

RESOLUTION NO. 88-087

ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO
ON DATE OF

November 15, 1988

TRANSFER OF VARIOUS PROPERTIES AT THE OAK PARK COMMUNITY CENTER COMPLEX TO THE CITY OF SACRAMENTO

BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY OF
SACRAMENTO:

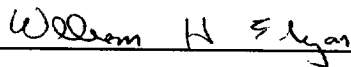
Section 1: The Executive Director is hereby authorized to enter into the attached agreement to transfer fee simple title of properties located at the Oak Park Community Center Complex (APN 014-202-02, 16, 20-26, 28-30, 32-39) at no cost other than incidental expenses related to the transfer.

Section 2: It is agreed that the grant deed transferring these properties will include a clause under which ownership of the property will revert to the Redevelopment Agency of the City in the event that any or all of the properties cease to be used to provide facilities to the Oak Park Community as set forth in the attached agreement.



CHAIRMAN

ATTEST:

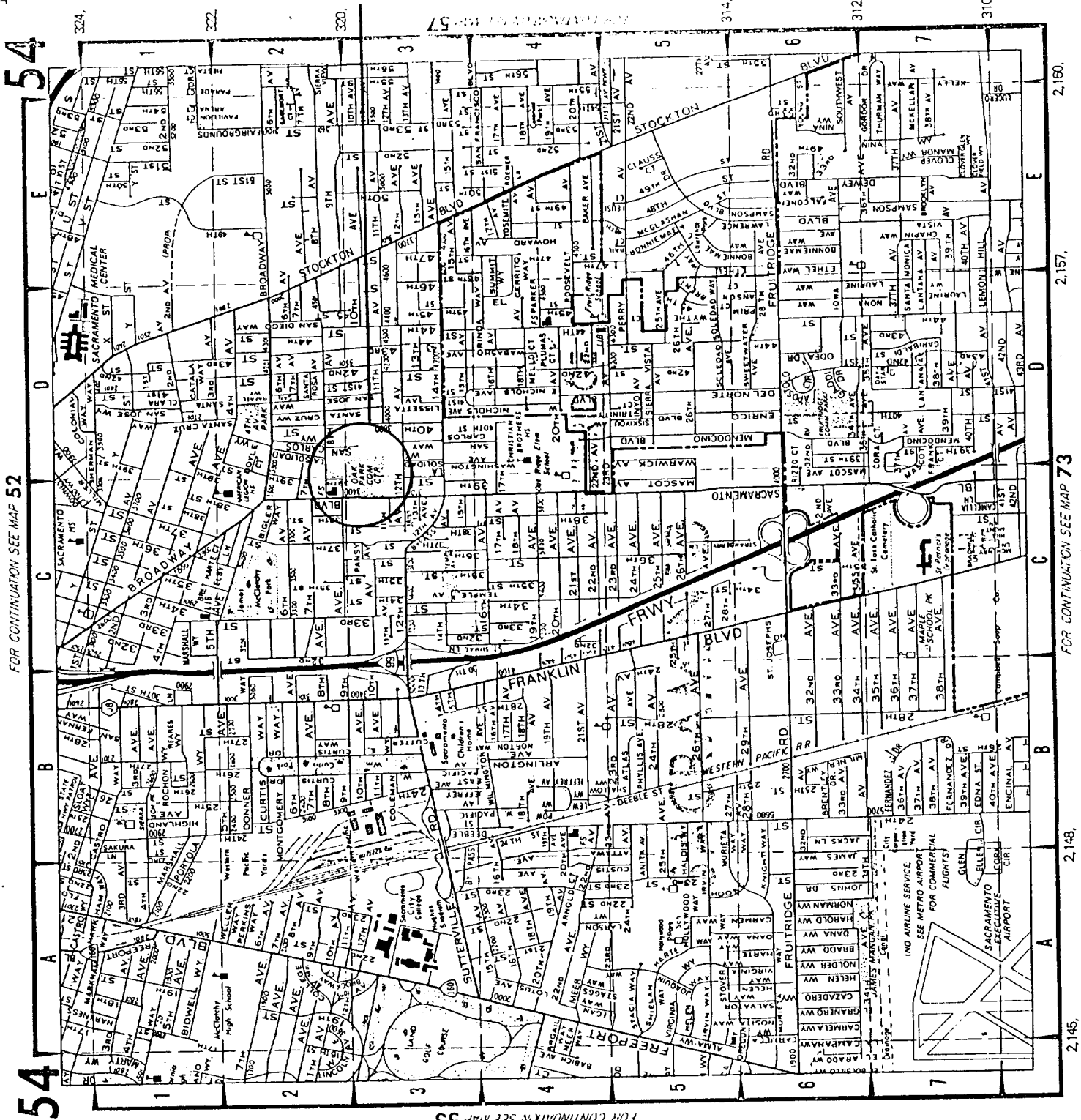


SECRETARY

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OAK PARK
COMMUNITY COMPLEX



FOR CONTINUATION SEE MAP 52

54

FOR CONTINUATION SEE MAP 53

2,160.

2,157.

FOR CONTINUATION SEE MAP 73

2,148.

2,145.

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CONVEYANCE AGREEMENT

OAK PARK COMMUNITY CENTER
AND ADJACENT FACILITIES

PREAMBLE

THIS AGREEMENT, made and entered into this _____ day of _____, 1988, by and between the REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO ("Agency"), and the CITY OF SACRAMENTO ("City"), acting by and through the Department of Parks and Community Services,

RECITALS

WHEREAS, the Agency has undertaken and completed the redevelopment and revitalization in the Oak Park Redevelopment Project Area ("Project Area") specifically including the real property ("Property") described in Exhibit 1 attached, ("Project Area"), in accordance with the Redevelopment Plan for the Project Area, and

WHEREAS, as part of its redevelopment activities in the Project Area, the Agency constructed or caused to be constructed various improvements on the Property, including the Oak Park Community Center, the County Multi-Service Building, the City Fire Station and the Child Care Center, and

WHEREAS, the Agency's redevelopment activities now having been completed, the City now desires to assume full control and responsibility and on-going maintenance of the Project Area;

NOW THEREFORE, it is mutually agreed between the parties hereto as follows:

1. Agency agrees to convey and transfer to the City, and City agrees to accept, all its title, rights and interests in the Property described in Exhibit 1, together with all improvements on the Property.

2. City shall, at its sole cost, maintain the Property in a good and safe condition during the City's ownership of the Property.

3. The transfer by the Agency to the City of the Property is made without any warranties, express or implied, about the condition of the items transferred. The City has made a full and independent investigation of the Property and the transfer of all the Property is made by the Agency and accepted by the City on an "as is" basis commencing on the effective date

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of this Agreement. The City agrees to hold the Agency, its directors, officers, agents and employees harmless from all claims arising from any and all uses, operations and enjoyment of the transferred Property after transfer of the Property to City.

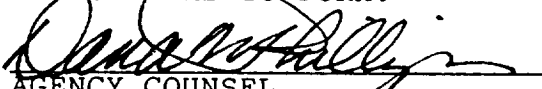
4. City shall not transfer its ownership of or control over all or any part of the Property to another entity unless the Agency receives the correct fair market value for the property.

5. In the event that all or any part of the Property is licensed, leased, transferred, sold, dedicated or otherwise substantially used for any purpose not intended to serve the community of Oak Park and the general public, then the Agency shall have the right to re-enter and take possession of the Property and to terminate and re-vest in the Agency the estate conveyed pursuant to this Agreement. It is the intent of this Agreement that the instrument conveying such interest contain a condition subsequent that grants Agency the option to declare a termination in favor of Agency of the title, and all rights and interests conveyed by this Agreement to City, and its successors and assigns, and to revert such title, rights and interests to the Agency.

6. The covenants contained herein shall be included in the instruments for conveyance of title.

REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO

APPROVED AS TO FORM:


AGENCY COUNSEL

WILLIAM H. EDGAR
Executive Director

CITY OF SACRAMENTO

APPROVED AS TO FORM:

CITY ATTORNEY

154WPP(115)

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EXHIBIT 1

PARCEL 1

A portion of Lot 3, as shown and delineated on the "Plat of Amended Map of M.J. Dillman Tract Subdivision No. 1", recorded in Book 3 of Maps, Map No. 11, records of said County, described as follows:

COMMENCING at a point on the South line of Eighth Avenue, intersecting a line drawn midway between the East line and the West line of said Lot 3, running thence South and along said line, 110 feet; thence West parallel to the South line of said Eighth Avenue, 79.53 feet, more or less, to the West line of said Lot 3; thence, North along the West line of said Lot 3, 110 feet to the south line of Eighth Avenue, thence East 70.53, more or less, to the point of beginning.

and

The North 68 feet of Lot 11, as shown on the "Plat of Katherine Waldron Tract", recorded in Book 9 of Maps, Map No. 1, records of said County.

PARCEL 2

Lot 12 of Katherine Waldron Tract, according to the official plat thereof, filed in the office of the Recorder of Sacramento County, California, on May 22, 1908, in Book 9 of Maps, Map No. 1.

That portion of the West one-half of Lot 3 of M.J. Dillman Tract Subdivision No. 1, according to the amended plat thereof, filed in the office of the Recorder of Sacramento County, California, on April 3, 1893, in Book 3 of Maps, Map No. 1, which lies North of the center line of 9th Avenue, 40 ft. in width, extending Easterly from the Katherine Waldron Tract according to the official plat thereof filed in the office of the Recorder of Sacramento County, California, on May 22, 1908, in Book 9 of Maps, Map No. 1.

EXCEPTING THEREFROM the following: Commencing at a point on the South line of Eighth Avenue intersecting line drawn midway between the East line of the West line of said Lot 3, running thence South of Along said line 110 ft., thence West parallel to the South line of said Eighth 79.53 feet., more of less, to the West line of siad Lot 3, thence North along the West line of said Lot 3, 110 feet to the South line of Eighth Avenue; thence East 79.53 feet, more of less, to the point of commencement.

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PARCEL 3

All that portion of the West one-half of Lot 3, as shown on the amended Map of M.J. Dillman Tract Subdivision No. 1, filed April 3, 1893, in Book 3 of Maps, Map No. 11, in the office of the County Recorder of Sacramento County, California, which lies South of the center line of 9th Avenue, 40 feet in width, extended Easterly as said 9th Avenue, formerly Buckman Avenue, is shown on the official plat of "Katherine Waldron Tract", filed in the office of the County Recorder of Sacramento County on May 22, 1908, in Book 9 of Maps, Map No. 1.

TOGETHER WITH an appurtenant to the realty herein described an easement for road purposes over and across a strip of land 20 feet wide lying North of and adjoining the above described property.

PARCEL 4

The South 30 feet of Lot 4, and all of Lot 5, as shown on the "Plat of Park View", recorded in Book 6 of Maps, Map No. 31, records of said County.

EXCEPTING the south 9 feet of said Lot 5.

PARCEL 5

All that portion of Lot 2 as shown on the "Plat of Park View", recorded in Book 6 of Maps, Map No. 31, records of said County, described as follows:

Beginning at a point on the division line between said Lot 2 and Lot 3 as shown on said plat; said point being further described as being located South 12o49'20" East 92.37 feet from the monument marking the intersection of the present center lines of Sacramento Boulevard and Ninth Avenue; thence South 89o52'22" East 16.16 feet to the point of beginning; thence, from said point of beginning, North 0o33'53" West 10.00 feet to a point; thence South 89o52'22" East 301.79 feet to a point; thence South 0o19'25" East 10.02 feet to a point; said point being further described as the Southeast corner of said Lot 2; thence North 89o52'22" West 301.84 feet to the point of beginning.

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Parcel 5 - Continued

All that portion of Lot 3, as shown on the "Plat of Park View", recorded in Book 6 of Maps, Map No. 31, records of said County, described as follows:

Beginning at a point on the division line between said Lot 3 and Lot 2 as shown on said plat, said plat being further described as being South 12o49'20" East 92.37 feet; thence South 89o52'22" East 16.16 feet from the monument marking the intersection of the present center lines of Sacramento Boulevard and Ninth Avenue; thence, from said point of beginning South 89o52'22" East 301.84 feet to the Northeast corner of said Lot 3; thence South 0o19'42" East 40.01 feet to the Southeast corner of said Lot 3; thence North 89o52'22" West 302.45 feet to a point, thence North 0o33'53" West 40.01 feet to the point of beginning.

All that portion of Lot 4 as shown on the "Plat of Park View", recorded in Book 6 of Maps, Map No. 31, records of said County, described as follows:

Beginning at a point on the North boundary line of said Lot 4, said point being further described as being located South 9o03'07" East 131.72 feet from the monument marking the intersections of the present center lines of Sacramento Boulevard and Ninth Avenue; thence South 89o52'22" East 15.55 feet; thence from said point of beginning, South 89o52'22" East 302.45 feet to a point, said point being further described as the Northeast corner of said Lot 4, thence South 0o19'25" East 10.12 feet to a point; thence, North 89o52'22" West 302.61 feet to a point; thence North 0o33'53" West 10.00 feet to the point of beginning.

All the portion of Lots 1 and 2 as shown on the "Plat of Park View", recorded in Book 6 of Maps, Map No. 31, records of said County, described as follows:

Beginning at the Southeast corner of said Lot 1, being the corner common to Parcels 1 and 2, as described in the deed to Lena Bartella, dated August 2, 1946 recorded November 21, 1946, in Book 1294 of Official Records, Sacramento County, page 317, thence along the East line of said Lot 1 North 0o19'25" West 30.01 feet to a point on the present Southerly line of 9th Avenue; thence along the Southerly line of said 9th Avenue North 89o52'22" West 166.00 feet; thence South 0o19'25" East 60.02 feet to the South line of said Parcel 2 as described in the above mentioned deed; thence along said South line South 89o52'22" East 166.00 feet to a point on the East line of said Lot 2, thence along said East line North 0o19'25" West 30.01 feet to the point of beginning.

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PARCEL 6

BEGINNING at a point on the division line between Lot 1 and 2 of Park View, according to the official plat thereof filed in the office of the Recorder of Sacramento County, California on November 20, 1905, in Book 6 of Maps, Map No. 31; said point being further described as being located South 89o52'22" East 16.78 feet and South 22o02'52" East 54.00 feet from the monument marking the intersection of the present center line of Sacramento Boulevard and the center line of 9th Avenue; thence North 0o33'53" East 30.01 feet to a point on the Southerly line of 9th Avenue, thence along the Southerly line of 9th Avenue South 89o52'22" East 300.76 feet to a point; thence South 0o19'25" East 30.01 feet to a point marking the Southeast corner of Lot 1 of said Park View and the Northeast corner of Lot 2 of said Park View; thence North 89o52'22" West 301.22 feet along the division line between Lots 1 and 2 of said Park View to the point of beginning.

Excepting from said parcels one and two the following described parcel:

BEGINNING at a point on the division line between Lots 1 and 2 of Park View, according to the official plat thereof, filed in the office of the recorder of Sacramento County, California on November 20, 1905, in book 6 of Maps, Map No. 31; said point being further described as being located South 89o5'22" East 16.78 feet and South 22o02'52" East 54.00 feet from the monument marking the intersection of the present center line of Sacramento Boulevard and the center line of 9th Avenue; thence South 89o52'22" East 301.22 feet along the division line between Lots 1 and 2 of said Park View to a point marking the Southeast corner of Lot 1 and Northeast corner of Lot 2 in said Park View; thence South 0o19'25" East 30.01 feet to a point; thence North 89o52'22" West 301.79 feet to a point; thence North 0o33'53" East 30.01 feet to the point of beginning.

PARCEL 7

The East one-half of Lots 6 and 7, as shown on the "Plat of Katherine Waldron Tract", recorded in Book 9 of Maps, Map No. 1, records of said County.

PARCEL 8

The West one-half of Lots 6 and 7, of Katherine Waldron Tract", recorded in Book 9 of Maps, Map No. 1, records of said County.

PARCEL 9

Lot 10, as shown on the "Plat of Katherine Waldron Tract", recorded in Book 9 of Maps, Map No. 1, records of said County.

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PARCEL 10

Lot 9, as shown on the "Plat of Katherine Waldron Tract", recorded in Book 9 of Maps, Map No. 1, records of said County.

PARCEL 11

Lot 8, as shown on the official map of said "Plat of Katherine Waldron Tract", recorded in Book 9 of Maps, Map No. 1, records of said County.

PARCEL 12

Lot 1, as shown on the "Plat of Katherine Waldron Tract", recorded in Book 9 of Maps, Map No. 1, records of said County.

Lot 2, as shown on the "Plat of Katherine Waldron Tract", recorded in Book 9 of Maps, Map No. 1, records of said County.

EXCEPTING THEREFROM that certain portion of said Lot described as follows:

BEGINNING at the Northwest corner of Lot 2, in said "Katherine Waldron Tract", said point, is further described as being located South 14o49'22" East 79.95 feet from a monument marking the original center line intersection of Sacramento Boulevard and 8th Avenue, in said City of Sacramento; thence, from the point of beginning, South 89o52.37' East 20.33 feet along the Northerly line of said Lot 2, to a point; thence, South 0o33.88' West 40.00 feet along the parallel to, and distant 40.00 feet at right angles Easterly from the proposed new center line of said Sacramento Boulevard to a point, thence, North 89o52.37' West 19.17 feet along the Southerly line of said Lot 2 to the Southwest corner thereof; thence North 0o19.24' West 40.00 feet along the Westerly line of said Lot 2, to the point of beginning.

PARCEL 13

Lots 3, 4 and 5 as shown on the "Plat of Katherine Waldron Tract," recorded in Book No. 9 of Mpas, Map No. 1, records of Sacramento County.

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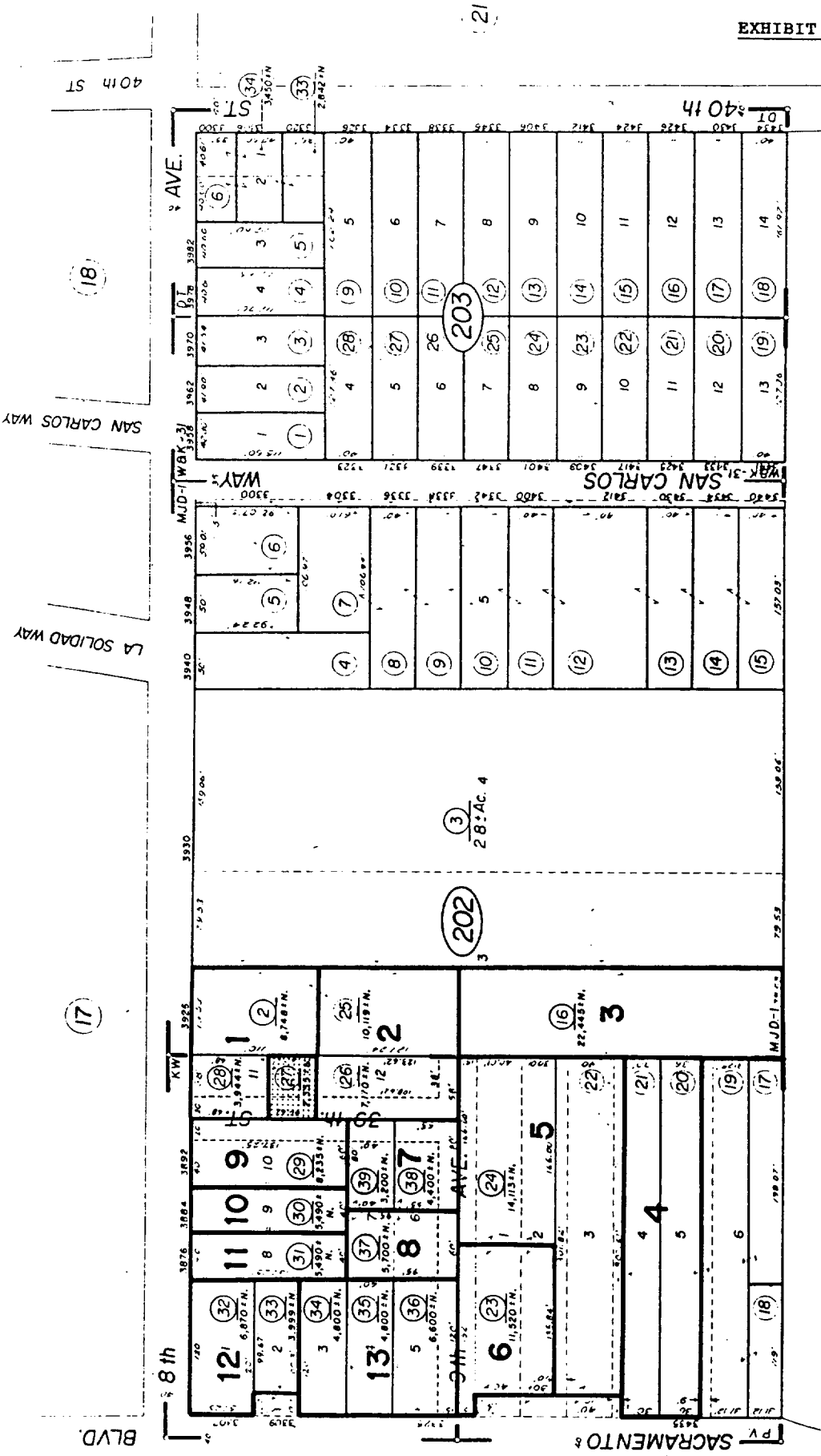


EXHIBIT 1

CITY OF SACRAMENTO
Assessor's Map Bk. 14 -Pg.20

NOTE: 9th. Ave. and 39th. St. abandoned by Ordinance No. 3913, O.R. 77-08-12/1165.

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Bk. 13