



Joint Exercise of Powers Agency

City of Antioch City of Brentwood County of Contra Costa City of Oakley

AGENDA Board of Directors

(No In-person Meeting)

Thursday, July 14, 2022

6:30 p.m.

Tri-Delta Transit Meeting Room
801 Wilbur Avenue
Antioch, California

To slow the spread of COVID-19, in lieu of a public gathering, the State Route 4 Bypass Authority Board of Directors meeting will be accessible via Zoom to all members of the public as permitted by Government Code Section 54953(e). Members of the public may participate in the meeting online, or by telephone. To participate in the meeting please use the information.

To participate by phone, dial **+17207072699** US. The meeting ID is **858 4031 5896** Passcode: **514121**

To participate online using Zoom, hold down CTRL + click the following:
[Join Zoom Meeting Here](#) Meeting ID: **858 4031 5896** (Passcode: **514121**).

In lieu of making public comments at the meeting, members of the public also may submit public comments before or during the meeting by emailing comments to Program Manager Dale Dennis at dodennis@thecyberjungle.com. If you have difficulty emailing a public comment, please contact Nancy Wein, Contra Costa County Public Works Department, at (925) 313-2275.

All comments submitted by email to the above email address before the conclusion of the meeting will be included in the record of the meeting. When feasible, the Board Chair, or designated staff, also will read the comments into the record at the meeting, subject to a two-minute time limit per comment.

The Board Chair may reduce the amount of time allotted to read comments at the beginning of each item or public comment period depending on the number of comments and the business of the day. Your patience is appreciated.

A break may be called at the discretion of the Board Chair.

To obtain a copy of a staff report or other written materials related to an open session item on the agenda, please contact Nancy Wein, at the Contra Costa County Public Works Department, by phone at (925) 313-2275, or by email to Nancy.Wein@pw.cccounty.us.

Board of Directors:

Diane Burgis, Contra Costa County – Chair
Lamar Thorpe, City of Antioch – Vice Chair
Joel Bryant, City of Brentwood
Aaron Meadows City of Oakley

Authority Staff Office:

Contra Costa County
255 Glacier Drive
Martinez, CA 94553
(925) 313-2000

AGENDA
July 14, 2022

1. Call to Order
2. Determination
 - A. **Teleconference Meetings: CONSIDER and ADOPT Resolution No. 2022/04** to authorize the Board of Directors to conduct teleconference meetings under Government Code section 54953(e), and make related findings set forth in the resolution; **DETERMINE** that the Authority will hold virtual meetings for the next 30 days; and **DIRECT** the Program Manager or Secretary of the Board to return this matter to the Board within 30 days for reconsideration.
 - B. **Mokelumne Bicycle/Pedestrian Overcrossing Project:** Staff will provide a status update on construction of this project.
3. Public Comment
4. Consent Items
 - A. **APPROVE** minutes of the May 12, 2022 meeting (June 9, 2022 cancelled)
 - B. **Balfour Road Interchange Project: APPROVE and AUTHORIZE** the transfer of right-of-way acquired for the Balfour Road Interchange Project to Caltrans, and take related actions.
 - C. **APPROVE and AUTHORIZE** the County Counsel, or designee, to execute, on behalf of the State Route 4 Bypass Authority, an assignment of a legal services contract from Wendel Rosen, LLP, to Fennemore, LLP, dba Fennemore Wendel, effective July 1, 2022, for continued eminent domain and real property specialized legal services.
 - D. **APPROVE** the Fiscal Year 2021-2022 End of Year Budget.
 - E. **APPROVE** the Fiscal Year 2022-2023 Budget.

Board of Directors:

Diane Burgis, Contra Costa County – Chair
Lamar Thorpe, City of Antioch – Vice Chair
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Aaron Meadows City of Oakley

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F. APPROVE amendments to Consulting Services Agreements with the following consultants and **AUTHORIZE** the Secretary or designee to execute the amendments on behalf of the Authority (no attachments):

- i. Amendment to agreement with Mark Thomas and Company – Engineering Design Services for the former SR4 Bypass, to extend the termination date from June 30, 2022, to a new termination date of June 30, 2023, with no change in the payment limit.
- ii. Amendment to agreement with WSP USA, Inc. – Construction Management Support Services for the former SR4 Bypass, to extend the termination date from June 30, 2022, to a new termination date of June 30, 2023, with no change in the payment limit.

5. Boardmember Comments

6. Adjournment

The Authority will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact Staff at least 24 hours before the meeting, at (925) 595-4587. Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the State Route 4 Bypass Authority to a majority of members of the Board of Directors less than 72 hours prior to that meeting are available for public inspection at 255 Glacier Drive, Martinez, CA during normal business hours.

Board of Directors:

Diane Burgis, Contra Costa County – Chair
Lamar Thorpe, City of Antioch – Vice Chair
Joel Bryant, City of Brentwood
Aaron Meadows City of Oakley


Authority Staff Office:

Contra Costa County
255 Glacier Drive
Martinez, CA 94553
(925) 313-2000

**STATE ROUTE 4
BYPASS AUTHORITY**

DATE: July 14, 2022

TO: Board of Directors

FROM: Dale Dennis, Program Manager 

SUBJECT: Authorizing Teleconference Meetings (AB 361, Government Code § 54953(e))

Recommendation: Staff recommends the Board take the following actions:

1. **Consider and Adopt Resolution No. 2022/04** to authorize the Board of Directors to conduct teleconference meetings under Government Code section 54953(e), and make related findings set forth in the resolution;
2. **Determine** that the Authority will hold virtual meetings for the next 30 days; and
3. **Direct** the Program Manager and/or Secretary of the Board to return this matter to the Board within 30 days for reconsideration.

Discussion:

When the COVID-19 pandemic began, Governor Newsom issued an executive order that allowed local agencies to meet remotely without complying with all teleconferencing requirements of the Brown Act. Executive Order N-29-20 suspended certain non-emergency teleconferencing rules, including the requirements that each teleconference location be listed on the agenda and be physically accessible to the public during the meeting and that the public must be given an opportunity to comment at each teleconference location. Since March 2020, the Board of Directors has met virtually, as authorized by Executive Orders N-29-20, N-35-20, N-08-21 and N-15-21. This authority expired September 30, 2021.

New legislation known as Assembly Bill 361, amended the teleconferencing provision of the Brown Act, Government Code section 54953. Effective October 1, 2021, section 54953, subsection (e), authorizes a local agency to use special teleconferencing rules when a legislative body of a local agency holds a meeting during a state of emergency declared by the state and either A) state or local health officials have imposed or recommended measures to promote social distancing, or B) the legislative body is meeting to determine whether, or has determined, by majority vote, that meeting in person would present imminent risks to the health or safety of meeting attendees.

When a legislative body uses the emergency teleconferencing provisions under section 54953(e), the following rules apply:

- The agency must provide notice of the meeting and post an agenda as required by the Brown Act, but the agenda does not need to list each teleconference location or be physically posted at each teleconference location.
- The agenda must state how members of the public can access the meeting and provide public comment.
- The agenda must include an option for all persons to attend via a call-in or internet-based service option.
- The body must conduct the meeting in a manner that protects the constitutional and statutory rights of the public.
- If there is a disruption in the public broadcast of the meeting or of the call-in or internet-based meeting service, the legislative body must stop the meeting and take no further action on agenda items until public access and ability to comment is restored.
- Local agencies may not require public comments to be submitted in advance of the meeting and must allow virtual comments to be submitted in real time.
- The body must allow a reasonable amount of time per agenda item to permit members of the public to comment, including time to register or otherwise be recognized for the purposes of comment.
- If the body provides a timed period for all public comment on an item, it may not close that period before the time has elapsed.
- The body must reconsider the circumstances of the state of emergency and the findings in support of emergency teleconference meetings every 30 days.
- AB 361 sunsets on January 1, 2024.

A Board resolution authorizing teleconferencing under section 54953(e) is attached. It would determine that the State has declared a state of emergency related to COVID-19 and find that social distancing recommendations are in place and that there is an imminent risk of harm to the public, staff, and officials if live meetings are conducted. If adopted, for the next 30 days the resolution would require the Board of Directors to hold teleconference meetings consistent with the above-described rules.

If the Board wishes to continue teleconferencing under section 54953(e), every 30 days after adopting the attached resolution the Board must reconsider the circumstances of the state of emergency and find that one or both of the following circumstances exists: the state declared emergency continues to directly impact the ability of members to safely meet in person, or state or local officials continue to impose or recommend measures to promote social distancing. If the state-declared emergency no longer exists, or if the Board does not make these findings by majority vote, then it will no longer be exempt

from the Brown Act's teleconferencing rules. The attached resolution directs the Program Manager and/or Secretary to return no later than 30 days after the resolution is adopted with an item for the Board to consider whether to continue meeting under the provisions of Government Code section 54953 (e). If the resolution is not adopted, the Board, would not be permitted to conduct teleconference meetings under the provisions of Government Code section 54953(e), added by Assembly Bill 361, and this meeting would need to be adjourned and rescheduled as an in-person meeting.

RESOLUTION NO. 2022/04

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE STATE ROUTE 4 BYPASS
AUTHORITY AUTHORIZING TELECONFERENCE MEETINGS UNDER ASSEMBLY
BILL 361

Recitals

- A. On March 4, 2020, Governor Gavin Newsom proclaimed the existence of a state of emergency in California under the California Emergency Services Act, Gov. Code § 8550 et seq.
- B. On March 10, 2020, the Board of Supervisors found that due to the introduction of COVID-19 in the County, conditions of disaster or extreme peril to the safety of persons and property had arisen, commencing on March 3, 2020. Based on these conditions, pursuant to Government Code section 8630, the Board adopted Resolution No. 2020/92, proclaiming the existence of a local emergency throughout the County.
- C. On March 17, 2020, Governor Newsom issued Executive Order N-29-20, which suspended the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the Brown Act), provided certain requirements were met and followed.
- D. On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which clarified the suspension of the teleconferencing rules set forth in the Brown Act and further provided that those provisions would remain suspended through September 30, 2021.
- E. On September 16, 2021, Governor Newsom signed Assembly Bill 361, which provides that under Government Code section 54953(e), a legislative body subject to the Brown Act may continue to meet using teleconferencing without complying with the non-emergency teleconferencing rules in Government Code section 54953(b)(3) if a proclaimed state of emergency exists and state or local officials have imposed or recommended measures to promote social distancing.
- F. On September 20, 2021, the Contra Costa County Health Officer issued recommendations for safely holding public meetings that include recommended measures to promote social distancing.
- G. Among the Health Officer's recommendations: (1) on-line meetings (teleconferencing meetings) are strongly recommended as those meetings present the lowest risk of transmission of SARS-CoV-2, the virus that causes COVID-19; (2) if a local agency determines to hold in-person meetings, offering the public the opportunity to attend via a call-in option or an internet-based service option is recommended when possible to give those at higher risk of an/or higher concern about COVID-19 an alternative to participating in person; (3) a written safety protocol should be developed and followed,

and it is recommended that the protocol require social distancing – i.e., six feet of separation between attendees – and face masking of all attendees; (4) seating arrangements should allow for staff and members of the public to easily maintain at least six-foot distance from one another at all practicable times.

- H. The California Department of Public Health (CDPH) and the federal Centers for Disease Control and Prevention (CDC) caution that the Omicron variant of COVID-19, currently the dominant strain of COVID-19 in the country, is more transmissible than prior variants of the virus, may cause more severe illness, and even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations.
- I. As of July 7, 2022, the CDC-reported seven-day rolling average of new cases in the County was 350.66 cases per day, per 100,000 of population, a case rate that is in the “high” community transmission tier, the most serious of the CDC’s community transmission tiers. According to the Contra Costa County Health Officer, the predominant variant of COVID-19 being identified continues to be the Omicron variant, which has been shown to dramatically increase COVID-19 transmission.
- J. In the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the State Route 4 Bypass Authority Board of Directors intends to invoke the provisions of Assembly Bill 361 related to teleconferencing.

NOW, THEREFORE, the Board of Directors of the State Route 4 Bypass Authority resolves as follows:

- 1. The Board of Directors finds that the Contra Costa County Health Officer continues to recommend that public meetings be held by teleconferencing as those meetings present the lowest risk of transmission of SARS-CoV-2, the virus that causes COVID-19.
- 2. The Board of Directors finds that meeting in person for meetings of the State Route 4 Bypass Authority Board of Directors would present imminent risks to the health or safety of attendees because (a) as of July 7, 2022, the County remains in the “high” community transmission tier, with a case rate of 350.66 cases per day, per 100,000 of population, and (b) the Omicron variant has been shown to dramatically increase COVID-19 transmission.
- 3. As authorized by Assembly Bill 361, the State Route 4 Bypass Authority Board of Directors will use teleconferencing for its meetings in accordance with the provisions of Government Code section 54953(e).
- 4. The Program Manager and/or Secretary is authorized and directed to take all actions necessary to implement the intent and purpose of this resolution, including conducting open and public meetings in accordance with Government Code section 54953(e) and all other applicable provisions of the Brown Act.

5. The Program Manager and/or Secretary is directed to return no later than 30 days after this resolution is adopted with an item for the Board of Directors to consider whether to continue meeting under the provisions of Assembly Bill 361.

PASSED AND ADOPTED on July 14, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

I HEREBY CERTIFY that the foregoing resolution was duly and regularly introduced, passed and adopted by the above vote of the State Route 4 Bypass Authority Board of Directors, at a meeting of said Board of Directors on the date indicated above.

Date: _____

Brian Balbas, Secretary
State Route 4 Bypass Authority

By: _____



Recommendations for safely holding public meetings

Each local government agency is authorized to determine whether to hold public meetings in person, on-line (teleconferencing only), or via a combination of methods. The following are recommendations from the Contra Costa County Health Officer to minimize the risk of COVID 19 transmission during a public meeting.

1. Online meetings (i.e. teleconferencing meetings) are encouraged, where practical, as these meetings present the lowest risk of transmission of SARS CoV-2, the virus that causes COVID 19. This is particularly important when community prevalence rates are high. Our current trends as of April 15, 2022 in Covid-19 case rate and Covid-19 hospitalizations have plateaued at this time, but wastewater surveillance data and COVID-19 test positivity has been increasing. In addition to this, the predominant variant of Covid-19 being identified continues to be the Omicron variant, the impact of which on the spread of Covid-19 has shown to dramatically increase COVID-19 transmission.
2. If a local agency determines to hold in-person meetings, offering the public the opportunity to attend via a call-in option or an internet-based service option is recommended, when possible, to give those at higher risk of and/or higher concern about COVID-19 an alternative to participating in person.
3. A written safety protocol should be developed and followed. It is recommended that the protocol require social distancing, where feasible – i.e. six feet of separation between attendees; and consider requiring or strongly encouraging face masking of all attendees and encouraging attendees to be up-to-date on their COVID-19 vaccine.
4. Seating arrangements should allow for staff and members of the public to easily maintain at least six-foot distance from one another at all practicable times.
5. Consider holding public meetings outdoors. Increasing scientific consensus is that outdoor airflow reduces the risk of COVID-19 transmission compared to indoor spaces. Hosting events outdoors also may make it easier to space staff and members of the public at least 6 feet apart.
6. Current evidence is unclear as to the added benefit of temperature checks in addition to symptom checks. We encourage focus on symptom checks as they may screen out individuals with other Covid-19 symptoms besides fever and help reinforce the message to not go out in public if you are not feeling well.
7. Consider a voluntary attendance sheet with names and contact information to assist in contact tracing of any cases linked to a public meeting.

Revised 4-15-2022

Sefanit Mekuria

Sefanit Mekuria, MD, MPH
Deputy Health Officer, Contra Costa County



STATE ROUTE 4 BYPASS AUTHORITY
Antioch - Brentwood - Oakley and Contra Costa County

JOINT EXERCISE OF POWERS AGENCY

May 12, 2022

To slow the spread of COVID-19, in lieu of a public gathering, the STATE ROUTE 4 BYPASS AUTHORITY (SR4BA) Board of Directors meeting was accessible via Zoom to all members of the public as permitted by Government Code Section 54953(e). Members of the public were permitted to participate in the meeting online, or by telephone, and in lieu of making public comments at the meeting, members of the public could submit public comments before or during the meeting through dodennis@thecyberjungle.com.

Chair Diane Burgis called the meeting to order at 6:38 P.M.

ROLL CALL

PRESENT: Joel Bryant (Brentwood), Aaron Meadows (Oakley), Lamar Thorpe* (Antioch), and Chair Diane Burgis (Contra Costa County)

*Arrived after Roll Call and before the Public Hearing item (Item 5 below)

ABSENT: None

STAFF: Dale Dennis, Program Manager
Lucy Owens, Right of Way Agent
Stephen Siptroth, Deputy County Counsel

DETERMINATION

- A. Teleconference Meetings: CONSIDER adopting SR4BA Resolution No. 2022/02 to authorize the Board of Directors to conduct teleconference meetings under Government Code Section 54953(e) and make related findings set forth in the resolution; DETERMINE that the Authority will hold virtual meetings for the next 30 days; and DIRECT the Program Manager or Secretary of the Board to return this matter to the Board within 30 days for reconsideration.

On motion by Director Meadows, seconded by Director Bryant, the Authority APPROVED Resolution No. 2022/02 to authorize the Board of Directors to conduct teleconference meetings under Government Code Section 54953(e) and make related findings set forth in the resolution; DETERMINED that the Authority will hold virtual meetings for the next 30 days; and DIRECTED the Program Manager or Secretary of the Board to return this matter to the Board within 30 days for reconsideration.

The motion carried by the following Roll Call vote:

AYES: Bryant, Meadows, Burgis
NOES: None
ABSTAIN: None
ABSENT: Thorpe

PUBLIC COMMENT

Bruce Ohlson, Pittsburg, requested the status of the Mokelumne Bicycle/Pedestrian Overcrossing Project.

Mr. Dennis reported that construction had started, the contractor had been underway for about a month and the work was proceeding. An item could be placed on the next meeting agenda to provide more detail.

CONSENT ITEMS

(This item was listed as Item 5 on the agenda and was taken out of order by the Chair.)

On motion by Director Meadows, seconded by Director Bryant, the Authority APPROVED the Consent Items, as follows, which carried by the following Roll Call vote:

- A. APPROVED minutes of the January 12, 2022 meeting (*February, March and April 2022 meetings cancelled*).

AYES: Bryant, Meadows, Burgis
NOES: None
ABSTAIN: None
ABSENT: Thorpe

Director Thorpe joined the meeting at this time.

PUBLIC HEARING

- A. HEARING to consider adoption of Resolution of Necessity No. 2022/03 for acquisition by eminent domain of interests in real property required for the State Route 4 Bypass Project – Segment 3, as recommended by the SR4 Bypass Authority's Program Manager, Brentwood area.

(This item was listed as Item 4 on the agenda and was taken out of order by the Chair.)

Director Meadows noted that he was employed by Trilogy Vineyards, LLC, a source of income for conflict-of-interest purposes that legally precluded his participation. (Government Code § 87103). Director Meadows announced that, due to this conflict, he would recuse himself and he then left the meeting by logging out of Zoom.

Chair Burgis introduced the item, opened the public hearing, and invited staff to make a presentation.

Mr. Dennis reported the proposed acquisition required for the SR4 Bypass Project - Segment 3 was one of the last acquisitions required.

Mr. Dennis stated the SR4 Bypass Authority needed to provide an access easement to the Contra Costa Water District (CCWD) to allow access to their pipeline that had been eliminated with the construction of Segment 3 of the SR4 Bypass. Mr. Dennis presented maps to show the location of the full access easement for the pipeline and noted that the access easement had been secured from PG&E.

Lucy Owens, Authority Right of Way staff, stated this was the time to consider whether the Board should adopt the Resolution of Necessity authorizing the SR4 Bypass Segment 3. Ms. Owens referred to the staff report dated May 12, 2022 that contained the specific information supporting the condemnation and outlining the action requested to be taken. After hearing the item, considering the evidence, and closing the hearing, she recommended that the Board take the actions outlined in the staff report. When asked, she reported that the property owner was Trilogy Vineyards, LLC.

Although notified of the hearing, Mr. Dennis stated that no representative from Trilogy Vineyards was in attendance.

No written comments were submitted, or oral comments made, by any member of the public.

Chair Burgis closed the public hearing.

On motion by Director Bryant, seconded by Director Thorpe, the Authority MADE each of the findings in Section B of the staff report and set forth below; ADOPTED the Resolution of Necessity No. 2022/03 for acquisition by eminent domain of interests in real property required for the State Route 4 Bypass Project – Segment 3, as recommended by the SR4 Bypass Authority's Program Manager, Brentwood area (Project No. 4660-6X4414); and AUTHORIZED the Program Manager to negotiate and execute a common interest agreement with Contra Costa Water District, subject to approval as to form by the County Counsel, or designee:

1. The public interest and necessity required the project.
2. The project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.
3. The property sought to be acquired is necessary for the project.
4. The offer of compensation required by Section 7267.2 of the Government Code has been made to the owner or owners of record.

The motion carried by the following vote:

AYES: Bryant, Thorpe, Burgis

NOES: None

ABSTAIN: None

ABSENT: Meadows (recused)

BOARDMEMBER COMMENTS

Director Bryant looked forward to the completion of the Mokelumne Bicycle/Pedestrian Overcrossing project for the City of Brentwood and for Brentwood residents.

Director Thorpe agreed.

ADJOURNMENT

Chair Burgis adjourned the meeting of the State Route 4 Bypass Authority at 6:53 P.M. to Thursday, June 9, 2022 at 6:30 P.M. or other day/time deemed appropriate.

Respectfully submitted,

Anita L. Tucci-Smith
Minutes Clerk

**STATE ROUTE 4
BYPASS AUTHORITY**

DATE: July 14, 2022

TO: Board of Directors

FROM: Dale Dennis, Program Manager



SUBJECT: State Route 4 Bypass Authority – Balfour Road Interchange Project
Area Brentwood
[SCH# 89032824 and SCH# 1989032824, Addendum #10, Addendum #11,
Addendum #12, and Addendum #13] Project Number: 4660-6X4425

Recommendation: Staff recommends the Authority take the following actions:

- A. **DETERMINE** that the conveyance of real property (fee owned) described in the Exhibit "A" to Grant Deed (Attachment 1) to the State of California, Department of Transportation ("Caltrans") is no longer needed for Authority's highway purposes;
- B. **DETERMINE** that the conveyance of the real property (highway easement) described in the Exhibit "A" to the Highway Easement (Attachment 2) to the State of California, Department of Transportation ("Caltrans") is in the public interest and will not substantially conflict or interfere with the Authority's planned use of the Property;
- C. **DETERMINE** that the real property (highway easement) described in the Exhibit "A" to the Quitclaim Deed (Attachment 3), to the State of California, Department of Transportation ("Caltrans") is no longer necessary for the Authority's highway purposes; and
- D. **APPROVE** the conveyance of said Grant Deed and Quitclaim Deed pursuant to Streets and Highways Code 960, and the conveyance of the Highway Easement pursuant to Government Code Section 25526.6.
- E. **AUTHORIZE** the Chair to execute, on behalf of the Authority, the attached Grant Deed, Highway Easement, and Quitclaim Deed, substantially in the forms attached hereto.
- F. **DIRECT** Authority Staff to deliver the Grant Deed, Highway Easement and Quitclaim Deed, substantially in the forms attached hereto, to Caltrans for acceptance and recording.

Discussion:

The Balfour Road Interchange Project ("Project") consists of the widening State Route 4 (SR-4) from San Jose Avenue (PM 34.9) to approximately 3,400 feet south of Balfour Road (PM 36.6), and the construction of a grade-separated interchange at Balfour Road in the City of Brentwood in Contra Costa County. The Project addressed traffic congestion as well as projected congestion at the at-grade SR4/Balfour Road intersection and along this segment of State Route 4.

ACTION OF BOARD ON _____ APPROVED AS RECOMMENDED ____ OTHER ____

VOTE OF DIRECTORS

_____ UNANIMOUS (ABSENT _____)
AYES: _____ NOES: _____
ABSENT: _____ ABSTAIN: _____

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Directors on the date shown.

ATTESTED: _____
Secretary to the Authority

The Project is being Implemented jointly by Contra Costa Transportation Authority (CCTA), State of California, Department of Transportation ("Caltrans"), and the State Route 4 Bypass Authority ("Authority"). CCTA is the Project sponsor, the State Route 4 Bypass Authority is the CEQA lead and is providing right of way acquisition services, and Caltrans is providing oversight and is the owner/operator. Now that the Project construction is complete and accepted by Caltrans, and CCTA has completed the Right-of-Way Record Maps, the Authority will transfer the highway right of way that has been acquired for the Project to Caltrans. Staff is recommending the Authority approve the conveyance of said Grant Deed and Quitclaim Deed pursuant to Streets and Highways Code 960, and the conveyance of the Highway Easement pursuant to Government Code Section 25526.6.

Attachments:

1. Grant Deed
2. Highway Easement
3. Quitclaim Deed

Grant Deed

Recording Requested By:
State of California

When Recorded Return to:
State of California
Department of Transportation
111 Grand Avenue
Oakland, CA 94623-0440
Attn: Michael O'Callaghan

SPACE ABOVE THIS LINE FOR RECORDER'S USE

District	County	Route	Post Mile	Number
04	CC	4	M34.5/M36.2	63027

(Inc. 63028, 63033-1,
63033-2,63033-3,
63037, 63039, 63040,
63041, 63183-4)

GRANT DEED

For Value Received, STATE ROUTE 4 BYPASS AUTHORITY, a joint exercise of powers agency,

GRANTS to the STATE OF CALIFORNIA, Department of Transportation, all that real property in the City of Brentwood, County of Contra Costa, State of California as described as follows:

FOR DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF,

It is understood that the present intention of the State of California is to construct and maintain a public highway on the lands hereinabove described, and the undersigned hereby waives any claim for any and all damages to the remaining property of which the above-described parcel is a part, by reason of the location, construction, landscaping or maintenance of said highway.

STATE ROUTE 4 BYPASS AUTHORITY

Dated_____

By_____
Diane Burgis
Board Chair

(attach appropriate acknowledgment)

Grant Deed SR4BA to State BRI
CALTRANS\DE.2 (Caltrans).doc

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF CONTRA COSTA

On _____, before me, _____,

_____, personally appeared _____

_____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

THIS IS TO CERTIFY, That the State of California, acting by and through the Department of Transportation (pursuant to Government Code Section 27281), hereby accepts for public purposes the real property described in the within deed and consents to the recordation thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 20 .

_Director of Transportation

By _____
JULIE MCDANIEL, Attorney in Fact
Deputy District Director
Right of Way and Land Surveys

Number
63027

(Inc. 63028, 63033-1, 63033-2
63033-3, 63037, 63039,
63040, 63041, 63183-4)

Exhibit "A"

Parcel 63027

A PORTION OF THE PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO STATE ROUTE 4 BYPASS AUTHORITY, RECORDED AUGUST 11, 2015 AS DOCUMENT NUMBER 2015-0166785, OFFICIAL RECORDS OF CONTRA COSTA COUNTY, DESCRIBED AS FOLLOWS:

A PORTION OF PARCEL B SITUATE IN THE CITY OF BRENTWOOD, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA AS DESCRIBED IN THE DOCUMENT RECORDED ON AUGUST 7, 1996 AS SERIES NUMBER 96-147863, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID PARCEL B WHICH LIES N19°56'15"W, 362.91' OF THE NORTH LINE OF "BALFOUR ROAD WIDENING", AS SHOWN ON THE SUBDIVISION MAP FILED IN BOOK 369 OF MAPS AT PAGE 34; THENCE ALONG EAST LINE OF SAID PARCEL B, N19°56'15"W, 354.49'; THENCE N31°09'18"W, 164.53' TO THE BOUNDARY OF THE SUBDIVISION FILED IN BOOK 369 OF MAPS AT PAGE 34; THENCE ALONG SAID BOUNDARY S41°21'07"W, 60.42' TO THE WEST LINE OF SAID PARCEL B; THENCE ALONG SAID WEST LINE S19°56'15"E, 486.85'; THENCE N70°03'45"E, 85.00' TO THE TRUE POINT OF BEGINNING.

CONTAINING 40,498 SQUARE FEET, MORE OR LESS.

TOGETHER WITH ALL THOSE CERTAIN RIGHTS, INCLUDING ACCESS RIGHTS, DESCRIBED IN SAID GRANT DEED (DOCUMENT NUMBER 2015-0166785) AS:

"THIS CONVEYANCE IS MADE FOR THE PURPOSE OF A FREEWAY AND GRANTOR HEREBY RELEASES AND RELINQUISHES TO THE GRANTEE ANY AND ALL ABUTTER'S RIGHTS INCLUDING ACCESS RIGHTS, APPURTENANT TO GRANTOR'S REMAINING PROPERTY, IN AND TO SAID FREEWAY."

PARCEL 63028

THE PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO STATE ROUTE 4 BYPASS AUTHORITY, RECORDED AUGUST 11, 2015 AS DOCUMENT NUMBER 2015-0166784, OFFICIAL RECORDS OF CONTRA COSTA COUNTY, DESCRIBED AS FOLLOWS:

"A PORTION OF PARCEL 1 SITUATE IN THE CITY OF BRENTWOOD, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA AS DESCRIBED IN THE DOCUMENT RECORDED ON OCTOBER 18, 1995 AS SERIES NUMBER 95-180274, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID PARCEL 1 WHICH LIES N19°56'15"W, 1198.11' FROM THE NORTH LINE OF "BALFOUR ROAD WIDENING" AS SHOWN ON THE

Number
63027

(Inc. 63028, 63033-1, 63033-2
63033-3, 63037, 63039,
63040, 63041, 63183-4)

SUBDIVISION MAP FILED IN BOOK 369 OF MAPS AT PAGE 34; THENCE S26°11'01"E, 188.39'; THENCE S31°09'18"E, 167.03' TO THE EXTERIOR BOUNDARY OF THE SUBDIVISION FILED IN BOOK 369 OF MAPS AT PAGE 34; THENCE ALONG SAID BOUNDARY S41°21'07"W, 60.42' TO THE WEST LINE OF SAID PARCEL B; THENCE ALONG SAID LINE N19°56'15"W, 380.14' TO THE POINT OF BEGINNING.

CONTAINING 8,708 SQUARE FEET, MORE OR LESS."

TOGETHER WITH ALL THOSE CERTAIN RIGHTS, INCLUDING ACCESS RIGHTS, DESCRIBED IN SAID GRANT DEED (DOCUMENT NUMBER 2015-0166784) AS:

"THIS CONVEYANCE IS MADE FOR THE PURPOSE OF A FREEWAY AND GRANTOR HEREBY RELEASES AND RELINQUISHES TO THE GRANTEE ANY AND ALL ABUTTER'S RIGHTS INCLUDING ACCESS RIGHTS, APPURTENANT TO GRANTOR'S REMAINING PROPERTY, IN AND TO SAID FREEWAY."

PARCEL 63033-1

A PORTION OF THE PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO STATE ROUTE 4 BYPASS AUTHORITY, RECORDED APRIL 5, 2000 AS DOCUMENT NUMBER 2000-0067804, OFFICIAL RECORDS OF CONTRA COSTA COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF PARCEL D, AS SHOWN ON THE PARCEL MAP FILED JANUARY 21, 2005, IN BOOK 192 OF PARCEL MAPS AT PAGE 5, IN SAID OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY; THENCE EASTERLY ALONG THE PROJECTION OF THE SOUTH LINE OF PARCEL D, SAID LINE ALSO BEING THE NORTH LINE OF BALFOUR ROAD, S89°24'52"E, 86.19' TO THE POINT OF BEGINNING; THENCE LEAVING SAID NORTH LINE N00°38'19"E, 71.74'; THENCE N00°34'33"W, 32.94'; THENCE N13°53'39"E, 54.93'; THENCE N00°23'58"E, 103.15'; THENCE N20°48'26"W, 43.90'; THENCE N04°47'53"E, 9.79'; THENCE N30°25'47"W, 1.33'; THENCE N89°24'52"W 43.62'; THENCE N09°21'40"E, 218.33' TO THE EASTERLY LINE OF PARCEL B AS FILED IN BOOK 192 OF PARCEL MAPS AT PAGE 5, THENCE ALONG SAID EASTERLY LINE NORTHERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS N71°17'41"W, HAVING A RADIUS OF 968.04', THROUGH A CENTRAL ANGLE OF 1°41'28", AND ARC DISTANCE OF 28.57' TO THE SOUTHEAST CORNER OF PARCEL A, AS FILED IN BOOK 192 OF PARCEL MAPS AT PAGE 5; THENCE CONTINUING NORTH ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 6°59'55", AN ARC DISTANCE OF 118.25'; THENCE LEAVING SAID EASTERLY LINE S79°58'29"E, 16.72'; THENCE S00°35'08"W, 668.39' TO THE NORTH LINE OF BALFOUR ROAD; THENCE S89°24'52"E, 36.81' TO THE POINT OF BEGINNING.

CONTAINING 29,111 SQUARE FEET, MORE OR LESS.

Number
63027

(Inc. 63028, 63033-1, 63033-2
63033-3, 63037, 63039,
63040, 63041, 63183-4)

PARCEL 63033-2

THE RIGHTS RESERVED FOR THE STATE ROUTE 4 BYPASS AUTHORITY IN THE GRANT DEED TO MERIDIAN PROFESSIONAL CENTER-BRENTWOOD OWNERS ASSOCIATION, RECORDED NOVEMBER 28, 2018 AS DOCUMENT NUMBER 2018-0191588, OFFICIAL RECORDS OF CONTRA COSTA COUNTY, DESCRIBED AS FOLLOWS:

ANY AND ALL ABUTTER'S RIGHTS, INCLUDING ACCESS RIGHTS APPURTENANT TO GRANTOR'S REMAINING PROPERTY OVER THE EAST LINE OF THE PARCEL, SAID LINE HAVING A BEARING AND DISTANCE N09°21'40"E, 218.33'

PARCEL 63033-3

THE RIGHTS RESERVED FOR THE STATE ROUTE 4 BYPASS AUTHORITY IN THE GRANT DEED WITH RESERVATIONS TO SOUTHERN PACIFIC PIPE LINES PARTNERSHIP, L.P., RECORDED AUGUST 16, 2018 AS DOCUMENT NUMBER 2018-0131143, OFFICIAL RECORDS OF CONTRA COSTA COUNTY:

ANY AND ALL ABUTTER'S RIGHTS, INCLUDING ACCESS RIGHTS APPURTENANT TO GRANTOR'S REMAINING PROPERTY OVER THE EAST LINE OF THE PARCEL, SAID LINE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF PARCEL D, AS SHOWN ON THE PARCEL MAP RECORDED JANUARY 21, 2005, IN BOOK 192 OF PARCEL MAPS AT PAGE 5, IN SAID OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY;

THENCE EASTERLY ALONG THE PROJECTION OF THE SOUTH LINE OF PARCEL D, SAID LINE ALSO BEING THE NORTH LINE OF BALFOUR ROAD, S89°24'52"E, 86.19' TO THE TRUE POINT OF BEGINING; THENCE LEAVING SAID NORTH LINE N00°38'19"E, 71.74'; THENCE N00°34'33"W, 32.94'; THENCE N13°53'39"E, 54.93'; THENCE N00°23'58"E, 103.15'; THENCE N20°48'26"W, 43.90'; THENCE N04°47'53"E, 9.79'; THENCE N30°25'47"W, 1.33'; THENCE N89°24'52"W, 43.62'

ALSO ANY AND ALL ABUTTER'S RIGHTS, INCLUDING ACCESS RIGHTS, IN AND TO BALFOUR ROAD SAID LINE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF PARCEL D, AS SHOWN ON THE PARCEL MAP RECORDED JANUARY 21, 2005, IN BOOK 192 OF PARCEL MAPS AT PAGE 5, IN SAID OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY;

Number
63027

(Inc. 63028, 63033-1, 63033-2
63033-3, 63037, 63039,
63040, 63041, 63183-4)

THENCE EASTERLY ALONG THE PROJECTION OF THE SOUTH LINE OF PARCEL D S89°24'52"E, 86.19', SAID LINE ALSO BEING THE NORTH LINE OF BALFOUR ROAD;

EXCEPTING FROM SAID RESERVED ABUTTER'S RIGHTS, A RIGHT OF INGRESS FOR SFPP, L.P. TO PROPERTY FROM BALFOUR ROAD OVER AND ACROSS THE WESTERLY 50.74 FEET TO THE COURSE DESCRIBED AS SOUTH 89°24'52" EAST 86.19 FEET, UNTIL SUCH TIME AS SFPP, L.P. PROPERTY CEASES TO BE USED TO OPERATE AND MAINTAIN A DRAG REDUCING ADDITIVE STATION, AT WHICH TIME THE RIGHT OF INGRESS SHALL CEASE AND TERMINATE IN THE SAME MANNER AS IF NEVER MADE.

PARCEL 63037

ALL THE RIGHTS DESCRIBED IN THE RELINQUISHMENT OF ACCESS RIGHTS TO STATE ROUTE 4 BYPASS AUTHORITY, RECORDED APRIL 29, 2015 AS DOCUMENT NUMBER 2015-0082868, OFFICIAL RECORDS OF CONTRA COSTA COUNTY, DESCRIBED AS FOLLOWS:

"ANY AND ALL ABUTTER'S RIGHTS, INCLUDING ACCESS RIGHTS APPURTENANT TO GRANTOR'S PROPERTY OVER A PORTION OF THE SOUTH LINE OF PARCEL T SITUATE IN THE CITY OF BRENTWOOD, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, AS SHOWN ON THE SUBDIVISION MAP FILED IN BOOK 369 OF MAPS AT PAGE 34, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON SOUTH LINE OF PARCEL T, WHICH LIES N89°25'36"W, 85.48' FROM THE SOUTHEAST CORNER OF SAID PARCEL; THENCE ALONG SAID LINE N89°25'36"W, 103.40'."

PARCEL 63039

ALL THE RIGHTS DESCRIBED IN THE RELINQUISHMENT OF ACCESS RIGHTS TO STATE ROUTE 4 BYPASS AUTHORITY, RECORDED APRIL 29, 2015 AS DOCUMENT NUMBER 2015-0082866, OFFICIAL RECORDS OF CONTRA COSTA COUNTY, DESCRIBED AS FOLLOWS:

"ANY AND ALL ABUTTERS RIGHTS, INCLUDING ACCESS RIGHTS APPURTENANT TO GRANTOR'S REMAINING PROPERTY OVER A PORTION OF THE NORTH LINE OF PARCEL B SITUATE IN THE CITY OF BRENTWOOD, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, AS SHOWN ON THE SUBDIVISION MAP FILED IN BOOK 393 OF MAPS AT PAGE 20 IN THE OFFICE OF THE CONTRA COSTA COUNTY RECORDER, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL B; THENCE ALONG SAID NORTH LINE S89°25'36"E, 99.35'."

Number
63027

(Inc. 63028, 63033-1, 63033-2
63033-3, 63037, 63039,
63040, 63041, 63183-4)

PARCEL 63040

THE PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO STATE ROUTE 4 BYPASS AUTHORITY, RECORDED JULY 24, 2015 AS DOCUMENT NUMBER 2015-0153742, OFFICIAL RECORDS OF CONTRA COSTA COUNTY, DESCRIBED AS FOLLOWS:

"A PORTION OF PARCEL 1 SITUATE IN THE CITY OF BRENTWOOD, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA AS DESCRIBED IN EXHIBIT B-1 IN THE DOCUMENT RECORDED ON AUGUST 7, 1996 AT SERIES NUMBER 96-147863, LYING NORTH OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE EAST LINE OF SAID PARCEL 1 WHICH LIES S19°56'00"E, 709.78' OF THE NORTHEAST CORNER OF SAID PARCEL; THENCE S28°00'44"W, 114.47' TO THE WEST LINE OF SAID PARCEL 1.

CONTAINING 64,937 SQUARE FEET, MORE OR LESS."

TOGETHER WITH ALL THOSE CERTAIN RIGHTS, INCLUDING ACCESS RIGHTS, DESCRIBED IN SAID GRANT DEED (DOCUMENT NUMBER 2015-0153742) AS:

"THIS CONVEYANCE IS MADE FOR THE PURPOSE OF A FREEWAY AND GRANTOR HEREBY RELEASES AND RELINQUISHES TO THE GRANTEE ANY AND ALL ABUTTER'S RIGHTS INCLUDING ACCESS RIGHTS, APPURTENANT TO GRANTOR'S REMAINING PROPERTY, IN AND TO SAID FREEWAY."

PARCEL 63041

A PORTION OF THE 171859 SQUARE FEET PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO STATE ROUTE 4 BYPASS AUTHORITY, RECORDED SEPTEMBER 20, 1999 AS DOCUMENT NUMBER 1999-0250386, OFFICIAL RECORDS OF CONTRA COSTA COUNTY, DESCRIBED AS FOLLOWS:

A PORTION OF THE 171859 SQUARE FEET PARCEL DESCRIBED ON PAGE ONE OF EXHIBIT "A" IN THE DOCUMENT FILED AT SERIES# 99-0250386-00, SITUATE IN THE CITY OF BRENTWOOD, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL;

Number
63027

(Inc. 63028, 63033-1, 63033-2
63033-3, 63037, 63039,
63040, 63041, 63183-4)

THENCE ALONG THE BOUNDARY OF SAID PARCEL S89°25'36"E, 470.50; THENCE S00°20'18"E, 32.17'; THENCE N88°51'58"W, 29.30'; THENCE S00°23'56"E, 13.12'; THENCE LEAVING SAID BOUNDARY, N89°25'36"W, 37.22'; THENCE S00°23'56"E, 265.56' TO THE BOUNDARY OF SAID PARCEL; THENCE ALONG THE BOUNDARY OF SAID PARCEL S24°17'49"W, 320.16'; THENCE S28°00'44"W, 68.92'; THENCE N19°56'00"W, 709.78' TO THE POINT OF BEGINNING.

CONTAINING 163,466 SQUARE FEET, MORE OR LESS.

"THIS CONVEYANCE IS MADE FOR THE PURPOSE OF A FREEWAY AND GRANTOR HEREBY RELEASES AND RELINQUISHES TO THE GRANTEE ANY AND ALL ABUTTER'S RIGHTS INCLUDING ACCESS RIGHTS, APPURTENANT TO GRANTOR'S REMAINING PROPERTY, IN AND TO SAID FREEWAY."

PARCEL 63183-4

ALL THE RIGHTS DESCRIBED IN THE QUITCLAIM DEED TO STATE ROUTE 4 BYPASS AUTHORITY, RECORDED JANUARY 14, 2016 AS DOCUMENT NUMBER 2016-0006821, OFFICIAL RECORDS OF CONTRA COSTA COUNTY, DESCRIBED AS FOLLOWS:

"ANY AND ALL ABUTTER'S RIGHTS APPURTENANT TO PARCEL D AS SHOWN ON THE PARCEL MAP FILED IN BOOK 192 OF PARCEL MAPS AT PAGE 5 IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA, ALONG A PORTION OF THE SOUTH LINE OF SAID PARCEL D, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID PARCEL D; THENCE ALONG SAID SOUTH LINE N89°24'52"W, 103.65'."

Number
63027

(Inc. 63028, 63033-1, 63033-2
63033-3, 63037, 63039,
63040, 63041, 63183-4)

COORDINATES, BEARINGS AND DISTANCES USED HEREIN ARE BASED ON THE CALIFORNIA
COORDINATE SYSTEM OF 1983 (CCS83), ZONE III, C-HPGN, EPOCH DATE OF 1991.35.
DISTANCES ARE U.S. SURVEY FEET UNLESS OTHERWISE NOTED. DISTANCES AND STATIONING
ARE GRID DISTANCES. MULTIPLY DISTANCES BY 1.0000650 TO OBTAIN GROUND LEVEL
DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN
CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS' ACT.

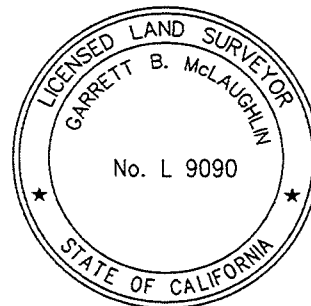
Garrett B. McLaughlin

03/28/2022

GARRETT B. McLAUGHLIN

DATE

PLS 9090



Highway Easement

Recording Requested By:
State of California

When Recorded Return to:
State of California
Department of Transportation
P.O. Box 23660
Oakland, CA 94623-0660
Attn.: Michael O'Callaghan

SPACE ABOVE THIS LINE FOR RECORDER'S USE

District	County	Route	Post Mile	Numbers
4	CC	4	M35.4 to M35.6 M35.5	63029 (inc.PN 63031)

HIGHWAY EASEMENT DEED

STATE ROUTE 4 BYPASS AUTHORITY, a joint exercise agency, hereinafter called GRANTOR, hereby grants, convey and dedicate to the STATE OF CALIFORNIA, Department of Transportation, an easement for the right of way and incidents thereto for a public highway upon, over and across that certain real property, in the City of Brentwood, County of Contra Costa, State of California, described as follows:

FOR DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF,

Numbers
63029
(inc.PN 63031)

The GRANTOR hereby further grants to STATE all trees, growths (growing or that may hereinafter grow) and road building materials within the right of way including the right to take water, together with the right to use same in such manner and at such location as the STATE may deem proper, needful or necessary for the construction, reconstruction, improvement or maintenance of the highway.

The GRANTOR, for itself and its successors and assigns, hereby waives any and all claims for damages to GRANTORs remaining property contiguous to the right of way conveyed by reason of the location, construction, landscaping or maintenance of the highway.

Dated this _____ day of _____, 2022

By _____
Diane Burgis
Title: Board Chair

ATTACH APPROPRIATE ACKNOWLEDGEMENT

This is to certify that this document is presented for recordation by the State of California under Government Code 27383 and is necessary to complete the chain of title of the State to property acquired by the State of California.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 20

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

_____, Director
Department of Transportation

By: _____
JULIE MC DANIEL, Attorney in Fact
Deputy District Director
Right of Way and Land Surveys

Number
63029
(Inc. 63031)

Exhibit "A"

Parcel 63029 (HIGHWAY EASEMENT)

THIS PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO STATE ROUTE 4 BYPASS AUTHORITY, RECORDED AUGUST 11, 2015 AS DOCUMENT NUMBER 2015-0166785, OFFICIAL RECORDS OF CONTRA COSTA COUNTY, DESCRIBED AS FOLLOWS:

A PORTION OF PARCEL B SITUATE IN THE CITY OF BRENTWOOD, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA AS DESCRIBED IN THE DOCUMENT RECORDED ON AUGUST 7, 1996 AS SERIES NUMBER 96-147863, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF SAID PARCEL B LYING NORTH OF THE "BALFOUR ROAD WIDENING" AS SHOWN ON THE SUBDIVISION MAP FILED IN BOOK 369 OF MAPS AT PAGE 34 AND SOUTH OF THE FOLLOWING LINE:

BEGINNING AT A POINT ON THE EAST LINE OF SAID PARCEL B WHICH LIES N19°56'15"W, 362.91' OF THE NORTH LINE OF SAID "BALFOUR ROAD WIDENING"; THENCE N70°03'45"E, 85.00' TO THE WEST LINE OF SAID PARCEL B.

CONTAINING 29,496 SQUARE FEET, MORE OR LESS.

Parcel 63031 (HIGHWAY EASEMENT)

THIS PARCEL OF LAND DESCRIBED IN THE GRANT DEED TO STATE ROUTE 4 BYPASS AUTHORITY, RECORDED JULY 06, 1999 AS DOCUMENT NUMBER 1999-0178338, OFFICIAL RECORDS OF CONTRA COSTA COUNTY, DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF PARCEL 2 SITUATE IN THE CITY OF BRENTWOOD, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, AS DESCRIBED IN THE DOCUMENT RECORDED ON DECEMBER 29, 1989 AT SERIES# 89-264773, LYING NORTH OF THE NORTH LINE OF BALFOUR ROAD AS DESCRIBED IN SERIES# 99-0107968.

TOGETHER WITH A PORTION OF THE LANDS DESCRIBED IN PAGE ONE OF EXHIBIT A OF THE DOCUMENT RECORDED JULY 6, 1999 AT SERIES# 99-0178338, SITUATE IN THE CITY OF BRENTWOOD, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A 4.92' WIDE STRIP LYING NORTH OF AND PARALLEL WITH "LINE A" AND EAST AND PARALLEL WITH "LINE B"; THE NORTHERLY LIMIT OF THE STRIP NORTH OF "LINE A" AND THE EASTERLY LIMIT OF THE STRIP EAST OF "LINE B" SHALL BE EXTENDED AS TO INTERSECT AND TERMINATE AT SAID INTERSECTION. LINES "A" AND "B" ARE DESCRIBED AS FOLLOWS:

Number
63029

(Inc. 63031)

LINE A

BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL 2, THENCE S89°24'54"E, 99.99' TO THE NORTHEAST CORNER OF PARCEL 1 AS DESCRIBED IN SERIES# 89-264773.

LINE B

BEGINNING AT THE NORTHEAST CORNER OF PARCEL, 1 AS DESCRIBED IN SERIES# 89-264773, THENCE S0°35'06"W, 140.05' TO THE NORTH LINE OF BALFOUR ROAD.

CONTAINING 4,887 SQUARE FEET, MORE OR LESS.

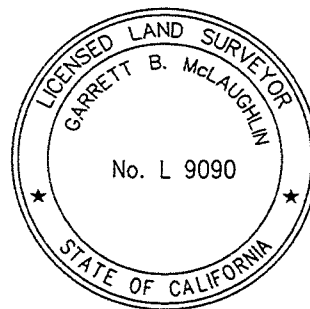
COORDINATES, BEARINGS AND DISTANCES USED HEREIN ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83), ZONE III, C-HPGN, EPOCH DATE OF 1991.35. DISTANCES ARE U.S. SURVEY FEET UNLESS OTHERWISE NOTED. DISTANCES AND STATIONING ARE GRID DISTANCES. MULTIPLY DISTANCES BY 1.0000650 TO OBTAIN GROUND LEVEL DISTANCES.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS' ACT.

Garrett B. McLaughlin 07-07-2022

GARRETT B. McLAUGHLIN
PLS 9090

DATE



Quitclaim Deed

RECORDING REQUESTED BY
STATE OF CALIFORNIA

WHEN RECORDED RETURN TO
DEPARTMENT OF TRANSPORTATION
111 GRAND AVE.
OAKLAND, CA 94612
Attn: Michael O'Callaghan

Space above this line for Recorder's Use

QUITCLAIM DEED

District	County	Route	Postmile	Number
04	CC	4	M35.5	63030

STATE ROUTE 4 BYPASS AUTHORITY, a joint exercise of powers agency, hereinafter called GRANTOR, hereby releases and quitclaims to the State of California, Department of Transportation, hereinafter called STATE, without any demand for monetary or other consideration, all that real property in City of Brentwood, County of Contra Costa, State of California, described as follows:

FOR DESCRIPTION SEE EXHIBIT "A-1" ATTACHED HERETO AND MADE A PART HEREOF,

Transfer Tax Not Applicable: R & T Code 11922

STATE BUSINESS: Free

This is to certify that this document is presented for recordation by the State of California under Government Code 27383 and is necessary to complete the chain of title of the State to property acquired by the State of California.

DISTRICT DIRECTOR

BY

JULIE MCDANIEL
Deputy District Director
Right of Way and Land Surveys

Number
63030

It is understood that the present intention of the State of California is to construct and maintain a public highway on the lands hereinabove described, and the undersigned hereby waives any claim for any and all damages to the remaining property of which the above-described parcel is a part, by reason of the location, construction, landscaping or maintenance of said highway.

STATE ROUTE 4 BYPASS AUTHORITY

Dated _____

By _____
Diane Burgis
Board Chair

This is to certify that the State of California, acting by and through the Department of Transportation (according to Section 27281 of the Government Code), accepts for public purposes the real property described in this deed and consents to its recordation.

Dated _____

Director of Transportation

By _____
JULIE MCDANIEL, Attorney in Fact
Deputy District Director
Right of Way and Land Surveys

Number
63030

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California } SS
County of _____

On _____ before me, _____ ,
Here insert Name and Title of the Officer
personally appeared _____ ,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s),
or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

EXHIBIT "A-1"

PARCEL 1 SITUATE IN THE CITY OF BRENTWOOD, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, AS DESCRIBED IN THE DOCUMENT RECORDED ON DECEMBER 29, 1989 AT SERIES NUMBER 89-264773, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF LOT 254, AS SHOWN ON THE MAP OF SUBDIVISION NO. 1 OF BRENTWOOD IRRIGATED FARMS, FILED AUGUST 4, 1920, IN BOOK 17 OF MAPS, PAGE 374, CONTRA COSTA COUNTY RECORDS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE PARCEL OF LAND DESCRIBED AS PARCEL "E", IN THE DEED TO JOHN A. WILSON, ET AL., RECORDED APRIL 22, 1969, IN BOOK 5858, PAGE 548, OFFICIAL RECORDS, SAID CORNER BEING IN THE NORTHERLY LINE OF BALFOUR ROAD, 50 FEET WIDE; THENCE SOUTH 89°24'52" EAST, ALONG THE SOUTHERLY LINE OF SAID LOT 254, A DISTANCE OF 30.35 FEET TO THE ACTUAL POINT OF BEGINNING OF THE PARCEL OF LAND TO BE DESCRIBED; THENCE PARALLEL WITH AND DISTANT 25.00 FEET EASTERLY, MEASURED AT RIGHT ANGLES, FROM THE WESTERLY LINE OF SAID WILSON PARCEL, THE FOLLOWING 2 COURSES; NORTH 35°08'07" EAST, 90.96 FEET AND NORTH 00°34'06" EAST, 110.07 FEET; THENCE SOUTH 89°24'54" EAST, 74.99 FEET; THENCE SOUTH 00°35'06" WEST, 184.99 FEET TO A POINT IN THE SOUTHERLY LINE OF SAID LOT 254; THENCE NORTH 89°24'52" WEST, ALONG SAID SOUTHERLY LINE, 126.55 FEET TO THE ACTUAL POINT OF BEGINNING.

CONTAINING 15,801 SQUARE FEET, MORE OR LESS.

TOGETHER WITH ALL THOSE CERTAIN RIGHTS DESCRIBED IN SAID HIGHWAY EASEMENT RECORDED ON SEPTEMBER 01, 2016 AS DOCUMENT NUMBER 2016-0179002.

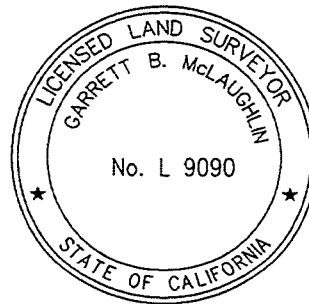
BEARINGS ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83), ZONE III, EPOCH DATE OF 1991.35. DISTANCES GIVEN ARE GRID DISTANCES. TO OBTAIN GROUND DISTANCES, MULTIPLY DISTANCE GIVEN BY 1.0000650.

THIS DESCRIPTION WAS PREPARED UNDER MY DIRECTION IN CONFORMANCE WITH SECTION 8726 OF THE BUSINESS AND PROFESSIONS CODE OF THE STATE OF CALIFORNIA.

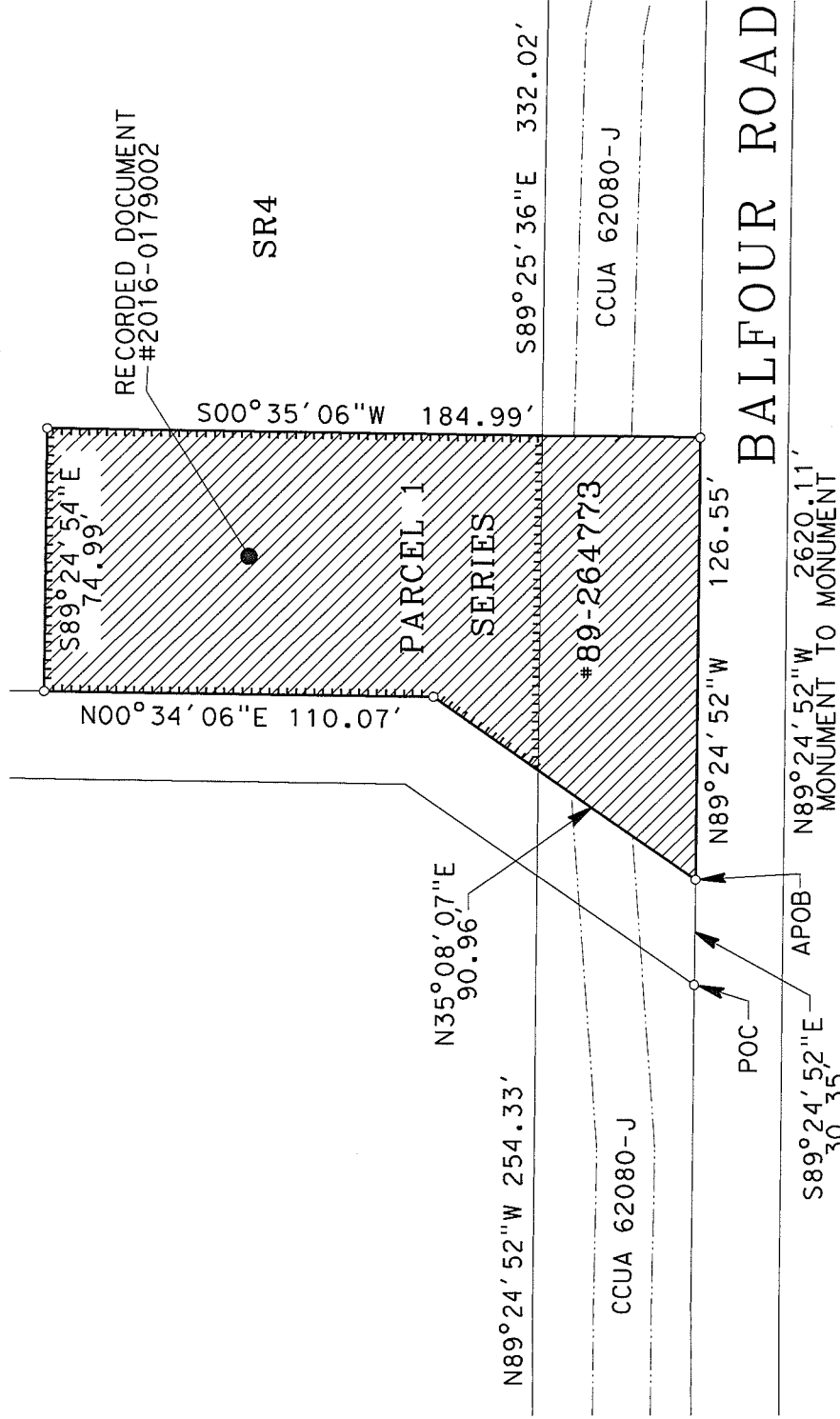
EXHIBIT B-1 BEING PAGE 2 OF 2 IS HEREIN MADE PART OF THIS DESCRIPTION

Garrett B. McLaughlin 07-08-2022
GARRETT B. McLAUGHLIN DATE
PLS 9090

PAGE 1 OF 2
CALTRANS TRACKING No. 63030



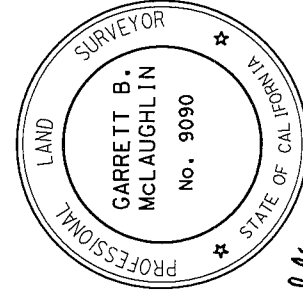
CITY OF BRENTWOOD
COUNTY OF CONTRA COSTA, CA



LEGEND

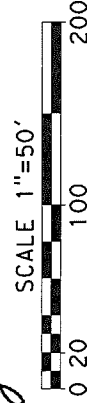
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Garrett B. McLaughlin
07-08-2022

QUINCY
ENGINEERING
11017 Cobblersrock Drive, Suite 100
Rancho Cordova, CA 95670
www.quincyeng.com



STATE OF CALIFORNIA
CALIFORNIA STATE
TRANSPORTATION AGENCY
DEPARTMENT OF TRANSPORTATION
DISTRICT 4
EXHIBIT "B-1"
QUIT CLAIM
Caltrans Tracking #
63030

DR. BY: ADD	DATE: 7/8/2022
CKD BY: GBM	SCALE 1"=50'
CO. RTE.	PM E.A.# 04-4H1601
CC 4	36.0 2 OF 2

**STATE ROUTE 4
BYPASS AUTHORITY**

DATE: July 14, 2022

TO: Board of Directors

FROM: Dale Dennis, Program Manager



SUBJECT: Approve Contract with the law firm Fennemore, LLP, dba Fennemore Wendel,

Recommendation: **APPROVE** and **AUTHORIZE** the County Counsel, or designee, to execute, on behalf of the State Route 4 Bypass Authority, an assignment of a legal services contract from Wendel Rosen, LLP, to Fennemore, LLP, dba Fennemore Wendel, effective July 1, 2022, for continued eminent domain and real property specialized legal services.

Discussion:

The State Route 4 Bypass Authority entered into a legal services contract with Wendel Rosen, LLP, for specialized legal services in connection with eminent domain and real property matters. Effective July 1, 2022, Wendel Rosen, LLP, merged with the law firm Fennemore, LLP. Following the merger, Fennemore, LLP, is doing business as "Fennemore Wendel." To enable firm attorneys to continue to provide specialized legal services on the Authority's behalf, including in one recently-filed eminent domain action, the existing legal services contract needs to be assigned to Fennemore, LLP, dba Fennemore Wendel, effective July 1, 2022. Following the assignment of the contract, the Bypass Authority would continue to be represented by the same attorneys, who will bill their time at the same hourly rates.

To ensure uninterrupted legal services, and access to specialized legal services from this firm, staff recommends approving the assignment of this legal services contract.

ACTION OF BOARD ON _____

APPROVED AS RECOMMENDED ____ OTHER ____

VOTE OF DIRECTORS

_____ UNANIMOUS (ABSENT _____)

AYES: _____ NOES: _____

ABSENT: _____ ABSTAIN: _____

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Directors on the date shown.

ATTESTED _____

Secretary to the Authority

**STATE ROUTE 4
BYPASS AUTHORITY**

DATE: July 14, 2022

TO: Board of Directors

FROM: Dale Dennis, Program Manager



SUBJECT: End of Year FY 2021/22 Work Plan and Budget

Recommendation: **APPROVE** the End of Year FY 2021/22 Work Plan and Budget.

Discussion:

Staff recommends the Board approve the attached FY2021/22 Work Plan and Budget.

DD:nw

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FY budget.doc

ACTION OF BOARD ON _____

APPROVED AS RECOMMENDED ____ **OTHER**____

VOTE OF DIRECTORS

_____ **UNANIMOUS (ABSENT** _____)

AYES: _____ **NOES:** _____

ABSENT: _____ **ABSTAIN:** _____

I hereby certify that this is a true and correct copy of
an action taken and entered on the minutes of the
Board of Directors on the date shown.

ATTESTED _____
Secretary to the Authority

STATE ROUTE 4 BYPASS AUTHORITY**End of Year Budget****WORK PLAN AND BUDGET FOR FISCAL YEAR 2021/22****Summary of Estimated Revenue and Expenditures**

<i>Estimated Revenue</i>	EOY FY Budget
Funding from East Contra Costa Regional Fee and Financing Authority	410,000
TOTAL	\$410,000

Total estimated funds available through 6/30/22	\$410,000
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Estimated Program Expenditures

	EOY FY Budget
State Route 4 Bypass Program	
A. General	230,000
B Segment 1	-
C. Segment 2	50,000
D. Segment 3A, 3B and Marsh Creek Road	130,000
TOTAL	\$410,000
TOTAL Budgeted Expenditures	\$410,000

Total estimated expenditures through 6/30/22	\$410,000
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STATE ROUTE 4 BYPASS AUTHORITY

WORK PLAN AND BUDGET FOR FISCAL YEAR 2021/22

EXPENDITURES

End of Year
(EOY) Budget

State Route 4 Bypass - General Program No. 60725				
WORK ORDER	ITEM		FY Budget	EOY FY Budget
4409	Project Management / Admin.	Management of SR4BP Program. (Staff time, including audit, accounting, county counsel and administrative support)	150,000	150,000
4410	Risk Management	Maintain a risk management program. Budget includes payment of policy insurance premium for the SR4BPA for \$10M of coverage.	20,000	20,000
4414	SR4 Transfer and R/W Activities	ROW staff and consultants will continue working with Caltrans on the completion and submittal of records and documents for the transfer of Bypass to Caltrans, complete and record of Survey and other R/W activities.	30,000	30,000
4444	Property Management & Maintenance	Property management activities related to SR4BPA parcels not transferred to Caltrans. Includes property at SW quadrant of Sand Creek IC area and others. Includes maintenance activities on an as-needed basis, including - debris removal, fence repair, and weed abatement. Also, ongoing DTSC review costs for former gun club property.	30,000	30,000
State Route 4 Bypass Prgm No. 60725 - General Subtotal			\$ 230,000	230,000
State Route 4 Bypass: Segment 2 Program No. 60434				
WORK ORDER	ITEM		FY Budget	EOY FY Budget
4499	Mokelumne Pedestrian and Bicycle Overcrossing	Right of way /Construction Mokelumne Pedestrian and Bicycle Overcrossing of SR4	50,000	50,000
State Route 4 Bypass: Segment 2 - Prgm No. 60435 Subtotal			\$ 50,000	50,000
State Route 4 Bypass: Segment 3 Program No. 60436				
WORK ORDER	ITEM		FY Budget	EOY FY Budget
4425	Balfour Road Design and Utility Relocation	CCTA is responsible for project for design, utility relocation and construction activities. SR4BA is responsible for R/W acquisition. Any ROW activities related to CCWD, will be reimbursed by CCWD.	130,000	130,000
State Route 4 Bypass: Segment 3 - Prgm No. 60436 Subtotal			\$ 130,000	130,000
TOTAL EXPENDITURES			\$ 410,000	\$ 410,000

**STATE ROUTE 4
BYPASS AUTHORITY**

DATE: July 14, 2022

TO: Board of Directors

FROM: Dale Dennis, Program Manager



SUBJECT: FY 2022/23 Work Plan and Budget

Recommendation: **APPROVE** the FY 2022/23 Work Plan and Budget.

Discussion:

Staff recommends the Board approve the attached FY2022/23 Work Plan and Budget.

DD:nw

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ACTION OF BOARD ON _____

APPROVED AS RECOMMENDED ____ **OTHER**____

VOTE OF DIRECTORS

_____ **UNANIMOUS (ABSENT** _____)

AYES: _____ **NOES:** _____

ABSENT: _____ **ABSTAIN:** _____

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Directors on the date shown.

ATTESTED _____
Secretary to the Authority

STATE ROUTE 4 BYPASS AUTHORITY

Fiscal Year Budget

WORK PLAN AND BUDGET FOR FISCAL YEAR 2022/23

Summary of Estimated Revenue and Expenditures

<i>Estimated Revenue</i>	
Funding from East Contra Costa Regional Fee and Financing Authority	730,000
TOTAL	\$730,000

Total estimated funds available through 6/30/23	\$730,000
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Estimated Program Expenditures

State Route 4 Bypass Program	
A. General	180,000
B Segment 1	-
C. Segment 2	450,000
D. Segment 3A, 3B and Marsh Creek Road	100,000
TOTAL	\$730,000
TOTAL Budgeted Expenditures	\$730,000

Total estimated expenditures through 6/30/23	\$730,000
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STATE ROUTE 4 BYPASS AUTHORITY

Fiscal Year
Budget

WORK PLAN AND BUDGET FOR FISCAL YEAR 2022/23

EXPENDITURES

State Route 4 Bypass - General Program No. 60725			
WORK ORDER	ITEM		FY Budget
4409	Project Management / Admin.	Management of SR4BP Program. (Staff time, including audit, accounting, county counsel and administrative support)	100,000
4410	Risk Management	Maintain a risk management program. Budget includes payment of policy insurance premium for the SR4BPA for \$10M of coverage.	20,000
4414	SR4 Transfer and R/W Activities	ROW staff and consultants will continue working with Caltrans on the completion and submittal of records and documents for the transfer of Bypass to Caltrans, complete and record of Survey and other R/W activities.	30,000
4444	Property Management & Maintenance	Property management activities related to SR4BPA parcels not transferred to Caltrans. Includes property at SW quadrant of Sand Creek IC area and others. Includes maintenance activities on an as-needed basis, including - debris removal, fence repair, and weed abatement. Also, ongoing DTSC review costs for former gun club property.	30,000
State Route 4 Bypass Prgm No. 60725 - General Subtotal			\$ 180,000

State Route 4 Bypass: Segment 2 Program No. 60434			
WORK ORDER	ITEM		FY Budget
4499	Mokelumne Pedestrian and Bicycle Overcrossing	Right of way /Construction Mokelumne Pedestrian and Bicycle Overcrossing of SR4	450,000
State Route 4 Bypass: Segment 2 - Prgm No. 60435 Subtotal			\$ 450,000

State Route 4 Bypass: Segment 3 Program No. 60436			
WORK ORDER	ITEM		FY Budget
4425	Balfour Road Design and Utility Relocation	CCTA is responsible for project for design, utility relocation and construction activities. SR4BA is responsible for R/W acquisition. Any ROW activities related to CCWD, will be reimbursed by CCWD.	100,000
State Route 4 Bypass: Segment 3 - Prgm No. 60436 Subtotal			\$ 100,000

TOTAL EXPENDITURES			\$ 730,000
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