

**FORT ORD REUSE AUTHORITY
OFFICIAL BUSINESS
REQUEST DOCUMENT TO BE RECORDED
AND EXEMPT FROM RECORDING FEES
PER GOVERNMENT CODE 6103**

**Recording requested by and
when recorded mail to:**

Fort Ord Reuse Authority
920 2nd Avenue
Suite A
Marina, CA 93933

Space Above This Line Reserved for Recorder's Use

Documentary Transfer Tax \$0-government agency, exempt from DTT
____ Computed on full value of property conveyed
____ Computed on full value less liens and encumbrances
remaining at time of sale

**QUITCLAIM DEED FOR COUNTY OF MONTEREY
(Parcel L32.1 and Parcel R and Parcel V (portions of E19a.2, E19a.3 and E19a.4))**

THIS QUITCLAIM DEED ("Deed") is made as of the 19th day of AUGUST, 2014, among the **FORT ORD REUSE AUTHORITY (the "Grantor")**, created under Title 7.85 of the California Government Code, Chapters 1 through 7, inclusive, commencing with Section 67650, *et seq.*, and selected provisions of the California Redevelopment Law, including Division 24 of the California Health and Safety Code, Part 1, Chapter 4.5, Article 1, commencing with Section 33492, *et seq.*, and Article 4, commencing with Section 33492.70, *et seq.*, and recognized as the Local Redevelopment Authority for the former Fort Ord, California, by the Office of Economic Adjustment on behalf of the Secretary of Defense, and the **COUNTY OF MONTEREY (the "Grantee")**.

WHEREAS, The United States of America ("Government") was the owner of certain real property, improvements and other rights appurtenant thereto together with all personal property thereon, located on the former Fort Ord, Monterey County, California, which was utilized as a military installation;

WHEREAS, The military installation at Fort Ord was closed pursuant to and in accordance with the Defense Base Closure and Realignment Act of 1990, as amended (Public Law 101-510; 10 U.S.C. § 2687 note);

WHEREAS, the **Grantor** and the Government entered into the *Memorandum of Agreement Between the United States of America Acting By and Through the Secretary of the*

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1 *Army, United States Department of the Army and the Fort Ord Reuse Authority For the Sale of*
2 *Portions of the former Fort Ord, California, dated the 20th day of June 2000, as amended*
3 *("MOA"), which sets forth the specific terms and conditions of the sale of portions of the former*
4 *Fort Ord located in Monterey County, California;*
5

6 **WHEREAS**, pursuant to the MOA, the Government conveyed to **Grantor** certain former
7 Fort Ord property within Monterey County ("County") known as Parcels E11.b.6.1, E11b.7.1.1,
8 E11b.8, E18.1.2, E19a.1, E19a.2, E19a.3, E19a.4, L5.7, L20.2.1, L20.3.1, L20.3.2, L20.5.1,
9 L20.5.2, L20.5.3, L20.5.4, L20.8, L20.18, L20.19.1.1, and L32.1 ("County Property"), by
10 quitclaim deed dated March 19, 2009, and recorded in the County of Monterey, California on May
11 8, 2009, Series Number 2009028280 ("Government Deed").
12

13 **WHEREAS**, the Government Deed was subsequently amended by deed amendment dated
14 April 8, 2010, and recorded in the County of Monterey, California on May 17, 2010, Series Number
15 2010027226 ("Deed Amendment No. 1"), deed amendment dated January 21, 2011, and recorded in
16 the County of Monterey, California on March 10, 2011, Series Number 2011013980 ("Deed
17 Amendment No. 2"), Correction to Deed Amendment No. 1 recorded in the County of Monterey,
18 California on July 28, 2014, Series Number 2014034751, and Correction to Deed Amendment No. 2
19 recorded in the County of Monterey on July 28, 2014, Series Number 2014034752, (together "Deed
20 Amendments"), which terminated and removed the Access Restriction and certain other restrictions
21 included in the Government Deed for a portion of the County Property lying within the Parker Flats
22 Phase I Area including Parcel L32.1 and portions of Parcels E19a.2, E19a.3 and E19a.4, and added
23 certain covenants pursuant to section 120(h)(3)(C)(iii) of the Comprehensive Environmental
24 Response, Compensation, and Liability Act of 1980, as amend ("CERCLA").
25

26 **WHEREAS**, **Grantor** has surveyed and designated portions of Parcel E19a.2 and E19a.3 as
27 Parcel V ("Parcel V") and portions of Parcel E19a.3 and E19a.4 as Parcel R ("Parcel R").
28

29 **WHEREAS**, the **Grantor** and the **Grantee** have entered into the Implementation
30 Agreement dated May 8, 2001 and recorded in the Office of the Monterey County Recorder as
31 Document: 2001088380 ("Implementation Agreement"), which sets forth the specific terms and
32 conditions upon which the **Grantor** agreed to convey and the County agreed to accept title to certain
33 former Fort Ord property including Parcel V, Parcel R, and Parcel L32.1.
34

35
36 **WITNESSETH**
37

38 I. The **Grantor**, for and in consideration of the sum of one dollar (\$1.00) plus other
39 good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged,
40 releases and quitclaims to the **Grantee**, its successors and assigns forever, all such interest, right,
41 title, and claim as the **Grantor** has in and to Parcel V, Parcel R, and Parcel L32.1, more
42 particularly described in Exhibit "A," attached hereto and made a part hereof ("Property") and
43 including the following:
44

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- 1 A. All buildings, facilities, roadways, and other improvements, including the storm
2 drainage systems and the telephone system infrastructure, and any other
3 improvements thereon,
4
5 B. All appurtenant easements and other rights appurtenant thereto, permits, licenses,
6 and privileges not otherwise excluded herein, and
7
8 C. All hereditaments and tenements therein and reversions, remainders, issues,
9 profits, privileges and other rights belonging or related thereto.

10
11 **Grantee** covenants for itself, its successors, and assigns and every successor in interest to
12 the Property, or any part thereof, that **Grantee** and such successors and assigns shall comply
13 with all provisions of the Implementation Agreement and specifically agrees to comply with the
14 Deed Restrictions and Covenants set forth in Exhibit F of the Implementation Agreement (hereto
15 attached as Exhibit “D”) as if such Deed Restrictions and Covenants were separately recorded
16 prior to the recordation of this Deed.

17
18 The Government Deed conveying the Property to the **Grantor** and the Deed
19 Amendments were recorded prior to the recordation of this Deed. In its transfer of the Property
20 to the **Grantor** and the subsequent amendment of the Government Deed, the Government
21 provided certain information regarding the environmental condition of the Property and other
22 property conveyed under the Government Deed including without limitation the Finding of
23 Suitability for Early Transfer, Former Fort Ord, California, Environmental Services Cooperative
24 Agreement (ESCA) Parcels and Non-ESCA Parcels (Operable Unit Carbon Tetrachloride Plume)
25 (FOSET 5) (September 2007) (“FOSET 5”), an environmental baseline survey (EBS) known as
26 the Community Environmental Response Facilitation Act report, which is referenced in FOSET
27 5, and the Final Remedial Design/Remedial Action, Land Use Controls Implementation, and
28 Operation and Maintenance Plan, Parker Flats Munitions Response Area Phase I, Former Fort
29 Ord Monterey County, California, (“RD/RA LUCI O&M Plan, Parker Flats MRA Phase I”).
30 The **Grantor** has no knowledge regarding the accuracy or adequacy of such information.
31 FOSET 5 sets forth the basis for the Government’s determination that the Property is suitable for
32 transfer. The Grantee is hereby made aware of the notifications contained in the EBS, FOSET 5,
33 and RD/RA LUCI O&M Plan, Parker Flats MRA Phase I.

34
35 The italicized information below is copied verbatim (except as discussed below) from the
36 Government Deed conveying the Property to the **Grantor**. The **Grantee** hereby acknowledges
37 and assumes all responsibilities with regard to the Property placed upon the **Grantor** under the
38 terms of the aforesaid Government Deed as amended by the Deed Amendments (including the
39 Environmental Protection Provisions at Exhibit “D” to the Government Deed) which are
40 attached hereto and made a part hereof as Exhibit “B” to this Deed, and the Deed Amendments
41 which are attached hereto and made a part hereof as Exhibit “C” to this Deed, and **Grantor**
42 grants to **Grantee** all benefits with regard to the Property under the terms of the aforesaid
43 Government Deed as amended. Within the italicized information only, the term “**Grantor**” shall
44 mean the Government, and the term “**Grantee**” shall mean the Fort Ord Reuse Authority

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1 (“FORA”); to avoid confusion, the words “the Government” have been added in parenthesis
2 after the word “**Grantor**”, and “FORA” has been added in parenthesis after the word “**Grantee**”.

3
4
5
6 **II. EXCLUSIONS AND RESERVATIONS**

7
8 *This conveyance is made subject to the following **EXCLUSIONS** and*
9 **RESERVATIONS:**

10
11 *1. The Property is taken by the Grantee (“FORA”) subject to any and all*
12 *valid and existing recorded outstanding liens, leases, easements, and any other*
13 *encumbrances made for the purpose of roads, streets, utility systems, rights-of-*
14 *way, pipelines, and/or covenants, exceptions, interests, liens, reservations, and*
15 *agreements of record; and any unrecorded easements and any other*
16 *encumbrances made for the limited purpose of roads, streets, utility systems, and*
17 *pipelines set forth in Exhibit G.*

18
19
20 *2. The reserved rights and easements set forth in this section are subject*
21 *to the following terms and conditions:*

22
23 *A. The Grantee (“FORA”) is to comply with all applicable Federal*
24 *law and lawful existing regulations;*

25
26 *B. The Grantor is to allow the occupancy and use by the Grantee*
27 *(“FORA”), its successors, assigns, permittees, or lessees of any part of the*
28 *easement areas not actually occupied or required for the purpose of the full and*
29 *safe utilization thereof by the Grantor, so long as such occupancy and use does*
30 *not compromise the ability of the Grantor to use the easements for their intended*
31 *purposes, as set forth herein;*

32
33 *C. The easements previously granted or granted herein shall be*
34 *for the specific use described and may not be construed to include the further*
35 *right to authorize any other use within the easements unless approved in writing*
36 *by the fee holder of the land subject to the easement;*

37
38 *D. Any transfer of the easements by assignment, lease, operating*
39 *agreement, or otherwise must include language that the transferee agrees to*
40 *comply with and be bound by the terms and conditions of the original grant;*

41
42 *E. Unless otherwise provided, no interest reserved shall give the*
43 *Grantor any right to remove any material, earth, or stone for consideration or*
44 *other purpose except as necessary in exercising its rights hereunder; and*
45

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1 *F. The Grantor is to restore the area of any easement or right of*
2 *access so far as it is reasonably possible to do so upon abandonment or release of*
3 *any easement as provided herein, unless this requirement is waived in writing by*
4 *the then owner of the Property.*

5
6 *3. Grantor reserves mineral rights that Grantor owns with the right of*
7 *surface entry in a manner that does not unreasonably interfere with Grantee’s*
8 *(“FORA”) development and quiet enjoyment of the Property.*

9
10 ***TO HAVE AND TO HOLD*** the Property granted herein to the GRANTEE
11 *(“FORA”) and its successors and assigns, together with all and singular the*
12 *appurtenances thereunto belonging or in anywise appertaining, and all the estate,*
13 *right, title, interest, or claim whatsoever of the GRANTOR, either in law or in*
14 *equity and subject to the terms, reservations, restrictions, covenants, and*
15 *conditions set forth in this Deed.*

16
17 **III. CERCLA NOTICE, ASSURANCES, WARRANTY, AND ACCESS PROVISIONS**

18
19 **1. CERCLA NOTICE**

20
21 *For the Property, the Grantor provides the following notice and*
22 *description:*

23
24 *A. Pursuant to section 120(h)(3)(A)(i)(I) and (II) of the Comprehensive*
25 *Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. §*
26 *9620(h)(3)(A)(i)(I) and (II)), available information regarding the type, quantity,*
27 *and location of hazardous substances and the time at which such substances were*
28 *stored, released, or disposed of, as defined in section 120(h), is provided in*
29 *Exhibit B, attached hereto and made a part hereof. Additional information*
30 *regarding the storage, release, and disposal of hazardous substances on the*
31 *Property has been provided to the Grantee (“FORA”) in the Finding of*
32 *Suitability for Early Transfer (FOSET) and the documents referenced therein,*
33 *receipt of which the Grantee (“FORA”) hereby acknowledges.*

34
35 *B. Pursuant to section 120(h)(3)(A)(i)(III) of the Comprehensive*
36 *Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. §*
37 *9620(h)(3)(A)(i)(III)), a description of the remedial action taken, if any, on the*
38 *Property is provided in Exhibit C, attached hereto and made a part hereof.*
39 *Additional information regarding the remedial action taken, if any, has been*
40 *provided to the Grantee (“FORA”) in the Finding of Suitability for Early*
41 *Transfer (FOSET) and the documents referenced therein, receipt of which the*
42 *Grantee (“FORA”) hereby acknowledges.*

43
44 **2. CERCLA RESPONSE ACTION ASSURANCES**

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1 *For the Property, the Grantor provides the following description and assurances:*
2

3 A. Pursuant to section 120(h)(3)(C)(ii)(I) and (II) of the Comprehensive
4 Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C.
5 §9620(h)(3)(C)(ii)(I) and (II)), the Environmental Protection Provisions located
6 at Exhibit D, attached hereto and made a part hereof, provide the conditions,
7 restrictions, and notifications necessary to ensure protection of human health and
8 the environment and to preclude any interference with ongoing or completed
9 remediation activities at the former Fort Ord.
10

11 B. Pursuant to section 120(h)(3)(C)(ii)(III) of the Comprehensive
12 Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C.
13 §9620(h)(3)(C)(ii)(III)), all corrective, remedial, or response actions necessary to
14 protect human health and the environment will be taken with respect to any
15 hazardous substance remaining on the Property as a result of storage, release, or
16 disposal prior to the date of transfer, in accordance with the compliance
17 schedule. The schedule will be developed in cooperation with the U.S.
18 Environmental Protection Agency and the State of California. The schedules may
19 be changed as provided by the Fort Ord Federal Facility Agreement (FFA), as
20 amended, and the Administrative Order on Consent (AOC).
21

22 C. Any corrective, remedial, or response action found to be necessary
23 after the date of transfer shall be conducted by the Grantor, except those actions
24 conducted by the Grantee (“FORA”) on behalf of the Grantor. This warranty
25 shall not apply in any case in which the person or entity to whom the Property is
26 transferred is a potentially responsible party with respect to such property. For
27 purposes of this warranty, Grantee (“FORA”) shall not be considered a
28 potentially responsible party solely due to the presence of a hazardous substance
29 remaining on the Property on the date of this instrument. Further, the Grantor
30 shall not be relieved of any obligation under CERCLA to perform any remedial
31 action found to be necessary after the date of this Deed with regard to any
32 hazardous substances remaining on the Property as of the date of this Deed if the
33 Grantee (“FORA”) is subsequently determined to be a potentially responsible
34 party with respect to hazardous substances placed on the Property after the date
35 of this Deed.
36

37 D. Pursuant to section 120(h)(3)(C)(ii)(IV) of the Comprehensive
38 Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C.
39 §9620(h)(3)(C)(ii)(IV)), the Grantor has submitted and will continue to submit
40 through its established budget channels to the Director of the Office of
41 Management and Budget a request for funds that adequately addresses schedules
42 for investigation and completion of all response actions required. Expenditure of
43 any federal funds for such investigations or response actions is subject to
44 Congressional authorization and appropriation of funds for that purpose. The

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1 *Grantor will submit its funding request for the projects needed to meet the*
2 *schedule of necessary response actions.*

3
4 **3. RIGHT OF ACCESS**

5
6 A. *Pursuant to section 120(h)(3)(A)(iii) of the Comprehensive*
7 *Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. §*
8 *9620(h)(3)(A)(iii)), the United States retains and reserves a perpetual and*
9 *assignable easement and right of access on, over, and through the Property, to*
10 *enter upon the Property in any case in which a remedial or corrective action is*
11 *found to be necessary on the part of the United States, without regard to whether*
12 *such remedial action or corrective action is on the Property or on adjoining or*
13 *nearby lands. Such easement and right of access includes, without limitation, the*
14 *right to perform any environmental investigation, survey, monitoring, sampling,*
15 *testing, drilling, boring, coring, test-pitting, installing monitoring or pumping*
16 *wells or other treatment facilities, response action, corrective action, or any other*
17 *action necessary for the United States to meet its responsibilities under*
18 *applicable laws and as provided for in this instrument. Such easement and right*
19 *of access shall be binding on the Grantee (“FORA”), its successors and assigns,*
20 *and shall run with the land.*

21
22 B. *In exercising such easement and right of access, the United*
23 *States shall provide the Grantee (“FORA”) or its successors or assigns, as the*
24 *case may be, with reasonable notice of its intent to enter upon the Property and*
25 *exercise its rights under this covenant, which notice may be severely curtailed or*
26 *even eliminated in emergency situations. The United States shall use reasonable*
27 *means, but without significant additional costs to the United States, to avoid and*
28 *to minimize interference with the Grantee’s (“FORA”) and the Grantee’s*
29 *(“FORA”) successors’ and assigns’ quiet enjoyment of the Property. At the*
30 *completion of work, the work site shall be reasonably restored. Such easement*
31 *and right of access includes the right to obtain and use utility services, including*
32 *water, gas, electricity, sewer, and communications services available on the*
33 *Property at a reasonable charge to the United States. Excluding the reasonable*
34 *charges for such utility services, no fee, charge, or compensation will be due the*
35 *Grantee (“FORA”) nor its successors and assigns, for the exercise of the*
36 *easement and right of access hereby retained and reserved by the United States.*

37
38 C. *In exercising such easement and right of access, neither the*
39 *Grantee (“FORA”) nor its successors and assigns, as the case may be, shall have*
40 *any claim at law or equity against the United States or any officer or employee of*
41 *the United States based on actions taken by the United States or its officers,*
42 *employees, agents, contractors of any tier, or servants pursuant to and in*
43 *accordance with this clause provided, however, that nothing in this paragraph*
44 *shall be considered as a waiver by the Grantee (“FORA”) and its successors and*
45 *assigns of any remedy available to them under the Federal Tort Claims Act. In*

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1 *addition, the Grantee (“FORA”), its successors and assigns, shall not interfere*
2 *with any response action or corrective action conducted by the Grantor on the*
3 *Property.*

4
5 **IV. “AS IS”**

6
7 A. *The Grantee (“FORA”) acknowledges that it has inspected or has had the*
8 *opportunity to inspect the Property and accepts the condition and state of repair*
9 *of the subject Property. Except as otherwise provided herein, the Grantee*
10 *(“FORA”) understands and agrees that the Property and any part thereof is*
11 *offered “AS IS” without any representation, warranty, or guaranty by the*
12 *Grantor as to quantity, quality, title, character, condition, size, or kind, or that*
13 *the same is in condition or fit to be used for the purpose(s) intended by the*
14 *Grantee (“FORA”), and no claim for allowance or deduction upon such grounds*
15 *will be considered.*

16
17 B. *No warranties, either express or implied, are given with regard to the*
18 *condition of the Property, including, without limitation, whether the Property*
19 *does or does not contain asbestos or lead-based paint. The Grantee (“FORA”)*
20 *shall be deemed to have relied solely on its own judgment in assessing the overall*
21 *condition of all or any portion of the Property, including, without limitation, any*
22 *asbestos or lead-based paint. The failure of the Grantee (“FORA”) to inspect or*
23 *to exercise due diligence to be fully informed as to the condition of all or any*
24 *portion of the Property offered will not constitute grounds for any claim or*
25 *demand against the United States.*

26
27 C. *Nothing in this “As Is” provision will be construed to modify or negate the*
28 *Grantor’s obligation under law.*

29
30 **V. HOLD HARMLESS**

31
32 A. *To the extent authorized by law, the Grantee (“FORA”), its successors and*
33 *assigns, covenant and agree to indemnify and hold harmless the Grantor, its*
34 *officers, agents, and employees from (1) any and all claims, damages, judgments,*
35 *losses, and costs, including fines and penalties, arising out of the violation of the*
36 **NOTICES, USE RESTRICTIONS, AND RESTRICTIVE COVENANTS** *in this*
37 *Deed by the Grantee (“FORA”), its successors and assigns, and (2) any and all*
38 *claims, damages, and judgments arising out of, or in any manner predicated*
39 *upon, exposure to asbestos or lead-based paint on any portion of the Property*
40 *after the date of conveyance.*

41
42 B. *The Grantee (“FORA”), its successors and assigns, covenant and agree that*
43 *the Grantor shall not be responsible for any costs associated with modification or*
44 *termination of the **NOTICES, USE RESTRICTIONS, AND RESTRICTIVE***
45 **COVENANTS** *in this Deed, including without limitation, any costs associated*

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1 with additional investigation or remediation of asbestos, lead-based paint, or
2 other condition on any portion of the Property.

3
4 C. Nothing in this Hold Harmless provision will be construed to modify or
5 negate the Grantor's obligation under law.

6
7 **VI. POST-TRANSFER DISCOVERY OF CONTAMINATION**

8
9 Grantee ("FORA"), its successors and assigns, as consideration for the
10 conveyance of the Property, agree to release Grantor from any liability or
11 responsibility for any claims arising solely out of the release of any hazardous
12 substance or petroleum product on the Property occurring after the date of the
13 delivery and acceptance of this Deed, where such substance or product was
14 placed on the Property by the Grantee ("FORA"), or its successors, assigns,
15 employees, invitees, agents or contractors, after the conveyance. This paragraph
16 shall not affect the Grantor's responsibilities to conduct response actions or
17 corrective actions that are required by applicable laws, rules and regulations, or
18 the Grantor's indemnification obligations under applicable laws.

19
20 **VII. ENVIRONMENTAL PROTECTION PROVISIONS**

21
22 The Environmental Protection Provisions are at Exhibit D, which is attached
23 hereto and made a part hereof. These provisions are intended to ensure
24 protection of human health and the environment and to preclude any interference
25 with ongoing or completed remediation activities at the former Fort Ord. The
26 Grantee ("FORA") shall not transfer or lease the Property or any portion
27 thereof, or grant any interest, privilege, or license whatsoever in connection with
28 the Property, or any portion thereof, without the inclusion of the Environmental
29 Protection Provisions contained herein to the extent applicable to the Property or
30 a portion thereof, and shall require the inclusion of applicable Environmental
31 Protection Provisions in all further deeds, easements, transfers, leases, or grant
32 of any interest, privilege, or license concerning the Property or the applicable
33 portion thereof.

34
35 **VIII. AIR NAVIGATION RESERVATION AND RESTRICTIONS**

36
37 The Monterey Peninsula Airport and the former Fritzsche Army Airfield,
38 now known as the Marina Municipal Airport, are in close proximity to the
39 Property. Accordingly, in coordination with the Federal Aviation Administration,
40 the Grantee ("FORA") covenants and agrees, on behalf of itself, its successors
41 and assigns and every successor in interest to the Property herein described, or
42 any part thereof, that there will be no construction or alteration unless a
43 determination of no hazard to air navigation is issued by the Federal Aviation
44 Administration in accordance with Title 14, Code of Federal Regulations, Part

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1 77, entitled, “Objects Affecting Navigable Airspace,” or under the authority of
2 the Federal Aviation Act of 1958, as amended.
3

4 **IX. ENFORCEMENT AND NOTICE REQUIREMENT**
5

6 A. The provisions of this Deed benefit the governments of the United
7 States of America, the State of California, acting on behalf of the public in
8 general, the local governments, and the lands retained by the Grantor and,
9 therefore, are enforceable, by resort to specific performance or legal process by
10 the United States, the State of California, the local governments, and by the
11 Grantor, and its successors and assigns. Enforcement of this Deed shall be at the
12 discretion of the parties entitled to enforcement hereof, and any forbearance,
13 delay or omission to exercise their rights under this Deed in the event of a breach
14 of any term of this Deed, shall not be deemed to be a waiver by any such party of
15 such term or of any subsequent breach of the same or any other terms, or of any
16 of the rights of said parties under this Deed. All remedies available hereunder
17 shall be in addition to any and all other remedies at law or in equity, including
18 CERCLA. The enforcement rights set forth in this Deed against the Grantee
19 (“FORA”), or its successors and assigns, shall only apply with respect to the
20 Property conveyed herein and held by such Grantee (“FORA”), its successors or
21 assigns, and only with respect to matters occurring during the period of time such
22 Grantee (“FORA”), its successors or assigns, owned or occupied such Property
23 or any portion thereof.
24

25 **X. NOTICE OF NON-DISCRIMINATION**
26

27 With respect to activities related to the Property, the Grantee (“FORA”)
28 covenants for itself, its successors and assigns, that the Grantee (“FORA”), and
29 such successors and assigns, shall not discriminate upon the basis of race, color,
30 religion, sex, age, handicap, or national origin in the use, occupancy, sale or
31 lease of the Property, or in their employment practices conducted thereon in
32 violation of the provisions of Title VI of the Civil Rights Act of 1964, as amended
33 (42 U.S.C. § 2000d); the Age Discrimination Act of 1975 (42 U.S.C. § 6102); and
34 the Rehabilitation Act of 1973, as amended, (29 U.S.C. § 794). This covenant
35 shall not apply, however, to the lease or rental of a room or rooms within a family
36 dwelling unit; nor shall it apply with respect to religion to premises used
37 primarily for religious purposes. The Grantor shall be deemed a beneficiary of
38 this covenant without regard to whether it remains the owner of any land or
39 interest therein in the locality of the Property hereby conveyed, and shall have the
40 sole right to enforce this covenant in any court of competent jurisdiction.
41

42 **XI. ANTI-DEFICIENCY ACT STATEMENT**
43

44 The Grantor’s obligation to pay or reimburse any money under this Deed
45 is subject to the availability of appropriated funds to the Department of the Army,

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1 *and nothing in this Deed shall be interpreted to require obligations or payments*
2 *by the Grantor in violation of the Anti-Deficiency Act (Public Law 97-258, 31*
3 *U.S.C. § 1341).*
4
5

6 The responsibilities and obligations placed upon, and the benefits provided to, the
7 **Grantor** by the Government shall run with the land and be binding on and inure to the benefit of
8 all subsequent owners of the Property unless or until such responsibilities, obligations, or
9 benefits are released pursuant to the provisions set forth in the MOA and the Government Deed.
10 **Grantee** and its successors and assigns, respectively, shall not be liable for any breach of such
11 responsibilities and obligations with regard to the Property arising from any matters or events
12 occurring after transfer of ownership of the Property by **Grantee** or its successors and assigns,
13 respectively; provided, however, that each such party shall, notwithstanding such transfer,
14 remain liable for any breach of such responsibilities and obligations to the extent caused by the
15 fault or negligence of such party.
16

17
18 General Provisions:
19

20 A. Liberal Construction. Any general rule of construction to the contrary
21 notwithstanding, this Deed shall be liberally construed to effectuate the purpose of this Deed
22 and the policy and purpose of CERCLA. If any provision of this Deed is found to be
23 ambiguous, an interpretation consistent with the purpose of this Deed that would render the
24 provision valid shall be favored over any interpretation that would render it invalid.
25

26 B. Severability. If any provision of this Deed, or the application of it to any
27 person or circumstance, is found to be invalid, the remainder of the provisions of this
28 Deed, or the application of such provisions to persons or circumstances other than those
29 to which it is found to be invalid, shall not be affected thereby.
30

31 C. No Forfeiture. Nothing contained herein will result in a forfeiture or
32 reversion of title in any respect.
33

34 D. Captions. The captions in this Deed have been inserted solely for
35 convenience of reference and are not a part of this Deed and shall have no effect upon
36 construction or interpretation.
37

38 E. Right to Perform. Any right which is exercisable by the **Grantee**, and its
39 successors and assigns, to perform under this Deed may also be performed, in the event
40 of non-performance by the **Grantee**, or its successors and assigns, by a lender of the
41 **Grantee** and its successors and assigns.
42

43 The conditions, restrictions, and covenants set forth in this Deed are a binding servitude
44 on the herein conveyed Property and will be deemed to run with the land in perpetuity.

**FORA FOSET 5 OUTDEED, PARKER FLAT PHASE I PROPERTY,
COUNTY OF MONTEREY**

1 Restrictions, stipulations and covenants contained herein will be inserted by the **Grantee**
2 verbatim or by express reference in any deed or other legal instrument by which it divests itself
3 of either the fee simple title or any other lesser estate in the Property or any portion thereof. All
4 rights and powers reserved to the **Grantor**, and all references in this Deed to **Grantor** shall
5 include its successors in interest. The **Grantor** may agree to waive, eliminate, or reduce the
6 obligations contained in the covenants, PROVIDED, HOWEVER, that the failure of the
7 **Grantor** or its successors to insist in any one or more instances upon complete performance of
8 any of the said conditions shall not be construed as a waiver or a relinquishment of the future
9 performance of any such conditions, but the obligations of the **Grantee**, its successors and
10 assigns, with respect to such future performance shall be continued in full force and effect.

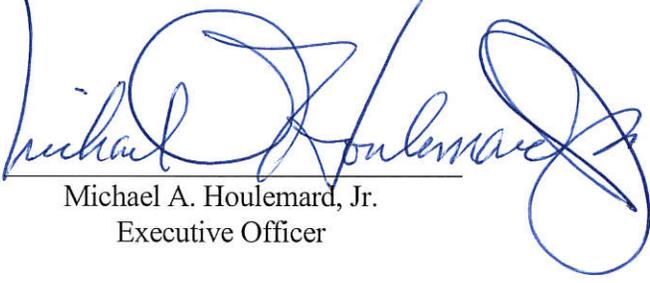
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[Signature Pages Follow]

FORA FOSET 5 OUTDEED, PARKER FLAT PHASE I PROPERTY,
COUNTY OF MONTEREY

1 IN WITNESS WHEREOF, the Grantor, the FORT ORD REUSE AUTHORITY, has
2 caused this Deed to be executed this 19th day of AUGUST, 2014.
3
4

5 THE FORT ORD REUSE AUTHORITY

6
7
8
9
10 By: 
11 Michael A. Houlemard, Jr.
12 Executive Officer
13

14
15 STATE OF CALIFORNIA

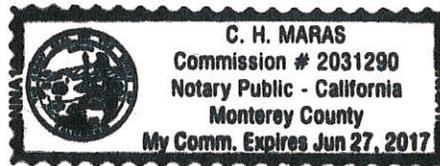
16
17 COUNTY OF Monterey

18
19 On 8/19/14 before me, C.H. Maras, notary public, (name of notary
20 public) personally appeared Michael A. Houlemard, Jr. who proved
21 to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to
22 the within instrument and who acknowledged to me that he/she/they executed the same in their
23 authorized capacity(ies), and by his/her/their signature(s) on the instrument the person(s), or
24 entity upon behalf of which the person(s) acted, executed the instrument.
25

26 I certify under PENALTY of PERJURY under the laws of the state of California that the
27 foregoing paragraph is true and correct.
28

29 WITNESS my hand and official seal.

30
31 
32



**FORA FOSET 5 OUTDEED, PARKER FLAT PHASE I PROPERTY,
COUNTY OF MONTEREY**

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ACCEPTANCE:

This is to certify that the interest in the real property conveyed by the Quitclaim Deed for County of Monterey (Parcel L32.1 and Parcel R and Parcel V (portions of E19a.2, E19a.3 and E19a.4)) dated _____, 2014 from the **FORT ORD REUSE AUTHORITY**, created under Title 7.85 of the California Government Code, Chapters 1 through 7, inclusive, commencing with Section 67650, *et seq.*, and selected provisions of the California Redevelopment Law, including Division 24 of the California Health and Safety Code, Part 1, Chapter 4.5, Article 1, commencing with Section 33492, *et seq.*, and Article 4, commencing with Section 33492.70, *et seq.*, and recognized as the Local Redevelopment Authority for the former Fort Ord, California, by the Office of Economic Adjustment on behalf of the Secretary of Defense, to the **COUNTY OF MONTEREY**, a political corporation and/or governmental agency, is hereby accepted by order of the Board of Supervisors on this ____ day of _____, 2014, and the Grantee consents to recordation thereof.

COUNTY OF MONTEREY

By: _____
Louis R. Calcagno
Chair, Board of Supervisors

STATE OF CALIFORNIA

COUNTY OF _____

On _____ before me, _____, (name of 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 who acknowledged to me that he/she/they executed the same in their authorized capacity(ies), and by his/her/their signature(s) on the instrument the person(s), or 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.

**FORA FOSET 5 OUTDEED, PARKER FLAT PHASE I PROPERTY,
COUNTY OF MONTEREY**

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EXHIBIT "A"

Description of Property

APN: 31011022000

EDC Parcel L32.1

FOSET 5

Fort Ord Military Reservation

Monterey County, California

Legal Description

SITUATE in a portion of the former Fort Ord Military Reservation as it is shown on that certain map recorded in Volume 19 of Surveys at Page 1, Official Records of Monterey County, being within Monterey City Lands Tract No. 1, County of Monterey, State of California; being a portion of Parcel 1, "Monterey County III (Parker Flats)," as it is shown on that certain map recorded in Volume 23 of Surveys at Page 105; being more particularly described as follows:

BEGINNING at the most northwesterly corner of said Parcel 1, "Monterey County III (Parker Flats)," being also an angle point in the westerly boundary of Parcel 7 as said parcel is shown on that certain map recorded in Volume 21 of Surveys at Page 83; thence from said Point of Beginning along the common boundary of said Parcels 1 and 7

1. South $83^{\circ} 26' 14''$ East for a distance of 351.31 feet; thence continuing along said common boundary
2. South $06^{\circ} 36' 58''$ West for a distance of 371.08 feet to a point on the southerly boundary of said Parcel 7; thence leaving said southerly boundary of Parcel 7 and continuing along the easterly boundary of said Parcel 1, "Monterey County III (Parker Flats)"
3. North $83^{\circ} 34' 21''$ West for a distance of 339.76 feet to a point on the easterly boundary of Parcel 1, L32.4.2, as it is shown on that certain map recorded in Volume 27 of Surveys at Page 17; thence along the common boundary of said Parcel 1, L32.4.2, and Parcel 1, "Monterey County III (Parker Flats)"
4. North $04^{\circ} 50' 13''$ East for a distance of 8.92 feet to the northeast corner of said Parcel 1, L32.4.2; thence continuing along the boundary of said Parcel 1, "Monterey County III (Parker Flats)"
5. North $04^{\circ} 50' 13''$ East a distance of 363.13 feet to the POINT OF BEGINNING.

Containing an area of 2.947 acres, more or less.

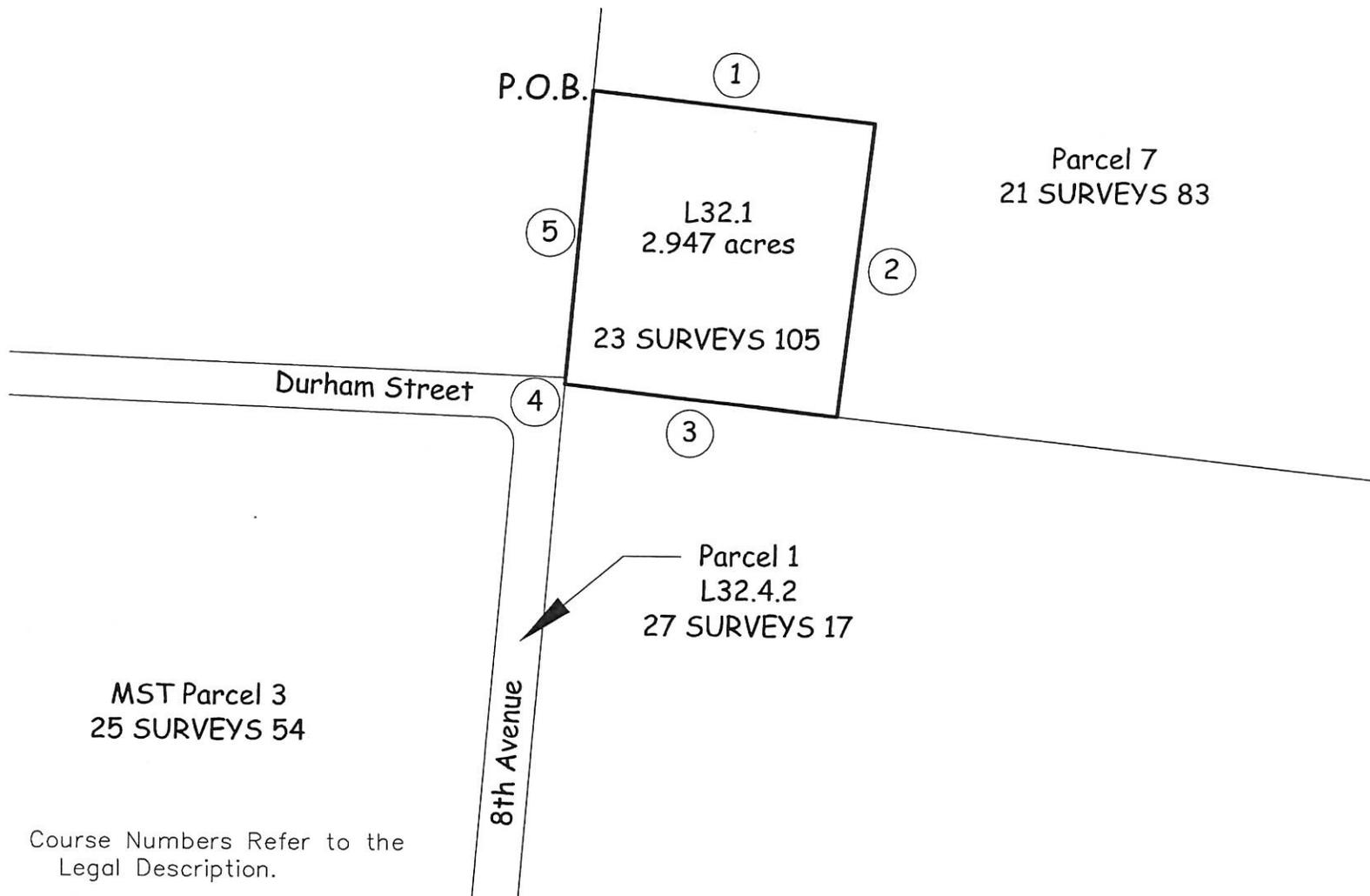
This legal description was prepared by



Lynn A. Kovach L.S. 5321
My license expires December 31, 2007



EXHIBIT
of
EDC Parcel L32.1
Being a portion of Parcel 1 as shown on Vol. 23 of Surveys at Page 105
Monterey County Jurisdiction
Fort Ord FOSET 5 EDC
Lying within the Fort Ord Military Reservation
as shown on Vol. 19 of Surveys at Page 1
Being also within Monterey City Lands Tract No. 1
Monterey County, California



Note: Course Numbers Refer to the
Legal Description.

Parcel V
Legal Description

Certain real property situate in the unincorporated area of Monterey County, also situate in the City Lands of Monterey, Tract No. 1, County of Monterey, State of California, described as follows:

Being a portion of the land shown as Parcel 1 on the map filed June 26, 2000 in Volume 23 of Surveys at Page 105, also being a portion of Parcel D on the map filed December 2, 2008 in Volume 30 of Surveys at Page 41, Official Records of said County, more particularly described as follows:

Beginning at a point on the northerly boundary of said Parcel D said point also being the westerly terminus of the course shown as S87° 45' 00E, 4791.91' on said map, thence along said northerly line

- 1) South 87° 45' 00" East, 1940.14 feet; thence departing said northerly line
- 2) South 16° 31' 29" West, 1869.92 feet; thence
- 3) South 16° 29' 28" West, 385.14 feet; thence
- 4) South 74° 32' 16" West, 303.66 feet; thence
- 5) North 86° 54' 02" West, 309.73 feet; thence
- 6) North 73° 58' 54" West, 1823.92 feet more or less to a point on the southerly boundary of Parcel 2 as shown on the map filed in Volume 28 of Surveys at Page 160 of said County; thence along said boundary of said Parcel 2
- 7) Northeasterly along a non-tangent arc to the right, the center of which bears South 19° 22' 02" East, having a radius of 482.00 feet, through a central angle of 11° 01' 02", for an arc length of 92.68 feet to a point of compound curvature; thence
- 8) Northeasterly along a tangent arc to the right, having a radius of 1632.00 feet, the center of which bears South 8° 21' 00" East through a central angle of 14° 13' 51", for an arc length of 405.35 feet; thence along the easterly line of said Parcel 2
- 9) North 4° 50' 13" East, 768.48 feet to a point in the southerly line of Parcel 7 as shown on the map filed in Volume 21 of Surveys at Page 83 of said County ; thence along said southerly boundary
- 10) North 83° 34' 21" East, 382.09 feet to the southwest corner of said Parcel 7; thence along the easterly boundary of said Parcel 7
- 11) North 6° 30' 01" East, 985.25 feet to the northeast corner of said Parcel 7; thence
- 12) North 6° 27' 43" East, 66.72 feet to the point of beginning.

Containing an area of 97.11 acres, more or less.

LEGAL DESCRIPTION

Page 2 of 2

March 22, 2013

Job No.: 1827.13

Attached hereto is a plat to accompany legal description, and by this reference made a part hereof.

END OF DESCRIPTION

PREPARED BY:
WHITSON ENGINEERS



RICHARD P. WEBER P.L.S.
L.S. NO. 8002



Job No.: 1827.13

ATTACHMENT TO EXHIBIT "A"



PARCEL 3B
CSUMB
19-SUR-86

POINT OF BEGINNING

S87°45'00"E

PARCEL 7
21-SUR-83

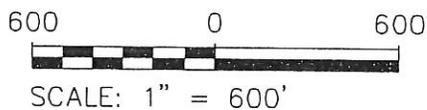
PARCEL 2
MST
28-SUR-160

PARCEL V
97.11 AC.

PARCEL U

S19°22'02"E (R)

PARCEL D
EDC PARCELS
E18.1.2 E19d.1 E19d.2
E19d.3 E19d.4 E19d.5
30-SUR-41



① COURSE NUMBER
PER LEGAL
DESCRIPTION



PARCEL V



COUNTY OF MONTEREY

CALIFORNIA

DRAWING PATH: T:\Monterey Projects\1827\182713\182713 - ROS - Parcel Plats.dwg

DATE: MARCH 22, 2012

SHEET

SCALE: 1" = 600'

DRAWN: SMG

CHECKED: RPW

PROJECT No.: 1827.13

1

OF 1

**Parcel R
Legal Description**

Certain real property situate in the unincorporated area of Monterey County, also situate in the City Lands of Monterey, Tract No. 1, County of Monterey, State of California, described as follows:

Being a portion of the land shown as Parcel 1 on the map filed June 26, 2000 in Volume 23 of Surveys at Page 105, also being a portion of Parcel D on the map filed December 2, 2008 in Volume 30 of Surveys at Page 41, Official Records of said County, more particularly described as follows:

Beginning at a point on the southeasterly boundary of said Parcel D said point also being on the south westerly boundary of Parcel B on the map filed in Volume 30 of Surveys at Page 41, said point being the westerly terminus of the course shown as N52° 52' 17E, 1103.36' of Parcel B on said, thence along the easterly line of said Parcel B

- 1) North 52° 52' 17" East, 1103.36 feet; thence
- 2) North 12° 53' 13" West, 90.03 feet; thence
- 3) North 23° 03' 02" West, 1755.77 feet; thence
- 4) North 20° 08' 36" West, 268.73 feet; thence
- 5) North 6° 42' 03" East, 153.53 feet; thence
- 6) North 17° 38' 14" East, 226.03 feet; thence
- 7) North 48° 03' 46" West, 283.49 feet; thence
- 8) North 55° 11' 28" West, 278.91 feet; thence
- 9) North 62° 41' 36" West, 227.15 feet; thence
- 10) North 65° 01' 11" West, 250.60 feet; thence
- 11) North 71° 11' 51" West, 197.17 feet; thence departing from said Parcel B
- 12) North 66° 13' 08" East, 131.97 feet; thence
- 13) Northeasterly along a tangent arc to the left, having a radius of 319.99 feet, through a central angle of 37° 12' 04", for an arc length of 207.76 feet to a point of compound curvature; thence
- 14) Northeasterly along an arc to the left, having a radius of 490 feet, through a central angle of 10° 08' 49", for an arc length of 86.78 feet; thence
- 15) East, 2485.52 feet; thence
- 16) North 21° 9' 41" East, 48.52 feet; thence
- 17) North 12° 8' 13" East, 23.78 feet; thence
- 18) North 2° 3' 50" West, 27.77 feet; thence

LEGAL DESCRIPTION

Page 2 of 5

March 22, 2013
Job No.: 1827.13

- 19) North 14° 10' 41" West, 24.50 feet; thence
- 20) North 22° 26' 34" West, 24.88 feet; thence
- 21) North 18° 48' 00" West, 24.82 feet; thence
- 22) North 2° 56' 08" West, 19.53 feet; thence
- 23) North 15° 56' 43" East, 20.02 feet; thence
- 24) North 29° 14' 56" East, 14.33 feet; thence
- 25) North 36° 23' 04" East, 11.80 feet; thence
- 26) North 51° 8' 48" East, 11.56 feet; thence
- 27) North 65° 39' 32" East, 11.52 feet; thence
- 28) North 84° 24' 30" East, 71.84 feet; thence
- 29) North 86° 35' 54" East, 71.63 feet; thence
- 30) North 87° 23' 10" East, 115.12 feet; thence
- 31) North 85° 58' 00" East, 78.19 feet; thence
- 32) North 83° 3' 21" East, 78.58 feet; thence
- 33) North 84° 24' 23" East, 97.46 feet; thence
- 34) North 84° 9' 55" East, 68.86 feet; thence
- 35) North 83° 59' 28" East, 28.66 feet; thence
- 36) North 85° 52' 48" East, 59.15 feet; thence
- 37) North 88° 3' 31" East, 59.03 feet; thence
- 38) South 89° 10' 11" East, 69.01 feet; thence
- 39) South 89° 22' 38" East, 69.00 feet; thence
- 40) North 86° 39' 42" East, 60.10 feet; thence
- 41) North 88° 7' 56" East, 92.05 feet; thence
- 42) North 88° 41' 53" East, 22.01 feet; thence
- 43) North 88° 48' 23" East, 12.00 feet; thence
- 44) South 88° 6' 08" East, 83.05 feet; thence
- 45) North 89° 20' 56" East, 44.00 feet; thence

LEGAL DESCRIPTION

Page 3 of 5

March 22, 2013
Job No.: 1827.13

- 46) North 87° 6' 31" East, 49.56 feet; thence
- 47) North 89° 2' 26" East, 104.51 feet; thence
- 48) South 88° 29' 44" East, 257.09 feet; thence
- 49) South 88° 48' 23" East, 12.00 feet; thence
- 50) South 85° 15' 39" East, 96.83 feet; thence
- 51) South 81° 40' 56" East, 86.41 feet; thence
- 52) South 71° 44' 53" East, 148.47 feet; thence
- 53) South 65° 16' 12" East, 66.16 feet; thence
- 54) South 65° 16' 13" East, 66.50 feet; thence
- 55) South 55° 39' 14" East, 109.01 feet; thence
- 56) South 51° 25' 24" East, 80.59 feet; thence
- 57) South 50° 41' 17" East, 89.18 feet; thence
- 58) South 57° 25' 03" East, 78.92 feet; thence
- 59) South 64° 52' 01" East, 89.47 feet; thence
- 60) South 67° 47' 55" East, 126.37 feet; thence
- 61) South 76° 40' 50" East, 141.79 feet; thence
- 62) South 63° 16' 49" East, 25.95 feet more or less to a point on the easterly line of said Parcel D as shown on said map filed in Volume 30 of Surveys at Page 41; thence along easterly line
- 63) South 49° 49' 05" West, 95.99 feet; thence
- 64) South 62° 19' 42" West, 168.15 feet; thence
- 65) South 43° 50' 29" West, 115.37 feet; thence
- 66) South 38° 11' 13" West, 200.82 feet; thence
- 67) South 40° 27' 38" West, 271.06 feet; thence
- 68) South 53° 08' 07" West, 144.59 feet; thence
- 69) South 69° 49' 08" West, 193.33 feet; thence
- 70) South 54° 59' 05" West, 72.44 feet; thence
- 71) South 41° 12' 49" West, 81.00 feet; thence
- 72) South 24° 33' 59" West, 55.05 feet; thence

LEGAL DESCRIPTION

Page 4 of 5

March 22, 2013
Job No.: 1827.13

- 73) South 5° 54' 51" West, 88.85 feet; thence
- 74) South 8° 19' 42" East, 329.24 feet; thence
- 75) South 0° 05' 57" West, 78.53 feet; thence
- 76) South 8° 37' 33" West, 97.39 feet; thence
- 77) South 18° 58' 46" West, 165.56 feet; thence
- 78) South 44° 37' 32" West, 95.78 feet; thence
- 79) South 60° 52' 39" West, 254.56 feet; thence
- 80) South 37° 26' 54" West, 126.63 feet; thence
- 81) South 10° 48' 03" West, 68.50 feet; thence
- 82) South 29° 22' 04" West, 156.15 feet; thence
- 83) South 34° 57' 59" West, 139.63 feet; thence
- 84) South 56° 21' 39" West, 59.71 feet; thence
- 85) South 82° 29' 44" West, 194.59 feet; thence
- 86) North 83° 42' 42" West, 287.16 feet; thence
- 87) North 66° 01' 20" West, 147.40 feet; thence
- 88) North 79° 00' 34" West, 251.38 feet; thence
- 89) South 77° 12' 53" West, 55.92 feet; thence
- 90) South 46° 42' 29" West, 87.19 feet; thence
- 91) South 58° 47' 57" West, 75.86 feet; thence
- 92) South 80° 55' 21" West, 132.37 feet; thence
- 93) South 87° 12' 11" West, 112.48 feet; thence
- 94) South 71° 38' 58" West, 176.74 feet; thence
- 95) South 56° 09' 46" West, 97.72 feet; thence
- 96) South 37° 48' 47" East, 90.92 feet; thence
- 97) South 17° 07' 11" East, 62.89 feet; thence
- 98) South 2° 33' 03" West, 88.27 feet; thence
- 99) South 18° 58' 47" West, 63.58 feet; thence

LEGAL DESCRIPTION

Page 5 of 5

March 22, 2013
Job No.: 1827.13

- 100) South 36° 47' 12" West, 201.49 feet; thence
- 101) South 31° 02' 57" West, 121.85 feet; thence
- 102) South 51° 55' 07" West, 113.24 feet; thence
- 103) South 61° 32' 12" West, 269.69 feet; thence
- 104) South 75° 50' 25" West, 66.11 feet; thence
- 105) South 59° 39' 37" West, 1066.26 feet to the point of beginning

Containing an area of 236.71 acres, more or less.

Attached hereto is a plat to accompany legal description, and by this reference made a part hereof.

END OF DESCRIPTION

PREPARED BY:
WHITSON ENGINEERS

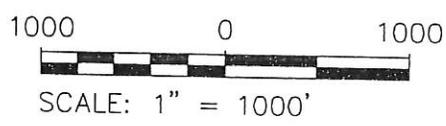
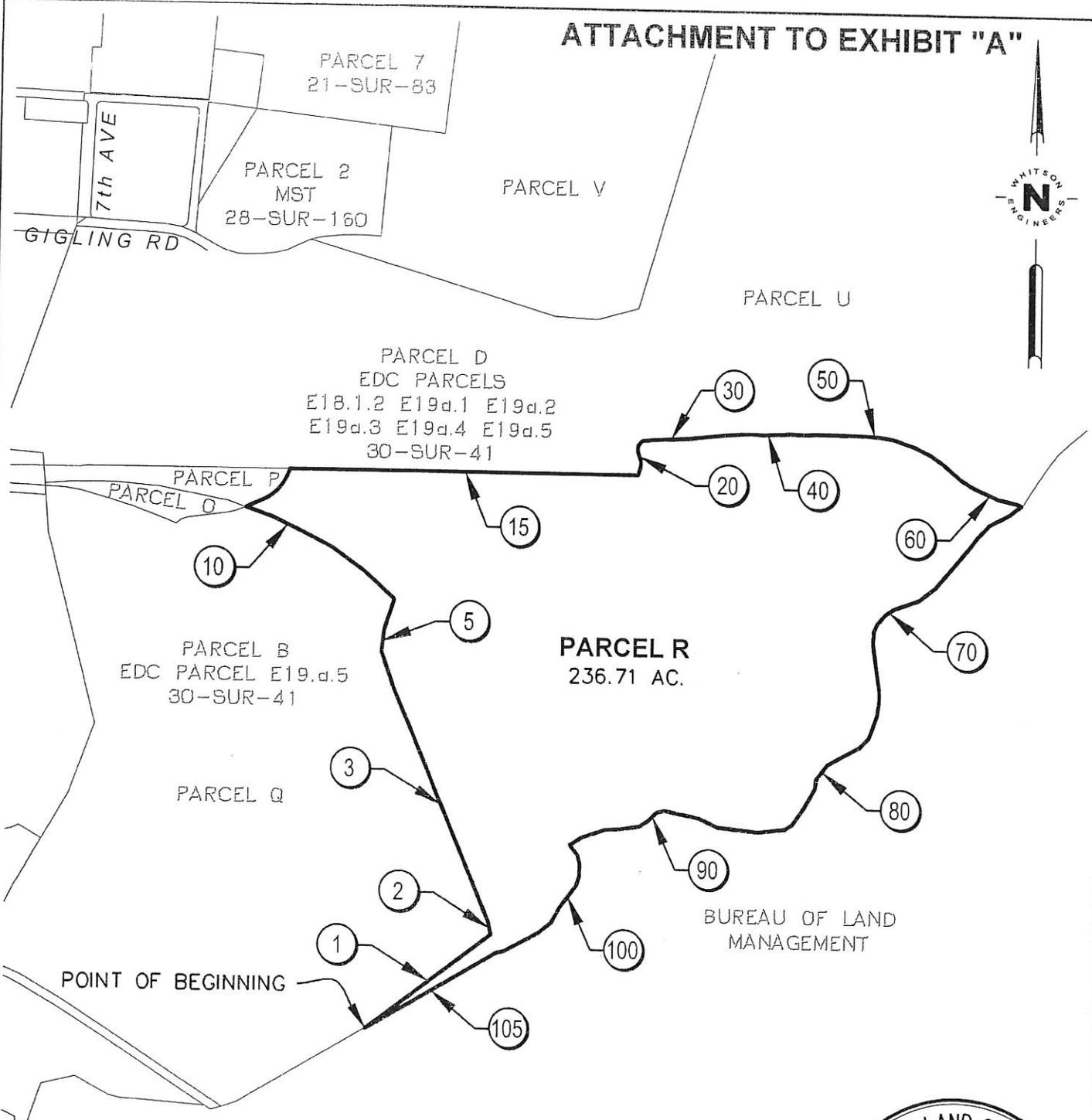


RICHARD P. WEBER P.L.S.
L.S. NO. 8002



Job No.: 1827.13

ATTACHMENT TO EXHIBIT "A"



① COURSE NUMBER PER LEGAL DESCRIPTION



	PARCEL R		DATE: MARCH 22, 2012	SHEET
	COUNTY OF MONTEREY	CALIFORNIA	SCALE: 1" = 1000'	1
			DRAWN: SMG	
			CHECKED: RPW	
			PROJECT No.: 1827.13	
DRAWING PATH: T:\Monterey Projects\1827\182713\182713 - ROS - Parcel Plats.dwg				OF 1

**FORA FOSET 5 OUTDEED, PARKER FLAT PHASE I PROPERTY,
COUNTY OF MONTEREY**

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EXHIBIT "B"

**Exhibit "D" to the Government Deed
Environmental Protection Provisions**

EXHIBIT D

ENVIRONMENTAL PROTECTION PROVISIONS

1. FEDERAL FACILITY AGREEMENT

The Grantor acknowledges that the former Fort Ord has been identified as a National Priorities List (NPL) Site under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) of 1980, as amended. The Grantee acknowledges that the Grantor has provided it with a copy of the Fort Ord Federal Facility Agreement (FFA), as amended, entered into by the United States Environmental Protection Agency (USEPA) Region 9, the State of California Department of Toxic Substance Control (DTSC) and the State of California Regional Water Quality Control, Central Coast Region (RWQCB), and the Department of the Army (Army), effective on November 19, 1990, and will provide the Grantee with a copy of the First Amendment to the Federal Facility Agreement and any further amendments thereto. For so long as the Property remains subject to the FFA, the Grantee, its successors and assigns, agree that they will not interfere with United States Department of the Army activities required by the FFA, as amended. In addition, should any conflict arise between the FFA, as amended, and the deed provisions, the FFA provisions, as amended, will take precedence. The Grantor assumes no liability to the Grantee, its successors and assigns, should implementation of the FFA, as amended, interfere with their use of the Property.

2. LAND USE RESTRICTIONS

A. The Army has undertaken careful environmental study of the Property and concluded that the land use restrictions set forth below are required to ensure protection of human health and the environment. The Grantee, its successors or assigns, shall not undertake nor allow any activity on or use of the Property that would violate the land use restrictions contained herein.

Applicable to County of Monterey Parcels E11b.6.1, E11b.7.1.1, E11b.8, E18.1.2, E19a.1, E19a.2, E19a.3, E19a.4, L5.7, L20.2.1, L20.5.1, L20.5.2, L20.5.3, L20.8, L20.18, L20.19.1.1, and L32.1:

B. **Excavation Restriction.** The Grantee, its successors and assigns, shall comply with Monterey County Code Chapter 16.10 when conducting or permitting others to conduct any ground disturbing or intrusive activities (e.g. digging, drilling, etc.). The Grantee, its successors and assigns, or any approved contractor, shall not construct, make, or permit any alterations, additions, or improvements to the Property in any way that may violate this restriction.

Applicable to County of Monterey Parcels L20.3.1, L20.3.2, and L20.5.4:

C. **Excavation Restriction.** For the portions of the Property within the Wolf Hill area and the boundary of Munitions Response Site 47 (MRS-47), the Grantee, its successors and assigns,

shall not conduct or permit others to conduct any ground disturbing or intrusive activities (e.g. digging, drilling, etc.) to depths of greater than one foot below ground surface without complying with Monterey County Code Chapter 16.10. For the portions of the Property within the Laguna Seca Turn 11 Area (MRS-30), the Grantee, its successors and assigns, shall not conduct or permit others to conduct any ground disturbing or intrusive activities (e.g., digging, drilling, etc.) to depths of greater than four feet below ground surface without complying with Monterey County Code – Chapter 16.10. The Grantee, its successors and assigns, or any approved contractor, shall not construct, make, or permit any alterations, additions, or improvements to the Property in any way that may violate these restrictions.

Applicable to County of Monterey Parcels E11b.6.1, E11b.7.1.1, E11b.8, E18.1.2, E19a.1, E19a.2, E19a.3, E19a.4, L5.7, L20.2.1, L20.3.1, L20.3.2, L20.5.1, L20.5.2, L20.5.3, L20.5.4, L20.8, L20.18, L20.19.1.1, and L32.1:

D. Residential Use Restriction. The Grantee, its successors and assigns, shall not use the Property for residential purposes. The Army has agreed to enter into a Covenant to Restrict Use of Property (CRUP), which will include a Residential Use Restriction, with the DTSC pursuant to California Health and Safety Code sections 25222.1 and 25355.5 and Civil Code Section 1471. The USEPA also believes any proposals for the residential reuse of the Property should be subject to regulatory review. The CRUP will place additional use restrictions on all of the transferring Property and will be signed prior to transfer. The Army and the DTSC agree that the use of the Property will be restricted as set forth in the CRUP. For purposes of this provision, residential use includes, but is not limited to: single family or multi-family residences; child care facilities; nursing home or assisted living facilities; and any type of educational purpose for children/young adults in grades kindergarten through 12.

Applicable to County of Monterey Parcels E11b.6.1, E11b.7.1.1, E11b.8, E18.1.2, E19a.1, E19a.2, E19a.3, E19a.4, L5.7, L20.2.1, L20.5.3, L20.8, L20.18, L20.19.1.1, and L32.1:

E. Access Restriction. Except as provided below, the Property shall not be used for any purposes other than activities associated with the investigation and remediation of MEC and installation of utilities and roadways until the USEPA, in consultation with the DTSC, has certified the completion of remedial action. This Access Restriction is not intended to limit use of existing public access roadways within the Property, including the limited use(s) associated with special events; provided that the use of roadways may be limited or restricted, as necessary, to provide the required minimum separation distance employed during intrusive MEC response actions, and in connection with prescribed burns that may be necessary for the purpose of MEC removal in adjacent areas.

Applicable to County of Monterey Parcels L20.3.1, L20.3.2, L20.5.1, L20.5.2, and L20.5.4:

F. Access Restriction. Except as provided below, the Property shall not be used for any purposes other than activities associated with the investigation and remediation of MEC; parking, staging and on-site portable/temporary toilets for events associated with the Mazda Raceway

Laguna Seca; and installation of utilities and roadways until the USEPA, in consultation with the DTSC, has certified the completion of remedial action. This Access Restriction is not intended to limit use of existing public access roadways within the Property, including the limited use(s) associated with special events; provided that the use of roadways may be limited or restricted, as necessary, to provide the required minimum separation distance employed during intrusive MEC response actions, and in connection with prescribed burns that may be necessary for the purpose of MEC removal in adjacent areas.

Applicable to County of Monterey Parcels L5.7, L20.2.1, and L32.1;

G. Groundwater Restriction. Grantee is hereby informed and acknowledges that the groundwater adjacent to the Property and associated with the Operable Unit 2 (OU2) groundwater plume and the Operable Unit Carbon Tetrachloride Plume (OUCTP) is contaminated with volatile organic compounds (VOCs), primarily trichloroethene (TCE) and carbon tetrachloride (CT), respectively. Under the EPP, Section 6, the Grantee, its successors and assigns, shall not access or use groundwater underlying the Property for any purpose without the prior written approval of the Grantor, the USEPA, the DTSC, the RWQCB and the County of Monterey. For the purpose of this restriction, "groundwater" shall have the same meaning as in section 101(12) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

H. Modifying Restrictions. Nothing contained herein shall preclude the Grantee, its successors or assigns, from undertaking, in accordance with applicable laws and regulations and without any cost to the Grantor, such additional action necessary to allow for other less restrictive use of the Property. Prior to such use of the Property, Grantee shall consult with and obtain the approval of the Grantor, and, as appropriate, the State or federal regulators, or the local authorities in accordance with this EPP and the provisions of all applicable CRUP(s). Upon the Grantee's obtaining the approval of the Grantor and, as appropriate, state or federal regulators, or local authorities, the Grantor agrees to record an amendment hereto. This recordation shall be the responsibility of the Grantee and at no additional cost to the Grantor.

I. Submissions. The Grantee, its successors and assigns, shall submit any requests for modifications to the above restrictions to the Grantor, the USEPA, the DTSC and the RWQCB, in accordance with the provisions of the applicable CRUP(s), by first class mail, postage prepaid, addressed as follows:

- 1) Grantor: Director, Fort Ord Office
Army Base Realignment and Closure
P.O. Box 5008
Presidio of Monterey, CA 93944-5008
- 2) USEPA: Chief, Federal Facility and Site Cleanup Branch
Superfund Division
U.S. Environmental Protection Agency, Region 9

75 Hawthorne Street, Mail Code: SFD-8-3
San Francisco, CA 94105-3901

- 3) DTSC: Supervising Hazardous Substances Engineer II
Brownfields and Environmental Restoration Program
Department of Toxic Substances Control
Sacramento Office
8800 Cal Center Drive
Sacramento, CA 95826-3200

- 4) RWQCB: Executive Officer
California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

3. NOTICE OF THE POTENTIAL FOR THE PRESENCE OF MUNITIONS AND EXPLOSIVES OF CONCERN (MEC)

A. The Grantee is hereby notified that, due to the former use of the Property as a military installation, the Property may contain munitions and explosives of concern (MEC). The term MEC means specific categories of military munitions that may pose unique explosives safety risks and includes: (1) Unexploded Ordnance (UXO), as defined in 10 U.S.C. §101(e)(5); (2) Discarded military munitions (DMM), as defined in 10 U.S.C. §2710(e)(2); or (3) Munitions constituents (e.g., TNT, RDX), as defined in 10 U.S.C. §2710(e)(3), present in high enough concentrations to pose an explosive hazard. For the purposes of the basewide Military Munitions Response Program (MMRP) being conducted for the former Fort Ord and this EPP, MEC does not include small arms ammunition (i.e. ammunition with projectiles that do not contain explosives, other than tracers, that is .50 caliber or smaller, or for shotguns).

B. The Property was previously used for a variety of munitions-related and other military related purposes, including operational ranges for live-fire training; demolitions training; chemical, biological and radiological training; engineering training; and tactical training. Munitions responses were conducted on the Property. Any MEC discovered were disposed of by a variety of methods, including open detonation (blown in place (BIP)) or in a consolidated shot, or destroyed using contained detonation technology. A summary of MEC discovered on the Property is provided in Exhibit E. Site maps depicting the locations of munitions response sites are provided at Exhibit F.

C. After response actions are completed, if the Grantee, any subsequent owner, or any other person should find any MEC on the Property, they shall immediately stop any intrusive or ground-disturbing work in the area or in any adjacent areas and shall not attempt to disturb, remove or destroy it, but shall immediately notify the local law enforcement agency having jurisdiction on the Property so that appropriate explosive ordnance disposal (EOD) personnel can

be dispatched to address such MEC as required under applicable laws and regulations and at no expense to the Grantee. The Grantee hereby acknowledges receipt of the "Ordnance and Explosives Safety Alert" pamphlet.

D. Easement and Access Rights.

1) The Grantor reserves a perpetual and assignable right of access on, over, and through the Property, to access and enter upon the Property in any case in which a munitions response action is found to be necessary, or such access and entrance is necessary to carry out a munitions response action on adjoining property as a result of the ongoing Munitions Response Remedial Investigation/Feasibility Study. Such easement and right of access includes, without limitation, the right to perform any additional munitions response action (e.g. investigation, sampling, testing, test-pitting, surface and subsurface removal) necessary for the United States to meet its responsibilities under applicable laws and as provided for in this Deed. This right of access shall be binding on the Grantee, its successors and assigns, and shall run with the land.

2) In exercising this easement and right of access, the Grantor shall give the Grantee or the then record owner, reasonable notice of the intent to enter on the Property, except in emergency situations. Grantor shall use reasonable means, without significant additional cost to the Grantor, to avoid and/or minimize interference with the Grantee's and the Grantee's successors' and assigns' quiet enjoyment of the Property; however, the use and/or occupancy of the Property may be limited or restricted, as necessary, under the following scenarios: (a) to provide the required minimum separation distance employed during intrusive munitions response actions that may occur on or adjacent to the Property; and (b) if Army implemented prescribed burns are necessary for the purpose of a munitions response action (removal) in adjacent areas. Such easement and right of access includes the right to obtain and use utility services, including water, gas, electricity, sewer, and communications services available on the Property at a reasonable charge to the United States. Excluding the reasonable charges for such utility services, no fee, charge, or compensation will be due the Grantee nor its successors and assigns, for the exercise of the easement and right of access hereby retained and reserved by the United States.

3) In exercising this easement and right of access, neither the Grantee nor its successors and assigns, as the case may be, shall have any claim at law or equity against the United States or any officer or employee of the United States based on actions taken by the United States or its officers, employees, agents, contractors of any tier, or servants pursuant to and in accordance with this Paragraph. In addition, the Grantee, its successors and assigns, shall not interfere with any munitions response action conducted by the Grantor on the Property.

E. The Grantee acknowledges receipt of the Track 2 Munitions Response Remedial Investigation/Feasibility Study (Track 2 MR RI/FS) (August 2006).

4. NOTICE OF THE PRESENCE OF ASBESTOS AND COVENANT

Applicable to County of Monterey Parcels E11b.8, E19a.3, E19a.4, L20.2.1, and L20.3.1

A The Grantee is hereby informed and does acknowledge that non-friable asbestos or asbestos-containing material (ACM) has been found on the Property. The Property may contain improvements, such as buildings, facilities, equipment, and pipelines, above and below the ground, that contain non-friable asbestos or ACM. The Occupational Safety and Health Administration (OSHA) and the U.S. Environmental Protection Agency (USEPA) have determined that unprotected or unregulated exposure to airborne asbestos fibers increases the risk of asbestos-related diseases, including certain cancers that can result in disability or death.

B. The Grantee covenants and agrees that its use and occupancy of the Property will be in compliance with all applicable laws relating to asbestos. The Grantee agrees to be responsible for any remediation or abatement of asbestos found to be necessary on the Property to include ACM in or on buried pipelines that may be required under applicable law or regulation.

C. The Grantee acknowledges that it has inspected or has had the opportunity to inspect the Property as to its asbestos and ACM content and condition and any hazardous or environmental conditions relating thereto. The Grantee shall be deemed to have relied solely on its own judgment in assessing the overall condition of all or any portion of the Property with respect to any asbestos or ACM hazards or concerns.

5. NOTICE OF THE PRESENCE OF LEAD-BASED PAINT (LBP) AND COVENANT AGAINST THE USE OF THE PROPERTY FOR RESIDENTIAL PURPOSE

Applicable to County of Monterey Parcels E11b.7.1.1, E19a.3, E19a.4, L20.2.1, and L20.3.1:

A. The Grantee is hereby informed and does acknowledge that all buildings on the Property, which were constructed or rehabilitated prior to 1978, are presumed to contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not managed properly. Every purchaser of any interest in Residential Real Property on which a residential dwelling was built prior to 1978 is notified that there is a risk of exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning.

B. The Grantee covenants and agrees that it shall not permit the occupancy or use of any buildings or structures on the Property as Residential Property, as defined under 24 Code of Federal Regulations part 35, without complying with this section and all applicable federal, state, and local laws and regulations pertaining to lead-based paint and/or lead-based paint hazards. Prior to permitting the occupancy of the Property where its use subsequent to sale is intended for residential habitation, the Grantee specifically agrees to perform, at its sole expense, the Army's abatement requirements under Title X of the Housing and Community Development Act of 1992 (Residential Lead-Based Paint Hazard Reduction Act of 1992).

C. The Grantee acknowledges that it has inspected or has had the opportunity to inspect the Property as to its lead-based paint content and condition and any hazardous or environmental

conditions relating thereto. The Grantee shall be deemed to have relied solely on its own judgment in assessing the overall condition of all or any portion of the Property with respect to any lead-based paint hazards or concerns.

6. NOTICE OF THE PRESENCE OF CONTAMINATED GROUNDWATER AND COVENANT AGAINST ACCESS TO OR USE OF GROUNDWATER UNDERLYING THE PROPERTY FOR ANY PURPOSE

Applicable to County of Monterey Parcels L5.7, L20.2.1, and L32.1;

A. The Property is within the "Consultation Zone" of the "Special Groundwater Protection Zone". The Consultation Zone includes areas surrounding the "Prohibition Zone" where groundwater extraction may impact or be impacted by the four identified groundwater contamination plumes at the former Fort Ord. The Consultation Zone is also identified on the "Former Fort Ord Special Groundwater Protection Zone Map," which is on file with the County of Monterey (the County). County Ordinance No. 04011 requires consultation with the Grantor, the USEPA, the DTSC, the RWQCB, and the County for proposed water well construction within the Consultation Zone.

B. The Grantee covenants for itself, its successors, and assigns not to access or use groundwater underlying the Property for any purpose without the prior written approval of the Grantor, the USEPA, the DTSC, the RWQCB and the County. For the purpose of this restriction, "groundwater" shall have the same meaning as in section 101(12) of CERCLA.

C. The Grantee covenants for itself, its successors, and assigns that neither the Grantee, its successors or assigns, nor any other person or entity acting for or on behalf of the Grantee, its successors or assigns, shall interfere with any response action being taken on the Property by or on behalf of the Grantor, or interrupt, relocate, or otherwise interfere or tamper with any remediation system or monitoring wells now or in the future located on, over, through, or across any portion of the Property without the express written consent of the Grantor in each case first obtained.

D. The Grantee covenants for itself, its successors, or assigns, that it will not undertake nor allow any activity on or use of the Property that would violate the restrictions contained herein. These restrictions and covenants are binding on the Grantee, its successors and assigns; shall run with the land; and are forever enforceable.

7. NOTICE OF RARE, THREATENED AND ENDANGERED SPECIES MANAGEMENT

The Grantee acknowledges and agrees to implement the following provisions, as applicable, relative to listed species:

Applicable to County of Monterey Parcels E18.1.2, E19a.1, L20.5.4, L20.8, L20.18, and L32.1:

A. The Property is within a Habitat Management Plan (HMP) Development Area. No resource conservation requirements are associated with the HMP for these parcels. However, small pockets of habitat may be preserved within and around the Property.

B. The March 30, 1999, Biological and Conference Opinion on the Closure and Reuse of Fort Ord, Monterey County, California (1-8-99-F/C-39R), the Biological Opinion on the Closure and Reuse of Fort Ord, Monterey County, California, as it affects Monterey Spineflower Critical Habitat, (1-8-01-F-70R), and the Biological Opinion for the Cleanup and Reuse of Former Fort Ord, Monterey County, California, as it affects California Tiger Salamander and Critical Habitat for Contra Costa Goldfields Critical Habitat (1-8-04-F-25R) identify sensitive biological resources that may be salvaged for use in restoration activities within reserve areas, and allows for development of the Property.

C. The HMP does not exempt the Grantee from complying with environmental regulations enforced by Federal, State, or local agencies; however, CERCLA remedial actions undertaken by the Grantee will be conducted in accordance with the Army's requirements identified in Chapter 3 of the HMP and in existing Biological Opinions. Reuse activities not involving CERCLA may require the Grantee to obtain Endangered Species Act (ESA) (16 U.S.C. §§ 1531 - 1544 et seq.) Section 7 or Section 10(a) permits from the U.S. Fish and Wildlife Service (USFWS); comply with prohibitions against take of listed animals under ESA Section 9; comply with prohibitions against the removal of listed plants occurring on federal land or the destruction of listed plants in violation of any state laws; comply with measures for conservation of state-listed threatened and endangered species and other special-status species recognized by California ESA, or California Environmental Quality Act (CEQA); and comply with local land use regulations and restrictions.

D. The HMP serves as a management plan for both listed and candidate species, and is a prelisting agreement between the USFWS and the local jurisdiction for candidate species that may need to be listed because of circumstances occurring outside the area covered by the HMP.

E. Implementation of the HMP would be considered suitable mitigation for impacts to HMP species within HMP prevalent areas and would facilitate the USFWS procedures to authorize incidental take of these species by participating entities as required under ESA Section 10. No further mitigation will be required to allow development on the Property unless species other than HMP target species are proposed for listing or are listed.

F. The HMP does not authorize incidental take of any species listed as threatened or endangered under the ESA by entities acquiring land at the former Fort Ord except for those lands undergoing a CERCLA remedial action. The USFWS has recommended that all non-federal entities acquiring land at former Fort Ord apply for ESA Section 10(a)(1)(B) incidental take permits for the species covered in the HMP. The definition of "take" under the ESA

includes to harass, harm, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct. Although the USFWS will not require further mitigation from these entities that are in conformation with the HMP, those entities without incidental take authorization would be in violation of the ESA if any of their actions resulted in the take of a listed animal species. To apply for a Section 10 (a)(1)(B) incidental take permit, an entity must submit an application form (Form 3-200), a complete description of the activity sought to be covered by the permit, and a conservation plan (50 CFR 17.22[b]).

Applicable to County of Monterey Parcels E11b.6.1, E11b.7.1.1, E11b.8, E19a.2, E19a.3, E19a.4, L5.7, L20.2.1, L20.3.1, L20.3.2, L20.5.1, L20.5.2, L20.5.3, and L20.19.1.1:

G. The Property contains habitat occupied and/or potentially occupied by several sensitive wildlife and plant species, some of which are listed or proposed for listing as threatened or endangered under the Endangered Species Act (ESA). Applicable laws and regulations restrict activities that involve the potential loss of populations and habitats of listed species. To fulfill Grantor's commitment in the Fort Ord Disposal and Reuse Environmental Impact Statement Record of Decision, made in accordance with the National Environmental Policy Act of 1969, 42 U.S.C § 4321 et seq., this deed requires the conservation in perpetuity of these sensitive wildlife and plant species and their habitats consistent with the U.S. Fish and Wildlife Service Biological Opinions for disposal of the former Fort Ord lands issued pursuant to Section 7 of the ESA on March 30, 1999, October 22, 2002, and March 14, 2005 respectively. By requiring Grantee, and its successors and assigns to comply with the Installation-Wide Multispecies Habitat Management Plan (HMP), Grantor intends to fulfill its responsibilities under Section 7 of the ESA and to minimize future conflicts between species protection and economic development of portions of the Property.

H. Grantee acknowledges that it has received a copy of the HMP dated April 1997. The HMP, which is incorporated herein by reference, provides a basewide framework for disposal of lands within former Fort Ord wherein development and potential loss of species and/or habitat is anticipated to occur in certain areas of the former Fort Ord (the HMP Development Areas) while permanent species and habitat conservation is guaranteed within other areas of the former Fort Ord (i.e., the HMP Reserve and Corridor parcels). Disposal of former Fort Ord lands in accordance with and subject to the restrictions of the HMP is intended to satisfy the Army's responsibilities under Section 7 of the ESA.

I. The following parcels of land within the Property hereby conveyed or otherwise transferred to Grantee are subject to the specific use restrictions and/or conservation, management, monitoring, and reporting requirements identified for the parcel in the HMP:

- 1) Habitat Reserve Parcels: E11b.6.1, E11b.7.1.1, E19a.2, and E19a.4;
- 2) Habitat Corridor Parcel: L20.2.1;
- 3) Habitat Reserve within the Development with Reserve Areas or Development with Restrictions Parcels numbered: L20.3.1, L20.3.2, L20.5.1, L20.5.2, and L20.5.3;

4) Borderland Development Areas along Natural Resources Management Area (NRMA) Interface Parcels numbered: E11b.8, E19a.3, L5.7, and L20.19.1.1.

J. Any boundary modifications to the Development with Reserve Areas or Development with Restrictions parcels or the Borderland Development Areas Along NRMA Interface must be approved in writing by the U.S. Fish and Wildlife Service (USFWS) and must maintain the viability of the HMP for permanent species and habitat conservation.

K. The HMP describes existing habitat and the likely presence of sensitive wildlife and plant species that are treated as target species in the HMP. Some of the target species are currently listed or proposed for listing as threatened or endangered under the ESA. The HMP establishes general conservation and management requirements applicable to the Property to conserve the HMP species. These requirements are intended to meet mitigation obligations applicable to the Property resulting from the Army disposal and development reuse actions. Under the HMP, all target species are treated as if listed under the ESA and are subject to avoidance, protection, conservations and restoration requirements. Grantee shall be responsible for implementing and funding each of the following requirements set forth in the HMP as applicable to the Property:

1) Grantee shall implement all avoidance, protection, conservation and restoration requirements identified in the HMP as applicable to the Property and shall cooperate with adjacent property owners in implementing mitigation requirements identified in the HMP for adjacent sensitive habitat areas.

2) Grantee shall protect and conserve the HMP target species and their habitats within the Property, and, other than those actions required to fulfill a habitat restoration requirement applicable to the Property, shall not remove any vegetation, cut any trees, disturb any soil, or undertake any other actions that would impair the conservation of the species or their habitats. Grantee shall accomplish the Resource Conservation Requirements and Management Requirements identified in Chapters 3 and 4 of the HMP as applicable to any portion of the Property.

3) Grantee shall manage, through an agency or entity approved by USFWS, each HMP parcel, or portion thereof, within the Property that is required in the HMP to be managed for the conservation of the HMP species and their habitats, in accordance with the provisions of the HMP.

4) Grantee shall either directly, or indirectly through its USFWS approved habitat manager, implement the management guidelines applicable to the parcel through the development of a site-specific management plan. The site-specific habitat management plan must be developed and submitted to USFWS (and, for non-Federal recipients, California Department of Fish and Game (CDFG) as well) for approval within six months from the date the recipient obtains title to the parcel. Upon approval by USFWS (and, as appropriate, CDFG) the recipient shall implement the plan. Such plans may thereafter be modified through the Coordinated

Resource Management and Planning (CRMP) process or with the concurrence of USFWS (and, as appropriate, CDFG) as new information or changed conditions indicate the need for adaptive management changes. The six-month deadline for development and submission of a site-specific management plan may be extended by mutual agreement of USFWS, CDFG (if appropriate), and the recipient.

5) Grantee shall restrict access to the Property in accordance with the HMP, but shall allow access to the Property, upon reasonable notice of not less than 48 hours, by USFWS and its designated agents, for the purpose of monitoring Grantee's compliance, and for such other purposes as are identified in the HMP.

6) Grantee shall comply with all monitoring and reporting requirements set forth in the HMP that are applicable to the Property, and shall provide an annual monitoring report, as provided for in the HMP, to the Bureau of Land Management (BLM) on or before November 1 of each year, or such other date as may be hereafter agreed to by USFWS and BLM.

7) Grantee shall not transfer, assign, or otherwise convey any portion of, or interest in, the Property subject to the habitat conservation, management or other requirements of the HMP, without the prior written consent of Grantor, acting by and through the USFWS (or designated successor agency), which consent shall not be unreasonably withheld. Grantee covenants for itself, its successors and assigns, that it shall include and otherwise make legally binding the provisions of the HMP in any deed, lease, right of entry, or other legal instrument by which Grantee divests itself of any interest in all or a portion of the Property. The covenants, conditions, restrictions and requirements of this deed and the provisions of the HMP shall run with the land. The covenants, conditions, restrictions and requirements of this deed and the HMP benefit the lands retained by the Grantor that formerly comprised Fort Ord, as well as the public generally. Management responsibility for the Property may only be transferred as a condition of the transfer of the Property, with the consent of the USFWS. USFWS may require the establishment of a perpetual trust fund to pay for the management of the Property as a condition of transfer of management responsibility from Grantee.

8) This conveyance is made subject to the following ENFORCEMENT PROVISIONS:

a) Grantor hereby reserves a reversionary interest in all of the Property. If Grantor (or its assigns), acting through the USFWS or a designated successor agency, determines that those parcels identified in Paragraph 7.I. above or any other portion of the Property subject to a restriction or other requirement of the HMP is not being conserved and/or managed in accordance with the provisions of the HMP, then Grantor may, in its discretion, exercise a right to reenter the Property, or any portion thereof, in which case, the Property, or those portions thereof as to which the right of reentry is exercised, shall revert to Grantor. In the event that Grantor exercises its right of reentry as to all or portions of the Property, Grantee shall execute any and all documents that Grantor deems necessary to perfect or provide recordable notice of the reversion and for the complete transfer and reversion of all right, title and interest in

the Property or portions thereof. Subject to applicable federal law, Grantee shall be liable for all costs and fees incurred by Grantor in perfecting the reversion and transfer of title. Any and all improvements on the Property, or those portions thereof reverting back to Grantor, shall become the property of Grantor and Grantee shall not be entitled to any payment therefore.

b) In addition to the right of reentry reserved in paragraph a. above, if Grantor (or its assigns), acting through the USFWS or a successor designated agency, determines that Grantee is violating or threatens to violate the provisions of Paragraph 7 of this deed exhibit or the provisions of the HMP, Grantor shall provide written notice to Grantee of such violation and demand corrective action sufficient to cure the violation, and where the violation involves injury to the Property resulting from any use or activity inconsistent with the provisions of Paragraph 7 of this deed exhibit or the provisions of the HMP, to restore the portion of the Property so injured. If Grantee fails to cure a violation within sixty (60) days after receipt of notice thereof from Grantor, or under circumstances where the violation cannot reasonably be cured within a sixty (60) day period, or fails to continue to diligently cure such violation until finally cured, Grantor may bring an action at law or in equity in a court of competent jurisdiction to enforce the covenants, conditions, reservations and restrictions of this deed and the provisions of the HMP, to enjoin the violation, by temporary or permanent injunction, to recover any damages to which it may be entitled for violation of the covenants, conditions, reservations and restrictions of this deed or the provisions of the HMP, or injury to any conservation value protected by this deed or the HMP, and to require the restoration of the Property to the condition that existed prior to such injury. If Grantor, in its good faith and reasonable discretion, determines that circumstances require immediate action to prevent or mitigate significant damage to the species and habitat conservation values of the Property, Grantor may pursue its remedies under this paragraph without prior notice to Grantee, or without waiting for the period provided for the cure to expire. Grantor's rights under this paragraph apply equally in the event of either actual or threatened violations of covenants, conditions, reservations and restrictions of this deed or the provisions of the HMP, and Grantee acknowledges that Grantor's remedies at law for any of said violations are inadequate and Grantor shall be entitled to the injunctive relief described in this paragraph, both prohibitive and mandatory, in addition to such other relief to which Grantor may be entitled, including specific performance of the covenants, conditions, reservations and restrictions of this deed and the provisions of the HMP.

c) Enforcement of the covenants, conditions, reservations and restrictions in this deed and the provisions of the HMP shall be at the discretion of Grantor, and any forbearance by Grantor to exercise its rights under this deed and the HMP in the event of any such breach or violation of any provision of this deed or the HMP by Grantee shall not be deemed or construed to be a waiver by Grantor of such provision or of any subsequent breach or violation of the same or any other provision of this deed or the HMP or of any of Grantor's rights under this deed or the HMP. No delay or omission by Grantor in the exercise of any right or remedy upon any breach or violation by Grantee shall impair such right or remedy or be construed as a waiver.

d) In addition to satisfying Army's responsibilities under Section 7 of the ESA, Grantee's compliance with the covenants, conditions, reservations and restrictions contained in this deed and with the provisions of the HMP are intended to satisfy mitigation obligations included in any future incidental take permit issued by USFWS pursuant to Section 10(a)(1)(B) of the Endangered Species Act which authorizes the incidental take of a target HMP species on the Property. Grantee acknowledges that neither this deed nor the HMP authorizes the incidental take of any species listed under the ESA except while conducting CERCLA remedial actions consistent with Chapter 3 of the HMP and in accordance with the existing biological opinions. Authorization to incidentally take any target HMP wildlife species as a result of reuse activities must be obtained by Grantee separately, or through participation in a broader habitat conservation plan and Section 10(a)(1)(B) permit based on the HMP and approved by USFWS.

**FORA FOSET 5 OUTDEED, PARKER FLAT PHASE I PROPERTY,
COUNTY OF MONTEREY**

EXHIBIT "C"

Government Deed Amendments

- Original Deed DACA 05-9-07-505: Recorded May 8, 2009, Doc# 2009028280
- Amendment #1: Recorded May 17-2010, Doc# 2010027226
- Amendment #2: Recorded March 10, 2011, Doc# 2011013980
- Correction to Amendment #1: Recorded July 28, 2014, Doc# 2014034751
- Correction to Amendment #2: Recorded July 28, 2014, Doc# 2014034752

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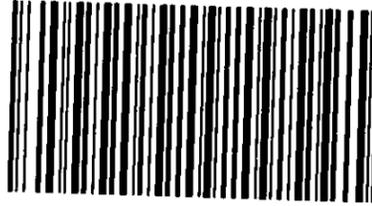
Stephen L. Vagnini
Monterey County Recorder
Recorded at the request of
Chicago Title

CRMELISSA
5/08/2009
8:00:00

**FORT ORD REUSE AUTHORITY
OFFICIAL BUSINESS
REQUEST DOCUMENT TO BE RECORDED
AND EXEMPT FROM RECORDING FEES
PER GOVERNMENT CODE 6103**

DOCUMENT: **2009028280**

Titles: 1/ Pages: 134



Fees....
Taxes...
Other...
AMT PAID _____

**Recording requested by and
when recorded mail to:**

George R. Schlossberg, Esq.
Kutak Rock LLP
1101 Connecticut Avenue, NW
Suite 1000
Washington, DC 20036

Space Above This Line Reserved for Recorder's Use

**QUITCLAIM DEED FOR
FORT ORD REUSE AUTHORITY (FORA)
COUNTY OF MONTEREY, CALIFORNIA**

**(Parcels E11.b.6.1, E11b.7.1.1, E11b.8, E18.1.2, E19a.1, E19a.2, E19a.3, E19a.4, L5.7,
L20.2.1, L20.3.1, L20.3.2, L20.5.1, L20.5.2, L20.5.3, L20.5.4, L20.8, L20.18, L20.19.1.1, and
L32.1)**

Documentary Transfer Tax \$0-government agency, exempt from DTT

____ Computed on full value of property conveyed
____ Computed on full value less liens and encumbrances
remaining at time of sale

Signature of Declarant or agent - Firm name

**FORT ORD REUSE AUTHORITY
OFFICIAL BUSINESS
REQUEST DOCUMENT TO BE RECORDED
AND EXEMPT FROM RECORDING FEES
PER GOVERNMENT CODE 6103**

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when recorded mail to:**

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**QUITCLAIM DEED FOR
FORT ORD REUSE AUTHORITY (FORA)
COUNTY OF MONTEREY, CALIFORNIA**

**(Parcels E11.b.6.1, E11b.7.1.1, E11b.8, E18.1.2, E19a.1, E19a.2, E19a.3, E19a.4, L5.7,
L20.2.1, L20.3.1, L20.3.2, L20.5.1, L20.5.2, L20.5.3, L20.5.4, L20.8, L20.18, L20.19.1.1, and
L32.1)**

THIS QUITCLAIM DEED, made and entered into between the **UNITED STATES OF AMERICA**, acting by and through the **SECRETARY OF THE ARMY** (the "**Grantor**"), under and pursuant to the power and authority contained in the Defense Base Closure and Realignment Act of 1990, as amended (Public Law No. 101-510, 10 U.S.C. § 2687) ("**DBCRA**"), and the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. § 101 *et seq.*); and the **FORT ORD REUSE AUTHORITY** ("**FORA**") (the "**Grantee**"), created under Title 7.85 of the California Government Code, Chapters 1 through 7, inclusive, commencing with Section 67650, *et seq.*, and selected provisions of the California Redevelopment Law, including Division 24 of the California Health and Safety Code, Part 1, Chapter 4.5, Article 1, commencing with Section 33492, *et seq.*, and Article 4, commencing with Section 33492.70, *et seq.*, and recognized as the Local Redevelopment Authority for the former Fort Ord Army Base, California, by the Office of Economic Adjustment on behalf of the Secretary of Defense.

WITNESSETH THAT:

WHEREAS, the Secretary of the Army may convey surplus property to a local redevelopment authority at a closing military installation for economic development purposes pursuant to the power and authority provided by DBCRA and the implementing regulations of the Department of Defense (32 CFR 174 and 176);

WHEREAS, Grantee, by application, requested an economic development conveyance of portions of the former Fort Ord, California, consistent with the redevelopment plan prepared by the Grantee;

WHEREAS, Section 334 of Public Law 104-201 allows, with the approval of the Administrator of the EPA and the concurrence of the Governor of the State of California, for the deferral of the requirement of 42 U.S.C. § 9620 (h)(3)(A)(ii)(I) prior to completion of all the necessary environmental remediation actions required under the CERCLA, which approval and concurrence have been received.

WHEREAS, the Grantor and the State of California Department of Toxic Substances Control have entered into a Munitions and Explosives of Concern ("MEC") Covenant to Restrict Use of Property, dated 4/21/09 2009 and recorded on May 8th 2009, Series Number 2009028279 cr

NOW THEREFORE, the GRANTOR, for good and valuable consideration, the receipt of all of which is hereby acknowledged, does hereby REMISE, RELEASE, AND FOREVER QUITCLAIM unto the GRANTEE, its successors and assigns, all its right, title, and interest in the property situated, lying and being in the County of Monterey, in the State of California, Parcels E11.b.6.1, E11b.7.1.1, E11b.8, E18.1.2, E19a.1, E19a.2, E19a.3, E19a.4, L5.7, L20.2.1, L20.3.1, L20.3.2, L20.5.1, L20.5.2, L20.5.3, L20.5.4, L20.8, L20.18, L20.19.1.1, and L32.1, containing approximately 1,767.261 acres as shown on Exhibit A, attached hereto and made a part hereof (hereinafter referred to as the "Property").

AND IT IS FURTHER AGREED AND UNDERSTOOD by and between the parties hereto that the GRANTEE, by its acceptance of this Deed, agrees that, as part of the consideration for this Deed, the GRANTEE covenants and agrees for itself, its successors and assigns, forever, that this Deed is made and accepted upon each of the following covenants, which covenants shall be binding upon and enforceable against the GRANTEE, its successors and assigns, in perpetuity by the United States and other interested parties as allowed by federal, state or local law; that the NOTICES, USE RESTRICTIONS, AND RESTRICTIVE COVENANTS set forth herein are a binding servitude on the Property herein conveyed and shall be deemed to run with the land in perpetuity; and that the failure to include the NOTICES, USE RESTRICTIONS, AND RESTRICTIVE COVENANTS in subsequent conveyances does not abrogate the status of these restrictions as binding upon the parties, their successors and assigns:

I. PROPERTY DESCRIPTION:

The Property includes:

1. All buildings, facilities, roadways, and other improvements, including the storm drainage systems and the telephone system infrastructure, and any other improvements thereon;
2. All appurtenant easements and other rights appurtenant thereto, permits, licenses, and privileges not otherwise excluded herein; and
3. All hereditaments and tenements therein and reversions, remainders, issues, profits, privileges and other rights belonging or related thereto.

II. EXCLUSIONS AND RESERVATIONS

This conveyance is made subject to the following **EXCLUSIONS** and **RESERVATIONS**:

1. The Property is taken by the Grantee subject to any and all valid and existing recorded outstanding liens, leases, easements, and any other encumbrances made for the purpose of roads, streets, utility systems, rights-of-way, pipelines, and/or covenants, exceptions, interests, liens, reservations, and agreements of record; and any unrecorded easements and any other encumbrances made for the limited purpose of roads, streets, utility systems, and pipelines set forth in Exhibit G.

2. The reserved rights and easements set forth in this section are subject to the following terms and conditions:

A. The Grantee is to comply with all applicable Federal law and lawful existing regulations;

B. The Grantor is to allow the occupancy and use by the Grantee, its successors, assigns, permittees, or lessees of any part of the easement areas not actually occupied or required for the purpose of the full and safe utilization thereof by the Grantor, so long as such occupancy and use does not compromise the ability of the Grantor to use the easements for their intended purposes, as set forth herein;

C. The easements previously granted or granted herein shall be for the specific use described and may not be construed to include the further right to authorize any other use

within the easements unless approved in writing by the fee holder of the land subject to the easement;

D. Any transfer of the easements by assignment, lease, operating agreement, or otherwise must include language that the transferee agrees to comply with and be bound by the terms and conditions of the original grant;

E. Unless otherwise provided, no interest reserved shall give the Grantor any right to remove any material, earth, or stone for consideration or other purpose except as necessary in exercising its rights hereunder; and

F. The Grantor is to restore the area of any easement or right of access so far as it is reasonably possible to do so upon abandonment or release of any easement as provided herein, unless this requirement is waived in writing by the then owner of the Property.

3. Grantor reserves mineral rights that Grantor owns with the right of surface entry in a manner that does not unreasonably interfere with Grantee's development and quiet enjoyment of the Property.

TO HAVE AND TO HOLD the Property granted herein to the GRANTEE and its successors and assigns, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, or claim whatsoever of the GRANTOR, either in law or in equity and subject to the terms, reservations, restrictions, covenants, and conditions set forth in this Deed.

III. CERCLA NOTICE, ASSURANCES, WARRANTY, AND ACCESS PROVISIONS

1. CERCLA NOTICE

For the Property, the Grantor provides the following notice and description:

A. Pursuant to section 120(h)(3)(A)(i)(I) and (II) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A)(i)(I) and (II)), available information regarding the type, quantity, and location of hazardous substances and the time at which such substances were stored, released, or disposed of, as defined in section 120(h), is provided in Exhibit B, attached hereto and made a part hereof. Additional information regarding the storage, release, and disposal of hazardous substances on the Property has been provided to the Grantee in the Finding of Suitability for Early Transfer (FOSET) and the documents referenced therein, receipt of which the Grantee hereby acknowledges.

B. Pursuant to section 120(h)(3)(A)(i)(III) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A)(i)(III)), a description of the remedial action taken, if any, on the Property is provided in Exhibit C, attached hereto and made a part hereof. Additional information regarding the remedial action taken, if any, has been provided to the Grantee in the Finding of Suitability for Early Transfer (FOSET) and the documents referenced therein, receipt of which the Grantee hereby acknowledges.

2. CERCLA RESPONSE ACTION ASSURANCES

For the Property, the Grantor provides the following description and assurances:

A. Pursuant to section 120(h)(3)(C)(ii)(I) and (II) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. §9620(h)(3)(C)(ii)(I) and (II)), the Environmental Protection Provisions located at Exhibit D, attached hereto and made a part hereof, provide the conditions, restrictions, and notifications necessary to ensure protection of human health and the environment and to preclude any interference with ongoing or completed remediation activities at the former Fort Ord.

B. Pursuant to section 120(h)(3)(C)(ii)(III) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. §9620(h)(3)(C)(ii)(III)), all corrective, remedial, or response actions necessary to protect human health and the environment will be taken with respect to any hazardous substance remaining on the Property as a result of storage, release, or disposal prior to the date of transfer, in accordance with the compliance schedule. The schedule will be developed in cooperation with the U.S. Environmental Protection Agency and the State of California. The schedules may be changed as provided by the Fort Ord Federal Facility Agreement (FFA), as amended, and the Administrative Order on Consent (AOC).

C. Any corrective, remedial, or response action found to be necessary after the date of transfer shall be conducted by the Grantor, except those actions conducted by the Grantee on behalf of the Grantor. This warranty shall not apply in any case in which the person or entity to whom the Property is transferred is a potentially responsible party with respect to such property. For purposes of this warranty, Grantee shall not be considered a potentially responsible party solely due to the presence of a hazardous substance remaining on the Property on the date of this instrument. Further, the Grantor shall not be relieved of any obligation under CERCLA to perform any remedial action found to be necessary after the date of this Deed with regard to any hazardous substances remaining on the Property as of the date of this Deed if the Grantee is subsequently determined to be a potentially responsible party with respect to hazardous substances placed on the Property after the date of this Deed.

D. Pursuant to section 120(h)(3)(C)(ii)(IV) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. §9620(h)(3)(C)(ii)(IV)), the

Grantor has submitted and will continue to submit through its established budget channels to the Director of the Office of Management and Budget a request for funds that adequately addresses schedules for investigation and completion of all response actions required. Expenditure of any federal funds for such investigations or response actions is subject to Congressional authorization and appropriation of funds for that purpose. The Grantor will submit its funding request for the projects needed to meet the schedule of necessary response actions.

3. RIGHT OF ACCESS

A. Pursuant to section 120(h)(3)(A)(iii) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9620(h)(3)(A)(iii)), the United States retains and reserves a perpetual and assignable easement and right of access on, over, and through the Property, to enter upon the Property in any case in which a remedial or corrective action is found to be necessary on the part of the United States, without regard to whether such remedial action or corrective action is on the Property or on adjoining or nearby lands. Such easement and right of access includes, without limitation, the right to perform any environmental investigation, survey, monitoring, sampling, testing, drilling, boring, coring, test-pitting, installing monitoring or pumping wells or other treatment facilities, response action, corrective action, or any other action necessary for the United States to meet its responsibilities under applicable laws and as provided for in this instrument. Such easement and right of access shall be binding on the Grantee, its successors and assigns, and shall run with the land.

B. In exercising such easement and right of access, the United States shall provide the Grantee or its successors or assigns, as the case may be, with reasonable notice of its intent to enter upon the Property and exercise its rights under this covenant, which notice may be severely curtailed or even eliminated in emergency situations. The United States shall use reasonable means, but without significant additional costs to the United States, to avoid and to minimize interference with the Grantee's and the Grantee's successors' and assigns' quiet enjoyment of the Property. At the completion of work, the work site shall be reasonably restored. Such easement and right of access includes the right to obtain and use utility services, including water, gas, electricity, sewer, and communications services available on the Property at a reasonable charge to the United States. Excluding the reasonable charges for such utility services, no fee, charge, or compensation will be due the Grantee nor its successors and assigns, for the exercise of the easement and right of access hereby retained and reserved by the United States.

C. In exercising such easement and right of access, neither the Grantee nor its successors and assigns, as the case may be, shall have any claim at law or equity against the United States or any officer or employee of the United States based on actions taken by the United States or its officers, employees, agents, contractors of any tier, or servants pursuant to and in accordance with this clause provided, however, that nothing in this paragraph shall be considered as a waiver by the Grantee and its successors and assigns of any remedy available to

them under the Federal Tort Claims Act. In addition, the Grantee, its successors and assigns, shall not interfere with any response action or corrective action conducted by the Grantor on the Property.

IV. "AS IS"

A. The Grantee acknowledges that it has inspected or has had the opportunity to inspect the Property and accepts the condition and state of repair of the subject Property. Except as otherwise provided herein, the Grantee understands and agrees that the Property and any part thereof is offered "AS IS" without any representation, warranty, or guaranty by the Grantor as to quantity, quality, title, character, condition, size, or kind, or that the same is in condition or fit to be used for the purpose(s) intended by the Grantee, and no claim for allowance or deduction upon such grounds will be considered.

B. No warranties, either express or implied, are given with regard to the condition of the Property, including, without limitation, whether the Property does or does not contain asbestos or lead-based paint. The Grantee shall be deemed to have relied solely on its own judgment in assessing the overall condition of all or any portion of the Property, including, without limitation, any asbestos or lead-based paint. The failure of the Grantee to inspect or to exercise due diligence to be fully informed as to the condition of all or any portion of the Property offered will not constitute grounds for any claim or demand against the United States.

C. Nothing in this "As Is" provision will be construed to modify or negate the Grantor's obligation under law.

V. HOLD HARMLESS

A. To the extent authorized by law, the Grantee, its successors and assigns, covenant and agree to indemnify and hold harmless the Grantor, its officers, agents, and employees from (1) any and all claims, damages, judgments, losses, and costs, including fines and penalties, arising out of the violation of the **NOTICES, USE RESTRICTIONS, AND RESTRICTIVE COVENANTS** in this Deed by the Grantee, its successors and assigns, and (2) any and all claims, damages, and judgments arising out of, or in any manner predicated upon, exposure to asbestos or lead-based paint on any portion of the Property after the date of conveyance.

B. The Grantee, its successors and assigns, covenant and agree that the Grantor shall not be responsible for any costs associated with modification or termination of the **NOTICES, USE RESTRICTIONS, AND RESTRICTIVE COVENANTS** in this Deed, including without limitation, any costs associated with additional investigation or remediation of asbestos, lead-based paint, or other condition on any portion of the Property.

C. Nothing in this Hold Harmless provision will be construed to modify or negate the Grantor's obligation under law.

VI. POST-TRANSFER DISCOVERY OF CONTAMINATION

Grantee, its successors and assigns, as consideration for the conveyance of the Property, agree to release Grantor from any liability or responsibility for any claims arising solely out of the release of any hazardous substance or petroleum product on the Property occurring after the date of the delivery and acceptance of this Deed, where such substance or product was placed on the Property by the Grantee, or its successors, assigns, employees, invitees, agents or contractors, after the conveyance. This paragraph shall not affect the Grantor's responsibilities to conduct response actions or corrective actions that are required by applicable laws, rules and regulations, or the Grantor's indemnification obligations under applicable laws.

VII. ENVIRONMENTAL PROTECTION PROVISIONS

The Environmental Protection Provisions are at Exhibit D, which is attached hereto and made a part hereof. These provisions are intended to ensure protection of human health and the environment and to preclude any interference with ongoing or completed remediation activities at the former Fort Ord. The Grantee shall not transfer or lease the Property or any portion thereof, or grant any interest, privilege, or license whatsoever in connection with the Property, or any portion thereof, without the inclusion of the Environmental Protection Provisions contained herein to the extent applicable to the Property or a portion thereof, and shall require the inclusion of applicable Environmental Protection Provisions in all further deeds, easements, transfers, leases, or grant of any interest, privilege, or license concerning the Property or the applicable portion thereof.

VIII. AIR NAVIGATION RESERVATION AND RESTRICTIONS

The Monterey Peninsula Airport and the former Fritzsche Army Airfield, now known as the Marina Municipal Airport, are in close proximity to the Property. Accordingly, in coordination with the Federal Aviation Administration, the Grantee covenants and agrees, on behalf of itself, its successors and assigns and every successor in interest to the Property herein described, or any part thereof, that there will be no construction or alteration unless a determination of no hazard to air navigation is issued by the Federal Aviation Administration in accordance with Title 14, Code of Federal Regulations, Part 77, entitled, "Objects Affecting Navigable Airspace," or under the authority of the Federal Aviation Act of 1958, as amended.

IX. ENFORCEMENT AND NOTICE REQUIREMENT

A. The provisions of this Deed benefit the governments of the United States of America, the State of California, acting on behalf of the public in general, the local governments, and the

lands retained by the Grantor and, therefore, are enforceable, by resort to specific performance or legal process by the United States, the State of California, the local governments, and by the Grantor, and its successors and assigns. Enforcement of this Deed shall be at the discretion of the parties entitled to enforcement hereof, and any forbearance, delay or omission to exercise their rights under this Deed in the event of a breach of any term of this Deed, shall not be deemed to be a waiver by any such party of such term or of any subsequent breach of the same or any other terms, or of any of the rights of said parties under this Deed. All remedies available hereunder shall be in addition to any and all other remedies at law or in equity, including CERCLA. The enforcement rights set forth in this Deed against the Grantee, or its successors and assigns, shall only apply with respect to the Property conveyed herein and held by such Grantee, its successors or assigns, and only with respect to matters occurring during the period of time such Grantee, its successors or assigns, owned or occupied such Property or any portion thereof.

X. NOTICE OF NON-DISCRIMINATION

With respect to activities related to the Property, the Grantee covenants for itself, its successors and assigns, that the Grantee, and such successors and assigns, shall not discriminate upon the basis of race, color, religion, sex, age, handicap, or national origin in the use, occupancy, sale or lease of the Property, or in their employment practices conducted thereon in violation of the provisions of Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000d); the Age Discrimination Act of 1975 (42 U.S.C. § 6102); and the Rehabilitation Act of 1973, as amended, (29 U.S.C. § 794). This covenant shall not apply, however, to the lease or rental of a room or rooms within a family dwelling unit; nor shall it apply with respect to religion to premises used primarily for religious purposes. The Grantor shall be deemed a beneficiary of this covenant without regard to whether it remains the owner of any land or interest therein in the locality of the Property hereby conveyed, and shall have the sole right to enforce this covenant in any court of competent jurisdiction.

XI. ANTI-DEFICIENCY ACT STATEMENT

The Grantor's obligation to pay or reimburse any money under this Deed is subject to the availability of appropriated funds to the Department of the Army, and nothing in this Deed shall be interpreted to require obligations or payments by the Grantor in violation of the Anti-Deficiency Act (Public Law 97-258, 31 U.S.C. § 1341).

XII. GENERAL PROVISIONS

A. SEVERABILITY. If any provision of this Deed, or the application of it to any person or circumstance, is found to be invalid, the remainder of the provisions of this Deed, or the application of such provisions to persons or circumstances other than those to which it is found to be invalid, as the case may be, shall not be affected thereby.

B. CAPTIONS. The captions in this Deed have been inserted solely for convenience of reference and are not a part of this Deed and shall have no effect upon construction or interpretation.

C. RIGHT TO PERFORM. Any right which is exercisable by the Grantee, and its successors and assigns, to perform under this Deed may also be performed, in the event of default by the Grantee, or its successors and assigns, by a lender of the Grantee and its successors and assigns.

XIII. OTHER CONDITIONS

Should the Property be considered for the proposed acquisition and construction of school properties utilizing State funding, at any time in the future, a separate environmental review process in compliance with the California Education Code Section 17210 *et seq.*, will need to be conducted and approved by DTSC.

XIV. THE CONDITIONS, RESTRICTIONS, AND COVENANTS

The conditions, restrictions, and covenants set forth in this deed are a binding servitude on the herein conveyed Property and will be deemed to run with the land in perpetuity. Restrictions, stipulations and covenants contained herein will be inserted by the Grantee verbatim or by express reference in any deed or other legal instrument by which it divests itself of either the fee simple title or any other lesser estate in the Property or any portion thereof. All rights and powers reserved to the Grantor, and all references in this deed to Grantor shall include its successor in interest and assigns. The Grantor may agree to waive, eliminate, or reduce the obligations contained in the covenants, **PROVIDED, HOWEVER**, that the failure of the Grantor or its successor to insist in any one or more instances upon complete performance of any of the said conditions shall not be construed as a waiver or a relinquishment of the future performance of any such conditions, but the obligations of the Grantee, its successors and assigns, with respect to such future performance shall be continued in full force and effect.

XV. LIST OF EXHIBITS

The following listed Exhibits are made a part of this Deed:

- Exhibit A: Legal Description of Property
- Exhibit B: FOSET Hazardous Substance, Storage, Release and Disposal Table
- Exhibit C: FOSET Description of Property Table
- Exhibit D: Environmental Protection Provisions

- Exhibit E: Notification of Munitions and Explosives of Concern (MEC)
- Exhibit F: Site maps depicting the locations of munitions response sites
- Exhibit G: Unrecorded Easements and Encumbrances

[Signature Pages Follow]

IN WITNESS WHEREOF, the Grantor, the UNITED STATES OF AMERICA, acting by and through the SECRETARY OF THE ARMY, has caused these presents to be executed on this 19TH day of MARCH 2009.

UNITED STATES OF AMERICA

By [Signature]
Joseph F. Calcara
Deputy Assistant Secretary of the Army
(Installations and Housing)
OASA (I&E)

COMMONWEALTH OF VIRGINIA)
) ss
COUNTY OF ARLINGTON)

On 19 March 2009 before me, the undersigned, a Notary Public in and for said state, personally appeared Joseph F. Calcara, Deputy Assistant Secretary of the Army (Installations and Housing), personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and who acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]
Notary Public, Commonwealth of Virginia

My commission expires: 31 Mar 2012



ACCEPTANCE:

In Testimony Whereof, witness the signature of the Fort Ord Reuse Authority ("Authority"), an organization organized and existing under the laws of the State of California under the Fort Ord Reuse Authority Act created under Title 7.85 of the California Government Code, Chapters 1 through 7, inclusive, commencing with Section 67650, et seq., and selected provisions of the California Redevelopment Law, including Division 24 of the California Health and Safety Code, Part 1, Chapter 4.5, Article 1, commencing with Section 33492, et seq., and Article 4, commencing with Section 33492.70, et seq., this ~~SEVENTEENTH~~ day of MARCH 2009 hereby accepts and approves this Quitclaim Deed for itself, its successors and assigns, and agrees to all the conditions, reservations, restrictions, and terms contained therein.

FORT ORD REUSE AUTHORITY
LOCAL REDEVELOPMENT AUTHORITY

By:

Michael A. Houlemard, Jr.
Executive Officer

STATE OF CALIFORNIA

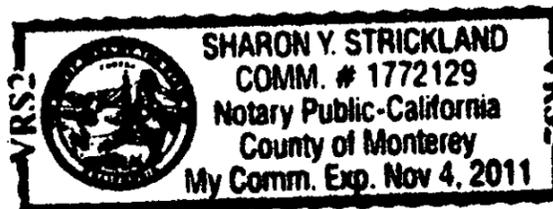
COUNTY OF MONTEREY

On 3-17-09 before me, Sharon Y. Strickland, (name of notary public) personally appeared Michael Houlemard, Jr. 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 who acknowledged to me that he/she/they executed the same in their authorized capacity(ies), and by his/her/their signature(s) on the instrument the person(s), or 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.

Sharon Y. Strickland
(Signature of Notary)



FOSET 5

Fort Ord Military Reservation
Monterey County, California

Legal Description

SITUATE in a portion of Parcel 1, "Monterey County IV", as it is shown on that certain map recorded in Volume 23 of Surveys at Page 104, also being a portion of the former Fort Ord Military Reservation as it is shown on that certain map recorded in Volume 19 of Surveys at Page 1, Official Records of Monterey County, being within Monterey City Lands Tract No. 1, County of Monterey, State of California; being more particularly described as follows:

BEGINNING at the most westerly corner of Parcel C, as said parcel is shown on that certain map recorded in Volume 28 of Surveys at Page 143; thence from said Point of Beginning along the southerly boundary of said Parcel C

1. South 79° 42' 05" East for a distance of 266.22 feet; thence
2. North 86° 28' 56" East for a distance of 234.92 feet; thence
3. North 55° 08' 30" East for a distance of 263.54 feet; thence
4. North 68° 58' 45" East for a distance of 222.12 feet; thence
5. North 79° 25' 03" East for a distance of 234.60 feet to the beginning of a non-tangential curve on the westerly boundary of Parcel 17, as said parcel is shown on that certain map recorded in Volume 20 of Surveys at Page 110; thence along said westerly boundary
6. Along a curve to the right, through a central angle of 12° 44' 31", having a radius of 730.00 feet, for an arc length of 162.34 feet, and whose long chord bears North 58° 46' 04" East for a distance of 162.01 feet to a point of intersection with a tangent line; thence
7. North 65° 08' 20" East for a distance of 762.95 feet to the beginning of a tangent curve; thence
8. Along a curve to the left, through a central angle of 09° 18' 32", having a radius of 300.00 feet, for an arc length of 48.74 feet, and whose long chord bears North 60° 29' 04" East for a distance of 48.69 feet to a point of intersection with a non-tangential line; thence leaving said westerly boundary of Parcel 17 and continuing along said southerly boundary of Parcel C

9. South 64° 20' 35" East for a distance of 194.33 feet; thence
10. North 80° 57' 08" East for a distance of 995.89 feet; thence
11. North 73° 39' 30" East for a distance of 310.00 feet; thence
12. North 53° 57' 45" East for a distance of 128.65 feet; thence
13. North 11° 41' 33" East for a distance of 114.45 feet; thence
14. North 40° 57' 32" East (shown on said map recorded in Volume 28 of Surveys at Page 143 as North 40° 50' 58" East) for a distance of 37.76 feet; thence leaving said southerly boundary of Parcel C and following the westerly boundary of Parcel E11b.7.1.2
15. South 24° 38' 38" East for a distance of 213.55 feet; thence
16. South 27° 21' 27" East for a distance of 230.78 feet; thence
17. South 38° 10' 16" East for a distance of 24.19 feet; thence
18. North 57° 19' 19" East for a distance of 251.86 feet; thence
19. South 37° 46' 00" East for a distance of 411.32 feet; thence
20. South 77° 51' 15" East for a distance of 246.61 feet; thence
21. South 00° 02' 57" West for a distance of 332.86 feet to the boundary of said Parcel 1, "Monterey County IV"; thence leaving said westerly boundary of Parcel E11b.7.1.2 and running along the boundary of said Parcel 1, "Monterey County IV"
22. South 19° 51' 16" West for a distance of 162.04 feet; thence
23. North 75° 57' 30" West for a distance of 907.03 feet; thence
24. South 78° 04' 37" West for a distance of 109.65 feet; thence
25. South 51° 30' 12" West for a distance of 239.89 feet; thence
26. South 16° 31' 14" West for a distance of 243.69 feet; thence
27. South 03° 52' 00" West for a distance of 302.09 feet; thence
28. South 45° 19' 32" West for a distance of 429.04 feet; thence

FOSET 5

Fort Ord Military Reservation

Monterey County, California

29. South 04° 20' 02" East for a distance of 194.19 feet; thence
30. South 05° 11' 18" East for a distance of 103.37 feet; thence
31. South 14° 03' 06" West for a distance of 409.72 feet; thence
32. South 10° 25' 47" East for a distance of 165.34 feet; thence
33. South 05° 47' 54" East for a distance of 151.56 feet; thence
34. South 70° 02' 49" West for a distance of 107.15 feet; thence
35. South 76° 48' 38" West for a distance of 103.38 feet; thence
36. South 33° 59' 13" West for a distance of 71.97 feet; thence
37. South 05° 40' 51" West for a distance of 170.80 feet; thence
38. South 19° 10' 09" West for a distance of 317.20 feet; thence
39. South 79° 08' 31" West for a distance of 165.10 feet; thence
40. South 66° 07' 20" West for a distance of 227.73 feet; thence
41. South 78° 18' 26" West for a distance of 426.71 feet; thence
42. South 37° 24' 04" West for a distance of 405.24 feet; thence
43. South 60° 11' 20" West for a distance of 157.83 feet; thence
44. South 77° 37' 10" West for a distance of 604.84 feet; thence
45. North 86° 39' 21" West for a distance of 300.78 feet; thence
46. North 81° 43' 15" West for a distance of 60.02 feet to the beginning of a non-tangential curve on the westerly boundary of said Parcel 17; thence following said westerly boundary
47. Along a curve to the left, through a central angle of 16° 10' 12", having a radius of 445.00 feet, for an arc length of 125.59 feet, and whose long chord bears North 01° 23' 04" West for a distance of 125.17 feet to a point of intersection with a tangent line; thence
48. North 09° 28' 10" West for a distance of 304.65 feet to the beginning of a tangent curve; thence

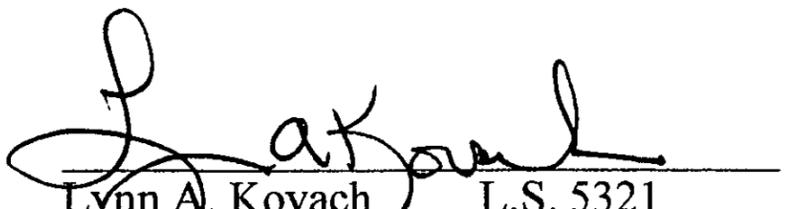
FOSET 5

Fort Ord Military Reservation
Monterey County, California

49. Along a curve to the right, through a central angle of 30° 30' 23", having a radius of 680.00 feet, for an arc length of 362.06 feet, and whose long chord bears North 05° 47' 08" East for a distance of 357.80 feet to a point of intersection with a tangent line; thence
50. North 21° 02' 20" East for a distance of 453.89 feet; thence leaving said westerly boundary of Parcel 17 and continuing along the boundary of said Parcel 1, "Monterey County IV"
51. South 42° 37' 56" West for a distance of 161.20 feet; thence
52. South 74° 32' 59" West for a distance of 127.14 feet; thence
53. North 80° 11' 35" West for a distance of 143.17 feet; thence
54. South 87° 14' 25" West for a distance of 200.49 feet; thence
55. North 84° 29' 14" West for a distance of 236.48 feet; thence
56. North 23° 00' 40" West for a distance of 115.19 feet; thence
57. North 55° 12' 30" West for a distance of 237.06 feet; thence
58. North 09° 00' 50" East for a distance of 533.04 feet; thence
59. North 08° 24' 49" East for a distance of 814.99 feet; thence
60. North 09° 05' 29" East for a distance of 208.24 feet; thence
61. North 24° 06' 33" East for a distance of 86.18 feet (shown on said map as South 24° 18' 40" West, 86.40 feet); thence
62. North 41° 48' 01" East a distance of 335.44 feet to the POINT OF BEGINNING;

Containing an area of 251.797 acres, more or less.

This legal description was prepared by

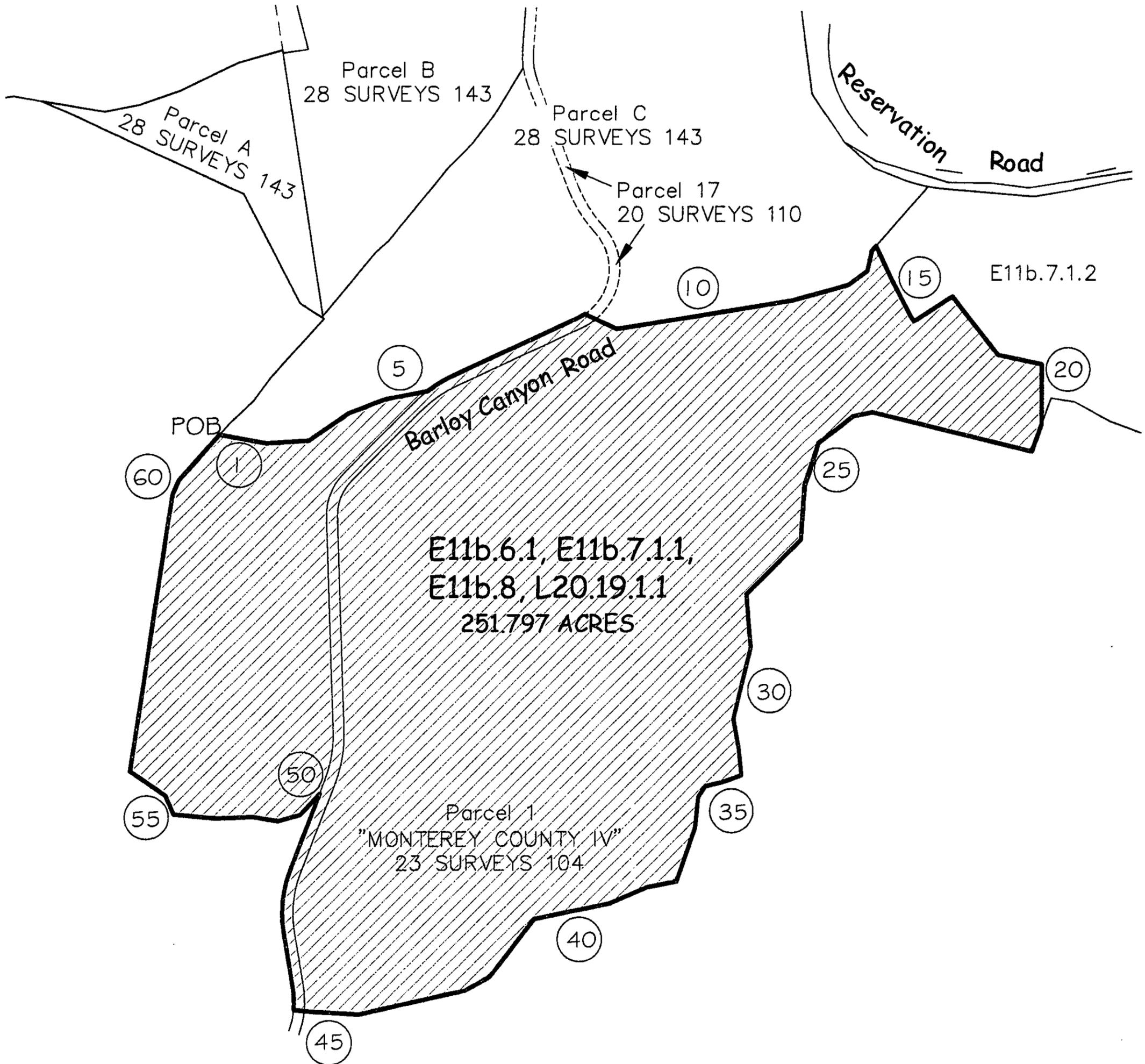

Lynn A. Kovach L.S. 5321
My license expires December 31, 2007



LAND
 of
 EDC Parcels E11b.6.1, E11b.7.1.1, E11b.8, L20.19.1.1
 Being a Portion of
 Parcel 1 "Monterey County IV" as shown on Vol. 23 of Surveys at Page 104
 Monterey County Jurisdiction
 Fort Ord FOSET 5
 Lying within the Fort Ord Military Reservation
 as shown on Vol. 19 of Surveys at Page 1
 Being also within Monterey City Lands Tract No. 1
 Monterey County, California



Not To Scale



Note: Course Numbers Refer to the Legal Description.

EDC Parcels E18.1.2, E19a.1, E19a.2, E19a.3, & E19a.4
FOSET 5
Fort Ord Military Reservation
Monterey County, California

Legal Description

SITUATE in a portion of "Monterey County III (Parker Flats)," as it is shown on that certain map recorded in Volume 23 of Surveys at Page 105, being also a portion of the former Fort Ord Military Reservation as it is shown on that certain map recorded in Volume 19 of Surveys at Page 1, Official Records of Monterey County, being within Monterey City Lands Tract No. 1, County of Monterey, State of California; being more particularly described as follows:

BEGINNING at a point on the common boundary of said "Monterey County III" and Parcel 1, "Seaside IV-A", as it is shown on that certain map recorded in Volume 23 of Surveys at Page 99, which bears North $18^{\circ} 59' 35''$ East (shown on said map as North $18^{\circ} 59' 46''$ East), 298.43 feet from the common southerly corner of said "Monterey County III" and Parcel 1, "Seaside IV-A", thence from said Point of Beginning, along said common boundary

1. North $18^{\circ} 59' 35''$ East for a distance of 4944.59 feet; thence leaving said common boundary of said "Monterey County III" and Parcel 1, "Seaside IV-A"
2. North $56^{\circ} 06' 54''$ East for a distance of 80.01 feet to a point on the southerly boundary of Parcel 1, L23.4.2, as it is shown on that certain map recorded in Volume 27 of Surveys at Page 17; thence along the southerly boundary of said Parcel 1, L23.4.2
3. South $86^{\circ} 42' 26''$ East (shown on said map as South $86^{\circ} 35' 49''$ East) for a distance of 59.64 feet to the southeast corner of said Parcel 1, L23.4.2 at Gigling Road, being also corner numbered 13 in the southerly boundary of Parcel 3 as it is shown on that certain map recorded in Volume 25 of Surveys at Page 54; thence along the southerly boundary of said Parcel 3,
4. South $86^{\circ} 45' 00''$ East for a distance of 492.62 feet to the beginning of a tangent curve; thence
5. Along a curve to the right, through a central angle of $12^{\circ} 17' 46''$, having a radius of 532.00 feet, for an arc length of 114.17 feet, and whose long chord bears South $80^{\circ} 36' 07''$ East for a distance of 113.95 feet to the beginning of a tangent curve at an angle point in the southerly boundary of said Parcel 1, L23.4.2; thence along the southerly boundary of said Parcel 1, L23.4.2
6. Along a curve to the right, through a central angle of $14^{\circ} 16' 14''$, having a radius of 532.00 feet, for an arc length of 132.50 feet, and whose long chord bears South $67^{\circ} 19' 07''$ East for a distance of 132.16 feet to a point of intersection with a tangent line; thence
7. South $60^{\circ} 11' 00''$ East for a distance of 153.83 feet to the beginning of a tangent curve, at 2.05 feet, leaving the southerly boundary of said Parcel 1, L23.4.2 and following the

EDC Parcels E18.1.2, E19a.1, E19a.2, E19a.3, & E19a.4
FOSET 5
Fort Ord Military Reservation
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- common boundary of said "Monterey County III" and "MST Parcel 2" as it is shown on that certain map recorded in Volume 23 of Surveys at Page 105; thence continuing along the boundary of said "Monterey County III"
8. Along a curve to the left, through a central angle of $31^{\circ} 35' 00''$, having a radius of 418.00 feet, for an arc length of 230.42 feet, and whose long chord bears South $75^{\circ} 58' 30''$ East for a distance of 227.51 feet to a point of intersection with a tangent line; thence
 9. North $88^{\circ} 14' 00''$ East for a distance of 107.55 feet to the beginning of a tangent curve; thence
 10. Along a curve to the left, through a central angle of $26^{\circ} 00' 00''$, having a radius of 568.00 feet, for an arc length of 257.75 feet, and whose long chord bears North $75^{\circ} 14' 00''$ East for a distance of 255.54 feet to a point of intersection with a tangent line; thence
 11. North $62^{\circ} 14' 00''$ East for a distance of 25.58 feet to the beginning of a tangent curve; thence
 12. Along a curve to the right, through a central angle of $19^{\circ} 25' 00''$, having a radius of 482.00 feet, for an arc length of 163.34 feet, and whose long chord bears North $71^{\circ} 56' 30''$ East for a distance of 162.56 feet to the beginning of a tangent curve; thence
 13. Along a curve to the right, through a central angle of $14^{\circ} 13' 51''$, having a radius of 1632.00 feet, for an arc length of 405.35 feet, and whose long chord bears North $88^{\circ} 45' 56''$ East for a distance of 404.31 feet to a point of intersection with a non-tangent line; thence
 14. North $04^{\circ} 50' 13''$ East for a distance of 768.48 feet to a point on the common boundary of "Monterey County III" and Parcel 7 as it is shown on that certain map recorded in Volume 21 of Surveys at Page 83; thence along said common boundary
 15. South $83^{\circ} 34' 21''$ East for a distance of 382.09 feet to the southeasterly corner of said Parcel 7; thence
 16. North $06^{\circ} 30' 01''$ East for a distance of 985.25 feet to a point on the common boundary of said "Monterey County III" and Parcel 3C as it is shown on that certain map recorded in Volume 19 of Surveys at Page 86; thence along said common boundary
 17. North $06^{\circ} 27' 43''$ East for a distance of 66.72 feet to a point on the common boundary of said "Monterey County III" and Parcel 3 as it is shown on that certain map recorded in Volume 19 of Surveys at Page 15; thence leaving said common boundary of "Monterey County III" and Parcel 3C and following said common boundary of "Monterey County III" and Parcel 3
 18. South $87^{\circ} 45' 00''$ East for a distance of 4,791.91 feet; thence

EDC Parcels E18.1.2, E19a.1, E19a.2, E19a.3, & E19a.4
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19. North 02° 15' 00" East for a distance of 645.13 feet to a point on the common boundary of said "Monterey County III" and Parcel 1 as it is shown on that certain map recorded in Volume 21 of Surveys at Page 64; thence leaving said common boundary of "Monterey County III" and Parcel 3 and following said common boundary of "Monterey County III" and Parcel 1
20. North 87° 27' 00" East for a distance of 577.00 feet; thence
21. North 79° 00' 00" East for a distance of 351.00 feet; thence
22. South 82° 51' 00" East for a distance of 359.00 feet; thence
23. South 89° 38' 00" East for a distance of 244.00 feet; thence
24. North 84° 00' 00" East for a distance of 199.00 feet; thence
25. North 68° 44' 00" East for a distance of 163.00 feet to a point on the common boundary of said "Monterey County III" and Parcel 1 "Travel Camp" as it is shown on that certain map recorded in Volume 21 of Surveys at Page 89; thence along said common boundary of "Monterey County III" and Parcel 1 "Travel Camp"
26. South 07° 51' 00" East for a distance of 198.34 feet; thence
27. South 13° 25' 00" East for a distance of 206.15 feet; thence
28. South 26° 14' 00" East for a distance of 145.60 feet; thence
29. South 24° 41' 00" West for a distance of 96.00 feet; thence
30. South 30° 56' 00" East for a distance of 170.50 feet; thence
31. South 14° 47' 00" East for a distance of 137.30 feet; thence
32. South 38° 48' 00" East for a distance of 112.50 feet; thence
33. South 13° 07' 00" East for a distance of 170.90 feet; thence
34. South 28° 52' 00" East for a distance of 253.18 feet (shown on said map of "Monterey County III" as 253.20 feet); thence
35. South 34° 13' 00" West for a distance of 24.50 feet; thence

EDC Parcels E18.1.2, E19a.1, E19a.2, E19a.3, & E19a.4
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36. South 55° 46' 46" East for a distance of 60.00 feet (shown on said map of Parcel 1 "Travel Camp" as South 54° 47' 00" East, 60.00 feet) (shown on said map of "Monterey County III" as South 54° 40' 49" East, 59.38 feet); thence leaving said common boundary of "Monterey County III" and Parcel 1 "Travel Camp" and following the boundary of said "Monterey County III"
37. South 52° 45' 14" West for a distance of 85.69 feet (shown on said map as 85.68 feet); thence
38. South 57° 36' 32" West for a distance of 133.91 feet (shown on said map as 133.90 feet); thence
39. South 62° 57' 50" West for a distance of 427.70 feet (shown on said map as 427.67 feet); thence
40. South 61° 05' 51" West for a distance of 584.54 feet (shown on said map as 584.50 feet); thence
41. South 63° 53' 31" West for a distance of 221.98 feet (shown on said map as 221.96 feet); thence
42. South 65° 18' 13" West for a distance of 428.37 feet (shown on said map as 428.34 feet); thence
43. South 38° 21' 27" West for a distance of 78.55 feet (shown on said map as 78.54 feet); thence
44. South 20° 57' 08" West for a distance of 89.62 feet (shown on said map as 89.61 feet); thence
45. South 19° 29' 14" West for a distance of 673.04 feet (shown on said map as 672.99 feet); thence
46. South 31° 41' 09" West for a distance of 132.84 feet (shown on said map as 132.83 feet); thence
47. South 46° 19' 42" West for a distance of 160.39 feet (shown on said map as 160.38 feet); thence
48. South 61° 30' 46" West for a distance of 508.42 feet (shown on said map as 508.39 feet); thence
49. South 50° 40' 25" West for a distance of 223.70 feet (shown on said map as 223.68 feet); thence

EDC Parcels E18.1.2, E19a.1, E19a.2, E19a.3, & E19a.4
FOSET 5
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50. South 49° 16' 25" West for a distance of 135.48 feet (shown on said map as 135.47 feet);
thence
51. South 36° 37' 42" West for a distance of 162.54 feet (shown on said map as 162.53 feet);
thence
52. South 33° 25' 09" West for a distance of 265.19 feet (shown on said map as 265.17 feet);
thence
53. South 49° 49' 05" West for a distance of 123.54 feet (shown on said map as 123.53 feet);
thence
54. South 62° 19' 42" West for a distance of 168.15 feet (shown on said map as 168.14 feet);
thence
55. South 43° 50' 29" West for a distance of 115.37 feet (shown on said map as 115.36 feet);
thence
56. South 38° 11' 13" West for a distance of 200.82 feet (shown on said map as 200.81 feet);
thence
57. South 40° 27' 38" West for a distance of 271.06 feet (shown on said map as 271.04 feet);
thence
58. South 53° 08' 07" West for a distance of 144.59 feet (shown on said map as 144.58 feet);
thence
59. South 69° 49' 08" West for a distance of 193.33 feet (shown on said map as 193.32 feet);
thence
60. South 54° 59' 05" West for a distance of 72.44 feet; thence
61. South 41° 12' 49" West for a distance of 81.00 feet (shown on said map as 80.99 feet);
thence
62. South 24° 33' 59" West for a distance of 55.05 feet; thence
63. South 05° 54' 51" West for a distance of 88.85 feet (shown on said map as 88.84 feet);
thence
64. South 08° 19' 42" East for a distance of 329.24 feet (shown on said map as 329.22 feet);
thence

EDC Parcels E18.1.2, E19a.1, E19a.2, E19a.3, & E19a.4
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65. South 00° 05' 57" West for a distance of 78.53 feet (shown on said map as 78.52 feet);
thence
66. South 08° 37' 33" West for a distance of 97.39 feet (shown on said map as 97.38 feet);
thence
67. South 18° 58' 46" West for a distance of 165.56 feet (shown on said map as 165.55 feet);
thence
68. South 44° 37' 32" West for a distance of 95.78 feet (shown on said map as 95.77 feet);
thence
69. South 60° 52' 39" West for a distance of 254.56 feet (shown on said map as 254.54 feet);
thence
70. South 37° 26' 54" West for a distance of 126.63 feet (shown on said map as 126.62 feet);
thence
71. South 10° 48' 03" West for a distance of 68.50 feet; thence
72. South 29° 22' 04" West for a distance of 156.15 feet (shown on said map as 156.14 feet);
thence
73. South 34° 57' 59" West for a distance of 139.63 feet (shown on said map as 139.62 feet);
thence
74. South 56° 21' 39" West for a distance of 59.71 feet; thence
75. South 82° 29' 44" West for a distance of 194.59 feet (shown on said map as 194.58 feet);
thence
76. North 83° 42' 42" West for a distance of 287.16 feet (shown on said map as 287.14 feet);
thence
77. North 66° 01' 20" West for a distance of 147.40 feet (shown on said map as 147.39 feet);
thence
78. North 79° 00' 34" West for a distance of 251.38 feet (shown on said map as 251.36 feet);
thence
79. South 77° 12' 53" West for a distance of 55.92 feet; thence
80. South 46° 42' 29" West for a distance of 87.19 feet (shown on said map as 87.18 feet);
thence

EDC Parcels E18.1.2, E19a.1, E19a.2, E19a.3, & E19a.4
FOSET 5
Fort Ord Military Reservation
Monterey County, California

81. South 58° 47' 57" West for a distance of 75.86 feet (shown on said map as 75.85 feet);
thence
82. South 80° 55' 21" West for a distance of 132.37 feet (shown on said map as 132.36 feet);
thence
83. South 87° 12' 11" West for a distance of 112.48 feet (shown on said map as 112.47 feet);
thence
84. South 71° 38' 58" West for a distance of 176.74 feet (shown on said map as 176.73 feet);
thence
85. South 56° 09' 46" West for a distance of 97.72 feet (shown on said map as 97.71 feet);
thence
86. South 37° 48' 47" East for a distance of 90.92 feet (shown on said map as 90.91 feet);
thence
87. South 17° 07' 11" East for a distance of 62.89 feet; thence
88. South 02° 33' 03" West for a distance of 88.27 feet (shown on said map as 88.26 feet);
thence
89. South 18° 58' 47" West for a distance of 63.58 feet; thence
90. South 36° 47' 12" West for a distance of 201.49 feet (shown on said map as 201.48 feet);
thence
91. South 31° 02' 57" West for a distance of 121.85 feet (shown on said map as 121.84 feet);
thence
92. South 51° 55' 07" West for a distance of 113.24 feet (shown on said map as 113.23 feet);
thence
93. South 61° 32' 12" West for a distance of 269.69 feet (shown on said map as 269.67 feet);
thence
94. South 75° 50' 25" West for a distance of 66.11 feet; thence
95. South 59° 39' 37" West for a distance of 1066.26 feet; thence
96. North 52° 52' 17" East for a distance of 1103.36 feet to a 5/8" rebar with cap stamped LS
5321; thence

EDC Parcels E18.1.2, E19a.1, E19a.2, E19a.3, & E19a.4
FOSET 5
Fort Ord Military Reservation
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97. North 12° 53' 13" West for a distance of 90.03 feet to a 5/8" rebar with cap stamped LS 5321; thence
98. North 23° 03' 02" West for a distance of 1755.77 feet to a 5/8" rebar with cap stamped LS 5321; thence
99. North 20° 08' 36" West for a distance of 268.73 feet to a 5/8" rebar with cap stamped LS 5321; thence
100. North 06° 42' 03" East for a distance of 153.53 feet to a 5/8" rebar with cap stamped LS 5321; thence
101. North 17° 38' 14" East for a distance of 226.03 feet to a 5/8" rebar with cap stamped LS 5321; thence
102. North 48° 03' 46" West for a distance of 283.49 feet; thence
103. North 55° 11' 28" West for a distance of 278.91 feet to a 5/8" rebar with cap stamped LS 5321; thence
104. North 62° 41' 36" West for a distance of 227.15 feet to a 5/8" rebar with cap stamped LS 5321; thence
105. North 65° 01' 11" West for a distance of 250.60 feet; thence
106. North 71° 11' 51" West for a distance of 335.15 feet to a 5/8" rebar with cap stamped LS 5321; thence
107. North 79° 30' 16" West for a distance of 483.47 feet to a 5/8" rebar with cap stamped LS 5321; thence
108. North 84° 57' 11" West for a distance of 320.10 feet; thence
109. South 89° 14' 18" West for a distance of 321.74 feet to a 5/8" rebar with cap stamped LS 5321; thence
110. South 85° 32' 01" West for a distance of 169.80 feet; thence
111. South 04° 34' 26" East for a distance of 338.58 feet; thence
112. South 14° 47' 14" East for a distance of 1369.35 feet; thence
113. South 20° 28' 20" West for a distance of 520.37 feet; thence

EDC Parcels E18.1.2, E19a.1, E19a.2, E19a.3, & E19a.4
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114. South 30° 46' 05" West for a distance of 753.57 feet; thence
115. South 25° 53' 24" West for a distance of 427.12 feet; thence
116. South 01° 39' 30" West for a distance of 156.63 feet to the beginning of a non-tangent curve; thence
117. Along a curve to the left, the center of which bears South 00° 33' 41" East for a distance of 280.00 feet, through a central angle of 22° 52' 50", having a radius of 280.00 feet, for an arc length of 111.82 feet, and whose long chord bears South 77° 59' 54" West for a distance of 111.07 feet to the beginning of a non-tangent curve; thence
118. Along a curve to the left, the center of which bears South 41° 45' 33" West for a distance of 1,370.00 feet, through a central angle of 04° 10' 37", having a radius of 1,370.00 feet, for an arc length of 99.87 feet, and whose long chord bears North 50° 19' 45" West for a distance of 99.85 feet to a point on a curve, being the most easterly corner of "Plant Reserve #3, EDC Parcel L23.2; thence continuing along said curve and along the northerly boundary of said "Plant Reserve #3"
119. Along a compound curve to the left, through a central angle of 16° 36' 37", having a radius of 1,370.00 feet, for an arc length of 397.17 feet, and whose long chord bears North 60° 43' 22" West for a distance of 395.78 feet to the beginning of a tangent curve; thence
120. Along a reverse curve to the right, through a central angle of 10° 50' 30", having a radius of 1,430.00 feet, for an arc length of 270.59 feet, and whose long chord bears North 63° 36' 25" West for a distance of 270.19 feet to the beginning of a tangent curve; thence
121. Along a reverse curve to the left, through a central angle of 16° 42' 49", having a radius of 970.00 feet, for an arc length of 282.96 feet, and whose long chord bears North 66° 32' 34" West for a distance of 281.95 feet to the POINT OF BEGINNING.

Containing an area of 896.981 acres, more or less.

This legal description was prepared by



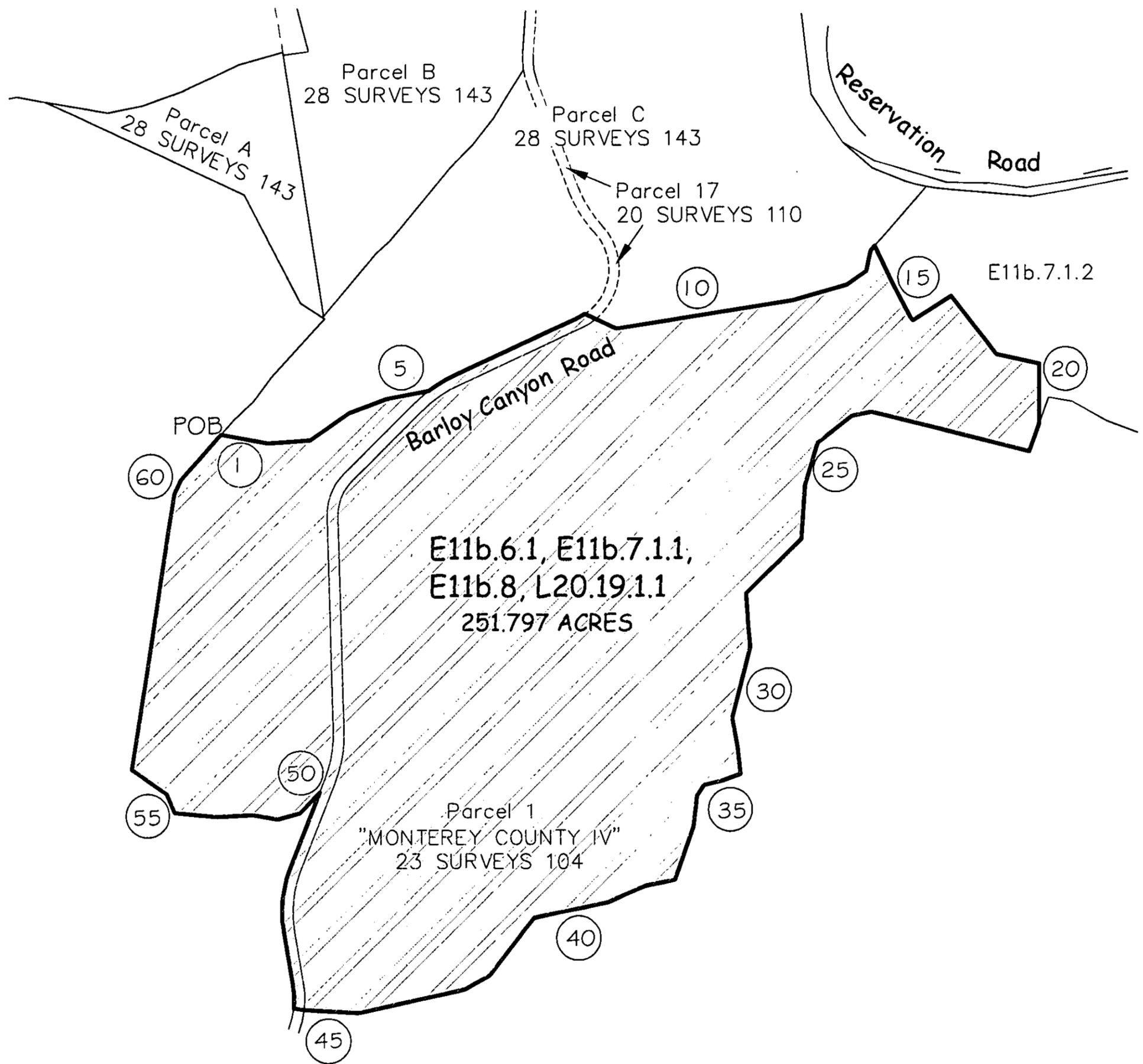
Lynn A. Kovach L.S. 5321
My license expires December 31, 2007



EXHIBIT
 of
 EDC Parcels E11b.6.1, E11b.7.1.1, E11b.8, L20.19.1.1
 Being a Portion of
 Parcel 1 "Monterey County IV" as shown on Vol. 23 of Surveys at Page 104
 Monterey County Jurisdiction
 Fort Ord FOSET 5
 Lying within the Fort Ord Military Reservation
 as shown on Vol. 19 of Surveys at Page 1
 Being also within Monterey City Lands Tract No. 1
 Monterey County, California



Not To Scale



Note: Course Numbers Refer to the Legal Description.

EDC Parcels E18.1.2, E19a.1, E19a.2, E19a.3, & E19a.4
FOSET 5
Fort Ord Military Reservation
Monterey County, California

Legal Description

SITUATE in a portion of "Monterey County III (Parker Flats)," as it is shown on that certain map recorded in Volume 23 of Surveys at Page 105, being also a portion of the former Fort Ord Military Reservation as it is shown on that certain map recorded in Volume 19 of Surveys at Page 1, Official Records of Monterey County, being within Monterey City Lands Tract No. 1, County of Monterey, State of California; being more particularly described as follows:

BEGINNING at a point on the common boundary of said "Monterey County III" and Parcel 1, "Seaside IV-A", as it is shown on that certain map recorded in Volume 23 of Surveys at Page 99, which bears North 18° 59' 35" East (shown on said map as North 18° 59' 46" East), 298.43 feet from the common southerly corner of said "Monterey County III" and Parcel 1, "Seaside IV-A", thence from said Point of Beginning, along said common boundary

1. North 18° 59' 35" East for a distance of 4944.59 feet; thence leaving said common boundary of said "Monterey County III" and Parcel 1, "Seaside IV-A"
2. North 56° 06' 54" East for a distance of 80.01 feet to a point on the southerly boundary of Parcel 1, L23.4.2, as it is shown on that certain map recorded in Volume 27 of Surveys at Page 17; thence along the southerly boundary of said Parcel 1, L23.4.2
3. South 86° 42' 26" East (shown on said map as South 86° 35' 49" East) for a distance of 59.64 feet to the southeast corner of said Parcel 1, L23.4.2 at Gigling Road, being also corner numbered 13 in the southerly boundary of Parcel 3 as it is shown on that certain map recorded in Volume 25 of Surveys at Page 54; thence along the southerly boundary of said Parcel 3,
4. South 86° 45' 00" East for a distance of 492.62 feet to the beginning of a tangent curve; thence
5. Along a curve to the right, through a central angle of 12° 17' 46", having a radius of 532.00 feet, for an arc length of 114.17 feet, and whose long chord bears South 80° 36' 07" East for a distance of 113.95 feet to the beginning of a tangent curve at an angle point in the southerly boundary of said Parcel 1, L23.4.2; thence along the southerly boundary of said Parcel 1, L23.4.2
6. Along a curve to the right, through a central angle of 14° 16' 14", having a radius of 532.00 feet, for an arc length of 132.50 feet, and whose long chord bears South 67° 19' 07" East for a distance of 132.16 feet to a point of intersection with a tangent line; thence
7. South 60° 11' 00" East for a distance of 153.83 feet to the beginning of a tangent curve, at 2.05 feet, leaving the southerly boundary of said Parcel 1, L23.4.2 and following the

EDC Parcels E18.1.2, E19a.1, E19a.2, E19a.3, & E19a.4
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Fort Ord Military Reservation
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common boundary of said "Monterey County III" and "MST Parcel 2" as it is shown on that certain map recorded in Volume 23 of Surveys at Page 105; thence continuing along the boundary of said "Monterey County III"

8. Along a curve to the left, through a central angle of $31^{\circ} 35' 00''$, having a radius of 418.00 feet, for an arc length of 230.42 feet, and whose long chord bears South $75^{\circ} 58' 30''$ East for a distance of 227.51 feet to a point of intersection with a tangent line; thence
9. North $88^{\circ} 14' 00''$ East for a distance of 107.55 feet to the beginning of a tangent curve; thence
10. Along a curve to the left, through a central angle of $26^{\circ} 00' 00''$, having a radius of 568.00 feet, for an arc length of 257.75 feet, and whose long chord bears North $75^{\circ} 14' 00''$ East for a distance of 255.54 feet to a point of intersection with a tangent line; thence
11. North $62^{\circ} 14' 00''$ East for a distance of 25.58 feet to the beginning of a tangent curve; thence
12. Along a curve to the right, through a central angle of $19^{\circ} 25' 00''$, having a radius of 482.00 feet, for an arc length of 163.34 feet, and whose long chord bears North $71^{\circ} 56' 30''$ East for a distance of 162.56 feet to the beginning of a tangent curve; thence
13. Along a curve to the right, through a central angle of $14^{\circ} 13' 51''$, having a radius of 1632.00 feet, for an arc length of 405.35 feet, and whose long chord bears North $88^{\circ} 45' 56''$ East for a distance of 404.31 feet to a point of intersection with a non-tangent line; thence
14. North $04^{\circ} 50' 13''$ East for a distance of 768.48 feet to a point on the common boundary of "Monterey County III" and Parcel 7 as it is shown on that certain map recorded in Volume 21 of Surveys at Page 83; thence along said common boundary
15. South $83^{\circ} 34' 21''$ East for a distance of 382.09 feet to the southeasterly corner of said Parcel 7; thence
16. North $06^{\circ} 30' 01''$ East for a distance of 985.25 feet to a point on the common boundary of said "Monterey County III" and Parcel 3C as it is shown on that certain map recorded in Volume 19 of Surveys at Page 86; thence along said common boundary
17. North $06^{\circ} 27' 43''$ East for a distance of 66.72 feet to a point on the common boundary of said "Monterey County III" and Parcel 3 as it is shown on that certain map recorded in Volume 19 of Surveys at Page 15; thence leaving said common boundary of "Monterey County III" and Parcel 3C and following said common boundary of "Monterey County III" and Parcel 3
18. South $87^{\circ} 45' 00''$ East for a distance of 4,791.91 feet; thence

EDC Parcels E18.1.2, E19a.1, E19a.2, E19a.3, & E19a.4
FOSET 5
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19. North 02° 15' 00" East for a distance of 645.13 feet to a point on the common boundary of said "Monterey County III" and Parcel 1 as it is shown on that certain map recorded in Volume 21 of Surveys at Page 64; thence leaving said common boundary of "Monterey County III" and Parcel 3 and following said common boundary of "Monterey County III" and Parcel 1
20. North 87° 27' 00" East for a distance of 577.00 feet; thence
21. North 79° 00' 00" East for a distance of 351.00 feet; thence
22. South 82° 51' 00" East for a distance of 359.00 feet; thence
23. South 89° 38' 00" East for a distance of 244.00 feet; thence
24. North 84° 00' 00" East for a distance of 199.00 feet; thence
25. North 68° 44' 00" East for a distance of 163.00 feet to a point on the common boundary of said "Monterey County III" and Parcel 1 "Travel Camp" as it is shown on that certain map recorded in Volume 21 of Surveys at Page 89; thence along said common boundary of "Monterey County III" and Parcel 1 "Travel Camp"
26. South 07° 51' 00" East for a distance of 198.34 feet; thence
27. South 13° 25' 00" East for a distance of 206.15 feet; thence
28. South 26° 14' 00" East for a distance of 145.60 feet; thence
29. South 24° 41' 00" West for a distance of 96.00 feet; thence
30. South 30° 56' 00" East for a distance of 170.50 feet; thence
31. South 14° 47' 00" East for a distance of 137.30 feet; thence
32. South 38° 48' 00" East for a distance of 112.50 feet; thence
33. South 13° 07' 00" East for a distance of 170.90 feet; thence
34. South 28° 52' 00" East for a distance of 253.18 feet (shown on said map of "Monterey County III" as 253.20 feet); thence
35. South 34° 13' 00" West for a distance of 24.50 feet; thence

EDC Parcels E18.1.2, E19a.1, E19a.2, E19a.3, & E19a.4
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36. South 55° 46' 46" East for a distance of 60.00 feet (shown on said map of Parcel 1 "Travel Camp" as South 54° 47' 00" East, 60.00 feet) (shown on said map of "Monterey County III" as South 54° 40' 49" East, 59.38 feet); thence leaving said common boundary of "Monterey County III" and Parcel 1 "Travel Camp" and following the boundary of said "Monterey County III"
37. South 52° 45' 14" West for a distance of 85.69 feet (shown on said map as 85.68 feet); thence
38. South 57° 36' 32" West for a distance of 133.91 feet (shown on said map as 133.90 feet); thence
39. South 62° 57' 50" West for a distance of 427.70 feet (shown on said map as 427.67 feet); thence
40. South 61° 05' 51" West for a distance of 584.54 feet (shown on said map as 584.50 feet); thence
41. South 63° 53' 31" West for a distance of 221.98 feet (shown on said map as 221.96 feet); thence
42. South 65° 18' 13" West for a distance of 428.37 feet (shown on said map as 428.34 feet); thence
43. South 38° 21' 27" West for a distance of 78.55 feet (shown on said map as 78.54 feet); thence
44. South 20° 57' 08" West for a distance of 89.62 feet (shown on said map as 89.61 feet); thence
45. South 19° 29' 14" West for a distance of 673.04 feet (shown on said map as 672.99 feet); thence
46. South 31° 41' 09" West for a distance of 132.84 feet (shown on said map as 132.83 feet); thence
47. South 46° 19' 42" West for a distance of 160.39 feet (shown on said map as 160.38 feet); thence
48. South 61° 30' 46" West for a distance of 508.42 feet (shown on said map as 508.39 feet); thence
49. South 50° 40' 25" West for a distance of 223.70 feet (shown on said map as 223.68 feet); thence

EDC Parcels E18.1.2, E19a.1, E19a.2, E19a.3, & E19a.4
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50. South 49° 16' 25" West for a distance of 135.48 feet (shown on said map as 135.47 feet);
thence
51. South 36° 37' 42" West for a distance of 162.54 feet (shown on said map as 162.53 feet);
thence
52. South 33° 25' 09" West for a distance of 265.19 feet (shown on said map as 265.17 feet);
thence
53. South 49° 49' 05" West for a distance of 123.54 feet (shown on said map as 123.53 feet);
thence
54. South 62° 19' 42" West for a distance of 168.15 feet (shown on said map as 168.14 feet);
thence
55. South 43° 50' 29" West for a distance of 115.37 feet (shown on said map as 115.36 feet);
thence
56. South 38° 11' 13" West for a distance of 200.82 feet (shown on said map as 200.81 feet);
thence
57. South 40° 27' 38" West for a distance of 271.06 feet (shown on said map as 271.04 feet);
thence
58. South 53° 08' 07" West for a distance of 144.59 feet (shown on said map as 144.58 feet);
thence
59. South 69° 49' 08" West for a distance of 193.33 feet (shown on said map as 193.32 feet);
thence
60. South 54° 59' 05" West for a distance of 72.44 feet; thence
61. South 41° 12' 49" West for a distance of 81.00 feet (shown on said map as 80.99 feet);
thence
62. South 24° 33' 59" West for a distance of 55.05 feet; thence
63. South 05° 54' 51" West for a distance of 88.85 feet (shown on said map as 88.84 feet);
thence
64. South 08° 19' 42" East for a distance of 329.24 feet (shown on said map as 329.22 feet);
thence

EDC Parcels E18.1.2, E19a.1, E19a.2, E19a.3, & E19a.4
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65. South 00° 05' 57" West for a distance of 78.53 feet (shown on said map as 78.52 feet);
thence
66. South 08° 37' 33" West for a distance of 97.39 feet (shown on said map as 97.38 feet);
thence
67. South 18° 58' 46" West for a distance of 165.56 feet (shown on said map as 165.55 feet);
thence
68. South 44° 37' 32" West for a distance of 95.78 feet (shown on said map as 95.77 feet);
thence
69. South 60° 52' 39" West for a distance of 254.56 feet (shown on said map as 254.54 feet);
thence
70. South 37° 26' 54" West for a distance of 126.63 feet (shown on said map as 126.62 feet);
thence
71. South 10° 48' 03" West for a distance of 68.50 feet; thence
72. South 29° 22' 04" West for a distance of 156.15 feet (shown on said map as 156.14 feet);
thence
73. South 34° 57' 59" West for a distance of 139.63 feet (shown on said map as 139.62 feet);
thence
74. South 56° 21' 39" West for a distance of 59.71 feet; thence
75. South 82° 29' 44" West for a distance of 194.59 feet (shown on said map as 194.58 feet);
thence
76. North 83° 42' 42" West for a distance of 287.16 feet (shown on said map as 287.14 feet);
thence
77. North 66° 01' 20" West for a distance of 147.40 feet (shown on said map as 147.39 feet);
thence
78. North 79° 00' 34" West for a distance of 251.38 feet (shown on said map as 251.36 feet);
thence
79. South 77° 12' 53" West for a distance of 55.92 feet; thence
80. South 46° 42' 29" West for a distance of 87.19 feet (shown on said map as 87.18 feet);
thence

EDC Parcels E18.1.2, E19a.1, E19a.2, E19a.3, & E19a.4
FOSET 5
Fort Ord Military Reservation
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81. South 58° 47' 57" West for a distance of 75.86 feet (shown on said map as 75.85 feet);
thence
82. South 80° 55' 21" West for a distance of 132.37 feet (shown on said map as 132.36 feet);
thence
83. South 87° 12' 11" West for a distance of 112.48 feet (shown on said map as 112.47 feet);
thence
84. South 71° 38' 58" West for a distance of 176.74 feet (shown on said map as 176.73 feet);
thence
85. South 56° 09' 46" West for a distance of 97.72 feet (shown on said map as 97.71 feet);
thence
86. South 37° 48' 47" East for a distance of 90.92 feet (shown on said map as 90.91 feet);
thence
87. South 17° 07' 11" East for a distance of 62.89 feet; thence
88. South 02° 33' 03" West for a distance of 88.27 feet (shown on said map as 88.26 feet);
thence
89. South 18° 58' 47" West for a distance of 63.58 feet; thence
90. South 36° 47' 12" West for a distance of 201.49 feet (shown on said map as 201.48 feet);
thence
91. South 31° 02' 57" West for a distance of 121.85 feet (shown on said map as 121.84 feet);
thence
92. South 51° 55' 07" West for a distance of 113.24 feet (shown on said map as 113.23 feet);
thence
93. South 61° 32' 12" West for a distance of 269.69 feet (shown on said map as 269.67 feet);
thence
94. South 75° 50' 25" West for a distance of 66.11 feet; thence
95. South 59° 39' 37" West for a distance of 1066.26 feet; thence
96. North 52° 52' 17" East for a distance of 1103.36 feet to a 5/8" rebar with cap stamped LS
5321; thence

EDC Parcels E18.1.2, E19a.1, E19a.2, E19a.3, & E19a.4
FOSET 5
Fort Ord Military Reservation
Monterey County, California

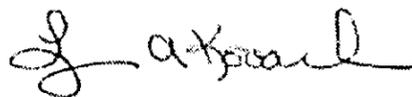
97. North 12° 53' 13" West for a distance of 90.03 feet to a 5/8" rebar with cap stamped LS 5321; thence
98. North 23° 03' 02" West for a distance of 1755.77 feet to a 5/8" rebar with cap stamped LS 5321; thence
99. North 20° 08' 36" West for a distance of 268.73 feet to a 5/8" rebar with cap stamped LS 5321; thence
100. North 06° 42' 03" East for a distance of 153.53 feet to a 5/8" rebar with cap stamped LS 5321; thence
101. North 17° 38' 14" East for a distance of 226.03 feet to a 5/8" rebar with cap stamped LS 5321; thence
102. North 48° 03' 46" West for a distance of 283.49 feet; thence
103. North 55° 11' 28" West for a distance of 278.91 feet to a 5/8" rebar with cap stamped LS 5321; thence
104. North 62° 41' 36" West for a distance of 227.15 feet to a 5/8" rebar with cap stamped LS 5321; thence
105. North 65° 01' 11" West for a distance of 250.60 feet; thence
106. North 71° 11' 51" West for a distance of 335.15 feet to a 5/8" rebar with cap stamped LS 5321; thence
107. North 79° 30' 16" West for a distance of 483.47 feet to a 5/8" rebar with cap stamped LS 5321; thence
108. North 84° 57' 11" West for a distance of 320.10 feet; thence
109. South 89° 14' 18" West for a distance of 321.74 feet to a 5/8" rebar with cap stamped LS 5321; thence
110. South 85° 32' 01" West for a distance of 169.80 feet; thence
111. South 04° 34' 26" East for a distance of 338.58 feet; thence
112. South 14° 47' 14" East for a distance of 1369.35 feet; thence
113. South 20° 28' 20" West for a distance of 520.37 feet; thence

EDC Parcels E18.1.2, E19a.1, E19a.2, E19a.3, & E19a.4
FOSET 5
Fort Ord Military Reservation
Monterey County, California

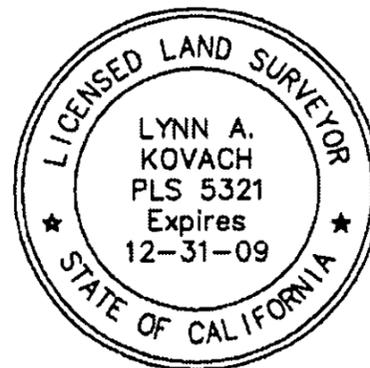
114. South 30° 46' 05" West for a distance of 753.57 feet; thence
115. South 25° 53' 24" West for a distance of 427.12 feet; thence
116. South 01° 39' 30" West for a distance of 156.63 feet to the beginning of a non-tangent curve; thence
117. Along a curve to the left, the center of which bears South 00° 33' 41" East for a distance of 280.00 feet, through a central angle of 22° 52' 50", having a radius of 280.00 feet, for an arc length of 111.82 feet, and whose long chord bears South 77° 59' 54" West for a distance of 111.07 feet to the beginning of a non-tangent curve; thence
118. Along a curve to the left, the center of which bears South 41° 45' 33" West for a distance of 1,370.00 feet, through a central angle of 04° 10' 37", having a radius of 1,370.00 feet, for an arc length of 99.87 feet, and whose long chord bears North 50° 19' 45" West for a distance of 99.85 feet to a point on a curve, being the most easterly corner of "Plant Reserve #3, EDC Parcel L23.2; thence continuing along said curve and along the northerly boundary of said "Plant Reserve #3"
119. Along a compound curve to the left, through a central angle of 16° 36' 37", having a radius of 1,370.00 feet, for an arc length of 397.17 feet, and whose long chord bears North 60° 43' 22" West for a distance of 395.78 feet to the beginning of a tangent curve; thence
120. Along a reverse curve to the right, through a central angle of 10° 50' 30", having a radius of 1,430.00 feet, for an arc length of 270.59 feet, and whose long chord bears North 63° 36' 25" West for a distance of 270.19 feet to the beginning of a tangent curve; thence
121. Along a reverse curve to the left, through a central angle of 16° 42' 49", having a radius of 970.00 feet, for an arc length of 282.96 feet, and whose long chord bears North 66° 32' 34" West for a distance of 281.95 feet to the POINT OF BEGINNING.

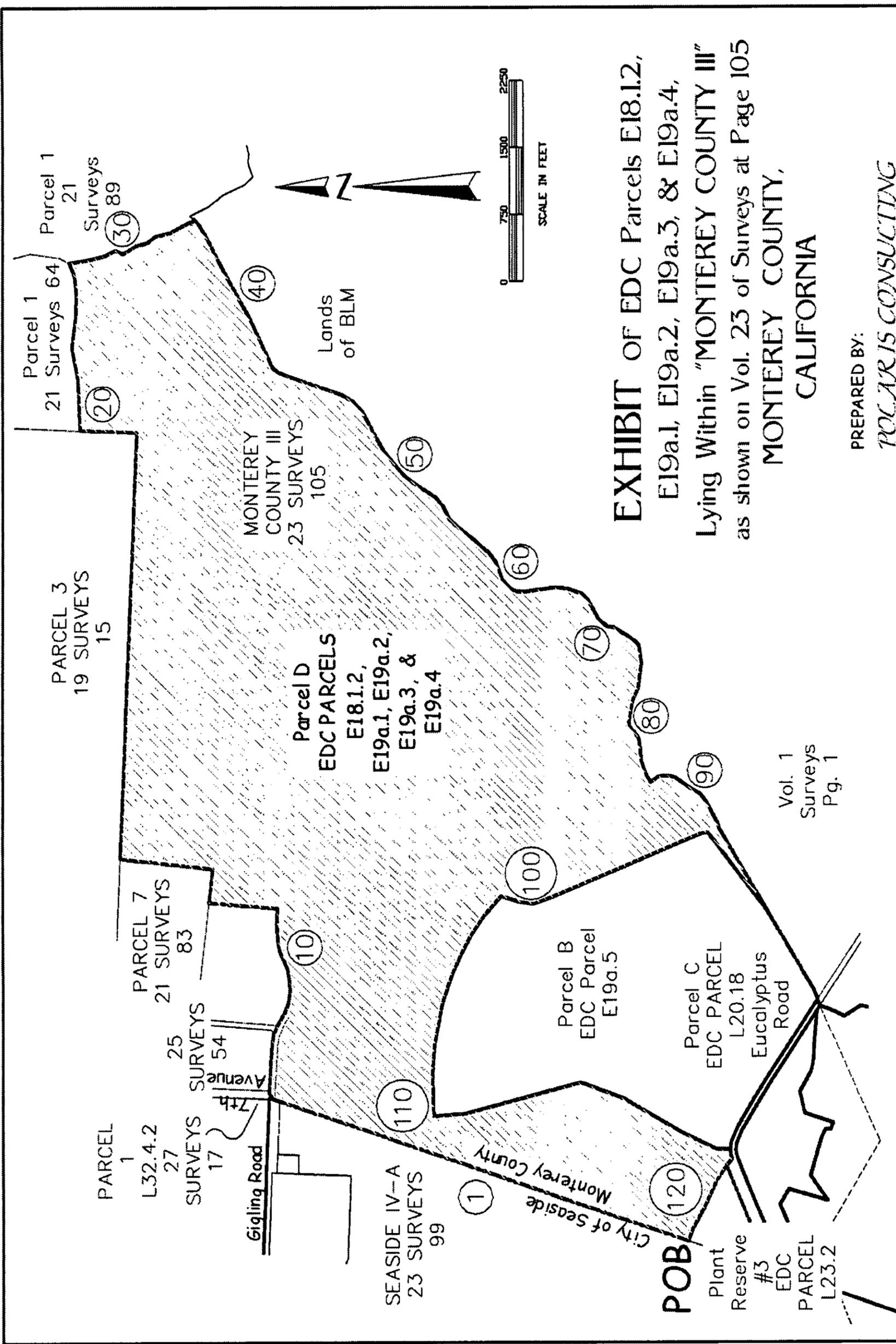
Containing an area of 896.981 acres, more or less.

This legal description was prepared by



Lynn A. Kovach L.S. 5321
My license expires December 31, 2007





**EXHIBIT OF EDC Parcels E18.1.2,
E19a.1, E19a.2, E19a.3, & E19a.4,
Lying Within "MONTEREY COUNTY III"
as shown on Vol. 23 of Surveys at Page 105
MONTEREY COUNTY,
CALIFORNIA**

PREPARED BY:
POCARIS CONSULTING
 P.O. BOX 1378
 CARMEL VALLEY, CA 93924
 SCALE: 1" = 1500' VIEW: E19.a1 DATE: 10-26-2007
 FILE NAME: FORA FOSSET5 MPC2.DWG 26114

Vol. 1
 Surveys
 Pg. 1

PBC Parcel L5.7
FOSET 5
Fort Ord Military Reservation
Monterey County, California

Legal Description

SITUATE in a portion of the former Fort Ord Military Reservation as it is shown on that certain map recorded in Volume 19 of Surveys at Page 1, Official Records of Monterey County, being within Monterey City Lands Tract No. 1, County of Monterey, State of California; being all of Parcel 1 as it is shown on that certain map recorded in Volume 21 of Surveys at Page 64; being more particularly described as follows:

BEGINNING at the northwest corner of said Parcel 1 being also the southeast corner of Parcel 6 and the southwest corner of Parcel 9, as said parcels are shown on that certain map recorded in Volume 20 of Surveys at Page 110; thence from said Point of Beginning

1. North 88° 53' 00" East along the common boundary of said Parcels 1 and 9 for a distance of 1237.33 feet; thence
2. North 88° 50' 07" East for a distance of 722.04 feet to the northeast corner of said Parcel 1 being also the northwest corner of Parcel 1, "Travel Camp," as it is shown on that certain map recorded in Volume 21 of Surveys at Page 89; thence leaving said common boundary with said Parcel 9 and continuing along the common boundary of said Parcel 1 and said "Travel Camp" the following courses
3. South 19° 18' 00" West for a distance of 473.58 feet; thence
4. South 4° 09' 00" East for a distance of 474.00 feet; thence
5. South 14° 40' 00" East for a distance of 277.00 feet; thence
6. South 7° 43' 00" West for a distance of 345.00 feet; thence
7. South 28° 16' 00" West for a distance of 121.00 feet to the southwest corner of said "Travel Camp" being also the northeasterly corner of Parcel 1, Monterey County III (Parker Flats)" as it is shown on that certain map recorded in Volume 23 of Surveys at Page 105; thence leaving said common boundary with said "Travel Camp" and continuing along the common boundary of said Parcel 1 and said "Monterey County III (Parker Flats)"
8. South 68° 45' 00" West for a distance of 163.00 feet; thence
9. South 84° 00' 00" West for a distance of 199.00 feet; thence
10. North 89° 38' 00" West for a distance of 244.00 feet; thence

PBC Parcel L5.7
FOSET 5
Fort Ord Military Reservation
Monterey County, California

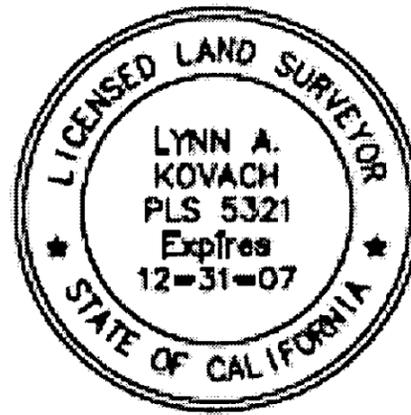
11. North 82° 51' 00" West for a distance of 359.00 feet; thence
12. South 79° 00' 00" West for a distance of 351.00 feet; thence
13. South 87° 27' 00" West for a distance of 577.00 feet to the southwest corner of said Parcel 1 being also a point on the east boundary of Parcel 3 B as said parcel is shown on that certain map recorded in Volume 19 of Surveys at Page 86; thence along the common boundary of said Parcels 1 and 3 B
14. North 2° 15' 00" East for a distance of 1725.01 feet to the POINT OF BEGINNING

Containing an area of 73.444 acres, more or less.

This legal description was prepared by



Lynn A. Kovach L.S. 5321
My license expires December 31, 2007



EXHIBIT

of

PBC Parcel L5.7

Being Parcel 1 as shown on Vol. 21 of Surveys at Page 64

Monterey County Jurisdiction

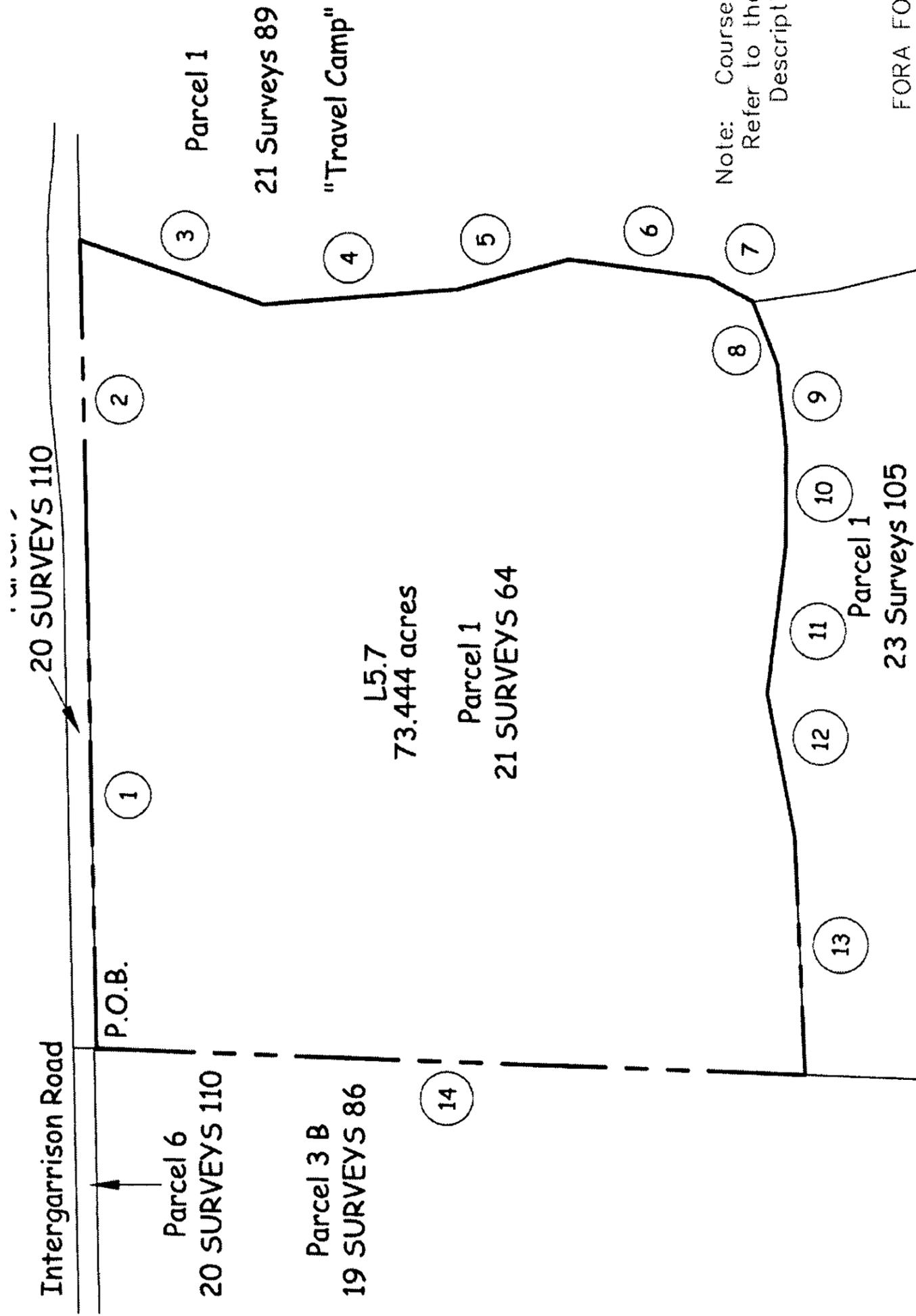
Fort Ord FOSET 5

Lying within the Fort Ord Military Reservation

as shown on Vol. 19 of Surveys at Page 1

Being also within Monterey City Lands Tract No. 1

Monterey County, California



Note: Course Numbers
Refer to the Legal
Description.

EDC Parcel L20.2.1
FOSET 5
Fort Ord Military Reservation
Monterey County, California

Legal Description

SITUATE in a portion of Parcel 1, "Travel Camp" as it is shown on that certain map recorded in Volume 21 of Surveys at Page 89, being also a portion of the former Fort Ord Military Reservation as it is shown on that certain map recorded in Volume 19 of Surveys at Page 1, Official Records of Monterey County, being within Monterey City Lands Tract No. 1, County of Monterey, State of California; being more particularly described as follows:

BEGINNING at the northwest corner of said Parcel 1, "Travel Camp," being also a point on the southerly boundary of Parcel 9 as said parcel is shown on that certain map recorded in Volume 20 of Surveys at Page 110; thence from said Point of Beginning, along said southerly boundary of Parcel 9

1. North 88° 50' 07" East for a distance of 255.92 feet; thence
2. North 88° 53' 00" East for a distance of 84.43 feet, at 5.21 feet a point being the southeast corner of said Parcel 9 and the southwest corner of Parcel 10, as said parcel is shown on that certain map recorded in Volume 20 of Surveys at Page 110; thence leaving said southerly boundary of Parcel 9 and following the southerly boundary of said Parcel 10 a distance of 79.22 feet to the beginning of a tangent curve; thence
3. Along a curve to the right, through a central angle of 02° 48' 30", having a radius of 4906.00 feet, for an arc length of 240.47 feet, and whose long chord bears South 89° 42' 45" East for a distance of 240.44 feet to a point of intersection with a tangent line; thence
4. South 88° 18' 30" East for a distance of 2351.06 feet to the beginning of a tangent curve; thence
5. Along a curve to the right, through a central angle of 01° 14' 07", having a radius of 6770.00 feet, for an arc length of 145.96 feet, and whose long chord bears South 87° 41' 26" East for a distance of 145.96 feet to a point of intersection with a non-tangential line, point also being the northwest corner of EDC Parcel L20.2.2; thence leaving said southerly boundary of Parcel 10 and following the westerly boundary of said EDC Parcel L20.2.2 & L20.2.3.1
6. South 00° 14' 04" East for a distance of 593.48 feet to the beginning of a non-tangential curve, said point also being on the perimeter boundary of EDC Parcel L35.4; thence leaving said westerly boundary of EDC Parcel L20.2.2 & L20.2.3.1 and following said perimeter boundary of EDC Parcel L35.4

EDC Parcel L20.2.1
FOSET 5
Fort Ord Military Reservation
Monterey County, California

7. Along a curve to the left, the center of which bears South 31°47'11" West for a distance of 75.00 feet, through a central angle of 145° 56' 11", having a radius of 75.00 feet, for an arc length of 191.03 feet, and whose long chord bears South 48° 49' 06" West for a distance of 143.42 feet to a point of intersection with a tangent line; thence
8. South 24° 09' 00" East for a distance of 200.00 feet to the beginning of a tangent curve; thence
9. Along a curve to the left, through a central angle of 31° 29' 46", having a radius of 75.00 feet, for an arc length of 41.23 feet, and whose long chord bears South 39° 53' 53" East for a distance of 40.71 feet to a point of intersection with a non-tangential line; thence leaving said perimeter boundary of EDC Parcel L35.4 and following said westerly boundary of EDC Parcel L20.2.2 & L20.2.3.1
10. South for a distance of 699.31 feet; thence
11. South 61° 39' 09" East for a distance of 71.98 feet; thence
12. South 33° 25' 44" East for a distance of 906.41 feet; thence
13. South 14° 11' 56" East for a distance of 245.87 feet; thence
14. South 29° 41' 01" East for a distance of 599.01 feet, more or less, to a point on the southerly boundary of said Parcel 1, "Travel Camp;" thence leaving said westerly boundary of EDC Parcel L20.2.2 & L20.2.3.1 and following said southerly boundary of Parcel 1
15. North 89° 42' 00" West for a distance of 242.59 feet; thence
16. South 86° 36' 00" West for a distance of 211.30 feet; thence
17. North 87° 14' 00" West for a distance of 337.00 feet; thence
18. North 62° 14' 00" West for a distance of 360.60 feet; thence
19. South 68° 40' 00" West for a distance of 198.00 feet; thence
20. South 74° 30' 00" West for a distance of 361.60 feet; thence
21. South 86° 04' 00" West for a distance of 194.20 feet; thence

Legal Description

SITUATE in a portion of Parcel 1, "Travel Camp" as it is shown on that certain map recorded in Volume 21 of Surveys at Page 89, being also a portion of the former Fort Ord Military Reservation as it is shown on that certain map recorded in Volume 19 of Surveys at Page 1, Official Records of Monterey County, being within Monterey City Lands Tract No. 1, County of Monterey, State of California; being more particularly described as follows:

BEGINNING at the northwest corner of said Parcel 1, "Travel Camp," being also a point on the southerly boundary of Parcel 9 as said parcel is shown on that certain map recorded in Volume 20 of Surveys at Page 110; thence from said Point of Beginning, along said southerly boundary of Parcel 9

1. North $88^{\circ} 50' 07''$ East for a distance of 255.92 feet; thence
2. North $88^{\circ} 53' 00''$ East for a distance of 84.43 feet, at 5.21 feet a point being the southeast corner of said Parcel 9 and the southwest corner of Parcel 10, as said parcel is shown on that certain map recorded in Volume 20 of Surveys at Page 110; thence leaving said southerly boundary of Parcel 9 and following the southerly boundary of said Parcel 10 a distance of 79.22 feet to the beginning of a tangent curve; thence
3. Along a curve to the right, through a central angle of $02^{\circ} 48' 30''$, having a radius of 4906.00 feet, for an arc length of 240.47 feet, and whose long chord bears South $89^{\circ} 42' 45''$ East for a distance of 240.44 feet to a point of intersection with a tangent line; thence
4. South $88^{\circ} 18' 30''$ East for a distance of 2351.06 feet to the beginning of a tangent curve; thence
5. Along a curve to the right, through a central angle of $01^{\circ} 14' 07''$, having a radius of 6770.00 feet, for an arc length of 145.96 feet, and whose long chord bears South $87^{\circ} 41' 26''$ East for a distance of 145.96 feet to a point of intersection with a non-tangential line, point also being the northwest corner of EDC Parcel L20.2.2; thence leaving said southerly boundary of Parcel 10 and following the westerly boundary of said EDC Parcel L20.2.2 & L20.2.3.1
6. South $00^{\circ} 14' 04''$ East for a distance of 593.48 feet to the beginning of a non-tangential curve, said point also being on the perimeter boundary of EDC Parcel L35.4; thence leaving said westerly boundary of EDC Parcel L20.2.2 & L20.2.3.1 and following said perimeter boundary of EDC Parcel L35.4

7. Along a curve to the left, the center of which bears South $31^{\circ}47'11''$ West for a distance of 75.00 feet, through a central angle of $145^{\circ}56'11''$, having a radius of 75.00 feet, for an arc length of 191.03 feet, and whose long chord bears South $48^{\circ}49'06''$ West for a distance of 143.42 feet to a point of intersection with a tangent line; thence
8. South $24^{\circ}09'00''$ East for a distance of 200.00 feet to the beginning of a tangent curve; thence
9. Along a curve to the left, through a central angle of $31^{\circ}29'46''$, having a radius of 75.00 feet, for an arc length of 41.23 feet, and whose long chord bears South $39^{\circ}53'53''$ East for a distance of 40.71 feet to a point of intersection with a non-tangential line; thence leaving said perimeter boundary of EDC Parcel L35.4 and following said westerly boundary of EDC Parcel L20.2.2 & L20.2.3.1
10. South for a distance of 699.31 feet; thence
11. South $61^{\circ}39'09''$ East for a distance of 71.98 feet; thence
12. South $33^{\circ}25'44''$ East for a distance of 906.41 feet; thence
13. South $14^{\circ}11'56''$ East for a distance of 245.87 feet; thence
14. South $29^{\circ}41'01''$ East for a distance of 599.01 feet, more or less, to a point on the southerly boundary of said Parcel 1, "Travel Camp;" thence leaving said westerly boundary of EDC Parcel L20.2.2 & L20.2.3.1 and following said southerly boundary of Parcel 1
15. North $89^{\circ}42'00''$ West for a distance of 242.59 feet; thence
16. South $86^{\circ}36'00''$ West for a distance of 211.30 feet; thence
17. North $87^{\circ}14'00''$ West for a distance of 337.00 feet; thence
18. North $62^{\circ}14'00''$ West for a distance of 360.60 feet; thence
19. South $68^{\circ}40'00''$ West for a distance of 198.00 feet; thence
20. South $74^{\circ}30'00''$ West for a distance of 361.60 feet; thence
21. South $86^{\circ}04'00''$ West for a distance of 194.20 feet; thence

22. South 65° 00' 00" West for a distance of 255.50 feet; thence
23. South 77° 50' 00" West for a distance of 187.60 feet; thence
24. South 47° 16' 00" West for a distance of 203.30 feet; thence
25. South 80° 16' 00" West for a distance of 310.10 feet; thence
26. South 55° 23' 00" West for a distance of 123.00 feet; thence
27. South 74° 52' 00" West for a distance of 141.10 feet; thence
28. North 84° 16' 00" West for a distance of 96.50 feet; thence
29. South 70° 02' 00" West for a distance of 164.10 feet to the southwest corner of said Parcel 1, "Travel Camp;" thence leaving said southerly boundary of Parcel 1 and following the westerly boundary of said Parcel 1
30. North 43° 39' 00" West for a distance of 128.40 feet; thence
31. North 25° 11' 00" West for a distance of 271.80 feet; thence
32. North 37° 55' 00" West for a distance of 216.30 feet; thence
33. North 25° 54' 00" West for a distance of 226.00 feet; thence
34. South 34° 13' 00" West for a distance of 63.70 feet to the most easterly corner of "Monterey County III," as said parcel is shown on that certain map recorded in Volume 23 of Surveys at Page 110; thence along the easterly boundary of said "Monterey County III"
35. North 55° 47' 00" West for a distance of 60.00 feet; thence
36. North 34° 13' 00" East for a distance of 24.50 feet; thence
37. North 28° 52' 00" West for a distance of 253.20 feet; thence
38. North 13° 07' 00" West for a distance of 170.90 feet; thence
39. North 38° 48' 00" West for a distance of 112.50 feet; thence

40. North 14° 47' 00" West for a distance of 137.30 feet; thence
41. North 30° 56' 00" West for a distance of 170.50 feet; thence
42. North 24° 41' 00" East for a distance of 96.00 feet; thence
43. North 26° 14' 00" West for a distance of 145.60 feet; thence
44. North 13° 25' 00" West for a distance of 206.15 feet; thence
45. North 07° 51' 00" West for a distance of 198.34 feet to the southeast corner of Parcel 1 as said parcel is shown on that certain map recorded in Volume 21 of Surveys at Page 64; thence leaving said easterly boundary of "Monterey County III" and following the easterly boundary of said Parcel 1
46. North 28° 16' 00" East for a distance of 121.00 feet; thence
47. North 07° 43' 00" East for a distance of 345.00 feet; thence
48. North 14° 40' 00" West for a distance of 277.00 feet; thence
49. North 04° 09' 00" West for a distance of 474.00 feet; thence
50. North 19° 18' 00" East for a distance of 473.59 feet to the POINT OF BEGINNING.

Containing a gross area of 253.375 acres, more or less.

EXCEPTING THEREFROM EDC Parcel L35.5 which is more particularly described as follows:

SITUATE in a portion of the former Fort Ord Military Reservation as it is shown on that certain map recorded in Volume 19 of Surveys at Page 1, Official Records of Monterey County, being within Monterey City Lands Tract No. 1, the City of Marina, County of Monterey, State of California; being all of the Tank Parcel 0.918 acres as it is shown on that certain map recorded in Volume 21 of Surveys at Page 89 being more particularly described as follows:

BEGINNING at a point from which an angle point in the westerly boundary of Parcel 1 "Travel Camp" as it is shown on that certain map recorded in Volume 21 of Surveys at Page 89 bears South 69° 28' 49" West for a distance of 909.95 feet (as shown on said map of Parcel 1 "Travel Camp"); thence from said Point of Beginning

1. North 74° 23' 00" East for a distance of 200.00 feet to a point on a line; thence
2. South 15° 37' 00" East for a distance of 200.00 feet to a point on a line; thence
3. South 74° 23' 00" West for a distance of 200.00 feet to a point on a line; thence
4. North 15° 37' 00" West a distance of 200.00 feet to the POINT OF BEGINNING.

Containing an area of 0.918 acres, more or less.

Leaving a net area of 252.457 acres, more or less.

This legal description was prepared by

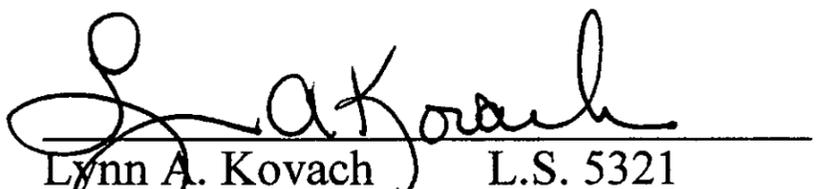
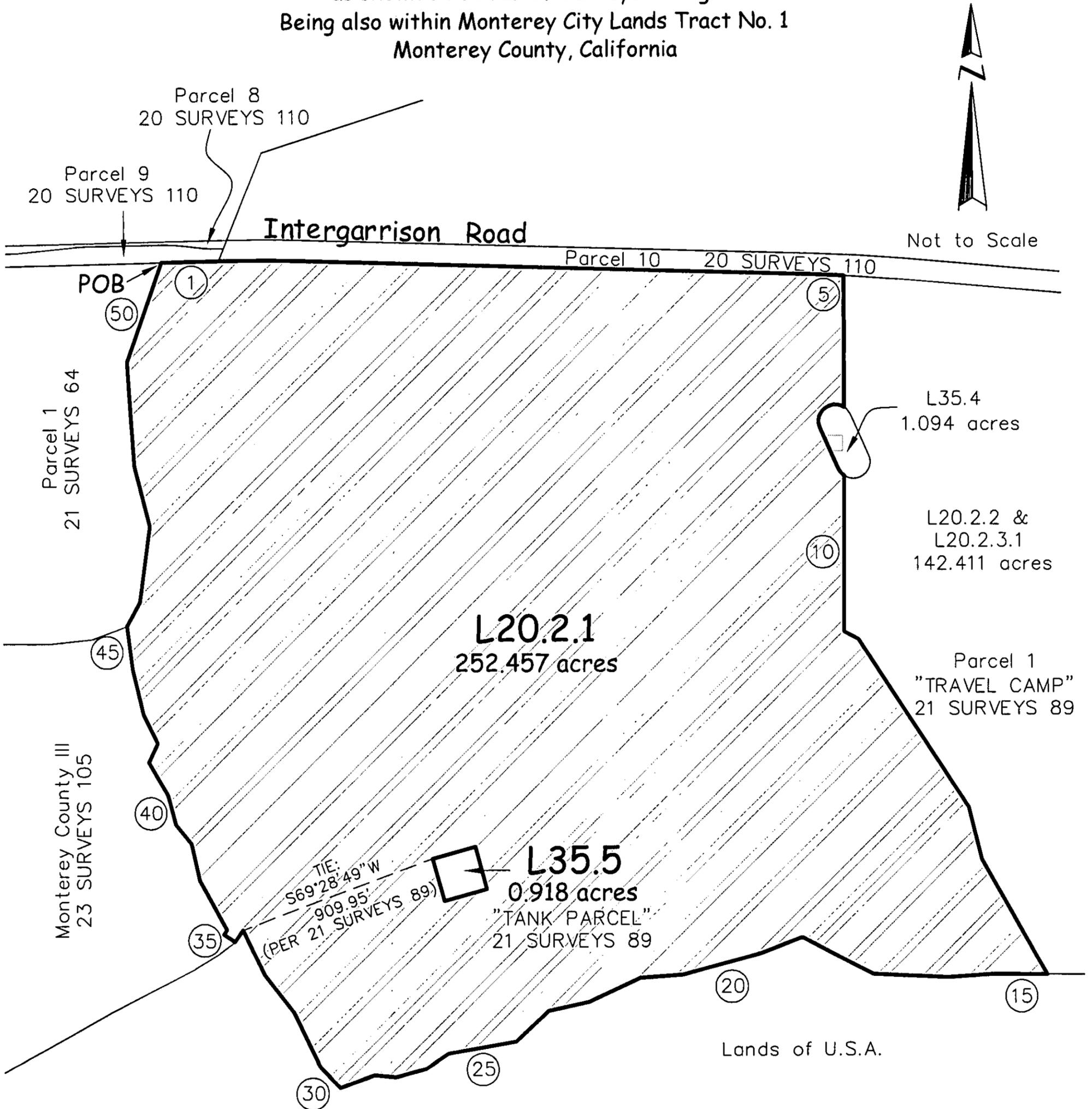

Lynn A. Kovach L.S. 5321
My license expires December 31, 2007



EXHIBIT
 of
EDC Parcel L20.2.1
 Being a Portion of
Parcel 1 "Travel Camp" as shown on Vol. 21 of Surveys at Page 89
Monterey County Jurisdiction
Fort Ord FOSET 5
 Lying within the Fort Ord Military Reservation
 as shown on Vol. 19 of Surveys at Page 1
 Being also within Monterey City Lands Tract No. 1
Monterey County, California



Note: Course Numbers Refer to the Legal Description.

**COE PARCELS L20.3.1 AND L 20.3.2
DESCRIPTION OF 79.138 ACRE (WOLF HILL) PARCEL
BEING A PORTION OF PARCEL 1 (VOLUME 19 SURVEYS PAGE 1)
IN MONTEREY CITY LANDS TRACT NO. 1
MONTEREY COUNTY, CALIFORNIA**

CERTAIN real property situated in Monterey City Lands Tract No. 1, County of Monterey, State of California, particularly described as follows:

COMMENCING at a point on the southerly perimeter boundary of that certain "Parcel 1" of the Fort Ord Military Reservation, as said parcel is shown and so designated on that certain Record of Survey Map filed September 7, 1994 in Volume 19 of Surveys, at Page 1, Records of Monterey County, California, said point also being Corner numbered 14 as shown on said map and described as "Found 1½" iron pipe with brass disk " R.C.E. 15310"; thence leaving said boundary

- (a) S. 59° 43' 54" W., 119.19 feet to the TRUE POINT OF BEGINNING; thence
- (1) N. 34° 31' 04" W., 61.26 feet; thence
- (2) Northwesterly, 115.85 feet along the arc of a tangent curve to the right having a radius of 420.00 feet, through a central angle of 15° 48' 16"; thence tangentially
- (3) N. 18° 42' 48" W., 128.06 feet; thence
- (4) Northwesterly, 74.69 feet along the arc of a tangent curve to the left having a radius of 105.00 feet, through a central angle of 40° 45' 28"; thence tangentially
- (5) N. 59° 28' 16" W., 244.53 feet; thence
- (6) Northwesterly, 138.76 feet along the arc of a tangent curve to the right having a radius of 345.00 feet, through a central angle of 23° 02' 39"; thence tangentially
- (7) N. 36° 25' 37" W., 55.37 feet; thence
- (8) Northwesterly, 123.62 feet along the arc of a tangent curve to the right having a radius of 545.00 feet, through a central angle of 12° 59' 46"; thence tangentially
- (9) N. 23° 25' 51" W., 19.72 feet; thence
- (10) Northerly, 126.08 feet along the arc of a tangent curve to the right having a radius of 370.00 feet, through a central angle of 19° 31' 25"; thence tangentially
- (11) N. 03° 54' 26" W., 113.05 feet; thence
- (12) Northerly, 187.44 feet along the arc of a tangent curve to the right having a radius of 1220.00 feet, through a central angle of 08° 48' 10"; thence tangentially
- (13) N. 04° 53' 44" E., 51.22 feet; thence
- (14) Northerly, 47.69 feet along the arc of a tangent curve to the right having a radius of 420.00 feet, through a central angle of 06° 30' 20"; thence tangentially
- (15) N. 11° 24' 04" E., 44.03 feet; thence
- (16) Northerly, 21.00 feet along the arc of a tangent curve to the left having a radius of 180.00 feet, through a central angle of 06° 41' 05"; thence tangentially
- (17) N. 04° 42' 59" E., 6.90 feet; thence

**COE PARCELS L20.3.1 AND L 20.3.2
DESCRIPTION OF 79.138 ACRE (WOLF HILL) PARCEL
BEING A PORTION OF PARCEL 1 (VOLUME 19 SURVEYS PAGE 1)
IN MONTEREY CITY LANDS TRACT NO. 1
MONTEREY COUNTY, CALIFORNIA**

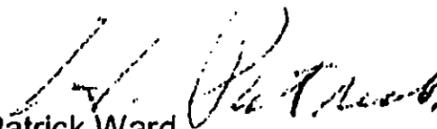
DESCRIPTION OF 79.138 ACRE (WOLF HILL) PARCEL, PAGE 2

- (18) Northerly, 23.13 feet along the arc of a tangent curve to the left having a radius of 60.00 feet, through a central angle of 22° 05' 10"; thence tangentially
- (19) N. 17° 22' 11" W., 61.94 feet; thence
- (20) Northerly, 117.52 feet along the arc of a tangent curve to the right having a radius of 145.00 feet, through a central angle of 46° 26' 17"; thence tangentially
- (21) N. 29° 04' 06" E., 176.53 feet; thence
- (22) Northerly, 56.83 feet along the arc of a tangent curve to the left having a radius of 230.00 feet, through a central angle of 14° 09' 21"; thence tangentially
- (23) N. 14° 54' 45" E., 171.95 feet; thence
- (24) Northeasterly, 188.99 feet along the arc of a tangent curve to the right having a radius of 295.00 feet, through a central angle of 36° 42' 21"; thence tangentially
- (25) N. 51° 37' 06" E., 70.71 feet; thence
- (26) Northeasterly, 12.09 feet along the arc of a tangent curve to the left having a radius of 30.00 feet, through a central angle of 23° 05' 34"; thence tangentially
- (27) N. 28° 31' 32" E., 111.64 feet; thence
- (28) Northeasterly, 53.32 feet along the arc of a tangent curve to the right having a radius of 420.00 feet, through a central angle of 07° 16' 27"; thence tangentially
- (29) N. 35° 47' 59" E., 17.19 feet; thence
- (30) Northeasterly, 41.28 feet along the arc of a tangent curve to the right having a radius of 95.00 feet, through a central angle of 24° 53' 44"; thence tangentially
- (31) N. 60° 41' 43" E., 100.44 feet; thence
- (32) Northeasterly, 73.87 feet along the arc of a tangent curve to the left having a radius of 380.00 feet, through a central angle of 11° 08' 19"; thence tangentially
- (32) N. 49° 33' 24" E., 274.65 feet; thence
- (33) S. 55° 08' 44" E., 1377.76 feet; thence
- (34) S. 29° 09' 04" E., 537.48 feet; thence
- (35) S. 84° 54' 10" E., 820.96 feet; thence
- (36) S. 72° 46' 28" W., 72.15 feet; thence
- (37) Westerly, 419.04 feet along the arc of a tangent curve to the left having a radius of 3020.00 feet, through a central angle of 07° 57' 00"; thence tangentially
- (38) S. 64° 49' 28" W., 153.97 feet; thence

COE PARCELS L20.3.1 AND L 20.3.2
DESCRIPTION OF 79.138 ACRE (WOLF HILL) PARCEL
BEING A PORTION OF PARCEL 1 (VOLUME 19 SURVEYS PAGE 1)
IN MONTEREY CITY LANDS TRACT NO. 1
MONTEREY COUNTY, CALIFORNIA

DESCRIPTION OF 79.138 ACRE (WOLF HILL) PARCEL, PAGE 3

- (39) Westerly, 71.98 feet along the arc of a tangent curve to the right having a radius of 120.00 feet, through a central angle of 34° 22' 00"; thence tangentially
- (40) N. 80° 48' 32" W., 112.41 feet; thence
- (41) Westerly, 27.36 feet along the arc of a tangent curve to the left having a radius of 60.00 feet, through a central angle of 26° 07' 46"; thence tangentially
- (42) Westerly, 9.05 feet along the arc of a reverse curve to the right having a radius of 20.00 feet, through a central angle of 25° 54' 59"; thence tangentially
- (43) N. 81° 01' 19" W., 265.74 feet; thence
- (44) Westerly, 453.90 feet along the arc of a tangent curve to the left having a radius of 410.00 feet, through a central angle of 63° 25' 51"; thence tangentially
- (45) S. 35° 32' 50" W., 467.34 feet; thence
- (46) Southwesterly, 278.97 feet along the arc of a tangent curve to the right having a radius of 480.00 feet, through a central angle of 33° 18' 00"; thence tangentially
- (47) S. 68° 50' 50" W., 158.42 feet; thence
- (48) Southwesterly, 262.54 feet along the arc of a tangent curve to the left having a radius of 495.00 feet, through a central angle of 30° 23' 18"; thence tangentially
- (49) S. 38° 27' 32" W., 118.24 feet to the TRUE POINT OF BEGINNING.

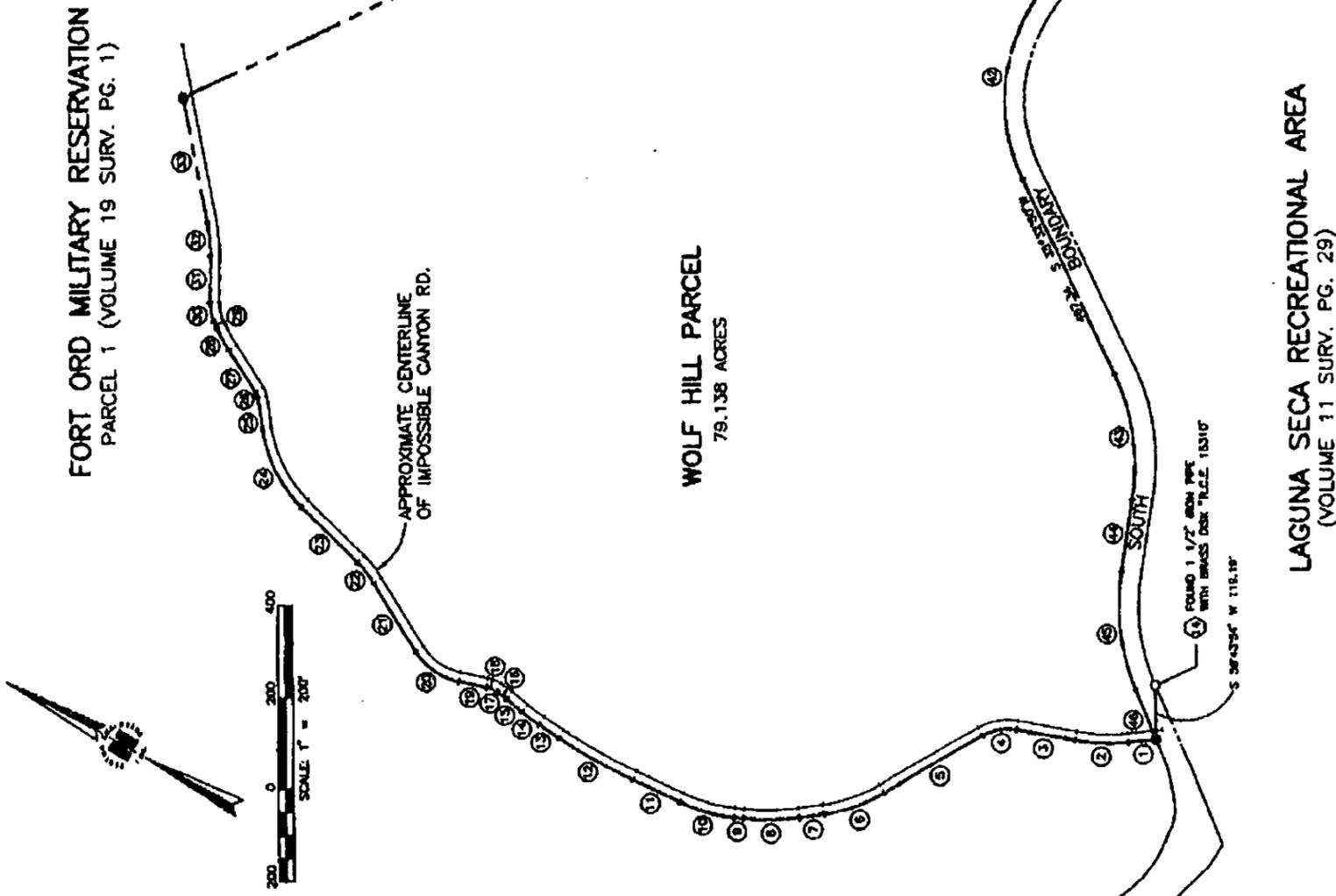

H. Patrick Ward
Registered Civil Engineer #29811
State of California
Expires: 31 March 2009



6 April 07
W.O. 5443.06
HPW/jf.L:/5443/544306/070406 Description of Wolf Hill.doc

**COE PARCELS L20.3.1 and L20.3.2
DESCRIPTION OF 79.138 ACRE (WOLF HILL) PARCEL
BEING A PORTION OF PARCEL 1 (VOLUME 19 SURVEYS PAGE 1)
IN MONTEREY CITY LANDS TRACT NO. 1
MONTEREY COUNTY, CALIFORNIA**

Vol. 19 SURV. PG. 88



	DELTA/BEARING	RADIUS	LEN./DIST.
1	N 34°31'04\"W	420.00	61.26
2	15°48'16\"	420.00	115.85
3	N 18°42'48\"W	105.00	128.06
4	40°45'28\"	105.00	74.89
5	N 59°28'16\"W	345.00	244.53
6	23°02'38\"	345.00	138.76
7	N 36°25'57\"W	545.00	55.37
8	12°58'46\"	545.00	123.62
9	N 23°25'51\"W	370.00	19.72
10	19°31'25\"	370.00	126.06
11	N 03°54'26\"W	1220.00	113.05
12	8°48'10\"	1220.00	187.44
13	N 04°53'44\"E	420.00	51.22
14	5°30'20\"	420.00	47.69
15	N 11°24'04\"E	180.00	44.03
16	6°41'05\"	180.00	21.00
17	N 04°42'59\"E	60.00	6.90
18	22°05'40\"	60.00	23.13
19	N 17°22'11\"W	145.00	81.94
20	46°26'17\"	145.00	117.52
21	N 29°04'06\"E	230.00	176.53
22	14°09'21\"	230.00	56.83
23	N 14°54'45\"E	230.00	171.85

	DELTA/BEARING	RADIUS	LEN./DIST.
24	36°42'21\"	295.00	188.99
25	N 51°37'06\"E	30.00	70.71
26	23°05'34\"	30.00	12.09
27	N 28°31'32\"E	420.00	111.84
28	7°16'27\"	420.00	53.32
29	N 55°47'59\"E	95.00	17.19
30	24°53'44\"	95.00	41.28
31	N 60°41'43\"E	300.00	100.44
32	11°08'19\"	300.00	73.67
33	N 49°32'44\"E	3020.00	274.65
34	S 72°46'28\"W	3020.00	72.15
35	7°57'00\"	3020.00	419.04
36	S 64°49'28\"W	120.00	153.97
37	34°22'00\"	120.00	71.98
38	N 80°48'32\"W	60.00	112.41
39	26°07'46\"	60.00	27.36
40	25°54'58\"	20.00	9.85
41	N 81°01'18\"W	410.00	265.74
42	63°25'51\"	410.00	453.90
43	S 31°16'00\"W	480.00	278.97
44	S 68°50'50\"W	495.00	158.42
45	30°23'18\"	495.00	262.54
46	S 38°27'32\"W	495.00	118.24

RECORD OF SURVEY
SHOWING
65.874 & 79.138 ACRE PARCELS OF LAND
BEING A PORTION OF THE FORT ORD MILITARY RESERVATION
INCLUDING PORTIONS OF
MONTEREY CITY LANDS TRACT NO. 1 AND
THE RANCHO EL CHAMISAL AND
TOWNSHIP 15 SOUTH, RANGE 2 EAST M.D.B. AND M.
MONTEREY COUNTY, CALIFORNIA
BY

BESTOR ENGINEERS, INC.
CIVIL ENGINEERING - SURVEYING - LAND PLANNING
8701 BLUE LANSBUR LANE, MONTEREY, CALIFORNIA 93940
SCALE: 1"=200' DATE: JUNE 1985 M.O.: 5443.08
SHEET 3 OF 3

**COE PARCELS L20.5.1, L20.5.2, L20.5.3 AND L20.5.4
DESCRIPTION OF 196.093 ACRE PARCEL
BEING A PORTION OF PARCEL 1 (VOLUME 19 SURVEYS PAGE 1)
IN MONTEREY CITY LANDS TRACT NO. 1 AND RANCHO EL CHAMISAL
MONTEREY COUNTY, CALIFORNIA**

CERTAIN real property situated in Monterey City Lands Tract No. 1 and Rancho El Chamisal, County of Monterey, State of California, Particularly described as follows:

BEGINNING at point on the southerly perimeter boundary of that certain "Parcel 1" of the Fort Ord Military Reservation, as said parcel is shown and so designated on that certain Record of Survey Map filed September 7, 1994 in Volume 19 of Surveys, at Page 1, Records of Monterey County, California, said point also being Corner numbered 29 as shown on said map and described as "Found 1" iron pipe with plastic plug marked "Monterey County"; thence along said boundary

- (1) N. 19° 24' 53" W., 635.06 feet to Corner numbered 28, as shown on said map; thence
- (2) N. 19° 30' 25" W., 119.39 feet to Corner numbered 27, as shown on said map; thence
- (3) N. 10° 32' 25" E., 666.50 feet to Corner numbered 26, as shown on said map; thence
- (4) N. 05° 46' 37" W., 643.24 feet to Corner numbered 25, as shown on said map; thence
- (5) N. 79° 53' 53" W., 512.80 feet to Corner numbered 24, as shown on said map; thence
- (6) S. 27° 22' 32" W., 668.29 feet to Corner numbered 23, as shown on said map; thence
- (7) S. 72° 49' 35" W., 332.97 feet to Corner numbered 22, as shown on said map; thence
- (8) S. 67° 39' 05" W., 338.33 feet to Corner numbered 21, as shown on said map; thence
- (9) S. 60° 12' 34" W., 155.84 feet to Corner numbered 20, as shown on said map; thence
- (10) N. 81° 16' 14" W., 106.74 feet; thence leaving said boundary
- (11) N. 09° 11' 28" E., 50.43 feet; thence
- (12) Easterly, 71.98 feet along the arc of a non-tangent curve to the left having a radius of 120.00 feet whose center bears N. 09° 11' 28" E., through a central angle of 34° 22' 00"; thence tangentially
- (13) N. 64° 49' 28" E., 153.97 feet; thence
- (14) Easterly, 419.04 feet along the arc of a tangent curve to the right having a radius of 3020.00 feet, through a central angle of 07° 57' 00"; thence tangentially
- (15) N. 72° 46' 28" E., 113.20 feet; thence
- (16) Northeasterly and Northerly, 167.02 feet along the arc of a tangent curve to the left having a radius of 90.00 feet, through a central angle of 106° 19' 49"; thence tangentially

**COE PARCELS L20.5.1, L20.5.2, L20.5.3 AND L20.5.4
DESCRIPTION OF 196.093 ACRE PARCEL
BEING A PORTION OF PARCEL 1 (VOLUME 19 SURVEYS PAGE 1)
IN MONTEREY CITY LANDS TRACT NO. 1 AND RANCHO EL CHAMISAL
MONTEREY COUNTY, CALIFORNIA**

DESCRIPTION OF 196.093 ACRE PARCEL, CONTINUED, PAGE 2

- (17) N. 33° 33' 21" W., 97.98 feet; thence
- (18) Northerly, 505.07 feet along the arc of a tangent curve to the right having a radius of 320.00 feet, through a central angle of 90° 25' 58"; thence tangentially
- (19) N. 56° 52' 37" E., 96.39 feet; thence
- (20) Northeasterly, 304.72 feet along the arc of a tangent curve to the left having a radius of 320.00 feet, through a central angle of 54° 33' 34"; thence tangentially
- (21) N. 02° 19' 03" E., 244.58 feet; thence
- (22) Northerly, 109.35 feet along the arc of a tangent curve to the left having a radius of 2380.00 feet, through a central angle of 02° 37' 57"; thence tangentially
- (23) N. 00° 18' 54" W., 212.24 feet; thence
- (24) Northerly, 192.81 feet along the arc of a tangent curve to the right having a radius of 1170.00 feet, through a central angle of 09° 26' 32"; thence tangentially
- (25) N. 09° 07' 38" E., 363.12 feet; thence
- (26) Northeasterly, 262.98 feet along the arc of a tangent curve to the right having a radius of 295.00 feet, through a central angle of 51° 04' 36"; thence tangentially
- (27) N. 60° 12' 14" E., 11.73 feet; thence
- (28) Northeasterly, 193.21 feet along the arc of a tangent curve to the left having a radius of 980.00 feet, through a central angle of 11° 17' 46"; thence tangentially
- (29) N. 48° 54' 28" E., 287.39 feet; thence
- (30) Northeasterly, 755.17 feet along the arc of a tangent curve to the left having a radius of 1255.00 feet, through a central angle of 34° 28' 35"; thence tangentially
- (31) N. 14° 25' 53" E., 263.22 feet; thence
- (32) Northerly, 240.99 feet along the arc of a tangent curve to the left having a radius of 1455.00 feet, through a central angle of 09° 29' 24"; thence tangentially
- (33) Northeasterly, 364.77 feet along the arc of a reverse curve to the right having a radius of 450.00 feet, through a central angle of 46° 26' 40"; thence tangentially

**COE PARCELS L20.5.1, L20.5.2, L20.5.3 AND L20.5.4
DESCRIPTION OF 196.093 ACRE PARCEL
BEING A PORTION OF PARCEL 1 (VOLUME 19 SURVEYS PAGE 1)
IN MONTEREY CITY LANDS TRACT NO. 1 AND RANCHO EL CHAMISAL
MONTEREY COUNTY, CALIFORNIA**

DESCRIPTION OF 196.093 ACRE PARCEL, CONTINUED, PAGE 3

- (34) N. 51° 23' 09" E., 308.19 feet; thence
- (35) Northeasterly, 100.46 feet along the arc of a tangent curve to the left having a radius of 755.00 feet, through a central angle of 07° 37' 25"; thence tangentially
- (36) N. 43° 45' 44" E., 570.59 feet; thence
- (37) Northeasterly, 163.06 feet along the arc of a tangent curve to the left having a radius of 355.00 feet, through a central angle of 26° 19' 04"; thence tangentially
- (38) N. 17° 26' 40" E., 196.66 feet; thence
- (39) Northerly, 40.24 feet along the arc of a tangent curve to the left having a radius of 380.00 feet, through a central angle of 06° 04' 01"; thence tangentially
- (40) N. 11° 22' 39" E., 182.54 feet; thence
- (41) S. 23° 25' 50" E., 1902.07 feet; thence
- (42) S. 64° 00' 53" W., 48.03 feet; thence
- (43) Southwesterly, 177.61 feet along the arc of a tangent curve to the left having a radius of 375.00 feet, through a central angle of 27° 08' 11"; thence tangentially
- (44) S. 36° 52' 42" W., 127.05 feet; thence
- (45) Southwesterly, 121.03 feet along the arc of a tangent curve to the left having a radius of 920.00 feet, through a central angle of 07° 32' 15"; thence tangentially
- (46) S. 29° 20' 27" W., 280.09 feet; thence
- (47) Southerly, 154.17 feet along the arc of a tangent curve to the left having a radius of 920.00 feet, through a central angle of 09° 36' 04"; thence tangentially
- (48) S. 19° 44' 23" W., 371.56 feet; thence
- (49) Southwesterly, 308.19 feet along the arc of a tangent curve to the right having a radius of 880.00 feet, through a central angle of 20° 03' 57"; thence tangentially
- (50) S. 39° 48' 20" W., 72.09 feet; thence
- (51) Southerly, 181.42 feet along the arc of a tangent curve to the left having a radius of 335.00 feet, through a central angle of 31° 01' 46"; thence tangentially

**COE PARCELS L20.5.1, L20.5.2, L20.5.3 AND L20.5.4
DESCRIPTION OF 196.093 ACRE PARCEL
BEING A PORTION OF PARCEL 1 (VOLUME 19 SURVEYS PAGE 1)
IN MONTEREY CITY LANDS TRACT NO. 1 AND RANCHO EL CHAMISAL
MONTEREY COUNTY, CALIFORNIA**

DESCRIPTION OF 196.093 ACRE PARCEL, CONTINUED, PAGE 4

- (52) S. 08° 46' 34" W., 234.25 feet; thence
- (53) Southerly, 77.13 feet along the arc of a tangent curve to the left having a radius of 820.00 feet, through a central angle of 05° 23' 21"; thence tangentially
- (54) S. 03° 23' 13" W., 78.15 feet; thence
- (55) Southwesterly, 64.78 feet along the arc of a tangent curve to the right having a radius of 80.00 feet, through a central angle of 46° 23' 45"; thence tangentially
- (56) S. 49° 46' 58" W., 96.14 feet; thence
- (57) Southerly, 153.25 feet along the arc of a tangent curve to the left having a radius of 170.00 feet, through a central angle of 51° 39' 06"; thence tangentially
- (58) S. 01° 52' 08" E., 38.06 feet; thence
- (59) Southerly, 282.23 feet along the arc of a tangent curve to the right having a radius of 360.00 feet, through a central angle of 44° 55' 06"; thence tangentially
- (60) S. 43° 02' 58" W., 137.72 feet; thence
- (61) Southwesterly, 80.13 feet along the arc of a tangent curve to the left having a radius of 395.00 feet, through a central angle of 11° 37' 23"; thence tangentially
- (62) S. 31° 25' 35" W., 211.79 feet; thence
- (63) Southwesterly, 86.08 feet along the arc of a tangent curve to the right having a radius of 180.00 feet, through a central angle of 27° 24' 00"; thence tangentially
- (64) S. 58° 49' 35" W., 114.52 feet; thence
- (65) Southwesterly, 215.46 feet along the arc of a tangent curve to the left having a radius of 220.00 feet, through a central angle of 56° 06' 45"; thence tangentially
- (66) S. 02° 42' 50" W., 192.34 feet; thence
- (67) Southerly, 153.24 feet along the arc of a tangent curve to the right having a radius of 330.00 feet, through a central angle of 26° 36' 24"; thence tangentially
- (68) S. 29° 19' 14" W., 72.41 feet; thence

**COE PARCELS L20.5.1, L20.5.2, L20.5.3 AND L20.5.4
DESCRIPTION OF 196.093 ACRE PARCEL
BEING A PORTION OF PARCEL 1 (VOLUME 19 SURVEYS PAGE 1)
IN MONTEREY CITY LANDS TRACT NO. 1 AND RANCHO EL CHAMISAL
MONTEREY COUNTY, CALIFORNIA**

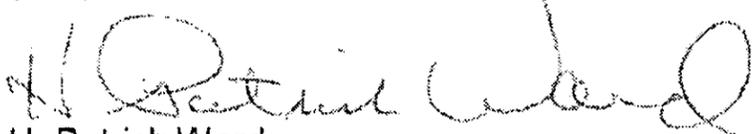
DESCRIPTION OF 196.093 ACRE PARCEL, CONTINUED, PAGE 5

- (69) Southwesterly, 264.59 feet along the arc of a tangent curve to the right having a radius of 1730.00 feet, through a central angle of 08° 45' 47"; thence tangentially
- (70) S. 38° 05' 01" W., 47.82 feet; thence
- (71) Southwesterly, 109.99 feet along the arc of a tangent curve to the left having a radius of 395.00 feet, through a central angle of 15° 57' 17"; thence tangentially
- (72) S. 22° 07' 44" W., 40.15 feet; thence
- (73) S. 50° 28' 45" E., 277.36 feet; thence
- (74) N. 88° 36' 10" E., 41.00 feet; thence
- (75) Easterly, 70.42 feet along the arc of a tangent curve to the left having a radius of 210.00 feet, through a central angle of 19° 12' 48"; thence tangentially
- (76) N. 69° 23' 22" E., 74.81 feet; thence
- (77) Easterly, 124.23 feet along the arc of a tangent curve to the right having a radius of 415.00 feet, through a central angle of 17° 09' 05"; thence tangentially
- (78) N. 86° 32' 27" E., 70.96 feet; thence
- (79) Easterly, 168.66 feet along the arc of a tangent curve to the left having a radius of 310.00 feet, through a central angle of 31° 10' 20"; thence tangentially
- (80) N. 55° 22' 07" E., 261.49 feet; thence
- (81) Northeasterly, 389.91 feet along the arc of a tangent curve to the right having a radius of 2230.00 feet, through a central angle of 10° 01' 05"; thence tangentially
- (82) Easterly, 153.97 feet along the arc of a compound curve to the right having a radius of 2030.00 feet, through a central angle of 04° 20' 45"; thence tangentially
- (83) N. 69° 43' 57" E., 78.18 feet; thence
- (84) Northeasterly, 146.62 feet along the arc of a tangent curve to the left having a radius of 345.00 feet, through a central angle of 24° 20' 57"; thence tangentially
- (85) S. 44° 37' 00" E., 50.00 feet; thence

**COE PARCELS L20.5.1, L20.5.2, L20.5.3 AND L20.5.4
DESCRIPTION OF 196.093 ACRE PARCEL
BEING A PORTION OF PARCEL 1 (VOLUME 19 SURVEYS PAGE 1)
IN MONTEREY CITY LANDS TRACT NO. 1 AND RANCHO EL CHAMISAL
MONTEREY COUNTY, CALIFORNIA**

DESCRIPTION OF 196.093 ACRE PARCEL, CONTINUED, PAGE 6

- (86) Southwesterly, 65.00 feet along the arc of a non-tangent curve to the left having a radius of 345.00 feet whose center bears S. 44° 37' 00" E., through a central angle of 10° 47' 41"; thence tangentially
- (87) S. 34° 35' 19" W., 101.14 feet; thence
- (88) Southwesterly, 91.50 feet along the arc of a tangent curve to the right having a radius of 345.00 feet, through a central angle of 15° 11' 47"; thence tangentially
- (89) S. 49° 47' 06" W., 135.28 feet; thence
- (90) Southwesterly, 244.59 feet along the arc of a tangent curve to the left having a radius of 620.00 feet, through a central angle of 22° 36' 10"; thence tangentially
- (91) S. 27° 10' 56" W., 44.30 feet; thence
- (92) Southwesterly, 146.74 feet along the arc of a tangent curve to the right having a radius of 920.00 feet, through a central angle of 09° 08' 19"; thence tangentially
- (93) S. 36° 19' 15" W., 99.30 feet; thence
- (94) S. 37° 05' 30" W., 62.85 feet; thence
- (95) S. 64° 03' 14" W., 247.29 feet; thence
- (96) S. 56° 14' 40" W., 99.46 feet; thence
- (97) S. 30° 58' 07" W., 196.51 feet; thence
- (98) S. 54° 23' 54" W., 371.35 feet; thence
- (99) S. 75° 53' 37" W., 133.70 feet; thence
- (100) S. 51° 47' 35" W., 288.63 feet to the POINT OF THE BEGINNING



H. Patrick Ward
Registered Civil Engineer #29811
State of California
Expires: 31 March 2009

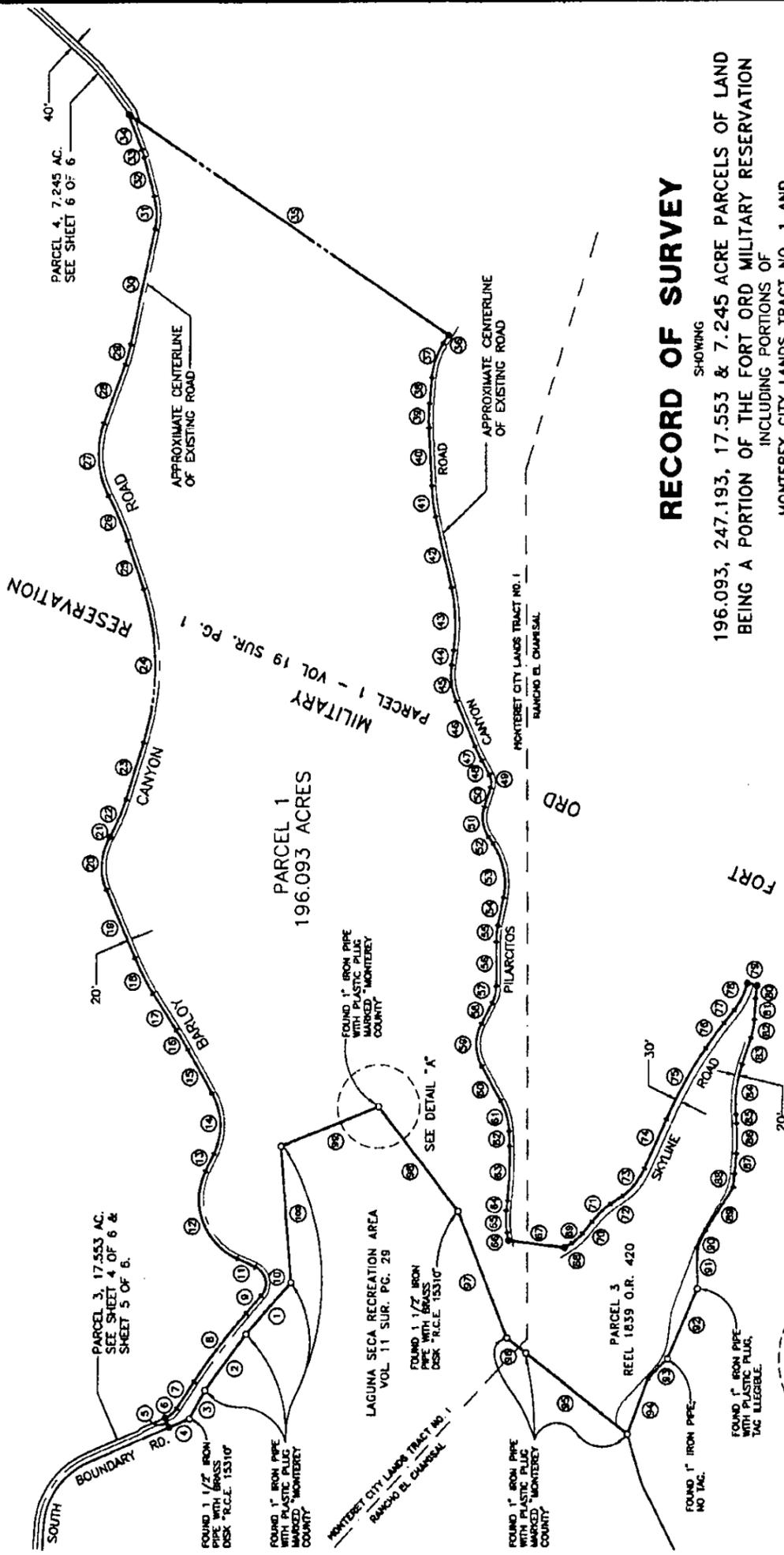
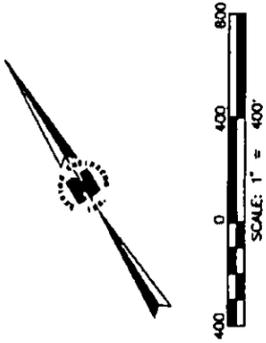
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DATA	DELTA/BEARING	RADIUS	LEN./DIST.
1	S 72°49'35"W	332.97	
2	S 67°39'05"W	338.33	
3	S 60°12'34"W	155.84	
4	N 81°16'14"W	106.74	
5	N 09°11'28"E	50.43	
6	S 47°22'00"	71.98	
7	N 64°48'28"E	153.97	
8	S 73°70"	419.04	
9	N 72°46'28"E	113.20	
10	N 05°19'48"	90.00	
11	N 33°33'21"W	97.98	
12	S 07°25'58"	505.07	
13	N 56°52'37"E	96.39	
14	S 43°33'34"	304.72	
15	N 02°19'03"E	244.58	
16	S 23°57'	109.35	
17	N 00°18'54"W	212.24	
18	S 76°32'	192.81	
19	N 09°07'38"E	363.12	
20	S 11°04'36"	282.98	
21	N 60°12'14"E	11.73	
22	N 11°17'48"	980.00	
23	N 48°54'28"E	287.39	
24	S 47°28'35"	755.17	
25	N 14°25'53"E	263.22	
26	S 92°29'24"	1455.00	
27	S 46°28'40"	450.00	
28	N 51°23'09"E	308.19	
29	S 73°72'	100.46	
30	N 43°45'44"E	570.59	
31	S 26°19'04"	163.06	
32	N 17°28'40"E	196.66	
33	S 60°40'10"	40.24	
34	N 11°22'39"E	182.54	
35	S 23°25'50"E	1002.07	
36	S 64°00'53"W	48.03	
37	S 27°08'11"	177.61	
38	S 36°52'42"W	127.05	
39	S 73°21'5"	920.00	
40	S 29°20'27"W	280.09	
41	S 36°04'	154.17	
42	S 19°44'23"W	371.56	
43	S 20°03'57"	308.19	
44	S 39°48'20"W	72.09	
45	S 31°01'46"	181.42	
46	S 08°46'34"W	234.25	
47	S 52°21'	77.13	
48	S 03°23'13"W	78.15	
49	S 46°13'45"	64.78	
50	S 48°48'58"W	96.14	
51	S 51°39'08"	153.25	
52	S 01°52'08"E	38.06	
53	S 44°55'08"	282.23	
54	S 43°02'58"W	137.72	
55	S 11°37'23"	80.13	
56	S 31°25'35"W	211.79	
57	S 27°24'00"	86.06	
58	S 58°49'35"W	114.32	
59	S 56°08'45"	215.46	
60	S 02°42'30"W	192.34	
61	S 26°56'24"	153.24	

DATA	DELTA/BEARING	RADIUS	LEN./DIST.
62	S 29°19'14"W	72.41	
63	S 6°45'47"	264.59	
64	S 38°05'01"W	47.82	
65	S 15°57'17"	109.99	
66	S 22°07'44"W	40.15	
67	S 50°28'45"E	277.36	
68	N 68°36'10"E	41.00	
69	S 19°12'48"	70.42	
70	N 69°23'22"E	74.81	
71	S 17°09'05"	124.23	
72	N 66°32'27"E	70.96	
73	S 31°10'20"	168.66	
74	N 55°22'07"E	261.49	

DATA	DELTA/BEARING	RADIUS	LEN./DIST.
75	10°01'05"	2230.00	389.91
76	S 4°20'45"	2030.00	153.97
77	M 69°43'57"E	78.18	
78	S 24°20'57"	345.00	148.82
79	S 44°37'00"E	345.00	50.00
80	S 10°47'41"	345.00	65.00
81	S 34°35'19"W	345.00	101.14
82	S 15°11'47"	345.00	91.50
83	S 48°47'06"W	620.00	135.28
84	S 27°36'10"	620.00	244.59
85	S 27°10'56"W	920.00	44.30
86	S 9°08'19"	920.00	146.74
87	S 36°18'15"W	920.00	99.30

DATA	DELTA/BEARING	RADIUS	LEN./DIST.
88	S 37°06'30"W	62.85	
89	S 64°03'14"W	247.29	
90	S 56°14'40"W	99.46	
91	S 30°58'07"W	196.51	
92	S 54°23'54"W	371.35	
93	S 75°53'37"W	133.70	
94	S 51°47'35"W	288.63	
95	N 19°24'53"W	635.06	
96	N 19°50'25"W	119.39	
97	N 10°32'25"E	666.50	
98	N 05°48'37"W	643.24	
99	N 79°53'53"W	512.80	
100	S 27°22'37"W	668.29	



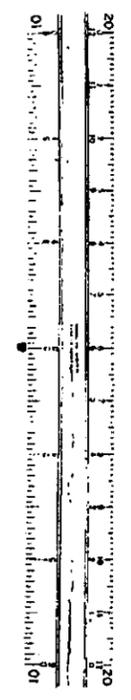
RECORD OF SURVEY

SHOWING
 196.093, 247.193, 17.553 & 7.245 ACRE PARCELS OF LAND
 BEING A PORTION OF THE FORT ORD MILITARY RESERVATION
 INCLUDING PORTIONS OF
 MONTEREY CITY LANDS TRACT NO. 1 AND
 THE RANCHO EL CHAMISAL AND
 TOWNSHIP 15 SOUTH, RANGE 2 EAST M.D.B. AND M.
 MONTEREY COUNTY, CALIFORNIA
 BY



BESTOR ENGINEERS, INC.
 CIVIL ENGINEERING - SURVEYING - LAND PLANNING
 9701 BLUE LARKSPUR LANE, MONTEREY, CALIFORNIA 93840

SCALE: 1"=400' DATE: MAY 1995 W.O.: 5443.06
 SHEET 2 OF 6



**COE PARCEL L20.8
DESCRIPTION OF 7.25 ACRE PARCEL
BEING A PORTION OF PARCEL 1 (VOLUME 19 SURVEYS PAGE 1)
IN MONTEREY CITY LANDS TRACT NO. 1
MONTEREY COUNTY, CALIFORNIA**

CERTAIN real property situated in Monterey City Lands Tract No. 1, County of Monterey, State of California, particularly described as follows:

COMMENCING at an angle point on the southeasterly perimeter boundary of that certain "Parcel 1" of the Fort Ord Military Reservation, as said boundary and parcel are shown and so designated on that certain Record of Survey Map filed September 3, 1994 in Volume 19 of Surveys, at Page 1, Records of Monterey County, California, said point also being Corner numbered (72) as shown and designated on said map and described as "Found 1¼" Iron Pipe with Brass Tag, RCE 1215"; thence leaving said perimeter boundary

- (a) N. 40° 11' 57" W., 8450.48 feet to the TRUE POINT OF BEGINNING; thence
- (1) N. 23° 25' 50" W., 70.07 feet; thence
- (2) Northerly, 21.60 feet along the arc of a non-tangent curve to the left having a radius of 80.00 feet whose center bears N. 78° 37' 21" W., through a central angle of 15° 28' 11"; thence tangentially
- (3) N. 04° 05' 32" W., 147.19 feet; thence
- (4) Northerly, 164.86 feet along the arc of a tangent curve to the left having a radius of 880.00 feet, through a central angle of 10° 44' 01"; thence tangentially
- (5) N. 14° 49' 33" W., 300.42 feet; thence
- (6) Northerly, 115.84 feet along the arc of a tangent curve to the left having a radius of 980.00 feet, through a central angle of 06° 46' 21"; thence tangentially
- (7) N. 21° 35' 54" W., 206.25 feet; thence
- (8) Northerly, 77.40 feet along the arc of a tangent curve to the left having a radius of 980.00 feet, through a central angle of 04° 31' 30"; thence tangentially
- (9) N. 26° 07' 24" W., 408.35 feet; thence
- (10) Northerly, 244.49 feet along the arc of a tangent curve to the right having a radius of 920.00 feet, through a central angle of 15° 13' 35"; thence tangentially
- (11) N. 10° 53' 49" W., 244.21 feet; thence
- (12) Northerly, 153.80 feet along the arc of a tangent curve to the right having a radius of 620.00 feet, through a central angle of 14° 12' 46"; thence tangentially
- (13) N. 03° 18' 57" E., 123.57 feet; thence
- (14) Northerly, 326.49 feet along the arc of a tangent curve to the right having a radius of 520.00 feet, through a central angle of 35° 58' 25"; thence tangentially

Description of 7.245 Acre Parcel, Page 1

**COE PARCEL L20.8
DESCRIPTION OF 7.25 ACRE PARCEL
BEING A PORTION OF PARCEL 1 (VOLUME 19 SURVEYS PAGE 1)
IN MONTEREY CITY LANDS TRACT NO. 1
MONTEREY COUNTY, CALIFORNIA**

- (15) N. 39° 17' 22" E., 70.84 feet; thence
- (16) Northeasterly, 271.50 feet along the arc of a tangent curve to the left having a radius of 680.00 feet, through a central angle of 22° 52' 33"; thence tangentially
- (17) N. 16° 24' 49" E., 164.73 feet; thence
- (18) Northerly, 126.39 feet along the arc of a tangent curve to the left having a radius of 680.00 feet, through a central angle of 10° 38' 59"; thence tangentially
- (19) N. 05° 45' 50" E., 141.53 feet; thence
- (20) Northerly, 152.14 feet along the arc of a tangent curve to the right having a radius of 320.00 feet, through a central angle of 27° 14' 29"; thence tangentially
- (21) N. 33° 00' 19" E., 108.88 feet; thence
- (22) Northeasterly, 86.50 feet along the arc of a tangent curve to the left having a radius of 480.00 feet, through a central angle of 10° 19' 31"; thence tangentially
- (23) N. 22° 40' 48" E., 105.98 feet; thence
- (24) Northerly, 86.39 feet along the arc of a tangent curve to the left having a radius of 280.00 feet, through a central angle of 17° 40' 43"; thence tangentially
- (25) Northerly, 49.98 feet along the arc of a reverse curve to the right having a radius of 220.00 feet, through a central angle of 13° 01' 04"; thence tangentially
- (26) Northerly, 108.24 feet along the arc of a reverse curve to the left having a radius of 230.00 feet, through a central angle of 26° 57' 51"; thence tangentially
- (27) Northerly, 72.67 feet along the arc of a reverse curve to the right having a radius of 1520.00 feet, through a central angle of 02° 44' 22"; thence tangentially
- (28) N. 06° 12' 20" W., 218.35 feet; thence
- (29) Northerly, 157.39 feet along the arc of a tangent curve to the left having a radius of 1980.00 feet, through a central angle of 04° 33' 16"; thence tangentially
- (30) Northerly, 265.52 feet along the arc of a reverse curve to the right having a radius of 720.00 feet, through a central angle of 21° 07' 47"; thence tangentially
- (31) N. 10° 22' 11" E., 222.60 feet; thence
- (32) Northerly, 31.21 feet along the arc of a tangent curve to the right having a radius of 520.00 feet, through a central angle of 03° 26' 21"; thence tangentially

Description of 7.245 Acre Parcel, Page 2

**COE PARCEL L20.8
DESCRIPTION OF 7.25 ACRE PARCEL
BEING A PORTION OF PARCEL 1 (VOLUME 19 SURVEYS PAGE 1)
IN MONTEREY CITY LANDS TRACT NO. 1
MONTEREY COUNTY, CALIFORNIA**

- (33) N. 13° 48' 32" E., 253.08 feet; thence
- (34) Northerly, 103.33 feet along the arc of a tangent curve to the left having a radius of 280.00 feet, through a central angle of 21° 08' 40"; thence tangentially
- (35) Northerly, 123.40 feet along the arc of a reverse curve to the right having a radius of 1020.00 feet, through a central angle of 06° 55' 53"; thence tangentially
- (36) N. 00° 24' 15" W., 69.59 feet; thence
- (37) Northerly, 145.77 feet along the arc of a tangent curve to the right having a radius of 470.00 feet, through a central angle of 17° 46' 12"; thence tangentially
- (38) N. 17° 21' 57" E., 153.25 feet; thence
- (39) Northerly, 298.62 feet along the arc of a tangent curve to the left having a radius of 780.00 feet, through a central angle of 21° 56' 07"; thence tangentially
- (40) N. 04° 34' 10" W., 196.72 feet; thence
- (41) Northerly, 103.43 feet along the arc of a tangent curve to the right having a radius of 170.00 feet, through a central angle of 34° 51' 32"; thence tangentially
- (42) N. 30° 17' 22" E., 185.03 feet; thence
- (43) Northerly, 88.63 feet along the arc of a tangent curve to the left having a radius of 380.00 feet, through a central angle of 13° 21' 50"; thence tangentially
- (44) N. 16° 55' 32" E., 141.24 feet; thence
- (45) Northeasterly, 232.82 feet along the arc of a tangent curve to the right having a radius of 550.00 feet, through a central angle of 24° 15' 12"; thence tangentially
- (46) N. 41° 10' 44" E., 331.84 feet; thence
- (47) Northeasterly, 247.31 feet along the arc of a tangent curve to the left having a radius of 855.00 feet, through a central angle of 16° 34' 22"; thence tangentially
- (48) N. 24° 36' 22" E., 215.90 feet; thence
- (49) S. 65° 23' 38" E., 40.00 feet; thence along a line drawn parallel with and 40.00 feet southeasterly of the following forty-six courses
- (50) S. 24° 36' 22" W., 215.90 feet; thence
- (51) Southwesterly, 258.88 feet along the arc of a tangent curve to the right having a radius of 895.00 feet, through a central angle of 16° 34' 22"; thence tangentially

Description of 7.245 Acre Parcel, Page 3

**COE PARCEL L20.8
DESCRIPTION OF 7.25 ACRE PARCEL
BEING A PORTION OF PARCEL 1 (VOLUME 19 SURVEYS PAGE 1)
IN MONTEREY CITY LANDS TRACT NO. 1
MONTEREY COUNTY, CALIFORNIA**

- (52) S. 41° 10' 44" W., 331.84 feet; thence
- (53) Southwesterly, 215.88 feet along the arc of a tangent curve to the left having a radius of 510.00 feet, through a central angle of 24° 15' 12"; thence tangentially
- (54) S. 16° 55' 32" W., 141.24 feet; thence
- (55) Southerly, 97.96 feet along the arc of a tangent curve to the right having a radius of 420.00 feet, through a central angle of 13° 21' 50"; thence tangentially
- (56) S. 30° 17' 22" W., 185.03 feet; thence
- (57) Southerly, 79.09 feet along the arc of a tangent curve to the left having a radius of 130.00 feet, through a central angle of 34° 51' 32"; thence tangentially
- (58) S. 04° 34' 10" E., 196.72 feet; thence
- (59) Southerly, 313.93 feet along the arc of a tangent curve to the right having a radius of 820.00 feet, through a central angle of 21° 56' 07"; thence tangentially
- (60) S. 17° 21' 57" W., 153.25 feet; thence
- (61) Southerly, 133.36 feet along the arc of a tangent curve to the left having a radius of 430.00 feet, through a central angle of 17° 46' 12"; thence tangentially
- (62) S. 00° 24' 15" E., 69.59 feet; thence
- (63) Southerly, 118.56 feet along the arc of a tangent curve to the left having a radius of 980.00 feet, through a central angle of 06° 55' 53"; thence tangentially
- (64) Southerly, 118.09 feet along the arc of a reverse curve to the right having a radius of 320.00 feet, through a central angle of 21° 08' 40"; thence tangentially
- (65) S. 13° 48' 32" W., 253.08 feet; thence
- (66) Southerly, 28.81 feet along the arc of a tangent curve to the left having a radius of 480.00 feet, through a central angle of 03° 26' 21"; thence tangentially
- (67) S. 10° 22' 11" W., 222.60 feet; thence
- (68) Southerly, 250.77 feet along the arc of a tangent curve to the left having a radius of 680.00 feet, through a central angle of 21° 07' 47"; thence tangentially
- (69) Southerly, 160.57 feet along the arc of a reverse curve to the right having a radius of 2020.00 feet, through a central angle of 04° 33' 16"; thence tangentially
- (70) S. 06° 12' 20" E., 218.35 feet; thence

Description of 7.245 Acre Parcel, Page 4

**COE PARCEL L20.8
DESCRIPTION OF 7.25 ACRE PARCEL
BEING A PORTION OF PARCEL 1 (VOLUME 19 SURVEYS PAGE 1)
IN MONTEREY CITY LANDS TRACT NO. 1
MONTEREY COUNTY, CALIFORNIA**

- (71) Southerly, 70.76 feet along the arc of a tangent curve to the left having a radius of 1480.00 feet, through a central angle of 02° 44' 22"; thence tangentially
- (72) Southerly, 127.07 feet along the arc of a reverse curve to the left having a radius of 270.00 feet, through a central angle of 26° 57' 51"; thence tangentially
- (73) Southerly, 40.90 feet along the arc of a reverse curve to the right having a radius of 320.00 feet, through a central angle of 17° 40' 43"; thence tangentially
- (74) Southerly, 98.74 feet along the arc of a reverse curve to the right having a radius of 320.00 feet, through a central angle of 17° 40' 43"; thence tangentially
- (75) S. 22° 40' 48" W., 105.98 feet; thence
- (76) Southwesterly, 93.71 feet along the arc of a tangent curve to the right having a radius of 520.00 feet, through a central angle of 10° 19' 31"; thence tangentially
- (77) S. 33° 00' 19" W., 108.88 feet; thence
- (78) Southerly, 133.13 feet along the arc of a tangent curve to the left having a radius of 280.00 feet, through a central angle of 27° 14' 29"; thence tangentially
- (79) S. 05° 45' 50" W., 141.53 feet; thence
- (80) Southerly, 133.83 feet along the arc of a tangent curve to the right having a radius of 720.00 feet, through a central angle of 10° 38' 59"; thence tangentially
- (81) S. 16° 24' 49" W., 164.73 feet; thence
- (82) Southwesterly, 287.47 feet along the arc of a tangent curve to the right having a radius of 720.00 feet, through a central angle of 22° 52' 33"; thence tangentially
- (83) S. 39° 17' 22" W., 70.84 feet; thence
- (84) Southerly, 301.37 feet along the arc of a tangent curve to the left having a radius of 480.00 feet, through a central angle of 35° 58' 25"; thence tangentially
- (85) S. 03° 18' 57" W., 123.57 feet; thence
- (86) Southerly, 143.87 feet along the arc of a tangent curve to the left having a radius of 580.00 feet, through a central angle of 14° 12' 46"; thence tangentially
- (87) S. 10° 53' 49" E., 244.21 feet; thence
- (88) Southerly, 233.86 feet along the arc of a tangent curve to the left having a radius of 880.00 feet, through a central angle of 15° 13' 35"; thence tangentially

Description of 7.245 Acre Parcel, Page 5

**COE PARCEL L20.8
DESCRIPTION OF 7.25 ACRE PARCEL
BEING A PORTION OF PARCEL 1 (VOLUME 19 SURVEYS PAGE 1)
IN MONTEREY CITY LANDS TRACT NO. 1
MONTEREY COUNTY, CALIFORNIA**

- (89) S. 26° 07' 24" E., 408.35 feet; thence
- (90) Southerly, 80.56 feet along the arc of a tangent curve to the right having a radius of 1020.00 feet, through a central angle of 04° 31' 30"; thence tangentially
- (91) S. 21° 35' 54" E., 206.25 feet; thence
- (92) Southerly, 120.57 feet along the arc of a tangent curve to the right having a radius of 1020.00 feet, through a central angle of 06° 46' 21"; thence tangentially
- (93) S. 14° 49' 33" E., 300.42 feet; thence
- (94) Southerly, 172.35 feet along the arc of a tangent curve to the right having a radius of 920.00 feet, through a central angle of 10° 44' 01"; thence tangentially
- (95) S. 04° 05' 32" E., 147.19 feet; thence
- (96) Southerly, 32.40 feet along the arc of a tangent curve to the right having a radius of 120.00 feet, through a central angle of 15° 28' 11"; thence tangentially
- (97) S. 11° 22' 39" W., 57.53 feet to the TRUE POINT OF BEGINNING

H. Patrick Ward
H. Patrick Ward
Registered Civil Engineer #2981
State of California
Expires: 31 March 2009

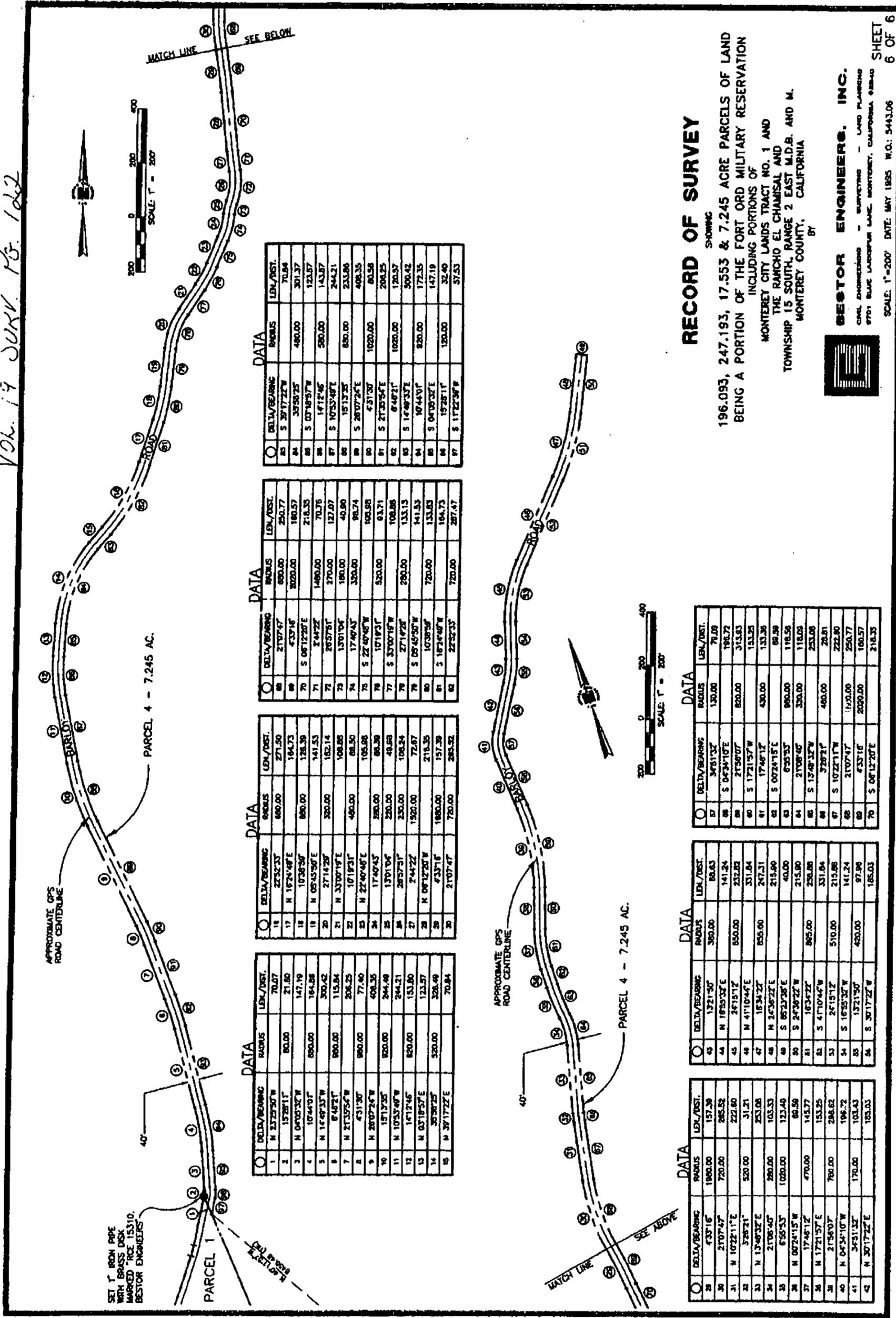


Description of 7.245 Acre Parcel, Page 6

6 April 07
W.O. 5443.06
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**COE PARCEL L20.8
DESCRIPTION OF PARCEL 1 (VOLUME 19 SURVEYS PAGE 1)
IN MONTEREY CITY LANDS TRACT NO. 1
MONTEREY COUNTY, CALIFORNIA**

Vol. 19 SURV. Pg. 1 of 2



DATA

DELTA/BEARING	RADIUS	LEN./DIST.
83 S 30°17'22"W	70.84	70.84
84 S 39°58'25"W	480.00	301.37
85 S 07°18'57"W	123.57	123.57
86 S 14°12'46"E	580.00	143.87
87 S 10°53'48"E	244.21	244.21
88 S 15°13'35"E	233.86	233.86
89 S 28°07'24"E	408.35	408.35
90 S 43°13'07"E	803.58	803.58
91 S 21°35'54"E	204.25	204.25
92 S 6°48'21"E	180.57	180.57
93 S 14°48'37"E	500.42	500.42
94 S 10°44'01"E	172.35	172.35
95 S 04°05'32"E	147.19	147.19
96 S 15°28'11"E	120.00	120.00
97 S 11°27'38"W	57.53	57.53

DATA

DELTA/BEARING	RADIUS	LEN./DIST.
88 21°07'47"	250.77	250.77
89 43°14'	180.57	180.57
90 S 06°12'20"E	215.35	215.35
91 S 24°22'	70.78	70.78
92 S 28°57'51"	270.00	127.07
93 S 13°01'04"	180.00	40.80
94 S 17°40'43"	320.00	98.74
95 S 22°40'48"W	105.88	105.88
96 S 17°40'43"	80.38	80.38
97 S 37°00'18"W	49.58	108.88
98 S 27°19'28"	280.00	133.13
99 S 05°45'50"W	720.00	141.53
100 S 10°38'58"	133.83	133.83
101 S 18°24'48"W	164.73	164.73
102 S 22°32'33"	720.00	287.47

DATA

DELTA/BEARING	RADIUS	LEN./DIST.
16 22°52'33"	680.00	271.50
17 N 16°24'48"E	184.73	184.73
18 10°38'58"	128.38	128.38
19 N 05°45'50"E	141.53	141.53
20 27°14'28"	102.14	102.14
21 N 37°00'18"E	108.88	108.88
22 10°18'21"	88.50	88.50
23 N 22°40'48"E	105.88	105.88
24 17°40'43"	80.38	80.38
25 13°01'04"	220.00	49.58
26 S 28°57'51"	230.00	108.24
27 244'22"	1500.00	72.67
28 N 06°12'20"W	218.35	218.35
29 S 43°16'	197.38	197.38
30 21°07'47"	720.00	285.92

DATA

DELTA/BEARING	RADIUS	LEN./DIST.
1 N 37°25'30"W	70.07	70.07
2 15°28'11"	21.80	21.80
3 N 04°05'32"W	147.19	147.19
4 10°44'01"	184.88	184.88
5 N 14°48'37"W	303.42	303.42
6 8°48'21"	115.84	115.84
7 N 21°35'54"W	208.25	208.25
8 43°13'07"	77.40	77.40
9 N 28°07'24"W	408.35	408.35
10 18°13'35"	244.48	244.48
11 N 10°53'48"W	244.21	244.21
12 16°12'46"	153.80	153.80
13 N 03°19'57"E	123.57	123.57
14 S 38°38'25"	328.48	328.48
15 N 38°17'22"E	70.84	70.84

DATA

DELTA/BEARING	RADIUS	LEN./DIST.
57 S 34°01'32"	130.00	79.08
58 S 04°34'10"E	800.00	166.72
59 S 21°35'07"	800.00	313.83
60 S 17°21'57"W	430.00	153.25
61 S 17°48'12"	430.00	153.38
62 S 00°24'15"E	980.00	68.38
63 S 6°35'53"	300.00	116.56
64 S 17°48'37"W	300.00	233.08
65 S 21°08'40"	480.00	26.81
66 S 32°27'21"	480.00	222.80
67 S 10°22'17"W	141.24	141.24
68 S 21°07'47"	2000.00	250.77
69 S 43°16'	2000.00	180.57
70 S 06°12'20"E	218.35	218.35

DATA

DELTA/BEARING	RADIUS	LEN./DIST.
43 17°21'30"	80.63	80.63
44 N 18°55'32"E	141.24	141.24
45 S 24°19'12"	232.83	232.83
46 N 41°10'44"E	331.84	331.84
47 18°34'22"	247.31	247.31
48 N 24°36'22"E	215.80	215.80
49 S 05°23'38"E	40.00	40.00
50 S 24°36'22"W	215.80	215.80
51 16°34'22"	258.88	258.88
52 S 41°10'44"W	331.84	331.84
53 S 24°15'12"	510.00	215.88
54 S 16°55'32"W	141.24	141.24
55 S 13°21'30"	87.88	87.88
56 S 38°17'22"W	185.03	185.03

DATA

DELTA/BEARING	RADIUS	LEN./DIST.
28 43°16'	157.38	157.38
29 21°07'47"	285.92	285.92
30 10°22'11"E	222.80	222.80
31 S 28°23'	31.21	31.21
32 N 13°48'32"E	253.08	253.08
33 21°08'40"	103.53	103.53
34 S 6°55'53"	123.40	123.40
35 N 00°24'15"W	68.38	68.38
36 N 17°48'12"	145.77	145.77
37 S 17°48'12"	153.25	153.25
38 S 21°58'07"	284.82	284.82
40 N 04°34'10"W	194.72	194.72
41 S 43°13'32"	103.43	103.43
42 N 30°17'22"E	185.03	185.03

RECORD OF SURVEY
SHOWING
196.093, 247.193, 17.553 & 7.245 ACRE PARCELS OF LAND
BEING A PORTION OF THE FORT ORD MILITARY RESERVATION
INCLUDING PORTIONS OF
MONTEREY CITY LANDS TRACT NO. 1 AND
THE RANCHO EL CHAMISAL AND
TOWNSHIP 15 SOUTH, RANGE 2 EAST M.D.B. AND M.
MONTEREY COUNTY, CALIFORNIA
BY

BESTOR ENGINEERS, INC.
CIVIL ENGINEERING - SURVEYING - LAND PLANNING
8701 BLUE LANSOPUR LANE, MONTEREY, CALIFORNIA 93940

SCALE: 1"=200' DATE: MAY 1995 W.O.: 5443.06

EDC Parcel L20.18
FOSET 5
Fort Ord Military Reservation
Monterey County, California

Legal Description

SITUATE in a portion of "Monterey County III (Parker Flats)," as it is shown on that certain map recorded in Volume 23 of Surveys at Page 105, being also a portion of the former Fort Ord Military Reservation as it is shown on that certain map recorded in Volume 19 of Surveys at Page 1, Official Records of Monterey County, being within Monterey City Lands Tract No. 1, County of Monterey, State of California; being more particularly described as follows:

BEGINNING at a point on the common boundary of said "Monterey County III" and Parcel 1, "Seaside IV-A", as it is shown on that certain map recorded in Volume 23 of Surveys at Page 99, which bears North $18^{\circ} 59' 35''$ East, 624.00 feet from the common southerly corner of said "Monterey County III" and Parcel 1, "Seaside IV-A", thence from said Point of Beginning, along said common boundary

1. North $18^{\circ} 59' 35''$ East for a distance of 193.37 feet to a point on the northerly boundary line of Eucalyptus Road, being Parcel 14, as it is shown on that certain map recorded in Volume 20 of Surveys at Page 110; thence along said northerly boundary line
2. North $67^{\circ} 45' 41''$ East for a distance of 1,247.86 feet (shown on said map as 1,247.79 feet) to the beginning of a non-tangent curve; thence
3. Along a curve to the right, the center of which bears South $37^{\circ} 34' 57''$ West for a distance of 1,370.00 feet, through a central angle of $04^{\circ} 10' 37''$ (shown on said map as $04^{\circ} 05' 30''$), having a radius of 1,370.00 feet, for an arc length of 99.87 feet (shown on said map as 97.89 feet), and whose long chord bears South $50^{\circ} 19' 45''$ East for a distance of 99.85 feet to the beginning of a non-tangent curve; thence
4. Along a curve to the right, the center of which bears South $23^{\circ} 26' 31''$ East for a distance of 280.00 feet, through a central angle of $40^{\circ} 07' 31''$ (shown on said map as $35^{\circ} 31' 41''$), having a radius of 280.00 feet, for an arc length of 196.09 feet (shown on said map as 173.62 feet), and whose long chord bears North $86^{\circ} 37' 14''$ East for a distance of 192.11 feet to the beginning of a tangent curve; thence
5. Along a curve to the right, through a central angle of $12^{\circ} 08' 00''$, having a radius of 830.00 feet, for an arc length of 175.77 feet, and whose long chord bears South $67^{\circ} 15' 00''$ East for a distance of 175.44 feet to the beginning of a tangent curve; thence
6. Along a curve to the right, through a central angle of $04^{\circ} 00' 00''$, having a radius of 10,030.00 feet, for an arc length of 700.23 feet, and whose long chord bears South $59^{\circ} 11' 00''$ East for a distance of 700.08 feet to a point of intersection with a tangent line; thence

EDC Parcel L20.18
FOSET 5
Fort Ord Military Reservation
Monterey County, California

7. South $57^{\circ} 11' 00''$ East for a distance of 948.60 feet to the beginning of a tangent curve; thence
8. Along a curve to the right, through a central angle of $00^{\circ} 18' 36''$, having a radius of 5,030.00 feet, for an arc length of 27.21 feet, and whose long chord bears South $57^{\circ} 01' 42''$ East for a distance of 27.22 feet to the common northerly corner of Parcel 14 and Parcel 15, as they are shown on that certain map recorded in Volume 20 of Surveys at Page 110, being also the beginning of a tangent curve; thence along the northerly boundary of said Parcel 15
9. Along a compound curve to the right, through a central angle of $00^{\circ} 14' 46''$, having a radius of 5,030.00 feet, for an arc length of 175.77 feet, and whose long chord bears South $56^{\circ} 45' 00''$ East for a distance of 21.62 feet to the southerly boundary line of said "Monterey County III"; thence along said southerly boundary
10. South $71^{\circ} 12' 11''$ West for a distance of 18.27 feet to a brass disk marked "BLM AP61D" at an angle point in said southerly boundary line of "Monterey County III"; thence continuing along said southerly boundary
11. South $66^{\circ} 03' 27''$ West for a distance of 54.34 feet to the southerly boundary of said Parcel 15, being also the beginning of a non-tangent curve; thence along said southerly boundary
12. Along a curve to the left, the center of which bears South $32^{\circ} 54' 20''$ West for a distance of 4,970.00 feet, through a central angle of $00^{\circ} 05' 20''$, having a radius of 4,970.00 feet, for an arc length of 7.71 feet, and whose long chord bears North $57^{\circ} 08' 20''$ West for a distance of 7.70 feet to a point of intersection with a tangent line; thence
13. North $57^{\circ} 11' 00''$ West for a total distance of 948.60 feet to the beginning of a tangent curve, at a distance of 5.28 feet the common southerly corner of said Parcel 14 and Parcel 15; thence
14. Along a curve to the left, through a central angle of $04^{\circ} 00' 00''$, having a radius of 9,970.00 feet, for an arc length of 696.04 feet, and whose long chord bears North $59^{\circ} 11' 00''$ West for a distance of 695.90 feet to the beginning of a tangent compound curve; thence
15. Along a curve to the left, through a central angle of $12^{\circ} 08' 00''$, having a radius of 770.00 feet, for an arc length of 163.06 feet, and whose long chord bears North $67^{\circ} 15' 00''$ West for a distance of 162.76 feet to the beginning of a tangent compound curve; thence
16. Along a curve to the left, through a central angle of $38^{\circ} 03' 00''$, having a radius of 220.00 feet, for an arc length of 146.10 feet, and whose long chord bears South $87^{\circ} 39' 30''$ West for a distance of 143.43 feet to a point of intersection with a tangent line; thence
17. South $68^{\circ} 38' 00''$ West for a distance of 211.78 feet to the beginning of a tangent curve; thence

EDC Parcel L20.18
FOSET 5
Fort Ord Military Reservation
Monterey County, California

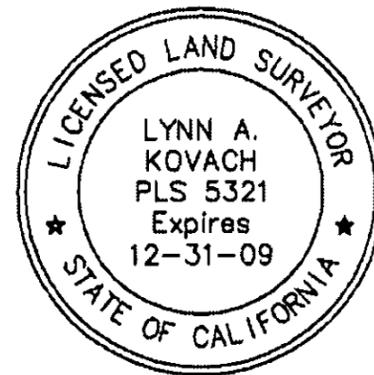
18. Along a curve to the left, through a central angle of $00^{\circ} 58' 00''$, having a radius of 9,970.00 feet, for an arc length of 168.21 feet, and whose long chord bears South $68^{\circ} 09' 00''$ West for a distance of 168.21 feet to a point of intersection with a tangent line; thence
19. South $67^{\circ} 40' 00''$ West a distance of 1051.60 feet (shown on said map as 1028.50 feet) to the POINT OF BEGINNING.

Containing an area of 7.249 acres, more or less.

This legal description was prepared by



Lynn A. Kovach L.S. 5321
My license expires December 31, 2007



EDC Parcel L32.1
FOSET 5
Fort Ord Military Reservation
Monterey County, California

Legal Description

SITUATE in a portion of the former Fort Ord Military Reservation as it is shown on that certain map recorded in Volume 19 of Surveys at Page 1, Official Records of Monterey County, being within Monterey City Lands Tract No. 1, County of Monterey, State of California; being a portion of Parcel 1, "Monterey County III (Parker Flats)," as it is shown on that certain map recorded in Volume 23 of Surveys at Page 105; being more particularly described as follows:

BEGINNING at the most northwesterly corner of said Parcel 1, "Monterey County III (Parker Flats)," being also an angle point in the westerly boundary of Parcel 7 as said parcel is shown on that certain map recorded in Volume 21 of Surveys at Page 83; thence from said Point of Beginning along the common boundary of said Parcels 1 and 7

1. South $83^{\circ} 26' 14''$ East for a distance of 351.31 feet; thence continuing along said common boundary
2. South $06^{\circ} 36' 58''$ West for a distance of 371.08 feet to a point on the southerly boundary of said Parcel 7; thence leaving said southerly boundary of Parcel 7 and continuing along the easterly boundary of said Parcel 1, "Monterey County III (Parker Flats)"
3. North $83^{\circ} 34' 21''$ West for a distance of 339.76 feet to a point on the easterly boundary of Parcel 1, L32.4.2, as it is shown on that certain map recorded in Volume 27 of Surveys at Page 17; thence along the common boundary of said Parcel 1, L32.4.2, and Parcel 1, "Monterey County III (Parker Flats)"
4. North $04^{\circ} 50' 13''$ East for a distance of 8.92 feet to the northeast corner of said Parcel 1, L32.4.2; thence continuing along the boundary of said Parcel 1, "Monterey County III (Parker Flats)"
5. North $04^{\circ} 50' 13''$ East a distance of 363.13 feet to the POINT OF BEGINNING.

Containing an area of 2.947 acres, more or less.

This legal description was prepared by



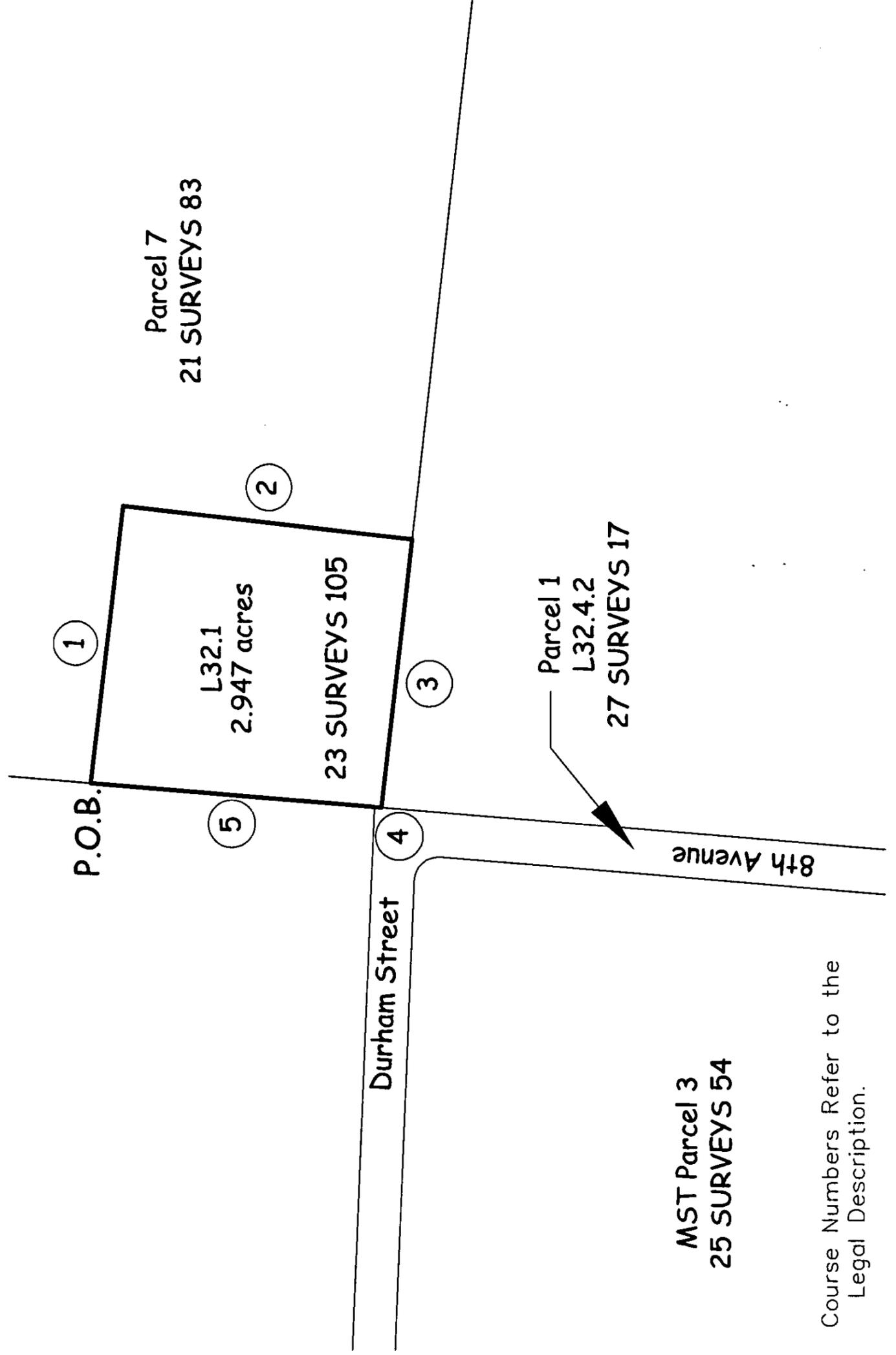
Lynn A. Kovach L.S. 5321
My license expires December 31, 2007



EXHIBIT

of

EDC Parcel L32.1
Being a portion of Parcel 1 as shown on Vol. 23 of Surveys at Page 105
Monterey County Jurisdiction
Fort Ord FOSET 5EDC
Lying within the Fort Ord Military Reservation
as shown on Vol. 19 of Surveys at Page 1
Being also within Monterey City Lands Tract No. 1
Monterey County, California



Note: Course Numbers Refer to the
Legal Description.

Exhibit B – Notification of Hazardous Substance Storage, Release, or Disposal

Location	Name of Hazardous Substance(s)	Date of Storage, Release, or Disposal	Remedial Actions
County of Monterey			
Parcel F1.7.2 – HA-35A	Lead (7439921); copper (7440508); antimony (7440360)	1975 to Present	Release of lead, copper and antimony associated with small arms ammunition use at the Combat Pistol Range (HA-35A). Because this range is still active, no action related to MC is recommended for HA-35A.
Parcel E4.7.2 – OUCTP	Carbon tetrachloride (56235)	Unknown	Migration of groundwater plume containing predominantly carbon tetrachloride at concentrations exceeding the MCL. The Army has completed an RI/FS for the OUCTP study area and selected a remedial alternative. Remediation of the OUCTP will commence after regulatory approval of the remedial alternative (<i>Army, 2006b</i>).
Parcel E11b.7.1.1 – IRP Site 41	Toluene (108883); pentachlorophenol (87865); dioxins; arsenic (7440382); beryllium (7440417); cadmium (7440439); total chromium (7440473); copper (7440508); lead (7439921); nickel (744020); selenium (7782492); silver (7440224); thallium (7440280); zinc (7440666)	Possibly the 1940s and 1950s	The interim action (IA) at IRP Site 41 (Crescent Bluff Fire Drill Area) included the excavation and removal of approximately 76 cubic yards of soil from three former burn pits. Results of the confirmation sampling indicated that soil with chemical concentrations above the target cleanup concentrations were removed. Results of the confirmation sampling and subsequent risk evaluation indicated that no further threat to human health, the environment, or groundwater was anticipated and no further investigation or remediation was recommended (<i>HLA, 1997a</i>). The USEPA and the DTSC concurred that no further remedial action was necessary at IRP Site 41 in letters dated April 14, 1997 and March 10, 2006, respectively.
Parcel E19a.4 – IRP Site 8	Diesel; hydrocarbons	Unknown	The IA at IRP Site 8 (Range 49) included the excavation and removal of approximately 102 cubic yards of soil and debris from the former Molotov Cocktail Range. Results of the confirmation sampling indicated that soil with TPH concentrations above the target cleanup concentration of 500 mg/kg was removed. Results of the confirmation sampling and subsequent risk evaluation indicated that no further threat to human health, the environment, or groundwater was anticipated and no further investigation or remediation was recommended (<i>HLA, 1996c</i>). The USEPA and the DTSC concurred that no further remedial action was necessary at Site 8 in letters dated April 14, 1997 and October 20, 2006.
City of Marina			
Parcel	Benzene (71432); Carbon	1956-2002	Release of VOCs from OU2 Fort Ord Landfills; SWMU FTO-002. Migration of groundwater plume containing VOCs at

Exhibit B – Notification of Hazardous Substance Storage, Release, or Disposal

Location	Name of Hazardous Substance(s)	Date of Storage, Release, or Disposal	Remedial Actions
E4.3.2.2	tetrachloride (56235); Chloroform (67663); 1,1-dichloroethane (75343); 1,2-dichloroethane (107062); cis-1,2-dichloroethene (156605); 1,2-dichloropropene (78875); dichloromethane (75092); tetrachloroethene (127184); trichloroethene (79016); vinyl chloride (75014)		concentrations exceeding MCLs from the Fort Ord Landfills. Groundwater remediation system in place. USEPA concurrence that OU2 groundwater treatment system is operating properly and successfully 1/4/96.
Parcels E4.3.2.2, E4.7.1, E5a.1, L5.10.1	Carbon tetrachloride (56235)	Unknown	Migration of groundwater plume containing predominantly carbon tetrachloride at concentrations exceeding the MCL. The Army has completed an RI/FS for the OUCTP study area and selected a remedial alternative. Remediation of the OUCTP will commence after regulatory approval of the preferred remedial alternative (<i>Army, 2006b</i>).
City of Seaside			
Parcel E23.1	Lead (7439921); copper (7440508); antimony (7440360)	1960 to 1993	Remediation at IRP Site 39, Range 18 (HA-18D), was conducted to remove lead, copper, and antimony in soil from spent small arms ammunition. The remedial action included the removal of approximately 24,900 cubic yards of impacted soil. Results of the confirmation sampling indicated that soil with chemical concentrations above target cleanup concentrations were removed.
Parcel E23.2	Lead (7439921); copper (7440508); antimony (7440360)	Early 1960s to 1993	Remediation at IRP Site 39, Ranges 18 and 46 (HA-18D and HA-46D), was conducted to remove lead, copper, and antimony in soil from spent small arms ammunition. The remedial action at Range 18 included the removal of approximately 24,900 cubic yards of impacted soil. Results of the confirmation sampling indicated that soil with chemical concentrations above target cleanup concentrations were removed. The remedial action at Range 46 included the removal of approximately 3,900 cubic yards of impacted soil. The average lead concentration of soil remaining in place following remedial activities at Range 46 was 26 mg/kg. Results of the confirmation sampling indicated that soil with chemical concentrations above target cleanup concentrations were removed.
Parcel E24	Lead (7439921); copper	1968 to	Remediation at IRP Site 39, Range 21 (HA-21D), was conducted to remove lead, copper, and antimony in soil from spent

Exhibit B – Notification of Hazardous Substance Storage, Release, or Disposal

Location	Name of Hazardous Substance(s)	Date of Storage, Release, or Disposal	Remedial Actions
	(7440508); antimony (7440360)	1993	small arms ammunition. The remedial action included the removal of approximately 9,600 cubic yards of impacted soil. The average lead concentration of soil remaining in place following remedial activities at Range 21 was 35 mg/kg. Results of the confirmation sampling indicated that soil with chemical concentrations above target cleanup concentrations were removed.
Parcel E34	Lead (7439921); copper (7440508); antimony (7440360)	1950s to 1993	Remediation at IRP Site Range 19 (HA-19D) was conducted to remove lead, copper, and antimony in soil from spent small arms ammunition. The remedial action included the removal of approximately 1,400 cubic yards of impacted soil. Results of the confirmation sampling indicated that soil with chemical concentrations above target cleanup concentrations were removed.
California State University, Monterey Bay			
Parcel S1.3.2 – IRP Site 39B	Benzo(a)anthracene (56553); 1,4-dichlorobenzene (106467); total petroleum hydrocarbons	1950s to 1993	The IA at IRP Site 39B (Inter-Garrison Site) included the excavation and removal of approximately 164 cubic yards of soil mixed with debris from two locations. The soil contained semi-volatile organic compounds exceeding health based screening levels and total petroleum hydrocarbons exceeding the preliminary remediation goals. Results of the confirmation sampling indicated that soil with chemical concentrations above target cleanup concentrations were removed. Results of the confirmation sampling and subsequent risk evaluation indicated that no further threat to human health or the environment is expected and no further investigation or remediation was recommended (HLA, 1997b). The USEPA and the DTSC concurred that no further remedial action was necessary at Site 39B in letters dated January 13, 1998 and October 20, 2006, respectively.

* The information contained in this notice is required under the authority of regulations promulgated under section 120(h) of the Comprehensive Environmental Response, Liability, and Compensation Act (CERCLA or ‘Superfund’) 42 U.S.C. §9620(h). This table provides information on the storage of hazardous substances for one year or more in quantities greater than or equal to 1,000 kilograms or the hazardous substance’s CERCLA reportable quantity (which ever is greater). In addition, it provides information on the known release of hazardous substances in quantities greater than or equal to the substances CERCLA reportable quantity. See 40 CFR Part 373.

Exhibit C – Description of Property

Property Description	Property Restrictions	Remedial Actions	Munitions Response Actions	Adjacent Property Conditions
County of Monterey Environmental Services Cooperative Agreement (ESCA) acreage – 1,767 (approximately)				
ESCA Parcel E11b.6.1 – 47.815-acre habitat reserve parcel. No buildings or structures on the parcel	Excavation Restriction Residential Use Restriction	None	NA	<p>East Garrison Area 2 lies adjacent to Parcels E11b.6.1 (Plate 5). A light machine gun range was reported to have been located within East Garrison Area 2. Other military training sites in this area included a mechanic training site, tank driving area, and leadership reaction course (LRC). A site walk was conducted in 2005 to identify any evidence of military munitions-related training. The site walk included an unexploded ordnance (UXO) supervisor, UXO specialist, and a geophysicist using geophysical equipment. A munitions and explosives of concern (MEC) item (pyrotechnic smoke mixture) and seven munitions debris items were found and removed. East Garrison Area 2 was evaluated for MEC in the East Garrison Areas 2 and 4 NE Track 1 Plug-In Approval Memorandum and determined to be a Track 1 site. MEC is not expected to be found at East Garrison Area 2 and no further action related to MEC was recommended for the site (<i>Army, 2005e</i>). The DTSC and the USEPA concurred in letters dated May 30 and June 1, 2006, respectively.</p> <p>MRS-11 lies adjacent to Parcel E11b.6.1 (Plate 5). As noted in the Archives Search Report (ASR), this site was identified as an old explosive ordnance disposal (EOD) range. The 1946 Historic Map Master Plan Fort Ord shows a live hand grenade training range. Additionally, the 1957 Fort Ord Training Areas & Facilities map shows a Frag Zone and Engineer Training Area "C". MRS-11 underwent a munitions response (removal) to a depth of 1 foot¹ in the southern half of the site using geophysical equipment. Twenty MEC items, including nine MKII fragmentation hand grenades, and 2,316 munitions debris items (mostly hand grenade fuzes) were found and removed during the 1-foot removal. The northern half of MRS-11 was investigated (sampled) using SiteStats/GridStats (SS/GS) methodology. No MEC was found during SS/GS investigation. Based on the results of the</p>

Exhibit C – Description of Property

Property Description	Property Restrictions	Remedial Actions	Munitions Response Actions	Adjacent Property Conditions
				<p>munitions responses, additional munitions response (investigation) was recommended within MRS-11 and to the east of the site (<i>USA, 2001e</i>). MRS-11 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord Military Munitions Response Program (MMRP).</p> <p>MRS-42 lies to the east of Parcel E11b.6.1 (Plate 5). MRS-42 was formerly the Fort Ord Ammunition Supply Point (ASP) Rifle Grenade Area, as identified on a 1946 training map. This area includes the northern portion of the former ASP. MRS-42 underwent a munitions response (removal) to a depth of 4 feet using geophysical equipment. Due to the presence of MEC and munitions debris at the edge of the site the munitions response extended beyond the original boundary of MRS-42. The extended area is identified as MRS-42EXP. According to the former Fort Ord MMRP database, 61 MEC items (primarily M9 series antitank rifle grenades) and 27 munitions debris items (mostly MKII hand grenade fragments and practice antitank rifle grenades) were removed. It was recommended additional investigation be conducted within MRS-42 (<i>USA, 2001f</i>). MRS-42 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p> <p>MRS-48 lies south of Parcel E11b.6.1, on the west side of Barloy Canyon Road (Plate 5). The eastern boundary of MRS-48 overlaps portions of the right-of-way associated with Barloy Canyon Road. MRS-48 was identified on a 1946 Fort Ord Master Plan as a “Dummy Grenade Range.” During a munitions response (site walk) by a UXO Safety Specialist, fragments from 4.2-inch mortars and other debris were discovered. A munitions response (grid sampling) was completed at the site in 1988. According to the MMRP database, 3 MEC items (practice hand grenade fuze, a rifle-fired signal, and a screening smoke pot) and 22 munitions debris items were removed. Additionally, over 100 pounds of fragments, mostly from 4.2-inch</p>

Exhibit C – Description of Property

Property Description	Property Restrictions	Remedial Actions	Munitions Response Actions	Adjacent Property Conditions
				<p>smoke mortars and smoke grenades, were removed. No sampling occurred within Parcel E11b.6.1. It was concluded that a grenade and 4.2-inch mortar impact area existed within or near the site and that additional munitions responses be conducted within, to the north and to the south of the site (<i>USA, 2001h</i>). MRS-48 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p> <p>MRS-59 lies adjacent to Parcel E11b.6.1 (Plate 5). MRS-59 was identified during interviews conducted as part of the ASR and was reported to have included a 2.36-inch rocket range in the early 1940s. A munitions response (site walk) that included MRS-59 and MRS-27F was conducted by a USACE UXO Safety Specialist as part of a Preliminary Assessment/Site Investigation (PA/SI) (<i>USADEH, 1997</i>). Munitions debris (expended pyrotechnics) and two fragments from the incomplete detonation of a 60mm mortar were found; however, the specific location of these items was not documented. No evidence of the use of 2.36-inch rockets, reportedly used at MRS-59, was observed. MEC is not expected to be present within MRS-59. MRS-59 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p>
<p>ESCA Parcel E11b.7.1.1 – 121.75-acre habitat reserve parcel. The parcel includes IRP Site 41 (Crescent Bluff Fire Drill Area); MRS-11 (Demolition Training Area and live grenade training range),</p>	<p>Excavation Restriction Residential Use Restriction</p>	<p>The interim action (IA) at IRP Site 41 (Crescent Bluff Fire Drill Area) included the excavation and removal of approximately 76 cubic yards of soil from three former burn pits. Results of the confirmation sampling indicated that soil with chemical concentrations above the target cleanup concentrations was removed. Results of the confirmation sampling and subsequent risk evaluation indicated that no further threat to human health, the environment, or groundwater was anticipated, and no further investigation or remediation was recommended (<i>HLA, 1997a</i>). The USEPA and the DTSC concurred that no further action was necessary at IRP Site 41 in letters dated April 14, 1997 and March 10, 2006,</p>	<p>As noted in the ASR, MRS-11 was identified as an old EOD range. The 1946 Historic Map Master Plan Fort Ord shows a live hand grenade training range. Additionally, the 1957 Fort Ord Training Areas & Facilities map shows a Frag Zone and Engineer Training Area "C". MRS-11 underwent a munitions response (removal) to a depth of 1 foot in the southern half of the site using geophysical equipment. Twenty MEC items, including nine MKII fragmentation hand grenades, and 2,316 munitions debris items (mostly hand grenade fuzes) were found and removed during the 1-foot removal. The northern half of MRS-11 was investigated (sampled) using SS/GS methodology. No MEC was found during SS/GS investigation. Based</p>	<p>East Garrison Area 2 lies adjacent to Parcel, E11b.7.1.1 (Plate 5). Please refer to the property description for Parcel E11b.6.1 for a discussion of this site.</p> <p>East Garrison Area 4 NE lies adjacent to Parcel E11b.7.1.1 (Plate 5). Training identified in this area included a mechanic training area, engineer training area, demolition area and foxhole where munitions were disposed (MRS-33) (<i>UXB, 1995a</i>). A site walk was conducted in 2005 to identify any evidence of training with military munitions. The site walk included a UXO supervisor, UXO specialist, and a geophysicist using geophysical equipment. East Garrison Area 4 NE was evaluated for MEC in the East Garrison Areas 2 and 4 NE Track 1 Plug-In Approval</p>

Exhibit C – Description of Property

Property Description	Property Restrictions	Remedial Actions	Munitions Response Actions	Adjacent Property Conditions
<p>MRS-23 (Engineer Training Area and Field Expedient Area), and MRS-42/MRS-42EXP (Demolition Area – Rifle Grenade Area). There is one unoccupied building (610) on the parcel.</p>		<p>respectively.</p> <p>The assessment of Historical Area (HA)-100 (MRS-11) for munitions constituents (MC) and expended small arms ammunition included site reconnaissance and site investigation soil sampling. Perchlorate and TNT were detected at low concentrations. On this basis additional site characterization sampling was conducted in the vicinity of the perchlorate and TNT detections (step out sampling). Sample results were below the laboratory reporting limits for all samples analyzed, and lead was detected at concentrations below the characterization goal of 225 mg/kg. Based on these results, no further action related to MC was recommend for HA-100 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p> <p>For the BRA, MRS-23 was identified as HA-125. The investigation of HA-125 included a literature search and a review of the information gathered during the munitions response. Because of the low number of munitions items found during the munitions response (0.5 lbs TNT and an expended practice mine), no further action related to MC was recommended for HA-125 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p> <p>For the BRA investigation, MRS-42 was identified as HA-172. The evaluation of MC at HA-172 included site reconnaissance and site investigation sampling. The samples were analyzed for perchlorate and explosive compounds, but neither were detected in any of the soil samples. Based on the results of the reconnaissance and sampling at HA-172, no further action related to MC was recommended under the Fort Ord BRA (<i>MACTEC/Shaw, 2005</i>).</p>	<p>on the results of the munitions responses, additional munitions response (investigation) was recommended within MRS-11 and to the east of the site (<i>USA, 2001e</i>). MRS-11 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p> <p>MRS-23 was formerly an Engineer Training Area and Field Expedient Area. A munitions response (removal) to a depth of 4 feet was completed in 1997. One MEC item (½ pound of TNT) and one munitions debris item (practice antitank mine) were found during the munitions response. Based on the results of the munitions response, no further munitions response was recommended within MRS-23 (<i>USA, 2001d</i>). MEC is not expected to remain at MRS-23. MRS-23 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p> <p>MRS-42 and MRS-42EXP lie within Parcel E11b.7.1.1 (Plate 5). Please refer to the property description for Parcel E11b.6.1 for a discussion of this site.</p>	<p>Memorandum and determined to be a Track 1 site. MEC is not expected to be found at East Garrison Area 4 NE and no further action related to MEC was recommended for the site (<i>Army, 2005e</i>). The DTSC and the USEPA concurred in letters dated May 30 and June 1, 2006, respectively.</p>
<p>ESCA Parcel E11b.8 – 67.686-acre development parcel that borders the NRMA interface.</p>	<p>Excavation Restriction Residential Use Restriction</p>	<p>Building 746 is one of 230 buildings suspected to have been used to store radioactive commodities, but no storage documentation is available. Twenty percent of the 230 suspect buildings (including Building 746) were randomly sampled, no radiological health hazards were identified, and it was recommended that</p>	<p>MRS-42 and MRS-42EXP lie within Parcel E11b.8 (Plate 5). Please refer to the property description for Parcel E11b.6.1 for a discussion of this site.</p>	<p>East Garrison Area 2 and MRS-11 lie adjacent to Parcel E11b.8 (Plate 5). Please refer to the property description for Parcel E11b.6.1 for a discussion of these sites.</p>

Exhibit C – Description of Property

Property Description	Property Restrictions	Remedial Actions	Munitions Response Actions	Adjacent Property Conditions
<p>The parcel includes the former ammunition supply point (ASP; MRS-42 and MRS-42EXP). The following unoccupied buildings or structures are present on the parcel: 725, 727, 730, 735, 740, 741, 742, 744, 746, 747, 750, and 752.</p>		<p>all 230 buildings be released for unrestricted use (<i>USACHPPM, 1997</i>). After reviewing the sampling results, California Department of Health Services (DHS) released all 230 buildings for unrestricted use on October 1, 1997.</p> <p>For the BRA investigation, MRS-42 was identified as HA-172. The evaluation of MC at HA-172 included site reconnaissance and site investigation sampling. The samples were analyzed for perchlorate and explosive compounds, but neither were detected in any of the soil samples. Based on the results of the reconnaissance and sampling at HA-172, no further action related to MC was recommended under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p>		
<p>ESCA Parcel E18.1.2 – 77.58-acre development parcel. This parcel includes MRS-40, MRS-44EDC, MRS-50, and MRS-50EXP. No buildings or structures are located on this parcel.</p>	<p>Excavation Restriction Residential Use Restriction</p>	<p>The assessment of HA-170 (MRS-40) included site reconnaissance and evaluation of soil samples collected at adjacent HA-180. Soil samples were collected to evaluate whether MC were present in an area where high numbers of military munitions were found. Based on the results of the reconnaissance and results of sampling at HA-180, no further action related to MC was recommended for HA-170 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p> <p>The evaluation of HA-174 (MRS-44EDC) included a literature search, review of the information gathered during the munitions response, site reconnaissance and investigation sampling. Several blank small arms ammunition casings and one expended 75mm projectile casing were found. Surface soil samples were collected to evaluate whether MC were present in areas where high numbers of military munitions were found. Because no explosive related compounds were detected and metals concentrations were below Fort Ord background levels, no further action related to MC is recommended under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p>	<p>MRS-40 is identified as the Parker Flats Gas House and included a facility to train troops in the use of gas masks. According to the ASR, this site has the same characteristics as Sites MRS-4A and MRS-4B. Tear gas agents (CS and CN) may have been used in the gas chambers. Based on a review of a 1983 U.S. Chemical Systems Laboratory document, classroom training occurred in Building 2820 on this site, and part of the training involved use of minute quantities of mustard gas. SS/GS investigation (sampling) was performed at this site in October 1997. No MEC was found. Three munitions debris items (unknown fragments) were found. MRS-40 is included in the Parker Flats Munitions Response Area (MRA) and the entire site underwent a munitions response (removal) to a depth of 4 feet using geophysical equipment. The data associated with the removal at MRS-40 was included with the data for adjacent MRS-50 and MRS-50EXP (Plate 6). The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-40 and no further munitions response was recommended (<i>MACTEC, 2006</i>). The Final Track 2 Parker Flats MR RI/FS was submitted to</p>	<p>NA</p>

Exhibit C – Description of Property

Property Description	Property Restrictions	Remedial Actions	Munitions Response Actions	Adjacent Property Conditions
		<p>The evaluation of HA-180 (MRS-50 and MRS-50EXP) included a literature search, review of the information gathered during the munitions response, site reconnaissance, and site investigation sampling. Surface soil samples were collected to evaluate whether MC were present in an area where high numbers of military munitions were found. Because no explosive related compounds were detected and metals concentrations were below Fort Ord background levels, no further action related to MC was recommended under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p>	<p>the USEPA and the DTSC on August 31, 2006.</p> <p>MRS-44 was established based on the presence of fragmentation from 37mm HE projectiles found during a munitions response (site walk) conducted by a USACE UXO Safety Specialist as part of a PA/SI (<i>USAEDH, 1997</i>). To facilitate the transfer of property, MRS-44 was subdivided into MRS-44EDC and MRS-44PBC. Two munitions responses (sampling investigations) were conducted at MRS-44EDC. The sampling investigations were completed to a depth of 4 feet. According to the MMRP database, 11 MEC items and 53 munitions debris items were removed during these investigations. It was recommended that a munitions response (removal) to 4 feet be conducted at MRS-44EDC (<i>USA, 2001i</i>). MRS-44EDC will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p> <p>MRS-50 (Artillery Hill) was identified during interviews conducted as part of the ASR. Artillery Hill was reportedly used as a target area for rifle grenades and shoulder launched projectiles in the 1940s, 1950s and 1960s. A munitions response (site walk) was conducted by a USACE UXO Safety Specialist as part of a PA/SI. During the munitions response, fragments from 37mm projectiles and 75mm high explosive (HE) projectiles were discovered. A munitions response (removal) to a depth of 4 feet was completed over all of the Parker Flats MRA, including MRS-50, using digital geophysical equipment. According to the MMRP database, 442 MEC items and 724 munitions debris items were removed from the site. MRS-50 is part of the Parker Flats MRA (Plate 6). The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-50 and no further munitions response was recommended (<i>MACTEC, 2006</i>). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006.</p>	

Exhibit C – Description of Property

Property Description	Property Restrictions	Remedial Actions	Munitions Response Actions	Adjacent Property Conditions
<p>ESCA Parcel E19a.1 – 71.456-acre development parcel. No buildings or other structures are located on this parcel. The parcel includes MRS-4A (Chemical Biological and Radiological [CBR]), and portions of MRS-50EXP and MRS-53EXP.</p>	<p>Excavation Restriction Residential Use Restriction</p>	<p>The evaluation of HA-93 (MRS-4A) included a literature search, review of the information gathered during the munitions response, and reconnaissance of the site. No targets, spent ammunition, or other MEC-related items were observed and no further action related to MC was recommended for HA-93 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p>	<p>MRS-50EXP was identified as a MRS due to the expansion of the removal area associated with MRS-50. MEC and munitions debris were found at the boundary of MRS-50, which warranted an expansion of the investigation area in all directions. The investigation of MRS-50 and its expansion areas included a munitions response (removal) conducted over the entire site to a depth of 4 feet using digital geophysical equipment. According to the MMRP database, 430 MEC items and 1,186 munitions debris items were found and removed from MRS-50EXP. MRS-50EXP is part of the Parker Flats MRA (Plate 6). The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-50EXP and no further munitions response was recommended (<i>MACTEC, 2006</i>). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006.</p>	
		<p>According to the ASR, MRS-4A, the CBR Training Area, appears on the 1957 and 1958 Fort Ord Training Areas and Facilities Training maps. Three munitions responses were conducted on MRS-4A, including two phases of grid investigation and a removal over the entire site. All grid investigations and the removal were to a depth of four feet. According to the MMRP database 72 MEC items (mostly grenade fuzes) and 13 munitions debris items (mostly practice hand grenades) were removed. One MEC item was found in Parcel E18.1.3 and no MEC were found in Parcel E18.4. Three munitions debris items were found in Parcel E18.4 and no munitions debris was found in Parcel E18.1.3. No MEC is expected to remain at MRS-4A and no further munitions response was recommended (<i>USA, 2000a</i>). MRS-4A will be reevaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p> <p>MRS-53EXP was identified as a MRS due to the expansion of the removal area associated with MRS-53. MEC and munitions debris were found at the</p>	<p>IRP Site 22 (4400 – 4500 Motor Pool West) lies adjacent to Parcels E19a.1 (Plate 6). IRP Site 22 underwent an interim action (IA) in 1994, which included excavation and removal of hydrocarbon-impacted soil at a former grease rack location (<i>HLA, 1996a</i>). The Site 22 IA Confirmation Report was submitted to the regulatory agencies in May 1996. The USEPA and the DTSC concurred that contamination was adequately remediated at IRP Site 22 in letters dated September 19, 1996 and June 8, 1998, respectively.</p> <p>MRS-13B lies adjacent to Parcel E19a.1 (Plate 6). Please refer to the property description for Parcel E19a.2 for a discussion of this site.</p>	

Exhibit C – Description of Property

Property Description	Property Restrictions	Remedial Actions	Munitions Response Actions	Adjacent Property Conditions
<p>ESCA Parcel E19a.2 – 72.544-acre habitat reserve parcel. No buildings or other structures are located on this parcel. Includes a small portion of MRS-13B and portions of MRS-27A and MRS-27B.</p>	<p>Excavation Restriction Residential Use Restriction</p>	<p>The evaluation of HA-103 (MRS-13B) included a literature search, review of the information gathered during the munitions response, and reconnaissance of the site. No targets, fighting positions or other MEC-related items were observed. The site does contain range-related debris, including trash pits. Another site, HA-92, had similar site conditions. Soil samples collected at HA-92 contained metals, TPH, and SOCs below action levels. Based on the historical review, reconnaissance and sample results at HA-92, no further action related to MC was recommended for HA-103 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p> <p>The evaluation of HA-133 (MRS-27A) included a literature search and reconnaissance of the site. No targets, spent ammunition, or other MEC-related items were observed. Several fighting positions were mapped. Because no evidence of a range or stained soil was observed, no further action related to MC was recommended for HA-133 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p>	<p>boundary of MRS-53, which warranted an expansion of the investigation area in all directions. MRS-53EXP and the adjacent sites now comprise the Parker Flats MRA (Plate 6). The munitions response at MRS-53 and its expansion areas included a removal conducted over the entire site to a depth of 4 feet below ground surface. According to the MMRP database, 803 MEC items and 4,500 munitions debris items were removed from MRS-53EXP. The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-53EXP and no further munitions response was recommended (<i>MACTEC, 2006</i>). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006.</p> <p>A portion of MRS-50EXP lies within Parcel E19a.1 (Plate 6). Please refer to the property description for Parcel E18.1.2 for a discussion of this site.</p>	
			<p>A portion of MRS-13B lies within this parcel. MRS-13B is labeled as Sinkhole Training Area and Sinkhole Practice Mortar on 1950s training maps. A munitions response (sampling) was conducted in 57 grids in 1993 and 1994. Based on the results of the investigation, MRS-13B underwent removal actions to a depth of 4 feet from August 1995 to April 1998 using geophysical equipment. According to the MMRP database, a total of 343 MEC items and 2,014 munitions debris items were found during sampling and removal actions. Numerous trash pits containing range-related debris were also observed at MRS-13B. Two chemical agent identification sets (CAIS) were found in a pit. The CAIS, chemical warfare material, were used to train soldiers to recognize and protect themselves from chemical agents. The CAIS contain dilute solutions of chemical agents in small (1-ounce) hermetically sealed glass containers. All glass containers were found to be intact and were removed by the Army's Technical Escort Unit from Dugway Proving Ground, Utah (<i>Army, 1997b</i>). No MEC items or trash pits were found in the portion of MRS-13B</p>	<p>MRS-55 was identified during interviews conducted as part of the ASR and was reportedly a firing point and range for hand grenades, rifle grenades, shoulder-launched projectiles, and artillery. This site includes portions of MRS-27A and MRS-27B. During a munitions response (sampling) in 1996, an expended 75mm shrapnel projectile, and two fragments from 37mm practice projectiles, and one mine fuze were discovered. SS/GS investigation (sampling) was conducted in March 1998. Following the investigation, a removal over the entire site using digital geophysical equipment was performed. All munitions responses were to a depth of 4 feet. According to the MMRP database, 144 MEC items and 1,608 munitions debris items were removed from MRS-55. Items removed include simulators, smoke pots, and grenades. MRS-55 is included in the Parker Flats MRA. The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-55 and no further munitions response was recommended (<i>MACTEC, 2006</i>). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on</p>

Exhibit C – Description of Property

Property Description	Property Restrictions	Remedial Actions	Munitions Response Actions	Adjacent Property Conditions
		<p>The evaluation of HA-134 (MRS-27B) included a literature search and reconnaissance of the site. No targets, spent ammunition, or other MEC-related items were observed. Several fighting positions were mapped. Because no evidence of a range or stained soil was observed, no further action related to MC was recommended for HA-134 under the Fort Ord BRA (MACTEC/Shaw, 2006).</p>	<p>within Parcel E19a.2. MRS-13B is included in the Parker Flats MRA. The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-13B and no further munitions response was recommended (MACTEC, 2006). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006.</p> <p>MRS-27A is one of 25 training sites identified from a 1984 Fort Ord training facilities map in the 1994 supplement to the ASR (USAEDH, 1994). As described in the Fort Ord Range Regulations, a training site is a facility located within a training area and used as an overnight bivouac area. The USACE conducted a munitions response (site walk) of MRS-27A in 1996 as part of a PA/SI (USADEH, 1997). The USACE UXO Safety Specialist found only spent blank small arms ammunition and pyrotechnics at MRS-27A. To address the hazard associated with surface MEC potentially present in areas accessible to the public, a munitions response (visual surface removal) of accessible areas was performed by munitions response contractors under the direction of the USACE in late 2001 to early 2002. One MEC item (hand grenade fuze) was found and removed (Parsons, 2002a). The southern portion of MRS-27A overlaps Parcel E19a.3, is outside of Parcel E19a.2, and lies within the Parker Flats MRA, partially overlapping MRS-53EXP and MRS-55. As part of the Parker Flats MRA, the southern portion of MRS-27A underwent a munitions response (removal) to a depth of 4 feet. According to the former Fort Ord MMRP database, munitions debris and MEC were found within the portion of MRS-27A that overlaps the Parker Flats MRA. The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-27A and no further munitions response was recommended (MACTEC, 2006). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006. The remainder of MRS-27A will be</p>	<p>August 31, 2006.</p>

Exhibit C – Description of Property

Property Description	Property Restrictions	Remedial Actions	Munitions Response Actions	Adjacent Property Conditions
			<p>evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p> <p>MRS-27B was one of 25 training sites identified from a 1984 Fort Ord training facilities map in the 1994 supplement to the ASR (<i>USAEDH, 1994</i>). As described in the Fort Ord Range Regulations, a training site is a facility located within a training area and used as an overnight bivouac area. The ASR also notes this site is located northeast of Parker Flats Training Area. The USACE conducted a munitions response (site walk) of MRS-27B in 1996 as part of a PA/SI (<i>USADEH, 1997</i>). The USACE UXO Safety Specialist found only spent blank small arms ammunition and pyrotechnics at MRS-27B. To address the hazard associated with surface MEC potentially present in areas accessible to the public, a munitions response (visual surface removal) was performed by munitions response contractors under the direction of the USACE in 2001 and 2002. No MEC items were found at MRS-27B during the visual surface removal (<i>Parsons, 2002a</i>). According to the MMRP database, one munitions debris item (a smoke grenade) was detected in a latrine within the site boundaries. Miscellaneous pyrotechnic items have also been discovered within the site boundaries. No MEC or munitions debris were found during the visual surface removal conducted within MRS-27B. The southern portion of MRS-27B overlaps Parcel E19a.3, is outside of Parcel E19a.2, and lies within the Parker Flats MRA, partially overlapping MRS-53EXP and MRS-55. As part of the Parker Flats MRA, the southern portion of MRS-27B underwent a munitions response (removal) to a depth of 4 feet. The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-27B and no further munitions response was recommended (<i>MACTEC, 2006</i>). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006. The remainder of MRS-27B will be evaluated through the RI/FS process</p>	

Exhibit C – Description of Property

Property Description	Property Restrictions	Remedial Actions	Munitions Response Actions	Adjacent Property Conditions
<p>ESCA Parcel E19a.3 – 302.643-acre development parcel that borders the NRMA interface. The parcel includes the following unoccupied buildings and structures, a rappelling tower (3950), a CBR training facility (Building 3984), and several latrines (4A34, 4A52, 4B56, 4B74, and 4B77). This parcel contains MRS-4B, MRS-13B, MRS-27A, MRS-27B, MRS-45, MRS-53EXP, and MRS-55 and small portions of MRS-37 and MRS-52.</p>	<p>Excavation Restriction Residential Use Restriction</p>	<p>The evaluation of HA-94 (MRS-4B) included a literature search, review of the information gathered during the munitions response, and reconnaissance of the site. No evidence of a range, MEC-related items, concentrations of spent small arms ammunition, or soil contamination were observed and no further action related to MC was recommended for HA-94 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p> <p>The evaluation of HA-175 (MRS-45) included a literature search, review of the information gathered during the munitions response, and reconnaissance of the site. No evidence of small arms ammunition, targets or MEC-related items were observed; however, several fighting positions were located. Because no evidence of a range or concentrated areas of military munitions were found at this site, no further action related to MC was recommended for HA-175 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p> <p>The evaluation of HA-103 (MRS-13B) included a literature search, review of the information gathered during the munitions response, and reconnaissance of the site. No targets, fighting positions or other MEC-related items were observed. The site does contain range-related debris including trash pits. Another site, HA-92, had similar site conditions. Soil samples collected at HA-92 contained metals, TPH, and SOCs below action levels. Based on the historical review, reconnaissance and sample results at HA-92, no further action related to MC was recommended for HA-103 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p> <p>The evaluation of HA-133 (MRS-27A) included a literature search and reconnaissance of the site. No targets, spent ammunition, or other MEC-related items were observed. Several fighting positions were mapped. Because no evidence of a range or stained soil was observed, no further action related to MC was</p>	<p>per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p> <p>MRS-4B (CBR Training Area) is shown on the 1958 Fort Ord Training Areas & Facilities map. The ASR noted classroom training using chemical agents similar to tear gas. A munitions response (sampling investigation) in 1993 found one MEC item (40mm practice cartridge), two munitions debris items, and small arms ammunition. Additional sampling conducted in 1997 found three MEC items (smoke grenades) and munitions debris. In 1998, USA Environmental, Inc. (USA) performed a munitions response (removal) and found 293 MEC items, primarily blasting caps, simulators, smoke signals, and fuzes. The USA After Action Report notes nine burial pits, ranging in depth from 6 inches to 42 inches, containing grenades, grenade fuzes, simulators, and pyrotechnics and blasting caps. Trash, including tires and wire, was found in one pit. A battery was found in a second pit. MRS-4B is included in the Parker Flats MRA. The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-4B and no further munitions response was recommended (<i>MACTEC, 2006</i>). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006.</p> <p>MRS-13B lies within Parcel E19a.3 (Plate 6). Please refer to the property description for Parcel E19a.2 for a discussion of this site.</p> <p>The southern portion of MRS-27A overlaps Parcel E19a.3 and lies within the Parker Flats MRA, partially overlapping MRS-53EXP, and MRS-55 (Plate 6). Please refer to the property description for Parcel E19a.2 for a discussion of this site.</p> <p>The southern portion of MRS-27B overlaps Parcel E19a.3 and lies within the Parker Flats MRA, partially overlapping MRS-53EXP, and MRS-55 (Plate 6). Please refer to the property description for Parcel E19a.2 for a discussion of this site.</p>	<p>IRP Site 21 (4400 – 4500 Motor Pool East) lies adjacent to Parcel E19a.3 (Plates 4 and 6). A soil gas survey was conducted at IRP Site 21 near the Decommissioned Fueling Facility. Based on the results of the soil gas survey, additional investigation (soil sampling) was performed. Soil samples from eight soil borings near an oil/water separator, eleven surface soil samples from the canal discharge area, and one surface soil sample at the pond water area were collected. The site underwent an interim action (IA) to excavate contaminated soil in the canal discharge area (<i>HLA, 1996b</i>). The USEPA and the DTSC concurred that the contamination was adequately remediated at IRP Site 21 in letters dated April 14, 1997 and October 20, 2006, respectively.</p>

Exhibit C – Description of Property

Property Description	Property Restrictions	Remedial Actions	Munitions Response Actions	Adjacent Property Conditions
		<p>recommended for HA-133 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p> <p>The evaluation of HA-134 (MRS-27B) included a literature search and reconnaissance of the site. No targets, spent ammunition, or other MEC-related items were observed. Several fighting positions were mapped. Because no evidence of a range or stained soil was observed, no further action related to MC was recommended for HA-134 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p> <p>The evaluation of HA-168 (MRS-37) included site reconnaissance, review of the information gathered during the munitions response, and site investigation soil sampling. No explosive compounds were detected. Based on these results, no further action related to MC was recommended for HA-168 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p> <p>The evaluation of HA-182 (MRS-52) included a literature search and reconnaissance of the site. Based on the site reconnaissance and sample results from adjacent areas where a high number of military munitions items were removed, no further action related to MC was recommended for HA-185 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p> <p>The evaluation of HA-185 (MRS-55) included site reconnaissance, review of the information gathered during the munitions response, and site investigation soil sampling. No explosive compounds were detected. Based on these results, no further action related to MC was recommended for HA-185 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p>	<p>A small portion of MRS-37 overlaps Parcel E19a.3 (Plate 6). According to the ASR, MRS-37 appeared on an undated map from the Fort Ord Fire Department. This area was most likely used for firing practice mortars or in non-firing drills (dry-fire). A munitions response (sampling investigations) were performed in March and June of 1988. Based on the sampling investigation results, a decision was made to conduct a munitions response (removal) over all of MRS-37. All munitions responses were to a depth of 4 feet.</p> <p>According to the MMRP database, 58 MEC items and 994 munitions debris items were found and removed during munitions responses. MRS-37 is included in the Parker Flats MRA. The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-37 and no further munitions response was recommended (<i>MACTEC, 2006</i>). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006.</p> <p>A portion of MRS-45 lies within Parcel E19a.3 (Plate 4). Munitions response (sampling investigation) of MRS-45 was conducted in 1997. According to the MMRP database, a total of 5 MEC items (all pyrotechnic or practice/training-related items) and 224 munitions debris items were found during the sampling investigation in MRS-45. To address the hazard associated with surface MEC potentially present in areas accessible to the public, a munitions response (visual surface removal) of accessible areas, including the eastern portion of MRS-45, was performed by a munitions response contractor under the direction of the USACE. Three MEC items (pyrotechnic signals) and small arms ammunition were found and removed (<i>Parsons, 2002a</i>). Sampling and a visual surface removal conducted at this site identified evidence of past training involving only the use of practice and pyrotechnic items that are not designed to cause injury. MEC is not expected to remain at MRS-45. MRS-45 will be evaluated through the RI/FS process per the provisions of the FFA, as amended,</p>	

Exhibit C – Description of Property

Property Description	Property Restrictions	Remedial Actions	Munitions Response Actions	Adjacent Property Conditions
			<p>and as part of the ongoing former Fort Ord MMRP.</p> <p>MRS-52 was identified during interviews conducted as part of the ASR and a 1958 map of Fort Ord Training Areas & Facilities shows a Rifle Grenade and Projectile Target Area. During a site inspection, a 37mm fragment and a practice antitank (AT) mine (inert) were discovered. Because of the expansion of the removal area associated with adjacent MRS-53, MRS-52 is now part of MRS-53 and included in the Parker Flats MRA (Plate 6). The Parker Flats MRA underwent a munitions response (removal) to a depth of 4 feet using digital geophysical equipment. The munitions data for MRS-52 is reported with the MRS-53 data. The items found included both MEC and munitions debris. The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-52 and no further munitions response was recommended (<i>MACTEC, 2006</i>). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006.</p> <p>MRS-53EXP lies partially within Parcel E19a.3 (Plate 6). Please refer to the property description for Parcel E19a.1 for a discussion of this site.</p> <p>MRS-55 was identified during interviews conducted as part of the ASR and was reportedly a firing point and range for hand grenades, rifle grenades, shoulder-launched projectiles, and artillery. This site includes portions of MRS-27A and MRS-27B. During a munitions response (investigation) in 1996, an expended 75mm shrapnel projectile, and two fragments from 37mm practice projectiles, and one mine fuze were discovered. SS/GS investigation (sampling) was conducted in March 1998. Following the investigation, a removal over the entire site using digital geophysical equipment was performed. All munitions responses were to a depth of 4 feet. According to the MMRP database, 144 MEC items and 1,608 munitions debris items were removed from MRS-55. Items removed include simulators, smoke</p>	

Exhibit C – Description of Property

Property Description	Property Restrictions	Remedial Actions	Munitions Response Actions	Adjacent Property Conditions
<p>ESCA Parcel E19a.4 – 372.398-acre habitat reserve parcel. The parcel includes two unoccupied support buildings R391 and R392 and field latrines 4A44, 4A60, 4B38. This parcel contains IRP Site 8, which was used for training in the use of Molotov cocktails, and includes all or portions of several MRSs that were identified during the archives search, including MRS-3, MRS-27B, MRS-27C, MRS-37, MRS-45, MRS-52, MRS-53EXP, MRS-54EDC, and MRS-55.</p>	<p>Excavation Restriction Residential Use Restriction</p>	<p>The IA at IRP Site 8 (Range 49) included the excavation and removal of approximately 102 cubic yards of soil and debris from the former Molotov Cocktail Range. Results of the confirmation sampling indicated that soil with TPH concentrations above the target cleanup concentration of 500 mg/kg was removed. Results of the confirmation sampling and subsequent risk evaluation indicated that no further threat to human health, the environment, or groundwater was anticipated and no further investigation or remediation was recommended (HLA, 1996c). The USEPA and the DTSC concurred no further remedial action is required at Site 8 in letters dated April 14, 1997 and October 20, 2006, respectively.</p> <p>The evaluation of HA-92 (MRS-3) included site reconnaissance and sampling for MC. Soil sample results indicated that low levels of metals, motor oil, diesel, and one semi-volatile compound were detected. No explosive compounds were detected. Because sample results were below cleanup levels, no further action related to MC was recommended for HA-92 under the Fort Ord BRA (MACTEC/Shaw, 2006).</p> <p>The evaluation of HA-134 (MRS-27B) included a literature search and reconnaissance of the site. No targets, spent ammunition, or other MEC-related items were observed. Several fighting positions were mapped. Because no evidence of a range or stained soil was observed, no further action related to MC was recommended for HA-134 under the Fort Ord BRA (MACTEC/Shaw, 2006).</p>	<p>pots, and grenades. MRS-55 is included in the Parker Flats MRA. The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-55 and no further munitions response was recommended (MACTEC, 2006). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006.</p> <p>As noted in the ASR, MRS-3 served as a land mine warfare, anti-armor, Molotov Cocktail training and demolition area with a ¼- pound explosive limit. Site is adjacent to MRS-37, MRS-53EXP, and MRS-54. A munitions response (sampling investigation) at this site resulted in discovery of 153 inert 81 mm practice mortars, 34 inert AT training mines and miscellaneous firing devices, including two MEC items (a blasting cap and mine fuze). A munitions response (removal) to a depth of 4 feet was performed. According to the MMRP database 44 MEC items (firing devices, signals, and practice grenades) and 794 munitions debris items were removed. Review of military munitions clearance grid records identified several ammunition burn pits and empty and burned 55-gallon drums. MRS-3 is included in the Parker Flats MRA (Plate 6). The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-3 and no further munitions response was recommended (MACTEC, 2006). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006.</p> <p>MRS-27B was one of 25 training sites identified from a 1984 Fort Ord training facilities map in the 1994 supplement to the ASR (USAEDH, 1994). The eastern portion of MRS-27B overlaps Parcel E19a.4 (Plate 4). The USACE conducted a munitions response (site walk) of MRS-27B in 1996 as part of a PA/SI (USAEDH, 1997). The USACE UXO Safety Specialist found only spent blank small arms ammunition and pyrotechnics at MRS-27B. To address the hazard associated with surface MEC</p>	<p>MRS-53BLM lies adjacent to Parcel E19a.4 (Plate 4). The site was reportedly used as a rifle grenade and shoulder launched projectile firing range. A munitions response (sampling investigation) to a depth of 4 feet was performed on 5 sample grids in 1998 using geophysical equipment. According to the former Fort Ord MMRP database, a MEC item, three munitions debris items, and 29 pounds of munitions debris (fragments) were found during the investigation. To address the potential explosive hazards associated with surface MEC potentially present in areas accessible to the public, a visual surface removal of MEC from accessible areas was performed by a munitions response contractor under the direction of the USACE. No MEC was found in MRS-53BLM during the visual surface removal (Parsons, 2002b). Based on the results of investigation and the surface removal, MEC is not expected to be present at MRS-53BLM. MRS-53BLM will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p> <p>MRS-53BLM was also evaluated for the potential presence of MC and expended small arms ammunition associated with the use of military munitions as part of the BRA. For the BRA, MRS-53BLM and MRS-53 were identified as HA-183. The investigation of HA-183 included a literature review and site reconnaissance. Site reconnaissance conducted in 2001 identified blank small arms casings and seven military munitions items. Because of the high number of military munitions identified during the munitions response (MEC removal) at MRS-53, sampling of</p>

Exhibit C – Description of Property

Property Description	Property Restrictions	Remedial Actions	Munitions Response Actions	Adjacent Property Conditions
	<p>The evaluation of HA-135 (MRS-27C) included a literature search and reconnaissance of the site. No targets or range features were observed. Several fighting positions were mapped. Because no evidence of a range or stained soil was observed, no further action related to MC was recommended for HA-135 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p> <p>The evaluation of HA-168 (MRS-37) included site reconnaissance, review of the information gathered during the munitions response, and site investigation soil sampling. No explosive compounds were detected. Based on these results, no further action related to MC was recommended for HA-168 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p> <p>The evaluation of HA-175 (MRS-45) included a literature search, review of the information gathered during the munitions response, and reconnaissance of the site. No evidence of small arms ammunition, targets or MEC-related items were observed; however, several fighting positions were located. Because no evidence of a range or concentrated areas of military munitions were found at this site, no further action related to MC was recommended for HA-175 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p> <p>The evaluation of HA-182 (MRS-52) included a literature search and reconnaissance of the site. Based on the site reconnaissance and sample results from adjacent areas where a high number of military munitions items were removed, no further action related to MC was recommended for HA-185 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p> <p>The evaluation of HA-183 (MRS-53) included a literature search, review of the information gathered during the munitions response, site reconnaissance, and site investigation sampling. Soil sample results indicated that low levels of metals, motor oil, and diesel were detected. No explosive compounds were detected. Because sample results were below cleanup levels, no further action was recommended for HA-</p>	<p>potentially present in areas accessible to the public, a munitions response (visual surface removal) was performed by munitions response contractors under the direction of the USACE in 2001 and 2002. No MEC items were found at MRS-27B during the visual surface removal (<i>Parsons, 2002a</i>). According to the MMRP database, one munitions debris item (a smoke grenade) was detected in a latrine within the site boundaries. Miscellaneous pyrotechnic items have also been discovered within the site boundaries. No MEC is expected to remain at MRS-27B. The portion of MRS-27B that lies within Parcel E19a.4 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP. Please refer to the property description for Parcel E19a.2 for additional information on this site.</p> <p>The ASR states that MRS-27C is located northeast of TS-2 (MRS-27B) and south of the Tactical Training Area (MRS-45; Plate 4). This area was used from the 1970s as an overnight bivouac area. Munitions responses (investigations) conducted within Parcel E19a.4 included a site walk of MRS-27C completed by the USACE in 1996 during the Archives Search (<i>USADEH, 1997</i>). Only spent blank small arms ammunition and expended pyrotechnics (munitions debris) were found at MRS-27C. To address the hazard associated with surface MEC potentially present in areas accessible to the public, a munitions response (visual surface removal) was performed by munitions response contractors under the direction of the USACE in late 2001 to early 2002. No MEC items were found at MRS-27C (<i>Parsons, 2002a</i>). A reconnaissance of MRS-27C was also completed as part of the Basewide Range Assessment. No targets or range features were observed. Several fighting positions were mapped. An expended smoke grenade (munitions debris) was found in one of the fighting positions. No MEC is expected to be present at MRS-27C. MRS-27C will be evaluated through the RI/FS process per the provisions of the FFA, as amended,</p>	<p>MRS-53BLM and MRS-53 for MC was performed. Based on the analytical results of the MC sampling, no further action was recommended (<i>MACTEC/Shaw, 2005</i>).</p> <p>MRS-54 and MRS-56 lie adjacent to Parcel E19a.4 (Plate 4). MRS-54 was identified during interviews conducted as part of the ASR and was reported to have been used for training with flamethrowers and as a target area and range for hand grenades, shoulder-fire weapons, and artillery fire. A site reconnaissance was conducted by a USACE UXO Safety Specialist as part of a PA/SI in 1996 (<i>USAEDH, 1997</i>). During the reconnaissance, munitions debris including an expended 2.36-inch rocket, illumination signals, 81mm practice mortars, and portions of a 75mm shrapnel round were found; however, this site walk also included MRS-54EDC (a part of the Parker Flats MRA) and the location of where the munitions debris was found was not specified. To address the potential explosive hazards associated with surface MEC potentially present in areas accessible to the public, a visual surface removal of MEC from accessible areas was performed by a munitions response contractor under the direction of the USACE. No MEC was found in MRS-54 during the visual surface removal (<i>Parsons, 2002b</i>). Based on the results of the surface removal, MEC is not expected to be present at MRS-54. MRS-54 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p> <p>MRS-54 was also evaluated for the potential presence of MC and expended small arms ammunition associated with the use of military munitions as part of the BRA. For the BRA, MRS-54 was identified as HA-184. The investigation of HA-184 included a literature review. Sampling for MC was not recommended because the density of small arms ammunition discovered appears to be lower than areas sampled as part of the Basewide RI/FS. The results of the Basewide RI/FS do not indicate the presence of MC in soil in areas where dense concentrations of MEC are</p>	

Exhibit C – Description of Property

Property Description	Property Restrictions	Remedial Actions	Munitions Response Actions	Adjacent Property Conditions
		<p>183 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>). The evaluation of HA-184 (MRS-54EDC) included a literature search, review of the information gathered during the munitions response, and reconnaissance of the site. No evidence of targets or range features was found; however, twenty-one fighting positions were observed. Because no evidence of a range or concentrated areas of military munitions were found at this site, no further action related to MC was recommended for HA-184 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p> <p>The evaluation of HA-185 (MRS-55) included site reconnaissance, review of the information gathered during the munitions response, and site investigation soil sampling. No explosive compounds were detected. Based on these results, no further action related to MC was recommended for HA-185 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p>	<p>and as part of the ongoing former Fort Ord MMRP. MRS-37 lies within Parcel E19a.4 (Plate 6). Please refer to the property description for Parcel E19a.3 for a discussion of this site.</p> <p>A portion of MRS-45 lies within Parcel E19a.4 (Plate 4). Please refer to the property description of Parcel E19a.3 for a discussion of this site.</p> <p>A small portion of MRS-52 lies within Parcel E19a.4 (Plate 6). Please refer to the property description of Parcel E19a.3 for a discussion of this site.</p> <p>The southern portion of Parcel E19a.4 lies within MRS-53EXP (Plate 6). Please refer to the property description for Parcel E19a.1 for a discussion of this site.</p> <p>MRS-54EDC is the portion of MRS-54 within Parcel E19a.4, which is slated for development. MRS-54 (Canyon Target Area) was identified during interviews conducted during the PA/SI Phase of the Archives Search. The area was reportedly used for flamethrowers, but was also a firing point and range for hand grenades (unknown type), rifle grenades (unknown type), and shoulder-launched projectiles (unknown type). During a munitions response (investigation) conducted in 1996 by a USACE UXO Safety Specialist, munitions debris was discovered, including a 2.36-inch practice rocket, two 75mm shrapnel projectiles, and three 81mm practice mortars. A munitions response (removal) to a depth of 4 feet over the entire site using digital geophysical equipment was performed in 1999. According to the MMRP database, 18 MEC items and 192 munitions debris items were removed from MRS-54EDC. MRS-54EDC is part of the Parker Flats MRA. The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-54EDC and no further munitions response was recommended (<i>MACTEC, 2006</i>). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006.</p>	<p>present; therefore, no further action is recommended (<i>MACTEC/Shaw, 2005</i>).</p> <p>MRS-56 was identified during interviews conducted as part of the ASR and was reported to have been used as a target area from the 1940s through the 1960s. A site reconnaissance was conducted by a USACE UXO Safety Specialist as part of a PA/SI in 1996 (<i>USAEDH, 1997</i>). During the reconnaissance, munitions debris, including expended pyrotechnic signals (smoke and handheld) were found. To address the potential explosive hazard associated with surface MEC potentially present in areas accessible to the public, a visual surface removal of accessible areas was performed by a munitions response contractor under the direction of the USACE. The surface removal included MRS-56. No MEC was found in MRS-56 during the visual surface removal (<i>Parsons, 2002b</i>). Based on the results of the visual surface removal, MEC is not expected to be present at MRS-56. MRS-56 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p> <p>MRS-56 was also evaluated for the potential presence of MC and expended small arms ammunition associated with the use of military munitions as part of the BRA. For the BRA, MRS-56 was identified as HA-186. The investigation of HA-186 included a literature review and site reconnaissance. Because there was no evidence of small arms ammunition use or of a small arms range, no further action was recommended (<i>MACTEC/Shaw, 2005</i>).</p> <p>MRS-57 was identified during interviews conducted as part of the ASR (Plate 4). This area was reportedly used in the 1940s, 1950s, and 1960s. The intersection of Hennekens Ranch Road and Watkins Gate Road was reportedly a firing point for machine guns, M-1, rifle grenades, smoke grenades, and shoulder-launched projectiles. Rifle grenades and bazooka rounds were reportedly found on the hill at Watkins Gate Road and Parker Flats Road intersection. This area was often</p>

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Property Description	Property Restrictions	Remedial Actions	Munitions Response Actions	Adjacent Property Conditions
			<p>A portion of MRS-55 lies within Parcel E19a.4 (Plate 4). Please refer to the property description for Parcel E19a.3 for a discussion of this site.</p>	<p>burned to detonate the UXO. A munitions response (site walk) that included MRS-57 was conducted in January 1996 by a USACE UXO Safety Specialist as part of a PA/SI. Military munitions found included an expended 75mm shrapnel projectile, a smoke grenade, and illumination signals. The data was insufficient to determine if the smoke grenade and the illumination signals were MEC or munitions debris. Additionally, four expended smoke grenades were found on a dirt road adjacent to MRS-57 during a munitions response (investigation) completed in October 1999. To address the hazard associated with surface MEC potentially present in areas accessible to the public, a munitions response (visual surface removal) was performed by munitions response contractors under the direction of the USACE in 2001 and 2002. The visual surface removal included MRS-57. No MEC items were found at MRS-57 (<i>Parsons, 2002b</i>). Historical research and field investigations identified past training involving only the use of practice and pyrotechnic items that are not designed to cause injury. No evidence of other types of training or use as an impact area was observed. MEC is not expected to be found at MRS-57. MRS-57 will be evaluated through the R/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p>
<p>ESCA Parcel L5.7 – 73.444-acre development parcel that borders the NRMA interface. This parcel lies within MRS-45. No buildings or structures are located within this parcel.</p>	<p>Excavation Restriction Residential Use Restriction Groundwater Restriction</p>	<p>The evaluation of HA-175 (MRS-45) included a literature search, review of the information gathered during the munitions response, and reconnaissance of the site. No evidence of small arms ammunition, targets or MEC-related items were observed. Several fighting positions were observed, however. Because no evidence of a range or concentrated areas of military munitions were found at this site, no further action related to MC was recommended for HA-175 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p>	<p>Parcel L5.7 lies within MRS-45 (Plate 4). Munitions response (sampling investigation) of MRS-45 was conducted in 1997. According to the MMRP database, a total of 5 MEC items (all pyrotechnic or practice/training-related items) and 224 munitions debris items were found during the sampling investigation in MRS-45. To address the hazard associated with surface MEC potentially present in areas accessible to the public, a munitions response (visual surface removal) of accessible areas, including the eastern portion of MRS-45, was performed by a munitions response contractor under the direction of the USACE. Three MEC items (pyrotechnic signals) and small arms ammunition were found in the portion of MRS-45 that lies within Parcel L5.7 (<i>Parsons,</i></p>	<p>MRS-27Y lies adjacent to Parcel L5.7 (Plate 4). MRS-27Y was evaluated in the Track 1 OE R/FS. MRS-27Y was one of 25 training sites identified in the 1994 supplement to the ASR. The ASR supplement identified 25 training sites at Fort Ord from a 1984 training facilities map (<i>USAEDH, 1994</i>). As described in the Fort Ord Range Regulations, a training site is a facility located within a training area and used as an overnight bivouac area. Sampling of this site identified one munitions debris item (expended illumination signal). Based on review of existing information, MEC is not expected to be found at MRS-27Y. Historical research and investigation conducted at this site identified evidence of past training involving pyrotechnics that are not designed to cause injury. Per</p>

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Property Description	Property Restrictions	Remedial Actions	Munitions Response Actions	Adjacent Property Conditions
<p>ESCA Parcel L20.2.1 – 252.457-acre habitat corridor parcel. This parcel includes three unoccupied structures, Field Latrines 4A18, 4A49, and 4B65A. This parcel includes all or portions of several MRSs that were identified during the archives search, including MRS-27E, MRS-27F, MRS-45, MRS-57, and MRS-59.</p>	<p>Excavation Restriction Residential Use Restriction Groundwater Restriction</p>	<p>The evaluation of HA-137 (MRS-27E) included a literature search and site reconnaissance. No small arms ammunition, fighting positions, or MEC-related items were observed. Because no evidence of a range or stained soil was observed, no further action related to MC was recommended for HA-137 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p> <p>The evaluation of HA-138 (MRS-27F) included a literature search and site reconnaissance. No small arms ammunition, fighting positions, or MEC-related items were observed. Because no evidence of a range or stained soil was observed, no further action related to MC was recommended for HA-138 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p> <p>The evaluation of HA-175 (MRS-45) included a literature search, review of the information gathered during the munitions response, and reconnaissance of the site. No evidence of small arms ammunition, targets or MEC-related items were observed. Several fighting positions were observed, however. Because no evidence of a range or concentrated areas of military munitions were found at this site, no further action related to MC was recommended for HA-175 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p> <p>The evaluation of HA-187 (MRS-57) included a literature search and reconnaissance of the site. Blank casings, a signal flare, and two ammunition boxes were found during the site visit. No other military munitions-related items, fighting positions, or targets were observed. Because no target locations or concentrated areas of military munitions were found at</p>	<p>2000a). Sampling and a visual surface removal conducted at this site identified evidence of past training involving only the use of practice and pyrotechnic items that are not designed to cause injury. MEC is not expected to remain at MRS-45. MRS-45 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p> <p>MRS-27E was used since the 1970s as an overnight bivouac area (Plate 4). A USACE UXO Safety Specialist conducted a munitions response (site walk) that included MRS-27E as part of a PA/SI (<i>USADEH, 1997</i>). Munitions debris including expended flares and illumination signals were found. No evidence of other types of training or use as an impact area was observed. No MEC is expected to be present at MRS-27E. MRS-27E will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p> <p>MRS-27F is located in the northern portion of MRS-59 (Plate 5). This area was used as an overnight bivouac area since the 1970s. A USACE UXO Safety Specialist conducted a munitions response (site walk) that included MRS-27F and MRS-59 as part of a PA/SI (<i>USADEH, 1997</i>). Munitions debris (expended pyrotechnics) were found; however, the specific location of these items was not documented. No evidence of the use of 2.36-inch rockets, reportedly used at MRS-59, was observed. Additionally, a review of Range Control files included the incomplete entry for an item reportedly located within Training Site 6. No other information in the entry was provided. MRS-27F was evaluated for MEC in the Groups 1 – 5 Track 1 Plug-In Approval Memorandum and determined to be a Track 1 site. MEC is not expected to be found at MRS-27F and no further action related to MEC was recommended for the site (<i>Army, 2006b</i>). The USEPA and the DTSC concurred in letters dated July 21 and July 26, 2006, respectively. A portion of MRS-45 lies within Parcel L20.2.1 (Plate</p>	<p>the Track 1 ROD, no further action related to MEC is required for this site (<i>Army, 2005a</i>).</p> <p>MRS-27D lies adjacent to Parcel L20.2.1 (Plate 4). MRS-27D was one of 25 training sites identified in the 1994 supplement to the ASR. The ASR supplement identified 25 training sites at Fort Ord from a 1984 training facilities map (<i>USAEDH, 1994</i>). As described in the Fort Ord Range Regulations, a training site is a facility located within a training area and used as an overnight bivouac area. The USACE conducted a munitions response (site walk) that included the northern portion of MRS-27D in 1996 for the Archives Search (<i>USAEDH, 1997</i>). The USACE UXO Safety Specialist found only expended pyrotechnics during the site walk. To address the hazard associated with surface MEC potentially present in areas accessible to the public, a munitions response (visual surface removal) was performed by munitions response contractors under the direction of the USACE in late 2001 to early 2002. No MEC was found within MRS-27D during the visual surface removal (<i>Parsons, 2002b</i>). A pyrotechnic signal (MEC) was found just outside of MRS-27D by the munitions response contractor. Based on the site walk and the visual surface removal conducted, MEC is not expected to be present at MRS-27D. MRS-27D will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p> <p>MRS-27D was also evaluated for the potential presence of MC and expended small arms ammunition associated with the use of military munitions as part of the BRA. For the BRA, MRS-27D was identified as HA-136. The investigation of HA-136 included a</p>

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Property Description	Property Restrictions	Remedial Actions	Munitions Response Actions	Adjacent Property Conditions
		<p>this site, no further action related to MC was recommended for HA-187 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p> <p>The evaluation of HA-189 (MRS-59) included a literature search and reconnaissance of the site. No evidence of small arms ammunition, targets or MEC-related items were observed; however, one fighting position was located. Access to the southern portion of HA-189 was limited to trails and roads due to dense vegetation. Because no target locations or concentrated areas of military munitions were found at this site, no further action related to MC was recommended for HA-189 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p>	<p>4). Munitions response (sampling investigation) of MRS-45 was conducted in 1997. According to the MMRP database, a total of 5 MEC items (all pyrotechnic or practice/training-related items) and 224 munitions debris items were found during the sampling investigation in MRS-45. To address the hazard associated with surface MEC potentially present in areas accessible to the public, a munitions response (visual surface removal) of accessible areas, including the eastern portion of MRS-45, was performed by a munitions response contractor under the direction of the USACE. Three MEC items (pyrotechnic signals) and small arms ammunition were found and removed. None of these items were found in the portion of MRS-45 that lies within Parcel L20.2.1 (<i>Parsons, 2002b</i>). Sampling and a visual surface removal conducted at this site identified evidence of past training involving only the use of practice and pyrotechnic items that are not designed to cause injury. MEC is not expected to remain at MRS-45. MRS-45 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p> <p>MRS-57 was identified during interviews conducted as part of the ASR (Plate 4). This area was reportedly used in the 1940s, 1950s, and 1960s. The intersection of Hennekens Ranch Road and Watkins Gate Road was reportedly a firing point for machine guns, M-1, rifle grenades, smoke grenades, and shoulder-launched projectiles. Rifle grenades and bazooka rounds were reportedly found on the hill at Watkins Gate Road and Parker Flats Road intersection. This area was often burned to detonate the UXO. A munitions response (site walk) that included MRS-57 was conducted in January 1996 by a USACE UXO Safety Specialist as part of a PA/SI. Military munitions found included an expended 75mm shrapnel projectile, a smoke grenade, and illumination signals. The data was insufficient to determine if the smoke grenade and the illumination signals were MEC or munitions debris. Additionally, four expended smoke grenades were found on a dirt</p>	<p>literature review and site reconnaissance. During the site reconnaissance blank small arms ammunition casings, hand grenade safety levers, a container for 60mm mortars, and one fighting position were identified. Because there was no evidence of a range and no stained soil identified at this site, no further action was recommended (<i>MACTEC/Shaw, 2005</i>).</p> <p>MRS-27Y lies adjacent to Parcel L20.2.1 (Plate 4). MRS-27Y was one of 25 training sites identified in the 1994 supplement to the ASR. The ASR supplement identified 25 training sites at Fort Ord from a 1984 training facilities map (<i>USAEDH, 1994</i>). As described in the Fort Ord Range Regulations, a training site is a facility located within a training area and used as an overnight bivouac area. MRS-27Y was evaluated in the Track 1 OE RI/FS. Sampling of this site identified one munitions debris item (expended illumination signal). Based on review of existing information, MEC is not expected to be found at MRS-27Y. Historical research and investigation conducted at this site identified evidence of past training involving pyrotechnics that are not designed to cause injury. Per the Track 1 ROD, no further action related to MEC is required for this site (<i>Army, 2005a</i>).</p> <p>MRS-59B and MRS-45A lie adjacent to Parcel L20.2.1 (Plate 4). MRS-59B was originally a part of MRS-59, but for the purpose of the MEC evaluation and to facilitate the transfer of property, MRS-59 was subdivided. MRS-59B was evaluated for MEC in the Groups 1 – 5 Track 1 Plug-In Approval Memorandum and determined to be a Track 1 site. Site walks conducted at this site identified evidence of past training involving only the use of practice and pyrotechnic items that are not designed to cause injury. MEC is not expected to be found at MRS-59B and no further action related to MEC was recommended (<i>Army, 2006a</i>). The USEPA and the DTSC concurred in letters dated July 21, 2006, and July 26, 2006, respectively.</p> <p>MRS-45A was originally a part of MRS-45, but MRS-</p>

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ESCA Parcel L20.3.1 -43.632-acre development with restrictions parcel. The parcel includes an	Excavation Restriction Residential Use Restriction	The evaluation of HA-160 (MRS-30) included a literature search and review of information gathered during the munitions response. Because no small arms ammunition firing ranges were present at MRS-30 and because fill was placed over most of the site during expansion of Laguna Seca Raceway, no further action	<p>road adjacent to MRS-57 during a munitions response (investigation) completed in October 1999. To address the hazard associated with surface MEC potentially present in areas accessible to the public, a munitions response (visual surface removal) was performed by munitions response contractors under the direction of the USACE in 2001 and 2002. The visual surface removal included MRS-57. No MEC items were found at MRS-57 (<i>Parsons, 2002b</i>). Historical research and field investigations identified past training involving only the use of practice and pyrotechnic items that are not designed to cause injury. No evidence of other types of training or use as an impact area was observed. MEC is not expected to be found at MRS-57. MRS-57 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p> <p>A small portion of MRS-59 overlaps Parcel L20.2.1 (Plate 4). MRS-59 was identified during interviews conducted as part of the ASR and was reported to have included a 2.36-inch rocket range in the early 1940s. A munitions response (investigation) that included MRS-59 and MRS-27F was conducted by a USACE UXO Safety Specialist as part of a PA/SI (<i>USADEH, 1997</i>). Munitions debris (expended pyrotechnics) and two fragments from the incomplete detonation of a 60mm mortar were found; however, the specific location of these items was not documented. No evidence of the use of 2.36-inch rockets, reportedly used at MRS-59, was observed. MEC is not expected to be present within MRS-59. MRS-59 will be evaluated through the RI/FS process as part of the ongoing former Fort Ord MMRP.</p>	<p>45 was subdivided for MEC evaluation and transfer of property. MRS-45 was used as a Tactical Training Area. MRS-45A was evaluated for MEC in the Groups 1 – 5 Track 1 Plug-In Approval Memorandum and determined to be a Track 1 site. Sampling and a visual surface removal conducted at this site identified evidence of past training involving only the use of practice and pyrotechnic items that are not designed to cause injury. MEC is not expected to be found at MRS-45A and no further action related to MEC was recommended (<i>Army, 2006a</i>). The USEPA and the DTSC concurred in letters dated July 21, 2006, and July 26, 2006, respectively.</p> <p>MRS-27Y was also evaluated for the potential presence of MC and expended small arms ammunition associated with the use of military munitions as part of the BRA. For the BRA, MRS-27Y was identified as HA-157. The investigation of HA-157 included a literature review. Because only one pyrotechnic item (munitions debris) was found at the site, no further action was recommended (<i>MACTEC/Shaw, 2005</i>).</p>
Parcel L20.3.1		The December 1956 Training Areas map shows MRS-30 as a training site. The ASR notes this site is considered a military munitions site because it lies within the boundaries of the Impact Area and is adjacent to the Wolf Hill Training Area (Plate 11). A munitions response (removal) to a depth of 4 feet was		Parcel L20.3.1 lies immediately adjacent to the former Fort Ord Impact Area (MRS-15 BLM). Firing ranges established within the Impact Area were used for live fire exercises using a variety of military weapons. In general, the firing points for the ranges were established around the perimeter and the direction of

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<p>overflow parking area for the Laguna Seca Raceway and a small portion of Barloy Canyon Road. One structure, 4B21, field latrine, is on the parcel. This parcel includes portions of MRS-47 and MRS-30, which lie within the Impact Area.</p>		<p>related to MC at HA-160 was recommended under the BRA (<i>MACTEC/Shaw, 2006</i>).</p> <p>The evaluation of HA-177 (MRS-47) included a literature search, review of the information gathered during the munitions response, site reconnaissance, and sampling for MC. Explosive compounds (below residential PRGs) were detected at HA-177 during sampling. Additional site characterization soil samples were collected under the BRA in 2005. No explosive compounds were detected during this follow-up sampling. Based on the low concentrations detected this site, no further action related to MC at HA-177 was recommended under the BRA (<i>MACTEC/Shaw, 2006</i>).</p>	<p>conducted using geophysical equipment. According to the MMRP database, two MEC items and eight munitions debris items were removed. Based on the results of the munitions response, no further munitions response was recommended within MRS-30 (<i>UXB, 1995b</i>). Upon completion of the munitions response, approximately 30 feet to 40 feet of fill material was placed over most of MRS-30 in support of construction activities associated with the expansion of Turn 11 of Laguna Seca Raceway. MEC is not expected to be found at MRS-30. MRS-30 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p> <p>MRS-47 was identified on a 1957 training map as the Wolf Hill Training Area. MRS-47 has undergone munitions responses (two investigations and a removal). During investigation, evidence that the site was used as an impact area was found. The MEC items found included high explosive mortars and projectiles. A removal to a depth of 4 feet using geophysical equipment was performed. According to the MMRP database, 261 MEC items and 127 munitions debris items were removed from MRS-47. Seventy of the MEC items were rifle-fired smoke grenades found intentionally buried in a pit at a depth of 3 feet. MEC is not expected to remain at MRS-47. No further military munitions investigation was recommended (<i>USA, 2000b</i>). MRS-47 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p>	<p>fire was toward the center of the Impact Area. MRS-15 BLM is currently being evaluated under the ongoing former Fort Ord MMRP and is included in the Track 3 Impact Area MR RI/FS. The presence of the former Fort Ord Impact Area on adjacent property does not present an unacceptable risk to human health and the environment because security fencing is in-place between Parcel L20.3.1 and the MRS-15 BLM to prevent unauthorized access to the adjacent Impact Area until it is deemed safe for public use.</p>
<p>ESCA Parcel L20.3.2 – 35.498-acre development with restrictions parcel. The parcel includes an overflow parking</p>	<p>Excavation Restriction Residential Use Restriction</p>	<p>The evaluation of HA-160 (MRS-30) included a literature search and review of information gathered during the munitions response. Because no small arms ammunition firing ranges were present at MRS-30 and because fill was placed over most of the site during expansion of Laguna Seca Raceway, no further action related to MC at HA-160 was recommended under the</p>	<p>Portions of MRS-30 and MRS-47 lie within Parcel L20.3.2 (Plate 11). Please refer to Parcel L20.3.1 for a discussion of this site.</p>	<p>Parcel L20.3.2 lies immediately adjacent to the former Fort Ord Impact Area (MRS-15 BLM). Firing ranges established within the Impact Area were used for live fire exercises using a variety of military weapons. In general, the firing points for the ranges were established around the perimeter and the direction of fire was toward the center of the Impact Area. MRS-15</p>

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<p>area for the Laguna Seca Raceway and a small portion of Barloy Canyon Road. This parcel includes portions of MRS-47 and MRS-30, which lie within the Impact Area. No buildings are located on this parcel.</p>		<p>BRA (MACTEC/Shaw, 2006). The evaluation of HA-177 (MRS-47) included a literature search, review of the information gathered during the munitions response, site reconnaissance, and sampling for MC. Explosive compounds (below residential PRGs) were detected at HA-177 during sampling. Additional site characterization soil samples were collected under the BRA in 2005. No explosive compounds were detected during this follow-up sampling. Based on the low concentrations detected, no further action related to MC at HA-177 was recommended under the BRA (MACTEC/Shaw, 2006).</p>		<p>BLM is currently being evaluated under the ongoing former Fort Ord MMRP and is included in the Track 3 Impact Area MR RI/FS. The presence of the former Fort Ord Impact Area on adjacent property does not present an unacceptable risk to human health and the environment because security fencing is in-place between Parcel L20.3.2 and the MRS-15 BLM to prevent unauthorized access to the adjacent Impact Area until it is deemed safe for public use.</p>
<p>ESCA Parcel L20.5.1 – 131.362-acre development with restrictions parcel. A portion of which is a habitat area and portion is used for Laguna Seca Raceway parking. This parcel includes the northern portion of MRS-14A. No buildings are located on this parcel.</p>	<p>Excavation Restriction Residential Use Restriction</p>	<p>The evaluation of HA-105 (MRS-14A) included a literature search, review of information gathered during the munitions response and limited site reconnaissance. The reconnaissance identified one possible target and several debris piles; however, no evidence of small arms firing ranges were identified and no further action related to MC at HA-105 was recommended under the BRA (MACTEC/Shaw, 2006).</p>	<p>MRS-14A is part of MRS-14, which is divided into five areas, 14A through 14E. This site was believed to be an impact location for 7-inch to 8-inch naval gun projectiles that overshoot the Impact Area. As mentioned in the ASR, a 1957 Fort Ord Training Areas & Facilities map shows a mortar position in this area. MRS-14A has undergone munitions responses (one investigation and two removals). MEC found during investigation included 22mm sub-caliber cartridges, pyrotechnic signals, rifle-fired smoke grenades, and practice projectiles. To support the use of a portion of the parcel as a parking area for the Laguna Seca Raceway, a munitions response (removal) to a depth of 3 feet using geophysical equipment was performed over a portion of the parcel in 1994. All MEC detected was removed. Follow-up munitions responses (removals) to depths of 1 foot and 4 feet were performed in June 1997 through April 1998. The 1-foot removal was conducted in habitat reserve areas. A 4-foot removal was conducted in development areas (parking). The area where the 4-foot removal was performed included the area previously cleared to 3 feet. All MEC detected was removed. No high explosive MEC was encountered and no further munitions response was recommended (USA, 2001b). It was also recommended that grids not investigated due to vegetation and terrain constraints</p>	<p>MRS-14B lies adjacent to Parcel L20.5.1 (Plate 11). This area was believed to have been an impact location for 7-inch to 8-inch naval gun projectiles that overshoot the Impact Area. MRS-14B was identified as Pilarcitos Canyon during munitions response investigations. As mentioned in the Archives Search Report (ASR), a 1957 Fort Ord Training Areas and Facilities map shows a mortar position in this area. MRS-14B was investigated in 1995, with a MEC item (a signal flare) and 46 munitions debris items identified. During the site reconnaissance in 2001, several fighting positions were mapped; however, no evidence of targets or range features were identified. Based on the results of the investigations, MEC is not expected to be present at MRS-14B. MRS-14B will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP. Parcel L20.5.1 lies adjacent to the former Fort Ord Impact Area (MRS-15 BLM). Firing ranges established within the Impact Area were used for live fire exercises using a variety of military weapons. In general, the firing points for the ranges were established around the perimeter and the direction of fire was toward the center of the Impact Area. MRS-15 BLM is currently being evaluated under the ongoing</p>

Exhibit C – Description of Property

Property Description	Property Restrictions	Remedial Actions	Munitions Response Actions	Adjacent Property Conditions
			<p>be investigated in a future munitions response. According to the MMRP database, 66 MEC items and 577 munitions debris items were recovered during the munitions responses. No evidence of 7-inch or 8-inch projectiles was found at MRS-14A. MEC is not expected to remain at MRS-14A. MRS-14A will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p>	<p>former Fort Ord MMRP and is included in the Track 3 Impact Area MR RI/FS. The presence of the former Fort Ord Impact Area on adjacent property does not present an unacceptable risk to human health and the environment because security fencing is in-place between Parcel L20.5.1 and the MRS-15 BLM to prevent unauthorized access to the adjacent Impact Area until it is deemed safe for public use.</p> <p>MRS-14B was also evaluated for the potential presence of MC and expended small arms ammunition associated with the use of military munitions as part of the BRA. For the BRA, MRS-14B was identified as HA-106. The investigation of HA-106 included a literature review. Because no evidence of targets or other range features were identified at this site, no further action was recommended (<i>MACTEC/Shaw, 2005</i>).</p>
<p>ESCA Parcel L20.5.2 – 54.533-acre development with restrictions parcel. A portion of which is a habitat area and portion is used as parking for the Laguna Seca Raceway. This parcel includes the southern portion of MRS-14A and a portion of MRS-29. No buildings are located on this parcel.</p>	<p>Excavation Restriction Residential Use Restriction</p>	<p>The evaluation of HA-105 (MRS-14A) included a literature search, review of information gathered during the munitions response and limited site reconnaissance. The reconnaissance identified one possible target and several debris piles; however, no evidence of small arms firing ranges were identified and no further action related to MC at HA-105 was recommended under the BRA (<i>MACTEC/Shaw, 2006</i>).</p> <p>The evaluation of HA-159 (MRS-29) included a literature search, review of information gathered during the munitions response and site reconnaissance. No small arms ammunition, military munitions, fighting positions, evidence of targets, or range features were found. No further action related to MC at HA-159 was recommended under the BRA (<i>MACTEC/Shaw, 2006</i>).</p>	<p>Parcel L20.5.2 lies within a portion of MRS-14A (Plate 11). Please refer to the property description for Parcel L20.5.1 for a discussion of this site.</p> <p>MRS-29 was believed to be an impact location for 7-inch to 8-inch naval gun projectiles. A munitions response (sampling investigation) that included over 50% of MRS-29 was conducted in 1995 (<i>HFA, 1995</i>). Following investigation, a munitions response (removal) to a depth of 4 feet using geophysical equipment was completed. According to the MMRP database, one MEC item (smoke grenade) and 208 munitions debris items were discovered during these munitions responses. No evidence of 7-inch or 8-inch projectiles was found at MRS-29 or in adjacent MRS-14A. Based on the results of the munitions responses, no further munitions responses were recommended within MRS-29 (<i>USA, 2000a</i>). MEC is not expected to remain at MRS-29. MRS-29 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p>	<p>MRS-14A lies adjacent to Parcel L20.5.2 (Plate 11). Please refer to the property description for Parcel L20.5.1 for a discussion of this site.</p> <p>Parcel L20.5.2 lies adjacent to the former Fort Ord Impact Area (MRS-15 BLM). Firing ranges established within the Impact Area were used for live fire exercises using a variety of military weapons. In general, the firing points for the ranges were established around the perimeter and the direction of fire was toward the center of the Impact Area. MRS-15 BLM is currently being evaluated under the ongoing former Fort Ord MMRP and is included in the Track 3 Impact Area MR RI/FS. The presence of the former Fort Ord Impact Area on adjacent property does not present an unacceptable risk to human health and the environment because security fencing is in-place between Parcel L20.5.2 and the MRS-15 BLM to prevent unauthorized access to the adjacent Impact Area until it is deemed safe for public use.</p>

Exhibit C – Description of Property

Property Description	Property Restrictions	Remedial Actions	Munitions Response Actions	Adjacent Property Conditions
ESCA Parcel L20.5.3 – 9.69-acre development with restrictions parcel. This parcel includes a portion of MRS-29. No buildings are located on this parcel.	Excavation Restriction Residential Use Restriction	The evaluation of HA-159 (MRS-29) included a literature search, review of information gathered during the munitions response and site reconnaissance. No small arms ammunition, military munitions, fighting positions, evidence of targets, or range features were found. No further action related to MC at HA-159 was recommended under the BRA (MACTEC/Shaw, 2006).	Parcel L20.5.3 lies within a portion of MRS-29 (Plate 11). Please refer to the property description for Parcel L20.5.2 for a discussion of this site.	NA
ESCA Parcel L20.5.4 – 0.152-acre development with restrictions parcel leased to the Laguna Seca Raceway. This parcel includes a portion of MRS-30, which lies at the outer edge of the Impact Area. No buildings are located on this parcel.	Residential Use Restriction	The evaluation of HA-160 (MRS-30) included a literature search and review of information gathered during the munitions response. Because no small arms ammunition firing ranges were present at MRS-30 and because fill was placed over most of the site during expansion of Laguna Seca Raceway, no further action related to MC was recommended at HA-160 under the Fort Ord BRA (MACTEC/Shaw, 2006).	Parcel L20.5.4 lies within a portion of MRS-30 (Plate 11). Please refer to the property description for Parcel L20.3.1 for a discussion of this site.	MRS-14A lies adjacent to Parcel L20.5.4 (Plate 11). Please refer to the property description for Parcel L20.5.1 for a discussion of this site. MRS-47 lies adjacent to Parcel L20.5.4 (Plate 11). Please refer to the property description for Parcel L20.3.1 for a discussion of this site.
ESCA Parcel L20.8 – 7.251-acre portion of Barloy Canyon Road. This parcel passes through MRS-270 and lies adjacent to MRS-15 BLM (the former Impact Area). No buildings are located on this parcel.	Excavation Restriction Residential Use Restriction	The evaluation of HA-147 (MRS-270) included a literature search and site reconnaissance. Expended blank casings were found during the site visit; however, no MEC or munitions debris items were identified. Because no evidence of a range or soil contamination was found, and only expended pyrotechnics were identified, no further action related to MC was recommended for HA-147 under the Fort Ord BRA (MACTEC/Shaw, 2006).	The northern portion of Barloy Canyon Road passes through MRS-270 (Plate 10). MRS-270 is identified as a former training site in the 1994 supplement to the ASR and was used as a bivouac area since at least 1964. In support of the ASR, a UXO Safety Specialist performed a munitions response (site walk) in March 1996 and found expended small arms blanks and expended pyrotechnic items (USADEH, 1997). A follow-up munitions response was performed by a munitions response contractor. This munitions response was completed in October 1999 and included a surface investigation conducted over a large portion of Barloy Canyon Road. No MEC or munitions debris were found on the parcel. Two MEC items (pyrotechnics) and munitions debris (expended	MRS-14D lies adjacent to Parcel L20.8 (Plate 10). The site was used as a 22mm sub-caliber range. There were two hilltop firing points located in the northeast section of the site. Investigation (sampling) of the site was completed in 1995. Because of the high number of MEC items found during investigation, a MEC removal was recommended. A removal to a depth of 4 feet was conducted in 1997. Munitions responses conducted at this site resulted in the removal of 23,843 MEC items (mostly 22mm sub-caliber practice munitions) and nine munitions debris items. Because a removal action has been completed, MEC is not expected to remain at MRS-14D. MRS-14D will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord

Exhibit C – Description of Property

Property Description	Property Restrictions	Remedial Actions	Munitions Response Actions	Adjacent Property Conditions
ESCA Parcel L20.18 – 7.236-acre development parcel that includes a portion of Eucalyptus Road and the associated right-of-way. This parcel is overlapped by a portion of MRS-44PBC. No buildings are located on this parcel.	Excavation Restriction Residential Use Restriction	The evaluation of HA-174 (MRS-PBC and MRS-44EDC) included a literature search, review of the information gathered during the munitions response, site reconnaissance and sampling for MC. Several blank small arms ammunition casings and one expended 75mm projectile casing were found. Surface soil samples were collected to evaluate whether MC were present in areas where high numbers of military munitions were found. Because no explosive compounds were detected and metals concentrations were below Fort Ord background levels, no further action related to MC was recommended under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).	grenade fuze) were found on a trail that parallels Parcel L20.8, south of MRS-270. Additionally, a visual surface Time-Critical Removal Action (TCRA) was performed that included MRS-270 following an accidental fire in the area (Eucalyptus Fire Area). One MEC item (pyrotechnic signal) was found within MRS-270 (<i>Shaw, 2005b</i>). MEC is not expected to be present on Parcel L20.8. MRS-270 and the surrounding area will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.	MMRP. MRS-14D was also evaluated for the potential presence of MC and expended small arms ammunition associated with the use of military munitions as part of the BRA. For the BRA, MRS-14D was identified as HA-108. The investigation of HA-108 included a literature review. The site was selected for soil sampling due to the large number of MEC items identified during removal activities. Because sampling at the site was non-detect for perchlorate and explosive compounds, no further action was recommended (<i>MACTEC/Shaw, 2005</i>).
ESCA Parcel L20.19.1.1 – 6.432-acre portion of Barloy Canyon Road and associated right-of-way. Partially overlapped by adjacent MRS-11, MRS-48, and MRS-42Exp. No buildings are	Excavation Restriction Residential Use Restriction	The evaluation of HA-100 (MRS-11) included site reconnaissance and sampling for MC. Perchlorate and TNT were detected at low concentrations. On this basis additional site characterization sampling was conducted in the vicinity of the perchlorate and TNT detections (step out sampling). Sample results were below the laboratory reporting limits for all samples analyzed, and lead was detected at concentrations below the characterization goal of 225 mg/kg. Based on these results, no further action related to MC was recommend for HA-100 under the Fort Ord BRA	A portion of MRS-44PBC lies within Parcel L20.18 (Plate 6). MRS-44 was established based on the presence of fragmentation from 37mm LE projectiles found during a munitions response (site walk) conducted by a USACE UXO Safety Specialist as part of a PA/SI (<i>USAEDH, 1997</i>). To facilitate the transfer of property, MRS-44 was subdivided into MRS-44EDC and MRS-44PBC. Two munitions responses (sampling investigation and a removal action) were conducted at MRS-44PBC. All munitions responses were to a depth of 4 feet. According to the MMRP database, 16 MEC items and 73 munitions debris items were removed during munitions responses. MRS-44PBC will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.	MRS-15 MOCO 02 lies adjacent to Parcel L20.18 (Plate 6). Please refer to the property description for Parcel E21b.3 for a discussion of this site.
ESCA Parcel L20.19.1.1 – 6.432-acre portion of Barloy Canyon Road and associated right-of-way. Partially overlapped by adjacent MRS-11, MRS-48, and MRS-42Exp. No buildings are	Excavation Restriction Residential Use Restriction	The evaluation of HA-100 (MRS-11) included site reconnaissance and sampling for MC. Perchlorate and TNT were detected at low concentrations. On this basis additional site characterization sampling was conducted in the vicinity of the perchlorate and TNT detections (step out sampling). Sample results were below the laboratory reporting limits for all samples analyzed, and lead was detected at concentrations below the characterization goal of 225 mg/kg. Based on these results, no further action related to MC was recommend for HA-100 under the Fort Ord BRA	MRS-11, MRS-42EXP, and MRS-48 lie within Parcel L20.19.1.1 (Plate 5). Please refer to the property description for Parcel E11b.6.1 for a discussion of these sites.	East Garrison Area 2 lies adjacent to Parcel L20.19.1.1 (Plate 5). Please refer to the property description for Parcel E11b.6.1 for a discussion of this site.

Exhibit C – Description of Property

Property Description	Property Restrictions	Remedial Actions	Munitions Response Actions	Adjacent Property Conditions
located on this parcel.		<p>(<i>MACTEC/Shaw, 2006</i>).</p> <p>The evaluation of MRS-48 (HA-178) included a literature review, site reconnaissance, and sampling for MC. Samples were collected to evaluate whether MC were present in areas where MEC was found during the munitions response. No explosive compounds were detected during site sampling and no further action related to MC was recommended for HA-178 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p>		
<p>ESCA Parcel L32.1 – 2.947-acre development parcel that formerly contained a fueling station (Building 4493). This parcel lies within MRS-13B. No buildings remain on this parcel.</p>	<p>Excavation Restriction Residential Use Restriction Groundwater Restriction</p>	<p>A release of diesel occurred from UST 4493.3. Approximately 1,430 cubic yards of soil with elevated levels of petroleum hydrocarbons were removed (<i>HLA, 1997c</i>). Closure of UST 4493.3 was granted by the Monterey County Department of Health (MCDOH) on August 22, 1996.</p> <p>The evaluation of HA-103 (MRS-13B) included a literature search, review of the information gathered during the munitions response, and reconnaissance of the site. Blank small arms ammunition casings were observed during the reconnaissance. No targets, fighting positions or MEC-related items were observed. Trash was observed scattered around HA-103. HA-92 showed similar concentrations of MEC and numbers of trash pits during the munitions response. Soil samples were collected from HA-92 and analytical results showed that concentrations of metals, TPH and SOCs were below action levels. Based on the historical review, reconnaissance and sample results at HA-92, no further action related to MC was recommended for HA-103 under the Fort Ord BRA (<i>MACTEC/Shaw, 2006</i>).</p>	<p>Parcel L32.1 lies within MRS-13B (Plate 6). Please refer to the property description for Parcel E19a.2 for a discussion of this site.</p>	<p>IRP Site 21 (4400 – 4500 Motor Pool East) lies adjacent to Parcel L32.1 (Plate 6). Please refer to the property description for Parcel E19a.3 for a discussion of this site.</p> <p>IRP Site 22 (4400 – 4500 Motor Pool West) lies adjacent to Parcel L32.1 (Plates 6). Please refer to the property description for Parcel E19a.1 for a discussion of this site.</p>

¹ Resolution of anomalies detected below the depth specified in a project scope of work was at the discretion of the project managers and determined on a case-by-case basis considering, among other things, the likelihood that the anomaly was MEC or other material. At munitions response sites where 4-foot removal or removal-to-depth was conducted since June 1996, all detected anomalies were investigated or resolved (e.g. Parker Flats Munitions Response Area), or unresolved anomalies were recorded (e.g., special-case areas in MRS-15 SEA 01-4). For 1-foot and 3-foot removals, and 4-foot removals conducted prior to June 1996, after-action reports do not provide information about any detected but unresolved anomalies; further evaluation of site-specific information would be required to conclusively state that there were no such anomalies.

EXHIBIT D

ENVIRONMENTAL PROTECTION PROVISIONS

1. FEDERAL FACILITY AGREEMENT

The Grantor acknowledges that the former Fort Ord has been identified as a National Priorities List (NPL) Site under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) of 1980, as amended. The Grantee acknowledges that the Grantor has provided it with a copy of the Fort Ord Federal Facility Agreement (FFA), as amended, entered into by the United States Environmental Protection Agency (USEPA) Region 9, the State of California Department of Toxic Substance Control (DTSC) and the State of California Regional Water Quality Control, Central Coast Region (RWQCB), and the Department of the Army (Army), effective on November 19, 1990, and will provide the Grantee with a copy of the First Amendment to the Federal Facility Agreement and any further amendments thereto. For so long as the Property remains subject to the FFA, the Grantee, its successors and assigns, agree that they will not interfere with United States Department of the Army activities required by the FFA, as amended. In addition, should any conflict arise between the FFA, as amended, and the deed provisions, the FFA provisions, as amended, will take precedence. The Grantor assumes no liability to the Grantee, its successors and assigns, should implementation of the FFA, as amended, interfere with their use of the Property.

2. LAND USE RESTRICTIONS

A. The Army has undertaken careful environmental study of the Property and concluded that the land use restrictions set forth below are required to ensure protection of human health and the environment. The Grantee, its successors or assigns, shall not undertake nor allow any activity on or use of the Property that would violate the land use restrictions contained herein.

Applicable to County of Monterey Parcels E11b.6.1, E11b.7.1.1, E11b.8, E18.1.2, E19a.1, E19a.2, E19a.3, E19a.4, L5.7, L20.2.1, L20.5.1, L20.5.2, L20.5.3, L20.8, L20.18, L20.19.1.1, and L32.1:

B. **Excavation Restriction.** The Grantee, its successors and assigns, shall comply with Monterey County Code Chapter 16.10 when conducting or permitting others to conduct any ground disturbing or intrusive activities (e.g. digging, drilling, etc.). The Grantee, its successors and assigns, or any approved contractor, shall not construct, make, or permit any alterations, additions, or improvements to the Property in any way that may violate this restriction.

Applicable to County of Monterey Parcels L20.3.1, L20.3.2, and L20.5.4:

C. **Excavation Restriction.** For the portions of the Property within the Wolf Hill area and the boundary of Munitions Response Site 47 (MRS-47), the Grantee, its successors and assigns,

shall not conduct or permit others to conduct any ground disturbing or intrusive activities (e.g. digging, drilling, etc.) to depths of greater than one foot below ground surface without complying with Monterey County Code Chapter 16.10. For the portions of the Property within the Laguna Seca Turn 11 Area (MRS-30), the Grantee, its successors and assigns, shall not conduct or permit others to conduct any ground disturbing or intrusive activities (e.g., digging, drilling, etc.) to depths of greater than four feet below ground surface without complying with Monterey County Code – Chapter 16.10. The Grantee, its successors and assigns, or any approved contractor, shall not construct, make, or permit any alterations, additions, or improvements to the Property in any way that may violate these restrictions.

Applicable to County of Monterey Parcels E11b.6.1, E11b.7.1.1, E11b.8, E18.1.2, E19a.1, E19a.2, E19a.3, E19a.4, L5.7, L20.2.1, L20.3.1, L20.3.2, L20.5.1, L20.5.2, L20.5.3, L20.5.4, L20.8, L20.18, L20.19.1.1, and L32.1:

D. Residential Use Restriction. The Grantee, its successors and assigns, shall not use the Property for residential purposes. The Army has agreed to enter into a Covenant to Restrict Use of Property (CRUP), which will include a Residential Use Restriction, with the DTSC pursuant to California Health and Safety Code sections 25222.1 and 25355.5 and Civil Code Section 1471. The USEPA also believes any proposals for the residential reuse of the Property should be subject to regulatory review. The CRUP will place additional use restrictions on all of the transferring Property and will be signed prior to transfer. The Army and the DTSC agree that the use of the Property will be restricted as set forth in the CRUP. For purposes of this provision, residential use includes, but is not limited to: single family or multi-family residences; child care facilities; nursing home or assisted living facilities; and any type of educational purpose for children/young adults in grades kindergarten through 12.

Applicable to County of Monterey Parcels E11b.6.1, E11b.7.1.1, E11b.8, E18.1.2, E19a.1, E19a.2, E19a.3, E19a.4, L5.7, L20.2.1, L20.5.3, L20.8, L20.18, L20.19.1.1, and L32.1:

E. Access Restriction. Except as provided below, the Property shall not be used for any purposes other than activities associated with the investigation and remediation of MEC and installation of utilities and roadways until the USEPA, in consultation with the DTSC, has certified the completion of remedial action. This Access Restriction is not intended to limit use of existing public access roadways within the Property, including the limited use(s) associated with special events; provided that the use of roadways may be limited or restricted, as necessary, to provide the required minimum separation distance employed during intrusive MEC response actions, and in connection with prescribed burns that may be necessary for the purpose of MEC removal in adjacent areas.

Applicable to County of Monterey Parcels L20.3.1, L20.3.2, L20.5.1, L20.5.2, and L20.5.4:

F. Access Restriction. Except as provided below, the Property shall not be used for any purposes other than activities associated with the investigation and remediation of MEC; parking, staging and on-site portable/temporary toilets for events associated with the Mazda Raceway

Laguna Seca; and installation of utilities and roadways until the USEPA, in consultation with the DTSC, has certified the completion of remedial action. This Access Restriction is not intended to limit use of existing public access roadways within the Property, including the limited use(s) associated with special events; provided that the use of roadways may be limited or restricted, as necessary, to provide the required minimum separation distance employed during intrusive MEC response actions, and in connection with prescribed burns that may be necessary for the purpose of MEC removal in adjacent areas.

Applicable to County of Monterey Parcels L5.7, L20.2.1, and L32.1;

G. Groundwater Restriction. Grantee is hereby informed and acknowledges that the groundwater adjacent to the Property and associated with the Operable Unit 2 (OU2) groundwater plume and the Operable Unit Carbon Tetrachloride Plume (OUCTP) is contaminated with volatile organic compounds (VOCs), primarily trichloroethene (TCE) and carbon tetrachloride (CT), respectively. Under the EPP, Section 6, the Grantee, its successors and assigns, shall not access or use groundwater underlying the Property for any purpose without the prior written approval of the Grantor, the USEPA, the DTSC, the RWQCB and the County of Monterey. For the purpose of this restriction, "groundwater" shall have the same meaning as in section 101(12) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

H. Modifying Restrictions. Nothing contained herein shall preclude the Grantee, its successors or assigns, from undertaking, in accordance with applicable laws and regulations and without any cost to the Grantor, such additional action necessary to allow for other less restrictive use of the Property. Prior to such use of the Property, Grantee shall consult with and obtain the approval of the Grantor, and, as appropriate, the State or federal regulators, or the local authorities in accordance with this EPP and the provisions of all applicable CRUP(s). Upon the Grantee's obtaining the approval of the Grantor and, as appropriate, state or federal regulators, or local authorities, the Grantor agrees to record an amendment hereto. This recordation shall be the responsibility of the Grantee and at no additional cost to the Grantor.

I. Submissions. The Grantee, its successors and assigns, shall submit any requests for modifications to the above restrictions to the Grantor, the USEPA, the DTSC and the RWQCB, in accordance with the provisions of the applicable CRUP(s), by first class mail, postage prepaid, addressed as follows:

- 1) Grantor: Director, Fort Ord Office
Army Base Realignment and Closure
P.O. Box 5008
Presidio of Monterey, CA 93944-5008
- 2) USEPA: Chief, Federal Facility and Site Cleanup Branch
Superfund Division
U.S. Environmental Protection Agency, Region 9

75 Hawthorne Street, Mail Code: SFD-8-3
San Francisco, CA 94105-3901

- 3) DTSC: Supervising Hazardous Substances Engineer II
Brownfields and Environmental Restoration Program
Department of Toxic Substances Control
Sacramento Office
8800 Cal Center Drive
Sacramento, CA 95826-3200
- 4) RWQCB: Executive Officer
California Regional Water Quality Control Board
Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906

3. NOTICE OF THE POTENTIAL FOR THE PRESENCE OF MUNITIONS AND EXPLOSIVES OF CONCERN (MEC)

A. The Grantee is hereby notified that, due to the former use of the Property as a military installation, the Property may contain munitions and explosives of concern (MEC). The term MEC means specific categories of military munitions that may pose unique explosives safety risks and includes: (1) Unexploded Ordnance (UXO), as defined in 10 U.S.C. §101(e)(5); (2) Discarded military munitions (DMM), as defined in 10 U.S.C. §2710(e)(2); or (3) Munitions constituents (e.g., TNT, RDX), as defined in 10 U.S.C. §2710(e)(3), present in high enough concentrations to pose an explosive hazard. For the purposes of the basewide Military Munitions Response Program (MMRP) being conducted for the former Fort Ord and this EPP, MEC does not include small arms ammunition (i.e. ammunition with projectiles that do not contain explosives, other than tracers, that is .50 caliber or smaller, or for shotguns).

B. The Property was previously used for a variety of munitions-related and other military related purposes, including operational ranges for live-fire training; demolitions training; chemical, biological and radiological training; engineering training; and tactical training. Munitions responses were conducted on the Property. Any MEC discovered were disposed of by a variety of methods, including open detonation (blown in place (BIP)) or in a consolidated shot, or destroyed using contained detonation technology. A summary of MEC discovered on the Property is provided in Exhibit E. Site maps depicting the locations of munitions response sites are provided at Exhibit F.

C. After response actions are completed, if the Grantee, any subsequent owner, or any other person should find any MEC on the Property, they shall immediately stop any intrusive or ground-disturbing work in the area or in any adjacent areas and shall not attempt to disturb, remove or destroy it, but shall immediately notify the local law enforcement agency having jurisdiction on the Property so that appropriate explosive ordnance disposal (EOD) personnel can

be dispatched to address such MEC as required under applicable laws and regulations and at no expense to the Grantee. The Grantee hereby acknowledges receipt of the "Ordnance and Explosives Safety Alert" pamphlet.

D. Easement and Access Rights.

1) The Grantor reserves a perpetual and assignable right of access on, over, and through the Property, to access and enter upon the Property in any case in which a munitions response action is found to be necessary, or such access and entrance is necessary to carry out a munitions response action on adjoining property as a result of the ongoing Munitions Response Remedial Investigation/Feasibility Study. Such easement and right of access includes, without limitation, the right to perform any additional munitions response action (e.g. investigation, sampling, testing, test-pitting, surface and subsurface removal) necessary for the United States to meet its responsibilities under applicable laws and as provided for in this Deed. This right of access shall be binding on the Grantee, its successors and assigns, and shall run with the land.

2) In exercising this easement and right of access, the Grantor shall give the Grantee or the then record owner, reasonable notice of the intent to enter on the Property, except in emergency situations. Grantor shall use reasonable means, without significant additional cost to the Grantor, to avoid and/or minimize interference with the Grantee's and the Grantee's successors' and assigns' quiet enjoyment of the Property; however, the use and/or occupancy of the Property may be limited or restricted, as necessary, under the following scenarios: (a) to provide the required minimum separation distance employed during intrusive munitions response actions that may occur on or adjacent to the Property; and (b) if Army implemented prescribed burns are necessary for the purpose of a munitions response action (removal) in adjacent areas. Such easement and right of access includes the right to obtain and use utility services, including water, gas, electricity, sewer, and communications services available on the Property at a reasonable charge to the United States. Excluding the reasonable charges for such utility services, no fee, charge, or compensation will be due the Grantee nor its successors and assigns, for the exercise of the easement and right of access hereby retained and reserved by the United States.

3) In exercising this easement and right of access, neither the Grantee nor its successors and assigns, as the case may be, shall have any claim at law or equity against the United States or any officer or employee of the United States based on actions taken by the United States or its officers, employees, agents, contractors of any tier, or servants pursuant to and in accordance with this Paragraph. In addition, the Grantee, its successors and assigns, shall not interfere with any munitions response action conducted by the Grantor on the Property.

E. The Grantee acknowledges receipt of the Track 2 Munitions Response Remedial Investigation/Feasibility Study (Track 2 MR RI/FS) (August 2006).

4. NOTICE OF THE PRESENCE OF ASBESTOS AND COVENANT

Applicable to County of Monterey Parcels E11b.8, E19a.3, E19a.4, L20.2.1, and L20.3.1

A The Grantee is hereby informed and does acknowledge that non-friable asbestos or asbestos-containing material (ACM) has been found on the Property. The Property may contain improvements, such as buildings, facilities, equipment, and pipelines, above and below the ground, that contain non-friable asbestos or ACM. The Occupational Safety and Health Administration (OSHA) and the U.S. Environmental Protection Agency (USEPA) have determined that unprotected or unregulated exposure to airborne asbestos fibers increases the risk of asbestos-related diseases, including certain cancers that can result in disability or death.

B. The Grantee covenants and agrees that its use and occupancy of the Property will be in compliance with all applicable laws relating to asbestos. The Grantee agrees to be responsible for any remediation or abatement of asbestos found to be necessary on the Property to include ACM in or on buried pipelines that may be required under applicable law or regulation.

C. The Grantee acknowledges that it has inspected or has had the opportunity to inspect the Property as to its asbestos and ACM content and condition and any hazardous or environmental conditions relating thereto. The Grantee shall be deemed to have relied solely on its own judgment in assessing the overall condition of all or any portion of the Property with respect to any asbestos or ACM hazards or concerns.

5. NOTICE OF THE PRESENCE OF LEAD-BASED PAINT (LBP) AND COVENANT AGAINST THE USE OF THE PROPERTY FOR RESIDENTIAL PURPOSE

Applicable to County of Monterey Parcels E11b.7.1.1, E19a.3, E19a.4, L20.2.1, and L20.3.1:

A. The Grantee is hereby informed and does acknowledge that all buildings on the Property, which were constructed or rehabilitated prior to 1978, are presumed to contain lead-based paint. Lead from paint, paint chips, and dust can pose health hazards if not managed properly. Every purchaser of any interest in Residential Real Property on which a residential dwelling was built prior to 1978 is notified that there is a risk of exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning.

B. The Grantee covenants and agrees that it shall not permit the occupancy or use of any buildings or structures on the Property as Residential Property, as defined under 24 Code of Federal Regulations part 35, without complying with this section and all applicable federal, state, and local laws and regulations pertaining to lead-based paint and/or lead-based paint hazards. Prior to permitting the occupancy of the Property where its use subsequent to sale is intended for residential habitation, the Grantee specifically agrees to perform, at its sole expense, the Army's abatement requirements under Title X of the Housing and Community Development Act of 1992 (Residential Lead-Based Paint Hazard Reduction Act of 1992).

C. The Grantee acknowledges that it has inspected or has had the opportunity to inspect the Property as to its lead-based paint content and condition and any hazardous or environmental

conditions relating thereto. The Grantee shall be deemed to have relied solely on its own judgment in assessing the overall condition of all or any portion of the Property with respect to any lead-based paint hazards or concerns.

6. NOTICE OF THE PRESENCE OF CONTAMINATED GROUNDWATER AND COVENANT AGAINST ACCESS TO OR USE OF GROUNDWATER UNDERLYING THE PROPERTY FOR ANY PURPOSE

Applicable to County of Monterey Parcels L5.7, L20.2.1, and L32.1;

A. The Property is within the "Consultation Zone" of the "Special Groundwater Protection Zone". The Consultation Zone includes areas surrounding the "Prohibition Zone" where groundwater extraction may impact or be impacted by the four identified groundwater contamination plumes at the former Fort Ord. The Consultation Zone is also identified on the "Former Fort Ord Special Groundwater Protection Zone Map," which is on file with the County of Monterey (the County). County Ordinance No. 04011 requires consultation with the Grantor, the USEPA, the DTSC, the RWQCB, and the County for proposed water well construction within the Consultation Zone.

B. The Grantee covenants for itself, its successors, and assigns not to access or use groundwater underlying the Property for any purpose without the prior written approval of the Grantor, the USEPA, the DTSC, the RWQCB and the County. For the purpose of this restriction, "groundwater" shall have the same meaning as in section 101(12) of CERCLA.

C. The Grantee covenants for itself, its successors, and assigns that neither the Grantee, its successors or assigns, nor any other person or entity acting for or on behalf of the Grantee, its successors or assigns, shall interfere with any response action being taken on the Property by or on behalf of the Grantor, or interrupt, relocate, or otherwise interfere or tamper with any remediation system or monitoring wells now or in the future located on, over, through, or across any portion of the Property without the express written consent of the Grantor in each case first obtained.

D. The Grantee covenants for itself, its successors, or assigns, that it will not undertake nor allow any activity on or use of the Property that would violate the restrictions contained herein. These restrictions and covenants are binding on the Grantee, its successors and assigns; shall run with the land; and are forever enforceable.

7. NOTICE OF RARE, THREATENED AND ENDANGERED SPECIES MANAGEMENT

The Grantee acknowledges and agrees to implement the following provisions, as applicable, relative to listed species:

Applicable to County of Monterey Parcels E18.1.2, E19a.1, L20.5.4, L20.8, L20.18, and L32.1:

A. The Property is within a Habitat Management Plan (HMP) Development Area. No resource conservation requirements are associated with the HMP for these parcels. However, small pockets of habitat may be preserved within and around the Property.

B. The March 30, 1999, Biological and Conference Opinion on the Closure and Reuse of Fort Ord, Monterey County, California (1-8-99-F/C-39R), the Biological Opinion on the Closure and Reuse of Fort Ord, Monterey County, California, as it affects Monterey Spineflower Critical Habitat, (1-8-01-F-70R), and the Biological Opinion for the Cleanup and Reuse of Former Fort Ord, Monterey County, California, as it affects California Tiger Salamander and Critical Habitat for Contra Costa Goldfields Critical Habitat (1-8-04-F-25R) identify sensitive biological resources that may be salvaged for use in restoration activities within reserve areas, and allows for development of the Property.

C. The HMP does not exempt the Grantee from complying with environmental regulations enforced by Federal, State, or local agencies; however, CERCLA remedial actions undertaken by the Grantee will be conducted in accordance with the Army's requirements identified in Chapter 3 of the HMP and in existing Biological Opinions. Reuse activities not involving CERCLA may require the Grantee to obtain Endangered Species Act (ESA) (16 U.S.C. §§ 1531 - 1544 et seq.) Section 7 or Section 10(a) permits from the U.S. Fish and Wildlife Service (USFWS); comply with prohibitions against take of listed animals under ESA Section 9; comply with prohibitions against the removal of listed plants occurring on federal land or the destruction of listed plants in violation of any state laws; comply with measures for conservation of state-listed threatened and endangered species and other special-status species recognized by California ESA, or California Environmental Quality Act (CEQA); and comply with local land use regulations and restrictions.

D. The HMP serves as a management plan for both listed and candidate species, and is a prelisting agreement between the USFWS and the local jurisdiction for candidate species that may need to be listed because of circumstances occurring outside the area covered by the HMP.

E. Implementation of the HMP would be considered suitable mitigation for impacts to HMP species within HMP prevalent areas and would facilitate the USFWS procedures to authorize incidental take of these species by participating entities as required under ESA Section 10. No further mitigation will be required to allow development on the Property unless species other than HMP target species are proposed for listing or are listed.

F. The HMP does not authorize incidental take of any species listed as threatened or endangered under the ESA by entities acquiring land at the former Fort Ord except for those lands undergoing a CERCLA remedial action. The USFWS has recommended that all non-federal entities acquiring land at former Fort Ord apply for ESA Section 10(a)(1)(B) incidental take permits for the species covered in the HMP. The definition of "take" under the ESA

includes to harass, harm, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct. Although the USFWS will not require further mitigation from these entities that are in conformation with the HMP, those entities without incidental take authorization would be in violation of the ESA if any of their actions resulted in the take of a listed animal species. To apply for a Section 10 (a)(1)(B) incidental take permit, an entity must submit an application form (Form 3-200), a complete description of the activity sought to be covered by the permit, and a conservation plan (50 CFR 17.22[b]).

Applicable to County of Monterey Parcels E11b.6.1, E11b.7.1.1, E11b.8, E19a.2, E19a.3, E19a.4, L5.7, L20.2.1, L20.3.1, L20.3.2, L20.5.1, L20.5.2, L20.5.3, and L20.19.1.1:

G. The Property contains habitat occupied and/or potentially occupied by several sensitive wildlife and plant species, some of which are listed or proposed for listing as threatened or endangered under the Endangered Species Act (ESA). Applicable laws and regulations restrict activities that involve the potential loss of populations and habitats of listed species. To fulfill Grantor's commitment in the Fort Ord Disposal and Reuse Environmental Impact Statement Record of Decision, made in accordance with the National Environmental Policy Act of 1969, 42 U.S.C § 4321 et seq., this deed requires the conservation in perpetuity of these sensitive wildlife and plant species and their habitats consistent with the U.S. Fish and Wildlife Service Biological Opinions for disposal of the former Fort Ord lands issued pursuant to Section 7 of the ESA on March 30, 1999, October 22, 2002, and March 14, 2005 respectively. By requiring Grantee, and its successors and assigns to comply with the Installation-Wide Multispecies Habitat Management Plan (HMP), Grantor intends to fulfill its responsibilities under Section 7 of the ESA and to minimize future conflicts between species protection and economic development of portions of the Property.

H. Grantee acknowledges that it has received a copy of the HMP dated April 1997. The HMP, which is incorporated herein by reference, provides a basewide framework for disposal of lands within former Fort Ord wherein development and potential loss of species and/or habitat is anticipated to occur in certain areas of the former Fort Ord (the HMP Development Areas) while permanent species and habitat conservation is guaranteed within other areas of the former Fort Ord (i.e., the HMP Reserve and Corridor parcels). Disposal of former Fort Ord lands in accordance with and subject to the restrictions of the HMP is intended to satisfy the Army's responsibilities under Section 7 of the ESA.

I. The following parcels of land within the Property hereby conveyed or otherwise transferred to Grantee are subject to the specific use restrictions and/or conservation, management, monitoring, and reporting requirements identified for the parcel in the HMP:

- 1) Habitat Reserve Parcels: E11b.6.1, E11b.7.1.1, E19a.2, and E19a.4;
- 2) Habitat Corridor Parcel: L20.2.1;
- 3) Habitat Reserve within the Development with Reserve Areas or Development with Restrictions Parcels numbered: L20.3.1, L20.3.2, L20.5.1, L20.5.2, and L20.5.3;

4) Borderland Development Areas along Natural Resources Management Area (NRMA) Interface Parcels numbered: E11b.8, E19a.3, L5.7, and L20.19.1.1.

J. Any boundary modifications to the Development with Reserve Areas or Development with Restrictions parcels or the Borderland Development Areas Along NRMA Interface must be approved in writing by the U.S. Fish and Wildlife Service (USFWS) and must maintain the viability of the HMP for permanent species and habitat conservation.

K. The HMP describes existing habitat and the likely presence of sensitive wildlife and plant species that are treated as target species in the HMP. Some of the target species are currently listed or proposed for listing as threatened or endangered under the ESA. The HMP establishes general conservation and management requirements applicable to the Property to conserve the HMP species. These requirements are intended to meet mitigation obligations applicable to the Property resulting from the Army disposal and development reuse actions. Under the HMP, all target species are treated as if listed under the ESA and are subject to avoidance, protection, conservations and restoration requirements. Grantee shall be responsible for implementing and funding each of the following requirements set forth in the HMP as applicable to the Property:

1) Grantee shall implement all avoidance, protection, conservation and restoration requirements identified in the HMP as applicable to the Property and shall cooperate with adjacent property owners in implementing mitigation requirements identified in the HMP for adjacent sensitive habitat areas.

2) Grantee shall protect and conserve the HMP target species and their habitats within the Property, and, other than those actions required to fulfill a habitat restoration requirement applicable to the Property, shall not remove any vegetation, cut any trees, disturb any soil, or undertake any other actions that would impair the conservation of the species or their habitats. Grantee shall accomplish the Resource Conservation Requirements and Management Requirements identified in Chapters 3 and 4 of the HMP as applicable to any portion of the Property.

3) Grantee shall manage, through an agency or entity approved by USFWS, each HMP parcel, or portion thereof, within the Property that is required in the HMP to be managed for the conservation of the HMP species and their habitats, in accordance with the provisions of the HMP.

4) Grantee shall either directly, or indirectly through its USFWS approved habitat manager, implement the management guidelines applicable to the parcel through the development of a site-specific management plan. The site-specific habitat management plan must be developed and submitted to USFWS (and, for non-Federal recipients, California Department of Fish and Game (CDFG) as well) for approval within six months from the date the recipient obtains title to the parcel. Upon approval by USFWS (and, as appropriate, CDFG) the recipient shall implement the plan. Such plans may thereafter be modified through the Coordinated

Resource Management and Planning (CRMP) process or with the concurrence of USFWS (and, as appropriate, CDFG) as new information or changed conditions indicate the need for adaptive management changes. The six-month deadline for development and submission of a site-specific management plan may be extended by mutual agreement of USFWS, CDFG (if appropriate), and the recipient.

5) Grantee shall restrict access to the Property in accordance with the HMP, but shall allow access to the Property, upon reasonable notice of not less than 48 hours, by USFWS and its designated agents, for the purpose of monitoring Grantee's compliance, and for such other purposes as are identified in the HMP.

6) Grantee shall comply with all monitoring and reporting requirements set forth in the HMP that are applicable to the Property, and shall provide an annual monitoring report, as provided for in the HMP, to the Bureau of Land Management (BLM) on or before November 1 of each year, or such other date as may be hereafter agreed to by USFWS and BLM.

7) Grantee shall not transfer, assign, or otherwise convey any portion of, or interest in, the Property subject to the habitat conservation, management or other requirements of the HMP, without the prior written consent of Grantor, acting by and through the USFWS (or designated successor agency), which consent shall not be unreasonably withheld. Grantee covenants for itself, its successors and assigns, that it shall include and otherwise make legally binding the provisions of the HMP in any deed, lease, right of entry, or other legal instrument by which Grantee divests itself of any interest in all or a portion of the Property. The covenants, conditions, restrictions and requirements of this deed and the provisions of the HMP shall run with the land. The covenants, conditions, restrictions and requirements of this deed and the HMP benefit the lands retained by the Grantor that formerly comprised Fort Ord, as well as the public generally. Management responsibility for the Property may only be transferred as a condition of the transfer of the Property, with the consent of the USFWS. USFWS may require the establishment of a perpetual trust fund to pay for the management of the Property as a condition of transfer of management responsibility from Grantee.

8) This conveyance is made subject to the following ENFORCEMENT PROVISIONS:

a) Grantor hereby reserves a reversionary interest in all of the Property. If Grantor (or its assigns), acting through the USFWS or a designated successor agency, determines that those parcels identified in Paragraph 7.I. above or any other portion of the Property subject to a restriction or other requirement of the HMP is not being conserved and/or managed in accordance with the provisions of the HMP, then Grantor may, in its discretion, exercise a right to reenter the Property, or any portion thereof, in which case, the Property, or those portions thereof as to which the right of reentry is exercised, shall revert to Grantor. In the event that Grantor exercises its right of reentry as to all or portions of the Property, Grantee shall execute any and all documents that Grantor deems necessary to perfect or provide recordable notice of the reversion and for the complete transfer and reversion of all right, title and interest in

the Property or portions thereof. Subject to applicable federal law, Grantee shall be liable for all costs and fees incurred by Grantor in perfecting the reversion and transfer of title. Any and all improvements on the Property, or those portions thereof reverting back to Grantor, shall become the property of Grantor and Grantee shall not be entitled to any payment therefore.

b) In addition to the right of reentry reserved in paragraph a. above, if Grantor (or its assigns), acting through the USFWS or a successor designated agency, determines that Grantee is violating or threatens to violate the provisions of Paragraph 7 of this deed exhibit or the provisions of the HMP, Grantor shall provide written notice to Grantee of such violation and demand corrective action sufficient to cure the violation, and where the violation involves injury to the Property resulting from any use or activity inconsistent with the provisions of Paragraph 7 of this deed exhibit or the provisions of the HMP, to restore the portion of the Property so injured. If Grantee fails to cure a violation within sixty (60) days after receipt of notice thereof from Grantor, or under circumstances where the violation cannot reasonably be cured within a sixty (60) day period, or fails to continue to diligently cure such violation until finally cured, Grantor may bring an action at law or in equity in a court of competent jurisdiction to enforce the covenants, conditions, reservations and restrictions of this deed and the provisions of the HMP, to enjoin the violation, by temporary or permanent injunction, to recover any damages to which it may be entitled for violation of the covenants, conditions, reservations and restrictions of this deed or the provisions of the HMP, or injury to any conservation value protected by this deed or the HMP, and to require the restoration of the Property to the condition that existed prior to such injury. If Grantor, in its good faith and reasonable discretion, determines that circumstances require immediate action to prevent or mitigate significant damage to the species and habitat conservation values of the Property, Grantor may pursue its remedies under this paragraph without prior notice to Grantee, or without waiting for the period provided for the cure to expire. Grantor's rights under this paragraph apply equally in the event of either actual or threatened violations of covenants, conditions, reservations and restrictions of this deed or the provisions of the HMP, and Grantee acknowledges that Grantor's remedies at law for any of said violations are inadequate and Grantor shall be entitled to the injunctive relief described in this paragraph, both prohibitive and mandatory, in addition to such other relief to which Grantor may be entitled, including specific performance of the covenants, conditions, reservations and restrictions of this deed and the provisions of the HMP.

c) Enforcement of the covenants, conditions, reservations and restrictions in this deed and the provisions of the HMP shall be at the discretion of Grantor, and any forbearance by Grantor to exercise its rights under this deed and the HMP in the event of any such breach or violation of any provision of this deed or the HMP by Grantee shall not be deemed or construed to be a waiver by Grantor of such provision or of any subsequent breach or violation of the same or any other provision of this deed or the HMP or of any of Grantor's rights under this deed or the HMP. No delay or omission by Grantor in the exercise of any right or remedy upon any breach or violation by Grantee shall impair such right or remedy or be construed as a waiver.

d) In addition to satisfying Army's responsibilities under Section 7 of the ESA, Grantee's compliance with the covenants, conditions, reservations and restrictions contained in this deed and with the provisions of the HMP are intended to satisfy mitigation obligations included in any future incidental take permit issued by USFWS pursuant to Section 10(a)(1)(B) of the Endangered Species Act which authorizes the incidental take of a target HMP species on the Property. Grantee acknowledges that neither this deed nor the HMP authorizes the incidental take of any species listed under the ESA except while conducting CERCLA remedial actions consistent with Chapter 3 of the HMP and in accordance with the existing biological opinions. Authorization to incidentally take any target HMP wildlife species as a result of reuse activities must be obtained by Grantee separately, or through participation in a broader habitat conservation plan and Section 10(a)(1)(B) permit based on the HMP and approved by USFWS.

Exhibit E – Notification of Munitions and Explosives of Concern (MEC)*

Munitions Response Site	Type of Military Munitions	Date of Military Munitions Use	Munitions Response Actions
MRS-3 Old Demolition Training Area, Range 49 (Parcel E19a.4)	Munitions Debris (MD) Munitions and Explosives of Concern (MEC)	Unknown	As noted in the Archives Search Report (ASR), the site served as a land mine warfare, anti-armor, Molotov Cocktail training and demolition area with a ¼ - pound explosive limit. Site is adjacent to MRS-37, MRS-53EXP and MRS-54. A munitions response (sampling investigation) at this site resulted in discovery of 153 inert 81mm practice mortars, 34 inert antitank (AT) training mines and miscellaneous firing devices, including two MEC items (a blasting cap and mine fuze). A munitions response (removal) to a depth of 4 feet ¹ was performed. According to the MMRP database 44 MEC items (firing devices, signals and practice grenades) and 794 munitions debris items were removed. Review of military munitions clearance grid records identified several ammunition burn pits and empty and burned 55-gallon drums. MRS-3 is included in the Parker Flats Munitions Response Area (MRA; Plate 6). The Parker Flats MRA was evaluated in the Track 2 Munitions Response Remedial Investigation/Feasibility Study (Parker Flats MR RI/FS). No MEC is expected to remain at MRS-3 and no further munitions response was recommended (<i>MACTEC, 2006</i>). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006.
MRS-4A Chemical, Biological, and Radiological (CBR) Training Area (Parcels E18.1.3, E18.4 and E19a.1)	MD MEC	At least from 1957 to 1964	According to the ASR, the CBR Training Areas appear on the 1957 and 1958 Fort Ord Training Areas and Facilities Training maps. Three munitions responses were conducted on MRS-4A, including two phases of grid investigation and a removal over the entire site. All grid investigations and the removal were to a depth of 4 feet. According to the MMRP database 72 MEC items (mostly grenade fuzes) and 13 munitions debris items (mostly practice hand grenades) were removed. One MEC item was found in Parcel E18.1.3 and no MEC were found in Parcel E18.4. Three munitions debris items were found in Parcel E18.4 and no munitions debris was found in Parcel E18.1.3. No MEC is expected to remain at MRS-4A and no further munitions response was recommended (<i>USA, 2000a</i>). MRS-4A will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.
MRS-4B CBR Training Area (Parcel E19a.3)	MD MEC	At least from 1958	A CBR Training Area (MRS-4B) is shown on the 1958 Fort Ord Training Areas & Facilities map. The ASR noted classroom training using chemical agents similar to tear gas. A munitions response (sampling investigation) in 1993 found one MEC item (40mm practice cartridge), two munitions debris items and small arms ammunition. Additional sampling conducted in 1997 found three MEC items (smoke grenades) and munitions debris. In 1998, USA Environmental, Inc. performed a munitions response (removal) and found 293 MEC items, primarily blasting caps, simulators, smoke signals, and fuzes. The USA After Action Report notes nine burial pits, ranging in depth from 6 inches to 42 inches, containing grenades, grenade fuzes, simulators, pyrotechnics and blasting caps. Trash, including tires and wire, was found in one pit. A battery was found in a second pit. MRS-4B is included in the Parker Flats MRA. The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-4B and no further munitions response was recommended (<i>MACTEC, 2006</i>). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006.

Exhibit E – Notification of Munitions and Explosives of Concern (MEC)*

Munitions Response Site	Type of Military Munitions	Date of Military Munitions Use	Munitions Response Actions
MRS-11 Demolition Training Area (Parcel E11b.7.1.1)	MD MEC	At least from 1946 to 1957	As noted in the ASR, MRS-11 was identified as an old EOD range. The 1946 Historic Map Master Plan Fort Ord shows a live hand grenade training range. Additionally, the 1957 Fort Ord Training Areas & Facilities map shows a Frag Zone and Engineer Training Area "C". MRS-11 underwent a munitions response (removal) to a depth of 1 foot in the southern half of the site using geophysical equipment. Twenty MEC items, including nine MKII fragmentation hand grenades, and 2,316 munitions debris items (mostly hand grenade fuzes) were found and removed during the 1-foot removal. The northern half of MRS-11 was investigated (sampled) using SiteStats/GridStats (SS/GS) methodology. No MEC was found during SS/GS investigation. Based on the results of the munitions responses, additional munitions response (investigation) was recommended within MRS-11 and to the east of the site (USA, 2001e). MRS-11 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.
MRS-13B Practice Mortar Range (Parcels E19a.2 and E19a.3)	CWM MD MEC	1950s	MRS-13B is labeled as Sinkhole Training Area and Sinkhole Practice Mortar on 1950s training maps. A munitions response (sampling) was conducted in 57 grids in 1993 and 1994. Based on the results of the investigation, MRS-13B underwent removal actions to a depth of 4 feet from August 1995 to April 1998 using geophysical equipment. According to the MMRP database, a total of 343 MEC items and 2,014 munitions debris items were found during investigation and removal actions. Numerous trash pits containing range-related debris were also observed at MRS-13B. Two chemical agent identification sets (CAIS) were found in a burial pit. The CAIS, chemical warfare materiel (CWM), were used to train soldiers to recognize and protect themselves from chemical agents. The CAIS contain dilute solutions of chemical agents in small (1-ounce) hermetically sealed glass containers. All glass containers were found to be intact and were removed by the Army's Technical Escort Unit from Dugway Proving Ground, Utah (Army, 1997b). No MEC items or trash pits were found in the portion of MRS-13B within Parcel E19a.2. MRS-13B is included in the Parker Flats MRA. The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-13B and no further munitions response was recommended (MACTEC, 2006). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006.
MRS-13C CSU Footprint – Wedge (Parcel S1.3.2)	MD MEC	1940s through 1950s	MRS-13C is comprised of a wedge shaped strip of land lying between MRS-31 to the north and MRS-13B to the south. MRS-13C is located within a larger area identified as a Tactical Training Area on historical training maps. A portion of a mortar square (non-firing area) was also identified on historical training maps in the site vicinity. Based on the results of munitions responses (investigation) conducted in adjacent sites in 1994, a munitions response (removal) to a depth of 4 feet was conducted over all of MRS-13C in 1997 and all MEC and munitions debris found was removed. According to the Fort Ord MMRP database, 59 MEC items and 203 munitions debris items were recovered during the removal. No MEC is expected to remain at MRS-13C and no further munitions response was recommended (USA, 2000c). MRS-13C will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.
MRS-14A Lookout Ridge II (LOR2) (Parcel L20.5.1 and	MD MEC	At least since 1957	This site is part of MRS-14, which is divided into five areas, 14A through 14E. This site was believed to be an impact location for 7-inch to 8-inch naval gun projectiles that overshoot the Impact Area. As mentioned in the ASR, a 1957 Fort Ord Training Areas & Facilities map shows a mortar position in this area. MRS-14A has undergone munitions responses (one investigation and two removals). MEC found during investigation included 22mm sub-caliber cartridges, pyrotechnic signals, rifle-fired smoke grenades, and practice projectiles. To support the use of a portion of the parcel as a parking area for the Laguna Seca Raceway, a munitions response (removal) to a depth of 3 feet using geophysical equipment was performed over a portion of the parcel in 1994.

Exhibit E – Notification of Munitions and Explosives of Concern (MEC)*

Munitions Response Site	Type of Military Munitions	Date of Military Munitions Use	Munitions Response Actions
L20.5.2)			All MEC detected was removed. Follow-up munitions responses (removals) to depths of 1 foot and 4 feet were performed in June 1997 through April 1998. The 1-foot removal was conducted in habitat reserve areas. A 4-foot removal was conducted in development areas (parking). The area where the 4-foot removal was performed included the area previously cleared to 3 feet. All MEC detected was removed. No high explosive MEC was encountered and no further munitions response was recommended (USA, 2001b). It was also recommended that grids not investigated due to vegetation and terrain constraints be investigated in a future munitions response. According to the MMRP database, 66 MEC items and 577 munitions debris items were recovered during the munitions responses. No evidence of 7-inch or 8-inch projectiles was found at MRS-14A. MEC is not expected to remain at MRS-14A. MRS-14A will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.
MRS-23 (Parcel E11b.7.1.1)	MEC MD		MRS-23 was formerly an Engineer Training Area and Field Expedient Area. A munitions response (removal) to a depth of 4 feet was completed in 1997. One MEC item (½ pound of TNT) and one munitions debris item (practice antitank mine) were found during the munitions response. Based on the results of the munitions response, no further munitions response was recommended within MRS-23 (USA, 2001d). MEC is not expected to remain at MRS-23. MRS-23 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.
MRS-27A Training Site 1 (Parcels E19a.2 and E19a.3)	MD MEC	1970s through facility closure	MRS-27A is one of 25 training sites identified from a 1984 Fort Ord training facilities map in the 1994 supplement to the ASR (USAEHD, 1994). As described in the Fort Ord Range Regulations, a training site is a facility located within a training area and used as an overnight bivouac area. The USACE conducted a munitions response (site walk) of MRS-27A in 1996 as part of a PA/SI (USADEH, 1997). The USACE UXO Safety Specialist found only spent blank small arms ammunition and pyrotechnics at MRS-27A. To address the hazard associated with surface MEC potentially present in areas accessible to the public, a munitions response (visual surface removal) of accessible areas was performed by munitions response contractors under the direction of the USACE in late 2001 to early 2002. One MEC item (hand grenade fuze) was found and removed (Parsons, 2002a). The southern portion of MRS-27A overlaps Parcel E19a.3, is outside of Parcel E19a.2, and lies within the Parker Flats MRA, partially overlapping MRS-53EXP and MRS-55. As part of the Parker Flats MRA, the southern portion of MRS-27A underwent a munitions response (removal) to a depth of 4 feet. According to the former Fort Ord MMRP database, munitions debris and MEC were found within the portion of MRS-27A that overlaps the Parker Flats MRA. The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-27A and no further munitions response was recommended (MACTEC, 2006). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006. The remainder of MRS-27A will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.
MRS-27B Training Site 2 (Parcels E19a.2, E19a.3 and	MD MEC	1970s through facility closure	MRS-27B was one of 25 training sites identified from a 1984 Fort Ord training facilities map in the 1994 supplement to the ASR (USAEHD, 1994). As described in the Fort Ord Range Regulations, a training site is a facility located within a training area and used as an overnight bivouac area. The ASR also notes this site is located northeast of Parker Flats Training Area. The USACE conducted a munitions response (site walk) of MRS-27B in 1996 as part of a PA/SI (USADEH, 1997). The USACE UXO Safety Specialist found only spent blank small arms ammunition and pyrotechnics at MRS-27B. To address the hazard associated with surface MEC potentially present in areas accessible to the public, a munitions response (visual surface removal) was performed by

Exhibit E – Notification of Munitions and Explosives of Concern (MEC)*

Munitions Response Site	Type of Military Munitions	Date of Military Munitions Use	Munitions Response Actions
E19a.4)			munitions response contractors under the direction of the USACE in 2001 and 2002. No MEC items were found at MRS-27B during the visual surface removal (<i>Parsons, 2002a</i>). According to the MMRP database, one munitions debris item (a smoke grenade) was detected in a latrine within the site boundaries. Miscellaneous pyrotechnic items have also been discovered within the site boundaries. No MEC or munitions debris were found during the visual surface removal conducted within MRS-27B. The southern portion of MRS-27B overlaps Parcel E19a.3, is outside of Parcel E19a.2, and lies within the Parker Flats MRA, partially overlapping MRS-53EXP and MRS-55. As part of the Parker Flats MRA, the southern portion of MRS-27B underwent a munitions response (removal) to a depth of 4 feet. The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-27B and no further munitions response was recommended (<i>MACTEC, 2006</i>). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006. The remainder of MRS-27B will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.
MRS-27C Training Site 3 (Parcel E19a.4)	MD	1970s through facility closure	The ASR states that MRS-27C is located northeast of TS-2 (MRS-27B) and south of the Tactical Training Area (MRS-45; Plate 4). This area was used from the 1970s as an overnight bivouac area. Munitions responses (investigations) conducted within Parcel E19a.4 included a site walk of MRS-27C completed by the USACE in 1996 during the Archives Search (<i>USADEH, 1997</i>). Only spent blank small arms ammunition and expended pyrotechnics (munitions debris) were found at MRS-27C. To address the hazard associated with surface MEC potentially present in areas accessible to the public, a munitions response (visual surface removal) was performed by munitions response contractors under the direction of the USACE in late 2001 to early 2002. No MEC items were found at MRS-27C (<i>Parsons, 2002a</i>). A reconnaissance of MRS-27C was also completed as part of the Basewide Range Assessment. No targets or range features were observed. Several fighting positions were mapped. An expended smoke grenade (munitions debris) was found in one of the fighting positions. No MEC is expected to be present at MRS-27C. MRS-27C will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.
MRS-27E Training Site 5 (Parcel L20.2.1)	MD	1970s through facility closure	This area was used since the 1970s as an overnight bivouac area. A USACE UXO Safety Specialist conducted a munitions response (site walk) that included MRS-27E as part of a PA/SI (<i>USADEH, 1997</i>). Munitions debris including expended flares and illumination signals were found. No evidence of other types of training or use as an impact area was observed. No MEC is expected to be present at MRS-27E. MRS-27E will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.
MRS-27F Training Site 6 (Parcel L20.2.1)	MEC MD	1970s through facility closure	This site is located in the northern portion of MRS-59. This area was used as an overnight bivouac area since the 1970s. A USACE UXO Safety Specialist conducted a munitions response (site walk) that included MRS-27F and MRS-59 as part of a PA/SI (<i>USADEH, 1997</i>). Munitions debris (expended pyrotechnics) were found; however, the specific location of these items was not documented. No evidence of the use of 2.36-inch rockets, reportedly used at MRS-59, was observed. Additionally, a review of Range Control files included the incomplete entry for an item reportedly located within Training Site 6. No other information in the entry was provided. MRS-27F was evaluated for MEC in the Groups 1 – 5 Track 1 Plug-In Approval Memorandum and determined to be a Track 1 site. MEC is not expected to be found at MRS-27F and no further action related to MEC was

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Munitions Response Site	Type of Military Munitions	Date of Military Munitions Use	Munitions Response Actions
			recommended for the site (<i>Army, 2006b</i>). The USEPA and the DTSC concurred in letters dated July 21 and July 26, 2006, respectively.
MRS-27G Training Site 7 (Parcel E19a.5)	MD MEC	1970s through facility closure	This area was incorporated into Site MRS-53. See MRS-53.
MRS-27O Training Site 15 (Parcel L20.8)	MD MEC	1964 through facility closure	The northern portion of Barloy Canyon Road passes through MRS-27O (Plate 10). MRS-27O is identified as a former training site in the 1994 supplement to the ASR and was used as a bivouac area since at least 1964. In support of the ASR, a UXO Safety Specialist performed a munitions response (site walk) in March 1996 and found expended small arms blanks and expended pyrotechnic items (<i>USADEH, 1997</i>). A follow-up munitions response was performed by a munitions response contractor. This munitions response was completed in October 1999 and included a surface investigation conducted over a large portion of Barloy Canyon Road. No MEC or munitions debris were found on the parcel. Two MEC items (pyrotechnics) and munitions debris (expended grenade fuze) were found on a trail that parallels Parcel L20.8, south of MRS-27O. Additionally, a visual surface Time-Critical Removal Action (TCRA) was performed that included MRS-27O following an accidental fire in the area (Eucalyptus Fire Area). One MEC item (pyrotechnic signal) was found within MRS-27O (<i>Shaw, 2005b</i>). MEC is not expected to be present on Parcel L20.8. MRS-27O and the surrounding area will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.
MRS-28 Military Operations on Urbanized Terrain (MOUT) Site (Parcel F1.7.2)	MD MEC	Ongoing	This site includes Impossible City, a mock city training area that is currently used for tactical training of military, federal, and local law enforcement agencies. MRS-28 was investigated during two separate munitions responses. Additionally, a visual surface TCRA was performed following an accidental fire in the area (Eucalyptus Fire Area). According to the MMRP database, 118 MEC items and 293 munitions debris items were removed during the investigations and the TCRA. MEC is not expected to remain on the surface at MRS-28. MRS-28 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.
MRS-29 Laguna Seca Bus Turn Around (Parcels L20.5.2 and L20.5.3)	MEC MD	Unknown	This area was believed to be an impact location for 7-inch to 8-inch naval gun projectiles. A munitions response (sampling investigation) that included over 50% of MRS-29 was conducted in 1995 (<i>HFA, 1995</i>). Following investigation, a munitions response (removal) to a depth of 4 feet using geophysical equipment was completed. According to the MMRP database, one MEC item (smoke grenade) and 208 munitions debris items were discovered during these munitions responses. No evidence of 7-inch or 8-inch projectiles was found at MRS-29 or in adjacent MRS-14A. Based on the results of the munitions responses, no further munitions responses were recommended within MRS-29 (<i>USA, 2000d</i>). MEC is not expected to remain at MRS-29. MRS-29 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord

Exhibit E – Notification of Munitions and Explosives of Concern (MEC)*

Munitions Response Site	Type of Military Munitions	Date of Military Munitions Use	Munitions Response Actions
			MMRP.
MRS-30 Laguna Seca Turn 11 (Parcels L20.3.1, L20.3.2 and L20.5.4)	MD MEC	At least since 1945	The December 1956 Training Areas map shows the area as a training site. The ASR notes this site is considered a military munitions site because it lies within the boundaries of the Impact Area and is adjacent to the Wolf Hill Training Area (Plate 11). A munitions response (removal) to a depth of 4 feet was conducted using geophysical equipment. According to the MMRP database, two MEC items and eight munitions debris items were removed. Based on the results of the munitions response, no further munitions response was recommended within MRS-30 (UXB, 1995b). Upon completion of the munitions response, approximately 30 feet to 40 feet of fill material was placed over most of MRS-30 in support of construction activities associated with the expansion of Turn 11 of Laguna Seca Raceway. MEC is not expected to be found at MRS-30. MRS-30 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.
MRS-31 CSU Footprint (Parcel S1.3.2)	MD MEC	1940s through 1990s	MRS-31 encompasses MRS-4C, MRS-7, MRS-8, and MRS-18 (Plate 4). The boundary of MRS-31 was established to correspond to the boundary of transfer Parcel S1.3.2 and to include each of the MRSs. Initial munitions response (investigation) at MRS-31 was conducted in 1994. Based on the results, 3-foot and 4-foot removals were conducted throughout the site. According to the MMRP database, 1,831 MEC items and 2,485 munitions debris items were found during munitions responses at MRS-4C, MRS-7, MRS-8, MRS-18, and MRS-31. MEC is not expected to remain at MRS-31 and no further munitions response was recommended (UXB, 1995c). MRS-31, as well as the MRSs within MRS-31, will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.
MRS-37 Parker Flats Practice Mortar Range (Parcel E19a.3 and E19a.4)	MD MEC	Unknown	According to the ASR, this site appeared on an undated map from the Fort Ord Fire Department. This area was most likely used for firing practice mortars or in non-firing drills (dry-fire). A munitions response (sampling investigations) were performed in March and June of 1998. All munitions responses were to a depth of 4 feet. According to the MMRP database, 58 MEC items and 994 munitions debris items were found and removed during munitions responses. MRS-37 is included in the Parker Flats MRA (Plate 6). The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-37 and no further munitions response was recommended (MACTEC, 2006). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006.
MRS-40 Parker Flats Gas House (Parcel E18.1.2)	MD MEC	Unknown	MRS-40 is identified as the Parker Flats Gas House and included a facility to train troops in the use of gas masks. According to the ASR, this site has the same characteristics as Sites MRS-4A and MRS-4B. Tear gas agents (CS and CN) may have been used in the gas chambers. Based on a review of a 1983 U.S. Chemical Systems Laboratory document, classroom training occurred in Building 2820 on this site, and part of the training involved use of minute quantities of mustard gas. SiteStats/GridStats sampling investigation was performed at this site in October 1997. No MEC was found. Three munitions debris items (unknown fragments) were found. MRS-40 is included in the Parker Flats MRA and the entire site underwent a munitions response (removal) to a depth

Exhibit E – Notification of Munitions and Explosives of Concern (MEC)*

Munitions Response Site	Type of Military Munitions	Date of Military Munitions Use	Munitions Response Actions
			<p>of 4 feet using geophysical equipment. The data associated with the removal at MRS-40 was included with the data for adjacent MRS-50 and MRS-50EXP (Plate 6). The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-40 and no further munitions response was recommended (<i>MACTEC, 2006</i>). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006.</p>
<p>MRS-42/MRS-42EXP Demolition Area-Rifle Grenade Area (Parcels E11b.7.1.1, E11b.8 and L20.19.1.1)</p>	<p>MD MEC</p>	<p>1940s</p>	<p>MRS-42 was formerly the Fort Ord Ammunition Supply Point (ASP) Rifle Grenade Area, as identified on a 1946 training map. This area includes the northern portion of the ASP (Plate 5). MRS-42 underwent a munitions response (removal) to a depth of 4 feet using geophysical equipment. Due to the presence of MEC and munitions debris at the edge of the site the munitions response extended beyond the original boundary of MRS-42. The extended area is identified as MRS-42EXP. According to the former Fort Ord MMRP database, 61 MEC items (primarily M9 series antitank rifle grenades) and 27 munitions debris items (mostly MKII hand grenade fragments and practice antitank rifle grenades) were removed. It was recommended additional investigations be conducted within MRS-42 (<i>USA, 2001f</i>). MRS-42 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p>
<p>MRS-43 South Boundary Area (Parcels E29.1, L6.2, L20.13.1.2 and L20.13.3.1)</p>	<p>MD MEC</p>	<p>1942 to 1944</p>	<p>According to the former Fort Ord Fire Chief, a portion of the ridge in this site was used as a backstop for rifle grenades and shoulder launched projectiles from 1942-1944. During a munitions response (investigation) by an UXO Safety Specialist, a 37mm fragment was discovered at the northwest end of the site. In 1999, nineteen 100-foot by 200-foot grids were investigated using SS/GS and 100% grid sampling, and 19 munitions debris items were recovered. Based on the sampling results a munitions response (removal) to a depth of 4 feet was conducted at the northwest end of MRS-43 (Parcels E29.1 and L6.2). Upon completion of the removal, the removal area was investigated using digital geophysical equipment. The digital geophysical investigation of MRS-43 included the unpaved shoulder of South Boundary Road (Parcels L20.13.1.2 and L20.13.3.1; Plate 9). All munitions responses were conducted to a depth of 4 feet. According to the MMRP database 28 MEC items and 36 munitions debris items were removed during the munitions responses. Five of the 28 MEC items removed from MRS-43 were found in Parcels L20.13.3.1 and L6.2 and only one MEC item was found in Parcel E29.1. No MEC items were found within Parcel L23.13.1.2. Based on the results of the munitions responses, no further munitions response was recommended within the Del Rey Oaks (DRO) Group, which includes MRS-43 (<i>USA, 2001c</i>). No MEC is expected to remain at MRS-43. MRS-43 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP. Also see MRS-15 DRO 01.</p>

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Munitions Response Site	Type of Military Munitions	Date of Military Munitions Use	Munitions Response Actions
MRS-44EDC (Parcels E18.1.1, E18.1.2 and E20c.2)	MD MEC	Unknown	MRS-44 was established based on the presence of fragmentation from 37mm LE projectiles found during a munitions response (site walk) conducted by a USACE UXO Safety Specialist as part of the PA/SI (USAEHDH, 1997). To facilitate the transfer of property, MRS-44 was subdivided into MRS-44EDC and MRS-44PBC. Two munitions responses (sampling investigations) were conducted at the site. The sampling investigations were completed to a depth of 4 feet. According to the MMRP database, 11 MEC items and 53 munitions debris items were removed during investigation. It was recommended that a munitions response (removal) to 4 feet be conducted at MRS-44EDC (USA, 2001i). MRS-44EDC will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.
MRS-44PBC (Parcels L20.18 and L23.2)	MD MEC	Unknown	MRS-44 was established based on the presence of fragmentation from 37mm LE projectiles found during a munitions response (site walk) conducted by a USACE UXO Safety Specialist as part of a PA/SI (USAEHDH, 1997). To facilitate the transfer of property, MRS-44 was subdivided into MRS-44EDC and MRS-44PBC. Two munitions responses (sampling investigation and a removal action) were conducted at MRS-44PBC. All munitions responses were to a depth of 4 feet. According to the MMRP database, 16 MEC items and 73 munitions debris items were removed during munitions responses. MRS-44PBC will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.
MRS-45 Tactical Training Area-TTA (Parcels L20.2.1, L5.7, E19a.3, and E19a.4)	MD MEC	Unknown	A portion of MRS-45 lies within Parcel L20.2.1 (Plate 4). Munitions response (sampling investigation) of MRS-45 was conducted in 1997. According to the MMRP database, a total of 5 MEC items (all pyrotechnic or practice/training-related items) and 224 munitions debris items were found during the sampling investigation in MRS-45. To address the hazard associated with surface MEC potentially present in areas accessible to the public, a munitions response (visual surface removal) of accessible areas, including the eastern portion of MRS-45, was performed by a munitions response contractor under the direction of the USACE. Three MEC items (pyrotechnic signals) and small arms ammunition were found and removed. None of these items were found in the portion of MRS-45 that lies within Parcel L20.2.1 (Parsons, 2002b). Sampling and a visual surface removal conducted at this site identified evidence of past training involving only the use of practice and pyrotechnic items that are not designed to cause injury. MEC is not expected to remain at MRS-45. MRS-45 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.
MRS-47 Wolf Hill (Parcels L20.3.1 and L20.3.2)	MD MEC	1950s	MRS-47 was identified on a 1957 training map as the Wolf Hill Training Area. MRS-47 has undergone munitions responses (two sampling investigations and a removal). During investigation, evidence that the site was used as an impact area was found. The MEC items found included high explosive mortars and projectiles. A removal to a depth of 4 feet using geophysical equipment was performed. According to the MMRP database, 261 MEC items and 127 munitions debris items were removed from MRS-47. Seventy of the MEC items were rifle-fired smoke grenades found intentionally buried in a pit at a depth of 3 feet. MEC is not expected to remain at MRS-47. No further military munitions investigation was recommended (USA, 2000b). MRS-47 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.

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Munitions Response Site	Type of Military Munitions	Date of Military Munitions Use	Munitions Response Actions
MRS-48 Former Dummy Grenade Range (Parcel L20.19.1.1)	MD MEC	1940s through 1950s	MRS-48 lies on the west side of Barloy Canyon Road (Plate 5). The eastern boundary of MRS-48 overlaps portions of the right-of-way associated with Barloy Canyon Road. MRS-48 was identified on a 1946 Fort Ord Master Plan as a "Dummy Grenade Range." During a munitions response (investigation) by a UXO Safety Specialist, fragments from 4.2-inch mortars and other debris were discovered. A munitions response (grid sampling) was completed at the site in 1988. According to the MMRP database, 3 MEC items (practice hand grenade fuze, a rifle-fired signal, and a screening smoke pot) and 22 munitions debris items were removed. Additionally, over 100 pounds of fragments, mostly from 4.2-inch smoke mortars and smoke grenades, were removed. No sampling occurred within Parcel L20.19.1.1. It was concluded that a grenade and 4.2-inch mortar impact area existed within or near the site and that additional munitions responses be conducted within, to the north and to the south of the site (USA, 2001h). MRS-48 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.
MRS-50 Artillery Hill (Parcels E18.1.1 and E18.1.2)	MD MEC	1940s through 1960s	This area was identified during interviews conducted as part of the ASR. Artillery Hill was reportedly used as a target area for rifle grenades and shoulder launched projectiles in the 1940s, 1950s and 1960s. A munitions response (site walk) was conducted by a USACE UXO Safety Specialist as part of a PA/SI. During the munitions response, fragments from 37mm projectiles and 75mm high explosive (HE) projectiles were discovered. A munitions response (removal) to a depth of 4 feet was completed over all of the Parker Flats MRA, including MRS-50, using digital geophysical equipment. According to the MMRP database, 442 MEC items and 724 munitions debris items were removed from the site. MRS-50 is part of the Parker Flats MRA (Plate 6). The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-50 and no further munitions response was recommended (MACTEC, 2006). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006.
MRS-50EXP (Parcels E18.1.1, E18.1.2 and E19a.1)	MD MEC	1940s through 1960s	MRS-50EXP was identified as a MRS due to the expansion of the removal area associated with MRS-50. MEC and munitions debris were found at the boundary of MRS-50, which warranted an expansion of the investigation area in all directions. The investigation of MRS-50 and its expansion areas included a munitions response (removal) conducted over the entire site to a depth of 4 feet using digital geophysical equipment. According to the MMRP database, 430 MEC items and 1,186 munitions debris items were found and removed from MRS-50EXP. MRS-50EXP is part of the Parker Flats MRA (Plate 6). The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-50EXP and no further munitions response was recommended (MACTEC, 2006). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006.
MRS-52 Rifle Grenade and Projectile Target Area (Parcel E19a.3 and E19a.4)	MD MEC	1950s	This site was identified during interviews conducted as part of the ASR and a 1958 map of Fort Ord Training Areas & Facilities shows a Rifle Grenade and Projectile Target Area. During a site inspection, a 37mm fragment and an AT mine (inert) were discovered. Because of the expansion of the removal area associated with adjacent MRS-53, MRS-52 is now part of MRS-53 and included in the Parker Flats MRA (Plate 6). The Parker Flats MRA underwent a munitions response (removal) to a depth of 4 feet using digital geophysical equipment. The munitions data for MRS-52 is reported with the MRS-53 data. The items found included both MEC and munitions debris. The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-52 and no further munitions response was recommended (MACTEC, 2006). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006.

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Munitions Response Site	Type of Military Munitions	Date of Military Munitions Use	Munitions Response Actions
MRS-53 Shoulder-Launched Projectile Area (Parcel E19a.5)	MD MEC	1940s through 1960s	Parcel E19a.5 lies predominantly within MRS-53 and MRS-53 EXP (Plate 6). According to the ASR, MRS-53 was a Shoulder Launched Projectile Target Area from the 1940s through the 1960s. The hill between the two flats was a target area for rifle grenades and shoulder-launched projectiles. Rifle grenades and shoulder-launched projectiles were shot from the southeast at the hill. The hill south of the large flat at Parker Flats was a target area for rifle grenades and ground/tube launched projectiles. A munitions response (site walk) was conducted by a USACE UXO Safety Specialist as part of a PA/SI (USAEHDH, 1997). During the munitions response, a 3-inch stokes mortar round was found and additional investigation was recommended. During a second munitions response (sampling investigation), a 75mm shrapnel projectile, two more 3-inch Stokes mortars and projectile fragments were found. Based on the sampling results, a 4-foot removal was conducted. Munitions responses (removals) resulted in discovery of MEC and live small arms ammunition. MRS-53 is included in the Parker Flats MRA. The Parker Flats MRA underwent a munitions response (removal) to a depth of 4 feet using digital geophysical equipment. According to the MMRP database, 465 MEC items and 5,163 munitions debris items were removed from MRS-53. The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-53 and no further munitions response was recommended (MACTEC, 2006). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006.
MRS-53EXP (Parcels E19a.1, E19a.3, E19a.4, and E19a.5)	MD MEC	1940s - 1960s	MRS-53EXP was identified as a MRS due to the expansion of the removal area associated with MRS-53. MEC and munitions debris were found at the boundary of MRS-53, which warranted an expansion of the investigation area in all directions. MRS-53EXP and the adjacent sites now comprise the Parker Flats MRA (Plate 6). The munitions response at MRS-53 and its expansion areas included a removal conducted over the entire site to a depth of 4 feet below ground surface. According to the MMRP database, 803 MEC items and 4,500 munitions debris items were removed from MRS-53EXP. The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-53EXP and no further munitions response was recommended (MACTEC, 2006). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006.
MRS-54EDC Canyon Target Area (Parcel E19a.4)	MD MEC	Unknown	MRS-54EDC is the portion of MRS-54 within Parcel E19a.4, which is slated for development. MRS-54 (Canyon Target Area) was identified during interviews conducted during the PA/SI Phase of the Archives Search. The area was reportedly used for flamethrowers, but was also a firing point and range for hand grenades (unknown type), rifle grenades (unknown type), and shoulder-launched projectiles (unknown type). During a munitions response (investigation) conducted in 1996 by a USACE UXO Safety Specialist, munitions debris was discovered, including a 2.36-inch practice rocket, two 75mm shrapnel projectiles, and three 81mm practice mortars. A munitions response (removal) to a depth of 4 feet over the entire site using digital geophysical equipment was performed in 1999. According to the MMRP database, 18 MEC items and 192 munitions debris items were removed from MRS-54EDC. MRS-54EDC is part of the Parker Flats MRA. The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-54EDC and no further munitions response was recommended (MACTEC, 2006). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006.
MRS-55 Parker Flats (Parcels)	MD MEC	Unknown	This area was identified during interviews conducted as part of the ASR and was reportedly a firing point and range for hand grenades, rifle grenades, shoulder-launched projectiles, and artillery. This site includes portions of MRS-27A and MRS-27B. During a munitions response (investigation) in 1996, an expended 75mm shrapnel projectile, and two fragments from 37mm

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Munitions Response Site	Type of Military Munitions	Date of Military Munitions Use	Munitions Response Actions
E19a.3 and E19a.4)			practice projectiles, and one mine fuze were discovered. SS/GS sampling investigation was conducted in March 1998. Following the investigation, a removal over the entire site using digital geophysical equipment was performed. All munitions responses were to a depth of 4 feet. According to the MMRP database, 144 MEC items and 1,608 munitions debris items were removed from MRS-55. Items removed include simulators, smoke pots, and grenades. MRS-55 is included in the Parker Flats MRA. The Parker Flats MRA was evaluated in the Track 2 Parker Flats MR RI/FS. No MEC is expected to remain at MRS-55 and no further munitions response was recommended (<i>MACTEC, 2006</i>). The Final Track 2 Parker Flats MR RI/FS was submitted to the USEPA and the DTSC on August 31, 2006.
MRS-57 Unnamed (Parcel L20.2.1)	MD MEC	1940's – 1960's	MRS-57 was identified during interviews conducted as part of the ASR (Plate 4). This area was reportedly used in the 1940s, 1950s, and 1960s. The intersection of Hennekens Ranch Road and Watkins Gate Road was reportedly a firing point for machine guns, M-1, rifle grenades, smoke grenades, and shoulder-launched projectiles. Rifle grenades and bazooka rounds were reportedly found on the hill at Watkins Gate Road and Parker Flats Road intersection. This area was often burned to detonate the UXO. A munitions response (site walk) that included MRS-57 was conducted in January 1996 by a USACE UXO Safety Specialist as part of a PA/SI. Military munitions found included an expended 75mm shrapnel projectile, a smoke grenade, and illumination signals. The data was insufficient to determine if the smoke grenade and the illumination signals were MEC or munitions debris. Additionally, 4 expended smoke grenades were found on a dirt road adjacent to MRS-57 during a munitions response (investigation) completed in October 1999. To address the hazard associated with surface MEC potentially present in areas accessible to the public, a munitions response (visual surface removal) was performed by munitions response contractors under the direction of the USACE in 2001 and 2002. The visual surface removal included MRS-57. No MEC items were found at MRS-57 (<i>Parsons, 2002b</i>). Historical research and field investigations identified past training involving only the use of practice and pyrotechnic items that are not designed to cause injury. No evidence of other types of training or use as an impact area was observed. MEC is not expected to be found at MRS-57. MRS-57 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.
MRS-59 Unnamed (Parcel L20.2.1)	MD	Unknown	A small portion of MRS-59 overlaps Parcel L20.2.1 (Plate 4). MRS-59 was identified during interviews conducted as part of the ASR and was reported to have included a 2.36-inch rocket range in the early 1940s. A munitions response (investigation) that included MRS-59 and MRS-27F was conducted by a USACE UXO Safety Specialist as part of a PA/SI (<i>USADEH, 1997</i>). Munitions debris (expended pyrotechnics) and two fragments from the incomplete detonation of a 60mm mortar were found; however, the specific location of these items was not documented. No evidence of the use of 2.36-inch rockets, reportedly used at MRS-59, was observed. MEC is not expected to be present within MRS-59. MRS-59 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.
MRS-15 DRO 01 (Parcels L20.13.1.2 and L20.13.3.1)	MD MEC	Unknown	MRS-15 DRO 01 and Parcel L6.1 lie adjacent to Parcel L6.2 (Plate 9). Sites MRS-15 DRO 01, MRS-15 DRO 02, and MRS-43 are collectively called the DRO Group (Plate 9). The initial munitions responses (investigations) conducted at MRS-15 DRO 01 included random grid sampling, a removal to a depth of 4 feet along a fuel break on the east side of MRS-15 DRO 01, a removal to a depth of 4 feet on the roads and trails within the site, SS/GS sampling at MRS-15 DRO 01 and MRS-43, and removal of spent small arms ammunition in Ranges 24, 25 and 26 (HA-24, HA-25 and HA-26). MEC and munitions debris were identified within the eastern portion of MRS-15 DRO 01 and the area was subjected to a munitions response (removal) to a depth of 4 feet. Upon

Exhibit E – Notification of Munitions and Explosives of Concern (MEC)*

Munitions Response Site	Type of Military Munitions	Date of Military Munitions Use	Munitions Response Actions
and adjacent to Parcel L6.2)			completion of the removal, the removal area and the rest of MRS-15 DRO 01 were resurveyed using digital geophysical equipment. The digital geophysical survey on the southern margin of MRS-15 DRO 01 included investigation up to the fence-line running parallel to South Boundary Road (Parcels L20.13.3.1 and L20.13.1.2). According to the MMRP database 168 MEC items and 15,300 munitions debris items were removed from MRS-15 DRO 01. The removal at MRS-15 DRO 01 is complete and no MEC is expected to remain in the portions of MRS-15 DRO 01 overlapping Parcels L20.13.1.2 and L20.13.3.1. MRS-15 DRO 01 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.
MRS-15 MOCO 02 (Parcel E21b.3)	MD MEC	Unknown	The boundary of MRS-15 MOCO 02 was developed to support the transfer of Parcel E21b.3 and not on evidence of munitions use. MRS-15 MOCO 02 lies within the boundary of the former Fort Ord Impact Area and contains the firing lines for Ranges 44 and 45. Range 44 was used for firing of antitank weapons and Range 45 was a 40mm grenade range. Munitions response (investigation) at the site was performed in 1999 and approximately 100 military munitions-related items (MEC and munitions debris) were found (<i>USA, 2001g</i>). To address the threat to human health associated with MEC at MRS-15 MOCO 02, a non-time critical removal action (NTCRA) to a depth of 4 feet was completed across the northern portion of the site. According to the MMRP database 663 MEC items and 3,964 munitions debris items were removed from the site. All accessible areas within the northern portion of MRS-15 MOCO 02 were investigated to a depth of 4 feet. Based on the results of the NTCRA the threat to the public posed by the presence of MEC at the site has been mitigated (<i>Parsons, 2006c</i>). MRS-15 MOCO 02 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.
MRS-Ranges 43-48 (Parcels E38, E39, E40, E41, and E42)	MD MEC	1940s through 1990s	MRS-Ranges 43-48 includes all or portions of six former firing ranges that were part of the Impact Area. To address threats to public safety associated with MEC potentially remaining at MRS-Range 43-48, several munitions responses were performed. The munitions responses included grid sampling, a surface time-critical removal action (TCRA) over accessible areas, and an Interim Action that included additional surface and subsurface MEC removal conducted throughout the parcels to a depth of 4 feet. Inaccessible SCAs ² (Plate 7, Attachment 1) and pending areas underwent a surface removal only. The immediate threat posed to the public by the SCAs has been significantly mitigated because the MEC on the ground surface was removed (<i>Parsons, 2007</i>). According to the MMRP database 11,955 MEC items and 28,840 munitions debris items were removed from the site. MRS-Ranges 43-48 (including the SCAs) will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.
MRS-15 SEA 01 (Parcel E24)	MD MEC	Unknown	The boundary of MRS-15 SEA 01 was developed to support the transfer of Parcel E24 and not on evidence of munitions use. MRS-15 SEA 01 included the firing points and some of the targets associated with three small arms ranges (Ranges 21, 22, and 23) and a non-firing target detection range. Several munitions responses were conducted on MRS-15 SEA 01, including an investigation of field latrines, road clearances, grid sampling, removals within the small arms ranges and fuel breaks, a surface TCRA, a NTCRA, and a 100% digital geophysical survey on all remaining portions of MRS-15 SEA 01 not covered by the NTCRA. According to the MMRP database, 203 MEC items and 17,845 munitions debris items were removed from the site. All munitions responses within the accessible areas of MRS-15 SEA 01 have been conducted to a depth of 4 feet. Inaccessible SCAs ³ (Plate 8, Attachment 1) underwent a surface removal only. The immediate threat posed to the public by the SCAs has been significantly mitigated because the MEC on the ground surface was removed (<i>Parsons, 2006a</i>). Inaccessible SCAs will be

Exhibit E – Notification of Munitions and Explosives of Concern (MEC)*

Munitions Response Site	Type of Military Munitions	Date of Military Munitions Use	Munitions Response Actions
MRS-15 SEA 02 (Parcel E34)	MD MEC	Unknown	<p>addressed in a follow-up investigation. MRS-15 SEA 01 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p> <p>The boundary of MRS-15 SEA 02 was developed to support the transfer of Parcel E34 and not on evidence of munitions use. MRS-15 SEA 02 included the firing points and some of the targets associated with two small arms ranges (Ranges 19 and 20). Several munitions responses were conducted on MRS-15 SEA 02, including grid sampling, removals within the small arms ranges and fuel breaks, a surface TCRA, NTCRA, and a 100% digital geophysical survey on all remaining portions of MRS-15 SEA 02 not covered by the NTCRA. According to the MMRP database, 12 MEC items and 1,390 munitions debris items were removed from the site. All munitions responses within the accessible areas of MRS-15 SEA 02 were conducted to a depth of 4 feet. Inaccessible SCAs (Plate 8, Attachment 1) underwent a surface removal only. The immediate threat posed to the public by the SCAs has been significantly mitigated because the MEC on the ground surface was removed (<i>Parsons, 2006a</i>). Inaccessible SCAs will be addressed in a follow-up investigation. MRS-15 SEA 02 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p>
MRS-15 SEA 03 (Parcel E23.1)	MD MEC	Unknown	<p>The boundary of MRS-15 SEA 03 was developed to support the transfer of Parcel E23.1 and not on evidence of munitions use. MRS-15 SEA 03 includes a portion of Range 18, a former small arms range. Features associated with Range 18 that lie within Parcel E23.1 include some of the firing points and some of the targets. Several munitions responses were conducted on MRS-15 SEA 03, including grid sampling, removals within the small arms range, roads and fuel breaks, a surface TCRA, a NTCRA, and a 100% digital geophysical survey on all remaining portions of MRS-15 SEA 03 not covered by the NTCRA. According to the MMRP database, 124 MEC items and 220 munitions debris items were removed from the site. All munitions responses within the accessible areas of MRS-15 SEA 03 were conducted to a depth of 4 feet. Inaccessible SCAs (Plate 7, Attachment 1) underwent a surface removal only. The immediate threat posed to the public by the SCAs has been significantly mitigated because the MEC on the ground surface was removed (<i>Parsons, 2006a</i>). Inaccessible SCAs will be addressed in a follow-up investigation. MRS-15 SEA 03 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p>
MRS-15 SEA 04 (Parcel E23.2)	MD MEC	Unknown	<p>The boundary of MRS-15 SEA 04 was developed to support the transfer of Parcel E23.2 and not on evidence of munitions use. MRS-15 SEA 04 included the firing points and some of the targets associated with two small arms ranges (Ranges 18 and 46), and the firing points for a mortar and antitank weapons range (Range 48). Several munitions responses were conducted on MRS-15 SEA 04, including grid sampling, removals within the small arms ranges and fuel breaks, a surface TCRA, a NTCRA, and a 100% digital geophysical survey on all remaining portions of MRS-15 SEA 04 not covered by the NTCRA. According to the MMRP database, 189 MEC items and 380 munitions debris items were removed from the site. All munitions responses within the accessible areas of MRS-15 SEA 04 were conducted to a depth of 4 feet. Inaccessible SCAs (Plate 7, Attachment 1) underwent a surface removal only. The immediate threat posed to the public by the SCAs has been significantly mitigated because the MEC on the ground surface was removed (<i>Parsons, 2006a</i>). Inaccessible SCAs will be addressed in a follow-up investigation. MRS-15 SEA 04 will be evaluated through the RI/FS process per the provisions of the FFA, as amended, and as part of the ongoing former Fort Ord MMRP.</p>

Exhibit E – Notification of Munitions and Explosives of Concern (MEC)*

Munitions Response Site	Type of Military Munitions	Date of Military Munitions Use	Munitions Response Actions
<p>*Munitions and Explosives of Concern (MEC)U. This term, which distinguishes specific categories of military munitions that may pose unique explosives safety risks, means: (A) Unexploded Ordnance (UXO), as defined in 10 U.S.C. 101(e)(5); (B) Discarded military munitions (DMM), as defined in 10 U.S.C. §2710(e)(2); or (C) Munitions constituents (e.g., TNT, RDX), as defined in 10 U.S.C. §2710(e)(3), present in high enough concentrations to pose an explosive hazard.</p> <p>¹ Resolution of anomalies detected below the depth specified in a project scope of work was at the discretion of the project managers and determined on a case-by-case basis considering, among other things, the likelihood that the anomaly was MEC or other material. At munitions response sites where 4-foot removal or removal-to-depth was conducted since June 1996, all detected anomalies were investigated or resolved (e.g. Parker Flats Munitions Response Area), or unresolved anomalies were recorded (e.g. special-case areas in MRS-15 SEA 01-4). For 1-foot and 3-foot removals, and 4-foot removals conducted prior to June 1996, after-action reports do not provide information about any detected but unresolved anomalies; further evaluation of site-specific information would be required to conclusively state that there were no such anomalies.</p> <p>² SCA is an area in the MRS in which MEC removal cannot be completed within the scope of work due to metallic clutter or obstructions that compromise instrument performance or technician safety or because the removal process would cause a serious adverse impact to the habitat. The specific types of SCAs at MRS-Ranges 43-48 are high density munitions debris and range-related debris areas (Ranges 44 and 48); high density MEC and range-related debris (Range 47); target box trench (Range 45); non-completed areas; steel-reinforced concrete observation bunker; and metallic fence. See the <i>Final MRS-Ranges 43-48 Interim Action Technical Information Paper, Former Fort Ord, Monterey, California, Military Munitions Response Program</i>, January 26, 2007, for additional information.</p> <p>³ SCA is an area in the MRS in which MEC removal cannot be completed within the scope of work due to metallic clutter or obstructions that compromise instrument performance or technician safety or because the removal process would cause a serious adverse impact to the habitat. The specific types of SCAs at MRS-15 SEA 01-4 are metallic fence; asphalt and concrete paved areas; non-completed backhoe excavation areas; heavy equipment excavation areas (concrete bunkers, fighting positions, flag poles, target boxes, tie downs, utility poles and wood stairs); berms (wood retaining walls with metal connectors); structures and latrines; former remote automated weather station (Range 46); and debris piles. See the <i>Final Technical Information Paper MRS-15 SEA 01-4, Time-Critical Removal Action and Geophysical Operations (Phase I), Former Fort Ord, Monterey, Military Munitions Response Program</i>, February 11, 2006, for additional information.</p>			

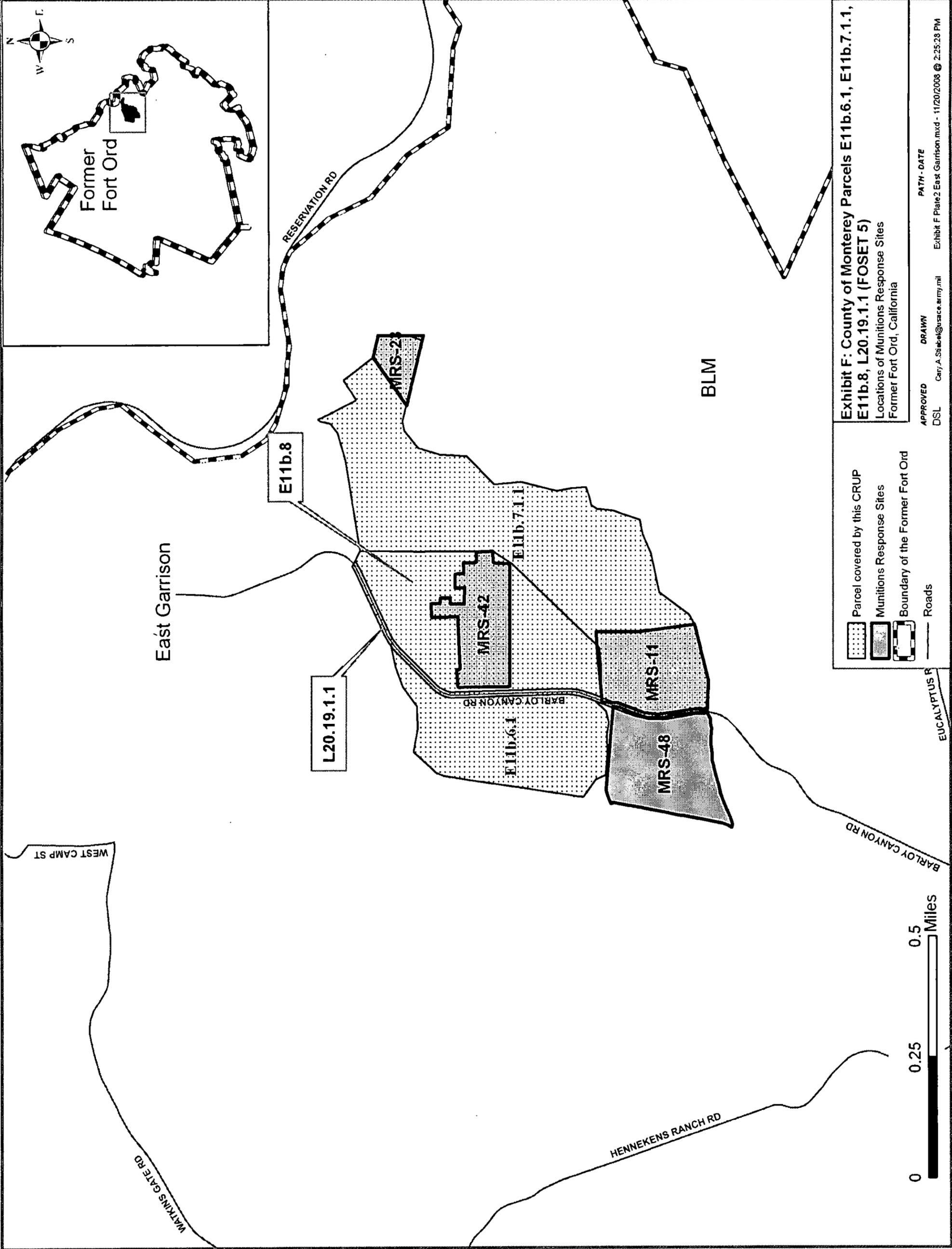


Exhibit F: County of Monterey Parcels E11b.6.1, E11b.7.1.1, E11b.8, L20.19.1.1 (FOSET 5)
 Locations of Munitions Response Sites
 Former Fort Ord, California

- Parcel covered by this CRUP
- Munitions Response Sites
- Boundary of the Former Fort Ord
- Roads

APPROVED: DSL
 DRAWN: Cary, A. Stiel@usace.army.mil
 PATH - DATE: Exhibit F Plate2 East Garrison.mxd - 11/20/2008 @ 2:25:28 PM

0 0.25 0.5 Miles

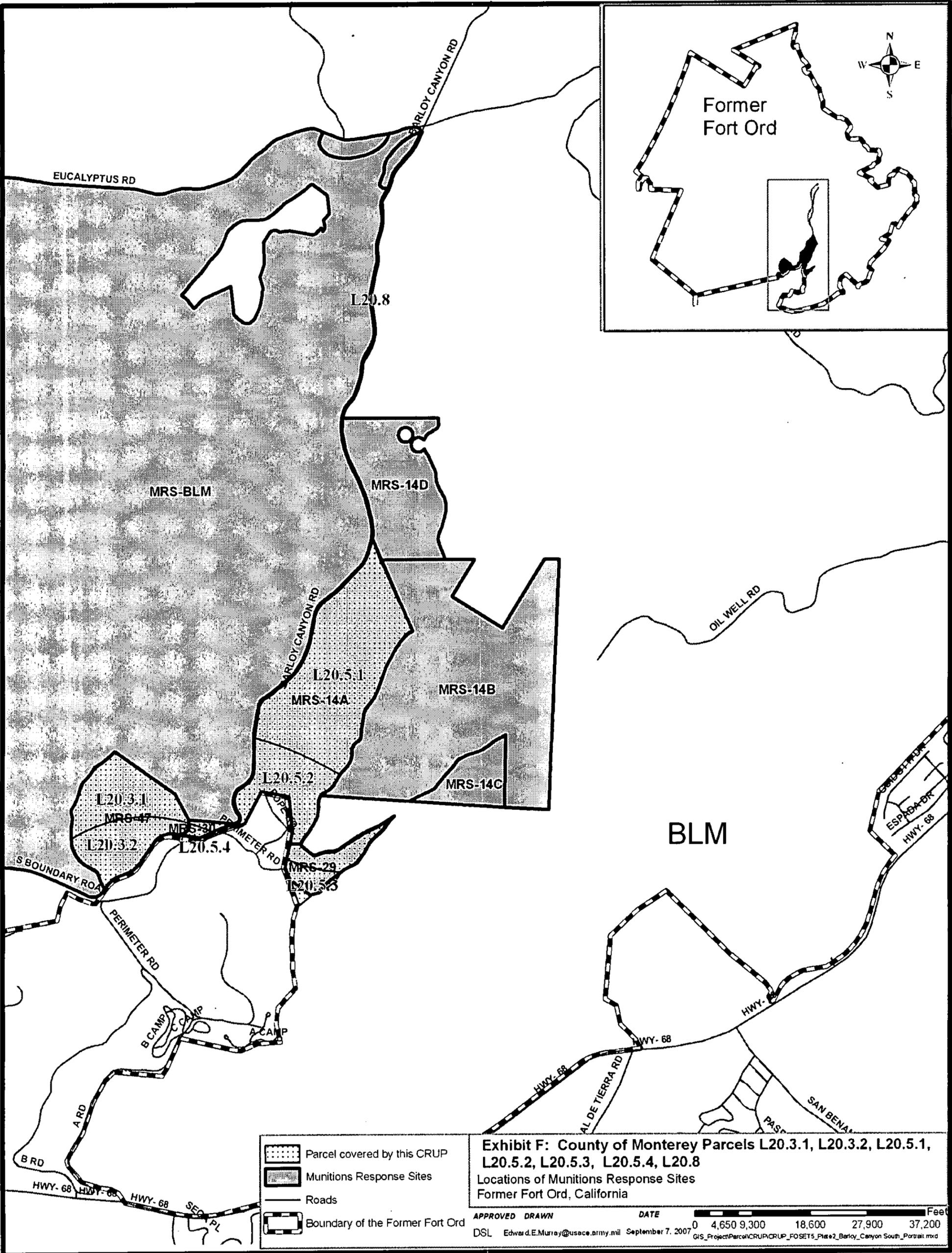


Exhibit F: County of Monterey Parcels L20.3.1, L20.3.2, L20.5.1, L20.5.2, L20.5.3, L20.5.4, L20.8
 Locations of Munitions Response Sites
 Former Fort Ord, California

APPROVED DRAWN DATE
 DSL Edward.E.Murray@usec.army.mil September 7, 2007
 0 4,650 9,300 18,600 27,900 37,200 Feet
 GIS_Project\Parcel\CRUP\CRUP_FOSETS_Plane2_Barloy_Canyon_South_Portrait.mxd

EXHIBIT G

UNRECORDED EASEMENTS AND ENCUMBRANCES

Existing utilities, if any, along Intergarrison Road, Impossible Canyon Road and Barloy Canyon Road.

Existing utilities, if any, along paved roads within these parcels including Gigling Road, 8th Avenue, Normandy Road, Parker Flats Road, Parker Flats Cut-Off and Eucalyptus Road, which may currently service U.S. Department of the Interior, Bureau of Land Management (BLM) facilities.

END OF DOCUMENT

FORT ORD REUSE AUTHORITY
OFFICIAL BUSINESS
REQUEST DOCUMENT TO BE RECORDED
AND EXEMPT FROM RECORDING FEES
PER GOVERNMENT CODE 6103



WE HEREBY CERTIFY THAT THIS IS A FULL,
TRUE AND CORRECT COPY OF THE ORIGINAL
DOCUMENT AS THE SAME APPEARS IN THE
OFFICE OF THE COUNTY RECORDER OF
Monterey COUNTY, STATE OF
CALIFORNIA, RECORDED ON 5/17/10
IN BOOK _____ OF OFFICIAL RECORDS
AT PAGE _____ SERIAL NO. 2009028284
CHICAGO TITLE
By _____

Recording requested by and
when recorded mail to:

KUTAK ROCK LLP
1101 CONNECTICUT AVE, NW STE 1000
WASHINGTON, DC 20036
ATTN: GEORGE SCHLOSSBERG, ESQ.

(Space Above This Line For Recorder's Use Only)

DEED AMENDMENT No. 1 FOR
FORT ORD REUSE AUTHORITY (FORA)
COUNTY OF MONTEREY, CALIFORNIA

(Parcels E11.b.6.1, E11b.7.1.1, E11b.8, E18.1.2, E19a.1, E19a.2, E19a.3, E19a.4, L5.7,
L20.2.1, L20.3.1, L20.3.2, L20.5.1, L20.5.2, L20.5.3, L20.5.4, L20.8, L20.18, L20.19.1.1, and
L32.1)

This DEED AMENDMENT No. 1 ("Deed Amendment No. 1"), between the UNITED STATES OF AMERICA ("GRANTOR"), acting by and through the Director of Real Estate, Headquarters, U.S. Army Corps of Engineers, pursuant to a delegation of authority from the Deputy Assistant Secretary of the Army (Installations & Housing) acting pursuant to a delegation of authority from the SECRETARY OF THE ARMY ("ARMY"), under the Federal Property and Administrative Services Act of 1949, approved June 30, 1949 (Ch. 288), 40 U.S.C. §101, et seq., as amended, and Defense Base Closure and Realignment Act of 1990, Public Law No. 101-510, as amended, and the FORT ORD REUSE AUTHORITY ("FORA" or "GRANTEE"), an agency of the State of California, amends that certain quitclaim deed, dated May 8, 2009, and recorded in the real property records of Monterey County, California as Document No. 2009028280 ("Quitclaim Deed").

WITNESSETH THAT:

WHEREAS, the former Fort Ord has been identified as a National Priorities List ("NPL") Site under the Comprehensive Environmental Response Compensation and Liability Act ("CERCLA") of 1980, as amended. The GRANTOR has provided the GRANTEE with a copy of the Fort Ord Federal Facility Agreement ("FFA"), and any amendments thereto, entered into by the United States Environmental Protection Agency ("USEPA") Region 9, the State of California, and the ARMY, effective on November 19, 1990;

S

Amendment No. 1 to Deed No. DACA05-9-07-505

WHEREAS, the GRANTOR, in conformance with CERCLA and pursuant to the FFA, and all amendments thereto, is obligated to remediate environmental contamination resulting from GRANTOR activities on the former Fort Ord;

WHEREAS, CERCLA Section 120(h)(3)(C) (42 U.S.C. §9620(h)(3)(C)) allows the USEPA Administrator, with the concurrence of the Governor of the State, to defer the CERCLA covenant warranting that all remedial action necessary to protect human health and the environment has been taken before the date of transfer;

WHEREAS, the Finding of Suitability for Early Transfer ("FOSET"), Former Fort Ord, California, Environmental Services Cooperative Agreement ("ESCA") Parcels and Non-ESCA Parcels (Operable Unit Carbon Tetrachloride Plume) ("FOSET 5") set forth the basis for the GRANTOR's determination that Parcels E11.b.6.1, E11b.7.1.1, E11b.8, E18.1.2, E19a.1, E19a.2, E19a.3, E19a.4, L5.7, L20.2.1, L20.3.1, L20.3.2, L20.5.1, L20.5.2, L20.5.3, L20.5.4, L20.8, L20.18, L20.19.1.1, and L32.1, containing approximately 1,767.261 acres in the County of Monterey, in the State of California, as legally described in the Quitclaim Deed ("Property"), were suitable for transfer;

WHEREAS, by the Quitclaim Deed, the GRANTOR, for good and valuable consideration, the receipt of which was acknowledged, did REMISE, RELEASE, AND FOREVER QUITCLAIM to the GRANTEE, its successors and assigns, all its right, title, and interest in the Property;

WHEREAS, Section 2, Paragraph D of Exhibit "D" to the Quitclaim Deed ("Access Restriction") restricts use of the Property to activities associated with the investigation and remediation of Munitions and Explosives of Concern ("MEC") and installation of utilities and roadways until the USEPA, in consultation with the State of California, has certified the completion of response actions necessary to protect human health and the environment on the Property;

WHEREAS, such response actions were completed with respect to portions of Parcels E18.1.2, E19a.1, E19a.3, E19a.4, and L32.1 of the Property as described in Exhibit "A", attached hereto and made a part hereof ("Phase I Property"), pursuant to CERCLA and the FFA; and, as described in the Final Record of Decision, Parker Flats Munitions Response Area, Track 2 Munitions Response Site, Former Fort Ord, California ("Parker Flats MRA ROD"). The ARMY and the USEPA jointly selected the remedy for the Parker Flats Muniton Response Area, which includes Land Use Controls ("LUCs") as described in the Parker Flats MRA ROD and FOSET 5 and shown in Exhibit "B", attached hereto and made a part hereof; and the State of California had an opportunity to review and comment on the Parker Flats MRA ROD;

WHEREAS, the Phase I Property lies within the Phase I Parker Flats MRA (as shown in Exhibit "C") and implementation and maintenance of the remedy for the Phase I Parker Flats MRA is described in the Final Remedial Design/Remedial Action, Land Use Controls Implementation, and Operation and Maintenance Plan, Parker Flats Munitions Response Area Phase I, Former Fort Ord Monterey County, California, ("RD/RA LUCI O&M Plan, Parker Flats

Amendment No. 1 to Deed No. DACA05-9-07-505

MRA Phase I”) dated August 4, 2009; and pursuant to Section XIV, EPA Approval of Plans and Other Submissions, of the Administrative Order on Consent for Cleanup of Portions of the Former Fort Ord (“AOC”), and after consultation with the California Department of Toxic Substances Control, the USEPA approved the RD/RA LUCI O&M Plan, Parker Flats MRA Phase I in a letter dated July 15, 2009; and based on its review of relevant documents, the USEPA determined all remedial actions were implemented and completed at the Parker Flats MRA in a letter dated July 27, 2009;

NOW THEREFORE, the GRANTOR, acting by and through the Director of Real Estate, Headquarters, U.S. Army Corps of Engineers, hereby amends the Quitclaim Deed:

- (i) to terminate and remove the Access Restriction applicable to the Phase I Property, and
- (ii) pursuant to CERCLA 120(h)(3)(C)(iii), to add the following provisions:

1. CERCLA COVENANT

Pursuant to section 120(h)(3)(A)(ii) and (B) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. §9620(h)(3)(A)(ii) and (B)), the United States warrants that:

- A. All remedial action necessary to protect human health and the environment with respect to any hazardous substance identified pursuant to section 120(h)(3)(A)(i)(I) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 remaining on the Phase I Property has been taken before the date of this Deed Amendment No. 1, and
- B. Any additional remedial action found to be necessary after the date of this Deed Amendment No. 1 shall be conducted by the United States.

This warranty shall not apply in any case in which the person or entity to whom the Phase I Property is transferred is a potentially responsible party with respect to such Phase I Property. For purposes of this warranty, GRANTEE shall not be considered a potentially responsible party solely due to the presence of a hazardous substance remaining on the property on the date of this Deed Amendment No. 1, provided that GRANTEE has not caused or contributed to a release of such hazardous substance. Further, the GRANTOR shall not be relieved of any obligation under CERCLA to perform any remedial action found to be necessary after the date of this Deed Amendment No. 1 with regard to any hazardous substances remaining on the Phase I Property as of the date of this Deed Amendment No. 1 if the GRANTEE is subsequently determined to be a potentially responsible party with respect to hazardous substances placed on the Phase I Property after the date of this Deed Amendment No. 1.

AND IT IS FURTHER AGREED AND UNDERSTOOD by and between the parties hereto that the GRANTEE, by its acceptance of this Deed Amendment No. 1, agrees that, as part of the consideration for this Deed Amendment No. 1, the GRANTEE covenants and agrees for

Amendment No. 1 to Deed No. DACA05-9-07-505

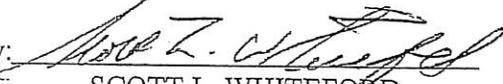
itself, its successors and assigns, forever, that, except for the removal of the Access Restriction applicable to the Phase I Property as provided in this Deed Amendment No. 1, this Deed Amendment No. 1 in no way abrogates each of the covenants included in the Quitclaim Deed, which shall be binding upon and enforceable against the GRANTEE, its successors and assigns, in perpetuity by the United States and other interested parties as allowed by federal, state or local law. The NOTICES, USE RESTRICTIONS, AND RESTRICTIVE COVENANTS set forth in the Quitclaim Deed and Deed Amendment No. 1, are a binding servitude on the Phase I Property and shall be deemed to run with the land in perpetuity. The failure to include the NOTICES, USE RESTRICTIONS, AND RESTRICTIVE COVENANTS in subsequent conveyances does not abrogate the status of these restrictions as binding upon the parties, their successors and assigns. In all other respects the Quitclaim Deed shall be in full force and effect.

{Signatures follow}

Amendment No. 1 to Deed No. DACA05-9-07-505

IN WITNESS WHEREOF, the GRANTOR has caused this Deed Amendment No. 1 to be executed in its name by the Director of Real Estate, this the 8th day of April 2010.

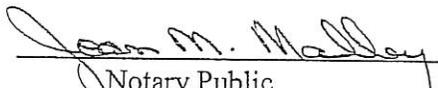
UNITED STATES OF AMERICA

By: 
SCOTT L. WHITEFORD
Director of Real Estate
United States Army Corps of Engineers

NOTORIAL CERTIFICATE

DISTRICT OF COLUMBIA: SS

I, Joan M. Markley, a Notary Public in and for the District of Columbia, do hereby certify that this 8th day of April, 2010, Scott L. Whiteford, Director of Real Estate, known to me or proven through satisfactory evidence of identity to be the person whose name is subscribed to the foregoing document, appeared in person and acknowledged before me that the signature on the document was voluntarily affixed by him for the purposes therein stated and that he had due authority to sign the document in the capacity therein stated.


Notary Public

My commission expires the 14th day of October, 2014.

ACCEPTANCE:

In Testimony Whereof, witness the signature of the Fort Ord Reuse Authority ("Authority"), an organization organized and existing under the laws of the State of California under the Fort Ord Reuse Authority Act created under Title 7.85 of the California Government Code, Chapters 1 through 7, inclusive, commencing with Section 67650, et seq., and selected provisions of the California Redevelopment Law, including Division 24 of the California Health and Safety Code, Part 1, Chapter 4.5, Article 1, commencing with Section 33492, et seq., and Article 4, commencing with Section 33492.70, et seq., this twenty third day of November, 2009 hereby accepts and approves this Deed Amendment No. 1 for itself, its successors and assigns, and agrees to all the conditions, reservations, restrictions, and terms contained therein.

FORT ORD REUSE AUTHORITY
LOCAL REDEVELOPMENT AUTHORITY

By: [Signature]
Michael A. Houlemard, Jr.
Executive Officer

STATE OF CALIFORNIA

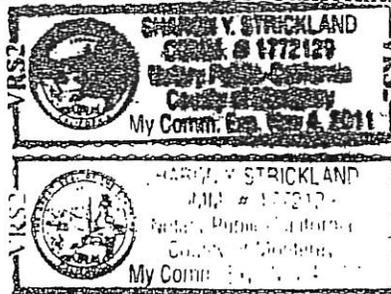
COUNTY OF Mendocino

On 11-24-09 before me, Sharon Y. Strickland, Notary, (name of notary public) personally appeared Michael A. Houlemard, Jr. who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and who acknowledged to me that he/she/they executed the same in their authorized capacity(ies), and by his/her/their signature(s) on the instrument the person(s), or 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]
(Signature of Notary)



Amendment No. 1 to Deed No. DACA05-9-07-505

EXHIBIT "A"

Legal description and record of survey for the Phase I Property.

EXHIBIT A

EXHIBIT A

Exhibit "A"
Legal Description
Monterey County Amend - 505

Certain real property situate in the unincorporated area of Monterey County, also situate in the City Lands of Monterey, Tract No. 1, County of Monterey, State of California, described as follows:

Parcel A

Being a portion of the land shown as Parcel 1 on the map filed in Volume 23 of Surveys at Page 105, also being a portion of the land shown as Parcel D on the map filed in Volume 30 of Surveys at Page 41, and described in the deed recorded as Document Number 2009028280, Official Records of said County, particularly described as follows:

Beginning at a point on the southeasterly boundary of said Parcel 1, said point also being on the southeasterly boundary of said Parcel D, from which point the northeasterly terminus of the course shown as S49°49'05"W, 123.53' on said map filed in Volume 23 of Surveys at Page 105 bears North 49°49'05" East, 27.08 feet; thence from said point of beginning along said southeasterly boundary of said Parcel 1

- A-1) South 49° 49' 05" West, 96.45 feet; thence
- A-2) South 62° 19' 42" West, 168.14 feet (shown as S 62° 19' 42" W, 168.15' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-3) South 43° 50' 29" West, 115.36 feet (shown as S 43° 50' 29" W, 115.37' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-4) South 38° 11' 13" West, 200.81 feet (shown as S 38° 11' 13" W, 200.82' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-5) South 40° 27' 38" West, 271.04 feet (shown as S 40° 27' 38" W, 271.06' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-6) South 53° 08' 07" West, 144.58 feet (shown as S 53° 08' 07" W, 144.59' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-7) South 69° 49' 08" West, 193.32 feet (shown as S 69° 49' 08" W, 193.33' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-8) South 54° 59' 05" West, 72.44 feet; thence
- A-9) South 41° 12' 49" West, 80.99 feet (shown as S 41° 12' 49" W, 81.00' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-10) South 24° 33' 59" West, 55.05 feet; thence
- A-11) South 5° 54' 51" West, 88.84 feet (shown as S 05° 54' 51" W, 88.85' on said map filed in Volume 30 of Surveys at Page 41); thence

- A-12) South 8° 19' 42" East, 329.22 feet (shown as S 08° 19' 42" E, 329.24' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-13) South 0° 05' 57" West, 78.52 feet (shown as S 00° 05' 57" W, 78.53' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-14) South 8° 37' 33" West, 97.38 feet (shown as S 08° 37' 33" W, 97.39' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-15) South 18° 58' 46" West, 165.55 feet (shown as S 18° 58' 46" W, 165.56' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-16) South 44° 37' 32" West, 95.77 feet (shown as S 44° 37' 32" W, 95.78' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-17) South 60° 52' 39" West, 254.54 feet (shown as S 60° 52' 39" W, 254.56' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-18) South 37° 26' 54" West, 126.62 feet (shown as S 37° 26' 54" W, 126.63' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-19) South 10° 48' 03" West, 68.50 feet (shown as S 10° 48' 03" W, 68.50' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-20) South 29° 22' 04" West, 156.14 feet (shown as S 29° 22' 04" W, 156.15' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-21) South 34° 57' 59" West, 139.62 feet (shown as S 34° 57' 59" W, 139.63' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-22) South 56° 21' 39" West, 59.71 feet; thence
- A-23) South 82° 29' 44" West, 194.58 feet (shown as S 82° 29' 44" W, 194.59' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-24) North 83° 42' 42" West, 287.14 feet (shown as N 83° 42' 42" W, 287.16' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-25) North 66° 01' 20" West, 147.39 feet (shown as N 66° 01' 20" W, 147.40' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-26) North 79° 00' 34" West, 251.36 feet (shown as N 79° 00' 34" W, 251.38' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-27) South 77° 12' 53" West, 55.92 feet (shown as S 77° 12' 53" W, 55.92' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-28) South 46° 42' 29" West, 87.18 feet (shown as S 46° 42' 29" W, 87.19' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-29) South 58° 47' 57" West, 75.85 feet (shown as S 58° 47' 57" W, 75.86' on said map filed in Volume 30 of Surveys at Page 41); thence

- A-30) South 80° 55' 21" West, 132.36 feet (shown as S 80° 55' 21" W, 132.37' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-31) South 87° 12' 11" West, 112.47 feet (shown as S 87° 12' 11" W, 112.48' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-32) South 71° 38' 58" West, 176.73 feet (shown as S 71° 38' 58" W, 176.74' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-33) South 56° 09' 46" West, 97.71 feet (shown as S 56° 09' 46" W, 97.72' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-34) South 37° 48' 47" East, 90.91 feet (shown as S 37° 48' 47" E, 90.92' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-35) South 17° 07' 11" East, 62.89 feet; thence
- A-36) South 2° 33' 03" West, 88.26 feet (shown as S 02° 33' 03" W, 88.27' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-37) South 18° 58' 47" West, 63.58 feet; thence
- A-38) South 36° 47' 12" West, 201.48 feet (shown as S 36° 47' 12" W, 201.49' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-39) South 31° 02' 57" West, 121.84 feet (shown as S 31° 02' 57" W, 121.85' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-40) South 51° 55' 07" West, 113.23 feet (shown as S 51° 55' 07" W, 113.24' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-41) South 61° 32' 12" West, 269.67 feet (shown as S 61° 32' 12" W, 269.69' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-42) South 75° 50' 25" West, 66.11 feet; thence
- A-43) South 59° 39' 37" West, 1066.26 feet more or less to an angle point in the boundary of said Parcel D and Parcel B as shown on said map filed in Volume 30 of Surveys at Page 41; thence departing said southeasterly boundary of said Parcel 1 and said Parcel D along the boundary of said Parcel B
- A-44) North 52° 52' 17" East, 1103.33 feet; thence
- A-45) North 12° 53' 13" West, 90.03 feet; thence
- A-46) North 23° 03' 02" West, 1755.77 feet; thence
- A-47) North 20° 08' 36" West, 268.73 feet; thence
- A-48) North 6° 42' 03" East, 153.53 feet; thence

- A-49) North 17° 38' 14" East, 226.03 feet; thence
- A-50) North 48° 03' 46" West, 283.49 feet; thence
- A-51) North 55° 11' 28" West, 278.91 feet; thence
- A-52) North 62° 41' 36" West, 227.15 feet; thence
- A-53) North 65° 01' 11" West, 250.60 feet; thence
- A-54) North 71° 11' 51" West, 335.15 feet; thence
- A-55) North 79° 30' 16" West, 483.47 feet; thence
- A-56) North 84° 57' 11" West, 320.10 feet; thence
- A-57) South 89° 14' 18" West, 321.74 feet; thence
- A-58) South 85° 32' 01" West, 169.80 feet; thence
- A-59) South 4° 34' 26" East, 338.58 feet; thence
- A-60) South 14° 47' 14" East, 1369.35 feet; thence
- A-61) South 20° 28' 20" West, 520.37 feet; thence
- A-62) South 30° 46' 05" West, 753.57 feet; thence
- A-63) South 25° 53' 24" West, 427.12 feet; thence
- A-64) South 1° 39' 30" West, 156.63 feet more or less to a point on the southerly boundary of said Parcel D; thence departing said boundary of said Parcel B along said southerly boundary
- A-65) Along the arc of a non-tangent curve, the center of which bears South 0° 33' 33" East, 280.00 feet distant, through a central angle of 12° 05' 49", for an arc distance of 59.12 feet; thence departing said southerly boundary of said Parcel D
- A-66) North 45° East, 15.62 feet; thence
- A-67) North 3° 21' 59" East, 8.51 feet; thence
- A-68) North 26° 33' 54" East, 25.71 feet; thence
- A-69) North 7° 27' 38" East, 42.36 feet; thence
- A-70) North 3° 10' 47" East, 36.06 feet; thence
- A-71) North 3° 19' 29" East, 60.35 feet; thence
- A-72) North 2° 28' 18" East, 34.78 feet; thence

- A-73) North 1° 48' 31" East, 47.52 feet; thence
- A-74) North 1° 41' 50" East, 33.76 feet; thence
- A-75) North 1° 7' 24" East, 25.50 feet; thence
- A-76) North 1° 49' 58" East, 31.27 feet; thence
- A-77) North, 60.25 feet; thence
- A-78) North 9° 12' 40" East, 9.37 feet; thence
- A-79) North, 81.50 feet; thence
- A-80) North 3° 41' 29" West, 15.53 feet; thence
- A-81) North 8° 29' 20" West, 50.81 feet; thence
- A-82) North 10° 45' 29" West, 50.89 feet; thence
- A-83) North 13° 37' 37" West, 50.93 feet; thence
- A-84) North 21° 59' 11" West, 1.08 feet; thence
- A-85) West, 421.60 feet; thence
- A-86) North, 100.00 feet; thence
- A-87) West, 100.00 feet; thence
- A-88) North, 100.00 feet; thence
- A-89) West, 200.00 feet; thence
- A-90) North, 200.00 feet; thence
- A-91) West, 56.04 feet more or less to a point on the westerly line of said Parcel 1, said line also being the city limit line of the City of Seaside; thence along said city limit line and said westerly line of said Parcel 1
- A-92) North 18° 59' 46" East, (shown as S18° 59' 35" W on said map filed in Volume 30 of Surveys at Page 41), 2531.75 feet; thence departing said city limit line and said westerly line of said Parcel 1
- A-93) East, 635.27 feet; thence
- A-94) North 80° 32' 16" East, 38.02 feet; thence
- A-95) East, 3918.98 feet; thence
- A-96) North 21° 9' 41" East, 48.52 feet; thence

A-97) North 12° 8' 13" East, 23.78 feet; thence
A-98) North 2° 3' 50" West, 27.77 feet; thence
A-99) North 14° 10' 41" West, 24.50 feet; thence
A-100) North 22° 26' 34" West, 24.88 feet; thence
A-101) North 18° 48' 00" West, 24.82 feet; thence
A-102) North 2° 56' 08" West, 19.53 feet; thence
A-103) North 15° 56' 43" East, 20.02 feet; thence
A-104) North 29° 14' 56" East, 14.33 feet; thence
A-105) North 36° 23' 04" East, 11.80 feet; thence
A-106) North 51° 8' 48" East, 11.56 feet; thence
A-107) North 65° 39' 32" East, 11.52 feet; thence
A-108) North 84° 24' 30" East, 71.84 feet; thence
A-109) North 86° 35' 54" East, 71.63 feet; thence
A-110) North 87° 23' 10" East, 115.12 feet; thence
A-111) North 85° 58' 00" East, 78.19 feet; thence
A-112) North 83° 3' 21" East, 78.58 feet; thence
A-113) North 84° 24' 23" East, 97.46 feet; thence
A-114) North 84° 9' 55" East, 68.86 feet; thence
A-115) North 83° 59' 28" East, 28.66 feet; thence
A-116) North 85° 52' 48" East, 59.15 feet; thence
A-117) North 88° 3' 31" East, 59.03 feet; thence
A-118) South 89° 10' 11" East, 69.01 feet; thence
A-119) South 89° 22' 38" East, 69.00 feet; thence
A-120) North 86° 39' 42" East, 60.10 feet; thence
A-121) North 88° 7' 56" East, 92.05 feet; thence
A-122) North 88° 41' 53" East, 22.01 feet; thence

- A-123) North 88° 48' 23" East, 12.00 feet; thence
A-124) South 88° 6' 08" East, 83.05 feet; thence
A-125) North 89° 20' 56" East, 44.00 feet; thence
A-126) North 87° 6' 31" East, 49.56 feet; thence
A-127) North 89° 2' 26" East, 104.51 feet; thence
A-128) South 88° 29' 44" East, 257.09 feet; thence
A-129) South 88° 48' 23" East, 12.00 feet; thence
A-130) South 85° 15' 39" East, 96.83 feet; thence
A-131) South 81° 40' 56" East, 86.41 feet; thence
A-132) South 71° 44' 53" East, 148.47 feet; thence
A-133) South 65° 16' 12" East, 66.16 feet; thence
A-134) South 65° 16' 13" East, 66.50 feet; thence
A-135) South 55° 39' 14" East, 109.01 feet; thence
A-136) South 51° 25' 24" East, 80.59 feet; thence
A-137) South 50° 41' 17" East, 89.18 feet; thence
A-138) South 57° 25' 03" East, 78.92 feet; thence
A-139) South 64° 52' 01" East, 89.47 feet; thence
A-140) South 67° 47' 55" East, 126.37 feet; thence
A-141) South 76° 40' 50" East, 141.79 feet; thence
A-142) South 63° 16' 49" East, 25.92 feet more or less to a point on the easterly line of said Parcel 1 as shown on said map filed in Volume 23 of Surveys at Page 105, and to the point of beginning.

Containing an area of 307.83 acres, more or less.

Parcel B

Being a portion of the land shown as Parcel 1 on the map filed in Volume 23 of Surveys at Page 105 also being a portion of the land shown as Parcel D on the map filed in Volume 30 of Surveys at Page 41, Official Records of said County, particularly described as follows:

Beginning at a point on the northerly line of said Parcel 1 on said map filed in Volume 23 of Surveys at Page 105; thence along said northerly line of said Parcel 1

- B-1) South 87° 45' 00" East, 1940.14 feet; thence departing said northerly line of said Parcel 1
- B-2) South 16° 31' 29" West, 1869.92 feet; thence
- B-3) South 16° 29' 28" West, 385.14 feet; thence
- B-4) South 74° 32' 16" West, 303.66 feet; thence
- B-5) North 86° 54' 02" West, 309.73 feet; thence
- B-6) North 73° 58' 54" West, 1823.92 feet more or less to a point on the northerly line of said Parcel 1; thence along said northerly line
- B-7) Along the arc of a non-tangent curve, the center of which bears South 19° 22' 03" East, 482.00 feet distant, through a central angle of 11° 01' 03", for an arc distance of 92.68 feet; thence
- B-8) Along the arc of a compound tangent curve, the center of which bears South 8° 21' East, 1632.00 feet distant, through a central angle of 14° 13' 51", for an arc distance of 405.35 feet; thence
- B-9) North 4° 50' 13" East, 768.48 feet; thence
- B-10) South 83° 34' 21" East, 382.09 feet; thence
- B-11) North 6° 30' 01" East, 985.25 feet; thence
- B-12) North 6° 27' 43" East, 66.72 feet to the point of beginning.

Containing an area of 97.11 acres, more or less.

Parcel C

Being all of the land described as EDC Parcel L32.1 in the deed recorded as Document Number 2009028280, to wit:

SITUATE in a portion of the former Fort Ord Military Reservation as it is shown on that certain map recorded in Volume 19 of Surveys at Page 1, Official Records of Monterey County, being within Monterey City Lands Tract No. 1, County of Monterey, State of California: being a portion of Parcel 1. "Monterey County III (Parker Flats)" as it is shown on that certain map recorded in Volume 23 of Surveys at Page 105; being more particularly described as follows:

BEGINNING at the most northwesterly corner of said Parcel 1, "Monterey County III (Parker Flats)," being also an angle point in the westerly boundary of Parcel 7 as said parcel is shown on that certain map recorded in Volume 21 of Surveys at Page 83; thence from said Point of Beginning along the common boundary of said Parcels 1 and 7

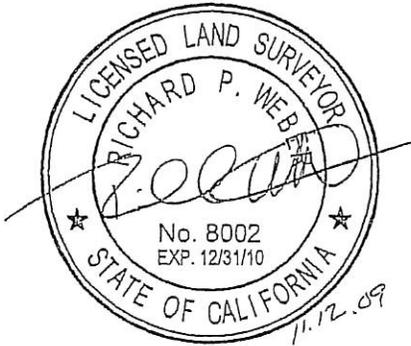
- 1. South 83° 26' 14" East for a distance of 351.31 feet; thence continuing along said common boundary

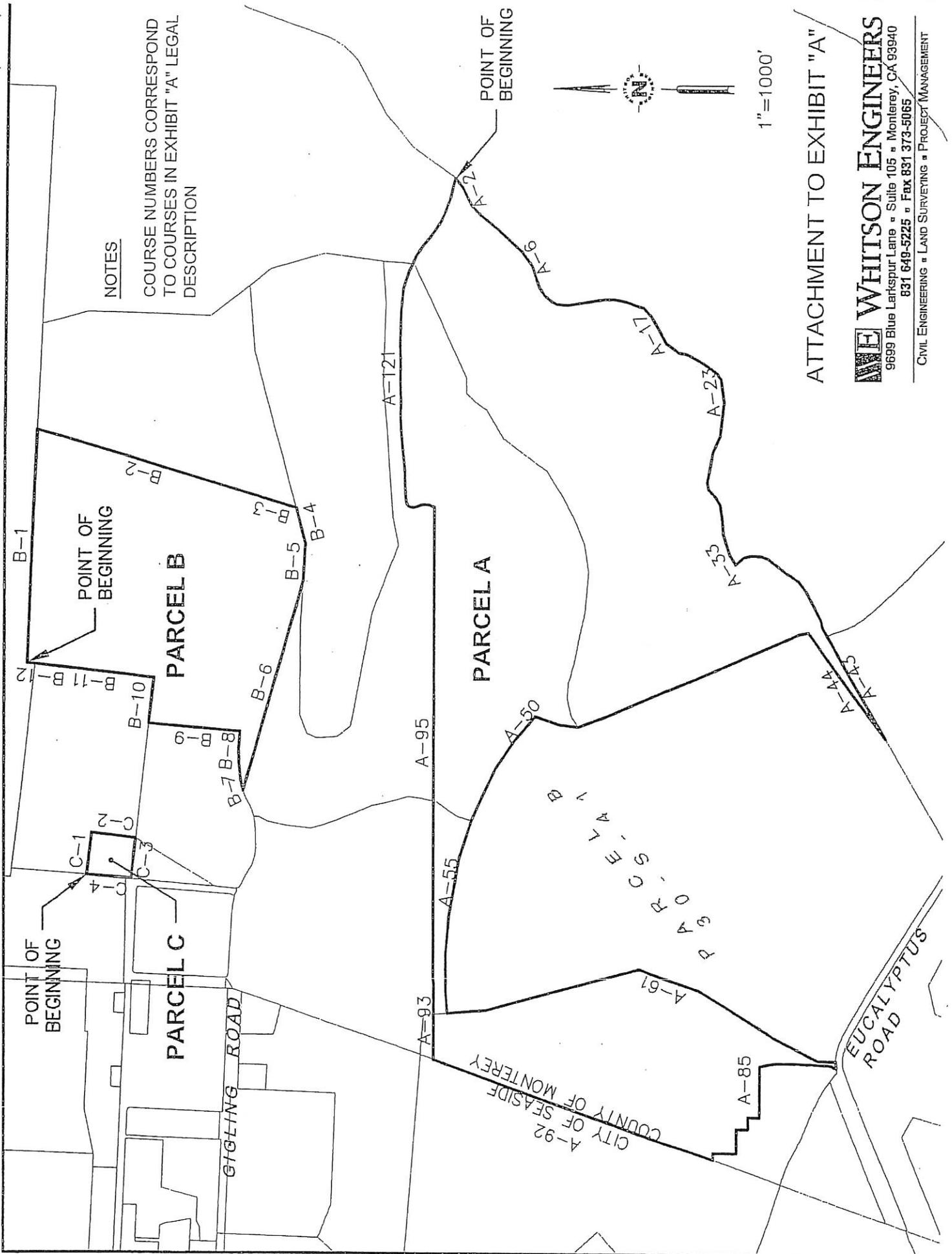
2. South 6° 36' 58" West for a distance of 371.08 feet to a point on the southerly boundary of said Parcel 7; thence leaving said southerly boundary of Parcel 7 and continuing along the easterly boundary of said Parcel 1, "Monterey County III (Parker Flats)"
3. North 83° 34' 21" West, 339.76 feet to a point on the easterly boundary of Parcel 1.L32.4.2 as it is shown on that certain map recorded in Volume 27 of Surveys at Page 17; thence along the common boundary of said Parcel 1.L32.4.2 and Parcel 1. "Monterey County III (Parker Flats)"
4. North 4° 50' 13" East for a distance of 8.92 feet to the northeast corner of said Parcel 1.L32.4.2; thence continuing along the boundary of said Parcel 1. "Monterey County III (Parker Flats)"
5. North 4° 50' 13" East, 361.13 feet to the POINT OF BEGINNING.

Containing an area of 2.947 acres, more or less.

END OF DESCRIPTION

Prepared by:
Whitson Engineers





NOTES

COURSE NUMBERS CORRESPOND TO COURSES IN EXHIBIT "A" LEGAL DESCRIPTION

ATTACHMENT TO EXHIBIT "A"

WHITSON ENGINEERS
 9699 Blue Larkspur Lane • Suite 105 • Monterey, CA 93940
 831 649-5225 • Fax 831 373-5065
 CIVIL ENGINEERING • LAND SURVEYING • PROJECT MANAGEMENT

Amendment No. 1 to Deed No. DACA05-9-07-505

EXHIBIT "B"

Map of Parker Flats MRA Reuse Areas and Munitions Response Sites (Plate 2, Parker Flats MRA ROD).

EXHIBIT B

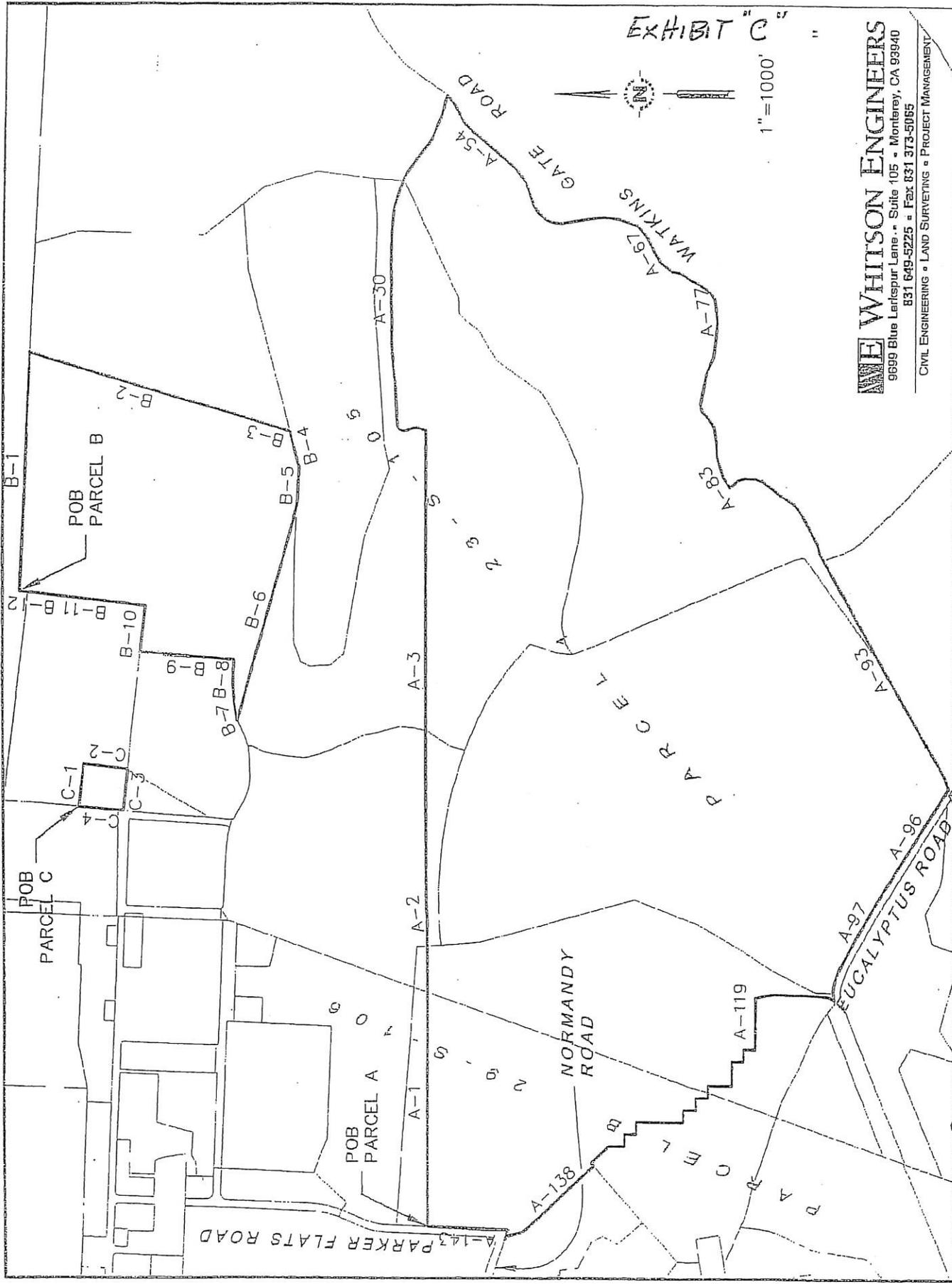
Amendment No. 1 to Deed No. DACA05-9-07-505

EXHIBIT "C"

Map of the Property and the portion of Parker Flats MRA subject to the RD/RA LUCI O&M Plan, Parker Flats MRA Phase I, dated August 4, 2009 (Figure 2, RD/RA LUCI O&M Plan).

EXHIBIT C

EXHIBIT "C"



ME WHITSON ENGINEERS
9699 Blue Larkspur Lane., Suite 105 • Monterey, CA 93940
831.649.5225 • Fax 831.373.5065
CIVIL ENGINEERING • LAND SURVEYING • PROJECT MANAGEMENT

Legal Description

Certain real property situate in the City Lands of Monterey, Tract No. 1, County of Monterey, State of California, described as follows:

Parcel A

Being a portion of the land shown as Parcel 1 on the map filed in Volume 23 of Surveys at Page 105, also being a portion of the land shown as Parcels B and D on the map filed in Volume 30 of Surveys at Page 41, together with a portion of the land shown as Parcel B on the map filed in Volume 29 of Surveys at Page 106, Official Records of said County, particularly described as follows:

Beginning at a point on the westerly line of said Parcel B on said map filed in Volume 29 of Surveys at Page 106, said line being labeled North 2° 22' 00" East on said map, from which point the southwesterly terminus of said course bears South 2° 22' 00" West, 687.88 feet; thence

- A-1) East, 2569.77 feet; thence
- A-2) North 80° 32' 16" East, 38.02 feet; thence
- A-3) East, 3918.98 feet; thence
- A-4) North 21° 9' 41" East, 48.52 feet; thence
- A-5) North 12° 8' 13" East, 23.78 feet; thence
- A-6) North 2° 3' 50" West, 27.77 feet; thence
- A-7) North 14° 10' 41" West, 24.50 feet; thence
- A-8) North 22° 26' 34" West, 24.88 feet; thence
- A-9) North 18° 48' 00" West, 24.82 feet; thence
- A-10) North 2° 56' 08" West, 19.53 feet; thence
- A-11) North 15° 56' 43" East, 20.02 feet; thence
- A-12) North 29° 14' 56" East, 14.33 feet; thence
- A-13) North 36° 23' 04" East, 11.80 feet; thence
- A-14) North 51° 8' 48" East, 11.56 feet; thence
- A-15) North 65° 39' 32" East, 11.52 feet; thence
- A-16) North 84° 24' 30" East, 71.84 feet; thence
- A-17) North 86° 35' 54" East, 71.63 feet; thence

- A-18) North 87° 23' 10" East, 115.12 feet; thence
- A-19) North 85° 58' 00" East, 78.19 feet; thence
- A-20) North 83° 3' 21" East, 78.58 feet; thence
- A-21) North 84° 24' 23" East, 97.46 feet; thence
- A-22) North 84° 9' 55" East, 68.86 feet; thence
- A-23) North 83° 59' 28" East, 28.66 feet; thence
- A-24) North 85° 52' 48" East, 59.15 feet; thence
- A-25) North 88° 3' 31" East, 59.03 feet; thence
- A-26) South 89° 10' 11" East, 69.01 feet; thence
- A-27) South 89° 22' 38" East, 69.00 feet; thence
- A-28) North 86° 39' 42" East, 60.10 feet; thence
- A-29) North 88° 7' 56" East, 92.05 feet; thence
- A-30) North 88° 41' 53" East, 22.01 feet; thence
- A-31) North 88° 48' 23" East, 12.00 feet; thence
- A-32) South 88° 6' 08" East, 83.05 feet; thence
- A-33) North 89° 20' 56" East, 44.00 feet; thence
- A-34) North 87° 6' 31" East, 49.56 feet; thence
- A-35) North 89° 2' 26" East, 104.51 feet; thence
- A-36) South 88° 29' 44" East, 257.09 feet; thence
- A-37) South 88° 48' 23" East, 12.00 feet; thence
- A-38) South 85° 15' 39" East, 96.83 feet; thence
- A-39) South 81° 40' 56" East, 86.41 feet; thence
- A-40) South 71° 44' 53" East, 148.47 feet; thence
- A-41) South 65° 16' 12" East, 66.16 feet; thence
- A-42) South 65° 16' 13" East, 66.50 feet; thence

- A-43) South 55° 39' 14" East, 109.01 feet; thence
- A-44) South 51° 25' 24" East, 80.59 feet; thence
- A-45) South 50° 41' 17" East, 89.18 feet; thence
- A-46) South 57° 25' 03" East, 78.92 feet; thence
- A-47) South 64° 52' 01" East, 89.47 feet; thence
- A-48) South 67° 47' 55" East, 126.37 feet; thence
- A-49) South 76° 40' 50" East, 141.79 feet; thence
- A-50) South 63° 16' 49" East, 25.92 feet more or less to a point on the easterly line of said Parcel 1 as shown on said map filed in Volume 23 of Surveys at Page 105; thence along said boundary of said Parcel 1
- A-51) South 49° 49' 05" West, 96.45 feet; thence
- A-52) South 62° 19' 42" West, 168.14 feet; thence
- A-53) South 43° 50' 29" West, 115.36 feet; thence
- A-54) South 38° 11' 13" West, 200.81 feet; thence
- A-55) South 40° 27' 38" West, 271.04 feet; thence
- A-56) South 53° 08' 07" West, 144.58 feet; thence
- A-57) South 69° 49' 08" West, 193.32 feet; thence
- A-58) South 54° 59' 05" West, 72.44 feet; thence
- A-59) South 41° 12' 49" West, 80.99 feet; thence
- A-60) South 24° 33' 59" West, 55.05 feet; thence
- A-61) South 5° 54' 51" West, 88.84 feet; thence
- A-62) South 8° 19' 42" East, 329.22 feet; thence
- A-63) South 0° 05' 57" West, 78.52 feet; thence
- A-64) South 8° 37' 33" West, 97.38 feet; thence
- A-65) South 18° 58' 46" West, 165.55 feet; thence
- A-66) South 44° 37' 32" West, 95.77 feet; thence
- A-67) South 60° 52' 39" West, 254.54 feet; thence

- A-68) South 37° 26' 54" West, 126.62 feet; thence
- A-69) South 10° 48' 03" West, 68.50 feet; thence
- A-70) South 29° 22' 04" West, 156.14 feet; thence
- A-71) South 34° 57' 59" West, 139.62 feet; thence
- A-72) South 56° 21' 39" West, 59.71 feet; thence
- A-73) South 82° 29' 44" West, 194.58 feet; thence
- A-74) North 83° 42' 42" West, 287.14 feet; thence
- A-75) North 66° 01' 20" West, 147.39 feet; thence
- A-76) North 79° 00' 34" West, 251.36 feet; thence
- A-77) South 77° 12' 53" West, 55.92 feet; thence
- A-78) South 46° 42' 29" West, 87.18 feet; thence
- A-79) South 58° 47' 57" West, 75.85 feet; thence
- A-80) South 80° 55' 21" West, 132.36 feet; thence
- A-81) South 87° 12' 11" West, 112.47 feet; thence
- A-82) South 71° 38' 58" West, 176.73 feet; thence
- A-83) South 56° 09' 46" West, 97.71 feet; thence
- A-84) South 37° 48' 47" East, 90.91 feet; thence
- A-85) South 17° 07' 11" East, 62.89 feet; thence
- A-86) South 2° 33' 03" West, 88.26 feet; thence
- A-87) South 18° 58' 47" West, 63.58 feet; thence
- A-88) South 36° 47' 12" West, 201.48 feet; thence
- A-89) South 31° 02' 57" West, 121.84 feet; thence
- A-90) South 51° 55' 07" West, 113.23 feet; thence
- A-91) South 61° 32' 12" West, 269.67 feet; thence
- A-92) South 75° 50' 25" West, 66.11 feet; thence

- A-93) South 59° 39' 37" West, 2106.55 feet; thence
- A-94) South 71° 12' 11" West, 111.11 feet; thence departing said boundary of said Parcel 1 along the southerly line of said Parcel B as shown on said map filed in Volume 30 of Surveys at Page 41
- A-95) Along the arc of a non-tangent curve, the center of which bears South 33° 22' 33" West, 5030.00 feet distant, through a central angle of 0° 33' 23", for an arc distance of 48.84 feet; thence
- A-96) North 57° 11' 00" West, 948.60 feet; thence
- A-97) Along the arc of a tangent curve, the center of which bears South 32° 49' West, 10030.00 feet distant, through a central angle of 4° 00' 00", for an arc distance of 700.23 feet; thence
- A-98) Along the arc of a tangent curve, the center of which bears South 28° 49' West, 830.00 feet distant, through a central angle of 12° 08' 00", for an arc distance of 175.77 feet; thence
- A-99) Along the arc of a tangent curve, the center of which bears South 16° 41' West, 280.00 feet distant, through a central angle of 29° 20' 32", for an arc distance of 143.39 feet; thence departing said southerly line of said Parcel B
- A-100) North 45° East, 15.62 feet; thence
- A-101) North 3° 21' 59" East, 8.51 feet; thence
- A-102) North 26° 33' 54" East, 25.71 feet; thence
- A-103) North 7° 27' 38" East, 42.36 feet; thence
- A-104) North 3° 10' 47" East, 36.06 feet; thence
- A-105) North 3° 19' 29" East, 60.35 feet; thence
- A-106) North 2° 28' 18" East, 34.78 feet; thence
- A-107) North 1° 48' 31" East, 47.52 feet; thence
- A-108) North 1° 41' 50" East, 33.76 feet; thence
- A-109) North 1° 7' 24" East, 25.50 feet; thence
- A-110) North 1° 49' 58" East, 31.27 feet; thence
- A-111) North, 60.25 feet; thence
- A-112) North 9° 12' 40" East, 9.37 feet; thence
- A-113) North, 81.50 feet; thence

A-114) North 3° 41' 29" West, 15.53 feet; thence
A-115) North 8° 29' 20" West, 50.81 feet; thence
A-116) North 10° 45' 29" West, 50.89 feet; thence
A-117) North 13° 37' 37" West, 50.93 feet; thence
A-118) North 21° 59' 11" West, 1.08 feet; thence
A-119) West, 421.60 feet; thence
A-120) North, 100.00 feet; thence
A-121) West, 100.00 feet; thence
A-122) North, 100.00 feet; thence
A-123) West, 200.00 feet; thence
A-124) North, 200.00 feet; thence
A-125) West, 100.00 feet; thence
A-126) North, 100.00 feet; thence
A-127) West, 100.00 feet; thence
A-128) North, 100.00 feet; thence
A-129) West, 100.00 feet; thence
A-130) North, 400.00 feet; thence
A-131) West, 100.00 feet; thence
A-132) North, 100.00 feet; thence
A-133) West, 100.00 feet; thence
A-134) North, 132.34 feet; thence
A-135) North 42° 37' 57" West, 41.34 feet; thence
A-136) North 41° 38' 23" West, 167.21 feet; thence
A-137) South 48° 21' 37" West, 33.37 feet more or less to a point on the westerly line of said Parcel B as shown on the map filed in Volume 29 of Surveys at Page 106; thence along said westerly line

- A-138) North 41° 53' 00" West, 791.67 feet; thence
- A-139) Along the arc of a tangent curve, the center of which bears North 48° 07' East, 150.00 feet distant, through a central angle of 30° 00' 00", for an arc distance of 78.54 feet; thence
- A-140) North 11° 53' 00" West, 74.90 feet; thence
- A-141) Along the arc of a tangent curve, the center of which bears South 78° 07' West, 50.00 feet distant, through a central angle of 58° 58' 20", for an arc distance of 51.46 feet; thence
- A-142) South 70° 51' 20" East, 85.39 feet; thence
- A-143) North 2° 22' 00" East, 687.88 feet to the point of beginning.

Parcel B

Being a portion of the land shown as Parcel 1 on the map filed in Volume 23 of Surveys at Page 105 also being a portion of the land shown as Parcel D on the map filed in Volume 30 of Surveys at Page 41, Official Records of said County, particularly described as follows:

Beginning at a point on the northerly line of said Parcel 1 on said map filed in Volume 23 of Surveys at Page 105; thence along said northerly line of said Parcel 1

- B-1) South 87° 45' 00" East, 1940.14 feet; thence departing said northerly line of said Parcel 1
- B-2) South 16° 31' 29" West, 1869.92 feet; thence
- B-3) South 16° 29' 28" West, 385.14 feet; thence
- B-4) South 74° 32' 16" West, 303.66 feet; thence
- B-5) North 86° 54' 02" West, 309.73 feet; thence
- B-6) North 73° 58' 54" West, 1823.92 feet more or less to a point on the northerly line of said Parcel 1; thence along said northerly line
- B-7) Along the arc of a non-tangent curve, the center of which bears South 19° 22' 03" East, 482.00 feet distant, through a central angle of 11° 01' 03", for an arc distance of 92.68 feet; thence
- B-8) Along the arc of a compound tangent curve, the center of which bears South 8° 21' East, 1632.00 feet distant, through a central angle of 14° 13' 51", for an arc distance of 405.35 feet; thence
- B-9) North 4° 50' 13" East, 768.48 feet; thence
- B-10) South 83° 34' 21" East, 382.09 feet; thence
- B-11) North 6° 30' 01" East, 985.25 feet; thence
- B-12) North 6° 27' 43" East, 66.72 feet to the point of beginning.

Parcel C

Being a portion of the land shown as Parcel 1 on the map filed in Volume 23 of Surveys at Page 105, Official Records of said County, particularly described as follows:

Beginning at a point on the northerly line of said Parcel 1 on said map filed in Volume 23 of Surveys at Page 105, said point also being the most westerly corner of Parcel 7 as shown on the map filed in Volume 21 of Surveys at Page 83, Official Records of said County; thence along said northerly line of said Parcel 1 and common boundary of said Parcels 1 and 7

- C-1) South 83° 26' 14" East, 351.31 feet; thence
- C-2) South 6° 36' 58" West, 371.08 feet; thence
- C-3) North 83° 34' 21" West, 339.76 feet; thence departing said northerly line of said Parcel 1
- C-4) North 4° 50' 13" East, 10.81 feet to a point on said boundary line of said Parcel 1; thence along said boundary line
- C-5) North 4° 50' 13" East, 361.24 feet to the point of beginning.

END OF DESCRIPTION

Prepared by:
Whitson Engineers



RECORDING REQUESTED BY:

Chicago Title Company

Escrow No.: 10-52504970-KV

Locate No.: CACTI7727-7727-4525-0052504970

Title No.: 10-52504970

AND WHEN RECORDED MAIL TO

Kutak Rock LLP

Attn: George Schlossberg, Esq.

1101 Connecticut Ave NW Suite 1000

Washington, DC 20036

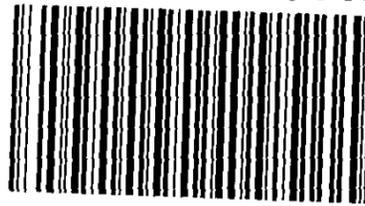
Stephen L. Vagnini
Monterey County Recorder
Recorded at the request of

CRMARIA
3/10/2011
8:00:00

Chicago Title

DOCUMENT: **2011013980**

Titles: 1/ Pages: 18



Fees.....

Taxes....

Other....

AMT PAID _____

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Deed Amendment No. 2 for Fort Ord Reuse Authority (FORA)

This instrument filed for record by
CHICAGO TITLE, as an accommodation
only. It has not been examined as to its
execution or its effect upon the title.

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
(Additional recording fee applies)

Amendment No. 2 to Deed No. DACA05-9-07-505

**FORT ORD REUSE AUTHORITY
OFFICIAL BUSINESS
REQUEST DOCUMENT TO BE RECORDED
AND EXEMPT FROM RECORDING FEES
PER GOVERNMENT CODE 6103**

**Recording requested by and
when recorded mail to:**

KUTAK ROCK LLP
1101 CONNECTICUT AVE, NW STE 1000
WASHINGTON, DC 20036
ATTN: GEORGE SCHLOSSBERG, ESQ.

Documentary Transfer tax 0 Government
Entity (exempt Government Entity)
(Space Above This Line For Recorder's Use Only)

DEED AMENDMENT No. 2 to QUITCLAIM DEED No. DACA5-9-07-505

**FORT ORD REUSE AUTHORITY (FORA)
COUNTY OF MONTEREY, CALIFORNIA
(Parcels E11.b.6.1, E11b.7.1.1, E11b.8, E18.1.2, E19a.1, E19a.2, E19a.3, E19a.4, L5.7, L20.2.1,
L20.3.1, L20.3.2, L20.5.1, L20.5.2, L20.5.3, L20.5.4, L20.8, L20.18, L20.19.1.1, and L32.1)**

This DEED AMENDMENT No. 2 ("Deed Amendment No. 2"), between the UNITED STATES OF AMERICA ("GRANTOR"), acting by and through the Director of Real Estate, Headquarters, U.S. Army Corps of Engineers, pursuant to a delegation of authority from the Deputy Assistant Secretary of the Army (Installations & Housing) acting pursuant to a delegation of authority from the SECRETARY OF THE ARMY ("ARMY"), under the Federal Property and Administrative Services Act of 1949, approved June 30, 1949 (Ch. 288), 40 U.S.C. §101, et seq., as amended, and Defense Base Closure and Realignment Act of 1990, Public Law No. 101-510, as amended, and the FORT ORD REUSE AUTHORITY ("FORA" or "GRANTEE"), an agency of the State of California, amends that certain quitclaim deed, dated May 8, 2009, and recorded in the real property records of Monterey County, California as Document No. 2009028280 as subsequently amended by Amendment No. 1 dated May 17, 2010 and recorded in the real property records of Monterey County, California as Document No. 20100027224 ("Quitclaim Deed").

WITNESSETH THAT:

WHEREAS, the former Fort Ord has been identified as a National Priorities List ("NPL") Site under the Comprehensive Environmental Response Compensation and Liability Act ("CERCLA") of 1980, as amended. The GRANTOR has provided the GRANTEE with a copy of the Fort Ord Federal Facility Agreement ("FFA"), and any amendments thereto, entered into

Amendment No. 2 to Deed No. DACA05-9-07-505

by the United States Environmental Protection Agency ("USEPA") Region 9, the State of California, and the ARMY, effective on November 19, 1990;

WHEREAS, the GRANTOR, in conformance with CERCLA and pursuant to the FFA, and all amendments thereto, is obligated to remediate environmental contamination resulting from GRANTOR activities on the former Fort Ord;

WHEREAS, CERCLA Section 120(h)(3)(C) (42 U.S.C. §9620(h)(3)(C)) allows the USEPA Administrator, with the concurrence of the Governor of the State, to defer the CERCLA covenant warranting that all remedial action necessary to protect human health and the environment has been taken before the date of transfer;

WHEREAS, the Finding of Suitability for Early Transfer ("FOSET"), Former Fort Ord, California, Environmental Services Cooperative Agreement ("ESCA") Parcels and Non-ESCA Parcels (Operable Unit Carbon Tetrachloride Plume) ("FOSET 5") set forth the basis for the GRANTOR's determination that Parcels E11.b.6.1, E11b.7.1.1, E11b.8, E18.1.2, E19a.1, E19a.2, E19a.3, E19a.4, L5.7, L20.2.1, L20.3.1, L20.3.2, L20.5.1, L20.5.2, L20.5.3, L20.5.4, L20.8, L20.18, L20.19.1.1, and L32.1, containing approximately 1,767.261 acres in the County of Monterey, in the State of California, as legally described in the Quitclaim Deed ("Property"), were suitable for transfer;

WHEREAS, by the Quitclaim Deed, the GRANTOR, for good and valuable consideration, the receipt of which was acknowledged, did REMISE, RELEASE, AND FOREVER QUITCLAIM to the GRANTEE, its successors and assigns, all its right, title, and interest in the Property;

WHEREAS, Section 2, Paragraph D of Exhibit "D" to the Quitclaim Deed ("Residential Use Restriction") restricts use of the Property to non-residential purposes.

WHEREAS, Section 2, Paragraph E of Exhibit "D" to the Quitclaim Deed ("Access Restriction") restricts use of the Property to activities associated with the investigation and remediation of Munitions and Explosives of Concern ("MEC") and installation of utilities and roadways until the USEPA, in consultation with the State of California, has certified the completion of response actions necessary to protect human health and the environment on the Property;

WHEREAS, by Amendment No. 1, the GRANTOR terminated and removed the Access Restriction with respect to portions of Parcels E18.1.2, E19a.1, E19a.3, E19a.4, and L32.1 known as the Phase I Property as described in Exhibit "A" to Amendment No. 1.

WHEREAS, Amendment No. 1 incorrectly referred to Section 2, Paragraph D of Exhibit "D" to the Quitclaim Deed as the Access Restriction.

Amendment No. 2 to Deed No. DACA05-9-07-505

WHEREAS, response actions were completed with respect to Parcels L5.7 and L20.2.1 and portions of Parcels E19a.3 and E19a.4 of the Property as described in Exhibit "A", attached hereto and made a part hereof ("County North Property"), pursuant to CERCLA and the FFA; and as described in the Track 1 Plug-In Approval Memorandum, County North Munitions Response Area, Former Fort Ord, California ("Approval Memorandum"). The ARMY and the USEPA jointly selected the remedy for the County North Munitions Response Area (MRA), which includes Land Use Controls ("LUCs") as described in the Record of Decision, No Further Action Related to Munitions and Explosives of Concern – Track 1 Sites, No Further Remedial Action with Monitoring for Ecological Risks from Chemical Contamination at Site 3 (MRS-22), Former Fort Ord, California ("Record of Decision") and the Approval Memorandum, and the State of California had an opportunity to review and comment on the Record of Decision and the Approval Memorandum;

WHEREAS, the County North Property lies within the County North MRA (as shown in Exhibit "B") and implementation and maintenance of the remedy for the County North MRA is described in the Record of Decision dated April 6, 2005 and the Approval Memorandum dated February 16, 2010; and pursuant to Section XIV, EPA Approval of Plans and Other Submissions, of the Administrative Order on Consent for Cleanup of Portions of the Former Fort Ord ("AOC"), and after consultation with the California Department of Toxic Substances Control ("DTSC"), the USEPA approved the Approval Memorandum and agreed no further action is required for MEC at the County North MRA in a letter dated February 23, 2010, and the DTSC concurred no further action is required for MEC at the County North MRA in a letter dated March 4, 2010; and the USEPA and the DTSC agreed with the ARMY's recommendation that construction personnel involved in intrusive activities in the County North MRA should attend MEC recognition and safety training;

NOW THEREFORE, the GRANTOR, acting by and through the Director of Real Estate, Headquarters, U.S. Army Corps of Engineers, hereby amends the Quitclaim Deed:

(i) to strike the reference to "Paragraph D" in the sixth WHEREAS clause of Amendment No. 1 and replace it with "Paragraph E."

(i) to strike the Residential Use Restriction with respect to the County North Property and thereby terminate and remove the Residential Use Restriction from the County North Property,

(ii) to strike the Access Restriction with respect to the County North Property and thereby terminate and remove the Access Restriction from the County North Property,

(iii) to add the following provision at the end of Section 3, Paragraph C of Exhibit "D" to the Quitclaim Deed:

"Notwithstanding the foregoing, response actions have been completed subsequent to the execution of this Deed with respect to MEC on Parcels L5.7 and L20.2.1 and portions of Parcels E19a.3 and E19a.4 of the Property as described in Exhibit "A" of the second amendment to the Deed ("County North Property"). The Grantor represents that, to the best of its knowledge, no

Amendment No. 2 to Deed No. DACA05-9-07-505

MEC are currently present on the County North Property. Notwithstanding the Grantor's determination, the parties acknowledge that there is a possibility that MEC may exist on the County North Property. Per this acknowledgment, and to promote safety, the Fort Ord Reuse Authority will provide munitions recognition and safety training to those proposing to conduct intrusive activities on the County North Property."

(iv) to add the following provision to Section 3, Paragraph E of Exhibit "D" to the Quitclaim Deed:

"The Grantee acknowledges receipt of the Record of Decision, No Further Action Related to Munitions and Explosives of Concern – Track 1 Sites, No Further Remedial Action with Monitoring for Ecological Risks from Chemical Contamination at Site 3 (MRS-22), Former Fort Ord, California (April 2005), and the Track 1 Plug-In Approval Memorandum, County North Munitions Response Area, Former Fort Ord, California (February 2010)."

(v) pursuant to CERCLA 120(h)(3)(C)(iii), to add the following provisions:

1. CERCLA COVENANT

Pursuant to section 120(h)(3)(A)(ii) and (B) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. §9620(h)(3)(A)(ii) and (B)), the United States warrants that:

A. All remedial action necessary to protect human health and the environment with respect to any hazardous substance identified pursuant to section 120(h)(3)(A)(i)(I) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 remaining on the County North Property has been taken before the date of this Deed Amendment No. 2, and

B. Any additional remedial action found to be necessary after the date of this Deed Amendment No. 2 shall be conducted by the United States.

This warranty shall not apply in any case in which the person or entity to whom the County North Property is transferred is a potentially responsible party with respect to such County North Property. For purposes of this warranty, GRANTEE shall not be considered a potentially responsible party solely due to the presence of a hazardous substance remaining on the property on the date of this Deed Amendment No. 2, provided that GRANTEE has not caused or contributed to a release of such hazardous substance. Further, the GRANTOR shall not be relieved of any obligation under CERCLA to perform any remedial action found to be necessary after the date of this Deed Amendment No. 2 with regard to any hazardous substances remaining on the County North Property as of the date of this Deed Amendment No. 2 if the GRANTEE is subsequently determined to be a potentially responsible party with respect to hazardous substances placed on the County North Property after the date of this Deed Amendment No. 2.

Amendment No. 2 to Deed No. DACA05-9-07-505

AND IT IS FURTHER AGREED AND UNDERSTOOD by and between the parties hereto that the GRANTEE, by its acceptance of this Deed Amendment No. 2, agrees that, as part of the consideration for this Deed Amendment No. 2, the GRANTEE covenants and agrees for itself, its successors and assigns, forever, that, except for the removal of the Residential Use Restriction and the Access Restriction applicable to the County North Property as provided in this Deed Amendment No. 2, this Deed Amendment No. 2 in no way abrogates each of the covenants included in the Quitclaim Deed, which shall be binding upon and enforceable against the GRANTEE, its successors and assigns, in perpetuity by the United States and other interested parties as allowed by federal, state or local law. The NOTICES, USE RESTRICTIONS, AND RESTRICTIVE COVENANTS set forth in the Quitclaim Deed and Deed Amendment No. 2, are a binding servitude on the County North Property and shall be deemed to run with the land in perpetuity. The failure to include the NOTICES, USE RESTRICTIONS, AND RESTRICTIVE COVENANTS in subsequent conveyances does not abrogate the status of these restrictions as binding upon the parties, their successors and assigns. In all other respects the Quitclaim Deed shall be in full force and effect.

{Signatures follow}

Amendment No. 2 to Deed No. DACA05-9-07-505

IN WITNESS WHEREOF, the GRANTOR has caused this Deed Amendment No. 2 to be executed in its name by the Director of Real Estate, this the 21st day of January 2010.¹¹

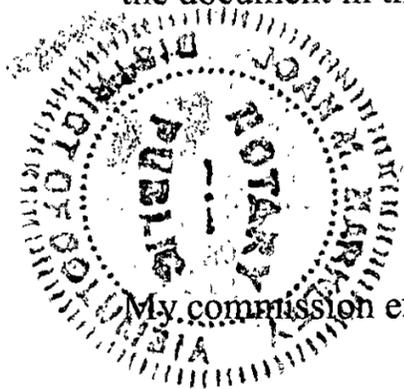
UNITED STATES OF AMERICA

By: *Scott L. Whiteford*
SCOTT L. WHITEFORD
Director of Real Estate
United States Army Corps of Engineers

NOTORIAL CERTIFICATE

DISTRICT OF COLUMBIA: SS

I, Joan M. Markley, a Notary Public in and for the District of Columbia, do hereby certify that this 21st day of January, 2011, Scott L. Whiteford, Director of Real Estate, known to me or proven through satisfactory evidence of identity to be the person whose name is subscribed to the foregoing document, appeared in person and acknowledged before me that the signature on the document was voluntarily affixed by him for the purposes therein stated and that he had due authority to sign the document in the capacity therein stated.



Joan M. Markley
Notary Public

My commission expires the day of Joan M. Markley,
Notary Public, District of Columbia
My Commission Expires 10/14/2014

Amendment No. 2 to Deed No. DACA05-9-07-505

ACCEPTANCE:

In Testimony Whereof, witness the signature of the Fort Ord Reuse Authority ("Authority"), an organization organized and existing under the laws of the State of California under the Fort Ord Reuse Authority Act created under Title 7.85 of the California Government Code, Chapters 1 through 7, inclusive, commencing with Section 67650, et seq., and selected provisions of the California Redevelopment Law, including Division 24 of the California Health and Safety Code, Part 1, Chapter 4.5, Article 1, commencing with Section 33492, et seq., and Article 4, commencing with Section 33492.70, et seq., this 1st day of SEPTEMBER 2010 hereby accepts and approves this Deed Amendment No. 2 for itself, its successors and assigns, and agrees to all the conditions, reservations, restrictions, and terms contained therein.

FORT ORD REUSE AUTHORITY
LOCAL REDEVELOPMENT AUTHORITY

By:

Michael A. Houlemard, Jr.
Executive Officer

STATE OF CALIFORNIA

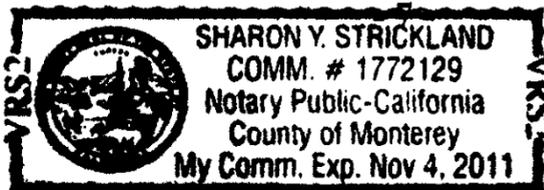
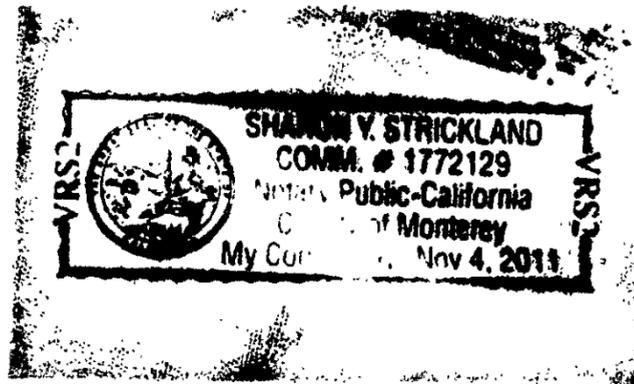
COUNTY OF Monterey

On 9-1-10 before me, Sharon Y. Strickland, (name of notary public) personally appeared Michael A. Houlemard, Jr. 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 who acknowledged to me that he she/they executed the same in their authorized capacity(ies), and by his her/their signature(s) on the instrument the person(s), or 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.

Sharon Y. Strickland
(Signature of Notary)



Amendment No. 2 to Deed No. DACA05-9-07-505

EXHIBIT "A"

Legal description and record of survey for the County North Property.

EXHIBIT A

Exhibit "A"
Legal Description
County North Munitions Response Area

Certain real property situate in the City Lands of Monterey, Tract No. 1, County of Monterey, State of California, described as follows:

Being a portion of the land shown as Parcel 1 Travel Camp on the map filed in Volume 21 of Surveys at Page 89, together with a portion of the land shown as Parcel 1 on the map filed in Volume 23 of Surveys at Page 105, together with Parcel One as shown on the map filed in Volume 21 of Surveys at Page 64, Official Records of said County, particularly described as follows:

Beginning at the northwest corner of said Parcel One as shown on said map filed in Volume 21 of Surveys at Page 64, said point also being on the southerly line of Parcel 9 as shown on the map filed in Volume 20 of Surveys at Page 110, Official Records of said County; thence along said southerly line

- 1) North 88° 53' 00" East, 1237.33 feet; thence
- 2) North 88° 50' 07" East, 977.96 feet; thence
- 3) North 88° 53' 00" East, 5.20 feet to the southwest corner of Parcel 10 as shown on said map filed in Volume 20 of Surveys at Page 110; thence along the southerly line of said Parcel 10
- 4) North 88° 53' 00" East, 79.23 feet; thence
- 5) Along the arc of a circular curve, the center of which bears South 1° 07' East, 4906.00 feet distant, through a central angle of 2° 48' 30", for an arc distance of 240.47 feet; thence
- 6) South 88° 18' 30" East, 2351.06 feet; thence
- 7) Along the arc of a circular curve, the center of which bears South 1° 41' 30" West, 6770.00 feet distant, through a central angle of 1° 14' 07", for an arc distance of 145.96 feet; thence departing said southerly line of said Parcel 10
- 8) South 0° 14' 04" East, 593.48 feet; thence
- 9) Along the arc of a circular curve, the center of which bears South 31° 47' 12" West, 75.00 feet distant, through a central angle of 145° 56' 11", for an arc distance of 191.03 feet; thence
- 10) South 24° 09' 00" East, 200.00 feet; thence
- 11) Along the arc of a circular curve, the center of which bears North 65° 51' East, 75.00 feet distant, through a central angle of 31° 29' 46", for an arc distance of 41.23 feet; thence
- 12) South, 699.31 feet; thence
- 13) South 61° 39' 09" East, 71.98 feet; thence
- 14) South 33° 25' 44" East, 906.41 feet; thence
- 15) South 14° 11' 56" East, 245.87 feet; thence
- 16) South 29° 41' 01" East, 599.01 feet more or less to a point on the southerly boundary of said Parcel 1 Travel Camp; thence along said southerly boundary

- 17) North 89° 42' 00" West, 242.59 feet; thence
- 18) South 86° 36' 00" West, 211.30 feet; thence
- 19) North 87° 14' 00" West, 337.00 feet; thence
- 20) North 62° 14' 00" West, 360.60 feet; thence
- 21) South 68° 40' 00" West, 198.00 feet; thence
- 22) South 74° 30' 00" West, 361.60 feet; thence
- 23) South 86° 04' 00" West, 194.20 feet; thence
- 24) South 65° 00' 00" West, 255.50 feet; thence
- 25) South 77° 50' 00" West, 187.60 feet; thence
- 26) South 47° 16' 00" West, 203.30 feet; thence
- 27) South 80° 16' 00" West, 310.10 feet; thence
- 28) South 55° 23' 00" West, 123.00 feet; thence
- 29) South 74° 52' 00" West, 141.10 feet; thence
- 30) North 84° 16' 00" West, 96.50 feet; thence
- 31) South 70° 02' 00" West, 164.10 feet to the southwest corner of said Parcel 1 Travel Camp;
thence along the westerly boundary of said Parcel 1 Travel Camp
- 32) North 43° 39' 00" West, 128.40 feet; thence
- 33) North 25° 11' 00" West, 271.80 feet; thence
- 34) North 37° 55' 00" West, 216.30 feet; thence
- 35) North 25° 54' 00" West, 226.00 feet; thence
- 36) South 34° 13' 00" West, 63.70 feet; thence departing said westerly boundary of said Parcel 1
Travel Camp
- 37) South 71° 09' 41" West, 97.84 feet more or less to a point on the northerly edge of pavement
of Gigling Road; thence along said northerly edge of pavement
- 38) South 58° 08' 46" West, 106.59 feet; thence
- 39) South 62° 56' 16" West, 321.44 feet; thence
- 40) South 61° 23' 42" West, 830.58 feet; thence
- 41) South 66° 38' 43" West, 209.53 feet; thence

- 42) Along the arc of a tangent circular curve, the center of which bears North $23^{\circ} 21' 17''$ West, 175.00 feet distant, through a central angle of $31^{\circ} 29' 51''$, for an arc distance of 96.20 feet; thence
- 43) Along the arc of a compound circular curve, the center of which bears North $8^{\circ} 08' 34''$ East, 260.00 feet distant, through a central angle of $22^{\circ} 57' 28''$, for an arc distance of 104.18 feet; thence
- 44) North $58^{\circ} 53' 59''$ West, 119.58 feet; thence
- 45) North $43^{\circ} 16' 36''$ West, 100.84 feet; thence
- 46) North $38^{\circ} 53' 29''$ West, 111.35 feet; thence
- 47) Along the arc of a tangent circular curve, the center of which bears South $51^{\circ} 06' 31''$ West, 220.00 feet distant, through a central angle of $51^{\circ} 42' 44''$, for an arc distance of 198.56 feet; thence
- 48) South $89^{\circ} 23' 46''$ West, 288.18 feet; thence
- 49) Along the arc of a tangent circular curve, the center of which bears North $0^{\circ} 36' 14''$ West, 1260.00 feet distant, through a central angle of $8^{\circ} 33' 54''$, for an arc distance of 188.35 feet; thence
- 50) Along the arc of a reverse circular curve, the center of which bears South $7^{\circ} 57' 41''$ West, 2750.00 feet distant, through a central angle of $5^{\circ} 38' 25''$, for an arc distance of 270.71 feet; thence
- 51) North $87^{\circ} 40' 44''$ West, 227.59 feet; thence
- 52) North $86^{\circ} 03' 30''$ West, 71.06 feet; thence
- 53) Along the arc of a tangent circular curve, the center of which bears North $3^{\circ} 56' 30''$ East, 310.00 feet distant, through a central angle of $15^{\circ} 45' 21''$, for an arc distance of 85.25 feet; thence
- 54) North $70^{\circ} 18' 09''$ West, 112.19 feet; thence
- 55) North $73^{\circ} 54' 29''$ West, 161.25 feet; thence
- 56) Along the arc of a tangent circular curve, the center of which bears South $16^{\circ} 5' 31''$ West, 360.00 feet distant, through a central angle of $22^{\circ} 48' 26''$, for an arc distance of 143.30 feet; thence
- 57) Along the arc of a compound circular curve, the center of which bears South $6^{\circ} 42' 56''$ East, 1500.00 feet distant, through a central angle of $12^{\circ} 08' 15''$, for an arc distance of 317.76 feet; thence
- 58) South $71^{\circ} 08' 50''$ West, 171.86 feet; thence
- 59) Along the arc of a tangent circular curve, the center of which bears South $18^{\circ} 51' 10''$ East, 490.00 feet distant, through a central angle of $22^{\circ} 11' 48''$, for an arc distance of 189.83 feet; thence
- 60) South $48^{\circ} 57' 01''$ West, 66.11 feet; thence

- 61) South 46° 04' 27" West, 114.00 feet; thence
- 62) Along the arc of a circular curve, the center of which bears North 43° 55' 33" West, 760.00 feet distant, through a central angle of 25° 43' 47", for an arc distance of 341.29 feet; thence
- 63) South 71° 48' 14" West, 129.00 feet; thence
- 64) South 72° 27' 10" West, 209.20 feet; thence
- 65) South 71° 56' 29" West, 101.07 feet; thence
- 66) South 73° 35' 09" West, 233.60 feet; thence
- 67) South 79° 05' 59" West, 312.21 feet; thence
- 68) Along the arc of a circular curve, the center of which bears North 10° 54' 01" West, 1150.00 feet distant, through a central angle of 9° 43' 03", for an arc distance of 195.04 feet; thence
- 69) South 89° 07' 23" West, 40.57 feet; thence departing said northerly edge of pavement
- 70) North 16° 31' 29" East, 1869.81 feet more or less to a point on the northerly boundary of said Parcel 1 as shown on said map filed in Volume 23 of Surveys at Page 105, said point also being on the boundary of Parcel 3 as shown on the map filed in Volume 19 of Surveys at Page 15; thence along said boundary of said Parcel 3
- 71) South 87° 45' 00" East, 2852.09 feet; thence
- 72) North 2° 15' 00" East, 645.14 feet to the southwest corner of said Parcel One as shown on said map filed in Volume 21 of Surveys at Page 64; thence
- 73) North 2° 15' 00" East, 1724.99 feet to the point of beginning.

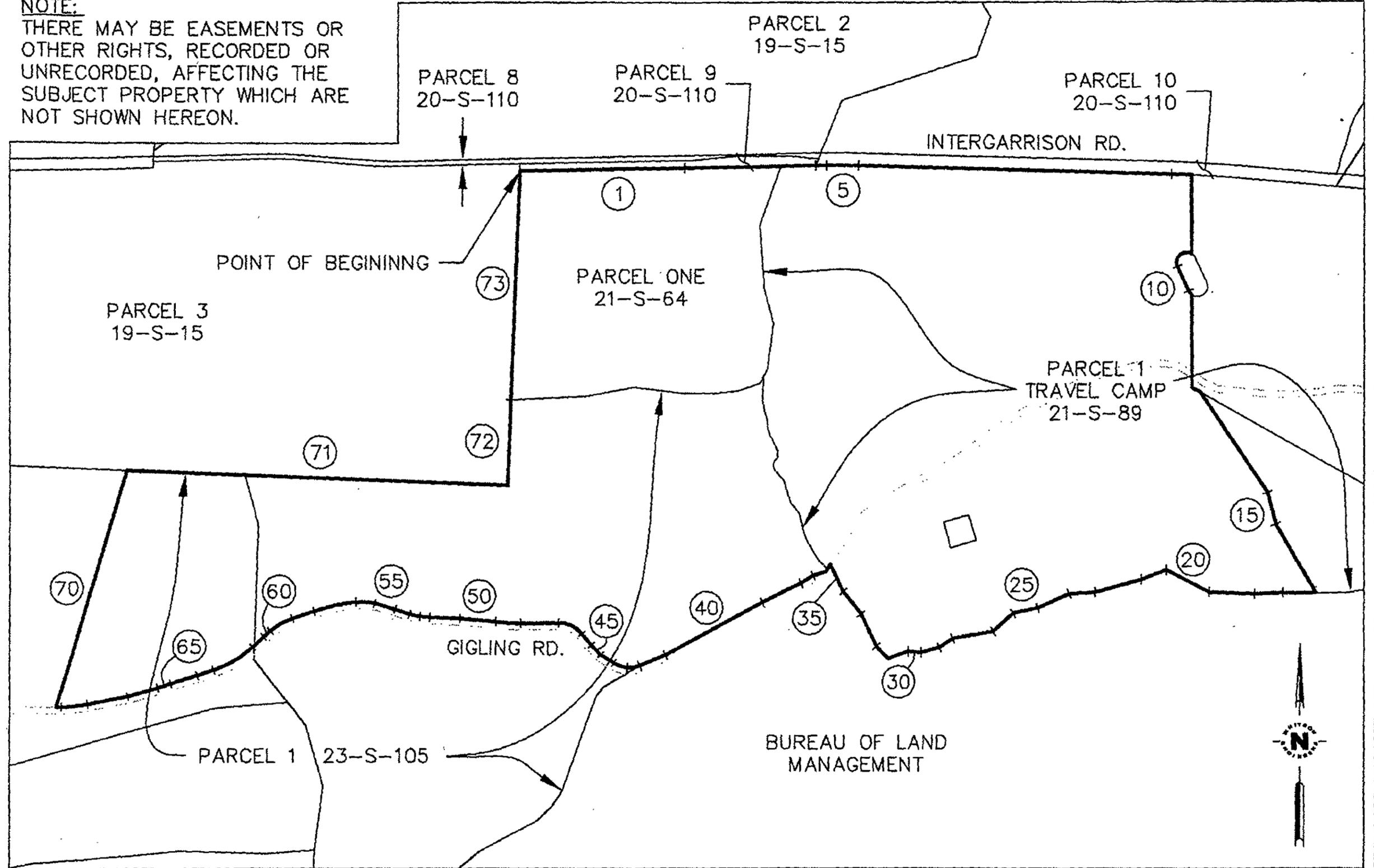
END OF DESCRIPTION

Prepared by:
Whitson Engineers



NOTE:

THERE MAY BE EASEMENTS OR OTHER RIGHTS, RECORDED OR UNRECORDED, AFFECTING THE SUBJECT PROPERTY WHICH ARE NOT SHOWN HEREON.



ATTACHMENT TO EXHIBIT A



MONTEREY

CALIFORNIA

COUNTY NORTH MUNITIONS RESPONSE AREA

DATE: FEB. 22, 2010

SHEET

SCALE: 1" = 1000'

DRAWN: RMS

CHECKED:

PROJECT No.: 1827.09

1

OF 1

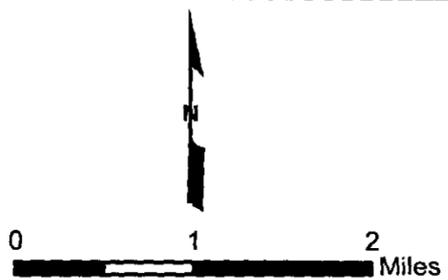
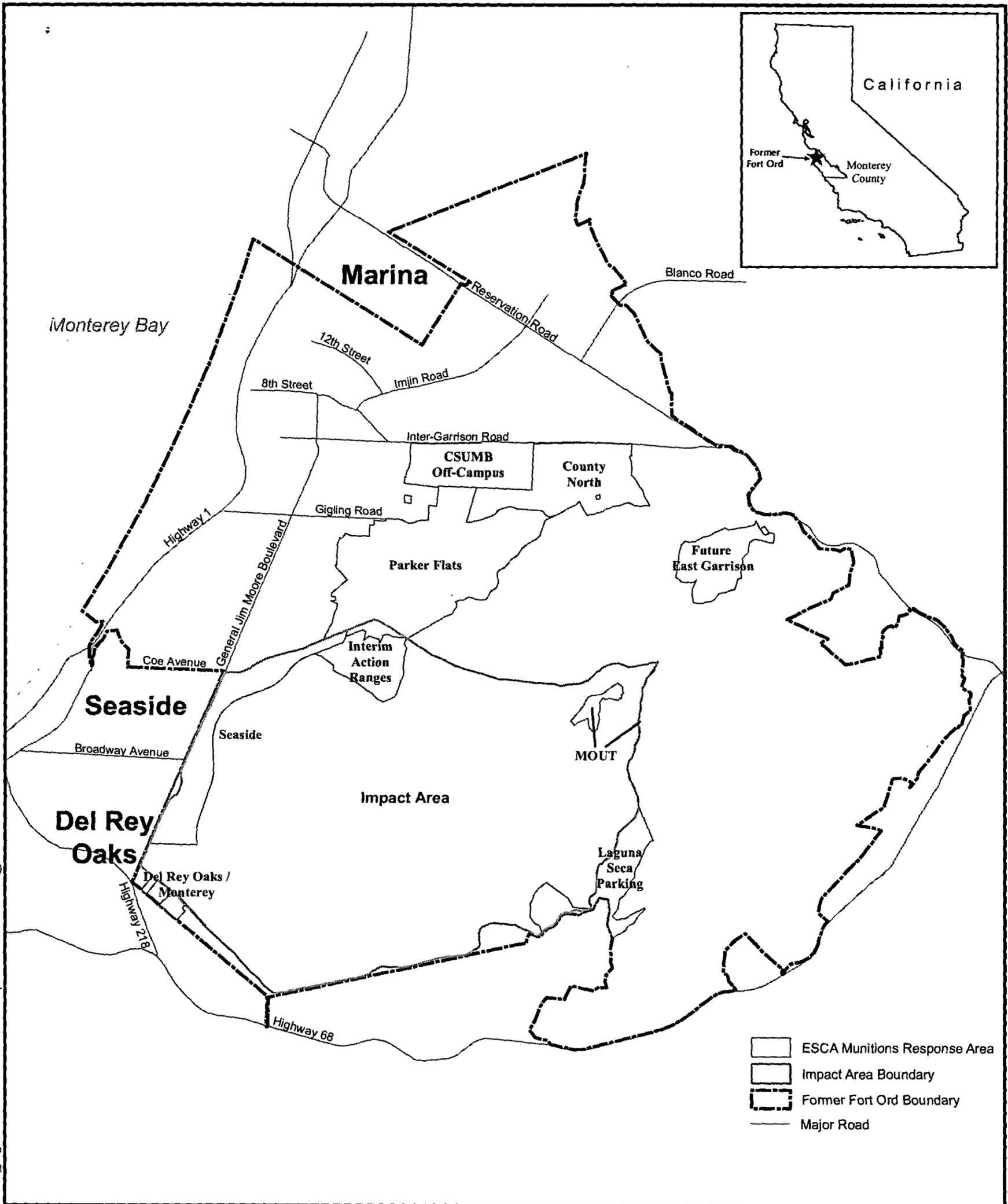
DRAWING PATH: T:\Monterey Projects\1827\1827-Legal Desc County North MRA.dwg

EXHIBIT "B"

Maps of County North MRA Munitions Response Sites and Reuse Areas (Figures 1, 2 and 3, Track 1 Plug-in Approval Memorandum, County North MRA).

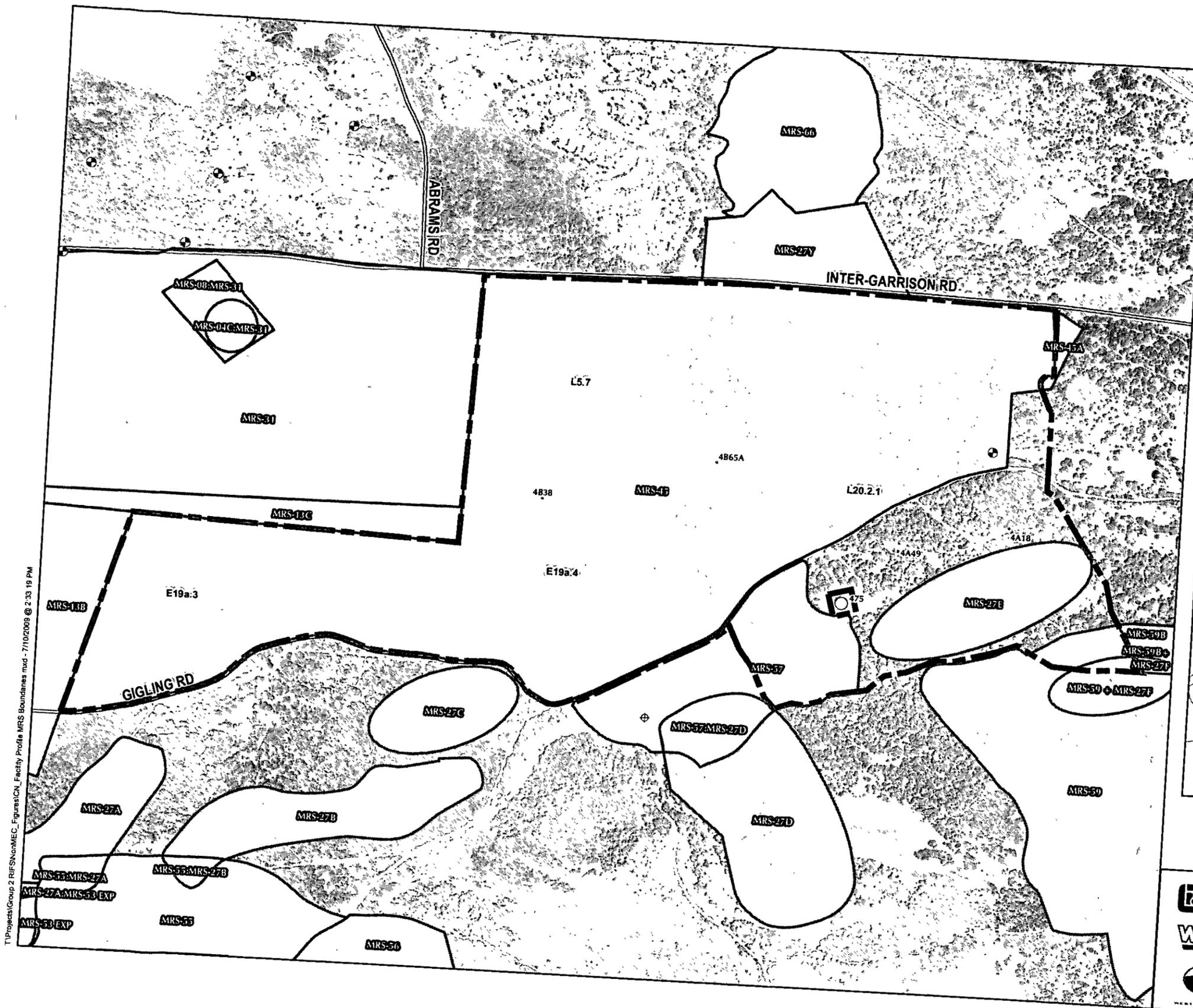
EXHIBIT B

T:\Projects\Group 2 RIFSNonMEC_Figures\Fort Ord Location Map.mxd - 7/10/2009 @ 1:02:34 PM



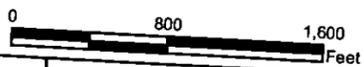
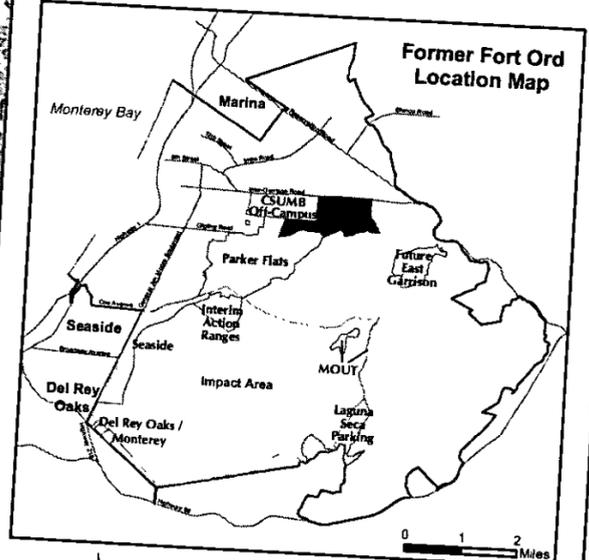
**Former Fort Ord
Location Map**
FORA ESCA RP
Monterey County, California

Figure 1



Legend

- Environmental Well
- Abandoned Well
- Water Supply Well
- Munitions Response Area
- Major Road
- Structure
- Munitions Response Site
- Water Tower (not part of ESCA)



County North MRA Facility Profile Munitions Response Site Boundaries

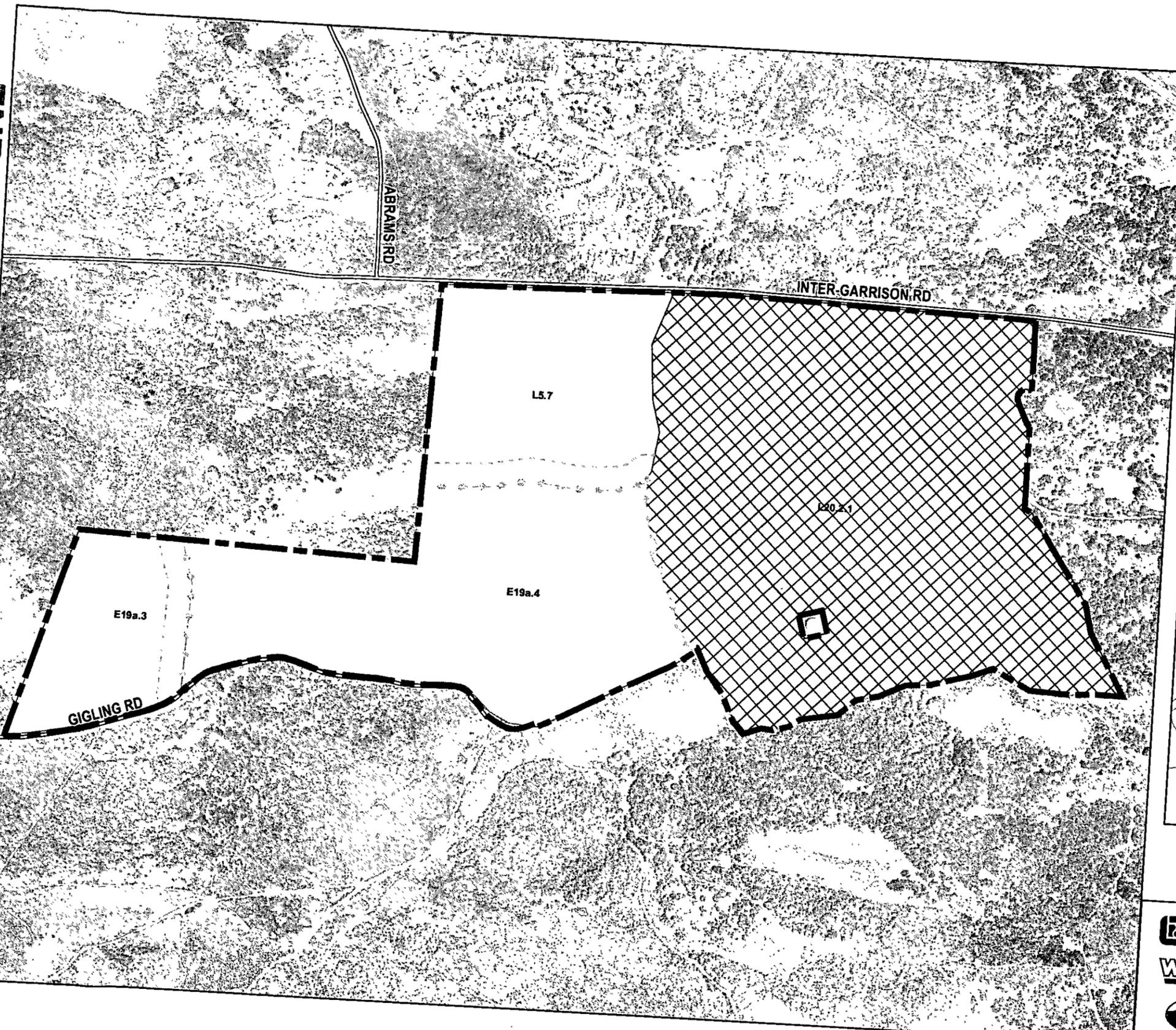
FORA ESCA RP
Monterey County, California

Figure 2

T:\Projects\Group 2 RIFS\NonMEC_Figures\CN_Facility Profile MRS Boundaries.mxd - 7/10/2009 @ 2:33:19 PM

END OF DOCUMENT

T:\Projects\Parker Flats\CN_Track1_Approval\Memo_Land Use Profile Reuse Plan.mxd - 2/16/2010 @ 2:59:19 PM

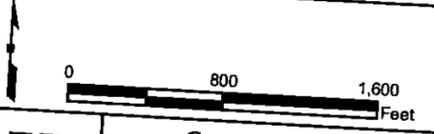
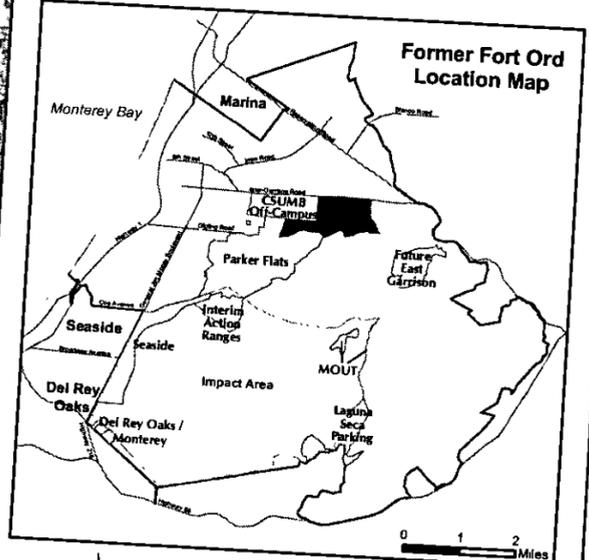


Legend

- Munitions Response Area
- Major Road
- USACE Parcel

Future Land Use

- Non-Residential
- Habitat Reserve
- Habitat Corridor
- Borderland Interface
- 200-Foot Buffer from Borderland Interface



**County North MRA
Land Use Profile
Reuse Plan**

FORA ESCA RP
Monterey County, California

Figure 3

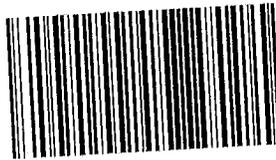
**RECORDING REQUESTED BY:
AND WHEN RECORDED MAIL TO**

Fort Ord Reuse Authority
Attn: Stan Cook
920 2nd Avenue , Suite A
Marina, CA 93933

Stephen L. Vagnini
Monterey County Recorder
Recorded at the request of
Filer

CRMARIA
7/28/2014
10:23:10

DOCUMENT: 2014034751



Titles: 1/ Pages: 41

Fees....	
Taxes...	
Other...	82.00
AMT PAID	\$82.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**CORRECTION TO DEED
ORIGINALLY RECORDED ON JULY 3, 2014
DOCUMENT NO. 2014031019
FORT ORD REUSE AUTHORITY (FORA)
COUNTY OF MONTEREY, CALIFORNIA
(Parcels E11.b.6.1, E11b.7.1.1, E11b.8, E18.1.2, E19a.1, E19a.2,
E19a.3, E19a.4, L5.7, L20.2.1, L20.3.1, L20.3.2, L20.5.1,
L20.5.2, L20.5.3, L20.5.4, L20.8, L20.18, L20.19.1.1 and L32.1)
(Deed Amendment No. 1)**

This document is being recorded to correct:

1. Page 1, change the title, "Correctory Deed" to "Deed"
2. Page 1, paragraph 1, change "Grantor" to "Grantee"
3. Page 2, paragraph 2, change document number reference at end of sentence from "2010027224" to "2010027226"
4. Page 2, paragraph 3, change "Correctory Deed" to "Deed"
5. Page 2, paragraph 3, change document number reference at end of sentence from "2010027224" to "2010027226"
6. Page 3, first line, change "Correctory Deed" to "Deed"
7. Remove existing Exhibit "B" (Legal Description) which was inadvertently attached and incorrect; and, replace with new Exhibit "B" cover page and Legal Description as referenced as Exhibit "A," as set forth in Document No. 2010027226

Exhibit "B" and
Exhibit "C"
Jan

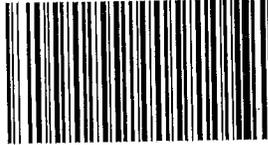
THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
(Additional recording fee applies)

Filer

**FORT ORD REUSE AUTHORITY
OFFICIAL BUSINESS
REQUEST DOCUMENT TO BE RECORDED
AND EXEMPT FROM RECORDING FEES
PER GOVERNMENT CODE 6103**

DOCUMENT: **2014031019**

Titles: 1/ Pages: 16



Fees....
Taxes...
Other... 32.00
AMT PAID \$32.00

**Recording requested by and
when recorded mail to:**

Fort Ord Reuse Authority
920 2nd Avenue
Suite A
Marina, CA 93033

Space Above This Line Reserved for Recorder's Use

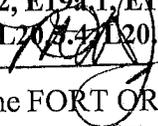
Documentary Transfer Tax ~~\$0-government agency, exempt from DTT~~
____ Computed on full value of property conveyed
____ Computed on full value less liens and encumbrances
remaining at time of sale

 INITIAL

~~CORRECTORY DEED~~

**FORT ORD REUSE AUTHORITY (FORA)
COUNTY OF MONTEREY, CALIFORNIA**

(Parcels E11.b.6.1, E11b.7.1.1, E11b.8, E18.1.2, E19a.1, E19a.2, E19a.3, E19a.4, L5.7, L20.2.1,
L20.3.1, L20.3.2, L20.5.1, L20.5.2, L20.5.3, L20.5.4, L20.8, L20.18, L20.19.1.1, and L32.1)

GRANTEE  INITIAL

1. A "Deed Amendment No. 1" between the FORT ORD REUSE AUTHORITY (or "FORA"), as Grantor, and the FORT ORD REUSE AUTHORITY (or "FORA"), as Grantee, (amending that certain quitclaim deed dated May 8, 2009 and recorded in the real property records of Monterey County, California as Document No. 2009028280) was recorded on May 17, 2010 in the real property records of Monterey County, California as Document No. 2010027226.
2. Deed Amendment No. 1 contained the following clerical error:
In the ninth line of the first paragraph the parenthetic phrase "...an agency of the State of California..." was incorrectly used to describe the Grantee.
3. Said clerical error in Deed Amendment No. 1 is corrected as follows:
In the ninth line of the first paragraph the parenthetic phrase "an agency of the State of California" is replaced with "*a public corporation* of the State of California" [emphasis added] to correctly describe the Grantee and to conform to the description of the Grantee used in the May 8, 2009 Quitclaim Deed.
4. As reflected in that letter dated June 24, 2014, a copy of which is attached hereto as Exhibit "A" and the affirmation contained therein, the United States Army has affirmed

that the scrivener's errors identified above do not affect the validity and purpose of the recorded deeds and instruments containing them.

NOW THEREFORE, FORA, who erroneously acquired title as the Fort Ord Reuse Authority, an agency of the State of California, hereby grants to the Fort Ord Reuse Authority, a public corporation of the State of California, that real property described in that certain "Deed Amendment No. 1" recorded on May 17, 2010 in the real property records of Monterey County, California as Document No. ~~2010027224~~ 2010027226 ~~FORA~~ INITIAL

This ~~Correctory~~ Deed is given to correct the vesting only on that certain "Deed Amendment No. 1" executed by the UNITED STATES OF AMERICA to FORA recorded on May 17, 2010 in the records of the Monterey County Recorder as Document Series No. ~~2010027224~~ 2010027226 ~~FORA~~ INITIAL

[signatures appear on following pages]

MAJ INITIAL

IN WITNESS WHEREOF, FORA has caused this Correctory Deed to be executed in its name by its Executive Officer, this 3rd day of July, 2014.

FORT ORD REUSE AUTHORITY

By: Michael A. Houlemard, Jr.
MICHAEL A. HOULEMARD, JR.
Executive Officer

ACCEPTANCE:

This is to certify that the interest in real property conveyed by the deed or grant dated July 3, 2014 from the Fort Ord Reuse Authority ("FORA") to FORA, a political corporation and/or governmental agency is hereby accepted by the undersigned officer or agent on behalf of the Board of Directors of FORA pursuant to authority conferred by resolution of the Board of Directors of FORA adopted on May 16, 2014, and the grantee consents to recordation thereof by its duly authorized officer.

FORT ORD REUSE AUTHORITY

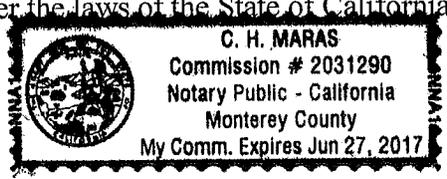
Dated July 3, 2014 By: Michael A. Houlemard, Jr.
MICHAEL A. HOULEMARD, JR.
Executive Officer

State of California)
County of Monterey) ss

On July 3, 2014, before me, C. H. Maras,
Notary Public, personally appeared MICHAEL A. HOULEMARD, JR., who proved to me on the basis of satisfactory evidence to be the person(\$) whose name(\$) 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(\$) on the instrument the person(\$), or the entity upon behalf of which the person(\$) 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 C. H. Maras

(Seal)

EXHIBIT A

[attach June 24, 2014 letter as Exhibit A]

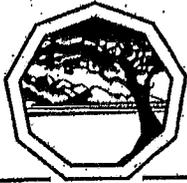


EXHIBIT A

FORT ORD REUSE AUTHORITY

920 2ND AVENUE, SUITE A, MARINA, CALIFORNIA 93933
PHONE: (831) 883-3672 - FAX: (831) 883-3675
WEBSITE: www.fora.org

June 24, 2014

Sharon K. Caine
Real Estate Division
Sacramento District
U.S. Army Corps of Engineers
1325 J Street
Sacramento, CA 95814

RE: Affirmation of Validity and Purpose of Deeds with
Minor Scrivener's Errors in Deed Amendments

Dear Ms. Caine:

In the course of document review preparatory to the conveyance of several parcels of land at the former Fort Ord, the Fort Ord Reuse Authority (FORA) has discovered minor scrivener's errors in certain deed amendments that the U.S. Army recorded in 2010 to remove use restrictions on former Fort Ord properties previously quitclaimed by the U.S. Army to FORA.

In order to provide public notice of these minor drafting errors, FORA requests the U.S. Army's approval to submit this letter to the County of Monterey Recorder's Office for recording, identifying the proper corrections and hereby placing the corrections in the public record.

The Deed Amendments containing scrivener's errors are the following:

Army Corps Document Number	County of Monterey Record Number and Date Recorded
Amendment No. 1 to Deed No. DACA05-9-07-506	2010027224 - 5/17/2010
Amendment No. 1 to Deed No. DACA05-9-07-508	2010027225 - 5/17/2010
Amendment No. 1 to Deed No. DACA05-9-07-505	2010027226 - 5/17/2010
Amendment No. 2 to Deed No. DACA05-9-07-505	2011013980 - 3/10/2011

In the first paragraph of the first page of each of the above-referenced Deed Amendments, FORA is incorrectly referred to as "an agency of the State of California." In fact, FORA is defined by California Government Code Section 67657 (a) as "a public corporation of the State of California..." Thus, the term used in error in the deed amendments, "an agency of the State of California," must be replaced with the correct reference for FORA, "a public corporation of the State of California."

Further, one deed amendment contains a clerical error in the first line of its seventh paragraph, at page 2. In the deed amendment listed below, the phrase "...Section 2, Paragraph D of Exhibit "D"..." must be corrected by replacing the "D" with an "E" so that the reference correctly reads "Section 2, Paragraph E of Exhibit D." The Deed Amendment that contains this scrivener's error is the following:

Army Corps Document Number	County of Monterey Record Number and Date Recorded
Amendment No. 1 to Deed No. DACA05-9-07-508	2010027225 - 5/17/2010

FORA asserts that the scrivener's errors noted herein do not change the validity or purpose of the Deed Amendments containing them, or the underlying deeds that transferred title to the subject parcels to FORA. By this letter, FORA provides public notice of these minor scrivener's errors in order to clarify the administrative record.

Sincerely,



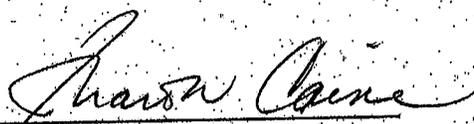
Stan Cook

Real Property and Facilities Manager

AFFIRMATION

By its signature below, the United States Army, as grantor of the referenced parcels of former Fort Ord lands, affirms that the scrivener's errors identified above do not affect the validity and purpose of the recorded deeds and instruments containing them. Title to the subject parcels was effectively conveyed from the U.S. Army to the Fort Ord Redevelopment Authority (FORA) upon the terms and conditions set forth in the original quitclaim deeds, as amended by the referenced deed amendments, unaffected by the scrivener's errors enumerated in FORA's letter above.

Signed:



Sharon Caine, Division Chief
Real Estate Division (SPK-RE)
Sacramento District
US Army Corps of Engineers

Dated:

26 June 2014

Exhibit "B"
Legal Description
Monterey County Amend - 505

Certain real property situate in the unincorporated area of Monterey County, also situate in the City Lands of Monterey, Tract No. 1, County of Monterey, State of California, described as follows:

Parcel A

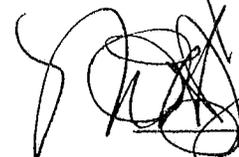
Being a portion of the land shown as Parcel 1 on the map filed in Volume 23 of Surveys at Page 105, also being a portion of the land shown as Parcel D on the map filed in Volume 30 of Surveys at Page 41, and described in the deed recorded as Document Number 2009028280, Official Records of said County, particularly described as follows:

Beginning at a point on the southeasterly boundary of said Parcel 1, said point also being on the southeasterly boundary of said Parcel D, from which point the northeasterly terminus of the course shown as S49°49'05"W, 123.53' on said map filed in Volume 23 of Surveys at Page 105 bears North 49°49'05" East, 27.08 feet; thence from said point of beginning along said southeasterly boundary of said Parcel 1

- A-1) South 49° 49' 05" West, 96.45 feet; thence
- A-2) South 62° 19' 42" West, 168.14 feet (shown as S 62° 19' 42" W, 168.15' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-3) South 43° 50' 29" West, 115.36 feet (shown as S 43° 50' 29" W, 115.37' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-4) South 38° 11' 13" West, 200.81 feet (shown as S 38° 11' 13" W, 200.82' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-5) South 40° 27' 38" West, 271.04 feet (shown as S 40° 27' 38" W, 271.06' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-6) South 53° 08' 07" West, 144.58 feet (shown as S 53° 08' 07" W, 144.59' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-7) South 69° 49' 08" West, 193.32 feet (shown as S 69° 49' 08" W, 193.33' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-8) South 54° 59' 05" West, 72.44 feet; thence
- A-9) South 41° 12' 49" West, 80.99 feet (shown as S 41° 12' 49" W, 81.00' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-10) South 24° 33' 59" West, 55.05 feet; thence
- A-11) South 5° 54' 51" West, 88.84 feet (shown as S 05° 54' 51" W, 88.85' on said map filed in Volume 30 of Surveys at Page 41); thence


INITIAL

- A-12) South 8° 19' 42" East, 329.22 feet (shown as S 08° 19' 42" E, 329.24' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-13) South 0° 05' 57" West, 78.52 feet (shown as S 00° 05' 57" W, 78.53' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-14) South 8° 37' 33" West, 97.38 feet (shown as S 08° 37' 33" W, 97.39' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-15) South 18° 58' 46" West, 165.55 feet (shown as S 18° 58' 46" W, 165.56' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-16) South 44° 37' 32" West, 95.77 feet (shown as S 44° 37' 32" W, 95.78' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-17) South 60° 52' 39" West, 254.54 feet (shown as S 60° 52' 39" W, 254.56' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-18) South 37° 26' 54" West, 126.62 feet (shown as S 37° 26' 54" W, 126.63' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-19) South 10° 48' 03" West, 68.50 feet (shown as S 10° 48' 03" W, 68.50' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-20) South 29° 22' 04" West, 156.14 feet (shown as S 29° 22' 04" W, 156.15' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-21) South 34° 57' 59" West, 139.62 feet (shown as S 34° 57' 59" W, 139.63' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-22) South 56° 21' 39" West, 59.71 feet; thence
- A-23) South 82° 29' 44" West, 194.58 feet (shown as S 82° 29' 44" W, 194.59' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-24) North 83° 42' 42" West, 287.14 feet (shown as N 83° 42' 42" W, 287.16' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-25) North 66° 01' 20" West, 147.39 feet (shown as N 66° 01' 20" W, 147.40' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-26) North 79° 00' 34" West, 251.36 feet (shown as N 79° 00' 34" W, 251.38' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-27) South 77° 12' 53" West, 55.92 feet (shown as S 77° 12' 53" W, 55.92' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-28) South 46° 42' 29" West, 87.18 feet (shown as S 46° 42' 29" W, 87.19' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-29) South 58° 47' 57" West, 75.85 feet (shown as S 58° 47' 57" W, 75.86' on said map filed in Volume 30 of Surveys at Page 41); thence

 INITIAL

- A-30) South 80° 55' 21" West, 132.36 feet (shown as S 80° 55' 21" W, 132.37' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-31) South 87° 12' 11" West, 112.47 feet (shown as S 87° 12' 11" W, 112.48' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-32) South 71° 38' 58" West, 176.73 feet (shown as S 71° 38' 58" W, 176.74' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-33) South 56° 09' 46" West, 97.71 feet (shown as S 56° 09' 46" W, 97.72' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-34) South 37° 48' 47" East, 90.91 feet (shown as S 37° 48' 47" E, 90.92' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-35) South 17° 07' 11" East, 62.89 feet; thence
- A-36) South 2° 33' 03" West, 88.26 feet (shown as S 02° 33' 03" W, 88.27' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-37) South 18° 58' 47" West, 63.58 feet; thence
- A-38) South 36° 47' 12" West, 201.48 feet (shown as S 36° 47' 12" W, 201.49' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-39) South 31° 02' 57" West, 121.84 feet (shown as S 31° 02' 57" W, 121.85' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-40) South 51° 55' 07" West, 113.23 feet (shown as S 51° 55' 07" W, 113.24' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-41) South 61° 32' 12" West, 269.67 feet (shown as S 61° 32' 12" W, 269.69' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-42) South 75° 50' 25" West, 66.11 feet; thence
- A-43) South 59° 39' 37" West, 1066.26 feet more or less to an angle point in the boundary of said Parcel D and Parcel B as shown on said map filed in Volume 30 of Surveys at Page 41; thence departing said southeasterly boundary of said Parcel 1 and said Parcel D along the boundary of said Parcel B
- A-44) North 52° 52' 17" East, 1103.33 feet; thence
- A-45) North 12° 53' 13" West, 90.03 feet; thence
- A-46) North 23° 03' 02" West, 1755.77 feet; thence
- A-47) North 20° 08' 36" West, 268.73 feet; thence
- A-48) North 6° 42' 03" East, 153.53 feet; thence

 INITIAL

- A-49) North 17° 38' 14" East, 226.03 feet; thence
- A-50) North 48° 03' 46" West, 283.49 feet; thence
- A-51) North 55° 11' 28" West, 278.91 feet; thence
- A-52) North 62° 41' 36" West, 227.15 feet; thence
- A-53) North 65° 01' 11" West, 250.60 feet; thence
- A-54) North 71° 11' 51" West, 335.15 feet; thence
- A-55) North 79° 30' 16" West, 483.47 feet; thence
- A-56) North 84° 57' 11" West, 320.10 feet; thence
- A-57) South 89° 14' 18" West, 321.74 feet; thence
- A-58) South 85° 32' 01" West, 169.80 feet; thence
- A-59) South 4° 34' 26" East, 338.58 feet; thence
- A-60) South 14° 47' 14" East, 1369.35 feet; thence
- A-61) South 20° 28' 20" West, 520.37 feet; thence
- A-62) South 30° 46' 05" West, 753.57 feet; thence
- A-63) South 25° 53' 24" West, 427.12 feet; thence
- A-64) South 1° 39' 30" West, 156.63 feet more or less to a point on the southerly boundary of said Parcel D; thence departing said boundary of said Parcel B along said southerly boundary
- A-65) Along the arc of a non-tangent curve, the center of which bears South 0° 33' 33" East, 280.00 feet distant, through a central angle of 12° 05' 49", for an arc distance of 59.12 feet; thence departing said southerly boundary of said Parcel D
- A-66) North 45° East, 15.62 feet; thence
- A-67) North 3° 21' 59" East, 8.51 feet; thence
- A-68) North 26° 33' 54" East, 25.71 feet; thence
- A-69) North 7° 27' 38" East, 42.36 feet; thence
- A-70) North 3° 10' 47" East, 36.06 feet; thence
- A-71) North 3° 19' 29" East, 60.35 feet; thence
- A-72) North 2° 28' 18" East, 34.78 feet; thence

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- A-73) North 1° 48' 31" East, 47.52 feet; thence
A-74) North 1° 41' 50" East, 33.76 feet; thence
A-75) North 1° 7' 24" East, 25.50 feet; thence
A-76) North 1° 49' 58" East, 31.27 feet; thence
A-77) North, 60.25 feet; thence
A-78) North 9° 12' 40" East, 9.37 feet; thence
A-79) North, 81.50 feet; thence
A-80) North 3° 41' 29" West, 15.53 feet; thence
A-81) North 8° 29' 20" West, 50.81 feet; thence
A-82) North 10° 45' 29" West, 50.89 feet; thence
A-83) North 13° 37' 37" West, 50.93 feet; thence
A-84) North 21° 59' 11" West, 1.08 feet; thence
A-85) West, 421.60 feet; thence
A-86) North, 100.00 feet; thence
A-87) West, 100.00 feet; thence
A-88) North, 100.00 feet; thence
A-89) West, 200.00 feet; thence
A-90) North, 200.00 feet; thence
A-91) West, 56.04 feet more or less to a point on the westerly line of said Parcel 1, said line also being the city limit line of the City of Seaside; thence along said city limit line and said westerly line of said Parcel 1
A-92) North 18° 59' 46" East, (shown as S18° 59' 35" W on said map filed in Volume 30 of Surveys at Page 41), 2531.75 feet; thence departing said city limit line and said westerly line of said Parcel 1
A-93) East, 635.27 feet; thence
A-94) North 80° 32' 16" East, 38.02 feet; thence
A-95) East, 3918.98 feet; thence
A-96) North 21° 9' 41" East, 48.52 feet; thence

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- A-97) North 12° 8' 13" East, 23.78 feet; thence
A-98) North 2° 3' 50" West, 27.77 feet; thence
A-99) North 14° 10' 41" West, 24.50 feet; thence
A-100) North 22° 26' 34" West, 24.88 feet; thence
A-101) North 18° 48' 00" West, 24.82 feet; thence
A-102) North 2° 56' 08" West, 19.53 feet; thence
A-103) North 15° 56' 43" East, 20.02 feet; thence
A-104) North 29° 14' 56" East, 14.33 feet; thence
A-105) North 36° 23' 04" East, 11.80 feet; thence
A-106) North 51° 8' 48" East, 11.56 feet; thence
A-107) North 65° 39' 32" East, 11.52 feet; thence
A-108) North 84° 24' 30" East, 71.84 feet; thence
A-109) North 86° 35' 54" East, 71.63 feet; thence
A-110) North 87° 23' 10" East, 115.12 feet; thence
A-111) North 85° 58' 00" East, 78.19 feet; thence
A-112) North 83° 3' 21" East, 78.58 feet; thence
A-113) North 84° 24' 23" East, 97.46 feet; thence
A-114) North 84° 9' 55" East, 68.86 feet; thence
A-115) North 83° 59' 28" East, 28.66 feet; thence
A-116) North 85° 52' 48" East, 59.15 feet; thence
A-117) North 88° 3' 31" East, 59.03 feet; thence
A-118) South 89° 10' 11" East, 69.01 feet; thence
A-119) South 89° 22' 38" East, 69.00 feet; thence
A-120) North 86° 39' 42" East, 60.10 feet; thence
A-121) North 88° 7' 56" East, 92.05 feet; thence
A-122) North 88° 41' 53" East, 22.01 feet; thence

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- A-123) North 88° 48' 23" East, 12.00 feet; thence
- A-124) South 88° 6' 08" East, 83.05 feet; thence
- A-125) North 89° 20' 56" East, 44.00 feet; thence
- A-126) North 87° 6' 31" East, 49.56 feet; thence
- A-127) North 89° 2' 26" East, 104.51 feet; thence
- A-128) South 88° 29' 44" East, 257.09 feet; thence
- A-129) South 88° 48' 23" East, 12.00 feet; thence
- A-130) South 85° 15' 39" East, 96.83 feet; thence
- A-131) South 81° 40' 56" East, 86.41 feet; thence
- A-132) South 71° 44' 53" East, 148.47 feet; thence
- A-133) South 65° 16' 12" East, 66.16 feet; thence
- A-134) South 65° 16' 13" East, 66.50 feet; thence
- A-135) South 55° 39' 14" East, 109.01 feet; thence
- A-136) South 51° 25' 24" East, 80.59 feet; thence
- A-137) South 50° 41' 17" East, 89.18 feet; thence
- A-138) South 57° 25' 03" East, 78.92 feet; thence
- A-139) South 64° 52' 01" East, 89.47 feet; thence
- A-140) South 67° 47' 55" East, 126.37 feet; thence
- A-141) South 76° 40' 50" East, 141.79 feet; thence
- A-142) South 63° 16' 49" East, 25.92 feet more or less to a point on the easterly line of said Parcel 1 as shown on said map filed in Volume 23 of Surveys at Page 105, and to the point of beginning.

Containing an area of 307.83 acres, more or less.

Parcel B

Being a portion of the land shown as Parcel 1 on the map filed in Volume 23 of Surveys at Page 105 also being a portion of the land shown as Parcel D on the map filed in Volume 30 of Surveys at Page 41, Official Records of said County, particularly described as follows:

Beginning at a point on the northerly line of said Parcel 1 on said map filed in Volume 23 of Surveys at Page 105; thence along said northerly line of said Parcel 1

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- B-1) South 87° 45' 00" East, 1940.14 feet; thence departing said northerly line of said Parcel 1
- B-2) South 16° 31' 29" West, 1869.92 feet; thence
- B-3) South 16° 29' 28" West, 385.14 feet; thence
- B-4) South 74° 32' 16" West, 303.66 feet; thence
- B-5) North 86° 54' 02" West, 309.73 feet; thence
- B-6) North 73° 58' 54" West, 1823.92 feet more or less to a point on the northerly line of said Parcel 1; thence along said northerly line
- B-7) Along the arc of a non-tangent curve, the center of which bears South 19° 22' 03" East, 482.00 feet distant, through a central angle of 11° 01' 03", for an arc distance of 92.68 feet; thence
- B-8) Along the arc of a compound tangent curve, the center of which bears South 8° 21' East, 1632.00 feet distant, through a central angle of 14° 13' 51", for an arc distance of 405.35 feet; thence
- B-9) North 4° 50' 13" East, 768.48 feet; thence
- B-10) South 83° 34' 21" East, 382.09 feet; thence
- B-11) North 6° 30' 01" East, 985.25 feet; thence
- B-12) North 6° 27' 43" East, 66.72 feet to the point of beginning.

Containing an area of 97.11 acres, more or less.

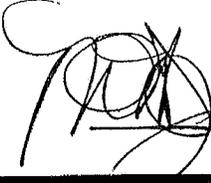
Parcel C

Being all of the land described as EDC Parcel L32.1 in the deed recorded as Document Number 2009028280, to wit:

SITUATE in a portion of the former Fort Ord Military Reservation as it is shown on that certain map recorded in Volume 19 of Surveys at Page 1, Official Records of Monterey County, being within Monterey City Lands Tract No. 1, County of Monterey, State of California; being a portion of Parcel 1. "Monterey County III (Parker Flats)" as it is shown on that certain map recorded in Volume 23 of Surveys at Page 105; being more particularly described as follows:

BEGINNING at the most northwesterly corner of said Parcel 1, "Monterey County III (Parker Flats)," being also an angle point in the westerly boundary of Parcel 7 as said parcel is shown on that certain map recorded in Volume 21 of Surveys at Page 83; thence from said Point of Beginning along the common boundary of said Parcels 1 and 7

- 1. South 83° 26' 14" East for a distance of 351.31 feet; thence continuing along said common boundary

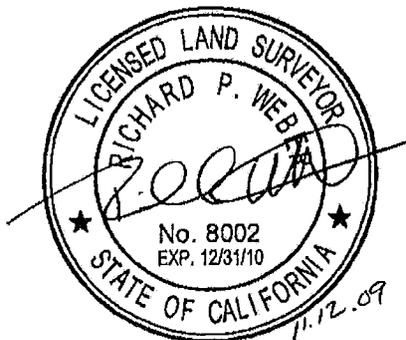
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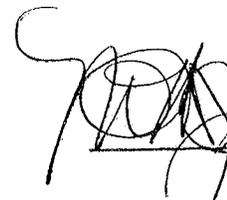
2. South 6° 36' 58" West for a distance of 371.08 feet to a point on the southerly boundary of said Parcel 7; thence leaving said southerly boundary of Parcel 7 and continuing along the easterly boundary of said Parcel 1, "Monterey County III (Parker Flats)"
3. North 83° 34' 21" West, 339.76 feet to a point on the easterly boundary of Parcel 1.L32.4.2 as it is shown on that certain map recorded in Volume 27 of Surveys at Page 17; thence along the common boundary of said Parcel 1.L32.4.2 and Parcel 1. "Monterey County III (Parker Flats)"
4. North 4° 50' 13" East for a distance of 8.92 feet to the northeast corner of said Parcel 1.L32.4.2; thence continuing along the boundary of said Parcel 1. "Monterey County III (Parker Flats)"
5. North 4° 50' 13" East, 361.13 feet to the POINT OF BEGINNING.

Containing an area of 2.947 acres, more or less.

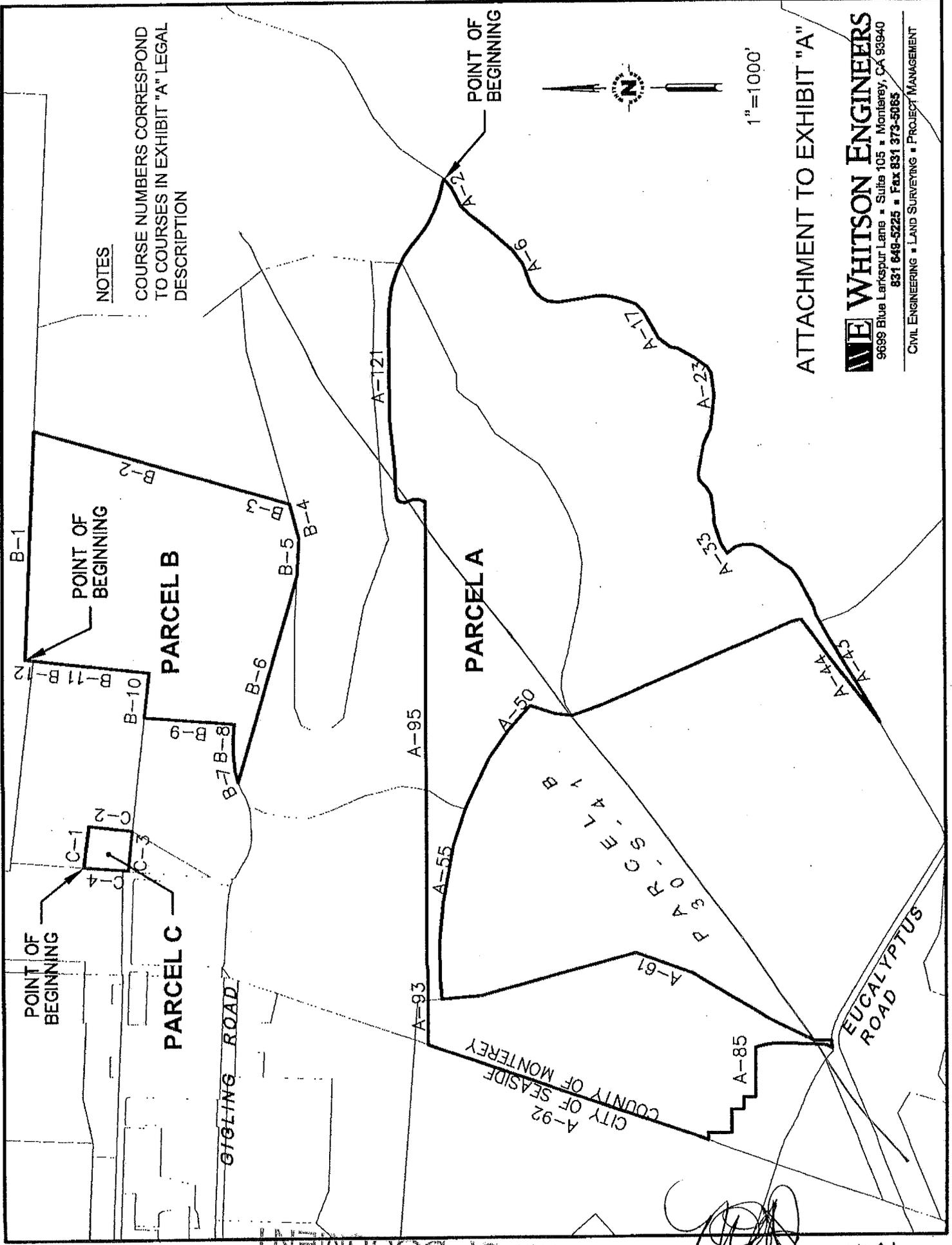
END OF DESCRIPTION

Prepared by:
Whitson Engineers



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END OF DOCUMENT



NOTES

COURSE NUMBERS CORRESPOND TO COURSES IN EXHIBIT "A" LEGAL DESCRIPTION

ATTACHMENT TO EXHIBIT "A"

WE WHITSON ENGINEERS
 9698 Blue Larkspur Lane • Suite 105 • Monterey, CA 93940
 831 648-5225 • Fax 831 373-5065
 CIVIL ENGINEERING • LAND SURVEYING • PROJECT MANAGEMENT

EXHIBIT "B"

Cover Page

Exhibit "A"
Legal Description
Monterey County Amend - 505

Certain real property situate in the unincorporated area of Monterey County, also situate in the City Lands of Monterey, Tract No. 1, County of Monterey, State of California, described as follows:

Parcel A

Being a portion of the land shown as Parcel 1 on the map filed in Volume 23 of Surveys at Page 105, also being a portion of the land shown as Parcel D on the map filed in Volume 30 of Surveys at Page 41, and described in the deed recorded as Document Number 2009028280, Official Records of said County, particularly described as follows:

Beginning at a point on the southeasterly boundary of said Parcel 1, said point also being on the southeasterly boundary of said Parcel D, from which point the northeasterly terminus of the course shown as S49°49'05"W, 123.53' on said map filed in Volume 23 of Surveys at Page 105 bears North 49°49'05" East, 27.08 feet; thence from said point of beginning along said southeasterly boundary of said Parcel 1

- A-1) South 49° 49' 05" West, 96.45 feet; thence
- A-2) South 62° 19' 42" West, 168.14 feet (shown as S 62° 19' 42" W, 168.15' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-3) South 43° 50' 29" West, 115.36 feet (shown as S 43° 50' 29" W, 115.37' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-4) South 38° 11' 13" West, 200.81 feet (shown as S 38° 11' 13" W, 200.82' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-5) South 40° 27' 38" West, 271.04 feet (shown as S 40° 27' 38" W, 271.06' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-6) South 53° 08' 07" West, 144.58 feet (shown as S 53° 08' 07" W, 144.59' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-7) South 69° 49' 08" West, 193.32 feet (shown as S 69° 49' 08" W, 193.33' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-8) South 54° 59' 05" West, 72.44 feet; thence
- A-9) South 41° 12' 49" West, 80.99 feet (shown as S 41° 12' 49" W, 81.00' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-10) South 24° 33' 59" West, 55.05 feet; thence
- A-11) South 5° 54' 51" West, 88.84 feet (shown as S 05° 54' 51" W, 88.85' on said map filed in Volume 30 of Surveys at Page 41); thence

- A-12) South 8° 19' 42" East, 329.22 feet (shown as S 08° 19' 42" E, 329.24' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-13) South 0° 05' 57" West, 78.52 feet (shown as S 00° 05' 57" W, 78.53' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-14) South 8° 37' 33" West, 97.38 feet (shown as S 08° 37' 33" W, 97.39' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-15) South 18° 58' 46" West, 165.55 feet (shown as S 18° 58' 46" W, 165.56' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-16) South 44° 37' 32" West, 95.77 feet (shown as S 44° 37' 32" W, 95.78' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-17) South 60° 52' 39" West, 254.54 feet (shown as S 60° 52' 39" W, 254.56' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-18) South 37° 26' 54" West, 126.62 feet (shown as S 37° 26' 54" W, 126.63' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-19) South 10° 48' 03" West, 68.50 feet (shown as S 10° 48' 03" W, 68.50' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-20) South 29° 22' 04" West, 156.14 feet (shown as S 29° 22' 04" W, 156.15' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-21) South 34° 57' 59" West, 139.62 feet (shown as S 34° 57' 59" W, 139.63' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-22) South 56° 21' 39" West, 59.71 feet; thence
- A-23) South 82° 29' 44" West, 194.58 feet (shown as S 82° 29' 44" W, 194.59' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-24) North 83° 42' 42" West, 287.14 feet (shown as N 83° 42' 42" W, 287.16' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-25) North 66° 01' 20" West, 147.39 feet (shown as N 66° 01' 20" W, 147.40' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-26) North 79° 00' 34" West, 251.36 feet (shown as N 79° 00' 34" W, 251.38' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-27) South 77° 12' 53" West, 55.92 feet (shown as S 77° 12' 53" W, 55.92' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-28) South 46° 42' 29" West, 87.18 feet (shown as S 46° 42' 29" W, 87.19' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-29) South 58° 47' 57" West, 75.85 feet (shown as S 58° 47' 57" W, 75.86' on said map filed in Volume 30 of Surveys at Page 41); thence

- A-30) South 80° 55' 21" West, 132.36 feet (shown as S 80° 55' 21" W, 132.37' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-31) South 87° 12' 11" West, 112.47 feet (shown as S 87° 12' 11" W, 112.48' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-32) South 71° 38' 58" West, 176.73 feet (shown as S 71° 38' 58" W, 176.74' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-33) South 56° 09' 46" West, 97.71 feet (shown as S 56° 09' 46" W, 97.72' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-34) South 37° 48' 47" East, 90.91 feet (shown as S 37° 48' 47" E, 90.92' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-35) South 17° 07' 11" East, 62.89 feet; thence
- A-36) South 2° 33' 03" West, 88.26 feet (shown as S 02° 33' 03" W, 88.27' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-37) South 18° 58' 47" West, 63.58 feet; thence
- A-38) South 36° 47' 12" West, 201.48 feet (shown as S 36° 47' 12" W, 201.49' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-39) South 31° 02' 57" West, 121.84 feet (shown as S 31° 02' 57" W, 121.85' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-40) South 51° 55' 07" West, 113.23 feet (shown as S 51° 55' 07" W, 113.24' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-41) South 61° 32' 12" West, 269.67 feet (shown as S 61° 32' 12" W, 269.69' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-42) South 75° 50' 25" West, 66.11 feet; thence
- A-43) South 59° 39' 37" West, 1066.26 feet more or less to an angle point in the boundary of said Parcel D and Parcel B as shown on said map filed in Volume 30 of Surveys at Page 41; thence departing said southeasterly boundary of said Parcel 1 and said Parcel D along the boundary of said Parcel B
- A-44) North 52° 52' 17" East, 1103.33 feet; thence
- A-45) North 12° 53' 13" West, 90.03 feet; thence
- A-46) North 23° 03' 02" West, 1755.77 feet; thence
- A-47) North 20° 08' 36" West, 268.73 feet; thence
- A-48) North 6° 42' 03" East, 153.53 feet; thence

- A-49) North 17° 38' 14" East, 226.03 feet; thence
- A-50) North 48° 03' 46" West, 283.49 feet; thence
- A-51) North 55° 11' 28" West, 278.91 feet; thence
- A-52) North 62° 41' 36" West, 227.15 feet; thence
- A-53) North 65° 01' 11" West, 250.60 feet; thence
- A-54) North 71° 11' 51" West, 335.15 feet; thence
- A-55) North 79° 30' 16" West, 483.47 feet; thence
- A-56) North 84° 57' 11" West, 320.10 feet; thence
- A-57) South 89° 14' 18" West, 321.74 feet; thence
- A-58) South 85° 32' 01" West, 169.80 feet; thence
- A-59) South 4° 34' 26" East, 338.58 feet; thence
- A-60) South 14° 47' 14" East, 1369.35 feet; thence
- A-61) South 20° 28' 20" West, 520.37 feet; thence
- A-62) South 30° 46' 05" West, 753.57 feet; thence
- A-63) South 25° 53' 24" West, 427.12 feet; thence
- A-64) South 1° 39' 30" West, 156.63 feet more or less to a point on the southerly boundary of said Parcel D; thence departing said boundary of said Parcel B along said southerly boundary
- A-65) Along the arc of a non-tangent curve, the center of which bears South 0° 33' 33" East, 280.00 feet distant, through a central angle of 12° 05' 49", for an arc distance of 59.12 feet; thence departing said southerly boundary of said Parcel D
- A-66) North 45° East, 15.62 feet; thence
- A-67) North 3° 21' 59" East, 8.51 feet; thence
- A-68) North 26° 33' 54" East, 25.71 feet; thence
- A-69) North 7° 27' 38" East, 42.36 feet; thence
- A-70) North 3° 10' 47" East, 36.06 feet; thence
- A-71) North 3° 19' 29" East, 60.35 feet; thence
- A-72) North 2° 28' 18" East, 34.78 feet; thence

- A-73) North 1° 48' 31" East, 47.52 feet; thence
- A-74) North 1° 41' 50" East, 33.76 feet; thence
- A-75) North 1° 7' 24" East, 25.50 feet; thence
- A-76) North 1° 49' 58" East, 31.27 feet; thence
- A-77) North, 60.25 feet; thence
- A-78) North 9° 12' 40" East, 9.37 feet; thence
- A-79) North, 81.50 feet; thence
- A-80) North 3° 41' 29" West, 15.53 feet; thence
- A-81) North 8° 29' 20" West, 50.81 feet; thence
- A-82) North 10° 45' 29" West, 50.89 feet; thence
- A-83) North 13° 37' 37" West, 50.93 feet; thence
- A-84) North 21° 59' 11" West, 1.08 feet; thence
- A-85) West, 421.60 feet; thence
- A-86) North, 100.00 feet; thence
- A-87) West, 100.00 feet; thence
- A-88) North, 100.00 feet; thence
- A-89) West, 200.00 feet; thence
- A-90) North, 200.00 feet; thence
- A-91) West, 56.04 feet more or less to a point on the westerly line of said Parcel 1, said line also being the city limit line of the City of Seaside; thence along said city limit line and said westerly line of said Parcel 1
- A-92) North 18° 59' 46" East, (shown as S18° 59' 35" W on said map filed in Volume 30 of Surveys at Page 41), 2531.75 feet; thence departing said city limit line and said westerly line of said Parcel 1
- A-93) East, 635.27 feet; thence
- A-94) North 80° 32' 16" East, 38.02 feet; thence
- A-95) East, 3918.98 feet; thence
- A-96) North 21° 9' 41" East, 48.52 feet; thence

- A-97) North 12° 8' 13" East, 23.78 feet; thence
- A-98) North 2° 3' 50" West, 27.77 feet; thence
- A-99) North 14° 10' 41" West, 24.50 feet; thence
- A-100) North 22° 26' 34" West, 24.88 feet; thence
- A-101) North 18° 48' 00" West, 24.82 feet; thence
- A-102) North 2° 56' 08" West, 19.53 feet; thence
- A-103) North 15° 56' 43" East, 20.02 feet; thence
- A-104) North 29° 14' 56" East, 14.33 feet; thence
- A-105) North 36° 23' 04" East, 11.80 feet; thence
- A-106) North 51° 8' 48" East, 11.56 feet; thence
- A-107) North 65° 39' 32" East, 11.52 feet; thence
- A-108) North 84° 24' 30" East, 71.84 feet; thence
- A-109) North 86° 35' 54" East, 71.63 feet; thence
- A-110) North 87° 23' 10" East, 115.12 feet; thence
- A-111) North 85° 58' 00" East, 78.19 feet; thence
- A-112) North 83° 3' 21" East, 78.58 feet; thence
- A-113) North 84° 24' 23" East, 97.46 feet; thence
- A-114) North 84° 9' 55" East, 68.86 feet; thence
- A-115) North 83° 59' 28" East, 28.66 feet; thence
- A-116) North 85° 52' 48" East, 59.15 feet; thence
- A-117) North 88° 3' 31" East, 59.03 feet; thence
- A-118) South 89° 10' 11" East, 69.01 feet; thence
- A-119) South 89° 22' 38" East, 69.00 feet; thence
- A-120) North 86° 39' 42" East, 60.10 feet; thence
- A-121) North 88° 7' 56" East, 92.05 feet; thence
- A-122) North 88° 41' 53" East, 22.01 feet; thence

- A-123) North 88° 48' 23" East, 12.00 feet; thence
A-124) South 88° 6' 08" East, 83.05 feet; thence
A-125) North 89° 20' 56" East, 44.00 feet; thence
A-126) North 87° 6' 31" East, 49.56 feet; thence
A-127) North 89° 2' 26" East, 104.51 feet; thence
A-128) South 88° 29' 44" East, 257.09 feet; thence
A-129) South 88° 48' 23" East, 12.00 feet; thence.
A-130) South 85° 15' 39" East, 96.83 feet; thence
A-131) South 81° 40' 56" East, 86.41 feet; thence
A-132) South 71° 44' 53" East, 148.47 feet; thence
A-133) South 65° 16' 12" East, 66.16 feet; thence
A-134) South 65° 16' 13" East, 66.50 feet; thence
A-135) South 55° 39' 14" East, 109.01 feet; thence
A-136) South 51° 25' 24" East, 80.59 feet; thence
A-137) South 50° 41' 17" East, 89.18 feet; thence
A-138) South 57° 25' 03" East, 78.92 feet; thence
A-139) South 64° 52' 01" East, 89.47 feet; thence
A-140) South 67° 47' 55" East, 126.37 feet; thence
A-141) South 76° 40' 50" East, 141.79 feet; thence
A-142) South 63° 16' 49" East, 25.92 feet more or less to a point on the easterly line of said Parcel 1 as shown on said map filed in Volume 23 of Surveys at Page 105, and to the point of beginning.

Containing an area of 307.83 acres, more or less.

Parcel B

Being a portion of the land shown as Parcel 1 on the map filed in Volume 23 of Surveys at Page 105 also being a portion of the land shown as Parcel D on the map filed in Volume 30 of Surveys at Page 41, Official Records of said County, particularly described as follows:

Beginning at a point on the northerly line of said Parcel 1 on said map filed in Volume 23 of Surveys at Page 105; thence along said northerly line of said Parcel 1

- B-1) South 87° 45' 00" East, 1940.14 feet; thence departing said northerly line of said Parcel 1
- B-2) South 16° 31' 29" West, 1869.92 feet; thence
- B-3) South 16° 29' 28" West, 385.14 feet; thence
- B-4) South 74° 32' 16" West, 303.66 feet; thence
- B-5) North 86° 54' 02" West, 309.73 feet; thence
- B-6) North 73° 58' 54" West, 1823.92 feet more or less to a point on the northerly line of said Parcel 1; thence along said northerly line
- B-7) Along the arc of a non-tangent curve, the center of which bears South 19° 22' 03" East, 482.00 feet distant, through a central angle of 11° 01' 03", for an arc distance of 92.68 feet; thence
- B-8) Along the arc of a compound tangent curve, the center of which bears South 8° 21' East, 1632.00 feet distant, through a central angle of 14° 13' 51", for an arc distance of 405.35 feet; thence
- B-9) North 4° 50' 13" East, 768.48 feet; thence
- B-10) South 83° 34' 21" East, 382.09 feet; thence
- B-11) North 6° 30' 01" East, 985.25 feet; thence
- B-12) North 6° 27' 43" East, 66.72 feet to the point of beginning.

Containing an area of 97.11 acres, more or less.

Parcel C

Being all of the land described as EDC Parcel L32.1 in the deed recorded as Document Number 2009028280, to wit:

SITUATE in a portion of the former Fort Ord Military Reservation as it is shown on that certain map recorded in Volume 19 of Surveys at Page 1, Official Records of Monterey County, being within Monterey City Lands Tract No. 1, County of Monterey, State of California: being a portion of Parcel 1. "Monterey County III (Parker Flats)" as it is shown on that certain map recorded in Volume 23 of Surveys at Page 105; being more particularly described as follows:

BEGINNING at the most northwesterly corner of said Parcel 1, "Monterey County III (Parker Flats)," being also an angle point in the westerly boundary of Parcel 7 as said parcel is shown on that certain map recorded in Volume 21 of Surveys at Page 83; thence from said Point of Beginning along the common boundary of said Parcels 1 and 7

1. South 83° 26' 14" East for a distance of 351.31 feet; thence continuing along said common boundary

2. South 6° 36' 58" West for a distance of 371.08 feet to a point on the southerly boundary of said Parcel 7; thence leaving said southerly boundary of Parcel 7 and continuing along the easterly boundary of said Parcel 1, "Monterey County III (Parker Flats)"

3. North 83° 34' 21" West, 339.76 feet to a point on the easterly boundary of Parcel 1.L32.4.2 as it is shown on that certain map recorded in Volume 27 of Surveys at Page 17; thence along the common boundary of said Parcel 1.L32.4.2 and Parcel 1. "Monterey County III (Parker Flats)"

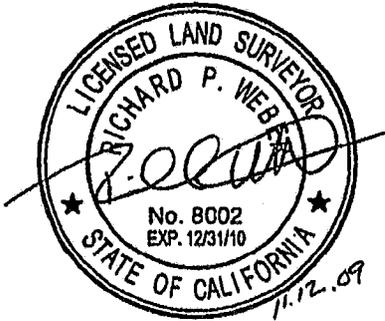
4. North 4° 50' 13" East for a distance of 8.92 feet to the northeast corner of said Parcel 1.L32.4.2; thence continuing along the boundary of said Parcel 1. "Monterey County III (Parker Flats)"

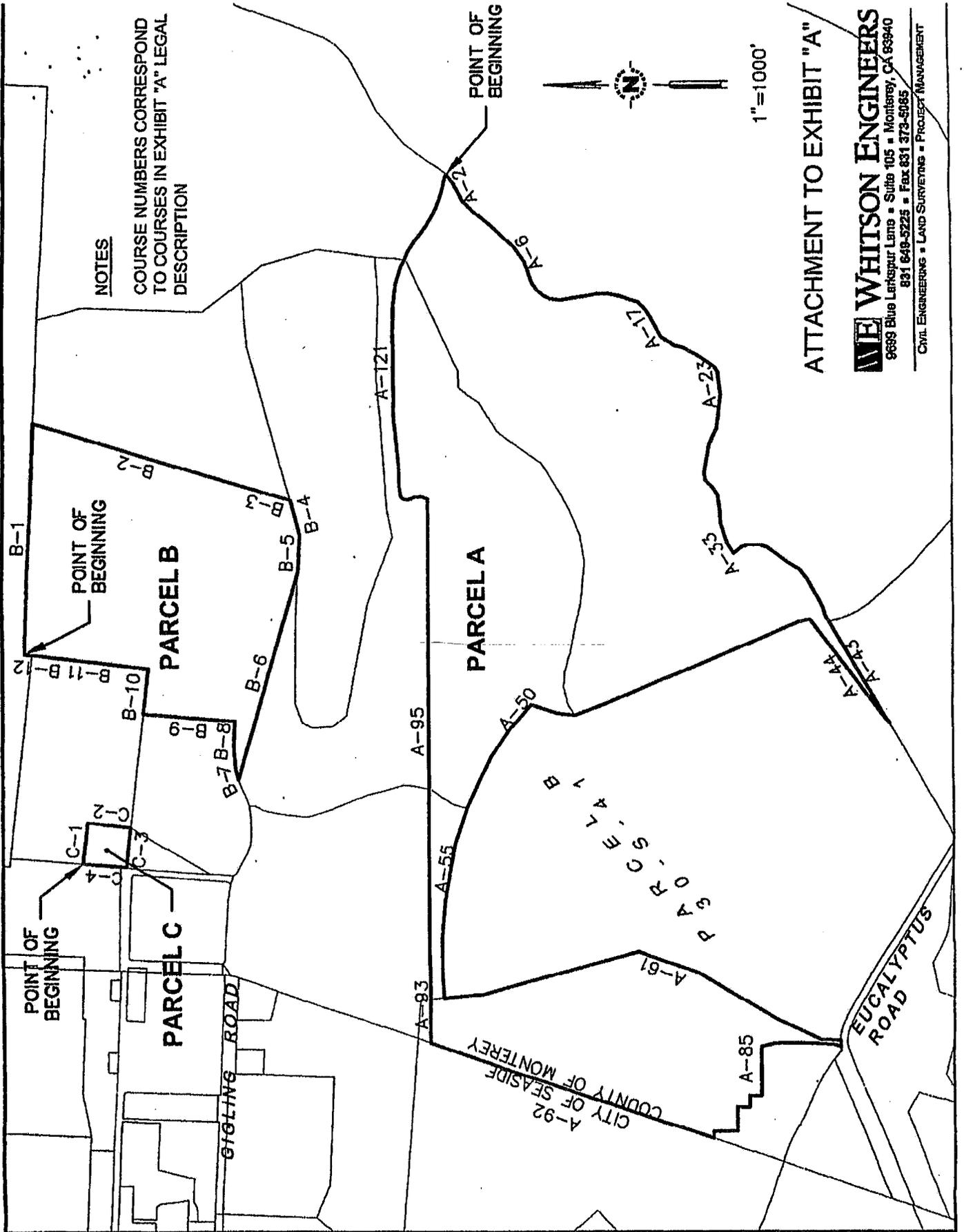
5. North 4° 50' 13" East, 361.13 feet to the POINT OF BEGINNING.

Containing an area of 2.947 acres, more or less.

END OF DESCRIPTION

Prepared by:
Whitson Engineers





NOTES

COURSE NUMBERS CORRESPOND TO COURSES IN EXHIBIT "A" LEGAL DESCRIPTION

1"=1000'

ATTACHMENT TO EXHIBIT "A"

WHITSON ENGINEERS
 9689 Blue Larkspur Lane • Suite 105 • Monterey, CA 93940
 831 649-5725 • Fax 831 373-5965
 CIVIL ENGINEERING • LAND SURVEYING • PROJECT MANAGEMENT

Amendment No. 1 to Deed No. DACA05-9-07-505

EXHIBIT "B"

Map of Parker Flats MRA Reuse Areas and Munitions Response Sites (Plate 2, Parker Flats MRA ROD).

EXHIBIT B

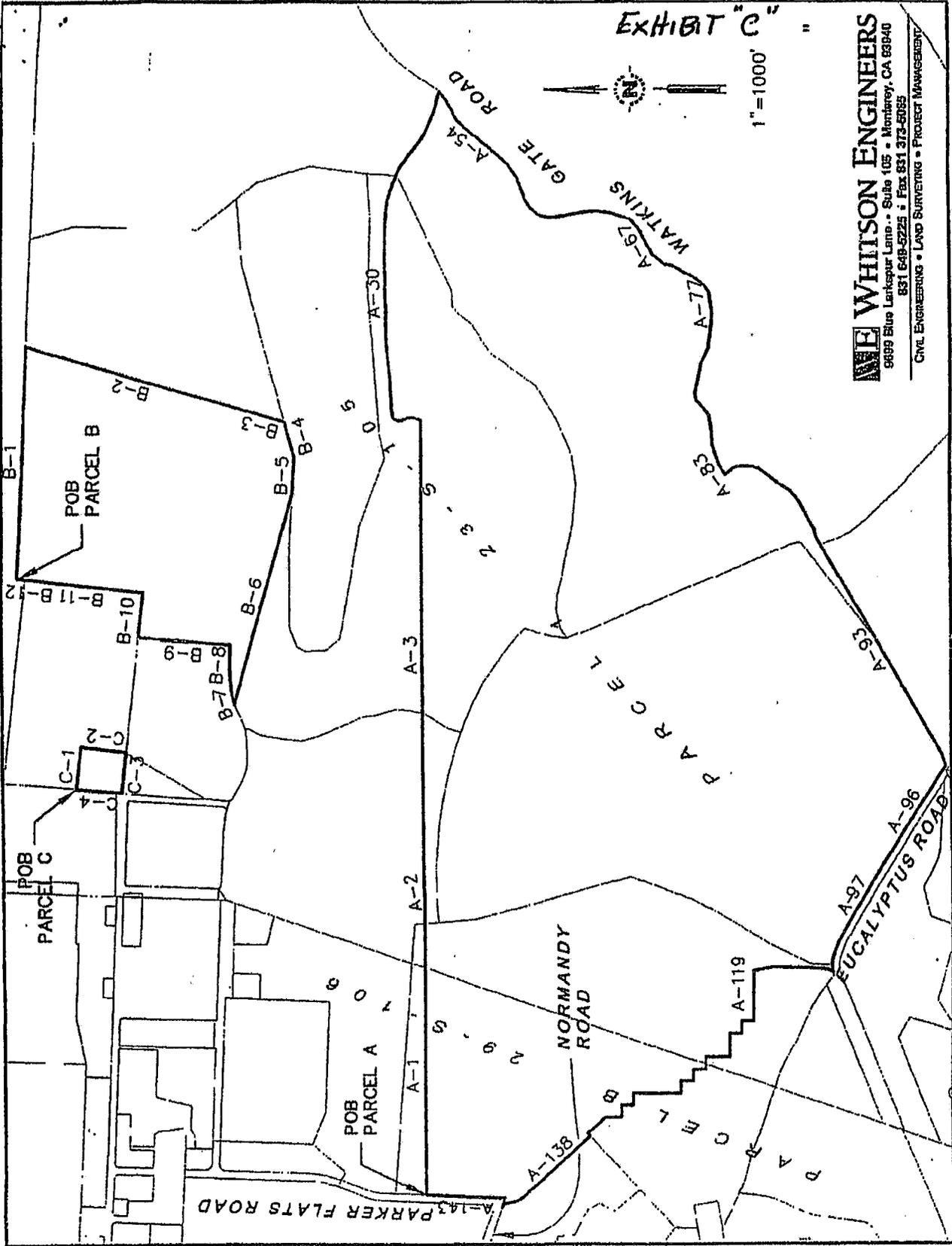
Amendment No. 1 to Deed No. DACA05-9-07-505

EXHIBIT "C"

Map of the Property and the portion of Parker Flats MRA subject to the RD/RA LUCI O&M Plan, Parker Flats MRA Phase I, dated August 4, 2009 (Figure 2, RD/RA LUCI O&M Plan).

EXHIBIT C

EXHIBIT "C"



WHITSON ENGINEERS
9699 Blue Larkspur Lane • Suite 105 • Monterey, CA 93940
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CIVIL ENGINEERING • LAND SURVEYING • PROJECT MANAGEMENT

EXHIBIT 'C'

Legal Description

Certain real property situate in the City Lands of Monterey, Tract No. 1, County of Monterey, State of California, described as follows:

Parcel A

Being a portion of the land shown as Parcel 1 on the map filed in Volume 23 of Surveys at Page 105, also being a portion of the land shown as Parcels B and D on the map filed in Volume 30 of Surveys at Page 41, together with a portion of the land shown as Parcel B on the map filed in Volume 29 of Surveys at Page 106, Official Records of said County, particularly described as follows:

Beginning at a point on the westerly line of said Parcel B on said map filed in Volume 29 of Surveys at Page 106, said line being labeled North 2° 22' 00" East on said map, from which point the southwesterly terminus of said course bears South 2° 22' 00" West, 687.88 feet; thence

- A-1) East, 2569.77 feet; thence
- A-2) North 80° 32' 16" East, 38.02 feet; thence
- A-3) East, 3918.98 feet; thence
- A-4) North 21° 9' 41" East, 48.52 feet; thence
- A-5) North 12° 8' 13" East, 23.78 feet; thence
- A-6) North 2° 3' 50" West, 27.77 feet; thence
- A-7) North 14° 10' 41" West, 24.50 feet; thence
- A-8) North 22° 26' 34" West, 24.88 feet; thence
- A-9) North 18° 48' 00" West, 24.82 feet; thence
- A-10) North 2° 56' 08" West, 19.53 feet; thence
- A-11) North 15° 56' 43" East, 20.02 feet; thence
- A-12) North 29° 14' 56" East, 14.33 feet; thence
- A-13) North 36° 23' 04" East, 11.80 feet; thence
- A-14) North 51° 8' 48" East, 11.56 feet; thence
- A-15) North 65° 39' 32" East, 11.52 feet; thence
- A-16) North 84° 24' 30" East, 71.84 feet; thence
- A-17) North 86° 35' 54" East, 71.63 feet; thence

- A-18) North 87° 23' 10" East, 115.12 feet; thence
- A-19) North 85° 58' 00" East, 78.19 feet; thence
- A-20) North 83° 3' 21" East, 78.58 feet; thence
- A-21) North 84° 24' 23" East, 97.46 feet; thence
- A-22) North 84° 9' 55" East, 68.86 feet; thence
- A-23) North 83° 59' 28" East, 28.66 feet; thence
- A-24) North 85° 52' 48" East, 59.15 feet; thence
- A-25) North 88° 3' 31" East, 59.03 feet; thence
- A-26) South 89° 10' 11" East, 69.01 feet; thence
- A-27) South 89° 22' 38" East, 69.00 feet; thence
- A-28) North 86° 39' 42" East, 60.10 feet; thence
- A-29) North 88° 7' 56" East, 92.05 feet; thence
- A-30) North 88° 41' 53" East, 22.01 feet; thence
- A-31) North 88° 48' 23" East, 12.00 feet; thence
- A-32) South 88° 6' 08" East, 83.05 feet; thence
- A-33) North 89° 20' 56" East, 44.00 feet; thence
- A-34) North 87° 6' 31" East, 49.56 feet; thence
- A-35) North 89° 2' 26" East, 104.51 feet; thence
- A-36) South 88° 29' 44" East, 257.09 feet; thence
- A-37) South 88° 48' 23" East, 12.00 feet; thence
- A-38) South 85° 15' 39" East, 96.83 feet; thence
- A-39) South 81° 40' 56" East, 86.41 feet; thence
- A-40) South 71° 44' 53" East, 148.47 feet; thence
- A-41) South 65° 16' 12" East, 66.16 feet; thence
- A-42) South 65° 16' 13" East, 66.50 feet; thence

- A-43) South 55° 39' 14" East, 109.01 feet; thence
- A-44) South 51° 25' 24" East, 80.59 feet; thence
- A-45) South 50° 41' 17" East, 89.18 feet; thence
- A-46) South 57° 25' 03" East, 78.92 feet; thence
- A-47) South 64° 52' 01" East, 89.47 feet; thence
- A-48) South 67° 47' 55" East, 126.37 feet; thence
- A-49) South 76° 40' 50" East, 141.79 feet; thence
- A-50) South 63° 16' 49" East, 25.92 feet more or less to a point on the easterly line of said Parcel 1 as shown on said map filed in Volume 23 of Surveys at Page 105; thence along said boundary of said Parcel 1
- A-51) South 49° 49' 05" West, 96.45 feet; thence
- A-52) South 62° 19' 42" West, 168.14 feet; thence
- A-53) South 43° 50' 29" West, 115.36 feet; thence
- A-54) South 38° 11' 13" West, 200.81 feet; thence
- A-55) South 40° 27' 38" West, 271.04 feet; thence
- A-56) South 53° 08' 07" West, 144.58 feet; thence
- A-57) South 69° 49' 08" West, 193.32 feet; thence
- A-58) South 54° 59' 05" West, 72.44 feet; thence
- A-59) South 41° 12' 49" West, 80.99 feet; thence
- A-60) South 24° 33' 59" West, 55.05 feet; thence
- A-61) South 5° 54' 51" West, 88.84 feet; thence
- A-62) South 8° 19' 42" East, 329.22 feet; thence
- A-63) South 0° 05' 57" West, 78.52 feet; thence
- A-64) South 8° 37' 33" West, 97.38 feet; thence
- A-65) South 18° 58' 46" West, 165.55 feet; thence
- A-66) South 44° 37' 32" West, 95.77 feet; thence
- A-67) South 60° 52' 39" West, 254.54 feet; thence

- A-68) South 37° 26' 54" West, 126.62 feet; thence
- A-69) South 10° 48' 03" West, 68.50 feet; thence
- A-70) South 29° 22' 04" West, 156.14 feet; thence
- A-71) South 34° 57' 59" West, 139.62 feet; thence
- A-72) South 56° 21' 39" West, 59.71 feet; thence
- A-73) South 82° 29' 44" West, 194.58 feet; thence
- A-74) North 83° 42' 42" West, 287.14 feet; thence
- A-75) North 66° 01' 20" West, 147.39 feet; thence
- A-76) North 79° 00' 34" West, 251.36 feet; thence
- A-77) South 77° 12' 53" West, 55.92 feet; thence
- A-78) South 46° 42' 29" West, 87.18 feet; thence
- A-79) South 58° 47' 57" West, 75.85 feet; thence
- A-80) South 80° 55' 21" West, 132.36 feet; thence
- A-81) South 87° 12' 11" West, 112.47 feet; thence
- A-82) South 71° 38' 58" West, 176.73 feet; thence
- A-83) South 56° 09' 46" West, 97.71 feet; thence
- A-84) South 37° 48' 47" East, 90.91 feet; thence
- A-85) South 17° 07' 11" East, 62.89 feet; thence
- A-86) South 2° 33' 03" West, 88.26 feet; thence
- A-87) South 18° 58' 47" West, 63.58 feet; thence
- A-88) South 36° 47' 12" West, 201.48 feet; thence
- A-89) South 31° 02' 57" West, 121.84 feet; thence
- A-90) South 51° 55' 07" West, 113.23 feet; thence
- A-91) South 61° 32' 12" West, 269.67 feet; thence
- A-92) South 75° 50' 25" West, 66.11 feet; thence

- A-93) South 59° 39' 37" West, 2106.55 feet; thence
- A-94) South 71° 12' 11" West, 111.11 feet; thence departing said boundary of said Parcel 1 along the southerly line of said Parcel B as shown on said map filed in Volume 30 of Surveys at Page 41
- A-95) Along the arc of a non-tangent curve, the center of which bears South 33° 22' 33" West, 5030.00 feet distant, through a central angle of 0° 33' 23", for an arc distance of 48.84 feet; thence
- A-96) North 57° 11' 00" West, 948.60 feet; thence
- A-97) Along the arc of a tangent curve, the center of which bears South 32° 49' West, 10030.00 feet distant, through a central angle of 4° 00' 00", for an arc distance of 700.23 feet; thence
- A-98) Along the arc of a tangent curve, the center of which bears South 28° 49' West, 830.00 feet distant, through a central angle of 12° 08' 00", for an arc distance of 175.77 feet; thence
- A-99) Along the arc of a tangent curve, the center of which bears South 16° 41' West, 280.00 feet distant, through a central angle of 29° 20' 32", for an arc distance of 143.39 feet; thence departing said southerly line of said Parcel B
- A-100) North 45° East, 15.62 feet; thence
- A-101) North 3° 21' 59" East, 8.51 feet; thence
- A-102) North 26° 33' 54" East, 25.71 feet; thence
- A-103) North 7° 27' 38" East, 42.36 feet; thence
- A-104) North 3° 10' 47" East, 36.06 feet; thence
- A-105) North 3° 19' 29" East, 60.35 feet; thence
- A-106) North 2° 28' 18" East, 34.78 feet; thence
- A-107) North 1° 48' 31" East, 47.52 feet; thence
- A-108) North 1° 41' 50" East, 33.76 feet; thence
- A-109) North 1° 7' 24" East, 25.50 feet; thence
- A-110) North 1° 49' 58" East, 31.27 feet; thence
- A-111) North, 60.25 feet; thence
- A-112) North 9° 12' 40" East, 9.37 feet; thence
- A-113) North, 81.50 feet; thence

A-114) North 3° 41' 29" West, 15.53 feet; thence
A-115) North 8° 29' 20" West, 50.81 feet; thence
A-116) North 10° 45' 29" West, 50.89 feet; thence
A-117) North 13° 37' 37" West, 50.93 feet; thence
A-118) North 21° 59' 11" West, 1.08 feet; thence
A-119) West, 421.60 feet; thence
A-120) North, 100.00 feet; thence
A-121) West, 100.00 feet; thence
A-122) North, 100.00 feet; thence
A-123) West, 200.00 feet; thence
A-124) North, 200.00 feet; thence
A-125) West, 100.00 feet; thence
A-126) North, 100.00 feet; thence
A-127) West, 100.00 feet; thence
A-128) North, 100.00 feet; thence
A-129) West, 100.00 feet; thence
A-130) North, 400.00 feet; thence
A-131) West, 100.00 feet; thence
A-132) North, 100.00 feet; thence
A-133) West, 100.00 feet; thence
A-134) North, 132.34 feet; thence
A-135) North 42° 37' 57" West, 41.34 feet; thence
A-136) North 41° 38' 23" West, 167.21 feet; thence
A-137) South 48° 21' 37" West, 33.37 feet more or less to a point on the westerly line of said Parcel B as shown on the map filed in Volume 29 of Surveys at Page 106; thence along said westerly line

A-138) North 41° 53' 00" West, 791.67 feet; thence

A-139) Along the arc of a tangent curve, the center of which bears North 48° 07' East, 150.00 feet distant, through a central angle of 30° 00' 00", for an arc distance of 78.54 feet; thence

A-140) North 11° 53' 00" West, 74.90 feet; thence

A-141) Along the arc of a tangent curve, the center of which bears South 78° 07' West, 50.00 feet distant, through a central angle of 58° 58' 20", for an arc distance of 51.46 feet; thence

A-142) South 70° 51' 20" East, 85.39 feet; thence

A-143) North 2° 22' 00" East, 687.88 feet to the point of beginning.

Parcel B

Being a portion of the land shown as Parcel 1 on the map filed in Volume 23 of Surveys at Page 105 also being a portion of the land shown as Parcel D on the map filed in Volume 30 of Surveys at Page 41, Official Records of said County, particularly described as follows:

Beginning at a point on the northerly line of said Parcel 1 on said map filed in Volume 23 of Surveys at Page 105; thence along said northerly line of said Parcel 1

B-1) South 87° 45' 00" East, 1940.14 feet; thence departing said northerly line of said Parcel 1

B-2) South 16° 31' 29" West, 1869.92 feet; thence

B-3) South 16° 29' 28" West, 385.14 feet; thence

B-4) South 74° 32' 16" West, 303.66 feet; thence

B-5) North 86° 54' 02" West, 309.73 feet; thence

B-6) North 73° 58' 54" West, 1823.92 feet more or less to a point on the northerly line of said Parcel 1; thence along said northerly line

B-7) Along the arc of a non-tangent curve, the center of which bears South 19° 22' 03" East, 482.00 feet distant, through a central angle of 11° 01' 03", for an arc distance of 92.68 feet; thence

B-8) Along the arc of a compound tangent curve, the center of which bears South 8° 21' East, 1632.00 feet distant, through a central angle of 14° 13' 51", for an arc distance of 405.35 feet; thence

B-9) North 4° 50' 13" East, 768.48 feet; thence

B-10) South 83° 34' 21" East, 382.09 feet; thence

B-11) North 6° 30' 01" East, 985.25 feet; thence

B-12) North 6° 27' 43" East, 66.72 feet to the point of beginning.

Parcel C

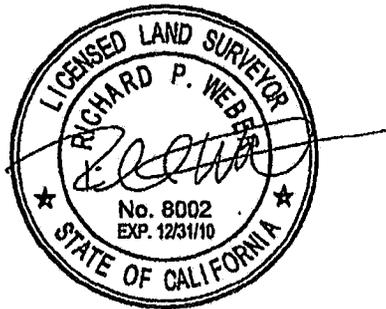
Being a portion of the land shown as Parcel 1 on the map filed in Volume 23 of Surveys at Page 105, Official Records of said County, particularly described as follows:

Beginning at a point on the northerly line of said Parcel 1 on said map filed in Volume 23 of Surveys at Page 105, said point also being the most westerly corner of Parcel 7 as shown on the map filed in Volume 21 of Surveys at Page 83, Official Records of said County; thence along said northerly line of said Parcel 1 and common boundary of said Parcels 1 and 7

- C-1) South 83° 26' 14" East, 351.31 feet; thence
- C-2) South 6° 36' 58" West, 371.08 feet; thence
- C-3) North 83° 34' 21" West, 339.76 feet; thence departing said northerly line of said Parcel 1
- C-4) North 4° 50' 13" East, 10.81 feet to a point on said boundary line of said Parcel 1; thence along said boundary line
- C-5) North 4° 50' 13" East, 361.24 feet to the point of beginning.

END OF DESCRIPTION

Prepared by:
Whitson Engineers



END OF DOCUMENT

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IN WITNESS WHEREOF, the Grantor, the FORT ORD REUSE AUTHORITY, has caused this
CORRECTION TO DEED to be executed this 25th day of July, 2014.

THE FORT ORD REUSE AUTHORITY,
a public corporation of the State of California

By: Michael A. Houlemard, Jr.
Michael A. Houlemard, Jr.
Executive Officer

STATE OF CALIFORNIA

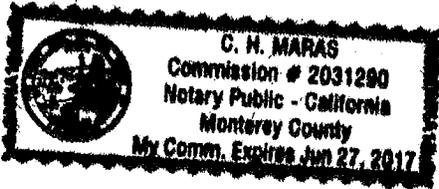
COUNTY OF Monterey

On 7/25/14 before me, C. H. Maras, Notary Public (name of notary public) personally
appeared Michael A. Houlemard, Jr. 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 who acknowledged to me
that he/she/they executed the same in their authorized capacity(ies), and by his/her/their signature(s) on
the instrument the person(s), or 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.

C. H. Maras



**RECORDING REQUESTED BY:
AND WHEN RECORDED MAIL TO**
Fort Ord Reuse Authority
Attn: Stan Cook
920 2nd Avenue , Suite A
Marina, CA 93933

Stephen L. Vagnini
Monterey County Recorder
Recorded at the request of
Filer

CRMARIA
.7/28/2014
10:23:10

DOCUMENT: 2014034752

Titles: 1/ Pages: 28



Fees
Taxes
Other 56.00
AMT PAID \$56.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**CORRECTION TO DEED
ORIGINALLY RECORDED ON JULY 3, 2014
DOCUMENT NO. 2014031020
FORT ORD REUSE AUTHORITY (FORA)
COUNTY OF MONTEREY, CALIFORNIA
(Parcels E11.b.6.1, E11b.7.1.1, E11b.8, E18.1.2, E19a.1, E19a.2,
E19a.3, E19a.4, L5.7, L20.2.1, L20.3.1, L20.3.2, L20.5.1,
L20.5.2, L20.5.3, L20.5.4, L20.8, L20.18, L20.19.1.1 and L32.1)
(Deed Amendment No. 2)**

This document is being recorded to correct:

1. Page 1, change the title, "Correctory Deed" to "Deed"
2. Page 1, paragraph 1, change "Grantor" to "Grantee"
3. Page 2, paragraph 3, change "Correctory Deed" to "Deed"
4. Page 3, first line, change "Correctory Deed" to "Deed"
5. Remove existing Exhibit "B" (Legal Description) which was inadvertently attached and incorrect; and, replace with new Exhibit "B" cover page and Legal Description as referenced as Exhibit "A", as set forth in Document No. 2011013980

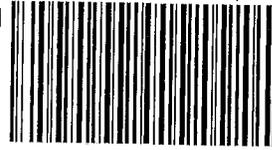
↓ and Exhibit "B"
Jan

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
(Additional recording fee applies)

**FORT ORD REUSE AUTHORITY
OFFICIAL BUSINESS
REQUEST DOCUMENT TO BE RECORDED
AND EXEMPT FROM RECORDING FEES
PER GOVERNMENT CODE 6103**

DOCUMENT: **2014031020**

Titles: 1/ Pages: 16



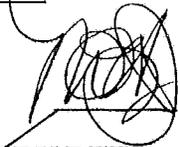
Fees....
Taxes...
Other... 32.00
AMT PAID \$32.00

**Recording requested by and
when recorded mail to:**

Fort Ord Reuse Authority
920 2nd Avenue
Suite A
Marina, CA 93033

Space Above This Line Reserved for Recorder's Use

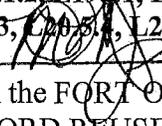
Documentary Transfer Tax \$0-government agency, exempt from DTT
____ Computed on full value of property conveyed
____ Computed on full value less liens and encumbrances
remaining at time of sale

 INITIAL

CORRECTORY DEED

**FORT ORD REUSE AUTHORITY (FORA)
COUNTY OF MONTEREY, CALIFORNIA**

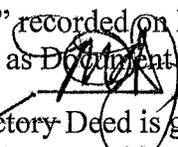
(Parcels E11.b.6.1, E11b.7.1.1, E11b.8, E18.1.2, E19a.1, E19a.2, E19a.3, E19a.4, L5.7, L20.2.1,
L20.3.1, L20.3.2, L20.5.1, L20.5.2, L20.5.3, L20.8, L20.18, L20.19.1.1, and L32.1)

GRANTEE  INITIAL

1. A "Deed Amendment No. 2" between the FORT ORD REUSE AUTHORITY (or "FORA"), as Grantor, and the FORT ORD REUSE AUTHORITY (or "FORA"), as Grantee, (amending that certain quitclaim deed dated May 8, 2009 and recorded in the real property records of Monterey County, California as Document No. 2009028280) was recorded on March 10, 2011 in the real property records of Monterey County, California as Document No. 2011013980.
2. Deed Amendment No. 2 contained the following clerical error:
In the ninth line of the first paragraph the parenthetic phrase "...an agency of the State of California..." was incorrectly used to describe the Grantee.
3. Said clerical error in Deed Amendment No. 2 is corrected as follows:
In the ninth line of the first paragraph the parenthetic phrase "an agency of the State of California" is replaced with "*a public corporation* of the State of California" [emphasis added] to correctly describe the Grantee and to conform to the description of the Grantee used in the May 8, 2009 Quitclaim Deed.
4. As reflected in that letter dated June 24, 2014, a copy of which is attached hereto as Exhibit "A" and the affirmation contained therein, the United States Army has affirmed

that the scrivener's errors identified above do not affect the validity and purpose of the recorded deeds and instruments containing them.

NOW THEREFORE, FORA, who erroneously acquired title as the Fort Ord Reuse Authority, an agency of the State of California, hereby grants to the Fort Ord Reuse Authority, a public corporation of the State of California, that real property described in that certain "Deed Amendment No. 2" recorded on March 10, 2011 in the real property records of Monterey County, California as Document No. 2011013980.

 INITIAL
This Correctory Deed is given to correct the vesting only on that certain "Deed Amendment No. 2" executed by the UNITED STATES OF AMERICA to FORA recorded on March 10, 2011 in the records of the Monterey County Recorder as Document Series No. 2011013980.

[signatures appear on following pages]

[Handwritten Signature]
INITIAL

IN WITNESS WHEREOF, FORA has caused this Correctory Deed to be executed in its name by its Executive Officer, this 3rd day of July, 2014.

FORT ORD REUSE AUTHORITY

By: *[Handwritten Signature]*
MICHAEL A. HOULEMARD, JR.
Executive Officer

ACCEPTANCE:

This is to certify that the interest in real property conveyed by the deed or grant dated July 3, 2014 from the Fort Ord Reuse Authority ("FORA") to FORA, a political corporation and/or governmental agency is hereby accepted by the undersigned officer or agent on behalf of the Board of Directors of FORA pursuant to authority conferred by resolution of the Board of Directors of FORA adopted on May 16, 2014, and the grantee consents to recordation thereof by its duly authorized officer.

FORT ORD REUSE AUTHORITY

Dated July 3, 2014 By: *[Handwritten Signature]*
MICHAEL A. HOULEMARD, JR.
Executive Officer

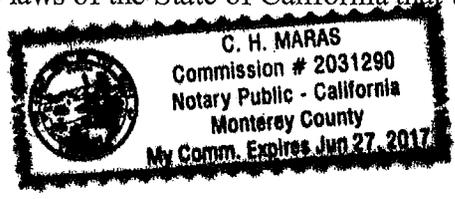
State of California)
County of Monterey) ss

On July 3, 2014, before me, C.H. Maras,
Notary Public, personally appeared MICHAEL A. HOULEMARD, JR., 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

[attach June 24, 2014 letter as Exhibit A]



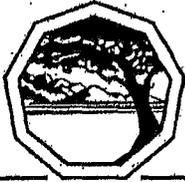


EXHIBIT A

FORT ORD REUSE AUTHORITY

920 2ND AVENUE, SUITE A, MARINA, CALIFORNIA 93933
PHONE: (831) 883-3672 - FAX: (831) 883-3675
WEBSITE: www.fora.org

June 24, 2014

Sharon K. Caine
Real Estate Division
Sacramento District
U.S. Army Corps of Engineers
1325 J Street
Sacramento, CA 95814

RE: Affirmation of Validity and Purpose of Deeds with
Minor Scrivener's Errors in Deed Amendments

Dear Ms. Caine:

In the course of document review preparatory to the conveyance of several parcels of land at the former Fort Ord, the Fort Ord Reuse Authority (FORA) has discovered minor scrivener's errors in certain deed amendments that the U.S. Army recorded in 2010 to remove use restrictions on former Fort Ord properties previously quitclaimed by the U.S. Army to FORA.

In order to provide public notice of these minor drafting errors, FORA requests the U.S. Army's approval to submit this letter to the County of Monterey Recorder's Office for recording, identifying the proper corrections and hereby placing the corrections in the public record.

The Deed Amendments containing scrivener's errors are the following:

Army Corps Document Number	County of Monterey Record Number and Date Recorded
Amendment No. 1 to Deed No. DACA05-9-07-506	2010027224 - 5/17/2010
Amendment No. 1 to Deed No. DACA05-9-07-508	2010027225 - 5/17/2010
Amendment No. 1 to Deed No. DACA05-9-07-505	2010027226 - 5/17/2010
Amendment No. 2 to Deed No. DACA05-9-07-505	2011013980 - 3/10/2011

In the first paragraph of the first page of each of the above-referenced Deed Amendments, FORA is incorrectly referred to as "an agency of the State of California." In fact, FORA is defined by California Government Code Section 67657 (a) as "a public corporation of the State of California..." Thus, the term used in error in the deed amendments, "an agency of the State of California," must be replaced with the correct reference for FORA, "a public corporation of the State of California."

Further, one deed amendment contains a clerical error in the first line of its seventh paragraph, at page 2. In the deed amendment listed below, the phrase "... Section 2, Paragraph D of Exhibit "D" ..." must be corrected by replacing the "D" with an "E" so that the reference correctly reads "Section 2, Paragraph E of Exhibit D." The Deed Amendment that contains this scrivener's error is the following:

Army Corps Document Number	County of Monterey Record Number and Date Recorded
Amendment No. 1 to Deed No. DACA05-9-07-508	2010027225 - 5/17/2010

FORA asserts that the scrivener's errors noted herein do not change the validity or purpose of the Deed Amendments containing them, or the underlying deeds that transferred title to the subject parcels to FORA. By this letter, FORA provides public notice of these minor scrivener's errors in order to clarify the administrative record.

Sincerely,



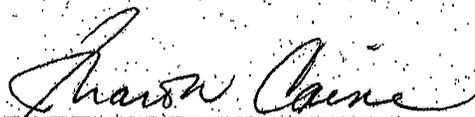
Stan Cook

Real Property and Facilities Manager

AFFIRMATION

By its signature below, the United States Army, as grantor of the referenced parcels of former Fort Ord lands, affirms that the scrivener's errors identified above do not affect the validity and purpose of the recorded deeds and instruments containing them. Title to the subject parcels was effectively conveyed from the U.S. Army to the Fort Ord Redevelopment Authority (FORA) upon the terms and conditions set forth in the original quitclaim deeds, as amended by the referenced deed amendments, unaffected by the scrivener's errors enumerated in FORA's letter above.

Signed:



Sharon Cainé, Division Chief
Real Estate Division (SPK-RE)
Sacramento District
US Army Corps of Engineers

Dated:

26 June 2014

Exhibit "B"
Legal Description
Monterey County Amend - 505

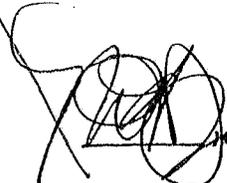
Certain real property situate in the unincorporated area of Monterey County, also situate in the City Lands of Monterey, Tract No. 1, County of Monterey, State of California, described as follows:

Parcel A

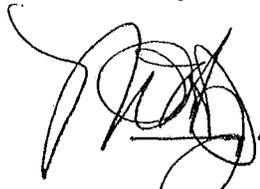
Being a portion of the land shown as Parcel 1 on the map filed in Volume 23 of Surveys at Page 105, also being a portion of the land shown as Parcel D on the map filed in Volume 30 of Surveys at Page 41, and described in the deed recorded as Document Number 2009028280, Official Records of said County, particularly described as follows:

Beginning at a point on the southeasterly boundary of said Parcel 1, said point also being on the southeasterly boundary of said Parcel D, from which point the northeasterly terminus of the course shown as S49°49'05"W, 123.53' on said map filed in Volume 23 of Surveys at Page 105 bears North 49°49'05" East, 27.08 feet; thence from said point of beginning along said southeasterly boundary of said Parcel 1

- A-1) South 49° 49' 05" West, 96.45 feet; thence
- A-2) South 62° 19' 42" West, 168.14 feet (shown as S 62° 19' 42" W, 168.15' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-3) South 43° 50' 29" West, 115.36 feet (shown as S 43° 50' 29" W, 115.37' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-4) South 38° 11' 13" West, 200.81 feet (shown as S 38° 11' 13" W, 200.82' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-5) South 40° 27' 38" West, 271.04 feet (shown as S 40° 27' 38" W, 271.06' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-6) South 53° 08' 07" West, 144.58 feet (shown as S 53° 08' 07" W, 144.59' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-7) South 69° 49' 08" West, 193.32 feet (shown as S 69° 49' 08" W, 193.33' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-8) South 54° 59' 05" West, 72.44 feet; thence
- A-9) South 41° 12' 49" West, 80.99 feet (shown as S 41° 12' 49" W, 81.00' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-10) South 24° 33' 59" West, 55.05 feet; thence
- A-11) South 5° 54' 51" West, 88.84 feet (shown as S 05° 54' 51" W, 88.85' on said map filed in Volume 30 of Surveys at Page 41); thence


INITIAL

- A-12) South 8° 19' 42" East, 329.22 feet (shown as S 08° 19' 42" E, 329.24' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-13) South 0° 05' 57" West, 78.52 feet (shown as S 00° 05' 57" W, 78.53' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-14) South 8° 37' 33" West, 97.38 feet (shown as S 08° 37' 33" W, 97.39' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-15) South 18° 58' 46" West, 165.55 feet (shown as S 18° 58' 46" W, 165.56' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-16) South 44° 37' 32" West, 95.77 feet (shown as S 44° 37' 32" W, 95.78' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-17) South 60° 52' 39" West, 254.54 feet (shown as S 60° 52' 39" W, 254.56' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-18) South 37° 26' 54" West, 126.62 feet (shown as S 37° 26' 54" W, 126.63' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-19) South 10° 48' 03" West, 68.50 feet (shown as S 10° 48' 03" W, 68.50' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-20) South 29° 22' 04" West, 156.14 feet (shown as S 29° 22' 04" W, 156.15' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-21) South 34° 57' 59" West, 139.62 feet (shown as S 34° 57' 59" W, 139.63' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-22) South 56° 21' 39" West, 59.71 feet; thence
- A-23) South 82° 29' 44" West, 194.58 feet (shown as S 82° 29' 44" W, 194.59' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-24) North 83° 42' 42" West, 287.14 feet (shown as N 83° 42' 42" W, 287.16' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-25) North 66° 01' 20" West, 147.39 feet (shown as N 66° 01' 20" W, 147.40' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-26) North 79° 00' 34" West, 251.36 feet (shown as N 79° 00' 34" W, 251.38' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-27) South 77° 12' 53" West, 55.92 feet (shown as S 77° 12' 53" W, 55.92' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-28) South 46° 42' 29" West, 87.18 feet (shown as S 46° 42' 29" W, 87.19' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-29) South 58° 47' 57" West, 75.85 feet (shown as S 58° 47' 57" W, 75.86' on said map filed in Volume 30 of Surveys at Page 41); thence

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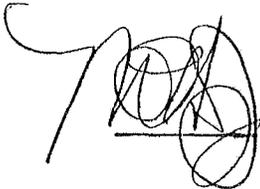
- A-30) South 80° 55' 21" West, 132.36 feet (shown as S 80° 55' 21" W, 132.37' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-31) South 87° 12' 11" West, 112.47 feet (shown as S 87° 12' 11" W, 112.48' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-32) South 71° 38' 58" West, 176.73 feet (shown as S 71° 38' 58" W, 176.74' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-33) South 56° 09' 46" West, 97.71 feet (shown as S 56° 09' 46" W, 97.72' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-34) South 37° 48' 47" East, 90.91 feet (shown as S 37° 48' 47" E, 90.92' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-35) South 17° 07' 11" East, 62.89 feet; thence
- A-36) South 2° 33' 03" West, 88.26 feet (shown as S 02° 33' 03" W, 88.27' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-37) South 18° 58' 47" West, 63.58 feet; thence
- A-38) South 36° 47' 12" West, 201.48 feet (shown as S 36° 47' 12" W, 201.49' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-39) South 31° 02' 57" West, 121.84 feet (shown as S 31° 02' 57" W, 121.85' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-40) South 51° 55' 07" West, 113.23 feet (shown as S 51° 55' 07" W, 113.24' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-41) South 61° 32' 12" West, 269.67 feet (shown as S 61° 32' 12" W, 269.69' on said map filed in Volume 30 of Surveys at Page 41); thence
- A-42) South 75° 50' 25" West, 66.11 feet; thence
- A-43) South 59° 39' 37" West, 1066.26 feet more or less to an angle point in the boundary of said Parcel D and Parcel B as shown on said map filed in Volume 30 of Surveys at Page 41; thence departing said southeasterly boundary of said Parcel A and said Parcel D along the boundary of said Parcel B
- A-44) North 52° 52' 17" East, 1103.33 feet; thence
- A-45) North 12° 53' 13" West, 90.03 feet; thence
- A-46) North 23° 03' 02" West, 1755.77 feet; thence
- A-47) North 20° 08' 36" West, 268.73 feet; thence
- A-48) North 6° 42' 03" East, 153.53 feet; thence

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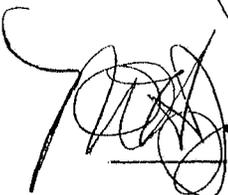
- A-49) North 17° 38' 14" East, 226.03 feet; thence
- A-50) North 48° 03' 46" West, 283.49 feet; thence
- A-51) North 55° 11' 28" West, 278.91 feet; thence
- A-52) North 62° 41' 36" West, 227.15 feet; thence
- A-53) North 65° 01' 11" West, 250.60 feet; thence
- A-54) North 71° 11' 51" West, 335.15 feet; thence
- A-55) North 79° 30' 16" West, 483.47 feet; thence
- A-56) North 84° 57' 11" West, 320.10 feet; thence
- A-57) South 89° 14' 18" West, 321.74 feet; thence
- A-58) South 85° 32' 01" West, 169.80 feet; thence
- A-59) South 4° 34' 26" East, 338.58 feet; thence
- A-60) South 14° 47' 14" East, 1369.35 feet; thence
- A-61) South 20° 28' 20" West, 520.37 feet; thence
- A-62) South 30° 46' 05" West, 753.57 feet; thence
- A-63) South 25° 53' 24" West, 427.12 feet; thence
- A-64) South 1° 39' 30" West, 156.63 feet more or less to a point on the southerly boundary of said Parcel D; thence departing said boundary of said Parcel B along said southerly boundary
- A-65) Along the arc of a non-tangent curve, the center of which bears South 0° 33' 33" East, 280.00 feet distant, through a central angle of 12° 05' 49", for an arc distance of 59.12 feet; thence departing said southerly boundary of said Parcel D
- A-66) North 45° East, 15.62 feet; thence
- A-67) North 3° 21' 59" East, 8.51 feet; thence
- A-68) North 26° 33' 54" East, 25.71 feet; thence
- A-69) North 7° 27' 38" East, 42.36 feet; thence
- A-70) North 3° 10' 47" East, 36.06 feet; thence
- A-71) North 3° 19' 29" East, 60.35 feet; thence
- A-72) North 2° 28' 18" East, 34.78 feet; thence

 INITIAL

- A-73) North 1° 48' 31" East, 47.52 feet; thence
- A-74) North 1° 41' 50" East, 33.76 feet; thence
- A-75) North 1° 7' 24" East, 25.50 feet; thence
- A-76) North 1° 49' 58" East, 31.27 feet; thence
- A-77) North, 60.25 feet; thence
- A-78) North 9° 12' 40" East, 9.37 feet; thence
- A-79) North, 81.50 feet; thence
- A-80) North 3° 41' 29" West, 15.53 feet; thence
- A-81) North 8° 29' 20" West, 50.81 feet; thence
- A-82) North 10° 45' 29" West, 50.89 feet; thence
- A-83) North 13° 37' 37" West, 50.93 feet; thence
- A-84) North 21° 59' 11" West, 1.08 feet; thence
- A-85) West, 421.60 feet; thence
- A-86) North, 100.00 feet; thence
- A-87) West, 100.00 feet; thence
- A-88) North, 100.00 feet; thence
- A-89) West, 200.00 feet; thence
- A-90) North, 200.00 feet; thence
- A-91) West, 56.04 feet more or less to a point on the westerly line of said Parcel 1, said line also being the city limit line of the City of Seaside; thence along said city limit line and said westerly line of said Parcel 1
- A-92) North 18° 59' 46" East, (shown as S18° 59' 35" W on said map filed in Volume 30 of Surveys at Page 41), 2531.75 feet; thence departing said city limit line and said westerly line of said Parcel 1
- A-93) East, 635.27 feet; thence
- A-94) North 80° 32' 16" East, 38.02 feet; thence
- A-95) East, 3918.98 feet; thence
- A-96) North 21° 9' 41" East, 48.52 feet; thence

 INITIAL

- A-97) North 12° 8' 13" East, 23.78 feet; thence
A-98) North 2° 3' 50" West, 27.77 feet; thence
A-99) North 14° 10' 41" West, 24.50 feet; thence
A-100) North 22° 26' 34" West, 24.88 feet; thence
A-101) North 18° 48' 00" West, 24.82 feet; thence
A-102) North 2° 56' 08" West, 19.53 feet; thence
A-103) North 15° 56' 43" East, 20.02 feet; thence
A-104) North 29° 14' 56" East, 14.33 feet; thence
A-105) North 36° 23' 04" East, 11.80 feet; thence
A-106) North 51° 8' 48" East, 11.56 feet; thence
A-107) North 65° 39' 32" East, 11.52 feet; thence
A-108) North 84° 24' 30" East, 71.84 feet; thence
A-109) North 86° 35' 54" East, 71.63 feet; thence
A-110) North 87° 23' 10" East, 115.12 feet; thence
A-111) North 85° 58' 00" East, 78.19 feet; thence
A-112) North 83° 3' 21" East, 78.58 feet; thence
A-113) North 84° 24' 23" East, 97.46 feet; thence
A-114) North 84° 9' 55" East, 68.86 feet; thence
A-115) North 83° 59' 28" East, 28.66 feet; thence
A-116) North 85° 52' 48" East, 59.15 feet; thence
A-117) North 88° 3' 31" East, 59.03 feet; thence
A-118) South 89° 10' 11" East, 69.01 feet; thence
A-119) South 89° 22' 38" East, 69.00 feet; thence
A-120) North 86° 39' 42" East, 60.10 feet; thence
A-121) North 88° 7' 56" East, 92.05 feet; thence
A-122) North 88° 41' 53" East, 22.01 feet; thence

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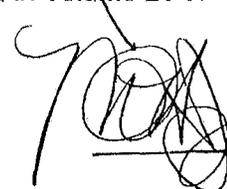
- A-123) North 88° 48' 23" East, 12.00 feet; thence
A-124) South 88° 6' 08" East, 83.05 feet; thence
A-125) North 89° 20' 56" East, 44.00 feet; thence
A-126) North 87° 6' 31" East, 49.56 feet; thence
A-127) North 89° 2' 26" East, 104.51 feet; thence
A-128) South 88° 29' 44" East, 257.09 feet; thence
A-129) South 88° 48' 23" East, 12.00 feet; thence
A-130) South 85° 15' 39" East, 96.83 feet; thence
A-131) South 81° 40' 56" East, 86.41 feet; thence
A-132) South 71° 44' 53" East, 148.47 feet; thence
A-133) South 65° 16' 12" East, 66.16 feet; thence
A-134) South 65° 16' 13" East, 66.50 feet; thence
A-135) South 55° 39' 14" East, 109.01 feet; thence
A-136) South 51° 25' 24" East, 80.59 feet; thence
A-137) South 50° 41' 17" East, 89.18 feet; thence
A-138) South 57° 25' 03" East, 78.92 feet; thence
A-139) South 64° 52' 01" East, 89.47 feet; thence
A-140) South 67° 47' 55" East, 126.37 feet; thence
A-141) South 76° 40' 50" East, 141.79 feet; thence
A-142) South 63° 16' 49" East, 25.92 feet more or less to a point on the easterly line of said Parcel 1 as shown on said map filed in Volume 23 of Surveys at Page 105, and to the point of beginning.

Containing an area of 307.83 acres, more or less.

Parcel B

Being a portion of the land shown as Parcel 1 on the map filed in Volume 23 of Surveys at Page 105 also being a portion of the land shown as Parcel D on the map filed in Volume 30 of Surveys at Page 41, Official Records of said County, particularly described as follows:

Beginning at a point on the northerly line of said Parcel 1 on said map filed in Volume 23 of Surveys at Page 105; thence along said northerly line of said Parcel 1

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- B-1) South 87° 45' 00" East, 1940.14 feet; thence departing said northerly line of said Parcel 1
- B-2) South 16° 31' 29" West, 1869.92 feet; thence
- B-3) South 16° 29' 28" West, 385.14 feet; thence
- B-4) South 74° 32' 16" West, 303.66 feet; thence
- B-5) North 86° 54' 02" West, 309.73 feet; thence
- B-6) North 73° 58' 54" West, 1823.92 feet more or less to a point on the northerly line of said Parcel 1; thence along said northerly line
- B-7) Along the arc of a non-tangent curve, the center of which bears South 19° 22' 03" East, 482.00 feet distant, through a central angle of 11° 01' 03", for an arc distance of 92.68 feet; thence
- B-8) Along the arc of a compound tangent curve, the center of which bears South 8° 21' East, 1632.00 feet distant, through a central angle of 14° 13' 51", for an arc distance of 405.35 feet; thence
- B-9) North 4° 50' 13" East, 768.48 feet; thence
- B-10) South 83° 34' 21" East, 382.09 feet; thence
- B-11) North 6° 30' 01" East, 985.25 feet; thence
- B-12) North 6° 27' 43" East, 66.72 feet to the point of beginning.

Containing an area of 97.11 acres, more or less.

Parcel C

Being all of the land described as EDC Parcel L32.1 in the deed recorded as Document Number 2009028280, to wit:

SITUATE in a portion of the former Fort Ord Military Reservation as it is shown on that certain map recorded in Volume 19 of Surveys at Page 1, Official Records of Monterey County, being within Monterey City Lands Tract No. 1, County of Monterey, State of California; being a portion of Parcel 1. "Monterey County III (Parker Flats)" as it is shown on that certain map recorded in Volume 23 of Surveys at Page 105; being more particularly described as follows:

BEGINNING at the most northwesterly corner of said Parcel 1, "Monterey County III (Parker Flats)," being also an angle point in the westerly boundary of Parcel 7 as said parcel is shown on that certain map recorded in Volume 21 of Surveys at Page 83; thence from said Point of Beginning along the common boundary of said Parcels 1 and 7

- 1. South 83° 26' 14" East for a distance of 351.31 feet; thence continuing along said common boundary

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2. South 6° 36' 58" West for a distance of 371.08 feet to a point on the southerly boundary of said Parcel 7; thence leaving said southerly boundary of Parcel 7 and continuing along the easterly boundary of said Parcel 1, "Monterey County III (Parker Flats)"
3. North 83° 34' 21" West, 339.76 feet to a point on the easterly boundary of Parcel 1.L32.4.2 as it is shown on that certain map recorded in Volume 27 of Surveys at Page 17; thence along the common boundary of said Parcel 1.L32.4.2 and Parcel 1. "Monterey County III (Parker Flats)"
4. North 4° 50' 13" East for a distance of 8.92 feet to the northeast corner of said Parcel 1.L32.4.2; thence continuing along the boundary of said Parcel 1. "Monterey County III (Parker Flats)"
5. North 4° 50' 13" East, 361.13 feet to the POINT OF BEGINNING.

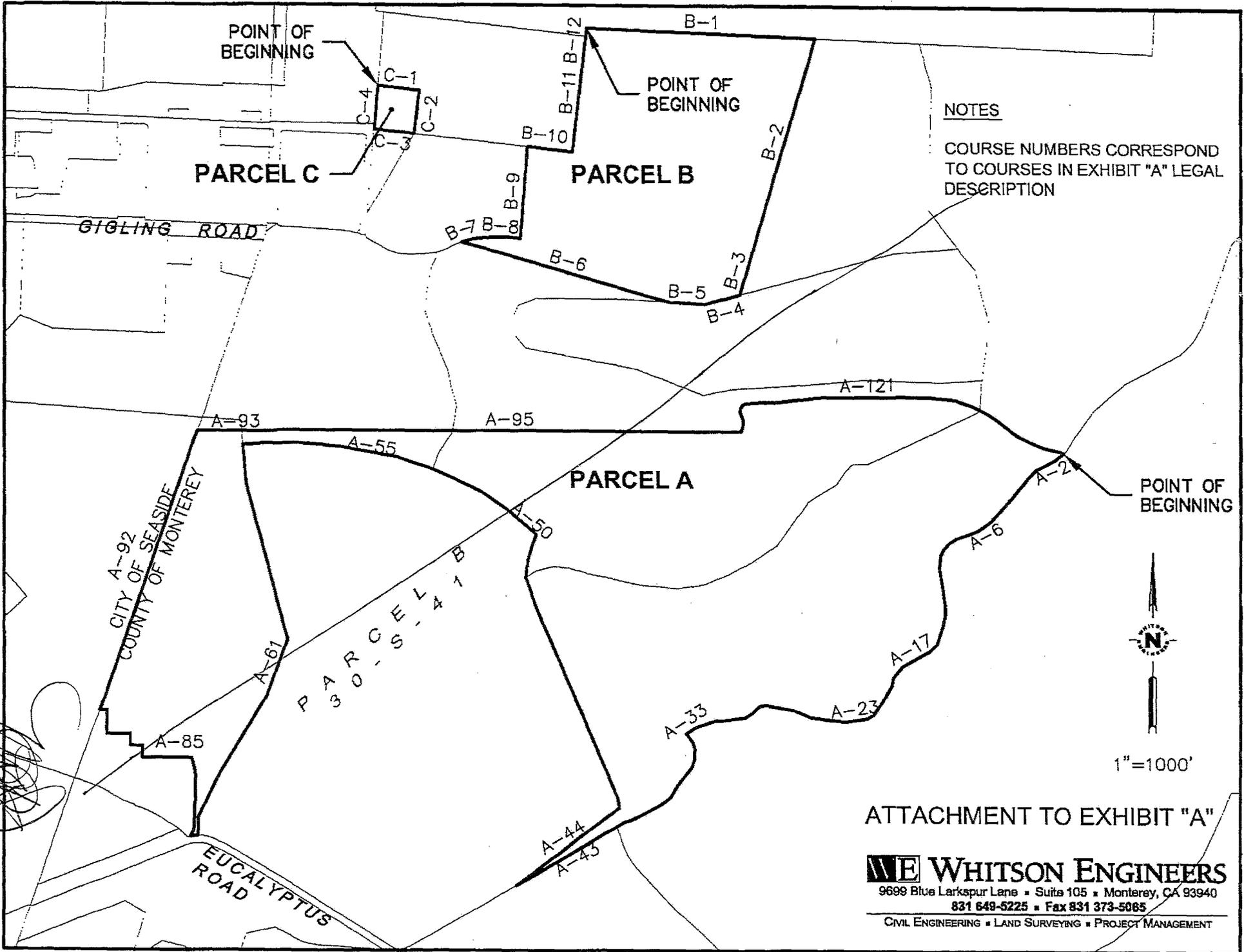
Containing an area of 2.947 acres, more or less.

END OF DESCRIPTION

Prepared by:
Whitson Engineers



[Handwritten Signature]
INITIAL



NOTES

COURSE NUMBERS CORRESPOND TO COURSES IN EXHIBIT "A" LEGAL DESCRIPTION

POINT OF BEGINNING



1"=1000'

ATTACHMENT TO EXHIBIT "A"

WE WHITSON ENGINEERS
 9699 Blue Larkspur Lane • Suite 105 • Monterey, CA 93940
 831 649-5225 • Fax 831 373-5065
 CIVIL ENGINEERING • LAND SURVEYING • PROJECT MANAGEMENT

INITIAL

EXHIBIT "B"

Cover Page

Exhibit "A"
Legal Description
County North Munitions Response Area

Certain real property situate in the City Lands of Monterey, Tract No. 1, County of Monterey, State of California, described as follows:

Being a portion of the land shown as Parcel 1 Travel Camp on the map filed in Volume 21 of Surveys at Page 89, together with a portion of the land shown as Parcel 1 on the map filed in Volume 23 of Surveys at Page 105, together with Parcel One as shown on the map filed in Volume 21 of Surveys at Page 64, Official Records of said County, particularly described as follows:

Beginning at the northwest corner of said Parcel One as shown on said map filed in Volume 21 of Surveys at Page 64, said point also being on the southerly line of Parcel 9 as shown on the map filed in Volume 20 of Surveys at Page 110, Official Records of said County; thence along said southerly line

- 1) North 88° 53' 00" East, 1237.33 feet; thence
- 2) North 88° 50' 07" East, 977.96 feet; thence
- 3) North 88° 53' 00" East, 5.20 feet to the southwest corner of Parcel 10 as shown on said map filed in Volume 20 of Surveys at Page 110; thence along the southerly line of said Parcel 10
- 4) North 88° 53' 00" East, 79.23 feet; thence
- 5) Along the arc of a circular curve, the center of which bears South 1° 07' East, 4906.00 feet distant, through a central angle of 2° 48' 30", for an arc distance of 240.47 feet; thence
- 6) South 88° 18' 30" East, 2351.06 feet; thence
- 7) Along the arc of a circular curve, the center of which bears South 1° 41' 30" West, 6770.00 feet distant, through a central angle of 1° 14' 07", for an arc distance of 145.96 feet; thence departing said southerly line of said Parcel 10
- 8) South 0° 14' 04" East, 593.48 feet; thence
- 9) Along the arc of a circular curve, the center of which bears South 31° 47' 12" West, 75.00 feet distant, through a central angle of 145° 56' 11", for an arc distance of 191.03 feet; thence
- 10) South 24° 09' 00" East, 200.00 feet; thence
- 11) Along the arc of a circular curve, the center of which bears North 65° 51' East, 75.00 feet distant, through a central angle of 31° 29' 46", for an arc distance of 41.23 feet; thence
- 12) South, 699.31 feet; thence
- 13) South 61° 39' 09" East, 71.98 feet; thence
- 14) South 33° 25' 44" East, 906.41 feet; thence
- 15) South 14° 11' 56" East, 245.87 feet; thence
- 16) South 29° 41' 01" East, 599.01 feet more or less to a point on the southerly boundary of said Parcel 1 Travel Camp; thence along said southerly boundary

- 17) North 89° 42' 00" West, 242.59 feet; thence
- 18) South 86° 36' 00" West, 211.30 feet; thence
- 19) North 87° 14' 00" West, 337.00 feet; thence
- 20) North 62° 14' 00" West, 360.60 feet; thence
- 21) South 68° 40' 00" West, 198.00 feet; thence
- 22) South 74° 30' 00" West, 361.60 feet; thence
- 23) South 86° 04' 00" West, 194.20 feet; thence
- 24) South 65° 00' 00" West, 255.50 feet; thence
- 25) South 77° 50' 00" West, 187.60 feet; thence
- 26) South 47° 16' 00" West, 203.30 feet; thence
- 27) South 80° 16' 00" West, 310.10 feet; thence
- 28) South 55° 23' 00" West, 123.00 feet; thence
- 29) South 74° 52' 00" West, 141.10 feet; thence
- 30) North 84° 16' 00" West, 96.50 feet; thence
- 31) South 70° 02' 00" West, 164.10 feet to the southwest corner of said Parcel 1 Travel Camp;
thence along the westerly boundary of said Parcel 1 Travel Camp
- 32) North 43° 39' 00" West, 128.40 feet; thence
- 33) North 25° 11' 00" West, 271.80 feet; thence
- 34) North 37° 55' 00" West, 216.30 feet; thence
- 35) North 25° 54' 00" West, 226.00 feet; thence
- 36) South 34° 13' 00" West, 63.70 feet; thence departing said westerly boundary of said Parcel 1
Travel Camp
- 37) South 71° 09' 41" West, 97.84 feet more or less to a point on the northerly edge of pavement
of Gigling Road; thence along said northerly edge of pavement
- 38) South 58° 08' 46" West, 106.59 feet; thence
- 39) South 62° 58' 16" West, 321.44 feet; thence
- 40) South 61° 23' 42" West, 830.58 feet; thence
- 41) South 66° 38' 43" West, 209.53 feet; thence

- 42) Along the arc of a tangent circular curve, the center of which bears North 23° 21' 17" West, 175.00 feet distant, through a central angle of 31° 29' 51", for an arc distance of 96.20 feet; thence
- 43) Along the arc of a compound circular curve, the center of which bears North 8° 08' 34" East, 260.00 feet distant, through a central angle of 22° 57' 28", for an arc distance of 104.18 feet; thence
- 44) North 58° 53' 59" West, 119.58 feet; thence
- 45) North 43° 16' 36" West, 100.84 feet; thence
- 46) North 38° 53' 29" West, 111.35 feet; thence
- 47) Along the arc of a tangent circular curve, the center of which bears South 51° 06' 31" West, 220.00 feet distant, through a central angle of 51° 42' 44", for an arc distance of 198.56 feet; thence
- 48) South 89° 23' 46" West, 288.18 feet; thence
- 49) Along the arc of a tangent circular curve, the center of which bears North 0° 36' 14" West, 1260.00 feet distant, through a central angle of 8° 33' 54", for an arc distance of 188.35 feet; thence
- 50) Along the arc of a reverse circular curve, the center of which bears South 7° 57' 41" West, 2750.00 feet distant, through a central angle of 5° 38' 25", for an arc distance of 270.71 feet; thence
- 51) North 87° 40' 44" West, 227.59 feet; thence
- 52) North 86° 03' 30" West, 71.06 feet; thence
- 53) Along the arc of a tangent circular curve, the center of which bears North 3° 56' 30" East, 310.00 feet distant, through a central angle of 15° 45' 21", for an arc distance of 85.25 feet; thence
- 54) North 70° 18' 09" West, 112.19 feet; thence
- 55) North 73° 54' 29" West, 161.25 feet; thence
- 56) Along the arc of a tangent circular curve, the center of which bears South 16° 5' 31" West, 360.00 feet distant, through a central angle of 22° 48' 26", for an arc distance of 143.30 feet; thence
- 57) Along the arc of a compound circular curve, the center of which bears South 6° 42' 56" East, 1500.00 feet distant, through a central angle of 12° 08' 15", for an arc distance of 317.76 feet; thence
- 58) South 71° 08' 50" West, 171.88 feet; thence
- 59) Along the arc of a tangent circular curve, the center of which bears South 18° 51' 10" East, 490.00 feet distant, through a central angle of 22° 11' 48", for an arc distance of 189.83 feet; thence
- 60) South 48° 57' 01" West, 66.11 feet; thence

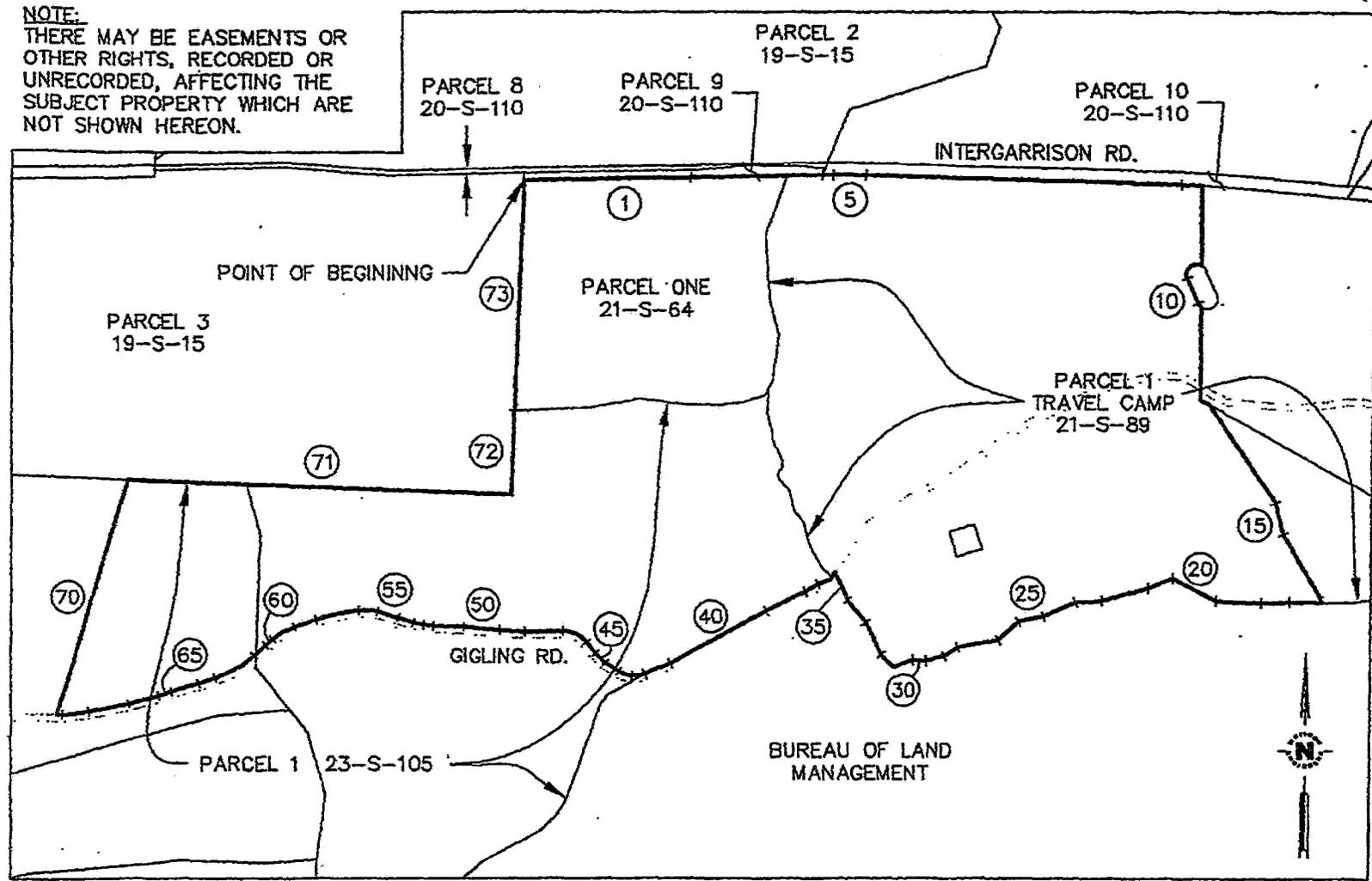
- 61) South 48° 04' 27" West, 114.00 feet; thence
- 62) Along the arc of a circular curve, the center of which bears North 43° 55' 33" West, 760.00 feet distant, through a central angle of 25° 43' 47", for an arc distance of 341.29 feet; thence
- 63) South 71° 48' 14" West, 129.00 feet; thence
- 64) South 72° 27' 10" West, 209.20 feet; thence
- 65) South 71° 56' 29" West, 101.07 feet; thence
- 66) South 73° 35' 09" West, 233.60 feet; thence
- 67) South 79° 05' 59" West, 312.21 feet; thence
- 68) Along the arc of a circular curve, the center of which bears North 10° 54' 01" West, 1150.00 feet distant, through a central angle of 9° 43' 03", for an arc distance of 195.04 feet; thence
- 69) South 89° 07' 23" West, 40.57 feet; thence departing said northerly edge of pavement
- 70) North 16° 31' 29" East, 1869.81 feet more or less to a point on the northerly boundary of said Parcel 1 as shown on said map filed in Volume 23 of Surveys at Page 105, said point also being on the boundary of Parcel 3 as shown on the map filed in Volume 19 of Surveys at Page 15; thence along said boundary of said Parcel 3
- 71) South 87° 45' 00" East, 2852.09 feet; thence
- 72) North 2° 15' 00" East, 645.14 feet to the southwest corner of said Parcel One as shown on said map filed in Volume 21 of Surveys at Page 64; thence
- 73) North 2° 15' 00" East, 1724.99 feet to the point of beginning.

END OF DESCRIPTION

Prepared by:
Whitson Engineers



NOTE:
 THERE MAY BE EASEMENTS OR
 OTHER RIGHTS, RECORDED OR
 UNRECORDED, AFFECTING THE
 SUBJECT PROPERTY WHICH ARE
 NOT SHOWN HEREON.



ATTACHMENT TO EXHIBIT A



MONTEREY

CALIFORNIA

COUNTY NORTH MUNITIONS RESPONSE AREA

DATE: FEB. 22, 2010

SHEET

SCALE: 1" = 1000'

DRAWN: RMS

CHECKED:

PROJECT No.: 1827.08

1

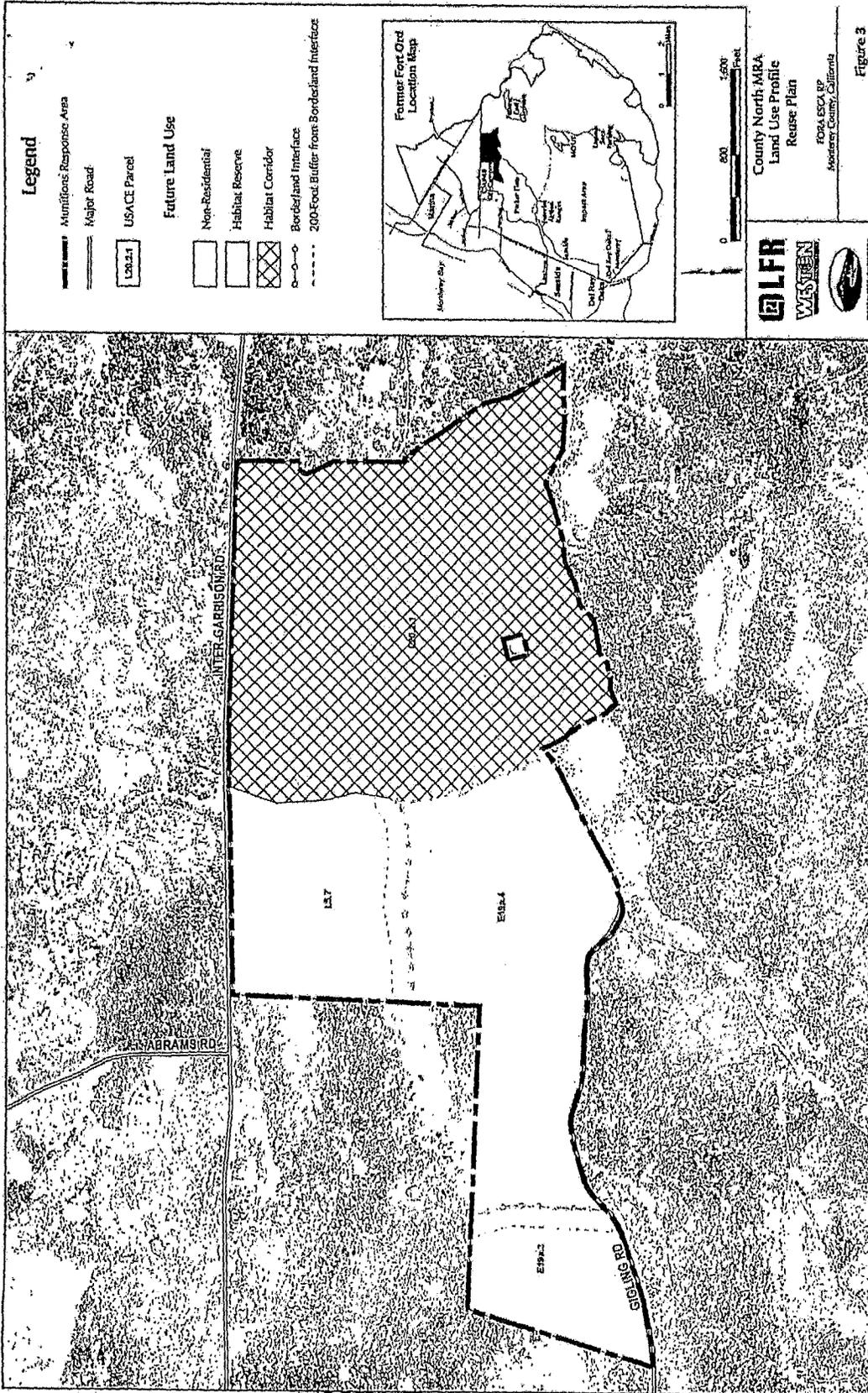
OF 1

Amendment No. 2 to Deed No. DACA05-9-07-505

EXHIBIT "B"

**Maps of County North MRA Munitions Response Sites and Reuse Areas (Figures 1, 2 and 3,
Track 1 Plug-in Approval Memorandum, County North MRA).**

EXHIBIT B



END OF DOCUMENT

Project Name: Project Name, Item 1, Approved on 2/17/2010 @ 2:58:18 PM

Figure 3

1 IN WITNESS WHEREOF, the Grantor, the FORT ORD REUSE AUTHORITY, has caused this
2 CORRECTION TO DEED to be executed this 25th day of July, 2014.

3
4
5 THE FORT ORD REUSE AUTHORITY,
6 a public corporation of the State of California

7
8
9
10 By: Michael A. Houlemard, Jr.
11 Michael A. Houlemard, Jr.
12 Executive Officer
13
14

15 STATE OF CALIFORNIA

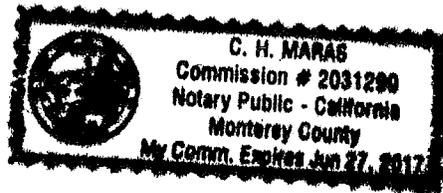
16
17 COUNTY OF Monterey

18
19 On 7/25/14 before me, C. H. Maras, Notary Public (name of notary public) personally
20 appeared Michael A. Houlemard, Jr. who proved to me on the basis of satisfactory evidence
21 to be the person(s) whose name(s) is/are subscribed to the within instrument and who acknowledged to me
22 that he/she/they executed the same in their authorized capacity(ies), and by his/her/their signature(s) on
23 the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.
24
25

26 I certify under PENALTY of PERJURY under the laws of the state of California that the foregoing
27 paragraph is true and correct.

28
29 WITNESS my hand and official seal.

30
31 C. H. Maras
32
33
34



**FORA FOSET 5 OUTDEED, PARKER FLAT PHASE 1 PROPERTY,
COUNTY OF MONTEREY**

EXHIBIT "D"

**Exhibit "F" to Implementation Agreement
Between the Fort Ord Reuse Authority ("FORA")
and the County of Monterey, dated May 8, 2001**

**EXHIBIT F
DEED RESTRICTION AND COVENANTS**

The Deed Restriction and Covenants is made this _____ day of _____, 200__, by the Fort Ord Reuse Authority ("Owner"), a governmental public entity organized under the laws of the State of California, with reference to the following facts and circumstances.

- A. Owner is the owner of the real property described in Exhibit A to this Deed Restriction and Covenants ("the property"), by virtue of a conveyance of the property from the United States Government and/or the United States Department of the Army to Owner in accordance with state and federal law, the Fort Ord base Reuse Plan ("the Reuse Plan"), and the policies and programs of the Fort Ord Reuse Authority.
- B. Future development of the property is governed under the provisions of the Reuse Plan and other applicable general plan and land use ordinances and regulations of the local governmental entity on which the property is located consistent with the Reuse Plan.
- C. The Reuse Plan provides that the property can only be used and developed in a manner consistent with the Reuse Plan.
- D. The Reuse Plan recognizes that development of all property conveyed from FORA is constrained by limited water, sewer, transportation, and other infrastructure services and by other residual effects of a former military reservation, including unexploded ordinance.
- E. It is the desire and intention of Owner, concurrently with its acceptance of the conveyance of the property, to recognize and acknowledge the existence of these development constraints on the property and to give due notice of the same to the public and any future purchaser of the property.
- F. It is the intention of the Owner that this Deed Restriction and Covenants is irrevocable and shall constitute enforceable restrictions on the property.

NOW, THEREFORE, Owner hereby irrevocably covenants that the property subject to this Deed Restriction and Covenants is held and shall be held, conveyed, hypothecated, encumbered, leased, rented, used, occupied, and improved subject to the following restrictions and covenants on the use and enjoyment of the property, to be attached to and become a part of the deed to the property. The Owner, for itself and for its heirs, assigns, and successors in interest, covenants and agrees that:

1. Development of the property is not guaranteed or warranted in any manner. Any development of the property will be and is subject to the provisions of the Reuse Plan, the policies and programs of the Fort Ord Reuse Authority, including the Authority's Master Resolution, and other applicable general plan and land use ordinances and regulations of the local governmental entity on which the property is located and compliance with CEQA.

2. Development of the property will only be allowed to the extent such development is consistent with applicable local general plans which have been determined by the Authority to be consistent with the Reuse Plan, including restraints relating to water supplies, wastewater and solid waste disposal, road capacity, and the availability of infrastructure to supply these resources and services, and does not exceed the constraint limitations described in the Reuse Plan and the Final Program Environmental Impact Report on the Reuse Plan.

3. _____ (Left blank on purpose) _____

4. This Deed Restriction and Covenants shall remain in full force and effect immediately and shall be deemed to have such full force and effect upon the first conveyance of the property from FORA, and is hereby deemed and agreed to be a covenant running with the land binding all of the Owner's assigns or successors in interest.
5. If any provision of this Deed Restriction and Covenants is held to be invalid or for any reason becomes unenforceable, no other provision shall be thereby affected or impaired.
6. Owner agrees to record this Deed Restriction and Covenants as soon as possible after the date of execution.

IN WITNESS WHEREOF, the foregoing instrument was subscribed on the day and year first above- written.

Owner

NOTARY ACKNOWLEDGMENT

STATE OF

CALIFORNIA

COUNTY OF

MONTEREY

On _____, 2000, before me _____, Notary Public personally appeared _____ personally known to me or proved on the basis of satisfactory evidence to be the person whose name is subscribed on the accompanying instrument and acknowledged to me that he/she executed the instrument in his/her authorized capacity and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal, NOTARY PUBLIC IN AND FOR THE STATE OF CALIFORNIA