

CITY OF OAKLAND
AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 APR 16 AM 8:51

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Community and Economic Development Agency
DATE: April 28, 2009

RE: **An Ordinance Vacating Skyline Circle To The Abutting Property Owners
Without Cost And Reserving Public Easements For Utilities And Emergency
Vehicle Access**

SUMMARY

An ordinance has been prepared which will complete the process begun in 1997 to convert the privately maintained public street to a private road ("street vacation"). Skyline Circle is a circular street (similar to a cul-de-sac) which is located near the intersection of Skyline Boulevard and Keller Avenue. The street was originally designed only to serve the forty-five (45) abutting homes in the single family dwelling subdivision. The Oakland Police Department and Fire Department have concurred with the proposed vacation. The HOA has maintained the street since it was constructed in 1997 by the original developer. The City will retain public easements over the vacated right-of-way for maintaining utilities (gas, water, sewer, etc.) and emergency vehicle access.

The California Streets and Highways Code requires two (2) sequential public meetings to complete the vacation process. This ordinance will transfer ownership of the street without cost to the abutting property owners. The companion resolution will adopt findings required by the California Streets and Highways Code, Public Resources Code, and Government Code.

FISCAL IMPACT

Staff costs for processing the proposed street vacation will be covered by fees set by the Master Fee Schedule and will be deposited in the General Purpose Fund (1010), Engineering Services organization (88432), Encroachment Permits account (42314), Engineering and Architectural Approval (PS30).

BACKGROUND

Original Street Construction

The original subdivider, Kaufman and Broad Homes, completed construction of Skyline Circle in 1997. The street circulation pattern (similar to a cul-de-sac) was designed to serve only the residents of the subdivision. As a condition of approval by the City for accepting the completed

Item: _____
Public Works Committee
April 28, 2009

public street, the Skyline Homeowners Association was required to maintain the public infrastructure, except for buried public utilities (gas, water, electric, sewer, telecommunications). The street has been a privately maintained road for the past twelve (12) years. The proposed vacation would bring the street into conformance with the statutory requirements of the California Streets and Highways Code and Vehicle Code for a private roadway.

Public Easements

Easements for public utilities (gas, water, sewer, etc.) and emergency vehicle access will be reserved over the full width of the vacated right-of-way.

Transfer of Right-Of-Way Ownership

For public streets which were dedicated after 1949, the California Civil Code presumes that abutting property owners own the underlying fee interest in the right-of-way. Consequently, title to the land beneath Skyline Circle will revert to the forty-five (45) homeowners without cost.

KEY ISSUES AND IMPACTS

The companion resolution will make findings for the vacation required by the California Streets and Highways Code, Government Code, and Public Resources Code to vacate Skyline Circle. This ordinance will vacate the right-of-way to the property owners without cost and impose the following conditions:

- reserve public easements over the full width of the vacated right-of-way for utilities (gas, water, sewer, etc.) and emergency vehicle access;
- allow the property owners, at their option, to record a private access easement over the public easements;
- confirm that the abutting property owners will remain responsible for the maintenance of the private road (sidewalks, paving, street lights, etc.).

SUSTAINABLE OPPORTUNITIES

Economic

The proposed vacation of Skyline Circle will increase the assessment of unimproved land area to the general levy of property taxes, a portion of which will accrue to the City of Oakland.

Environmental

The transfer of ownership of the right-of-way will not have a direct impact on the environment.

Social Equity

The transfer of ownership of the right-of-way will not have a direct impact on social equity.

DISABILITY AND SENIOR CITIZEN ACCESS

The street was constructed to State and City requirements for accessibility in 1997.

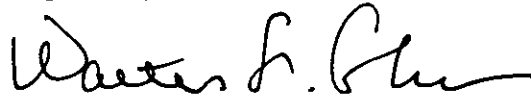
RECOMMENDATIONS

Staff recommends the Committee accept this report and forward it with the companion vacation resolution to the City Council for their scheduled meeting on May 5, 2009.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council accept this report and adopt the proposed ordinance vacating Skyline Circle to the abutting property owners without cost and reserving public easements for utilities and emergency vehicle access.

Respectfully submitted,

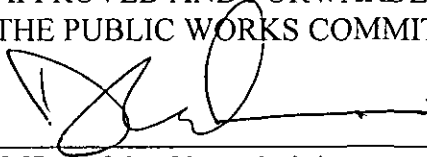


Walter S. Cohen, Director
Community and Economic Development Agency

Prepared by:

Raymond M. Derania
City Engineer
Building Services Division

APPROVED AND FORWARDED TO
THE PUBLIC WORKS COMMITTEE:



Office of the City Administrator

FILED
OFFICE OF THE CITY CLERK
Introduced by AKLAND

2009 APR 16 PM 12:59

Councilmember

Approved for Form and Legality


City Attorney

OAKLAND CITY COUNCIL

Ordinance No. _____ C.M.S.

AN ORDINANCE VACATING THE PUBLIC RIGHT-OF-WAY OF SKYLINE CIRCLE TO THE ABUTTING PROPERTY OWNERS WITHOUT COST AND RESERVING PUBLIC SERVICE EASEMENTS

WHEREAS, pursuant to California Streets and Highways Code Section 8320 et seq., a public meeting was held in the Chamber of the Council of the City of Oakland, on the Third Floor of City Hall, at One Frank H. Ogawa Plaza, in Oakland, California, on May 5, 2009, beginning at 7:01 p.m. local time to adopt findings for a proposed ordinance vacating the public right-of-way to the owners of the forty-five (45) developed lots abutting Skyline Circle; and

WHEREAS, said meeting also set a hearing beginning at 7:02 p.m. local time in the Chamber of the Council of the City of Oakland, on the Third Floor of City Hall, at One Frank H. Ogawa Plaza, in Oakland, California, on May 5, 2009, to receive supporting evidence and public testimony on said proposed ordinance vacating the full width and length of Skyline Circle and reserving public service easements; and

WHEREAS, the owners of said forty-five (45) lots acquired title individually to said properties for valuable consideration through the following grant deeds:

| LOT No. | PARCEL No. | ADDRESS | SERIES No. | RECORDED |
|---------|------------------|---------|-------------|------------|
| 1 | 043A-4761-001-00 | 8201 | 2007-034561 | 01-22-2007 |
| 2 | 043A-4761-002-00 | 8205 | 2007-283607 | 07-31-2007 |
| 3 | 043A-4761-003-00 | 8209 | 2002-325487 | 07-31-2002 |
| 4 | 043A-4761-004-00 | 8211 | 2006-369942 | 09-29-2006 |
| 5 | 043A-4761-005-00 | 8215 | 2007-001351 | 01-02-2007 |
| 6 | 043A-4761-006-00 | 8219 | 2003-040360 | 01-23-2003 |
| 7 | 043A-4761-007-00 | 8221 | 2006-208506 | 05-26-2006 |
| 8 | 043A-4761-008-00 | 8223 | 2003-554564 | 09-18-2003 |
| 9 | 043A-4761-009-00 | 8227 | 2005-537832 | 12-19-2005 |
| 10 | 043A-4761-010-00 | 8231 | 2007-240126 | 06-28-2007 |
| 11 | 043A-4761-011-00 | 8233 | 2004-133593 | 03-30-2004 |
| 12 | 043A-4761-012-00 | 8237 | 2006-440511 | 11-30-2006 |

| LOT No. | PARCEL No. | ADDRESS | SERIES No. | RECORDED |
|---------|------------------|---------|-------------|------------|
| 13 | 043A-4761-013-00 | 8239 | 2003-477862 | 08-14-2003 |
| 14 | 043A-4761-014-00 | 8241 | 2005-287502 | 07-11-2005 |
| 15 | 043A-4761-015-00 | 8245 | 2008-090324 | 03-12-2008 |
| 16 | 043A-4761-016-00 | 8247 | 2007-125382 | 03-30-2007 |
| 17 | 043A-4761-017-00 | 8249 | 2009-056769 | 02-24-2009 |
| 18 | 043A-4761-018-00 | 8253 | 2004-450870 | 10-05-2004 |
| 19 | 043A-4761-019-00 | 8255 | 2008-300168 | 10-15-2008 |
| 20 | 043A-4761-020-00 | 8257 | 2007-144839 | 04-17-2007 |
| 21 | 043A-4761-021-00 | 8259 | 1999-320152 | 08-20-1999 |
| 22 | 043A-4761-022-00 | 8261 | 2002-124625 | 03-20-2002 |
| 23 | 043A-4761-023-00 | 8263 | 1999-082033 | 02-26-1999 |
| 24 | 043A-4761-024-00 | 8265 | 2007-358202 | 10-12-2007 |
| 25 | 043A-4761-025-00 | 8267 | 2007-227821 | 07-25-2007 |
| 26 | 043A-4761-026-00 | 8271 | 98-021453 | 01-22-1998 |
| 27 | 043A-4761-027-00 | 8273 | 2007-194878 | 05-22-2007 |
| 28 | 043A-4761-028-00 | 8275 | 2002-533525 | 11-15-2002 |
| 29 | 043A-4761-029-00 | 8277 | 2006-052993 | 02-10-2006 |
| 30 | 043A-4761-030-00 | 8281 | 99-262263 | 07-16-1999 |
| 31 | 043A-4761-031-00 | 8285 | 2009-002160 | 01-06-2009 |
| 32 | 043A-4761-032-00 | 8289 | 2002-489382 | 10-29-2002 |
| 33 | 043A-4761-033-00 | 8293 | 2004-433477 | 09-24-2004 |
| 34 | 043A-4761-034-00 | 8295 | 2008-185641 | 06-11-2008 |
| 35 | 043A-4761-035-00 | 8288 | 2007-294891 | 08-09-2007 |
| 36 | 043A-4761-036-00 | 8282 | 99-342432 | 09-07-1999 |
| 37 | 043A-4761-037-00 | 8278 | 2004-398567 | 09-02-2004 |
| 38 | 043A-4761-038-00 | 8268 | 2004-347147 | 07-29-2004 |
| 39 | 043A-4761-039-00 | 8260 | 2004-205163 | 05-10-2004 |
| 40 | 043A-4761-040-00 | 8252 | 2004-104691 | 03-11-2004 |
| 41 | 043A-4761-041-00 | 8248 | 99-227976 | 06-18-1999 |
| 42 | 043A-4761-042-00 | 8246 | 2002-350248 | 08-13-2002 |
| 43 | 043A-4761-043-00 | 8240 | 2004-565381 | 12-23-2004 |
| 44 | 043A-4761-044-00 | 8230 | 2005-263906 | 06-28-2005 |
| 45 | 043A-4761-045-00 | 8290 | 97-143364 | 06-11-1997 |

as recorded by the Alameda County Clerk-Recorder; and

WHEREAS, pursuant to the California Streets and Highways Code, California Government Code, and California Public Resources Code, the Council of the City of Oakland has previously made the following statutory determinations by Resolution:

- the Council of the City of Oakland may adopt terms of performance by the adjoining property owner that condition the vacation; and
- that the proposed vacation conforms with the City of Oakland's adopted General Plan; and
- that the statutory requirements for properly noticing the public through conspicuous site posting and newspaper publication of the location and extent of the proposed vacation and the public hearing to receive supporting evidence and public comments were completed; and
- that said property owners of the forty-five (45) lots abutting Skyline Circle own the underlying fee interest in the public right-of-way proposed to be vacated; and
- the proposed vacation is categorically exempted from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (existing facilities); and
- the proposed vacation requires reservation of public service easement for existing or future utilities owned and maintained either by companies regulated by the California Public Utilities Commission or by the City of Oakland or by the East Bay Municipal Utility; and
- the proposed vacation requires reservation of public service easement for emergency vehicle access; and
- the proposed vacation does not limit public use or impede public access for non-motorized transportation; and
- the proposed vacation will not increase traffic and pedestrian inconvenience nor decrease traffic and pedestrian safety; and be it
- the proposed vacation will benefit the public and the citizens of Oakland fiscally by decreasing the cost of police services for nuisance and criminal activities and increasing the revenue derived from the general levy of property taxes; and be it

WHEREAS, the metes and bounds establishing the length and width of Skyline Circle proposed for vacation is delineated on the *Final Map for Tract No. 6249* and on the *Amended Final Map for Tract No. 6249*, recorded March 29, 2001, series no. 2001-107696, in book 257 of maps, on pages 39 and 40, inclusive, by the Alameda County Clerk-Recorder, which was adopted by the Council of the City of Oakland on December 5, 2000 in Resolution No. 77165 C.M.S, as shown on *Exhibits A1* and *A2* attached hereto; and

WHEREAS, pursuant to California Streets and Highways Code Section 8324, the Council of the City of Oakland may apply conditions for the vacation of public right-of-way and may instruct the City Clerk not to record a vacation until the conditions have been satisfied; now, therefore,

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

1. The vacation of the public right-of-way of Skyline Circle, as delineated in the attached *Exhibits A1* and *A2*, without cost to the abutting property owners is hereby ordered; and
2. this order of vacation shall except, exempt, and reserve a public service easement across the full length and width of the vacated right-of-way for the benefit of companies regulated by the California Public Utilities Commission and the City of Oakland and the East Bay Municipal Utility District to access, maintain, operate, replace, remove, or renew subsurface utilities and necessary appurtenances, which include, but are not limited to, potable water piping, natural gas piping, fuel oil piping, and electrical and communications cabling; and
3. this order of vacation shall also except, exempt, and reserve a public service easement across the full length and width of the vacated right-of-way for access by emergency vehicles; and
4. said property owners, at their sole option and expense, may prepare documents, exhibits, and maps memorializing their individual and collective right to access their lots across said public easements, and upon approval by the City Engineer of the City of Oakland for technical sufficiency and the City Attorney of the City of Oakland for legal sufficiency, may file said documentation for recordation by the Alameda County Clerk-Recorder; and
5. access to the vacated right-of-way by the general public may be controlled by said property owners, subject to the approval by the Building Official, City Engineer, Fire Chief, and Police Chief of the City of Oakland and their successors in title and to the issuance and final inspection approvals of required permits; and
6. pursuant to California Streets and Highways Code Section 8336, this order of vacation shall not be complete unless and until this Ordinance has been filed with and recorded by the Alameda County Clerk-Recorder; and
7. pursuant to Resolution No. 73654 C.M.S., said abutting property owners shall remain responsible in perpetuity for the installation, maintenance, repair, and removal of all infrastructure improvements located within the vacated public right-of-way, including but not limited to roadway pavement, sidewalks, curbs, gutters, trees and landscaping, irrigation, street lighting, sanitary sewer piping, and storm water piping, but excepting from said responsibility infrastructure improvements that are otherwise regulated by California Public Utilities Commission; and
8. the hereinabove conditions shall equally bind said property owners and their representatives, heirs, beneficiaries, successors in interest, and assigns and the successive owners of said properties; and
9. should any article, section, subsection, sentence, clause, or phrase of this ordinance or exhibit be held to be invalid or unconstitutional, the offending portion shall be severed and shall not affect the validity of remaining portions which shall remain in full force and effect; and

10. this ordinance is enacted by the Council of the City of Oakland pursuant to the police powers accorded to the City by and through section 106 of the Charter of the City of Oakland and Article XI of the Constitution of the State of California; and
11. upon final adoption or approval of a reconsideration by sufficient votes of the Council of the City of Oakland, this ordinance shall be effective on and after the day established in section 216 of the Charter of the City of Oakland.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2009

PASSED BY THE FOLLOWING VOTE:

**AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and
PRESIDENT BRUNNER**

NOES -

ABSENT -

ABSTENTION -

**ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California**

DATE OF ATTESTATION _____

Proposed Vacation Of The Public Right-Of-Way Of Skyline Circle Without Cost To The Abutting Property Owners And Reservation Of Public Service Easements

EXHIBIT A1

Tract 6249 Map 82 222 pp 85-88

OWNER'S STATEMENT

THE UNDERSIGNED, ALAN B. MILLER HEREAFTER REFERRED TO AS "OWNER" DOES HEREBY STATE THAT HE IS THE OWNER OF ALL THE LANDS DELINEATED AND ENCOMPASSED WITHIN THE EXTERIOR BOUNDARY SHOWN UPON THE MERKIN ENCLOSED FINAL MAP ENTITLED "TRACT 6249, CITY OF OAKLAND, ALAMEDA COUNTY, CALIFORNIA"...

- I DO HEREBY OFFER FOR DEDICATION TO THE CITY OF OAKLAND THE AREA SHOWN AND DESIGNATED HEREON AS "SKYLINE CIRCLE" FOR THE USES AND PURPOSES OF A PUBLIC STREET.
I DO HEREBY OFFER FOR DEDICATION TO THE CITY OF OAKLAND THE AREA SHOWN AND DESIGNATED HEREON AS "20' WIDE EMERGENCY VEHICLE ACCESS EASEMENT" FOR ACCESS FOR EMERGENCY VEHICLES.
I DO HEREBY OFFER FOR DEDICATION TO THE CITY OF OAKLAND THE AREAS SHOWN AND DESIGNATED HEREON AS "15' WIDE (RESERVE) AND "10' WIDE" FOR THE PURPOSES OF CONSTRUCTING, RECONSTRUCTING AND MAINTAINING PUBLIC STORM DRAIN AND SANITARY SEWER FACILITIES AND APPURTENANCES WHICH GO AND OVER THESE AREAS.
I DO HEREBY RESERVE THE AREAS SHOWN AND DESIGNATED HEREON AS "CONSERVATION EASEMENT" TO REMAIN AS PROTECTED OPEN SPACE FOR THE PRESERVATION OF THE AREA AND ITS VEGETATION IN ITS PRESENT NATURAL CONDITION.
I DO HEREBY RESERVE A PRIVATE STORM DRAIN EASEMENT DESIGNATED AND SHOWN HEREON AS "PDS" FOR THE USE OF THE OWNERS OF TRACT 6249 INCLUDING THE RIGHT TO CONSTRUCT, MAINTAIN, AND REPAIR A PRIVATE STORM DRAIN LINE.

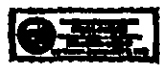
Signature of Alan B. Miller, ALAN B. MILLER

ADDRESS: 41 BRIGLIE LAKE WOODSIDE, CA

OWNER'S ACKNOWLEDGMENT

STATE OF California, COUNTY OF Alameda. On December 11, 1992, before me, Charles S. Bryant, a Notary Public in and for said State, personally appeared Alan B. Miller, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacities, and that by his/her/their signature(s) on the instrument, the person(s) on the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS MY HAND AND OFFICIAL SEAL: SIGNATURE: Charles S. Bryant, Notary Public in and for said County and State. MY COMMISSION EXPIRES: October 9, 1994. JOB NO. 930094.70 PB 296/1



CERTIFICATE OF THE CLERK OF THE BOARD OF SUPERVISORS

I, DARLENE J. BLOOM, ACTING CLERK OF THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, HEREBY CERTIFY, AS CHECKED BELOW THAT: AN APPROVED BOND HAS BEEN FILED WITH THE BOARD OF SUPERVISORS OF THE SAID COUNTY AND STATE IN THE AMOUNT OF \$25,000.00... ALL TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES HAVE BEEN PAID, AS CERTIFIED BY THE TREASURER-TAX COLLECTOR OF THE COUNTY OF ALAMEDA.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND THIS 12th DAY OF January 1992. Darlene J. Bloom, Acting Clerk of the Board of Supervisors of the County of Alameda, California.

TRACT 6249

CITY OF OAKLAND ALAMEDA COUNTY, CALIFORNIA BEING A RESUBDIVISION OF A PORTION OF THE LANDS OF RAFAEL MARTINEZ, ET AL, AS DESCRIBED IN THE DEED RECORDED OCTOBER 7, 1971 IN BOOK 84 OF DEEDS AT PAGE 488 OF ALAMEDA COUNTY RECORDS. Brian Kangas Fouk CONSULTING ENGINEERS - PLANNERS - SURVEYORS REDWOOD CITY, CALIFORNIA JULY 1995

STATEMENT OF THE SECRETARY OF THE PLANNING COMMISSION

I, CHARLES S. BRYANT, SECRETARY OF THE CITY PLANNING COMMISSION OF THE CITY OF OAKLAND, STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT THE TENTATIVE MAP OF THE MERKIN ENCLOSED "TRACT 6249, CITY OF OAKLAND, ALAMEDA COUNTY, CALIFORNIA", WAS PRESENTED TO THE CITY PLANNING COMMISSION AS PROVIDED BY SUBDIVISION MAP ACT AT A REGULARLY SCHEDULED MEETING ON THE 26TH DAY OF JUNE, 1991 AND THAT SAID COMMISSION APPROVED SAID TENTATIVE MAP UPON WHICH THIS MAP IS BASED, AND THAT ON APPEAL, THE CITY COUNCIL APPROVED SAID TENTATIVE MAP BY MOTION AT A REGULARLY SCHEDULED MEETING ON THE 17TH DAY OF DECEMBER, 1991.

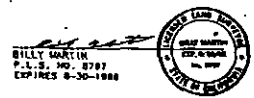
IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND THIS 22nd DAY OF January 1992.

Signature of Charles S. Bryant, SECRETARY OF CITY PLANNING COMMISSION OF THE CITY OF OAKLAND, STATE OF CALIFORNIA

SURVEYOR'S STATEMENT

I, BILLY MARTIN, HEREBY CERTIFY THAT THIS FINAL MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND WAS BASED UPON A TRUE AND COMPLETE SURVEY MADE BY ME OR UNDER MY DIRECTION IN JANUARY 1992. THAT SAID SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE MONUMENTS ARE OF THE CHARACTER AS SHOWN HEREON AND OCCUPY THE POSITIONS INDICATED OR WILL BE SET IN SUCH POSITIONS WITHIN ONE (1) YEAR OF THE FILING OF THIS MAP; AND SAID MONUMENTS WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DATED: Dec 14 1992



SUBDIVIDER KAUFMAN AND BROAD OF NORTHERN CALIFORNIA, 3130 CROWN CANYON PLACE, SUITE 300 SAN RAMON, CA

RECORDER'S STATEMENT

FILED THIS 16th DAY OF January 1992 AT 11:59 P.M. RECORDER'S SERIES NO. 92-00792 IN BOOK 82 OF MAPS AT PAGE 85-88 AT THE REQUEST OF Brian Kangas Fouk IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA. Fee \$2,814.00

BY: Patrick O'Donnell, DEPUTY COUNTY RECORDER



EXHIBIT A1

Proposed Vacation Of The Public Right-Of-Way Of Skyline Circle Without Cost
To The Abutting Property Owners And Reservation Of Public Service Easements

Tract 6249

Map Bc 222

Pg 06

TRACT 6249

CITY OF OAKLAND
ALAMEDA COUNTY, CALIFORNIA

BEING A RESUBDIVISION OF A PORTION OF THE LANDS OF RAFAEL MARTINEZ,
ET AL., AS DESCRIBED IN THE DEED RECORDED OCTOBER 7, 1971 IN BOOK
88 OF DEEDS AT PAGE 488 OF ALAMEDA COUNTY RECORDS.

Brian Kangas Fouk

CONSULTING ENGINEERS • PLANNERS • SURVEYORS
REDWOOD CITY, CALIFORNIA
JULY 1995

CONDITION

STRUCTURES ON LOTS 12-20 SHALL BE SET BACK NOT MORE THAN 5 FEET
FROM THE FRONT PROPERTY LINE. THIS CONDITION SHALL BE REFLECTED
ON THE GRANT DEEDS FOR THE SUBJECT LOTS.

CITY CLERK'S STATEMENT

I, CEDA FLOYD, CITY CLERK AND CLERK OF THE COUNCIL OF THE CITY OF
OAKLAND, STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT THE HEREIN
EMBODIED MAP ENTITLED "TRACT 6249, CITY OF OAKLAND, ALAMEDA COUNTY,
CALIFORNIA" WAS PRESENTED TO THE COUNCIL OF THE CITY OF OAKLAND AT
A REGULAR MEETING THEREOF, HELD ON THE 30th DAY OF January 1995,
AND THAT SAID COUNCIL DID AT SAID REGULAR MEETING APPROVE SAID MAP
BY RESOLUTION NO. 95-0116.

I HEREBY ACCEPT ON BEHALF OF THE CITY OF OAKLAND THE AREAS
DESIGNATED AS "RESERVE" (REV), "INDIRECT VEHICLE ACCESS BASEMENT",
AND "SKYLINE CIRCLES" AS DEDICATED HEREIN IN ACCORDANCE WITH SECTION
7-5.16 OF THE OAKLAND MUNICIPAL CODE.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS 17th DAY OF
January, 1995.

Ceda Floyd
CEDA FLOYD
CITY CLERK AND CLERK OF THE
COUNCIL OF THE CITY OF OAKLAND
STATE OF CALIFORNIA

CITY ENGINEER'S STATEMENT

I, CALVIN N. WONG, DEPUTY DIRECTOR OF PLANNING AND BUILDING,
HAVING BEEN AUTHORIZED TO PERFORM THE FUNCTIONS OF THE CITY
ENGINEER OF THE CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF
CALIFORNIA, FOR THE PURPOSE OF REVIEWING SUBDIVISION MAPS, DO
HEREBY CERTIFY THAT I HAVE EXAMINED THE HEREIN EMBODIED FINAL MAP
ENTITLED "TRACT 6249, CITY OF OAKLAND, ALAMEDA COUNTY, CALIFORNIA",
THAT THE SUBDIVISION SHOWN UPON SAID FINAL MAP IS SUBSTANTIALLY THE
SAME AS THAT APPEARING ON THE VESTING TENTATIVE MAP APPROVED AT THE
PLANNING COMMISSION MEETING HELD ON JUNE 28, 1991 AND ANY APPROVED
ALTERATIONS THEREOF; THAT SAID FINAL MAP COMPLIES WITH ALL
PROVISIONS OF THE SUBDIVISION MAP ACT OF THE GOVERNMENT CODE AND
LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE
VESTING TENTATIVE MAP; AND THAT I AM SATISFIED THAT THE FINAL MAP IS
TECHNICALLY CORRECT.

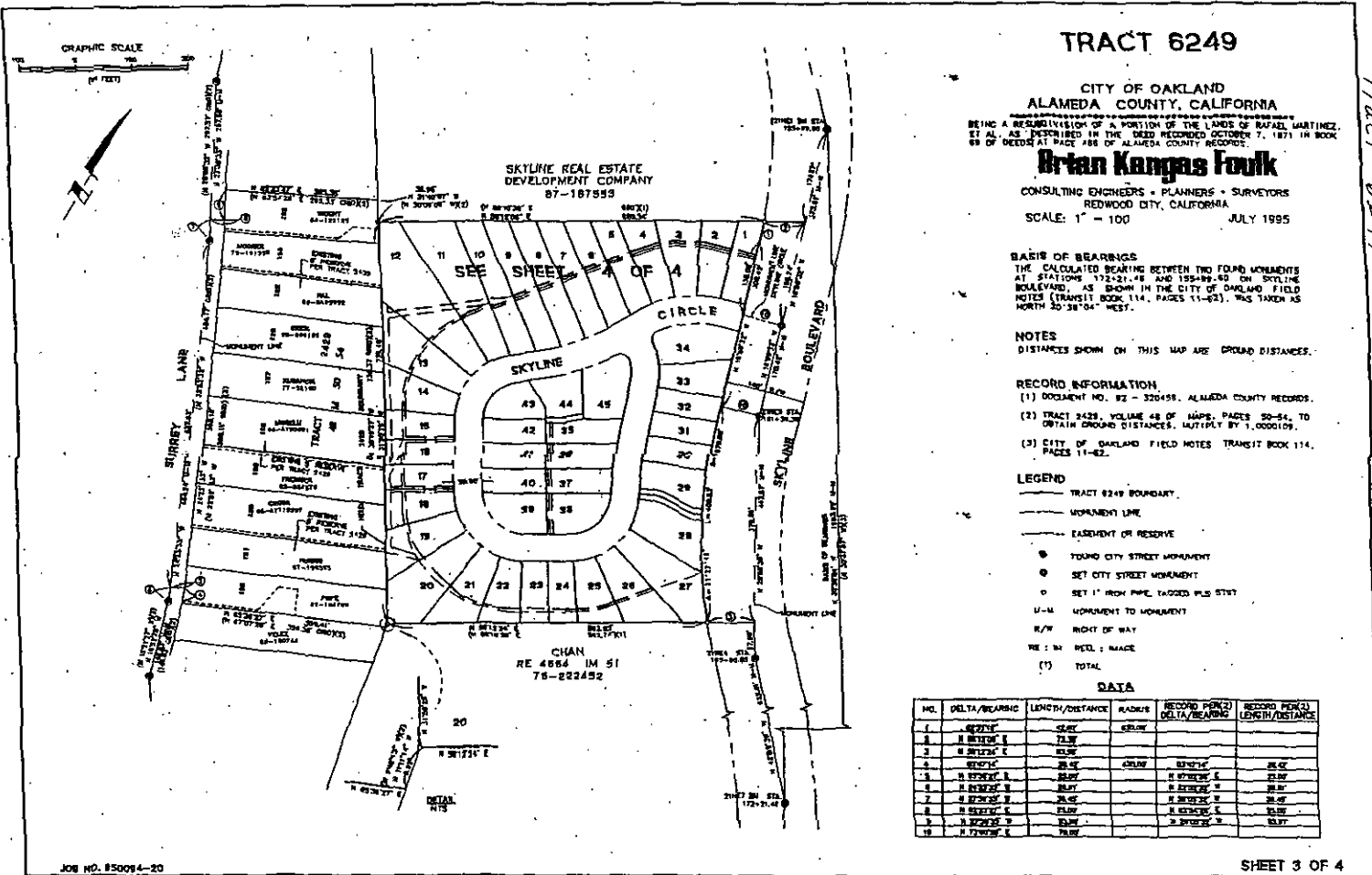
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS 4th DAY OF
January, 1995.

Calvin N. Wong
CALVIN N. WONG, P.C.E. 25775
DEPUTY DIRECTOR OF PLANNING & BUILDING
CITY OF OAKLAND, ALAMEDA COUNTY
STATE OF CALIFORNIA
LICENSE EXPIRES 12/31/97

EXHIBIT A1

Proposed Vacation Of The Public Right-Of-Way Of Skyline Circle Without Cost To The Abutting Property Owners And Reservation Of Public Service Easements

Tract 6249 Map A6 222 Pg 87



TRACT 6249

CITY OF OAKLAND
ALAMEDA COUNTY, CALIFORNIA
BEING A RESUBDIVISION OF A PORTION OF THE LANDS OF RAFAEL MARTINEZ ET AL, AS DESCRIBED IN THE DEED RECORDED OCTOBER 7, 1871 IN BOOK 69 OF DEEDS AT PAGE 486 OF ALAMEDA COUNTY RECORDS.
Brian Kangas Fouk
CONSULTING ENGINEERS - PLANNERS - SURVEYORS
REDWOOD CITY, CALIFORNIA
SCALE: 1" = 100 JULY 1995

BASIS OF BEARINGS
THE CALCULATED BEARING BETWEEN TWO FOUND MONUMENTS AT STATIONS 172+21.48 AND 199+89.60 ON SKYLINE BOULEVARD, AS SHOWN IN THE CITY OF OAKLAND FIELD NOTES (TRANSIT BOOK 114, PAGES 11-62), WAS TAKEN AS NORTH 20°38'04" WEST.

NOTES
DISTANCES SHOWN ON THIS MAP ARE GROUND DISTANCES.

RECORD INFORMATION
(1) DOCUMENT NO. 82 - 320458, ALAMEDA COUNTY RECORDS.
(2) TRACT 2429, VOLUME 48 OF MAPS, PAGES 50-54, TO OBTAIN GROUND DISTANCES, MULTIPLY BY 1.0000109.
(3) CITY OF OAKLAND FIELD NOTES TRANSIT BOOK 114, PAGES 11-62.

LEGEND
 - - - - - TRACT 6249 BOUNDARY
 ——— MONUMENT LINE
 --- EASEMENT OR RESERVE
 ● FOUND CITY STREET MONUMENT
 ○ SET CITY STREET MONUMENT
 ○ SET 1" IRON PIPE, TAGGED PLS. STBY
 U-U MONUMENT TO MONUMENT
 R/W RIGHT OF WAY
 RE: IN REEL; IN PAGE
 (1) TOTAL

DATA

| NO. | DELTA/BEARING | LENGTH/DISTANCE | RADIUS | RECORD PER(1) DELTA/BEARING | RECORD PER(2) LENGTH/DISTANCE |
|-----|---------------|-----------------|--------|--------------------------------|----------------------------------|
| 1 | S 87°15' E | 51.00 | 51.00 | | |
| 2 | N 87°15' E | 71.00 | 71.00 | | |
| 3 | S 87°15' E | 51.00 | 51.00 | | |
| 4 | S 87°15' E | 28.00 | 28.00 | | |
| 5 | N 87°15' E | 28.00 | 28.00 | | |
| 6 | N 87°15' E | 28.00 | 28.00 | | |
| 7 | S 87°15' E | 28.00 | 28.00 | | |
| 8 | N 87°15' E | 28.00 | 28.00 | | |
| 9 | N 87°15' E | 28.00 | 28.00 | | |
| 10 | N 87°15' E | 28.00 | 28.00 | | |

SHEET 3 OF 4

64 222 A 77

JOB NO. 850094-20

Proposed Vacation Of The Public Right-Of-Way Of Skyline Circle Without Cost
 To The Abutting Property Owners And Reservation Of Public Service Easements

EXHIBIT A1

Tract 6249
 Map Bk 222
 Pg 88

TRACT 6249

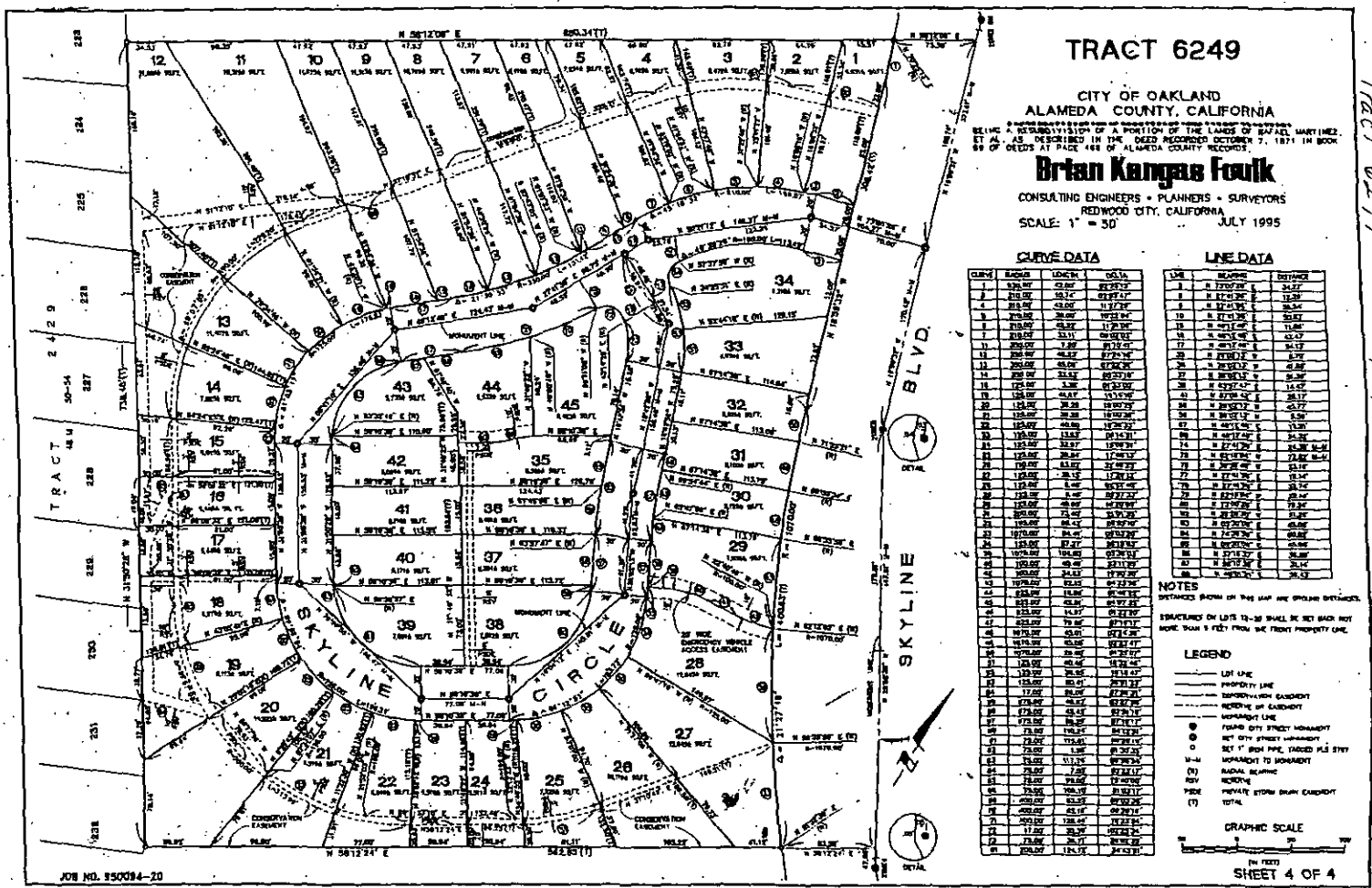
CITY OF OAKLAND
 ALAMEDA COUNTY, CALIFORNIA

BEING A RE-DEVISION OF A PORTION OF THE LANDS OF RAFAEL MARTINEZ, ET AL. AS DESCRIBED IN THE DEED RECORDED OCTOBER 7, 1871 IN BOOK 24 OF DEEDS AT PAGE 488 OF ALAMEDA COUNTY RECORDS.

Brian Kangas Fouk

CONSULTING ENGINEERS • PLANNERS • SURVEYORS
 REDWOOD CITY, CALIFORNIA

SCALE: 1" = 50' JULY 1995



CURVE DATA

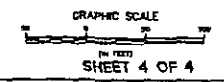
| CURV | BEARING | CHORD | CHORD | CHORD |
|------|-----------------|-------|-------|-------|
| 1 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 2 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 3 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 4 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 5 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 6 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 7 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 8 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 9 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 10 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 11 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 12 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 13 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 14 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 15 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 16 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 17 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 18 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 19 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 20 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 21 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 22 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 23 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 24 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 25 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 26 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 27 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 28 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 29 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 30 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 31 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 32 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 33 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 34 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 35 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 36 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 37 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 38 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 39 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 40 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 41 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 42 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 43 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 44 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 45 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 46 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 47 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 48 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 49 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |
| 50 | S 89° 52' 00" E | 10.74 | 10.74 | 10.74 |

LINE DATA

| LINE | BEARING | DISTANCE |
|------|-----------------|----------|
| 1 | S 89° 52' 00" E | 10.74 |
| 2 | S 89° 52' 00" E | 10.74 |
| 3 | S 89° 52' 00" E | 10.74 |
| 4 | S 89° 52' 00" E | 10.74 |
| 5 | S 89° 52' 00" E | 10.74 |
| 6 | S 89° 52' 00" E | 10.74 |
| 7 | S 89° 52' 00" E | 10.74 |
| 8 | S 89° 52' 00" E | 10.74 |
| 9 | S 89° 52' 00" E | 10.74 |
| 10 | S 89° 52' 00" E | 10.74 |
| 11 | S 89° 52' 00" E | 10.74 |
| 12 | S 89° 52' 00" E | 10.74 |
| 13 | S 89° 52' 00" E | 10.74 |
| 14 | S 89° 52' 00" E | 10.74 |
| 15 | S 89° 52' 00" E | 10.74 |
| 16 | S 89° 52' 00" E | 10.74 |
| 17 | S 89° 52' 00" E | 10.74 |
| 18 | S 89° 52' 00" E | 10.74 |
| 19 | S 89° 52' 00" E | 10.74 |
| 20 | S 89° 52' 00" E | 10.74 |
| 21 | S 89° 52' 00" E | 10.74 |
| 22 | S 89° 52' 00" E | 10.74 |
| 23 | S 89° 52' 00" E | 10.74 |
| 24 | S 89° 52' 00" E | 10.74 |
| 25 | S 89° 52' 00" E | 10.74 |
| 26 | S 89° 52' 00" E | 10.74 |
| 27 | S 89° 52' 00" E | 10.74 |
| 28 | S 89° 52' 00" E | 10.74 |
| 29 | S 89° 52' 00" E | 10.74 |
| 30 | S 89° 52' 00" E | 10.74 |
| 31 | S 89° 52' 00" E | 10.74 |
| 32 | S 89° 52' 00" E | 10.74 |
| 33 | S 89° 52' 00" E | 10.74 |
| 34 | S 89° 52' 00" E | 10.74 |
| 35 | S 89° 52' 00" E | 10.74 |
| 36 | S 89° 52' 00" E | 10.74 |
| 37 | S 89° 52' 00" E | 10.74 |
| 38 | S 89° 52' 00" E | 10.74 |
| 39 | S 89° 52' 00" E | 10.74 |
| 40 | S 89° 52' 00" E | 10.74 |
| 41 | S 89° 52' 00" E | 10.74 |
| 42 | S 89° 52' 00" E | 10.74 |
| 43 | S 89° 52' 00" E | 10.74 |
| 44 | S 89° 52' 00" E | 10.74 |
| 45 | S 89° 52' 00" E | 10.74 |
| 46 | S 89° 52' 00" E | 10.74 |
| 47 | S 89° 52' 00" E | 10.74 |
| 48 | S 89° 52' 00" E | 10.74 |
| 49 | S 89° 52' 00" E | 10.74 |
| 50 | S 89° 52' 00" E | 10.74 |

NOTES
 DISTANCES SHOWN ON THIS MAP ARE GRADE SURVEY DISTANCES.
 DISTANCES ON LOTS 12-38 SHALL BE SET BACK NOT MORE THAN 5 FEET FROM THE FRONT PROPERTY LINE.

- LEGEND**
- LOT LINE
 - PROPERTY LINE
 - EASEMENT/RIGHT OF WAY
 - RESERVATION OF EASEMENT
 - MONUMENT LINE
 - FRONT CITY STREET MONUMENT
 - SET CITY STREET MONUMENT
 - SET 1" IRON PIPE, TAPPED 1/2" SET
 - MONUMENT TO MONUMENT
 - PUBLIC EASEMENT
 - PRIVATE EASEMENT
 - PRIVATE EASEMENT
 - TOTAL



JOB NO. 950094-20

SHEET 4 OF 4

6/11/95

Proposed Vacation Of The Public Right-Of-Way Of Skyline Circle Without Cost
 To The Abutting Property Owners And Reservation Of Public Service Easements

EXHIBIT A2

Oakland Book 1219
 Map No. 281
 Page 20-10

AMENDING TRACT 6249

BEING AN AMENDMENT TO TRACT 6249 RECORDED IN
 BOOK 222 OF MAPS AT PAGES 85 THROUGH 88, INCLUSIVE,
 ALAMEDA COUNTY RECORDS, AMENDING THE LOCATION OF THE
 PRIVATE STORM DRAIN EASEMENT, THE CONSERVATION EASEMENT, THE 10'
 WIDE PUBLIC RESERVE AND ADDING A 5' WIDE PUBLIC UTILITY EASEMENT
 WITHIN LOTS 1 THROUGH 20

CONSISTING OF 2 SHEETS
 CITY OF OAKLAND ALAMEDA COUNTY CALIFORNIA

DATED: DECEMBER 2000

Brian Kangas Faulk

CONSULTING ENGINEER
 4700 CHURCH AVE., SUITE 104
 PLEASANTON, CA. 94588

CITY ENGINEER'S STATEMENT

I, CALVIN N. WONG, DIRECTOR OF BUILDING SERVICES, HAVING BEEN
 AUTHORIZED TO PERFORM THE FUNCTIONS OF THE CITY ENGINEER
 OF THE CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA,
 FOR THE PURPOSE OF REVIEWING SUBDIVISION MAPS, DO HEREBY
 CERTIFY THAT I HAVE EXAMINED THE HEREON EMBODIED MAP
 ENTITLED "AMENDING TRACT 6249"; THAT THE SUBDIVISION SHOWN
 UPON SAID MAP IS SUBSTANTIALLY THE SAME AS THAT APPEARING
 ON THE TENTATIVE MAP AND ANY ALLEGED "TYPED" THAT SAID
 MAP COMPLIES WITH ALL PROVISIONS OF THE SUBDIVISION MAP ACT
 OF THE GOVERNMENT CODE AND LOCAL ORDINANCES APPLICABLE AT
 THE TIME OF APPROVAL OF THE TENTATIVE MAP; AND THAT I AM
 SATISFIED THAT THE MAP IS TECHNICALLY CORRECT.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND
 THIS 20th DAY OF March, 2001.

Calvin Wong
 CALVIN N. WONG, P.E., 25775
 [Reg. Exp. Date: 12-31-2001]
 Director of Building Services, City of Oakland
 Alameda County, Ca.

CITY CLERK'S STATEMENT

I, CEDA FLOYD, CITY CLERK AND CLERK OF THE COUNCIL OF THE
 CITY OF OAKLAND, STATE OF CALIFORNIA, HEREBY STATE THAT SAID
 COUNCIL BY RESOLUTION ADOPTED AT A REGULAR MEETING ON THE 20th DAY
 OF DECEMBER, 2000, DID DULY APPROVE THE WITHIN MAP

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS
 27th DAY OF February, 2001

CEDA FLOYD, CITY CLERK
 OF THE CITY COUNCIL OF THE CITY OF OAKLAND,
 CALIFORNIA

DATED: 2-27-01
 CEDA FLOYD

SHEET 1 OF 2
 20006101-50
 BK 257 P 37

BENEFICIARY'S ACKNOWLEDGMENT

STATE OF CALIFORNIA } S.S.
 COUNTY OF Alameda }
 ON 11/19/01, BEFORE ME Carole Fortson PERSONALLY APPEARED
ROBERT FEEDS PERSONALLY KNOWN TO ME (OR 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/IT/ THEY EXECUTED THE SAME IN HIS/HER/ THEIR AUTHORIZED
 CAPACITY(IES) AND THAT BY HIS/HER/ 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.

WITNESS MY HAND:
 NOTARY'S SIGNATURE: Carole Fortson
 PRINTED NAME: Carole Fortson
 PLACE OF BUSINESS: Alameda, CA
 EXPIRATION DATE: 11/27/02
 County - Alameda
 Commission No. 1243773

AMENDMENT NOTES

THIS MAP AMENDS SHEETS 1 AND 4 OF THE ORIGINAL TRACT MAP 6249
 RECORDED IN BOOK 222 OF MAPS AT PAGES 85 THROUGH 88, ALAMEDA
 COUNTY RECORDS.
 THE PURPOSE OF THE AMENDMENT IS TO AMEND THE LOCATION OF THE
 PRIVATE STORM DRAIN EASEMENT (P.S.D.E.), THE CONSERVATION EASEMENT
 AND THE 10' RESERVE (RSV), AND ADD A 5' PUBLIC UTILITY EASEMENT
 (P.U.E.) ON LOTS 1 THROUGH 20. Recorded on
11-16 # 96-009102

COUNTY RECORDER'S STATEMENT

FILED FOR RECORD THIS 20th DAY OF March, 2001,
 AT 9:00 A.M. IN BOOK 257 OF MAPS AT PAGES 39 THROUGH 50
 AT THE REQUEST OF FIRST AMERICAN TITLE INSURANCE COMPANY IN THE
 OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF ALAMEDA, STATE OF
 CALIFORNIA.

PATRICK O'CONNELL, COUNTY
 RECORDER IN AND FOR THE
 COUNTY OF ALAMEDA, STATE
 OF CALIFORNIA

DEPUTY COUNTY RECORDER

SURVEYOR'S STATEMENT

I HEREBY STATE THAT THIS SURVEY AND FINAL MAP WAS MADE BY ME OR
 UNDER MY DIRECT SUPERVISION IN CONFORMANCE WITH THE REQUIREMENTS
 OF THE "SUBDIVISION MAP ACT" AND LOCAL ORDINANCE; THAT THE SURVEY
 WAS MADE AS THE TIME INDICATED ON THE ORIGINAL MAP AND IS TRUE AND
 COMPLETE AS SHOWN, THAT ALL THE MONUMENTS ARE OF A CHARACTER AND
 OCCUPY THE POSITIONS INDICATED; THAT THE EXTERIOR PROPERTY LINE
 MONUMENTS AND THE INTERIOR AND EXTERIOR STREET MONUMENTS HAVE BEEN
 SET AS STATED ON THE ORIGINAL MAP (BOOK 222 OF MAPS AT PAGES 85
 THROUGH 88, INCLUSIVE) AND THAT SUCH MONUMENTS ARE SUFFICIENT TO
 ENABLE THE SURVEY TO BE RETRACED; THIS AMENDING MAP IS BEING
 FILED PURSUANT TO SECTION 8648 OF THE SUBDIVISION MAP ACT OF THE
 STATE OF CALIFORNIA TO AMEND THE LOCATION OF THE PRIVATE STORM
 DRAIN EASEMENT (P.S.D.E.), THE CONSERVATION EASEMENT AND THE 10'
 RESERVE (RSV) AND ADD THE 5' PUBLIC UTILITY EASEMENT (P.U.E.) ON
 LOTS 1-20.

DATED: 20/12/2000
 BILLY MARTIN, P.L.S. #5797
 EXPIRES: 06/30/2004

OWNER'S STATEMENT

THE UNDERSIGNED, PROTEA PROPERTIES, INC., A CALIFORNIA CORPORATION,
 DOES HEREBY STATE THAT IT IS THE OWNER OF, OR HAS SOME RIGHT, TITLE,
 OR INTEREST IN THE REAL PROPERTY INCLUDED WITHIN LOTS 1-20 OF THE
 SUBDIVISION SHOWN UPON THIS MAP, AND THAT IT IS THE ONLY ONE WHOSE
 CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID PROPERTY,
 AND HEREBY CONSENTS TO THE MAKING AND FILING OF THIS AMENDING
 MAP AS SHOWN WITHIN THE DISTINCTIVE BORDER LINE.

SAID OWNER DOES HEREBY RESERVE
 THE AREA SHOWN AND DESIGNATED HEREON AS "10' RSV" (RESERVE) FOR THE
 PURPOSES OF
 THE STORM DRAIN FACILITIES AND APPURTENANCES.

SAID OWNER DOES HEREBY RESERVE
 THE AREA SHOWN AND DESIGNATED HEREON AS "5' PUE" (PUBLIC UTILITY
 EASEMENT) FOR THE PURPOSES OF
 PUBLIC UTILITIES AND THEIR APPURTENANCES.

SAID OWNER DOES HEREBY RESERVE
 THE AREA SHOWN AND DESIGNATED HEREON AS "CONSERVATION EASEMENT"
 TO REMAIN AS PROTECTED OPEN SPACE FOR THE PRESERVATION OF THE AREA
 AND ITS VEGETATION IN ITS PRESENT NATURAL CONDITION.

SAID OWNER DOES HEREBY RESERVE A PRIVATE STORM DRAIN EASEMENT SHOWN
 AND DESIGNATED HEREON AS "PSE" FOR THE USE OF THE OWNERS OF LOTS 1
 THROUGH 20 OF AMENDING TRACT 6249.

CURRENT VESTING OWNER:

PROTEA PROPERTIES, INC.
 ONE KAISER PLAZA, SUITE 1775
 OAKLAND, CA. 94612

BY: Albert Fong
 ALBERT FONG, PRESIDENT



BENEFICIARY:
 KAUFMAN AND BROAD OF NORTHERN CALIFORNIA, INC.
 2501 WALNUT AVE., SUITE 150
 FREMONT, CA. 94538

BY: Robert Fong
 Robert Fong
 President

OWNER'S ACKNOWLEDGMENT

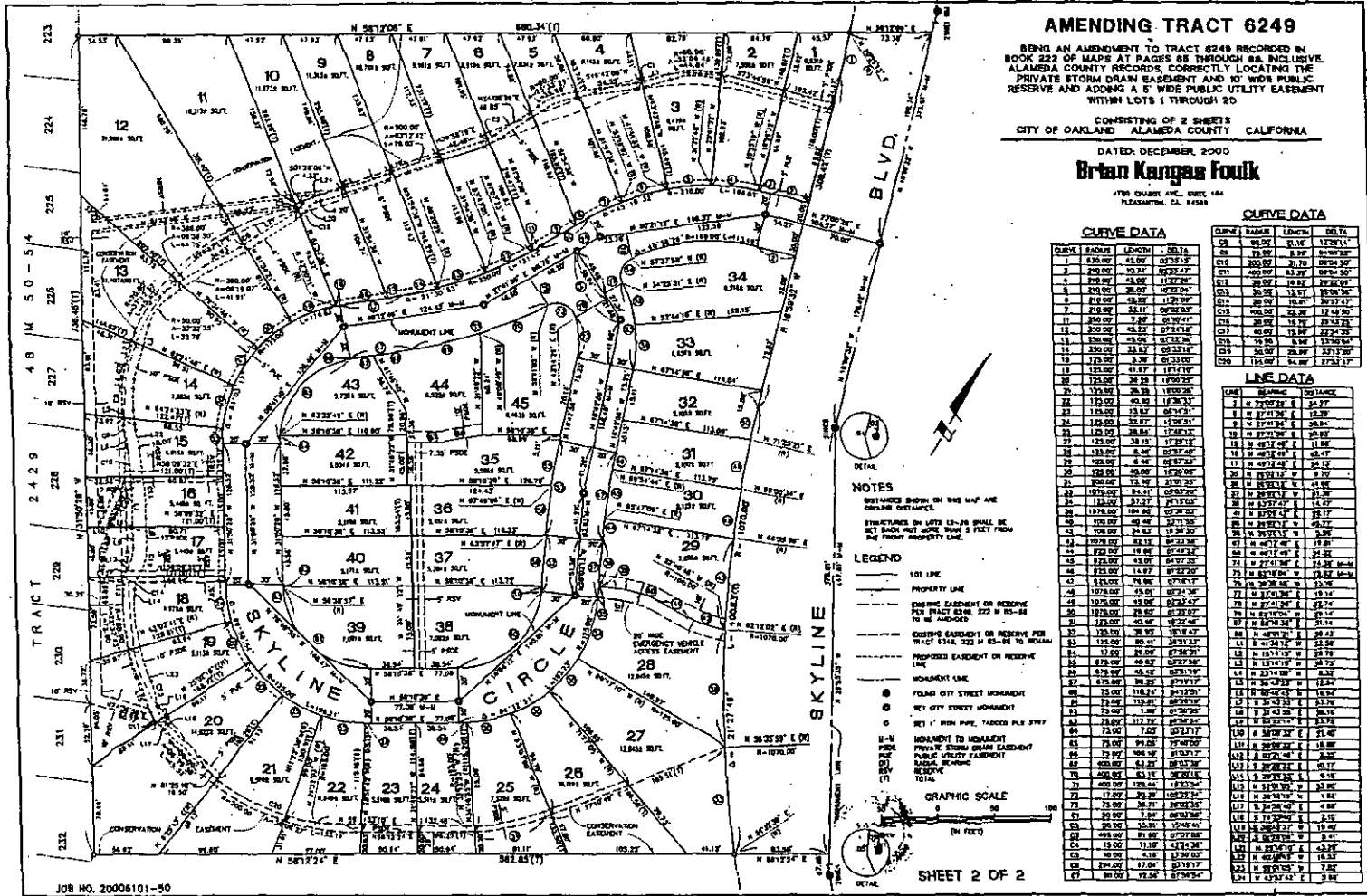
STATE OF CALIFORNIA } S.S.
 COUNTY OF Alameda }
 ON 11/19/01, BEFORE ME Anna Kalam PERSONALLY APPEARED
Robert Feeds PERSONALLY KNOWN TO ME (OR PROVED TO ME ON
 THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON(S) WHOSE NAME(S)
 IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT
 HE/SHE/IT/ THEY EXECUTED THE SAME IN HIS/HER/ THEIR AUTHORIZED
 CAPACITY(IES) AND THAT BY HIS/HER/ 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.

WITNESS MY HAND:
 NOTARY'S SIGNATURE: Anna Kalam
 PRINTED NAME: Anna Kalam
 PLACE OF BUSINESS: Alameda, California, Oakland, CA
 EXPIRATION DATE: March 3, 2001
 County - Alameda
 Commission No. 1253651



Proposed Vacation Of The Public Right-Of-Way Of Skyline Circle Without Cost
 To The Abutting Property Owners And Reservation Of Public Service Easements

EXHIBIT A2



AMENDING TRACT 6249

BEING AN AMENDMENT TO TRACT 6249 RECORDED IN
 BOOK 222 OF MAPS AT PAGES 88 THROUGH 89, INCLUSIVE
 ALAMEDA COUNTY RECORDS, CORRECTLY LOCATING THE
 PRIVATE STORM DRAIN EASEMENT AND 10' WIDE PUBLIC
 RESERVE AND ADDING A 5' WIDE PUBLIC UTILITY EASEMENT
 WITHIN LOTS 1 THROUGH 20

CONSISTING OF 2 SHEETS
 CITY OF OAKLAND ALAMEDA COUNTY CALIFORNIA

DATED: DECEMBER, 2000

Brian Kansas Fouik

1780 CHERRY AVE., SUITE 104
 PLEASANTON, CA 94588

CURVE DATA

| CURVE | RADIUS | LENGTH | DELTA |
|-------|--------|--------|------------|
| 1 | 630.00 | 43.00 | 04°38'12" |
| 2 | 210.00 | 20.00 | 09°00'00" |
| 3 | 210.00 | 20.00 | 11°27'24" |
| 4 | 210.00 | 20.00 | 14°00'00" |
| 5 | 210.00 | 20.00 | 16°27'24" |
| 6 | 210.00 | 20.00 | 19°00'00" |
| 7 | 210.00 | 20.00 | 21°27'24" |
| 8 | 210.00 | 20.00 | 24°00'00" |
| 9 | 210.00 | 20.00 | 26°27'24" |
| 10 | 210.00 | 20.00 | 29°00'00" |
| 11 | 210.00 | 20.00 | 31°27'24" |
| 12 | 210.00 | 20.00 | 34°00'00" |
| 13 | 210.00 | 20.00 | 36°27'24" |
| 14 | 210.00 | 20.00 | 39°00'00" |
| 15 | 210.00 | 20.00 | 41°27'24" |
| 16 | 210.00 | 20.00 | 44°00'00" |
| 17 | 210.00 | 20.00 | 46°27'24" |
| 18 | 210.00 | 20.00 | 49°00'00" |
| 19 | 210.00 | 20.00 | 51°27'24" |
| 20 | 210.00 | 20.00 | 54°00'00" |
| 21 | 210.00 | 20.00 | 56°27'24" |
| 22 | 210.00 | 20.00 | 59°00'00" |
| 23 | 210.00 | 20.00 | 61°27'24" |
| 24 | 210.00 | 20.00 | 64°00'00" |
| 25 | 210.00 | 20.00 | 66°27'24" |
| 26 | 210.00 | 20.00 | 69°00'00" |
| 27 | 210.00 | 20.00 | 71°27'24" |
| 28 | 210.00 | 20.00 | 74°00'00" |
| 29 | 210.00 | 20.00 | 76°27'24" |
| 30 | 210.00 | 20.00 | 79°00'00" |
| 31 | 210.00 | 20.00 | 81°27'24" |
| 32 | 210.00 | 20.00 | 84°00'00" |
| 33 | 210.00 | 20.00 | 86°27'24" |
| 34 | 210.00 | 20.00 | 89°00'00" |
| 35 | 210.00 | 20.00 | 91°27'24" |
| 36 | 210.00 | 20.00 | 94°00'00" |
| 37 | 210.00 | 20.00 | 96°27'24" |
| 38 | 210.00 | 20.00 | 99°00'00" |
| 39 | 210.00 | 20.00 | 101°27'24" |
| 40 | 210.00 | 20.00 | 104°00'00" |
| 41 | 210.00 | 20.00 | 106°27'24" |
| 42 | 210.00 | 20.00 | 109°00'00" |
| 43 | 210.00 | 20.00 | 111°27'24" |
| 44 | 210.00 | 20.00 | 114°00'00" |
| 45 | 210.00 | 20.00 | 116°27'24" |

LINE DATA

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| 1 | N 77°00'00" E | 34.27 |
| 2 | N 77°00'00" E | 34.27 |
| 3 | N 77°00'00" E | 34.27 |
| 4 | N 77°00'00" E | 34.27 |
| 5 | N 77°00'00" E | 34.27 |
| 6 | N 77°00'00" E | 34.27 |
| 7 | N 77°00'00" E | 34.27 |
| 8 | N 77°00'00" E | 34.27 |
| 9 | N 77°00'00" E | 34.27 |
| 10 | N 77°00'00" E | 34.27 |
| 11 | N 77°00'00" E | 34.27 |
| 12 | N 77°00'00" E | 34.27 |
| 13 | N 77°00'00" E | 34.27 |
| 14 | N 77°00'00" E | 34.27 |
| 15 | N 77°00'00" E | 34.27 |
| 16 | N 77°00'00" E | 34.27 |
| 17 | N 77°00'00" E | 34.27 |
| 18 | N 77°00'00" E | 34.27 |
| 19 | N 77°00'00" E | 34.27 |
| 20 | N 77°00'00" E | 34.27 |
| 21 | N 77°00'00" E | 34.27 |
| 22 | N 77°00'00" E | 34.27 |
| 23 | N 77°00'00" E | 34.27 |
| 24 | N 77°00'00" E | 34.27 |
| 25 | N 77°00'00" E | 34.27 |
| 26 | N 77°00'00" E | 34.27 |
| 27 | N 77°00'00" E | 34.27 |
| 28 | N 77°00'00" E | 34.27 |
| 29 | N 77°00'00" E | 34.27 |
| 30 | N 77°00'00" E | 34.27 |
| 31 | N 77°00'00" E | 34.27 |
| 32 | N 77°00'00" E | 34.27 |
| 33 | N 77°00'00" E | 34.27 |
| 34 | N 77°00'00" E | 34.27 |
| 35 | N 77°00'00" E | 34.27 |
| 36 | N 77°00'00" E | 34.27 |
| 37 | N 77°00'00" E | 34.27 |
| 38 | N 77°00'00" E | 34.27 |
| 39 | N 77°00'00" E | 34.27 |
| 40 | N 77°00'00" E | 34.27 |
| 41 | N 77°00'00" E | 34.27 |
| 42 | N 77°00'00" E | 34.27 |
| 43 | N 77°00'00" E | 34.27 |
| 44 | N 77°00'00" E | 34.27 |
| 45 | N 77°00'00" E | 34.27 |

NOTES
 DISTANCES SHOWN ON THIS MAP ARE
 CURVATURE DISTANCES.
 STRUCTURES ON LOTS 15-24 SHALL BE
 SET BACK FROM SKYLINE BLVD. 5 FEET FROM
 THE FRONT PROPERTY LINE.

LEGEND
 LOT LINE
 PROPERTY LINE
 EASEMENT ON RESERVE
 FOR TRACT 6249, 222 N 85-88
 N 46-48 ADJACENT
 EASEMENT ON RESERVE FOR
 TRACT 6249, 222 N 85-88 TO REMAIN
 PROPOSED EASEMENT ON RESERVE
 LINE
 MONUMENT LINE
 FOUND CITY STREET MONUMENT
 SET CITY STREET MONUMENT
 SET 1" WIDE PAPE, TANGENT PILE 3787
 MONUMENT TO REMAIN
 PRIVATE STORM DRAIN EASEMENT
 PUBLIC UTILITY EASEMENT
 PUBLIC UTILITY
 RESERVE
 TOTAL

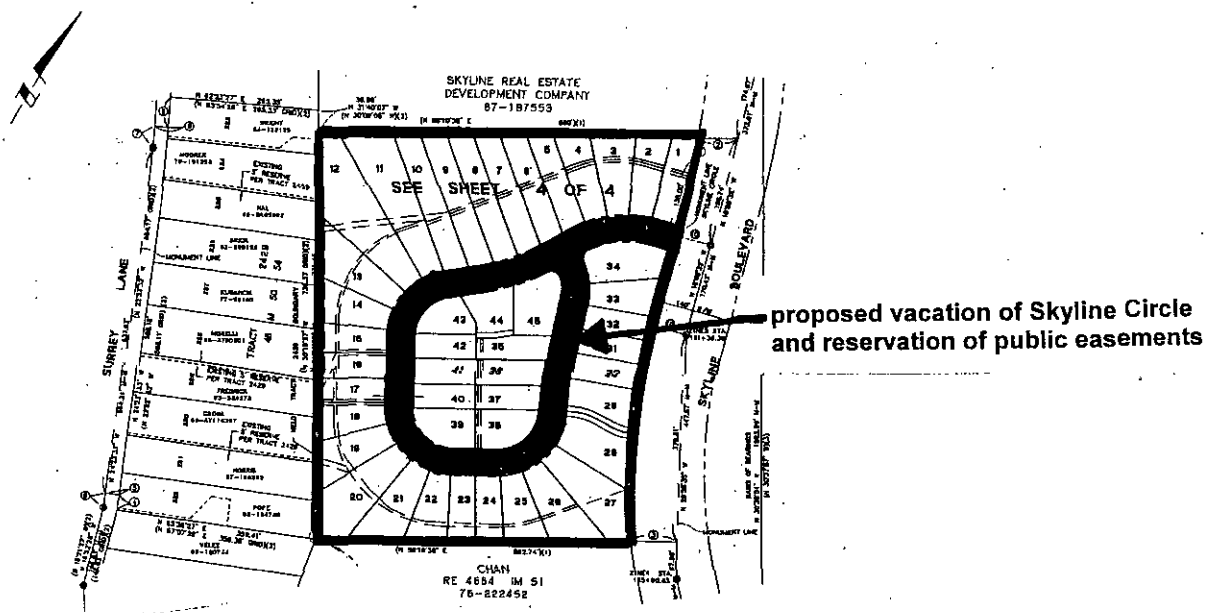
GRAPHIC SCALE
 IN FEET

SHEET 2 OF 2

2257 A 40

Notification Of A Meeting To Receive Supporting Evidence And Public Testimony
For A Proposed Vacation Of The Public Right-Of-Way Of Skyline Circle Without
Cost To The Abutting Property Owners And Reservation Of Public Service Easements

PUBLIC NOTICE



Pursuant to California Streets and Highways Code Section 8320 et seq., notice is given to the public that the Council of the City of Oakland intends to vacate the public right-of-way for Skyline Circle without cost to the abutting property owners and reserve public easements for utilities and emergency vehicle access.

Notice is also given to the public that the Council of the City of Oakland will hold a public meeting to receive supporting evidence and public testimony for the proposed vacation in the Chamber of the City Council, on the Third Floor of City Hall, at One Frank H. Ogawa Plaza, in Oakland, California, on may 5, 2009, beginning at 7:01 p.m. local time.

*It is a misdemeanor to deface or to remove this posting.
Violators are subject to a fine of \$1,000 and a jail sentence of 6 months.*

EXHIBIT B

Notification Of A Meeting To Receive Supporting Evidence And Public Testimony For A Proposed Vacation Of The Public Right-Of-Way Of Skyline Circle Without Cost To The Abutting Property Owners And Reservation Of Public Service Easements

PUBLIC NOTICE

Public Meeting For Abandoning A Public Street

Pursuant to California Streets and Highways Code section 8320 et seq., the Council of the City of Oakland will hold a meeting in the Chamber of the City Council, Third Floor of City Hall, at One Frank H. Ogawa Plaza, in Oakland, California, on May 5, 2009, beginning at 7:01 p.m., local time, to receive supporting evidence and public testimony for an ordinance which will abandon (vacate) the public right-of-way for Skyline Circle (located north of the intersection of Skyline Boulevard and Keller Avenue) without cost to the abutting property owners and reserve public easements over the private road for utilities and emergency vehicle access. A map fully delineating the proposed abandonment is available at the City of Oakland, Building Services Division, Dalziel Administration Building, Second Floor, 250 Frank H. Ogawa Plaza, Oakland, CA 94612.

**published in the Oakland Tribune
on April 14, 2009, and April 21, 2009**

EXHIBIT C

Affidavit Certifying Notifications Of A Public Meeting To Receive Supporting Evidence And Public Testimony For A Proposed Vacation Of The Public Right-Of-Way Of Skyline Circle Without Cost To The Abutting Property Owners And Reservation Of Public Service Easements

Pursuant to California Streets and Highways Code Section 8322, I hereby certify that the following public notifications did occur on the dates and times and at the locations and for the durations indicated below:

Site Posting

Facsimiles of the attached placard were affixed before May 5, 2009, to City street light poles in the public sidewalk at intervals not exceeding three hundred (300) feet along Skyline Circle, and have remained in place since then advising the public of a meeting on May 5, 2009, at 7:01 p.m. local time, in the Chambers of the Council of the City of Oakland, on the Third Floor of City Hall, at One Frank H. Ogawa Plaza, to receive supporting evidence and public testimony for the proposed vacation of the public right-of-way and reservation of public easements delineated on the placard.

Newspaper Publication

The attached notice was published in the *Oakland Tribune* on April 14, 2009, and April 21, 2009, advising the public of a hearing on May 5, 2009, at 7:01 p.m. local time in the Chambers of the Council of the City of Oakland, on the Third Floor of City Hall, at One Frank H. Ogawa Plaza to receive supporting evidence and public testimony for the proposed vacation of Skyline Circle (located north of the intersection Skyline Boulevard and Keller Avenue) without cost to the abutting property owners and reserving public service easements further advising the public that a map delineating the limits of the public right-of-way proposed for vacation and the public easements proposed for reservation is available at the Building Services counter on the Second Floor of the Dalziel Administration Building at 250 Frank H. Ogawa Plaza, Oakland, CA 94612.

by _____

RAYMOND M. DERANIA
Deputy Director - City Engineer
Community and Economic Development Agency

NOTICE AND DIGEST

Ordinance Vacating The Public Right-Of-Way Of Skyline Circle To The Abutting Property Owners Without Cost And Reserving Public Service Easements

This ordinance would convert a public street to a private road (shared access easement) for the exclusive use of the forty-five abutting parcels and would reserve public easements over the abandoned right-of-way for existing and future utilities (natural gas, water, telecommunications, etc.) and access by emergency vehicles.