

REPORT

To the Honorable Mayor and City Council
From the City Manager

May 18, 2009

SUBJECT

Deed Restriction for the Redwood Shores Branch Library at 399 Marine Parkway in Redwood Shores

RECOMMENDATION

Approve, by motion, a deed restriction for the Redwood Shores Branch Library at 399 Marine Parkway in Redwood Shores.

BACKGROUND

On April 26, 2004, Council approved the Agreement with the California State Library for grant funding in the amount of \$10,103,707 for construction of the Redwood Shores Branch Library. The facility was completed in August and opened for public use in September of 2008.

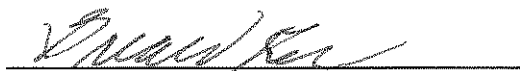
As a condition of accepting the grant funds, the City is required to submit evidence that the State's interest in the land and the facility has been recorded in the title record pursuant to the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000. The title record must specify the State's interest by recording that the land and facility are dedicated to public library direct service use for 40 years following the completion of the project.

ALTERNATIVES

Council may choose not to approve the deed restriction which would be contrary to prior Council action and require the City to return the grant funds received from the State.

FISCAL IMPACT

There is no fiscal impact associated with this action.



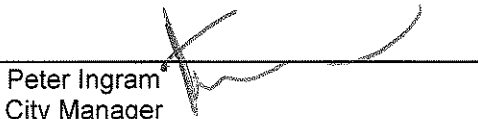
Brian Lee, P.E.,
Supervising Civil Engineer



Chu Chang, P.E.
Community Development Services Director



S. Peter Vorametsanti, P.E., Acting Manager,
Engineering and Construction Division



Peter Ingram
City Manager

ATTACHMENTS

Deed Restriction

RELATED DOCUMENTS IN CITY CLERK'S OFFICE

None

**RECORDING REQUESTED BY AND)
AFTER RECORDING MAIL TO:)**

CITY OF REDWOOD CITY)
ATTN: CITY ATTORNEY)
1017 MIDDLEFIELD ROAD)
REDWOOD CITY, CA 94063)

MAIL TAX STATEMENTS TO:)

CITY OF REDWOOD CITY)
ATTN: FINANCE DIRECTOR)
1017 MIDDLEFIELD ROAD)
REDWOOD CITY, CA 94063)

(SPACE ABOVE RESERVED FOR RECORDER'S USE)

**DEED RESTRICTION UPON THE CITY OF REDWOOD CITY'S INTEREST IN
PROPERTY BEARING ASSESSOR'S PARCEL NUMBER 095-162-020 UTILIZED AS
THE REDWOOD SHORES LIBRARY**

The California Library Construction and Renovation Board, as authorized under the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000, has provided the City of San Rafael a grant of \$10,103,707 for the construction of the Redwood Shores Library (Project No. 2061), as memorialized in Grant Award Agreement No. 2061, between the State of California (California State Library) and the City of Redwood City, approved and accepted by the City Council of the City of Redwood City as documented by Minute Order 04-74, dated April 26, 2004.

Pursuant to California Education Code section 19999 and Title 5, Division 2, Chapter 3, section 20438(d) of the California Code of Regulations, the State of California maintains an interest in the land and the building of Redwood Shores Community Library. This land and building shall be used to provide direct public library services for forty (40) years following the completion of the project. This Notice of Completion of this project was recorded on August 29, 2008. Accordingly, the interest of the State of California in the land and building and the latter's use for direct library services, shall expire at 11:59 a.m. on August 28, 2048.

The land owned by the City of Redwood City bearing Assessors; Parcel Number 095-162-020 and located at 399 Marine Parkway, in which the State of California maintains an interest, is more particularly described and depicted in Exhibit A and Exhibit B, attached hereto and incorporated herein.

The use of said property contrary to these special restrictions shall constitute a violation of the terms of the State of California's grant, and no release, modification or elimination of these restrictions shall be valid prior to the lapse of the period set forth above.

IN WITNESS WHEREOF, the City of Redwood City has executed this Declaration as of the date indicated below.

City of Redwood City,
A Municipal Corporation
And Charter City

Dated: _____, 2009

By: _____
Peter C. Ingram, City Manager

Attest:

Dated: _____, 2009

By: _____
Silvia Vonderlinden, City Clerk

EXHIBIT A

**DESCRIPTION OF A PORTION OF
LOT 1, BLOCK C (70 MAPS 4-5)
REDWOOD SHORES LIBRARY PARCEL**

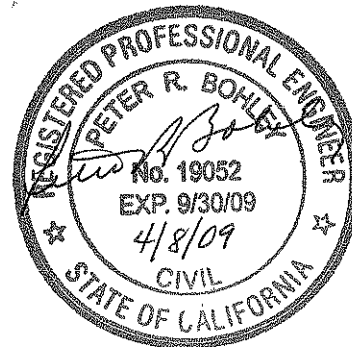
All of Lot 1, Block C, as said Lot and Block are shown on that certain Subdivision Map titled "Marina Park", recorded in Volume 70 of Subdivision Maps at Pages 4 and 5, San Mateo County Records.

EXCEPTING THEREFROM the following described real property declared by the City Council of the City of Redwood City as public right of way on December 11, 1995 pursuant to City of Redwood City Resolution number 12646.

Beginning at the most northerly corner of Lot 1, Block C, as shown on that certain map recorded in Volume 70 of Subdivision Maps at pages 4 and 5, San Mateo County Records, said point also lying on the southerly line of Bridge Parkway as shown on said map; thence southeasterly along the southerly line of Bridge Parkway and the northerly line of Lot 1 along the arc of a 330.00 foot radius curve to the left, tangent to a line which bears South 25°22'35" East through a central angle of 46°29'55", an arc length of 267.81 feet; thence South 71°52'30" East 285.03 feet; thence along the arc of a 40.00 foot radius tangent curve to the right through a central angle of 90°00'00", an arc length of 62.83 feet to a point on the westerly line of Marine Parkway (formerly Marine World Parkway) as shown on said map; thence South 18°07'30" West 16.00 feet; thence leaving said westerly line of Marine Parkway, along the arc of a 30.00 foot radius curve to the left, tangent to a line which bears North 18°07'30" East, through a central angle of 90°00'00", an arc length of 47.12 feet; thence North 71°52'30" West 107.64 feet; thence along the arc of a 185.00 foot radius tangent curve to the right, through a central angle of 10°23'26", an arc length of 33.55 feet (10°23'20" and 33.54 feet in said resolution); thence North 61°29'10" West 28.27 feet; thence along the arc of a 175.00 foot radius tangent curve to the left, through a central angle of 10°23'26", an arc length of 31.74 feet (10°23'20" and 31.73 feet in said resolution); thence North 71°52'30" West 94.67 feet; thence along the arc of a 345.00 foot radius tangent curve to the right, through a central angle of 45°33'57", an arc length of 274.37 feet to a point on the northwesterly line of said Lot 1; thence northerly, along said northwesterly line of Lot 1, North 44°02'34" East 15.97 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM the following described real property being a portion of Lot 1, Block C, as said Lot and Block are shown on that certain Subdivision Map titled "Marina Park", recorded in Volume 70 of Subdivision Maps at Pages 4 and 5, San Mateo County Records.

Beginning at the most southerly corner of Lot 1, Block C, as shown on that certain map recorded in Volume 70 of Subdivision Maps at pages 4 and 5, San Mateo County Records, said point also lying on the northerly line of Marine Parkway (formerly Marine World Parkway) as shown on said map; thence northeasterly along the northerly line of Marine Parkway along the arc of a 783.00 foot radius curve to the left, tangent to a line which bears North 76°06'39" East, through a central angle of 23°23'29", an arc length of 319.66 feet; thence leaving said northerly line of Marine Parkway and across Lot 1, Block C, North 37°16'49" West 40.00 feet to a point on the northwesterly line of Lot 1, Block C; thence westerly along the northwesterly line of Lot 1, Block C, along the arc of a 743.00 foot radius curve to the right, tangent to a line which bears South 52°43'11" West, through a central angle of 8°16'38", an arc length of 107.34 feet; thence along the arc of a 200.00 foot radius tangent curve to the right, through a central angle of 50°33'25", an arc length of 176.48 feet; thence South 1°04'00" West 99.21 feet to the POINT OF BEGINNING.



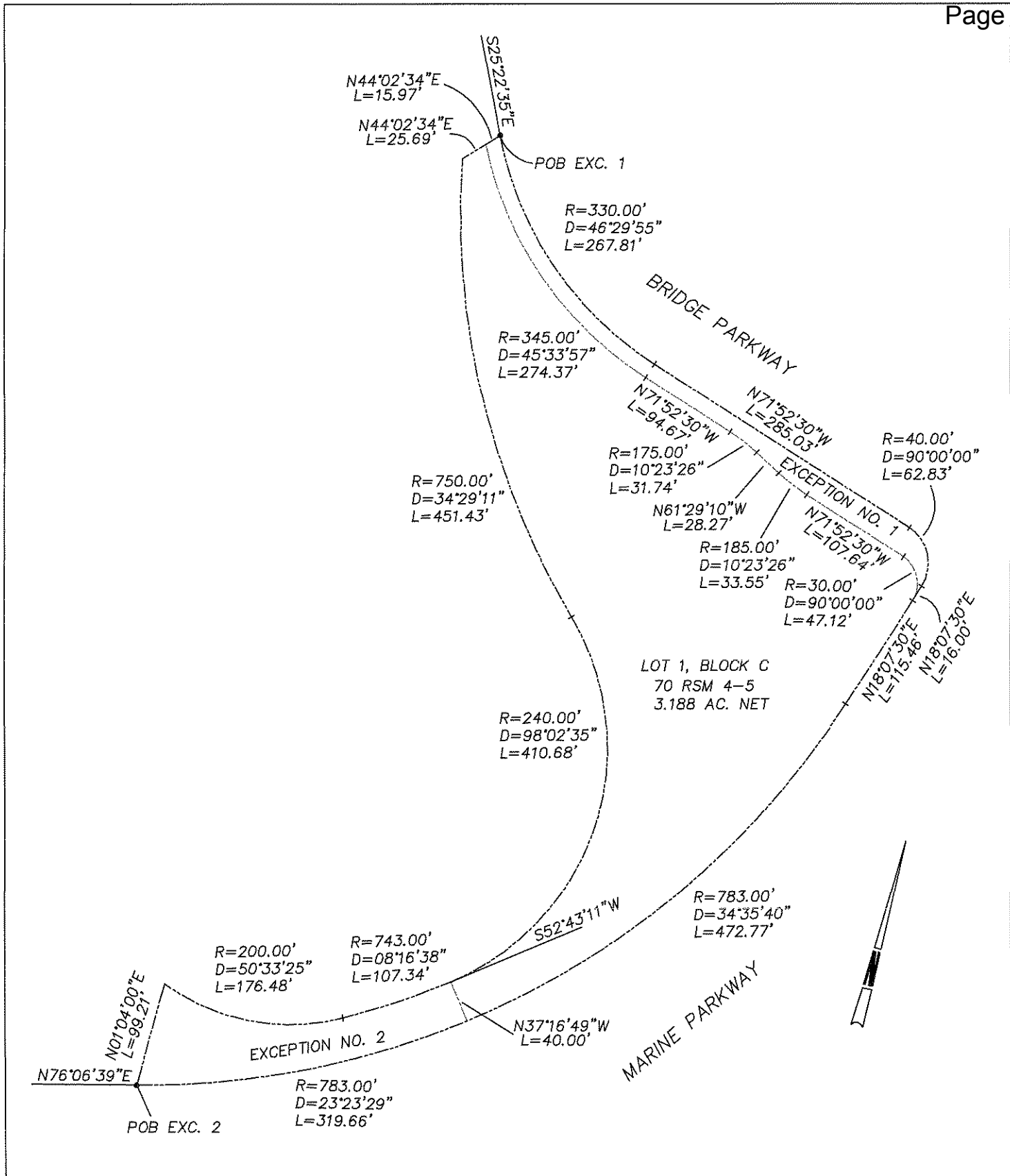


EXHIBIT B
REDWOOD SHORES COMMUNITY LIBRARY
AREA OF LIBRARY INTEREST

**BOHLEY
CONSULTING**

1875 SOUTH GRANT STREET, SUITE 550
SAN MATEO, CA 94402
650-358-1484 • FAX 650-358-1487

DATE:	04/09/09
SCALE:	1"=120'
DWG:	SITE-5
JOB No.	200414