

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:
Monterey County Water Resources Agency
1441 Schilling Place, Salinas CA 93901
Attention: Brent Buche

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT OF EASEMENT DEED FOR PRIVATE ROADWAY

THIS GRANT OF EASEMENT is made this _____ day of _____ 2019, by and between MONTEREY COUNTY WATER RESOURCES AGENCY (“**Agency**” or “**Grantor**”), and JAMES E. AND BETTY C. EYRAUD FAMILY LIVING TRUST 9/10/1995 AND THE HENDRICKS REVOCABLE LIVING TRUST 4/25/1996 (“**Grantee**”).

RECITALS

A. Grantee owns certain real property located in the County of San Luis Obispo, State of California, which is more particularly described in Exhibit “A” attached hereto and incorporated herein by reference (“**Grantee’s Property**”).

B. Grantor owns certain real property located in the County of San Luis Obispo, State of California, which is more particularly described in Exhibit “B” attached hereto and incorporated herein by reference (“**Grantor’s Property**”).

C. Grantor’s Property includes a privately constructed road, referred to as Gage Irving Road, which commences at Section 2, Township 26 South, Range 9 East, Mount Diablo Base and Meridian, in the County of San Luis Obispo, State of California, and proceeds in a northwesterly direction through Sections 27, 28, 34, 35, Township 25 South, Range 9 East; and, includes other privately constructed roads, as mentioned but not limited to, Cow Camp Loop, which commences at Section 2, Township 26 South, Range 9 East and proceeds in a loop through Section 3, Township 26 South, Range 9 East, and the “Y” portion of Gage Irving Road, which commences at Section 28, Township 26, Range 9 East and proceeds in both a westerly direction towards Grantee’s Property, and a northerly direction over and across Section 28, Township 26, Range 9 East.

D. Grantor also currently possesses an easement, 84 feet in width, from Gage H. Irving and Eleanor S. Irving as set forth in that certain Grant of Easement dated October 11, 1966, and recorded in the Official Records of San Luis Obispo County on October 11, 1966 as Document No. 21124 (the “**Irving Easement #21124**”), which is attached hereto as Exhibit “C” and incorporated herein by reference. The Irving Easement #21124 granted a right of way for private purposes to Grantor, and to others to whom Grantor has granted or may hereafter grant an interest, over said strip of land 84 feet in width, substantially along a line in, over and across portions of Sections 1, 2, and 12 in Township 26 South, Range 9 East, Mount Diablo Base and

Meridian, in the County of San Luis Obispo, State of California, which is shown on the map of said grant. It is expressly understood that said Irving Easement #21124 shall not constitute a public road or public right-of-way, but that said easement shall be private and appurtenant only to the benefitted property described as Sections 11, 10, 9, 2, 3, 4, and 5 in Township 26 South, Range 9 East, and Sections 35, 34, 33, 32, 25, 26, 27, 28, 24, and 23 in Township 25 South, Range 9 East, Mount Diablo Base and Meridian, all in the County of San Luis Obispo, State of California.

E. For the benefit of the Grantee, the Grantor now desires to grant to the Grantee the right to use in common with Grantor and its prior and subsequent grantees, successors and assigns, and to maintain, repair and replace the right of way for private road purposes more particularly described as Gage Irving Road on the Grantor's Property; and to grant to the Grantee the right to use in common with Grantor and its prior and subsequent grantees, successors and assigns, and to maintain, repair and replace the right of way for private road purposes more particularly described in the Irving Easement #21124 (both collectively referred to as the "**Easement**").

F. The Grantor's desire to grant this Easement to the Grantee is as a result of the necessity to resolve a long-standing legal access issue for the Grantee. The Grantor's construction of Nacimiento Reservoir in 1957 eliminated the legal access the Grantee possessed to Grantee's Property. Therefore, the Grantor in due diligence, has a desire to perfect an easement for the Grantee and grant legal access to the Grantee's Property.

NOW, THEREFORE, by reason of the foregoing and in consideration of the covenants hereafter set forth, a grant of easement is hereby made, subject to the following terms and conditions:

1. **Grant of Easement.** Grantor hereby grants to Grantee the right to use in common with Grantor and its prior and subsequent grantees, successors and assigns, and to maintain, repair and replace the right of way for private road purposes. By using or otherwise accepting this grant, Grantee shall be deemed, without further act, to have assumed and to be bound by all the terms, covenants, and conditions of said grant.

2. **Location of Easement.** The location of the Easement shall include those portions of Grantor's Property as over a strip of land 25 feet in width substantially along a line which is shown on the map depicted on Exhibit "B"; and, also include the grant of easement, 84 feet in width, substantially along a line which is shown on the map depicted on Exhibit "B", and more particularly described in said grant by Gage H. Irving and Eleanor S. Irving to Grantor, as recorded in Exhibit "C".

3. **Scope of Easement.** The Easement shall be nonexclusive and shall be for the purposes of ingress, egress, and private roadway use. Such right of way may be transferred and assigned by Grantee only as appurtenance to Grantee's Property as described in Exhibit "A".

4. **Reimbursement.** Grantee shall reimburse Grantor for the administrative costs of processing this Easement.

5. **Covenants Running With Land.** Each and all of the covenants, restrictions, conditions and provisions contained in this Easement, whether affirmative or negative in nature, are made for the direct, mutual and reciprocal benefit of each parcel of land described herein and will constitute covenants running with the land.

6. **Successors.** This Easement shall inure to the benefit of and be binding on the parties hereto and their respective successors and assigns.

7. **Current Condition.** Grantor provides the Easement property to Grantee “As Is” in its current condition with all faults and without representation or warranty. Grantor makes no representation or warrant as to the suitability of the Easement property for Grantee’s purposes.

8. **Irving Easement.** This grant of Easement is subject to the terms and conditions of the Irving Easement #21124. Grantee shall agree to and abide by all the provisions of the Irving Easement attached hereto as Exhibit “C”.

9. **Road Association.** Grantee shall become a member in good standing of the South Nacimiento Road Association as required, along with any special assessments required by the Road Association for road maintenance. Failure of Grantee to remain a member of the Road Association and to pay dues and assessments shall be sufficient cause for Grantor to revoke this Easement, at the discretion of Grantor. Such revocation must be preceded by Grantor’s written notice that revocation will occur within 120 days of the mailing of such notice. Grantee must supply written proof to Grantor that Grantee has again become a member in good standing in the Road Association prior to the expiration of the 120-day period in order to halt revocation of the Easement.

10. **Indemnification.** To the fullest extent permitted by law, Grantee shall hold harmless, defend at their own expense, and indemnify Grantor, its officers, employees, agents volunteers, and its successors in interest, against any and all liability, claims, losses, damages or expenses, including reasonable attorney fees and costs, arising from all acts or omissions of Grantee or their contractors, officers, agents, or employees arising from the use of the Easement.

11. **Attorney Fees.** In the event of any controversy, claim, or dispute relating to this instrument or the breach thereof, the prevailing party shall be entitled to recover from the other party reasonable expenses, attorney fees and costs.

12. **Severability.** If any provision of this Easement is held by a court of competent jurisdiction to be invalid or unenforceable, the remainder of the Easement shall continue in full force and effect, and shall in no way be impaired or invalidated. The parties agree to substitute for the invalid or unenforceable provision a valid and enforceable provision that most closely approximates the intent and economic effect of the invalid or unenforceable provision.

13. **Counterparts.** This Easement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF this Easement is executed by the parties on the dates set forth below.

GRANTOR:

Dated: _____, 2019

Monterey County Water Resources Agency

By: _____
Shauna Lorange, Interim General Manager

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.
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STATE OF CALIFORNIA
COUNTY OF MONTEREY

On _____, 2019, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public

[SEAL]

Approved as to Form:

Kelly L. Donlon
Deputy County Counsel

Dated: _____

GRANTEE:

Dated: _____, 2019

By: _____
Betty Eyraud

By: _____
Larry Henricks

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF MONTEREY

On _____, 2019, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Notary Public

[SEAL]

Exhibit "A"

Legal Description – Grantee's Property

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

279 Acres, Township 25 S, Range 9E80

SE Quarter on NE Quarter, Section 31
S 1/2 of NW Quarter, Section 32
SW Quarter of NE Quarter, Section 32
NE Quarter of SW Quarter, Section 32
N 1/2 of SE Quarter, Section 32

APN: 080-101-003

Exhibit "B"

Legal Description of Grantor's Property and Depiction of Easement

An easement for road and incidental purposes in Sections 2 and 3, Township 26 South, Range 9 East, and Sections 27, 28, 34, 35, Township 25 South, Range 9 East, Mount Diablo Base Meridian in San Luis Obispo County, State of California, over a strip of land 25 feet wide, as depicted by a line and made a part of hereof by this reference below:

APNs: 014-011-004; 014-011-005; 080-051-003; 080-051-008; 080-051-009; 080-051-010; 080-067-007; 080-101-007; 080-101-008; 080-111-008; 080-111-009; and, 080-113-011

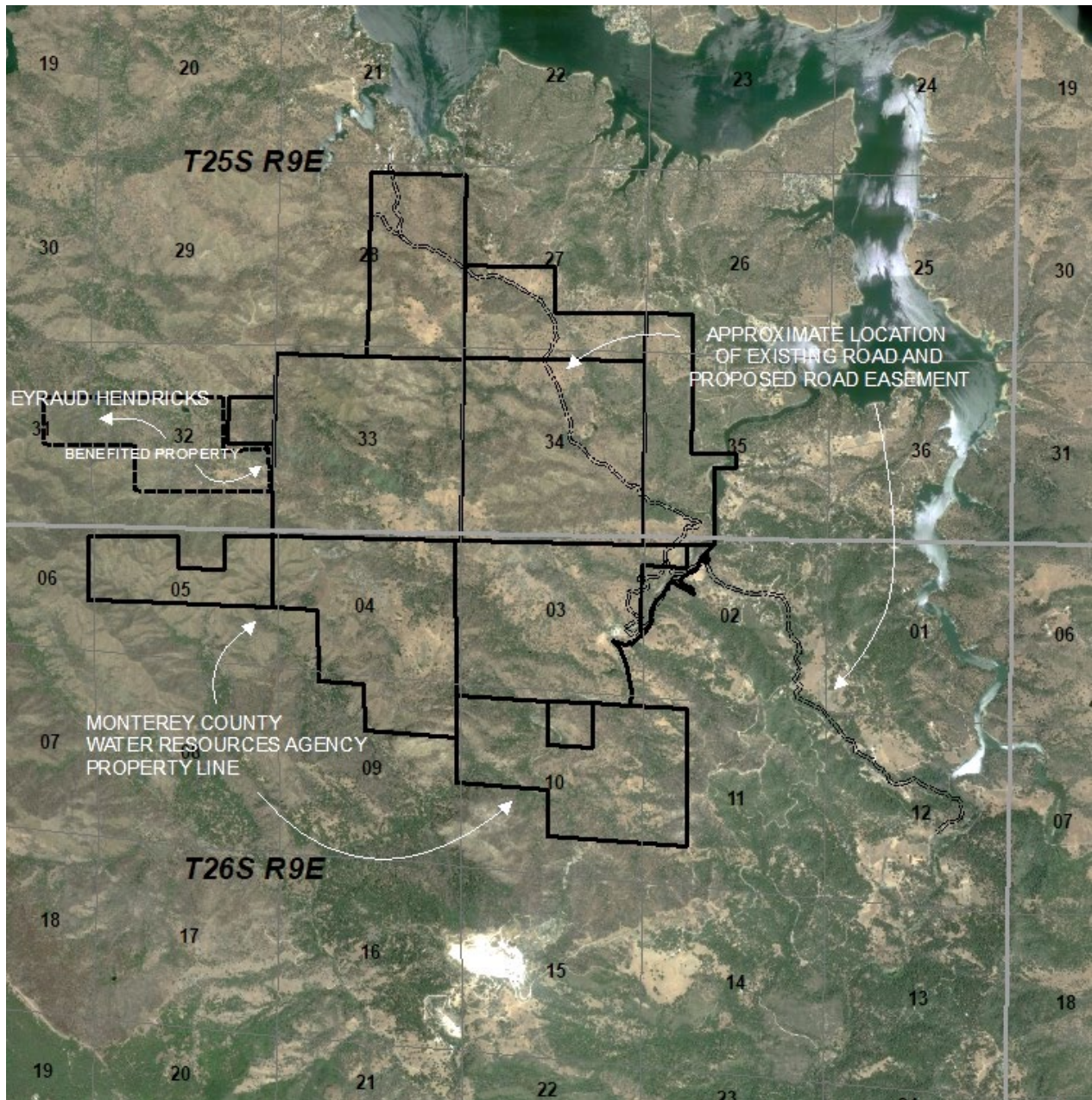


Exhibit "C"

Said grant by Gage H. Irving and Eleanor S. Irving to Grantor as set forth in deed dated October 11, 1966, and recorded in the Official Records of San Luis Obispo County on October 11, 1966 as Document No. 21124.

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Return to:
William H. Stoffner
County Counsel
County of Monterey
P.O. Box 1587
Salinas, California

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GRANT OF EASEMENT

IN CONSIDERATION of the sum of Ten Dollars (\$10.00) and other valuable consideration, receipt of which is hereby acknowledged, GAGE H. IRVING and ELEANOR S. IRVING, husband and wife (hereinafter collectively referred to as the "Grantor"), hereby grant and convey to MONTEREY COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a body corporate and politic of the State of California, and to other owners from time to time of all or any part of the benefited property hereinafter described (hereinafter collectively referred to as the "Grantee"), a perpetual easement across the hereinafter described burdened property, consisting of a right-of-way for private road purposes for ingress and egress to and from the hereinafter described benefited property, said perpetual easement to include the rights and interests and to be subject to the terms and conditions hereinafter set forth and hereby agreed upon, as follows:

1. Said easement shall consist of a strip of land eighty-four (84) feet in width (plus cut and fill slopes) passing in, over and across portions of Sections 12, 1 and 2 in Township 26 South, Range 9 East, Mount Diablo Base and Meridian, in the County of San Luis Obispo, State of California, the center line of which strip is substantially along the courses and distances described in Exhibit A

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any part of the benefited property (and/or persons holding under any right of any such owner) and shall be non-exclusive.

7. Nothing contained herein shall be construed as imposing an obligation upon Grantor for the constructing, maintaining, repairing or replacing of any road, or any part thereof, or for the cost thereof.

8. Said easement is not to be restricted in scope by any particular use or non-use, and any use or non-use shall not be construed to restrict Grantee, its successors and assigns, from thereafter exercising the full rights and interests in said easement as described herein in the broadest scope.

9. Anything herein to the contrary notwithstanding, neither Grantee nor its successors nor assigns shall have the right to construct any fence or fences along the right-of-way hereby granted.

10. Should either Grantor or Grantee, or their respective successors or assigns, desire to construct a road to county standards substantially along the center line described in Exhibit A, said Grantor or Grantee may by survey determine the location of said road and the other party to this Grant of Easement shall join the first party in the execution of one or more appropriate further documents referring to this Grant of Easement and describing the specific location (based upon such survey) of the subject

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Easement, and such further documents shall thereupon be recorded with the County Recorder of the County of San Luis Obispo, State of California.

11. It is specifically intended that the benefits and burdens of the subject Easement shall run with the benefited and burdened property.

DATED: October 11, 1966.

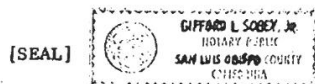
Gage H. Irving
GAGE H. IRVING

Eleanor S. Irving
ELEANOR S. IRVING

STATE OF CALIFORNIA }
COUNTY OF SAN LUIS OBISPO } ss.

On October 11, 1966, before me, the undersigned, a Notary Public in and for said State, personally appeared GAGE H. IRVING and ELEANOR S. IRVING, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

WITNESS my hand and official seal.



Clifford L. Sobey, Jr.
Notary Public in and for said
County and State

My Commission Expires:

Dec. 22, 1970

Grantee hereby accepts the foregoing Grant of Easement and consents to the recording thereof.

Dated: October 11, 1966.

MONTEREY COUNTY FLOOD CONTROL AND
WATER CONSERVATION DISTRICT

WITNESS:

By _____
District Engineer

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CERTIFICATE OF ACCEPTANCE OF DEED
AND CONSENT TO RECORDATION

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This is to certify that the interest in real property
conveyed by the deed or grant dated October 11 1966
from GAGE H. IRVING and ELEANOR S. IRVING, husband and wife

to Monterey County Flood Control and Water Conservation District,
a body corporate and politic of the State of California, is
hereby accepted by the undersigned officer or agent on behalf of
the Board of Supervisors of said grantee pursuant to authority
conferred by resolution of said Board of Supervisors adopted on
January 13, 1964, and the grantee consents to recordation thereof
by its duly authorized officer.

Dated: **October 11, 1966.**


District Engineer,
Monterey County Flood Control and
Water Conservation District.

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EXHIBIT A

An easement for road and incidental purposes in Sections 1, 2 and 12, Township 26 South, Range 9 East, Mount Diablo Meridian in San Luis Obispo County, State of California, over a strip of land 84 feet wide, lying 42 feet on each side of a center-line described as follows:

Beginning at the southeast corner of the northeast quarter of said Section 12, as said corner is shown on the map filed in Book 14, Page 93 of Records of Survey, records of said county, the bearing North 1° 07' 59" East on the east line of said northeast quarter as shown on said Record of Survey being the basis of bearings of this description; thence South 79° 41' 31" West 2222.55 feet to the intersection of Lime Mountain Road and Lake Nacimiento Road, the True Point of Beginning of this description; thence along Lake Nacimiento Road being a curve concave easterly, having a radius of 50 feet and a central angle of 110° 19' 48" (a radial bearing to said True Point of Beginning bears South 41° 15' 25" West) through an arc length of 96.28 feet to the end of said curve; thence tangent to said curve North 61° 35' 14" East 237.24 feet to the beginning of a tangent curve concave northwesterly, having a radius of 200 feet and a central angle of 21° 20' 17"; thence northeasterly along said curve 74.48 feet; thence tangent to said curve North 40° 14' 57" East 133.87 feet to the beginning of a tangent curve concave southerly, having a radius of 150 feet and a central angle of 63° 39' 40"; thence easterly along said curve 166.66 feet; thence tangent to said curve South 76° 05' 23" East 50.35 feet to the beginning of a tangent curve concave northerly, having a radius of 100 feet and a central angle of 75° 11' 59"; thence northeasterly along said curve 131.25 feet; thence tangent to said curve North 28° 42' 38" East 78.93 feet to the beginning of a tangent curve concave northwesterly, having a radius of 100 feet and a central angle of 21° 09' 15"; thence northerly along said curve 36.92 feet; thence tangent to said curve North 7° 33' 23" East 179.46 feet to the beginning of a tangent curve concave westerly, having a radius of 300 feet and a central angle of 85° 08' 56"; thence northwesterly along said curve 445.84 feet; thence tangent to said curve North 77° 35' 33" West 60.75 feet to the beginning of a tangent curve concave northeasterly, having a radius of 100 feet and a central angle of 45° 12' 58"; thence northwesterly along said curve 78.92 feet; thence tangent to said curve North 32° 22' 35" West 133.30 feet to the beginning of a tangent curve concave southerly having a radius of 100 feet and a central angle of 91° 52' 21"; thence westerly along said curve 160.35 feet; thence tangent to said curve South 55° 45' 04" West 7.73 feet to the beginning of a tangent curve concave northerly, having a radius of 100 feet and a central angle of 61° 31' 38"; thence westerly along said curve 107.39 feet; thence tangent to said curve North 62° 22' 58" West 837.20 feet to the beginning of a tangent curve concave southerly, having a radius of 100 feet and a central angle of 32° 02' 48"; thence westerly along said curve 55.93 feet; thence tangent to said curve South 85° 34' 14" West 144.98 feet to the beginning of a tangent curve concave southerly, having a radius of 100 feet and a central angle of 55° 08' 17"; thence southwesterly along said curve

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96.23 feet; thence tangent to said curve South 30° 26' 03" West 38.68 feet to the beginning of a tangent curve concave northwesterly, having a radius of 150 feet and a central angle of 117° 42' 33"; thence southwesterly, westerly and northwesterly along said curve 308.16 feet; thence tangent to said curve North 31° 51' 24" West 460.56 feet to the beginning of a tangent curve concave southwesterly, having a radius of 150 feet and a central angle of 73° 18' 39"; thence westerly along said curve 191.93 feet to the beginning of a reverse curve concave northerly, having a radius of 72.04 feet and a central angle of 79° 55' 13"; thence northwesterly along said curve 100.49 feet; thence tangent to said curve North 25° 14' 50" West 246.51 feet to the beginning of a tangent curve concave southwesterly, having a radius of 100 feet and a central angle of 26° 40' 26"; thence northwesterly along said curve 46.55 feet; thence tangent to said curve North 51° 55' 16" West 162.88 feet to the beginning of a tangent curve concave easterly, having a radius of 75.81 feet and a central angle of 76° 35' 19"; thence northerly along said curve 101.34 feet to the beginning of a reverse curve concave northwesterly, having a radius of 150 feet and a central angle of 61° 11' 30"; thence northerly along said curve 160.20 feet; thence tangent to said curve North 36° 31' 27" West 244.34 feet to the beginning of a tangent curve concave southwesterly, having a radius of 100 feet and a central angle of 35° 02' 27"; thence northwesterly along said curve 61.16 feet; thence tangent to said curve, North 71° 33' 54" West 80.70 feet to the beginning of a tangent curve concave northeasterly, having a radius of 100 feet and a central angle of 55° 06' 18"; thence northwesterly along said curve 96.18 feet; thence tangent to said curve North 16° 27' 36" West 54.66 feet to the beginning of a tangent curve concave westerly, having a radius of 100 feet and a central angle of 34° 15' 02"; thence northwesterly along said curve 59.78 feet; thence tangent to said curve North 50° 42' 38" West 69.53 feet to the beginning of a tangent curve concave northeasterly, having a radius of 100 feet and a central angle of 15° 13' 23"; thence northwesterly along said curve 26.57 feet; thence tangent to said curve North 35° 29' 15" West 343.12 feet to the beginning of a tangent curve concave southwesterly, having a radius of 200 feet and a central angle of 23° 24' 35"; thence northwesterly along said curve 81.72 feet; thence tangent to said curve North 58° 53' 50" West 76.70 feet to the beginning of a tangent curve concave northeasterly, having a radius of 200 feet and a central angle of 13° 13' 22"; thence northwesterly along said curve 46.16 feet; thence tangent to said curve North 45° 40' 28" West 404.10 feet; thence North 58° 56' 36" West 212.25 feet to the beginning of a tangent curve concave southeasterly, having a radius of 50 feet and a central angle of 167° 52' 28"; thence northwesterly, easterly and southeasterly along said curve 146.50 feet to the beginning of a reverse curve concave northeasterly, having a radius of 125 feet and a central angle of 106° 54' 23"; thence easterly and northeasterly along said curve 233.23 feet; thence tangent to said curve North 2° 01' 29" East 198.12 feet; thence North 13° 49' 43" West 133.88 feet; thence North 6° 55' 43" West 225.47 feet to the beginning of a tangent curve concave easterly, having a radius of 200 feet and a central angle of 81° 32' 08"; thence northeasterly along said curve 284.61 feet to the beginning of a reverse curve, concave northwesterly, having a radius of 99.60 feet and a central angle of 114° 39' 40"; thence northeasterly and northwesterly along said curve 199.32 feet; thence tangent to said curve North 40° 03' 15"

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West 29.27 feet to the beginning of a tangent curve concave northeasterly, having a radius of 200 feet and a central angle of $57^{\circ} 54' 57''$; thence northerly along said curve 202.16 feet; thence tangent to said curve North $17^{\circ} 51' 42''$ East 177.69 feet to the beginning of a tangent curve concave westerly, having a radius of 250 feet and a central angle of $52^{\circ} 11' 18''$; thence northwesterly along said curve 227.71; thence tangent to said curve North $34^{\circ} 19' 36''$ West 72.08 feet to the beginning of a tangent curve concave southwesterly, having a radius of 100 feet and a central angle of $104^{\circ} 51' 52''$; thence northwesterly, westerly and southwesterly along said curve 183.02 feet; thence tangent to said curve South $40^{\circ} 48' 32''$ West 311.13 feet to the beginning of a tangent curve concave northwesterly, having a radius of 125 feet and a central angle of $163^{\circ} 26' 21''$; thence southwesterly, northwesterly and northeasterly along said curve 356.57 feet; thence tangent to said curve North $24^{\circ} 14' 53''$ East 127.94 feet to the beginning of a tangent curve concave northwesterly, having a radius of 300 feet and a central angle of $81^{\circ} 39' 27''$; thence northerly and northwesterly along said curve 427.56 feet; thence tangent to said curve, North $57^{\circ} 24' 34''$ West 51.23 feet to the beginning of a tangent curve concave northeasterly, having a radius of 100 feet and a central angle of $86^{\circ} 37' 31''$; thence northwesterly and northeasterly along said curve 151.19 feet; thence tangent to said curve North $29^{\circ} 12' 57''$ East 54.64 feet to the beginning of a tangent curve concave northwesterly, having a radius of 100 feet and a central angle of $85^{\circ} 44' 22''$; thence northerly and northwesterly along said curve 149.64 feet; thence tangent to said curve North $56^{\circ} 31' 25''$ West 278.82 feet; thence North $48^{\circ} 04' 08''$ West 303.78 feet; thence North $71^{\circ} 07' 28''$ West 534.76 feet; thence North $88^{\circ} 36' 18''$ West 616.18 feet; thence North $71^{\circ} 03' 32''$ West 1038.22 feet; thence North $15^{\circ} 34' 02''$ West 499.32 feet; thence North $87^{\circ} 55' 48''$ West 332.22 feet; thence South $70^{\circ} 13' 48''$ West 200.00 feet to the end of said easement.

EXCEPT therefrom any portion of said strip of land lying westerly of the 825 foot elevation, according to maps of the United States Department of Interior Geological Survey entitled "Lime Mountain Quad., Calif., San Luis Obispo County, 7.5 minute series (Topographic) NW/4 Adalaida 15' Quad. N 3537.5-W 12052.5/7.5" and dated "1948".

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EXHIBIT B

PARCEL 1:

All of Section 1; the East half of the southeast quarter of Section 2; the northeast quarter, the east half of the northwest quarter, the north half of the southeast quarter, and the southeast quarter of the southeast quarter of Section 11; all of Section 12; the northeast quarter, the northwest quarter, the north half of the southeast quarter, and the northeast quarter of the southwest quarter of Section 13; all in Township 26 South, Range 9 East, Mount Diablo Meridian, in the County of San Luis Obispo, State of California, according to the official plat of said land filed in the District Land Office February 18, 1880.

EXCEPT therefrom that portion of said Section 1 lying easterly of the center line (thread) of Las Tablas Creek.

ALSO EXCEPT from the Southeast quarter of the Southeast quarter of said Section 11 that portion thereof described as follows:

Beginning at the southeast corner of the southwest quarter of the southeast quarter of Section 11, Township 26 South, Range 9 East, Mount Diablo Meridian; thence North 0° 7' East 530 feet; thence South 42° 39' 30" East, 778.08 feet; thence North 85° 26' West, 530 feet to the point of beginning.

PARCEL 2:

The northeast quarter of the southwest quarter of Section 11, Township 26 South, Range 9 East, Mount Diablo Meridian, in the County of San Luis Obispo, State of California, according to the official plat of said land filed in the District Land Office February 18, 1880.

PARCEL 3:

That portion of the southwest quarter of the southeast quarter of Section 11, Township 26 South, Range 9 East, Mount Diablo Meridian, in the County of San Luis Obispo, State of California, according to the official plat of said land filed in the District Land Office February 18, 1880, described as follows:

Beginning at the northeast corner of the southwest quarter of the southeast quarter of said Section 11; thence South 0° 7' West, 530.00 feet; thence North 42° 37' West, 778.60 feet; thence South 85° 21' East, 530.00 feet, to the point of beginning.

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PARCEL 4:

All that real property situate in the County of San Luis Obispo, State of California, described as follows:

Beginning at the southeasterly corner of Section 35, Township 25 South, Range 9 East, thence south one-half (1/2) mile along the easterly boundary of Section 2 of Township 26 South, Range 9 East, to the quarter corner between Sections land 2 of said Township and Range; thence west one-fourth (1/4) mile; thence south one-half (1/2) mile to the one-eighth (1/8) quarter corner in the south boundary of said Section 2; thence west to a point in the south boundary of Section 3, Township 26 South, Range 9 East, 165 feet, more or less, west of the southeast corner of said Section 3, said point also being east of Town Creek at the 825 foot elevation, according to maps of the United States Department of Interior Geological Survey entitled "Lime Mountain Quad., Calif., San Luis Obispo County, 7.5 minute series (Topographic) NW/4 Adelaida 15' Quad. N 3537.5-W 12052.5/7.5" and dated "1948"; thence along the said 825 foot elevation in a northeasterly direction and east of Town Creek through Sections 3 and 2, Township 26 South, Range 9 East, and Section 35, Township 25 South, Range 9 East, to a point one-fourth (1/4) mile north of the south boundary of said Section 35, and 2475 feet, more or less, west of the east line of said Section 35; thence east to the northwest corner of the southeast quarter of the southeast quarter of said Section 35; thence north one-eighth (1/8) mile; thence east three-fourth (3/4) mile; thence south three-eighths (3/8) mile to the quarter corner in the south boundary of Section 36; Township 25 South, Range 9 East; thence west one-half (1/2) mile to the point of beginning, all according to the official plat or plats of the survey of said lands returned to the General Land Office by the Surveyor General.

EXCEPT therefrom one-half (1/2) of any and all minerals in and under said land, whether heretofore or hereafter discovered, and the right to enter said lands to take and remove such minerals in the manner customary and usual in such respects, as reserved by Monterey County Flood Control and Water Conservation District, also known as Monterey Flood Control and Water Conservation District, a body politic and corporate of the State of California, in deed recorded July 25, 1957 in book 900, page 468, Official Records.

ALSO EXCEPT therefrom any portion of said land included within the East half of the Southeast quarter of Section 2, Township 26 South, Range 9 East, Mount Diablo Meridian.

ALSO EXCEPT therefrom any portion of said land included within the lines of the Northwest quarter of the Northeast quarter of Section 10, Township 26 South, Range 9 East, Mount Diablo Meridian.

ALSO EXCEPT therefrom those portions of Sections 1 and 2, Township 26 South, Range 9 East and those portions of Sections 35 and 36, Township 25 South, Range 9 East, Mount Diablo Meridian, in the County of San Luis Obispo, State of California, according to the Official Plat or Plats of Survey of said lands, described as follows:

EXHIBIT B

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Beginning at the southwest corner of the Northeast quarter of the Southeast quarter of said Section 35, as said corner is shown on the map of Survey filed in Book 14, Page 93 of Record of Surveys, records of said County; thence along the boundary lines of Parcel 1, as shown on said map, North 1° 44' 18" East 660.00 feet; thence South 88° 22' 09" East 3960.00 feet; thence South 1° 32' 42" West 1980.00 feet to the southerly line of said Section 36; thence along said southerly line, South 88° 29' 34" East 574.55 feet to the approximate centerline of Las Tablas Creek as shown on said map; thence along said centerline South 23° 41' 36" East 211.65 feet; thence North 88° 31' 35" West 6664.15 feet more or less to the 825 foot elevation according to maps of the United States Department of Interior Geological Survey entitled "Lime Mountain Quad., Calif., San Luis Obispo County, 7.5 minute series (Topographic) NW/4 Adelaida 15' Quad. N 3537.5-W 12052.5/7.5" and dated "1948"; thence along the meanders of said line as follows: North 20° 12' 42" West 54.31 feet; North 49° 46' 38" East 492.44 feet; North 1° 34' 10" West 657.25 feet; South 78° 49' 34" East 82.57 feet; North 13° 13' 17" West 338.06 feet; North 24° 42' 04" East 180.28 feet to the northerly line of Parcel 1 as shown on said map; thence along said northerly line, South 88° 51' 34" East 1659.59 feet to the Point of Beginning.

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EXHIBIT C

Sections 11, 10, 9, 2, 3, 4 and 5 in Township 26
South, Range 9 East, Mount Diablo Base and Meridian, and
Sections 35, 34, 33, 32, 25, 26, 27, 28, 24 and 23 in Town-
ship 25 South, Range 9 East, Mount Diablo Base and Meridian,
all in the County of San Luis Obispo, State of California.

Document No. **21124**
RECORDED AT REQUEST OF
~~THE INSURANCE AND TRUST CO.~~
At 20 Min. Past 4P M.
Vol. 1413 Official Records P. 1
San Luis Obispo County, Calif.

OCT 11 1966

Mary C. Hamlin
COUNTY RECORDER
By *Nancy P. Jenkins* Deputy
Fee \$ Indexed

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