

**CITY OF SAN MATEO
RESOLUTION NO. ____ (2022)**

**ACCEPTING GRANT OF PEDESTRIAN AND BICYCLE ACCESS EASEMENTS
DERBY AVENUE AND LANDING AVENUE (NOW KNOWN AS CURIOSITY WAY)**

WHEREAS, on April 21, 2008 the City Council approved the Planning Application for Bay Meadows Phase II Site Plan and Architectural Review #1 (PA07-054); and

WHEREAS, Condition of Approval #41 requires Bay Meadows Station 2 Investors, LLC and Bay Meadows Station 3 Investors, LLC grant Public Pedestrian and Bicycle Access Easements to the City; and

WHEREAS, the Pedestrian and Bicycle Access Easements are provided to the City for pedestrian and bicycle access on, over and across the private portions of Derby Avenue and Landing Avenue (now known as Curiosity Way), from South Delaware Street to the Hillsdale Caltrain Station; and

WHEREAS, the Pedestrian and Bicycle Access Easements have been reviewed and recommended for approval by the Public Works Department and the City's contracted Licensed Surveyor.

NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF SAN MATEO, CALIFORNIA, HEREBY RESOLVES that:

1. In accordance with CEQA Guidelines Section 15268, the Public Access Easement is approved as a ministerial act and falls within the scope of the Project Approvals and CEQA findings previously made by the City Council.
2. The City Council accepts the Pedestrian and Bicycle Access Easements from Bay Meadows Station 2 Investors, LLC and Bay Meadows Station 3 Investors, LLC on behalf of the City of San Mateo, in Exhibit A attached hereto.
3. The City Clerk is authorized and directed to record the Grant of Pedestrian and Bicycle Access Easements in the Office of the Recorder of the County of San Mateo.

Exhibit 'A'
Grant of Pedestrian and Bicycle Easements
Two (2) Total

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL
DOCUMENT TO:**

City of San Mateo
330 W. 20th Avenue
San Mateo, CA 94403
Attn: City Clerk

Space Above This Line for Recorder's Use Only

A.P.N.: 040-031-390

GRANT OF PEDESTRIAN AND BICYCLE ACCESS EASEMENT

The undersigned Grantor declares:

DOCUMENTARY TRANSFER TAX -\$0-;

CITY TRANSFER TAX -\$0-; and

SURVEY MONUMENT FEE -\$0-;

☐ computed on the consideration or full value of property conveyed, OR
☐ computed on the consideration or full value less value of liens and/or encumbrances
remaining at time of sale,
☐ unincorporated area;
☒ City of **SAN MATEO**, and

FOR A VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby
acknowledged, **Bay Meadows Station 2 Investors, LLC, a Delaware limited liability company,**

hereby GRANTS to **The City of San Mateo, a municipal corporation,**

a non-exclusive easement for public access for pedestrians and bicycles on, across, and over that
certain area of land described and shown on Exhibits "A" and "B" attached hereto and incorporated
herein by reference, situated in the City of San Mateo, County of San Mateo, State of California.

[Signatures Follow on Next Page]

Dated: _____, 2022

Bay Meadows Station 2 Investors, LLC,
a Delaware limited liability company

By: _____
Name: _____
Title: _____

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)
) SS
COUNTY OF SAN MATEO)

On _____, before me,
_____, Notary Public, 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

My Commission Expires:

This area for official notarial seal

Notary
Name: _____
Notary Registration
Number: _____

Notary
Phone: _____
County of Principal Place of
Business: _____

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by this Grant of Pedestrian and Bicycle Easement dated _____, 2022, from Grantor to the City of San Mateo, a municipal corporation, is hereby accepted by order of its City Council's Resolution No. _____, adopted _____, 2022, and the City of San Mateo consents to the recordation thereof by its duly authorized officer.

CITY OF SAN MATEO,
a municipal corporation

Date: _____, 2022

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)
) SS
COUNTY OF SAN MATEO)

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_____, Notary Public, personally appeared

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Signature

My Commission Expires:

This area for official notarial seal

Notary
Name: _____
Notary Registration
Number: _____

Notary
Phone: _____
County of Principal Place of
Business: _____

EXHIBIT 'A'
Legal Description

Lot 3, Block 15
Public Pedestrian & Bicycle Access Easement
Lands of Bay Meadows Station 2 Investors LLC
APN 040-031-390

Easement over real property situated in the City of San Mateo, County of San Mateo, State of California:

Being a portion of Lot 3, of Block 15, as said Lot and Block are shown on that Final Map entitled "Bay Meadows Phase II, No. 4", filed for record on March 20, 2013, in Book 139 of Maps, at Pages 11-24, San Mateo County Records, and more particularly described as follows:

Beginning at the most northerly corner of said Lot 3, Block 15, said point also being on the westerly Right-of-Way line of South Delaware Street, as shown on said map; Thence along the easterly line of said Lot 3, South 34°06'01" East 26.50 feet to the **True Point of Beginning**; Thence continuing along said easterly line of Lot 3, South 34°06'01" East 20.00 feet; Thence leaving said easterly line, South 55°54'01" West 279.13 feet to a point on the westerly line of said Lot 3; Thence along said westerly line, North 33°56'30" West 20.00 feet; Thence leaving said westerly line, North 55°54'01" East 279.07 feet to a point on the easterly line of said Lot 3 and the **True Point of Beginning**.

Said described easement area containing an area of 5,582 square feet, more or less.

Attached hereto is an exhibit labeled "Exhibit 'B': Plat to Accompany Legal Description" and by this reference is made a part hereof.

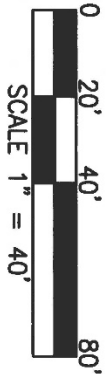
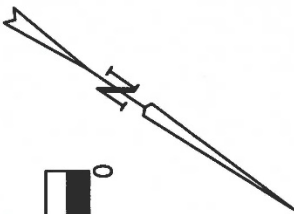
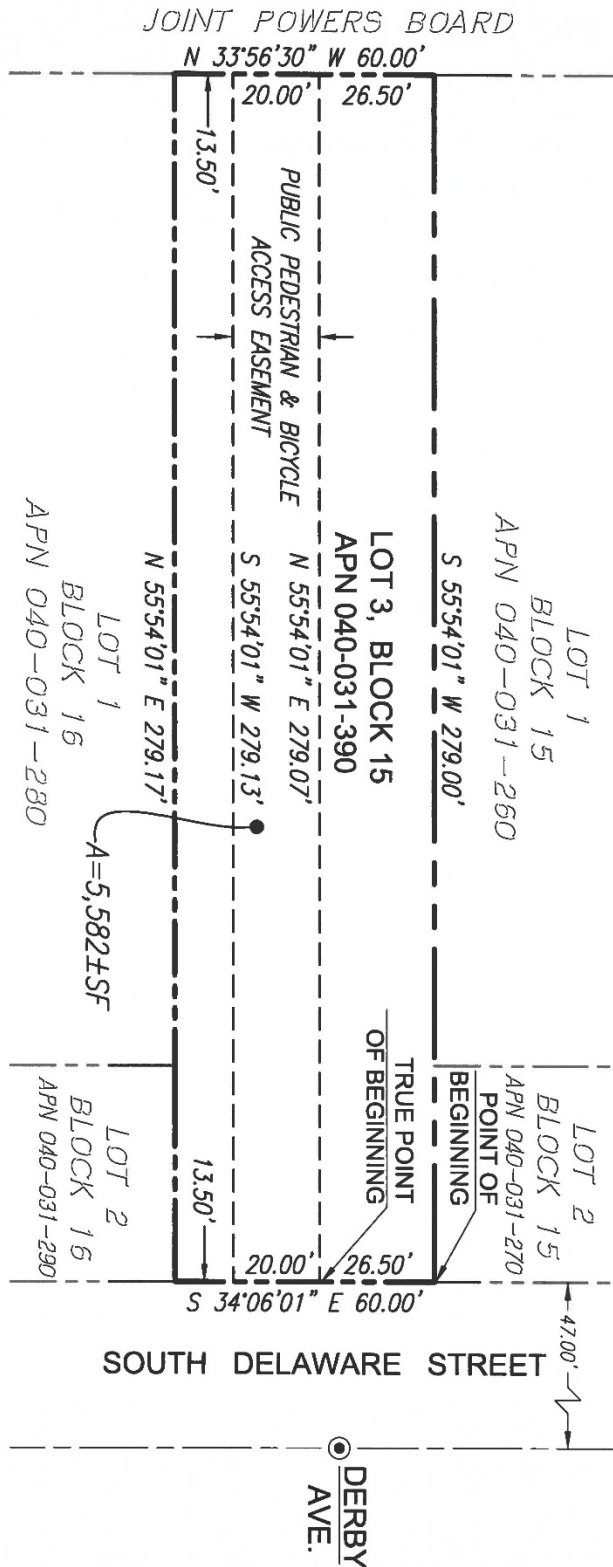
Prepared by or under my supervision:


Kevin R. Weiss


Date



LEGEND
 ——— PROPERTY LINE — SITE
 - - - - - PROPERTY LINE — ADJ PARCELS
 - - - - - NEW EASEMENT LINE
 - - - - - MONUMENT LINE



Kevin R. Weiss
 KEVIN R. WEISS, L.S. 7139
 DATE 08/08/2022

EXHIBIT 'B': PLAT TO ACCOMPANY LEGAL DESCRIPTION -
 PUBLIC PEDESTRIAN & BICYCLE ACCESS EASEMENT,
 LANDS OF BAY MEADOWS STATION 2 INVESTORS LLC

PAGE 2 OF 2 DATE: 08/08/22 JOB NO. 5171.10

JMH WEISS, INC.

1731 Technology Drive, Ste #880
 San Jose, CA 95110
 Phone: (408) 286-4555
 www.jmhweiss.com

Closure Calcs

**Public Pedestrian & Bicycle Access Easement
Bay Meadows – Lot 3 Block 15
Closure Calcs
San Jose, California**

August 8, 2022

Prepared by: JMH Weiss, Inc
1731 Technology Drive, Ste #880
San Jose, California 95110
Nicholas Brown

CALCULATION CERTIFICATE

I HEREBY CERTIFY THAT THESE ELECTRONIC MACHINE COMPUTATIONS WERE PRODUCED ENTIRELY FROM INFORMATION SHOWN ON THE ATTACHED MAP AND THEY ARE TRUE AND ACCURATE AND WITHOUT OMISSION.

DATE: 08-08-2022

SIGNATURE: _____



Public Pedestrian & Bicycle Access Easement:

North: 2132540.5377' East: 6004694.4263'

Segment #1: Line

Course: S 34°06'01" E Length: 20.00'
North: 2132523.9765' East: 6004705.6392'

Segment #2: Line

Course: S 55°54'01" W Length: 279.13'
North: 2132367.4865' East: 6004474.5019'

Segment #3: Line

Course: N 33°56'30" W Length: 20.00'
North: 2132384.0786' East: 6004463.3350'

Segment #4: Line

Course: N 55°54'01" E Length: 279.07'
North: 2132540.5350' East: 6004694.4225'

Perimeter: 598.20' Area: 5581.98 Sq. Ft.
Error Closure: 0.0046 Course: S 54°57'34" W
Error North: -0.00266 East: -0.00379

Precision 1: 130043.48

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL
DOCUMENT TO:**

City of San Mateo
330 W. 20th Avenue
San Mateo, CA 94403
Attn: City Clerk

Space Above This Line for Recorder's Use Only

A.P.N.: 040-031-400

GRANT OF PEDESTRIAN AND BICYCLE ACCESS EASEMENT

The undersigned Grantor declares:

DOCUMENTARY TRANSFER TAX -\$0-;

CITY TRANSFER TAX -\$0-; and

SURVEY MONUMENT FEE -\$0-;

[] computed on the consideration or full value of property conveyed, OR
[] computed on the consideration or full value less value of liens and/or encumbrances
remaining at time of sale,
[] unincorporated area;
[X] City of **SAN MATEO**, and

FOR A VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby
acknowledged, **Bay Meadows Station 3 Investors, LLC, a Delaware limited liability company,**

hereby GRANTS to **The City of San Mateo, a municipal corporation,**

a non-exclusive easement for public access for pedestrians and bicycles on, across, and over that
certain area of land described and shown on Exhibits "A" and "B" attached hereto and incorporated
herein by reference, situated in the City of San Mateo, County of San Mateo, State of California.

[Signatures Follow on Next Page]

Dated: _____, 2022

Bay Meadows Station 3 Investors, LLC,
a Delaware limited liability company

By: _____
Name: _____
Title: _____

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STATE OF CALIFORNIA)
) SS
COUNTY OF SAN MATEO)

On _____, before me,
_____, Notary Public, 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

My Commission Expires:

This area for official notarial seal

Notary
Name: _____
Notary Registration
Number: _____

Notary
Phone: _____
County of Principal Place of
Business: _____

CERTIFICATE OF ACCEPTANCE

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CITY OF SAN MATEO,
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Date: _____, 2022

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This area for official notarial seal

Notary
Name: _____
Notary Registration
Number: _____

Notary
Phone: _____
County of Principal Place of
Business: _____

EXHIBIT 'A'
Legal Description

Lot 3, Block 16
Public Pedestrian & Bicycle Access Easement
Lands of Bay Meadows Station 3 Investors LLC
APN 040-031-400

Easement over real property situated in the City of San Mateo, County of San Mateo, State of California:

Being a portion of Lot 3, Block 16, as said Lot and Block are shown on that Final Map entitled "Bay Meadows Phase II, No. 4", filed for record on March 20, 2013, in Book 139 of Maps, at Pages 11-24, San Mateo County Records, and more particularly described as follows:

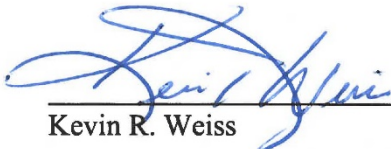
Beginning at the most northerly corner of said Lot 3, Block 16, said point also being on the westerly Right-of-Way line of South Delaware Street, as shown on said map; Thence along the easterly line of said Lot 3, South 34°06'01" East 26.50 feet to the **True Point of Beginning**; Thence continuing along said easterly line of Lot 3, South 34°06'01" East 20.00 feet; Thence leaving said easterly line, South 55°54'01" West 280.12 feet to a point on the westerly line of said Lot 3; Thence along said westerly line, North 33°56'30" West 20.00 feet; Thence leaving said westerly line, North 55°54'01" East 280.07 feet to a point on the easterly line of said Lot 3 and the **True Point of Beginning**.

Said described easement area containing an area of 5,602 square feet, more or less.

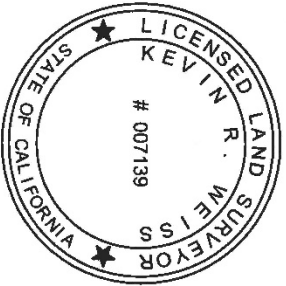
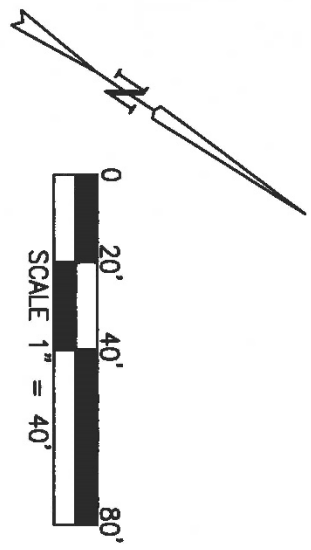
Attached hereto is an exhibit labeled "Exhibit 'B': Plat to Accompany Legal Description" and by this reference is made a part hereof.

Prepared by or under my supervision:

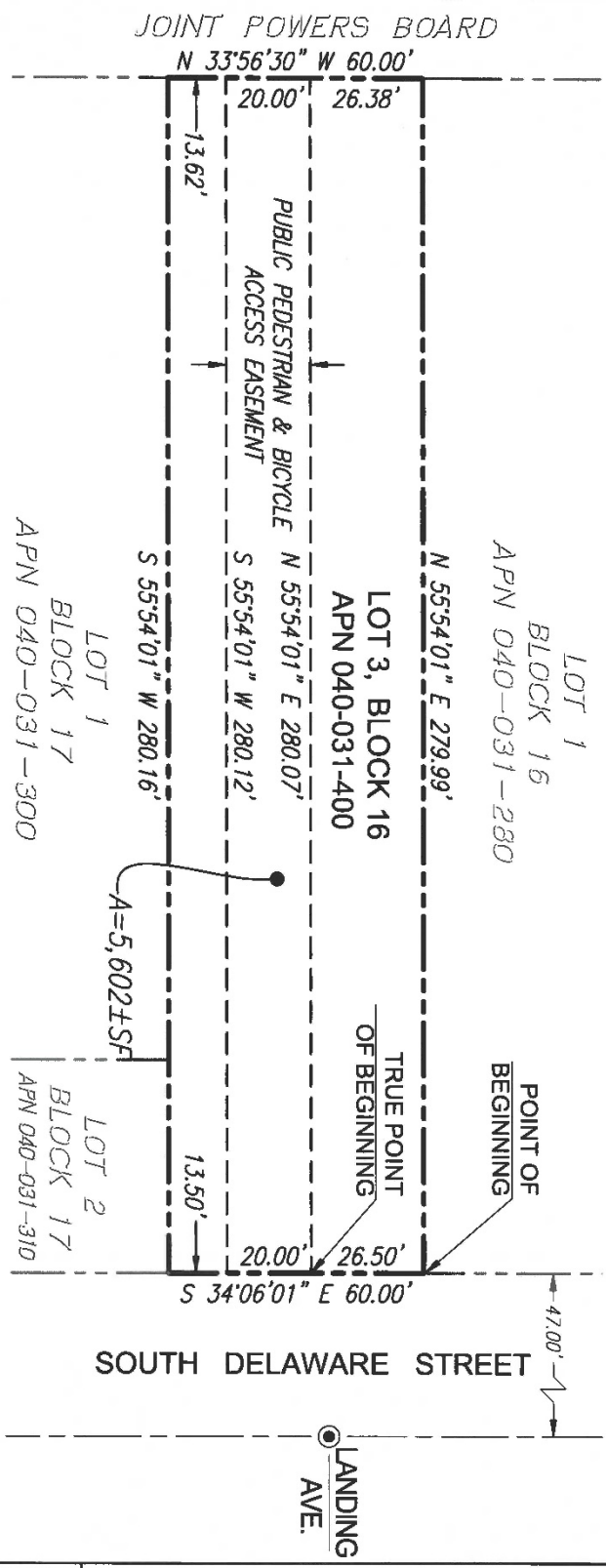


 08-08-2022
Kevin R. Weiss Date

DWG NAME: P:\5171 - Bay Meadows - STA 2-4\Survey\Pedestrian & Bike Pk - Block 15 & 16\5171.10 - BM Easement Exhibit.dwg, LAST EDITED: Tue, Aug 23, 2022 9:02am
 USER: nbrown, AutoCad V24.0s (LMS Tech), Microsoft Windows NT Version 10.0 (x64)



Kevin R. Weiss
 KEVIN R. WEISS, L.S. 7139
 DATE 08/22/2022



- LEGEND**
- PROPERTY LINE - SITE
 - - - PROPERTY LINE - ADJ PARCELS
 - - - NEW EASEMENT LINE
 - MONUMENT LINE

EXHIBIT 'B': PLAT TO ACCOMPANY LEGAL DESCRIPTION -
 PUBLIC PEDESTRIAN & BICYCLE ACCESS EASEMENT,
 LANDS OF BAY MEADOWS STATION 3 INVESTORS LLC

PAGE 2 OF 2	DATE: 08/08/22	JOB NO. 5171.10
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JMH WEISS, INC.

1731 Technology Drive, Ste #880
 San Jose, CA 95110
 Phone: (408) 286-4555
www.jmhweiss.com

Closure Calcs

**Public Pedestrian & Bicycle Access Easement
Bay Meadows - Lot 3 Block 16
Closure Calcs
San Jose, California**

August 8, 2022

Prepared by: JMH Weiss, Inc
1731 Technology Drive, Ste #880
San Jose, California 95110
Nicholas Brown

CALCULATION CERTIFICATE

I HEREBY CERTIFY THAT THESE ELECTRONIC MACHINE COMPUTATIONS WERE PRODUCED ENTIRELY FROM INFORMATION SHOWN ON THE ATTACHED MAP AND THEY ARE TRUE AND ACCURATE AND WITHOUT OMISSION.

DATE: 08-08-2022

SIGNATURE: _____



Public Pedestrian & Bicycle Access Easement:

North: 2132007.6021' East: 6005030.9622'

Segment #1: Line

Course: S 34°06'01" E Length: 20.00'
North: 2131991.0410' East: 6005042.1751'

Segment #2: Line

Course: S 55°54'01" W Length: 280.12'
North: 2131833.9959' East: 6004810.2180'

Segment #3: Line

Course: N 33°56'30" W Length: 20.00'
North: 2131850.5880' East: 6004799.0511'

Segment #4: Line

Course: N 55°54'01" E Length: 280.07'
North: 2132007.6051' East: 6005030.9667'

Perimeter: 600.19' Area: 5602.01 Sq. Ft.

Error Closure: 0.0054 Course: N 56°42'46" E

Error North: 0.00295 East: 0.00449

Precision 1: 111146.30