

RESOLUTION NO. 09-57

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF ALBANY
ACCEPTING GRANT OF EASEMENT
FOR SANITARY SEWER**


WHEREAS, attached hereto and incorporated herein by reference is a Grant of Easement from Deanna E. Dal Bianco (Grantee) and the City of Albany (City) for a sanitary sewer; and

WHEREAS, the City Engineer and Community Development Director have informed this Council that it is necessary and in the best interest of the City to accept the attached Grant of Easement.

NOW THEREFORE THE CITY COUNCIL DOES HEREBY RESOLVE:

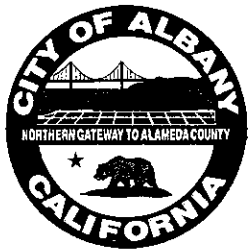
1. The attached Grant of Easement is hereby accepted.
2. The City Clerk is authorized and directed to record the original of the attached Grant of Easement together with a certified copy of this Resolution in the office of the Alameda County Recorder.

Council Vote



Marge Atkinson, Mayor
Joanne Wile

Clerk Certification Seal



City of Albany

1000 SAN PABLO AVENUE • ALBANY, CALIFORNIA 94706-2295

CITY ADMINISTRATOR
PH. (510) 528-5710
FAX (510) 528-5797

CITY ATTORNEY
PH. (510) 524-9205
FAX (510) 526-9190

CITY CLERK
PH. (510) 528-5720
FAX (510) 528-5797

CITY COUNCIL
PH. (510) 528-5720
FAX (510) 528-5797

**COMMUNITY DEVELOPMENT &
ENVIRONMENTAL RESOURCES**

- Building
- Engineering
- Environmental Resources
- Maintenance
- Planning

PH. (510) 528-5760
FAX (510) 524-9359

**FINANCE & ADMINISTRATIVE
SERVICES**

CITY TREASURER
PH. (510) 528-5730
FAX (510) 528-2743

**FIRE & EMERGENCY MEDICAL
SERVICES**

PH. (510) 528-5771
FAX (510) 528-5774

PERSONNEL

PH. (510) 528-5714
FAX (510) 528-5797

POLICE

PH. (510) 525-7300
FAX (510) 525-1360

**RECREATION & COMMUNITY
SERVICES**

1249 Marin Avenue
PH. (510) 524-9283
FAX (510) 528-8914

- Friendship Club/
Childcare Program
PH. (510) 524-0135
- Senior Center
PH. (510) 524-9122
FAX (510) 524-8940
- Teen Center
PH. (510) 525-0576

RESOLUTION NO. 09-57

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

this 7th day of December, 2009, by the following votes:

AYES: Council Members Atkinson, Javandel, Lieber, Thomsen & Mayor Wile

NOES: None

ABSENT: None

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 8th
day of December, 2009.

JACQUELINE L. BUCHOLZ, CMC
CITY CLERK

*The City of Albany is dedicated to maintaining its small town ambience, responding to the needs of the community,
and providing a safe, healthy environment now and in the future.*



PRINTED ON RECYCLED PAPER

RECORDED AT THE REQUEST OF AND
WHEN RECORDED, RETURN TO
CITY OF ALBANY CITY CLERK
1000 SAN PABLO AVENUE
Albany, California 94706-2295

GRANT OF EASEMENT

Grant made MARCH 4, 2008 by Deanna E. Dal Bianco, an unmarried woman, Grantor,
to The City of Albany, a public entity within the State of California, Grantee.

Grantor, (for valuable consideration), grants to Grantee a non-exclusive subsurface easement and non-exclusive surface easement for the right to construct, alter, operate, maintain and repair such sewerline or lines and appurtenances thereto in such sizes and configurations as the Grantee deems necessary over all that real property situate in the City of Albany, County of Alameda, State of California, described as follows:

See Exhibits A (Legal Description) and Exhibit B (Plat Map) Attached and made a Part Hereof.

The easement granted herein includes incidental rights of maintenance, repair and replacement of said sewerlines and appurtenances together with free right of ingress and egress over and across the remaining portion of the Grantor's property, insofar as such right of ingress and egress is necessary to the proper use of rights granted herein.

The Grantor reserves the right to landscape or make such other use of the lands included within the surface easement which is consistent with Grantee's use, however, such use by the Grantor shall not include the planting of trees or construction of permanent structures, including but not limited to houses, garages, outbuildings, swimming pools, tennis courts, retaining walls, decks, patios and other architectural concrete structures within the easement.

The instrument shall bind and inure to the benefit of the successors and assigns of the parties hereto.

In witness whereof, Grantors executed this deed on the date above written.

by Deanna E. Dal Bianco
Deanna E. Dal Bianco

"ATTACH NOTARY STATEMENT HERE"

APN 066-2724-036
921 Cerrito St.
Dal Bianco

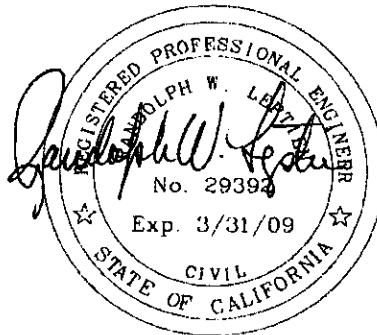
EXHIBIT A
LEGAL DESCRIPTION
SANITARY SEWER EASEMENT

Portions of that certain parcel of land situated in the City of Albany, State of California described in the Grant Deed from Susan W. Ledford, formerly Susan W. Johnson and Ronald L. Ledford, her husband, to Deanea E. Dal Bianco, an unmarried woman, recorded April 13, 1978 as document number 1978-067117 in Official Records, Alameda County Recorder more particularly described as follows:

Portion of Lot 21 of Block 12, "Map of ReSubdivision of Block 12, Sunset Terrace", filed January 29, 1909 in Map Book 24 at Page 47, Alameda County Records more particularly described as follows:

A strip of land, 5.00 feet in width, the southern line of which is described as follows:

Beginning at a point on the eastern line of Cerrito Street, at the southwesterly corner of said Lot 21 (24 M 47); thence, from said point of beginning, along the southern line of said Lot 21 (24 M 47) North 75°45'00" East, 99.91 feet, to a Point being the southeasterly corner of said Lot 21, being the end of this hereinabove described strip of land.



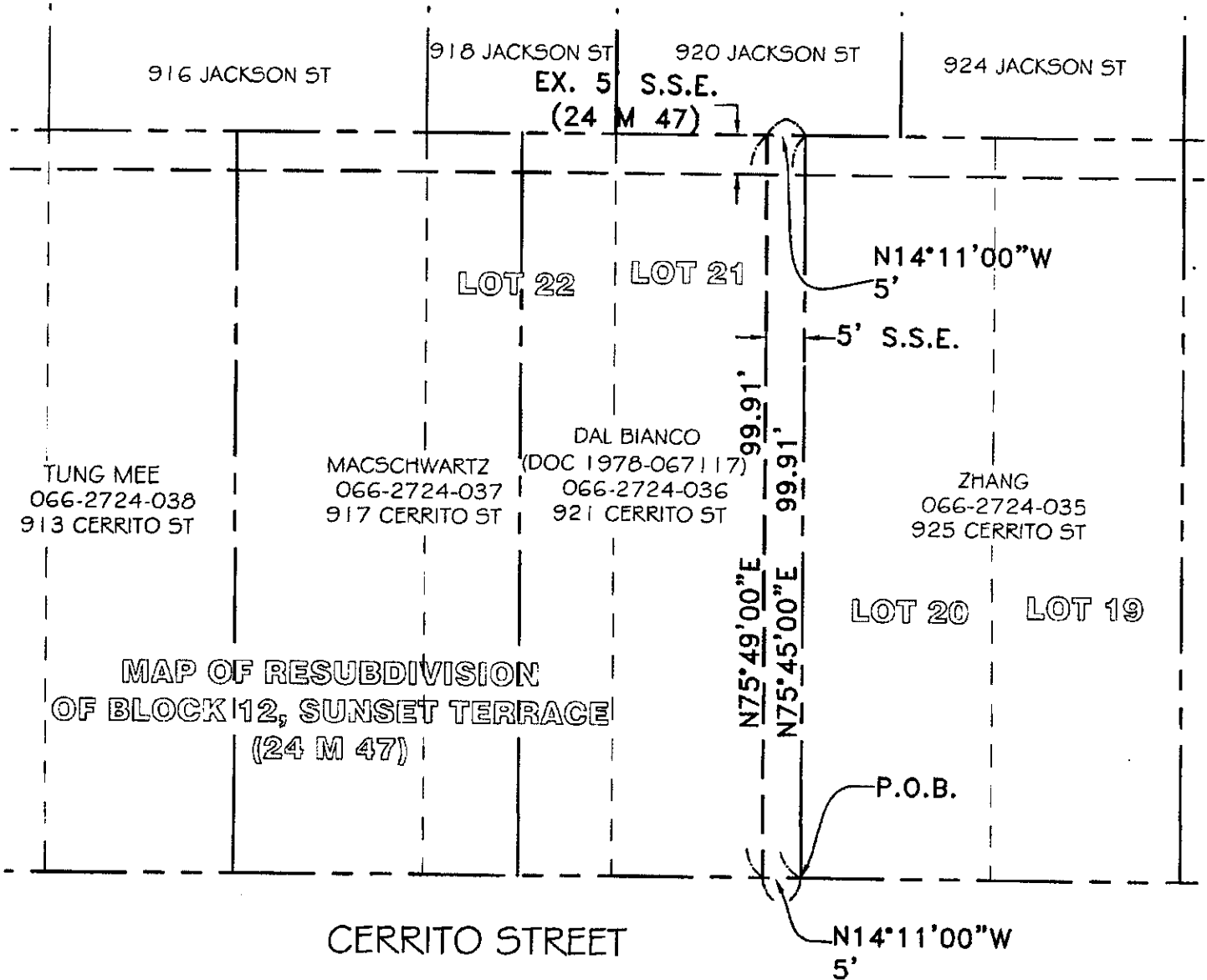
Date 2/15/08

2/15/2008

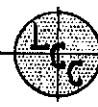


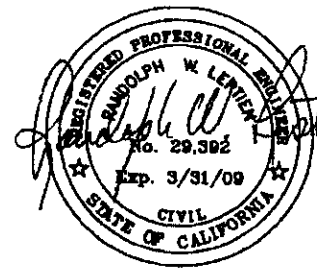
Scale: 1" = 20'

EXHIBIT B
PLAT MAP (TO ACCOMPANY LEGAL DESCRIPTION)
SANITARY SEWER EASEMENTS
CITY OF ALBANY
2008 SEWER IMPROVEMENT PROJECT
EAST SIDE OF ALBANY HILL
921 CERRITO ST.



MAP OF RESUBDIVISION
OF BLOCK 12, SUNSET TERRACE
(24 M 47)

 **Leptien, Cronin, Cooper, Morris & Poore, Inc.**
dba LCC, Inc.
Civil Engineering - Land Surveying
930 Estudillo Street
Martinez, California 94553-1620
(925) 228-4218 Fax (925) 228-4638
February 25, 2008
LCC JOB No. 2006.033.66


Randolph W. Lentricchia
2/24/08
DATE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

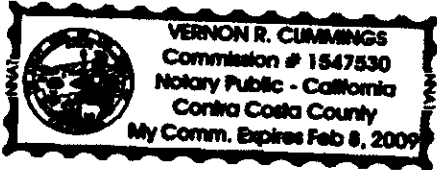
County of Alameda

On MARCH 4, 2008 before me,

VERNON R. CUMMINGS, Notary Public
Here Insert Name and Title of the Officer

personally appeared DEANNA F. DAL BIANCO
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: SEWER EASEMENT

Document Date: MARCH 4, 2008 Number of Pages: 3

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: DEANNA F. DAL BIANCO

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited | General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited | General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____