# ORDIINANCE NO. 9280 



ORDINANCE AUTHORIZING PARTIAL ACQUISITION OF CERTAIN REAL PROPERTY ON THE SOUTHEAST CORNER OF OAK STREET AND EMBARCADERO, FOR E MBARCADERO WIDENING, FOR A SUM NOT TO EXCEED $\$ 9,900.00$.



The Council of the City of Oakland does ordain as follows:
SECTION 1. The partial acquisition of fee title and easement to certain real property for street and highway purposes located on the southeast corner of Oak Street and Embarcadero, needed for Embarcadero Widening for a sum not to exceed $\$ 9,900.00$ is hereby authorized and approved. Said property is situated in the City of Oakland, County of Alameda, State of California and more particularly described as follows:

That certain parcel of land situate in the City of Oakland, County of Alameda, State of California, being a portion of Lot D as said lot is shown on that certain map entitled "Parcel Map No. 1461, Oakland, Alameda County, California" filed July 9, 1974 in the office of the Recorder of Alameda County, California in Book 84 of Parcel Maps at page 13, Recorder's Series No. 74-88832, and described as follows:

BEGINNING at the point of intersection of the southern line of said Lot D with the eastern line of Oak Street; thence along last said line N $27^{\circ} 25^{\prime} 04^{\prime \prime} \mathrm{E}$, ( $\mathrm{N} 26^{\circ} 15^{\prime \prime} \mathrm{E}$ on said Parcel $\mathrm{S}^{\prime}$ F Map), 223.34 feet to the northern line of said Lot $D$; thence along last said line $S 62^{\circ} 44^{\prime} 56^{\prime \prime} \mathrm{E}, 1.29$ feet to a point on the arc of a 190 foot radius curve, concave easterly, from which point the radial line of said arc bears $S 69^{\circ} 1^{\prime}{ }^{\prime} 37^{\prime \prime}$ $E$, thence southerly along the arc of said curve a distance of 18.65 feet; thence $S 15^{\circ} 07^{\prime} 00^{\prime \prime} \mathrm{W}$ tangent to said curve, 50 feet to a point on the arc of a 210 foot radius curve, concave westerly, from which point the redial line of said arc bears $\mathrm{N} 74^{\circ} 53^{\prime} 00^{\prime \prime} \mathrm{W}$; thence southerly along the arc of said curve a distance of 45.09 feet to a point on the arc of a 550 foot radius reverse curve, from which point the radial line of said arcebears $S 62^{\circ} 34^{\prime} 56^{\prime \prime} \mathrm{E}$; thence southerly along the arc of said curve a distance of 85.65 feet; thence $S 18^{\circ} 29^{\prime} 42^{\prime \prime} \mathrm{W}$ tangent to last said curve, 12.15 feet to the point of intersection with the southern line of said Lot $D$, said point being a point on the arc of a 235 foot radius curve, concave northerly, from which point the radial line of said arc bears $\mathrm{N} 02^{\circ} 35^{\prime} 10^{\prime \prime}$ $W$; thence westerly along said southern line on the arc of said curve a distance of 24.08 feet; thence continuing along said southern line and tangent to last said curve, $N 86^{\circ} 42^{\circ} 56^{\prime \prime} \mathrm{W}$, 7.61 feet to the point of beginning, and containing an area of 3,758 square feet, more or less.

The bearings and distances used in the above description are on the California Coordinate System Zone 3. Multiply the above distances by 1.00007 to obtain ground level distances.

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EXCEPTING THEREFROM that portion of said property lying below a depth of five hundred (500) feet measured vertically from the contour of the surface thereof; provided, however, that grantor, its successors and assigns shall not have the right for any purpose whatsoever to enter upon, into or through the surface of the property granted herein or any part thereof lying between said surface and five hundred (500) feet below said surface.

## EASEMENT

That certain parcel of land situate in the City of Oakland, County of Alameda, State of California, being a portion of Lot $B$ as said lot is shown on that certain map entitled "Parcel Map No. 1461, Oakland, Alameda County, California," filed July 9, 1974 in the office of the Recorder of Alameda County, California in Book 84 of Parcels Maps at page 13, Recorder's Series No. 74-88832, and described as follows:

BEGINNING at the point of intersection of the eastern line of Oak Street with the northern line of Embarcadero (formerly First Street), said point having the grid coordinates $X=$ R $F K$ $1,489,414.750$ and $Y=475,395.368$; thence along said line of Oak Street $N 27^{\circ} 25^{\prime} 04^{\prime \prime} \mathrm{E} ., \mathrm{N}^{\left(N 26^{\circ}\right.} 15^{\prime}$ on said Parce 1 Map), 7.74 feet to the southern line of Lot $D$ as said lot is shown on said Parcel Map No. 1461; thence along last said line $S 86^{\circ} 42^{\prime} 56^{\prime \prime} \mathrm{E}, 7.61$ feet to a point on the arc of a 235 foot radius curve, concave northerly, from which point the radial line of said arc bears $N 3^{\circ} 17^{\prime} 04^{\prime \prime} \mathrm{E}$; thence easterly continuing along said southern line on the arc of said curve a distance of 24.08 feet; thence $S 18^{\circ} 29^{\prime}$ 42" W, 17.14 feet to the northern line of Embarcadero; thence along last said line $\mathrm{N} 71^{\circ} 29^{\prime} 56^{\prime \prime} \mathrm{W},\left(\mathrm{N} 72^{\circ} 40^{\prime} \mathrm{W}\right.$ on said Parcel Map) 31.41 feet to the point of beginning, and containing an area of 369 square feet, more or less.

The bearings and distances used in the above description are on the California Coordinate System Zone 3. Multiply the above distances by 1.00007 to obtain ground level distances.

Should Grantee, its successors or assigns, at any time abandon the use of said property or any part thereof, or fail at any time to use the same for the purpose contemplated herein for a continuous period of two (2) years, the right hereby given shall cease to the extent of the use so abandoned or discontinued, and Railroad shall at once have the right, in addition to but not in qualification of the rights hereinabove reserved, to resume exclusive possession of said property, or the part thereof the use of which is so discontinued or abandoned.
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SECTION 2. The Real Estate Operations Manager is hereby authorized and directed to take the necessary steps to complete said acquisition.

IN COUNCIL, OAKLAND, CALIF.,
PASSED BY THE FOLLOWING VOTE:
AYES - $\quad$ AmiALV, ENG, MAGGIORA, OGAWA, ROSE SUTTER,VUKASIN,
NOES - NONE
ABSENT - COTO - /


