

REDEVELOPMENT PLAN
FOR THE
WEST OAKLAND
REDEVELOPMENT PROJECT

Prepared by

**THE REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND**

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**REDEVELOPMENT PLAN
FOR THE
WEST OAKLAND
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I. [§100] INTRODUCTION

This is the Redevelopment Plan (the “Plan”) for the West Oakland Redevelopment Project (the “Project”) in the City of Oakland (the “City”), County of Alameda, State of California, and consists of the text, the Legal Description of the Project Area Boundaries (Attachment No. 1), the Project Area Map (Attachment No. 2), the Designated Commercial Corridors Map (Attachment No. 3), the Proposed Public Improvements (Attachment No. 4), and the Redevelopment Land Use Map (Attachment No. 5). This Plan was prepared by the Redevelopment Agency of the City of Oakland (the “Agency”) pursuant to the Community Redevelopment Law of the State of California, Health and Safety Code Section 33000, et seq. (the “Community Redevelopment Law”), the California Constitution and all applicable local laws and ordinances.

The proposed redevelopment of the Project Area as described in this Plan conforms to the General Plan for the City of Oakland, adopted by the City Council of the City of Oakland (the “City Council”) on March 24, 1998, as amended.

This Plan provides the Agency with powers, duties and obligations to implement and further the program generally formulated in this Plan for the redevelopment, rehabilitation and revitalization of the area within the boundaries of the Project (the “Project Area”). Because of the long-term nature of this Plan and the need to retain in the Agency flexibility to respond to market and economic conditions, property owner and developer interests and opportunities from time to time presented for redevelopment, this Plan does not present a precise plan or establish specific projects for the redevelopment, rehabilitation and revitalization of any area within the Project Area, nor does this Plan present specific proposals in an attempt to solve or alleviate the concerns and problems of the community relating to the Project Area. Instead, this Plan presents a process and a basic framework within which specific plans will be presented, specific projects and programs will be established and specific solutions will be proposed, and by which tools are provided to the Agency to fashion, develop and proceed with such specific plans, projects and solutions.

The major goals of this Plan are to:

1. Improve the quality of housing by assisting new construction, rehabilitation, and conservation of living units in the Project Area.
2. Maintain and improve the condition of the existing very low, low, and moderate income housing in the Project Area.

3. Increase opportunities for homeownership in the Project Area.
4. Develop renter stabilization strategies that encourage and assist renters to remain in the Project Area.
5. Mitigate and reduce conflicts between residential and industrial uses in the Project Area.
6. Provide streetscape improvements, utility undergrounding, open space, and community facilities to enhance neighborhood quality and foster economic and neighborhood vitality.
7. Support recreation, education, healthcare and programs for all members of the Project Area community, especially youth, seniors and disabled persons.
8. Improve public safety for people living and working in the Project Area.
9. Restore blighted properties in the Project Area.
10. Assist neighborhood commercial revitalization, and attract more uses that serve the local community including neighborhood- serving retail.
11. Retain existing businesses and attract new businesses to Project Area locations designated for business activity; promote economic development of environmentally sound, light industrial and commercial uses.
12. Increase employment opportunities for Project Area residents.
13. Facilitate economic development by improving and rehabilitating substandard buildings and targeting infill on vacant lots on commercial corridors in the Project Area.
14. Minimize/eliminate environmental hazards within the Project Area.
15. Improve infrastructure, transportation, and public facilities throughout the Project Area.
16. Incorporate ongoing community participation in the redevelopment process so residents of all income and wealth levels, geographic areas, language groups, and ages have opportunities to learn about and participate in the redevelopment decision-making process.
17. Promote equitable development that benefits the residents of the Project Area and minimizes the displacement of current residents and businesses.

18. Maintain the mixed-use character of the Project Area in a manner equally beneficial to both businesses and residents.
19. Preserve and enhance existing residential neighborhoods and core industrial and commercial areas.
20. Not encourage or support block-busting development, developments that demolish historically significant structures that can be rehabilitated, or developments that destroy the positive functioning character of existing areas.
21. Support and recognize the benefit of new residents and incomes that can be encouraged through market-rate development and done without displacing existing residents or businesses or destroying the existing cultural assets of the Project Area.
22. Encourage and assist the rehabilitation of historically significant properties to avoid demolition or replacement.
23. Relocate displaced residents or businesses, whenever possible and feasible and with their consent, within the Project Area.
24. Not concentrate any very low income housing as stand-alone high density projects, but rather as infill projects, scattered site, and/or in mixed-income projects.
25. Improve street configuration on main arterials and their relationship to the surrounding neighborhoods; do urban design for street improvements such as center dividers, bulb-outs, tree planting, and landscape improvements.
26. Establish an ongoing communication with the Oakland Housing Authority concerning its role and responsibility to see that scattered sites undergo design upgrades, reconstruction, and improved general maintenance.
27. Promote sustainable development and “green building” practices.
28. Facilitate through technical assistance the implementation of the goals of the Redevelopment Plan.
29. Not relieve any governmental agency or department of its responsibilities

These goals conform to the purposes of redevelopment as stated in the Community Redevelopment Law. These purposes include the elimination of blight, the planning, development, replanning, redesign, clearance, reconstruction, or rehabilitation, or any combination of these, of a project area, and the provision of those residential, commercial, industrial, public, or other structures or

spaces (including recreational and open space) as may be appropriate or necessary in the interest of the general welfare.

II. [§200] DESCRIPTION OF PROJECT AREA

The boundaries of the Project Area are described in the “Legal Description of the Project Area Boundaries,” attached hereto as Attachment No. 1 and incorporated herein by reference, and are shown on the “Project Area Map,” attached hereto as Attachment No. 2 and incorporated herein by reference. The Project Area includes three contiguous subareas as set forth on the Project Area Map: Clawson/McClymonds/Bunche; Hoover/West MacArthur; and Prescott/South Prescott.

III. [§300] PROPOSED REDEVELOPMENT ACTIONS

A. [§301] General

The Agency proposes to accomplish the goals and purposes of redevelopment in the Project Area through the following strategies:

1. Assembling adequate sites for the development and construction of residential, commercial, industrial, or public facilities, subject to limitations in this Plan on assembling sites for redevelopment by eminent domain in the designated portion of the Project Area ;
2. Demolishing or removing buildings and improvements to redevelop the Project Area;
3. Conveying sites to redevelopers for the development and construction of residential, commercial, industrial, or public facilities;
4. Promoting redevelopment by private redevelopers or other public agencies for uses consistent with the overall goals and sub-area visions articulated in the Implementation Plan;
5. Supporting the rehabilitation of residential, commercial, industrial, or public structures and improvements by present owners, redevelopers, and the Agency;
6. Providing for participation by current owners and tenants and the extension of preferences to current business occupants and other tenants to maximize opportunities for the existing population to receive the benefits of redevelopment activity;
7. Providing relocation assistance to occupants displaced by the Project, with an aim towards relocating displaced residents and businesses, whenever possible and feasible and with their consent, within the Project Area;

8. Managing property under the ownership and control of the Agency;
9. Supporting the installation, construction, reconstruction, or enhancement of streets, utilities, parks and open space, and other public improvements; and
10. Supporting the new construction, rehabilitation, preservation, and increased availability of housing affordable to low and moderate income households.

In the accomplishment of these purposes and activities and in the implementation and furtherance of this Plan, the Agency is authorized to use all the powers provided in this Plan and all the powers now or hereafter permitted by law. However, the above strategies shall be used only if consistent with the goals set forth in Section 100 of this Plan, and with the implementation plan then in effect for the Project. Before undertaking any of the above strategies, the Agency will consult with and obtain the advice of the Project Area Committee ("PAC") for the Project, if a PAC is then in existence.

B. [§302] Cooperation with Public Bodies

Certain public bodies are authorized by state law to aid and cooperate, with or without consideration, in the planning, undertaking, construction or operation of this Project. The Agency shall seek the aid and cooperation of such public bodies and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.

The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency, however, will seek the cooperation of all public bodies that own or intend to acquire property in the Project Area. Any public body that owns or leases property in the Project Area will be afforded all the privileges of owner and tenant participation if such public body is willing to enter into a participation agreement with the Agency. Except as may otherwise be agreed to between the Agency and a public body prior to the adoption of this Plan, all plans for development of property in the Project Area by a public body shall be subject to Agency approval.

The Agency may impose on all public bodies, except as may otherwise be agreed to between the Agency and a public body prior to the adoption of this Plan, the planning and design controls contained in this Plan to insure that present uses and any future development by public bodies will conform to the requirements of this Plan. The Agency is authorized to financially (and otherwise) assist any public entity in the cost of public land, buildings, facilities, structures or other improvements (within or without the Project Area), which land, buildings, facilities, structures or other improvements are or would be of benefit to the Project.

C. [§303] Property Acquisition

1. [§304] Real Property

Except as specifically exempted or limited in this Plan, the Agency may acquire, but is not required to acquire, any real property located in the Project Area by any means authorized by law. Notwithstanding the above, the Agency may not acquire property located in either the Prescott/South Prescott subarea or the Hoover/MacArthur subarea by eminent domain. The Agency may acquire real property located in the Clawson/McClymonds/Bunche subarea (see Attachment No. 3) by eminent domain but only if the property acquisition meets all of the conditions set forth in Section 305 below. The Agency is authorized to acquire either the entire fee or any other interest in real property less than a fee.

2. [§305] Acquisition by Eminent Domain

It is in the public interest and is necessary in order to eliminate the conditions requiring redevelopment and in order to execute this Plan for the power of eminent domain to be employed by the Agency to acquire real property in the Clawson/McClymonds/Bunche subarea of the Project Area which cannot be acquired by gift, devise, exchange, purchase or any other lawful method. However, real property in the Clawson/McClymonds/Bunche subarea may not be acquired by the Agency through eminent domain unless the property acquisition meets all of the following conditions:

- a. The property is not an owner-occupied residential property. For purposes of this paragraph, an “owner-occupied residential property” means a residential property with three or fewer living units if either (a) the property is eligible for the homeowners’ property tax exemption under Article XIII, Section 3, Subsection (k) of the California Constitution, or (b) a person or persons owning a 50% or greater interest in the property, or a relative of such a person or persons, resides on the property as their principal place of residence. A “residential property” means any real property parcel containing one or more living units in which a person resides, including a mixed-use property that contains one or more such living units. A “living unit” means any dwelling unit, live-work, work-live, or live-in artist studio unit, rooming unit, or mobile home. A “relative” means a spouse, domestic partner, child, grandchild, child or grandchild of a spouse or domestic partner, sibling, parent, or grandparent. A “domestic partner” means a domestic partner declared under a Declaration of Domestic Partnership pursuant to City of Oakland policy. For purposes of this subsection, a beneficiary of a trust shall be deemed to hold an ownership interest in the property.
- b. If the property is being acquired for a redevelopment project, the property meets all of the following criteria:
 - (1) The property is located within a designated commercial corridor in the

Clawson/McClymonds/Bunche subarea of the Project Area. The commercial corridors are designated on that map attached to this Plan as Attachment No. 3.

- (2) The property is not occupied by a residential rental property with fewer than four living units.
 - (3) The property to be acquired through eminent domain for the redevelopment project does not exceed one acre in total land area. For a project that is to be developed in multiple phases, "total land area" means the land area for all property to be acquired through eminent domain for all phases of the project.
 - (4) The Agency has entered into an agreement for redevelopment of the property, prior to adoption of the resolution of necessity, committing the owner or developer to develop the redevelopment project. This agreement shall include requirements that the project be developed according to development plans approved by the Agency and consistent with this Plan, and that the development be commenced and completed within a specified timeframe. This agreement may make development contingent on the Agency's discretionary adoption of a resolution of necessity.
- c. If the property is not being acquired for a redevelopment project, the property is blighted or hazardous, as determined by the Oakland City Council by resolution. Such a Council determination may be made only if one of the following conditions is met:
- (1) The property presents a clear and immediate danger to the health and safety of persons occupying the property or persons in the surrounding area, as determined by the Oakland City Council, and such conditions have not been abated after notice as required by law. A property shall be deemed to present a clear and immediate danger to health and safety if it meets the standard of a "dangerous building" under the Oakland Housing Code (section 15.08.380 of the Oakland Municipal Code) or the Oakland Dangerous Buildings Code (Ordinance No. 8016 C.M.S.), an "immediate hazard and danger" under the Earthquake-Damaged Structures Ordinance (section 15.24.040 of the Oakland Municipal Code), or an "imminent danger" under the Uniform Fire Code (section 15.12.010 of the Oakland Municipal Code).
 - (2) Soils or groundwater on or under the property are contaminated with hazardous materials beyond applicable legal standards, as determined by a public agency that regulates such materials under state or federal hazardous materials laws, such contamination has been generated on-site or has been brought on-site by a user of the property, and such

conditions have not been abated within one year after notice as required by law.

- (3) The property has been a documented source of air or water pollution in violation of federal, state or local environmental laws, and such conditions have not been abated after notice as required by law.
 - (4) The property has been used for illegal activities, including without limitation illegal dumping and storage, such illegal uses have been ongoing and documented for one year or more prior to adoption of the resolution of necessity, and the property owner has failed to take reasonable steps to prevent or abate the illegal activities.
- d. A Project Area Committee (“PAC”), within the meaning of Section 33385 of the Community Redevelopment Law, is in existence for the Project, and the Agency has consulted with the PAC about the proposed use of eminent domain. The Agency shall submit any proposed use of eminent domain to the PAC no later than 90 days prior to the scheduled Agency public hearing on the resolution of necessity for the acquisition, and the PAC shall forward its recommendation as to the proposed acquisition to the Agency within 60 days of submission. A PAC recommendation to the Agency in favor of the proposed use of eminent domain shall require a two-thirds vote of the PAC.
 - e. The eminent domain proceedings for the acquisition are commenced within eight years from the date the ordinance adopting this Plan becomes effective.
 - f. The property has not been retained by an owner pursuant to a participation agreement, unless the owner has not fully performed under the agreement.
 - g. The property does not contain an existing building to be continued on its present site and in its present form and use, unless: (a) such building requires structural alteration, improvement, modernization or rehabilitation; (b) the site, or lot on which the building is situated, requires modification in size, shape or use; or (c) it is necessary to impose upon such property any of the controls, limitations, restrictions and requirements of this Plan, and the owner fails or refuses to execute a participation agreement in accordance with the provisions of this Plan.
 - h. The property is not owned by a public body.

Notwithstanding a through c above, the Agency shall have the power to acquire billboards or other outdoor advertising signs, as defined in Section 202 of the Oakland Sign Code (Oakland Municipal Code Section 14.04.070), by eminent domain in the Clawson/McClymonds/Bunche subarea.

3. §306] Personal Property

Generally, personal property shall not be acquired. However, where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means.

D. [§307] Demolition, Clearance, and Building and Site Preparation

1. [§308] Demolition and Clearance

The Agency is authorized to demolish and clear buildings, structures and other improvements from any real property owned or acquired by the Agency in the Project Area as necessary to carry out the purposes of this Plan.

2. [§309] Preparation of Building Sites

The Agency is authorized to prepare, or cause to be prepared, as building sites any real property in the Project Area owned by the Agency. In connection therewith, the Agency may cause, provide for or undertake the installation or construction of streets, utilities, parks, playgrounds and other public improvements necessary to carry out this Plan. The Agency is also authorized to construct foundations, platforms and other structural forms necessary for the provision or utilization of air rights sites for buildings to be used for residential, commercial, public and other uses provided in this Plan.

Prior consent of the City Council is required for the Agency to develop sites for commercial or industrial use by providing streets, sidewalks, utilities or other improvements which an owner or operator of the site would otherwise be obliged to provide.

E. [§310] Property Disposition and Development

1. [§311] Real Property Disposition and Development

a. [§312] General

For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust or otherwise dispose of any interest in real property. To the extent permitted by law, the Agency is authorized to dispose of real property by negotiated lease, sale or transfer without public bidding. Property containing buildings or structures rehabilitated by the Agency shall be offered for resale within one year after completion of rehabilitation, or an annual report concerning such property shall be published by the Agency as required by law.

Real property acquired by the Agency may be conveyed by the Agency without charge to the City and, where beneficial to the Project Area, without charge to any other public body. All real property acquired by the Agency in the Project Area shall be sold or leased to public or private persons or entities for development for the uses permitted in this Plan. The Agency shall give advanced notice and extend reasonable preferences to residents or businesses displaced from the subject property, or

displaced from other properties within the last five years to locations outside of the Project Area, to purchase, lease, or rent such property once developed..

b. [§313] Disposition and Development Documents

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased or conveyed by the Agency, as well as all property subject to participation agreements, is subject to the provisions of this Plan.

The Agency shall reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention or use of property for speculative purposes and to ensure that development is carried out pursuant to this Plan.

All purchasers or lessees of property acquired from the Agency may be made obligated to use the property for the purposes designated in this Plan, to begin and complete development of the property within a period of time which the Agency fixes as reasonable and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Plan. The Agency may require that any or all such development plans be submitted to the Agency for approval and design review.

Leases, deeds, contracts, agreements and declarations of restrictions of the Agency may contain restrictions, covenants, covenants running with the land, rights of reverter, powers of termination and rights of reentry, conditions subsequent, equitable servitudes or any other provisions necessary to carry out this Plan. Where appropriate, as determined by the Agency, such documents, or portions thereof, shall be recorded in the office of the Alameda County Recorder.

All property in the Project Area is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, color, creed, religion, sex, sexual preference, age, marital status, national origin or ancestry, Acquired-Immune Deficiency Syndrome (AIDS), AIDS-Related Complex (ARC), or disability in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of property in the Project Area. All property sold, leased, conveyed or subject to a participation agreement shall be expressly subject by appropriate documents to the restriction that all deeds, leases or contracts for the sale, lease, sublease or other transfer of land in the Project Area shall contain such nondiscrimination and nonsegregation clauses as required by law.

2. [§314] Personal Property Disposition

For the purposes of this Plan, the Agency is authorized to lease, sell, exchange, transfer, assign, pledge, encumber or otherwise dispose of personal property which is acquired by the Agency.

F. [§315] Promotion of Redevelopment

The Agency may engage in any activity authorized by this Plan and applicable law to promote redevelopment of the Project Area by private redevelopers and other public agencies. In addition, to

encourage and support redevelopment by private redevelopers and other public agencies, the Agency may engage or assist in marketing, outreach, dissemination of public information, public events, and other activities promoting the Project.

G. [§316] Rehabilitation, Conservation and Moving of Structures

1. [§317] Rehabilitation and Conservation

The Agency is authorized to rehabilitate and conserve, or to cause to be rehabilitated and conserved, any building or structure in the Project Area owned by the Agency. The Agency is also authorized to advise, encourage and assist in the rehabilitation and conservation of property in the Project Area not owned by the Agency. The Agency is also authorized to acquire, restore, rehabilitate, move and conserve buildings of historic or architectural significance.

It shall be the purpose of this Plan to encourage the retention of existing businesses and to add to the economic viability of the businesses by programs that encourage voluntary participation in conservation and rehabilitation. The Agency is authorized to conduct a program of assistance and incentives to encourage owners of property within the Project Area to upgrade and maintain their property in a manner consistent with the Plan and with other standards that may be established by the Agency for the Project Area.

2. [§318] Moving of Structures

As necessary in carrying out this Plan, the Agency is authorized to move, or to cause to be moved, any standard structure or building or any structure or building owned or acquired by the Agency which can be rehabilitated to a location within or outside the Project Area, except that historic properties shall be only moved within the project area.

H. [§319] Participation Opportunities; Extension of Preferences for Reentry Within Redeveloped Project Area

1. [§320] Opportunities for Owners and Business Tenants

In accordance with this Plan and the rules for participation by owners and the extension of preferences to business tenants adopted by the Agency pursuant to this Plan and the Community Redevelopment Law, persons who are owners of real property in the Project Area shall be given a reasonable opportunity to participate in redevelopment by: (1) retaining all or a portion of their properties and developing or improving such property for use in accordance with this Plan; (2) acquiring adjacent or other properties within the Project Area and developing or improving such property for use in accordance with this Plan; or (3) selling their properties to the Agency and purchasing other properties in the Project Area.

The Agency shall extend reasonable preferences to persons who are engaged in business in the Project Area to participate in the redevelopment of the Project Area, or to reenter into business within

the redeveloped Project Area, if they otherwise meet the requirements prescribed in this Plan.

2. [§321] Rules for Participation Opportunities, Priorities and Preferences

In order to provide opportunities to owners to participate in the redevelopment of the Project Area and to extend reasonable preferences to businesses to reenter into business within the redeveloped Project Area, the Agency shall promulgate rules for participation by owners and the extension of preferences to business tenants for reentry within the redeveloped Project Area. If conflicts develop between the desires of participants for particular sites or land uses, the Agency is authorized to establish reasonable priorities and preferences among the owners and business tenants. Some of the factors to be considered in establishing these priorities and preferences may include a participant's length of occupancy in the area; accommodation of as many participants as possible; similarity of land use; the necessity to assemble sites for integrated, modern development; conformity of a participant's proposal with the intent and objectives of this Plan; and service to the community of a participant's proposal.

In addition to opportunities for participation by individual persons and firms, participation shall be available for two or more persons, firms or institutions to join together in partnerships, corporations or other joint entities.

Participation opportunities shall necessarily be subject to and limited by such factors as: (1) the need to develop or redevelop sites for integrated, modern development, given market conditions and development economies of scale; (2) the capacity of owners to finance redevelopment or rehabilitation in accordance with this Plan; (3) the development experience of owners and their capacity to undertake development projects as needed to meet Plan objectives; (4) the inability of an owner to maintain or operate its property in accordance with Section 305 (c)(1) through (c)(4) of the Plan; (5) the need to coordinate development projects with other projects or existing uses in the Project Area; (6) the need to construct, widen or realign some streets; or (7) the need to construct or expand public facilities.

3. [§322] Participation Agreements

The Agency may require that, as a condition to participation in redevelopment, each owner participant shall enter into a binding agreement with the Agency by which the participant agrees to rehabilitate or develop, use, and maintain the property in conformance with this Plan. In such agreements, participants who retain real property shall be required to join in the recordation of such documents as may be necessary to make the provisions of this Plan applicable to their properties. Whether or not a participant enters into a participation agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the Project Area.

In the event a participant fails or refuses to rehabilitate, develop and use and maintain its real property pursuant to this Plan and a participation agreement, the real property or any interest therein may be acquired by the Agency and sold or leased for rehabilitation or development in accordance with the limitations of this Plan.

I. [§323] Relocation of Persons (Including Individuals and Families),
Business Concerns and Others Displaced by the Project

1. [§324] Assistance in Finding Other Locations

The Agency shall assist all persons (including individuals and families), business concerns and others displaced by the Project in finding other locations and facilities. In order to carry out the Project with a minimum of hardship to persons (including individuals and families), business concerns and others, if any, displaced from their respective places of residence or business by the Project, the Agency shall assist such persons (including individuals and families), business concerns and others in finding new locations that are decent, safe, sanitary, within their respective financial means, in reasonably convenient locations and otherwise suitable to their respective needs. The Agency may also provide housing inside or outside the Project Area for displaced persons.

2. [§325] Relocation Payments

The Agency shall make relocation payments to persons (including individuals and families), business concerns and others displaced by the Project for moving expenses and direct losses of personal property and additional relocation payments as may be required by law. Such relocation payments shall be made pursuant to the California Relocation Assistance Law (Government Code Section 7260, et seq.) and any Agency rules and regulations adopted pursuant thereto. The Agency may make such other payments as may be appropriate and for which funds are available.

J. [§326] Property Management

During such time as property, if any, in the Project Area is owned by the Agency, such property shall be under the management and control of the Agency. Such property may be rented or leased by the Agency pending its expeditious disposition for redevelopment, and such rental or lease shall be pursuant to such policies as the Agency may adopt and in consideration of recommendations with the advice of the PAC, if a PAC is then in existence

K. [§327] Public Improvements

To the extent now or hereafter permitted by law, the Agency, after consultation with the PAC, if a PAC is then in existence, is authorized to pay for, develop or construct any publicly-owned building, facility, structure or other improvement (including parks and open space) either within or without the Project Area, for itself or for any public body or entity, which buildings, facilities, structures or other improvements are or would be of benefit to the Project Area. Specifically, the Agency may pay for, install or construct the buildings, facilities, structures and other improvements identified in Attachment No. 4, attached hereto and incorporated herein by reference, and may acquire or pay for the land required for such uses.

The Agency may enter into contracts, leases and agreements with the City or other public body or entity pursuant to this Section, and the obligation of the Agency under such contract, lease or

agreement shall constitute an indebtedness of the Agency which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under subdivision (b) of Section 33670 of the Community Redevelopment Law and Section 502 of this Plan or out of any other available funds.

L. [§328] Low- and Moderate-Income Housing

1. [§329] Replacement Housing

In accordance with Section 33334.5 of the Community Redevelopment Law, whenever dwelling units housing persons and families of low or moderate income are destroyed or removed from the low and moderate income housing market as part of the Project, the Agency shall, within four years of such destruction or removal, rehabilitate, develop or construct, or cause to be rehabilitated, developed or constructed, for rental or sale to persons and families of low or moderate income an equal number of replacement dwelling units at affordable rents within the Project Area or within the territorial jurisdiction of the Agency in accordance with all of the provisions of Sections 33413 and 33413.5 of the Community Redevelopment Law. The Agency shall require that replacement dwelling units rehabilitated, developed, or constructed pursuant to this section remain available at an affordable housing cost to person and families of low income, moderate income, and very low income households, respectively, for the longest feasible time as determined by the Agency, but for not less than the term of this Plan, except to the extent a longer period of time is required by law.

2. [§330] Project Area Housing Production

At least 30 percent of all new or substantially rehabilitated dwelling units developed by the Agency in the Project Area shall be available at affordable housing cost to persons and families of low or moderate income, with not less than 50 percent of these units made available at affordable housing cost to very low income households, as required by Section 33413 (in particular, subdivision (b) of that section) of the Community Redevelopment Law. At least 15 percent of all new or substantially rehabilitated dwelling units developed by public or private entities or persons other than the Agency in the Project Area shall be available at affordable housing cost to persons and families of low or moderate income, with not less than 40 percent of these units made available at affordable housing cost to very low income households, as required by Section 33413 (in particular, subdivision (b) of that section) of the Community Redevelopment Law. The Agency will strive to meet its goals, if feasible, by substantially rehabilitating existing very-low, low, and moderate income housing before constructing new affordable housing. The requirements of this section shall apply in the aggregate, and not to each individual case of rehabilitation, development, or construction of dwelling units; however, the Agency in its discretion may impose inclusionary housing requirements on particular housing projects developed by public or private entities or persons other than the Agency in the Project Area, as needed in order for the Agency to comply with Section 33413 of the Community Redevelopment Law, this Plan, and the implementation plan adopted for the Project pursuant to Section 33490 of the Community Redevelopment Law.

3. [§331] Low and Moderate Income Housing Set Aside

Pursuant to Section 33334.2 of the Community Redevelopment Law and Agency Resolution No. 01-85 C.M.S., not less than 25 percent of all taxes which are allocated to the Agency pursuant to subdivision (b) of Section 33670 of the Community Redevelopment Law and Section 502 of this Plan shall be used by the Agency for the purposes of increasing, improving and preserving the City's supply of housing for persons and families of very low, low or moderate income. However, the Agency's obligation to set-aside amounts for low and moderate income housing in excess of the 20 percent set-aside required by the Community Redevelopment Law shall be subject to the conditions and limitations contained in Agency Resolution No. 01-85 C.M.S. and subsequent Agency resolutions. In carrying out this purpose, the Agency may exercise any or all of its powers. Funds set aside for low and moderate income housing may only be used inside the Project Area.

The Agency may use these funds to meet, in whole or in part, the replacement housing provisions in Section 329 or the affordable housing production provisions in Section 330 above.

The funds for this purpose shall be held in the Agency's Low and Moderate Income Housing Fund until used. Any interest earned by such Low and Moderate Income Housing Fund shall accrue to the Fund.

4. [§332] Other Low and Moderate Income Housing

The Agency is authorized to use non-housing-set-aside funds for the purposes improving and preserving the City's supply of housing at all affordable income levels. The Agency may acquire land, donate land, improve sites, construct or rehabilitate structures, or provide subsidies to support such housing. The Agency shall strive to avoid an overconcentration of very low income housing in the Project Area and shall make all reasonable efforts to pursue mixed-income projects in the Project Area.

IV. [§400] USES PERMITTED IN THE PROJECT AREA

A. [§401] Redevelopment Land Use Map

The "Redevelopment Land Use Map," attached hereto as Attachment No. 5 and incorporated herein by reference, illustrates the location of the Project Area boundaries, major streets within the Project Area and the proposed land uses to be permitted in the Project for all land -- public, semi-public and private.

B. [§402] Designated Land Uses

1. [§403] Residential Uses

The areas shown on the Redevelopment Land Use Map (Attachment No. 5) for residential uses shall be used for the residential uses set forth and described in the Oakland Planning Code, as such Code may be amended by the City from time to time. Alternative uses may be established to the extent

and in the manner provided by the City's General Plan, the Oakland Planning Code, and other local codes and ordinances.

2. [§404] Commercial Uses

The areas shown on the Redevelopment Land Use Map (Attachment No. 5) for commercial uses shall be used for the general commercial uses set forth and described in the Oakland Planning Code, as such Code may be amended by the City from time to time. Alternative uses may be established to the extent and in the manner provided by the City's General Plan, the Oakland Planning Code, and other local codes and ordinances.

3. [§405] Industrial Uses

The areas shown on the Redevelopment Land Use Map (Attachment No. 5) for industrial uses shall be used for the industrial uses set forth and described in the Oakland Planning Code, as such Code may be amended by the City from time to time. Alternative uses may be established to the extent and in the manner provided by the City's General Plan, the Oakland Planning Code, and other local codes and ordinances.

C. [§406] Other Land Uses

1. [§407] Public Rights-of-Way

As illustrated on the Redevelopment Land Use Map (Attachment No. 5), the major public streets within the Project Area include: MacArthur Boulevard, San Pablo Avenue, Martin Luther King Jr. Way, Market Street, 27th Street, West Grand Avenue, Adeline Street, Mandela Parkway, Peralta Avenue, and 7th Street.

Additional public streets, alleys and easements may be created in the Project Area as needed for proper development. Existing streets, alleys and easements may be abandoned, closed or modified as necessary for proper development of the Project.

Any changes in the existing interior or exterior street layout shall be in accordance with the General Plan, the objectives of this Plan and the City's design standards, shall be effectuated in the manner prescribed by state and local law and shall be guided by the following criteria:

- a. A balancing of the needs of proposed and potential new developments for adequate pedestrian and vehicular access, vehicular parking and delivery loading docks with the similar needs of any existing developments permitted to remain. Such balancing shall take into consideration the rights of existing owners and tenants under the rules for owner and tenant participation adopted by the Agency for the Project and any participation agreements executed thereunder;

- b. The requirements imposed by such factors as topography, traffic safety and aesthetics;
- c. The potential need to serve the Project Area and new or existing developments by providing convenient and efficient pedestrian and vehicular access and movement; and
- d. The potential need to enhance mass transportation facilities or equipment.

The public rights-of-way may be used for vehicular and/or pedestrian traffic, as well as for public improvements, public and private utilities and activities typically found in public rights-of-way.

2. §408] Other Public, Semi-Public, Institutional and Nonprofit Uses

In any area shown on the Redevelopment Land Use Map (Attachment No. 5), the Agency is authorized to permit the maintenance, establishment or enlargement of public, semi-public, institutional or nonprofit uses, including park and recreational facilities, libraries, educational, fraternal, employee, philanthropic, religious and charitable institutions, utilities, railroad rights-of-way and facilities of other similar associations or organizations, as set forth and described in the Oakland Planning Code, as such Code may be amended by the City from time to time. Alternative uses may be established to the extent and in the manner provided by the City's General Plan, the Oakland Planning Code, and other local codes and ordinances. All such uses shall, to the extent possible, conform to the provisions of this Plan applicable to the uses in the specific area involved. The Agency may impose such other reasonable requirements or restrictions as may be necessary to protect the development and use of the Project Area.

3. §409] Interim Uses

Pending the ultimate development of land by developers and participants, the Agency is authorized to use or permit the use of any land in the Project Area for interim uses that are in conformity with the uses permitted in this Plan.

4. §410] Nonconforming Uses

The Agency may permit an existing use to remain in an existing building in good condition which use does not conform to the provisions of this Plan, provided that such use is generally compatible with existing and proposed developments and uses in the Project Area. The owner of such a property must be willing to enter into a participation agreement and agree to the imposition of such reasonable restrictions as may be necessary to protect the development and use of the Project Area.

D. §411] General Controls and Limitations

All real property in the Project Area is made subject to the controls and requirements of this

Plan. No real property shall be developed, rehabilitated or otherwise changed after the date of the adoption of this Plan, except in conformance with the provisions of this Plan.

1. [§412] Construction

All construction in the Project Area shall comply with all applicable state and local laws and codes in effect from time to time. In addition to applicable codes, ordinances or other requirements governing development in the Project Area, for properties or projects subject to disposition and development agreements or receiving Agency assistance, additional specific performance and development standards may be adopted by the Agency to control and direct redevelopment activities in the Project Area.

2. [§413] Rehabilitation and Retention of Properties

Any existing structure within the Project Area approved by the Agency for retention and rehabilitation shall be repaired, altered, reconstructed or rehabilitated in such a manner that it will be safe and sound in all physical respects and be attractive in appearance and not detrimental to the surrounding uses.

3. [§414] Limitation on the Number of Buildings

The number of buildings in the Project Area shall not exceed the number of buildings permitted under the City's General Plan.

4. [§415] Number of Dwelling Units

The number of dwelling units presently in the Project Area is approximately 7,867 (2000 Census), and shall not exceed the number of dwelling units permitted under the City's General Plan.

5. [§416] Limitation on Type, Size and Height of Buildings

Except as set forth in other sections of this Plan, the type, size and height of buildings shall be as limited by applicable federal, state and local statutes, ordinances and regulations.

6. [§417] Open Spaces, Landscaping, Light, Air and Privacy

The approximate amount of open space to be provided in the Project Area is the total of all areas which will be in the public rights-of-way, the public ground, the space around buildings and all other outdoor areas not permitted to be covered by buildings. Landscaping shall be developed in the Project Area to ensure optimum use of living plant material.

Sufficient space shall be maintained between buildings in all areas to provide adequate light, air and privacy, as required by applicable codes, ordinances, zoning standards, or other requirements. Whenever possible, open space plans will be pursued within the Project Area and encouraged within

single developments.

7. [§418] Signs

All signs shall conform to City sign ordinances or codes as they now exist or are hereafter amended. Design of all proposed new signs, except signs of another public body which are placed under the authority of that public body, shall be submitted to the Agency and the City prior to installation for review and approval pursuant to the procedures of this Plan. Billboards shall be discouraged within the Project Area.

8. [§419] Utilities

The Agency shall require that all utilities be placed underground whenever physically and economically feasible.

9. [§420] NOT USED

10. [§421] Nondiscrimination and Nonsegregation

There shall be no discrimination or segregation based upon race, color, creed, religion, sex, sexual preference, age marital status, national origin or ancestry, Acquired-Immune Deficiency Syndrome (AIDS), AIDS-Related Complex (ARC), or disability permitted in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of property in the Project Area.

11. [§422] Subdivision of Parcels

The Agency may require that no parcel in the Project Area, including any parcel retained by a participant, be subdivided except in conformance with applicable subdivisions regulations.

12. [§423] Minor Variations

Under exceptional circumstances, the Agency is authorized to permit a variation from the limits, restrictions and controls established by this Plan. In order to permit such variation, the Agency must determine that:

- a. The application of certain provisions of this Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this Plan;
- b. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions and controls;

- c. Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area; and
- d. Permitting a variation will not be contrary to the objectives of this Plan or of the General Plan of the City.

No variation shall be granted which changes a basic land use or which permits other than a minor departure from the provisions of this Plan. In permitting any such variation, the Agency may impose such conditions as are necessary to protect the public peace, health, safety or welfare and to assure compliance with the purposes of this Plan. Any variation permitted by the Agency hereunder shall not supersede any other approval required under City codes and ordinances.

E. [§424] Design for Development

Within the limits, restrictions and controls established in this Plan, for properties or projects subject to disposition and development agreements or receiving Agency assistance, the Agency, in consultation with the advice of the PAC, if a PAC is then in existence, is authorized to establish heights of buildings, land coverage, setback requirements, design criteria, traffic circulation, traffic access and other development and design controls necessary for proper development of both private and public areas within the Project Area.

For properties or projects subject to disposition and development agreements or receiving Agency assistance, no new improvement shall be constructed, and no existing improvement shall be substantially modified, altered, repaired or rehabilitated except in accordance with this Plan and in accordance with architectural, landscape and site plans submitted to and approved in writing by the Agency. One of the objectives of this Plan is to create an attractive and pleasant environment in the Project Area. Therefore, such plans shall give consideration to good design, open space and other amenities to enhance the aesthetic quality of the Project Area. The Agency shall not approve any plans that do not comply with this Plan.

F. [§425] Building Permits

No permit shall be issued for the construction of any new building or for any construction on an existing building in the Project Area from the date of adoption of this Plan until the application for such permit has been made and processed in a manner consistent with all City requirements.

V. [§500] METHODS OF FINANCING THE PROJECT

A. [§501] General Description of the Proposed Financing Method

The Agency is authorized to finance this Project with financial assistance from the City, State of California, federal government, tax increment funds, interest income, Agency bonds, donations, loans from private financial institutions, the lease or sale of Agency-owned property or any other available source, public or private.

The Agency is also authorized to obtain advances, borrow funds and create indebtedness in carrying out this Plan. The principal and interest on such advances, funds and indebtedness may be paid from tax increments or any other funds available to the Agency. Advances and loans for survey and planning and for the operating capital for nominal administration of this Project may be provided by the City until adequate tax increment or other funds are available, or sufficiently assured, to repay the advances and loans and to permit borrowing adequate working capital from sources other than the City. The City, as it is able, may also supply additional assistance through City loans and grants for various public facilities.

The City or any other public agency may expend money to assist the Agency in carrying out this Project. As available, gas tax funds from the state and county may be used for street improvements and public transit facilities. The Agency is required to provide a detailed annual accounting of the income and expenses for the Project Area and other financial reporting, as required under Section 33606 of the Community Redevelopment Law and other applicable laws, and to make such reports available to the PAC, if a PAC is then in existence, and the community.

B. [\$502] Tax Increment Funds

All taxes levied upon taxable property within the Project Area each year, by or for the benefit of the State of California, the County of Alameda, the City of Oakland, any district or any other public corporation (hereinafter sometimes called "taxing agencies") after the effective date of the ordinance approving this Plan, shall be divided as follows:

1. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the Project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid into the funds of the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory of the Project on the effective date of such ordinance but to which such territory is annexed or otherwise included after such effective date, the assessment roll of the County of Alameda last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the Project on said effective date).
2. Except as provided in subdivision 3, below, that portion of said levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the Agency to pay the principal of and interest on loans, monies advanced to or indebtedness

(whether funded, refunded, assumed or otherwise) incurred by the Agency to finance or refinance, in whole or in part, this Project. Unless and until the total assessed valuation of the taxable property in the Project exceeds the total assessed value of the taxable property in the Project as shown by the last equalized assessment roll referred to in subdivision 1 hereof, all of the taxes levied and collected upon the taxable property in the Project shall be paid into the funds of the respective taxing agencies. When said loans, advances and indebtedness, if any, and interest thereon, have been paid, all monies thereafter received from taxes upon the taxable property in the Project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

3. That portion of the taxes in excess of the amount identified in subdivision 1, above, which are attributable to a tax rate levied by a taxing agency which was approved by the voters of the taxing agency on or after January 1, 1989, for the purpose of producing revenues in an amount sufficient to make annual repayments of the principal of, and the interest on, any bonded indebtedness for the acquisition or improvement of real property shall be allocated to, and when collected shall be paid into, the fund of that taxing agency.

The portion of taxes mentioned in subdivision 2 above are hereby irrevocably pledged for the payment of the principal of and interest on the advance of monies, or making of loans or the incurring of any indebtedness (whether funded, refunded, assumed or otherwise) by the Agency to finance or refinance the Project, in whole or in part. The Agency is authorized to make such pledges as to specific advances, loans and indebtedness as appropriate in carrying out the Project.

The Agency is authorized to issue bonds from time to time, if it deems appropriate to do so, in order to finance all or any part of the Project. Neither the members of the Agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance. The amount of the total bonded indebtedness for the Project supported in whole or in part with tax increment revenues that may be outstanding at any one time shall not exceed \$640 million..

The bonds and other obligations of the Agency are not a debt of the City or the state, nor are any of its political subdivisions liable for them, nor in any event shall the bonds or obligations be payable out of any funds or properties other than those of the Agency, and such bonds and other obligations shall so state on their face. The bonds do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

The Agency shall not establish or incur loans, advances or indebtedness to finance in whole or in part the Project beyond 20 years from the effective date of the ordinance adopting this Plan, except that the Agency may incur loans, advances or indebtedness beyond 20 years from the effective date of the ordinance adopting this Plan to be paid from the Low and Moderate Income Housing Fund as defined

by the Community Redevelopment Law or to meet the Agency's replacement housing or housing production requirements as set forth in Sections 33413 and 33413.5 of the Community Redevelopment Law. This limit shall not prevent the Agency from refinancing, refunding, or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be repaid is not extended beyond the time limit to repay indebtedness required by Section 33333.2 of the Community Redevelopment Law.

The Agency will comply with the requirements of Section 33607.5 of the Community Redevelopment Law to make certain payments to affected taxing entities.

The Agency shall not pay indebtedness or receive property taxes pursuant to Section 33670 from the Project Area after 45 years from the effective date of the ordinance adopting this Plan.

C. [§503] Other Loans and Grants

Any other loans, grants, guarantees or financial assistance from the United States, the State of California or any other public or private source will be utilized if available.

VI. [§600] ACTIONS BY THE CITY

The City shall aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the area of conditions causing blight. Actions by the City shall include, but not be limited to, the following:

- A. Institution and completion of proceedings for opening, closing, vacating, widening, narrowing, or changing the grades of streets, alleys and other public rights-of-way and for other necessary modifications of the streets, the street layout and other public rights-of-way in the Project Area. Such action by the City shall include the requirement of abandonment, removal and relocation by the public utility companies of their operations of public rights-of-way as appropriate to carry out this Plan, provided that nothing in this Plan shall be construed to require the cost of such abandonment, removal and relocation to be borne by others than those legally required to bear such cost.
- B. Institution and completion of proceedings necessary for changes and improvements in private and publicly-owned public utilities within or affecting the Project Area.
- C. Revision of zoning (if necessary) within the Project Area to permit the land uses and development authorized by this Plan.
- D. Imposition wherever necessary (by conditional use permits or other means) of appropriate controls within the limits of this Plan upon parcels in the Project

Area to ensure their proper development and use.

- E. Provision for administrative enforcement of this Plan by the City after development. The City and the Agency shall develop and provide for enforcement of a program for continued maintenance by owners of all real property, both public and private, within the Project Area throughout the duration of this Plan.
- F. Preservation of historical sites.
- G. Performance of the above actions and of all other functions and services relating to public peace, health, safety and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.
- H. The undertaking and completing of any other proceedings necessary to carry out the Project.

The foregoing actions to be taken by the City do not involve or constitute any commitment for financial outlays by the City.

VII. [§700] ENFORCEMENT

The administration and enforcement of this Plan, including the preparation and execution of any documents implementing this Plan, shall be performed by the Agency and/or the City.

The provisions of this Plan or other documents entered into pursuant to this Plan may also be enforced by court litigation instituted by either the Agency or the City. Such remedies may include, but are not limited to, specific performance, damages, reentry, injunctions or any other remedies appropriate to the purposes of this Plan. In addition, any recorded provisions which are expressly for the benefit of owners of property in the Project Area may be enforced by such owners.

VIII. [§800] DURATION AND EFFECTIVENESS OF THIS PLAN

The provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective, for 30 years from the date of adoption of this Plan by the City Council, except that the nondiscrimination and nonsegregation provisions shall run in perpetuity. After this time limit on the duration and effectiveness of the plan, the Agency shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts, and except that, if the Agency has not completed its housing obligations pursuant to Section 33413 of the Community Redevelopment Law, it shall retain its authority to implement its requirements under Section 33413, including its ability to incur and pay indebtedness for this purpose, and shall use this authority to complete these housing obligations as soon as reasonably possible.

IX. [§900] PROCEDURE FOR AMENDMENT

This Plan may be amended by means of the procedure established in Sections 33450-33458 of the Community Redevelopment Law or by any other procedure hereafter established by law.

**WEST OAKLAND
REDEVELOPMENT PLAN**

ATTACHMENT NO. 1

LEGAL DESCRIPTION OF THE PROJECT AREA BOUNDARIES

The boundaries of the West Oakland Redevelopment Project are described as set forth in the attached legal description.

ATTACHMENT NO. 1
LEGAL DESCRIPTION OF THE PROJECT AREA BOUNDARIES OF
THE WEST OAKLAND REDEVELOPMENT PROJECT

A PARCEL IN THE CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY SIDE OF THE 'OAKLAND ARMY BASE REDEVELOPMENT PLAN' PARCEL, AS DEFINED BY THE CITY OF OAKLAND AND THE REDEVELOPMENT AGENCY HAVING THE COORDINATES OF N=2126618.89 AND E=6044354.74, SAID POINT BEING AT THE APPARENT CENTERLINE INTERSECTION OF 26TH STREET AND WOOD STREET, THENCE FROM SAID **POINT OF BEGINNING**:

- L1* NORTH 56°16'40" WEST, 487.25 FEET; THENCE LEAVING SAID 'OAKLAND ARMY BASE' PARCEL
- L2* NORTH 16°53'42" EAST, 734.11 FEET; THENCE ALONG A
- C1* CURVE CONCAVE TO THE NORTHWEST, WHOSE RADIUS BEARS NORTH 76°55'30" WEST, 8211.29 FEET, THROUGH A CENTRAL ANGLE OF 5°43'44" WITH AN ARC LENGTH OF 821.01 FEET; THENCE ALONG A REVERSE
- C2* CURVE CONCAVE TO THE NORTHEAST, WHOSE RADIUS BEARS NORTH 21°04'12" EAST, 1146.31 FEET THROUGH A CENTRAL ANGLE OF 78°02'55" WITH AN ARC LENGTH OF 1561.50 FEET; THENCE
- L3* NORTH 01°54'14" EAST, 309.65 FEET TO THE CITY LIMIT LINE BETWEEN OAKLAND AND EMERYVILLE; THENCE ALONG SAID CITY LIMIT LINE
- L4* SOUTH 71°56'57" EAST, 4868.32 FEET; THENCE
- L5* NORTH 13°26'57" WEST, 720.01 FEET; THENCE
- L6* NORTH 17°34'56" EAST, 895.13 FEET TO AN ANGLE POINT, SAID ANGLE POINT BEING AT THE APPARENT CENTERLINE OF 40TH STREET; ALSO BEARING NORTH 78°16'12" WEST, 1064.23 FROM A CITY OF OAKLAND MONUMENT HAVING THE COORDINATES N=2129789.02 AND E=6049372.52; THENCE LEAVING SAID CITY LIMIT LINE AND ALONG LAST SAID CENTERLINE
- L7* SOUTH 77°43'18" EAST, 2703.80 FEET TO THE APPARENT CENTERLINE OF MARTIN LUTHER KING JR. WAY; THENCE
- L8* SOUTH 12°20'26" WEST, 966.87 FEET TO THE APPARENT CENTERLINE OF WEST MAC ARTHUR BOULEVARD; THENCE
- L9* SOUTH 77°34'09" EAST, 251.24 FEET TO AN ANGLE POINT, SAID ANGLE POINT BEING ON THE WESTERLY LINE OF INTERSTATE HIGHWAY 980; THENCE ALONG LAST SAID WESTERLY LINE AND IT'S PROLONGATION
- L10* SOUTH 12°51'42" WEST, 4053.61 FEET; THENCE ALONG A
- C3* CURVE CONCAVE TO THE NORTHWEST, WHOSE RADIUS BEARS NORTH 77°47'43" WEST, 2161.08 FEET THROUGH A CENTRAL ANGLE OF 27°44'16" WITH AN ARC LENGTH OF 1046.22 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE

- L11* SOUTH 44°22'01" WEST, 1270.70 FEET TO AN ANGLE POINT, SAID ANGLE POINT BEING ON THE EXTENSION OF THE NORTHERN LINE OF THE 'OAK CENTER REDEVELOPMENT AREA' PARCEL, SAID ANGLE POINT ALSO BEARING NORTH 73°27'31" EAST, 90.81 FEET FROM A CITY OF OAKLAND MONUMENT HAVING THE COORDINATES OF N=2122666.73 AND E=6048677.90; THENCE ALONG SAID 'OAK CENTER' PARCEL AND IT'S EXTENSION
- L12* NORTH 62°19'38" WEST, 795.63 FEET; THENCE CONTINUING ALONG THE NORTHERLY, WESTERLY, AND SOUTHERLY LINES OF THE 'OAK CENTER' PARCEL
- L13* SOUTH 61°55'55" WEST, 196.69 FEET; THENCE
- L14* SOUTH 71°28'49" WEST, 389.55 FEET; THENCE ALONG A
- C4* CURVE CONCAVE TO THE NORTHWEST, WHOSE RADIUS BEARS NORTH 09°06'54" WEST, 400.00 FEET THROUGH A CENTRAL ANGLE OF 15°09'46" WITH AN ARC LENGTH OF 105.86 FEET; THENCE
- L15* SOUTH 17°07'35" WEST, 6.05 FEET; THENCE
- L16* NORTH 73°05'52" WEST, 1380.23 FEET; THENCE
- L17* NORTH 61°01'34" WEST, 366.03 FEET; THENCE
- L18* NORTH 72°36'32" WEST, 1221.01 FEET; THENCE
- L19* SOUTH 17°25'20" WEST, 643.44 FEET; THENCE
- L20* SOUTH 73°07'04" EAST, 548.70 FEET; THENCE
- L21* SOUTH 17°25'20" WEST, 483.77 FEET, THENCE LEAVING SAID BOUNDARY LINE
- L22* SOUTH 18°48'19" EAST, 100.30 FEET TO THE NORTHERLY LINE OF A PARCEL EXCLUDED FROM THE 'OAK CENTER' PARCEL; THENCE ALONG SAID NORTHERLY LINE AND ALONG A PARCEL NOW INCLUDED WITHIN THE 'WEST OAKLAND REDEVELOPMENT AREA' PARCEL
- L23* SOUTH 72°56'17" EAST, 230.00 FEET; THENCE
- L24* SOUTH 17°03'43" WEST, 453.47 FEET; THENCE ALONG A
- C5* CURVE CONCAVE TO THE NORTHEAST, WHOSE RADIUS BEARS NORTH 51°27'15" EAST, 769.94 FEET THROUGH A CENTRAL ANGLE OF 14°03'52" WITH AN ARC OF LENGTH OF 189.00 FEET; THENCE ALONG A
- C6* CURVE CONCAVE TO THE NORTHEAST, WHOSE RADIUS BEARS NORTH 63°01'33" EAST, 325.83 FEET THORUGH A CENTRAL ANGLE OF 36°19'09" WITH AN ARC LENGTH OF 206.54 FEET; THENCE
- L25* NORTH 17°03'43" EAST, 146.00 FEET; THENCE
- L22* NORTH 18°48'19" WEST, 100.30 FEET TO THE BOUNDARY LINE OF THE WESTERN BOUNDARY OF 'OAK CENTER REDEVELOPMENT AREA'; THENCE CONTINUING ALONG SAID BOUNDARY
- L26* NORTH 72°42'12" WEST, 341.67 FEET; THENCE
- L27* NORTH 17°25'20" EAST, 114.80 FEET; THENCE
- L28* NORTH 72°48'55" WEST, 207.00 FEET; THENCE
- L29* SOUTH 17°25'20" WEST, 823.62 FEET; THENCE
- L30* SOUTH 73°20'45" EAST, 556.28 FEET; THENCE
- L31* SOUTH 17°04'50" WEST, 422.57 FEET; THENCE

- L32** SOUTH 73°00'06" EAST, 284.69 FEET TO A POINT AT THE INTERSECTION OF THE SOUTHERLY LINE OF THE 'OAK CENTER' PARCEL AND THE WESTERLY LINE OF THE 'ACORN URBAN REDEVELOPMENT AREA', SAID POINT BEARS NORTH 26°12'09" WEST, 37.73 FEET FROM A CITY OF OAKLAND MONUMENT HAVING THE COORDINATES OF N=2121300.20, E=6044753.16; THENCE ALONG SAID 'ACORN URBAN REDEVELOPMENT AREA' PARCEL
- L33** SOUTH 17°09'00" WEST, 678.60 FEET,
- L34** NORTH 72°49'26" WEST, 897.53 FEET; THENCE ALONG A
- C7** CURVE CONCAVE TO THE NORTHEAST, WHOSE RADIUS BEARS NORTH 84°32'12" EAST, 1464.32 FEET THROUGH A CENTRAL ANGLE OF 49°43'42" WITH AN ARC LENGTH OF 1270.92 FEET; THENCE
- L35** SOUTH 17°09'38" WEST, 1195.02 FEET; THENCE
- L36** SOUTH 71°33'52" EAST, 592.67 FEET TO A POINT OF INTERSECTION OF THE 'ACORN URBAN REDEVELOPMENT AREA' AND THE 'OAKLAND ARMY BASE REDEVELOPMENT AREA'; THENCE ALONG SAID 'OAKLAND ARMY BASE' PARCEL ALONG A
- C8** CURVE CONCAVE TO THE NORTHWEST WHOSE RADIUS BEARS NORTH 44°18'17" WEST, 435.86 FEET THROUGH A CENTRAL ANGLE OF 37°25'23" WITH AN ARC LENGTH OF 284.69 FEET; THENCE
- L37** SOUTH 79°13'08" WEST, 813.79 FEET; THENCE ALONG A
- C9** CURVE CONCAVE TO THE SOUTHEAST, WHOSE RADIUS BEARS SOUTH 09°36'47" EAST 2006.53 FEET THROUGH A CENTRAL ANGLE OF 7°06'59" WITH AN ARC LENGTH OF 249.22 FEET; THENCE
- L38** SOUTH 74°35'19" WEST, 1126.12 FEET; THENCE
- L39** SOUTH 79°13'09" WEST, 1398.80 FEET; THENCE ALONG A
- C10** CURVE CONCAVE TO THE NORTHWEST, WHOSE RADIUS BEARS NORTH 08°50'36" WEST 474.26 FEET THROUGH A CENTRAL ANGLE OF 50°52'17" WITH AN ARC LENGTH OF 421.08 FEET; THENCE ALONG A
- C11** CURVE CONCAVE TO THE NORTHEAST WHOSE RADIUS BEARS NORTH 39°01'04" EAST, 746.37 FEET THROUGH A CENTRAL ANGLE OF 23°48'25" WITH AN ARC LENGTH OF 310.12 FEET; THENCE
- L40** NORTH 26°30'14" WEST, 2538.17 FEET; THENCE ALONG A
- C12** CURVE CONCAVE TO THE SOUTHWEST, WHOSE RADIUS BEARS SOUTH 64°08'37" WEST, 716.85 FEET THROUGH A CENTRAL ANGLE OF 29°35'27" WITH AN ARC LENGTH OF 370.22 FEET; THENCE
- L41** NORTH 57°51'18" WEST, 612.72 FEET; THENCE ALONG A
- C13** CURVE CONCAVE TO THE NORTHEAST, WHOSE RADIUS BEARS NORTH 32°02'17" EAST, 394.33 FEET THROUGH A CENTRAL ANGLE OF 77°22'40" WITH AN ARC LENGTH OF 532.54 FEET; THENCE
- L42** NORTH 15°17'24" EAST, 247.64 FEET; THENCE ALONG A
- C14** CURVE CONCAVE TO THE NORTHWEST, WHOSE RADIUS BEARS NORTH 76°16'12" WEST, 1065.08 FEET THROUGH A CENTRAL ANGLE OF 19°08'17" WITH AN ARC LENGTH OF 355.76 FEET; THENCE

- L43** NORTH 73°25'54" EAST, 163.84 FEET; THENCE ALONG A
- C15** CURVE CONCAVE TO THE SOUTH, WHOSE RADIUS BEARS SOUTH 19°34'43" EAST 547.42 FEET THROUGH A CENTRAL ANGLE OF 41°14'21" WITH AN ARC LENGTH OF 394.01 FEET; THENCE
- L44** SOUTH 73°10'05" EAST, 1509.24 FEET; THENCE
- L45** NORTH 15°46'39" EAST 550.05 FEET; THENCE
- L46** SOUTH 71°20'00" EAST 427.86 FEET; THENCE
- L47** NORTH 33°26'35" EAST 663.47 FEET; THENCE
- L48** NORTH 57°07'04" WEST 120.73 FEET; THENCE
- L49** NORTH 32°42'09" EAST 322.83 FEET; THENCE
- L50** SOUTH 56°33'56" EAST 125.94 FEET; THENCE
- L51** NORTH 32°58'50" EAST 662.33 FEET; THENCE
- L52** SOUTH 56°09'46" EAST 445.52 FEET TO AN ANGLE POINT, SAID POINT BEARS SOUTH 32°17'39" WEST 620.72 FEET FROM A CITY OF OAKLAND MONUMENT HAVING THE COORDINATES N=2123604.53 AND E=6042358.25, SAID MONUMENT ALSO BEING IN THE INTERSECTION OF WOOD STREET AND 14TH STREET; THENCE CONTINUING ALONG SAID 'OAKLAND ARMY BASE REDEVELOPMENT AREA' PARCEL
- L53** NORTH 33°20'18" EAST 4236.17 FEET TO THE **POINT OF BEGINNING.**

CONTAINING 67,323,523 SQ.FT. OR 1,545.54 ACRES

END OF DESCRIPTION

BEARINGS AND DISTANCES USED IN THIS DESCRIPTION AND ITS ACCOMPANYING PLAT ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM, ZONE III, NAD'83.

SURVEYOR'S STATEMENT

THIS DESCRIPTION WAS PREPARED PURSUANT TO SECTION 8726 OF THE BUSINESS AND PROFESSIONS CODE OF THE STATE OF CALIFORNIA BY OR UNDER THE SUPERVISION OF:

Julia E Terry
 JULIA TERRY P.L.S. 5984
 LICENSE EXPIRES: 12-31-2004



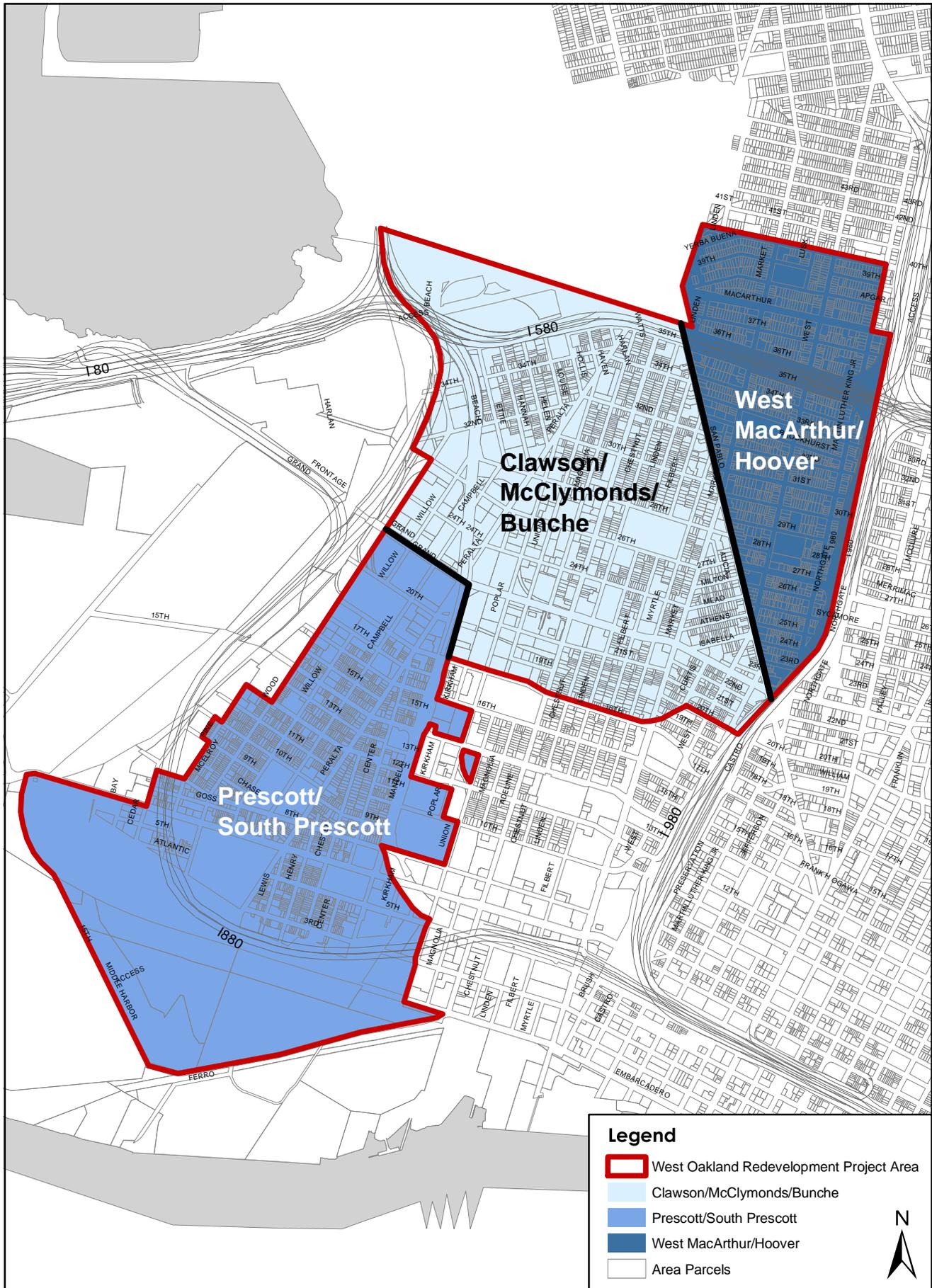
10-31-01
 DATE

**WEST OAKLAND
REDEVELOPMENT PLAN**

ATTACHMENT NO. 2

PROJECT AREA MAP

West Oakland Redevelopment Project Area



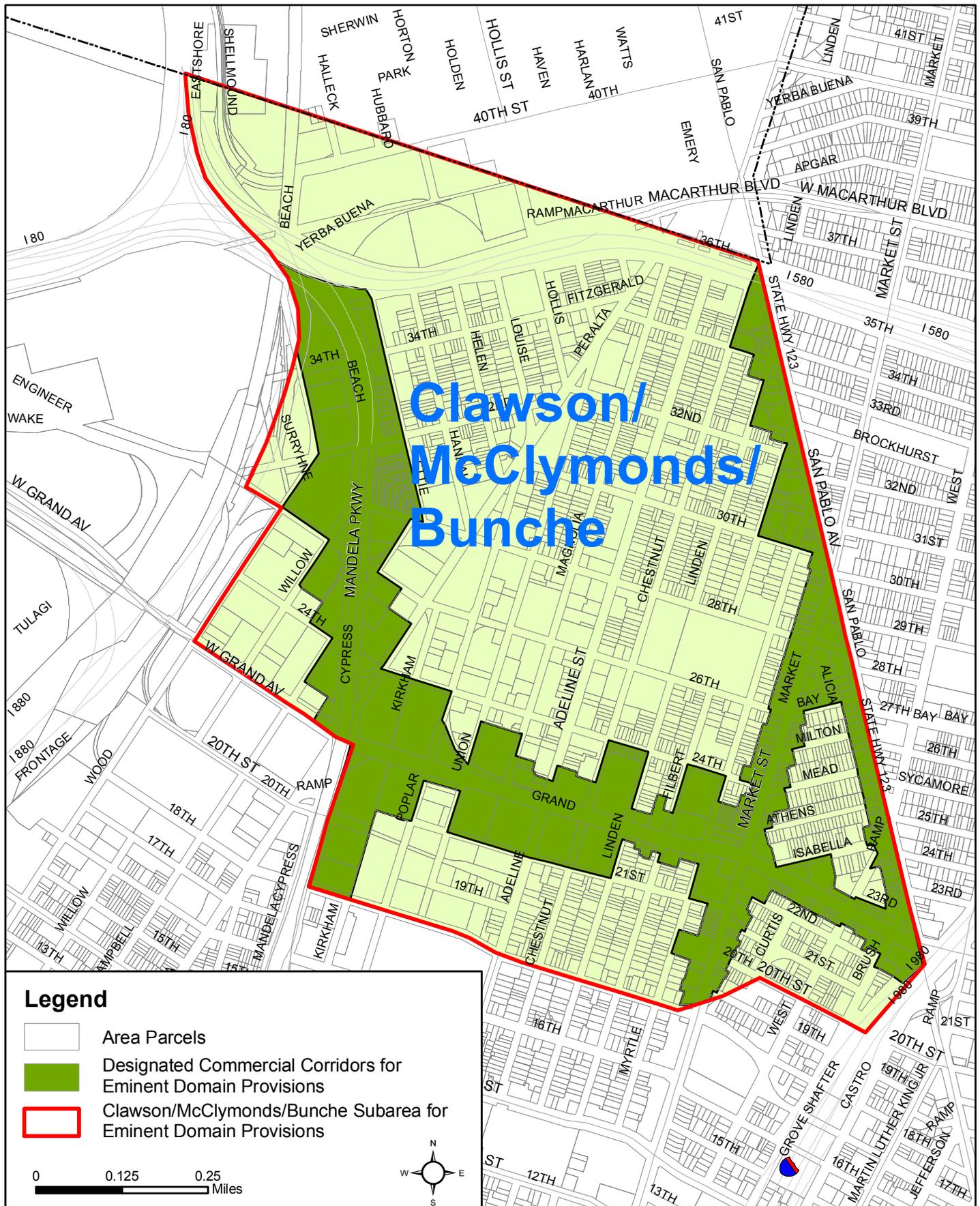
**WEST OAKLAND
REDEVELOPMENT PLAN**

ATTACHMENT NO. 3

**CLAWSON/MCCLYMONDS/BUNCHE SUBAREA --
DESIGNATED COMMERCIAL CORRIDORS**

Attachment No. 3

Eminent Domain in the Clawson/McClymonds/Bunche Subarea and Designated Commercial Corridors for Eminent Domain Provisions



**WEST OAKLAND
REDEVELOPMENT PLAN**

ATTACHMENT NO. 4

PUBLIC IMPROVEMENTS

The Agency may acquire property and/or pay for, install, develop, construct, or rehabilitate the publicly-owned buildings, facilities, structures, or other improvements set forth in the attached list in connection with the Project:

- Streets and roadways
 - Roadway widening
 - Intersection improvements
 - Traffic signalization
 - Roadway resurfacing
 - Installation of overpasses and underpasses
 - Street signage
 - Traffic calming
- Streetscape
 - Sidewalks
 - Curbs and gutters
 - Street medians
 - Street lighting
 - Street furniture
 - Landscaping
 - Street beautification
- Public transit and bicycle facilities
- Water, natural gas and electricity distribution systems
- Sanitary sewer systems
 - Wastewater treatment plant improvements
 - Upgrading and replacing deteriorated sewer pipes
- Storm drainage systems
 - Reconstruction of damaged catch basins and broken storm drain lines
 - Construction of concrete cross drains
- Telecommunications systems, including installation of fiber optic and other cabling

- Undergrounding of overhead utility lines
- Parking facilities and improvements
- Parks, plazas, landscaped areas, pedestrian paths, playgrounds, recreational facilities, and open space
- Public housing and shelters
- Police, fire, emergency response, and other public safety facilities
- Public schools, colleges and universities, training centers, libraries, and community centers
- Public health facilities and human services facilities

**WEST OAKLAND
REDEVELOPMENT PLAN**

ATTACHMENT NO. 5

REDEVELOPMENT LAND USE MAP

