

ORDINANCE NO.7,783-N.S.

TRANSFER OF TWO PARCELS TO THE STATE OF CALIFORNIA FOR THE  
ASHBY-SAN PABLO INTERSECTION IMPROVEMENTS PROJECT

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That the City Manager and City Clerk or their designees are authorized and directed to make, execute, and deliver for and on behalf of the City of Berkeley, as its corporate act and under its corporate name and seal, a transfer of property interests in two parcels of property to the State of California, Department of Transportation ("Caltrans") via a grant deed for Parcel No. 63719 and a quitclaim deed for the easement over Parcel No. 63720-1, a map and copies of which are attached hereto as Exhibits A, B, and C.

Section 2. That the City Clerk or his designee is authorized and directed to deliver the signed grant deed and quitclaim deed to Caltrans for execution and recording.

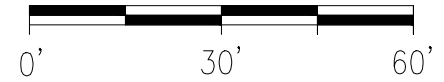
Section 3. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of the Maudelle Shirek Building, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library, and the title shall be published in a newspaper of general circulation.

At a regular meeting of the Council of the City of Berkeley held on September 14, 2021, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Bartlett, Droste, Hahn, Harrison, Kesarwani, Robinson, Taplin, Wengraf, and Arreguin.

Noes: None.

Absent: None.



SCALE: 1" = 30'

**SAN PABLO AVENUE  
(ROUTE 123)  
100' WIDE**

CENTERLINE

MONUMENT LINE  
TO CITY MONUMENT  
N13°13'35"W 318.04' (R1)  
EX. STATE R/W

**LOT 44**  
**LOT 43, BLOCK B  
22 M 8, ORAC**

**LOT 42**

EASEMENT  
CITY OF BERKELEY  
DOC 92243673, ORAC  
FUTURE STATE R/W

12.00'

EX. STATE R/W

23.00'

30.00'

EX. STATE R/W

N76°43'15"E 75.87' (R1)

MONUMENT LINE

N76°43'15"E 851.26' (R1)

TO CITY MONUMENT

N13°14'39"W  
3.33' (R1)

CENTERLINE

38.00'

12.00'

EX. STATE R/W

FUTURE STATE R/W

N76°43'15"E 125.00' (R1)

30.00'

30.00'

**ASHBY AVENUE (ROUTE 13)  
60' WIDE**

EX. STATE R/W

50.00'

50.00'

TO CITY MONUMENT  
S13°13'35"E 302.07' (R1)  
EX. STATE R/W

N13°13'35"W  
5.00' (R1)

S76°43'15"W 125.00' (R1)

**63719**

**PARCEL 1  
125 PM 60-61  
ORAC**

625 SQ FT +/-  
OFFER OF DEDICATION  
CITY OF BERKELEY  
DOC 2013300424, ORAC

S13°13'35"E  
5.00' (R1)

5.00'

**LEGEND**

- = AREA TO BE CONVEYED
- DOC = DOCUMENT
- EX. = EXISTING
- ORAC = OFFICIAL RECORDS OF ALAMEDA COUNTY
- POB = POINT OF BEGINNING
- R/W = RIGHT OF WAY
- = CITY MONUMENT

**DOC REFERENCE**

- (R1) = DOC 2013300424, ORAC
- (R2) = DOC 92243673, ORAC

**EXHIBIT "A"**

**RIGHT OF WAY ACQUISITION  
CERTIFICATE OF SUFFICIENCY  
EXHIBIT - PARCEL 63719**



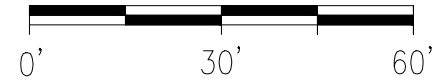
Aug 02, 2018 - 6:34pm c:\survey2\2018\2018-25 San Pablo Ashby COB\5000 Technical\5200 CAD\5230 DWG\Boundary\2018-25 San Pablo Ashby COB.dwg



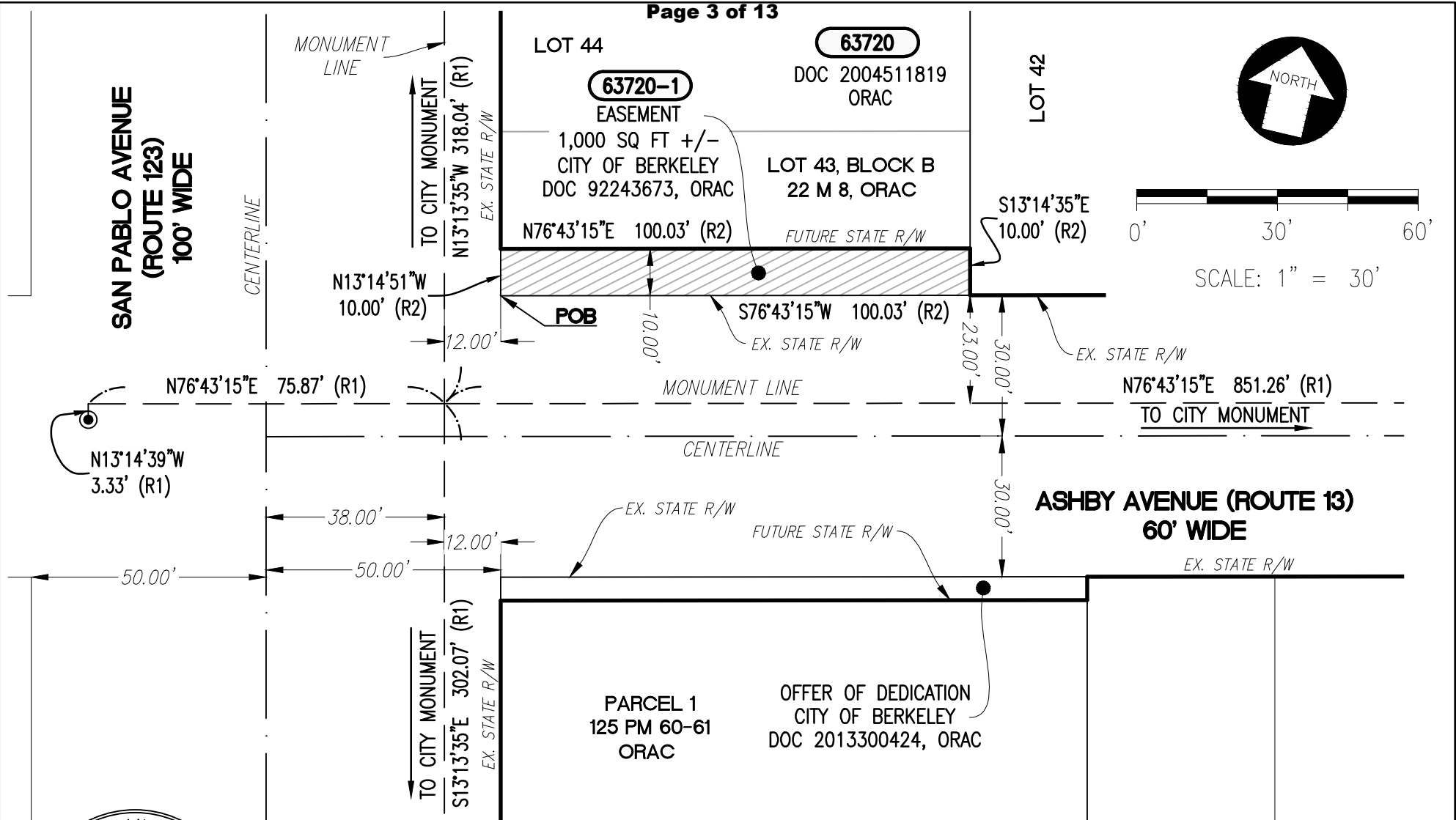
2300 Clayton Road, Ste 1400  
Concord, CA 94520  
(925) 446-3800

PARCEL NO.	GRANTOR	ACQ. CODE	AREAS IN SQUARE FEET					EASEMENT TYPE	REMARKS
			TOTAL	R/W	REM	EXCESS	EASEMENT		
63719	CITY OF BERKELEY	F	625	625	0				

DR. BY: BMC					DATE: 8/2/2018	
CHK. BY: BMC					SCALE: 1" = 30'	
DIST.	CO.	RTE.	POST MILE	SHEET	TOTAL	
04	ALA	13/123	13.18/1.93	1	2	



SCALE: 1" = 30'



**LEGEND**

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- DOC = DOCUMENT
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- POB = POINT OF BEGINNING
- R/W = RIGHT OF WAY
- = CITY MONUMENT

**DOC REFERENCE**

- (R1) = DOC 2013300424, ORAC
- (R2) = DOC 92243673, ORAC

**EXHIBIT "A"**

<b>RIGHT OF WAY ACQUISITION CERTIFICATE OF SUFFICIENCY EXHIBIT - PARCEL 63720-1</b>					
DR. BY: BMC			DATE: 8/2/2018		
CHK. BY: BMC			SCALE: 1" = 30'		
DIST.	CO.	RTE.	POST MILE	SHEET	TOTAL
04	ALA	13/123	13.18/1.93	2	2



Aug 02, 2018 - 6:34pm c:\survey2\2018\2018-25 San Pablo Ashby COB\5000 Technical\5200 CAD\5230 DWG\Boundary\2018-25 San Pablo Ashby COB.dwg

**AECOM**  
 2300 Clayton Road, Ste 1400  
 Concord, CA 94520  
 (925) 446-3800

PARCEL NO.	GRANTOR	ACQ. CODE	AREAS IN SQUARE FEET					EASEMENT TYPE	REMARKS
			TOTAL	R/W	REM	EXCESS	EASEMENT		
63720-1	CITY OF BERKELEY	E						1,000	PUBLIC R/W

RECORDING REQUESTED BY  
STATE OF CALIFORNIA

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

Space above this line for Recorder's Use

# GRANT DEED

District	County	Route	Postmile	Number
04	ALA	13	13.16	63719

City of Berkeley, Alameda County, a political subdivision of the State of California, hereinafter called GRANTOR, hereby grants to the State of California, Department of Transportation, hereinafter called STATE, all that real property in the City of Berkeley, County of Alameda, State of California, described as follows:

See Exhibits "A", attached hereto.

Transfer Tax Not Applicable: R & T Code 11922

STATE BUSINESS: Free

This is to certify that this document is presented for recordation by the State of California under Government Code 27383 and is necessary to complete the chain of title of the State to property acquired by the State of California.

DISTRICT DIRECTOR

BY \_\_\_\_\_  
MARK L. WEAVER  
Deputy District Director  
Right of Way and Land Surveys

Number
63719

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 202\_\_

CITY OF BERKELEY

Date: \_\_\_\_\_

By \_\_\_\_\_  
DEE WILLIAMS-RIDLEY  
City Manager

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This is to certify that the State of California, acting by and through the Department of Transportation (according to Section 27281 of the Government Code), accepts for public purposes the real property described in this deed and consents to its recordation.

Dated \_\_\_\_\_

ADETOKUNBO OMISHAKIN  
Director of Transportation

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

Number
63719

**ACKNOWLEDGMENT**

<p>A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.</p>
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State of California }  
 County of \_\_\_\_\_ } SS

On \_\_\_\_\_ before me, \_\_\_\_\_ ,  
*Here insert Name and Title of the Officer*

personally appeared \_\_\_\_\_ ,

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 \_\_\_\_\_ (Seal)

<b>Number</b>
63719

**ACKNOWLEDGMENT**

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

State of California }  
County of \_\_\_\_\_ } SS

On \_\_\_\_\_ before me, \_\_\_\_\_ ,  
*Here insert Name and Title of the Officer*

personally appeared \_\_\_\_\_ ,

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 \_\_\_\_\_ (Seal)

Number
63719

EXHIBIT "A"

**Parcel 63719**

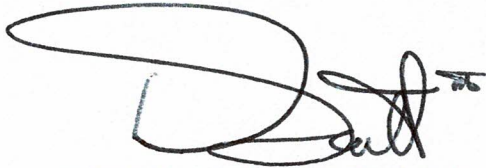
The parcel of land described in the Corrective Offer of Dedication to the City of Berkeley, Alameda County, a political subdivision of California, recorded September 6, 2013 as Document Number 2013300424, Official Records of Alameda County, California, described as follows:

"Real property in the City of Berkeley, Alameda County, California.

Being the northern 5 feet of Parcel 1, Parcel Map 3423, filed on March 30, 1981, Map Book 125, Pages 60-61, in the Office of the County Recorder of Alameda County, more particularly described as follows:

Beginning at the northwest corner of said Parcel 1; thence along the northern line of said Parcel 1, said line also being the southern line of Ashby Avenue, North 76° 43' 15" East, 125.00 feet, to the northeast corner of said Parcel 1; thence along the eastern line of said Parcel 1, South 13° 13' 35" East, 5.00 feet, thence along a line parallel to the northern line of said Parcel 1, South 76° 43' 15" West, 125.00 feet, to the western line of said Parcel 1, said line also being the eastern line of San Pablo Avenue; thence along said line, North 13° 13' 35" West, 5.00 feet to the Point of Beginning."

CONTAINING an area of 625 square feet, more or less.



Dan S. Scott III, PLS 7840

December 8, 2020

Date





RECORDING REQUESTED BY  
STATE OF CALIFORNIA

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

Space above this line for Recorder's Use

**QUITCLAIM DEED**

District	County	Route	Postmile	Number
04	ALA	13	13.16	63720-1

City of Berkeley, Alameda County, a political subdivision of the State of California, hereinafter called GRANTOR, hereby releases and quitclaims to the State of California, Department of Transportation, hereinafter called STATE, all right, title and interest in and to that real property in the City of Berkeley, County of Alameda, State of California, described as follows:

See Exhibits "A", attached hereto.

Transfer Tax Not Applicable: R & T Code 11922

STATE BUSINESS: Free

This is to certify that this document is presented for recordation by the State of California under Government Code 27383 and is necessary to complete the chain of title of the State to property acquired by the State of California.

DISTRICT DIRECTOR

BY \_\_\_\_\_  
MARK L. WEAVER  
Deputy District Director  
Right of Way and Land Surveys

Number
63720-1

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 202\_\_

CITY OF BERKELEY

Date: \_\_\_\_\_

By \_\_\_\_\_  
DEE WILLIAMS-RIDLEY  
City Manager

---

This is to certify that the State of California, acting by and through the Department of Transportation (according to Section 27281 of the Government Code), accepts for public purposes the real property described in this deed and consents to its recordation.

Dated \_\_\_\_\_

ADETOKUNBO OMISHAKIN  
Director of Transportation

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

Number
63720-1

**ACKNOWLEDGMENT**

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

State of California }  
 County of \_\_\_\_\_ } SS

On \_\_\_\_\_ before me, \_\_\_\_\_ ,  
*Here insert Name and Title of the Officer*

personally appeared \_\_\_\_\_ ,

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 \_\_\_\_\_ (Seal)

Number
63720-1

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State of California }  
 County of \_\_\_\_\_ } SS

On \_\_\_\_\_ before me, \_\_\_\_\_ ,  
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personally appeared \_\_\_\_\_ ,

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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 \_\_\_\_\_ (Seal)

Number
63720-1

EXHIBIT "A"

**Parcel 63720-1**

An easement for public right of way purposes described in the Grant of Easement to the City of Berkeley, a political subdivision of California, recorded July 28, 1992 as Document Number 92243673, Official Records of Alameda County, California, described as follows:

"All that certain real property situated in the City of BERKELEY, County of Alameda, State of California described as follows:

THE SOUTH 10 FEET OF LOT 43 OF BLOCK B, MAP NO. 2 "SAN PABLO PARK" FILED DECEMBER 4, 1906, IN BOOK 22 OF MAPS AT PAGE 8, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHERLY LINE OF ASHBY AVENUE (60 FEET WIDE) AND THE EASTERLY LINE OF SAN PABLO AVENUE (100 FEET WIDE); THENCE FROM SAID POINT OF BEGINNING NORTH 13° 14' 51" WEST, 10.00 FEET ALONG SAID EASTERLY LINE OF SAN PABLO AVENUE; THENCE NORTH 76° 43' 15" E 100.03' TO THE EASTERLY LINE OF SAID LOT 43 (22 M 8); THENCE SOUTH 13° 14' 35" EAST 10.00 FEET ALONG THE EASTERLY LINE OF SAID LOT 43 TO THE NORTHERLY LINE OF SAID ASHBY AVENUE; THENCE SOUTH 76° 43' 15" WEST, 100.03 FEET ALONG SAID NORTHERLY LINE OF ASHBY AVENUE TO THE POINT OF BEGINNING.

CONTAINING 1,000 SQUARE FEET MORE OR LESS."



Dan S. Scott III, PLS 7840

December 8, 2020

Date



