

Ordinance No. 95 - 32
Central County Area of Benefit

The Board of Supervisors of Contra Costa County ordains as follows:

SECTION I. SUMMARY. This ordinance provides for the formation of the Central County Area of Benefit, and the adoption of fees to be collected from developments proposed in the Central County Area of Benefit located in unincorporated Contra Costa County to fund road improvements.

SECTION II. REPLACEMENT. Within the new area of benefit, Ordinance No. 93-21, Ordinance 93-22, Ordinance 93-23 and Ordinance 93-24 shall be repealed and replaced by this ordinance.

SECTION III. AUTHORITY. This ordinance is enacted, in part, pursuant to Government Code Section 66484 and Division 913, Title 9, of the Contra Costa County Ordinance Code.

SECTION III. NOTICE AND HEARING. This ordinance was adopted pursuant to the procedure set forth in Government Code Sections 54986, 65091, 66016, 66017 and 66484, and Division 913, Title 9, of the Contra Costa County Ordinance Code, and all required notices have been properly given and public hearings held.

SECTION IV. FEE ADOPTION. The following fees to fund road improvements are adopted for the Central County Area of Benefit, as established by Resolution 95/ 273 dated June 13, 1995 and shall apply to all development within the Fee Area:

Central County Area of Benefit:

| <u>Land Use</u> | <u>Recommended Fee</u> |
|-----------------------------|---|
| Single Family Residential | \$2,972 per Dwelling Unit |
| Multiple Family Residential | \$2,641 per Dwelling Unit |
| Commercial | \$5.67 per Square Foot Gross Floor Area |
| Office | \$4.82 per Square Foot Gross Floor Area |
| Industrial | \$2.08 per Square Foot Gross Floor Area |
| Other | \$2,972 per peak hour trip |

Fees shall be collected when building permits are issued in accordance with Section 913-4.204 of Title 9 (Subdivisions) of the Contra Costa County Ordinance Code.

SECTION V. FEE AREA. The Fee Area shall include all of the unincorporated area within the Central County Area of Benefit with the following exception:

1. Any development required under conditions of approval to construct certain off-site road improvements in lieu of fee payment
2. Areas in the Pacheco Area of Benefit
3. Areas in the Pleasant Hill BART Station Specific Plan Area
4. Areas in the Bates Avenue Assessment District

The boundaries of the Central County Area of Benefit as established by Resolution No. 95/ 273 adopted June 13, 1995 are described in Exhibit A attached to this ordinance.

SECTION VI. SENIOR HOUSING. Nothing in this Ordinance shall be construed to abridge or modify the Board's discretion, upon proper application for senior housing or congregate care facilities pursuant to Government Code Section 65915, to adjust or to waive the fees provided for this ordinance.

SECTION VII. PURPOSE AND USE OF FEES. The purpose of the fees described in this ordinance is to generate funds to finance improvements to certain bridges and major thoroughfares in the Central County area. The fees will be used to finance the road improvements listed in the Development Program Report. As discussed in more detail in said report, there is a reasonable relationship between the fees and the types of development projects that are subject to the fees. These development projects will generate additional traffic on bridges and major thoroughfares in the Central County area, creating a need to expand, extend or improve existing bridges and major thoroughfares and a need to construct new bridges and major thoroughfares to mitigate adverse traffic and infrastructure impacts that would result from such development projects.

SECTION VIII. SEVERABILITY. If any fee or provision of this ordinance is held invalid or unenforceable by a court of competent jurisdiction, that holding shall not affect the validity or enforceability of the remaining fees or provisions, and the Board declares that each part of this ordinance is valid, in and of itself, irrespective of the validity of any other part.

SECTION IX. REVIEW OF FEES. Project cost estimates shall be reviewed periodically while the Central County Area of Benefit is in effect. The fee schedule shall be adjusted annually to account for inflation using the State of California Construction Cost Index as published annually by the California Department of Transportation. At no time will the fee schedule be increased at a rate of more than 5% per year due to inflation.

SECTION X. EFFECTIVE DATE. This ordinance shall become effective 60 days after passage, and within 15 days of passage, shall be published once with the names of the Supervisors voting for and against it in the Contra Costa Times, a newspaper of general circulation published in this County. Pursuant to Section 913-6.026 of the Contra Costa County Ordinance Code, the Clerk of the Board shall promptly file a certified copy of this ordinance with the County Recorder.

SECTION XI. EXISTING FEE. The replacement of Ordinances No. 93-21, 93-22, 93-23, and 93-24 shall not affect fees accrued thereunder prior to the effective date of this ordinance, and such fees shall remain subject to payment and collection.

PASSED and ADOPTED on June 13, 1995 by the following vote:

AYES: Supervisors Smith, Torlakson, Bishop

NOES: None

ABSENT: Supervisors Rogers, DeSaulnier

ABSTAIN: None

Attest: Phil Batchelor, Clerk
of the Board of Supervisors
and County Administrator

By: Shirley Casillas
Deputy

Gary Bishop
Board Chair

EXHIBIT "A"

The central portion of Contra Costa County, California, bounded on the north by Solano County, bounded on the southwest by Alameda County, and described as follows:

Beginning in Suisun Bay on the boundary common to Contra Costa and Solano Counties at the Point of Beginning of "Eastern Contra Costa Sub-Regional Transportation Mitigation Fee Area" adopted July 26, 1994 by Contra Costa County Board of Supervisors' Resolution No. 94/386, also being the northwest corner of "West Pittsburg Area of Benefit" adopted December 10, 1991 by Contra Costa County Board of Supervisors' Resolution No. 91/779; thence from the Point of Beginning along the boundary common to said adopted areas, southerly 7,410 feet, more or less, to the south right of way line of Contra Costa Canal on the west line of Section 8, Township 2 North, Range 1 West, Mount Diablo Meridian; thence continuing along the boundary of "West Pittsburg Area of Benefit," westerly, southerly, southeasterly, and easterly 26,000 feet, more or less, to its intersection with "Eastern Contra Costa Sub-Regional Transportation Mitigation Fee Area" on the east line of Section 17 (T2N, R1W); thence along the boundary of "Eastern Contra Costa Sub-Regional Transportation Mitigation Fee Area" in a general southeasterly and southerly direction 80,000 feet, more or less, to the southeast corner of Section 12, (T1S, R1W); thence along the south line of Section 12, westerly 4,400 feet, more or less, to the centerline of Mount Diablo Scenic Boulevard (South Gate Road); thence along said centerline in a general northerly direction 6,700 feet, more or less, to the centerline intersection of Summit Road and Mount Diablo Scenic Boulevard (North Gate Road); thence along the centerline of North Gate Road in a general westerly direction 12,400 feet, more or less, to the northwest line of Lot D, Rancho San Miguel Robert Allen Tract; thence along said northwest line, southwesterly 3,100 feet, more or less, to the southeast corner of that 787.58 acre parcel shown on the Record of Survey filed June 22, 1960 in Book 18 of Licensed Surveyors' Maps at page 39; thence along the boundary of said parcel, south $87^{\circ}52'06''$ west 9,881.2 feet and north $6^{\circ}08'40''$ west 2,389.28 feet, to the most southern corner of the Record of Survey filed August 27, 1970 in Book 53 of Licensed Surveyors' Maps at page 13; thence along the south line thereof, also being the south line of Rancho San Miguel, north $76^{\circ}53'13''$ west 1,445.41 feet, to the most southern corner of Subdivision 6743 "Stonegate Unit 1" filed June 9, 1987 in Book 313 of Maps at page 28; thence along the boundary of Subdivision 6743, north $13^{\circ}51'48''$ west 5,687.22 feet, south $73^{\circ}16'01''$ west 4,566.44 feet, and south $21^{\circ}53'15''$ east 3,423.26 feet, to the southeast corner of Subdivision 4924 "Hill and Dale, Unit 6" recorded May 18, 1977 in Book 196 of Maps at page 28; thence along the boundary of Subdivision 4924 in a general westerly direction 2,879.25 feet to the northeast corner of Subdivision 4402 recorded December 27, 1974 in Book 175 of Maps at page 25; thence along the boundary of Subdivision 4402, south $1^{\circ}44'25''$ west 1,527.78 feet, to the northeast corner of Lot 37 in Subdivision 3973 recorded August 18, 1972 in Book 149 of Maps at page 20; thence along the east line of Subdivision 3973, south $1^{\circ}44'25''$ west 1,015.1 feet, to the north right of way line of Livorna Road; thence continuing south $1^{\circ}44'25''$ west 41.96 feet to the centerline of said road; thence along said centerline in a general westerly direction 890.41 feet to the southern prolongation of the west line of said Subdivision 3973; thence along said prolongation and west line, north $1^{\circ}32'10''$ east

Central County Area of Benefit
Exhibit "A"

967.1 feet, to the southwest corner of Subdivision 4402 (175 M 25); thence along the west line of Subdivision 4402, north 1°32'10" east 1,063.35 feet, to the southeast corner of Subdivision 5931 recorded June 29, 1983 in Book 271 of Maps at page 21; thence along the boundary thereof, north 55°22'55" west 537 feet and in a general northwesterly direction 105.63 feet along Livorna Heights Road right of way line, to the southeast corner of Subdivision 5366 recorded March 25, 1980 in Book 236 of Maps at page 7; thence along the boundary of Subdivision 5366 in a general westerly direction 400.83 feet to the east line of Subdivision 3827 recorded June 11, 1969 in Book 126 of Maps at page 38; thence along said east line, south 1°31'55" west 942.5 feet, to the northeast corner of Subdivision 3037 recorded June 25, 1964 in Book 99 of Maps at page 30; thence along the boundary thereof in a general southerly direction 1,532.28 feet to the north right of way line of Livorna Road; thence along lot lines of Subdivision 3037 as follows: 1) in a general westerly direction 79.27 feet, 2) north 1°36'23" east 223.71 feet, 3) north 88°23'37" west 149.23 feet, 4) south 1°36'23" west 275.72 feet, and 5) south 72°23'20" west 272.09 feet; thence crossing Trotter Way, south 72°23'20" west 100 feet, more or less, to the south line of Lot 1 (99 M 30); thence continuing along lot lines of Subdivision 3037, south 72°23'20" west 145.74 feet, north 6°19'31" west 712.51 feet, and north 89°43'18" west 933.43 feet, to the south line of Subdivision 4810 filed September 23, 1976 in Book 189 of Maps at page 48; thence along said south line and the south line of that 24.71 acre Assessor Parcel Number (hereinafter referred to as APN) 187-160-013 described in Parcel Three in the deed to the City of Walnut Creek recorded July 5, 1984 in Volume 11867 of Official Records at page 965, north 89°43'18" west 944.73 feet, to the west line of Subdivision 6468 recorded January 8, 1982 in Book 286 of Maps at page 41; thence along the boundary thereof in a general southerly direction 828.77 feet to the east right of way line of Interstate Freeway 680; thence along said east line in a general northwesterly direction 2,259.08 feet; thence crossing said freeway, south 53°47'20" west 290 feet, more or less, to the west right of way line thereof; thence along said west line in a general northwesterly direction 1,209.59 feet to the most southeastern corner of APN 187-050-011 and 012 described as Parcel 1 in the deed to Edward Johannessen and Juliet Johannessen 1987 Revocable Living Trust recorded March 22, 1988 in Volume 14228 of Official Records at page 211; thence along the southerly portion of the boundary thereof in a general westerly direction 1,494.46 feet, more or less, to the west right of way line of Interstate Freeway 680; thence along said west line in a general northwesterly direction 836 feet, more or less, to the most eastern corner of APN 187-040-007 described as PARCEL 11 in the deed to Contra Costa County Flood Control and Water Conservation District recorded December 20, 1967 in Volume 5520 of Official Records at page 451; thence along the boundary of PARCEL 11, south 64°16'18" west 239.65 feet and in a general northerly direction 1,036.02 feet, to the northwest corner thereof; thence crossing Rudgear Road, northerly 245 feet, more or less, to the west line of APN 183-093-023 described in the deed to East Bay Municipal Utility District (hereinafter referred to as EBMUD) recorded January 5, 1968 in Volume 5530 of Official Records at page 93; thence along said west line, north 22°53'01" west 33.76 feet, to the southeast line of Southern Pacific Railroad right of way APN 183-093-031 described as PARCEL THIRTY-ONE in the deed to Contra Costa County recorded December 9, 1985 in Volume 12652 of Official Records at page 570, being a non-tangent curve concave to the northwest having a radius of 1,196 feet; thence along the arc of said curve, southwesterly 52 feet, more or less, to the centerline of Danville Boulevard; thence non-tangent along said centerline, crossing Engineer's Station 603+65, northerly 110 feet, more or less, to the northwest line of said County parcel, being a non-tangent curve concave to the northwest having a radius of 1,096 feet and being concentric with

Central County Area of Benefit
Exhibit "A"

said southeast line; thence along the arc of said curve, southwesterly 52 feet, more or less, to the southeast corner of Subdivision MS 114-75 filed October 20, 1976 in Book 49 of Parcel Maps at page 19, also being on the west right of way line of South Main Street (shown as Danville Boulevard on said map); thence along said west line in a general northwesterly direction 2,400 feet, more or less, to the iron pipe marked R.C.E. 10319 shown on the map of Subdivision MS 37-78 filed November 3, 1978 in Book 71 of Parcel Maps at page 33; thence along the northeast line of Subdivision MS 37-78 and the northeast line of Grumman Court in a general northwesterly direction 638.88 feet to the east right of way line of Lancaster Road (71 PM 33); thence along said east line in a general northwesterly direction 2,060 feet, more or less, to the south right of way line of Lilac Drive; thence crossing Lilac Drive, westerly 165 feet, more or less, to the east corner of APN 184-211-027 described as PARCELS ONE and TWO in the deed to the State of California recorded June 13, 1990 in Volume 15917 of Official Records at page 559, also being on the southwest line of Interstate Freeway 680; thence along said southwest line, north 57°21'31" west 820 feet, more or less, to the most northern corner of Subdivision MS 161-79 filed September 3, 1980 in Book 88 of Parcel Maps at page 50; thence crossing Newell Avenue, westerly 92 feet, more or less, to the east corner of Lot Line Adjustment LL 63-89 shown on the Record of Survey filed February 9, 1990 in Book 93 of Licensed Surveyors' Maps at page 2; thence north 52°02'55" west 880 feet, more or less, to an angle point on said freeway right of way; thence north 57°21'31" west 165 feet, more or less, to the northeast right of way line of Paulson Lane; thence along said right of way line in a general northwesterly direction 400 feet, more or less, to the southeast right of way line of Olympic Boulevard; thence northwesterly 62 feet, more or less, to the east corner of Subdivision MS 212-76 filed November 18, 1977 in Book 60 of Parcel Maps at page 19; thence north 57°23'05" west 116.25 feet to the east corner of the Record of Survey filed November 24, 1962 in Book 20 of Licensed Surveyors' Maps at page 47; thence along the boundary thereof, north 58°33'23" west 65 feet and north 66°48'23" west 256.74 feet; thence continuing north 66°48'23" west 18.30 feet to the north right of way line of Nicholson Road; thence along said north line in a general northwesterly direction 1,000 feet, more or less, to a curve thereon having a radius of 45 feet; thence crossing Boulevard Way, westerly 180 feet, more or less, to the north right of way line thereof at the western terminus of a curve thereon having a radius of 133 feet; thence tangent to said curve, south 73°38'43" west 236.54 feet, more or less, to a non-tangent curve concave to the east having a radius of 50 feet on the east line of Lot 11 in "White Orchard Estates" recorded August 28, 1941 in Book 25 of Maps at page 43; thence along the arc of said curve, northerly 12.29 feet, to the south right of way line of State Freeway 24; thence non-tangent along said south line in a general westerly direction 3,200 feet, more or less, to the east line of Lot 62 in "Sun Valley Estates" recorded February 8, 1946 in Book 28 of Maps at page 27; thence along lot lines thereof as follows: 1) southerly 30.69 feet, 2) southeasterly 308 feet, 3) southerly 247 feet, 4) southerly 455 feet, 5) southeasterly 273 feet, 6) southerly 376.59 feet, 7) southwesterly 550.28 feet, 8) southerly 251.38 feet to the north right of way line of Kinney Drive, being a non-tangent curve concave to the south having a radius of 225 feet, and 9) along the arc of said curve, westerly 70 feet; thence crossing El Curtola Boulevard, southwesterly 110 feet, more or less, to the northeast line of APN 185-330-006 described in the deed to Brueckner Trust recorded January 28, 1994 as Series #94025807; thence along said northeast line, northwesterly 165 feet, more or less, to the most eastern corner of Lot 257 (28 M 27); thence along the southeast lines of Lots 257, 258, 259, 260, and 261 (28 M 27), southwesterly 435 feet; thence crossing Sunset Loop, southwesterly 50 feet, to the east corner of Lot 237; thence along lot lines of

Central County Area of Benefit
Exhibit "A"

said subdivision (28 M 27), southwesterly 385.67 feet and in a general southerly direction 921.19 feet, to the boundary of "Swanson Tract" recorded September 30, 1946 in Book 31 of Maps at page 8; thence along said boundary in a general southerly direction 373.55 feet to the boundary of Subdivision 5016 recorded February 10, 1978 in Book 207 of Maps at page 41; thence along the boundary common to Subdivision 5016 and "Swanson Tract" as follows: 1) in a general southerly direction 256.07 feet, and 2) in a general easterly direction 778.7 feet, to the west right of way line of Freeman Road being a non-tangent curve concave to the east having a radius of 925 feet; thence along the arc of said curve, southerly 54.77 feet, to the most eastern corner of Subdivision 5016; thence leaving the boundary thereof and following the boundary shown on the Record of Survey filed July 26, 1982 in Book 71 of Licensed Surveyors' Maps at page 1 as follows: 1) continuing along the arc of said curve, southerly 44.19 feet, to a compound curve concave to the east having a radius of 185.84 feet, 2) along the arc thereof, southerly 18.31 feet, 3) non-tangent, south 55°50'29" west 95.49 feet, 4) south 23°39'45" west 98.89 feet to the north right of way line of Olympic Boulevard, and 5) north 69°48'10" west 63 feet along said north line, to the southeast corner of Lot 1 in Subdivision 5016 (207 M 41); thence continuing along said north line (being lot lines of Subdivision 5016) in a general westerly direction 1,370 feet, more or less, to the northeastern prolongation of the northwest line of Terra California Territory described in the Annexation to the City of Lafayette Resolution 50-80 adopted May 12, 1980; thence along said prolongation, crossing Olympic Boulevard, southwesterly 200 feet, more or less, to the most northern corner of said annexation; thence along the boundary thereof in a general southeasterly direction 1,787.43 feet to the east corner thereof on the boundary of the Record of Survey filed June 18, 1965 in Book 35 of Licensed Surveyors' Maps at page 23; thence along said Record of Survey boundary in a general easterly direction 1,286.93 feet, to the boundary of the Record of Survey filed April 1, 1965 in Book 33 of Licensed Surveyors' Maps at page 40; thence along said boundary (33 LSM 40) in a general easterly direction 1,678.27 feet to the northwest corner of Subdivision 6815 "Del Valle" recorded November 12, 1987 in Book 318 of Maps at page 3; thence along the north line of Subdivision 6815, north 89°36'27" east 639.9 feet, to the southwest right of way line of Tice Valley Boulevard; thence along said right of way line in a general southeasterly and easterly direction 3,750 feet, more or less, to the west line of Harlan Ranch shown on the Record of Survey filed September 8, 1939 in Book 7 of Licensed Surveyors' Maps at page 7; thence along the boundary thereof, southerly 552.56 feet, southeasterly 1,221 feet, and easterly 379.04 feet, to the southwest corner of Tract 2304 recorded November 29, 1955 in Book 61 of Maps at page 50; thence along the south line of Tract 2304, south 70°20'30" east 733 feet, to the southwest corner of Subdivision MS 45-88 filed February 28, 1990 in Book 145 of Parcel Maps at page 32; thence along the boundary of Subdivision MS 45-88 in a general easterly direction 1,207.49 feet to the most eastern corner thereof; thence south 70°40'17" east 21.72 feet, more or less, to the centerline of Castle Hill Ranch Road (a private road) at the northeast corner of Lot "B" shown on the Record of Survey filed March 13, 1984 in Book 74 of Licensed Surveyors' Maps at page 12; thence along said centerline in a general southerly direction 907 feet, more or less, to the southwest corner of PARCEL B in Subdivision MS 133-72 filed September 7, 1972 in Book 24 of Parcel Maps at page 9; thence along the south line of PARCEL B, north 89°12'36" east 259.78 feet, to the boundary of Subdivision MS 58-75 recorded October 26, 1978 in Book 71 of Parcel Maps at page 23; thence along said boundary as follows: 1) north 0°36' east 41.92 feet, 2) south 89°12'12" east 176.01 feet to the northeast corner thereof, 3) in a general southerly direction 3,354.5 feet to the southeast corner thereof, and 4) south 87°05'11" west 274.17

Central County Area of Benefit
Exhibit "A"

feet; thence continuing south $87^{\circ}05'11''$ west 300 feet to the centerline of Section 11 (T1S, R2W); thence along said centerline and the centerline of Section 14, southerly 6,663.66 feet, to the southwest corner of Subdivision 6419 "Alamo Ridge" filed July 28, 1988 in Book 323 of Maps at page 39; thence along the south line thereof, south $84^{\circ}47'44''$ east 1,353.46 feet, to the northwest corner of Subdivision MS 150-75 filed June 14, 1976 in Book 45 of Parcel Maps at page 41; thence along the boundary thereof as follows: 1) south $0^{\circ}39'40''$ east 1,233.72 feet, 2) south $84^{\circ}17'$ east 2,622.91 feet, 3) north $76^{\circ}18'50''$ east 481.39 feet, and 4) north $63^{\circ}16'$ east 193.73 feet, to the northeast corner of APN 198-180-007 described as PARCEL TWO in the deed to East Bay Regional Park District (hereinafter referred to as EBRPD) recorded April 4, 1974 in Volume 7189 of Official Records at page 183; thence along the northeast line of PARCEL TWO, also being the boundary of Rancho San Ramon, southeasterly 4,840 feet, more or less, to the northeast corner of APN 199-010-012 described as PARCEL FIVE in said deed to EBRPD; thence along the northeast line of PARCEL FIVE in a general southeasterly direction 1,207.59 feet to the east line of that 13.19 acre APN 199-010-011 excepted from PARCEL FIVE in said deed to EBRPD and also described as PARCEL ONE in the deed to the United States of America recorded July 29, 1980 in Volume 9930 of Official Records at page 913; thence along said east line in a general southeasterly direction 192.27 feet to an angle point on the boundary of said PARCEL FIVE; thence along said boundary in a general southerly direction 2,325.7 feet to the northeast corner of Section 25 (T1S, R2W); thence along the east line of Section 25, southerly 2,640 feet, more or less, to the northeast corner of Subdivision MS 53-81 filed March 28, 1985 in Book 115 of Parcel Maps at page 14; thence along the north line of Subdivision MS 53-81, north $88^{\circ}43'43''$ west 3,035.66 feet, to the northeast corner of Subdivision MS 28-82 filed November 21, 1983 in Book 108 of Parcel Maps at page 11; thence along the north line of Subdivision MS 28-82, north $88^{\circ}47'23''$ west 1,062.06 feet, to the northwest corner thereof; thence north $88^{\circ}43'05''$ west 1,063.84 feet, to the west quarter corner of said Section 25; thence along the west line of Section 25, northerly 2,640 feet, more or less, to the northeast corner of Section 26 (T1S, R2W); thence along the north lines of Sections 26, 27, and 28 (T1S, R2W), westerly 15,840 feet, more or less, to the northwest corner of Section 28, also being the northeast corner of APN 258-310-002 shown on the Record of Survey filed June 20, 1980 in Book 67 of Licensed Surveyors' Maps at page 9; thence along the boundary thereof as follows: 1) south $0^{\circ}27'37''$ east 1,306.53 feet, 2) south $88^{\circ}43'10''$ west 1,290.34 feet, 3) south $0^{\circ}15'06''$ east 1,303.04 feet, and 4) south $88^{\circ}52'39''$ west 513.17 feet, to the boundary of Rancho Laguna de los Palos Coloradas; thence along said rancho boundary, south $1^{\circ}13'26''$ west 929.81 feet, to rancho corner P.C. No. 32 shown on said map (67 LSM 9); thence continuing along said rancho boundary, south $19^{\circ}28'45''$ west 3,547.16 feet, to rancho corner P.C. No. 31 (67 LSM 9) on the boundary common to Contra Costa and Alameda Counties; thence along said county boundary in a general northwesterly direction 56,700 feet, more or less, to Mount Diablo Base Line; thence along said base line, easterly 2,600 feet, more or less, to the east corner of Lot 55 of said rancho, also being the east corner of APN 267-010-009 described in the deed to EBRPD recorded July 24, 1940 in Volume 541 of Official Records at page 271; thence along the northeast line of said EBRPD parcel, northwesterly 551.76 feet, to the "FOUND 2" x 2" REDWD.STAKE & TACK" shown on the Record of Survey filed October 3, 1968 in Book 51 of Licensed Surveyors' Maps at page 23; thence north $25^{\circ}10'15''$ west 140.66 feet and north $22^{\circ}12'20''$ west 152.07 feet to the northwest corner of PARCEL "A" (51 LSM 23), also being the southwest corner of that 63.7 acre APN 267-020-005 described in the deed to Johnson Orinda Ranch Inc. recorded April 23, 1981 in Volume 10294 of Official Records at page 858; thence in a general

Central County Area of Benefit
Exhibit "A"

northerly direction 3,132 feet, more or less, along said west line thereof and the west line of APN 267-020-004 described in the deed to Theodore S. Urban et al. recorded December 24, 1985 in Volume 12675 of Official Records at page 199, to the northwest corner of said Urban parcel; thence continuing along the boundary of said Urban property (12675 O.R. 199), being common with the boundary of APN 267-030-020 conveyed by East Bay Water Company to EBMUD recorded December 8, 1928 in Volume 163 of Official Records at page 90, as follows: 1) north 54°07'50" east 3,208.3 feet, 2) south 63°03' east 257.1 feet, 3) north 54°07'50" east 478.5 feet, and 4) south 30°53' east 998.4 feet, to the most eastern corner of APN 267-020-007 described in said Urban deed (12675 O.R. 199); thence leaving the boundary of said Urban property and continuing along said EBMUD boundary as follows: 1) south 30°53' east 99.2 feet, 2) in a general northeasterly direction 2,000 feet, more or less, to the southwest right of way line of Camino Pablo, and 3) along said southwest line in a general northwesterly direction 1,620 feet, more or less, to an angle point; thence along the prolongation of said southwest line, northwesterly 140 feet, more or less, to the prolongation of the northwest right of way line of Bear Creek Road; thence along said prolongation and northwest line in a general northeasterly direction 1,450 feet, more or less, to the southeast corner of APN 267-030-013 described as PARCEL ONE in the deed to EBMUD recorded February 9, 1990 in Volume 15650 of Official Records at page 239; thence along the boundary of PARCEL ONE in a general westerly, northwesterly and northeasterly direction 3,900 feet, more or less, to the west right of way line of Bear Creek Road; thence northeasterly 40 feet, more or less, to the east right of way line thereof; thence along said east line in a general northeasterly direction 3,150 feet, more or less, to the southern prolongation of the east line of said EBMUD parcel (163 O.R. 90); thence along said prolongation and east line, northerly 2,450 feet, more or less, to the northeast corner thereof on the east line of Rancho El Sobrante; thence along the east line of said rancho, northerly 8,236.46 feet, to the northwest corner of APN 267-100-001 described in the Final Order of Condemnation by EBMUD recorded January 6, 1964 in Volume 4525 of Official Records at page 853, also being the southwest corner of "Garcia Ranch" filed December 10, 1914 in Book 12 of Maps at page 268; thence along the boundary of "Garcia Ranch" as follows: 1) along the north line of said EBMUD parcel, easterly 2,008.42 feet, to the northwest corner of APN 267-110-005 described in the deed to John J. Naylor et ux. recorded September 8, 1981 in Volume 10481 of Official Records at page 551, 2) along the north line thereof, easterly 2,626 feet, more or less, to the northwest corner of Subdivision 118-76 filed January 26, 1977 in Book 51 of Parcel Maps at page 39, 3) along the north line thereof, north 89°39'09" east 6,743.17 feet, to the boundary of APN 365-200-010 described in the deed to EBRPD recorded March 28, 1966 in Volume 5086 of Official Records at page 467, 4) along said boundary easterly 419.5 feet, northerly 558.81 feet, and easterly 784.67 feet, to the southwest corner of APN 365-200-002 described as PARCEL TWO in the deed to EBRPD recorded February 7, 1966 in Volume 5052 of Official Records at page 508, 5) along the west line thereof, northerly 723.83 feet, to the south corner of APN 365-200-001 described as PARCEL FOUR in said deed (5052 O.R. 508), and 6) along the boundary of PARCEL FOUR in a general northerly direction 2,061.71 feet, to the west corner thereof; thence leaving the boundary of "Garcia Ranch" and continuing along the boundary of said PARCEL FOUR in a general easterly direction 5,291.22 feet to the northwest corner of APN 365-200-003 described as PARCEL ONE in said deed (5052 O.R. 508); thence along the boundary of PARCEL ONE in a general easterly direction 2,310.11 feet to the northwest corner of APN 365-200-004 described as PARCEL THREE in said deed (5052 O.R. 508); thence along the boundary of PARCEL THREE in a general easterly direction 2,885.21 feet to the

Central County Area of Benefit
Exhibit "A"

northwest corner of APN 365-200-005 described as PARCEL FIVE in said deed (5052 O.R. 508); thence along the boundary of PARCEL FIVE in a general easterly direction 2,375.53 feet to the most southern corner of APN 365-180-004 described in the Final Order of Condemnation by EBRPD recorded March 15, 1965 in Volume 4823 of Official Records at page 139, also being on the east line of Rancho Boca de la Canada de Pinole; thence along the boundary of said condemnation parcel, northerly 3,198.15 feet and northeasterly 3,061.66 feet, to the southwest corner of Subdivision MS 37-88 filed December 14, 1989 in Book 144 of Parcel Maps at page 14; thence along the boundary thereof, north 0°59'55" east 1,459.73 feet and south 88°50'38" east 511.03 feet, to the southwest corner of Subdivision 6769 filed October 13, 1988 in Book 326 of Maps at page 22; thence along the boundary of Subdivision 6769, north 1°41'08" east 865.96 feet and in a general northeasterly direction 2,532.69 feet; thence north 64°48'04" east 50 feet, more or less, crossing Reliez Valley Road, to the southwest line of the property delineated on the map filed April 28, 1978 in Book 65 of Parcel Maps at page 19; thence along said southwest line in a general southeasterly direction 460 feet, more or less, to the most southern corner thereof, also being the southwest corner of Subdivision 3543 filed November 16, 1966 in Book 113 of Maps at page 31; thence along the boundary of Subdivision 3543 as follows: 1) north 0°47'14" east 466.07 feet, 2) north 6°23'45" west 231.57 feet, 3) north 47°51'23" east 222.37 feet, 4) south 10°14'43" east 352.52 feet, 5) north 79°51'46" east 727.49 feet, and 6) south 19°26'31" east 1,052.81 feet, to the northeast corner of Subdivision 5157 filed September 21, 1978 in Book 217 of Maps at page 16; thence along the east line of Subdivision 5157, south 19°25'03" east 255.64 feet, to the northeast corner of Lot 28 in Subdivision 3114 "Walnut Hills Country Club Estates" recorded October 9, 1963 in Book 95 of Maps at page 33; thence along the boundary of Subdivision 3114, south 19°27'29" east 142 feet and south 89°52'20" east 217.75 feet, to the northwest corner of Subdivision 7243 "Pleasant Hill Country Club" filed July 30, 1992 in Book 362 of Maps at page 36; thence along the boundary of Subdivision 7243, south 89°59' east 779.35 feet, to the northwest corner of Subdivision 3812 "Shannon Hills Unit 3" filed March 15, 1972 in Book 144 of Maps at page 45; thence along the north line of Subdivision 3812, south 89°37'46" east 1,161.41 feet, to the northwest corner of Subdivision 3779 "Shannon Hills Unit 2" recorded November 13, 1968 in Book 125 of Maps at page 3; thence along the boundary of Subdivision 3779, south 89°37'46" east 836.89 feet and north 53°46'24" east 63.51 feet, to the west corner of Lot 2 in Subdivision 3274 "Shannon Hills Unit 1" recorded September 26, 1969 in Book 117 of Maps at page 27; thence along the boundary of Subdivision 3274, north 53°46'24" east 78.11 feet and north 36°07'09" east 90.28 feet, to the most western corner of Subdivision 3313 recorded February 3, 1965 in Book 102 of Maps at page 14; thence along the boundary of Subdivision 3313 as follows: 1) north 28°54'55" east 205.51 feet, 2) north 0°08'52" east 172.84 feet, 3) south 85°42'23" east 110.29 feet, and 4) north 54°29'37" east 44.2 feet, to the northeast corner thereof; thence continuing north 54°29'37" east 80 feet, more or less, to the northeast right of way line of Alhambra Avenue; thence along said northeast line in a general northwesterly direction 660 feet, more or less, to the northwest right of way line of Paso Nogal as said road is shown on the map filed September 30, 1968 in Book 5 of Parcel Maps at page 41; thence along said right of way in a general northeasterly and northerly direction 730 feet, more or less, to the northeast corner of Parcel "B" (5 PM 41), also being the southeast corner of Subdivision 4988 "Hillside Park" recorded November 13, 1978 in Book 219 of Maps at page 11; thence along the south line of Subdivision 4988, north 89°27'20" west 412.24 feet, to the northeast right of way line of Alhambra Avenue; thence along said northeast line in a general northwesterly direction 4,900 feet, more or less, to the

Central County Area of Benefit
Exhibit "A"

southeast corner of the Record of Survey filed September 18, 1967 in Book 49 of Licensed Surveyors' Maps at page 31; thence along the boundary thereof, north 20°10'53" east 656.87 feet and north 61°08'20" west 419.07 feet, to north corner thereof on the boundary of Subdivision 3556 "Valley High Unit II" filed August 21, 1968 in Book 122 of Maps at page 27; thence along the boundary of Subdivision 3556, north 21°29'51" west 121.1 feet and north 47°22'59" east 1,336.63 feet, to the most western corner of Subdivision 5132 "Valley High Unit 2" filed December 1, 1981 in Book 261 of Maps at page 7; thence along the boundary of Subdivision 5132, north 47°22'59" east 374.11 feet, south 89°09'34" east 1,322.61 feet, and south 87°33'13" east 286.28 feet; thence easterly 660 feet to the northwest corner of Subdivision 5126 "Diablo Valley Estates Unit 1" filed February 15, 1978 in Book 208 of Maps at page 1; thence along the boundary thereof, south 87°46'18" east 479.86 feet, north 8.16 feet, and north 89°44'06" east 1,227.72 feet; thence easterly 537.41 feet to the north line of Subdivision MS 12-79 filed September 5, 1980 in Book 89 of Parcel Maps at page 6; thence along said north line, easterly 725 feet, more or less, to the southwest corner of Subdivision 4964 "Hidden Lakes Unit 3" filed July 9, 1979 in Book 226 of Maps at page 30; thence along the boundary of Subdivision 4964, north 89°37'28" east 598.94 feet and north 1°04'01" east 682 feet, to the southeast corner of Subdivision 6313 "Hidden Lakes Unit 8" filed June 6, 1983 in Book 270 of Maps at page 20; thence along the east line of Subdivision 6313, north 1°04'02" east 738 feet, to the northeast corner; thence south 88°55'05" east 170 feet to the west right of way line of High Street; thence along said west line, northerly 95 feet, more or less, to the south corner of PARCEL 1 shown on the Record of Survey filed June 9, 1962 in Book 20 of Licensed Surveyors' Maps at page 15; thence along Contra Costa Canal right of way shown as U.S.A. (461 O.R. 391) on said map, north 57°42' west 116.83 feet and north 1° 48' west 250.5 feet, to a concrete monument (20 LSM 15); thence continuing along said canal right of way in a general northerly direction 813.41 feet to the south right of way line of Center Avenue; thence along said south line in a general easterly direction 970 feet, more or less, to the southern prolongation of the west line of Tract 2024 recorded March 24, 1955 in Book 57 of Maps at page 26; thence along said prolongation, north 0°14'50" east 80 feet, more or less, to said west line; thence along the boundary of Tract 2024, north 0°14'50" east 560.61 feet, south 89°59'39" west 79.01 feet, and north 54°51'15" west 62.93 feet, to the south corner of Tract 2632 recorded August 7, 1958 in Book 70 of Maps at page 34; thence along the boundary of Tract 2632, north 54°51'15" west 50 feet and north 24°23'13" west 305.28 feet, to the southwest corner of Lot 87 in Tract 2024 (57 M 26); thence along the boundary of Tract 2024 in a general northerly direction 634.69 feet and north 88°28'58" east 25.83 feet to the southwest corner of "Beckett Acres Unit No. 2" recorded April 22, 1954 in Book 53 of Maps at page 37; thence along the boundary of "Beckett Acres Unit No. 2" in a general northerly direction 1,397.65 feet to the southwest corner of APN 125-193-028 described in the Partial Release and Reconveyance to Contra Costa County Water District recorded February 17, 1961 in Volume 3807 at page 278; thence along the west line thereof, northerly 44 feet; thence crossing Vine Hill Road, northerly 41 feet, more or less, to the southwest corner of that 2.25 acre APN 125-200-001 described as PARCEL 1 in the Final Order of Condemnation by the State of California recorded March 20, 1958 in Volume 3137 of Official Records at page 554; thence along the northwest line thereof, north 33°40' east 271.4 feet; thence along the City of Martinez boundary, northeasterly 250 feet, more or less, to the centerline of State Highway Route 4; thence along said centerline in a general easterly direction 5, 925 feet, more or less, to the centerline of Walnut Creek Flood Control Channel being a non-tangent curve concave to the southwest having a radius of 5,000 feet; thence along the arc of said curve

Central County Area of Benefit
Exhibit "A"

northwesterly 460 feet, more or less, to its terminus, distant north $56^{\circ}15'04''$ east 208 feet from Contra Costa County Flood Control and Water Conservation District Monument #68108; thence continuing along said centerline in a general northerly direction 20,262.54 feet, to its outfall in Suisun Bay; thence north $23^{\circ}28'34''$ west 1,150 feet, more or less, to the boundary common to Contra Costa and Solano Counties; thence along said boundary in a general easterly direction 27,000 feet, more or less, to the Point of Beginning.

LH:jlg:drg
g:\clerical\exhibits\TFMA.ex
May 9, 1995