

ATTACHMENT 1

**BEFORE THE BOARD OF DIRECTORS OF THE
SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**

**In the matter of declaring land owned
by the San Francisco Bay Area Rapid
Transit District to be exempt surplus land
pursuant to Government Code
section 54221(f)(1)(D)
(Alameda County APN 19-42-1-2)
BART Parcel O-A108-X1**

Resolution No. _____

RESOLUTION

WHEREAS, the San Francisco Bay Area Rapid Transit District (“**BART**”) is the owner of that certain real property located in the City of Oakland, a legal description and depiction of which are attached hereto as Exhibit A and Exhibit B, respectively (the “**Property**”); and

WHEREAS, the Property is surplus and is not necessary for BART’s use and is thus “surplus land” within the meaning of Government Code section 54221(b)(1); and

WHEREAS, BART intends to enter into an agreement whereby it will transfer ownership of the Property to the City of Oakland; and

WHEREAS, the Surplus Land Act (Government Code Section 54220 *et. seq.*) was enacted to promote affordable housing development on unused or underutilized public land throughout the State to respond to the affordable housing crisis, and now requires public agencies, including special districts, to follow certain procedures to dispose of “surplus land” or declare land to be “exempt surplus land”; and

WHEREAS, pursuant to Government Code Section 54221(f)(1)(D), surplus land that is transferred to another local, state or federal agency for the receiving agency’s use qualifies as “exempt surplus land”; and

WHEREAS, the City of Oakland intends to make use of the Property for its purposes, including as part of its street right-of-way and as a median strip.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors adopts the recitals set forth above as findings of fact.

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BE IT FURTHER RESOLVED that the Board of Directors hereby determines that conveyance of the Property to the City of Oakland qualifies as a conveyance for the City’s use.

BE IT FURTHER RESOLVED that the Board of Directors hereby determines and declares the Property to be exempt surplus land pursuant to Government Code Section 54221(f)(1)(D) as property transferred to a local governmental agency for the agency’s use.

PASSED AND ADOPTED by the Board of Directors of the San Francisco Bay Area Rapid Transit District, this ___ day of _____, 2026 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Signed: _____
Board President

Attest: _____
District Secretary

ATTACHMENT 1

Exhibit A
Description of Property

Exhibit A
Legal Description
O-A108X1

REAL PROPERTY in the City of Oakland, County of Alameda, State of California, described as, follows:

Being portions of Parcel 1 and Parcel 2 as said parcels are described in that certain Grant Deed recorded on August 1, 1966, in Reel 1815, Image 420 (Doc# AY91487), Alameda County Official Records, more particularly described as follows:

BEGINNING at the point of intersection of the Southwestern line of East 12th Street, with the Northwestern line of 17th Avenue, formerly Broadway, as said streets are shown on "Freeman's Map of San Antonio", filed September 12, 1854, in Book 1 of Maps, pages 2 and 3, in the office of the County Recorder of Alameda County;

thence running along the exterior boundary of said Grant Deed (Re1815, Im420), the following three (3) courses:

1. North 53°15'20" West 250.00 feet;
2. South 36°44'40" West 13.24 feet;
3. South 18°19'20" East 131.88 feet;

thence leaving said exterior boundary, along the arc of a non-tangent 4980.85-foot radius curve to the right, concave to the southwest, whose radius point bears South 30°26'08" West, through a central angle of 0°13'11" West, an arc distance of 19.10 feet;

thence South 59°20'41" East 123.10 feet to the southeasterly line of Parcel Two as described in said Grant Deed (Re1815, Im420);

thence along said southeasterly line the following two (2) courses:

1. Along the arc of a 10.00-foot radius curve to the left, concave to the northwest, whose radius point bears North 35°20'26" West, through a central angle of 17°54'14" an arc distance of 3.12 feet;
2. North 36°44'40" East 70.55 feet to the **POINT OF BEGINNING**.

And containing 17,027 square feet (0.391 acre) of land, more or less.

A Plat, Exhibit "B" is attached hereto, and made a part hereof.;

End of Description

This Legal Description has been prepared by me, in conformance with, the Land Surveyor's Act.



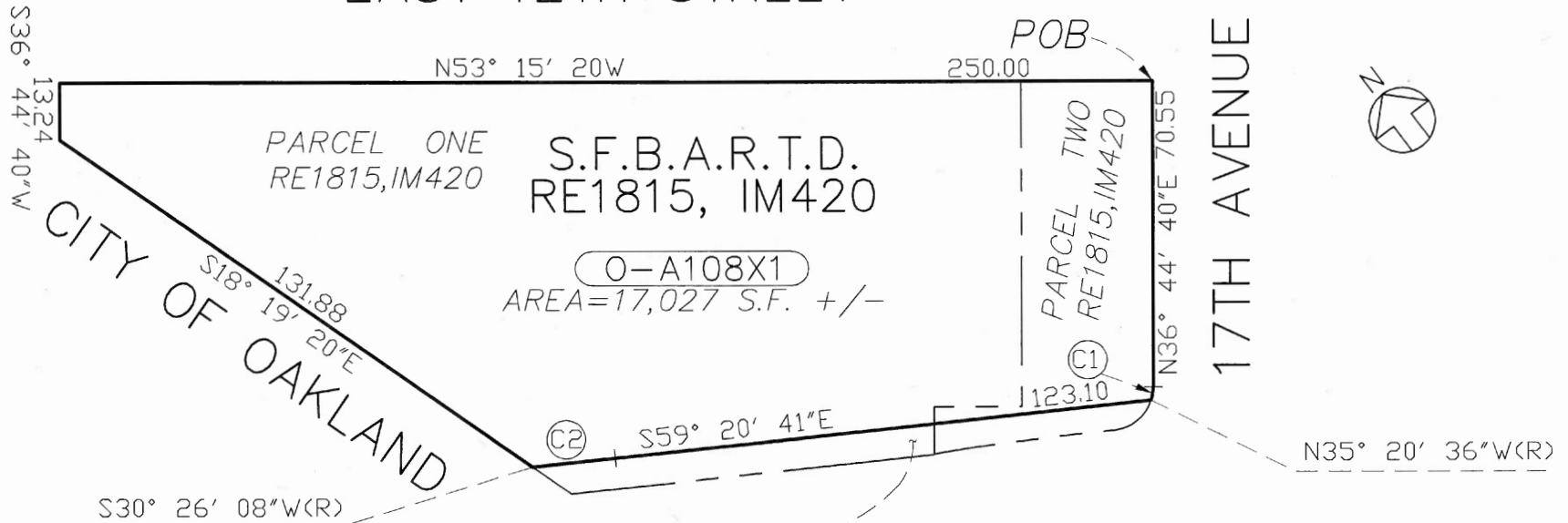
David Baumann
PLS 7309



ATTACHMENT 1

Exhibit B
Depiction of Property

EAST 12TH STREET



PARCEL ONE
RE1815,IM420

S.F.B.A.R.T.D.
RE1815, IM420

O-A108X1
AREA=17,027 S.F. +/-

CITY OF OAKLAND

CURVE TABLE

| CURVE | RADIUS | ANGLE | LENGTH |
|-------|---------|-----------|--------|
| C1 | 10.00 | 17°54'14" | 3.12 |
| C2 | 4980.85 | 0°13'11" | 19.10 |

O-A108-1A

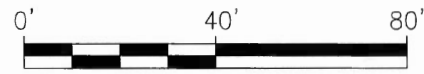
EAST 12TH STREET



LEGEND

- EXISTING PROPERTY LINE
- PARCEL BEING DESCRIBED
- SFBARTD PARCEL NUMBER
- SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

O-A108X1
SFBARTD



PLAT TO ACCOMPANY LEGAL DESCRIPTION

PARCEL O-A108X1

BEARINGS AND DISTANCES ARE BASED UPON GROUND MEASUREMENTS.

SFBARTD DOC: O-A108X1-Legal Description.DOC

SCALE: 1"=40' DATE: 06-18-26

EXHIBIT B

| | | |
|----------|--------|---------------|
| CD. ALA. | RTE. A | Sheet 1 of 1 |
| DR. NO. | | O-A108X1-BASE |