RESOLUTION #08-01

A RESOLUTION OF THE ALBANY CITY COUNCIL ACCEPTING
THE OFFER OF DEDICATION OF A CONSERVATION EASEMENT OVER A
PORTION OF CODORNICES CREEK LYING ON A PORTION OF
1101 5TH STREET, BERKELEY, CA

Lower Codornices Creek Restoration – Phase II

WHEREAS, the City of Albany recently completed improvements whose goals were the
restoration of Lower Codornices Creek from 5th to 6th Streets, including both improved
flood water passage and improved fish habitat and passage; and

WHEREAS, establishment and maintenance of a Conservation Easement over the
effected lands was a requirement of the permitting agencies on the project (CA
Department of Fish and Game, US Army Corps of Engineers, Bay Area Regional Water
Quality Control Board) and the granting agencies providing the primary funding for the
project (Coastal Conservancy and CA Resources Agency, Department of Water
Resources); and

WHEREAS, a portion of the work was on private property, owned by the John
Chalik Living Trust U/A dtd 4/18/2000, over which the work was performed under Right
of Entry; and

WHEREAS, John Chalik has executed an Offer of Dedication of a Conservation
Easement (hereafter “Chalik Offer of Dedication”) over the private property lying at 1101
5th Street, Berkeley, CA, and presented it to Albany (as well as Berkeley) for acceptance.
NOW, THEREFORE, BE IT RESOLVED

1. The Chalik Offer of Dedication dated 12/10/07 over a portion of Codornices Creek Restoration-Phase II, is hereby accepted.

2. The City Clerk is authorized and directed to file the original of the Chalik Offer of Dedication and this Resolution in the office of the Alameda County Recorder.

Mayor Robert S. Lieber
RESOLUTION NO. 08-1

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,
this 3rd day of March, 2008, by the following votes:

AYES: Council Members Atkinson, Javandel, Okawachi, Wile & Mayor Lieber

NOES: None

ABSENT: None


JACQUELINE L. BUCHOLZ, CMC
CITY CLERK