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RESOLUTION NO 2011-17

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALBANY
AUTHORIZING THE PURCHASE OF
THE PIERCE STREET PROPERTY SITE FROM CALTRANS
AND IDENTIFYING THE PUBLIC USES OF THE PROPERTY**

WHEREAS, the City Council of the City of Albany ("City") has been working for several years on the purchase of certain property currently owned by the California Department of Transportation ("CalTrans") as more particularly described in Exhibit A attached hereto (the "Property"); and

WHEREAS, the City Council has already approved Resolution 2011-7 on January 17, 2011 authorizing the Purchase and Sale Agreement of the Pierce Street Property; and

WHEREAS, Caltrans requires that sales of excess land be for a public purpose; and

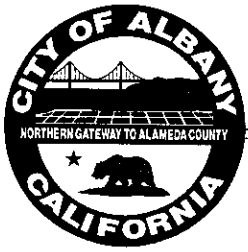
WHEREAS, the proposed Pierce Street projects will include a City Maintenance Center, a public park, a public bicycle and pedestrian trail, and public parking for the proposed park and trail; and

WHEREAS, the acquisition of the property is categorically exempt under CEQA pursuant to the exemption in Public Resources Code 21083.3 and 14 Cal Code Regulations Sections 15183; 15061 (b)(3); and 15312; and such notice has been filed and recorded with the Alameda County Clerk-Recorder;

NOW, THEREFORE BE IT RESOLVED that the City Council hereby finds as follows:

1. The City Council determines that the purchase of the Property from Caltrans will be for a public purpose.
2. The City Council authorizes the purchase of the "Pierce Street Property" from Caltrans for the purchase price of \$1,900,000.
3. The City Manager is hereby authorized to execute all documents and take such further action as may be necessary or appropriate to purchase the property, including but not limited to signing the Caltrans offer to purchase and carrying out the City's obligations pursuant to this action.
4. The City Clerk shall certify to the adoption of this Resolution.
5. This Resolution shall take effect immediately upon adoption


David Isvander, Mayor Marge Atkinson
Vice-Mayor



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. 2011-17

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

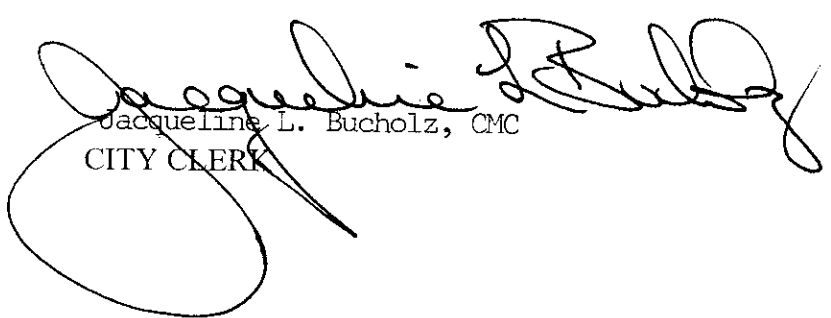
this 21st day of March, 2011, by the following votes:

AYES: Council Members Lieber, Wile & Vice-Mayor Atkinson

NOES: None

ABSENT: Council Members Thomsen & Mayor Javandel (recused)

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 22nd
day of March, 2011.


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

LEGAL DESCRIPTION

Real property in the City of Albany, County of Alameda, State of California, described as follows:

Parcel 1:

Portions of Calhoun Street, Washington Avenue (now Bayview Street), Arthur Street, Pierce Street, and Blocks 1, 2, 3, and 4 of that "Amended Map of Sunset Terrace, Oakland Twp., Alameda County, California", Filed April 8, 1907 in Book 22 of Maps, Page 68, Alameda County Records; and also, those portions of those certain parcels of land described in the deeds to the State of California recorded in the County of Alameda, State of California as follows:

Recording Date Book Page

December 24, 1934 3130 220
 February 11, 1938 3569 404
 December 17, 1943 4467 162
 March 12, 1957 8309 311

and more particularly described as a whole as follows:

COMMENCING at the southerly terminus of that certain course described as "N. 21° 17' 15" W., 492.43 feet" in Parcel 6 in that certain instrument entitled "Relinquishment of State Highway in the City of Albany, Road IV-Ala-69, 7-Alb, Relinquishment No. 22036", recorded October 9, 1961, in Reel 425 at Image 832, Official Records of Alameda County; thence along the general westerly line of said Parcel 6, the following five (5) courses: (1) from a tangent that bears S. 21° 17' 15" E. along a curve to the right with a radius 483.00 feet, through an angle of 29° 03' 41", an arc length of 244.99 feet; (2) S. 07° 46' 26" W., 96.79 feet; (3) along a tangent curve to the left with a radius of 317.00 feet, through an angle of 21° 04' 24", an arc length of 116.60 feet; (4) S. 13° 18' 02" E., 237.80 feet; and (5) S. 11° 24' 17" E., 166.05 feet to the southeasterly corner of Lot 24 of said Block 3; thence leaving said general westerly line, S. 76° 50' 00" W. along the southerly line of last said Lot 24, a distance of 79.10 feet to a point in the northeasterly prolongation of the northwesterly line of the parcel of land described in deed (State Director's Deed No. 21-DD), recorded July 10, 1964, in Reel 1256, at Image 452, Official Records of Alameda County, said point being the most easterly corner of the parcel of land as described in the deed to State of California, recorded March 28, 1957 in Book 8324, Page 361, Official Records of said county; thence along said northeasterly prolongation and said northwesterly line S. 24° 54' 56" W., 317.59 feet to the northeasterly corner of Lot 11 of said Block 4; thence along the general easterly lines of said Lot 11, and Lots, 10, 9, and 8 of last said Block, S 13° 10' 00" E., 99.99 feet to the southeasterly corner of last said Lot 8; thence along the southerly line of last said Lot 8, S. 76° 50' 00" W., 103.00 feet to the easterly line of Cleveland Avenue (50 feet wide) of said Amended Map of Sunset Terrace; thence along said easterly line of said Cleveland Avenue, N. 10° 26' 30" W., 260.24 feet to the beginning of a non-tangent curve; thence from a tangent that bears N. 15° 42' 00" E., along said curve to the left with a radius of 4535.00 feet, through an angle of 8° 19' 10", an arc length of 658.48 feet to the beginning of a compound curve; thence along last said curve to the left with a radius of 1885.00 feet, through an angle of 9° 11' 25", an arc length of 302.36 feet; thence N. 48° 32' 08" E., 107.61 feet to the point of commencement.

Parcel 2:

Order Number: NCS-466450-CC

Page Number: 5

COMMENCING on the easterly line of Cleveland Avenue at a point which bears N. $10^{\circ}26'30''$ W., 260.24 feet from the intersection of the northerly line of Washington Avenue with the easterly line of Cleveland Avenue, as shown on the "Amended Map of Sunset Terrace, Oakland Twp., Alameda County, California, 1907" filed April 8, 1907 in book 22 of Maps, Page 68, Alameda County Records; thence along the said easterly line of Cleveland Avenue N. $10^{\circ}26'30''$ W., 505.23'; thence S. $80^{\circ}18'14''$ E., 198.81 feet; thence southerly along a curve to the right with a radius of 4535.00 feet whose radius bears N. $80^{\circ}18'14''$ W. through a central angle of $6^{\circ}00'14''$, arc length of 475.21 feet to the point of commencement.

Parcel 3:

COMMENCING at the southerly terminus of that certain course described as "N $21^{\circ}17'15''$ W., 492.43 feet" in Parcel 6 in that certain instrument entitled "Relinquishment of State Highway in the City of Albany, Road IV-Ala-69, 7-Alb, Relinquishment No. 22036", Recorded October 9, 1961 in Reel 425 at Image 832, Official Records of Alameda County; thence S. $48^{\circ}32'08''$ W., 107.61 feet, thence northerly along a curve to the left whose center point bears S. $88^{\circ}11'25''$ W., with a radius of 1885.00 feet, through a central angle of $14^{\circ}14'01''$, arc length of 468.28 feet to a point on the westerly line of Pierce Street; thence S. $21^{\circ}17'15''$ W. 492.43 feet to the point of commencement.

APNs:

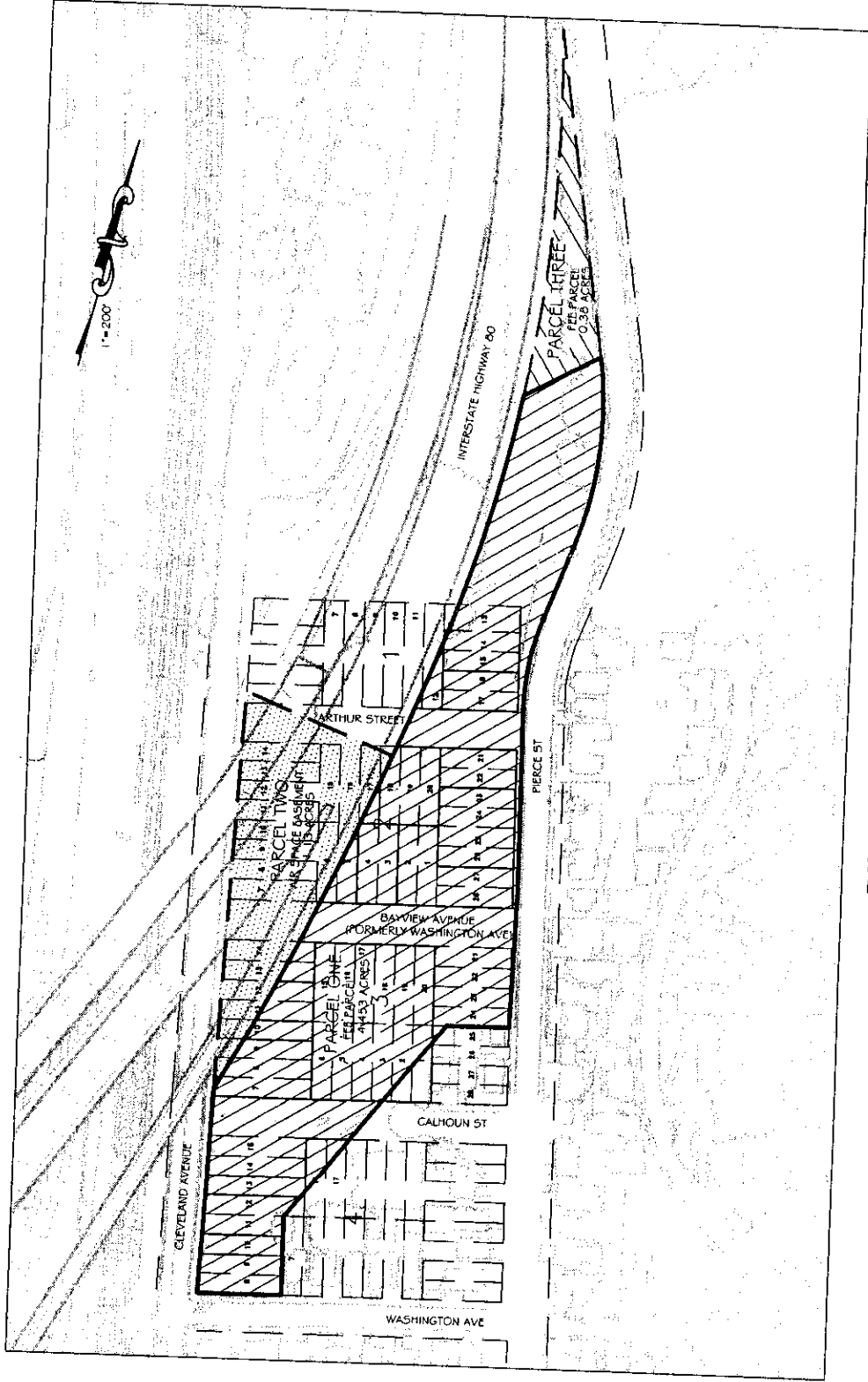
66-2732-013

66-2733-01-6

66-2733-01-2

66-2733-08-3

and areas not assessed.



PIERCE STREET PARK
EXHIBIT MAP TO ACCOMPANY
LEGAL DESCRIPTION

Prepared by
 LCC Inc.
 City Engineer
 LCC JOB No. 27-033.07

CITY OF ALBANY
 September 2010

2010-09-07 Pierce Plat Path Location DRAWING 05-05-07 Pierce Plat Exhibit D.M.C. 9/27/2010 11:34:55 AM 03307-1