

2023-064834

10:29 am 12/07/2023 AG Fee: NO FEE

Count of Pages 15

Recorded in Official Records

County of San Mateo

Mark Church

Assessor-County Clerk-Recorder



**RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:**

City of Redwood City
1017 Middlefield Road
Redwood City, CA 94063
Attention: City Clerk

*Space above This Line Reserved for Recorder's Use
Exempt from Recording Fee Per Government Code Section 27383*

**MEMORANDUM OF FIRST TERM EXTENSION
OF DEVELOPMENT AGREEMENT**

This MEMORANDUM OF FIRST TERM EXTENSION OF DEVELOPMENT AGREEMENT (“**Memorandum**”) dated for reference purposes as of Nov. 14, 2023 (“**Effective Date**”), is entered into by and between THE BOARD OF TRUSTEES OF THE LELAND STANFORD JUNIOR UNIVERSITY, a body having corporate powers under the laws of the State of California (“**Stanford University**”), STANFORD HEALTH CARE, a California non-profit public benefit corporation (“**Stanford Health Care**”) and the CITY OF REDWOOD CITY, a charter city and California municipal corporation (“**City**”). Stanford University, Stanford Health Care and City are sometimes referred to individually herein as a “**Party**” and collectively as “**Parties.**”

Recitals

A. City and Stanford University entered into that certain Development Agreement dated as of December 3, 2013, and recorded on December 10, 2013, in the Official Records of San Mateo County as Document No. 2013-166544 (“**Development Agreement**”), regarding the development of that certain real property located in the City of Redwood City and described in Exhibit A, attached hereto and incorporated herein by reference (“**Property**”). All capitalized terms not otherwise defined herein shall have the definition set forth in the Development Agreement.

B. Stanford University transferred a portion of the Property known as “Block E” to Stanford Health Care and assigned its rights and obligations as to Block E under the Development Agreement to Stanford Health Care in that certain Partial Assignment and Assumption of Development Agreement, dated March 30, 2020, and recorded on March 30, 2020, in the Official Records of San Mateo County as Document No. 2020-029051. Stanford University and Stanford Health Care are collectively referred to herein as “**Developer.**”

C. The Development Agreement is in full force and effect and a binding obligation of the Parties. Stanford University and Stanford Health Care remain the fee owners of the Property subject to the Development Agreement.

D. Section 1.3.1 of the Development Agreement provides that the Initial Term of the Development Agreement is 10 years commencing on the Effective Date. The Effective Date is December 3, 2013. Therefore, the expiration of the Initial Term is December 3, 2023.

E. Section 1.3.2 of the Development Agreement provides that Developer has the right to extend the Initial Term for two additional 10-year periods provided that Developer is in compliance with all of its obligations under the Development Agreement and Project Approvals and has met certain construction or fee payment obligations. To be granted the First Term Extension of 10 years, Developer must either have (1) obtained building permits for at least 350,000 square feet of Net New Development; or (2) paid or prepaid the following total amounts to City (a) 100 percent of the Bicycle Contribution; and (b) that portion of the Neighborhood Streets Enhancement Program Contribution, Community Sustainability Fund Contribution and Water Tank Contribution equal to the total amount Developer would have paid had it obtained building permits for at least 350,000 square feet of Net New Development.

F. On May 4, 2023, Developer submitted an Extension Request for the First Term Extension, together with the documentation required by Section 1.3.3 of the Development Agreement to support such request and demonstrate that the Extension Conditions have been met.

G. On October 9, 2023, the City Council of the City of Redwood City held a public hearing to consider whether Developer had met the requirements for the First Term Extension. The City Council adopted Resolution No. ___ finding that Developer is in compliance with the Development Agreement and that the required Extension Conditions have met. The City Council further directed the City Manager to grant the Extension Request and execute this Memorandum documenting the 10-year extension of the Initial Term.

NOW, THEREFORE, the Parties agree as follows:

1. First Term Extension. The Parties hereby agree and acknowledge that the Initial Term of the Development Agreement is hereby extended for the First Term Extension of 10 years. Therefore, the Term of the Development Agreement continues until December 3, 2033, unless earlier terminated as provided in Section 1.3 of the Development Agreement.

2. Purpose of Memorandum; Development Agreement in Full Force and Effect. The sole purpose of this Memorandum is to give notice of the extension of the Initial Term of the Development Agreement as set forth above. This Memorandum in no way modifies or amends the Development Agreement, which remains in full force and effect. If there is any conflict between the terms of this Memorandum and the terms of the Development Agreement, the terms of the Development Agreement shall control.

3. Counterparts. This Memorandum may be executed in counterparts, each of which is an original but all of which together constitute one and the same instrument.

[signatures follow on next page]

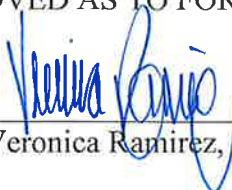
IN WITNESS WHEREOF, this Memorandum has been executed by City, Stanford University and Stanford Health Care as of the Effective Date.

CITY:

CITY OF REDWOOD CITY, a charter city and California municipal corporation

By: 
Melissa Stevenson Diaz, City Manager
[signature must be notarized]

APPROVED AS TO FORM:

By: 
Veronica Ramirez, City Attorney

ATTEST:

By: 
Yessika Castro, Interim City Clerk

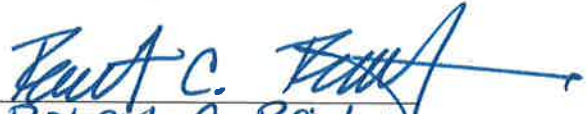
STANFORD UNIVERSITY:

THE BOARD OF TRUSTEES OF THE
LELAND STANFORD JUNIOR UNIVERSITY,
a body having corporate powers under the laws of
the State of California

By:


Name:

Title:


Robert C. Ready
LBRE Vice President
[signature must be notarized]

STANFORD HEALTH CARE:

STANFORD HEALTH CARE, a
California non-profit public benefit
corporation

By: 
Name: RACHEL DE GUZMAN
Title: VICE PRESIDENT, PD & C
[signature must be notarized]

CALIFORNIA ACKNOWLEDGMENT

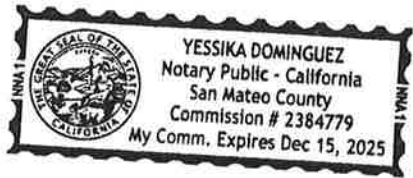
CIVIL CODE § 1189

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 SAN MATEO

On NOVEMBER 14, 2023 before me, YESSIKA DOMINGUEZ, NOTARY PUBLIC
Date Here Insert Name and Title of the Officer
personally appeared MELISSA STEVENSON DIAZ
Name(s) of Signer(s)

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.



Place Notary Seal and/or Stamp Above

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 _____
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Corporate Officer – Title(s): _____
- Partner – Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer is Representing: _____

Signer's Name: _____

- Corporate Officer – Title(s): _____
- Partner – Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer is Representing: _____

ACKNOWLEDGMENTS

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 San Mateo)

On 9th of October, 2023, before me, Amy M. Hartfield, Notary Public, personally appeared Robert Reidy, 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: Amy M. Hartfield (seal)



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)
)
County of _____)

On _____, 202__, before me, _____,
Notary Public, 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)

ACKNOWLEDGMENTS

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 San Mateo)

On October 6, 2023, before me, Gloria M. Wong, Notary Public, personally appeared Rachel De Guzman, 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: [Handwritten Signature] (seal)

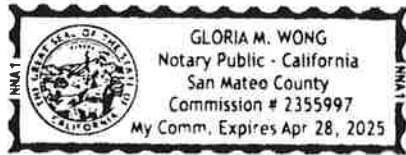


EXHIBIT A



March 13, 2013
BKF No. 20086028
Page 1 of 6

Legal Description

EXISTING PARCELS
Stanford in Redwood City

Real property in the City of Redwood City, County of San Mateo, State of California, described as follows:

PARCEL ONE (APN 054-141-220)

LOT 1, AS SHOWN ON THE MAP ENTITLED, "PARCEL MAP NO. 2003-03 MIDPOINT TECHNOLOGY PARK NORTHWEST CAMPUS", FILED NOVEMBER 7, 2003 IN BOOK 75 OF PARCEL MAPS AT PAGES 28 AND 29, IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO.

PARCEL TWO (APN 054-141-230)

LOT 2, AS SHOWN ON THE MAP ENTITLED, "PARCEL MAP NO. 2003-03 MIDPOINT TECHNOLOGY PARK NORTHWEST CAMPUS", FILED NOVEMBER 7, 2003 IN BOOK 75 OF PARCEL MAPS AT PAGES 28 AND 29, IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO.

PARCEL THREE (APN 054-141-180)

PARCEL 8, AS SHOWN ON THE MAP ENTITLED, "PARCEL MAP NO. 96-1", FILED OCTOBER 21, 1996, IN BOOK 69 OF PARCEL MAPS AT PAGES 51 AND 52, IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO.

EXCEPTING THEREFROM AS TO THAT PORTION OF SAID PARCEL 8 CONVEYED IN THE DEED FROM SOUTHERN PACIFIC TRANSPORTATION COMPANY, A DELAWARE CORPORATION, TO 899 BROADWAY ASSOCIATES, A CALIFORNIA GENERAL PARTNERSHIP, RECORDED NOVEMBER 24, 1993, SERIES NO. 93-204497, OFFICIAL RECORDS, THE RIGHTS RESERVED IN SAID DEED, AS FOLLOWS:

"GRANTOR EXCEPTS FROM THE PROPERTY AND RESERVES UNTO ITSELF, ITS SUCCESSORS AND ASSIGNS, ALL MINERALS AND MINERAL RIGHTS, INTEREST AND ROYALTIES, INCLUDING, WITHOUT LIMITING THE GENERALITY THEREOF, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, AS WELL AS METALLIC OR OTHER SOLID MINERALS, IN AND UNDER THE PROPERTY; HOWEVER, GRANTOR OR ITS SUCCESSORS AND ASSIGNS, SHALL NOT HAVE THE RIGHT FOR ANY PURPOSE WHATSOEVER TO ENTER UPON, INTO OR THROUGH THE SURFACE OF THE PROPERTY IN CONNECTION THEREWITH."

PARCEL FOUR (APN 054-150-140)

PARCEL 1 AS SHOWN ON THE MAP ENTITLED, "PARCEL MAP NO. 96-1", FILED OCTOBER 21, 1996, IN BOOK 69 OF PARCEL MAPS, PAGES 51 AND 52, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN MATEO.

NON-EXCLUSIVE EASEMENTS IN FAVOR OF PARCEL 1 HEREOF, OVER "COMMON AREA A", AS SHOWN ON THE PARCEL MAP NO. 96-1, FILED OCTOBER 21, 1996, IN BOOK 69 OF PARCEL MAPS AT PAGES 51 AND 52, OFFICIAL RECORDS OF SAN MATEO COUNTY, AS

THE SERVIENT TENEMENT FOR INGRESS AND EGRESS PURPOSES OVER THE WALKWAYS AND OPEN SPACE AREAS SITUATED ON THE SERVIENT TENEMENT, AS SET FORTH IN THE MIDPOINT TECHNOLOGY PARK DECLARATION, DATED OCTOBER 14, 1996 AND RECORDED OCTOBER 21, 1996, SERIES NO. 96-130495 IN OFFICIAL RECORDS OF SAN MATEO COUNTY.

A NON-EXCLUSIVE EASEMENT FOR VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS AND ACCESS, PARKING, UTILITY, MAINTENANCE, REPAIR AND OTHER USES AND PURPOSES, IN FAVOR OF PARCEL 1 HEREOF, OVER AND ACROSS PARCELS 2, 3, 4, 5 AND 6 AND "COMMON AREA A" OF PARCEL MAP NO. 96-1, FILED OCTOBER 21, 1996, IN BOOK 69 OF PARCEL MAPS, AT PAGES 51 AND 52, OFFICIAL RECORDS OF SAN MATEO COUNTY, AND PARCEL 3 OF PARCEL MAP NO. 95-1, FILED JANUARY 19, 1996 IN BOOK 68 OF PARCEL MAPS, AT PAGES 88-90, OFFICIAL RECORDS OF SAN MATEO COUNTY, AS SET FORTH AND MORE PARTICULARLY DESCRIBED IN THAT CERTAIN MIDPOINT TECHNOLOGY PARK DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, DATED OCTOBER 14, 1996 AND RECORDED ON OCTOBER 21, 1996, SERIES NO. 96-130495, IN THE OFFICIAL RECORDS OF SAN MATEO COUNTY, CALIFORNIA.

PARCEL FIVE (APN 054-150-150)

PARCEL 2 AS SHOWN ON THE MAP ENTITLED, "PARCEL MAP NO. 96-1", FILED OCTOBER 21, 1996, IN BOOK 69 OF PARCEL MAPS, AT PAGES 51 AND 52, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN MATEO.

EXCEPTING THEREFROM AS TO THAT PORTION OF SAID PARCEL 2 CONVEYED IN THE DEED FROM SOUTHERN PACIFIC TRANSPORTATION COMPANY, A DELAWARE CORPORATION, TO 899 BROADWAY ASSOCIATES, A CALIFORNIA GENERAL PARTNERSHIP, RECORDED NOVEMBER 24, 1993, SERIES NO. 93-204497, OFFICIAL RECORDS, THE RIGHTS RESERVED IN SAID DEED AS FOLLOWS:

"GRANTOR EXCEPTS FROM THE PROPERTY AND RESERVES UNTO ITSELF, ITS SUCCESSORS AND ASSIGNS, ALL MINERALS AND MINERAL RIGHTS, INTERESTS AND ROYALTIES, INCLUDING, WITHOUT LIMITING THE GENERALITY THEREOF, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, AS WELL AS METALLIC OR OTHER SOLID MINERALS, IN AND UNDER THE PROPERTY; HOWEVER GRANTOR OR ITS SUCCESSORS AND ASSIGNS SHALL NOT HAVE THE RIGHT FOR ANY PURPOSE WHATSOEVER TO ENTER UPON, INTO OR THROUGH THE SURFACE OF THE PROPERTY IN CONNECTION THEREWITH."

NON-EXCLUSIVE EASEMENTS IN FAVOR OF PARCEL 2 HEREOF, OVER "COMMON AREA A", AS SHOWN ON THE PARCEL MAP NO. 96-1, FILED OCTOBER 21, 1996, IN BOOK 69 OF PARCEL MAPS AT PAGES 51 AND 52, OFFICIAL RECORDS OF SAN MATEO COUNTY, AS THE SERVIENT TENEMENT FOR INGRESS AND EGRESS PURPOSES OVER THE WALKWAYS AND OPEN SPACE AREAS SITUATED ON THE SERVIENT TENEMENT, AS SET FORTH IN THE MIDPOINT TECHNOLOGY PARK DECLARATION, DATED OCTOBER 14, 1996 AND RECORDED OCTOBER 21, 1996, SERIES NO. 96-130495 IN OFFICIAL RECORDS OF SAN MATEO COUNTY.

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PURPOSES, IN FAVOR OF PARCEL 2 HEREOF, OVER AND ACROSS PARCELS 1, 3, 4, 5 AND 6 AND "COMMON AREA A" OF PARCEL MAP NO. 96-1, FILED OCTOBER 21, 1996, IN BOOK 69 OF PARCEL MAPS, AT PAGES 51 AND 52, OFFICIAL RECORDS OF SAN MATEO COUNTY, AND PARCEL 3 OF PARCEL MAP NO. 95-1, FILED JANUARY 19, 1996 IN BOOK 68 OF PARCEL MAPS, AT PAGES 88-90, OFFICIAL RECORDS OF SAN MATEO COUNTY, AS SET FORTH AND MORE PARTICULARLY DESCRIBED IN THAT CERTAIN MIDPOINT TECHNOLOGY PARK DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, DATED OCTOBER 14, 1996 AND RECORDED ON OCTOBER 21, 1996, SERIES NO. 96-130495, IN THE OFFICIAL RECORDS OF SAN MATEO COUNTY, CALIFORNIA.

PARCEL SIX (APN 054-150-160)

PARCEL 3, AS SHOWN ON THE MAP ENTITLED, "PARCEL MAP NO. 96-1", FILED OCTOBER 21, 1996, IN BOOK 69 OF PARCEL MAPS, AT PAGES 51 AND 52, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN MATEO.

EXCEPTING THEREFROM AS TO THAT PORTION OF SAID PARCEL 3 CONVEYED IN THE DEED FROM SOUTHERN PACIFIC TRANSPORTATION COMPANY, A DELAWARE CORPORATION TO 899 BROADWAY ASSOCIATES, A CALIFORNIA GENERAL PARTNERSHIP, RECORDED NOVEMBER 24, 1993, SERIES NO. 93-204497, OFFICIAL RECORDS, THE RIGHTS RESERVED IN SAID DEED, AS FOLLOWS:

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A NON-EXCLUSIVE EASEMENT IN FAVOR OF PARCEL 3 HEREOF, OVER "COMMON AREA A", AS SHOWN ON THE PARCEL MAP NO. 96-1, FILED OCTOBER 21, 1996, IN BOOK 69 OF PARCEL MAPS AT PAGES 51 AND 52, OFFICIAL RECORDS OF SAN MATEO COUNTY, AS THE SERVIENT TENEMENT, FOR INGRESS AND EGRESS PURPOSES OVER THE WALKWAYS AND OPEN SPACE AREAS SITUATED ON THE SERVIENT TENEMENT, AS SET FORTH IN THE MIDPOINT TECHNOLOGY PARK DECLARATION, DATED OCTOBER 14, 1996 AND RECORDED OCTOBER 21, 1996, SERIES NO. 96-130495, IN OFFICIAL RECORDS OF SAN MATEO COUNTY.

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1996 AND RECORDED ON OCTOBER 21, 1996, SERIES NO. 96-130495, IN THE OFFICIAL RECORDS OF SAN MATEO COUNTY, CALIFORNIA.

PARCEL SEVEN (APN 054-150-170)

PARCEL 4, AS SHOWN ON THE MAP ENTITLED, "PARCEL MAP NO. 96-1", FILED OCTOBER 21, 1996, IN BOOK 69 OF PARCEL MAPS, AT PAGES 51 AND 52, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN MATEO.

EXCEPTING THEREFROM AS TO THAT PORTION OF SAID PARCEL 4 CONVEYED IN THE DEED FROM SOUTHERN PACIFIC TRANSPORTATION COMPANY, A DELAWARE CORPORATION TO 899 BROADWAY ASSOCIATES, A CALIFORNIA GENERAL PARTNERSHIP, RECORDED NOVEMBER 24, 1993, SERIES NO. 93-204497, OFFICIAL RECORDS, THE RIGHTS RESERVED IN SAID DEED, AS FOLLOWS:

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PARCEL EIGHT (APN 054-150-180)

PARCEL 5, AS SHOWN ON THE MAP ENTITLED, "PARCEL MAP NO. 96-1", FILED OCTOBER 21, 1996, IN BOOK 69 OF PARCEL MAPS, AT PAGES 51 AND 52, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SAN MATEO.

EXCEPTING THEREFROM AS TO THAT PORTION OF SAID PARCEL 5 CONVEYED IN THE DEED FROM SOUTHERN PACIFIC TRANSPORTATION COMPANY, A DELAWARE CORPORATION TO 899 BROADWAY ASSOCIATES, A CALIFORNIA GENERAL PARTNERSHIP, RECORDED NOVEMBER 24, 1993, SERIES NO. 93-204497, OFFICIAL RECORDS, THE RIGHTS RESERVED IN SAID DEED, AS FOLLOWS:

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PARCEL NINE (APN 054-150-190)

PARCEL 6, AS SHOWN ON THE MAP ENTITLED, "PARCEL MAP NO. 96-1", FILED OCTOBER 21, 1996, IN BOOK 69 OF PARCEL MAPS AT PAGES 51 AND 52, IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SAN MATEO.

EXCEPTING THEREFROM AS TO THAT PORTIONS OF SAID PARCEL 6 CONVEYED IN THE DEED FROM SOUTHERN PACIFIC TRANSPORTATION COMPANY, A DELAWARE CORPORATION, TO 899 BROADWAY ASSOCIATES, A CALIFORNIA GENERAL PARTNERSHIP, RECORDED NOVEMBER 24, 1993, SERIES NO. 93-204497, OFFICIAL RECORDS, THE RIGHTS RESERVED IN SAID DEED, AS FOLLOWS:

"GRANTOR EXCEPTS FROM THE PROPERTY AND RESERVES UNTO ITSELF, ITS SUCCESSORS AND ASSIGNS, ALL MINERALS AND MINERAL RIGHTS, INTERESTS AND

ROYALTIES, INCLUDING, WITHOUT LIMITING THE GENERALITY THEREOF, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, AS WELL AS METALLIC OR OTHER SOLID MINERALS, IN AND UNDER THE PROPERTY; HOWEVER, GRANTOR OR ITS SUCCESSORS AND ASSIGNS, SHALL NOT HAVE THE RIGHT FOR ANY PURPOSE WHATSOEVER TO ENTER UPON, INTO OR THROUGH THE SURFACE OF THE PROPERTY IN CONNECTION THEREWITH."

A NON-EXCLUSIVE EASEMENT IN FAVOR OF PARCEL 6 HEREOF, OVER "COMMON AREA A", AS SHOWN ON THE PARCEL MAP NO. 96-1, FILED OCTOBER 21, 1996, IN BOOK 69 OF PARCEL MAPS AT PAGES 51 AND 52, OFFICIAL RECORDS OF SAN MATEO COUNTY, AS THE SERVIENT TENEMENT, FOR INGRESS AND EGRESS PURPOSES OVER THE WALKWAYS AND OPEN SPACE AREAS SITUATED ON THE SERVIENT TENEMENT, AS SET FORTH IN THE MIDPOINT TECHNOLOGY PARK DECLARATION, DATED OCTOBER 14, 1996 AND RECORDED OCTOBER 21, 1996, SERIES NO. 96-130495, IN OFFICIAL RECORDS OF SAN MATEO COUNTY.

A NON-EXCLUSIVE FOR VEHICULAR AND PEDESTRIAN INGRESS, EGRESS AND ACCESS, PARKING, UTILITY, MAINTENANCE, REPAIR AND OTHER USES AND PURPOSES, IN FAVOR OF PARCEL 6 HEREOF, OVER AND ACROSS PARCELS 1, 2, 3, 4 AND 5 AND "COMMON AREA A" OF PARCEL MAP NO. 96-1, FILED OCTOBER 21, 1996, IN BOOK 69 OF PARCEL MAPS AT PAGES 51 AND 52, OFFICIAL RECORDS OF SAN MATEO COUNTY, AND PARCEL 3 OF PARCEL MAP NO. 95-1, FILED JANUARY 19, 1996 IN BOOK 68 OF PARCEL MAPS, AT PAGES 88-90, OFFICIAL RECORDS OF SAN MATEO COUNTY, AS SET FORTH AND MORE PARTICULARLY DESCRIBED IN THAT CERTAIN MIDPOINT TECHNOLOGY PARK DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, DATED OCTOBER 14, 1996 AND RECORDED ON OCTOBER 21, 1996, SERIES NO. 96-130495, IN THE OFFICIAL RECORDS OF SAN MATEO COUNTY, CALIFORNIA.

PARCEL TEN (APN 054-150-120)

PARCEL 3, AS SHOWN ON PARCEL MAP NO. 95-1, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY, CALIFORNIA, ON JANUARY 19, 1996 IN BOOK 68 OF MAPS, AT PAGES 88, 89 AND 90.

PARCEL ELEVEN (COMMON AREA A)

"COMMON AREA A" IS A NON-EXCLUSIVE EASEMENT IN FAVOR OF PARCELS 1, 2, 3, 4, 5 AND 6 HEREOF, AS SHOWN ON THE PARCEL MAP NO. 96-1, FILED OCTOBER 21, 1996, IN BOOK 69 OF PARCEL MAPS AT PAGES 51 AND 52, OFFICIAL RECORDS OF SAN MATEO COUNTY, AS THE SERVIENT TENEMENT, FOR INGRESS AND EGRESS PURPOSES OVER THE WALKWAYS AND OPEN SPACE AREAS SITUATED ON THE SERVIENT TENEMENT, AS SET FORTH IN THE MIDPOINT TECHNOLOGY PARK DECLARATION, DATED OCTOBER 14, 1996 AND RECORDED OCTOBER 21, 1996, SERIES NO. 96-130495, IN OFFICIAL RECORDS OF SAN MATEO COUNTY.

The above descriptions were compiled from Preliminary Report, Order No. NCS-158911-SM, dated October 15, 2007 and updated November 9, 2007, Preliminary Report, Order No. NCS-343495-SM, dated February 29, 2008, both Reports issued by First American Title Insurance Company.