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Ser BPMOW.MP\0002
OCT 02 2009

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Dear Ms. Cook, Ms. Lofstrom, and Mr. West:

Subj: INSTALLATION RESTORATION SITE 25 SOIL FINAL LAND USE CONTROL
REMEDIAL DESIGN, ALAMEDA POINT, ALAMEDA, CALIFORNIA

I am pleased to submit to you the *Final Land Use Control Remedial Design, IR Site 25 Soil, Alameda Point, Alameda, California*, October 2009. Unless otherwise noted, recipients receive one hard copy and one CD.

If you have any questions, please call Ms. Mary Parker, the Project Manager, at (61) 532-0945.

Sincerely,

A handwritten signature in black ink that reads "Alan K. Lee".

ALAN K. LEE
BRAC Base Closure Manager
By direction of the Director

Encl: (1) Final Land Use Control Remedial Design, IR Site 25 Soil, Alameda Point, Alameda, California, October 2009

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FINAL
LAND USE CONTROL
REMEDIAL DESIGN
IR SITE 25 SOIL

ALAMEDA POINT
ALAMEDA, CALIFORNIA

October 2009

Prepared for:

**Base Realignment and Closure
Program Management Office West
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ABBREVIATIONS AND ACRONYMS

CDM	Camp, Dresser, and McGee Federal Programs Corporation
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
DoN	U.S. Department of the Navy
DTSC	Department of Toxic Substances Control
EPA	U.S. Environmental Protection Agency
FFA	Federal Facility Agreement
IC	institutional control
IR	Installation Restoration
IT	International Technology Corporation
LUC	land use control
MOA	Memorandum of Agreement
NCP	National Oil and Hazardous Substances Pollution Contingency Plan
OU	Operable Unit
PAH	polynuclear aromatic hydrocarbon
RD	remedial design
ROD	Record of Decision
USCG	United States Coast Guard
Water Board	California Regional Water Quality Control Board

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1.0 PURPOSE

This Land Use Control (LUC) Remedial Design (RD) for Installation Restoration (IR) Site 25 soil at Alameda Point, Alameda, California, addresses the institutional controls (ICs) and land use restrictions required by Section 12.2.4 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Record of Decision (ROD) for IR Site 25 soil (Department of the Navy [DoN], 2007). The ROD, issued in September 2007, requires the implementation of land use restrictions to limit exposure of current and future occupant(s) and/or user(s) of the property to hazardous substances in soil.

The ICs and land use restrictions apply throughout IR Site 25 and will be maintained indefinitely unless the polynuclear aromatic hydrocarbon (PAH) concentrations in soil are reduced or subsequently determined to not exceed levels that allow for unrestricted site use and exposure. Groundwater beneath IR Site 25 is addressed under a separate ROD, and groundwater is not addressed in this LUC RD.

This LUC RD is a primary document under the Federal Facility Agreement (FFA). It was prepared in accordance with the “DoN Principles and Procedures for Specifying, Monitoring and Enforcement of Land Use Controls and Other Post-ROD Actions” attached to the January 16, 2004, Department of Defense Memorandum titled “Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Record of Decision (ROD) and Post-ROD Policy.” This LUC RD addresses implementation of the ICs and land use restrictions in the ROD for IR Site 25 soil (DoN, 2007) and includes Appendices A through C.

FFA signatories include the DoN, the United States Environmental Protection Agency (EPA), the California Environmental Protection Agency, Department of Toxic Substances Control (DTSC), and the California Regional Water Quality Control Board (Water Board). The inspections and reporting requirements described herein will be effective immediately upon approval of this LUC RD by the FFA signatories.

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2.0 DESCRIPTION OF SITE

IR Site 25 is an approximately 42-acre site located on Alameda Point, within the former Naval Air Station Alameda in Alameda, California. Alameda Point, located adjacent to the City of Alameda in Alameda County, is roughly rectangular, is about 2 miles long (east to west) and 1 mile wide (north to south), and occupies about 1,734 acres. Alameda Point is located at the western tip of Alameda Island, which is surrounded by San Francisco Bay and the Oakland Inner Harbor (Figure 2-1). IR Site 25 is located east of Main Street on the northeast side of Alameda Point (Figure 2-2). The historical land use at IR Site 25 was housing. The former Fleet and Industrial Supply Center Oakland, Alameda Facility/Alameda Annex is located to the north and east of IR Site 25 (Figure 2-2).

As specified in the IR Site 25 Soil ROD and shown on Figure 2-3, IR Site 25 consists of the former North Village Housing (also often referred to as North Housing; Environmental Baseline Survey Parcel 181) and adjacent Environmental Baseline Survey Parcels 182 and 183. IR Site 25 was originally designated as Parcels 181, 182, and 183. During the initial soil investigation, the parcels were designated both as IR Site 25 and part of Operable Unit (OU) 5. Groundwater contamination was subsequently discovered beneath portions of IR Site 25 as well as part of the neighboring sites and the Annex. The soil and groundwater contamination footprints did not coincide with each other, and neither did the types of contaminants, which made the OU-5 designation cumbersome when dealing with the two media. Accordingly, the Base Closure Team decided to split and address the media separately, designating the groundwater as OU-5, and the soil sites as individual IR sites, specifically IR Sites 25, 30, and 31, each on its own track with its own ROD. IR Site 25 was previously referred to as OU-5 in the OU-5 Remedial Investigation Report (Neptune and Company, Inc., International Technology Corporation [IT], and Environ, 2002) and OU-5 Feasibility Study Report (Camp, Dresser, and McGee Federal Programs Corporation [CDM], 2005).

IR Site 25 includes former United States Coast Guard (USCG) housing (North Housing), Estuary Park, and Building 545. North Housing is currently unoccupied. Building 545 is being used as the USCG Housing Maintenance Office. Appendix C presents the legal description for IR Site 25. Building 545 and adjacent property within IR Site 25 is within surveyor plat/Parcel 2A, as shown in Appendix C, and was transferred to the USCG in April 2008. Prior to transfer of the remaining property, the DoN shall conduct a survey of the current elevations for the purpose of defining those activities that are restricted.

No naturally occurring surface streams or ponds are located at IR Site 25. Soil within IR Site 25 is contaminated with PAHs. The PAHs are not related to a DoN release but appear to be associated with contaminated fill placed at the site prior to the DoN obtaining the property (DoN, 2007). As specified in the ROD, the groundwater beneath approximately the southern one-third

of the site contains benzene and naphthalene and is designated as part of the OU-5/IR-02 plume, which is addressed separately.

3.0 AREAS REQUIRING INSTITUTIONAL CONTROLS

The areas requiring ICs at IR Site 25 are shown on Figure 12-1 of the ROD for IR Site 25 soil (DoN, 2007). These areas encompass the entirety of IR Site 25, approximately 42 acres. The following three parcels, as described in the Environmental Baseline Survey (IT, 2001) and ROD (DoN, 2007), are present within IR Site 25 and require ICs (Figure 2-3):

- Parcel 181 contains the former USCG North Housing multi-unit housing structures, which are no longer occupied.
- Parcel 182 contains Estuary Park.
- Parcel 183 contains Building 545, which is currently used by the USCG as a Housing Maintenance Office.

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4.0 INSTITUTIONAL CONTROLS, PERFORMANCE OBJECTIVES, AND LAND USE RESTRICTIONS

IC performance objectives were developed and presented in the ROD and are intended to maintain the integrity of the remedy. ICs are the final remedy for IR Site 25 soil consistent with the intended land use (DoN, 2007). The IC performance objectives are to 1) restrict uses of the property in order to protect current and future occupants of the property as well as ensure the continuing effectiveness of previous response actions, and 2) limit the exposure of occupants of the property to hazardous substances and maintain the integrity of previous response actions (DoN, 2007).

These IC performance objectives will be implemented through the following land use restrictions for the site (DoN, 2007):

- In areas with no hardscape (e.g., no structures, concrete or paved roadways, parking lots, foundations, and sidewalks) and no buildings, there is a prohibition against excavation of soil from depths greater than 4 feet below the surface at the time of ROD issuance (pre-conveyance) unless the future landowner 1) obtains DTSC, EPA, and DoN approval; and, 2) develops and complies with a Soil Management Plan to address management, handling, and disposal of soil in accordance with applicable laws and regulations. The future landowner's Soil Management Plan shall require approval by the DoN, DTSC, and EPA, unless EPA, in its discretion, determines that its review and approval of a specific Soil Management Plan is not necessary. This prohibition does not apply to utility repair and utility maintenance.
- In areas with hardscape (e.g., structures, concrete or paved roadways, parking lots, foundations, and sidewalks) or buildings, for any excavation immediately below the hardscape or foundation, the future landowner is required to 1) obtain written approval from the DTSC, EPA, and the DoN; and, 2) develop and comply with a Soil Management Plan for major site work consisting of demolition or removal of hardscape and buildings existing at the time of the ROD issuance (pre-conveyance). Replacement of single-lot walkways and driveways is not considered major site work. This prohibition does not apply to utility repair and utility maintenance. If there is a disagreement as to whether a specific activity constitutes major site work, the decision will be made by EPA in consultation with the DoN and DTSC. EPA and DTSC have indicated that for building removal and major site work, they will require an enforceable agreement with the future landowner (for developing and implementing a Soil Management Plan) that will include both agencies, unless either agency in its discretion decides that its participation is not necessary. In that case, the enforceable agreement would only be with the other regulatory agency. Any enforceable agreement with EPA will provide that the final decision as to the actions to be taken will be made by EPA, in consultation with DTSC and DoN, and that in any dispute, EPA is the final decision-maker.

The IC objectives and land use restrictions will be implemented through different legal mechanisms before and after the anticipated conveyance of the property containing IR Site 25, as described in the following sections.

In addition to the restrictions addressing soil contamination at IR Site 25, a portion of the site will be subject to restrictions related to the remedial action addressing groundwater contamination, which were selected in the OU-5/IR-02 Groundwater ROD dated August 2007 and implemented pursuant to the OU-5/IR-02 RD/RA.

4.1 LEGAL MECHANISM PRIOR TO CONVEYANCE

Housing on IR Site 25 formerly occupied by USCG personnel is currently vacant and unused except for the USCG Housing Maintenance Office, which has been transferred to the USCG. During any periods of time when the property is under the control of the DoN and is not leased, the DoN will not take any actions inconsistent with the land use objectives set forth in the ROD (DoN, 2007) and in this LUC RD Section 4.0. The DoN will not redevelop the property within IR Site 25 prior to transfer (DoN, 2007).

As specified in the ROD, should the DoN lease IR Site 25 housing property prior to the property transfer, the DoN shall include in the lease, restrictions no less restrictive than the use restrictions and controls described above and as found in the IR Site 25 ROD (DoN, 2007). These lease terms shall remain in place until the property is transferred by deed, at which time they will be superseded by restrictive covenants and controls as described in this LUC RD and found in the IR Site 25 Soil ROD, and will be included in a “Covenant to Restrict Use of Property” entered into by the DoN and DTSC and made part of any deed conveying property subject to the ICs.

4.2 LEGAL MECHANISMS AS PART OF AND FOLLOWING CONVEYANCE

Each transfer of fee title from the United States to a non-federal entity will include a description of the residual contamination on the property and the environmental use restrictions expressly prohibiting activities inconsistent with the performance measure goals and objectives. The deed will include appropriate provisions to ensure that the restrictions continue to run with the land and are enforceable by the DoN. Each deed will contain a reservation of access to the property for the FFA signatories and their respective officials, agents, employees, contractors, and subcontractors for the purposes consistent with the DoN Installation Restoration Program or FFA. Concurrent with the transfer of fee title from the DoN to transferee, information regarding the environmental use restrictions and controls will be communicated in writing to the property owners and to appropriate State and local agencies to ensure such agencies can factor such conditions into their oversight and decision-making activities regarding the property. The DoN will meet the statutory requirements of CERCLA Section 120(h)(3) for any transfer of fee title.

The following two proprietary legal mechanisms will be incorporated and relied upon to implement the IC objectives and land use restrictions if the property is conveyed to a non-federal entity and shall remain in effect until terminated as provided in Section 5.3:

- Restrictive covenants will be included in one or more Quitclaim Deed(s) from the DoN to the property recipient.
- Restrictive covenants will be included in a “Covenant to Restrict Use of Property”¹ entered into by the DoN and DTSC as provided in the DoN/DTSC Memorandum of Agreement (MOA) (DoN/DTSC, 2000) and consistent with the substantive provisions of *California Code of Regulations* (Cal. Code Regs.) Title (tit.) 22, Section 67391.1.

The Covenant to Restrict Use of Property will incorporate the land use restrictions that run with the land and are enforceable by DTSC, and EPA as a third party beneficiary, against future transferees and users. The Quitclaim Deed(s) will include the identical land use restrictions that run with the land and that will be enforceable by the DoN against future transferees.

If the property within IR Site 25 is transferred to another federal department or agency, the IC objectives/land use restrictions set forth in this section of the LUC RD will be incorporated into an MOA or similar agreement.

The ICs and land use restrictions apply throughout IR Site 25 and will be maintained indefinitely unless the PAH concentrations in soil are reduced or subsequently determined to not exceed levels that allow for unrestricted site use and exposure.

¹ See “Memorandum of Agreement between the United States Department of the Navy and the California DTSC, Use of Model ‘Covenant to Restrict Use of Property’ at Installations Being Closed and Transferred by the United States Department of the Navy” dated March 10, 2000.

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5.0 REMEDY IMPLEMENTATION ACTIONS

This section describes the IC inspection, reporting, and enforcement responsibilities of the DoN. It also addresses modification of ICs, termination of LUCs, and responsibilities of any future property owner(s) and successors.

5.1 DON RESPONSIBILITIES WITH RESPECT TO IC INSPECTIONS, REPORTING, AND ENFORCEMENT

The DoN shall be responsible for implementing, maintaining, inspecting, reporting, and enforcing the ICs and land use restrictions identified in Section 4 prior to conveyance of the property. The DoN may later transfer these procedural responsibilities to another party (“transferee”) by contract, property transfer agreement, or other means. Although the DoN may contractually arrange for third parties to assume responsibility for and perform any and all actions associated with ICs, the DoN is ultimately responsible under CERCLA for successful implementation of ICs, including maintaining, monitoring, reporting on, and enforcing the controls as necessary to assure remedy integrity. Should any IC objectives fail, the DoN shall ensure that appropriate actions are taken to re-establish protectiveness of the remedy and may initiate legal action to either compel action by a third party(ies) and/or recover the DoN’s costs for mitigating any discovered IC violation(s).

The following IC implementation actions, as presented in Sections 5.1.1 through 5.1.9, shall be undertaken by the DoN in order to ensure that the aforementioned IC objectives and land use restrictions for IR Site 25 soil are met and maintained. The IR Site 25 Soil IC Compliance Monitoring Report and IC Compliance Certificate are provided in Appendix A.

5.1.1 LUC RD Distribution

Within 30 days of receiving FFA signatories’ approval of this LUC RD, the DoN will place the LUC RD in the Information Repository currently located at Alameda Point. A copy of the LUC RD will also be sent to the following interested parties:

- EPA
- DTSC
- Water Board
- Alameda Reuse and Redevelopment Authority

Appendix B presents the respective mailing addresses of the entities listed above.

5.1.2 Site Access

Each deed will contain a reservation of access to the property for the FFA signatories and their respective officials, agents, employees, contractors, and subcontractors for the purposes consistent with the DoN Installation Restoration Program or the FFA.

5.1.3 Site Inspections

Beginning upon approval of this LUC RD by the FFA signatories and continuing until the effective date of property transfer, the DoN will undertake annual physical inspections of the site to confirm continued compliance with all IC performance objectives and land use restrictions in place through either a lease, MOA, or any other mechanism between DoN and property users. At the time of conveyance of the site, the DoN and DTSC will require, via appropriate provisions to be placed in the DoN's Quitclaim Deed(s) of conveyance and DTSC's Covenant to Restrict Use of Property, that the landowner(s) and subsequent transferees undertake continuing annual site inspections to ensure that all IC objectives and land use restrictions are complied with by all future user(s) of the property, as provided in Section 5.4.1.

5.1.4 Compliance Reporting

Beginning upon approval of this LUC RD and continuing until the effective date of property conveyance, the DoN will provide to the FFA signatories an annual IC Compliance Monitoring Report and IC Compliance Certificate for IR Site 25 soil, consistent with the forms provided in Appendix A. The annual IC Compliance Monitoring Report will address, among other things, whether the use restrictions and controls were communicated in the deed(s), whether the owners and State and local agencies were notified of the use restrictions and controls affecting the property, whether use of the property has conformed with such restrictions and controls, and will evaluate the status of the ICs. In addition, should any deficiencies be found during the annual inspection, the DoN will provide the FFA signatories with a separate written explanation with the IC Compliance Certificate indicating the specific deficiencies found and what efforts or measures have or will be taken to correct those deficiencies.

Copies of a completed and signed IC Compliance Monitoring Report and IC Compliance Certificate shall be sent to the FFA signatories by Certified Mail, Return Receipt Requested, annually. Upon conveyance of fee title for the site to a non-federal entity, the DoN will require, via appropriate provisions to be placed in its deed of conveyance, that the landowner(s) and subsequent transferees respond to IC violations, as provided in Section 5.4.2, and provide the DoN and other FFA signatories with an annual IC Compliance Monitoring Report and IC Compliance Certificate for IR Site 25 soil consistent with the forms provided hereto in Appendix A unless and until all ICs are terminated at the site.

If a transferee fails to provide an annual IC Compliance Monitoring Report and IC Compliance Certificate as described above to the DoN, the DoN will notify FFA signatories as soon as practicable. If the FFA signatories do not receive the annual IC Compliance Monitoring Report and IC Compliance Certificate from the transferee, they will notify the DoN as soon as practicable. The DoN shall ensure appropriate measures have been taken to verify the status of the ICs and that the annual IC Compliance Monitoring Report and IC Compliance Certificate are submitted to FFA signatories within 90 days after the report's due date.

5.1.5 CERCLA Five-Year Reviews

The DoN shall conduct Five-Year Reviews of the IR Site 25 soil remedy set forth in the ROD as required by CERCLA Section 121(c) and the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The Five-Year Review will evaluate implementation and compliance with the ICs to determine whether the remedy is or will be protective of human health and the environment in the future. The annual monitoring reports prepared by the DoN and/or transferee will be used in preparation of the Five-Year Review to evaluate the effectiveness of the remedy. The first Five-Year Review Report is planned to be issued in April 2011.

5.1.6 Notice of Planned Property Conveyances

The DoN will provide notice to the FFA signatories at least 6 months prior to any transfer or sale of IR Site 25 by the DoN so that the FFA signatories can be involved in discussions to ensure that appropriate provisions are included in the transfer terms or conveyance documents to maintain effective ICs. If it is not possible for the DoN to notify the FFA signatories at least 6 months prior to any transfer or sale, then the DoN will notify them as soon as possible but no later than 60 days prior to the transfer or sale of any property by the DoN subject to ICs. In addition to the land transfer notice and discussion provisions in this LUC RD, the DoN further agrees to provide the FFA signatories with similar notice, within the same time frames, as to federal-to-federal transfer of property. The DoN shall provide a copy of the executed deed of conveyance to the FFA signatories.

5.1.7 Opportunity to Review Text of Intended Deed Restrictions

Prior to conveyance of the site, the FFA signatories will be given reasonable opportunity to review and comment upon the applicable Quitclaim Deed and Covenant to Restrict Use of Property language related to all ICs and associated rights of entry for the FFA signatories for purposes of IC oversight and enforcement. The provisions in that deed or other enforceable document(s) will be consistent with the IC objectives in Section 4 of this LUC RD.

5.1.8 Notification Should Action(s) That Interfere with LUC Effectiveness Be Discovered

The DoN or transferee will notify the FFA signatories as soon as practicable, but no longer than 10 working days after the DoN's or transferee's discovery of any activity that is inconsistent

with the IC objectives or use restrictions or any other action that may interfere with the effectiveness of the ICs. The DoN or transferee will notify the FFA signatories regarding how a breach will be addressed or has been addressed as soon as practicable, but no more than 10 working days after notification of the breach. This reporting requirement does not preclude the DoN from taking immediate action pursuant to its CERCLA authority to prevent any actual or perceived risk(s) to human health or the environment.

5.1.9 LUC Enforcement

The process of addressing any activity that is inconsistent with the IC objectives or land use restrictions, or any other action that may interfere with the effectiveness of the ICs will be initiated by the DoN as soon as practicable, but no longer than 60 days after the DoN becomes aware of the breach. If a violation of a land use restriction is identified and/or documented by the DoN, EPA, or DTSC, or in a transferee's or owner's annual IC Compliance Monitoring Report, the entity identifying the violation will notify the others within 10 working days of identifying the violation. The DoN, EPA, and DTSC will then consult to evaluate what, if any, action(s) shall be taken, who shall take the action(s), and when the action(s) shall be undertaken. These actions may range from informal resolution with the owner or violator of an IC provision(s) as described in this LUC RD, to the pursuit of legal remedies or enforcement action under the auspices of State property law or CERCLA. Alternatively, the DoN may choose to exercise its response authorities under CERCLA and seek cost recovery from the person(s) or entity(ies) who violate a given IC objective/land use restriction. Should the DoN become aware that any future owner or user of the property has violated any IC requirement over which a local agency may have independent jurisdiction, the DoN will notify these agencies of such violation(s) and work cooperatively with them to re-achieve owner/user compliance with the ICs.

5.2 MODIFICATION OF RESTRICTIONS IN QUITCLAIM DEED AND DTSC COVENANT TO RESTRICT USE OF PROPERTY

Modifications to the ICs may be necessary based on changes in site conditions (e.g., reduction in area requiring ICs due to work approved under a Soil Management Plan) while the ICs are in place. When the DoN determines, with FFA signatory concurrence, that modifications to the ICs are appropriate, the IC modifications shall be documented in accordance with procedures consistent with applicable laws and regulations. The DoN or future property owner(s) shall be responsible for providing pertinent information on the IC modifications to the Alameda Reuse and Redevelopment Authority and will also advise the additional interested parties listed in Section 5.1.1 of that action. The DoN and FFA signatories shall determine whether a ROD Amendment, Explanation of Significant Differences, or some other procedure consistent with the NCP is required to support the modification of the ICs. The DoN shall not modify or terminate LUCs or implementation actions, or modify land use without approval by the FFA signatories. The DoN or transferee shall seek prior concurrence before any action anticipated by the DoN or

transferee that may disrupt the effectiveness of the LUCs or any action that may alter or negate the need for LUCs.

5.3 TERMINATION OF LUCS

The DoN may determine, with FFA signatory concurrence, that one or more of the ICs for IR Site 25 soil are no longer needed for protection of human health and the environment because the IC termination criteria have been achieved. The ICs and land use restrictions will be terminated if the PAH concentrations in soil are reduced or subsequently determined to not exceed levels that allow for unrestricted site use and exposure. Reduction in the area requiring ICs could occur due to work approved under a Soil Management Plan. In such a case, the DoN and DTSC shall provide to the current landowner(s) of the property an appropriate release of the restriction (DoN for the deed and DTSC for the Covenant to Restrict Use of Property) in accordance with State law for recordation of the deed pertaining to the site and will also timely advise the additional interested parties listed in Section 5.1.1 of that action.

5.4 RESPONSIBILITIES OF THE PROPERTY OWNER(S) AND SUCCESSORS WITH RESPECT TO IC INSPECTIONS, REPORTING, AND SOIL MANAGEMENT PLANS

By including appropriate provisions in the deed(s) or other enforceable document(s) pertaining to a conveyance of fee title to the site to a non-federal entity, the DoN will cause the future property owner(s) and successors to assume the following IC implementation responsibilities upon the DoN's conveyance of the property in order to ensure that the aforementioned IC objectives and land use restrictions for IR Site 25 soil have been complied with after property transfer.

5.4.1 Site Inspections

The property owner(s) will conduct annual physical inspections of the site and a records search (e.g., property records, permit applications and/or records of inspections by the City of Alameda for any work or construction) in the areas covered by the use restrictions to confirm continued compliance with all IC objectives and land use restrictions in the Quitclaim Deed and Covenant to Restrict Use of the Property unless and until all ICs at the site are terminated with FFA signatories' approval.

5.4.2 Compliance Reporting

The property owner(s) will notify the FFA signatories within 10 working days of the discovery by the property owner(s) of any violation of an IC and include in the notification a written explanation indicating the specific IC violation(s) found and what efforts or measures have or will be taken to correct that violation(s). The property owner(s) will also provide to the FFA signatories an annual IC Compliance Monitoring Report and IC Compliance Certificate for IR Site 25 soil consistent with the forms attached hereto in Appendix A unless and until all ICs are

terminated at the site. In addition, should any IC violations be discovered during the annual site inspection, the property owner(s) will provide to the FFA signatories, along with the required IC Compliance Monitoring Report and IC Compliance Certificate, a separate written explanation indicating the specific IC violations found and what efforts or measures have or will be taken to correct those violations. The annual IC Compliance Monitoring Report and IC Compliance Certificate shall be sent to the DoN, EPA, DTSC, and Water Board by Certified Mail, Return Receipt Requested, annually. The need to continue to provide such inspections and certifications on an annual basis will be re-evaluated every 5 years by the FFA signatories.

5.4.3 Soil Management Plan

The property owner is responsible for development, implementation, and compliance with a soil management plan under the conditions specified in the ROD for IR Site 25 soil (DoN, 2007) and this LUC RD. The conditions requiring a soil management plan are outlined below.

In IR Site 25 areas with no hardscape (e.g., structures, concrete or paved roadways, parking lots, foundations, and sidewalks) and no buildings, for excavation of soil from depths greater than 4 feet below the surface at the time of ROD issuance in 2007, the property owner is required to:

- Obtain written approval from the DoN, DTSC, and EPA. This requirement does not apply to utility repair and utility maintenance.
- Develop and comply with a Soil Management Plan to address management, handling, and disposal of soil in accordance with applicable laws and regulations. The Soil Management Plan will specifically address all aspects of soil management, including required sampling and analyses related to management, handling, and disposal of the soil. This requirement does not apply to utility repair and utility maintenance.
- The property owner's Soil Management Plan shall require approval by the DoN, DTSC, and EPA, unless EPA, in its discretion, determines that its review and approval of a specific Soil Management Plan is not necessary.

In IR Site 25 areas with hardscape (e.g., structures, concrete or paved roadways, parking lots, foundations, and sidewalks) or buildings, for any excavation immediately below the hardscape or foundation, the property owner is required to:

- Obtain written approval from the DoN, DTSC, and EPA. This requirement does not apply to utility repair and utility maintenance.
- Develop and comply with a Soil Management Plan for major site work consisting of demolition or removal of hardscape and buildings existing at the time of the ROD issuance in 2007. Replacement of single-lot walkways and driveways is not considered major site work. This requirement does not apply to utility repair and utility maintenance.

- The Soil Management Plan will address management, handling, and disposal of soil in accordance with applicable laws and regulations. The Soil Management Plan will specifically address all aspects of soil management, including required sampling and analyses related to management, handling, and disposal of the soil.
- The property owner's Soil Management Plan shall require approval by the DoN, DTSC, and EPA, unless EPA, in its discretion, determines that its review and approval of a specific Soil Management Plan is not necessary.
- If there is a disagreement as to whether a specific activity constitutes major site work, the decision will be made by EPA in consultation with the DoN and DTSC.
- EPA and DTSC have indicated that for building removal and major site work, they will require an enforceable agreement with the future landowner (for developing and implementing a Soil Management Plan) that will include both agencies, unless either agency in its discretion decides that its participation is not necessary. In that case, the enforceable agreement would only be with the other regulatory agency. Any enforceable agreement with EPA will provide that the final decision as to the actions to be taken will be made by EPA, in consultation with DTSC and DoN, and that in any dispute, EPA is the final decision-maker.

The Soil Management Plan shall include the following:

- 1.0 Identification of Construction/Development Activities that Could Impact Human and/or Environmental Health
- 2.0 Access Control During Construction
- 3.0 Risk Mitigation to Address Contaminants in Soil
 - 3.1 Excavations below the Threshold Depths as Defined in the IR Site 25 ROD and the IR Site 25 LUC RD
 - 3.1.1 Reconnaissance Sampling
 - 3.1.2 Excavation of Uncharacterized Soil Below the Threshold Depth
 - 3.2 Soil Management Protocols During Site Development
 - 3.2.1 Soil Movement and Handling
 - 3.2.2 Soil Stockpiles
 - 3.2.2.1 Associated Dust Control and Air Monitoring
 - 3.2.2.2 Erosion Management
 - 3.2.2.3 Access Management
 - 3.2.2.4 Monitoring
 - 3.2.3 Soil Reuse
 - 3.2.4 Off-site Soil Disposal
 - 3.2.5 Soil Transportation

3.3 Contingency Protocols for the Discovery and Management of Unknown Contamination or Structures

Once a Soil Management Plan has been approved, the property owner may undertake those activities described in the approved plan and shall advise DoN, DTSC, and EPA of all activities undertaken and shall certify compliance with the provisions of the Soil Management Plan.

6.0 REFERENCES

- Camp, Dresser, and McGee Federal Programs Corporation (CDM). 2005. *Final Soil Feasibility Study Report, Operable Unit 5*, Alameda Point, Alameda, California. March 11.
- Department of the Navy (DoN). 2007. *Final Record of Decision, Site 25 Soil*. Alameda Point, Alameda, California. September.
- DoN/Department of Toxic Substances Control (DTSC). 2000. *Memorandum of Agreement Between the United States Department of the Navy and the California Department of Toxic Substances Control*. March 10.
- International Technology Corporation (IT). 2001. *Environmental Baseline Survey, Data Evaluation Summaries - Final, Volumes I–XIV*. Alameda Point, Alameda, California. June.
- Neptune and Company, Inc., International Technology Corporation (IT), and Environ. 2002. *Final Operable Unit 5 Remedial Investigation Report*. Alameda Point, Alameda, California. December 2.

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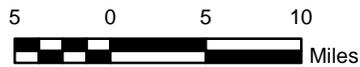
FIGURES

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LEGEND

-  STATE HIGHWAY
-  US HIGHWAY
-  INTERSTATE HIGHWAY
-  ALAMEDA POINT
-  WATER



Scale: 1" = 10 Miles



**BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE WEST
SAN DIEGO, CALIFORNIA**

LAND USE CONTROL REMEDIAL DESIGN

IR SITE 25 SOIL

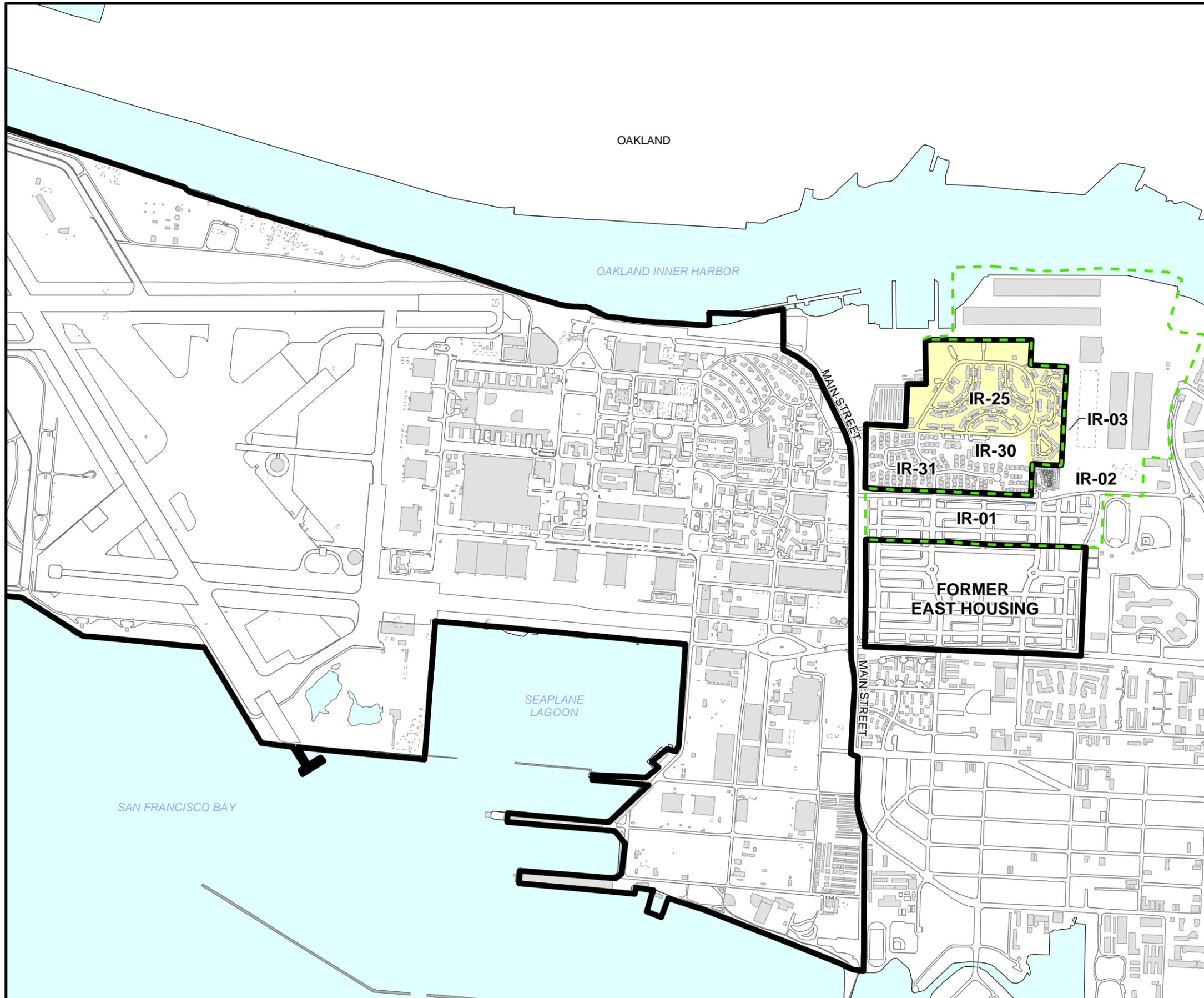
FIGURE 2-1

REGIONAL LOCATION MAP

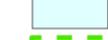
ALAMEDA, CALIFORNIA

REVIEW: B
AUTHOR: RKH
DCN: ECSD-2201-0011-0016
FILE NUMBER: 090435R5024.mxd





LEGEND

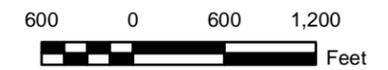
-  ROAD/RUNWAY
-  BUILDING
-  WATER
-  FISCA SITE BOUNDARY
-  IR-25 SITE BOUNDARY
-  ALAMEDA POINT BOUNDARY

NOTES:

FISCA - FLEET AND INDUSTRIAL SUPPLY CENTER OAKLAND, ALAMEDA FACILITY/ALAMEDA ANNEX

IR - INSTALLATION RESTORATION (PROGRAM)

NAS - NAVAL AIR STATION



Scale: 1" = 1200'



BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE WEST
SAN DIEGO, CALIFORNIA

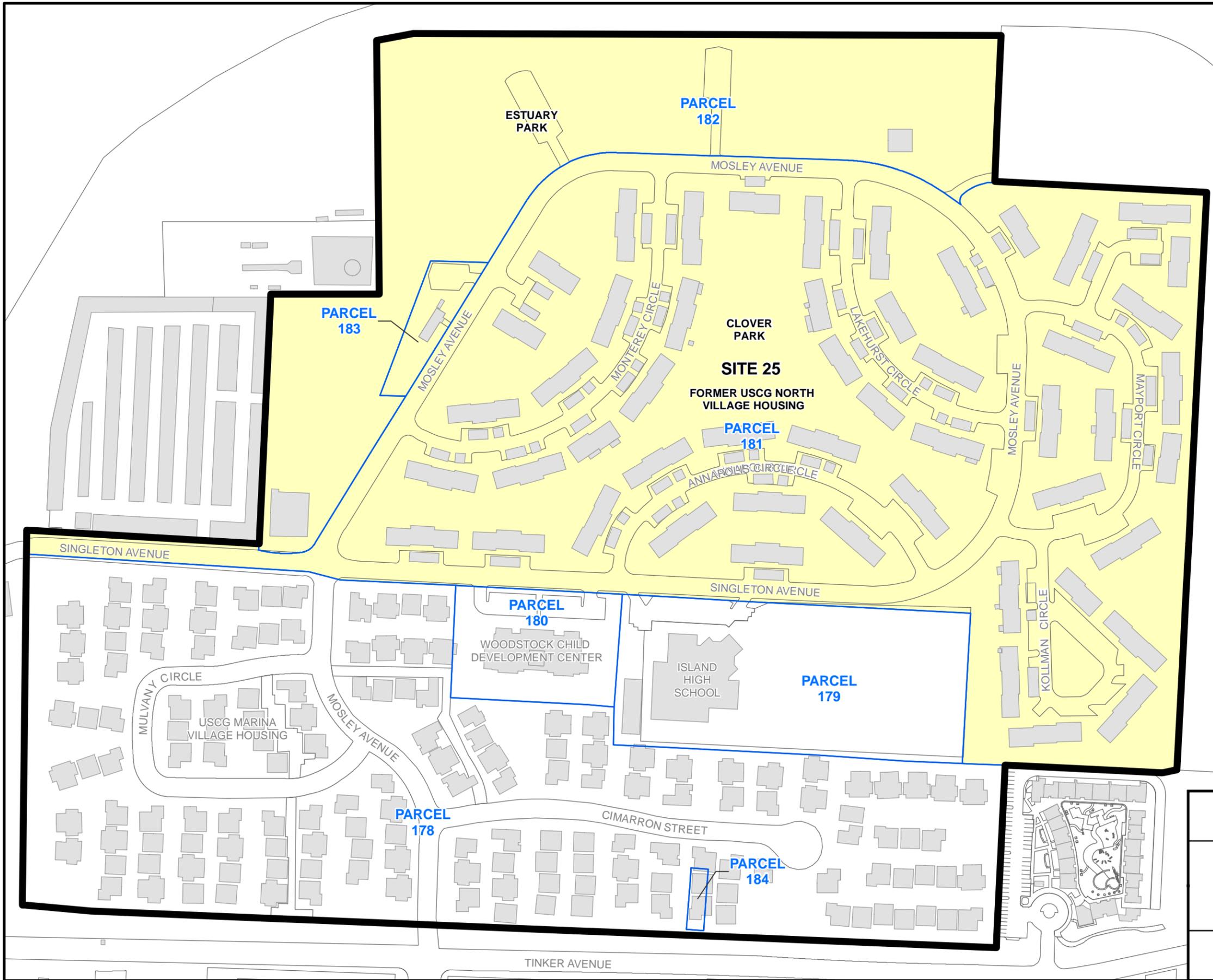
LAND USE CONTROL REMEDIAL DESIGN
IR SITE 25 SOIL

FIGURE 2-2

IR SITE 25 LOCATION
ALAMEDA, CALIFORNIA

REVIEW: B
AUTHOR: RKH
DCN: ECSD-2201-0011-0016
FILE NUMBER: 090435S5025.mxd





LEGEND

-  ROAD
-  BUILDING
-  **PARCEL 179** EBS PARCEL BOUNDARY
-  SITE 25 BOUNDARY OF LAND USE CONTROL
-  ALAMEDA POINT BOUNDARY

- NOTES
- EBS - ENVIRONMENTAL BASELINE SURVEY
 - NAS - NAVAL AIR STATION
 - USCG - UNITED STATES COAST GUARD



**BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE WEST
SAN DIEGO, CALIFORNIA**

LAND USE CONTROL REMEDIAL DESIGN
IR SITE 25 SOIL

FIGURE 2-3

IR SITE 25 PARCEL DELINEATION AND SITE FEATURES
ALAMEDA, CALIFORNIA

REVIEW: B
AUTHOR: GFG
DCN: EGSD-2201-0011-0016
FILE NUMBER: 090435L5026.mxd



APPENDIX A

**IR SITE 25 SOIL INSTITUTIONAL CONTROL (IC)
COMPLIANCE MONITORING REPORT AND IC COMPLIANCE
CERTIFICATE**

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APPENDIX A

INSTALLATION RESTORATION SITE 25 SOIL INSTITUTIONAL CONTROL COMPLIANCE MONITORING REPORT

Installation Restoration Site 25
Alameda Point, Alameda, California
EPA I.D. No. CA2170023236

Property Owner: _____

This evaluation is the final Department of the Navy certification just prior to site conveyance (yes or no) _____

If for an annual inspection, this evaluation covers the period from _____ through _____

Certification Checklist

	In Compliance	Non-Compliance	See Comment
1) Excavation below 4 feet approved and in accordance with a Soil Management Plan (excluding utility repair and utility maintenance).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Major site work consisting of demolition or removal of hardscape and buildings approved and in accordance with a soil management plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) Notification of incidents/conditions inconsistent with requirements (copies attached).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4) Any violations of these land use restrictions were reported within 10 business days of discovery and an explanation provided of those actions taken or to be taken was provided within 10 business days of notification of discovery.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I, the undersigned, hereby certify that the above-described land use restrictions have been complied with for the period noted. Alternately, any known deficiencies and completed or planned actions to address such deficiencies are described in the attached Explanation of Deficiencies.

Printed Name/Signature

Date

Mail completed form(s) to the Department of the Navy, U.S. Environmental Protection Agency, California Department of Toxic Substances Control, and California Regional Water Quality Control Board annually.

Comments:

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**INSTALLATION RESTORATION (IR) SITE 25 SOIL ANNUAL
INSTITUTIONAL CONTROL (IC) COMPLIANCE CERTIFICATE**

Installation Restoration Site 25
Alameda Point, Alameda, California
EPA I.D. No. CA2170023236

I _____ hereby certify that the attached IR Site 25 Soil IC Compliance Monitoring Report is complete and accurate. The requirements of Land Use Control (LUC) Remedial Design Sections 4 and 5 have been met. I further certify that a copy of this compliance certificate and the attached IR Site 25 Soil IC Compliance Monitoring Report have been sent by Registered Mail to the Federal Facility Agreement signatories.

(Name and title)

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APPENDIX B

**INTERESTED PARTIES FOR DISTRIBUTION OF
LAND USE CONTROL REMEDIAL DESIGN**

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APPENDIX B

INTERESTED PARTIES FOR DISTRIBUTION OF LAND USE CONTROL REMEDIAL DESIGN

1. U.S. Environmental Protection Agency (EPA) Region IX
Mail Code SFD 8-3
75 Hawthorne Street
San Francisco, CA 94105

2. Department of Toxic Substances Control (DTSC)
8800 Cal Center Drive
Sacramento, CA 95826

3. Regional Water Quality Control Board (RWQCB), San Francisco Region
1515 Clay Street, Suite 1400
Oakland, CA 94612

4. Alameda Reuse and Redevelopment Authority
Alameda City Hall
2263 Santa Clara Avenue
Alameda CA 94501

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APPENDIX C
IR SITE 25 LEGAL DESCRIPTION

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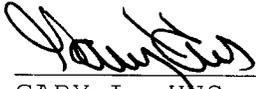
LEGAL DESCRIPTION

PARCEL 1A OF LAND OWNED BY THE UNITED STATES OF AMERICA, FORMERLY IDENTIFIED AS NAVAL AIR STATION ALAMEDA CALIFORNIA, LYING WITHIN THE CITY AND COUNTY OF ALAMEDA, CALIFORNIA, AS SHOWN ON RECORD OF SURVEY NO. 2113, FILED IN BOOK 31, PAGES 98 AND 99, ON MAY 1, 2007, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF PARCEL 1A PER SAID RECORD OF SURVEY 2113; THENCE ALONG THE BOUNDARY OF SAID PARCEL 1A THE FOLLOWING COURSES; NORTH $87^{\circ}12'15''$ WEST, 351.23 FEET; THENCE NORTH $89^{\circ}07'34''$ WEST, 77.65 FEET; THENCE NORTH $02^{\circ}44'41''$ EAST, 305.28 FEET; THENCE NORTH $87^{\circ}12'11''$ WEST, 213.70 FEET TO A POINT OF CUSP, ALSO BEING THE BEGINNING OF A NON-TANGENT 299.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHWEST, A RADIAL LINE TO SAID BEGINNING BEARS SOUTH $02^{\circ}47'49''$ WEST; THENCE ALONG THE ARC OF SAID CURVE EASTERLY, NORTHEASTERLY AND NORTHERLY 468.87 FEET THROUGH A CENTRAL ANGLE OF $89^{\circ}50'50''$; THENCE TANGENT TO SAID CURVE NORTH $02^{\circ}56'59''$ EAST, 210.03 FEET TO THE BEGINNING OF A TANGENT 378.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST; THENCE ALONG THE ARC OF SAID CURVE NORTHERLY, NORTHWESTERLY AND WESTERLY 600.59 FEET THROUGH A CENTRAL ANGLE OF $91^{\circ}02'05''$; THENCE TANGENT TO SAID CURVE NORTH $88^{\circ}05'06''$ WEST, 463.90 FEET TO THE BEGINNING OF A TANGENT 197.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTH; THENCE ALONG THE ARC OF SAID CURVE WESTERLY 142.35 FEET THROUGH A CENTRAL ANGLE OF $41^{\circ}24'01''$; THENCE NON-TANGENT TO SAID CURVE SOUTH $89^{\circ}28'45''$ WEST, 349.82 FEET; THENCE NORTH $00^{\circ}31'15''$ WEST, 284.19 FEET; THENCE NORTH $76^{\circ}58'45''$ EAST, 51.21 FEET; THENCE SOUTH $00^{\circ}31'09''$ EAST, 15.36 FEET; THENCE NORTH $76^{\circ}58'45''$ EAST, 30.74 FEET; THENCE SOUTH $89^{\circ}47'06''$ EAST, 1180.63 FEET; THENCE SOUTH $02^{\circ}47'45''$ WEST, 294.97 FEET; THENCE SOUTH $87^{\circ}21'52''$ EAST, 426.61 FEET; THENCE SOUTH $02^{\circ}46'51''$ WEST, 1161.37 FEET TO THE **POINT OF BEGINNING**.

ATTACHED HERETO IS A PLAT LABELED EXHIBIT 'A' AND BY THIS REFERENCE MADE A PART THEREOF. ALL DISTANCES SHOWN HEREON ARE GRID DISTANCES. ALL AREA ACREAGES ARE EXPRESSED IN GROUND UNITS. TO COMPUTE GROUND DISTANCES, MULTIPLY GRID DISTANCES BY 1.00007055. ALL BEARINGS SHOWN HEREON ARE GRID BASED UPON CALIFORNIA COORDINATE SYSTEM ZONE 3, ADJUSTMENT, NAD83, AND EPOCH 1998.

SAID PARCEL OF LAND CONTAINS 18.315 ACRES (GROUND UNITS), MORE OR LESS.



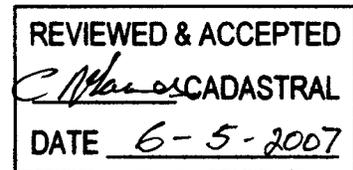
5-28-2007

GARY L. HUS

DATE

L.S. 7019

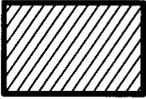
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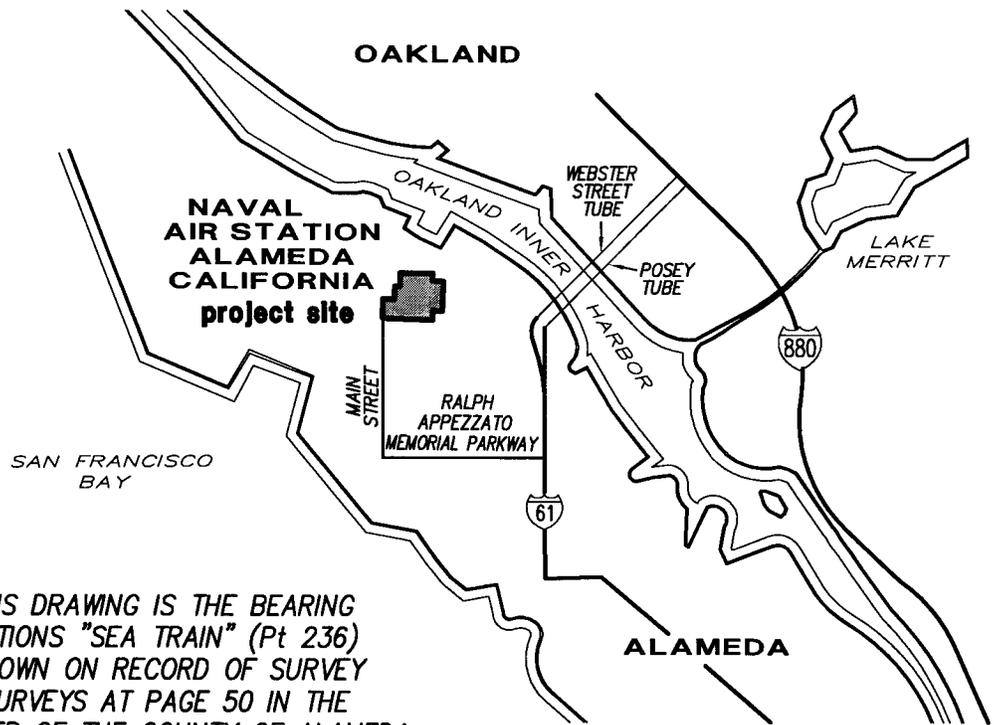


LEGAL DESCRIPTION:

PARCEL 1A OF LAND OWNED BY THE UNITED STATES OF AMERICA, FORMERLY IDENTIFIED AS NAVAL AIR STATION ALAMEDA CALIFORNIA, LYING WITHIN THE CITY AND COUNTY OF ALAMEDA, CALIFORNIA, AS SHOWN ON RECORD OF SURVEY NO. 2113 FILED IN BOOK 31, PAGES 98 AND 99 ON MAY 1, 2007.

LEGEND:

- INDICATES EXISTING ROS BOUNDARY
- P.O.B.** ——— INDICATES POINT OF BEGINNING
-  ——— INDICATES **PARCEL 1A** AREA 18.315 ACRES (GROUND UNITS), MORE OR LESS



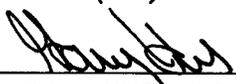
BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS DRAWING IS THE BEARING BETWEEN PRIMARY CONTROL STATIONS "SEA TRAIN" (Pt 236) AND "ALAMEDA" (Pt 238) AS SHOWN ON RECORD OF SURVEY NO. 990, FILED IN BOOK 18 OF SURVEYS AT PAGE 50 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF ALAMEDA, AND REFERENCED ON RECORD OF SURVEY NO. 1816, FILED IN BOOK 28 OF SURVEYS AT PAGES 14-25 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. THE BEARING WAS DETERMINED BY AN INVERSE OF THE COORDINATES SHOWN ON THE RECORDS OF SURVEY AND HELD AS **NORTH 15°37'31" WEST**.

 **VICINITY MAP**
NO SCALE

PREPARED BY:

PROJECT DESIGN CONSULTANTS
701 B STREET SUITE 800
SAN DIEGO, CALIFORNIA 92101
PHONE: (619) 235-6471


GARY L. HUS, L.S. 7019 DATE 5-28-2007
REGISTRATION EXPIRES 6/30/2008



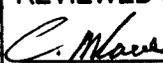
REVIEWED & ACCEPTED
 CADASTRAL
DATE 6-5-2007

EXHIBIT
'A'
SHEET 1 OF 4

OAKLAND
INNER HARBOR
CHANNEL

CITY OF ALAMEDA
(S.N.200215933)

ALAMEDA ANNEX
FLEET INDUSTRIAL
SUPPLY CENTER

ROS 2113

PARCEL 1
ALAMEDA
NAVAL AIR STATION
ROS 1816

PERALTA
GRANT
LINE

MAIN STREET

ATLANTIC
AVENUE

CITY OF ALAMEDA
(S.N.2002159330)

PACIFIC
STREET
AVENUE

THIRD
STREET

CENTRAL
AVENUE

P.O.B.

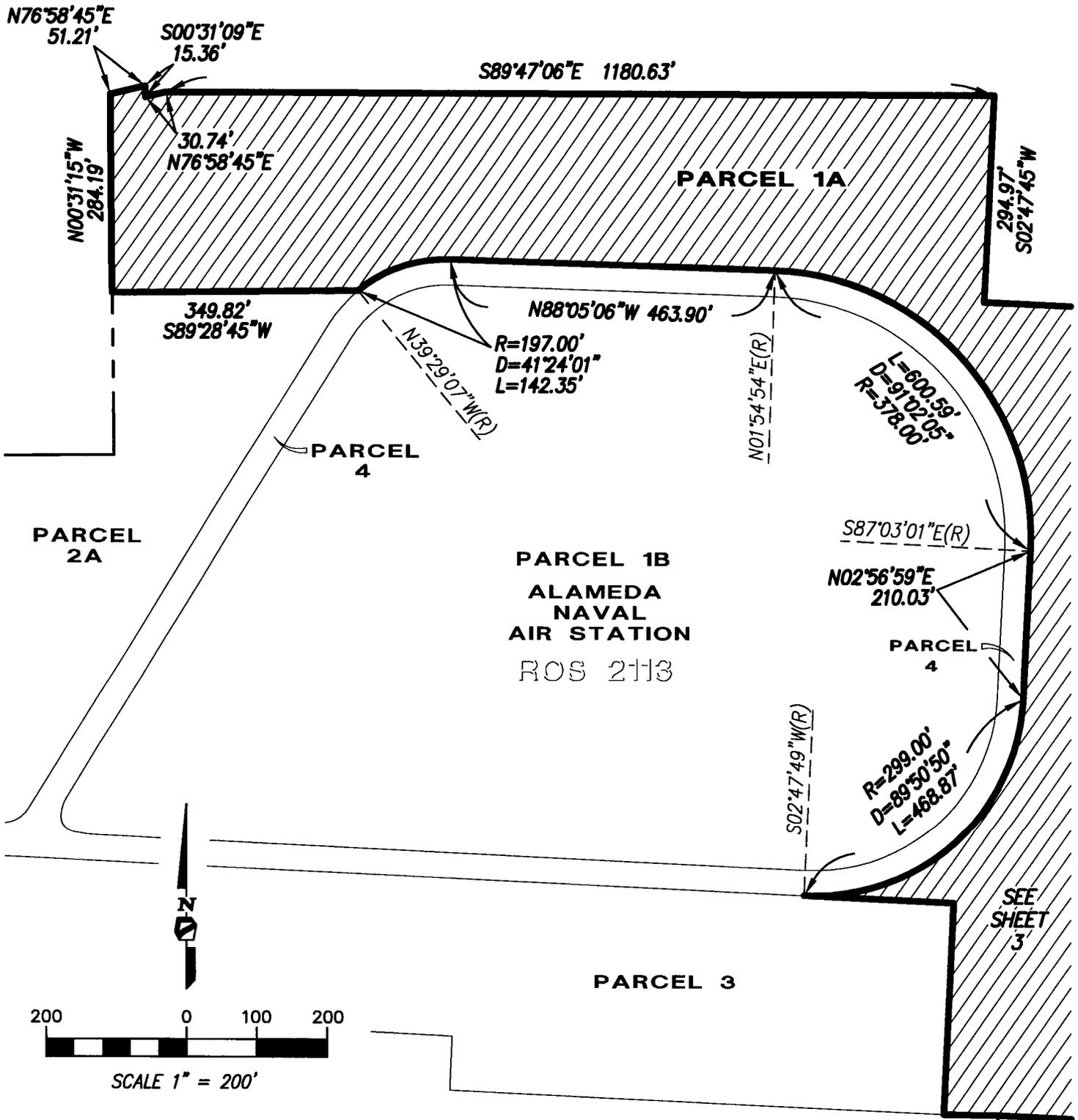
SOUTHEAST CORNER
PARCEL 1A



SCALE 1" = 1000'

PREPARED BY:
PROJECT DESIGN CONSULTANTS
701 B STREET SUITE 800
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**EXHIBIT
'A'
SHEET 2 OF 4**



PREPARED BY:
PROJECT DESIGN CONSULTANTS
701 B STREET SUITE 800
SAN DIEGO, CALIFORNIA 92101
PHONE: (619) 235-6471

PARCEL 2B

**EXHIBIT
'A'**
SHEET 4 OF 4

LEGAL DESCRIPTION

PARCEL 1B OF LAND OWNED BY THE UNITED STATES OF AMERICA, FORMERLY IDENTIFIED AS NAVAL AIR STATION ALAMEDA CALIFORNIA, LYING WITHIN THE CITY AND COUNTY OF ALAMEDA, CALIFORNIA, AS SHOWN ON RECORD OF SURVEY NO. 2113, FILED IN BOOK 31, PAGES 98 AND 99, ON MAY 1, 2007, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

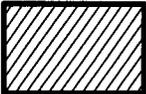
COMMENCING AT THE SOUTHWEST CORNER OF PARCEL 2B OF SAID RECORD OF SURVEY NO. 2113, THE SOUTHERLY LINE OF SAID PARCEL 2B BEARS SOUTH 87°57'54" EAST; THENCE ALONG A TIE LINE NORTH 43°16'15" EAST, 959.25 FEET TO A POINT ON A NON-TANGENT 250.00 FOOT RADIUS CURVE CONCAVE TO THE NORTH, A RADIAL LINE TO SAID BEGINNING BEARS SOUTH 02°47'49" WEST, SAID POINT BEING THE **POINT OF BEGINNING**; THENCE ALONG THE BOUNDARY OF SAID PARCEL 1B THE FOLLOWING COURSES; AND ALONG THE ARC OF LAST SAID CURVE WESTERLY 34.32 FEET THROUGH A CENTRAL ANGLE OF 7°51'58" TO THE BEGINNING OF A 24.00 FOOT RADIUS COMPOUND CURVE CONCAVE TO THE NORTHEAST, A RADIAL LINE TO SAID BEGINNING BEARS SOUTH 10°39'47" WEST; THENCE ALONG THE ARC OF SAID CURVE WESTERLY, NORTHWESTERLY AND NORTHERLY 35.60 FEET THROUGH A CENTRAL ANGLE OF 84°59'28" TO THE BEGINNING OF A 57.00 FOOT RADIUS COMPOUND CURVE CONCAVE TO THE EAST, A RADIAL LINE TO SAID BEGINNING BEARS NORTH 84°20'45" WEST; THENCE ALONG THE ARC OF SAID CURVE NORTHERLY 25.89 FEET THROUGH A CENTRAL ANGLE OF 26°01'35"; THENCE TANGENT TO SAID CURVE NORTH 31°40'50" EAST, 283.63 FEET; THENCE NORTH 31°50'57" EAST, 175.72 FEET; THENCE NORTH 31°50'44" EAST, 308.61 FEET TO THE BEGINNING OF A TANGENT 160.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHEAST; THENCE ALONG THE ARC OF SAID CURVE NORTHEASTERLY AND EASTERLY 167.75 FEET THROUGH A CENTRAL ANGLE OF 60°04'10"; THENCE TANGENT TO SAID CURVE SOUTH 88°05'06" EAST, 463.90 FEET TO THE BEGINNING OF A TANGENT 341.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST; THENCE ALONG THE ARC OF SAID CURVE EASTERLY, SOUTHEASTERLY AND SOUTHERLY 541.80 FEET THROUGH A CENTRAL ANGLE OF 91°02'05"; THENCE TANGENT TO SAID CURVE SOUTH 02°56'59" WEST, 210.03 FEET TO THE BEGINNING OF A TANGENT 262.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHWEST; THENCE ALONG THE ARC OF SAID CURVE SOUTHERLY, SOUTHWESTERLY AND WESTERLY 410.85 FEET THROUGH A CENTRAL ANGLE OF 89°50'50"; THENCE TANGENT TO SAID CURVE NORTH 87°12'11" WEST, 1009.25 FEET TO THE **POINT OF BEGINNING**.

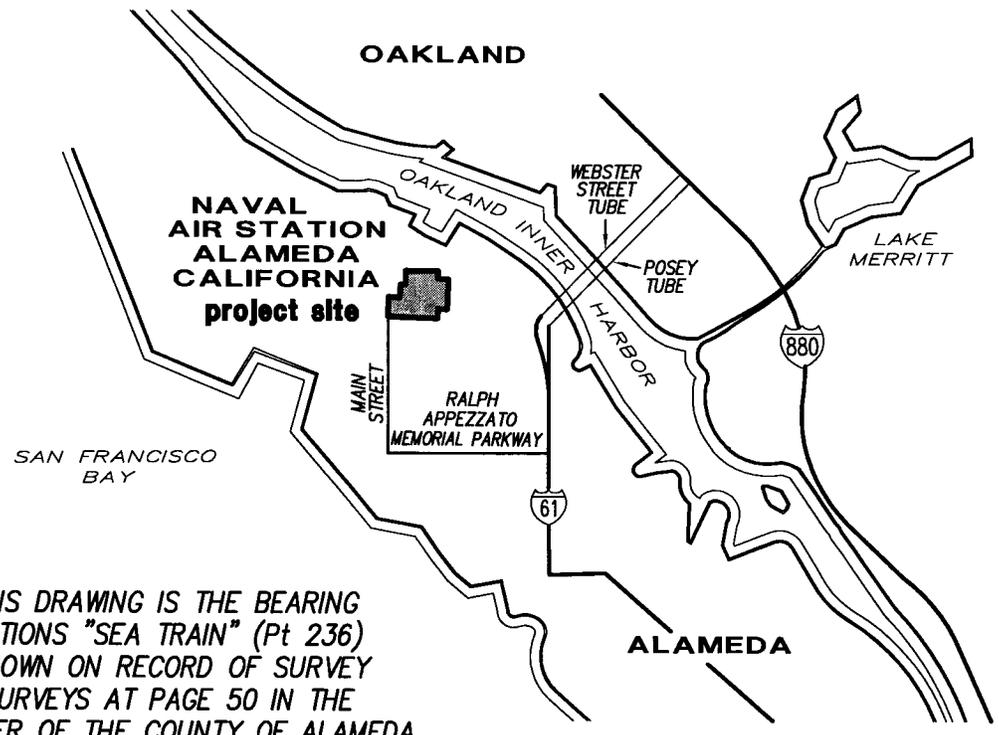
ATTACHED HERETO IS A PLAT LABELED EXHIBIT 'A' AND BY THIS REFERENCE MADE A PART THEREOF. ALL DISTANCES SHOWN HEREON ARE GRID DISTANCES. ALL AREA ACREAGES ARE EXPRESSED IN GROUND UNITS. TO COMPUTE GROUND DISTANCES, MULTIPLY GRID DISTANCES BY 1.00007055. ALL BEARINGS SHOWN HEREON ARE GRID BASED UPON

LEGAL DESCRIPTION:

PARCEL 1B OF LAND OWNED BY THE UNITED STATES OF AMERICA, FORMERLY IDENTIFIED AS NAVAL AIR STATION ALAMEDA CALIFORNIA, LYING WITHIN THE CITY AND COUNTY OF ALAMEDA, CALIFORNIA, AS SHOWN ON RECORD OF SURVEY NO. 2113 FILED IN BOOK 31, PAGES 98 AND 99 ON MAY 1, 2007.

LEGEND:

- INDICATES EXISTING ROS BOUNDARY
- P.O.C. ——— INDICATES POINT OF COMMENCEMENT
- P.O.B. ——— INDICATES POINT OF BEGINNING
-  ——— INDICATES PARCEL 1B AREA 19.957 ACRES (GROUND UNITS), MORE OR LESS



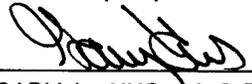
BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS DRAWING IS THE BEARING BETWEEN PRIMARY CONTROL STATIONS "SEA TRAIN" (Pt 236) AND "ALAMEDA" (Pt 238) AS SHOWN ON RECORD OF SURVEY NO. 990, FILED IN BOOK 18 OF SURVEYS AT PAGE 50 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF ALAMEDA, AND REFERENCED ON RECORD OF SURVEY NO. 1816, FILED IN BOOK 28 OF SURVEYS AT PAGES 14-25 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. THE BEARING WAS DETERMINED BY AN INVERSE OF THE COORDINATES SHOWN ON THE RECORDS OF SURVEY AND HELD AS **NORTH 15°37'31" WEST**.

 **VICINITY MAP**
NO SCALE

PREPARED BY:

PROJECT DESIGN CONSULTANTS
701 B STREET SUITE 800
SAN DIEGO, CALIFORNIA 92101
PHONE: (619) 235-6471


GARY L. HUS, L.S. 7019 DATE 5-28-2007
REGISTRATION EXPIRES 6/30/2008



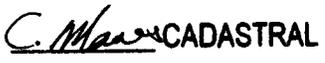
REVIEWED & ACCEPTED
 CADASTRAL
DATE 6-5-2007

EXHIBIT
'A'
SHEET 1 OF 3

OAKLAND
INNER HARBOR
CHANNEL

CITY OF ALAMEDA
(S.N.200215933)

ALAMEDA ANNEX
FLEET INDUSTRIAL
SUPPLY CENTER

ROS 2113

PARCEL 1
ALAMEDA
NAVAL AIR STATION
ROS 1816

$N43^{\circ}16'15''E$
959.25'

P.O.C.
SOUTHWEST CORNER
PARCEL 2B

1923.76'
 $S87^{\circ}57'54''E$

P.O.B.

PERALTA
GRANT
LINE

MAIN STREET

ATLANTIC AVENUE

CITY OF ALAMEDA
(S.N.2002159330)

PACIFIC AVENUE

STREET

THIRD

CENTRAL AVENUE



1000 0 500 1000

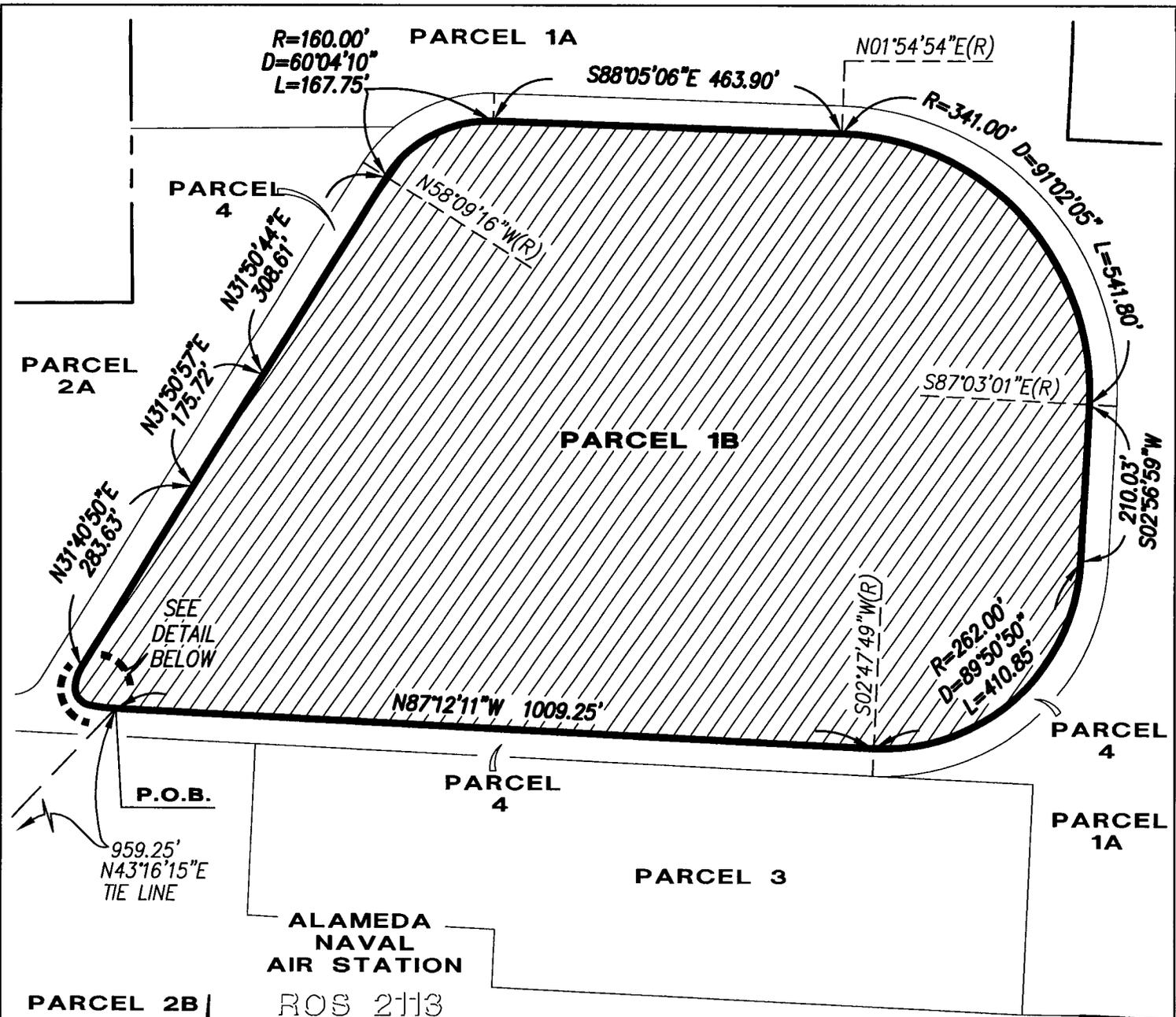
SCALE 1" = 1000'

PREPARED BY:

PROJECT DESIGN CONSULTANTS
701 B STREET SUITE 800
SAN DIEGO, CALIFORNIA 92101
PHONE: (619) 235-6471

**EXHIBIT
'A'**

SHEET 2 OF 3



R=160.00'
D=60°04'10"
L=167.75'

PARCEL 1A

N01°54'54"E(R)

S88°05'06"E 463.90'

R=341.00' D=91°02'05" L=541.80'

PARCEL 4

N58°09'16"W(R)

N31°30'44"E
308.61'

PARCEL 2A

N31°30'57"E
175.72'

PARCEL 1B

S87°03'01"E(R)

N31°40'30"E
283.63'

SEE
DETAIL
BELOW

N87°12'11"W 1009.25'

R=262.00'
D=89°50'50"
L=410.85'

210.03'
S02°56'59"W

PARCEL 4

P.O.B.

PARCEL 4

PARCEL 1A

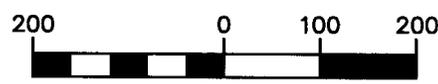
959.25'
N43°16'15"E
TIE LINE

PARCEL 3

ALAMEDA
NAVAL
AIR STATION

ROS 2113

PARCEL 2B

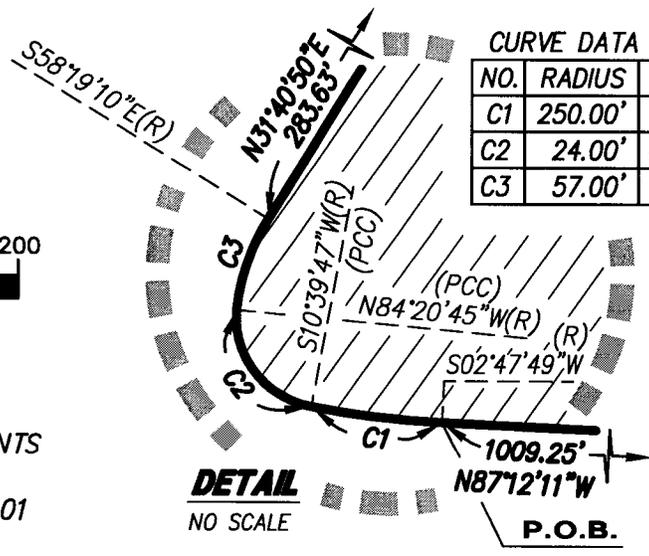


SCALE 1" = 200'

PREPARED BY:
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SAN DIEGO, CALIFORNIA 92101
PHONE: (619) 235-6471

CURVE DATA

NO.	RADIUS	DELTA	ARC
C1	250.00'	07°51'58"	34.32'
C2	24.00'	84°59'28"	35.60'
C3	57.00'	26°01'35"	25.89'



DETAIL
NO SCALE

P.O.B.

**EXHIBIT
'A'
SHEET 3 OF 3**

LEGAL DESCRIPTION:

PARCEL 2A OF LAND OWNED BY THE UNITED STATES OF AMERICA, FORMERLY IDENTIFIED AS NAVAL AIR STATION ALAMEDA CALIFORNIA, LYING WITHIN THE CITY AND COUNTY OF ALAMEDA, CALIFORNIA, AS SHOWN ON RECORD OF SURVEY NO. 2113 FILED IN BOOK 31, PAGES 98 AND 99 ON MAY 1, 2007.

LEGEND:

- — — — — INDICATES EXISTING ROS BOUNDARY
- P.O.B.** — — — — — INDICATES POINT OF BEGINNING
-  INDICATES **PARCEL 2A AREA** 4.278 ACRES (GROUND UNITS), MORE OR LESS



VICINITY MAP
NO SCALE

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS DRAWING IS THE BEARING BETWEEN PRIMARY CONTROL STATIONS "SEA TRAIN" (Pt 236) AND "ALAMEDA" (Pt 238) AS SHOWN ON RECORD OF SURVEY NO. 990, FILED IN BOOK 18 OF SURVEYS AT PAGE 50 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF ALAMEDA, AND REFERENCED ON RECORD OF SURVEY NO. 1816, FILED IN BOOK 28 OF SURVEYS AT PAGES 14-25 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. THE BEARING WAS DETERMINED BY AN INVERSE OF THE COORDINATES SHOWN ON THE RECORDS OF SURVEY AND HELD AS **NORTH 15°37'31" WEST**.

PREPARED BY:

PROJECT DESIGN CONSULTANTS
701 B STREET SUITE 800
SAN DIEGO, CALIFORNIA 92101
PHONE: (619) 235-6471

 5-28-2007

GARY L. HUS, L.S. 7019 DATE
REGISTRATION EXPIRES 6/30/2008



REVIEWED & ACCEPTED
 CADASTRAL
DATE 6-5-2007

EXHIBIT
'A'
SHEET 1 OF 3

OAKLAND
INNER HARBOR
CHANNEL

CITY OF ALAMEDA
(S.N.200215033)

ALAMEDA ANNEX
FLEET INDUSTRIAL
SUPPLY CENTER

ROS 2113

P.O.B.
SOUTHWEST CORNER
PARCEL 2A

PARCEL 1
ALAMEDA
NAVAL AIR STATION
ROS 1816

PERALTA
GRANT
LINE

MAIN STREET

ATLANTIC
AVENUE

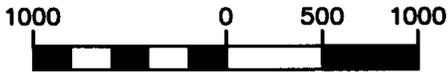
CITY OF ALAMEDA
(S.N.2002150330)

PACIFIC AVENUE

STREET

THIRD

CENTRAL AVENUE



SCALE 1" = 1000'

PREPARED BY:

PROJECT DESIGN CONSULTANTS
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SAN DIEGO, CALIFORNIA 92101
PHONE: (619) 235-6471

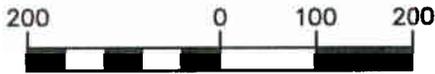
**EXHIBIT
'A'**

SHEET 2 OF 3

ALAMEDA GATEWAY, LTD.
PARCEL 9
(S.N. 84064504)

JOEL S. GAMBORD, TRUSTEE
PARCEL 1
(S.N. 85228306)

MAIN STREET



SCALE 1" = 200'

PREPARED BY:

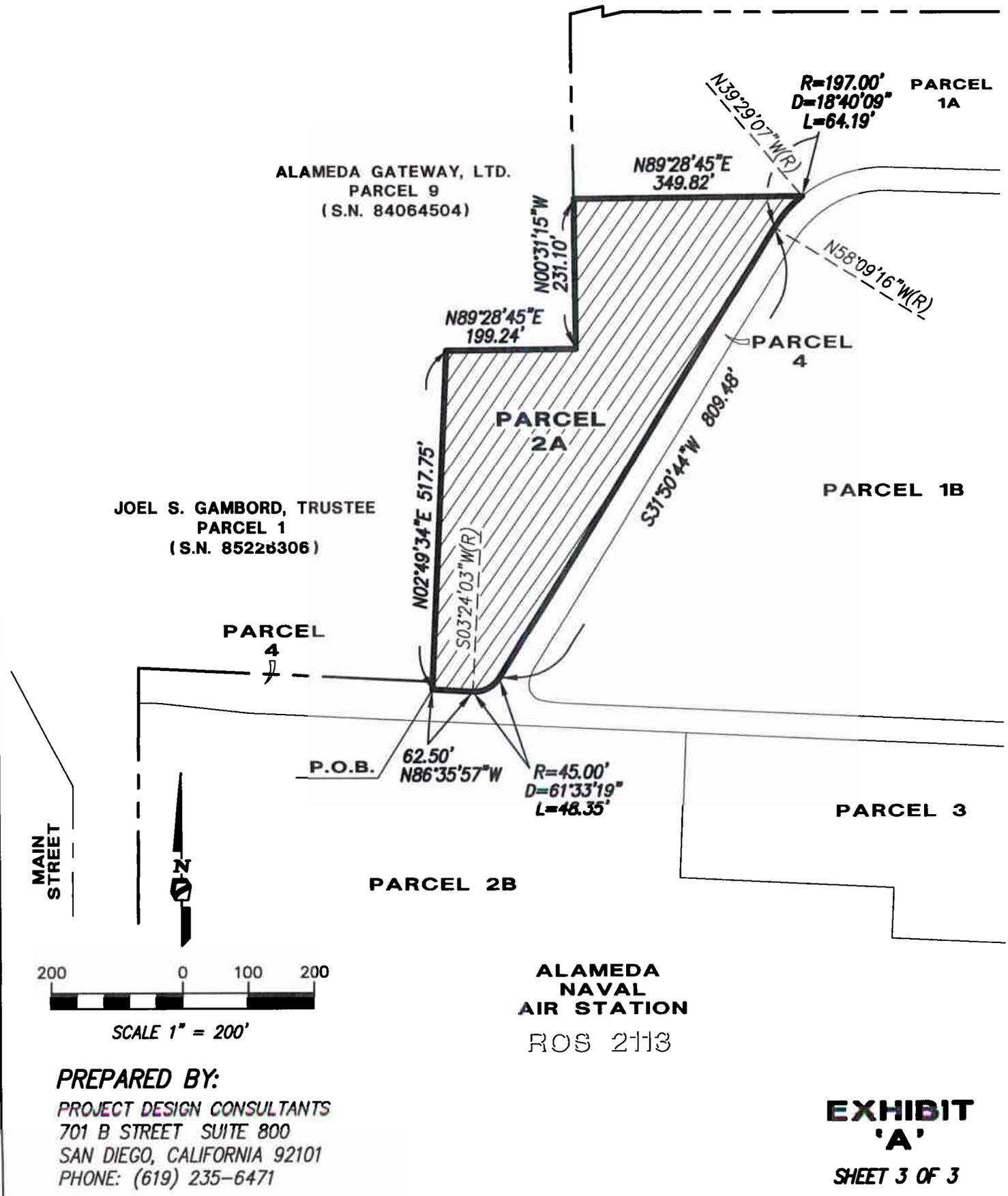
PROJECT DESIGN CONSULTANTS
701 B STREET SUITE 800
SAN DIEGO, CALIFORNIA 92101
PHONE: (619) 235-6471

ALAMEDA
NAVAL
AIR STATION

ROS 2113

**EXHIBIT
'A'**

SHEET 3 OF 3



LEGAL DESCRIPTION

PARCEL 4 OF LAND OWNED BY THE UNITED STATES OF AMERICA, FORMERLY IDENTIFIED AS NAVAL AIR STATION ALAMEDA CALIFORNIA, LYING WITHIN THE CITY AND COUNTY OF ALAMEDA, CALIFORNIA, AS SHOWN ON RECORD OF SURVEY NO. 2113, FILED IN BOOK 31, PAGES 98 THROUGH 99, ON MAY 1, 2007, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WESTERLY TERMINUS OF A LINE IN THE NORTHWESTERLY BOUNDARY OF SAID PARCEL 4 WHICH BEARS NORTH $87^{\circ}11'32''$ WEST 448.66 FEET PER SAID RECORD OF SURVEY; THENCE ALONG THE BOUNDARY OF SAID PARCEL 4 THE FOLLOWING COURSES; SOUTH $87^{\circ}11'32''$ EAST, 448.66 FEET; THENCE SOUTH $02^{\circ}49'34''$ WEST, 12.10 FEET; THENCE SOUTH $86^{\circ}35'57''$ EAST, 62.50 FEET TO THE BEGINNING OF A TANGENT 45.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHWEST; THENCE ALONG THE ARC OF SAID CURVE EASTERLY AND NORTHEASTERLY 48.35 FEET THROUGH A CENTRAL ANGLE OF $61^{\circ}33'19''$; THENCE NORTH $31^{\circ}50'44''$ EAST, 809.48 FEET TO THE BEGINNING OF A TANGENT 197.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHEAST; THENCE ALONG THE ARC OF SAID CURVE NORTHEASTERLY AND EASTERLY 206.54 FEET THROUGH A CENTRAL ANGLE OF $60^{\circ}04'10''$; THENCE TANGENT TO SAID CURVE SOUTH $88^{\circ}05'06''$ EAST, 463.90 FEET TO THE BEGINNING OF A TANGENT 378.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST; THENCE ALONG THE ARC OF SAID CURVE EASTERLY, SOUTHEASTERLY AND SOUTHERLY 600.59 FEET THROUGH A CENTRAL ANGLE OF $91^{\circ}02'05''$; THENCE TANGENT TO SAID CURVE SOUTH $02^{\circ}56'59''$ WEST, 210.03 FEET TO THE BEGINNING OF A TANGENT 299.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHWEST; THENCE ALONG THE ARC OF SAID CURVE SOUTHERLY, SOUTHWESTERLY AND WESTERLY 468.87 FEET THROUGH A CENTRAL ANGLE OF $89^{\circ}50'50''$; THENCE TANGENT TO SAID CURVE NORTH $87^{\circ}12'11''$ WEST, 1118.38 FEET; THENCE NORTH $87^{\circ}14'57''$ WEST, 372.82 FEET; THENCE NORTH $83^{\circ}38'07''$ WEST, 130.82 FEET TO THE BEGINNING OF A TANGENT 239.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTH; THENCE ALONG THE ARC OF SAID CURVE WESTERLY 37.49 FEET THROUGH A CENTRAL ANGLE OF $8^{\circ}59'12''$; THENCE NORTH $00^{\circ}33'45''$ EAST, 53.58 FEET TO THE **POINT OF BEGINNING**.

EXCEPTING THEREFROM THE FOLLOWING PARCEL OF LAND:

COMMENCING AT SAID SOUTHWEST CORNER OF PARCEL 2B OF SAID RECORD OF SURVEY NO. 2113, THE SOUTHERLY LINE OF SAID PARCEL BEARS SOUTH $87^{\circ}57'54''$ EAST; THENCE ALONG A TIE LINE, NORTH $43^{\circ}16'15''$ EAST, 959.25 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID PARCEL 4 AND THE BEGINNING OF A NON-TANGENT 250.00 FOOT RADIUS CURVE CONCAVE TO THE NORTH, A RADIAL LINE TO SAID POINT BEARS SOUTH $02^{\circ}47'49''$ WEST, SAID POINT BEING HEREINAFTER REFERRED TO AS **POINT "A"**; THENCE ALONG THE BOUNDARY OF SAID PARCEL 4 AND ALONG THE ARC

OF SAID CURVE WESTERLY 34.32 FEET THROUGH A CENTRAL ANGLE OF 7°51'58" TO THE BEGINNING OF A 24.00 FOOT RADIUS COMPOUND CURVE CONCAVE TO THE NORTHEAST, A RADIAL LINE TO SAID BEGINNING BEARS SOUTH 10°39'47" WEST; THENCE ALONG THE ARC OF SAID CURVE WESTERLY, NORTHWESTERLY AND NORTHERLY 35.60 FEET THROUGH A CENTRAL ANGLE OF 84°59'28" TO THE BEGINNING OF A 57.00 FOOT RADIUS COMPOUND CURVE CONCAVE TO THE EAST, A RADIAL LINE TO SAID BEGINNING BEARS NORTH 84°20'45" WEST; THENCE ALONG THE ARC OF SAID CURVE NORTHERLY 25.89 FEET THROUGH A CENTRAL ANGLE OF 26°01'35"; THENCE TANGENT TO SAID CURVE NORTH 31°40'50" EAST, 283.63 FEET; THENCE NORTH 31°50'57" EAST, 175.72 FEET; THENCE NORTH 31°50'44" EAST, 308.61 FEET TO THE BEGINNING OF A TANGENT 160.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHEAST; THENCE ALONG THE ARC OF SAID CURVE NORTHEASTERLY AND EASTERLY 167.75 FEET THROUGH A CENTRAL ANGLE OF 60°04'10"; THENCE TANGENT TO SAID CURVE SOUTH 88°05'06" EAST, 463.90 FEET TO THE BEGINNING OF A TANGENT 341.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST; THENCE ALONG THE ARC OF SAID CURVE EASTERLY, SOUTHEASTERLY AND SOUTHERLY 541.80 FEET THROUGH A CENTRAL ANGLE OF 91°02'05"; THENCE TANGENT TO SAID CURVE SOUTH 02°56'59" WEST, 210.03 FEET TO THE BEGINNING OF A TANGENT 262.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHWEST; THENCE ALONG THE ARC OF SAID CURVE SOUTHERLY, SOUTHWESTERLY AND WESTERLY 410.85 FEET THROUGH A CENTRAL ANGLE OF 89°50'50"; THENCE TANGENT TO SAID CURVE NORTH 87°12'11" WEST, 1009.25 FEET TO **POINT "A"**.

ATTACHED HERETO IS A PLAT LABELED EXHIBIT 'A' AND BY THIS REFERENCE MADE A PART THEREOF. ALL DISTANCES SHOWN HEREON ARE GRID DISTANCES. ALL AREA ACREAGES ARE EXPRESSED IN GROUND UNITS. TO COMPUTE GROUND DISTANCES, MULTIPLY GRID DISTANCES BY 1.00007055. ALL BEARINGS SHOWN HEREON ARE GRID BASED UPON CALIFORNIA COORDINATE SYSTEM ZONE 3, ADJUSTMENT, NAD83, AND EPOCH 1998.

SAID PARCEL OF LAND CONTAINS 3.982 ACRES (GROUND UNITS), MORE OR LESS.

Gary L. Hus *5-28-2007*

 GARY L. HUS DATE
 L.S. 7019
 EXPIRATION DATE 06/30/2008

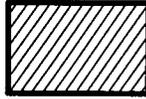


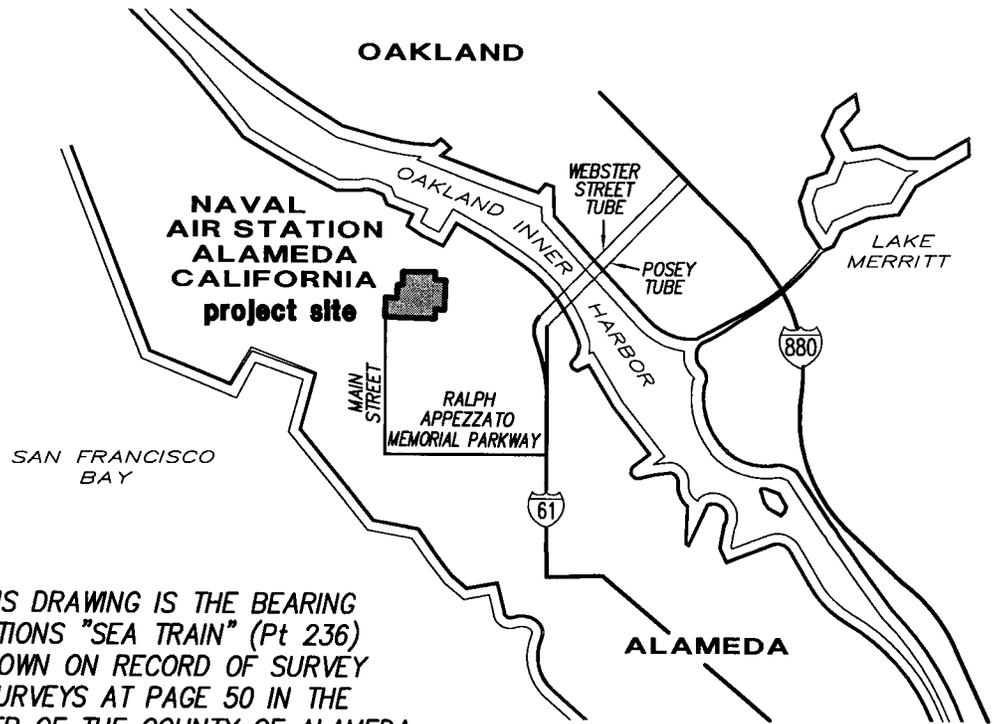
REVIEWED & ACCEPTED
C. M. Lane CADASTRAL
 DATE *6-5-2007*

LEGAL DESCRIPTION:

PARCEL 4 OF LAND OWNED BY THE UNITED STATES OF AMERICA, FORMERLY IDENTIFIED AS NAVAL AIR STATION ALAMEDA CALIFORNIA, LYING WITHIN THE CITY AND COUNTY OF ALAMEDA, CALIFORNIA, AS SHOWN ON RECORD OF SURVEY NO. 2113 FILED IN BOOK 31, PAGES 98 AND 99 ON MAY 1, 2007.

LEGEND:

- — — — — INDICATES EXISTING ROS BOUNDARY
- P.O.C.** — — — — — INDICATES POINT OF COMMENCEMENT
- P.O.B.** — — — — — INDICATES POINT OF BEGINNING
-  — — — — — INDICATES **PARCEL 4** AREA
3.983 ACRES (GROUND UNITS),
MORE OR LESS



BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS DRAWING IS THE BEARING BETWEEN PRIMARY CONTROL STATIONS "SEA TRAIN" (Pt 236) AND "ALAMEDA" (Pt 238) AS SHOWN ON RECORD OF SURVEY NO. 990, FILED IN BOOK 18 OF SURVEYS AT PAGE 50 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF ALAMEDA, AND REFERENCED ON RECORD OF SURVEY NO. 1816, FILED IN BOOK 28 OF SURVEYS AT PAGES 14-25 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. THE BEARING WAS DETERMINED BY AN INVERSE OF THE COORDINATES SHOWN ON THE RECORDS OF SURVEY AND HELD AS **NORTH 15°37'31" WEST**.

 **VICINITY MAP**
NO SCALE

PREPARED BY:
PROJECT DESIGN CONSULTANTS
701 B STREET SUITE 800
SAN DIEGO, CALIFORNIA 92101
PHONE: (619) 235-6471

 5-28-2007
GARY L. HUS, L.S. 7019 DATE
REGISTRATION EXPIRES 6/30/2008



REVIEWED & ACCEPTED
 CADASTRAL
DATE 6-5-2007

EXHIBIT
'A'
SHEET 1 OF 4

OAKLAND
INNER HARBOR
CHANNEL

CITY OF ALAMEDA
(S.N.200215933)

ALAMEDA ANNEX
FLEET INDUSTRIAL
SUPPLY CENTER

ROS 2113

P.O.B.

PARCEL 1
ALAMEDA
NAVAL AIR STATION
ROS 1816

$N00^{\circ}33'45"E$
754.05'

P.O.C.
SOUTHWEST CORNER
PARCEL 2B

TIE LINE

959.25'
 $N43^{\circ}16'15"E$

POINT "A"

PERALTA
GRANT
LINE

CITY OF ALAMEDA
(S.N.2002159330)

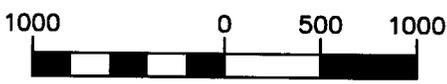
MAIN STREET

ATLANTIC
AVENUE

PACIFIC
STREET
AVENUE

THIRD
STREET

CENTRAL
AVENUE



SCALE 1" = 1000'

PREPARED BY:
PROJECT DESIGN CONSULTANTS
701 B STREET SUITE 800
SAN DIEGO, CALIFORNIA 92101
PHONE: (619) 235-6471

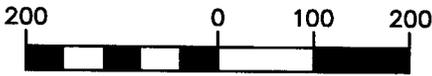
**EXHIBIT
'A'**

SHEET 2 OF 4

PARCEL 1
ALAMEDA
NAVAL
AIR STATION
ROS 1816

LINE DATA

NO.	BEARING	DISTANCE
L1	N83°38'07"W	130.82'
L2	N00°33'45"E	53.58'
L3	S87°11'32"E	448.66'
L4	N02°49'34"E	12.10'
L5	S86°35'57"E	62.50'



SCALE 1" = 200'

PREPARED BY:
PROJECT DESIGN CONSULTANTS
701 B STREET SUITE 800
SAN DIEGO, CALIFORNIA 92101
PHONE: (619) 235-6471

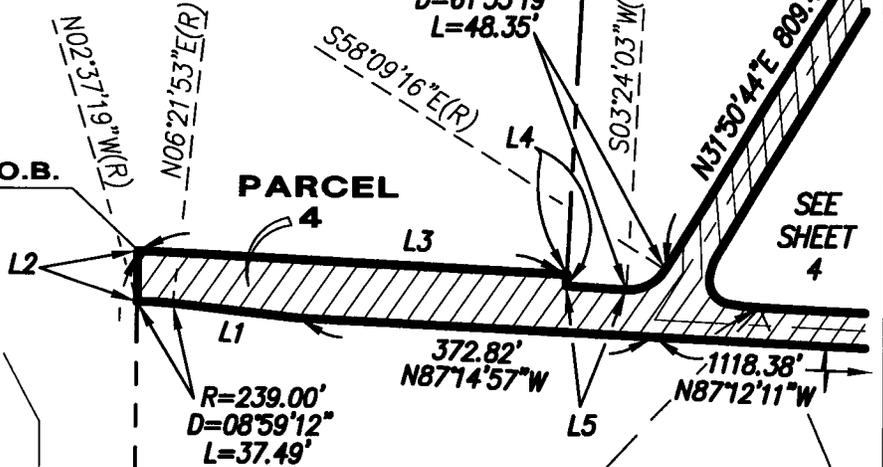
JOEL S. GAMBORD, TRUSTEE
PARCEL 1
(S.N. 85226306)

ROS 2113
PARCEL
2A

P.O.B.

PARCEL
4

SEE
SHEET
4



POINT
"A"

PARCEL 2B

ALAMEDA
NAVAL
AIR STATION
ROS 2113

80'
100'
MAIN STREET

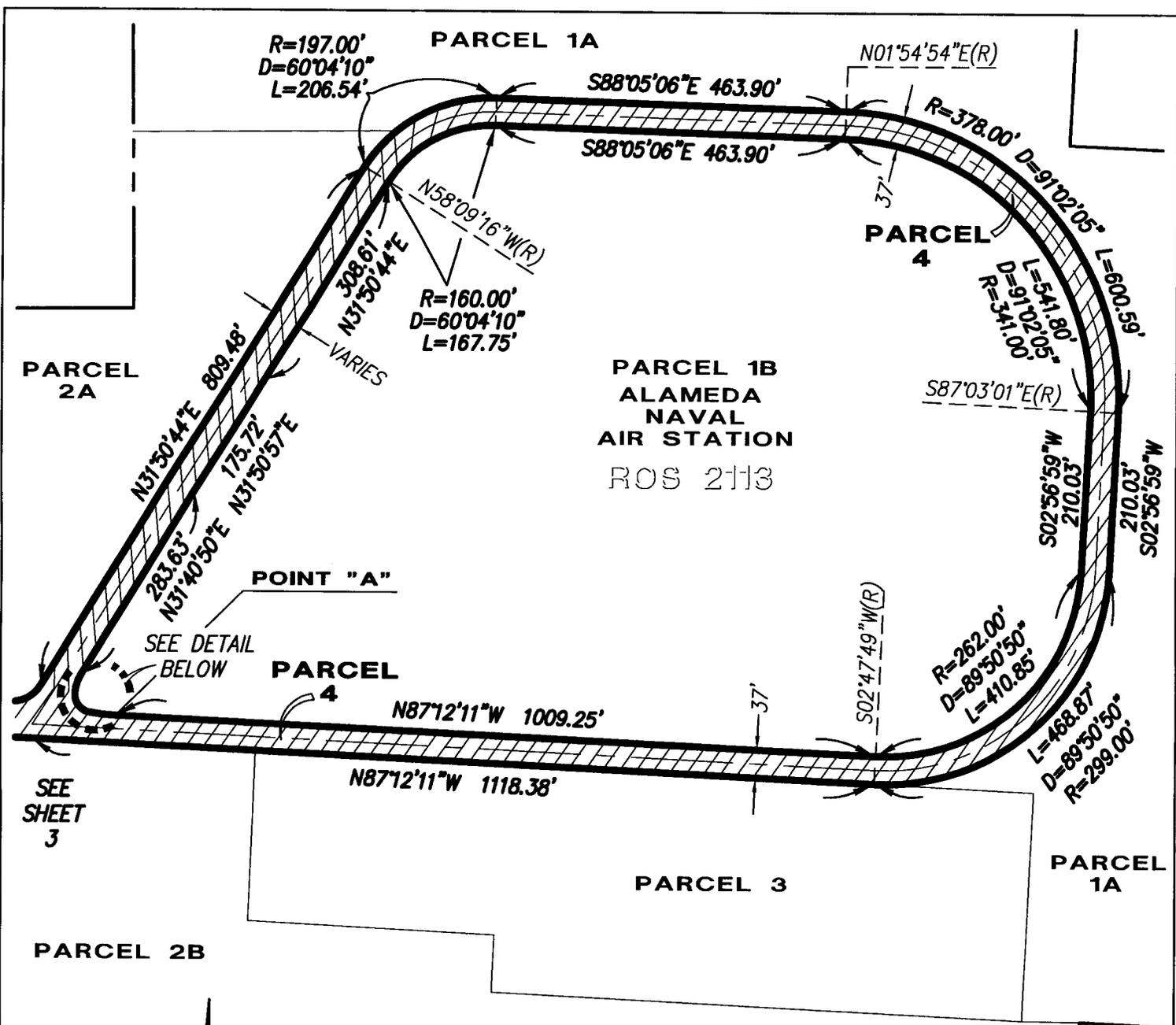
P.O.C.
SOUTHWEST CORNER
PARCEL 2B

TIE LINE
N43°16'15"E, 959.25'

CITY OF ALAMEDA
(S.N. 2002159330)

**EXHIBIT
'A'**

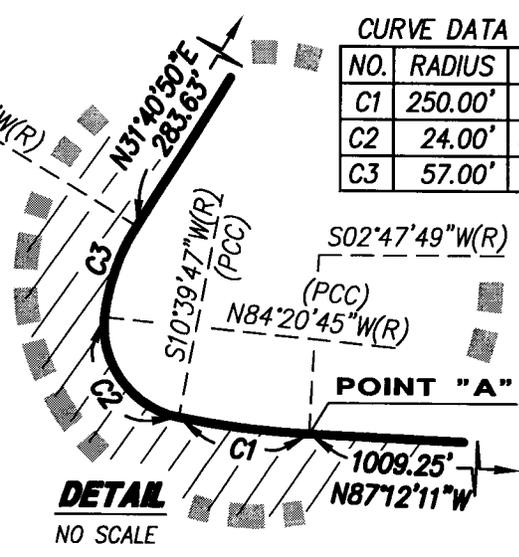
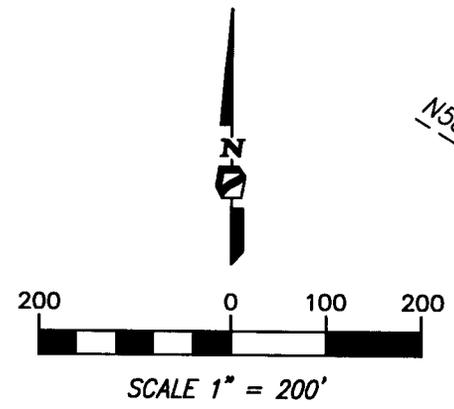
SHEET 3 OF 4



PARCEL 1B
ALAMEDA
NAVAL
AIR STATION
ROS 2113

CURVE DATA

NO.	RADIUS	DELTA	ARC
C1	250.00'	07°51'58"	34.32'
C2	24.00'	84°59'28"	35.60'
C3	57.00'	26°01'35"	25.89'



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PHONE: (619) 235-6471

**EXHIBIT
'A'**
SHEET 4 OF 4