

26. THENCE SOUTH 01°20'41" WEST 1249.68 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 30.00 FEET;

27. THENCE SOUTHERLY 5.27 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°04'01" TO THE **TRUE POINT OF BEGINNING.**

CONTAINING 178,500 SQUARE FEET (4.098 ACRES), MORE OR LESS.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART HEREOF

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



DAN S. SCOTT III, PLS 7840

SEPTEMBER 16, 2013

DATE



COUNTY OF ALAMEDA

EXHIBIT "B"

61515
 PLEASANTON GRAVEL CO.
 PARCEL 3
 1980-208332
 APN 904-0008-002-04

61515-5
 TCE
 TERM 12-31-2017
 4.098 ACRES

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPGN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.

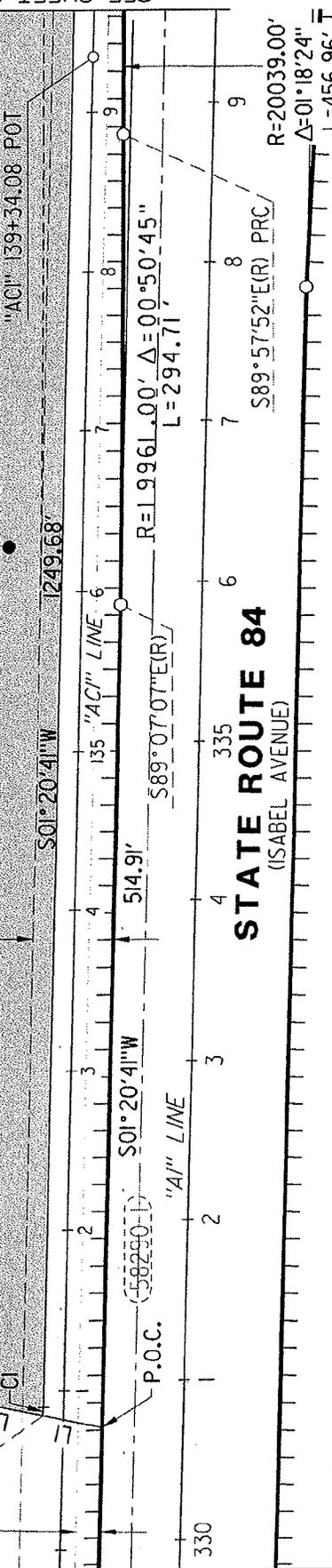


MINING LIMITATIONS WITHIN 50' OF EXISTING R/W PER VESTING QUARRY PERMIT No. Q-40

ESMT 4532 O.R. 433
 15' PGE GAS LINE
 S78°35'18"E(R)
 L2
 T.P.O.B.
 L1

N10°03'12"E
 59.54'
 N01°06'05"E
 209.48'

N01°00'59"E
 292.32'
 N01°16'01"E
 390.79'



STATE ROUTE 84
 (ISABEL AVENUE)

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH
C1	30.00'	10°04'01"	5.27'

TRACT 7087
 250 M 87

LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- ▨ = AREA TO BE CONVEYED
- XXXXX = STATE PARCEL NUMBER
- P.O.B. = POINT OF BEGINNING
- (---) = INDICATES PRIOR CONVEYANCE

LINE TABLE

LINE	BEARING	DISTANCE
L1	N78°13'09"W	38.09'
L2	N78°13'09"W	58.52'

PLAT TO ACCOMPANY DESCRIPTION

A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES AND INCIDENTS THERETO OVER THE LANDS OF PLEASANTON GRAVEL CO. TO BE CONVEYED TO THE STATE OF CALIFORNIA
 PARCEL NO. 61515-5

COUNTY OF ALAMEDA CALIFORNIA
 PLEASANT HILL OFFICE
 3440 VINCENT ROAD, SUITE C
 PLEASANT HILL, CA 94070
 (925) 974-1550 FAX (925) 256-1260

DATE: SEPTEMBER 16, 2003 SCALE: 1"=100' JOB NO: 2009-74

A-10411.08, .09, .10 & .11 SHEET 1 OF 4

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPGN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.

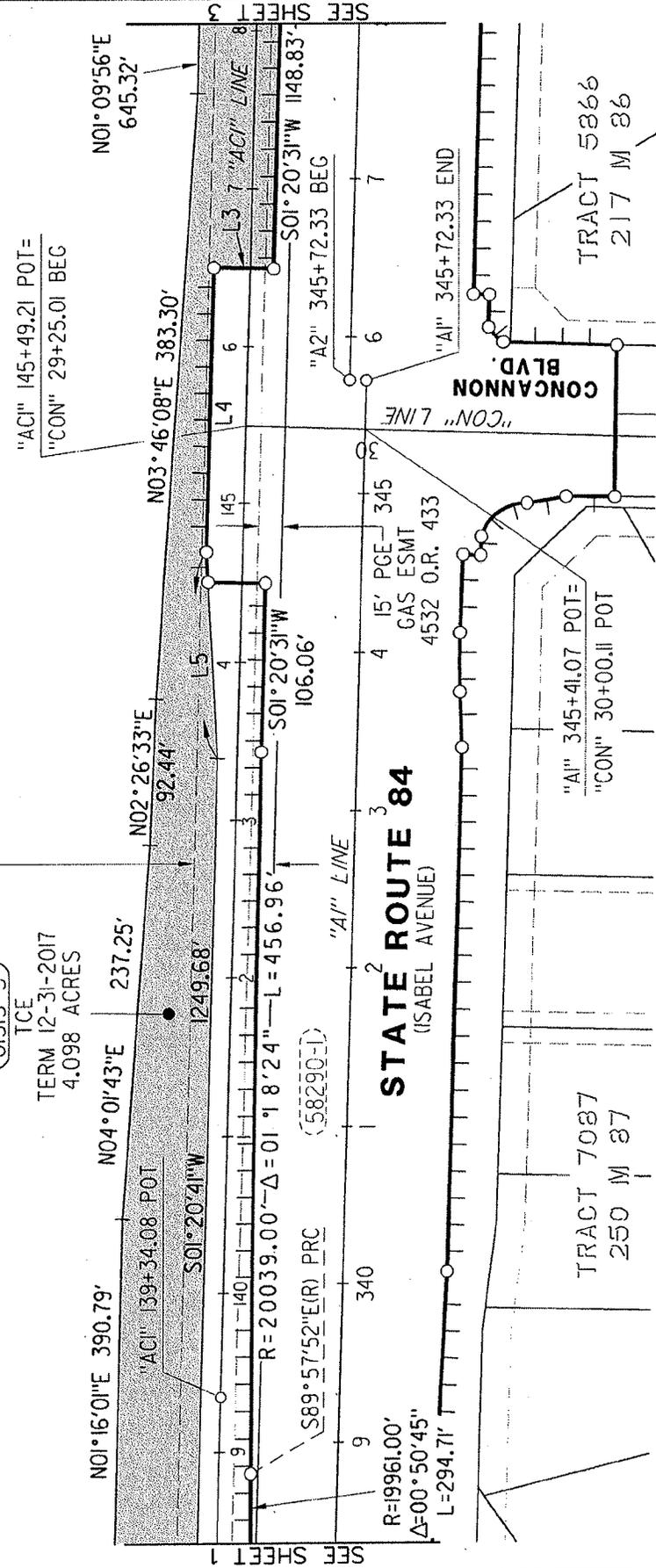


EXHIBIT "B"

61515
 MINING LIMITATIONS WITHIN 50'
 OF EXISTING R/W PER VESTING
 QUARRY PERMIT No. 0-40

61515-5
 TCE
 TERM 12-31-2017
 4.098 ACRES

61515
 PLEASANTON GRAVEL CO.
 PARCEL 3
 80-208332
 APN 904-0008-002-04



LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- = AREA TO BE CONVEYED
- = STATE PARCEL NUMBER
- = INDICATES PRIOR CONVEYANCE

LINE TABLE

LINE	BEARING	DISTANCE
L3	N88°39'29"W	37.20'
L4	S01°20'41"W	181.13'
L5	S03°04'01"E	130.00'

PLAT TO ACCOMPANY DESCRIPTION

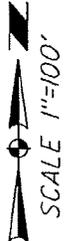
A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES AND INCIDENTS THERETO OVER THE LANDS OF PLEASANTON GRAVEL CO. TO BE CONVEYED TO THE STATE OF CALIFORNIA
 PARCEL NO. 61515-5

COUNTY OF ALAMEDA CALIFORNIA
URS
 PLEASANT HILL OFFICE
 3440 VINCENT ROAD, SUITE C
 PLEASANT HILL, CA 94070
 (925) 974-1550 FAX (925) 256-1260

A-10411.08, .09, .10 & .11 SHEET 2 OF 4

DATE: SEPTEMBER 16, 2013 SCALE: 1"=100' JOB NO: 2009-74

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by .000008677 to obtain ground level distances.



PLEASANTON GRAVEL CO.
PARCEL 3
80-208332
APN 904-0008-002-04

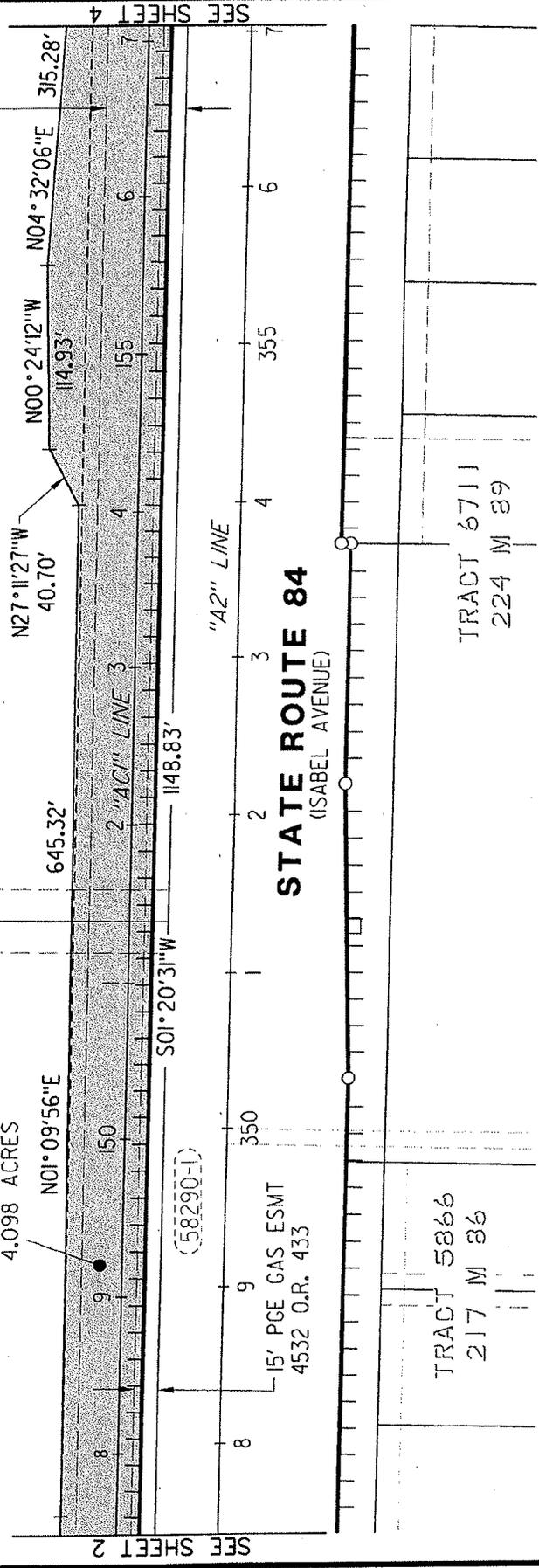
(61515-5)
TCE
TERM 12-31-2017
4.098 ACRES
N01°09'56"E

EXHIBIT "B"

(61515)

PLEASANTON GRAVEL CO.
PARCEL 2
80-208332
APN 904-0008-002-04

MINING LIMITATIONS WITHIN 50'
OF EXISTING R/W PER VESTING
QUARRY PERMIT No. 0-40



LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- ▨ = AREA TO BE CONVEYED
- (XXXXX) = STATE PARCEL NUMBER
- 4/ = COMMON OWNERSHIP
- (---) = INDICATES PRIOR CONVEYANCE

PLAT TO ACCOMPANY DESCRIPTION

A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES AND INCIDENTS
THERE TO OVER THE LANDS OF PLEASANTON GRAVEL CO. TO BE CONVEYED
TO THE STATE OF CALIFORNIA
PARCEL NO. 61515-5

COUNTY OF ALAMEDA CALIFORNIA

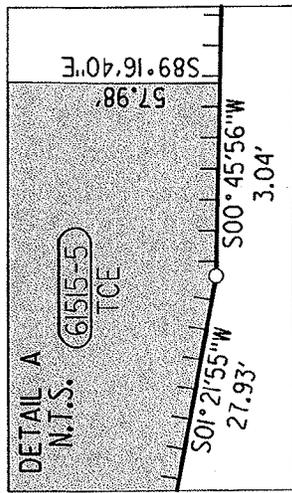


PLEASANT HILL OFFICE
3440 VINCENT ROAD, SUITE C
PLEASANT HILL, CA 94070
(925) 974-1550 FAX (925) 256-1260

DATE: SEPTEMBER 16, 2013 SCALE: 1"=100' JOB NO: 2009-74

A-10411.08, .09, .10 & .11 SHEET 3 OF 4

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPGN, Epoch 1993.5. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.



SCALE 1"=100'

61515

COUNTY OF ALAMEDA

40' PRIVATE ROAD
PLEASANTON GRAVEL CO.
PARCEL 2
80-208332
APN 904-0008-002-04

PLEASANTON GRAVEL CO.
PARCEL 2
80-208332
APN 904-0008-002-04

MINING LIMITATIONS WITHIN 50' OF EXISTING R/W PER VESTING QUARRY PERMIT NO. 0-40

61515-5
TCE
TERM 12-31-2017
4.098 ACRES

"ACI" 164+13.93 END
"ACI" 163+87.92 EC

N11°06'53"E 64.56'
N17°14'26"W 58.28'

N00°26'02"W 145.00'

N04°32'06"E 315.28'

N00°56'12"E 93.25'

N17°14'26"W 58.28'

N04°32'06"E 315.28'

N07°50'01"E 198.47'

N00°26'02"W 145.00'

N04°32'06"E 315.28'

"ACI" 163+55.99 BC

N00°26'02"W 145.00'

N04°32'06"E 315.28'

"ACI" LINE 2

N00°26'02"W 145.00'

N04°32'06"E 315.28'

L = 594.67'

R = 17500.00'

N04°32'06"E 315.28'

N86°42'40"W(R)

"A2" LINE

N04°32'06"E 315.28'

3 501°21'55"W 27.93'

"A2" LINE

N04°32'06"E 315.28'

4

RE 2160
IM 2803

N04°32'06"E 315.28'

SEE DETAIL "A"

2000-317323

N04°32'06"E 315.28'

STATE ROUTE 84
(ISABEL AVENUE)

15' PGE GAS ESMT
4532 O.R. 433

N04°32'06"E 315.28'

TRACT 6711
224 M 89

6

N04°32'06"E 315.28'

7

7

N04°32'06"E 315.28'

8

8

N04°32'06"E 315.28'

9

9

N04°32'06"E 315.28'

360

360

N04°32'06"E 315.28'

365

365

N04°32'06"E 315.28'

SEE DETAIL "A"

57.98

N04°32'06"E 315.28'

S89°16'40"E

SEE SHEET 5

N04°32'06"E 315.28'

PLAT TO ACCOMPANY DESCRIPTION
A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES AND INCIDENTS THERETO OVER THE LANDS OF PLEASANTON GRAVEL CO. TO BE CONVEYED TO THE STATE OF CALIFORNIA
PARCEL NO. 61515-5
COUNTY OF ALAMEDA CALIFORNIA

URS
PLEASANT HILL OFFICE
3440 VINCENT ROAD, SUITE C
PLEASANT HILL, CA 94070
(925) 974-1550 FAX (925) 256-1260

DATE: SEPTEMBER 16, 2013 SCALE: 1"=100' JOB NO: 2009-74

EXHIBIT "B"

LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- ▨ = AREA TO BE CONVEYED
- XXXXX = STATE PARCEL NUMBER
- 1/4 = COMMON OWNERSHIP
- () = INDICATES PRIOR CONVEYANCE

SEE SHEET 5

A-10411.08, .09, .10 & .11 SHEET 4 OF 4

PERMANENT INGRESS AND EGRESS EASEMENT

A permanent ingress and egress easement for the benefit of Alameda County Flood Control and Water Conservation District, Zone 7, ("District"), City of Livermore ("City"), and Pacific Gas and Electric Company ("PG&E"), upon, across, over, under and through those portions of the property described in **EXHIBIT A** and shown upon **EXHIBIT B**, attached hereto and by this reference incorporated herein (together, the "Easement Area") for: (i) use as a private roadway for ingress and egress by cars, trucks and other vehicles and equipment; and (ii) construction, installation, maintenance, repairs, reconstruction and replacement of any roads or related improvements located at any time with the Easement Area.

The Easement shall be appurtenant to the property owned by City APN 904-0010-002-08 and the property owned by District APN 904-0010-002-05 ("Grantee Parcels"). The Easement also shall be in gross for the benefit of District, City and PG&E ("Grantees") equally.

The Easement herein is intended to create a property interest only in Grantees; provided, however, that Grantees may permit any of their respective officers, directors, partners, members, employees, agents, contractors, subcontractors, tenants, licensees, invitees and permittees to use and enjoy the Easement in accordance with the provisions hereof. Nothing herein shall be construed or deemed at any time to constitute a dedication or offer of dedication, express or implied, of all or any portion of the underlying fee or any interest therein to the public at large. The Easement shall be used by Caltrans solely for the purposes stated above.

The Alameda County Transportation Commission ("Alameda CTC"), is responsible for constructing a gravel roadway and other improvements required by the Grantees to utilize the easement described herein (collectively, "Roadway") and to thereby ensure that each Grantee has continued access to the Grantee Parcels (and easements located therein).

Grantees agree to provide reasonable notice to all parties and the fee owner of APN 904-0010-002-02 ("Owner") of any use of the Roadway which may conflict with the use of the Roadway by the other parties. Such conflict may arise from major maintenance or repairs of Grantee's facilities.

Owner may use the Easement Area, or permit use of the Easement Area by others, so long as such use does not in any way interferes with Grantees' use of the Easement Area pursuant to the Easement granted herein.

Maintenance of Easement and Easement Area.

- Except as otherwise provided, District shall be responsible for required maintenance and repairs of the Roadway, as and when required to keep the gravel Roadway in good condition and repair as determined solely by the District.
- To the extent that any repair or maintenance work to the Roadway is necessitated due to the negligence or disproportionate heavy use by any Grantee (other than District) and/or its assignees, permittees or licensees, such Grantee shall be solely responsible for performing the required repairs or maintenance.

The Easement and the provisions herein shall be easements and covenants running with the land and shall be binding upon and inure to the benefit of the parties hereto and their respective successors, representatives and assigns and all those claiming by, through or under Grantees and any subsequent owner of all or any portion of the Grantee Parcels and all those claiming by, through or under Owner and any successor owner of all or any portion of the Owner's Parcel APN 904-0010-002-02.

EXHIBIT "A"

LAND DESCRIPTIONS OF ONE (1) PARCEL OF LAND IN THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING PORTIONS OF PARCEL 11, AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO PLEASANTON GRAVEL COMPANY, INC. RECORDED NOVEMBER 25, 1980 UNDER DOCUMENT NUMBER 80-208322, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 61519-1

A PERMANENT EASEMENT FOR INGRESS/EGRESS PURPOSES AND INCIDENTS THERETO, UPON OVER AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE GENERAL EASTERLY LINE OF SAID PARCEL 11, WITH THE SOUTHERLY LINE OF PARCEL C, AS SAID PARCEL IS SHOWN ON TRACT 7300 FILED APRIL 11, 2006 IN BOOK 291 OF MAPS PAGES 3 THROUGH 10 INCLUSIVE, OFFICIAL RECORDS OF SAID COUNTY, SAID POINT ALSO BEING THE EASTERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS NORTH 89°25'04" WEST 2535.769 FEET FOR PARCEL C SHOWN ON SHEET 7 OF 8 ON SAID MAP OF TRACT 7300 (THE BEARING OF NORTH 89°24'28" WEST BEING TAKEN FOR THE PURPOSE OF THIS DESCRIPTION);

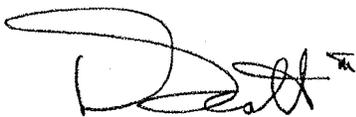
1. THENCE SOUTH 43°31'18" WEST 35.17 FEET ALONG SAID GENERAL EASTERLY LINE OF PARCEL 11 TO THE **TRUE POINT OF BEGINNING**;
2. THENCE CONTINUING ALONG SAID GENERAL EASTERLY LINE, SOUTH 43°31'18" WEST 66.29 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 60.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 71°31'40" EAST);
3. THENCE LEAVING SAID GENERAL EASTERLY LINE, NORTHERLY AND NORTHWESTERLY 90.57 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 86°29'00" TO THE NORTHERLY LINE OF SAID PARCEL 11;
4. THENCE SOUTH 89°24'28" EAST 65.72 FEET ALONG SAID NORTHERLY LINE TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 70.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING NORTH 49°40'28" EAST);
5. THENCE LEAVING LAST SAID LINE, SOUTHEASTERLY 21.72 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 17°46'50";
6. THENCE SOUTH 22°32'42" EAST 8.05 FEET TO SAID GENERAL EASTERLY LINE AND THE **TRUE POINT OF BEGINNING**.

CONTAINING 2,483 SQUARE FEET (0.057 ACRES), MORE OR LESS.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART HEREOF

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



DAN S. SCOTT III, PLS 7840
LICENSE EXPIRES: 12/31/12

7-18-2011
DATE



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPGN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.000008677 to obtain ground level distances.



COUNTY OF ALAMEDA

61519

PLEASANTON GRAVEL COMPANY, INC.
PARCEL II
80-208322
APN 904-0010-002-02

N21°59'20"E(R)
R=60.00'
Δ=86°29'00" L=90.51'

65.72

66.29'

S71°31'40"E(R)

S43°31'18"W

ALAMEDA COUNTY FLOOD CONTROL & WATER DISTRICT
PARCEL I (5015A-3)
2005-003105

<61519-1>
INGRESS/EGRESS ESMT
2483 SO.FT.

N49°40'28"E(R)

"AC2" 215+65.52 BC

R=70.00'

Δ17°46'50"

L=21.72'

T.P.O.B.

215

"AC2" LINE

S22°32'42"E
8.05'

P.O.C.

10' UTILITY ESMT

35' PGE ESMT
2003-381038 &
2003-381040

2008-024928

PARCEL I
506-3
2005-003105

10' SSE RE 2004 IM 662

CCUA

(59713-A)

PCL 1

STATE ROUTE 84

A-10411.14

SHEET 1 OF 1

LEGEND

===== ACCESS CONTROLLED

○ DIMENSION POINT

▨ AREA TO BE CONVEYED

▭ INDICATES PRIOR CONVEYANCE

<XXXX> = NON-STATE PARCEL NUMBER

P.O.C. = POINT OF COMMENCEMENT

T.P.O.B. = TRUE POINT OF BEGINNING

SSE = SANITARY SEWER ESMT

PUE = PUBLIC UTILITY ESMT

∩ = COMMON OWNERSHIP

LIVERMORE AIRWAY ASSOCIATION, LLC
PARCEL C
291 M 3

40' LANDSCAPE STORM & SEWER ESMT 2006-142492

20' PUE & SSE 2006-142492

EXHIBIT "B"

PLAT TO ACCOMPANY DESCRIPTION

INGRESS EGRESS EASEMENT OVER OF THE LANDS OF PLEASANTON GRAVEL COMPANY
PARCEL NO. 61519-1

COUNTY OF ALAMEDA

CALIFORNIA



D & D SURVEYING, INC

LAND SURVEYING-MAPPING

6990 VILLAGE PARKWAY, SUITE 207, DUBLIN CA 94568
(925) 828-8900 FAX (925) 828-1550

DATE: JULY 18, 2011 SCALE: 1"=40'

JOB NO: GI-0702-20

TEMPORARY CONSTRUCTION EASEMENT

Temporary Construction Easement for the benefit of Alameda County Transportation Commission ("Alameda CTC"), over, across, under and through the real property situated in an unincorporated area of the County of Alameda, State of California, described in **EXHIBIT A** and shown upon **EXHIBIT B**, attached hereto and made a part hereof ("EASEMENT AREA") for public road construction and conformance purposes related to the State Route 84 Expressway Widening Project ("PROJECT").

Alameda CTC's rights under the easement granted hereby shall include, without limitation, the right of Alameda CTC, its officers, agents, contractors, and employees, and other governmental agencies responsible for review or construction of any portion of the PROJECT and such agencies' officers, agents, contractors, and employees, to enter upon the EASEMENT AREA with personnel, vehicles and equipment for construction of the PROJECT, and all other activities related thereto, to remove all improvements, trees and vegetation thereon that interfere with the purpose for which this easement is granted, to conform the EASEMENT AREA to the PROJECT, and do any and all other actions necessary and appropriate to the construction of the PROJECT.

If improvements in the EASEMENT AREA are removed pursuant to this Temporary Construction Easement, such improvements will be reconstructed at Alameda CTC's sole expense upon the termination of the Temporary Construction Easement and will be restored to their original condition or as close thereto as is feasible. If reconstruction is not feasible, Alameda CTC will pay the underlying fee owner ("Owner") the value of such improvements.

This Temporary Construction Easement is for a period of twenty four (24) months, to commence upon fourteen (14) days written notice from Alameda CTC to Owner, and shall terminate twenty four (24) months after such commencement. In the event Alameda CTC desires to utilize or occupy the Temporary Construction Easement area beyond the twenty four (24) month period described above, Alameda CTC shall pay Owner, on a month-to-month basis, additional compensation for the use of the Temporary Construction Easement. In no event shall this Temporary Construction Easement extend beyond the completion of construction, or December 31, 2017. At no additional cost to Alameda CTC, Alameda CTC shall have the right to enter upon Owner's retained property, where necessary, to reconstruct or perform any warranty or conformance works during or after the expiration of the Temporary Construction Easement and any extension thereto and/or the completion of the PROJECT. Said works include conforming driveways, walkways, lawn, landscaped and hardscaped areas, irrigation systems, sidewalks or any area where reconstruction or warranty work on Owner's retained property is necessary.

All work performed by Alameda CTC in the EASEMENT AREA shall conform to applicable building, fire, and sanitary laws, ordinances and regulations relating to such work and shall be done in a good and workmanlike manner.

The rights and obligations contained in this Grant of Temporary Construction Easement will (a) run with the land and burden, inure to and be for the benefit of and are binding on the land, Owner and its successors and assigns, and be an equitable servitude of Owner and its successors and assigns, and (b) constitute an easement in gross for the benefit of Alameda CTC and its successors and assigns, and will be binding on Alameda CTC and its successors and assigns.

EXHIBIT "A"

LAND DESCRIPTIONS OF TWO (2) PARCELS OF LAND IN THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING PORTIONS OF PARCEL 11, AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO PLEASANTON GRAVEL COMPANY, INC. RECORDED NOVEMBER 25, 1980 UNDER DOCUMENT NUMBER 80-208322, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1 (61519-2)

A TEMPORARY EASEMENT TO TERMINATE DECEMBER 31, 2017 FOR CONSTRUCTION PURPOSES AND INCIDENTS THERETO, UPON AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE GENERAL EASTERLY LINE OF SAID PARCEL 11, WITH THE SOUTHERLY LINE OF PARCEL C, AS SAID PARCEL IS SHOWN ON TRACT 7300 FILED APRIL 11, 2006 IN BOOK 291 OF MAPS PAGES 3 THROUGH 10 INCLUSIVE, OFFICIAL RECORDS OF SAID COUNTY, SAID POINT ALSO BEING THE EASTERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS NORTH 89°25'04" WEST 2535.769 FEET FOR PARCEL C SHOWN ON SHEET 7 OF 8 ON SAID MAP OF TRACT 7300 (THE BEARING OF NORTH 89°24'28" WEST BEING TAKEN FOR THE PURPOSE OF THIS DESCRIPTION);

THENCE ALONG SAID GENERAL EASTERLY LINE OF PARCEL 11 THE FOLLOWING THREE (3) COURSES:

1. SOUTH 43°31'18" WEST 101.46 FEET TO THE **TRUE POINT OF BEGINNING**;
2. SOUTH 43°31'18" WEST 21.39 FEET;
3. SOUTH 45°43'17" WEST 20.06 FEET;
4. THENCE LEAVING LAST SAID LINE, NORTH 33°32'55" EAST 25.07 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 50.00 FEET;
5. THENCE NORTHERLY AND NORTHWESTERLY 86.82 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 99°29'23" TO A LINE THAT IS PARALLEL WITH AND LYING 10.00 FEET SOUTHERLY OF THE NORTHERLY LINE OF SAID PARCEL 11;
6. THENCE NORTH 89°24'28" WEST 293.41 FEET ALONG SAID PARALLEL LINE;
7. THENCE LEAVING LAST SAID LINE, NORTH 00°35'32" EAST 10.00 FEET TO SAID NORTHERLY LINE OF PARCEL 11;
8. THENCE SOUTH 89°24'28" EAST 295.39 FEET ALONG SAID NORTHERLY LINE TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 60.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING NORTH 21°59'20" EAST);
9. THENCE LEAVING LAST SAID LINE, SOUTHEASTERLY AND SOUTHERLY 90.57 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 86°29'00" TO SAID GENERAL EASTERLY LINE AND THE **TRUE POINT OF BEGINNING**.

CONTAINING 3934 SQUARE FEET (0.090 ACRES), MORE OR LESS.

PARCEL 2 (61519-3)

A TEMPORARY EASEMENT TO TERMINATE DECEMBER 31, 2017 FOR CONSTRUCTION PURPOSES AND INCIDENTS THERETO, UPON AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE GENERAL EASTERLY LINE OF SAID PARCEL 11, WITH THE SOUTHERLY LINE OF PARCEL C, AS SAID PARCEL IS SHOWN ON TRACT 7300 FILED APRIL 11, 2006 IN BOOK 291 OF MAPS PAGES 3 THROUGH 10 INCLUSIVE, OFFICIAL RECORDS OF SAID COUNTY, SAID POINT ALSO BEING THE EASTERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS NORTH 89°25'04" WEST 2535.769 FEET FOR PARCEL C SHOWN ON SHEET 7 OF 8 ON SAID MAP OF TRACT 7300 (THE BEARING OF NORTH 89°24'28" WEST BEING TAKEN FOR THE PURPOSE OF THIS DESCRIPTION);

1. THENCE SOUTH 43°31'18" WEST 35.17 FEET ALONG SAID GENERAL EASTERLY LINE;
2. THENCE LEAVING LAST SAID LINE, NORTH 22°32'42" WEST 8.05 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 70.00 FEET;

3. THENCE NORTHWESTERLY 21.72 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 17°46'50" TO THE NORTHERLY LINE OF SAID PARCEL 11;
4. THENCE SOUTH 89°24'28" EAST 38.59 FEET ALONG LAST SAID LINE TO THE **POINT OF BEGINNING.**

CONTAINING 471 SQUARE FEET (0.011 ACRES), MORE OR LESS.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART HEREOF

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



SEPTEMBER 16, 2013

DAN S. SCOTT III, PLS 7840

DATE



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPGN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.



SCALE 1"=40'

COUNTY OF ALAMEDA

61519
PLEASANTON GRAVEL COMPANY, INC.
 PARCEL II
 80-208322
 APN 904-0010-002-02

↑ SEE SHEET 2 ↑

LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- = AREA TO BE CONVEYED
- = STATE PARCEL NUMBER
- = POINT OF COMMENCEMENT
- = TRUE POINT OF BEGINNING
- = COMMON OWNERSHIP

LIVERMORE AIRWAY
 ASSOCIATION, LLC
 PARCEL C
 291 M 3

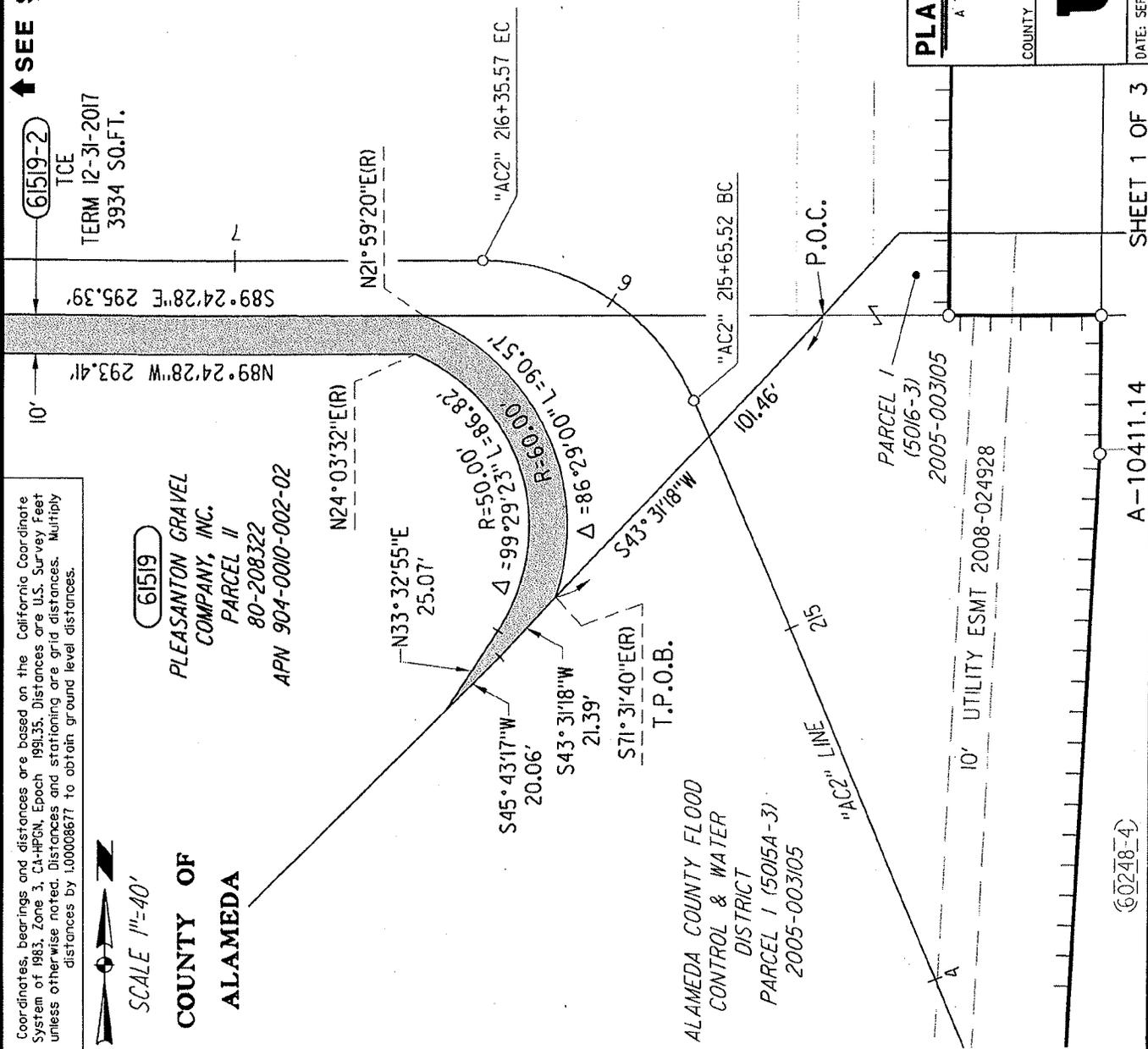


EXHIBIT "B"

PLAT TO ACCOMPANY DESCRIPTION
 A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES AND INCIDENTS
 THERETO OVER THE LANDS OF PLEASANTON GRAVEL COMPANY
 PARCEL NO. 61519-2

COUNTY OF ALAMEDA CALIFORNIA

URS

PLEASANT HILL OFFICE
 3440 VINCENT ROAD, SUITE C
 PLEASANT HILL, CA 94070
 (925) 974-1550 FAX (925) 256-1260

DATE: SEPTEMBER 16, 2013 SCALE: 1"=40' JOB NO: 2009-74

SHEET 1 OF 3

A-10411.14

60248-4

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPM, Epoch 1993.55. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.000086771 to obtain ground level distances.



SCALE 1"=40'

COUNTY OF
ALAMEDA

61519
PLEASANTON GRAVEL
COMPANY, INC.
PARCEL II
80-208322
APN 904-0010-002-02

N00°35'32"E
10.00'

61519-2
TCE
TERM 12-31-2017
3934 SQ.FT.

"AC2" 219+CI.08 BC

LIVERMORE AIRWAY
ASSOCIATION, LLC
PARCEL C
291 M 3

N89°24'28"W 293.41'
S89°24'28"E 295.39'

"AC2" LINE

- LEGEND**
- = ACCESS CONTROLLED
 - = DIMENSION POINT
 - = AREA TO BE CONVEYED
 - = STATE PARCEL NUMBER

EXHIBIT "B"

PLAT TO ACCOMPANY DESCRIPTION
A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES AND INCIDENTS
THERE TO OVER THE LANDS OF PLEASANTON GRAVEL COMPANY
PARCEL NO. 61519-2

COUNTY OF ALAMEDA CALIFORNIA



PLEASANT HILL OFFICE
3440 VINCENT ROAD, SUITE C
PLEASANT HILL, CA 94070
(925) 974-1550 FAX (925) 256-1260

SHEET 2 OF 3

A-10411.14

SEE SHEET 1

DATE: SEPTEMBER 16, 2013 SCALE: 1"=40' JOB NO: 2009-74

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPGN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008671 to obtain ground level distances.



SCALE 1"=30'

COUNTY OF ALAMEDA

61519

PLEASANTON GRAVEL COMPANY, INC. PARCEL II 80-208322 APN 904-0010-002-02

R=70.00'
Δ=17°46'50"
L=21.72'

ALAMEDA COUNTY FLOOD CONTROL & WATER DISTRICT PARCEL I (50154-3) 2005-003105

"AC2" 215+65.52 BC

35.17'
S43°31'18"W
N22°32'42"W 8.05'

PARCEL I (5016-3) 2005-003105

N22°32'42"W 8.05'

"AC2" LINE

10' UTILITY ESMT 2008-024928

(60248-4)

(59790-1)

LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- ▨ = AREA TO BE CONVEYED
- XXXXX = STATE PARCEL NUMBER
- P.O.B. = POINT OF BEGINNING
- ∩ = COMMON OWNERSHIP

LIVERMORE AIRWAY ASSOCIATION, LLC PARCEL C 291 M 3

40' LANDSCAPE STORM & SEWER ESMT 2006-142492

20' PUE & SSE 2006-142492

STATE ROUTE 84 EXHIBIT "B"

PLAT TO ACCOMPANY DESCRIPTION
A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES AND INCIDENTS THERETO OVER THE LANDS OF PLEASANTON GRAVEL COMPANY PARCEL No. 61519-3

COUNTY OF ALAMEDA CALIFORNIA

URS

PLEASANT HILL OFFICE
3440 VINCENT ROAD, SUITE C
PLEASANT HILL, CA 94070
(925) 974-1550 FAX (925) 256-1260

DATE: SEPTEMBER 16, 2003 SCALE: 1"=40' JOB NO: 2009-74

SHEET 3 OF 3

A-10411.14

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RESOLUTION NO. 14-009

A RESOLUTION OF THE ALAMEDA COUNTY TRANSPORTATION COMMISSION DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF CERTAIN LAND AND DIRECTING THE FILING OF EMINENT DOMAIN PROCEEDINGS ON CERTAIN PROPERTY FOR THE STATE ROUTE 84 EXPRESSWAY PROJECT – SOUTH SEGMENT (624.2)

WHEREAS, the Alameda County Transportation Commission (“Alameda CTC”) is vested with the power of eminent domain and is authorized to acquire real property by virtue of Article 1, Section 19 of the Constitution of the State of California, Section 25350.5 of the Government Code of the State of California as delegated in Section 14 of the Alameda CTC Joint Powers Agreement, Section 760 of the Streets and Highways Code of the State of California, and Sections 1240.010, and 1240.110 of the Code of Civil Procedure of the State of California within the jurisdictional limits of the County of Alameda; and

WHEREAS, it is desirable and necessary for Alameda CTC to acquire certain real property and property interests, particularly described in **Exhibit 1**, for the purpose of, *inter alia*, widening State Route 84 (SR 84) to expressway standards to improve the facility as a regional connection between I-680 and I-580, and to improve local traffic circulation by adding capacity on SR 84 and implementing intersection improvements in the County of Alameda, State of California; and

WHEREAS, pursuant to the provisions of Section 1245.235 of the Code of Civil Procedure, written notice has been duly given to all persons whose property is to be acquired by eminent domain and whose names and addresses appear on the last County of Alameda equalized assessment roll, all of whom have been given a reasonable opportunity to appear and be heard before the governing body of Alameda CTC (the “Commission”) on the following matters:

- a) Whether the public interest and necessity require the project;
- b) Whether the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- c) Whether the property sought to be acquired is necessary for the project; and
- d) Whether the offer required by Section 7267.2 of the Government Code has been made to the owners of record.

NOW THEREFORE, BE IT RESOLVED, by at least a **four-fifths** vote of the Commission, pursuant to Sections 1240.030 and 1245.230 of the Code of Civil Procedure of the State of California, that this Commission does and it hereby finds and determines each of the following:

Section 1. Based upon the evidence presented, this Commission finds and resolves as follows:

(a) The property to be acquired is described in **Exhibit 1** attached hereto and incorporated herein;

(b) Said property is to be acquired for public use, to wit, for public highway purposes, pursuant to the authority granted by Article 1, Section 19 of the Constitution of the State of California, Section 25350.5 of the Government Code of the State of California as delegated in Section 14 of the Alameda CTC Joint Powers Agreement, Section 760 of the Streets and Highways Code of the State of California, and Part 3, Title 7 of the Code of Civil Procedure;

(c) The public interest and necessity require the project, which is to improve public health, safety and welfare by widening State Route 84 (SR 84) to expressway standards to improve the facility as a regional connection between I-680 and I-580, and to improve local traffic circulation by adding capacity on SR 84 and implementing intersection improvements in the County of Alameda, State of California;

(d) The proposed project is planned and located in the manner which will be most compatible with the greatest public good and the least private injury;

(e) The property described in **Exhibit 1** is being acquired in fee and for the relinquishment of abutter's rights, for a permanent ingress and egress easement, for permanent underground water and gas line easements, and for 24 month temporary construction easements, and is necessary for the construction of the proposed project; and

(f) The offer required by Government Code Section 7267.2 has been made to the owners of record of the real property.

Section 2. General Counsel of Alameda CTC or his duly authorized designee, be, and is hereby authorized and directed to institute and conduct to conclusion an action in eminent domain for the acquisition of the estates and interests aforesaid and to take such action as counsel may deem advisable or necessary in connection therewith. An order for prejudgment possession may be obtained in said action and a warrant issued and deposited with the State Treasurer Condemnation Fund, in the amount determined the most probable compensation for the property sought to be acquired, as a condition to the right of possession.

ADOPTED July 24, 2014, by the Commission of the Alameda County Transportation Commission by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

Scott Haggerty, Chairperson

ATTEST:

APPROVED AS TO FORM:

Vanessa Lee, Clerk of the Commission

General Counsel of the Alameda
County Transportation Commission

EXHIBIT 1

FEE ACQUISITION

An acquisition in fee for state highway purposes of, and abutter's rights of access from, the parcel of land described in **EXHIBIT A** and shown upon **EXHIBIT B** attached hereto and made a part hereof.

EXHIBIT "A"

LAND DESCRIPTION OF ONE (1) PARCEL OF LAND IN THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING A PORTION OF PARCEL 15, AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO LONE STAR CALIFORNIA, INC. RECORDED APRIL 18, 2000 UNDER DOCUMENT NUMBER 2000-116048, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1 (61514-1)

BEGINNING AT THE MOST WESTERLY CORNER OF PARCEL 4 (60247-4), AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED MARCH 1, 2007 UNDER DOCUMENT NUMBER 2007-089953 OFFICIAL RECORDS OF SAID COUNTY, BEING A POINT ON THE SOUTHERLY LINE OF SAID PARCEL 15;

1. THENCE NORTH 63°27'58" WEST 49.23 FEET ALONG SAID SOUTHERLY LINE;
2. THENCE LEAVING LAST SAID LINE, NORTH 26°31'53" EAST 10.00 FEET;
3. THENCE SOUTH 63°27'58" EAST 48.30 FEET;
4. THENCE SOUTH 75°09'48" EAST 39.74 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 40.00 FEET;
5. THENCE EASTERLY, NORTHEASTERLY AND NORTHERLY 72.73 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 104°10'48";
6. THENCE NORTH 00°39'24" EAST 214.93 FEET TO THE SOUTHERLY LINE OF THAT PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO THE COUNTY OF ALAMEDA, FOR PUBLIC HIGHWAY PURPOSES, RECORDED APRIL 19, 1985 UNDER DOCUMENT NUMBER 85-076925, OFFICIAL RECORDS OF SAID COUNTY;
7. THENCE SOUTH 89°20'38" EAST 30.00 FEET ALONG LAST SAID LINE, TO THE EASTERLY LINE OF SAID PARCEL 15;
8. THENCE SOUTH 00°39'24" WEST 246.84 FEET ALONG SAID EASTERLY LINE TO THE NORTHEASTERLY CORNER OF PARCEL 3 (60247-3), AS SAID PARCEL IS DESCRIBED IN SAID GRANT DEED TO THE STATE OF CALIFORNIA;

THENCE ALONG THE NORTHERLY AND WESTERLY LINES OF SAID PARCEL 3 (60247-3) THE FOLLOWING TWO (2) COURSES;

9. NORTH 89°20'25" WEST 1.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 37.73 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 80°03'01" EAST);
10. SOUTHERLY 5.83 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°50'47" TO THE NORTHERLY LINE OF THAT PARCEL OF LAND DESCRIBED IN THE DEED TO PACIFIC GAS AND ELECTRIC RECORDED FEBRUARY 2, 1945 IN BOOK 4658 AT PAGE 418, OFFICIAL RECORDS OF SAID COUNTY;

THENCE ALONG NORTHERLY AND THE WESTERLY LINES OF SAID LANDS OF PACIFIC GAS AND ELECTRIC THE FOLLOWING TWO (2) COURSES;

11. NORTH 89°20'36" WEST 27.62 FEET;
12. SOUTH 00°39'24" WEST 25.07 FEET TO THE GENERAL NORTHERLY LINE OF SAID PARCEL 4, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 37.73 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 11°57'12" EAST);
13. THENCE SOUTHWESTERLY AND WESTERLY 20.10 FEET ALONG SAID CURVE AND SAID GENERAL NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 30°31'00";
14. THENCE NORTH 71°26'13" WEST 75.69 FEET ALONG LAST SAID LINE TO THE **POINT OF BEGINNING**.

CONTAINING 9,842 SQUARE FEET (0.226 ACRES), MORE OR LESS.

THIS CONVEYANCE IS MADE FOR THE PURPOSES OF A FREEWAY AND THE GRANTOR HEREBY RELEASES AND RELINQUISHES TO THE GRANTEE ANY AND ALL ABUTTER'S RIGHTS OF ACCESS, APPURTENANT TO GRANTOR'S REMAINING PROPERTY, IN AND TO SAID FREEWAY OVER AND ACROSS THE FOLLOWING DESCRIBED LINE, BEGINNING AT THE NORTHERLY TERMINUS OF THAT CERTAIN COURSES DESCRIBED AS NORTH 00°39'24" EAST 214.93 FEET IN THE ABOVEMENTIONED PARCEL 1 (61514-1); THENCE NORTH 89°20'38" WEST 15.00 FEET; THENCE NORTH 00°39'24" EAST 649.95 FEET; THENCE SOUTH 89°20'38" EAST 45.00 FEET; THENCE NORTH 00°39'24" EAST 396.78 FEET; THENCE NORTH 01°20'41" EAST 303.85 FEET TO THE NORTHERLY LINE OF SAID PARCEL 15; ALSO RELEASES AND RELINQUISHES ANY AND ALL OTHER ABUTTER'S RIGHTS OTHER THAN ACCESS APPURTENANT TO SAID REMAINING PROPERTY IN AND TO SAID FREEWAY.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART HEREOF

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.

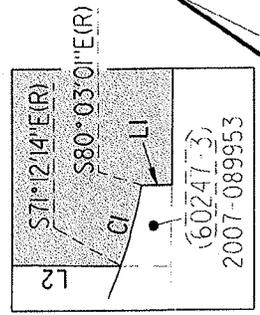


DAN S. SCOTT III, PLS 7840

SEPTEMBER 20, 2012
DATE



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPGN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by .00008677 to obtain ground level distances.



DETAIL
NO SCALE

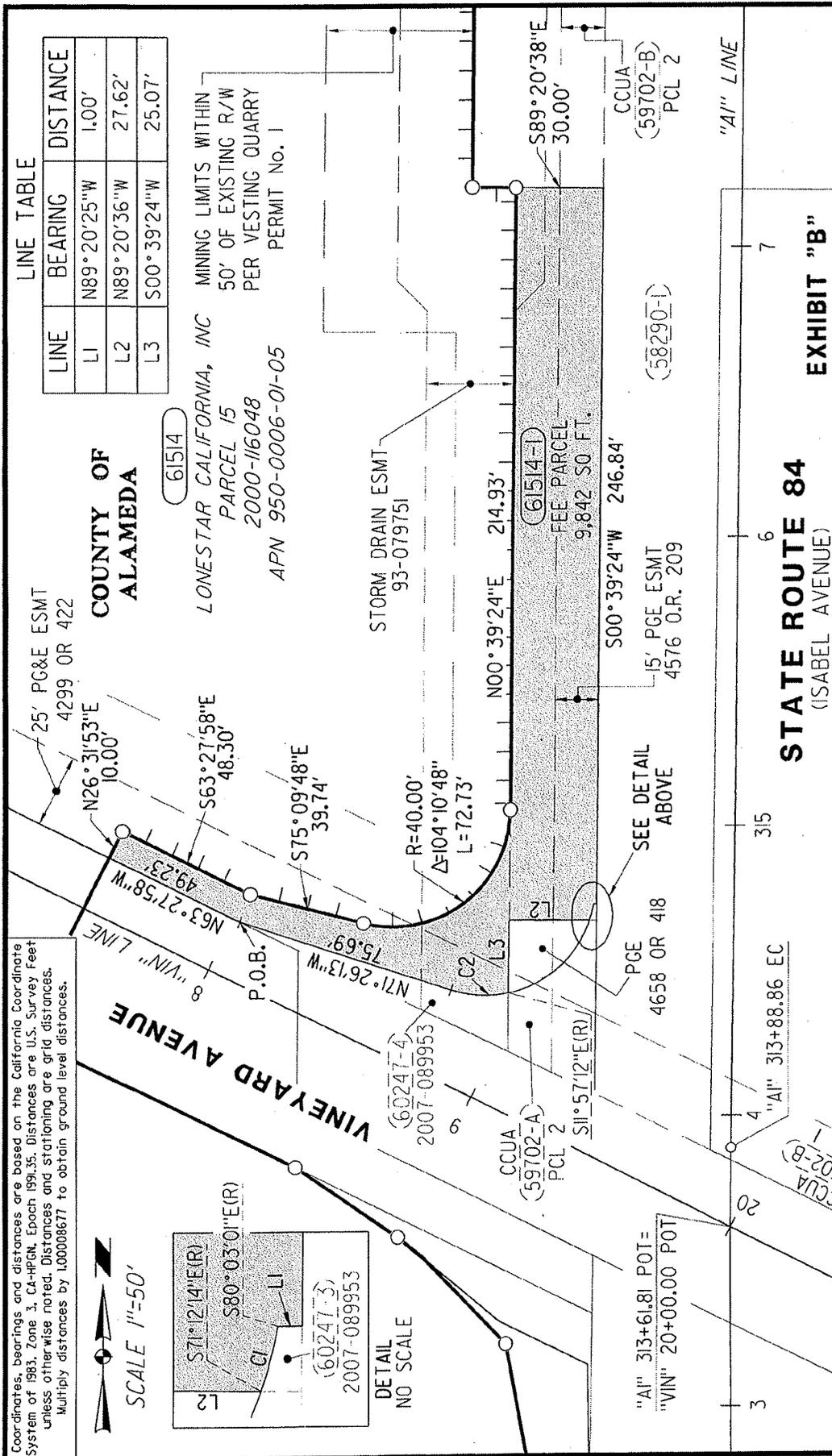
LINE TABLE

LINE	BEARING	DISTANCE
L1	N89°20'25"W	1.00'
L2	N89°20'36"W	27.62'
L3	S00°39'24"W	25.07'

LONESTAR CALIFORNIA, INC
PARCEL 15
2000-116048
APN 950-0006-01-05
MINING LIMITS WITHIN
50' OF EXISTING R/W
PER VESTING QUARRY
PERMIT No. 1

COUNTY OF
ALAMEDA

61514



STATE ROUTE 84
(ISABEL AVENUE)

EXHIBIT "B"

PLAT TO ACCOMPANY DESCRIPTION
A FEE TAKE OVER THE LANDS OF LONESTAR CALIFORNIA TO BE CONVEYED TO THE STATE OF CALIFORNIA
PARCEL NO. 61514-1
COUNTY OF ALAMEDA
CALIFORNIA
URS CORPORATION
3440 VINCENT ROAD, SUITE C
PLEASANT HILL, CA 94670
(925) 974-1550 FAX (925) 256-1260

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH
C1	37.73'	08°50'47"	5.83'
C2	37.73'	30°31'00"	20.10'

LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- ▭ = AREA TO BE CONVEYED
- XXXXX = STATE PARCEL NUMBER
- P.O.B. = POINT OF BEGINNING
- () = INDICATES PRIOR CONVEYANCE

A-10411.07 & .08 SHEET 1 OF 1

DATE: SEPT 20, 2012 SCALE: 1"=50' JOB NO: 2009-74

PERMANENT INGRESS AND EGRESS EASEMENT

A permanent ingress and egress easement for the benefit of the State of California, Department of Transportation, its successors and assigns ("Caltrans"), upon, across, over, under and through those portions of the property described in **EXHIBIT A** and shown upon **EXHIBIT B**, attached hereto and by this reference incorporated herein, for use by Caltrans to access, inspect, and maintain the Arroyo Del Valle Bridge and other highway improvements.

Nothing herein shall be construed or deemed at any time to constitute a dedication or offer of dedication, express or implied, of all or any portion of the underlying fee or any interest therein to the public at large. The Easement shall be used by Caltrans solely for the purposes stated above.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

EXHIBIT "A"

ALL THAT CERTAIN REAL PROPERTY IN THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA,
DESCRIBED AS FOLLOWS:

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESIGNATED AS PARCEL 15, AS SAID PARCEL
IS DESCRIBED IN THE GRANT DEED TO LONE STAR CALIFORNIA, INC. RECORDED APRIL 18, 2000
UNDER DOCUMENT NUMBER 2000-116048, OFFICIAL RECORDS OF SAID COUNTY, MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 61514-2

AN EASEMENT FOR INGRESS/EGRESS PURPOSES AND INCIDENTS THERETO, UPON, IN, OVER AND
ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEASTERLY CORNER THEREOF;

1. THENCE NORTH 78°13'09" WEST 7.12 FEET ALONG THE NORTHERLY LINE THEREOF TO THE
TRUE POINT OF BEGINNING;
2. THENCE SOUTH 01°20'41" WEST 305.18 FEET;
3. THENCE SOUTH 00°39'24" WEST 252.15 FEET TO THE BEGINNING OF A CURVE CONCAVE
WESTERLY AND HAVING A RADIUS OF 215.00 FEET;
4. THENCE SOUTHERLY 76.79 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF
20°27'50";
5. THENCE SOUTH 21°07'14" WEST 56.50 FEET TO THE BEGINNING OF A CURVE CONCAVE
EASTERLY AND HAVING A RADIUS OF 185.00 FEET;
6. THENCE SOUTHERLY 66.08 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF
20°27'50";
7. THENCE SOUTH 00°39'24" WEST 302.60 FEET;
8. THENCE SOUTH 88°51'37" EAST 7.00 FEET TO THE WESTERLY LINE OF THAT CERTAIN GRANT
DEED TO THE COUNTY OF ALAMEDA RECORDED APRIL 19, 1985 UNDER DOCUMENT NUMBER
85-076925, OFFICIAL RECORDS OF SAID COUNTY;
9. THENCE SOUTH 00°39'24" WEST 16.00 FEET ALONG LAST SAID LINE;
10. THENCE NORTH 86°09'42" WEST 37.05 FEET;
11. THENCE NORTH 00°39'24" EAST 316.61 FEET TO THE BEGINNING OF A CURVE CONCAVE
EASTERLY AND HAVING A RADIUS OF 215.00 FEET;
12. THENCE NORTHERLY 76.79 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF
20°27'50";
13. THENCE NORTH 21°07'14" EAST 56.50 FEET TO THE BEGINNING OF A CURVE CONCAVE
WESTERLY AND HAVING A RADIUS OF 185.00 FEET;
14. THENCE NORTHERLY 66.08 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF
20°27'50";
15. THENCE NORTH 00°39'24" EAST 252.33 FEET;
16. THENCE NORTH 01°20'41" EAST 227.86 FEET;
17. THENCE NORTH 01°01'35" EAST 83.11 FEET TO SAID NORTHERLY LINE OF PARCEL 15;
18. THENCE SOUTH 78°13'09" EAST 30.97 FEET ALONG LAST SAID LINE TO THE **TRUE POINT OF
BEGINNING.**

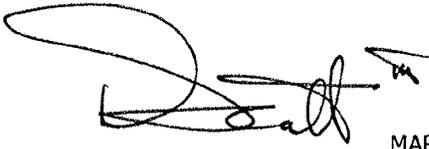
**ALA-84
EA: 29762
PARCEL 61514**

CONTAINING 32,442 SQUARE FEET (0.745 ACRES), MORE OR LESS.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART HEREOF.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



DAN S. SCOTT III, PLS 7840

MARCH 14 2013

DATE



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPGN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.

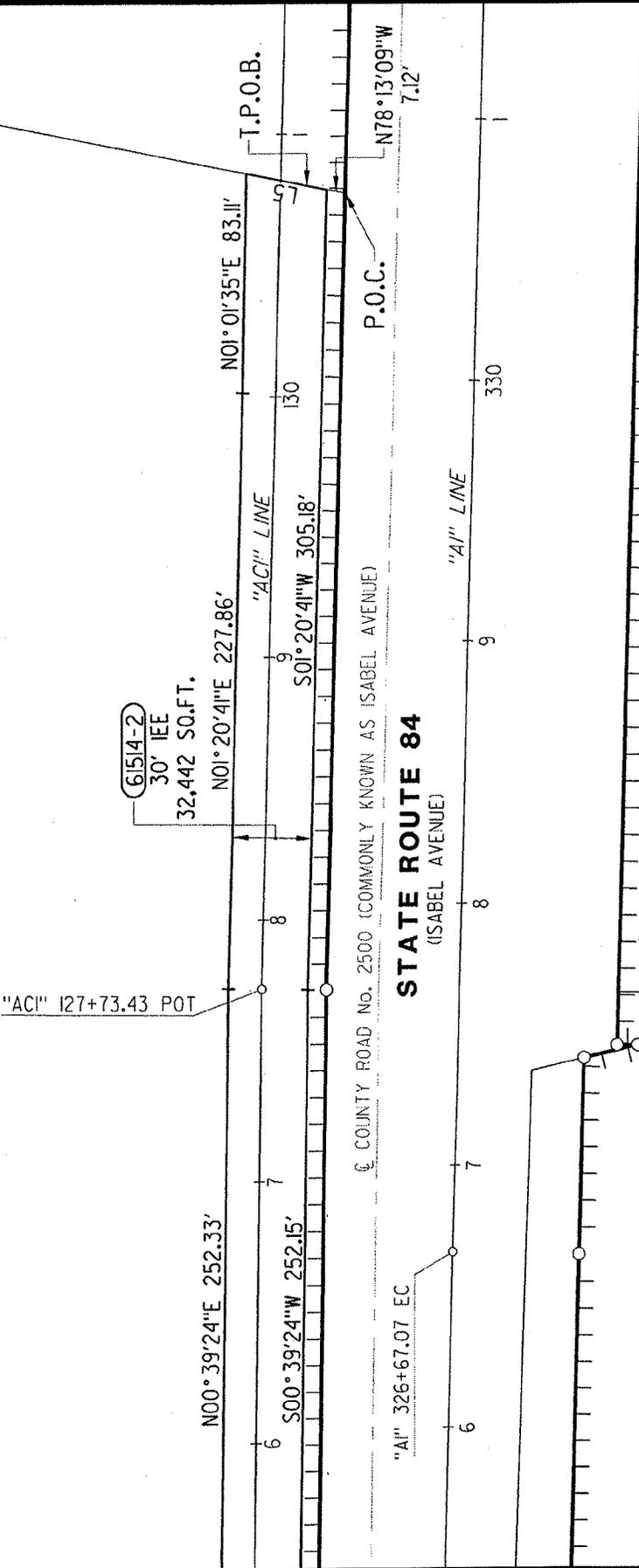


EXHIBIT "B"

COUNTY OF ALAMEDA

61514
LONESTAR CALIFORNIA, INC
PARCEL 15
2000-116048
APN 950-0006-01-05

LINE TABLE		
LINE	BEARING	DISTANCE
L5	S78°13'09"E	30.97'



LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- = AREA TO BE CONVEYED
- = STATE PARCEL NUMBER
- = POINT OF COMMENCEMENT
- = TRUE POINT OF BEGINNING
- = INGRESS / EGRESS EASEMENT

PLAT TO ACCOMPANY DESCRIPTION

AN EASEMENT FOR INGRESS / EGRESS PURPOSES AND INCIDENTS THERETO
OVER THE LANDS OF LONESTAR CALIFORNIA, INC.
PARCEL NO. 61514-2
COUNTY OF ALAMEDA CALIFORNIA
URS
PLEASANT HILL OFFICE
3440 VINCENT ROAD, SUITE C
PLEASANT HILL, CA 94070
(925) 974-1550 FAX (925) 256-1260
DATE: MARCH 14, 2013 SCALE: 1"=60' JOB NO: 2009-74

A-10411.08 SHEET 1 OF 2

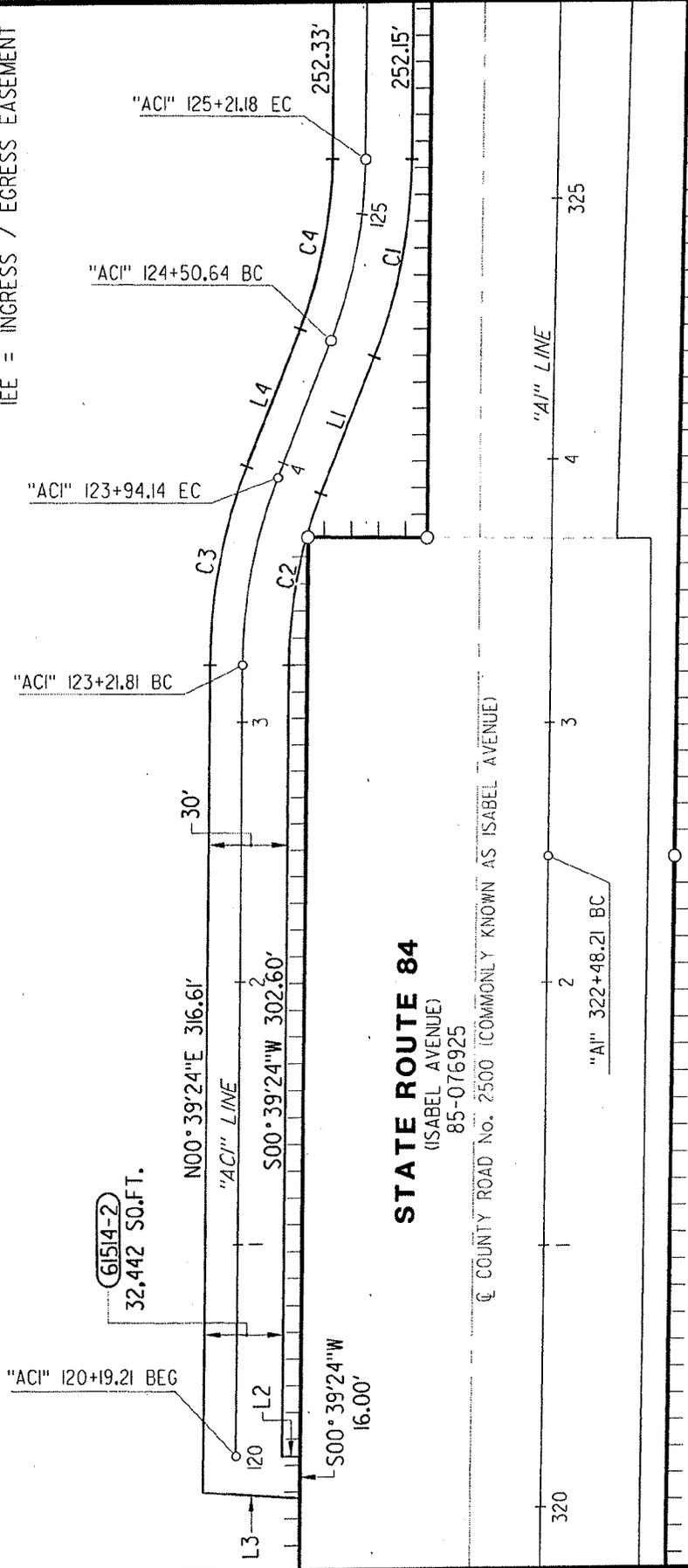
Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.

COUNTY OF ALAMEDA

EXHIBIT "B"
 61514
 LONESTAR CALIFORNIA, INC
 PARCEL 15
 2000-116048
 APN 950-0006-01-05

LEGEND
 ——— = ACCESS CONTROLLED
 ○ = DIMENSION POINT
 □ = AREA TO BE CONVEYED
 ○XXXX○ = STATE PARCEL NUMBER
 IEE = INGRESS / EGRESS EASEMENT

SCALE 1"=60'



PLAT TO ACCOMPANY DESCRIPTION
 AN EASEMENT FOR INGRESS / EGRESS PURPOSES AND INCIDENTS THERETO OVER THE LANDS OF LONESTAR CALIFORNIA, INC.
 PARCEL NO. 61514-2
 COUNTY OF ALAMEDA
URS
 PLEASANT HILL OFFICE
 3440 VINCENT ROAD, SUITE C
 PLEASANT HILL, CA 94070
 (925) 974-1550 FAX (925) 256-1260
 DATE: MARCH 14, 2013 SCALE: 1"=60' JOB NO: 2009-74

LINE TABLE

LINE	BEARING	DISTANCE
L1	S21°07'14"W	56.50'
L2	S88°51'37"E	7.00'
L3	N86°09'42"W	37.05'
L4	N21°07'14"E	56.50'

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH
C1	215.00'	20°27'50"	76.79'
C2	185.00'	20°27'50"	66.08'
C3	215.00'	20°27'50"	76.79'
C4	185.00'	20°27'50"	66.08'

A-10411.08 SHEET 2 OF 2

TEMPORARY CONSTRUCTION EASEMENT

Temporary Construction Easement for the benefit of Alameda County Transportation Commission ("Alameda CTC"), over, across, under and through the real property situated in an unincorporated area of the County of Alameda, State of California, described in **EXHIBIT A** and shown upon **EXHIBIT B**, attached hereto and made a part hereof ("EASEMENT AREA") for public road construction and conformance purposes related to the State Route 84 Expressway Widening Project ("PROJECT").

Alameda CTC's rights under the easement granted hereby shall include, without limitation, the right of Alameda CTC, its officers, agents, contractors, and employees, and other governmental agencies responsible for review or construction of any portion of the PROJECT and such agencies' officers, agents, contractors, and employees, to enter upon the EASEMENT AREA with personnel, vehicles and equipment for construction of the PROJECT, and all other activities related thereto, to remove all improvements, trees and vegetation thereon that interfere with the purpose for which this easement is granted, to conform the EASEMENT AREA to the PROJECT, and do any and all other actions necessary and appropriate to the construction of the PROJECT.

If improvements in the EASEMENT AREA are removed pursuant to this Temporary Construction Easement, such improvements will be reconstructed at Alameda CTC's sole expense upon the termination of the Temporary Construction Easement and will be restored to their original condition or as close thereto as is feasible. If reconstruction is not feasible, Alameda CTC will pay the underlying fee owner ("Owner") the value of such improvements.

This Temporary Construction Easement is for a period of twenty four (24) months, to commence upon fourteen (14) days written notice from Alameda CTC to Owner, and shall terminate twenty four (24) months after such commencement. In the event Alameda CTC desires to utilize or occupy the Temporary Construction Easement area beyond the twenty four (24) month period described above, Alameda CTC shall pay Owner, on a month-to-month basis, additional compensation for the use of the Temporary Construction Easement. In no event shall this Temporary Construction Easement extend beyond the completion of construction, or December 31, 2017. At no additional cost to Alameda CTC, Alameda CTC shall have the right to enter upon Owner's retained property, where necessary, to reconstruct or perform any warranty or conformance works during or after the expiration of the Temporary Construction Easement and any extension thereto and/or the completion of the PROJECT. Said works include conforming driveways, walkways, lawn, landscaped and hardscaped areas, irrigation systems, sidewalks or any area where reconstruction or warranty work on Owner's retained property is necessary.

All work performed by Alameda CTC in the EASEMENT AREA shall conform to applicable building, fire, and sanitary laws, ordinances and regulations relating to such work and shall be done in a good and workmanlike manner.

The rights and obligations contained in this Grant of Temporary Construction Easement will (a) run with the land and burden, inure to and be for the benefit of and are binding on the land, Owner and its successors and assigns, and be an equitable servitude of Owner and its successors and assigns, and (b) constitute an easement in gross for the benefit of Alameda CTC and its successors and assigns, and will be binding on Alameda CTC and its successors and assigns.

EXHIBIT "A"

LAND DESCRIPTION OF ONE (1) PARCEL OF LAND IN THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING A PORTION OF PARCEL 15, AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO LONE STAR CALIFORNIA, INC. RECORDED APRIL 18, 2000 UNDER DOCUMENT NUMBER 2000-116048, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1 (61514-3)

A TEMPORARY EASEMENT TO TERMINATE DECEMBER 31, 2017 FOR CONSTRUCTION PURPOSES AND INCIDENTS THERETO, UPON AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS:

COMMENCING AT SAID MOST WESTERLY CORNER OF PARCEL 4 (60247-4);

1. THENCE NORTH 63°27'58" WEST 49.23 FEET ALONG SAID SOUTHERLY LINE OF PARCEL 15 TO THE **TRUE POINT OF BEGINNING**;
2. THENCE CONTINUING ALONG SAID SOUTHERLY LINE, NORTH 63°27'58" WEST 78.55 FEET;
3. THENCE LEAVING LAST SAID LINE, NORTH 26°32'02" EAST 50.00 FEET;
4. THENCE SOUTH 63°27'58" EAST 127.51 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 35.00 FEET;
5. THENCE EASTERLY, NORTHEASTERLY, AND NORTHERLY 70.79 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 115°52'38";
6. THENCE NORTH 00°39'24" EAST 126.78 FEET;
7. THENCE NORTH 89°20'38" WEST 45.00 FEET;
8. THENCE NORTH 00°39'24" EAST 340.78 FEET;
9. THENCE NORTH 83°17'04" WEST 29.05 FEET;
10. THENCE NORTH 06°42'56" EAST 28.81 FEET;
11. THENCE SOUTH 89°20'37" EAST 20.85 FEET;
12. THENCE NORTH 00°39'23" EAST 246.31 FEET;
13. THENCE NORTH 09°01'49" EAST 274.62 FEET;
14. THENCE NORTH 00°39'23" EAST 215.80 FEET;
15. THENCE NORTH 01°20'59" EAST 228.36 FEET;
16. THENCE NORTH 70°10'29" WEST 47.95 FEET;
17. THENCE NORTH 10°03'12" EAST 69.76 FEET TO THE NORTHERLY LINE OF SAID PARCEL 15;
18. THENCE SOUTH 78°13'09" EAST 96.61 FEET ALONG LAST SAID LINE TO THE SOUTHERLY LINE OF SAID PARCEL 15;

THENCE ALONG SAID SOUTHERLY LINE THE FOLLOWING TWO (2) COURSES;

19. SOUTH 01°20'41" WEST 303.85 FEET;
20. SOUTH 00°39'24" WEST 396.78 FEET TO THE NORTHERLY LINE OF SAID GRANT DEED TO THE COUNTY OF ALAMEDA;

THENCE ALONG THE NORTHERLY, WESTERLY AND SOUTHERLY LINES OF SAID GRANT DEED THE FOLLOWING THREE (3) COURSES;

21. NORTH 89°20'38" WEST 45.00 FEET;
22. SOUTH 00°39'24" WEST 649.95 FEET;
23. SOUTH 89°20'38" EAST 15.00 FEET;

24. THENCE SOUTH 00°39'24" WEST 214.93 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 40.00 FEET;
25. THENCE SOUTHERLY, SOUTHWESTERLY AND WESTERLY 72.73 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 104°10'48";
26. THENCE NORTH 75°09'48" WEST 39.74 FEET;
27. THENCE NORTH 63°27'58" WEST 48.30 FEET;
28. THENCE SOUTH 26°31'53" WEST 10.00 FEET TO SAID SOUTHERLY LINE AND THE **TRUE POINT OF BEGINNING.**

CONTAINING 98,190 SQUARE FEET (2.254 ACRES), MORE OR LESS.

A PLAT MAP IS ATTACHED HERETO AND MADE A PART HEREOF

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



DAN S. SCOTT III, PLS 7840

SEPTEMBER 16, 2013

DATE



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HFGN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.



EXHIBIT "B"

COUNTY OF ALAMEDA

61514
LONESTAR CALIFORNIA, INC
 PARCEL 15
 2000-116048
 APN 950-0006-01-05

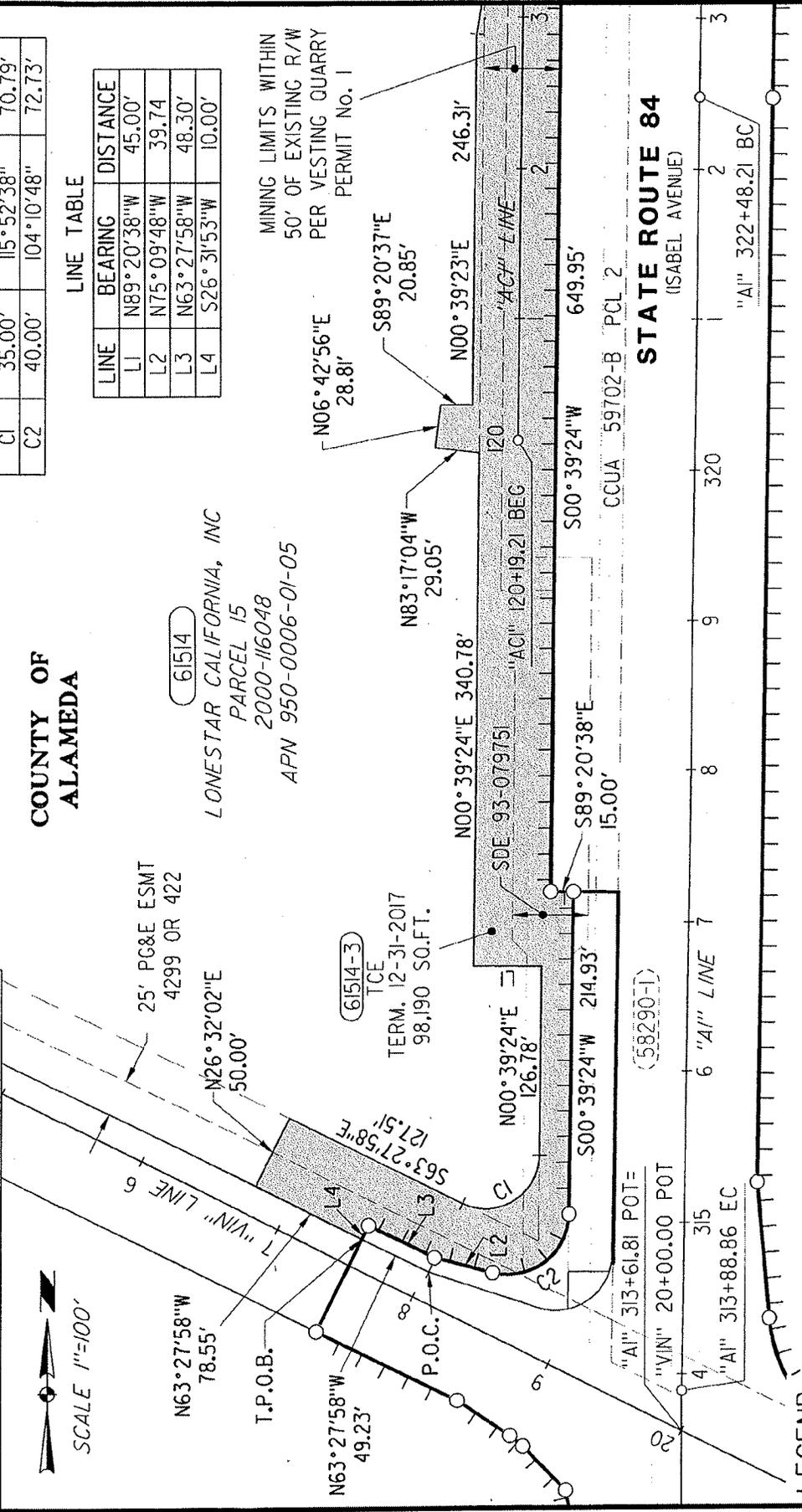
CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH
C1	35.00'	115° 52' 38"	70.79'
C2	40.00'	104° 10' 48"	72.73'

LINE TABLE

LINE	BEARING	DISTANCE
L1	N89° 20' 38" W	45.00'
L2	N75° 09' 48" W	39.74'
L3	N63° 27' 58" W	48.30'
L4	S26° 31' 53" W	10.00'

MINING LIMITS WITHIN
 50' OF EXISTING R/W
 PER VESTING QUARRY
 PERMIT NO. 1



LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- ▨ = AREA TO BE CONVEYED
- XXXXX = STATE PARCEL NUMBER
- P.O.C. = POINT OF COMMENCEMENT
- T.P.O.B. = TRUE POINT OF BEGINNING
- TCE = TEMPORARY CONSTRUCTION EASEMENT

PLAT TO ACCOMPANY DESCRIPTION

A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES AND INCIDENTS
 THERETO OVER THE LANDS OF LONESTAR CALIFORNIA, INC.
 PARCEL NO. 61514-3

COUNTY OF ALAMEDA CALIFORNIA

URS

PLEASANT HILL OFFICE
 3440 VINCENT ROAD, SUITE C
 PLEASANT HILL, CA 944070
 (925) 974-1550 FAX (925) 256-1260

DATE: SEPTEMBER 16, 2013 SCALE: 1"=100' JOB NO: 2009-74

FEE ACQUISITION

An acquisition in fee for state highway purposes of, and abutter's rights of access from, the parcels of land described in **EXHIBIT A** and shown upon **EXHIBIT B** attached hereto and made a part hereof.

EXHIBIT "A"

ALL THAT CERTAIN REAL PROPERTY IN THE CITY OF LIVERMORE, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION THAT CERTAIN PARCEL OF LAND DESIGNATED AS PARCEL 16, AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO THE STATE OF CALIFORNIA, INC. RECORDED APRIL 18, 2000 UNDER DOCUMENT NUMBER 2000-116048, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 61566-1

BEGINNING AT THE NORTHERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED IN PARCEL 5 (60247-5) IN THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED MARCH 1, 2007 UNDER DOCUMENT NUMBER 2007089953 OFFICIAL RECORDS OF SAID COUNTY, AS NORTH 05°24'38" WEST 184.50 FEET,;

1. THENCE NORTH 00°39'24" EAST 99.01 FEET ALONG THE EASTERLY LINE OF SAID PARCEL 5 (60247-5) TO THE NORTHEASTERLY CORNER THEREOF;

THENCE ALONG THE GENERAL WESTERLY LINE OF SAID LANDS OF LONESTAR CALIFORNIA INC. THE FOLLOWING TWO (2) COURSES;

2. NORTH 00°39'34" EAST 649.98 FEET;
3. NORTH 89°20'38" WEST 12.81 FEET TO THE GENERAL EASTERLY LINE OF PARCEL 6 (60247-6), AS SAID PARCEL IS DESCRIBED IN SAID GRANT DEED TO THE STATE OF CALIFORNIA;

THENCE ALONG SAID GENERAL EASTERLY LINE THE FOLLOWING TWO (2) COURSES;

4. NORTH 01°39'22" EAST 366.57 FEET;
5. NORTH 76°32'36" WEST 20.42 FEET;
6. THENCE LEAVING LAST SAID LINE, SOUTH 01°20'31" WEST 74.72 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 34952.00 FEET;
7. THENCE SOUTHERLY 418.21 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°41'08";
8. THENCE SOUTH 00°39'23" WEST 721.65 FEET TO SAID EASTERLY LINE OF PARCEL 5 (60247-5);
9. THENCE NORTH 05°24'38" WEST 94.61 FEET ALONG LAST SAID LINE TO **THE POINT OF BEGINNING.**

CONTAINING 15,746 SQUARE FEET (0.361 ACRES), MORE OR LESS.

THIS CONVEYANCE IS MADE FOR THE PURPOSE OF A FREEWAY AND THE GRANTOR HEREBY RELEASES AND RELINQUISHES TO THE GRANTEE ANY AND ALL ABUTTER'S RIGHTS, INCLUDING ACCESS RIGHTS, APPURTENANT TO GRANTOR'S REMAINING PROPERTY, IN AND TO SAID FREEWAY.

RESERVING UNTO THE GRANTOR, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO CROSS THE EXPRESSWAY RIGHT OF WAY BENEATH THE EXPRESSWAY STRUCTURE, FOR THE PURPOSE OF INGRESS AND EGRESS TO AND FROM THE GRANTOR'S REMAINING PROPERTY LYING WESTERLY FROM THE EXPRESSWAY, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

A THREE-DIMENSIONAL EASEMENT (PARCEL 61566-7) FOR INGRESS AND EGRESS PURPOSES AND INCIDENTS THERETO, UPON, IN, OVER, AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT IN SAID GENERAL WESTERLY LINE OF THE LANDS OF LONESTAR CALIFORNIA INC., FROM WHICH SAID NORTHERLY TERMINUS OF THE COURSE DESCRIBED IN PARCEL 5 (60247-5) BEARS SOUTH 00°39'24" WEST 367.45 FEET,

1. THENCE NORTH 00°39'24" EAST 30.24 FEET ALONG SAID GENERAL WESTERLY LINE TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 915.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING NORTH 07°43'20" EAST);
2. THENCE EASTERLY 10.08 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°37'53";
3. THENCE SOUTH 00°39'23" WEST 30.28 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 885.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING NORTH 08°36'58" EAST);

4. THENCE WESTERLY 10.09 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°39'11" TO THE POINT OF BEGINNING.

CONTAINING 303 SQUARE FEET (0.007 ACRES), MORE OR LESS.

THE TOP HORIZONTAL PLANE OF THE VERTICAL SPACE CONTAINED WITHIN SAID EASEMENT SHALL BE 2.0 FEET BELOW THE LOWEST EDGE OF THE EXPRESSWAY STRUCTURE FOUND WITHIN THE ABOVE-DESCRIBED HORIZONTAL LIMITS OF THE EASEMENT. THE BOTTOM HORIZONTAL PLANE OF THE VERTICAL SPACE CONTAINED WITHIN SAID EASEMENT SHALL BE 14.6 FEET BELOW THE LOWEST EDGE OF THE EXPRESSWAY STRUCTURE FOUND WITHIN THE ABOVE-DESCRIBED HORIZONTAL LIMITS OF THE EASEMENT. VERTICAL PLANES ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).

THE RIGHTS RESERVED TO SAID GRANTOR DESCRIBED HEREINABOVE SHALL NOT BE CONSTRUED TO PERMIT THE STORAGE OF EQUIPMENT OF ANY KIND, NOR FLAMMABLE MATERIALS, NOR EXPLOSIVES OF ANY KIND, BENEATH THE EXPRESSWAY STRUCTURES, NOR WITHIN THE EXPRESSWAY RIGHT OF WAY. IT IS FURTHER UNDERSTOOD BY SAID GRANTORS THAT THE RIGHTS RESERVED ARE SUBJECT TO THE CONDITION THAT SAID GRANTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE DONE TO SAID EXPRESSWAY STRUCTURE IN THE ENJOYMENT OF SUCH RIGHTS, SAID DAMAGE TO BE REPAIRED AT THE EXPENSE OF SAID GRANTOR.

ANY RIGHTS APPURTENANT TO THE RESERVATION SET FORTH HEREINABOVE SHALL BE EXERCISED BENEATH THE EXPRESSWAY STRUCTURES WITHOUT ANY DIRECT ACCESS TO THE TRAVELED WAY OF SAID EXPRESSWAY.

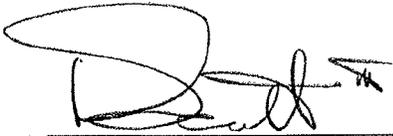
GRANTORS SHALL HAVE THE RIGHT TO MAINTAIN THE PRIVATE ROADWAY, AND FENCES APPURTENANT TO SAID PRIVATE ROADWAY, THAT CROSS BENEATH THE EXPRESSWAY STRUCTURE, PROVIDED THAT SAID GRANTOR SHALL BE RESPONSIBLE FOR ANY AND ALL DAMAGE DONE TO SAID EXPRESSWAY STRUCTURES IN CARRYING OUT SUCH MAINTENANCE OPERATIONS.

IN THE RESERVATION OF THE HEREINABOVE DESCRIBED RIGHTS TO THE UNDERSIGNED GRANTORS IT IS THE INTENT THAT SUCH RIGHTS SHALL BE RESTRICTED TO THE PRIVATE USE OF SAID GRANTORS, AND SAID GRANTORS SHALL NOT PERMIT SAID RIGHTS TO BE EXERCISED BY THE PUBLIC.

PLAT MAPS EXHIBIT "B" AND EXHIBIT "C" ARE ATTACHED HERETO AND MADE A PART HEREOF

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS' ACT.



DAN S. SCOTT III, PLS 7840

SEPTEMBER 23, 2013

DATE



EXHIBIT "A"

ALL THAT CERTAIN REAL PROPERTY IN THE CITY OF LIVERMORE, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION THAT CERTAIN PARCEL OF LAND DESIGNATED AS PARCEL 16, AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO LONESTAR CALIFORNIA, INC. RECORDED APRIL 18, 2000 UNDER DOCUMENT NUMBER 2000-116048, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 61566-3

BEGINNING AT SOUTHEASTERLY CORNER OF PARCEL 5 (60247-5), AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED MARCH 1, 2007 UNDER DOCUMENT NUMBER 2007089953 OFFICIAL RECORDS OF SAID COUNTY;

THENCE ALONG THE EXTERIOR BOUNDARY OF SAID PARCEL 5 (60247-5) THE FOLLOWING SEVEN (7) COURSES;

1. NORTH 26°31'29" EAST 9.55 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 181.10 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 25°08'08" WEST);
2. NORTHWESTERLY 41.12 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°00'30";
3. NORTH 51°51'21" WEST 20.33 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 212.60 FEET;
4. NORTHWESTERLY 39.68 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°41'37";
5. NORTH 63°27'40" WEST 58.45 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 108.16 FEET;
6. WESTERLY, NORTHWESTERLY AND NORTHERLY 109.58 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 58°03'01";
7. NORTH 05°24'38" WEST 89.86 FEET;
8. THENCE LEAVING LAST SAID LINE, NORTH 00°39'23" EAST 721.65 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 34952.00 FEET;
9. THENCE NORTHERLY 418.21 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°41'08";
10. THENCE NORTH 01°20'31" EAST 74.72 FEET TO THE EXTERIOR BOUNDARY OF PARCEL 6 (60247-6) AS SAID PARCEL IS DESCRIBED IN SAID GRANT DEED TO THE STATE OF CALIFORNIA;
11. THENCE NORTH 76°32'36" EAST 20.88 FEET ALONG LAST SAID LINE TO THE NORTHERLY LINE OF SAID PARCEL 16;
12. THENCE SOUTH 89°20'53" EAST 31.34 FEET ALONG SAID NORTHERLY LINE TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 248.70 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 73°54'09" EAST);
13. THENCE SOUTHERLY 34.10 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°51'19" TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 140.00 FEET;
14. THENCE SOUTHERLY 54.48 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 22°17'48";
15. THENCE SOUTH 01°39'22" WEST 105.50 FEET;
16. THENCE SOUTH 02°01'10" EAST 204.65 FEET
17. THENCE SOUTH 00°39'24" WEST 720.54 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 140.00 FEET;
18. THENCE SOUTHERLY 14.83 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 06°04'02";
19. THENCE SOUTH 05°24'38" EAST 198.33 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 35.00 FEET;
20. THENCE SOUTHERLY AND SOUTHEASTERLY 32.91 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 53°52'05";

21. THENCE SOUTH 59°16'43" EAST 132.59 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 985.00 FEET;
22. THENCE SOUTHEASTERLY 72.15 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°11'50";
23. THENCE SOUTH 63°28'33" EAST 167.45 FEET;
24. THENCE SOUTH 55°53'36" EAST 101.87 FEET;
25. THENCE SOUTH 25°57'50" WEST 36.56 FEET;
26. THENCE NORTH 63°28'33" WEST 304.97 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 75,698 SQUARE FEET (1.738 ACRES), MORE OR LESS.

RESERVING UNTO OWNER, IT'S SUCCESSORS AND ASSIGNS A 30 FOOT EASEMENT (PARCEL 61566-8) FOR INGRESS AND EGRESS PURPOSES AND INCIDENTS THERETO, UPON IN OVER AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS;

COMMENCING AT A POINT IN THE GENERAL WESTERLY LINE OF SAID LANDS OF LONESTAR CALIFORNIA INC., FROM WHICH THE NORTHERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED IN SAID PARCEL 5 (60247-5), AS NORTH 05°24'38" WEST 184.50 FEET BEARS SOUTH 00°39'24" WEST 397.69 FEET, SAID POINT ALSO BEING THE BEGINNING; OF A NON-TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 915.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING NORTH 07°43'20" EAST);

1. THENCE EASTERLY 10.08 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°37'53" TO THE **TRUE POINT OF BEGINNING**;
2. THENCE CONTINUING EASTERLY 40.50 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°32'10";
3. THENCE SOUTH 00°39'24" WEST 30.50 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 885.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING NORTH 11°14'25" EAST);
4. THENCE WESTERLY 40.54 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°37'27";
5. THENCE NORTH 00°39'23" EAST 30.28 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 1216 SQUARE FEET (0.028 ACRES), MORE OR LESS.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART HEREOF

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



DAN S. SCOTT III, PLS 7840

DECEMBER 19, 2012
DATE



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HP0N, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.

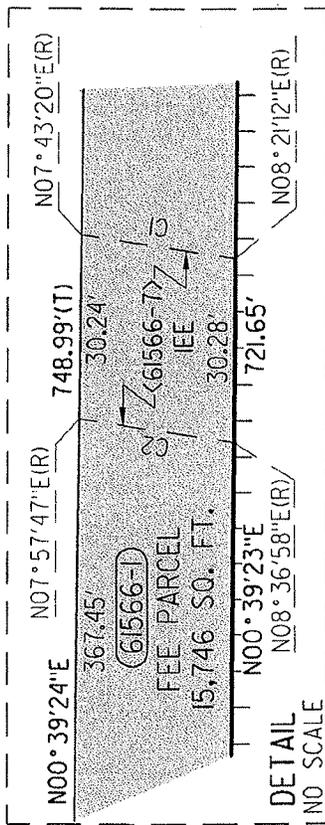
EXHIBIT "B"



CITY OF LIVERMORE

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH
C1	915.00'	00° 37' 53"	10.08'
C2	885.00'	00° 39' 11"	10.09'

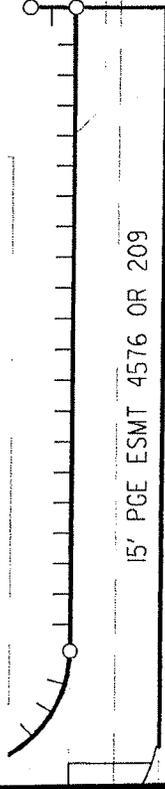


DETAIL
[NO SCALE]

CCUA (59702-B) PCL 2

STATE ROUTE 84
(ISABEL AVENUE)

SEE SHEET 2



PM 24.6

315 (60247-5) 2007-089953
6 P.O.B. 45' SDE 2005-365398
99.01'

(N05°24'38"W 184.50') 94.61'

N00°39'24"E

748.99' (T)

320

(58290-I)

500°39'23"W

721.65'

520

(61566-I)

SEE DETAIL ABOVE

15,746 SO. FT.

515 "TRI" 516+15.64 BC
15' SDE 2003-292846
"TRI" 516+32.05 EC

LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- ▭ = AREA TO BE CONVEYED
- (XXXX) = STATE PARCEL NUMBER
- () = INDICATES PRIOR CONVEYANCE
- () = RECORD DATA PER 2007-089953 O.R.
- P.O.B. = POINT OF BEGINNING
- IEE = INGRESS/EGRESS EASEMENT

(61566)
LONESTAR CALIFORNIA
PARCEL 16
2000-116048
APN 099-0290-011-07

PLAT TO ACCOMPANY DESCRIPTION

A PARTIAL FEE TAKE OVER THE LANDS OF LONESTAR CALIFORNIA TO BE CONVEYED TO THE STATE OF CALIFORNIA
PARCEL NO. 61566-1

CITY OF LIVERMORE COUNTY OF ALAMEDA CALIFORNIA



PLEASANT HILL OFFICE
3440 VINCENT ROAD, SUITE C
PLEASANT HILL, CA 94600
(925) 974-1550 FAX (925) 256-1250

SHEET 1 OF 3

A-10411.07, & .08

DATE: SEPTEMBER 23, 2003

SCALE: 1"=60'

JOB NO: 2009-74

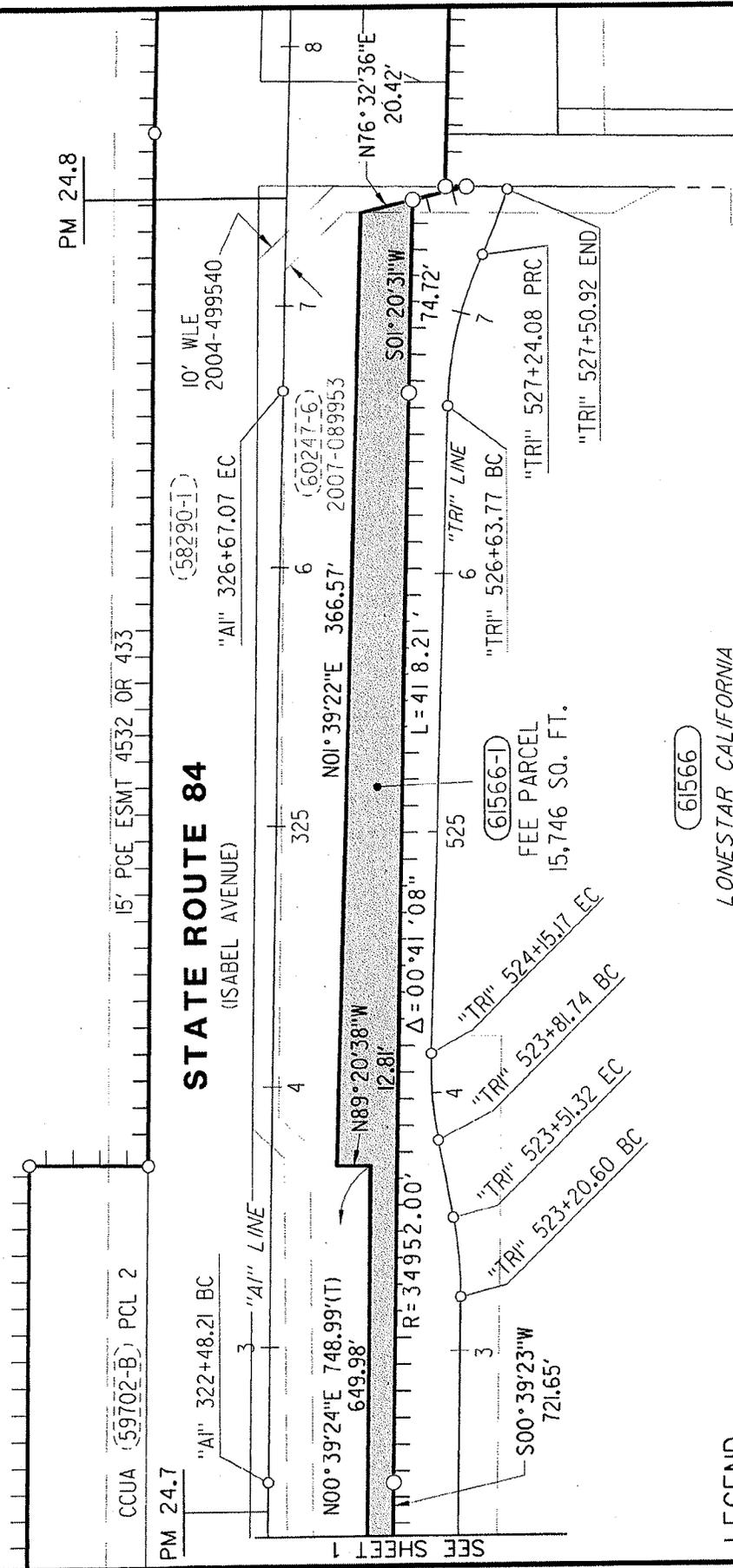
Plan_Sc011 Sep 23, 2013 - 10:39am J:\Survey2\2009\2009 CAD\5230 DMC\Exhibits\61566-1.dwg

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HP8N, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.



EXHIBIT "B"

CITY OF LIVERMORE



PLAT TO ACCOMPANY DESCRIPTION
 A PARTIAL FEE TAKE OVER THE LANDS OF LONESTAR CALIFORNIA TO BE CONVEYED TO THE STATE OF CALIFORNIA
 PARCEL NO. 61566-I

CITY OF LIVERMORE COUNTY OF ALAMEDA CALIFORNIA
 PLEASANT HILL OFFICE
 3440 VINCENT ROAD, SUITE C
 PLEASANT HILL, CA 94070
 (925) 974-1550 FAX (925) 256-1260

URS

DATE: SEPTEMBER 23, 2013 SCALE: 1"=60' JOB NO: 2009-74

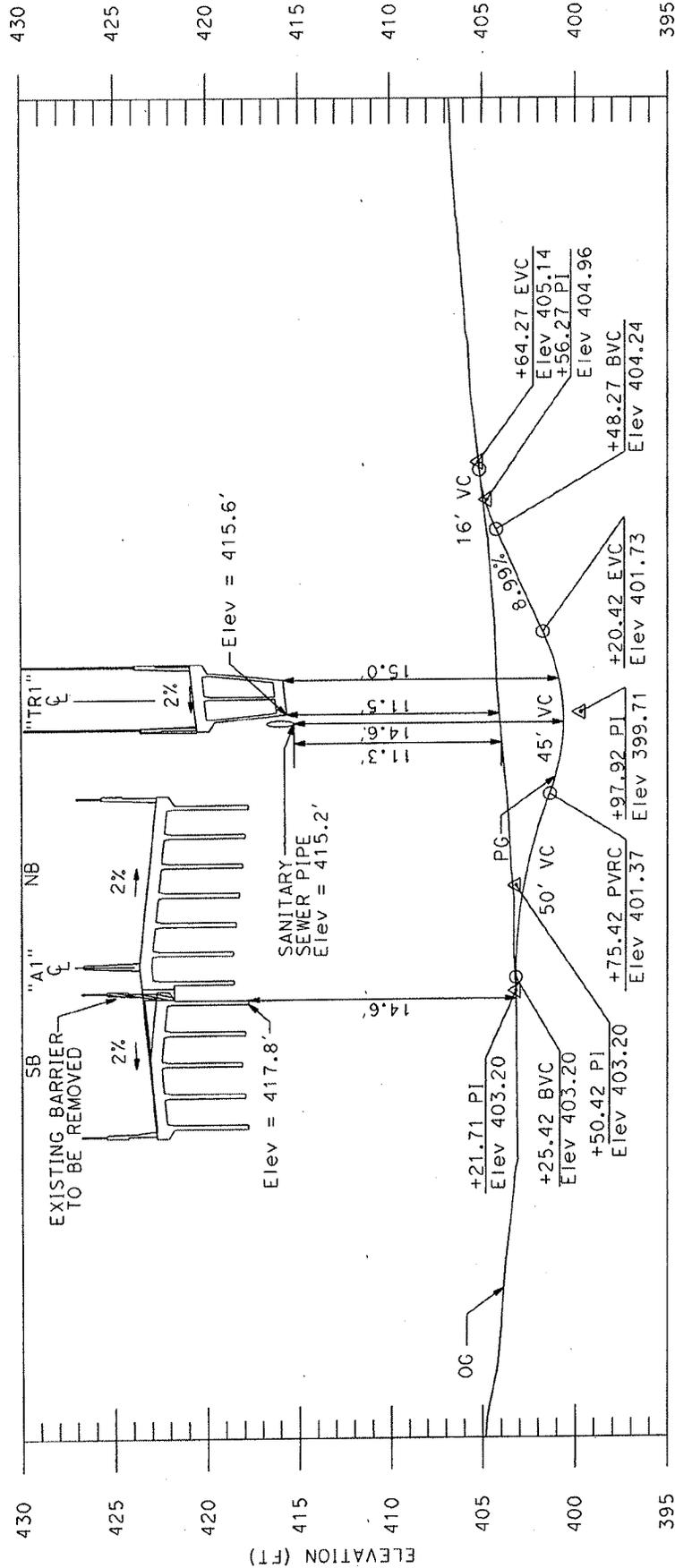
(61566)
 LONESTAR CALIFORNIA
 PARCEL 16
 2000-116048
 APN 099-0290-011-07

- LEGEND**
- ===== ACCESS CONTROLLED
 - DIMENSION POINT
 - ▨ AREA TO BE CONVEYED
 - (XXXXX) STATE PARCEL NUMBER
 - (-----) INDICATES PRIOR CONVEYANCE

EXHIBIT "C"

Horizontal Datum:
Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPGN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.

Vertical Datum:
Elevations are based on the North American Datum of 1988. The Benchmark used is a brass disk at the intersection of Vetto Drive and Raccollo Way, tied into project control utilizing GPS observation.
Elevation = 423.25 feet.



10+00

11+00

12+00

13+00

"SR1" LINE
(FT)
(SCALE NTS)

PROFILE

PLAT TO ACCOMPANY DESCRIPTION

A PARTIAL FEE TAKE OVER THE LANDS OF LONESTAR CALIFORNIA TO BE CONVEYED TO THE STATE OF CALIFORNIA
PARCEL NO. 61566-1

CITY OF LIVERMORE COUNTY OF ALAMEDA CALIFORNIA

PLEASANT HILL OFFICE
3440 VINCENT ROAD, SUITE C
PLEASANT HILL, CA 94070
(925) 974-1550 FAX (925) 256-1260



DATE: SEPTEMBER 23, 2013 SCALE: NTS JOB NO: 2009-74

SHEET 3 OF 3

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HF0N, Epoch 1994.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.



COUNTY OF ALAMEDA

STATE ROUTE 84

(ISABEL AVENUE)

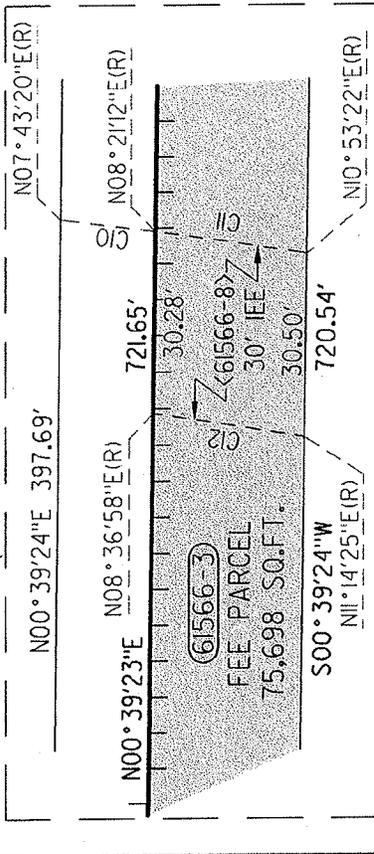
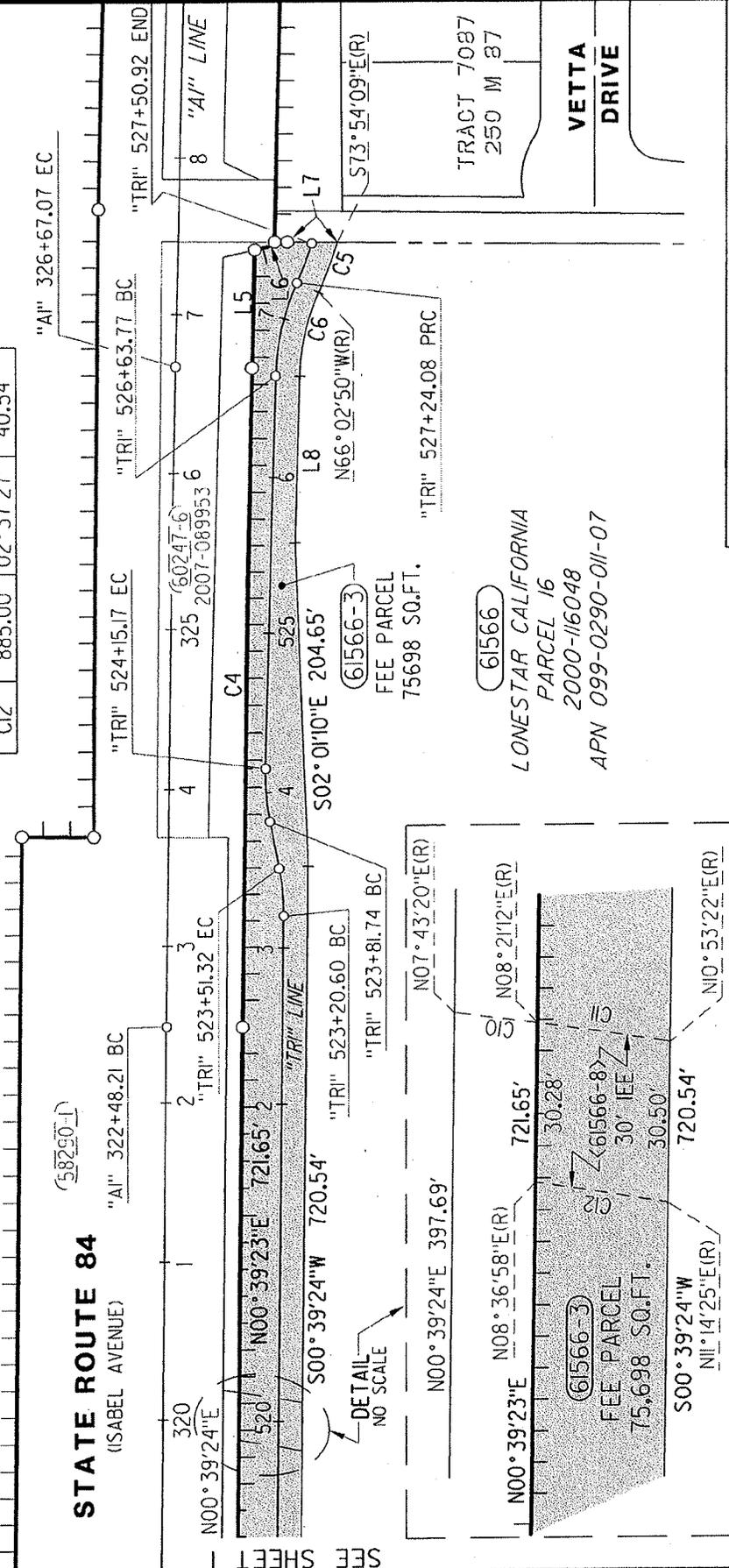
EXHIBIT "B"

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH
C4	34952.00'	00°41'08"	418.21'
C5	248.70'	07°51'19"	34.10'
C6	140.00'	22°17'48"	54.48'
C10	915.00'	03°37'53"	10.08'
C11	915.00'	02°32'10"	40.50'
C12	885.00'	02°37'27"	40.54'

LINE TABLE

LINE	BEARING	DISTANCE
L5	N01°20'31"E	74.72'
L6	N76°32'36"E	20.88'
L7	S89°20'53"E	31.34'
L8	S01°39'22"W	105.50'



- LEGEND**
- = ACCESS CONTROLLED
 - = DIMENSION POINT
 - ▨ = AREA TO BE CONVEYED
 - XXXX = STATE PARCEL NUMBER
 - = INDICATES PRIOR CONVEYANCE
 - P.O.C. = POINT OF COMMENCEMENT
 - T.P.O.B. = TRUE POINT OF BEGINNING

PLAT TO ACCOMPANY DESCRIPTION

PARTIAL FEE TAKE
OVER THE LANDS OF LONESTAR CALIFORNIA
PARCEL NO. 61566-3

CITY OF LIVERMORE COUNTY OF ALAMEDA CALIFORNIA

URS

PLEASANT HILL OFFICE
3440 VINCENT ROAD, SUITE C
PLEASANT HILL, CA 94070
(925) 974-1550 FAX (925) 256-1260

DATE: DEC 15, 2012 SCALE: 1"=100' JOB NO: 2009-74

CITY OF LIVERMORE

A-10411.07, & .08 SHEET 2 OF 2

PERMANENT GAS LINE EASEMENT

A permanent gas line easement for the benefit of Pacific Gas & Electric Company ("PG&E"), which PG&E may at any time, and from time to time, excavate for, install, replace (of the initial or any other size), maintain and use such pipe lines as PG&E shall from time to time elect for conveying gas, with necessary and proper valves and other appliances and fittings, and devices for controlling electrolysis for use in connection with said pipe lines, and such underground wires, cables, conduits, appliances, fixtures and appurtenances, as PG&E shall from time to time elect for communication purposes, together with adequate protection therefor, and also a right of way, within the hereinafter described easement area lying within the lands which are situated in an unincorporated area of the County of Alameda, State of California, and are described as follows:

APN 099-0290-011-07

That being a portion of Parcel 16, as said parcel is described in the Grant Deed to Lonestar California, Inc. recorded April 18, 2000 under document number 2000116048, Official Records of said County.

The aforesaid easement area is described as follows:

The parcel of land described in **EXHIBIT A** and shown upon **EXHIBIT B** attached hereto and made a part hereof.

This permanent easement allows PG&E:

(a) the right of ingress to and egress from said easement area over and across said lands by means of roads and lanes thereon, if such there be, otherwise by such route or routes as shall occasion the least practicable damage and inconvenience to the fee owner of APN 099-0290-011-07 ("Owner"), provided, that such right of ingress and egress shall not extend to any portion of said lands which is isolated from said easement area by any public road or highway, now crossing or hereafter crossing said lands;

(b) the right, from time to time, to trim or to cut down any and all trees and brush now or hereafter within said easement area, and shall have the further right, from time to time, to trim and cut down trees and brush along each side of said easement area which now or hereafter in the opinion of PG&E may interfere with or be a hazard to the facilities installed hereunder, or as PG&E deems necessary to comply with applicable state or federal regulations;

(c) the right to use such portion of said lands contiguous to said easement area as may be reasonably necessary in connection with the installation and replacement of said facilities;

(d) the right to install, maintain and use gates in all fences which now cross or shall hereafter cross said easement area; and

(e) the right to mark the location of said easement area by suitable markers set in the ground; provided that said markers shall be placed in fences or other locations which will not interfere with any reasonable use Owner shall make of said easement area.

PG&E shall:

- (a) not fence said easement area;
- (b) promptly backfill any excavations made by it on said easement area and repair any damage it shall do to any private roads or lanes on said lands; and
- (c) indemnify Owner against any loss and damage which shall be caused by any wrongful or negligent act or omission of PG&E or of its agents or employees in the course of their employment, provided, however, that this indemnity shall not extend to that portion of such loss or damage that shall have been caused by Owner's comparative negligence or willful misconduct.

Owner reserves the right to use said easement area for purposes which will not interfere with PG&E's full enjoyment of the rights hereby granted; provided that Owner shall not erect or construct any building or other structure, or drill or operate any well, or construct any reservoir or other obstruction within said easement area, or plant any trees or vines, or construct associated supporting structures, within ten feet of edge(s) of the pipeline(s), or diminish or substantially add to the ground cover over said facilities, or construct any fences that will interfere with the maintenance and operation of said facilities.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

EXHIBIT "A"

LAND DESCRIPTION OF ONE (1) PARCEL OF LAND IN THE CITY OF LIVERMORE, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING A PORTION OF PARCEL 16, AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO LONESTAR CALIFORNIA, INC. RECORDED APRIL 18, 2000 UNDER DOCUMENT NUMBER 2000116048, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 61566-2

A 15 FOOT EASEMENT FOR GAS LINE PURPOSES AND INCIDENTS THERETO, UPON, IN, OVER AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS NORTH 63°27'40" WEST 58.45 FEET IN PARCEL 5 (60247-5), AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED MARCH 1, 2007 UNDER DOCUMENT NUMBER 2007089953 OFFICIAL RECORDS OF SAID COUNTY;

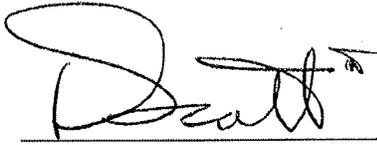
1. THENCE SOUTH 63°27'40" EAST 39.13 FEET ALONG THE EXTERIOR BOUNDARY OF SAID PARCEL 5 (60247-5) TO THE **TRUE POINT OF BEGINNING**;
2. THENCE LEAVING LAST SAID LINE, NORTH 00°40'00" EAST 6.98 FEET;
3. THENCE NORTH 57°49'13" WEST 81.09 FEET;
4. THENCE NORTH 05°23'17" WEST 240.72 FEET;
5. THENCE NORTH 00°39'23" EAST 201.00 FEET;
6. THENCE NORTH 05°14'51" EAST 47.06 FEET;
7. THENCE NORTH 00°38'54" EAST 169.66 FEET;
8. THENCE NORTH 04°55'21" WEST 37.38 FEET;
9. THENCE NORTH 00°51'50" EAST 262.05 FEET;
10. THENCE NORTH 02°25'15" EAST 18.90 FEET;
11. THENCE NORTH 73°27'54" WEST 12.43 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 34952.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING NORTH 89°09'25" WEST);
12. THENCE NORTHERLY 15.58 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°01'32";
13. THENCE SOUTH 73°27'54" EAST 28.34 FEET;
14. THENCE SOUTH 02°25'15" WEST 30.39 FEET;
15. THENCE SOUTH 00°51'50" WEST 261.09 FEET;
16. THENCE SOUTH 04°55'21" EAST 37.35 FEET;
17. THENCE SOUTH 00°38'54" WEST 170.99 FEET;
18. THENCE SOUTH 05°14'51" WEST 47.06 FEET;
19. THENCE SOUTH 00°39'23" WEST 199.61 FEET;
20. THENCE SOUTH 05°23'17" EAST 232.54 FEET;
21. THENCE SOUTH 57°49'13" EAST 82.10 FEET;
22. THENCE SOUTH 00°40'00" WEST 22.66 FEET TO SAID EXTERIOR BOUNDARY;
23. THENCE NORTH 63°27'40" WEST 16.67 FEET ALONG LAST SAID LINE TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 16,420 SQUARE FEET (0.377 ACRES), MORE OR LESS.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART HEREOF

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



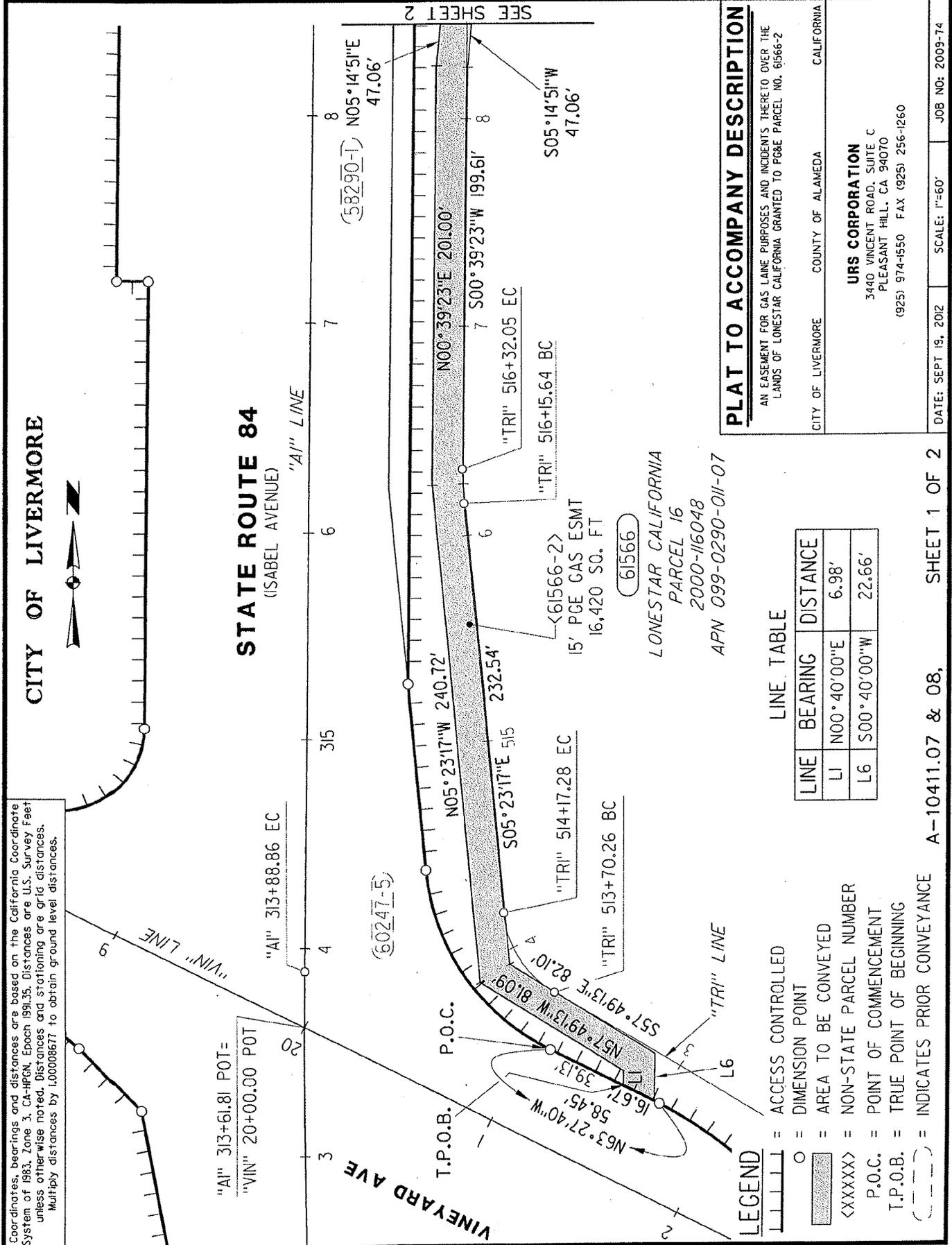
DAN S. SCOTT III, PLS 7840

SEPTEMBER 19, 2012
DATE



Don_Scott Sep 19, 2012 - 3:42pm I:\Survey\2\2009\2009-74 SR 84 ROWE Mapping\5000 Technical\5200 CAD\5230 DWG\Exhibits\61566-2.dwg

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.



PLAT TO ACCOMPANY DESCRIPTION
 AN EASEMENT FOR GAS LAINE PURPOSES AND INCIDENTS THERETO OVER THE LANDS OF LONESTAR CALIFORNIA GRANTED TO PG&E PARCEL NO. 61566-2

CITY OF LIVERMORE COUNTY OF ALAMEDA CALIFORNIA

URS CORPORATION
 3440 VINCENT ROAD, SUITE C
 PLEASANT HILL, CA 94070
 (925) 974-4550 FAX (925) 256-1260

DATE: SEPT 19, 2012 SCALE: 1"=60'
 JOB NO: 2009-74

LINE TABLE

LINE	BEARING	DISTANCE
L1	N00°40'00"E	6.98'
L6	S00°40'00"W	22.66'

- LEGEND**
- = ACCESS CONTROLLED
 - = DIMENSION POINT
 - ▭ = AREA TO BE CONVEYED
 - <XXXX> = NON-STATE PARCEL NUMBER
 - P.O.C. = POINT OF COMMENCEMENT
 - T.P.O.B. = TRUE POINT OF BEGINNING
 - (---) = INDICATES PRIOR CONVEYANCE

A-10411.07 & 08, SHEET 1 OF 2

LONESTAR CALIFORNIA
 PARCEL 16
 2000-116048
 APN 099-0290-011-07

<61566-2>
 15' PGE GAS ESMT
 16,420 SQ. FT

61566

SEE SHEET 2

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPGN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.

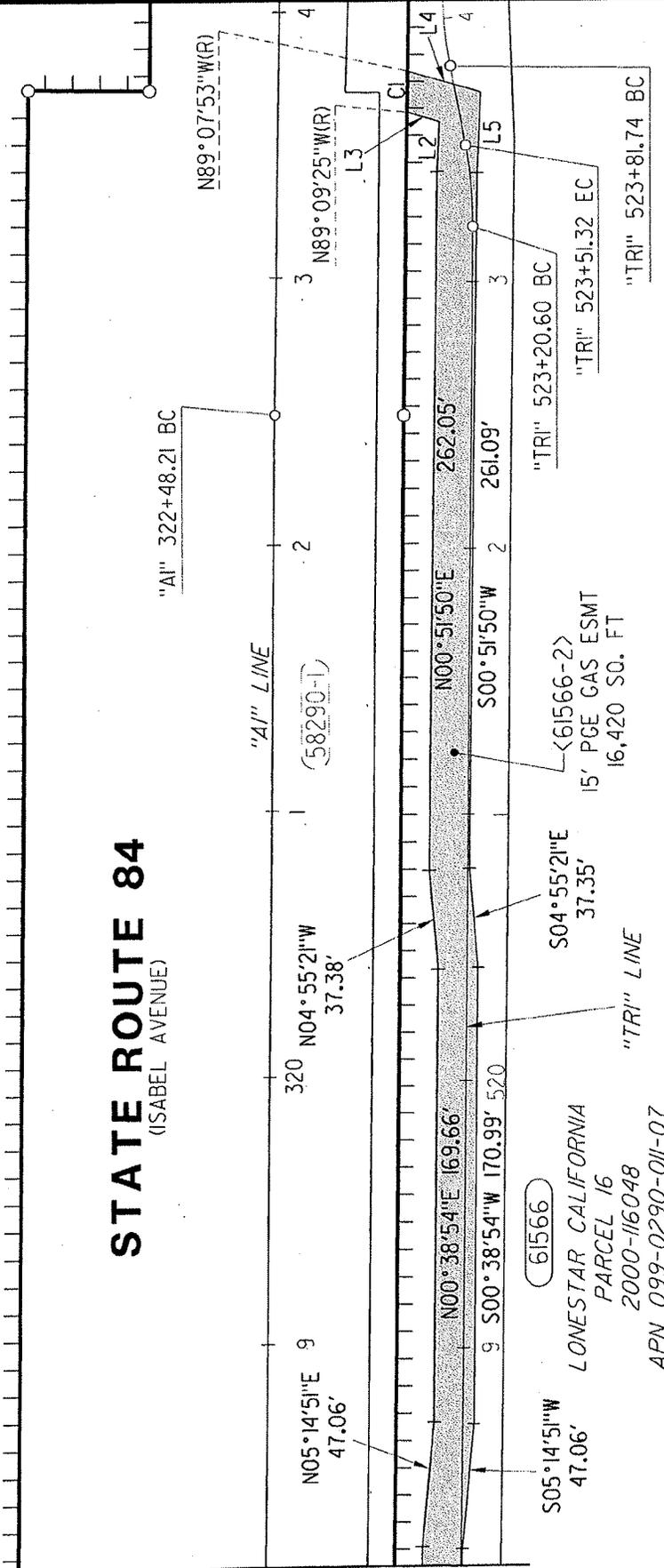


CITY OF LIVERMORE

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH
CI	34952.00'	00° 01' 32"	15.58'

STATE ROUTE 84
(ISABEL AVENUE)



PLAT TO ACCOMPANY DESCRIPTION

AN EASEMENT FOR GAS LAINE PURPOSES AND INCIDENTS THERETO OVER THE LANDS OF LONESTAR CALIFORNIA GRANTED TO PG&E PARCEL NO. 61566-2

CITY OF LIVERMORE COUNTY OF ALAMEDA CALIFORNIA

URS CORPORATION
3440 VINCENT ROAD, SUITE C
PLEASANT HILL, CA 94070
(925) 974-1550 FAX (925) 256-1260

DATE: SEPT 19, 2012 SCALE: 1"=60' JOB NO: 2009-74

LINE TABLE

LINE	BEARING	DISTANCE
L2	N02°25'15"E	18.90'
L3	N73°27'54"W	12.43'
L4	S73°27'54"E	28.34'
L5	S02°25'15"W	30.39'

LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- ▨ = AREA TO BE CONVEYED
- <XXXX> = NON-STATE PARCEL NUMBER
- (---) = INDICATES PRIOR CONVEYANCE

A-10411.07 & .08 SHEET 2 OF 2

TEMPORARY CONSTRUCTION EASEMENT

Temporary Construction Easement for the benefit of Alameda County Transportation Commission ("Alameda CTC"), over, across, under and through the real property situated in an unincorporated area of the County of Alameda, State of California, described in **EXHIBIT A** and shown upon **EXHIBIT B**, attached hereto and made a part hereof ("EASEMENT AREA") for public road construction and conformance purposes related to the State Route 84 Expressway Widening Project ("PROJECT").

Alameda CTC's rights under the easement granted hereby shall include, without limitation, the right of Alameda CTC, its officers, agents, contractors, and employees, and other governmental agencies responsible for review or construction of any portion of the PROJECT and such agencies' officers, agents, contractors, and employees, to enter upon the EASEMENT AREA with personnel, vehicles and equipment for construction of the PROJECT, and all other activities related thereto, to remove all improvements, trees and vegetation thereon that interfere with the purpose for which this easement is granted, to conform the EASEMENT AREA to the PROJECT, and do any and all other actions necessary and appropriate to the construction of the PROJECT.

If improvements in the EASEMENT AREA are removed pursuant to this Temporary Construction Easement, such improvements will be reconstructed at Alameda CTC's sole expense upon the termination of the Temporary Construction Easement and will be restored to their original condition or as close thereto as is feasible. If reconstruction is not feasible, Alameda CTC will pay the underlying fee owner ("Owner") the value of such improvements.

This Temporary Construction Easement is for a period of twenty four (24) months, to commence upon fourteen (14) days written notice from Alameda CTC to Owner, and shall terminate twenty four (24) months after such commencement. In the event Alameda CTC desires to utilize or occupy the Temporary Construction Easement area beyond the twenty four (24) month period described above, Alameda CTC shall pay Owner, on a month-to-month basis, additional compensation for the use of the Temporary Construction Easement. In no event shall this Temporary Construction Easement extend beyond the completion of construction, or December 31, 2017. At no additional cost to Alameda CTC, Alameda CTC shall have the right to enter upon Owner's retained property, where necessary, to reconstruct or perform any warranty or conformance works during or after the expiration of the Temporary Construction Easement and any extension thereto and/or the completion of the PROJECT. Said works include conforming driveways, walkways, lawn, landscaped and hardscaped areas, irrigation systems, sidewalks or any area where reconstruction or warranty work on Owner's retained property is necessary.

All work performed by Alameda CTC in the EASEMENT AREA shall conform to applicable building, fire, and sanitary laws, ordinances and regulations relating to such work and shall be done in a good and workmanlike manner.

The rights and obligations contained in this Grant of Temporary Construction Easement will (a) run with the land and burden, inure to and be for the benefit of and are binding on the land, Owner and its successors and assigns, and be an equitable servitude of Owner and its successors and assigns, and (b) constitute an easement in gross for the benefit of Alameda CTC and its successors and assigns, and will be binding on Alameda CTC and its successors and assigns.

EXHIBIT "A"

LAND DESCRIPTION OF ONE (1) PARCEL OF LAND IN THE CITY OF LIVERMORE, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING A PORTION OF PARCEL 16, AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO LONESTAR CALIFORNIA, INC. RECORDED APRIL 18, 2000 UNDER DOCUMENT NUMBER 2000116048, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 61566-4

A TEMPORARY EASEMENT TO TERMINATE DECEMBER 31, 2017 FOR CONSTRUCTION PURPOSES AND INCIDENTS THERETO, UPON AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS:

COMMENCING AT THE EASTERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS SOUTH 76°32'37" WEST 12.594 METERS (41.32 FEET), (THE BEARING OF SOUTH 76°32'36" WEST BEARING TAKEN FOR THE PURPOSE OF THIS DESCRIPTION) IN PARCEL 6 (60247-6), AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED MARCH 1, 2007 UNDER DOCUMENT NUMBER 2007089953 OFFICIAL RECORDS OF SAID COUNTY, SAID POINT ALSO BEING ON THE NORTHERLY LINE OF SAID PARCEL 16;

THENCE SOUTH 89°20'53" EAST 31.34 FEET ALONG LAST SAID LINE TO THE **TRUE POINT OF BEGINNING**;

1. THENCE CONTINUING ALONG LAST SAID LINE, SOUTH 89°20'53" EAST 51.55 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 298.70 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 76°32'12" EAST);
2. THENCE SOUTHERLY 54.68 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°29'22" TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 90.00 FEET;
3. THENCE SOUTHERLY 35.02 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 22°17'48";
4. THENCE SOUTH 01°39'22" WEST 103.89 FEET;
5. THENCE SOUTH 02°01'10" EAST 204.21 FEET;
6. THENCE SOUTH 00°39'24" WEST 721.70 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 90.00 FEET;
7. THENCE SOUTHERLY 9.53 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 06°04'02";
8. THENCE SOUTH 05°24'38" EAST 190.71 FEET;
9. THENCE SOUTH 59°16'43" EAST 124.97 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 935.00 FEET;
10. THENCE SOUTHEASTERLY 68.49 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°11'50";
11. THENCE SOUTH 63°28'33" EAST 170.76 FEET;
12. THENCE SOUTH 55°53'36" EAST 148.53 FEET;
13. THENCE SOUTH 25°57'50" WEST 30.40 FEET;
14. THENCE NORTH 63°28'33" WEST 49.87 FEET;
15. THENCE SOUTH 26°31'27" WEST 13.44 FEET;
16. THENCE NORTH 55°53'36" WEST 101.87 FEET;
17. THENCE NORTH 63°28'33" WEST 167.45 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 985.00 FEET;
18. THENCE NORTHWESTERLY 72.15 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°11'50";
19. THENCE NORTH 59°16'43" WEST 132.59 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 35.00 FEET;
20. THENCE NORTHWESTERLY AND NORTHERLY 32.91 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 53°52'05";

21. THENCE NORTH 05°24'38" WEST 198.33 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 140.00 FEET;
22. THENCE NORTHERLY 14.83 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 06°04'02";
23. THENCE NORTH 00°39'24" EAST 720.54 FEET;
24. THENCE NORTH 02°01'10" WEST 204.65 FEET;
25. THENCE NORTH 01°39'22" EAST 105.50 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 140.00 FEET;
26. THENCE NORTHERLY 54.48 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 22°17'48" TO THE BEGINNING OF A REVERSE CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 248.70 FEET;
27. THENCE NORTHERLY 34.10 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°51'19" TO SAID NORTHERLY LINE OF PARCEL 16 AND THE **TRUE POINT OF BEGINNING**;

CONTAINING 92,243 SQUARE FEET (2.118 ACRES), MORE OR LESS.

A PLAT MAP IS ATTACHED HERETO AND MADE A PART HEREOF

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



DAN S. SCOTT III, PLS 7840

SEPTEMBER 16, 2013

DATE



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HFBN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.

SCALE 1"=100'

"AI" 313+88.86 EC

"VIN" 20+00.00 POT
CCUA
59702-A PCL 1

"AI" 313+61.81 POT

"TRI" 514+17.28 EC

"TRI" 516+15.64 BC

"TRI" 516+32.05 EC

"AI" LINE 9 (58290-1) 320

"AI" LINE 8

"AI" LINE 7

"AI" LINE 6

"AI" LINE 5

"AI" LINE 4

"AI" LINE 3

"AI" LINE 2

"AI" LINE 1

"AI" LINE 0

"AI" LINE -1

"AI" LINE -2

"AI" LINE -3

"AI" LINE -4

"AI" LINE -5

"AI" LINE -6

"AI" LINE -7

"AI" LINE -8

"AI" LINE -9

"AI" LINE -10

"AI" LINE -11

"AI" LINE -12

"AI" LINE -13

"AI" LINE -14

"AI" LINE -15

STATE ROUTE 84
(ISABEL AVENUE)

"AI" LINE 9 (58290-1) 320

"AI" LINE 8

"AI" LINE 7

"AI" LINE 6

"AI" LINE 5

"AI" LINE 4

"AI" LINE 3

"AI" LINE 2

"AI" LINE 1

"AI" LINE 0

"AI" LINE -1

"AI" LINE -2

"AI" LINE -3

"AI" LINE -4

"AI" LINE -5

"AI" LINE -6

"AI" LINE -7

"AI" LINE -8

"AI" LINE -9

"AI" LINE -10

"AI" LINE -11

"AI" LINE -12

"AI" LINE -13

"AI" LINE -14

"AI" LINE -15

"AI" LINE -16

"AI" LINE -17

"AI" LINE -18

"AI" LINE -19

"AI" LINE -20

"TRI" 516+32.05 EC

"TRI" 516+15.64 BC

"TRI" 514+17.28 EC

"TRI" 516+15.64 BC

"TRI" 516+32.05 EC

"TRI" 516+15.64 BC

"TRI" 516+15.64 BC

"TRI" 516+32.05 EC

"TRI" 516+15.64 BC

"TRI" 516+15.64 BC

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"TRI" 516+32.05 EC

"TRI" 516+15.64 BC

"TRI" 516+32.05 EC

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPGN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.000008677 to obtain ground level distances.



COUNTY OF ALAMEDA

STATE ROUTE 84
(ISABEL AVENUE)

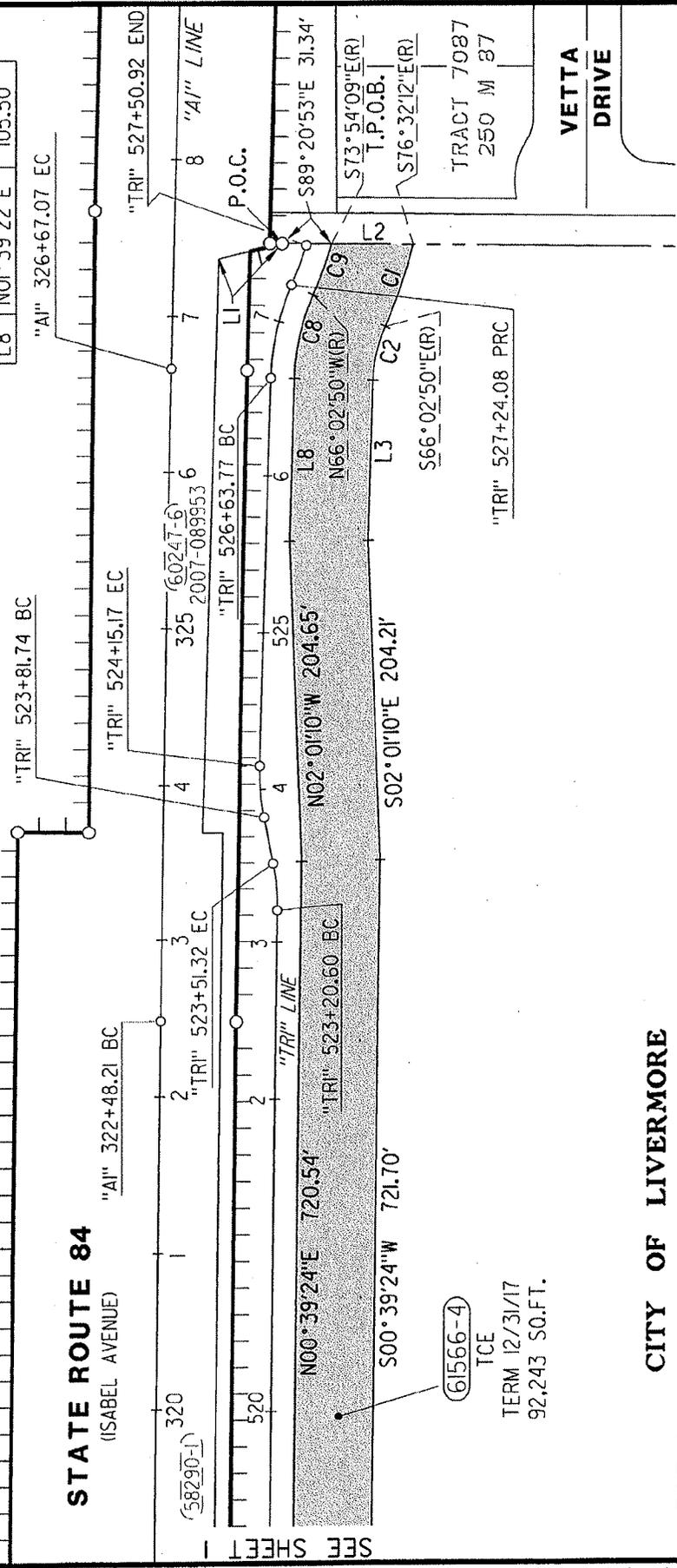
EXHIBIT "B"

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH
C1	298.70'	10°29'22"	54.68'
C2	90.00'	22°17'48"	35.02'
C8	140.00'	22°17'48"	54.48'
C9	248.70'	07°51'19"	34.10'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S76°32'36"W (S76°32'37"W) (12.594m)	41.30'
L2	S89°20'53"E	51.55'
L3	S01°39'22"W	103.89'
L8	N01°39'22"E	105.50'



CITY OF LIVERMORE

LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- = AREA TO BE CONVEYED
- = STATE PARCEL NUMBER
- = INDICATES PRIOR CONVEYANCE
- = POINT OF COMMENCEMENT
- = TRUE POINT OF BEGINNING

61566
LONESTAR CALIFORNIA
PARCEL 16
2000-116048
APN 099-0290-011-07

PLAT TO ACCOMPANY DESCRIPTION

A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES AND INCIDENTS
THERETO OVER THE LANDS OF LONESTAR CALIFORNIA
PARCEL NO. 61566-4

CITY OF LIVERMORE COUNTY OF ALAMEDA CALIFORNIA



PLEASANT HILL OFFICE
3440 VINCENT ROAD, SUITE C
PLEASANT HILL, CA 94070
(925) 974-1550 FAX (925) 256-1260

A-10411.07, & .08 SHEET 2 OF 2

DATE: SEPTEMBER 16, 2013 SCALE: 1"=100' JOB NO: 2009-74

PERMANENT WATER LINE EASEMENT

A permanent water line easement for the benefit of California Water Service Company ("California Water"), which allows California Water from time to time to construct, reconstruct, install, inspect, maintain, repair, replace, remove, operate and use facilities of the type hereinafter specified, together with a right of way for such facilities and ingress to and egress from such facilities, upon, across and/or under the lands situated in an unincorporated area of the County of Alameda, State of California, and which is commonly known as Assessor's Parcel Number ("APN") 099-0290-011-07.

The aforesaid easement area is described in **EXHIBIT A** and shown upon **EXHIBIT B** attached hereto and made a part hereof.

The Easement Area and the facilities installed by California Water thereon shall be used by California Water for the conveyance, distribution and/or storage of water, and the installation, operation, inspection, maintenance, repair, relocation, improvement, replacement and removal of such pipes, conduits, meters, valves, fittings, boxes, vaults, hydrants, pipeline markers, and other facilities as California Water deems necessary or convenient in connection with California Water's business as a public utility water company and for any other legally permitted purpose.

The fee owner of APN 099-0290-011-07 ("Owner") hereby reserves, for itself, its successors and assigns, the right to use the surface of the Easement Area for parking, landscaping, walkways, signs and driveways; provided that Owner shall not erect or construct any building or other structure, or otherwise conduct activities in the Easement Area which may impair or prevent California Water's use of the Easement Area for the purposes specified herein. Owner shall not engage in activities that damage or is reasonably likely to damage, California Water's facilities and equipment in the Easement Area. Without limiting the foregoing, Owner shall not perform or permit any digging, tunneling or other forms of construction activity on the Easement Area which would substantially disturb, or are likely to substantially disturb the compaction or unearth California Water's facilities located within the Easement Area or endanger the lateral support to such facilities.

California Water will vacate the Easement Area and any improvements constructed by California Water thereon and relocate its facilities to a reasonable alternative Easement Area, at Owner's sole cost and expense upon ninety (90) days written notice from Owner to California Water. Upon such relocation, California Water shall deliver to Owner a quitclaim deed releasing California Water's interest in the vacated Easement Area.

California Water will, at its sole cost, keep all facilities and equipment of California Water in the Easement Area in good condition and repair, subject only to ordinary wear and tear. In the event California Water damages the surface of the Easement Area or improvements thereon, permitted by this easement and installed by or for Owner, California Water shall, at its cost, repair the damage caused by the activities of California Water and restore the surface of the Easement Area as nearly as possible to the condition in which such surface area and improvements existed at the commencement of the activities of California Water which caused such damage. In no event shall California Water be obligated to repair damage caused by activities or causes other than the activities of California Water.

The terms hereof shall be binding upon, and inure to the benefit of the successors and assigns of the parties hereto. As used herein, the term "Owner" shall include all subsequent owners of the land subject to the easement granted hereby. The terms hereof shall run with the Easement Area. As used herein, the term "California Water" shall include all subsequent owners of the easement in gross granted hereby.

EXHIBIT "A"

LAND DESCRIPTION OF ONE (1) PARCEL OF LAND IN THE CITY OF LIVERMORE, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESIGNATED AS PARCEL 16, AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO LONESTAR CALIFORNIA, INC. RECORDED APRIL 18, 2000 UNDER DOCUMENT NUMBER 2000116048, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 61566-5

AN EASEMENT FOR WATERLINE PURPOSES AND INCIDENTS THERETO, UPON, IN, OVER AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS;

COMMENCING AT THE EASTERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS SOUTH 76°32'37" WEST 12.594 METERS (41.32 FEET), (THE BEARING OF SOUTH 76°32'36" WEST BEARING TAKEN FOR THE PURPOSE OF THIS DESCRIPTION) IN PARCEL 6 (60247-6), AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED MARCH 1, 2007 UNDER DOCUMENT NUMBER 2007089953 OFFICIAL RECORDS OF SAID COUNTY;

1. THENCE SOUTH 13°34'06" WEST 11.07 FEET TO THE **TRUE POINT OF BEGINNING**;
2. THENCE SOUTH 88°46'44" EAST 13.85 FEET;
3. THENCE SOUTH 45°00'00" WEST 11.08 FEET;
4. THENCE SOUTH 01°25'08" WEST 286.47 FEET;
5. THENCE SOUTH 22°30'00" EAST 35.24 FEET;
6. THENCE SOUTH 01°00'00" WEST 292.55 FEET;
7. THENCE NORTH 89°00'00" WEST 10.00 FEET;
8. THENCE NORTH 01°00'00" EAST 290.47 FEET;
9. THENCE NORTH 22°30'00" WEST 35.28 FEET;
10. THENCE NORTH 01°25'08" EAST 292.59 FEET;
11. THENCE NORTH 45°00'00" EAST 5.49 FEET TO THE **TRUE POINT OF BEGINNING**;

CONTAINING 6,246 SQUARE FEET (0.143 ACRES), MORE OR LESS.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART HEREOF

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



DAN S. SCOTT III, PLS 7840

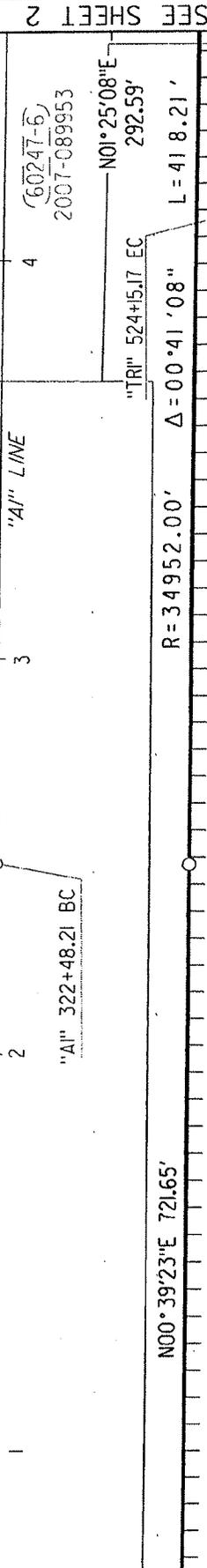
SEPTEMBER 19, 2012
DATE



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by .00008677 to obtain ground level distances.



STATE ROUTE 84
(ISABEL AVENUE)



SEE SHEET 2

EXHIBIT "B"

PLAT TO ACCOMPANY DESCRIPTION	
AN EASEMENT FOR WATER LINE PURPOSES AND INCIDENTS THERETO OVER THE LANDS OF LONESTAR CALIFORNIA PARCEL NO. 61566-5	
CITY OF LIVERMORE	COUNTY OF ALAMEDA CALIFORNIA
URS CORPORATION 3440 VINCENT ROAD, SUITE C PLEASANT HILL, CA 94070 (925) 974-1550 FAX (925) 256-1260	
DATE: SEPT 19, 2012	SCALE: 1"=40'
JOB NO: 2009-74	

61566
LONESTAR CALIFORNIA
PARCEL 16
2000-116048
APN 099-0290-011-07

- LEGEND**
- = ACCESS CONTROLLED
 - = DIMENSION POINT
 - = AREA TO BE CONVEYED
 - = NON-STATE PARCEL NUMBER
 - = INDICATES PRIOR CONVEYANCE

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HRQM, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008617 to obtain ground level distances.



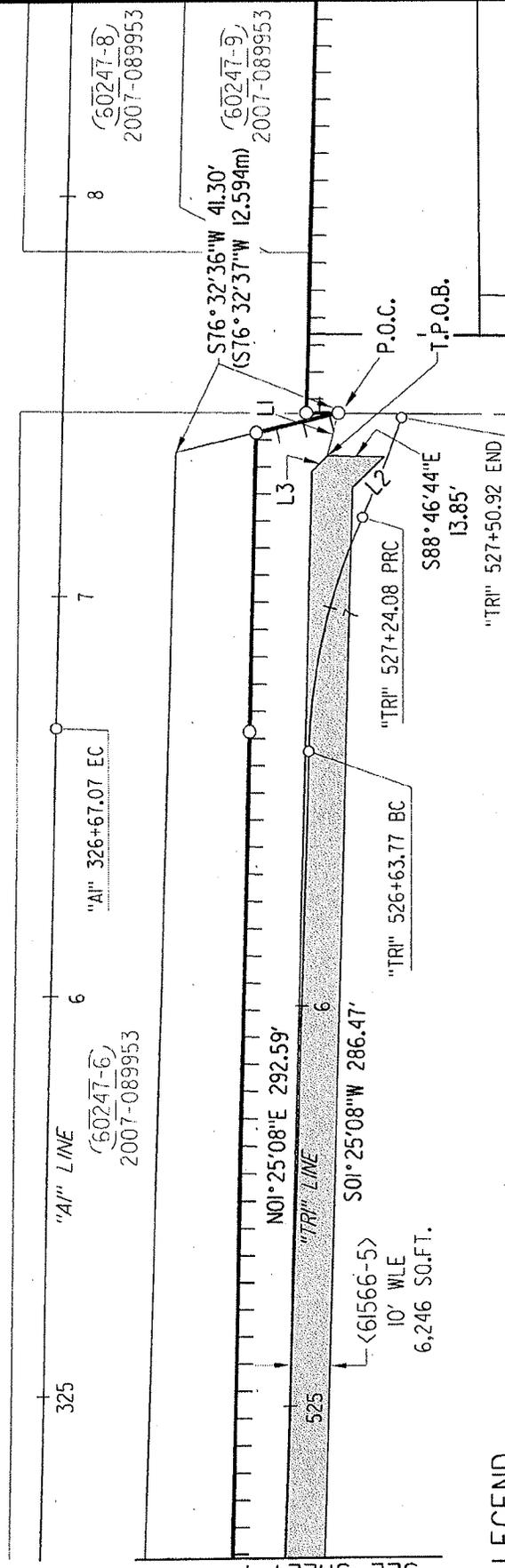
SCALE 1" = 40'

EXHIBIT "B"

LINE TABLE

LINE	BEARING	DISTANCE
L1	S13° 34' 06" W	11.07'
L2	S45° 00' 00" W	11.08'
L3	N45° 00' 00" E	5.49'

STATE ROUTE 84
(ISABEL AVENUE)



LEGEND

- ||||| = ACCESS CONTROLLED
- P.O.C. = POINT OF COMMENCEMENT
- T.P.O.B. = TRUE POINT OF BEGINNING
- = DIMENSION POINT
- ▨ = AREA TO BE CONVEYED
- <XXXX> = NON-STATE PARCEL NUMBER
- = INDICATES PRIOR CONVEYANCE
- () = RECORD DATE PER 2007-089953
- m = METERS

(61566)
 LONESTAR CALIFORNIA
 PARCEL 16
 2000-116048
 APN 099-0290-011-07

PLAT TO ACCOMPANY DESCRIPTION

AN EASEMENT FOR WATER LINE PURPOSES AND INCIDENTS THERETO OVER THE LANDS OF LONESTAR CALIFORNIA PARCEL NO. 61566-3

CITY OF LIVERMORE COUNTY OF ALAMEDA CALIFORNIA

URS CORPORATION
 3440 VINCENT ROAD, SUITE C
 PLEASANT HILL, CA 94070
 (925) 974-1550 FAX (925) 256-1260

A-10411.07 & .08 SHEET 2 OF 2

DATE: SEPT 19, 2012 SCALE: 1"=40' JOB NO: 2009-74

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RESOLUTION NO. 14-010

A RESOLUTION OF THE ALAMEDA COUNTY TRANSPORTATION COMMISSION DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF CERTAIN LAND AND DIRECTING THE FILING OF EMINENT DOMAIN PROCEEDINGS ON CERTAIN PROPERTY FOR THE STATE ROUTE 84 EXPRESSWAY PROJECT – SOUTH SEGMENT (624.2)

WHEREAS, the Alameda County Transportation Commission (“Alameda CTC”) is vested with the power of eminent domain and is authorized to acquire real property by virtue of Article 1, Section 19 of the Constitution of the State of California, Section 25350.5 of the Government Code of the State of California as delegated in Section 14 of the Alameda CTC Joint Powers Agreement, Section 760 of the Streets and Highways Code of the State of California, and Sections 1240.010, 1240.110, and 1240.610 of the Code of Civil Procedure of the State of California within the jurisdictional limits of the County of Alameda; and

WHEREAS, it is desirable and necessary for Alameda CTC to acquire certain real property and property interests, particularly described in **Exhibit 1**, for the purpose of, *inter alia*, widening State Route 84 (SR 84) to expressway standards to improve the facility as a regional connection between I-680 and I-580, and to improve local traffic circulation by adding capacity on SR 84 and implementing intersection improvements in the County of Alameda, State of California; and

WHEREAS the parcel from which the certain real property and property interests particularly described in **Exhibit 1** are being acquired is encumbered with a conservation easement, which is a public use pursuant to section 1240.055 of the Code of Civil Procedure of the State of California; which use is pursuant to sections 1240.610 *et seq.* of the Code of Civil Procedure of the State of California less necessary than the public use to which the State of California will put the certain real property and property interests particularly described in **Exhibit 1**; and

WHEREAS, pursuant to the provisions of Section 1245.235 of the Code of Civil Procedure, written notice has been duly given to all persons whose property is to be acquired by eminent domain and whose names and addresses appear on the last County of Alameda equalized assessment roll, all of whom have been given a reasonable opportunity to appear and be heard before the governing body of Alameda CTC (the “Commission”) on the following matters:

- a) Whether the public interest and necessity require the project;
- b) Whether the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- c) Whether the property sought to be acquired is necessary for the project; and
- d) Whether the offer required by Section 7267.2 of the Government Code has been made to the owners of record.

NOW THEREFORE, BE IT RESOLVED, by at least a **four-fifths** vote of the Commission, pursuant to Sections 1240.030 and 1245.230 of the Code of Civil Procedure of the State of California, that this Commission does and it hereby finds and determines each of the following:

Section 1. Based upon the evidence presented, this Commission finds and resolves as follows:

(a) The property to be acquired is described in **Exhibit 1** attached hereto and incorporated herein;

(b) Said property is to be acquired for public use, to wit, for public highway purposes, pursuant to the authority granted by Article 1, Section 19 of the Constitution of the State of California, Section 25350.5 of the Government Code of the State of California as delegated in Section 14 of the Alameda CTC Joint Powers Agreement, Section 760 of the Streets and Highways Code of the State of California, and Part 3, Title 7 of the Code of Civil Procedure;

(c) The public interest and necessity require the project, which is to improve public health, safety and welfare by widening State Route 84 (SR 84) to expressway standards to improve the facility as a regional connection between I-680 and I-580, and to improve local traffic circulation by adding capacity on SR 84 and implementing intersection improvements in the County of Alameda, State of California;

(d) The proposed project is planned and located in the manner which will be most compatible with the greatest public good and the least private injury;

(e) The property described in **Exhibit 1** is being acquired in fee, for permanent underground sanitary sewer, water line, and gas line easements, and for a 24 month temporary construction easement, and is necessary for the construction of the proposed project; and

(f) The offer required by Government Code Section 7267.2 has been made to the owners of record of the real property.

Section 2. General Counsel of Alameda CTC or his duly authorized designee, be, and is hereby authorized and directed to institute and conduct to conclusion an action in eminent domain for the acquisition of the estates and interests aforesaid and to take such action as counsel may deem advisable or necessary in connection therewith. An order for prejudgment possession may be obtained in said action and a warrant issued and deposited with the State Treasurer Condemnation Fund, in the amount determined the most probable compensation for the property sought to be acquired, as a condition to the right of possession.

ADOPTED July 24, 2014, by the Commission of the Alameda County Transportation Commission by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

Scott Haggerty, Chairperson

ATTEST:

Vanessa Lee, Clerk of the Commission

APPROVED AS TO FORM:

General Counsel of the Alameda
County Transportation Commission

EXHIBIT 1

FEE ACQUISITION

An acquisition in fee for state highway purposes of the parcel of land described in **EXHIBIT A** and shown upon **EXHIBIT B** attached hereto and made a part hereof.

EXHIBIT "A"

LAND DESCRIPTION OF ONE (1) PARCEL OF LAND IN THE CITY OF PLEASANTON, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING A PORTION OF PARCEL E, TRACT MAP 6452, FILED AUGUST 24, 1993 IN BOOK 209, PAGES 54 THROUGH 71, INCLUSIVE, OF MAPS, AS AMENDED BY CERTIFICATE OF CORRECTION RECORDED APRIL 6, 1994 AS INSTRUMENT NO. 94-134055 BOTH OF OFFICIAL RECORDS OF SAID COUNTY. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 61512-1

COMMENCING AT THE SOUTHERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS NORTH 10°23'31" WEST 105.910 METERS (THE BEARING OF NORTH 10°23'23" WEST BEING TAKEN FOR THE PURPOSE OF THIS DESCRIPTION), IN PARCEL 1 (60248-1), AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED MAY 11, 2010 UNDER DOCUMENT NUMBER 2010-135552 OFFICIAL RECORDS OF SAID COUNTY;

1. THENCE NORTH 10°23'23" WEST 33.05 FEET ALONG THE WESTERLY LINE OF SAID PARCEL 1 (60248-1) TO THE **TRUE POINT OF BEGINNING**, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 3640.90 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 75°41'27" WEST);
2. THENCE LEAVING LAST SAID LINE, NORTHERLY 257.11 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°02'46" TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 3718.24 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 81°06'27" WEST);
3. THENCE NORTHERLY 122.83 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°53'34" TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 1668.89 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 82°04'56" WEST);
4. THENCE NORTHERLY 256.81 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°49'01";
5. THENCE NORTH 00°13'35" EAST 37.58 FEET;
6. THENCE NORTH 05°20'33" WEST 118.44 FEET;
7. THENCE NORTH 10°30'36" WEST 70.35 FEET;
8. THENCE NORTH 43°38'42" WEST 41.11 FEET TO THE GENERAL SOUTHERLY LINE OF PARCEL 14 (60248-14), AS SAID PARCEL IS DESCRIBED IN SAID GRANT DEED TO THE STATE OF CALIFORNIA;

THENCE ALONG SAID GENERAL SOUTHERLY LINE THE FOLLOWING THREE (3) COURSES;

9. SOUTH 49°56'17" EAST 34.06 FEET;
10. SOUTH 63°30'07" EAST 34.24 FEET;
11. SOUTH 01°02'22" EAST 47.27 FEET TO SAID WESTERLY LINE OF PARCEL 1 (60248-1);

THENCE ALONG SAID WESTERLY LINE THE FOLLOWING THREE (3) COURSES;

12. SOUTH 00°40'00" WEST 170.02 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 1664.86 FEET;
13. SOUTHERLY 321.27 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°03'23";
14. SOUTH 10°23'23" EAST 314.39 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 6,240 SQUARE FEET (0.143 ACRES), MORE OR LESS.

THIS CONVEYANCE IS MADE FOR THE PURPOSES OF A FREEWAY AND THE GRANTOR HEREBY RELEASES AND RELINQUISHES TO THE GRANTEE ANY AND ALL ABUTTER'S RIGHTS OF ACCESS, APPURTENANT TO GRANTOR'S REMAINING PROPERTY, IN AND TO SAID FREEWAY OVER AND ACROSS THE FOLLOWING DESCRIBED LINE, BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID PARCEL E, SAID POINT LYING ON A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 3099.75 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 76°48'13" WEST); THENCE NORTHERLY 151.84 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°48'24"; THENCE NORTH 10°23'23" EAST 33.05; AND BEGINNING AT A POINT ON SAID GENERAL SOUTHERLY LINE OF PARCEL 14 (60248-14), FROM WHICH THE WESTERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS NORTH 49°56'17" WEST 13.784 METERS IN SAID PARCEL 14 (60248-14) BEARS NORTH 49°56'17" WEST 11.17 FEET; THENCE NORTH 49°56'17" WEST 11.17 FEET ALONG SAID GENERAL SOUTHERLY LINE; THENCE NORTH 55°29'02" WEST 42.30 FEET ALONG LAST SAID LINE TO THE NORTHERLY LINE OF SAID PARCEL E; THENCE NORTH 63°27'58" WEST 103.93 FEET ALONG LAST SAID LINE; ALSO RELEASES AND RELINQUISHES ANY AND ALL OTHER ABUTTER'S RIGHTS OTHER THAN ACCESS APPURTENANT TO SAID REMAINING PROPERTY IN AND TO SAID FREEWAY.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART THEREOF.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.


DAN S. SCOTT III, PLS 7840
LICENSE EXPIRES: 12/31/10

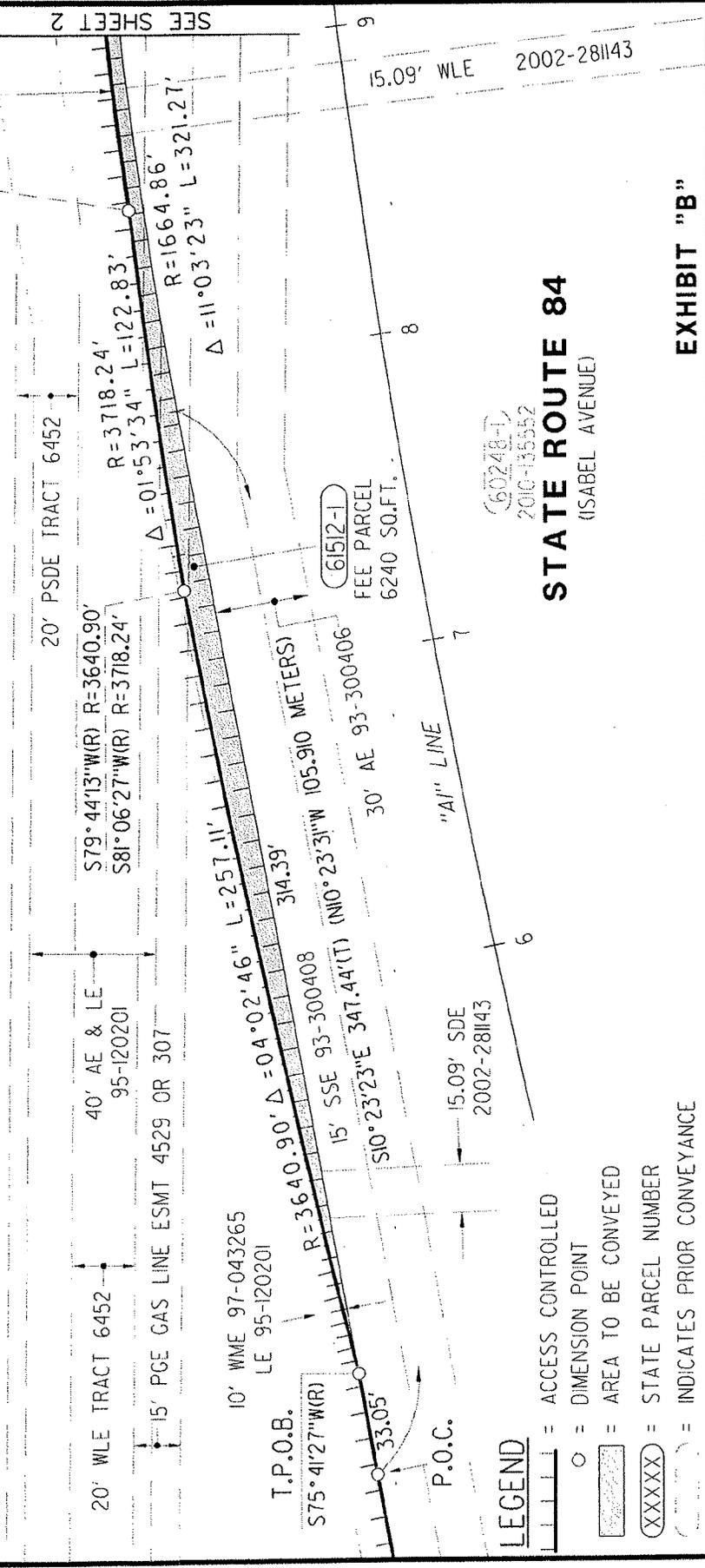
June 1, 2010
DATE



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HF0N, Epoch 1994.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by .00008677 to obtain ground level distances.



CITY OF PLEASANTON
SIEALTH STREET PARTNERS
 PARCEL E
 TRACT 6452
 209 M 54
 APN 950-0010-008-00



STATE ROUTE 84
 (ISABEL AVENUE)

(60248-1)
 2010-135552

LEGEND

- ||||| = ACCESS CONTROLLED
- = DIMENSION POINT
- ▭ = AREA TO BE CONVEYED
- (XXXXX) = STATE PARCEL NUMBER
- () = INDICATES PRIOR CONVEYANCE
- () = REC. DATA PER 2010-135552 OR
- P.O.C. = POINT OF COMMENCEMENT
- T.P.O.B. = TRUE POINT OF BEGINNING
- WLE = WATERLINE EASEMENT
- AE = ACCESS EASEMENT
- LE = LANDSCAPE EASEMENT
- WME = WALL MAINTENANCE EASEMENT
- SSE = SANITARY SEWER EASEMENT
- SDE = STORM DRAIN EASEMENT
- PSDE = PRIVATE STORM DRAIN EASEMENT

EXHIBIT "B"

PLAT TO ACCOMPANY DESCRIPTION

A PARTIAL FEE TAKE OVER THE LANDS OF
 SIEALTH STREET PARTNERS TO BE CONVEYED TO THE STATE OF CALIFORNIA
 PARCEL NO. 61512-1

CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA

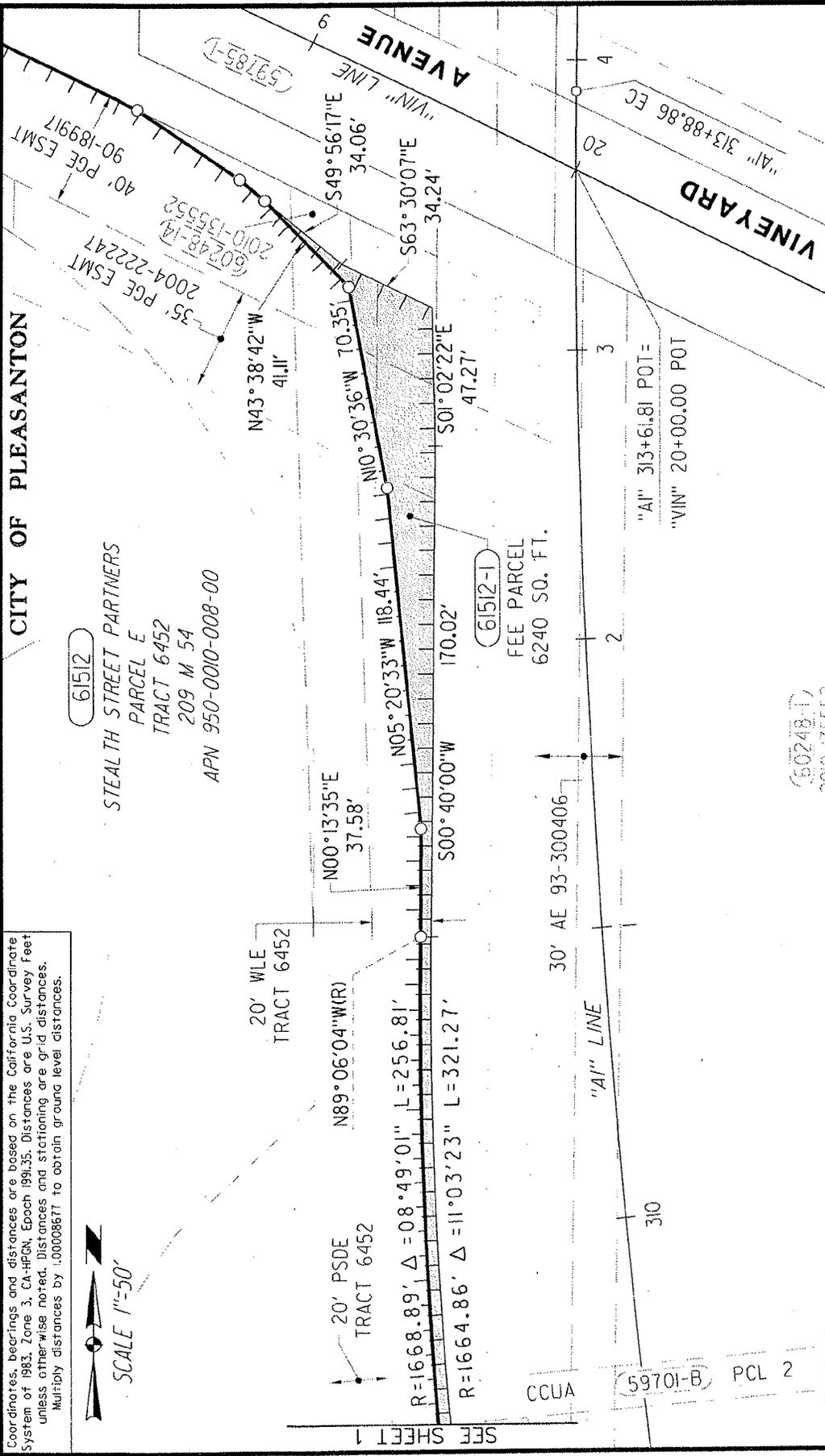


GEOMATICS TRANSPORTATION SERVICES, INC
 RIGHT-OF-WAY - LAND SURVEYING-MAPPING
 6690 AMADOR PLAZA ROAD, SUITE 101, DUBLIN CA 94568
 (925) 556-1776 FAX (925) 556-0575

DATE: JUNE 1, 2010 SCALE: 1"=50' JOB NO: GI-0702-20

A-10411.07 SHEET 1 OF 2

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPGN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.



PLAT TO ACCOMPANY DESCRIPTION

A PARTIAL FEE TAKE OVER THE LANDS OF STEALTH STREET PARTNERS TO BE CONVEYED TO THE STATE OF CALIFORNIA PARCEL NO. 61512-1

CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA

GEOMATICS TRANSPORTATION SERVICES, INC
 RIGHT-OF-WAY- LAND SURVEYING-MAPPING
 6690 AMADOR PLAZA ROAD, SUITE 101, DUBLIN CA 94568
 (925) 556-1776 FAX (925) 556-0575

DATE: JUNE 1, 2010 SCALE: 1"=50' JOB NO: GI-0702-20

STATE ROUTE 84
 (ISABEL AVENUE)

EXHIBIT "B"

LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- ▨ = AREA TO BE CONVEYED
- XXXXX = STATE PARCEL NUMBER
- = INDICATES PRIOR CONVEYANCE
- AE = ACCESS EASEMENT
- WLE = WATERLINE EASEMENT
- PSDE = PRIVATE STORM DRAIN EASEMENT

SEE SHEET 1

310

30' AE 93-300406

"A1" LINE

61512-1

FEE PARCEL 6240 SQ. FT.

61512-1

60248-1
2010-135552

60248-1
2010-135552

60248-1
2004-222247

60248-1
2010-135552

40' PGE ESMT 90-189917

35' PGE ESMT 2004-222247

41.11'

N43°38'42"W

S49°56'17"E 34.06'

S63°30'07"E 34.24'

N10°30'36"W 10.35'

N05°20'33"W 118.44'

N00°13'35"E 37.58'

S00°40'00"W 170.02'

47.21'

S01°02'22"E

"VIN" LINE

"A1" 313+61.81 POT =

"VIN" 20+00.00 POT

3

2

4

20

9

9

59785-1

59701-B

PCL 2

CCUA

20' PSDE TRACT 6452

20' WLE TRACT 6452

N89°06'04"W(R)

R=1668.89' Δ = 08°49'01" L=256.81'

R=1664.86' Δ = 11°03'23" L=321.27'

APN 950-0010-008-00

209 M 54

TRACT 6452

PARCEL E

STEALTH STREET PARTNERS

61512

CITY OF PLEASANTON

SHEET 2 OF 2

A-10411.07

PERMANENT SANITARY SEWER EASEMENT

A permanent sanitary sewer easement for the benefit of the City of Livermore ("City"), which gives City a permanent easement to construct, reconstruct, replace, alter, operate, inspect, maintain and repair its wastewater line or lines and appurtenances thereto in such sizes and configurations as the City deems necessary, together with the right of ingress and egress necessary or appropriate for the proper use of the rights herein, over, across, through, under and along all that real property within the hereinafter described easement area lying within the lands which are situated in the City of Pleasanton, County of Alameda, State of California, and are described and are described as follows:

APNs 950-0010-007-02 and 950-0010-008-00

Parcel E, Tract Map 6452, filed August 24, 1993 in Book 209, Pages 54 through 71, inclusive, of maps, Alameda County Records, as amended by Certificate of Correction recorded April 6, 1994 as Instrument NO. 94-134055 both of Official Records.

Excepting therefrom that portion of the above described parcel as described in the grant deed, executed by Wentz Bros., a California corporation, to the City of Livermore, a municipal corporation, on February 9, 2005, instrument no. 2005057764, Official Records.

The aforesaid easement area is described as follows:

The parcel of land described in **EXHIBIT A** and shown upon **EXHIBIT B** attached hereto and made a part hereof.

The fee owner of APNs 950-0010-007-02 and 950-0010-008-00 ("Owner") reserves the right to use the easement parcel for all purposes not inconsistent with the easement, including landscaping, automobile parking facilities, or other such uses of the lands included within the easement which are consistent with City's use; however, such use by the Owner shall not include the construction of permanent structures, including but not limited to houses, garages, outbuildings, swimming pools, tennis courts, retaining walls, decks, patios, or other concrete structures within the easement.

With the exception of manholes to be permanently installed, City will upon completion of any of its construction hereunder to restore as near as possible the surface of the ground to the condition in which it was prior to the commencement of said construction.

This instrument shall run with the land and inure to the benefit of the successors and assigns of the parties hereto.

EXHIBIT "A"

LAND DESCRIPTION OF ONE (1) PARCEL OF LAND IN THE CITY OF PLEASANTON, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESIGNATED AS PARCEL E, AS SAID PARCEL IS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT MAP 6452 RUBY HILL", FILED AUGUST 24, 1993 IN BOOK 209, PAGES 54 THROUGH 71, INCLUSIVE, OF MAPS, AS AMENDED BY CERTIFICATE OF CORRECTION RECORDED APRIL 6, 1994 AS INSTRUMENT NO. 94-134055 BOTH OF OFFICIAL RECORDS OF SAID COUNTY. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 61512-2

AN EASEMENT FOR SANITARY SEWER PURPOSES AND INCIDENTS THERETO, UPON, IN, OVER AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHEASTERLY CORNER OF SAID PARCEL E, SAID POINT BEING COINCIDENT WITH THE WESTERLY LINE OF PARCEL 1 (60248-1), AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED MAY 11, 2010 UNDER DOCUMENT NUMBER 2010-135552 OFFICIAL RECORDS OF SAID COUNTY;

1. THENCE SOUTH 68°34'12" WEST 10.10 FEET ALONG THE SOUTHERLY LINE OF SAID PARCEL E TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 3109.75 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 76°46'37" WEST);
2. THENCE LEAVING LAST SAID LINE, NORTHERLY 151.40 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°47'22";
3. THENCE NORTH 11°56'02" WEST 60.12 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 3677.32 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 76°06'04" WEST);
4. THENCE NORTHERLY 232.53 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°37'23" TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 3728.24 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 81°06'21" WEST);
5. THENCE NORTHERLY 123.20 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE 01°53'36" TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 1678.89 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 82°05'06" WEST);
6. THENCE NORTHERLY 258.21 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°48'43";
7. THENCE NORTH 00°13'35" EAST 37.04 FEET
8. THENCE NORTH 05°20'33" WEST 111.29 FEET;
9. THENCE SOUTH 84°52'32" EAST 10.17 FEET;
10. THENCE SOUTH 05°20'33" EAST 109.93 FEET;
11. THENCE SOUTH 00°13'35" WEST 37.58 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 1668.89 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING NORTH 89°06'04" WEST);
12. THENCE SOUTHERLY 256.81 FEET ALONG SAID CURVE THOUGH A CENTRAL ANGLE OF 08°49'01" TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 3718.24 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 83°00'01" WEST);
13. THENCE SOUTHERLY 122.83 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°53'34" TO A POINT OF INTERSECTION OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 3640.90 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 79°44'13" WEST);

14. THENCE SOUTHERLY 257.11 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°02'46" TO SAID WESTERLY LINE OF PARCEL 1 (60248-1);

THENCE ALONG SAID WESTERLY LINE THE FOLLOWING TWO (2) COURSES;

15. SOUTH 10°23'23" EAST 33.05 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 3099.75 FEET;

16. SOUTHERLY 151.84 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°48'24" TO THE **POINT OF BEGINNING**;

CONTAINING 9,740 SQUARE FEET (0.224 ACRES), MORE OR LESS.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART HEREOF

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



MARCH 29, 2011

DAN S. SCOTT III, PLS 7840
LICENSE EXPIRES: 12/31/12

DATE



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HFCN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.



CITY OF PLEASANTON

STEALTH STREET PARTNERS

PARCEL E

TRACT 6452

209 M 54

APN 950-0010-008-00

61512

R=3728.24'
Δ=01°53'36"
L=123.20'

S79°43'27"W(R) R=3677.32'
S81°06'21"W(R) R=3728.24'

L=232.53'
LL=257.11'
R=3718.24'
Δ=01°53'24"
L=122.83'

15' PGE ESMT
S76°46'37"W(R)
R=3109.75' Δ=02°47'22" L=151.40'
S79°33'59"W(R) 60.12'
N11°56'02"W 60.12'

10' WME
S10°23'23"E 33.05'
S75°41'27"W(R)

15.09' SDE
S81°06'27"W(R) R=3718.24'
S79°44'13"W(R) R=3640.90'

30' AE 93-300406
"A" LINE 7

9740 SQ.FT. Δ=03°37'23" SSE
R=3677.32' Δ=04°02'46" LL=257.11'
15' SSE 93-300408
30' AE 93-300406

20' WLE TRACT 6452
2002-281143
305

STATE ROUTE 84
(ISABEL AVENUE)

P.O.B. Δ=31°25'42" L=1700.30'(T)
R=3099.75'
S76°48'13"W(R)

EXHIBIT "B"

PLAT TO ACCOMPANY DESCRIPTION

A SANITARY SEWER EASEMENT OVER THE LANDS OF STEALTH STREET PARTNERS TO BE CONVEYED TO THE CITY OF PLEASANTON PARCEL NO. 6652-2

CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA



D & D SURVEYING, INC

LAND SURVEYING-MAPPING
6990 VILLAGE PARKWAY, SUITE 207, DUBLIN, CA 94568
(925) 828-8900 FAX (925) 828-1550

LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- ▭ = AREA TO BE CONVEYED
- <XXXX> = NON-STATE PARCEL NUMBER
- () = INDICATES PRIOR CONVEYANCE
- P.O.B. = POINT OF BEGINNING
- WLE = WATERLINE EASEMENT
- AE = ACCESS EASEMENT
- LE = LANDSCAPE EASEMENT
- WME = WALL MAINTENANCE EASEMENT
- SSE = SANITARY SEWER EASEMENT
- SDE = STORM DRAIN EASEMENT
- PSDE = PRIVATE STORM DRAIN EASEMENT

SHEET 1 OF 2

A-10411.07

DATE: MARCH 29, 2011 SCALE: 1"=50'

JOB NO: G1-0702-20

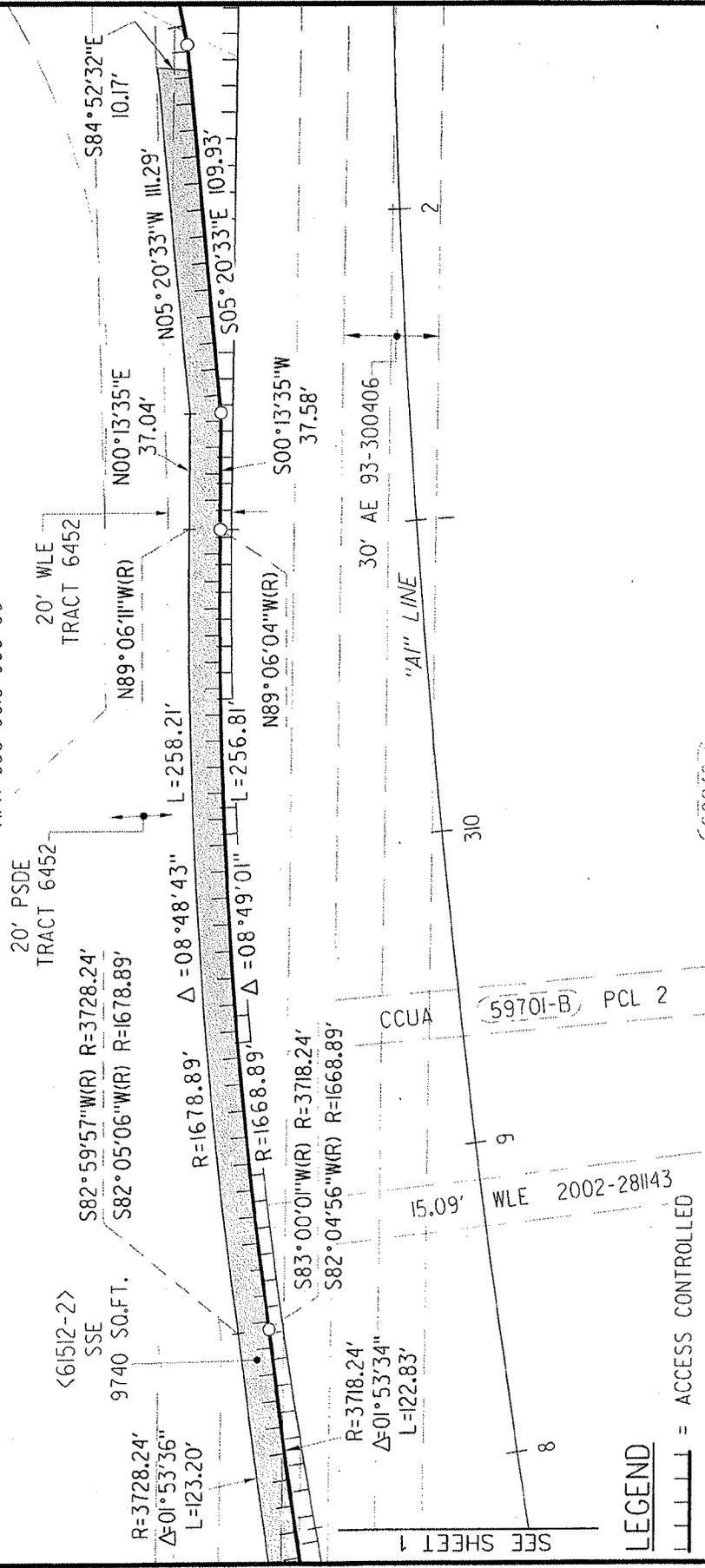
CITY OF PLEASANTON

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HFGN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.

EXHIBIT "B"



STEALTH STREET PARTNERS
 PARCEL E
 TRACT 6452
 209 M 54
 APN 950-0010-008-00



PLAT TO ACCOMPANY DESCRIPTION

A SANITARY SEWER EASEMENT OVER THE LANDS OF
 STEALTH STREET PARTNERS TO BE CONVEYED TO THE CITY OF PLEASANTON
 PARCEL NO. 6512-2

CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA

D & D SURVEYING, INC
 LAND SURVEYING-MAPPING
 6990 VILLAGE PARKWAY, SUITE 207, DUBLIN CA 94568
 (925) 828-8900 FAX (925) 828-1550

DATE: MARCH 29, 2011 SCALE: 1"=50' JOB NO: GI-0702-20

STATE ROUTE 84
 (ISABEL AVENUE)

SEE SHEET 1

50248-1
 2010-135552

59701-B, PCL 2

WLE 2002-281143

30' AE 93-300406

"A" LINE

310

9

8

2

- LEGEND**
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 - AE = ACCESS EASEMENT
 - WLE = WATERLINE EASEMENT
 - PSDE = PRIVATE STORM DRAIN EASEMENT
 - SSE = SANITARY SEWER EASEMENT
 - CCUA = CONSENT TO COMMON USE AGREEMENT

PERMANENT GAS LINE EASEMENT

A permanent gas line easement for the benefit of Pacific Gas & Electric Company ("PG&E"), which PG&E may at any time, and from time to time, excavate for, install, replace (of the initial or any other size), maintain and use such pipe lines as PG&E shall from time to time elect for conveying gas, with necessary and proper valves and other appliances and fittings, and devices for controlling electrolysis for use in connection with said pipe lines, and such underground wires, cables, conduits, appliances, fixtures and appurtenances, as PG&E shall from time to time elect for communication purposes, together with adequate protection therefor, and also a right of way, within the hereinafter described easement area lying within the lands which are situated in the City of Pleasanton, County of Alameda, State of California, and are described and are described as follows:

APNs 950-0010-007-02 and 950-0010-008-00

Parcel E, Tract Map 6452, filed August 24, 1993 in Book 209, Pages 54 through 71, inclusive, of maps, Alameda County Records, as amended by Certificate of Correction recorded April 6, 1994 as Instrument NO. 94-134055 both of Official Records.

Excepting therefrom that portion of the above described parcel as described in the grant deed, executed by Wentz Bros., a California corporation, to the City of Livermore, a municipal corporation, on February 9, 2005, instrument no. 2005057764, Official Records.

The aforesaid easement area is described as follows:

The parcel of land described in **EXHIBIT A** and shown upon **EXHIBIT B** attached hereto and made a part hereof.

This permanent easement allows PG&E:

(a) the right of ingress to and egress from said easement area over and across said lands by means of roads and lanes thereon, if such there be, otherwise by such route or routes as shall occasion the least practicable damage and inconvenience to the fee owner of APNs 950-0010-007-02 and 950-0010-008-00 ("Owner"), provided, that such right of ingress and egress shall not extend to any portion of said lands which is isolated from said easement area by any public road or highway, now crossing or hereafter crossing said lands;

(b) the right, from time to time, to trim or to cut down any and all trees and brush now or hereafter within said easement area, and shall have the further right, from time to time, to trim and cut down trees and brush along each side of said easement area which now or hereafter in the opinion of PG&E may interfere with or be a hazard to the facilities installed hereunder, or as PG&E deems necessary to comply with applicable state or federal regulations;

(c) the right to use such portion of said lands contiguous to said easement area as may be reasonably necessary in connection with the installation and replacement of said facilities;

(d) the right to install, maintain and use gates in all fences which now cross or shall hereafter cross said easement area; and

(e) the right to mark the location of said easement area by suitable markers set in the ground; provided that said markers shall be placed in fences or other locations which will not interfere with any reasonable use Owner shall make of said easement area.

PG&E shall:

(a) not fence said easement area;

(b) promptly backfill any excavations made by it on said easement area and repair any damage it shall do to any private roads or lanes on said lands; and

(c) indemnify Owner against any loss and damage which shall be caused by any wrongful or negligent act or omission of PG&E or of its agents or employees in the course of their employment, provided, however, that this indemnity shall not extend to that portion of such loss or damage that shall have been caused by Owner's comparative negligence or willful misconduct.

Owner reserves the right to use said easement area for purposes which will not interfere with PG&E's full enjoyment of the rights hereby granted; provided that Owner shall not erect or construct any building or other structure, or drill or operate any well, or construct any reservoir or other obstruction within said easement area, or plant any trees or vines, or construct associated supporting structures, within ten feet of edge(s) of the pipeline(s), or diminish or substantially add to the ground cover over said facilities, or construct any fences that will interfere with the maintenance and operation of said facilities.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

EXHIBIT "A"

LAND DESCRIPTION OF ONE (1) PARCEL OF LAND IN THE CITY OF PLEASANTON, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESIGNATED AS PARCEL E, AS SAID PARCEL IS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT MAP 6452 RUBY HILL", FILED AUGUST 24, 1993 IN BOOK 209, PAGES 54 THROUGH 71, INCLUSIVE, OF MAPS, AS AMENDED BY CERTIFICATE OF CORRECTION RECORDED APRIL 6, 1994 AS INSTRUMENT NO. 94-134055 BOTH OF OFFICIAL RECORDS OF SAID COUNTY. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 61512-3

AN EASEMENT FOR UTILITY PURPOSES AND INCIDENTS THERETO, UPON, IN, OVER AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS;

BEGINNING AT THE MOST WESTERLY CORNER OF PARCEL 14 (60248-14), AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED MAY 11, 2010 UNDER DOCUMENT NUMBER 2010-135552 OFFICIAL RECORDS OF SAID COUNTY;

1. THENCE SOUTH 55°29'02" EAST 42.30 FEET ALONG GENERAL SOUTHERLY LINE OF SAID PARCEL 14 (60248-14);
2. THENCE SOUTH 49°56'17" EAST 11.17 FEET ALONG SAID GENERAL SOUTHERLY LINE;
3. THENCE LEAVING LAST SAID LINE, SOUTH 43°38'42" EAST 41.11 FEET;
4. THENCE SOUTH 10°30'36" EAST 70.35 FEET;
5. THENCE SOUTH 05°20'33" EAST 89.90 FEET;
6. THENCE NORTH 73°11'18" WEST 7.05 FEET;
7. THENCE SOUTH 02°40'20" EAST 318.52 FEET;
8. THENCE SOUTH 32°52'34" EAST 9.98 FEET;
9. THENCE NORTH 72°48'58" EAST 5.04 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 3718.24 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 82°59'14" WEST);
10. THENCE SOUTHERLY 10.16 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°09'23";
11. THENCE SOUTH 72°48'58" WEST 10.83 FEET;
12. THENCE NORTH 32°52'34" WEST 20.25 FEET;
13. THENCE NORTH 02°40'20" WEST 428.28 FEET;
14. THENCE NORTH 17°36'06" WEST 47.64 FEET;
15. THENCE NORTH 37°39'08" WEST 38.58 FEET;
16. THENCE NORTH 55°29'02" WEST 46.55 FEET;
17. THENCE NORTH 63°27'58" WEST 143.86 FEET;
18. THENCE NORTH 26°32'02" EAST 10.00 FEET TO THE NORTHERLY LINE OF SAID PARCEL E;
19. THENCE SOUTH 63°27'58" EAST 144.55 FEET ALONG SAID NORTHERLY LINE TO THE **POINT OF BEGINNING**;

CONTAINING 7,967 SQUARE FEET (0.183 ACRES), MORE OR LESS.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART HEREOF

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



MARCH 29, 2011

DAN S. SCOTT III, PLS 7840
LICENSE EXPIRES: 12/31/12

DATE



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HFON, Epoch 1993.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are arctic distances. Multiply distances by 1.00008677 to obtain ground level distances.

CITY OF PLEASANTON

LEGEND

- ▬ = ACCESS CONTROLLED
- = DIMENSION POINT
- ▨ = AREA TO BE CONVEYED
- <XXXX> = NON-STATE PARCEL NUMBER
- ⋯ = INDICATES PRIOR CONVEYANCE
- P.O.B. = POINT OF BEGINNING
- WLE = WATERLINE EASEMENT
- AE = ACCESS EASEMENT
- LE = LANDSCAPE EASEMENT
- SSE = SANITARY SEWER EASEMENT

61512
STEALTH STREET PARTNERS
PARCEL E
TRACT 6452
209 M 54
APN 950-0010-008-00

35' PGE ESMT
2004-222247

20' WLE
TRACT 6452
<61512-3>
PGE ESMT
7967 SQ.FT.

30' AE
93-300406
<60248-1>
2010-135552

"AI" 313+61.81 POT=
"VIN" 20+00.00 POT

STATE ROUTE 84
(ISABEL AVENUE)

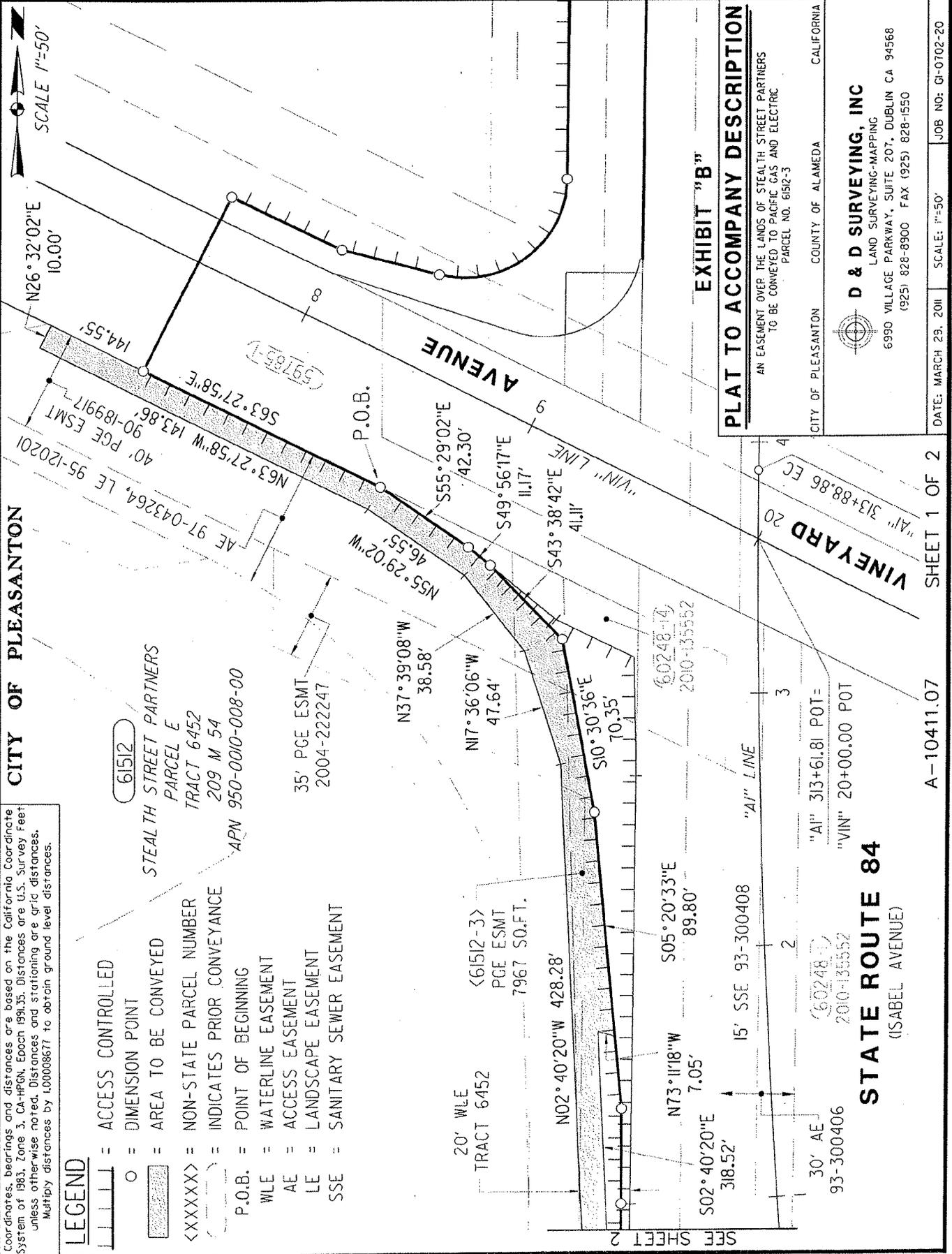


EXHIBIT "B"
PLAT TO ACCOMPANY DESCRIPTION
AN EASEMENT OVER THE LANDS OF STEALTH STREET PARTNERS
TO BE CONVEYED TO PACIFIC GAS AND ELECTRIC
PARCEL NO. 61512-3
CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA
D & D SURVEYING, INC
LAND SURVEYING-MAPPING
6990 VILLAGE PARKWAY, SUITE 207, DUBLIN CA 94568
(925) 828-8900 FAX (925) 828-1550
DATE: MARCH 29, 2011 SCALE: 1"=50' JOB NO: G-0702-20

Coordinates, bearings and distances are based on the California Coordinate System of 883, Zone 3, CA-HRGN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are arc distances. Multiply distances by 1.00008677 to obtain ground level distances.

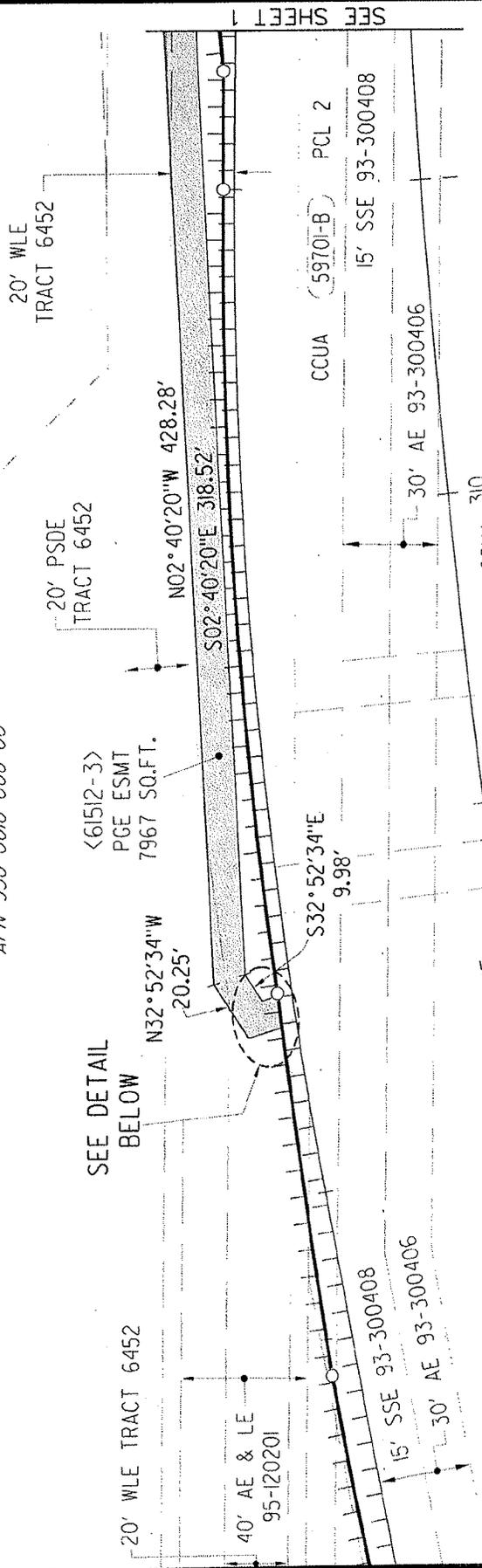
CITY OF PLEASANTON



STEALTH STREET PARTNERS
PARCEL E
TRACT 6452
209 M 54
APN 950-0010-008-00

61512

SEE DETAIL BELOW



LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- ▭ = AREA TO BE CONVEYED
- = INDICATES PRIOR CONVEYANCE
- <XXXX> = NON-STATE PARCEL NUMBER
- AE = ACCESS EASEMENT
- WLE = WATERLINE EASEMENT
- PSDE = PRIVATE STORM DRAIN EASEMENT
- LE = LANDSCAPE EASEMENT
- SSE = SANITARY SEWER EASEMENT
- CCUA = CONSENT TO COMMON USE AGREEMENT A-10411.07

STATE ROUTE 84
(ISABEL AVENUE)

EXHIBIT "B"

PLAT TO ACCOMPANY DESCRIPTION

A 10' PCE EASEMENT OVER THE LANDS OF STEALTH STREET PARTNERS TO BE CONVEYED TO PACIFIC GAS AND ELECTRIC
PARCEL NO. 6612-3

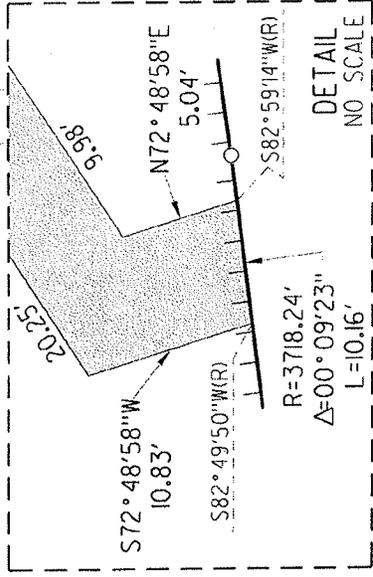
CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA



D & D SURVEYING, INC

LAND SURVEYING-MAPPING
6990 VILLAGE PARKWAY, SUITE 207, DUBLIN CA 94568
(925) 828-6900 FAX (925) 828-1550

DATE: MARCH 29, 2011 SCALE: 1"=50' JOB NO: GI-0702-20



DETAIL
NO SCALE

SHEET 2 OF 2

TEMPORARY CONSTRUCTION EASEMENT

Temporary Construction Easement for the benefit of Alameda County Transportation Commission ("Alameda CTC"), over, across, under and through the real property situated in the City of Pleasanton, County of Alameda, State of California, described in **EXHIBIT A** and shown upon **EXHIBIT B**, attached hereto and made a part hereof ("EASEMENT AREA") for public road construction and conformance purposes related to the State Route 84 Expressway Widening Project ("PROJECT").

Alameda CTC's rights under the easement granted hereby shall include, without limitation, the right of Alameda CTC, its officers, agents, contractors, and employees, and other governmental agencies responsible for review or construction of any portion of the PROJECT and such agencies' officers, agents, contractors, and employees, to enter upon the EASEMENT AREA with personnel, vehicles and equipment for construction of the PROJECT, and all other activities related thereto, to remove all improvements, trees and vegetation thereon that interfere with the purpose for which this easement is granted, to conform the EASEMENT AREA to the PROJECT, and do any and all other actions necessary and appropriate to the construction of the PROJECT.

If improvements in the EASEMENT AREA are removed pursuant to this Temporary Construction Easement, such improvements will be reconstructed at Alameda CTC's sole expense upon the termination of the Temporary Construction Easement and will be restored to their original condition or as close thereto as is feasible. If reconstruction is not feasible, Alameda CTC will pay the underlying fee owner ("Owner") the value of such improvements.

This Temporary Construction Easement is for a period of twenty four (24) months, to commence upon fourteen (14) days written notice from Alameda CTC to Owner, and shall terminate twenty four (24) months after such commencement. In the event Alameda CTC desires to utilize or occupy the Temporary Construction Easement area beyond the twenty four (24) month period described above, Alameda CTC shall pay Owner, on a month-to-month basis, additional compensation for the use of the Temporary Construction Easement. In no event shall this Temporary Construction Easement extend beyond the completion of construction, or December 31, 2017. At no additional cost to Alameda CTC, Alameda CTC shall have the right to enter upon Owner's retained property, where necessary, to reconstruct or perform any warranty or conformance works during or after the expiration of the Temporary Construction Easement and any extension thereto and/or the completion of the PROJECT. Said works include conforming driveways, walkways, lawn, landscaped and hardscaped areas, irrigation systems, sidewalks or any area where reconstruction or warranty work on Owner's retained property is necessary.

All work performed by Alameda CTC in the EASEMENT AREA shall conform to applicable building, fire, and sanitary laws, ordinances and regulations relating to such work and shall be done in a good and workmanlike manner.

The rights and obligations contained in this Grant of Temporary Construction Easement will (a) run with the land and burden, inure to and be for the benefit of and are binding on the land, Owner and its successors and assigns, and be an equitable servitude of Owner and its successors and assigns, and (b) constitute an easement in gross for the benefit of Alameda CTC and its successors and assigns, and will be binding on Alameda CTC and its successors and assigns.

EXHIBIT "A"

LAND DESCRIPTION OF ONE (1) PARCEL OF LAND IN THE CITY OF PLEASANTON, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING A PORTION OF PARCEL E, TRACT MAP 6452, FILED AUGUST 24, 1993 IN BOOK 209, PAGES 54 THROUGH 71, INCLUSIVE, OF MAPS, AS AMENDED BY CERTIFICATE OF CORRECTION RECORDED APRIL 6, 1994 AS INSTRUMENT NO. 94-134055 BOTH OF OFFICIAL RECORDS OF SAID COUNTY. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 61512-4

A TEMPORARY EASEMENT TO TERMINATE DECEMBER 31, 2017 FOR CONSTRUCTION PURPOSES AND INCIDENTS THERETO, UPON AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF SAID PARCEL 14 (60248-14);

1. THENCE SOUTH 55°29'02" EAST 42.30 FEET ALONG SAID GENERAL SOUTHERLY LINE OF PARCEL 14 (60248-14);
2. THENCE SOUTH 49°56'17" EAST 11.17 FEET ALONG LAST SAID LINE;
3. THENCE LEAVING LAST SAID LINE, SOUTH 43°38'42" EAST 41.11 FEET;
4. THENCE SOUTH 10°30'36" EAST 70.35 FEET;
5. THENCE SOUTH 05°20'33" EAST 118.44 FEET;
6. THENCE SOUTH 00°13'35" WEST 37.58 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 1668.89 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING NORTH 89°06'04" WEST);
7. THENCE SOUTHERLY 256.81 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°49'01" TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 3718.24 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 82°04'56" WEST);
8. THENCE SOUTHERLY 60.60 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°56'02";
9. THENCE RADIAL TO LAST SAID CURVE, SOUTH 82°03'59" WEST 36.30 FEET;
10. THENCE NORTH 00°24'38" WEST 55.65 FEET;
11. THENCE NORTH 04°56'56" WEST 170.94 FEET;
12. THENCE NORTH 00°39'08" WEST 149.51 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 239.00 FEET;
13. THENCE NORTHERLY, NORTHWESTERLY 260.83 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 62°31'43";
14. THENCE NORTH 63°10'51" WEST 55.15 FEET;
15. THENCE NORTH 26°32'02" EAST 47.27 FEET TO SAID NORTHERLY LINE OF PARCEL E;
16. THENCE SOUTH 63°27'58" EAST 103.93 FEET ALONG LAST SAID LINE TO THE **POINT OF BEGINNING.**

CONTAINING 26,074 SQUARE FEET (0.599 ACRES), MORE OR LESS.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART THEREOF.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



DAN S. SCOTT III, PLS 7840

SEPTEMBER 16, 2013
DATE



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPGN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.000008677 to obtain ground level distances.

LEGEND

- ▬ = ACCESS CONTROLLED
- = DIMENSION POINT
- ▭ = AREA TO BE CONVEYED
- XXXXX = STATE PARCEL NUMBER
- () = INDICATES PRIOR CONVEYANCE
- P.O.B. = POINT OF BEGINNING
- WLE = WATERLINE EASEMENT
- AE = ACCESS EASEMENT
- LE = LANDSCAPE EASEMENT

CITY OF PLEASANTON

SCALE 1"=50'

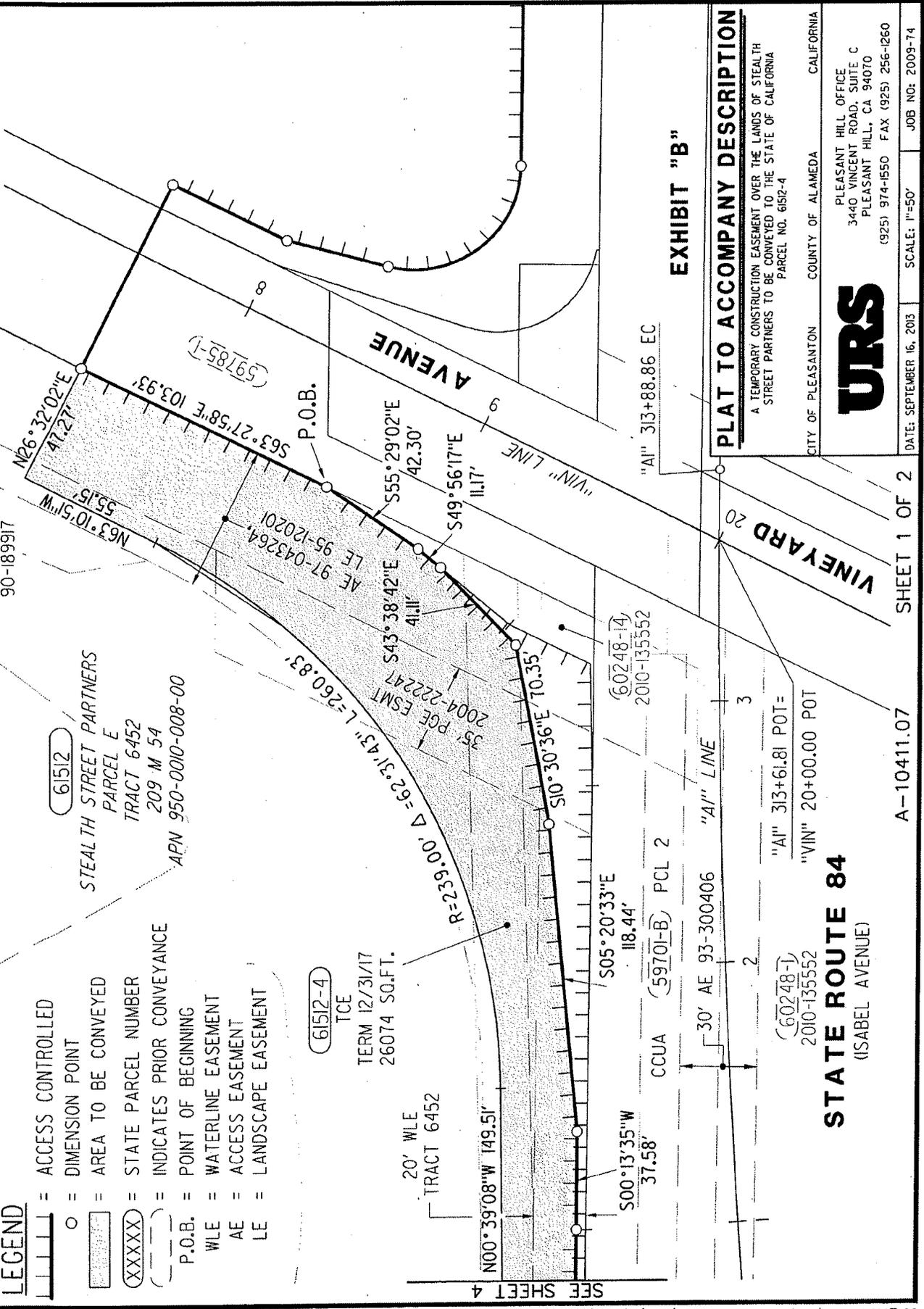


EXHIBIT "B"

PLAT TO ACCOMPANY DESCRIPTION

A TEMPORARY CONSTRUCTION EASEMENT OVER THE LANDS OF STEALTH STREET PARTNERS TO BE CONVEYED TO THE STATE OF CALIFORNIA
 PARCEL NO. 6152-4

CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA

URS

PLEASANT HILL OFFICE
 3440 VINCENT ROAD, SUITE C
 PLEASANT HILL, CA 94070
 (925) 974-1550 FAX (925) 256-1260

DATE: SEPTEMBER 16, 2013 SCALE: 1"=50' JOB NO: 2009-74

STATE ROUTE 84
 (ISABEL AVENUE)

A-10411.07 SHEET 1 OF 2

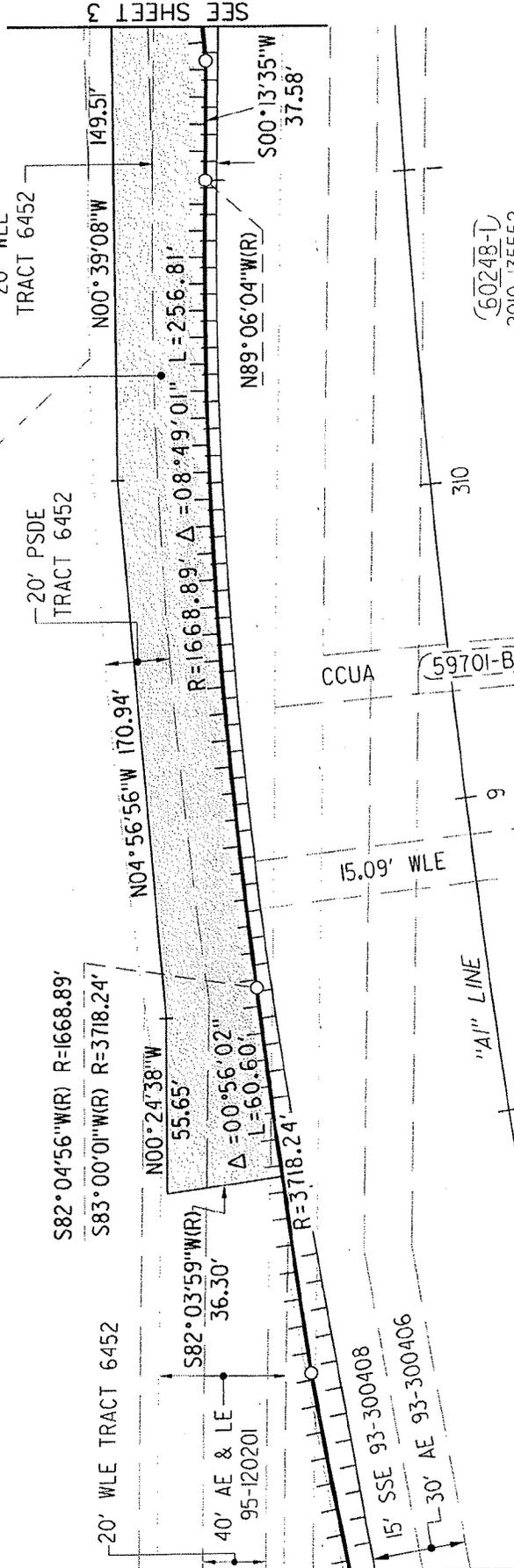
Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPGN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.

CITY OF PLEASANTON



61512
STEALTH STREET PARTNERS
 PARCEL E
 TRACT 6452
 209 M 54
 APN 950-0010-008-00

61512-4
 TCE
 TERM 12/31/17
 26074 SQ.FT.



STATE ROUTE 84
 (ISABEL AVENUE)

60248-L
 2010-135552

PLAT TO ACCOMPANY DESCRIPTION
 A TEMPORARY CONSTRUCTION EASEMENT OVER THE LANDS OF STEALTH STREET PARTNERS TO BE CONVEYED TO THE STATE OF CALIFORNIA
 PARCEL NO. 61512-4

CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA

URS

PLEASANT HILL OFFICE
 3440 VINCENT ROAD, SUITE C
 PLEASANT HILL, CA 94070
 (925) 974-1550 FAX (925) 256-1260

DATE: SEPTEMBER 16, 2013 SCALE: 1"=50' JOB NO: 2009-74

- LEGEND**
- ===== ACCESS CONTROLLED
 - DIMENSION POINT
 - ▨ AREA TO BE CONVEYED
 - XXXXX STATE PARCEL NUMBER
 - INDICATES PRIOR CONVEYANCE
 - P.O.B. = POINT OF BEGINNING
 - AE = ACCESS EASEMENT
 - WLE = WATERLINE EASEMENT
 - PSDE = PRIVATE STORM DRAIN EASEMENT
 - LE = LANDSCAPE EASEMENT
 - SSE = SANITARY SEWER EASEMENT

EXHIBIT "B"

Don.Scott Sep 19, 2013 - 9:37am J:\Survey\2009\2009-74 SR 84 ROWE Mapping\5000 Technical\5200 CAD\5230 DWG\Exhibits\61512-4.dwg

PERMANENT WATER LINE EASEMENT

A permanent water line easement for the benefit of the City of Pleasanton ("City"), which gives City a permanent easement to construct, reconstruct, replace, alter, operate, inspect, maintain and repair its waterline or lines and appurtenances thereto in such sizes and configurations as the Grantee deems necessary, together with the right of ingress and egress necessary or appropriate for the proper use of the rights granted herein, over, across, through, under and along all that real property within the lands which are situated in the City of Pleasanton, County of Alameda, State of California, and are described and are described as follows:

APNs 950-0010-007-02 and 950-0010-008-00

Parcel E, Tract Map 6452, filed August 24, 1993 in Book 209, Pages 54 through 71, inclusive, of maps, Alameda County Records, as amended by Certificate of Correction recorded April 6, 1994 as Instrument NO. 94-134055 both of Official Records.

Excepting therefrom that portion of the above described parcel as described in the grant deed, executed by Wentz Bros., a California corporation, to the City of Livermore, a municipal corporation, on February 9, 2005, instrument no. 2005057764, Official Records.

The aforesaid easement area is described as follows:

The parcel of land described in **EXHIBIT A** and shown upon **EXHIBIT B** attached hereto and made a part hereof.

The fee owner of APNs 950-0010-007-02 and 950-0010-008-00 ("Owner") reserves the right to use the easement parcel for all purposes not inconsistent with the easement, including landscaping, roadway, automobile parking facilities, or other such uses of the lands included within the easement which are consistent with City's use; however, such use by Owner shall not include the construction of permanent structures, including but not limited to houses, garages, outbuildings, swimming pools, tennis courts, retaining walls, decks, patios, or other concrete structures within the easement.

City agrees upon completion of any of its construction hereunder to restore as near as possible the surface of the ground to the condition in which it was prior to the commencement of said construction.

This instrument shall run with the land and inure to the benefit of the successors and assigns of the parties hereto.

EXHIBIT "A"

LAND DESCRIPTION OF ONE (1) PARCEL OF LAND IN THE CITY OF PLEASANTON, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING A PORTION OF PARCEL E, TRACT MAP 6452, FILED AUGUST 24, 1993 IN BOOK 209, PAGES 54 THROUGH 71, INCLUSIVE, OF MAPS, AS AMENDED BY CERTIFICATE OF CORRECTION RECORDED APRIL 6, 1994 AS INSTRUMENT NO. 94-134055 BOTH OF OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 61512-5

A 20.00 FOOT PERMANENT EASEMENT FOR WATERLINE PURPOSES AND INCIDENTS THERETO, UPON, IN, OVER AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT ON THE NORTHERLY LINE OF SAID PARCEL E, FROM WHICH THE MOST WESTERLY CORNER OF PARCEL 14 (60248-14), AS DESCRIBED IN THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED MAY 11, 2010 UNDER DOCUMENT NUMBER 2010-135552 OF OFFICIAL RECORDS OF SAID COUNTY BEARS SOUTH 63°27'58" EAST 136.16 FEET;

1. THENCE SOUTH 63°27'58" EAST 20.00 FEET ALONG SAID NORTHERLY LINE OF PARCEL E;
2. THENCE LEAVING LAST SAID LINE, SOUTH 26°48'53" WEST 27.21 FEET;
3. THENCE SOUTH 63°10'51" EAST 109.99 FEET;
4. THENCE SOUTH 43°05'47" EAST 101.37 FEET;
5. THENCE SOUTH 23°15'21" EAST 83.05 FEET;
6. THENCE SOUTH 02°31'09" EAST 477.11 FEET;
7. THENCE SOUTH 23°01'24" EAST 24.33 FEET TO THE EASTERLY LINE OF THAT CERTAIN 20 FOOT WATERLINE LINE EASEMENT AS SHOWN ON SAID TRACT MAP 6452;
8. THENCE LEAVING LAST SAID LINE, SOUTH 78°50'30" WEST 20.44 FEET TO THE WESTERLY LINE OF SAID 20 FOOT WATERLINE EASEMENT;
9. THENCE LEAVING LAST SAID LINE, NORTH 23°01'24" WEST 23.74 FEET;
10. THENCE NORTH 02°31'09" WEST 477.06 FEET;
11. THENCE NORTH 23°15'21" WEST 75.89 FEET;
12. THENCE NORTH 43°05'47" WEST 94.33 FEET;
13. THENCE NORTH 63°10'51" WEST 126.45 FEET;
14. THENCE NORTH 26°48'53" EAST 47.11 FEET TO SAID NORTHERLY LINE AND THE **POINT OF BEGINNING.**

CONTAINING 16,676 SQUARE FEET (0.383 ACRES), MORE OR LESS.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART THEREOF.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



DAN S. SCOTT III, PLS 7840
LICENSE EXPIRES: 12/31/10

11-4-10
DATE



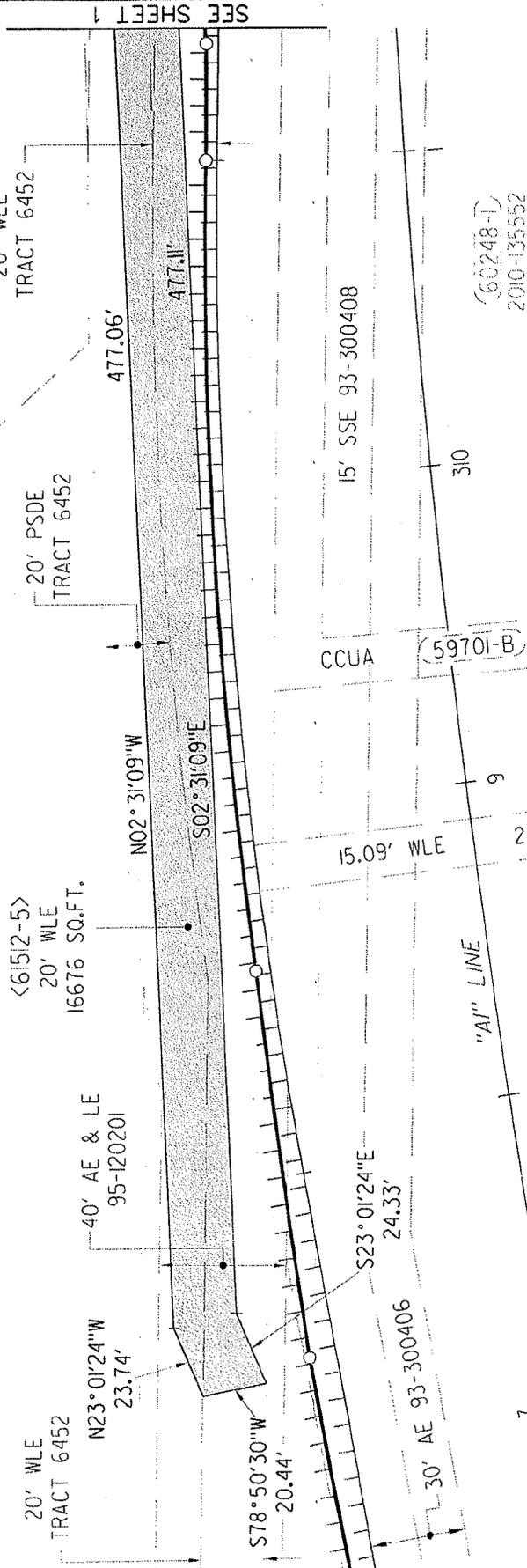
Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HF0N, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008617 to obtain ground level distances.

CITY OF PLEASANTON



SCALE 1"=50'

61512
 STEALTH STREET PARTNERS
 PARCEL E
 TRACT 6452
 209 M 54
 APN 950-0010-008-00



LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- ▨ = AREA TO BE CONVEYED
- XXXXX = STATE PARCEL NUMBER
- = INDICATES PRIOR CONVEYANCE
- P.O.B. = POINT OF BEGINNING
- AE = ACCESS EASEMENT
- WLE = WATERLINE EASEMENT
- PSDE = PRIVATE STORM DRAIN EASEMENT
- LE = LANDSCAPE EASEMENT
- SSE = SANITARY SEWER EASEMENT

STATE ROUTE 84
 (ISABEL AVENUE)

PLAT TO ACCOMPANY DESCRIPTION

A WATERLINE EASEMENT OVER THE LANDS OF STEALTH STREET PARTNERS TO BE CONVEYED TO THE CITY OF PLEASANTON PARCEL NO. 6152-5

CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA



D & D SURVEYING, INC
 LAND SURVEYING-MAPPING
 6990 VILLAGE PARKWAY, SUITE 207, DUBLIN CA 94568
 (925) 828-8900 FAX (925) 828-1550

EXHIBIT "B"

A-10411.07

SHEET 2 OF 2

DATE: NOVEMBER 4, 2010 SCALE: 1"=50'

JOB NO: G1-0702-20

RESOLUTION NO. 14-011

A RESOLUTION OF THE ALAMEDA COUNTY TRANSPORTATION COMMISSION DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF CERTAIN LAND AND DIRECTING THE FILING OF EMINENT DOMAIN PROCEEDINGS ON CERTAIN PROPERTY FOR THE STATE ROUTE 84 EXPRESSWAY PROJECT – SOUTH SEGMENT (624.2)

WHEREAS, the Alameda County Transportation Commission (“Alameda CTC”) is vested with the power of eminent domain and is authorized to acquire real property by virtue of Article 1, Section 19 of the Constitution of the State of California, Section 25350.5 of the Government Code of the State of California as delegated in Section 14 of the Alameda CTC Joint Powers Agreement, Section 760 of the Streets and Highways Code of the State of California, and Sections 1240.010, 1240.110, and 1240.610 of the Code of Civil Procedure of the State of California within the jurisdictional limits of the County of Alameda; and

WHEREAS, it is desirable and necessary for Alameda CTC to acquire certain real property and property interests, particularly described in **Exhibit 1**, for the purpose of, *inter alia*, widening State Route 84 (SR 84) to expressway standards to improve the facility as a regional connection between I-680 and I-580, and to improve local traffic circulation by adding capacity on SR 84 and implementing intersection improvements in the County of Alameda, State of California; and

WHEREAS the parcel from which the certain real property and property interests particularly described in **Exhibit 1** are being acquired is encumbered with a conservation easement, which is a public use pursuant to section 1240.055 of the Code of Civil Procedure of the State of California; which use is pursuant to sections 1240.610 *et seq.* of the Code of Civil Procedure of the State of California less necessary than the public use to which the State of California will put the certain real property and property interests particularly described in **Exhibit 1**; and

WHEREAS, pursuant to the provisions of Section 1245.235 of the Code of Civil Procedure, written notice has been duly given to all persons whose property is to be acquired by eminent domain and whose names and addresses appear on the last County of Alameda equalized assessment roll, all of whom have been given a reasonable opportunity to appear and be heard before the governing body of Alameda CTC (the “Commission”) on the following matters:

- a) Whether the public interest and necessity require the project;
- b) Whether the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- c) Whether the property sought to be acquired is necessary for the project; and
- d) Whether the offer required by Section 7267.2 of the Government Code has been made to the owners of record.

NOW THEREFORE, BE IT RESOLVED, by at least a **four-fifths** vote of the Commission, pursuant to Sections 1240.030 and 1245.230 of the Code of Civil Procedure of the State of California, that this Commission does and it hereby finds and determines each of the following:

Section 1. Based upon the evidence presented, this Commission finds and resolves as follows:

(a) The property to be acquired is described in **Exhibit 1** attached hereto and incorporated herein;

(b) Said property is to be acquired for public use, to wit, for public highway purposes, pursuant to the authority granted by Article 1, Section 19 of the Constitution of the State of California, Section 25350.5 of the Government Code of the State of California as delegated in Section 14 of the Alameda CTC Joint Powers Agreement, Section 760 of the Streets and Highways Code of the State of California, and Part 3, Title 7 of the Code of Civil Procedure;

(c) The public interest and necessity require the project, which is to improve public health, safety and welfare by widening State Route 84 (SR 84) to expressway standards to improve the facility as a regional connection between I-680 and I-580, and to improve local traffic circulation by adding capacity on SR 84 and implementing intersection improvements in the County of Alameda, State of California;

(d) The proposed project is planned and located in the manner which will be most compatible with the greatest public good and the least private injury;

(e) The property described in **Exhibit 1** is being acquired in fee and for the relinquishment of access rights onto State Route 84, for permanent soil nail and underground gas line and overhead electrical line easements, and for 24 month temporary construction easements, and is necessary for the construction of the proposed project; and

(f) The offer required by Government Code Section 7267.2 has been made to the owners of record of the real property.

Section 2. General Counsel of Alameda CTC or his duly authorized designee, be, and is hereby authorized and directed to institute and conduct to conclusion an action in eminent domain for the acquisition of the estates and interests aforesaid and to take such action as counsel may deem advisable or necessary in connection therewith. An order for prejudgment possession may be obtained in said action and a warrant issued and deposited with the State Treasurer Condemnation Fund, in the amount determined the most probable compensation for the property sought to be acquired, as a condition to the right of possession.

ADOPTED July 24, 2014, by the Commission of the Alameda County Transportation Commission by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

Scott Haggerty, Chairperson

ATTEST:

Vanessa Lee, Clerk of the Commission

APPROVED AS TO FORM:

General Counsel of the Alameda
County Transportation Commission

EXHIBIT 1

FEE ACQUISITION

An acquisition in fee for state highway purposes of the parcel of land described in **EXHIBIT A** and shown upon **EXHIBIT B** attached hereto and made a part hereof.

EXHIBIT "A"

LAND DESCRIPTION OF ONE (1) PARCEL OF LAND IN THE CITY OF LIVERMORE, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO SUSAN SAUL, RECORDED AUGUST 3, 2005 UNDER DOCUMENT NUMBER 2005-330344, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1 (61508-1)

COMMENCING AT A POINT LYING ON THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED APRIL 7, 1992 UNDER DOCUMENT NUMBER 92-104647 OFFICIAL RECORDS OF SAID COUNTY, SAID POINT BEING THE NORTHERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS NORTH 21°07'22" WEST 53.85 FEET (THE BEARING OF NORTH 21°06'57" WEST BEING TAKEN FOR THE PURPOSE OF THIS DESCRIPTION), IN SAID GRANT DEED;

1. THENCE SOUTH 21°06'57" EAST 4.60 FEET ALONG LAST SAID LINE TO THE **TRUE POINT OF BEGINNING**;
2. THENCE SOUTH 65°01'31" EAST 39.22 FEET;
3. THENCE SOUTH 02°22'53" EAST 13.79 FEET TO THE SOUTHERLY LINE OF LOT 5, AS SHOWN ON TRACT 7296, FILED JULY 17, 2001 IN BOOK 259 OF MAPS AT PAGE 26, RECORDS OF SAID COUNTY, SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 199.98 FEET (A RADIAL LINE FROM THE RADIUS POINT TO THE BEGINNING OF SAID CURVE BEARS SOUTH 02°05'23" EAST);
4. THENCE WESTERLY 10.55 FEET ALONG LAST SAID LINE AND SAID CURVE THROUGH A CENTRAL ANGLE OF 03°01'21";
5. THENCE NORTH 89°08'37" WEST 13.90 FEET ALONG LAST SAID LINE TO SAID EASTERLY LINE;
6. THENCE NORTH 21°06'57" WEST 32.41 FEET ALONG LAST SAID LINE TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 611 SQUARE FEET (0.014 ACRES), MORE OR LESS.

THIS CONVEYANCE IS MADE FOR THE PURPOSES OF A FREEWAY AND THE GRANTOR HEREBY RELEASES AND RELINQUISHES TO THE GRANTEE ANY AND ALL ABUTTER'S RIGHTS OF ACCESS, APPURTENANT TO GRANTOR'S REMAINING PROPERTY, IN AND TO SAID FREEWAY OVER AND ACROSS THE FOLLOWING DESCRIBED LINE, BEGINNING AT THE SOUTHEASTERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS SOUTH 65°01'31" EAST 39.22 FEET IN THE ABOVEMENTIONED PARCEL 1 (61508-1); THENCE NORTH 65°01'31" WEST 39.22 FEET; THENCE NORTH 21°06'57" WEST 4.60 FEET; THENCE NORTH 05°01'31" WEST 100.50 FEET; THENCE SOUTH 89°18'52" EAST 25.00 FEET; THENCE NORTH 00°41'08" EAST 50.00 FEET TO THE BEGINNING OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 1125.00 FEET; THENCE NORTHERLY 187.50 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 09°32'57"; THENCE NORTH 16°22'49" WEST 43.90 FEET TO THE NORTHERLY LINE OF SAID LOT 5; ALSO RELEASES AND RELINQUISHES ANY AND ALL OTHER ABUTTER'S RIGHTS OTHER THAN ACCESS APPURTENANT TO SAID REMAINING PROPERTY IN AND TO SAID FREEWAY.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART HEREOF

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



DAN S. SCOTT III, PLS 7840

OCTOBER 23, 2013
DATE



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPN, Epoch 1993.5. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008671 to obtain ground level distances.

EXHIBIT "B" CITY OF LIVERMORE

SCALE 1"=30'

CURVE	RADIUS	DELTA	LENGTH
C1	199.98'	03° 01' 21"	10.55'

CURVE TABLE

"K" LINE

STATE ROUTE 84

LINE	BEARING	LENGTH
L1	S02° 22' 53" E	13.79'
L2	N89° 08' 37" W	13.90'

LINE TABLE

"A1" 234+36.09 POT =
"K" 10+00.00 BEG

"A1" 234+39.73 POT =
"R" 10+00.00 END

"R" LINE

"A1" LINE

(60051-1)
2007-206583

(48636-1)
92-104647

LOT 4
TRACT 7296
259 M 26

"K" 10+90.84 BC

N21° 01' 22" W 53.85'
N21° 09' 57" W 53.85'
32.21'
565° 01' 31" E
39.22'

P.O.C.

T.P.O.B.

FEE PARCEL
611 SQ. FT.

S02° 05' 23" E (R)

10' ESMT 99-385706

(61508)
SAUL SUSAN
2005-330344

LOT 5
TRACT 7296
259 M 26
APN 099-1343-035

CITY OF LIVERMORE

PLAT TO ACCOMPANY DESCRIPTION

PARTIAL FEE TAKE OVER THE LANDS SUSAN SAUL
TO BE CONVERTED TO THE STATE OF CALIFORNIA
PARCEL NO. 61508-1

CITY OF LIVERMORE COUNTY OF ALAMEDA CALIFORNIA



CONCORD OFFICE
3440 VINCENT ROAD, SUITE C
PLEASANT HILL, CA 94070
(925) 974-1550 FAX (925) 256-1260

DATE: OCTOBER 23, 2013 SCALE: 1"=30' JOB NO: 2009-74

A-10411.02

SHEET 1 OF 1

- LEGEND**
- ===== ACCESS CONTROLLED
 - ===== AREA TO BE CONVEYED
 - (XXXXXX) = STATE PARCEL NUMBER
 - (XXXXXX) = INDICATES PRIOR CONVEYANCE
 - P.O.C. = POINT OF COMMENCEMENT
 - T.P.O.B. = TRUE POINT OF BEGINNING
 - PSDE = PRIVATE STROM DRAIN EASEMENT
 - PUE = PUBLIC UTILITY EASEMENT
 - PR = PRIVATE ROAD
 - EVAE = EMERGENCY VEHICLE ACCESS EASEMENT

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RESOLUTION NO. 14-012

A RESOLUTION OF THE ALAMEDA COUNTY TRANSPORTATION COMMISSION DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF CERTAIN LAND AND DIRECTING THE FILING OF EMINENT DOMAIN PROCEEDINGS ON CERTAIN PROPERTY FOR THE STATE ROUTE 84 EXPRESSWAY PROJECT – SOUTH SEGMENT (624.2)

WHEREAS, the Alameda County Transportation Commission (“Alameda CTC”) is vested with the power of eminent domain and is authorized to acquire real property by virtue of Article 1, Section 19 of the Constitution of the State of California, Section 25350.5 of the Government Code of the State of California as delegated in Section 14 of the Alameda CTC Joint Powers Agreement, Section 760 of the Streets and Highways Code of the State of California, and Sections 1240.010, 1240.110, and 1240.610 of the Code of Civil Procedure of the State of California within the jurisdictional limits of the County of Alameda; and

WHEREAS, it is desirable and necessary for Alameda CTC to acquire certain real property and property interests, particularly described in **Exhibit 1**, for the purpose of, *inter alia*, widening State Route 84 (SR 84) to expressway standards to improve the facility as a regional connection between I-680 and I-580, and to improve local traffic circulation by adding capacity on SR 84 and implementing intersection improvements in the County of Alameda, State of California; and

WHEREAS the parcel from which the certain real property and property interests particularly described in **Exhibit 1** are being acquired is encumbered with a conservation easement, which is a public use pursuant to section 1240.055 of the Code of Civil Procedure of the State of California; which use is pursuant to sections 1240.610 *et seq.* of the Code of Civil Procedure of the State of California less necessary than the public use to which the State of California will put the certain real property and property interests particularly described in **Exhibit 1**; and

WHEREAS, pursuant to the provisions of Section 1245.235 of the Code of Civil Procedure, written notice has been duly given to all persons whose property is to be acquired by eminent domain and whose names and addresses appear on the last County of Alameda equalized assessment roll, all of whom have been given a reasonable opportunity to appear and be heard before the governing body of Alameda CTC (the “Commission”) on the following matters:

- a) Whether the public interest and necessity require the project;
- b) Whether the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- c) Whether the property sought to be acquired is necessary for the project; and
- d) Whether the offer required by Section 7267.2 of the Government Code has been made to the owners of record.

NOW THEREFORE, BE IT RESOLVED, by at least a **four-fifths** vote of the Commission, pursuant to Sections 1240.030 and 1245.230 of the Code of Civil Procedure of the State of California, that this Commission does and it hereby finds and determines each of the following:

Section 1. Based upon the evidence presented, this Commission finds and resolves as follows:

(a) The property to be acquired is described in **Exhibit 1** attached hereto and incorporated herein;

(b) Said property is to be acquired for public use, to wit, for public highway purposes, pursuant to the authority granted by Article 1, Section 19 of the Constitution of the State of California, Section 25350.5 of the Government Code of the State of California as delegated in Section 14 of the Alameda CTC Joint Powers Agreement, Section 760 of the Streets and Highways Code of the State of California, and Part 3, Title 7 of the Code of Civil Procedure;

(c) The public interest and necessity require the project, which is to improve public health, safety and welfare by widening State Route 84 (SR 84) to expressway standards to improve the facility as a regional connection between I-680 and I-580, and to improve local traffic circulation by adding capacity on SR 84 and implementing intersection improvements in the County of Alameda, State of California;

(d) The proposed project is planned and located in the manner which will be most compatible with the greatest public good and the least private injury;

(e) The property described in **Exhibit 1** is being acquired in fee and is necessary for the construction of the proposed project; and

(f) The offer required by Government Code Section 7267.2 has been made to the owners of record of the real property.

Section 2. General Counsel of Alameda CTC or his duly authorized designee, be, and is hereby authorized and directed to institute and conduct to conclusion an action in eminent domain for the acquisition of the estates and interests aforesaid and to take such action as counsel may deem advisable or necessary in connection therewith. An order for prejudgment possession may be obtained in said action and a warrant issued and deposited with the State Treasurer Condemnation Fund, in the amount determined the most probable compensation for the property sought to be acquired, as a condition to the right of possession.

ADOPTED July 24, 2014, by the Commission of the Alameda County Transportation Commission by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

Scott Haggerty, Chairperson

ATTEST:

Vanessa Lee, Clerk of the Commission

APPROVED AS TO FORM:

General Counsel of the Alameda
County Transportation Commission

EXHIBIT 1

FEE ACQUISITION

An acquisition in fee for state highway purposes of the parcel of land described in **EXHIBIT A** and shown upon **EXHIBIT B** attached hereto and made a part hereof.

EXHIBIT "A"

ALL THAT REAL PROPERTY SITUATED IN THE CITY OF LIVERMORE, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESIGNATED AS PARCEL ONE, AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO RAMINENI VISHVENDRA RAO AND RAMINENI RATHNAMALA RAO, TRUSTEES OF THE 2004 RAMINENI VISHVENDRA RAO AND RAMINENI RATHNAMALA RAO TRUST DATED OCTOBER 7, 2004 RECORDED JUNE 1, 2007 UNDER DOCUMENT NUMBER 2007-206579, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 61530-1

BEGINNING AT THE NORTHERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS NORTH 00°40'42" WEST 84.150 METERS (THE BEARING OF NORTH 00°40'39" WEST BEING TAKEN FOR THE PURPOSE OF THIS DESCRIPTION) IN THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED JUNE 1, 2007 UNDER DOCUMENT NUMBER 2007-206583 OFFICIAL RECORDS OF SAID COUNTY;

1. THENCE SOUTH 71°31'22" WEST 13.92 FEET ALONG THE NORTHERLY LINE OF SAID LANDS OF THE STATE OF CALIFORNIA TO THE WESTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESIGNATED AS LOT 4 AS SAID LOT IS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT 7296 VINEYARD ESTATES-PHASE V" FILED JULY 17, 2001 IN BOOK 259 OF MAPS AT PAGES 26 THROUGH 33 INCLUSIVE, OFFICIAL RECORDS OF SAID COUNTY;

THENCE ALONG THE WESTERLY AND NORTHERLY LINES OF SAID LOT 4 THE FOLLOWING SIX (6) COURSES:

2. NORTH 00°41'08" EAST 10.39 FEET;
3. NORTH 76°38'58" EAST 20.61 FEET;
4. NORTH 34°22'31" EAST 18.03 FEET;
5. NORTH 21°06'57" WEST 16.84 FEET;
6. SOUTH 89°08'37" EAST 13.90 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHERLY AND HAVING A RADIUS OF 199.98 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 00°55'57" WEST);
7. EASTERLY 10.55 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°01'21";
8. THENCE LEAVING LAST SAID LINE, SOUTH 02°22'53" EAST 21.70 FEET;
9. THENCE SOUTH 59°19'21" WEST 42.33 FEET TO THE EASTERLY LINE OF SAID LANDS OF THE STATE OF CALIFORNIA;
10. THENCE NORTH 00°40'39" WEST 2.05 FEET ALONG LAST SAID LINE TO THE **POINT OF BEGINNING**.

CONTAINING 894 SQUARE FEET (0.021 ACRES), MORE OR LESS.

THIS CONVEYANCE IS MADE FOR THE PURPOSES OF A FREEWAY AND THE GRANTOR HEREBY RELEASES AND RELINQUISHES TO THE GRANTEE ANY AND ALL ABUTTER'S RIGHTS OF ACCESS, APPURTENANT TO GRANTOR'S REMAINING PROPERTY, IN AND TO SAID FREEWAY OVER AND ACROSS THE FOLLOWING DESCRIBED LINE, BEGINNING AT THE NORTHERLY TERMINUS OF THAT CERTAIN COURSES DESCRIBED AS SOUTH 59°19'21" WEST 42.33 FEET IN THE ABOVEMENTIONED PARCEL 61530-1; THENCE SOUTH 59°19'21" WEST 42.33 FEET; ALSO RELEASES AND RELINQUISHES ANY AND ALL OTHER ABUTTER'S RIGHTS OTHER THAN ACCESS APPURTENANT TO SAID REMAINING PROPERTY IN AND TO SAID FREEWAY.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART HEREOF

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



APRIL 15, 2011

DAN S. SCOTT III, PLS 7840
LICENSE EXPIRES: 12/31/12

DATE



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-NAD83, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.



"A1" LINE

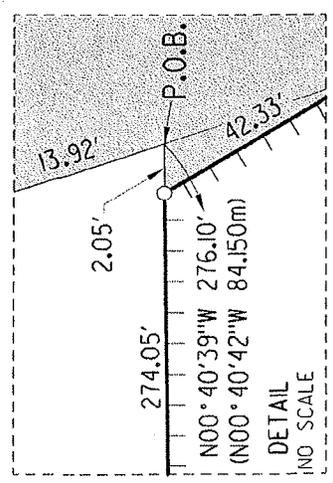
235

"A1" 234+39.73 POT=
"R" 10+00.00 END

STATE ROUTE 84

DATA TABLE

CURVE/ LINE	RADIUS	DELTA/BEARING	LEN./DIST.
LI		N21° 06' 57" W	16.84'
CI	199.98'	03° 01' 21"	10.55'



SEE DETAIL ABOVE

N00° 41' 08" E
10.39'

S71° 31' 22" W 13.92'

(60051-H)
2007-206583
274.05'

N00° 40' 39" W 276.10'
(N00° 40' 42" W 84.150m)

(61530)
V&R RAO
PARCEL ONE
2007-206579

LOT 4
TRACT 7296
259 M 26
APN 099-1343-034-02

"K" 10+90.84 BC

S89° 08' 37" E
13.90'

S00° 55' 57" W (R)

S02° 05' 23" E (R)

S02° 22' 53" E
21.70'

(61530-1)
FEE PARCEL
894 SQ.FT.

SAUL SUSAN
LOT 5
TRACT 7296
259 M 26
APN 099-1343-035

KALTHOFF COMMON

CITY OF LIVERMORE

EXHIBIT "B"

PLAT TO ACCOMPANY DESCRIPTION

PARTIAL FEE TAKE OF THE LANDS OF RAO
TO BE CONVEYED TO THE STATE OF CALIFORNIA,
PARCEL NO. 61530-1

CITY OF LIVERMORE COUNTY OF ALAMEDA CALIFORNIA



D & D SURVEYING, INC
LAND SURVEYING-MAPPING
6990 VILLAGE PARKWAY, SUITE 207, DUBLIN CA 94568
(925) 828-8900 FAX (925) 828-1550

LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- = AREA TO BE CONVEYED
- = STATE PARCEL NUMBER
- = PRIOR CONVEYANCE
- P.O.B. = POINT OF BEGINNING
- m = METERS
- () = RECORD DATA PER 2007-206583

A-10411.02

DATE: APRIL 15, 2011 SCALE: 1"=30' JOB NO: CI-0702-20

RESOLUTION NO. 14-013

A RESOLUTION OF THE ALAMEDA COUNTY TRANSPORTATION COMMISSION DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF CERTAIN LAND AND DIRECTING THE FILING OF EMINENT DOMAIN PROCEEDINGS ON CERTAIN PROPERTY FOR THE STATE ROUTE 84 EXPRESSWAY PROJECT – SOUTH SEGMENT (624.2)

WHEREAS, the Alameda County Transportation Commission (“Alameda CTC”) is vested with the power of eminent domain and is authorized to acquire real property by virtue of Article 1, Section 19 of the Constitution of the State of California, Section 25350.5 of the Government Code of the State of California as delegated in Section 14 of the Alameda CTC Joint Powers Agreement, Section 760 of the Streets and Highways Code of the State of California, and Sections 1240.010, 1240.110, and 1240.610 of the Code of Civil Procedure of the State of California within the jurisdictional limits of the County of Alameda; and

WHEREAS, it is desirable and necessary for Alameda CTC to acquire certain real property and property interests, particularly described in **Exhibit 1**, for the purpose of, *inter alia*, widening State Route 84 (SR 84) to expressway standards to improve the facility as a regional connection between I-680 and I-580, and to improve local traffic circulation by adding capacity on SR 84 and implementing intersection improvements in the County of Alameda, State of California; and

WHEREAS the parcel from which the certain real property and property interests particularly described in **Exhibit 1** are being acquired is encumbered with a conservation easement, which is a public use pursuant to section 1240.055 of the Code of Civil Procedure of the State of California; which use is pursuant to sections 1240.610 *et seq.* of the Code of Civil Procedure of the State of California less necessary than the public use to which the State of California will put the certain real property and property interests particularly described in **Exhibit 1**; and

WHEREAS, pursuant to the provisions of Section 1245.235 of the Code of Civil Procedure, written notice has been duly given to all persons whose property is to be acquired by eminent domain and whose names and addresses appear on the last County of Alameda equalized assessment roll, all of whom have been given a reasonable opportunity to appear and be heard before the governing body of Alameda CTC (the “Commission”) on the following matters:

- a) Whether the public interest and necessity require the project;
- b) Whether the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- c) Whether the property sought to be acquired is necessary for the project; and
- d) Whether the offer required by Section 7267.2 of the Government Code has been made to the owners of record.

NOW THEREFORE, BE IT RESOLVED, by at least a **four-fifths** vote of the Commission, pursuant to Sections 1240.030 and 1245.230 of the Code of Civil Procedure of the State of California, that this Commission does and it hereby finds and determines each of the following:

Section 1. Based upon the evidence presented, this Commission finds and resolves as follows:

(a) The property to be acquired is described in **Exhibit 1** attached hereto and incorporated herein;

(b) Said property is to be acquired for public use, to wit, for public highway purposes, pursuant to the authority granted by Article 1, Section 19 of the Constitution of the State of California, Section 25350.5 of the Government Code of the State of California as delegated in Section 14 of the Alameda CTC Joint Powers Agreement, Section 760 of the Streets and Highways Code of the State of California, and Part 3, Title 7 of the Code of Civil Procedure;

(c) The public interest and necessity require the project, which is to improve public health, safety and welfare by widening State Route 84 (SR 84) to expressway standards to improve the facility as a regional connection between I-680 and I-580, and to improve local traffic circulation by adding capacity on SR 84 and implementing intersection improvements in the County of Alameda, State of California;

(d) The proposed project is planned and located in the manner which will be most compatible with the greatest public good and the least private injury;

(e) The property described in **Exhibit 1** is being acquired in fee and for the relinquishment of access rights onto State Route 84, for permanent soil nail and underground gas line and overhead electrical line easements, and for 24 month temporary construction easements, and is necessary for the construction of the proposed project; and

(f) The offer required by Government Code Section 7267.2 has been made to the owners of record of the real property.

Section 2. General Counsel of Alameda CTC or his duly authorized designee, be, and is hereby authorized and directed to institute and conduct to conclusion an action in eminent domain for the acquisition of the estates and interests aforesaid and to take such action as counsel may deem advisable or necessary in connection therewith. An order for prejudgment possession may be obtained in said action and a warrant issued and deposited with the State Treasurer Condemnation Fund, in the amount determined the most probable compensation for the property sought to be acquired, as a condition to the right of possession.

ADOPTED July 24, 2014, by the Commission of the Alameda County Transportation Commission by the following vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

Scott Haggerty, Chairperson

ATTEST:

Vanessa Lee, Clerk of the Commission

APPROVED AS TO FORM:

General Counsel of the Alameda
County Transportation Commission

EXHIBIT 1

FEE ACQUISITION

An acquisition in fee for state highway purposes of the parcels of land described in **EXHIBIT A** and shown upon **EXHIBIT B** attached hereto and made a part hereof.

EXHIBIT "A"

LAND DESCRIPTION OF FIVE (5) PARCELS OF LAND IN THE CITY OF PLEASANTON, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1 (61507-1)

BEING A PORTION OF LOT A, AS SAID LOT IS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT 7014 RUBY HILL", FILED SEPTEMBER 23, 1998 IN BOOK 241 OF MAPS, AT PAGES 87 THROUGH 92, INCLUSIVE, OF OFFICIAL RECORDS OF SAID COUNTY, DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS NORTH 01°59'18" WEST 78.546 METERS (THE BEARING OF NORTH 01°59'15" WEST BEING TAKEN FOR THE PURPOSE OF THIS DESCRIPTION), IN PARCEL 2 (60046-2), AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED MARCH 29, 2006 UNDER DOCUMENT NUMBER 2006-120606 OFFICIAL RECORDS OF SAID COUNTY;

1. THENCE NORTH 03°12'44" WEST 479.57 FEET;
2. THENCE NORTH 02°23'13" WEST 69.56 FEET TO THE NORTHERLY LINE OF SAID LOT A OF TRACT 7014;
3. THENCE NORTH 88°55'48" EAST 15.23 FEET ALONG LAST SAID LINE TO THE WESTERLY LINE OF SAID PARCEL 2 (60246-2);

THENCE ALONG SAID WESTERLY LINE THE FOLLOWING THREE (3) COURSES;

4. SOUTH 00°07'34" EAST 98.42 FEET;
5. SOUTH 01°36'04" EAST 192.72 FEET;
6. SOUTH 01°59'15" EAST 257.70 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 3,596 SQUARE FEET (0.083 ACRES), MORE OR LESS.

PARCEL 2 (61507-2)

BEING A PORTION OF LOT C, AS SAID LOT IS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT 6843 RUBY HILL", FILED AUGUST 13, 1998 IN BOOK 241 OF MAPS, AT PAGES 60 THROUGH 72 INCLUSIVE, OFFICIAL RECORDS OF SAID COUNTY, DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT C, SAID POINT BEING COINCIDENT WITH THE WESTERLY LINE OF PARCEL 2 (60046-2) AS SAID PARCEL IS DESCRIBED IN SAID GRANT DEED 2006-120606;

1. THENCE SOUTH 88°55'48" WEST 15.23 FEET ALONG THE SOUTHERLY LINE OF SAID LOT C ;
2. THENCE LEAVING LAST SAID LINE, NORTH 02°23'13" WEST 76.87 FEET;
3. THENCE NORTH 11°23'19" WEST 81.53 FEET;
4. THENCE NORTH 59°19'48" WEST 34.13 FEET TO THE NORTHERLY LINE OF SAID LOT C;

THENCE ALONG THE GENERAL NORTHERLY LINE OF SAID LOT C THE FOLLOWING THREE (3) COURSES;

5. SOUTH 89°23'43" EAST 37.11 FEET;
6. SOUTH 63°25'34" EAST 18.96 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 30.00 FEET;
7. SOUTHEASTERLY 12.13 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°09'42" TO SAID WESTERLY LINE OF PARCEL 2 (60046-2);
8. THENCE LEAVING SAID GENERAL NORTHERLY LINE, SOUTH 00°07'34" EAST 157.54 FEET ALONG SAID WESTERLY LINE TO THE **POINT OF BEGINNING**.

CONTAINING 4,031 SQUARE FEET (0.093 ACRES), MORE OR LESS.

PARCEL 3 (61507-3)

BEING A PORTION OF LOT B, AS SAID LOT IS SHOWN ON SAID TRACT 6843, DESCRIBED AS FOLLOWS;

BEGINNING AT THE MOST SOUTHEASTERLY CORNER OF SAID LOT B, SAID POINT BEING COINCIDENT WITH THE WESTERLY LINE OF PARCEL 1 (48632-1) AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED FEBRUARY 23, 1994 UNDER DOCUMENT NUMBER 94-072104 OFFICIAL RECORDS OF SAID COUNTY;

THENCE ALONG THE GENERAL SOUTHERLY LINE OF SAID LOT B THE FOLLOWING FIVE (5) COURSES;

1. SOUTH 89°52'26" WEST 10.47 FEET;
2. SOUTH 00°07'34" EAST 1.95 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 30.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING NORTH 49°44'08" EAST);
3. NORTHWESTERLY 12.13 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°09'42";
4. NORTH 63°25'34" WEST 18.96 FEET;
5. NORTH 89°23'43" WEST 37.11 FEET;
6. THENCE LEAVING SAID GENERAL SOUTHERLY LINE, NORTH 59°19'48" WEST 17.67 FEET;
7. THENCE NORTH 00°40'12" EAST 69.46 FEET;
8. THENCE NORTH 60°40'12" EAST 32.15 FEET TO THE GENERAL NORTHERLY LINE OF SAID LOT B;

THENCE ALONG LAST SAID LINE THE FOLLOWING THREE (3) COURSES;

9. SOUTH 76°20'50" EAST 37.28 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 30.00 FEET;
10. EASTERLY, NORTHEASTERLY AND NORTHERLY 36.96 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 70°35'11";
11. NORTH 05°45'39" EAST 34.99 FEET TO SAID WESTERLY LINE OF PARCEL 1 (48632-1);
12. THENCE SOUTH 00°41'08" WEST 178.32 FEET ALONG LAST SAID LINE TO THE **POINT OF BEGINNING.**

CONTAINING 9,177 SQUARE FEET (0.211 ACRES), MORE OR LESS.

PARCEL 4 (61507-4)

BEING A PORTION OF LOT A, AS SAID LOT IS SHOWN ON SAID TRACT 6843, DESCRIBED AS FOLLOWS;

COMMENCING AT A POINT ON THE SOUTHERLY LINE OF SAID LOT A OF TRACT 6843, SAID POINT BEING THE EASTERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS NORTH 89°23'10" WEST 49.54 FEET (THE BEARING OF NORTH 89°23'43" WEST BEING TAKEN FOR THE PURPOSE OF THIS DESCRIPTION), AS SHOWN ON SAID TRACT 6843;

1. THENCE NORTH 76°20'50" EAST 33.92 FEET ALONG SAID SOUTHERLY LINE TO THE **TRUE POINT OF BEGINNING;**
2. THENCE LEAVING LAST SAID LINE, NORTH 60°40'12" EAST 10.02 FEET;
3. THENCE NORTH 02°12'35" EAST 160.82 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 1075.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 87°18'27" WEST);
4. THENCE NORTHERLY 439.15 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°24'21";
5. THENCE NORTH 20°42'48" EAST 186.85 FEET TO THE WESTERLY LINE OF PARCEL 2 (48632-5), AS SAID PARCEL IS DESCRIBED IN SAID GRANT DEED 94-072104;
6. THENCE SOUTH 06°54'14" WEST 175.67 FEET ALONG LAST SAID LINE TO THE EASTERLY LINE OF SAID LOT A;
7. THENCE SOUTH 12°54'55" WEST 161.47 FEET ALONG SAID EASTERLY LINE TO THE BEGINNING OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 322.97 FEET;

8. THENCE SOUTHERLY 38.06 FEET ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 06°32'54" TO THE NORTHERLY CORNER OF SAID PARCEL 1 (48632-1), SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 1260.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING NORTH 76°56'24" WEST);
- THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 1 (48632-1) THE FOLLOWING THREE (3) COURSES;
9. SOUTHERLY 272.13 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°22'28";
 10. SOUTH 89°18'52" EAST 10.00 FEET;
 11. SOUTH 00°41'08" WEST 62.31 FEET TO SAID EASTERLY LINE OF SAID LOT A;
- THENCE ALONG LAST SAID LINE AND THE SOUTHERLY LINE OF SAID LOT A THE FOLLOWING THREE (3) COURSES;
12. SOUTH 05°45'39" WEST 34.99 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 30.00 FEET;
 13. SOUTHERLY, SOUTHWESTERLY AND WESTERLY 36.96 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 70°35'11";
 14. THENCE SOUTH 76°20'50" WEST 37.28 FEET TO THE **TRUE POINT OF BEGINNING.**
- CONTAINING 32,964 SQUARE FEET (0.757 ACRES), MORE OR LESS.

PARCEL 5 (61507-5)

BEING A PORTION OF LOT K, AS SAID LOT IS SHOWN ON SAID TRACT 6843, DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF SAID LOT K, SAID POINT BEING THE SOUTHERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS NORTH 32°15'04" EAST 111.09 FEET (THE BEARING OF NORTH 32°15'29" EAST BEING TAKEN FOR THE PURPOSE OF THIS DESCRIPTION), IN SAID PARCEL 2 (48632-5), SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 834.41 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 64°09'54" EAST);

1. THENCE NORTHERLY 26.52 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°49'15" TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 470.47 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING NORTH 65°48'54" WEST);
2. THENCE NORTHWESTERLY, NORTHERLY AND NORTHEASTERLY 389.97 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°29'28";
3. THENCE NORTH 48°46'44" EAST 258.67 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 1393.00 FEET;
4. THENCE NORTHERLY 340.88 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°01'15";
5. THENCE NORTH 34°45'29" EAST 13.12 FEET TO THE BEGINNING OF A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 930.20 FEET;
6. THENCE NORTHERLY 15.72 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°58'06" TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 849.93 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 64°17'49" EAST);
7. THENCE NORTHERLY 51.39 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°27'50" TO THE NORTHERLY LINE OF SAID LOT J;
8. THENCE SOUTH 67°45'40" EAST 5.00 FEET ALONG SAID NORTHERLY LINE TO THE WESTERLY LINE OF PARCEL 15 (60248-15), AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED MAY 11, 2010 UNDER DOCUMENT NUMBER 2010-135552 OFFICIAL RECORDS OF SAID COUNTY, SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 854.93 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 67°45'40" EAST);
9. THENCE SOUTHERLY 377.36 FEET ALONG SAID CURVE, SAID WESTERLY LINE AND THE WESTERLY LINE OF PARCEL 1 (60247-1), AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO THE STATE OF

CALIFORNIA RECORDED MARCH 1, 2007 UNDER DOCUMENT NUMBER 2007-089953 OFFICIAL RECORDS OF SAID COUNTY, THROUGH A CENTRAL ANGLE OF 25°17'24" TO THE WESTERLY LINE OF PARCEL 3 (48632-6) OF SAID GRANT DEED 94-072104;

10. THENCE SOUTH 58°14'45" WEST 128.83 FEET ALONG LAST SAID LINE;
11. THENCE SOUTH 44°05'24" WEST 178.83 FEET ALONG LAST SAID LINE TO THE EASTERLY LINE OF SAID LOT K;
12. THENCE SOUTH 68°50'47" WEST 79.79 FEET ALONG LAST SAID LINE TO THE BEGINNING OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 352.97 FEET;
13. THENCE SOUTHWESTERLY AND SOUTHERLY 230.10 FEET ALONG SAID CURVE AND SAID EASTERLY LINE OF LOT K THROUGH A CENTRAL ANGLE OF 37°21'01" TO SAID WESTERLY LINE OF PARCEL 2 (48632-5);
14. THENCE SOUTH 32°15'29" WEST 111.09 FEET ALONG LAST SAID LINE TO THE **POINT OF BEGINNING.**

CONTAINING 13,543 SQUARE FEET (0.311 ACRES), MORE OR LESS.

THIS CONVEYANCE IS MADE FOR THE PURPOSE OF A FREEWAY AND THE GRANTOR HEREBY RELEASES AND RELINQUISHES TO THE GRANTEE ANY AND ALL ABUTTER'S RIGHTS, INCLUDING ACCESS RIGHTS, APPURTENANT TO GRANTOR'S REMAINING PROPERTY, IN AND TO SAID FREEWAY.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART THEREOF

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



DAN S. SCOTT III, PLS 7840

MAY 21, 2014
DATE



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPCN, Epoch 1983. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00006677 to obtain ground level distances.



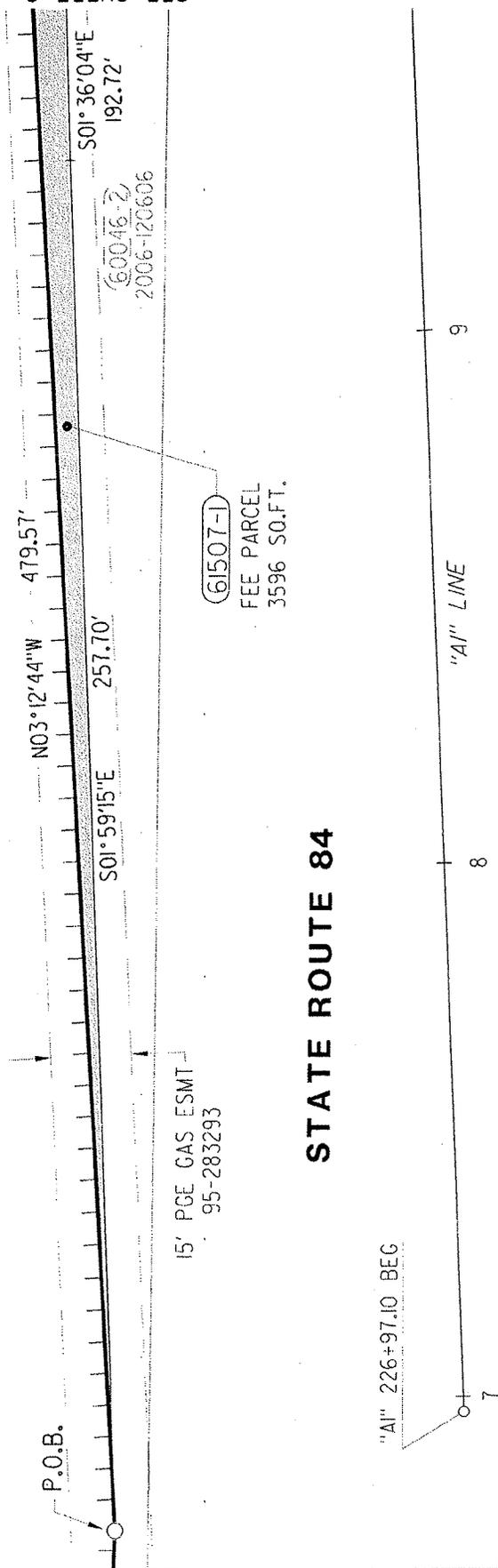
40 PGE ESMT
PARCEL 1
97-046483

15' PGE GAS ESMT
95-283293

EXHIBIT "B" **CITY OF PLEASANTON**

(61507)
RUBY HILL OWNERS
ASSOCIATION
LOT A
TRACT 7014
241 M 87
APN 950-0023-013-03

SEE SHEET 2



STATE ROUTE 84

LEGEND

- ||||| = ACCESS CONTROLLED
- = DIMENSION POINT
- ▨ = AREA TO BE CONVEYED
- XXXXX = STATE PARCEL NUMBER
- P.O.B. = POINT OF BEGINNING
- () = INDICATES PRIOR CONVEYANCE

PLAT TO ACCOMPANY DESCRIPTION

PARTIAL FEE TAKE OF THE LANDS OF RUBY HILLS OWNERS ASSOCIATION TO BE CONVEYED TO THE STATE OF CALIFORNIA
PARCEL NO. 61507-1

CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA



ONE CONCORD CENTER
2390 CLAYTON RAD, SUITE 1400
CONCORD, CA 94520
(925) 446-3800

DATE: MAY 21, 2014 SCALE: 1"=30' JOB NO: 2009-74

SHEET 1 OF 8

A-10411.01

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPGN, Epoch 1981.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.

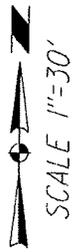


EXHIBIT "B" CITY OF PLEASANTON

(61507)

RUBY HILL OWNERS ASSOCIATION
LOT A
TRACT 7014
241 M 87
APN 950-0023-013-03

LOT C
TRACT 6843
241 M 60

40 PGE ESMT
PARCEL 1
97-046483

N02°23'13"W 69.56'
15' PGE GAS ESMT 95-283293

N03°12'44"W 479.57'

N88°55'48"E 15.23'

S00°07'34"E 98.42'

(61507-1)
FEE. PARCEL
3596 SQ.FT.

(60046-2)
2006-120606

(48632-3)
94-072104

STATE ROUTE 84

"A1" LINE

2

230

LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- = AREA TO BE CONVEYED
- = STATE PARCEL NUMBER
- = INDICATES PRIOR CONVEYANCE
- = COMMON OWNERSHIP

PLAT TO ACCOMPANY DESCRIPTION

PARTIAL FEE TAKE OF THE LANDS OF RUBY HILL'S OWNERS ASSOCIATION TO BE CONVEYED TO THE STATE OF CALIFORNIA
PARCEL NO. 61507-1

CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA



ONE CONCORD CENTER
2300 CLAYTON RAD. SUITE 1400
CONCORD, CA 94520
(925) 446-3800

A-10411.01

SHEET 2 OF 8

DATE: MAY 21, 2014 SCALE: 1"=30' JOB NO: 2009-74

SEE SHEET 1

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HP6N, Epoch 1911.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.0000677 to obtain ground level distances.



EXHIBIT "B" CITY OF PLEASANTON

(61507)

RUBY HILL OWNERS ASSOCIATION
LOT C
TRACT 6843
241 M 60
APN 950-0023-006-02

LOT A
TRACT 7014
241 M 87

40 PCE ESMT
PARCEL 1
97-046483

15' PCE GAS ESMT
95-283293

P.O.B.

(60046-2)
2006-120606

N11°23'19"W 81.53'

(61507-2)
FEE PARCEL
4,031 SQ.FT.

S00°07'34"E 157.54'

N49°44'08"E(R)

R=30.00'
Δ=23°09'42"E
L=12.13'

(48632-1)
94-072104

LOT B
241 M 87

RUBY HILL DRIVE

S89°23'43"E 37.11'

N59°19'48"W 34.13'

S63°25'34"E 18.96'

"R" LINE

"A1" LINE

"A1" 234+39.73 POT=
"R" 10+00.00 END

4"AI" 234+36.09 POT=
"K" 10+00.00 BEG

LEGEND

- = ACCESS CONTROLLED
- = AREA TO BE CONVEYED
- = STATE PARCEL NUMBER
- P.O.B. = POINT OF BEGINNING
- (T) = TOTAL DISTANCE

PLAT TO ACCOMPANY DESCRIPTION

PARTIAL FEE TAKE OF THE LANDS OF RUBY HILLS OWNERS ASSOCIATION TO BE CONVEYED TO THE STATE OF CALIFORNIA
PARCEL No. 61507-2

CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA



ONE CONCORD CENTER
2300 CLAYTON RAD, SUITE 1400
CONCORD, CA 94520
(925) 446-3800

A-10411.02 SHEET 3 OF 8

DATE: MAY 21, 2014

SCALE: 1"=30'

JOB NO: 2009-74

EXHIBIT "B"
CITY OF PLEASANTON

Coordinates, bearings and distances are based on the California Coordinate System of 983, Zone 3, CA-HPGN, Epoch 1994.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.0008677 to obtain ground level distances.



61507
RUBY HILL OWNERS ASSOCIATION
LOT B
TRACT 6843
241 M 60

LOT C
TRACT 6843
241 M 60

LOT A
TRACT 6843
241 M 60

RUBY HILL DRIVE

40' PGE ESMT
PARCEL 1
97-046483

61507-3
FEE PARCEL
9177 SQ.FT.

60046-2
2006 120606

(48632-1)
94-072104

N59°19'48"W
17.67'

N63°25'34"W
18.96'

N00°40'12"E
69.46'

N60°40'12"E
32.15'

N76°20'50"E
37.28'

15' PGE GAS ESMT
95-283293

R=30.00'
Δ=70°35'11"
L=36.96'

N05°45'39"E
34.99'

178.32'

S00°41'08"W

S89°52'26"W
10.47'

"R" LINE

"A1" LINE

STATE ROUTE 84

6

235

"A1" 234+39.73 POT=

"R" 10+00.00 END

4

"A1" 234+36.09 POT=

"K" 10+00.00 BEG

3

LEGEND

— = ACCESS CONTROLLED

○ = DIMENSION POINT

▨ = AREA TO BE CONVEYED

(XXXX) = STATE PARCEL NUMBER

P.O.B. = POINT OF BEGINNING

() = INDICATES PRIOR CONVEYANCE

↗ = COMMON OWNERSHIP

PLAT TO ACCOMPANY DESCRIPTION

PARTIAL FEE TAKE OF THE LANDS OF RUBY HILLS OWNERS ASSOCIATION TO THE STATE OF CALIFORNIA
PARCEL NO. 6507-3

CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA



ONE CONCORD CENTER
2300 CLAYTON RAD. SUITE 1400
CONCORD, CA 94520
(925) 446-3800

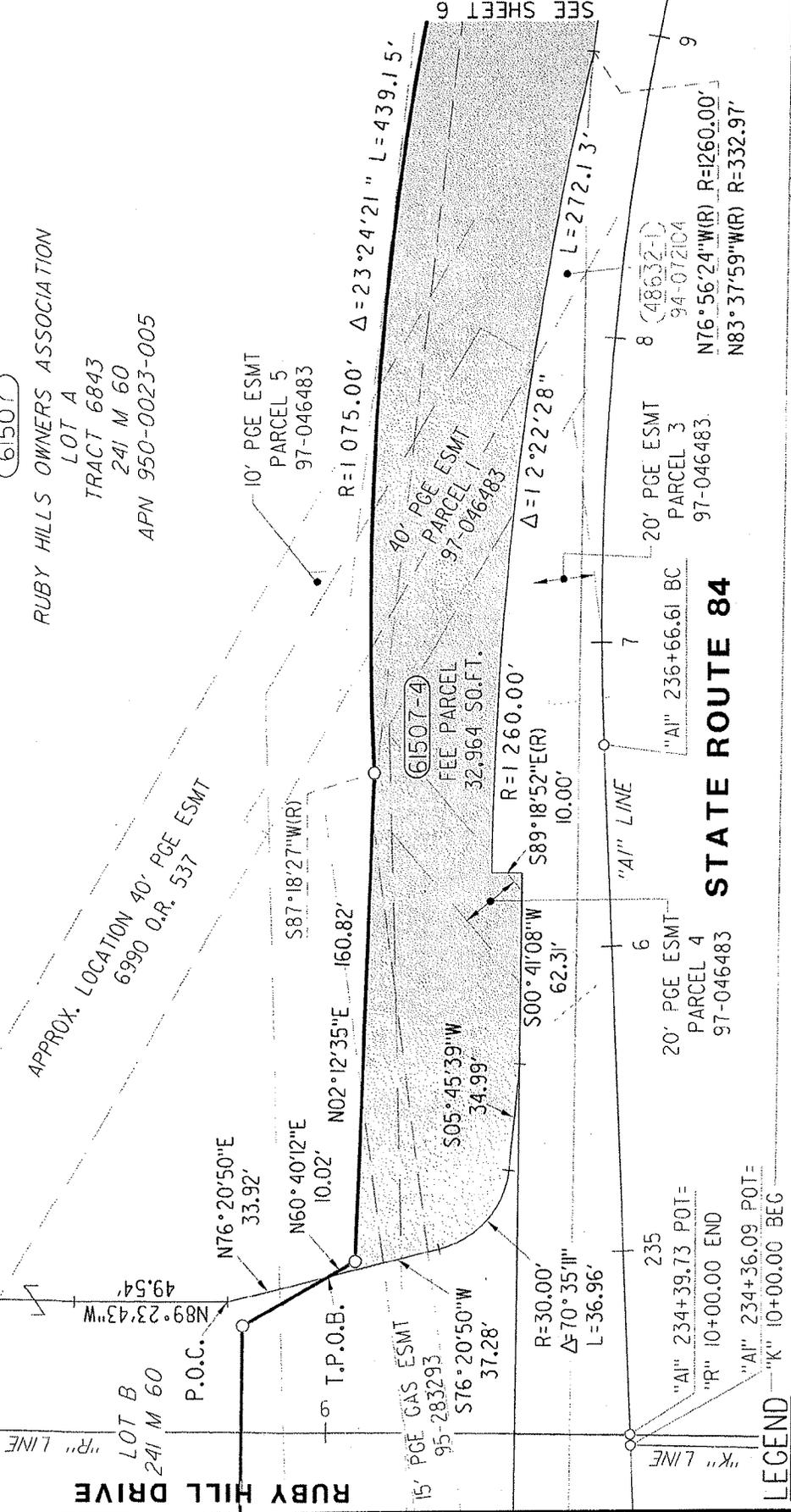
SHEET 4 OF 8

A-10411.02

DATE: MAY 21, 2014 SCALE: 1"=40' JOB NO: 2009-74

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPGN, Epoch 1983.5. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00006671 to obtain ground level distances.

EXHIBIT "B"
CITY OF PLEASANTON



(61507)

(48636-1)

(48636-1)

(48636-1)

(48636-1)

(48636-1)

(48636-1)

(48636-1)

PLAT TO ACCOMPANY DESCRIPTION

PARTIAL FEE TAKE OF THE LANDS OF RUBY HILLS OWNERS ASSOCIATION
TO BE CONVEYED TO THE STATE OF CALIFORNIA
PARCEL NO. 6507-4

CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA

URS

ONE CONCORD CENTER
2300 CLAYTON RAD, SUITE 1400
CONCORD, CA 94520
(925) 446-3800

DATE: MAY 21, 2004 SCALE: 1"=50' JOB NO: 2009-74

LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- ▭ = AREA TO BE CONVEYED
- XXXXX = STATE PARCEL NUMBER
- P.O.C. = POINT OF COMMENCEMENT
- T.P.O.B. = TRUE POINT OF BEGINNING
- () = INDICATES PRIOR CONVEYANCE
- ∩ = COMMON OWNERSHIP

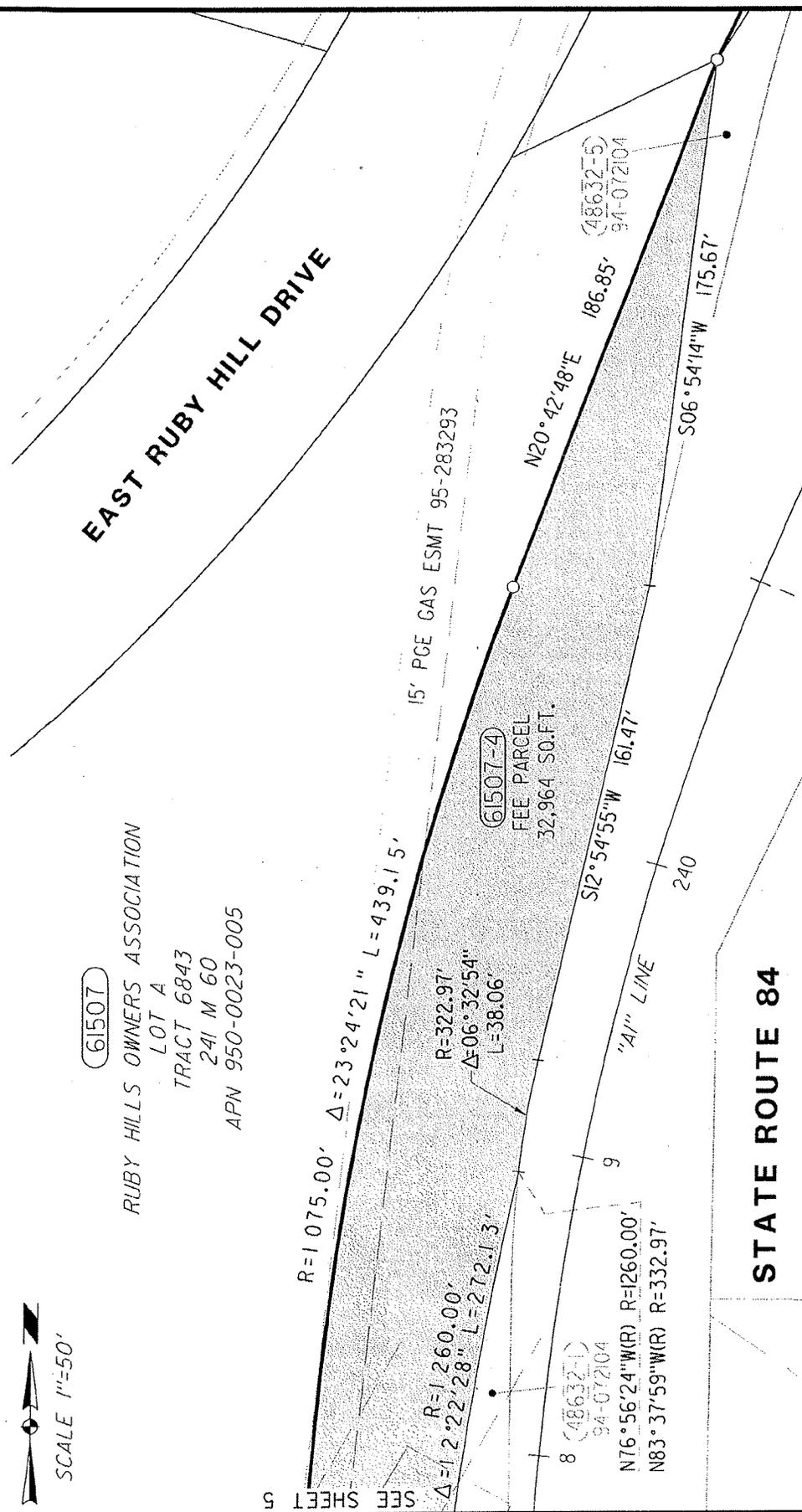
A-10411.02 SHEET 5 OF 8

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPGN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.

EXHIBIT "B"
CITY OF PLEASANTON



(61507)
RUBY HILLS OWNERS ASSOCIATION
LOT A
TRACT 6843
241 M 60
APN 950-0023-005



STATE ROUTE 84

LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- ▨ = AREA TO BE CONVEYED
- (XXXXX) = STATE PARCEL NUMBER
- (---) = INDICATES PRIOR CONVEYANCE

PLAT TO ACCOMPANY DESCRIPTION

PARTIAL FEE-TAKE OF THE LANDS OF RUBY HILLS OWNERS ASSOCIATION
TO BE CONVEYED TO THE STATE OF CALIFORNIA
PARCEL NO. 6507-4

CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA



ONE CONCORD CENTER
2300 CLAYTON RAD, SUITE 1400
CONCORD, CA 94520
(925) 446-3800

A-10411.02 SHEET 6 OF 8

DATE: MAY 21, 2014 SCALE: 1"=50' JOB NO: 2009-74

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPGN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.

EXHIBIT "B"
CITY OF PLEASANTON

TRACT 6843
241 M 60

GERMANO WAY

BRICCO COURT

LOT F
EAST RUBY HILL DRIVE

15' PGE GAS ESMT 95-283293

(61507)
LOT K

R=834.41'
 $\Delta=01^{\circ}49'15''$
L=26.52'
P.O.B.
S32°15'29"W 111.09'
S64°09'54"E(R)
R=470.47', $\Delta=47^{\circ}29'28''$, L=389.97',
R=352.97', $\Delta=37^{\circ}21'01''$, L=230.10',
N58°30'14"W(R)

R=834.41'
S65°59'09"E(R)
N65°48'54"W(R)
R=470.47'

(61507-5)
FEE PARCEL
13,543 SQ.FT.

(48632-5)
94-072104

(48632-6)
94-072104

N48°46'44"E 258.67'
S44°05'24"W 178.83'

"A1" LINE

245
"A1" 245+59.62 EC

STATE ROUTE 84

(48635-1)

LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- ▨ = AREA TO BE CONVEYED
- XXXXX = STATE PARCEL NUMBER
- P.O.B. = POINT OF BEGINNING
- () = INDICATES PRIOR CONVEYANCE
- 1/4 = COMMON OWNERSHIP

PLAT TO ACCOMPANY DESCRIPTION

PARTIAL FEE TAKE OF THE LANDS OF RUBY HILLS OWNERS ASSOCIATION TO BE CONVEYED TO THE STATE OF CALIFORNIA
PARCEL NO. 6507-5

CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA

URS

ONE CONCORD CENTER
2300 CLAYTON RAD, SUITE 1400
CONCORD, CA 94520
(925) 446-3800

DATE: MAY 21, 2014 SCALE: 1"=60' JOB NO: 2009-74

A-10411.02 & 03 SHEET 7 OF 8

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HP0N, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00006677 to obtain ground level distances.

EXHIBIT "B"
CITY OF PLEASANTON

DONATA COURT

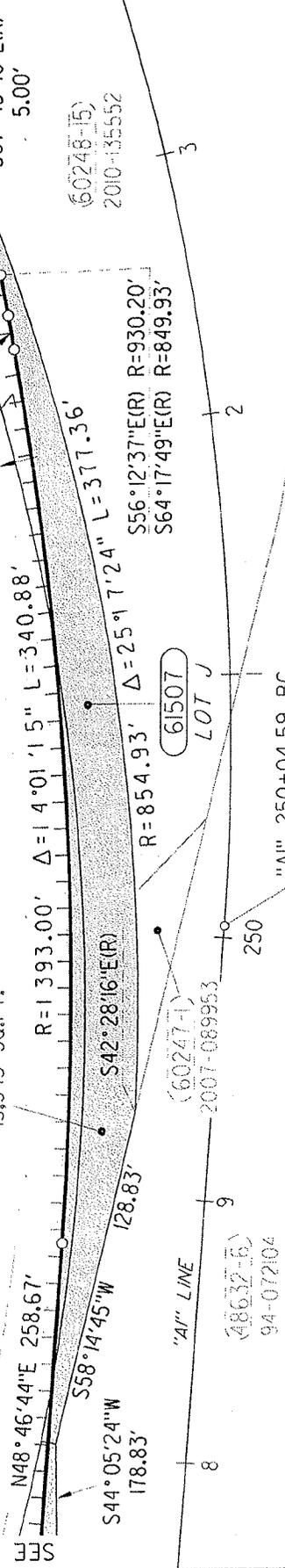
TRACT 6843
241 M 60

SCALE 1"=60'

61507
LOT F

EAST RUBY HILL DRIVE

61507-5
FEE PARCEL
13,543 SQ.FT.



STATE ROUTE 84

LEGEND

- ||||| = ACCESS CONTROLLED
- = DIMENSION POINT
- ▨ = AREA TO BE CONVEYED
- XXXXX = STATE PARCEL NUMBER
- ⊃ = INDICATES PRIOR CONVEYANCE
- ⊃ = COMMON OWNERSHIP

PLAT TO ACCOMPANY DESCRIPTION

PARTIAL FEE TAKE OF THE LANDS OF RUBY HILLS OWNERS ASSOCIATION
TO BE CONVEYED TO THE STATE OF CALIFORNIA
PARCEL NO. 61507-5

CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA



ONE CONCORD CENTER
2300 CLAYTON ROAD, SUITE 1400
CONCORD, CA 94520
(925) 446-3800

DATE: MAY 21, 2014 SCALE: 1"=60' JOB NO: 2009-74

A-10411.03 SHEET 8 OF 8

PERMANENT SOIL NAIL/WALL EASEMENT

A permanent soil nail easement for the benefit of the State of California, Department of Transportation ("Caltrans") for the purpose of lateral support for a retaining wall and the right and privilege to maintain said retaining wall, as Caltrans may see fit, inclusive of all necessary nail supports, fences, protective barriers and fixtures for use in connection therewith or appurtenant thereto, in, under, over, along, upon and across, all that real property in the City of Pleasanton, County of Alameda, State of California, described as follows:

The parcel of land described in **EXHIBIT A** and shown upon **EXHIBIT B** attached hereto and made a part hereof.

Also, together with the right of ingress and egress from said easement area over and across said lands by means of roads and lanes thereon, if such there be, otherwise by such route or routes as shall occasion the least practicable damage and inconvenience to the underlying fee owner ("Owner"), provided that such right of ingress and egress shall not extend to any portion of said lands which is isolated from said easement area by any public road or highway, now crossing or hereafter crossing said lands.

Owner reserves the right to use said easement area for purposes which will not interfere with Caltrans' full enjoyment of the rights hereby granted; provided that Owner, its successors or assigns shall not excavate, erect, place or construct any permanent building or other structures, septic system, leach field, construct any fence, trees, place underground utilities, drill, or operate any well, or construct any reservoir or other obstruction within said easement area, or diminish or install anything that will interfere with the rights herein granted to Caltrans within said easement area.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

EXHIBIT "A"

LAND DESCRIPTION IN THE CITY OF PLEASANTON, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 61507-6

BEING PORTIONS OF LOTS F, K, J AND I, AS SAID LOTS ARE SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT 6843 RUBY HILL", FILED AUGUST 13, 1998 IN BOOK 241 OF MAPS, AT PAGES 60 THROUGH 72 INCLUSIVE, OFFICIAL RECORDS OF SAID COUNTY, DESCRIBED AS FOLLOWS;

A PERMANENT SOIL NAIL EASEMENT FOR THE PURPOSE OF LATERAL SUPPORT FOR A RETAINING WALL AND THE RIGHT AND PRIVILEGE TO MAINTAIN SAID RETAINING WALL, AS THE GRANTEE MAY SEE FIT, INCLUSIVE OF ALL NECESSARY NAIL SUPPORTS, FENCES, PROTECTIVE BARRIERS AND FIXTURES FOR USE IN CONNECTION THEREWITH OR APPURTENANT THERETO, IN, UNDER, OVER, ALONG, UPON AND ACROSS SAID EASEMENT DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS NORTH 44°04'59" EAST 178.83 FEET (THE BEARING OF NORTH 44°05'24" EAST BEING TAKEN FOR THE PURPOSE OF THIS DESCRIPTION), IN PARCEL 2 OF THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED FEBRUARY 23, 1994 UNDER DOCUMENT NUMBER 94-072104 OFFICIAL RECORDS OF SAID COUNTY;

1. THENCE NORTH 55°00'03" WEST 18.14 FEET TO THE **TRUE POINT OF BEGINNING**, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 470.74 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING NORTH 18°19'26" WEST);
2. THENCE WESTERLY 23.39 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°50'56";
3. THENCE NORTH 41°13'15" WEST 34.44 FEET;
4. THENCE NORTH 48°46'45" EAST 280.44 FEET TO THE BEGINNING OF A CURVE CONCAVE
5. NORTHWESTERLY AND HAVING A RADIUS OF 1350.00 FEET;
6. THENCE NORTHEASTERLY 337.60 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°19'42" TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 887.20 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 54°51'44" EAST);
7. THENCE NORTHEASTERLY 358.44 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°08'54" TO THE WESTERLY LINE OF PARCEL 15 (60248-15), AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED MAY 11, 2010 UNDER DOCUMENT NUMBER 2010-135552 OFFICIAL RECORDS OF SAID COUNTY, SAID POINT ALSO BEING BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 2899.75 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 81°45'42" EAST);
8. THENCE SOUTHERLY 124.97 FEET ALONG SAID CURVE AND LAST SAID LINE THROUGH A CENTRAL ANGLE OF 02°28'09" TO THE BEGINNING OF A COMPOUND CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 354.93 FEET;
9. THENCE SOUTHERLY 172.07 FEET ALONG SAID CURVE AND LAST SAID LINE THROUGH A CENTRAL ANGLE OF 11°31'54" TO THE SOUTHERLY LINE OF SAID LOT I;
10. THENCE LEAVING SAID EASTERLY LINE, NORTH 67°45'40" WEST 5.00 FEET ALONG SAID SOUTHERLY LINE TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 849.93 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 67°45'40" EAST);
11. THENCE SOUTHERLY 51.39 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°27'50" TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 930.20 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 56°12'37" EAST);
12. THENCE SOUTHERLY 15.72 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°58'06"
13. THENCE SOUTH 34°45'29" WEST 13.12 FEET TO THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 1393.00 FEET;
14. THENCE SOUTHWESTERLY 340.88 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°01'15"

15. THENCE SOUTH 48°46'44" WEST 258.67 FEET TO THE **TRUE POINT OF BEGINNING**.
CONTAINING 34,971 SQUARE FEET (0.803 ACRES), MORE OR LESS.

TOGETHER WITH THE RIGHT OF INGRESS TO AND EGRESS FROM SAID EASEMENT AREA OVER AND ACROSS SAID LANDS BY MEANS OF ROADS AND LANES THEREON, IF SUCH THERE BE, OTHERWISE BY SUCH ROUTE OR ROUTES AS SHALL OCCASION THE LEAST PRACTICABLE DAMAGE AND INCONVENIENCE TO GRANTOR, PROVIDED, THAT SUCH RIGHT OF INGRESS AND EGRESS SHALL NOT EXTEND TO ANY PORTION OF SAID LANDS WHICH IS ISOLATED FROM SAID EASEMENT AREA BY ANY PUBLIC ROAD OR HIGHWAY, NOW CROSSING OR HEREAFTER CROSSING SAID LANDS.

GRANTOR, HEREBY RESERVES THE RIGHT TO USE SAID EASEMENT AREA FOR PURPOSES WHICH WILL NOT INTERFERE WITH GRANTEE'S FULL ENJOYMENT OF THE RIGHTS HEREBY GRANTED; PROVIDED THAT GRANTOR, ITS SUCCESSORS OR ASSIGNS SHALL NOT EXCAVATE, ERECT, PLACE OR CONSTRUCT ANY PERMANENT BUILDING OR OTHER STRUCTURES, SEPTIC SYSTEM, LEACH FIELD, CONSTRUCT ANY FENCE, TREES, PLACE UNDERGROUND UTILITIES, DRILL OR OPERATE ANY WELL, OR CONSTRUCT ANY RESERVOIR OR OTHER OBSTRUCTION WITHIN SAID EASEMENT AREA, OR DIMINISH OR INSTALL ANYTHING THAT WILL INTERFERE WITH THE RIGHTS HEREIN GRANTED TO GRANTEE WITHIN SAID EASEMENT AREA.

THIS INSTRUMENT SHALL BIND AND INURE TO THE BENEFIT OF THE SUCCESSORS AND ASSIGNS OF THE PARTIES HERETO.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART THEREOF

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



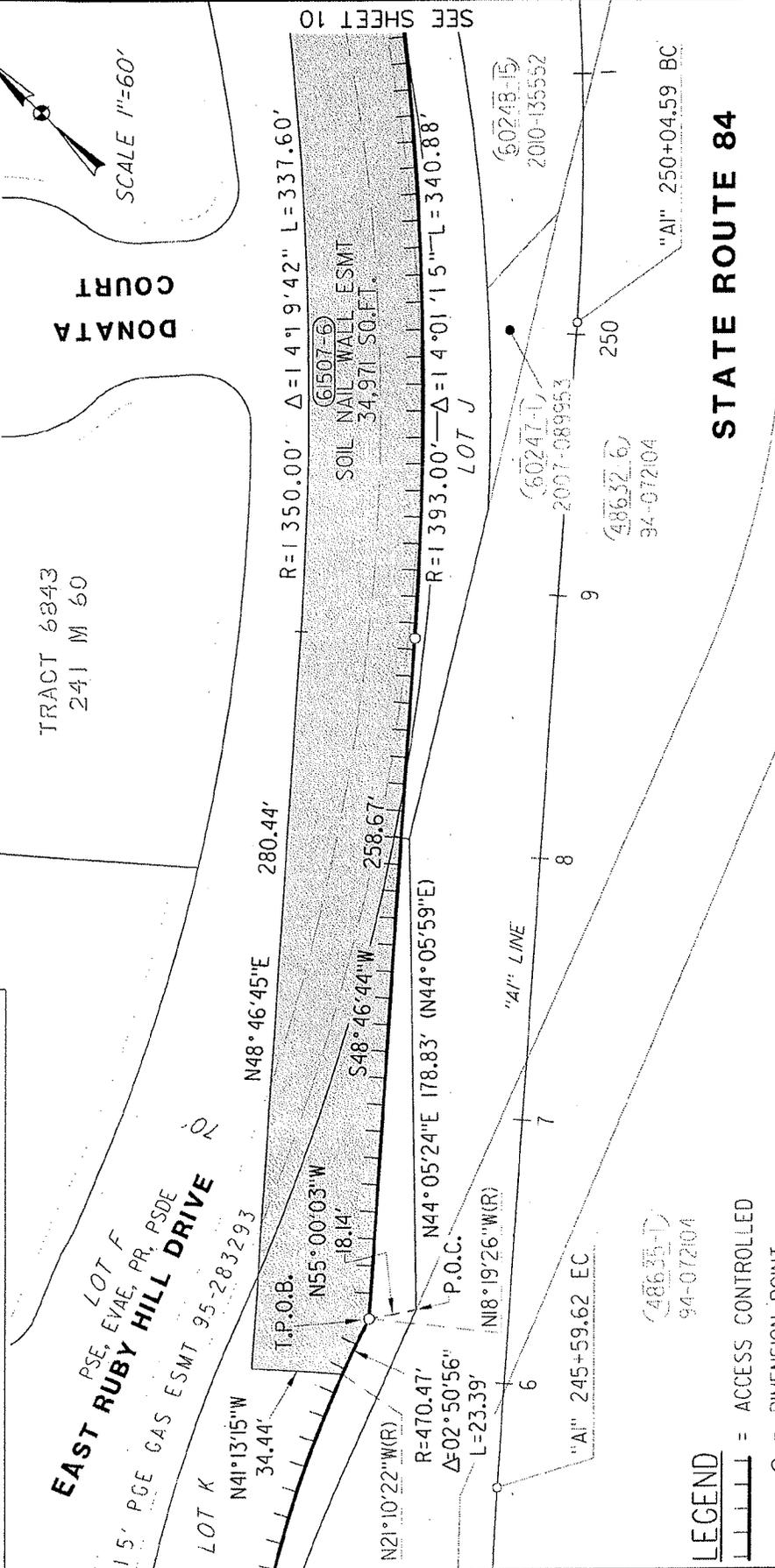
DAN S. SCOTT III, PLS 7840

MAY 21, 2014
DATE



EXHIBIT "B"
CITY OF PLEASANTON

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPCN, Epoch 1983. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.



LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- ▨ = AREA TO BE CONVEYED
- (XXXXX) = STATE PARCEL NUMBER
- P.O.C. = POINT OF COMMENCING
- T.P.O.B. = TRUE POINT OF BEGINNING
- PSE = PUBLIC SERVICE EASEMENT
- EVAE = EMERGENCY VEHICLE ACCESS EASEMENT
- PR = PRIVATE ROAD
- PSDE = PRIVATE STORM DRAIN EASEMENT
- () = INDICATES PRIOR CONVEYANCE
- () = RECORD DATA PER 94-072104 O.R.

PLAT TO ACCOMPANY DESCRIPTION
 A PERMANENT EASEMENT FOR SOIL NAIL WALL PURPOSES OVER THE LANDS OF RUBY HILL OWNERS ASSOCIATION TO BE CONVEYED TO THE STATE OF CALIFORNIA
 PARCEL NO. 6507-6
 CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA

URS
 ONE CONCORD CENTER
 2300 CLAYTON RAD, SUITE 1400
 CONCORD, CA 94520
 (925) 446-3800

DATE: MAY 21, 2014 SCALE: 1"=60' JOB NO: 2009-74

PERMANENT GAS LINE EASEMENT

A permanent gas line easement for the benefit of Pacific Gas & Electric Company ("PG&E"), which PG&E may at any time, and from time to time, excavate for, install, replace (of the initial or any other size), maintain and use such pipe lines as PG&E shall from time to time elect for conveying gas, with necessary and proper valves and other appliances and fittings, and devices for controlling electrolysis for use in connection with said pipe lines, and such underground wires, cables, conduits, appliances, fixtures and appurtenances, as PG&E shall from time to time elect for communication purposes, together with adequate protection therefor, and also a right of way, within the hereinafter described easement area lying within the lands which are situated in the City of Pleasanton, County of Alameda, State of California, and are described and are described as follows:

APNs 950-0023-013-03, 950-0023-006-02, and 950-0023-005

Being a portion of Lot A, as said lot is shown on Tract Map 7014, filed September 23, 1998 in Book 241 of Maps, at Pages 87 through 92, inclusive, together with portions of Lot a, Lot B and Lot C, as said lots are shown on Tract 6843, filed August 13, 1998 in Book 241 of Maps, at Pages 60 through 72, inclusive, both of Official Records of said County.

The aforesaid easement area is described as follows:

The parcel of land described in **EXHIBIT A** and shown upon **EXHIBIT B** attached hereto and made a part hereof.

This permanent easement allows PG&E:

(a) the right of ingress to and egress from said easement area over and across said lands by means of roads and lanes thereon, if such there be, otherwise by such route or routes as shall occasion the least practicable damage and inconvenience to the fee owner of APNs 950-0023-013-03, 950-0023-006-02, and 950-0023-005 ("Owner"), provided, that such right of ingress and egress shall not extend to any portion of said lands which is isolated from said easement area by any public road or highway, now crossing or hereafter crossing said lands;

(b) the right, from time to time, to trim or to cut down any and all trees and brush now or hereafter within said easement area, and shall have the further right, from time to time, to trim and cut down trees and brush along each side of said easement area which now or hereafter in the opinion of PG&E may interfere with or be a hazard to the facilities installed hereunder, or as PG&E deems necessary to comply with applicable state or federal regulations;

(c) the right to use such portion of said lands contiguous to said easement area as may be reasonably necessary in connection with the installation and replacement of said facilities;

(d) the right to install, maintain and use gates in all fences which now cross or shall hereafter cross said easement area; and

(e) the right to mark the location of said easement area by suitable markers set in the ground; provided that said markers shall be placed in fences or other locations which will not interfere with any reasonable use Owner shall make of said easement area.

PG&E shall:

(a) not fence said easement area;

(b) promptly backfill any excavations made by it on said easement area and repair any damage it shall do to any private roads or lanes on said lands; and

(c) indemnify Owner against any loss and damage which shall be caused by any wrongful or negligent act or omission of PG&E or of its agents or employees in the course of their employment, provided, however, that this indemnity shall not extend to that portion of such loss or damage that shall have been caused by Owner's comparative negligence or willful misconduct.

Owner reserves the right to use said easement area for purposes which will not interfere with PG&E's full enjoyment of the rights hereby granted; provided that Owner shall not erect or construct any building or other structure, or drill or operate any well, or construct any reservoir or other obstruction within said easement area, or plant any trees or vines, or construct associated supporting structures, within ten feet of edge(s) of the pipeline(s), or diminish or substantially add to the ground cover over said facilities, or construct any fences that will interfere with the maintenance and operation of said facilities.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

EXHIBIT "A"

LAND DESCRIPTION OF A PARCEL OF LAND IN THE CITY OF PLEASANTON, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING A PORTION OF LOT A, AS SAID LOT IS SHOWN ON TRACT MAP 7014, FILED SEPTEMBER 23, 1998 IN BOOK 241 OF MAPS, AT PAGES 87 THROUGH 92, INCLUSIVE, TOGETHER WITH PORTIONS OF LOT A, LOT B AND LOT C, AS SAID LOTS ARE SHOWN ON TRACT 6843, FILED AUGUST 13, 1998 IN BOOK 241 OF MAPS, AT PAGES 60 THROUGH 72 INCLUSIVE, BOTH OF OFFICIAL RECORDS OF SAID COUNTY. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 61507-7

A 15 FOOT EASEMENT FOR GAS LINE PURPOSES AND INCIDENTS THERETO, UPON IN, OVER AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS NORTH 02°05'56" EAST 46.665 METERS (THE BEARING OF NORTH 02°05'59" EAST BEING TAKEN FOR THE PURPOSE OF THIS DESCRIPTION), IN PARCEL 2 (60046-2), AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED MARCH 29, 2006 UNDER DOCUMENT NUMBER 2006-120606 OFFICIAL RECORDS OF SAID COUNTY;

1. THENCE SOUTH 02°05'59" WEST 78.79 ALONG THE WESTERLY LINE OF SAID PARCEL 2 (60046-2);
2. THENCE LEAVING LAST SAID LINE, NORTH 87°54'01" WEST 15.00 FEET;
3. THENCE NORTH 02°05'59" EAST 78.10 FEET;
4. THENCE NORTH 03°12'44" WEST 478.98 FEET;
5. THENCE NORTH 02°23'13" WEST 145.35 FEET;
6. THENCE NORTH 11°23'19" WEST 81.40 FEET;
7. THENCE NORTH 03°25'34" WEST 118.52 FEET;
8. THENCE NORTH 02°12'35" EAST 160.92 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 1090.00 FEET (A RADIAL BEARING OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 87°20'29" WEST);
9. THENCE NORTHERLY 348.88 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 18°20'21";
10. THENCE SOUTH 74°19'10" EAST 15.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 1075.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING NORTH 74°19'10" WEST);
11. THENCE SOUTHERLY 344.72 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 18°22'23";
12. THENCE SOUTH 02°12'35" WEST 160.82 FEET;
13. THENCE SOUTH 03°25'34" EAST 116.74 FEET;
14. THENCE SOUTH 11°23'19" EAST 81.53 FEET;
15. THENCE SOUTH 02°23'13" EAST 146.42 FEET;
16. THENCE SOUTH 03°12'44" EAST 479.57 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 21,156 SQUARE FEET (0.486 ACRES), MORE OR LESS.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART THEREOF.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



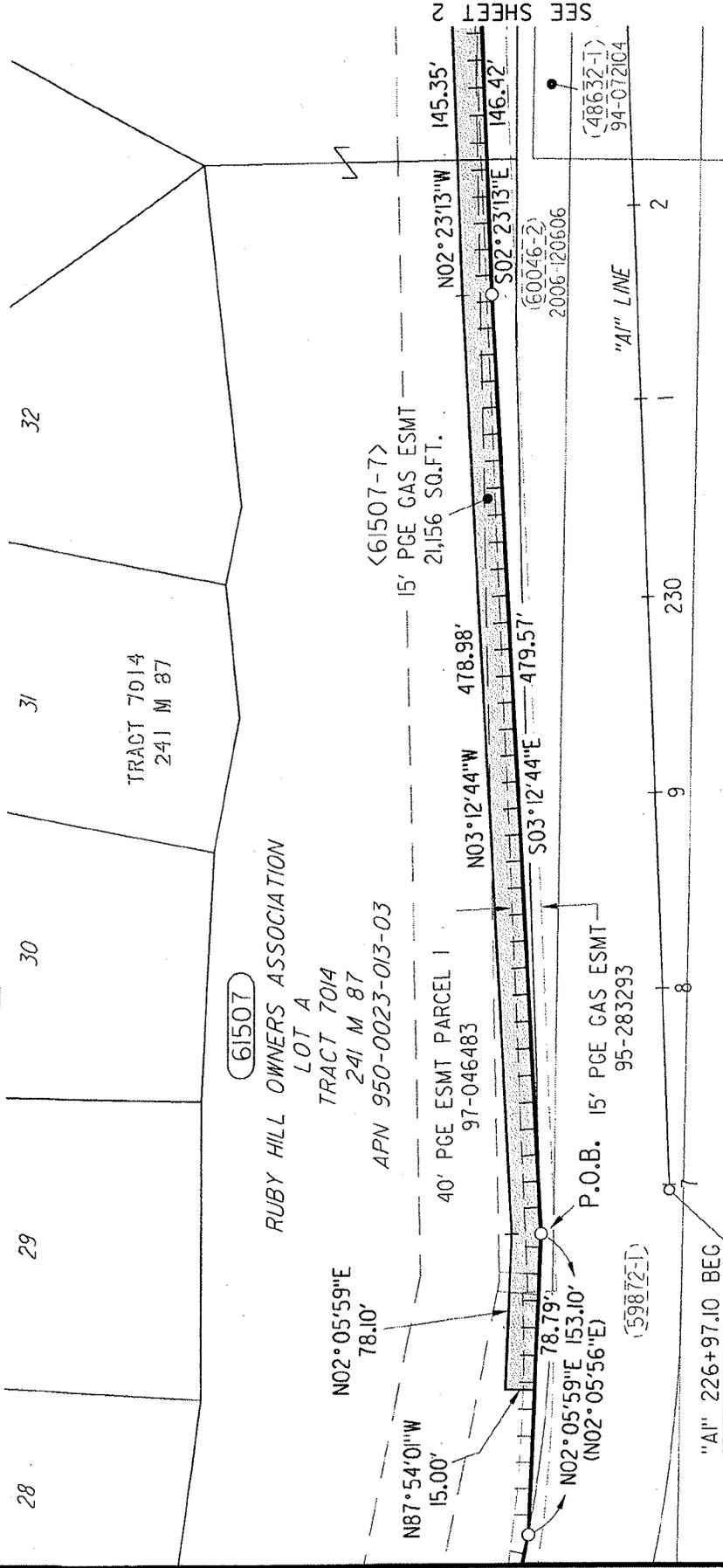
DAN S. SCOTT III, PLS 7840

DECEMBER 7, 2012
DATE



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPN, Epoch 1991.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.

EXHIBIT "B"
CITY OF PLEASANTON



LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- ▭ = AREA TO BE CONVEYED
- <XXXX> = NON-STATE PARCEL NUMBER
- () = INDICATES PRIOR CONVEYANCE
- P.O.B. = POINT OF BEGINNING
- ∩ = COMMON OWNERSHIP
- () = RECORD DATA PER 2006-120606 O.R.

STATE ROUTE 84
(60051)

PLAT TO ACCOMPANY DESCRIPTION

15' GAS LINE EASEMENT OVER THE LANDS OF RUBY HILL OWNERS ASSOCIATION TO BE CONVEYED TO PACIFIC GAS AND ELECTRIC
PARCEL NO. 6507-7

CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA



PLEASANT HILL OFFICE
3440 VINCENT ROAD, SUITE C
PLEASANT HILL, CA 94707
(925) 974-1550 FAX (925) 256-1260

DATE: DEC 7, 2012 SCALE: 1"=80' JOB NO: 2009-74

A-10411.01 SHEET 1 OF 2

PERMANENT ELECTRICAL POWER LINE EASEMENT

A permanent electrical power line easement for the benefit of Pacific Gas & Electric Company ("PG&E"), which PG&E may at any time, and from time to time, erect, construct, reconstruct, replace, remove, maintain and use a line of tubular steel poles with such wires and cables as PG&E shall from time to time suspend therefrom for the transmission and distribution of electric energy, and for communication purposes, and all necessary and proper foundations, footings, crossarms, underground and overhead ground wires, and other appliances and fixtures for use in connection with said tubular steel poles, wires and cables, together with a right of way, on, along and in all of the hereinafter described easement area lying within the lands which are situate in the in the City of Pleasanton, County of Alameda, State of California, and are described as follows:

APNs 950-0023-013-03, 950-0023-006-02, and 950-0023-005

Being a portion of Lot A, as said lot is shown on Tract Map 7014, filed September 23, 1998 in Book 241 of Maps, at Pages 87 through 92, inclusive, together with portions of Lot a, Lot B and Lot C, as said lots are shown on Tract 6843, filed August 13, 1998 in Book 241 of Maps, at Pages 60 through 72, inclusive, both of Official Records of said County.

The aforesaid easement area is described as follows:

The parcel of land described in **EXHIBIT A** and shown upon **EXHIBIT B** attached hereto and made a part hereof.

This permanent easement allows PG&E:

(a) the right of ingress to and egress from said easement area over and across said lands by means of roads and lanes thereon, if such there be, otherwise by such route or routes as shall occasion the least practicable damage and inconvenience to the fee owner of APNs 950-0023-013-03, 950-0023-006-02, and 950-0023-005 ("Owner"), provided, that such right of ingress and egress shall not extend to any portion of said lands which is isolated from said easement area by any public road or highway, now crossing or hereafter crossing said lands;

(b) the right, from time to time, to trim or to cut down any and all trees and brush now or hereafter within said easement area, and shall have the further right, from time to time, to trim and cut down trees and brush along each side of said easement area which now or hereafter in the opinion of PG&E may interfere with or be a hazard to the facilities installed hereunder, or as PG&E deems necessary to comply with applicable state or federal regulations;

(c) the right, from time to time to enlarge, improve, reconstruct, relocate and replace any tubular steel poles constructed hereunder with any other type of tubular steel poles either in the original location or at any alternate location within said easement area;

(d) the right to install, maintain and use gates in all fences which now cross or shall hereafter cross said easement area; and

(e) the right to mark the location of said easement area by suitable markers set in the ground; provided that said markers shall be placed in fences or other locations which will not interfere with any reasonable use Owner shall make of said easement area.

PG&E shall:

(a) not fence said easement area;

(b) repair any damage it shall do to the private roads or lanes on said lands; and

(c) indemnify Owner against any loss and damage which shall be caused by any wrongful or negligent act or omission of PG&E or of its agents or employees in the course of their employment, provided, however, that this indemnity shall not extend to that portion of such loss or damage that shall have been caused by Owner's comparative negligence or willful misconduct.

Owner reserves the right to use said easement area for purposes which will not interfere with PG&E's full enjoyment of the rights hereby granted; provided that Owner shall not erect or construct any building or other structure, or drill or operate any well, or construct any reservoir or other obstruction within said easement area, or diminish or substantially add to the ground cover in said easement area, or construct any fences that will interfere with the maintenance and operation of said facilities.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

EXHIBIT "A"

LAND DESCRIPTION OF A PARCEL OF LAND IN THE CITY OF PLEASANTON, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING PORTIONS OF LOT A, LOT B AND LOT C, AS SAID LOTS ARE SHOWN ON TRACT 6843, FILED AUGUST 13, 1998 IN BOOK 241 OF MAPS, AT PAGES 60 THROUGH 72 INCLUSIVE, BOTH OF OFFICIAL RECORDS OF SAID COUNTY. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 61507-8

A 40 FOOT EASEMENT FOR UTILITY PURPOSES AND INCIDENTS THERETO, UPON IN, OVER AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS NORTH 00°07'37" WEST 78.610 METERS (THE BEARING OF NORTH 00°07'34" EAST BEING TAKEN FOR THE PURPOSE OF THIS DESCRIPTION), IN PARCEL 2 (60046-2), AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED MARCH 29, 2006 UNDER DOCUMENT NUMBER 2006-120606 OFFICIAL RECORDS OF SAID COUNTY;

1. THENCE SOUTH 00°07'34" EAST 82.93 FEET ALONG THE WESTERLY LINE OF SAID PARCEL 2 (60046-2);
2. THENCE LEAVING LAST SAID LINE, SOUTH 89°52'26" WEST 18.26 FEET;
3. THENCE NORTH 11°23'19" WEST 22.51 FEET TO THE **TRUE POINT OF BEGINNING**;
4. THENCE SOUTH 78°36'41" WEST 40.00 FEET;
5. THENCE NORTH 24°05'12" WEST 36.03 FEET;
6. THENCE NORTH 03°24'01" WEST 157.89 FEET;
7. THENCE NORTH 01°32'02" WEST 99.69 FEET TO THE SOUTHERLY LINE OF AN EASEMENT GRANTED TO PACIFIC GAS AND ELECTRIC COMPANY RECORDED APRIL 2, 1952 IN BOOK 6690 AT PAGE 537 OFFICIAL RECORDS OF SAID COUNTY;
8. THENCE NORTH 29°24'57" EAST 77.78 FEET ALONG LAST SAID LINE;
9. THENCE LEAVING LAST SAID LINE, SOUTH 01°32'02" EAST 165.74 FEET;
10. THENCE SOUTH 03°24'01" EAST 149.94 FEET;
11. THENCE SOUTH 24°05'12" EAST 33.18 FEET;
12. THENCE SOUTH 11°23'19" EAST 4.45 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 12,938 SQUARE FEET (0.297 ACRES), MORE OR LESS.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART THEREOF.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



DAN S. SCOTT III, PLS 7840

DECEMBER 7, 2012
DATE



EXHIBIT "A"

LAND DESCRIPTION OF A PARCEL OF LAND IN THE CITY OF PLEASANTON, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING A PORTION OF LOT A, AS SAID LOT IS SHOWN ON TRACT 6843, FILED AUGUST 13, 1998 IN BOOK 241 OF MAPS, AT PAGES 60 THROUGH 72 INCLUSIVE, OFFICIAL RECORDS OF SAID COUNTY. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 61507-9

AN EASEMENT FOR UTILITY PURPOSES AND INCIDENTS THERETO, UPON IN, OVER AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS;

COMMENCING AT THE WESTERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS NORTH 89°19'17" WEST 10.00 FEET (THE BEARING OF NORTH 89°18'52" WEST BEING TAKEN FOR THE PURPOSE OF THIS DESCRIPTION), IN PARCEL 1 (48632-1), AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED FEBRUARY 23, 1994 UNDER DOCUMENT NUMBER 94-072104 OFFICIAL RECORDS OF SAID COUNTY, SAID POINT ALSO BEING TH BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 1260.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING NORTH 89°18'52" WEST);

1. THENCE NORTHERLY 149.82 FEET ALONG SAID CURVE AND THE WESTERLY LINE OF SAID PARCEL 1 (48632-1) THROUGH A CENTRAL ANGLE OF 06°48'46";
2. THENCE RADIAL TO LAST SAID CURVE, NORTH 82°30'06" WEST 48.20 FEET TO THE **TRUE POINT OF BEGINNING**;
3. THENCE NORTH 79°13'10" WEST 12.09 FEET;
4. THENCE SOUTH 02°23'55" WEST 21.46 FEET TO THE NORTHERLY LINE OF AN EASEMENT GRANTED TO PACIFIC GAS AND ELECTRIC COMPANY RECORDED APRIL 2, 1952 IN BOOK 6690 AT PAGE 537 OFFICIAL RECORDS OF SAID COUNTY;
5. THENCE SOUTH 29°24'57" WEST 88.06 FEET ALONG LAST SAID LINE;
6. THENCE LEAVING LAST SAID LINE, NORTH 02°23'55" EAST 146.23 FEET;
7. THENCE SOUTH 79°13'10" EAST 54.29 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 1075.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING NORTH 84°01'55" WEST);
8. THENCE SOUTHERLY 40.22 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°08'36" TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 4,676 SQUARE FEET (0.107 ACRES), MORE OR LESS.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART THEREOF.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



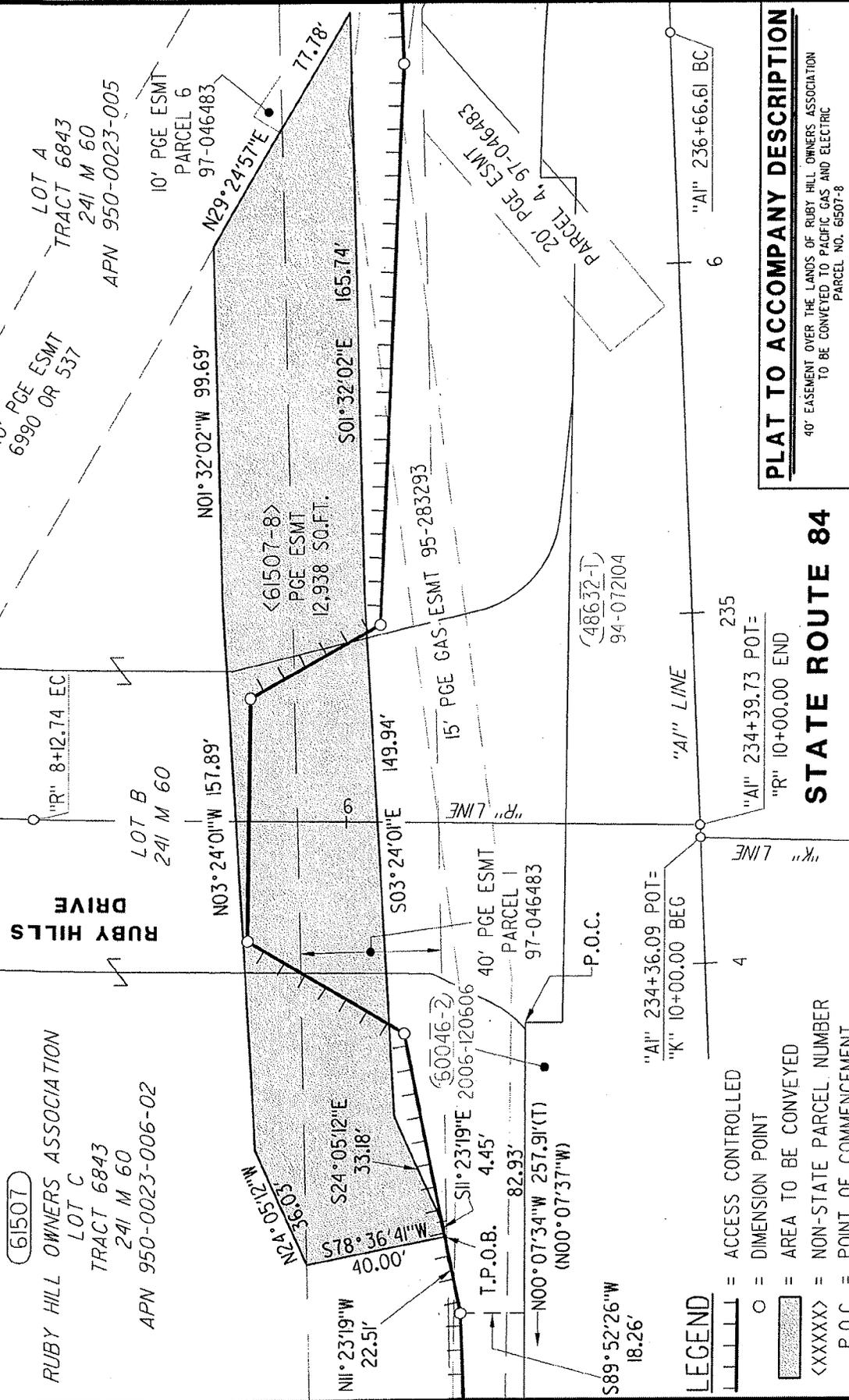
DAN S. SCOTT III, PLS 7840

DECEMBER 7, 2012
DATE



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPGN, Epoch 1981.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008611 to obtain ground level distances.

EXHIBIT "B"
CITY OF PLEASANTON



RUBY HILL OWNERS ASSOCIATION
LOT C
TRACT 6843
241 M 60
APN 950-0023-006-02

RUBY HILLS DRIVE
LOT B
241 M 60

LOT A
TRACT 6843
241 M 60
APN 950-0023-005

LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- = AREA TO BE CONVEYED
- <XXXX> = NON-STATE PARCEL NUMBER
- P.O.C. = POINT OF COMMENCEMENT
- T.P.O.B. = TRUE POINT OF BEGINNING
- = INDICATES PRIOR CONVEYANCE
- = COMMON OWNERSHIP
- () = RECORD DATA PER 2006-120606 O.R. A-10411.02

PLAT TO ACCOMPANY DESCRIPTION

40' EASEMENT OVER THE LANDS OF RUBY HILL OWNERS ASSOCIATION TO BE CONVEYED TO PACIFIC GAS AND ELECTRIC
PARCEL NO. 61507-8

CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA
URS
PLEASANT HILL OFFICE
3440 VINCENT ROAD, SUITE C
PLEASANT HILL, CA 94070
(925) 974-1550 FAX (925) 256-1260
PARCEL NO. 61507-8

DATE: DEC 7, 2012 SCALE: 1"=40' JOB NO: 2009-74

STATE ROUTE 84

SHEET 1 OF 1

A-10411.02

RECORD DATA PER 2006-120606 O.R. A-10411.02

"A1" 234+36.09 POT=
"K" 10+00.00 BEG

"A1" 234+39.73 POT=
"R" 10+00.00 END

"A1" 234+36.09 POT=
"K" 10+00.00 BEG

"A1" LINE

"K" LINE

"R" LINE

(48632-1)
94-072104

15' PGE GAS ESMT 95-283293

20' PGE ESMT
PARCEL 4, 97-046483

<61507-8>
PGE ESMT
12,938 SQ.FT.

40' PGE ESMT
PARCEL 1
97-046483

TEMPORARY CONSTRUCTION EASEMENT

Temporary Construction Easement for the benefit of Alameda County Transportation Commission ("Alameda CTC"), over, across, under and through the real property situated in an unincorporated area of the County of Alameda, State of California, described in **EXHIBIT A** and shown upon **EXHIBIT B**, attached hereto and made a part hereof ("EASEMENT AREA") for public road construction and conformance purposes related to the State Route 84 Expressway Widening Project ("PROJECT").

Alameda CTC's rights under the easement granted hereby shall include, without limitation, the right of Alameda CTC, its officers, agents, contractors, and employees, and other governmental agencies responsible for review or construction of any portion of the PROJECT and such agencies' officers, agents, contractors, and employees, to enter upon the EASEMENT AREA with personnel, vehicles and equipment for construction of the PROJECT, and all other activities related thereto, to remove all improvements, trees and vegetation thereon that interfere with the purpose for which this easement is granted, to conform the EASEMENT AREA to the PROJECT, and do any and all other actions necessary and appropriate to the construction of the PROJECT.

If improvements in the EASEMENT AREA are removed pursuant to this Temporary Construction Easement, such improvements will be reconstructed at Alameda CTC's sole expense upon the termination of the Temporary Construction Easements and will be restored to their original condition or as close thereto as is feasible. If reconstruction is not feasible, Alameda CTC will pay the underlying fee owner ("Owner") the value of such improvements.

This Temporary Construction Easement is for a period of twenty four (24) months, to commence upon fourteen (14) days written notice from Alameda CTC to Owner, and shall terminate twenty four (24) months after such commencement. In the event Alameda CTC desires to utilize or occupy the Temporary Construction Easement area beyond the twenty four (24) month period described above, Alameda CTC shall pay Owner, on a month-to-month basis, additional compensation for the use of the Temporary Construction Easement. In no event shall this Temporary Construction Easement extend beyond the completion of construction, or December 31, 2017. At no additional cost to Alameda CTC, Alameda CTC shall have the right to enter upon Owner's retained property, where necessary, to reconstruct or perform any warranty or conformance works during or after the expiration of the Temporary Construction Easement and any extension thereto and/or the completion of the PROJECT. Said works include conforming driveways, walkways, lawn, landscaped and hardscaped areas, irrigation systems, sidewalks or any area where reconstruction or warranty work on Owner's retained property is necessary.

All work performed by Alameda CTC in the EASEMENT AREA shall conform to applicable building, fire, and sanitary laws, ordinances and regulations relating to such work and shall be done in a good and workmanlike manner.

The rights and obligations contained in this Grant of Temporary Construction Easement will (a) run with the land and burden, inure to and be for the benefit of and are binding on the land, Owner and its successors and assigns, and be an equitable servitude of Owner and its successors and assigns, and (b) constitute an easement in gross for the benefit of Alameda CTC and its successors and assigns, and will be binding on Alameda CTC and its successors and assigns.

EXHIBIT "A"

LAND DESCRIPTION OF TWO (2) PARCEL OF LAND IN THE CITY OF PLEASANTON, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING A PORTION OF LOT A, AS SAID LOT IS SHOWN ON TRACT 6843, FILED AUGUST 13, 1998 IN BOOK 241 OF MAPS, AT PAGES 60 THROUGH 72 INCLUSIVE, OFFICIAL RECORDS OF SAID COUNTY. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1 (61507-10)

A TEMPORARY EASEMENT TO TERMINATE DECEMBER 31, 2017 FOR CONSTRUCTION PURPOSES AND INCIDENTS THERETO, UPON AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS;

COMMENCING AT A POINT IN THE SOUTHERLY LINE OF SAID LOT A, SAID POINT BEING THE EASTERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS NORTH 76°21'22" EAST 71.23 FEET (THE BEARING OF NORTH 76°20'50" EAST BEING TAKEN FOR THE PURPOSE OF THIS DESCRIPTION) OF SAID LOT A;

1. THENCE SOUTH 76°20'50" WEST 37.28 FEET ALONG SAID SOUTHERLY LINE;
2. THENCE LEAVING LAST SAID LINE, NORTH 60°40'12" EAST 10.02 FEET;
3. THENCE NORTH 02°12'35" EAST 60.69 FEET TO THE **TRUE POINT OF BEGINNING**;
4. THENCE NORTH 87°47'25" WEST 5.00 FEET;
5. THENCE NORTH 02°12'35" EAST 99.92 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 1080.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 87°19'08" WEST);
6. THENCE NORTHERLY 365.69 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°24'01";
7. THENCE SOUTH 73°16'51" EAST 5.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 1075.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING NORTH 73°16'51" WEST);
8. THENCE SOUTHERLY 364.21 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°24'42";
9. THENCE SOUTH 02°12'35" WEST 100.13 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 2,325 SQUARE FEET (0.053 ACRES), MORE OR LESS.

PARCEL 2 (61507-11)

A TEMPORARY EASEMENT TO TERMINATE DECEMBER 31, 2017 FOR CONSTRUCTION PURPOSES AND INCIDENTS THERETO, UPON AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS;

COMMENCING AT A POINT ON THE SOUTHERLY LINE OF SAID LOT B, SAID POINT BEING THE EASTERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS NORTH 89°23'10" WEST 106.89 FEET (THE BEARING OF NORTH 89°23'43" WEST BEING TAKEN FOR THE PURPOSE OF THIS DESCRIPTION) OF SAID LOT B;

1. THENCE NORTH 89°23'43" WEST 37.11 FEET ALONG SAID SOUTHERLY LINE;
2. THENCE LEAVING SAID LAST SAID LINE, NORTH 59°19'48" WEST 12.57 FEET TO THE **TRUE POINT OF BEGINNING**;
3. THENCE NORTH 88°54'41" WEST 87.00 FEET;
4. THENCE NORTH 01°05'19" EAST 71.94 FEET;
5. THENCE SOUTH 89°38'48" EAST 83.84 FEET;
6. THENCE SOUTH 60°40'12" WEST 2.06 FEET;
7. THENCE SOUTH 00°40'12" WEST 69.46 FEET;
8. THENCE SOUTH 59°19'48" EAST 5.10 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 5,972 SQUARE FEET (0.137 ACRES), MORE OR LESS.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART THEREOF.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



DAN S. SCOTT III, PLS 7840

SEPTEMBER 16, 2013
DATE



EXHIBIT "A"

LAND DESCRIPTION OF A PARCEL OF LAND IN THE CITY OF PLEASANTON, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, BEING A PORTION OF LOT A, AS SAID LOT IS SHOWN ON TRACT MAP 7014, FILED SEPTEMBER 23, 1998 IN BOOK 241 OF MAPS, AT PAGES 87 THROUGH 92, INCLUSIVE, TOGETHER WITH PORTIONS OF LOT A, LOT B AND LOT C, AS SAID LOTS ARE SHOWN ON TRACT 6843, FILED AUGUST 13, 1998 IN BOOK 241 OF MAPS, AT PAGES 60 THROUGH 72 INCLUSIVE, BOTH OF OFFICIAL RECORDS OF SAID COUNTY. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 61507-12

A TEMPORARY EASEMENT TO TERMINATE DECEMBER 31, 2017 FOR CONSTRUCTION PURPOSES AND INCIDENTS THERETO, UPON, IN, OVER AND ACROSS A PARCEL OF LAND DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED AS NORTH 02°05'56" EAST 46.665 METERS (THE BEARING OF NORTH 02°05'59" EAST BEING TAKEN FOR THE PURPOSE OF THIS DESCRIPTION), IN PARCEL 2 (60046-2), AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED MARCH 29, 2006 UNDER DOCUMENT NUMBER 2006-120606 OFFICIAL RECORDS OF SAID COUNTY;

1. THENCE SOUTH 02°05'59" WEST 89.01 ALONG THE WESTERLY LINE OF SAID PARCEL 2 (60046-2);
2. THENCE LEAVING LAST SAID LINE, NORTH 87°54'01" WEST 30.40 FEET;
3. THENCE NORTH 02°05'59" EAST 60.00 FEET;
4. THENCE NORTH 03°12'44" WEST 478.98 FEET;
5. THENCE SOUTH 87°54'01" EAST 7.90 FEET;
6. THENCE NORTH 02°05'59" EAST 27.97 FEET;
7. THENCE NORTH 03°12'44" WEST 248.83 FEET;
8. THENCE SOUTH 86°47'16" WEST 15.00 FEET;
9. THENCE NORTH 03°12'44" WEST 229.97 FEET;
10. THENCE NORTH 02°23'13" WEST 146.12 FEET;
11. THENCE NORTH 01°27'18" WEST 99.14 FEET;
12. THENCE NORTH 03°25'34" WEST 111.65 FEET;
13. THENCE NORTH 02°12'35" EAST 148.76 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 1099.00 FEET (A RADIAL BEARING OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 87°21'41" WEST)
14. THENCE NORTHERLY 337.89 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 17°36'57";
15. THENCE NORTH 75°01'22" WEST 14.76 FEET RADIAL TO LAST SAID CURVE;
16. THENCE NORTH 13°22'59" EAST 63.15 FEET;
17. THENCE SOUTH 71°47'02" EAST 42.30 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 1090.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING NORTH 71°47'02" WEST);
18. THENCE SOUTHERLY 47.58 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°32'09";
19. THENCE NORTH 74°19'10" WEST 15.00 FEET RADIAL TO LAST SAID CURVE TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 1090.00 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING NORTH 74°19'10" WEST);
20. THENCE SOUTHERLY 348.88 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 18°20'21";
21. THENCE SOUTH 02°12'35" WEST 160.92 FEET;
22. THENCE SOUTH 03°25'34" EAST 118.52 FEET;

- 23. THENCE SOUTH 11°23'19" EAST 81.40 FEET;
- 24. THENCE SOUTH 02°23'13" EAST 145.35 FEET;
- 25. THENCE SOUTH 03°12'44" EAST 478.98 FEET;
- 26. THENCE SOUTH 02°05'59" WEST 89.01 FEET TO THE **TRUE POINT OF BEGINNING.**

CONTAINING 20,541 SQUARE FEET (0.472 ACRES), MORE OR LESS.

A PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART THEREOF.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



DAN S. SCOTT III, PLS 7840

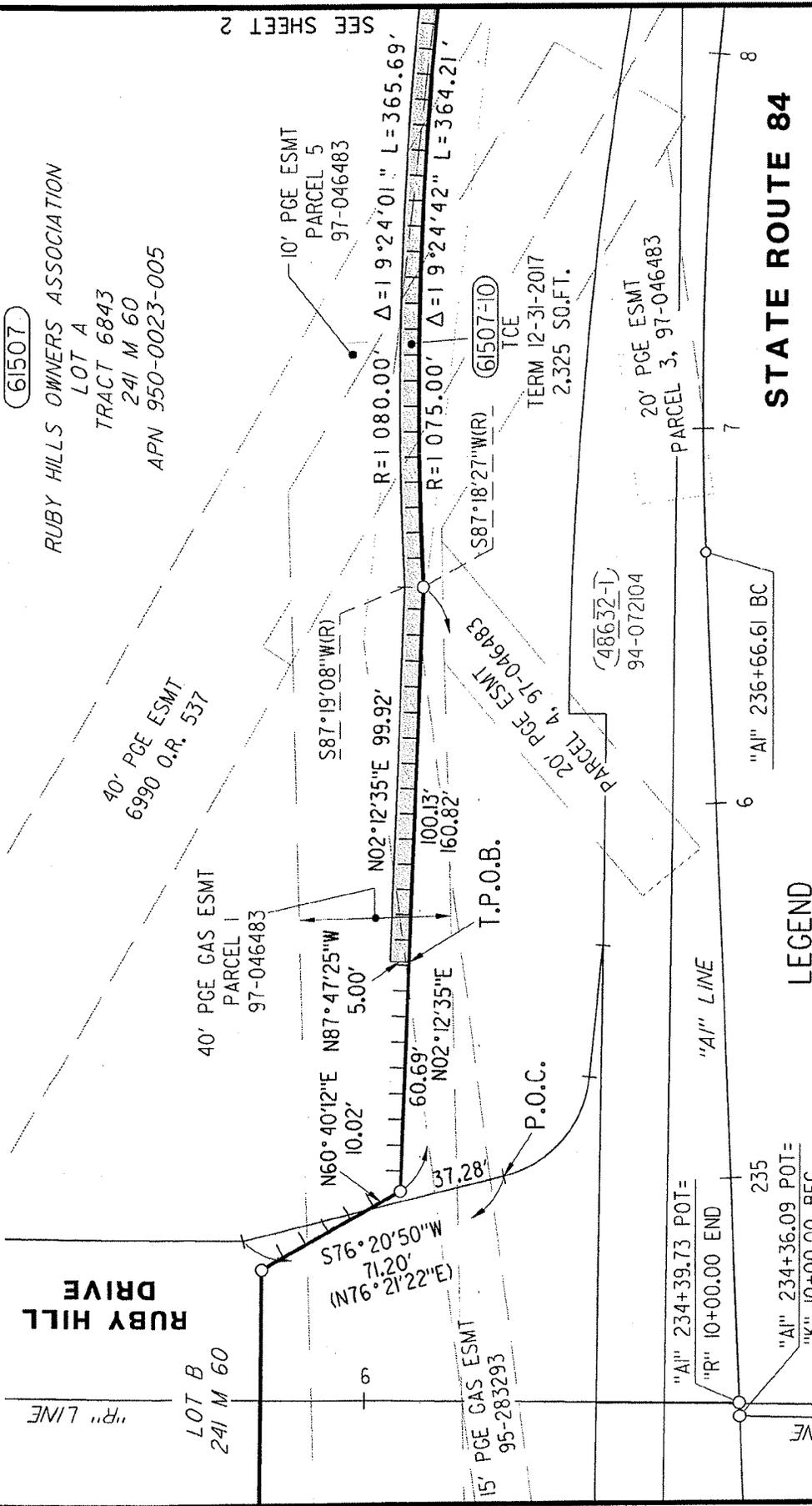
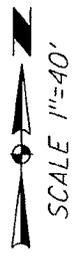
DECEMBER 7, 2012

DATE



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPN, Epoch 1983. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.

EXHIBIT "B"
CITY OF PLEASANTON



PLAT TO ACCOMPANY DESCRIPTION

A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES AND INCIDENTS THERE TO OVER THE LANDS OF RUBY HILL OWNERS ASSOCIATION TO BE CONVEYED TO THE STATE OF CALIFORNIA

CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA

URS

PLEASANT HILL OFFICE
3440 VINCENT ROAD, SUITE C
PLEASANT HILL, CA 94070
(925) 974-1550 FAX (925) 256-1260

DATE: SEPTEMBER 16, 2013 SCALE: 1"=40' JOB NO: 2009-74

- LEGEND**
- ||||| = ACCESS CONTROLLED
 - = DIMENSION POINT
 - ▨ = AREA TO BE CONVEYED
 - (XXXX) = STATE PARCEL NUMBER
 - P.O.C. = POINT OF COMMENCEMENT
 - T.P.O.B. = TRUE POINT OF BEGINNING
 - () = INDICATES PRIOR CONVEYANCE

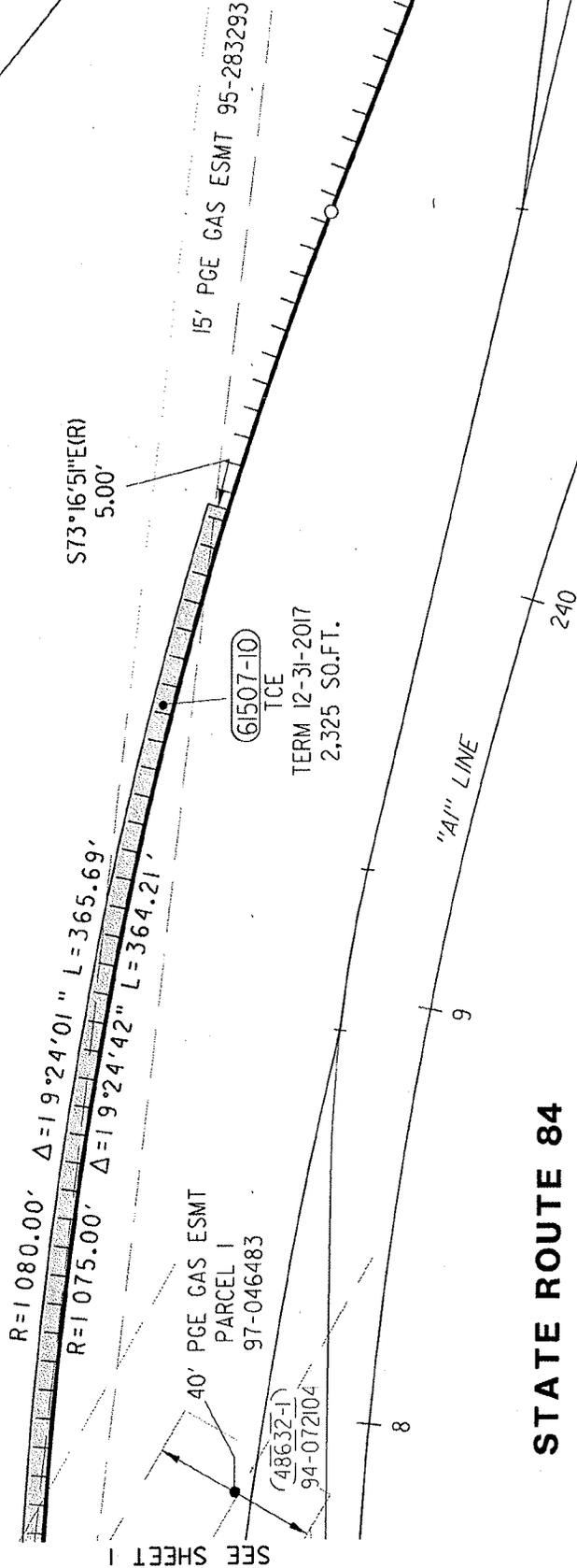
Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPCN, Epoch 1983. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.

EXHIBIT "B"
CITY OF PLEASANTON

(61507)

RUBY HILLS OWNERS ASSOCIATION
LOT A
TRACT 6843
241 M 60
APN 950-0023-005

EAST RUBY HILL DRIVE



STATE ROUTE 84

LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- ▨ = AREA TO BE CONVEYED
- (XXXXX) = STATE PARCEL NUMBER
- (---) = INDICATES PRIOR CONVEYANCE

PLAT TO ACCOMPANY DESCRIPTION

A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES AND INCIDENTS
THERE TO OVER THE LANDS OF RUBY HILL OWNERS ASSOCIATION
TO BE CONVEYED TO THE STATE OF CALIFORNIA
PARCEL NO. 61507-10

CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA



PLEASANT HILL OFFICE
3440 VINCENT ROAD, SUITE C
PLEASANT HILL, CA 94070
(925) 974-1550 FAX (925) 256-1250

DATE: SEPTEMBER 16, 2013 SCALE: 1"=40' JOB NO: 2009-74

SHEET 2 OF 3

A-10411.02

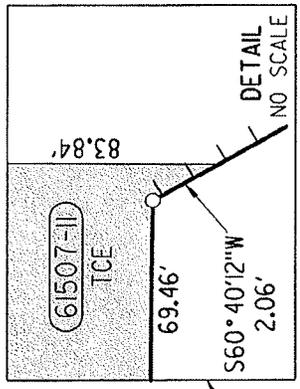
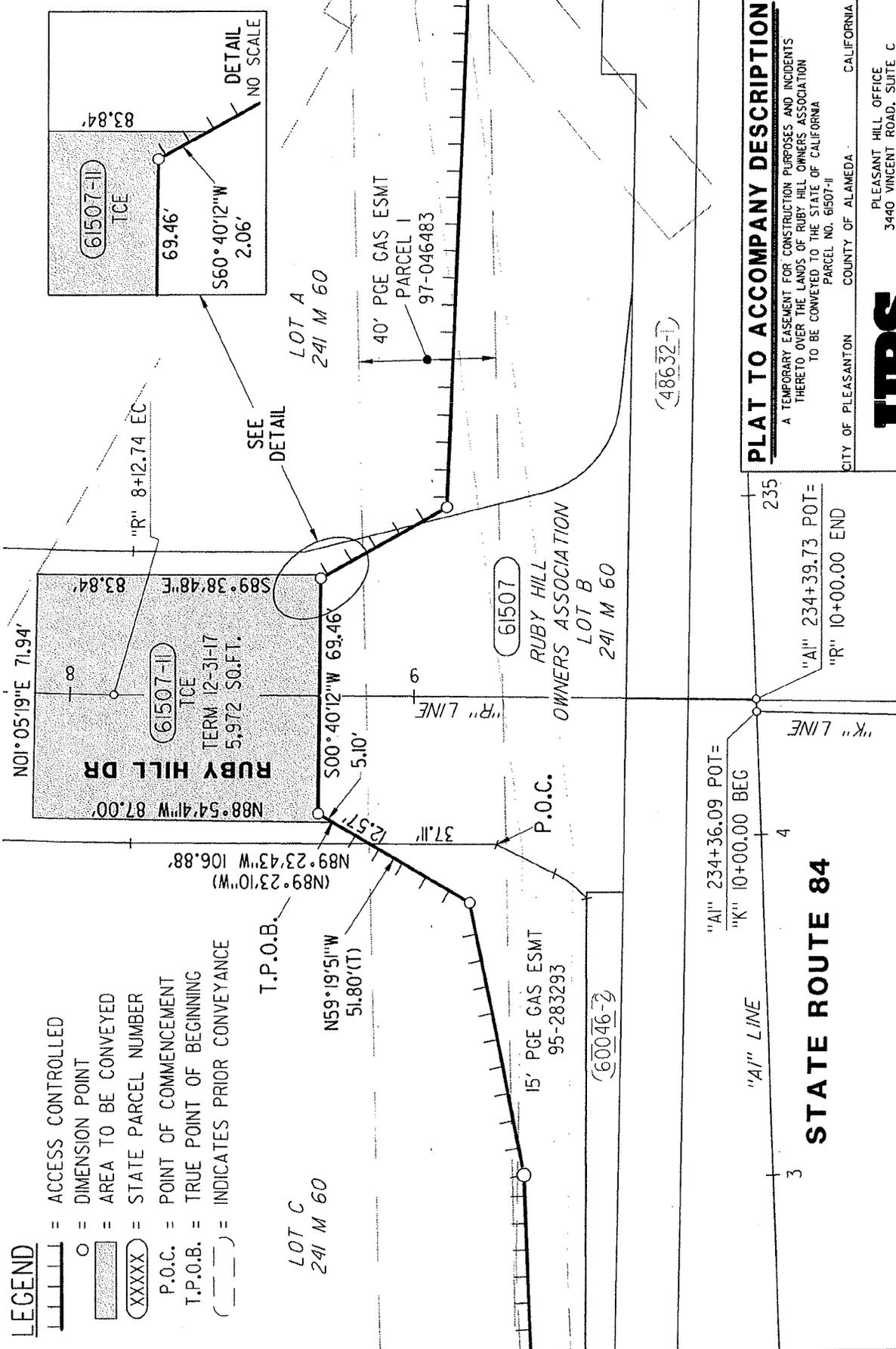
Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HF0N, Epoch 1911.35. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.

EXHIBIT "B"
CITY OF PLEASANTON



LEGEND

- = ACCESS CONTROLLED
- = DIMENSION POINT
- = AREA TO BE CONVEYED
- = STATE PARCEL NUMBER
- = POINT OF COMMENCEMENT
- = TRUE POINT OF BEGINNING
- = INDICATES PRIOR CONVEYANCE



PLAT TO ACCOMPANY DESCRIPTION

A TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES AND INCIDENTS THERETO OVER THE LANDS OF RUBY HILL OWNERS ASSOCIATION TO BE CONVEYED TO THE STATE OF CALIFORNIA
PARCEL NO. 61507-II
CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA



PLEASANT HILL OFFICE
3440 VINCENT ROAD, SUITE C
PLEASANT HILL, CA 94070
(925) 974-1550 FAX (925) 256-1250

DATE: SEPTEMBER 16, 2013 SCALE: 1"=40' JOB NO: 2009-74

"A" LINE
"K" LINE
"R" LINE

"A" 234+36.09 POT=
"K" 10+00.00 BEG
"R" 10+00.00 END

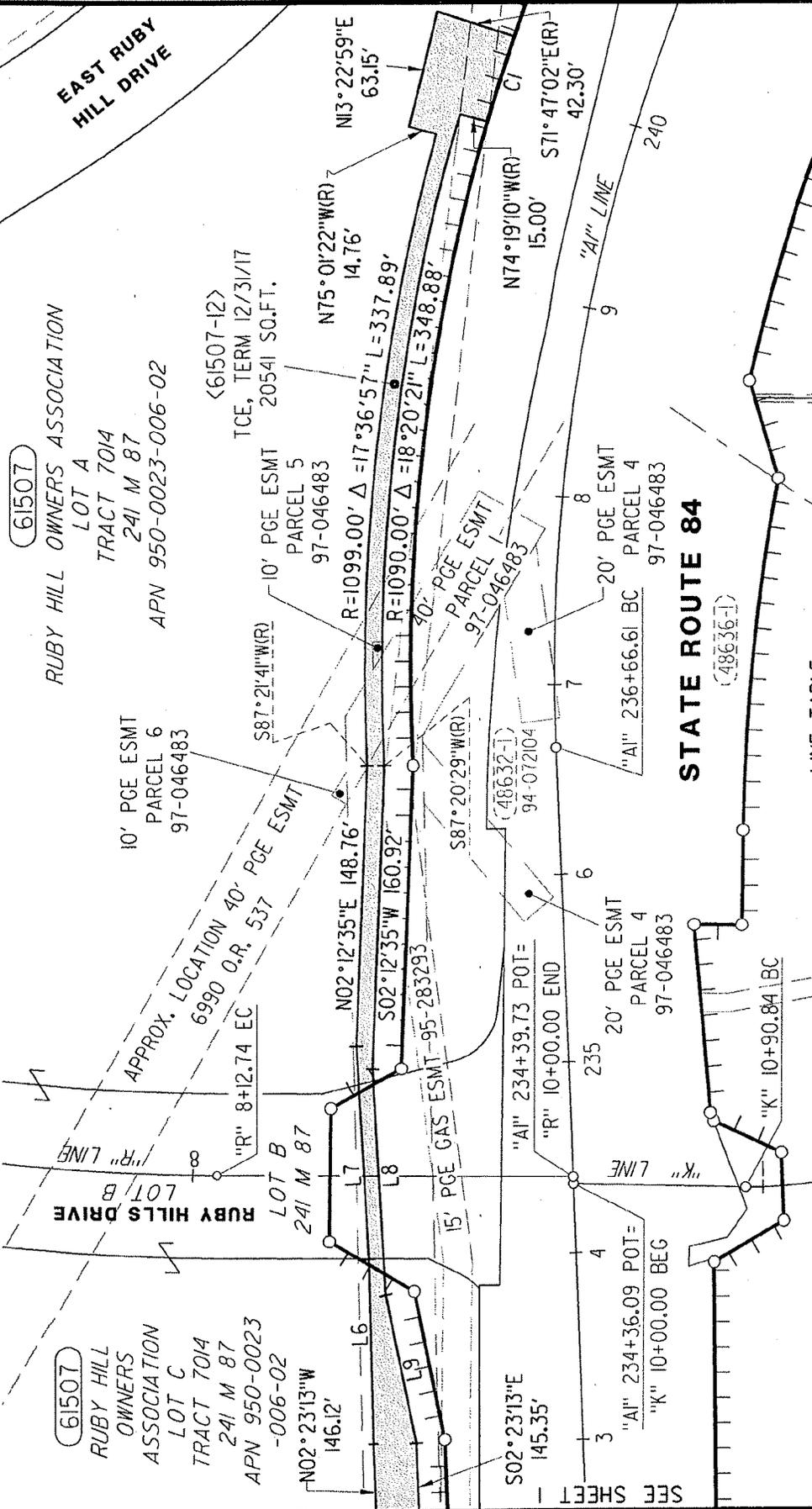
"A" 234+39.73 POT=
"R" 10+00.00 END

STATE ROUTE 84

A-10411.02 SHEET 3 OF 3

Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-NAD, Epoch 1993. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.

EXHIBIT "B"
CITY OF PLEASANTON



PLAT TO ACCOMPANY DESCRIPTION

TEMPORARY CONSTRUCTION EASEMENT OVER THE LANDS OF RUBY HILL OWNERS ASSOCIATION TO BE CONVEYED TO PACIFIC GAS AND ELECTRIC
PARCEL NO. 6507-02

CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA

URS

PLEASANT HILL OFFICE
3440 VINCENT ROAD, SUITE C
PLEASANT HILL, CA 94070
(925) 974-1550 FAX (925) 256-1260

DATE: DEC 7, 2012 SCALE: 1"=80' JOB NO: 2009-74

LINE TABLE

LINE	BEARING	DISTANCE
L6	N01°27'18"W	99.14'
L7	N03°25'34"W	111.65'
L8	S03°25'34"E	118.52'
L9	S11°23'19"E	81.40'

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH
C1	1075.00'	02°32'09"	47.58'

- LEGEND**
- = ACCESS CONTROLLED
 - = DIMENSION POINT
 - ▭ = AREA TO BE CONVEYED
 - <XXXX> = NON-STATE PARCEL NUMBER
 - 1/1 = COMMON OWNERSHIP
 - () = INDICATES PRIOR CONVEYANCE

A-10411.02 SHEET 2 OF 2

RELINQUISHMENT OF ACCESS RIGHTS

A permanent relinquishment of access and abutter's rights appurtenant to the lands described as:

ALL THAT CERTAIN REAL PROPERTY DESCRIBED AS PARCEL TWO, AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED RECORDED JULY 1, 1996 UNDER DOCUMENT NUMBER 96-159386 OFFICIAL RECORDS OF SAID COUNTY,

in and to the adjacent state highway right of way across the line described in **EXHIBIT A** and shown upon **EXHIBIT B** attached hereto and made a part hereof.

EXHIBIT "A"

PARCEL 61529-1

COMMENCING AT THE INTERSECTION OF THE SOUTHERLY LINE PARCEL H, AS SAID PARCEL IS SHOWN ON MAP ENTITLED "TRACT 6452 RUBY HILL" FILED FOR RECORD AUGUST 24, 1993 IN BOOK 209 OF MAPS AT PAGES 54 THROUGH 71 INCLUSIVE, OFFICIAL RECORDS OF SAID COUNTY, WITH THE WESTERLY LINE OF PARCEL 1 (60248-1), AS SAID PARCEL IS DESCRIBED IN THE GRANT DEED TO THE STATE OF CALIFORNIA RECORDED MAY 11, 2010 UNDER DOCUMENT NUMBER 2010-135552 OFFICIAL RECORDS OF SAID COUNTY, SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 3099.75 FEET (A RADIAL LINE OF SAID CURVE THROUGH SAID POINT BEARING SOUTH 57°03'03" WEST);

1. THENCE NORTHERLY 958.58 FEET ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 17°43'06" TO THE NORTHERLY LINE OF SAID PARCEL H AND THE **POINT OF TERMINUS.**

PLAT MAP EXHIBIT B IS ATTACHED HERETO AND MADE A PART THEREOF.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON CALIFORNIA COORDINATE SYSTEM 1983, ZONE 3, CA-HPGN EPOCH 1991.35. MULTIPLY DISTANCES SHOWN ABOVE BY 1.00008677 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



June 7, 2010

DAN S. SCOTT III, PLS 7840
LICENSE EXPIRES: 12/31/10

DATE



Coordinates, bearings and distances are based on the California Coordinate System of 1983, Zone 3, CA-HPGN, Epoch 1985. Distances are U.S. Survey Feet unless otherwise noted. Distances and stationing are grid distances. Multiply distances by 1.00008677 to obtain ground level distances.

CITY OF PLEASANTON

EXHIBIT "B"



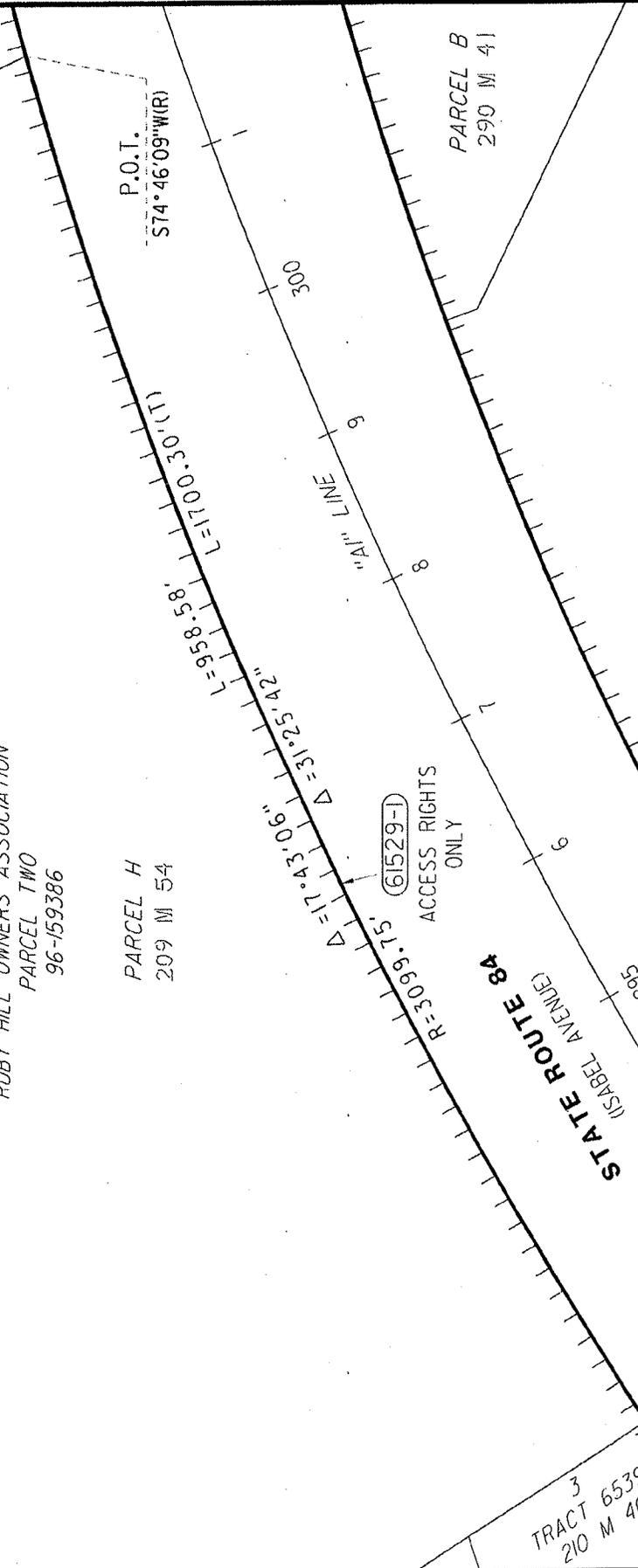
PARCEL G
TRACT 6452
209 M 54

RUBY HILL OWNERS ASSOCIATION
PARCEL TWO
96-159386

PARCEL H
209 M 54

PARCEL B
290 M 41

3
TRACT 6539
210 M 46



PLAT TO ACCOMPANY DESCRIPTION

ACCESS RIGHTS EXHIBIT
PARCEL NO. 66529-1

CITY OF PLEASANTON COUNTY OF ALAMEDA CALIFORNIA



GEOMATICS TRANSPORTATION SERVICES, INC

RIGHT-OF-WAY- LAND SURVEYING-MAPPING
6690 AMADOR PLAZA ROAD, SUITE 101, DUBLIN CA 94568
(925) 556-1776 FAX (925) 556-0575

DATE: JUNE 7, 2010 SCALE: 1"=100' JOB NO: GI-0702-20

LEGEND

||||| = ACCESS CONTROLLED

P.O.C. = POINT OF COMMENCEMENT

P.O.T. = POINT OF TERMINUS

(---) = INDICATES PRIOR CONVEYANCE

TRACT 6875
253 M 72

CITY OF LIVERMORE

A-10411.06 & .07 SHEET 1 OF 1

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Allen Matkins

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law
Three Embarcadero Center, 12th Floor | San Francisco, CA 94111-4074
Telephone: 415.837.1515 | Facsimile: 415.837.1516
www.allenmatkins.com

Marshall C. Wallace
E-mail: mwallace@allenmatkins.com
Direct Dial: 415.273.7457 File Number: 372256-00002/SF924593.01

VIA FEDERAL EXPRESS

May 22, 2014

Vanessa Lee
Clerk of the Commission
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607

**Re: State Route 84 Expansion - Resolution of Necessity
Project EA No. 297621
APNs: 904-0008-002-04; 904-0007-003-2; 904-0010-002-02
Hearing Date: June 26, 2014, 3:00 p.m.**

Dear Ms. Lee:

On behalf of our client, Pleasanton Gravel Co. ("PGC"), we write regarding the Resolution of Necessity regarding PGC property that the Commission proposes to consider at its June 26, 2014, 3:00 p.m. hearing.

1. Formal Objection and Request To Appear at Hearing

PGC hereby requests to appear and be heard at ACTC's June 26 hearing. Consistent with PGC's objections to the project, made at the time of the environmental review (by letter dated November 13, 2007), this project, the proposed take of PGC property and the proposed resolution of necessity are objectionable on multiple grounds, including without limitation those set forth in this letter.

2. The Project Is Not Planned Or Located In The Manner That Will Be Most Compatible With The Greatest Public Good And The Least Private Injury

A public agency may not exercise the power of eminent domain for a proposed project unless it establishes that "the project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury." Cal. Civ. Proc. Code § 1240.030(b). The proposed establishment of an expressway in place of the former two-lane Isabel Avenue does not satisfy this requirement. The expressway threatens to irrevocably change the character of PGC's property, inflicting great loss upon PGC. With Isabel Avenue as a two-lane road, at all times PGC

Alameda County Transportation Commission
VIA FEDERAL EXPRESS
May 22, 2014
Page 2

has had the benefit of unrestricted access to its property from Isabel Avenue, where most convenient and most suitable to the then-existing use of the property. Vehicles traveling in either direction on Isabel could turn into the property and gain access at virtually any point. Such free access historically has been very useful to the mining operation for which the land traditionally has been used, and it becomes even more important given the potential future uses of the land, which may include water management, and commercial, industrial and residential development. The project and the take propose to permanently and dramatically curtail PGC's abutter's rights and substantially impair its rights of access, to the great injury of PGC and its property. *Breidert v. Southern Pacific Co.*, 61 Cal.2d 659, 663 (1964); *Bacich v. Board of Control*, 23 Cal.2d 343, 351 (1960); *see also* Cal. Streets & Highways Code § 100.30 (no state highway shall be converted into a freeway without consent of abutting owner or condemnation of owner's right of access). As a result, the project is not planned or located in the manner that would be most compatible with the greatest public good and the least private injury.

The injury of the proposed take and the project extends to many others besides PGC. Other mining companies in the area, will be permanently harmed. If the take and the project occur as presently proposed, Cemex will be forced to gain access to the southeastern portion of its property over what is presently PGC land; Vulcan Materials, which has rights to mine PGC's land will have its access curtailed; Zone Seven, which has a contingent future interest in PGC's land, will have more challenging access; Santucci Farms, which presently is farming PGC's land, will have its access impaired; and Oaks Business Park, which under this project would be forced to accommodate all of PGC's, Zone 7's and others' traffic north of Stanley Boulevard will suffer much more burdensome traffic demands.

This private injury could be greatly reduced by allowing multiple additional direct access points to PGC's land, particularly with signalization, only the most modest impacts to traffic flow along Isabel Avenue/Route 84. The public good of resulting increased traffic capacity on Isabel could be accomplished without inflicting such permanent and dramatic injury to PGC and the others having property interests along the west side of Isabel Avenue. Nevertheless, it does not appear that ACTC has ever seriously considered such additional access points. Equally troubling, the offer package PGC received from ACTC does not in any way mention, much less offer compensation for, the elimination of PGC's abutter's rights and access.

Other aspects of the public good have been brushed aside in this project. The proposed condemnation results in the loss of a valuable mineral resource. The State of California has designated the affected property as a Regionally Significant Construction Aggregate Resource Area, recognizing the necessity for local sources of construction materials to avoid the safety issues, expense and negative environmental impacts of having to import construction materials from outside the area. The proposed take will shrink the minable area of PGC's land because of the setbacks from public rights of way required by the Alameda County Surface Mining Ordinance. ACTC has failed to study alternatives that do not result in the loss of such valuable sand and gravel

Alameda County Transportation Commission
VIA FEDERAL EXPRESS
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Page 3

resources. The fact that ACTC has failed to address the loss of resources, and does not appear to have seriously considered other alternatives eliminating or reducing these impacts, compounds the failure to balance public good against private injury.

Accordingly, the Commission should decline to approve the Resolution, and should instead require ACTC staff and contractors to come up with a new plan that truly minimizes the great negative impact of the present project and proposed take upon PGC and others, including PGC's abutters' rights and access. At a minimum, the Commission should reject the proposed Resolution because ACTC has not even *addressed* these critical issues.

3. The Property Sought To Be Acquired Is Not Necessary For The Project

ACTC has not demonstrated it is necessary to take *all* of PGC's affected property – including virtually all access and abutter's rights – to carry out expansion of Isabel Avenue. At a very minimum, the take should be modified to preserve PGC's access rights to a significantly greater degree, at multiple additional points along Isabel Avenue.

4. No Offer Complying With Section 7267.2 of the Government Code Has Been Made To PGC

If ACTC and Caltrans seek to use their condemnation power, they must pay PGC just compensation, including the fair market value of the property taken, plus severance damages. Cal. Const., art. I, § 19; Code Civ. Proc., § 1263.310. For ACTC to eventually adopt a resolution of necessity for the condemnation of PGC's property, ACTC must demonstrate that it submitted an offer to PGC that meets the requirements of Government Code section 7267.2. ACTC's appraisals, and therefore the offer it has made to PGC, are seriously defective, for multiple reasons, some of which are related to the problems in the project identified above:

- The appraisal fails altogether to consider the impairment of PGC's abutters' rights, including the elimination of access along Isabel Avenue/Route 84. As a result, it is inadequate as a matter of law. *City of Livermore v. Baca*, 205 Cal. App. 4th 1460, 1472 (2012); *Breidert v. Southern Pacific Co.*, 61 Cal.2d at 663.
- The property appraisal is based on out-of-area transactions that are not comparable, while ignoring transactions involving mining land in the immediate vicinity showing the property value to be exponentially higher than that concluded by the appraiser.
- The mineral appraisal summarily rejects the most common means by which minerals are valued, thereby avoiding the reality of the marketplace and the much higher fair market value that the land would command if offered for sale. The mineral appraisal also relies on erroneous basic assumptions about the property and its characteristics.

Alameda County Transportation Commission
VIA FEDERAL EXPRESS

May 22, 2014

Page 4

- ACTC proposes to take numerous easements from PGC. In doing so ACTC is required to compensate PGC based on the most injurious use of the easement under the language of the resolution of necessity. *County of San Diego v. Bressi*, 184 Cal. App. 3d 112 (1986). Here, the permanent access easement ACTC plans to condemn pursuant to its proposed resolution does not limit the scope of the easement. ACTC has not met its obligation to value the permanent access easements based on the most injurious use potentially allowed under the easements.

Because of these defects in the appraisals, ACTC's offer is fatally low; ACTC has not properly made an offer pursuant to Section 7267.2 and ACTC cannot validly adopt a resolution of necessity. California Code of Regulations, Title 25, Section 6182, Subdivision (i)(2), requires that ACTC commission a new or updated appraisal and make a new offer to correct the defects outlined in this letter. Accordingly, PGC requests that ACTC obtain such a revised appraisal, as well as make a revised offer for the property sought to be taken, in accord with this letter.

5. Conclusion

ACTC must arrive at any decision to take PGC's property by engaging in a "good faith and judicious consideration of the pros and cons of the issue." *Redevelopment Agency v. Norm's Slauson*, 173 Cal. App. 3d 1121, 1125 (1985). The Commission cannot simply "rubber-stamp" a predetermined result. *Id.* at 1127. Yet, rubber-stamping appears to be ACTC's plan.

As we have previously notified ACTC's attorney, Pamela Mintzer, ACTC and its contractors already appear to have jumped the gun taking PGC's land, as there is very visible evidence of trespassing over a corner of PGC's land north of Stanley Boulevard that is the subject of the proposed Resolution of Necessity. PGC's recent receipt of the Resolution of Necessity underscores that to date ACTC has no rights in the land that is being liberally used by ACTC or its contractors and invitees, without any permission or compensation.

Accordingly, for the reasons set forth in this letter, the Commission cannot validly adopt the proposed resolution of necessity to acquire PGC's property. Therefore, PGC requests the Commission not proceed with the hearing on the proposed resolution or, if it proceeds, that the Commissioners reject the defective resolution.

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law

Alameda County Transportation Commission
VIA FEDERAL EXPRESS
May 22, 2014
Page 5

At this point, and given the magnitude of these issues, PGC does not see what actual concrete progress would be accomplished in the meeting ACTC proposes take place on June 4. Ms. Mintzer, Mr. Castellano or any other ACTC representatives should feel free to contact me to attempt to persuade us otherwise.

Sincerely,



Marshall C. Wallace

MCW:ctr

cc via email : Doug Jamieson
Jennifer Jimenez-Cruz
Donald Kahler
Pamela Schock-Mintzer
Steve Castellano - AR/WS

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July 11, 2014

VIA FEDERAL EXPRESS

Vanessa Lee
Clerk of the Commission
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607

**Re: State Route 84 Widening Project—Resolution of Necessity Hearing
Project EA No. 297621
APNs: 950-0006-001-5; 904-0008-001-02; 099-0290-011-07
Hearing Date: July 24, 2014, 3:00 p.m.**

Dear Ms. Lee:

On behalf of our clients, RMC Pacific Materials, LLC, the successor-in-interest to Lonestar California, Inc., and Cemex Construction Materials Pacific LLC, the mining operator on the property, (collectively, "RMC") we write regarding the Commission's intention to consider a Resolution of Necessity concerning the above-referenced properties at its July 24, 2014, 3:00 p.m. hearing.

1. Formal Objection to Adoption of Resolution and Notice of Intent to Appear at Hearing

RMC hereby notifies the Commission of its intent to exercise its statutory and constitutional rights to appear and be heard at the July 24, 2013 Hearing regarding its objections to the adoption of the proposed Resolution of Necessity. By stating certain objections herein, RMC does not intend to in any way limit the grounds or evidence it may present at the hearing.

2. Request for Notification of Availability of Staff and Consultant Reports and for Copies of All Staff Materials Regarding the Proposed Resolution as Soon as They Are Available

In order to protect RMC's right to due process of law regarding the hearing, RMC hereby requests that its counsel Andrew Skanchy of Mitchell Chadwick LLP be provided with copies of any and all memoranda, reports, or other documents supporting the adoption of the proposed Resolution of Necessity which will become part of the record of the July 24, 2014 hearing as

soon as such documents are completed and available for public review, but in no case later than July 22, 2014 at 3:00 p.m. Copies may be provided to Mr. Skanchy via facsimile at 916-788-0290 or via email at askanchy@mitchellchadwick.com. If the documents are posted on a public website, notice of such posting may be provided to Mr. Skanchy at that email address.

3. The Project Is Not Planned or Located in the Manner that Will Be Most Compatible With the Greatest Public Good and the Least Private Injury

A public agency may not exercise the power of eminent domain to acquire property for a proposed project unless it establishes that “the project is planned or located in a manner that will be most compatible with the greatest public good and the least private injury.” (Cal. Civ. Proc. Code § 1240.030, subd. (b).) An agency may not even initiate eminent domain proceedings until it has adopted a Resolution of Necessity containing a declaration that the agency “has found and determined” that to be true. (Cal. Civ. Proc. Code § 1245.230, subd. (c).) The proposed conversion of Isabel Avenue to a limited access expressway with insufficient provisions for access to the large industrial and agricultural properties of RMC and neighboring landowners is not consistent with the least private injury because the same public good could be achieved while imposing significantly lesser injuries from losses of vehicular access to Isabel Avenue.

Historically, RMC has had the benefit of unrestricted vehicular access to its properties on the east and west sides of Isabel Avenue, including access for the heavy vehicles necessary to conduct its aggregate mining and processing operations. RMC’s subject properties—APNs 950-0006-001-05, 904-0008-001-02, and 099-0290-011-07—and RMC’s surrounding holdings are currently all parts of a single “larger parcel” for condemnation purposes because RMC owns all of them, uses them as part of a unified operation, and has ready access from one property to another, including access to the parcel on the east side of Isabel both across Isabel Avenue and under it by way of a private access road under the existing road bridge on the north side of the Arroyo del Valle creek channel (“the underpass road”). The design of the project calls for the Commission to take away the abutter’s rights of RMC and other similarly situated property owners and to provide instead only limited street access at a few signalized intersections and, in RMC’s case, light duty vehicle only access to Vineyard Avenue east of Isabel Avenue via a new bridge over the Arroyo del Valle adjacent to the upgraded Isabel Avenue expressway and an ingress/egress easement across adjacent strips of property the Commission is taking from RMC.

The current plan for the proposed project will result in avoidable grievous injury to RMC by unnecessarily and permanently restricting heavy vehicle access to the portion of RMC’s property east of Isabel (APN 099-0290-011-07) and by unnecessarily restricting access to all of RMC’s property fronting on Isabel Avenue for the duration of the Temporary Construction Easements (“TCEs”). With regard to the permanent access restrictions: RMC’s property east of Isabel Avenue contains over 50 million tons, and thus (according to the appraisal prepared for the Commission) well over \$80 million of recoverable aggregate resources, north of the channel of

the Arroyo del Valle, including the area known as Lake A. The rest of RMC's aggregate mining and processing operation is located west of Isabel Avenue. Subject to regulatory restrictions, RMC's heavy mining equipment and trucks are currently able to cross over to the east side property by accessing Isabel just north of Alden Lane, traveling a short distance south of Alden, and then turning left into the eastern property, or by using the underpass road adjacent to the north bank of the Arroyo del Valle. Vehicles and equipment returning to RMC's properties west of Isabel can enter Isabel south of Alden Lane, travel north a short distance, and then turn left into a private access road on the western property, or by using the underpass road.

As designed, the proposed project will cut off RMC's existing accesses to Isabel Avenue without adequate replacement. On the west side of Isabel, the plans show a new signalized entrance to Isabel opposite Concannon Boulevard from the adjacent property owned by Pleasanton Gravel Co., which is approximately 1000 feet north of RMC's existing access road, and a new entrance road to RMC's access road across that adjacent property. The plans also show an "off ramp" on to RMC's property to be constructed on an ingress/egress easement the Commission is acquiring on the west side of Isabel just north of its intersection with Vineyard Avenue. The only vehicular access to the eastern property shown in the plans will be "light vehicle only" access to Vineyard across the new bridge to be built south of the Isabel Avenue bridge over the Arroyo del Valle and a 30-foot wide ingress/egress easement to be reserved for RMC to cross from the property taken by the Commission for that new bridge and "trail" to its remaining property. Such access will be manifestly inadequate to support future aggregate mining operations on APN 099-0290-011-07.

RMC anticipates that the Commission's staff and/or consultants may argue that RMC's concerns are excessive because access between the properties will be maintained by the reservation to RMC of an ingress/egress easement under the Commission's property acquisitions for the "underpass road" and the intended future grant of such an easement by the California Transportation Commission ("CTC") for that portion of the underpass road that lies beneath the existing Isabel Avenue bridge. However, the fact that staff takes the position that an easement grant from the CTC is necessary in order for RMC to have the legal right to continue using the underpass road reveals that RMC's access rights will be unnecessarily injured under the current project plans. First, staff has taken the position that RMC currently has only a permissive right to use the underpass road. (RMC is currently investigating the state of title to the portion of the underpass road under the existing Isabel Avenue Bridge, but it notes that Commission staff appears to have based its position on a Title Report regarding the property.) Second, any promise by the Commission that the CTC will take specific action is illusory. The CTC is an independent body of the State of California; its decision whether or not to grant such an easement to RMC would be entirely discretionary. The Commission has no power of any kind over the CTC. It has only the ability to ask the CTC nicely to please grant the proposed easement to RMC, and neither the Commission nor RMC can rely on the CTC granting that request. Third, neither the State nor the CTC is the party exercising the power of eminent

domain here. Actions by third party public agencies cannot be used to offset claims for severance damage. (*City of Livermore v. Baca* (2012) 205 Cal.App.4th 1460, 1473-1474.) Therefore, for the purposes of analyzing the effects of the proposed project on RMC's properties, one must assume that the project will permanently deprive RMC of all heavy vehicle access to APN 099-0290-011-07 north of the Arroyo del Valle and will significantly impair the vehicular access that RMC currently enjoys from Isabel Avenue. (See *County of San Diego v. Bressi* (1986) 184 Cal.App.3d 112, 122.)

The result of that analysis is the conclusion that RMC will likely be unable to mine over 50 million tons of aggregate minerals worth well in excess of \$80 million if the project proceeds according to the current plans.

In addition to the purely private injuries RMC will suffer from its loss of permanent vehicle access, the impairment of RMC's ability to mine its properties will also result in public injuries. The State of California has designated RMC's properties and the adjacent aggregate producing properties as a Regionally Significant Construction Aggregate Resource Area, recognizing the necessity of local production of construction materials to minimize safety issues, expense, and negative environmental impacts that would result from having to import such materials from outside the area.

The public good of increasing traffic capacity and safety on Isabel Avenue could be achieved without such drastic private injuries to RMC either by providing for direct heavy vehicle access to and from Isabel Avenue from APN 099-0290-011-07 or, at a minimum, heavy vehicle access to Vineyard across the new bridge to be built south of the existing Isabel Avenue bridge, by providing better, more direct access on the west side of Isabel, and by the Commission obtaining the proposed underpass ingress/egress easement from the CTC before adopting the proposed Resolution of Necessity.

Turning to the temporary access issue: whether intentionally or inadvertently, the scope of the TCEs drafted by the Commission's staff or consultants will result in a temporary total deprivation of access to RMC's properties from Isabel Avenue and, presumably, similar deprivations of access to adjacent property owners. As shown on page one of the attached exhibit titled "A" attached hereto, the proposed easement interest is defined simply as:

A temporary easement to terminate March 30, 2016 for construction purposes and incidents thereto, upon and across a parcel of land described as follows:

Such language will give the Commission the right to completely exclude RMC from the TCE areas for the duration of the TCE periods so that the Commission may accomplish its construction purposes safely and efficiently. All parties must assume that the Commission will exercise the rights it is taking by the Resolution of Necessity it adopts to the fullest extent and

ignore any nonbinding promises to the contrary made by agency staff. In condemnation parlance, this is known as the “most injurious use” rule. (See *County of San Diego v. Bressi* (1986) 184 Cal.App.3d 112, 122-123.) As the TCE areas lie between RMC’s remainder properties and Isabel and Vineyard Avenues—as well as the underpass road—complete exclusion from the TCEs will completely cut RMC off from Isabel and certain portions of Vineyard. Regardless of one’s analysis of the permanent access issue, one must recognize that a potential total deprivation of access to these large aggregate mining and processing properties from Isabel Avenue for approximately 18 months is not necessary and not compatible with the least private injury. It will also completely separate APN 099-0290-011-07 from the rest of RMC’s property.

Other California public agencies routinely define their TCEs more narrowly to specify what access rights will be preserved for the property owner during construction or, where public and property owner safety truly require the complete exclusion of all non-construction personnel from the jobsite, more explicitly specify the condemning agency’s right to exclusive use of the TCE area, including the right to fence the area and exclude the property owner. Common restrictions on access limitations include that reasonable access to the property from the street will be maintained at all times, that access will be maintained except for periods not to exceed certain specific durations and totals, and minimum widths for temporary driveways.

In addition, the TCEs do not specify a date on which the Commission seeks to take possession of the property or a duration for which the Commission will need the property to conduct construction activities. As such, the TCEs are overbroad and likely seek possession for periods of time before the Commission will be ready to commence construction. Given the hardship the TCEs will impose on RMC, the Commission cannot justify taking possession a single day before it will be ready to actually start construction related activities on the properties.

As drafted, the TCEs are unreasonably vague and unnecessarily injurious to RMC and other property owners. The Commission’s condemnation counsel could easily redraft them in consultation with staff, consultants, and RMC’s counsel to narrow the easement interest to be acquired to be consistent with the needs of the construction process while appropriately protecting RMC’s property rights and ability to maintain access during construction. As such, the TCE interests are not planned in a manner that will be most compatible with the greatest public good and the least private injury.

4. Not all of the Property Sought to be Acquired Is Necessary for the Project

The legal standard for the necessity of the taking of property by eminent domain is that the property be “reasonably suitable and useful for the improvement.” (See *City of Hawthorne v. Peebles* (1959) 166 Cal.App.2d 758, 763.) As shown above, the TCE’s are unnecessarily and unreasonably burdensome to RMC both in scope and duration and greater in scope than

reasonably required for the construction of the project. In the absence of significant evidence establishing that the *entire* TCE interests, as currently defined, are reasonably suitable and useful for the project, and that the Commission therefore actually needs to completely exclude RMC from the TCE areas for the full duration of the TCEs, with the result of completely cutting RMC off from Isabel Avenue and portions of Vineyard Avenue, the Commission cannot justify adopting the proposed Resolution of Necessity as to the TCEs.

5. The Commission Has Not Made an Offer to Purchase to RMC that Complies with Government Code Section 7267.2

The taking of private property by eminent domain requires payment of just compensation. U.S. Const., Amend. 5. In California, that includes the payment of severance damages. (Cal. Const., art. I, § 19; Code Civ. Proc. §§ 1263.310 and 1263.410.) One of the prerequisites for the exercise of the eminent domain power in California is that the agency must first make an offer to purchase the property interests subject to the proposed Resolution of Necessity that complies with Government Code section 7267.2. (Gov't Code § 7267.2; Code of Civ. Proc. § 1245.230, subd. (d).) Unfortunately, both the real estate and mineral rights appraisals on which the Commission based its offer to RMC are so deficient that the Commission's offer based on them does not satisfy the requirements of Section 7267.2.

First, the real estate appraisal fails to consider either the temporary or permanent impairment of RMC's abutter's rights to street access, and it fails to value the TCEs based on the most injurious use which the Commission can make of the easement rights. As a result it is inadequate as a matter of law. (*City of Livermore v. Baca* (2012) 205 Cal.App.4th 1460, 1472; *Breidert v. Southern Pacific Co.* (1964) 61 Cal.2d 659, 663; *County of San Diego v. Bressi, supra.*)

Second, the real estate appraisal largely relies on sales of allegedly comparable properties which are located so far outside of Alameda County as to be non-comparable on that basis alone, as well as relying on transactions so remote in time—as old as 2002—that they must be considered non-comparable based on that characteristic as well. In addition, two of the sales from Amador County are identified as “confidential” and so little information is given regarding them that the transactions cannot be verified. Therefore, the appraisal is so obviously flawed it should not be accepted by the Commission as a basis for establishing the fair market value of RMC's property.

Third, the mineral appraisal also completely fails to take into account the impairment of RMC's ability to mine APN 099-0290-011-07 that will result from the loss of access rights to Isabel Avenue. Given the extremely large aggregate deposit on that property—which the Commission's appraiser values at over \$80,000,000—even a relatively small severance damage loss to the value of that asset will clearly dwarf the Commission's current offer to RMC. As a result, the Commission has failed to obtain competent appraisals and make an offer of just

compensation for the property to be acquired in compliance with Government Code section 7267.2.

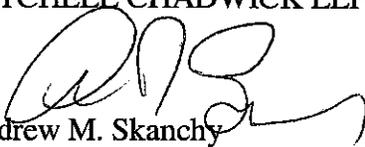
6. Conclusion

The Commission must arrive at any decision to condemn RMC's property by engaging in "a good faith and judicious consideration of the pros and cons of the issue." (*Redevelopment Agency v. Norm's Slauson* (1985) 173 Cal.App.3d 1121, 1125.) Before exercising its power of eminent domain, the Commission must also satisfy all of the statutory prerequisites for exercising that power, including those discussed above.

RMC does not oppose the State Route 84 widening project. The project will clearly have many benefits for the community at large in terms of increased traffic volume and safety. But RMC is greatly concerned that the project as currently planned violates the fundamental legal principal that private parties should not be forced to bear disproportionate burdens for projects that benefit the public generally. Adoption of the proposed Resolution would result in unnecessary and disproportionate harm to RMC and require the Commission to pay much greater compensation to RMC for property interests that the Commission does not need to construct the proposed project. Therefore, RMC respectfully requests that the Commission not proceed with the hearing on the proposed Resolution of Necessity on July 24 and instead direct its staff to address the deficiencies in the project listed above and the defective appraisals. If the Commission proceeds with the Hearing as scheduled, RMC requests that the Commission reject the proposed Resolution and issue appropriate direction to its staff.

Best regards,

MITCHELL CHADWICK LLP


Andrew M. Skanchy

cc via email: Ronald D. Wilson
Pamela Schock Mintzer
Steve Castellano

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Subject: FW: State Route 84 (Isabel Avenue) Expressway Widening Project

From: vishvendra@aol.com [<mailto:vishvendra@aol.com>]

Sent: Tuesday, June 03, 2014 10:15 PM

To: Steve Castellano

Subject: Re: State Route 84 (Isabel Avenue) Expressway Widening Project

Mr Castellano please forward this letter to Alameda county transportation commission as I did not receive the notice and I will not be able to attend the meeting because of prior commitments

Dated 6/3/2014

Dear Sirs,

I did receive the formal notice only yesterday by email. As such I will not be able to attend the meeting.

I have no objection to Alameda CTC adopting resolution of necessity to acquire purchase of the property under my possession .

However I will not agree and sign to any indemnity clause for present or future claims regarding the said property

You can contact me at 510 757 3323 at the time of the conference if I am not in surgery

[RVishvendraRao](#)

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