



RUEGG & ELLSWORTH

2437 DURANT AVENUE, SUITE 204 * BERKELEY, CA 94704-1610 * (510) 548-3900 * Fax (510) 548-3904

City of Berkeley
Planning Department
1947 Center Street
Berkeley, CA 94704

August 23, 2018

To Whom it May Concern,

Please be advised that West Berkeley Investors, LLC (WBI) has quitclaimed its interest in the property located at 1900 4th Street in Berkeley to Ruegg & Ellsworth and Frank Spenger Company, the owners of the property. A conformed copy of the Quitclaim Deed as submitted for recording is enclosed.

With the execution and recordation of the deed, all the right, title, and interest WBI and its agent Rhoades Planning Group had in the property returned to Ruegg & Ellsworth and Frank Spenger Company. This includes all applications submitted by WBI, or its predecessors, on file with the City of Berkeley, including but not limited to pending Zoning Project Application ZP2018-0052.

WBI and Rhoades Planning Group have no authority to take any further action that may relate to the property or development.

Ruegg & Ellsworth and Frank Spenger Company intend to pursue all development rights, including any rights associated with the pending Applications.

For the time being, Dana Ellsworth will be the primary contact point person on behalf of the property owners. Should you have any questions, please do not hesitate to contact her.

Sincerely,

RUEGG & ELLSWORTH

A handwritten signature in black ink, appearing to read 'David Ruegg', written over a horizontal line.

David Ruegg
2437 Durant Avenue
Berkeley, CA 94704

cc Rhoades Planning Group
West Berkeley Investors (WBI)

RECORDING REQUESTED BY,
AND WHEN RECORDED, RETURN TO:

Ruegg & Ellsworth
2437 Durant Avenue, Suite 204
Berkeley, CA 94704-1610

WE HEREBY CERTIFY THIS TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL RECORDED

ON: 8/22/2018 INSTRUMENT # 2018169073

COUNTY OF: Alameda

FIRST AMERICAN TITLE COMPANY

BY: 

SPACE ABOVE FOR RECORDER'S USE ONLY

QUITCLAIM DEED

By this instrument dated August 21, 2018, for valuable consideration,

And pursuant to the Joint Irrevocable Escrow Instructions entered into between the parties dated April 7, 2017,

West Berkeley Investors, LLC, a California limited liability company ("Buyer") does hereby forever remise, release and quitclaim to Frank Spenger Company, a California corporation, and Ruegg & Ellsworth, a California general partnership (collectively "Seller"), all right, title and interest in the real property in the State of California, County of Alameda, described in Exhibit "A", attached hereto, which were acquired by Buyer under that Agreement for Purchase and Sale of Real Property and Joint Escrow Instructions bearing a reference date of December 10, 2013, between Buyer's predecessor in interest, BHV CenterStreet Properties, LLC, and Seller, including any rights under the Memorandum of Agreement for Purchase and Sale that was recorded on June 10, 2014, in the Official Records of Alameda County, California, as Instrument No. 2014138136, and the Grant of Assignment that was recorded on September 20, 2017, in the Official Records of Alameda County, California, as Instrument No. 2017206711 (the "Memorandum").

Signature Page Follows

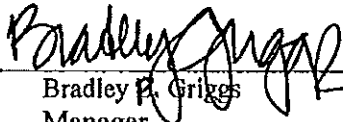
West Berkeley Investors, LLC, a California limited liability company

By: Fourth Street Berkeley Investors, LLC, a California limited liability company

Its: Manager

By: Blake Griggs Properties, LLC, a California limited liability company

Its: Manager

By: 
Bradley P. Griggs
Manager

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 Aug 17, 2017, before me, DONNA TORRES a Notary Public, personally appeared BRADLEY P. GRIGGS who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is 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 CALIF. that the foregoing paragraph is true and correct

WITNESS my hand and official seal.

Donna Torres

Signature of Notary



(Affix seal here)

Exhibit A

Property Description

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF BERKELEY, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE:

Portion Block 88, map of Tract B of Berkeley L.T.I. Association, filed February 4, 1876 in Book 19 of Maps, page 79, Alameda County records, described as follows:

Beginning at the intersection of the northern line of University Avenue with the westerly line of 4th Street, as said Avenue and Street are shown on said map; and running thence along said line of 4th Street northerly 420 feet to the southern line of Hearst Avenue, formerly Bristol Street, as shown on said map; thence along the last named line westerly 123 feet to a point distant thereon easterly 123 feet from the easterly line of 3rd Street, as shown on said map; thence at right angles southerly 420 feet to said line of University Avenue, and thence along the last named line easterly 123 feet to the point of beginning.

EXCEPTING THEREFROM: The southerly 15 feet taken for widening of University Avenue, as described in the deed to the City of Berkeley, recorded June 24, 1939, Book 3781 Official Records, page 225.

ALSO EXCEPTING THEREFROM: That portion thereof conveyed in the deed to the City of Berkeley, recorded October 14, 1969, Book 2495 Official Records, page 968.

PARCEL TWO:

A portion of that certain parcel of land described in the deed to Southern Pacific Co, recorded March 3, 1945, Book 4676, Official Records, page 206, Alameda County records, described as follows:

Beginning at a point on the northerly line of said land described in said deed, being also in the southerly line of Hearst Avenue, formerly Bristol Street, distant thereon easterly 8.00 feet from the northwesterly corner of said land described in said deed; thence eastely along said northerly line, also said southerly line of Hearst Avenue, 115 feet to the northeasterly corner of said land described in said deed; thence southerly at right angles from last described course and along the eastely line of land described in said deed, 405 feet to the southeasterly corner thereof, being a point on the northerly line of that certain strip of land taken for widening of University Avenue, as described in the deed to the City of Berkeley, recorded July 12, 1940, Book 3924 of Official Records, page 278; thence westerly along last said northerly line, 115 feet to a point in a line parallel with and distant easterly 8.00 feet, measured at right angles, from the westerly line of land described in said City of Berkeley deed; thence northerly, along said parallel line, 405 feet to the point of beginning.

APN: 057-2101-005, 057-2101-001-03