

ALAMEDA COUNTY  
**HEALTH CARE SERVICES**

AGENCY

REBECCA GEBHART, Interim Director



DEPARTMENT OF ENVIRONMENTAL HEALTH  
LOCAL OVERSIGHT PROGRAM (LOP)  
For Hazardous Materials Releases  
1131 HARBOR BAY PARKWAY, SUITE 250  
ALAMEDA, CA 94502  
(510) 567-6700  
FAX (510) 337-9335

May 9, 2017

Bancroft and 77<sup>th</sup>, LLC  
Attention: Ms. Victoria Vela  
6500 Flotilla Avenue  
Los Angeles, CA 90040  
(Sent via e-mail to: [v.vela@pwslaundry.com](mailto:v.vela@pwslaundry.com))

Ms. Carryl MacLeod  
Chevron Environmental Management Company  
6101 Bollinger Canyon Road  
San Ramon, CA 94583-2324  
(Sent via e-mail to: [CMacleod@chevron.com](mailto:CMacleod@chevron.com))

Bancroft Associates, LLC  
Attention: Mr. Justin Smith  
Address Unknown

Justin E. Smith and William C. Randall  
Address Unknown

Cathleen Maynard Trust  
Address Unknown

Earl L. & Marjorie E. Lupton, Jr. Trust  
Address Unknown

Kee S. & Ip C. Lee  
4461 Cerritos Avenue  
Cypress, CA 90630-4217

Bank of America NT&SA  
c/o National Convenience Stores, Inc.  
100 N. Tryon Street  
Charlotte, North Carolina, 28202

National Convenience Stores Inc.  
c/o CST Brands, Inc.  
Attention: Mr. Gerard Sonnier  
One Valero Way Building D, Suite 200  
San Antonio, Texas 78249  
(Sent via e-mail to: [Gerard.Sonnier@cstbrands.com](mailto:Gerard.Sonnier@cstbrands.com))

Valero Energy Corporation  
One Valero Way  
San Antonio, Texas 78249

Subject: Technical Report Request for Fuel Leak Case No. RO0003115 and GeoTracker Global ID T10000004796, Stop N Go Gas Station, 7701 Bancroft Avenue, Oakland, CA 94605

Ladies and Gentlemen:

Thank you for participating in the conference call with Alameda County Department of Environmental Health (ACDEH) on May 3, 2017. The purpose of the teleconference was to discuss the case with respect to the California State Water Resources Control Board's (SWRCB's) Low Threat Closure Policy (LTCP), encourage cooperation between the named Responsible Parties (RPs), and collectively implement ACDEH's February 10, 2014 Directive Letter. The purpose of this letter is to summarize the highlights of the conference call and resulting regulatory due dates.

## **COMMENTS**

### **1. Responsible Party Identification**

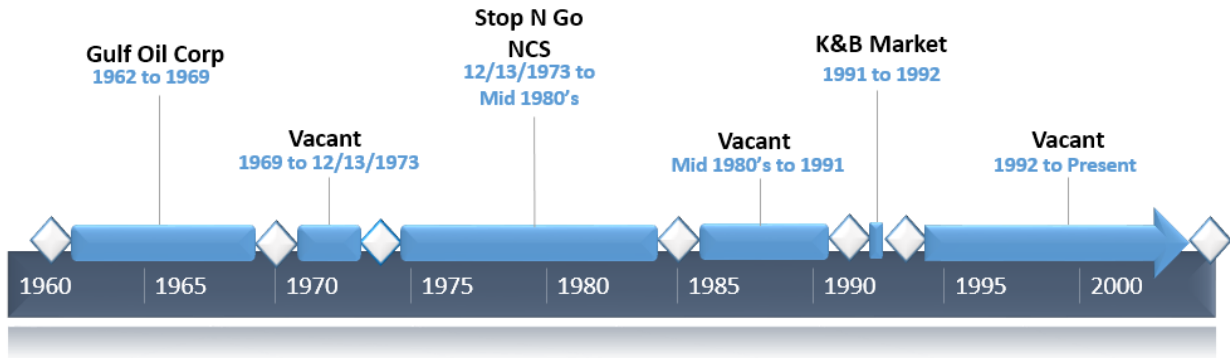
At this time, it appears appropriate to discuss the definition of Responsible Party and how it is applied in this case. According to California Code of Regulations, Division 3, Chapter 16, §2720, "Responsible Party" means one or more of the following:

1. Any person who owns or operates an underground storage tank used for the storage of any hazardous substance;

2. In the case of any underground storage tank no longer in use, any person who owned or operated the underground storage tank immediately before the discontinuation of its use;
3. Any owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred; and
4. Any person who had or has control over an underground storage tank at the time of or following an unauthorized release of a hazardous substance.

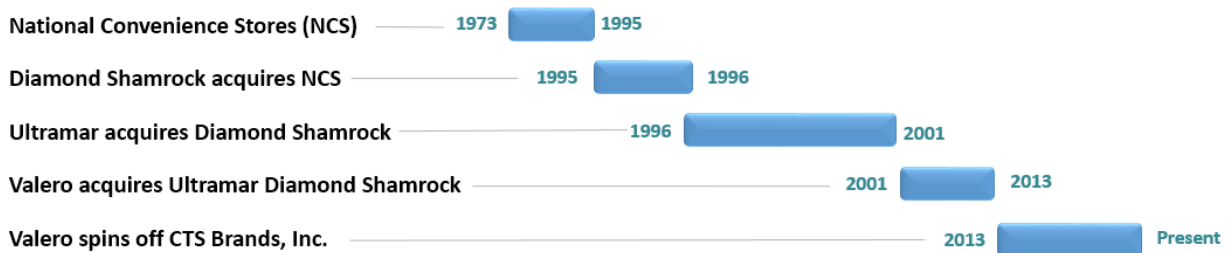
ACDEH reviewed the September 26, 2016 Notice of Responsibility (NOR) in which Responsible Parties (RPs) were named. Please refer to Attachment 2, *Responsible Party Identification for CST Brands, Inc.* The Assessor's Parcel Number (APN) of the site located at 7701 Bancroft Avenue, Oakland is 40-3388-4-4. According to the County of Alameda Assessor's Office Property Value System which provides the historical succession of property owners, the parcel was purchased or acquired by Gulf Oil Corporation on January 31, 1962. Gulf Oil Corporation was succeeded by Standard Oil of California, and then Chevron. Chevron, as a successor to the Gulf Oil Corporation, is a responsible party because they owned or operated underground storage tanks (USTs) used for the storage of any hazardous substance (Definition 1), in the case of any USTs no longer in use, they owned and operated the USTs immediately before the discontinuation of their use (Definition 2), and they were the property owner where an unauthorized release of a hazardous substance from the USTs occurred (Definition 3).

### Responsible Party Identification for CST Brand, Inc. Stop N Go Station, 7701 Bancroft Ave, Oakland



On December 13, 1973, National Convenience Stores Incorporated (NCS, operating under the name Stop N Go) purchased or acquired the property in December 13, 1973. NCS was acquired by Diamond Shamrock in 1995; Diamond Shamrock was acquired in 1996 by Ultramar and was renamed Ultramar Diamond Shamrock. Ultramar Diamond Shamrock was acquired by Valero Energy Corporation in 2001. In 2013 Valero Energy Corporation spins off CST Brands, Inc. CST Brands, Inc., as a successor to NCS, is a responsible party because they owned or operated the USTs used for the storage of any hazardous substance (Definition 1), in the case of any USTs no longer in use, they owned and operated the USTs immediately before the discontinuation of their use (Definition 2), and they were the property owner where an unauthorized release of a hazardous substance from the USTs occurred (Definition 3). Please see successorship history (next page) and Attachment 3, Deed and Sale Documentation.

### Successor History for CST Brands, Inc.



Bancroft and 77<sup>th</sup>, LLC, purchased or acquired the property on May 4, 2015. Bancroft and 77<sup>th</sup>, LLC is a responsible party for the site because it owns the property where an unauthorized release of a hazardous substance from a UST occurred (Definition 3).

There is no known environmental documentation associated with either gasoline service station, which operated between 1962 to 1969 and 1973 to the mid 1980's because this era preceded the start of UST regulations (January 1, 1984). Each gasoline service station operated USTs for approximately 10 years. Consequently, irrespective of when, where, or how the UST system experienced unauthorized release(s), ACDEH applies definitions 1, 2, and 3 to the property owners of both gasoline service stations. Bancroft and 77<sup>th</sup>, LLC, the current property owner, is named an RP because they bought property contaminated by unauthorized release(s) from USTs. ACDEH applies definition 3 to Bancroft and 77<sup>th</sup>, LLC. Therefore, Chevron, CST Brands, and Bancroft and 77<sup>th</sup>, LLC appear to satisfy the definition of Responsible Party.

Despite the evidence, CST Brands, Inc. contends that they are not a Responsible Party at the subject site. ACDEH requests that CST Brands, Inc. forward any information or documentation to refute responsible party status within thirty (30) days from the date of this letter. Should no documentation be found to relieve CST Brands, Inc. of their cleanup liability, ACDEH expects that CST Brands, Inc. work cooperatively with the other responsible parties to expedite site characterization and/or cleanup.

### 2. Resolution of the Approved but not Implemented Work Plan:

In 2015 Bancroft and 77<sup>th</sup>, LLC contracted with Pangea Environmental Services, Inc. (Pangea) to conduct a soil gas survey at the site to evaluate the potential for vapor intrusion for current use and potential future site buildings. Pangea submitted a *Soil Gas Sampling Report* (Soil Gas Report) dated December 18, 2015 to Bancroft and 77<sup>th</sup>, LLC, but the work was not conducted under ACDEH's oversight. The Soil Gas Report was submitted to ACDEH on May 13, 2016 and to Geotracker on April 28, 2016.

On June 24, 2016 ACDEH reviewed and approved the April 27, 2016 *Site Conceptual Model and Data Gap Work Plan* (SCM-Work Plan), prepared and submitted by on behalf of Bancroft and 77<sup>th</sup>, LLC. On September 7, 2016 Bancroft and 77<sup>th</sup>, LLC requested a report submittal extension to allow time for additional RPs to participate and ACDEH extended the report due date to November 2, 2016, but the work was not implemented.

### 3. Return To Compliance:

Implementation of site characterization and/or cleanup at this site is crucial to be protective of human health and the environment and to move this case towards closure evaluation. Please note that as Responsible Parties, you are required by California Code of Regulations, Title 23, Division 3, Chapter 16, Article 11, §2720 through §2728 to characterize the site and implement corrective action.

The site is out of compliance with two ACDEH *Notice to Comply* Directives dated January 7, 2016 and January 18, 2017. To regain compliance, please submit the document(s) as described below. As discussed during the

Ladies and Gentlemen  
RO00003115  
May 9, 2017, Page 4

conference call, failure to submit the requested document to ACDEH by the date provided below will result in case referral to the District Attorney. Pursuant to Chapter 6.7, California Health and Safety code, civil penalties up to \$10,000 for each UST for each day of violation may be imposed. Please note that civil penalties for non-compliance are assessed from the original due date of April 11, 2014 for the SCM and Data Gap Work Plan.

### **REVISED TECHNICAL REPORT REQUEST**

Please upload technical reports to the ACDEH ftp site (Attention: Karel Detterman), and to the State Water Resources Control Board's Geotracker website, according to Attachment 1 and the following specified file naming convention and schedule:

- **June 8, 2017 – Site Conceptual Model (SCM) and Data Gap Work Plan**  
File to be named: RO3115\_SCM\_WP\_R\_yyyy-mm-dd
- **June 8, 2017 – Documentation refuting Responsible Party Status**  
File to be named: RO3115\_MISC\_R\_yyyy-mm-dd

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

Thank you for your cooperation. Should you have any questions or concerns regarding your case, please send me an e-mail message at [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org) or call me at (510) 567-6708. Online case files are available for review at the following website: <http://www.acgov.org/aceh/lop/ust.htm>

Sincerely,

Karel Detterman, P.G.  
Hazardous Materials Specialist

Enclosures: Attachment 1 – Responsible Party (ies) Legal Requirements / Obligations  
Electronic Report Upload (ftp) Instructions  
Attachment 2 – Responsible Party Identification for CST Brands, Inc.  
Attachment 3 - Deed and Sale Documentation

cc: Kathleen Clack, Law Offices (sent via e-mail to: [kpc@clacklaw.com](mailto:kpc@clacklaw.com))  
Brad Steinberg, PWS Laundry, (sent via e-mail to: [bsteinberg@pwslaundry.com](mailto:bsteinberg@pwslaundry.com))  
Daniel A. Robinson, Esq., Sr. Managing Counsel, CST Brands, Inc. (Sent via e-mail to: [daniel.robinson@cstbrands.com](mailto:daniel.robinson@cstbrands.com))  
Sharon Vasquez, Chevron, (sent via e-mail to: [sharonvasquez@chevron.com](mailto:sharonvasquez@chevron.com))  
Robert Goodman, (sent via e-mail to: [rgoodman@rjo.com](mailto:rgoodman@rjo.com))  
Brian Silva, GHD, (sent via e-mail to: [brian.silva@ghd.com](mailto:brian.silva@ghd.com))  
Kerri Barsh, Greenberg Traurig, (sent via e-mail to: [barshk@gtlaw.com](mailto:barshk@gtlaw.com))  
John Chibbaro, Greenberg Traurig, (sent via e-mail to: [chibbaroj@gtlaw.com](mailto:chibbaroj@gtlaw.com))  
Dilan Roe, ACDEH, (sent via e-mail to: [dilan.roe@acgov.org](mailto:dilan.roe@acgov.org))  
Karel Detterman, ACDEH, (sent via e-mail to: [karel.detterman@acgov.org](mailto:karel.detterman@acgov.org))  
Paresh Khatri, ACDEH, (sent via e-mail to: [paresh.khatri@acgov.org](mailto:paresh.khatri@acgov.org))  
Case Electronic File, GeoTracker

## Attachment 1

### Responsible Party(ies) Legal Requirements / Obligations

#### REPORT REQUESTS

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

#### ELECTRONIC SUBMITTAL OF REPORTS

Alameda County Department of Environmental Health's (ACDEH) Environmental Cleanup Oversight Programs, Local Oversight Program (LOP) and Site Cleanup Program (SCP) require submission of reports in electronic form. The electronic copy replaces paper copies and is expected to be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program File Transfer Protocol (FTP) site are provided on the attached "Electronic Report Upload Instructions." Submission of reports to the Alameda County FTP site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) GeoTracker website. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for all groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitoring wells, and [other](#) data to the GeoTracker database over the Internet. Beginning July 1, 2005, these same reporting requirements were added to SCP sites. Beginning July 1, 2005, electronic submittal of a complete copy of all reports for all sites is required in GeoTracker (in PDF format). Please visit the SWRCB website ([http://www.waterboards.ca.gov/water\\_issues/programs/ust/electronic\\_submittal/](http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal/)) for more information on these requirements.

#### ACKNOWLEDGEMENT STATEMENT

All work plans, technical reports, or technical documents submitted to ACDEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I have read and acknowledge the content, recommendations and/or conclusions contained in the attached document or report submitted on my behalf to ACDEH's FTP server and the SWRCB's GeoTracker website." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this fuel leak case.

#### PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6731, 6735, and 7835) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately licensed or certified professional. For your submittal to be considered a valid technical report, you are to present site-specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature, and statement of professional certification. Please ensure all that all technical reports submitted for this case meet this requirement. Additional information is available on the Board of Professional Engineers, Land Surveyors, and Geologists website at: <http://www.bpelsg.ca.gov/laws/index.shtml>.

#### UNDERGROUND STORAGE TANK CLEANUP FUND

Please note that delays in investigation, late reports, or enforcement actions may result in your becoming ineligible to receive grant money from the state's Underground Storage Tank Cleanup Fund (Senate Bill 2004) to reimburse you for the cost of cleanup.

#### AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

<b>Alameda County Environmental Cleanup Oversight Programs (LOP and SCP)</b>	<b>REVISION DATE:</b> December 1, 2016
	<b>ISSUE DATE:</b> July 5, 2005
	<b>PREVIOUS REVISIONS:</b> October 31, 2005; December 16, 2005; March 27, 2009; July 8, 2010, July 25, 2010; May 15, 2014, November 29, 2016
<b>SECTION:</b> Miscellaneous Administrative Topics & Procedures	<b>SUBJECT:</b> Electronic Report Upload (ftp) Instructions

The Alameda County Environmental Cleanup Oversight Programs (LOP and SCP) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities.

## REQUIREMENTS

- **Please do not submit reports as attachments to electronic mail.**
- Entire report including cover letter must be submitted to the ftp site as **a single portable document format (PDF) with no password protection.**
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- **Signature pages and perjury statements must be included and have either original or electronic signature.**
- **Do not password protect the document.** Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:

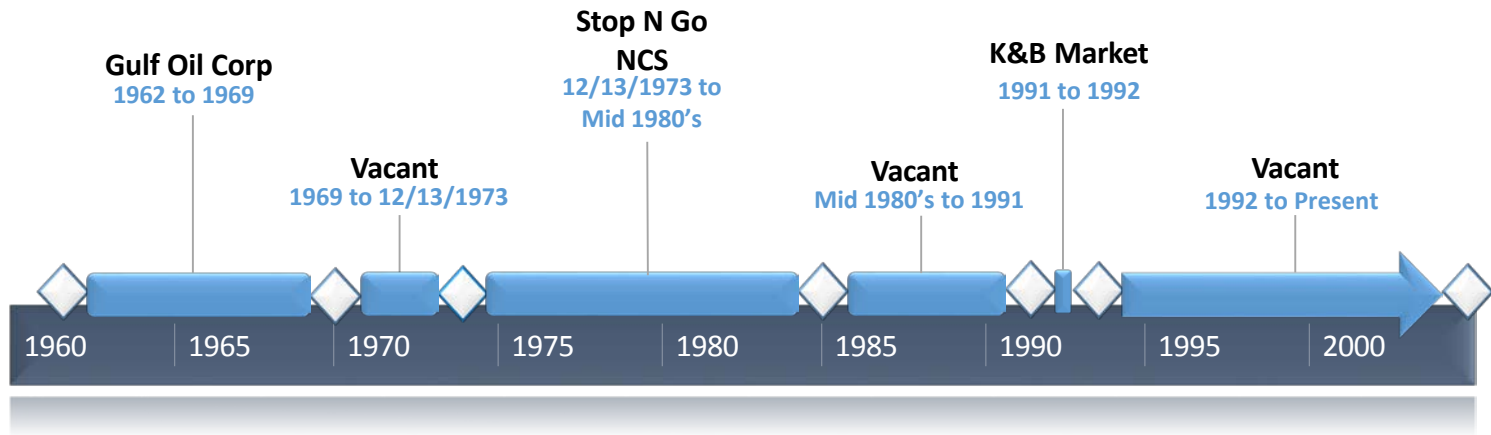
RO#\_Report Name\_Year-Month-Date (e.g., RO#5555\_WorkPlan\_2005-06-14)

## Submission Instructions

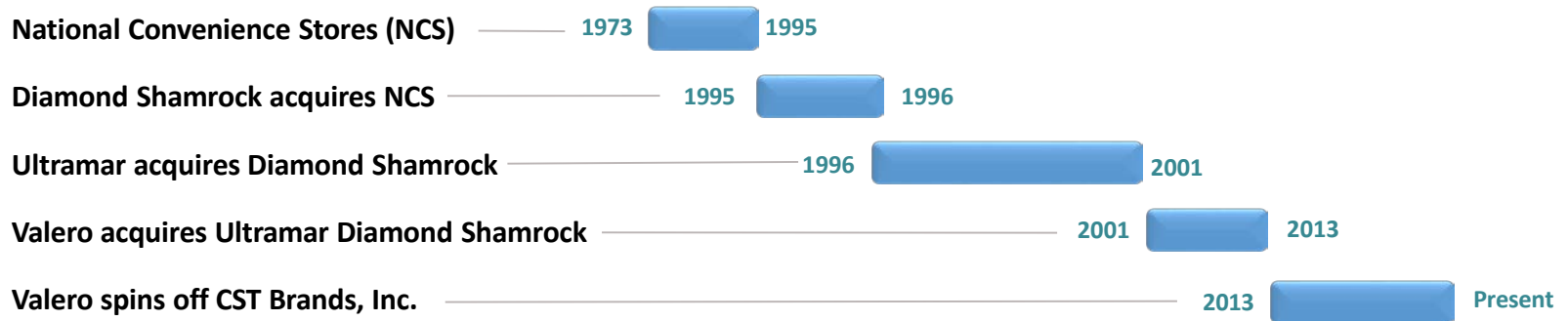
- 1) Obtain User Name and Password
  - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
    - i) Send an e-mail to [deh.loptoxic@acgov.org](mailto:deh.loptoxic@acgov.org).
  - b) In the subject line of your request, be sure to include "**ftp PASSWORD REQUEST**" and in the body of your request, include the **Contact Information, Site Addresses**, and the **Case Numbers (RO# available in Geotracker) you will be posting for.**
- 2) Upload Files to the ftp Site
  - a) Open File Explorer using the Windows  key + E keyboard shortcut.
    - i) Note: Netscape, Safari, and Firefox browsers will not open the FTP site as they are NOT being supported at this time.
  - b) On the address bar, type in ftp://alcoftp1.acgov.org.
  - c) Enter your User Name and Password. (Note: Both are Case Sensitive)
  - d) Click Log On.
  - e) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
  - f) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
  - a) Send email to [deh.loptoxic@acgov.org](mailto:deh.loptoxic@acgov.org) notify us that you have placed a report on our ftp site.
  - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name @acgov.org. (e.g., firstname.lastname@acgov.org)
  - c) The subject line of the e-mail must start with the RO# followed by **Report Upload**. (e.g., Subject: RO1234 Report Upload) If site is a new case without an RO#, use the street address instead.
  - d) If your document meets the above requirements and you follow the submission instructions, you will receive a notification by email indicating that your document was successfully uploaded to the ftp site.

## Attachment 2

### Responsible Party Identification for CST Brands, Inc. Stop N Go Station, 7701 Bancroft Ave, Oakland



### Successor History for CST Brands, Inc.



# ATTACHMENT 3



1973

OR

3571

403

RE: 3571 IN: 403

RECORDING REQUESTED BY

TITLE INSURANCE AND TRUST CO.  
AY 209861

73-163994

RECORDED BY REQUEST OF  
TITLE INSURANCE & TRUST CO.

At \_\_\_\_\_ Min. Past 2:30 P.M.

DEC 13 1973

OFFICIAL RECORDS OF  
ALAMEDA COUNTY, CALIFORNIA  
JACK G. BLUE  
COUNTY RECORDER

TRANSFER  
TAX PAID  
ALAMEDA COUNTY

Name: National Convenience Stores  
Address: P.O. Box 2248  
City & State: San Jose, Calif. 95157  
City & State: ATTN: Jerry Miller

MAIL TAX STATEMENTS TO

SAVE AS MANY

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Corporation Grant Deed

ASSTS. POL. NO.  
TO ACE-2 CA 14-731

THIS FORM FURNISHED BY TITLE INSURANCE AND TRUST COMPANY

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$ 28.40 <sup>2860</sup>

- (X) computed on full value of property conveyed, or
- ( ) computed on full value less value of liens and encumbrances remaining at time of sale.
- ( ) Unincorporated area: (X) City of Oakland, and

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

GULF OIL CORPORATION

a corporation organized under the laws of the state of Pennsylvania  
hereby GRANTS to

NATIONAL CONVENIENCE STORES INC., a Texas corporation,

the following described real property in the City of Oakland  
County of Alameda, State of California:

FOR LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO  
AND MADE A PART HEREOF.

SUBJECT TO: (1) Any facts and conditions that an accurate survey or  
personal inspection of the premises would reveal; (2) Any and all ease-  
ments, covenants, conditions, restrictions, reservations and rights of  
record, zoning laws and regulatory ordinances in effect at title transfer,  
and 1973-1974 taxes and assessments, if any.

In Witness Whereof, said corporation has caused its corporate name and seal to be affixed hereto and this instru-  
ment to be executed by its officer President W. B. Anderson  
thereunto duly authorized.

Dated: November 19, 1973

GULF OIL CORPORATION

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES  
on November 21, 1973

before me the under-  
signed, a Notary Public in and for said State, personally appeared  
W. B. ANDERSON

W. B. Anderson, Vice President and  
General Manager of Gulf Oil Company  
California, a Division of Gulf Oil  
Corporation

known to me to be the person who executed the  
within instrument on behalf of the Corporation therein named, and  
acknowledged to me that such Corporation executed the within instru-  
ment pursuant to its by laws or a resolution of its Board of directors

WITNESS my hand and official seal  
Signature Carol W. Bearmore

CAROL W. BEARMORE  
Name Typed or Printed

OFFICIAL SEAL  
CAROL W. BEARMORE  
NOTARY PUBLIC - CALIFORNIA  
PRINCIPAL OFFICE IN  
LOS ANGELES COUNTY  
My Commission Expires May 21, 1977

Title Order No. \_\_\_\_\_

Escrow No. AY-209861

MAIL TAX STATEMENTS AS DIRECTED ABOVE

1973

OR

3571

404

DESCRIPTION:

EXHIBIT "A"

RE: 3571 IN 404

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

PARCEL 1:

13-163994

A PORTION OF LOTS 5 AND 6, IN BLOCK 11, AS SAID LOTS AND BLOCK ARE SHOWN ON THE "AMENDED MAP OF MELROSE EXTENSION TRACT, BROOKLYN TWP. ALAMEDA CO., CAL.", FILED NOVEMBER 11, 1909, IN BOOK 25 OF MAPS, PAGE 14, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY; AND A PORTION OF LOTS 1, 2 AND 3, IN BLOCK 10, AS LAST SAID LOTS AND BLOCK ARE SHOWN ON THE MAP OF "ELECTRIC LOOP TRACT OAKLAND, ALAMEDA COUNTY CALIFORNIA", FILED APRIL 15, 1914, IN BOOK 28 OF MAPS, PAGES 65 AND 66, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY, SAID PORTIONS BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHWESTERN LINE OF BANCROFT AVENUE, AS SAID AVENUE NOW EXISTS, WITH THE SOUTHEASTERN BOUNDARY LINE OF LOT 3, IN BLOCK 10, OF THE "ELECTRIC LOOP TRACT", HEREINABOVE REFERRED TO; AND RUNNING THENCE ALONG SAID SOUTHEASTERN BOUNDARY LINE SOUTH 52° 02' 28" WEST (ALL BEARINGS AND DISTANCES GIVEN HEREIN ARE IN THE CALIFORNIA COORDINATE SYSTEM, ZONE 3) 99.98 FEET TO THE SOUTHWESTERN BOUNDARY LINE OF SAID LOT 3; THENCE ALONG THE LAST MENTIONED BOUNDARY LINE ALONG THE SOUTHWESTERN BOUNDARY LINES OF LOTS 2 AND 1, IN SAID BLOCK 10, AND ALONG THE NORTHERN BOUNDARY LINE OF THAT CERTAIN PARCEL OF LAND CONVEYED BY THE CITY OF OAKLAND TO HARRY SCHUSTER, ET UX, BY DEED DATED NOVEMBER 23, 1949, RECORDED DECEMBER 8, 1949, IN BOOK 5957, PAGE 566, OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY, NORTH 37° 55' 02" WEST 99.99 FEET TO THE SOUTHEASTERN LINE OF 77TH AVENUE; THENCE ALONG THE LAST MENTIONED LINE NORTH 52° 02' 28" EAST 84.97 FEET TO A POINT FROM WHICH THE CENTER OF A CIRCLE HAVING A RADIUS OF 15 FEET BEARS SOUTH 37° 57' 32" EAST; THENCE ALONG THE CIRCUMFERENCE OF LAST SAID CIRCLE, NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY 23.57 FEET TO SAID SOUTHWESTERN LINE OF BANCROFT AVENUE; AND THENCE ALONG THE LAST NAMED LINE, TANGENT TO SAID CIRCUMFERENCE, SOUTH 37° 55' 02" EAST 84.98 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

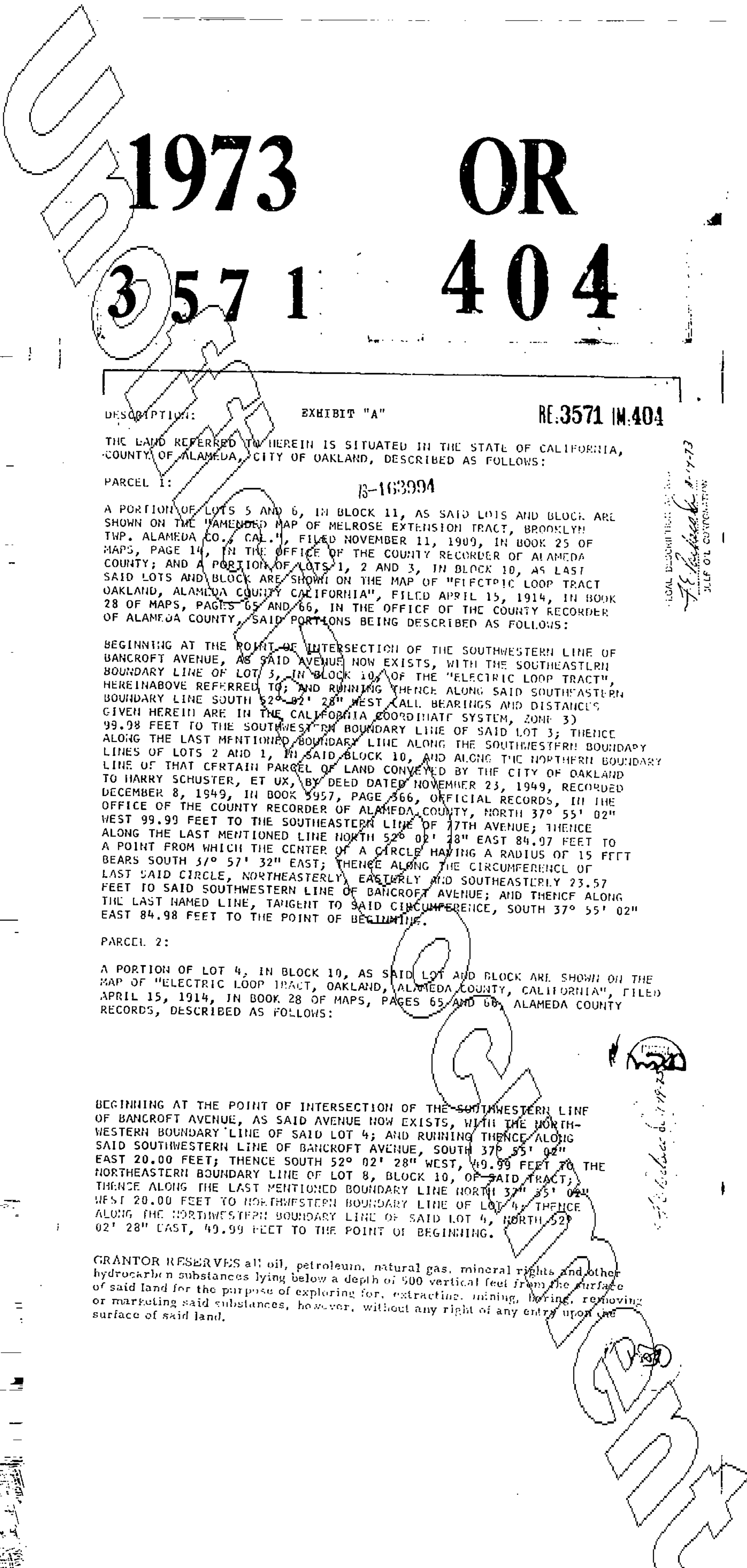
A PORTION OF LOT 4, IN BLOCK 10, AS SAID LOT AND BLOCK ARE SHOWN ON THE MAP OF "ELECTRIC LOOP TRACT, OAKLAND, ALAMEDA COUNTY, CALIFORNIA", FILED APRIL 15, 1914, IN BOOK 28 OF MAPS, PAGES 65 AND 66, ALAMEDA COUNTY RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHWESTERN LINE OF BANCROFT AVENUE, AS SAID AVENUE NOW EXISTS, WITH THE NORTHWESTERN BOUNDARY LINE OF SAID LOT 4; AND RUNNING THENCE ALONG SAID SOUTHWESTERN LINE OF BANCROFT AVENUE, SOUTH 37° 55' 02" EAST 20.00 FEET; THENCE SOUTH 52° 02' 28" WEST, 49.99 FEET TO THE NORTHEASTERN BOUNDARY LINE OF LOT 8, BLOCK 10, OF SAID TRACT; THENCE ALONG THE LAST MENTIONED BOUNDARY LINE NORTH 37° 55' 02" WEST 20.00 FEET TO NORTHWESTERN BOUNDARY LINE OF LOT 4; THENCE ALONG THE NORTHWESTERN BOUNDARY LINE OF SAID LOT 4, NORTH 52° 02' 28" EAST, 49.99 FEET TO THE POINT OF BEGINNING.

GRANTOR RESERVES all oil, petroleum, natural gas, mineral rights and other hydrocarbon substances lying below a depth of 500 vertical feet from the surface of said land for the purpose of exploring for, extracting, mining, boring, removing or marketing said substances, however, without any right of any entry upon the surface of said land.

LEGAL DESCRIPTION BY  
J.E. FISHBACH 8-11-73  
SELF OIL CORPORATION

FILED  
13-163994  
11-19-73



1973

OR

3571

403

RE: 3571 IN: 403

RECORDING REQUESTED BY

TITLE INSURANCE AND TRUST CO.  
AY 209861

73-163994

RECORDED BY REQUEST OF  
TITLE INSURANCE & TRUST CO.

At \_\_\_\_\_ Min. Past 2:30 P.M.

DEC 13 1973

OFFICIAL RECORDS OF  
ALAMEDA COUNTY, CALIFORNIA  
JACK G. BLUE  
COUNTY RECORDER

TRANSFER  
TAX PAID  
ALAMEDA COUNTY

Name: National Convenience Stores  
Address: P.O. Box 3248  
San Jose, Calif. 95157  
City & State: ATTN: Jerry Miller

MAIL TAX STATEMENTS TO

SAVE AS MANY

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Corporation Grant Deed

ASSTS. POL. NO.  
TO ACE-2 CA 14-731

THIS FORM FURNISHED BY TITLE INSURANCE AND TRUST COMPANY

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$ 28.40 <sup>2860</sup>

- (X) computed on full value of property conveyed, or
- ( ) computed on full value less value of liens and encumbrances remaining at time of sale.
- ( ) Unincorporated area: (X) City of Oakland, and

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

GULF OIL CORPORATION

a corporation organized under the laws of the state of Pennsylvania  
hereby GRANTS to

NATIONAL CONVENIENCE STORES INC., a Texas corporation,

the following described real property in the City of Oakland  
County of Alameda, State of California:

FOR LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO  
AND MADE A PART HEREOF.

SUBJECT TO: (1) Any facts and conditions that an accurate survey or  
personal inspection of the premises would reveal; (2) Any and all ease-  
ments, covenants, conditions, restrictions, reservations and rights of  
record, zoning laws and regulatory ordinances in effect at title transfer,  
and 1973-1974 taxes and assessments, if any.

In Witness Whereof, said corporation has caused its corporate name and seal to be affixed hereto and this instru-  
ment to be executed by its officer President  
thereunto duly authorized.

Dated: November 19, 1973

GULF OIL CORPORATION

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES  
on November 21, 1973

before me the under-  
signed, a Notary Public in and for said State, personally appeared  
W. B. ANDERSON

W. B. Anderson, Vice President and  
General Manager of Gulf Oil Company  
California, a Division of Gulf Oil  
Corporation

known to me to be the person who executed the  
within instrument on behalf of the Corporation therein named, and  
acknowledged to me that such Corporation executed the within instru-  
ment pursuant to its by laws or a resolution of its Board of directors

WITNESS my hand and official seal  
Signature Carol W. Bearmore

CAROL W. BEARMORE  
Name Typed or Printed

OFFICIAL SEAL  
CAROL W. BEARMORE  
NOTARY PUBLIC - CALIFORNIA  
PRINCIPAL OFFICE IN  
LOS ANGELES COUNTY  
My Commission Expires May 21, 1977

Title Order No.

Escrow No. AY-209861

MAIL TAX STATEMENTS AS DIRECTED ABOVE

1973

OR

3571

404

DESCRIPTION:

EXHIBIT "A"

RE: 3571 IN 404

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

PARCEL 1:

13-163994

A PORTION OF LOTS 5 AND 6, IN BLOCK 11, AS SAID LOTS AND BLOCK ARE SHOWN ON THE "AMENDED MAP OF MELROSE EXTENSION TRACT, BROOKLYN TWP. ALAMEDA CO., CAL.", FILED NOVEMBER 11, 1909, IN BOOK 25 OF MAPS, PAGE 14, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY; AND A PORTION OF LOTS 1, 2 AND 3, IN BLOCK 10, AS LAST SAID LOTS AND BLOCK ARE SHOWN ON THE MAP OF "ELECTRIC LOOP TRACT OAKLAND, ALAMEDA COUNTY CALIFORNIA", FILED APRIL 15, 1914, IN BOOK 28 OF MAPS, PAGES 65 AND 66, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY, SAID PORTIONS BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHWESTERN LINE OF BANCROFT AVENUE, AS SAID AVENUE NOW EXISTS, WITH THE SOUTHEASTERN BOUNDARY LINE OF LOT 3, IN BLOCK 10, OF THE "ELECTRIC LOOP TRACT", HEREINABOVE REFERRED TO; AND RUNNING THENCE ALONG SAID SOUTHEASTERN BOUNDARY LINE SOUTH 52° 02' 28" WEST (ALL BEARINGS AND DISTANCES GIVEN HEREIN ARE IN THE CALIFORNIA COORDINATE SYSTEM, ZONE 3) 99.98 FEET TO THE SOUTHWESTERN BOUNDARY LINE OF SAID LOT 3; THENCE ALONG THE LAST MENTIONED BOUNDARY LINE ALONG THE SOUTHWESTERN BOUNDARY LINES OF LOTS 2 AND 1, IN SAID BLOCK 10, AND ALONG THE NORTHERN BOUNDARY LINE OF THAT CERTAIN PARCEL OF LAND CONVEYED BY THE CITY OF OAKLAND TO HARRY SCHUSTER, ET UX, BY DEED DATED NOVEMBER 23, 1949, RECORDED DECEMBER 8, 1949, IN BOOK 5957, PAGE 566, OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY, NORTH 37° 55' 02" WEST 99.99 FEET TO THE SOUTHEASTERN LINE OF 77TH AVENUE; THENCE ALONG THE LAST MENTIONED LINE NORTH 52° 02' 28" EAST 84.97 FEET TO A POINT FROM WHICH THE CENTER OF A CIRCLE HAVING A RADIUS OF 15 FEET BEARS SOUTH 37° 57' 32" EAST; THENCE ALONG THE CIRCUMFERENCE OF SAID CIRCLE, NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY 23.57 FEET TO SAID SOUTHWESTERN LINE OF BANCROFT AVENUE; AND THENCE ALONG THE LAST NAMED LINE, TANGENT TO SAID CIRCUMFERENCE, SOUTH 37° 55' 02" EAST 84.98 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

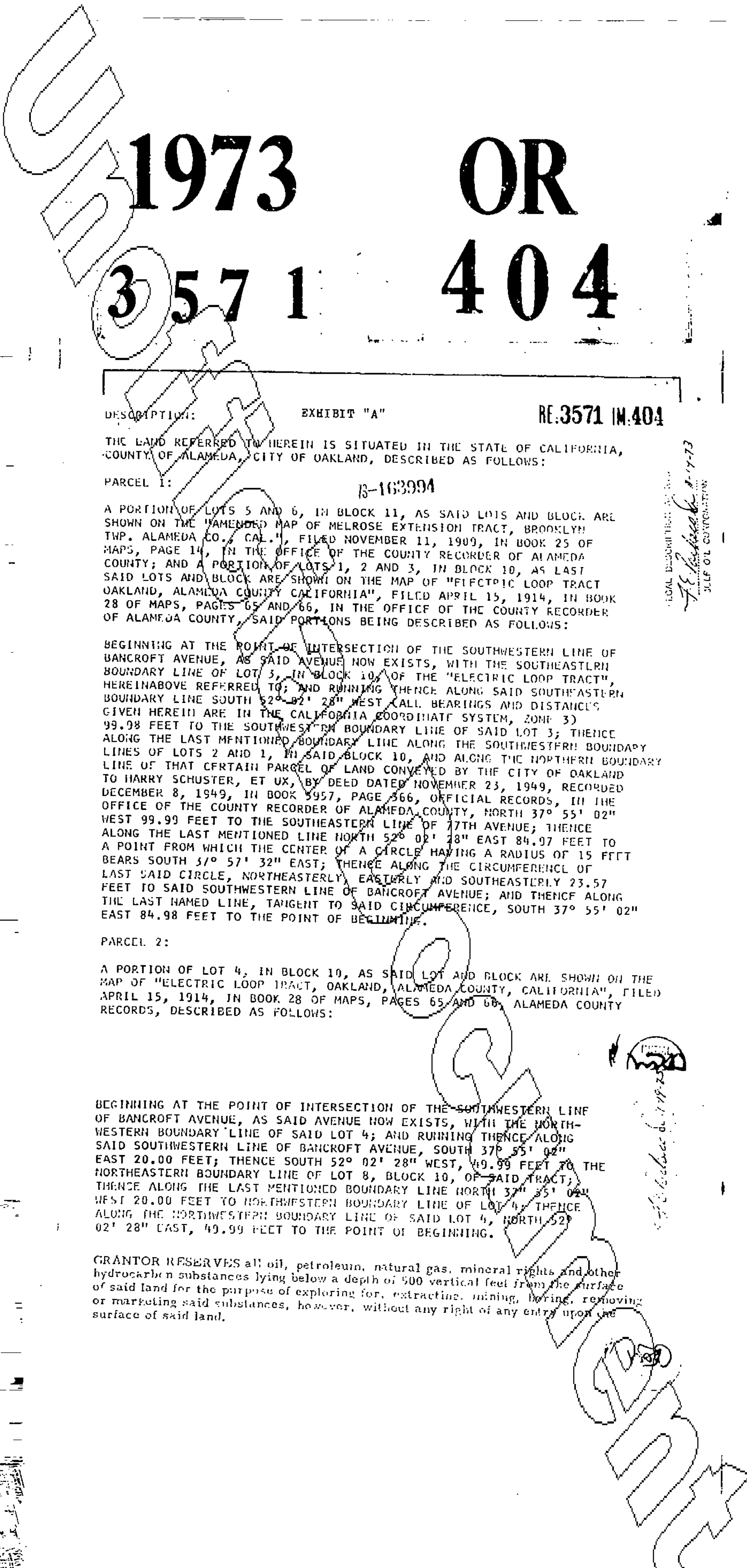
A PORTION OF LOT 4, IN BLOCK 10, AS SAID LOT AND BLOCK ARE SHOWN ON THE MAP OF "ELECTRIC LOOP TRACT, OAKLAND, ALAMEDA COUNTY, CALIFORNIA", FILED APRIL 15, 1914, IN BOOK 28 OF MAPS, PAGES 65 AND 66, ALAMEDA COUNTY RECORDS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTHWESTERN LINE OF BANCROFT AVENUE, AS SAID AVENUE NOW EXISTS, WITH THE NORTHWESTERN BOUNDARY LINE OF SAID LOT 4; AND RUNNING THENCE ALONG SAID SOUTHWESTERN LINE OF BANCROFT AVENUE, SOUTH 37° 55' 02" EAST 20.00 FEET; THENCE SOUTH 52° 02' 28" WEST, 49.99 FEET TO THE NORTHEASTERN BOUNDARY LINE OF LOT 8, BLOCK 10, OF SAID TRACT; THENCE ALONG THE LAST MENTIONED BOUNDARY LINE NORTH 37° 55' 02" WEST 20.00 FEET TO NORTHWESTERN BOUNDARY LINE OF LOT 4; THENCE ALONG THE NORTHWESTERN BOUNDARY LINE OF SAID LOT 4, NORTH 52° 02' 28" EAST, 49.99 FEET TO THE POINT OF BEGINNING.

GRANTOR RESERVES all oil, petroleum, natural gas, mineral rights and other hydrocarbon substances lying below a depth of 500 vertical feet from the surface of said land for the purpose of exploring for, extracting, mining, boring, removing or marketing said substances, however, without any right of any entry upon the surface of said land.

LEGAL DESCRIPTION BY  
J.E. [Signature] 1-17-73  
SELF OIL CONVEYANCE

13-163994  
1-17-73



RECORDING REQUESTED BY AND MADE TO

N. C. Store, Inc.  
100 Waugh Drive  
Houston, Texas 77007

85-203977

RECORDED IN OFFICIAL RECORDS  
OF ALAMEDA COUNTY, CALIF.  
RENE C. DAVIDSON, CLERK RECORDER

029

'85 JUN 21 PM 1 50

(DO NOT WRITE ABOVE. Gov. Code Sec. 27361.5 reserves space above for exclusive use of County Recorder.)

**NOTICE OF INTENDED TRANSFER OF RETAIL ALCOHOLIC BEVERAGE LICENSE UNDER SECTIONS 24673 AND 24074, CALIFORNIA BUSINESS AND PROFESSIONS CODE**

1. LICENSEE'S NAME(S) \_\_\_\_\_ PREMISES ADDRESSED TO WHICH THE LICENSE(S) HAS (HAVE) BEEN ISSUED \_\_\_\_\_ MAILING ADDRESS IF DIFFERENT \_\_\_\_\_

NATIONAL CONVENIENCE STORES INCORPORATED

Store #785  
7701 Bancroft Avenue  
Oakland, California 94605

100 Waugh Drive  
Houston, Texas 77007

2. INTENDED TRANSFEREE'S NAME(S) \_\_\_\_\_ ADDRESS \_\_\_\_\_ ZIP CODE \_\_\_\_\_

KEE SUP LEZ

1355 Sturgeon Way  
San Jose, California 95129

95129

LICENSE WILL REMAIN AT PREMISES:  
7701 Bancroft Avenue  
Oakland, California 94605

3. KIND OF LICENSE(S) INTENDED TO BE TRANSFERRED (NAME AND NUMBER) \_\_\_\_\_

OFF SALE GENERAL 21-144092

4. NAME AND ADDRESS OF ESCROW HOLDER OR GUARANTOR \_\_\_\_\_

BANK OF AMERICA, NT & SA SAN FRANCISCO ESCROW SERVICES # 3960  
315 Montgomery Street, Suite 920, San Francisco, California 94104  
ATT: ESCROW # B 18866 LTN

5. Total consideration to be paid for the business and license (to include inventory whether actual cost, estimated cost, or a not-to-exceed amount)

Cash .....	\$	_____
Checks .....		10,000.00
Promissory Notes .....		20,000.00
Tangible and/or Intangible property .....		30,000.00 PLUS
ESTIMATED \$45,000 INVENTORY AT COST TO BE PAID IN CASH		

6. The parties agree that the consideration for the transfer of the business and the license(s) is to be paid only after the Department of Alcoholic Beverage Control has approved the proposed transfer. The parties also agree and herein direct the above-named escrow holder to make payment or distribution within a reasonable time after the completion of the transfer of the license as provided in Section 24074 of the California Business and Professions Code.

TRANSFEROR SIGNATURES  
NATIONAL CONVENIENCE STORES INCORPORATED  
BY: *[Signature]*  
R. N. Lajoie, Assistant Secretary

TRANSFeree SIGNATURES  
KEE SUP LEZ *[Signature]*

One copy of this notice, certified by the County Recorder, together with an additional copy must accompany the application for transfer for the license.

See Form ABC-621, Department of Alcoholic Beverage Control Instructions re Escrow and Public Notice Requirements for Retail License Transfers.

ABC-171/37

**BANK OF AMERICA**

NATIONAL TRUST AND SAVINGS ASSOCIATION  
Branch SAN FRANCISCO ESCROW SERVICES # 3960  
Address 315 Montgomery St., Suite 920  
City San Francisco, California 94104  
State CA  
Escrow #: B 18866 LTN

029

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Escrow No. B 18866

**NOTICE TO CREDITORS**  
(Division 6 of the Commercial Code)

86-218463

- (a) A bulk transfer is about to be made.
- (b) The names and business addresses of the transferor are:  
NATIONAL CONVENIENCE STORES INCORPORATED  
C/O "STOP N GO" CONVENIENCE MARKET, Store #205  
7701 Bancroft Avenue  
Oakland, California 94605  
The names and business addresses of the transferee are:  
KEE SUP LEE  
1356 Sturgeon Way  
San Jose, California 95129

RECORDED IN OFFICIAL RECORDS  
OF ALAMEDA COUNTY, CALIF.  
RENE C. DAVIDSON CO. RECORDER

'86 SEP 8 PM 2 37

All other business names and addresses used by the transferor within three years last past so far as known to the transferee are:

- (c) The location and general description of the property to be transferred are: fixtures and equipment of that certain convenience store business now known as "STOP N GO CONVENIENCE MARKET # 758" AND now located at 7701 Bancroft Avenue, Oakland, California 94605

- (d) The place, and the date on or after which, the bulk transfer is to be consummated are:  
BANK OF AMERICA, NT & SA SAN FRANCISCO ESCROW SERVICES  
315 Montgomery Street, Suite 920  
San Francisco, California 94104

ON OR AFTER SEPTEMBER 15, 1986

Dated August 4, 1986

NATIONAL CONVENIENCE STORES INCORPORATED,  
*Raymond Springer*  
Transferor

BY: RAYMOND SPRINGER, VICE  
PRESIDENT

KEE SUP LEE  
Transferee

Transferor

RECORDING REQUESTED BY

86-220405

*Bank of America*  
*315 Montgomery St*  
*San Francisco*

RECORDED IN OFFICIAL RECORDS  
OF ALABAMA COUNTY, CALIF.  
HENS O. DAVIDSON CO. RECORDER

86 SEP 10 PM 3 06

**NOTICE OF INTENDED TRANSFER OF RETAIL ALCOHOLIC BEVERAGE LICENSE UNDER SECTIONS 24073 AND 24074, CALIFORNIA BUSINESS AND PROFESSIONS CODE**

1. LICENSEE'S NAME(S) NATIONAL CONVENIENCE STORES INCORPORATED  
PREMISES ADDRESS(ES) TO WHICH THE LICENSE(S) HAS (HAVE) BEEN ISSUED Store #758  
7701 Bancroft Avenue  
Oakland, California 94605  
MAILING ADDRESS IF DIFFERENT 100 Waugh Drive  
Houston, Texas 77007

2. INTENDED TRANSFEREE'S NAME(S) ADDRESS ZIP CODE  
KEE SUP LEE 1356 Sturgeon Way 95129  
San Jose, California 95129  
LICENSE WILL REMAIN AT PREMISES:  
7701 Bancroft Avenue  
Oakland, California 94605

3. KIND OF LICENSE(S) INTENDED TO BE TRANSFERRED (NAME AND NUMBER) OFF SALE GENERAL 21-14092  
4. NAME AND ADDRESS OF ESCROW HOLDER OR GUARANTOR  
BANK OF AMERICA, NT & SA SAN FRANCISCO ESCROW SERVICES # 3560  
315 Montgomery Street, Suite 920, San Francisco, California 94104  
ATT: ESCROW # 8 18865 LPN

5. Total consideration to be paid for the business and license (to include inventory whether actual cost, estimated cost, or a not-to-exceed amount)

Cash	\$	
Checks		10,000.00
Promissory Notes		20,000.00
Tangible and/or intangible property		
<b>TOTAL AMOUNT</b>	<b>\$</b>	<b>30,000.00</b>

6. The parties agree that the consideration for the transfer of the business and the license(s) is to be paid only after the Department of Alcoholic Beverage Control has approved the proposed transfer. The parties also agree and herein direct the above-named escrow holder to make payment or distribution within a reasonable time after the completion of the transfer of the license as provided in Section 24074 of the California Business and Professions Code.

TRANSFEROR'S SIGNATURES  
NATIONAL CONVENIENCE STORES INCORPORATED  
BY: *Raymond Springuel*  
RAYMOND SPRINGUEL, VICE PRESIDENT

TRANSFEREE'S SIGNATURES  
KEE SUP LEE *Keen Lee*

One copy of this notice, certified by the County Recorder, together with an additional copy must accompany the application for transfer for the license.  
See Form ABC-522, Department of Alcoholic Beverage Control Instructions re Escrow and Public Notice Requirements for Retail Beer License Transfers.

By and Return to

**BANK OF AMERICA**  
NATIONAL TRUST AND SAVINGS ASSOCIATION  
Branch SAN FRANCISCO ESCROW SERVICES # 3960  
Address 315 Montgomery St., Suite 920  
City San Francisco, California 94104  
State CA  
Zip 94104  
LESCROW # B 18866 LTN

809

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Escrow No. B 18866

**NOTICE TO CREDITORS**

(Division 6 of the Commercial Code)

- (a) A bulk transfer is about to be made.
- (b) The names and business addresses of the transferor are:  
NATIONAL CONVENIENCE STORES INCORPORATED  
C/O "STOP-N-GO" CONVENIENCE MARKET, Store #~~135~~  
7701 Bancroft Avenue  
Oakland, California 94605  
The names and business addresses of the transferee are:  
KEE SUP LEE  
1356 Sturgeon Way  
San Jose, California 95129

85-224645

RECORDED IN OFFICIAL RECORDS  
ALAMEDA COUNTY, CALIF.  
RENE G. DAVIDSON CO. RECORDER

86 SEP 15 AM 9 27

All other business names and addresses used by the transferor within three years last past so far as known to the transferee are:

none

- (c) The location and general description of the property to be transferred are: Fixtures and equipment of that certain convenience store business now known as "STOP N GO CONVENIENCE MARKET # ~~135~~" and now located at 7701 Bancroft Avenue, Oakland, California 94605

- (d) The place, and the date on or after which, the bulk transfer is to be consummated are:  
BANK OF AMERICA, NT & SA SAN FRANCISCO ESCROW SERVICES  
315 Montgomery Street, Suite 920  
San Francisco, California 94104

ON OR AFTER October 2, 1986

NATIONAL CONVENIENCE STORES INCORPORATED,

Dated August 4, 1986

BY: RAYMOND SPRINGER, VICE

KEE SUP LEE