

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
(510) 337-9335 (FAX)

StID 3729

July 22, 1998

Mr. Richard Dodge
1120 Walker Ave
Walnut Creek, CA 94596

Re: Fuel Leak Site Case Closure for 7400 Amador Valley Blvd, Dublin, CA

Dear Mr. Dodge:

This letter transmits the enclosed underground storage tank (UST) case closure letter in accordance with Chapter 6.75 (Article 4, Section 25299.37[h]). The State Water Resources Control Board adopted this letter on February 20, 1997. As of March 1, 1997, the Alameda County Environmental Protection Division is required to use this case closure letter for all UST leak sites. We are also transmitting to you the enclosed case closure summary. These documents confirm the completion of the investigation and cleanup of the reported release at the subject site. The subject fuel leak case is closed.

SITE INVESTIGATION AND CLEANUP SUMMARY

Please be advised that the following conditions exist at the site:

- up to 900ppm TPH as gasoline and 7.4ppm benzene exists in soil beneath the site;
- up to 980ppb TPH as gasoline and 220ppb benzene exists in groundwater beneath the site; and,
- a site health and safety plan should be submitted in the event of construction or excavation in the area with residual soil and groundwater contamination. A vapor barrier shall be required for construction over the hydrocarbon-impacted soil.

If you have any questions, please contact me at (510) 567-6762.

eva chu
Hazardous Materials Specialist

enclosures:

1. Case Closure Letter
2. Case Closure Summary

c: Dennis Carrington, City of Dublin, P.O. Box 2340, Dublin, CA 94568
files (dutch10)



ENVIRONMENTAL HEALTH SERVICES

1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
(510) 337-9335 (FAX)

REMEDIAL ACTION COMPLETION CERTIFICATION

**StID 3729 - 7400 Amador Valley Blvd, Dublin, CA
(2-10K gasoline tanks removed in January 11, 1990)**

July 22, 1998

Mr. Richard Dodge
1120 Walker Ave
Walnut Creek, CA 94596

Dear Mr. Dodge:

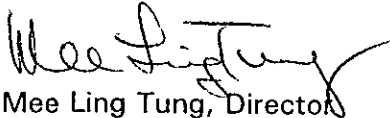
This letter confirms the completion of site investigation and remedial action for the underground storage tanks formerly located at the above-described location. Thank you for your cooperation throughout this investigation. Your willingness and promptness in responding to our inquiries concerning the former underground storage tanks are greatly appreciated.

Based on information in the above-referenced file and with the provision that the information provided to this agency was accurate and representative of site conditions, no further action related to the underground tank release is required.

This notice is issued pursuant to a regulation contained in Title 23, Section 2721(e) of the California Code of Regulations.

Please contact our office if you have any questions regarding this matter.

Sincerely,



Mee Ling Tung, Director

cc: Richard Pantages, Chief of Division of Environmental Protection
Chuck Headlee, RWQCB
Dave Deaner, SWRCB
William McCammon, Alameda County Fire Dept, QIC Code 41401
files-ec (dutch9)

CASE CLOSURE SUMMARY
Leaking Underground Fuel Storage Tank Program

I. AGENCY INFORMATION **Date:** November 24, 1997
 Agency name: **Alameda County-HazMat** **Address:** 1131 Harbor Bay Pkwy
 City/State/Zip: **Alameda, CA 94502** **Phone:** (510) 567-6700
 Responsible staff person: **Eva Chu** **Title:** Hazardous Materials Spec.

II. CASE INFORMATION

Site facility name: **Dutch Pride Dairy**
 Site facility address: **7400 Amador Valley Blvd, Dublin, CA**
 RB LUSTIS Case No: **N/A** Local Case No./LOP Case No.: **3729**
 URF filing date: **2/2/90** SWEEPS No: **N/A**

<u>Responsible Parties:</u>	<u>Addresses:</u>	<u>Phone Numbers:</u>
Richard Dodge	1120 Walker Ave Walnut Creek, CA 94596	510/935-7119

<u>Tank No:</u>	<u>Size in gal.:</u>	<u>Contents:</u>	<u>Closed in-place or removed?:</u>	<u>Date:</u>
1	10,000	Gasoline	Removed	1/11/90
2	10,000	Gasoline	Removed	1/11/90

III. RELEASE AND SITE CHARACTERIZATION INFORMATION

Cause and type of release: **Leaking UST**
 Site characterization complete? **YES**
 Date approved by oversight agency: **1/22/97**
 Monitoring Wells installed? **Yes** (Number: **1**)
 Proper screened interval? **Yes, 7' to 17'bgs (see well log for MW-13)**
 Highest GW depth below ground surface: **7.49'** Lowest depth: **10.91'** in MW-13
 Flow direction: **S, SE**
 Most sensitive current use: **Commercial**
 Are drinking water wells affected? **No** Aquifer name: **Dublin Subbasin**
 Is surface water affected? **No** Nearest affected SW name: **NA**
 Off-site beneficial use impacts (addresses/locations): **None**

Report(s) on file? **YES** Where is report(s) filed? **Alameda County**
1131 Harbor Bay Pkwy
Alameda, CA 94502

CALIFORNIA REGIONAL WATER

DEC 15 1997

Page 1

QUALITY CONTROL BOARD

Treatment and Disposal of Affected Material:

<u>Material</u>	<u>Amount (include units)</u>	<u>Action (Treatment or Disposal w/destination)</u>	<u>Date</u>
Tank	2 USTs	Disposed by H&H, San Francisco	1/11/90
Soil	72 cy	Disposed at Richmond L.F., Novato	8/91
Groundwater	1,250 gal. 2,800 gal.	Disposed by H & H, in San Francisco 1/11/90 and 9/7/90	

Maximum Documented Contaminant Concentrations - - Before and After Cleanup

<u>Contaminant</u>	<u>Soil (ppm)</u>		<u>Water (ppb)</u>	
	<u>Before¹</u>	<u>After²</u>	<u>Before³</u>	<u>After⁴</u>
TPH (Gas)	6,000	900	92,000	980
TPH (Diesel)	NA	NA	NA	NA
Benzene	<5.0	7.4	3,000	220
Toluene	20	9.4	9,000	22
Ethylbenzene	31	19	1,300	56
Xylenes	150	76	13,000	64

- NOTE: 1 soil sample collected from sidewalls of tank pit at time of UST removal, 11/90
 2 soil sample from pit after minor overexcavation, 6/90
 3 "grab" water sample collected from pit at time of UST removal, 11/90
 4 most recent groundwater sample (8/96) from well MW-13
 NA Not Analyzed

IV. CLOSURE

Does completed corrective action protect existing beneficial uses per the Regional Board Basin Plan? **Undetermined**
 Does completed corrective action protect potential beneficial uses per the Regional Board Basin Plan? **Undetermined**
 Does corrective action protect public health for current land use? **YES**
 Site management requirements: **A health and safety plan should be submitted in the event of construction and/or excavation along the property line of the Former Dutch Pride Dairy and Oil Changers to protect construction workers from exposure to hydrocarbon-impacted soil. A "vapor barrier" shall be required for construction over the impacted soil.**
 Should corrective action be reviewed if land use changes? **YES**
 Monitoring wells Decommissioned: **None, pending site closure**
 Number Decommissioned: **0** Number Retained: **1**
 List enforcement actions taken: **NA**
 List enforcement actions rescinded: **NA**

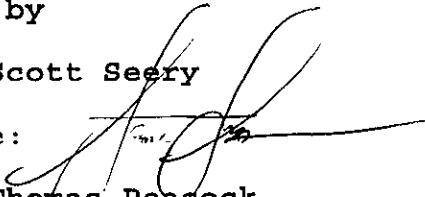
V. LOCAL AGENCY REPRESENTATIVE DATA

Name: **Eva Chu** Title: **Haz Mat Specialist**

Signature:  Date: **12/1/97**

Reviewed by

Name: **Scott Seery** Title: **Haz Mat Specialist**

Signature:  Date: **11/25/97**

Name: **Thomas Peacock** Title: **Supervisor**

Signature:  Date: **12-1-97**

VI. RWQCB NOTIFICATION

Date Submitted to RB: **12/2/97** RB Response: **Approved**

RWQCB Staff Name: **Kevin Graves** Title: **AWRCE**

Signature:  Date: **12/15/97**

VII. ADDITIONAL COMMENTS, DATA, ETC.

Prior to 1989 the four corners of the intersection of Amador Valley Blvd and Village Parkway were occupied by gasoline service stations (Unocal at NW, ARCO at NE, Shell at SW, and BP at SE corners). West of Village Pkwy groundwater appears to flow E to SE, while east of Village Pkwy groundwater appears to flow SW. The various flow directions suggest groundwater is siphoned down Village Pkwy. Each service station has experienced prior fuel release(s) to the subsurface, impacting the first encountered groundwater. (See Fig 1)

The subject site, Former Dutch Pride Dairy (DPD), is located immediately adjacent to (SW) the former Shell Service Station (Shell). Groundwater data in this discussion was collected from wells MW-10 and MW-13 (which were installed on the DPD property) and wells MW-2 and MW-4 (on the Shell property).

Two USTs (2-10,000 gallon gasoline tanks) were removed from DPD in January 1990. Groundwater was noted in the pit at ~8' to 9' bgs. Four sidewall soil samples (SS-1 through SS-4) were collected from the northeast and southwest endwalls (at approximately one foot above the water level) prior to removal of the USTs. A grab water sample (PS-1) was later collected after the pit was pumped dry and groundwater allowed to recharge. Elevated TPHg and BTEX were detected in soil and groundwater samples collected. (See Fig 1, 2, and Table 1)

On June 13, 1990 additional impacted soil was overexcavated from the tank pit. A groundwater monitoring well (MW-10) installed by Shell to delineate the plume from the former Shell Service Station was destroyed during overexcavation activities, but later replaced with DPD well MW-13. Excavation stopped at the property line bordering Shell and DPD. Four confirmatory soil samples (NE Corner 12', SE Corner 12', SE Corner, and Center Wall) were collected from the northeast wall of the final excavation at ~8.5' to 12' bgs. Up to 900 ppm TPHg and 7.4 ppm benzene were identified from the center wall sample. (See Fig 3, Table 2)

In December 1992 additional soil borings (B-1 through B-7) were drilled in the vicinity of the former USTs. Both soil and groundwater samples were collected. Only soil (from borings B-2, B-3, and B-7) and groundwater (from boring B-3) samples along the northeast property line exhibited elevated TPHg and BTEX concentrations. Highest soil concentrations appeared consistent with depths corresponding to the occurrence of groundwater (~7' to 13'bgs). (See Fig 4, Table 3, 4)

An offsite investigation to delineate the extent of soil and groundwater contamination from the DPD property onto the adjoining Shell property was conducted on September 5, 1995. A total of three soil borings (also named B-1 through B-3) were drilled. All three borings encountered hydrocarbon contamination. Soil (S-1) and grab groundwater (W-1) samples were collected for laboratory analysis from boring B-3, furthest downgradient (east) of DPD. The soil sample collected at 12' bgs revealed 1,000 ppm TPHg and 3.4, 35, 17, and 99 ppm BTEX, respectively. The water sample from this same borehole identified up to 120,000 ppb TPHg and 19,000, 12,000, 2,600, and 15,000 ppb BTEX, respectively (see Fig 5). In all three borings, at depths of ~10' to 15' bgs, OVM readings taken during boring advancement were in excess of 2,000 ppm. The OVM readings above 10' and below 15' bgs decreased rapidly, suggesting contamination is limited to the capillary fringe/smear zone (see B-3 boring log).

Subsurface investigations at both DPD and Shell demonstrated that the fuel releases from both properties have commingled. Although much of the hydrocarbon impacted soil was excavated from both sites, residual contamination appears to remain within the capillary/smear zone along the property line which separates the two sites. The 1995 soil borings (B-1 through B-3) identified significant hydrocarbon levels in soil and groundwater, but historic soil and groundwater data collected from Shell and DPD show the plume is stable and not migrating.

Groundwater at DPD appears to flow south, southeast toward the Shell site. Depth to water in well MW-13 has ranged from 7.49' to 10.91'bgs. Well MW-13 contained up to 220ppb benzene in the most recent sampling event, 8/96 (see Table 5). Permanent, downgradient groundwater monitoring wells (MW-2 and MW-4) at the perimeter of the Shell property are currently detecting low to non-detectable levels of hydrocarbons. Most of the Shell and DPD sites are currently paved. The DPD site is vacant and without any building structures. The former Shell site was converted to an Oil Changer facility in 1989.

Site data were compared to the "example" ASTM RBCA Tier 1 California-modified Risk-Based Screening Level (RBSL) look-up table and input parameters used to derive them to determine if residual benzene in soil and groundwater would pose a theoretical risk to human health or the environment. Comparisons were based on maximum historic benzene concentrations for locations which appear to represent reasonable "worse-case" examples (ie. 7.4ppm in soil and 220ppb in groundwater). Evaluation was based on the commercial/industrial receptor scenario.

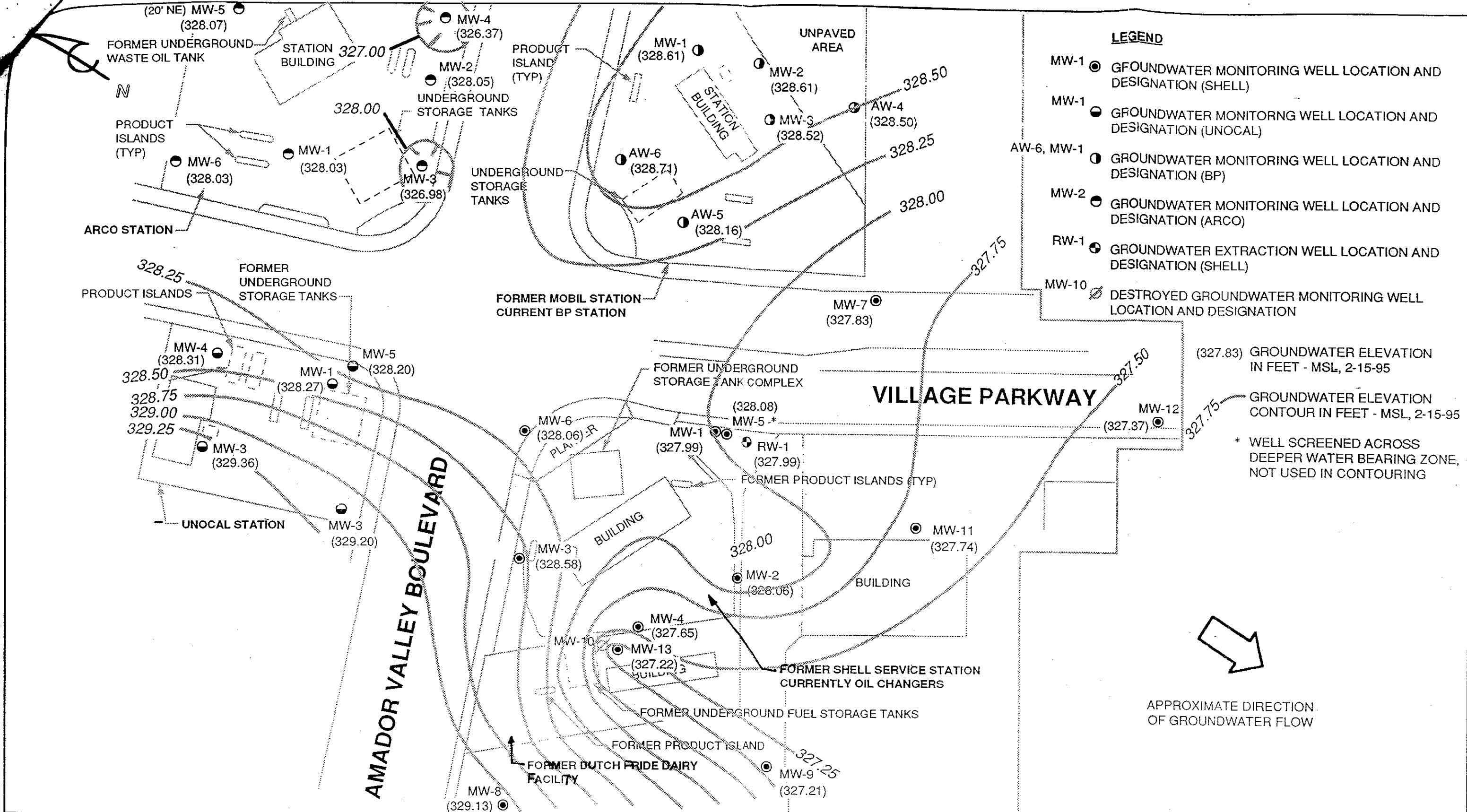
Potential complete exposure pathways for this site include:

1. vapor intrusion from groundwater to buildings;
2. volatilization from groundwater to outdoor air;
3. vapor intrusion from soil to buildings; and,
4. volatilization from soil to outdoor air.

Volatilization of benzene from soil and groundwater to outdoor air does not appear to pose a risk to human health above the 10^{-4} excess cancer target level. Vapor intrusion from groundwater to buildings does not appear to pose a risk in excess of 10^{-4} . However, benzene vapor intrusion from soil to buildings does exceed the 10^{-4} target level. It is reasonably expected, however, that soil within the silty clay sediments present above the contaminated capillary/smear zone would retard vapors from otherwise migrating towards the surface. Furthermore, such potential exposure risk can be mitigated by excluding construction above contaminated areas of this site, or with the installation of a vapor barrier over the area with residual soil contamination.

In summary, case closure is recommended because:

- o the leak and ongoing sources have been removed;
- o the site has been adequately characterized;
- o the dissolved plume is not migrating;
- o no water wells, surface water, or other sensitive receptors are likely to be impacted; and,
- o the site appears to present no significant risk to human health or the environment.



LEGEND

- MW-1 ● GROUNDWATER MONITORING WELL LOCATION AND DESIGNATION (SHELL)
- MW-1 ● GROUNDWATER MONITORING WELL LOCATION AND DESIGNATION (UNOCAL)
- AW-6, MW-1 ● GROUNDWATER MONITORING WELL LOCATION AND DESIGNATION (BP)
- MW-2 ● GROUNDWATER MONITORING WELL LOCATION AND DESIGNATION (ARCO)
- RW-1 ● GROUNDWATER EXTRACTION WELL LOCATION AND DESIGNATION (SHELL)
- MW-10 ● DESTROYED GROUNDWATER MONITORING WELL LOCATION AND DESIGNATION

(327.83) GROUNDWATER ELEVATION IN FEET - MSL, 2-15-95

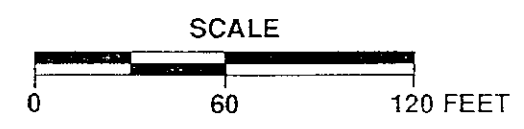
GROUNDWATER ELEVATION CONTOUR IN FEET - MSL, 2-15-95

* WELL SCREENED ACROSS DEEPER WATER BEARING ZONE, NOT USED IN CONTOURING

APPROXIMATE DIRECTION OF GROUNDWATER FLOW



PACIFIC ENVIRONMENTAL GROUP, INC.



FORMER SHELL SERVICE STATION
7194 Amador Valley Boulevard at Village Parkway
Dublin, California

GROUNDWATER ELEVATION CONTOUR MAP

FIGURE: **1**
PROJECT: 305-087.2C

78-062823

RE:5335 IM:130

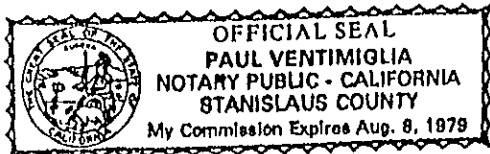
Dated March 28, 1978

STATE OF CALIFORNIA
COUNTY OF Stanislaus } ss.

Cornelius Van Wyk
CORNELIUS VAN WYK
Elizabeth Van Wyk
ELIZABETH VAN WYK

On April 3, 1978
before me, the undersigned, a Notary Public in and for said
State, personally appeared Cornelius Van Wyk
and Elizabeth Van Wyk

known to me to be the persons whose names are
subscribed to the within instrument and acknowledged that
they executed the same.
WITNESS my hand and official seal.



Signature Paul Ventimiglia

(This area for official notarial seal)

We hand you herewith:

Cash in Sum of \$ 185,000.00 cash

Check for \$

Deed of Trust and Note for \$

which you are authorized to deliver and/or disburse as hereinafter set forth, together with any additional funds including the proceeds of any loan deposited with you, when you can issue your standard form title insurance policy in the amount of \$185,000.00, insuring title to the property described as Parcel 1: Alameda

County, AKA: ~~XXXXXX~~ Dublin, CA. APN: 941-210-1-4. Parcel 2: Contra Costa County, AKA: ~~XXXXXX~~ APN: 126-400-005-8 and Parcel 3: Contra Costa County, AKA: ~~XXXXXX~~ APN: 426-270-028-1.

To be vested in: JOHN WARMERDAM and LAURA WARMERDAM, husband and wife

Subject to:

1. The usual printed exceptions and stipulations contained in said policy, and
2. Taxes that are not delinquent.
3. Assessments of any Improvement or Reclamation District, provided there are no delinquent installments thereof.
4. Covenants, conditions, restrictions and reservations of record.
5. Existing rights of way or easements

The above sum to be disbursed as follows:

Account of Seller	Purchase Price	\$ 185,000.00
Proportion of Deed		20.00
Title Policy		831.90
Escrow Fee IRS		203.50
Recording Fees		9.00
Total		\$

Prorate as of close of escrow, taxes (using the last available tax bills),

These instructions effective for 30 days, and thereafter until revoked by written demand on you by the undersigned or any one of them. I hereby agree to pay all my proper costs and fees, including any adjustments in prorating.

Signature: John Warmerdam
 Signature: Laura Warmerdam
 Address: 2063 Cypress Creek
Walnut Creek CA 94594

To: FIRST AMERICAN TITLE INSURANCE CO. OF MODESTO
1506 H Street • Modesto, California 95353

INSTRUCTIONS

No. 11048-PV

Date March 28, 1978

We hand you herewith:

Cash in Sum of \$ 185,000.00 cash

Check for \$ _____

Deed of Trust and Note for \$ _____

which you are authorized to deliver and/or disburse as hereinafter set forth, together with any additional funds including the proceeds of any loan deposited with you, when you can issue your standard form title insurance policy in the amount of \$185,000.00, insuring title to the property described as Parcel 1: Alameda

County, AKA: ~~XXXXXX~~, Dublin, CA. APN: 941-210-1-4. Parcel 2: Contra
Costa County, AKA: ~~XXXXXX~~ APN: 126-400-005-8 and Parcel 3:
Contra Costa County, AKA: ~~XXXXXX~~ APN: 426-270-028-1.

To be vested in: JOHN WARMERDAM and LAURA WARMERDAM, husband and wife

Subject to:

1. The usual printed exceptions and stipulations contained in said policy, and
2. Taxes that are not delinquent.
3. Assessments of any Improvement or Reclamation District, provided there are no delinquent installments thereof.
4. Covenants, conditions, restrictions and reservations of record.
5. Existing rights of way or easements.

The above sum to be disbursed as follows:

Account of Seller	Purchase Price	
		\$ 185,000.00
XXXXXXXXXXXXXXXXXXXX		20.00
Title Policy		831.90
XXXXXXXXXXXX IRS		203.50
Recording Fees		9.00
Total		\$ _____

Prorate as of close of escrow, taxes (using the last available tax bills), ~~XXXXXXXXXXXX~~

These instructions effective for 30 days, and thereafter until revoked by written demand on you by the undersigned or any one of them. I hereby agree to pay all my proper costs and fees, including any adjustments in prorating.

Your Copy

Signature JOHN WARMERDAM
Signature LAURA WARMERDAM
Address _____

To FIRST AMERICAN TITLE INSURANCE CO. OF MODESTO
1506 H Street Modesto, California 95353

BUYER'S INSTRUCTIONS

No. 1.1048-PV

Date March 28, 1978

We hand you herewith:

Cash in Sum of \$ 185,000.00 cash

Check for \$

Deed of Trust and Note for \$

which you are authorized to deliver and/or disburse as hereinafter set forth, together with any additional funds including the proceeds of any loan deposited with you, when you can issue your standard form title insurance policy in the amount of \$185,000.00, insuring title to the property described as Parcel 1: Alameda

County AKA: ~~XXXXXX~~ Dublin, CA APN: 941-210-1-4 Parcel 2: Contra Costa County, AKA: ~~XXXXXX~~ APN: 126-400-005-8 and Parcel 3: Contra Costa County, AKA: ~~XXXXXX~~ APN: 426-270-028-1

To be vested in: JOHN WARMERDAM and LAURA WARMERDAM, husband and wife

- Subject to:
1. The usual printed exceptions and stipulations contained in said policy, and
 2. Taxes that are not delinquent.
 3. Assessments of any Improvement or Reclamation District, provided there are no delinquent installments thereof.
 4. Covenants, conditions, restrictions and reservations of record.
 5. Existing rights of way or easements.

The above sum to be disbursed as follows:

Account of Seller	Purchase Price	\$ 185,000.00
Expenses of Buyer		20.00
Title Policy		831.90
Escrow Fees IRS		203.50
Recording Fees		9.00
Total		\$

Prorate as of close of escrow taxes (using the last available tax bills)

These instructions effective for 30 days and thereafter until revoked by written demand on you by the undersigned or any one of them. I hereby agree to pay all my proper costs and fees, including any adjustments in prorating.

As per my conversation with Paul Ventimiglia on April 5th, 1978, he gave me the tax prorations as follows: Buyer would owe \$517.98 for the Alameda County property and \$418.36 for the Contra Costa County property, along with the figures at the top, all adds up to a total of \$187,000.74 which is the amount of money sent to First American Title in Walnut Creek to be sent to Modesto for close of escrow. Therefore no more monies should be due First American in Modesto.

Signature John Warmerdam
 Signature Laura Warmerdam
 Address 263 Spruce Court
Walnut Creek, CA 94594

Bob Garlock

I SENT THIS TO MR. VENTIMIGLIA I WILL ADVISE YOU WHEN I GET A REF - LOIS

Order No. 504534
Escrow No. 11048-PV
Loan No.

78-062823

RE:5335 IM:128

RECORDED at REQUEST OF
First American Title Co. -
At 10:30 A.M.

APR - 7 1978

OFFICIAL RECORDS OF
ALAMEDA COUNTY, CALIFORNIA
RENE C. DAVIDSON
COUNTY RECORDER

TRANSFER
TAX PAID
ALAMEDA COUNTY

WHEN RECORDED MAIL TO:

John Warmerdam et ux
c/o Newman Escrow
P. O. Box 4956
Walnut Creek, CA 94596

500

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO:

Same as above

DOCUMENTARY TRANSFER TAX \$ ~~101.75~~ 101.75

..... Computed on the consideration or value of property conveyed; OR
..... Computed on the consideration or value less liens or encumbrances
remaining at time of sale.

[Signature] F.A.T.
Signature of Declarant or Agent determining tax - Firm Name

Unincorporated

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

CORNELIUS VAN WYK and ELIZABETH VAN WYK, husband and wife

hereby GRANT(S) to JOHN WARMERDAM and LAURA WARMERDAM, husband and wife

the real property in the City of
County of

State of California, described as

REAL PROPERTY in the Township of Pleasanton, County of Alameda, State of
California, described as follows:

Portion of Lot 1, in Block 3, as said lots and block are
shown on the Map of "Tract 2662, Pleasanton Township, Alameda
County, California", filed June 4, 1964, in Book 50 of Maps,
Page 36, in the office of the County Recorder of Alameda County,
described as follows:

PARCEL 1:

78-062823

Beginning at a point on the southern line of Amador Valley
Boulevard, distant thereon north 69° 06' 49" east 118.91 feet from
the southwestern line of Lot 1, in Block 3, as said Boulevard
Lot and Block are shown on the map of "Tract 2662, Pleasanton,
Township, Alameda County, California", filed June 4, 1965 in Book
50 of Maps, Page 36, in the office of the County Recorder of
Alameda County; running thence south 40° 27' 19" east 176.48 feet
to the direct extension southwesterly of the southeastern line of
the Parcel of land described in the deed by Ralph B. Pahlmeyer
and Helen E. Pahlmeyer, his wife, to Shell Oil Company, dated
September 1, 1965, recorded September 2, 1965, on Reel 1589, Image
589, Recorder's Series No. AX/122491, Alameda County Records;
thence along said extended line, north 59° 57' east 66.11 feet to
the southern corner of said last mentioned parcel of land; thence
along the southwestern line thereof, north 40° 27' 19" west 165.31
feet to said southern line of Amador Valley Boulevard; thence
along the last named line, south 69° 06' 49" west 69 feet to the
point of beginning.

Excepting therefrom:

All oil, gas and other hydrocarbon substances in and under or
that may be produced from a depth below 500 feet of the surface
of said property without right of entry upon the surface of said
property for the purpose of mining, drilling, exploring or
extracting such oil, gas and other hydrocarbon substances or
other use of or rights in or to any portion of the surface of said
property to a depth of 500 feet below the surface thereof as
contained in the Deed from Volk-McLain Communities, Inc.,
formerly the Volk-McLain Company to Ralph B. Pahlmeyer and
Helen E. Pahlmeyer, his wife, dated July 13, 1965, recorded
July 15, 1965, on Reel 1551, Image 615, Recorder's Series No.
AX/97363, Alameda County Records.

RE:5335 IM:128