

**RESOLUTION NO. 120-06**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND, CALIFORNIA, ACCEPTING A GRANT OF NON-EXCLUSIVE PUBLIC ACCESS EASEMENT FOR TRAIL PURPOSES ADJACENT TO THE BRICKYARD LANDING PROJECT AND ENTERING INTO AN AGREEMENT FOR THE CONSTRUCTION OF THE BAY TRAIL WITHIN THE EASEMENT.**

WHEREAS, Brickyard Landing Owner's Association (BLOA) has offered to convey a 20 foot wide public access easement ("Easement Area") to the City of Richmond for purpose of extending the Bay Trail along the north side of Brickyard Cove Road to the western border of BLOA's property; and

WHEREAS, BLOA has established construction standards for the building of a bike/pedestrian trail in the Easement Area and requested, in consideration for the grant of easement, installation of landscaping on BLOA's property adjacent to the Easement Area; and

WHEREAS, after completion of the trail and surrounding improvements, the City shall be responsible for the maintenance of improvements within the Easement Area and BLOA shall be responsible for maintenance of the landscaping on BLOA's property; and

WHEREAS, the City Engineer has approved the proposed easement and determined that it is adequate for its purpose,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RICHMOND DOES HEREBY FIND AND RESOLVE AS FOLLOWS:

- (1) The proposed Grant of Easement complies with the standards set by the City for a public access easement for trail purposes; and
- (2) The City of Richmond hereby accepts the proposed Grant of Easement from BLOA, attached hereto and incorporated herein by reference, which sets forth in the legal description prepared by \_\_\_\_\_ and dated \_\_\_\_\_, and in the plat prepared by \_\_\_\_\_ and dated \_\_\_\_\_, the exact location of a public access easement for trail purposes.

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I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond, California at a meeting thereof on November 14, 2006 by the following vote:

Ayes: Councilmembers Bates, Butt, Griffin, Marquez, McLaughlin, Rogers, Thurmond and Vice Mayor Viramontes  
Noes: None  
Abstentions: None  
Absent: Mayor Anderson

DIANE HOLMES  
Clerk of the City of Richmond

[SEAL]

Approved:

IRMA L. ANDERSON  
Mayor

Approved as to Form:

JOHN EASTMAN  
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. 120-06, finally passed and adopted by the Council of the City of Richmond at a meeting held on November 14, 2006.