

RESOLUTION NO. 92-09

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA,
ACCEPTING A GRANT OF NON-EXCLUSIVE PUBLIC ACCESS EASEMENT FOR
RECREATIONAL TRAIL PURPOSES ADJACENT TO THE BIO-RAD LABORATORY
FACILITIES AT 3110 REGATTA BOULEVARD**

WHEREAS, Bio-Rad Laboratories, Inc. (“Bio-Rad”), the owner of certain real property on Regatta Boulevard in the City of Richmond, has offered to dedicate to the City a non-exclusive public access easement in, under, across and over a portion of Bio-Rad’s property as described in the attached “Grant of Recreational Trail Easement” for the purpose of constructing, operating and maintaining a public right-of-way, including without limitation a non-vehicular recreational trail with related amenities to be used by the general public for hiking, biking and other related uses (the “Easement”); and

WHEREAS, the City Engineer has approved the proposed Easement and determined that it is adequate for the purposes for which it is offered; and

WHEREAS, under California Civil Code Section 846, the City and Bio-Rad will enjoy limited immunity from liability for claims arising from the use of the Easement for recreational purposes.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Richmond hereby accepts the proposed Grant of Recreational Trail Easement from Bio-Rad, attached hereto and incorporated herein by reference, which includes a legal description and a plat prepared by Cunha Engineering Inc. delineating the exact location of the Easement.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held on September 8, 2009, by the following vote:

- AYES: Councilmembers Bates, Butt, Rogers, Ritterman, Viramontes, and Mayor McLaughlin.
- NOES: None.
- ABSTENTIONS: None.
- ABSENT: Vice Mayor Lopez.

DIANE HOLMES
Clerk of the City of Richmond

(SEAL)

Approved:

GAYLE McLAUGHLIN
Mayor

Approved as to form:

RANDY RIDDLE
City Attorney

State of California }
County of Contra Costa :ss
City of Richmond }

I certify that the foregoing is a true copy of Resolution No. 92-09, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on September 8, 2009.