

**STAFF REPORT
C86**

A 16

02/27/18
S. Pemberton
P. Huber
E. Kennedy

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**EXERCISE RIGHT OF FIRST REFUSAL TO CONSIDER ACQUISITION OF
FEDERAL PUBLIC LANDS OR RIGHT TO ARRANGE FOR THEIR TRANSFER TO
ANOTHER ENTITY IN THE CITY OF DUBLIN, ALAMEDA COUNTY**

APPLICANT:

Dublin Crossing, LLC

AREA, LAND TYPE, AND LOCATION:

78.21 acres of federal public lands within the exterior boundaries of the Parks Reserve Forces Training Area, Camps Parks Military Reservations, city of Dublin, Alameda County.

INTRODUCTION TO SB 50:

In October 2017, the Governor of California signed SB 50 (Allen, Chapter 535, Statutes of 2017) into law, which added sections 6223 and 27338 to the Government Code and section 8560 to the Public Resources Code. Section 8560 makes certain federal land conveyances void unless the Commission is provided with a right of first refusal or the right to arrange for the transfer of the land to another entity. The Commission must exercise its right of first refusal at a public meeting. If the Commission was provided with its right of first refusal and right to transfer to another entity but elects not to purchase or arrange for transfer, it must issue a certificate affirming compliance with the law. Section 6223 prohibits the recordation of a conveyance of federal public lands unless it is accompanied by a certificate of compliance. The right of first refusal does not apply to certain conveyances, including but not limited to, those associated with a habitat conservation plan, lands conveyed into or out of trust for a federally recognized Native American tribe, and certain land exchanges.

BACKGROUND:

The property proposed for conveyance includes 78.21 acres (Subject Federal Parcel) that is part of a larger, approximately 180-acre area. The 180-acre property is comprised of two parcels: one approximately 172-acre parcel that is part of the 2,485 acre U.S. Army Reserve's Camp Parks Reserve Forces Training Area and an adjacent approximately 8.5-acre parcel owned by the National Aeronautics and Space Administration (NASA).

STAFF REPORT **C86** (CONT'D)

In 2002, the U.S. Army requested an amendment to the City of Dublin's General Plan to change the land use designation covering the 180-acre property from public lands to a mix of commercial retail, office space, residential, and open space uses. In April 2003, the Dublin City Council authorized the commencement of a General Plan Amendment study to consider this change in land use designation covering the 180-acre area.

The transaction involving the Subject Federal Parcel, which was initiated in 2007, is an exchange with the U.S. Army Reserves and U.S. Army Corps of Engineers (USACE) conveying fee title to 180 acres in the city of Dublin to SunCal, predecessor-in-interest of Dublin Crossing, LLC, for private development. The development, known as the Dublin Crossing or Boulevard Project, includes residential units, commercial uses, parks, open space, and an elementary school.

In March 2008, the U.S. Army Reserves and USACE issued a Notice of Availability for a Request for Proposals for a Real Property Exchange, by which, in exchange for providing the U.S. Army Reserves with specific requested facilities, a developer would be granted the right to acquire the 180-acre property.

In March 2011, the Army entered into an Exchange Agreement with Dublin Crossing, LLC, to implement the Real Property Exchange. Since then, conveyances have been occurring in phases and several have already been completed. The Exchange Agreement calls for six distinct construction projects, called the MilCon Projects, in exchange for six subparcels of the 172-acre Army Reserve property. All six of the projects have commenced construction. Two are complete, and another two are expected to be complete in the coming weeks. All construction is scheduled to finish in 2018. Dublin Crossing, LLC, has already acquired, by quitclaim deeds, the NASA-owned parcel and several portions of the overall property. The Subject Federal Parcel has not yet been conveyed, and is depicted in Exhibit B as occurring in Phases 3A, 3B, 4C, 4D, 5A, and 5B. The area is to be developed in accordance with the Dublin Crossing Specific Plan approved by the Dublin City Council in 2013.

Dublin Crossing, LLC, now seeks to acquire the remaining Subject Federal Parcel from the USACE and has requested that the Commission issue a certificate of compliance. According to the Applicant, Dublin Crossing, LLC, is a joint venture of the California State Teachers' Retirement System, Brookfield Residential, and CalAtlantic Homes.

STAFF REPORT C86 (CONT'D)

PROPERTY DESCRIPTION:

Appraised Value:

The Applicant submitted a land valuation of \$296,180,069 for the Subject Federal Parcel consisting of 78.21 acres (an average of \$3,787,072 per acre).

Existing Improvements:

Improvements on the Subject Federal Parcel include roads, parking lots, and approximately 10 small buildings used for equipment storage, vehicle repair, office space, and administrative services.

Natural and Cultural Resources:

Staff has reviewed the Environmental Impact Report (EIR) (State Clearinghouse No. 2012062009) for the Specific Plan prepared by the City of Dublin in 2013. Because Camp Parks was developed by the U.S. Army Reserve in the 1940s and the area was used for cattle grazing before then, natural resources are limited in the area. The Specific Plan is set in the middle of the city of Dublin with significant urban development bordering the south, east, and west sides of the area. The Specific Plan area with the federal conveyance parcels is approximately 180 acres. Over half the acreage (about 58 percent) is comprised of non-native grassland. Another 41 percent is developed or semi-developed (e.g., buildings, parking areas, storage areas, and roads), and 1 percent is comprised of emergent/seasonal wetlands and other waters, such as drainages/canals).

In 2017, the USACE issued a section 404 permit for filling and mitigating the wetlands as part of the Specific Plan build-out. The San Francisco Bay Regional Water Quality Control Board issued a section 401 Water Quality Certification, and the California Department of Fish and Wildlife (CDFW) issued a 1602 Streambed Alteration Agreement for the project. Impacts to special status species are mostly limited to burrowing owl (a state species of special concern) and Condgon's tarplant (a California Native Plant Society list 1B species) that are known to be present in the Specific Plan area. Mitigation for burrowing owl and Condgon's tarplant impacts is being coordinated with CDFW, and the impacts were determined to be less than significant.

Based on the EIR, the Specific Plan area does not have any significant cultural resources. The U.S. Army and the City of Dublin conducted many record and literature searches and surveys over the years, and no significant cultural resources are known to exist in the Specific Plan area. Mitigation has been incorporated into the project for any potential impacts to unanticipated archaeological or cultural artifacts discovered during ground disturbing activities. In 2013, the City of Dublin invited California Native American tribes to request formal consultation on the Specific Plan pursuant to SB 18. Following a 90-day

STAFF REPORT C86 (CONT'D)

review period, the City of Dublin did not receive any request for consultation from tribes.

Encumbrances:

The Subject Federal Parcel is subject to several encumbrances. A "Lease in Furtherance of Conveyance" was executed on January 22, 2015, with respect to the entire 180-acre overall property, authorizing Dublin Crossing, LLC, to begin development of the proposed project as described in the Exchange Agreement for a term of 15 years.

There is also an existing underground hydromodification storage vault with a 60-inch storm drain that discharges to Chabot Channel. It is located in the portion of the Subject Federal Parcel designated Phase 3A. This hydromodification storage vault is owned by the City and maintained by the HOA. An existing 18" water line also crosses the Phase 3A part of the parcel. The Dublin San Ramon Services District currently owns and operates two existing 12" sanitary sewer lines.

The Subject Federal Parcel is also encumbered by conservation easements entered into pursuant to agency permits with CDFW and the California Regional Water Quality Control Board. The easements run along Chabot Creek.

Part of the southwestern portion of the parcel is subject to land use controls imposed pursuant to the Army's Record of Decision for the final cleanup remedy for the site. Due to the presence of lead and dioxin contamination that will persist at levels that do not allow unrestricted land use, the land use controls prohibit use of the site for residential use, unless the site is further evaluated and other appropriate remedies are implemented.

Contamination:

Various locations throughout the Subject Federal Parcel are contaminated with hazardous or toxic substances, especially lead and dioxins. Despite remediation efforts, some of the property remains contaminated and is subject to land use controls.

APPLICANT'S INTENDED USE:

The Applicant intends to develop the property as a mixed-use development with residential units, commercial uses, retail, public parks, and a K-8 school.

STAFF ANALYSIS AND RECOMMENDATION:

Authority:

Public Resources Code sections 6005 and 8560 and Government Code section 6223.

STAFF REPORT C86 (CONT'D)

State's Best Interests Analysis:

Section 8560 defines “federal public land” to mean “any land owned by the United States, including the surface estate, the subsurface estate, or any improvements on those estates.” Although this definition is broad, the legislative history suggests that the Legislature intended for SB 50 to apply to federal public lands that provide environmental conservation or preservation, economic support from tourism, scientific study, or recreation. (See Assem. Com. on Natural Resources, report on SB 50 (2017-2018 Reg. Sess.), as amended May 26, 2017, pp. 3-4.; Sen. Com. on Natural Resources and Water, report on SB 50 (2017-2018 Reg. Sess.), Feb. 22, 2017 version, pp. 1-2.; Sen. Jud. Comm., report on SB 50 (2017-2018 Reg. Sess.), as amended March 20, 2017, pp. 3-4.) The Legislature was aware that President Trump ordered the Department of the Interior to review two dozen national monuments, six of which are in California. These references in the legislative history suggest that the Legislature sought to discourage conveyances of federal public lands that possess high value for environmental and natural resource conservation or preservation, tourism, scientific study, and recreation.

The Subject Federal Parcel proposed for conveyance to Dublin Crossing, LLC, does not possess high value for environmental or natural resource conservation or preservation, tourism, scientific study, or recreation. Most of the property area and surrounding lands have been developed. Staff believes, based on the past use as an Army Reserve training facility, the urban setting bordering the Specific Plan area in the city of Dublin, and the above information, that there are no natural or cultural resources with significant values within the Subject Federal Parcel. Because much of the Subject Federal Parcel has been developed, it does not provide valuable opportunities for tourism, scientific study, or recreation.

Additionally, the Applicant's intent to develop the Subject Federal Parcel according to the Specific Plan would provide substantial benefits to the surrounding communities, including a school, public parks, housing, and commercial uses in an area already disturbed by development.

The Applicant submitted information that it has spent over \$315 million on its development project to date, and that it has pre-existing contractual rights to the property as well as performance obligations under the contracts.

For all the above reasons, staff recommends that the Commission find it is not in the State's best interests to acquire the Subject Federal Parcel or to arrange for its transfer to another entity.

STAFF REPORT C86 (CONT'D)

OTHER PERTINENT INFORMATION:

1. This action is consistent with Strategy 1.1 of the Commission's Strategic Plan to deliver the highest levels of public health and safety in the protection, preservation, and responsible economic use of the lands and resources under the Commission's jurisdiction.
2. The Commission's finding that it is not in the State's best interests to acquire the Subject Federal Parcel, or to arrange for its transfer, or to issue a certificate of compliance are not projects as defined by the California Environmental Quality Act (CEQA) because they are administrative actions that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, section 15378, subdivision (b)(5).

3. **Finding that the acquisition or transfer to another entity is not in the State's best interests:** Staff recommends that the Commission also find that this activity is exempt from the requirements of CEQA as a statutorily exempt project. The activity is exempt because CEQA does not apply to projects that a public agency rejects or disapproves.

Authority: Public Resources Code section 21080, subdivision (b)(5) and California Code of Regulations, title 14, section 15270, subdivision (a).

4. **Issuance of a certificate of compliance:** Staff recommends that the Commission also find that this activity is exempt from the requirements of CEQA as a statutorily exempt project. The activity is exempt because CEQA does not apply to ministerial projects. After being provided with the right of first refusal or right to transfer to another entity, the Commission has no discretion whether to issue the certificate of compliance—it "shall issue a certificate of compliance."

Authority: Public Resources Code sections 21080, subdivision (b)(1) and California Code of Regulations, title 14, section 15268, subdivision (a).

EXHIBITS:

- A. Legal Descriptions
- B. Plat to Accompany Legal Descriptions
- C. Site and Location Map

STAFF REPORT **C86** (CONT'D)

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

1. **Finding that the acquisition or transfer to another entity is not in the State's best interests:** Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, title 14, section 15061 as a statutorily exempt project pursuant to Public Resources Code section 21080, subdivision (b)(5) and California Code of Regulations, title 14, section 15270, subdivision (a), projects that a public agency rejects or disapproves.

2. **Issuance of a certificate of compliance:** Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, title 14, section 15061 as a statutorily exempt project pursuant to Public Resources Code section 21080, subdivision (b)(1) and California Code of Regulations, title 14, section 15268, subdivision (a), ministerial projects.

STATE'S BEST INTERESTS FINDING:

Find that it is not in the best interests of the State for the Commission to acquire 78.21 acres of land proposed for conveyance from the U.S. Army Corps of Engineers to Dublin Crossing, LLC, or to arrange for its transfer to another entity.

AUTHORIZATION:

Authorize the Executive Officer, or her designee, to issue a certificate of compliance with Public Resources Code section 8560 for the conveyance of 78.21 acres of land from the U.S. Army Corps of Engineers to Dublin Crossing, LLC.

EXHIBIT A

LEGAL DESCRIPTION

**PHASE 3-A
PORTION (5132 O.R. 1)**

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

Being a portion of the lands described in the Final Judgement on the Declaration of Taking, and Second Amendment to Declaration of Taking entitled United States of America v. 3396 acres of land, Alameda and Contra Costa Counties, California, Ada Clement, et al, filed in District Court of the United States for the Northern District of California, Southern Division, Civil No. 22352-B, Judgement effective 27 August 1945, Civil No. 22352-R the Final Judgement of Record filed on July 21, 1947 and recorded in Book 5132 at Page 1, Official Records of Alameda County, same parcel being a portion of that 180.126 acre parcel of land shown on the Record of Survey, filed in Book 31 at Page 28 of Maps, Official Records of said Alameda County more particularly described as follows:

Beginning at the southwest corner of Parcel 3 as said parcel is described by Grant Deed to Dublin Crossing, LLC recorded on August 28, 2015 as Document No. 2015-0239931 of Official Records of Alameda County, same corner being on the north line of the 160 feet wide strip of land known as Dublin Boulevard as conveyed to the City of Dublin by Quitclaim Deed recorded on September 22, 1994 as Document No. 1994-312570 Official Records of said County;

thence along last said line North 88°46'31" West 388.28 feet to a point on the easterly line of the parcel of land described as Parcel 3 in a Quitclaim Deed to the County of Alameda recorded on January 31, 1986 as Document No. 1986-026014 Official Records of said County;

thence along last said line North 46°28'46" West 819.40 feet;

thence North 45°53'03" East 195.38 feet;

thence South 88°39'37" East 356.85 feet;

thence South 01°19'26" West 24.60 feet;

thence South 55°55'01" East 157.70 feet;

thence South 01°35'51" West 77.24 feet;

thence South 88°24'09" East 373.31 feet;

thence North 01°35'51" East 325.34 feet;

thence along a tangent curve to the right having a radius of 50.00 feet, a central angle of 90°00'00" and an arc length of 78.54 feet;

thence South 88°24'09" East 251.59 feet;

thence South 01°35'51" West 56.00 feet to the most northerly northwest corner of said Parcel 3, Document No. 2015-0239931;

thence along the generally westerly line of said Parcel 3 the following four (4) courses:

1. South 01°35'51" West 527.66 feet,

2. North 88°24'09" West 301.59 feet,

3. South 01°35'51" West 281.39 feet and

4. along a tangent curve to the right having a radius of 30.00 feet, a central angle of 19°47'26" and an arc length of 10.36 feet to the **Point of Beginning**.

Containing 608,253 Square Feet, more or less.

EXHIBIT B - Plat to Accompany Legal Description (1 Sheet) which is attached hereto and made a part hereof.

End of Description

This description and its accompanying plat were prepared by or under the direction of:



Alvin Leung, PLS

November 7, 2016

Date



EXHIBIT A
LEGAL DESCRIPTION
PHASE 3B
PORTION (5132 O.R.1)

Real property situate in the City of Dublin, County of Alameda, State of California, and being a portion of the lands described in the Final Judgment on the Declaration of Taking, Amendment to Declaration of Taking, and Second Amendment to Declaration of Taking entitled United States of America v. 3396 acres of land, Alameda and Contra Costa Counties, California, Ada Clement, et al, filed in the District Court of the United States for the Northern District of California, Southern Division, Civil No. 22352-B, Judgment effective 27 August 1945, Civil No. 22352-R the Final Judgment of Record filed on July 21, 1947 and recorded in Book 5132 at Page 1, Official Records of Alameda County, same parcel being a portion of that 180.126 acre parcel shown on that certain map entitled "Record of Survey No. 2031", filed on May 8, 2006 in Book 31 at Page 28 of Maps, Official Records of said County and being more particularly described as follows:

Beginning at the northeast corner of Parcel 3 described in a Grant Deed to Dublin Crossing, LLC recorded on August 28, 2015 under document number 2015-0239931 Official Records of said County; Thence crossing through the USA parcel for the following twenty seven (27) courses: (1) North 01°35'51" East 407.01 feet, (2) South 88°33'28" East 61.00 feet, (3) North 01°35'51" East 268.59 feet, (4) North 88°24'09" West 51.00 feet, (5) North 01°35'51" East 214.71 feet, (6) North 88°24'09" West 168.34 feet, (7) North 01°35'51" East 97.94 feet, (8) North 88°24'09" West 325.08 feet, (9)

North 01°35'51" East 112.96 feet, (10) North 88°24'09" West 68.50 feet to the beginning of a non-tangent curve to the left, from which point the center bears South 41°42'37" East, (11) in a southwesterly direction 64.05 feet along the arc of said curve to the left, having a radius of 620.00 feet and through the central angle of 05°55'08", (12) South 42°22'15" West 78.93 feet, to the beginning of a tangent curve to the right, (13) in a southwest direction 95.11 feet along the arc of said curve to the right, having a radius of 480.00 feet and through the central angle of 11°21'09", (14) North 35°49'19" West 62.00 feet to the beginning of a non-tangent curve to the left from which point the center bears North 36°20'39" West, (15) in a northeast direction 82.33 feet along the arc of said curve to the left, having a radius of 418.00 feet and through the central angle of 11°17'06", (16) North 42°22'15" East 78.93 feet to the beginning of a tangent curve to the right, (17) in a northeast direction 585.95 feet along the arc of said curve to the right, having a radius of 682.00 feet and through the central angle of 49°13'36", (18) South 88°24'09" East 310.34 feet, (19) South 01°35'51" West 67.00 feet, (20) South 88°24'09" East 518.19 feet to the beginning of a tangent curve to the right, (21) in a southerly direction 47.12 feet along the arc of said curve to the right, having a radius of 30.00 feet and through the central angle of 90°00'00", (22) South 01°35'51" West 406.17 feet, (23) South 88°24'09" East 213.65 feet, (24) South 01°35'51" West 87.94 feet, (25) South 88°24'09" East 58.99 feet, (26) North 01°35'51" East 206.06 feet and (27) South 88°24'09" East 141.97 feet to a point on the west line of Arnold Road; Thence along said west line for the following two (2) courses: (1) South 01°23'35" West 633.42 feet and (2) South 52°40'34" West 520.00 feet; Thence crossing through the USA parcel for the following three (3) courses: (1) North 88°33'53" West 341.76 feet, (2) North

01°35'51" East 15.01 feet and (3) North 88°33'27" West 402.43 feet to the **Point of Beginning.**

Containing 1,413,590 Square Feet of land area, more or less.

End of Description

Prepared By:



November 16, 2016

Alvin Leung, PLS 6630

Date



Exhibit A

PHASE 4C – BOUNDARY LIMITS

Land Description of real property situate in the City of Dublin, County of Alameda, State of California, and being a portion of the lands described in the Final Judgment on the Declaration of Taking, Amendment to Declaration of Taking, and Second Amendment to Declaration of Taking entitled United States of America v. 3396 acres of land, Alameda and Contra Costa Counties, California, Ada Clement, et al, filed in the District Court of the United States for the Northern District of California, Southern Division, Civil No. 22352-B, Judgment effective 27 August 1945, Civil No. 22352-R the Final Judgment of Record filed on July 21, 1947 and recorded in Book 5132 at Page 1, Official Records of Alameda County, same parcel being a portion of that 180.126 acre parcel shown on that certain map entitled "Record of Survey No. 2031", filed on May 8, 2006 in Book 31 at Page 28 of Maps, Official Records of said County and being more particularly described as follows:

Commencing at a corner on the west line of Parcel 2B described in a deed to Dublin Crossing, LLC recorded on March 17, 2017 under document no. 2017-064517 Official Records of said County, same west corner being at the southern terminus of the course labeled "South 01° 35' 51" West - 424.80"; Thence across the USA parcel, North 88° 24' 09" West - 210.35 feet for the **Point of Beginning** hereof, also being at the beginning of a curve left; Thence crossing through the USA parcel for the following five (5) courses: (1) in a southwesterly direction 78.54 feet along the arc of said curve to the left, having a radius of 50.00 feet and through a central angle of 90° 00' 00", (2) South 01° 35' 51" West - 325.34 feet, (3) North 88° 24' 09" West – 366.49 feet, (4)

Exhibit A

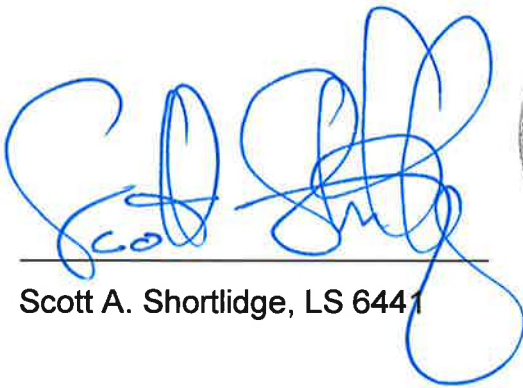
PHASE 4C – BOUNDARY LIMITS

North 22° 55' 53" East – 402.95 feet, and (5) South 88° 24' 09" East – 269.89 feet to the **Point of Beginning**.

Containing 110,580 Square Feet of land area, more or less.

End of Description

Prepared By:



Scott A. Shortlidge, LS 6441



1-24-2018

Date

Exhibit A

PHASE 4D – BOUNDARY LIMITS

Land Description of real property situate in the City of Dublin, County of Alameda, State of California, and being a portion of the lands described in the Final Judgment on the Declaration of Taking, Amendment to Declaration of Taking, and Second Amendment to Declaration of Taking entitled United States of America v. 3396 acres of land, Alameda and Contra Costa Counties, California, Ada Clement, et al, filed in the District Court of the United States for the Northern District of California, Southern Division, Civil No. 22352-B, Judgment effective 27 August 1945, Civil No. 22352-R the Final Judgment of Record filed on July 21, 1947 and recorded in Book 5132 at Page 1, Official Records of Alameda County, same parcel being a portion of that 180.126 acre parcel shown on that certain map entitled "Record of Survey No. 2031", filed on May 8, 2006 in Book 31 at Page 28 of Maps, Official Records of said County and being more particularly described as follows:

Commencing at the northwest corner of Parcel 1 described in a deed to Dublin Crossing, LLC recorded on August 28, 2015, under document no. 2015-239931 Official Records of said County; Thence along the north line of Parcel 1, South 88° 26' 33" East – 731.53 feet for the **Point of Beginning** hereof; Thence crossing through the 180.126 acre parcel for the following three (3) courses: (1) North 01° 35' 51" East – 183.83 feet, (2) South 88° 26' 23" East – 382.00 feet, and (3) South 01° 35' 51" West – 179.52 feet for the beginning of a curve to the right, from which point the center bears North 05° 05' 40" West, (2) in a southeasterly direction 74.22 feet along the arc of said curve to the right, having a radius of 639.00 feet and through a central angle of 06° 39' 17" to a point on the north line of

Exhibit A

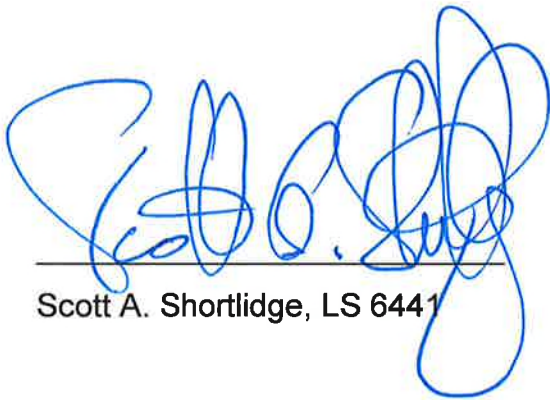
PHASE 4D – BOUNDARY LIMITS

Parcel 1; Thence along said north line, North 88° 26' 33" West – 307.95 feet to the **Point of Beginning**.

Containing 70,116 Square Feet of land area, more or less.

End of Description

Prepared By:



Scott A. Shortlidge, LS 6441



1-24-2018

Date

Exhibit A

PHASE 5A & 5B BOUNDARY LIMITS

Land Description of real property situate in the City of Dublin, County of Alameda, State of California, and being portions of the lands described in the Final Judgment on the Declaration of Taking, Amendment to Declaration of Taking, and Second Amendment to Declaration of Taking entitled United States of America v. 3396 acres of land, Alameda and Contra Costa Counties, California, Ada Clement, et al, filed in the District Court of the United States for the Northern District of California, Southern Division, Civil No. 22352-B, Judgment effective 27 August 1945, Civil No. 22352-R the Final Judgment of Record filed on July 21, 1947 and recorded in Book 5132 at Page 1, Official Records of Alameda County, same parcel being a portion of that 180.126 acre parcel shown on that certain map entitled "Record of Survey No. 2031", filed on May 8, 2006 in Book 31 at Page 28 of Maps, Official Records of said County and being more particularly described as follows:

PHASE 5A:

Beginning at the northwest corner of the said 180.126 acre parcel, Thence along the north line of the 180.126 acre parcel, South 88° 24' 09" East - 1397.51 feet; Thence crossing through the said USA parcel, South 01° 35' 51" West - 667.85 feet to a point on the north line of Parcel 1 described in a deed to Dublin Crossing, LLC recorded on August 28, 2015, under document no. 2015-239931 Official Records of said County; Thence along said north line, North 88° 26' 23" West - 731.53 feet to the northwest corner of Parcel 1, same being the northeast corner of said Parcel 2A described in a deed to Dublin Crossing, LLC recorded on March

Exhibit A

PHASE 5A & 5B BOUNDARY LIMITS

17, 2017 under document no. 2017-064517 Official Records of said County; Thence along the north line of Parcel 2A, North 88° 26' 23" West - 45.04 feet to the northwest corner of Parcel 2A, same corner being on the west line of the 180.126 acre parcel; Thence along said west line for the following three (3) courses: (1) North 46° 28' 47" West - 532.33 feet to the beginning of a curve to the right, (2) in a northwesterly direction 305.01 feet along the arc of said curve to the right, having a radius of 11309.19 feet and through a central angle of 01° 32' 43" to a westerly corner of the 180.126 acre parcel; and (3) North 01° 13' 02" East - 105.88 feet to the **Point of Beginning**.

Containing 760,122 Square Feet of land area, more or less.

PHASE 5B:

Commencing at the northwest corner of the said 180.126 acre parcel, Thence along the north line of the 180.126 acre parcel, South 88° 24' 09" East – 1857.51 feet for the **Point of Beginning** hereof; Thence continuing along said north line, South 88° 24' 09" East - 1177.65 feet; Thence crossing through the USA parcel for the following seven (7) courses: (1) South 38° 42' 02" West - 407.75 feet for the beginning of a curve to the right, from which point the center bears North 05° 02' 23" West, (2) in a westerly direction 48.42 feet along the arc of said curve to the right, having a radius of 418.00 feet and through a central angle of 06° 38' 14", (3) North 88° 24' 09" West - 170.00 feet for the beginning of a curve to the left,

Exhibit A

PHASE 5A & 5B BOUNDARY LIMITS

from which point the center bears South 00° 06' 09" West, (4) in a southwesterly direction 361.71 feet along the arc of said curve to the left, having a radius of 582.00 feet and through a central angle of 35° 42' 26", (5) South 55° 53' 25" West - 188.66 feet for the beginning of a curve to the right, (6) in a southwesterly direction 244.28 feet along the arc right of said curve to the right, having a radius of 639.00 feet and through a central angle of 21° 54' 12", and (7) North 01° 35' 51" East - 649.19 feet to the **Point of Beginning**.

Containing 444,088 Square Feet of land area, more or less.

End of Description

Prepared By:



Scott A. Shortlidge, LS 6441



1-24-2019

Date

NO SCALE

SITE

DOUGHERTY RD.

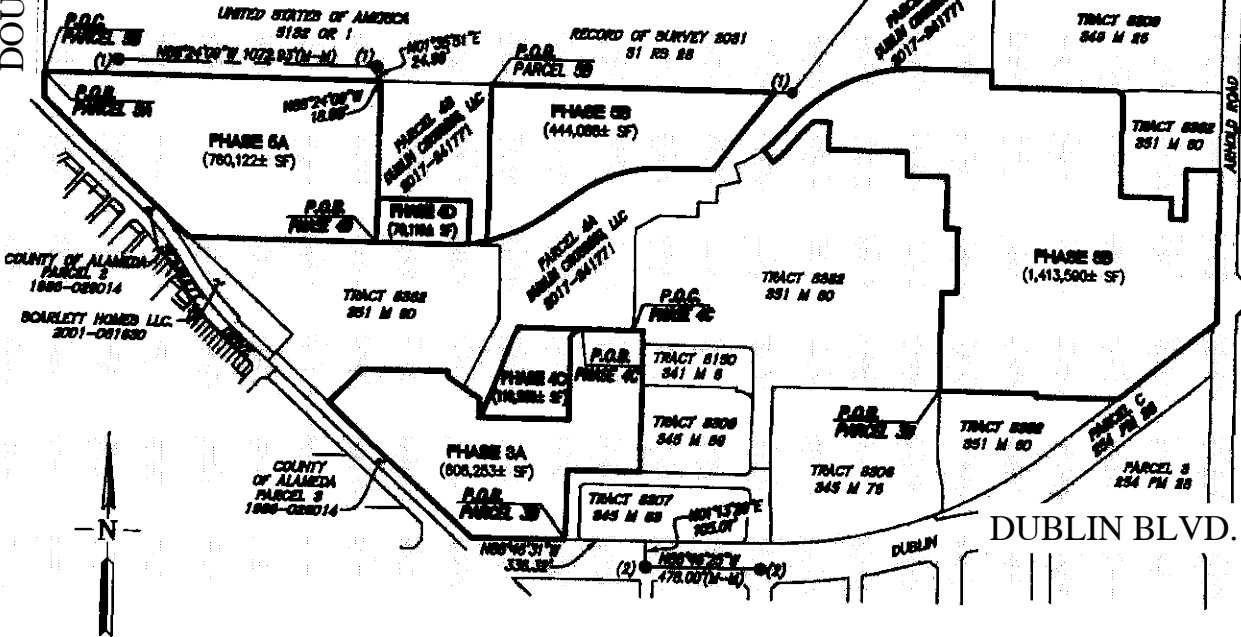
LEGEND

P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
SF	SQUARE FEET
(1)	RECORD OF SURVEY 2031, 31 RS 28
(2)	PARCEL MAP 8275, 280 PM 71
•	PROPERTY CORNER MONUMENT

Scott A. Shortidge
 Scott A. Shortidge
 Professional Land Surveyor No. 8441



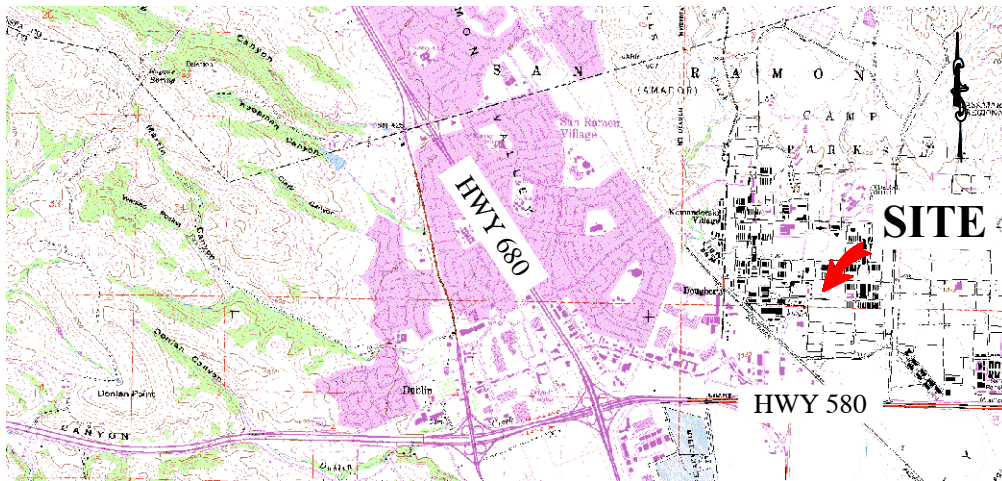
UNITED STATES OF AMERICA
31RS OR 1



DUBLIN, ALAMEDA COUNTY

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit C

SB 50
 DUBLIN CROSSING, LLC
 SB 50 TRANSFER
 ALAMEDA COUNTY



SITE

DJF 02/15/2018

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.