

RECORDED AT THE REQUEST OF, AND
AFTER RECORDING, RETURN TO:

Department of Conservation and Development
Community Development Division
Contra Costa County
651 Pine Street, 4th Floor, North Wing
Martinez, California 94553

APN: 078-340-011
County File MS07-0023
Area: Clayton

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

GRANT DEED OF DEVELOPMENT RIGHTS

This Grant Deed is made by and between the Grantor, Robert A. Williamson and Susan T. Williamson and their successors and assigns ("Grantor") and the Grantee, Contra Costa County, a political subdivision of the State of California ("Grantee") and governmental successor or successors of said county, the future development rights, as defined herein below, over a portion of that real property known as Parcels A and B of Minor Subdivision #MS07-0023, situated in the County of Contra Costa, State of California and more particularly described in Exhibit "A".

Whereas, the undersigned is the owner of the property described as follows: Parcel A and B, inclusive, as shown on the parcel map of Subdivision MS07-0023, filed for record on _____, in Map Book _____, at Page(s) _____ through _____, inclusive, in the Official Records of the County of Contra Costa, State of California.

RECITALS

1. On August 12, 2008, the County Planning Commission conditionally approved an application by Grantor to subdivide an approximately 10-acre site in the County of Contra Costa, State of California. The subdivision MS07-0023 is located at 3504-3510 Oak Hill Lane, in the Clayton area.
2. Conditions of Approval # 7 and 8 for MS07-0023 requires a grant deed of development rights over the areas identified as scenic easements as shown on the map dated received on March 24, 2008.
3. The area of land subject to this grant deed is described in Exhibit A and shall hereinafter be referred to as the "Property".
4. Grantor desires to evidence its intent, and to insure that the obligations specified herein are covenants, conditions, and restrictions that run with the land are for the benefit of the County.

Now, therefore, for good and valuable consideration, including but not limited to the agreements contained herein, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby grants to County, and its successors and assigns, on the terms and conditions set forth below, all the Development Rights on the Property.

1. Recitals. The recitals are intended to be and shall be part of the Grant Deed.
2. Development Rights. "Development Rights" are defined to mean and refer to the right to construct, divide, develop, install, or construct improvements on all or any portion of the Property.
3. Negative Easement. The Grant Deed is in the form of a negative easement, which shall run with said Property and shall bind the current Grantor and any future owners of all or any portion of said Property.
4. Covenants running with Land. The development rights are and shall be a form of covenant, which shall run with the said property and shall bind the current Owner and any future Owner of all or any portion of said Property.
5. Remedies. Should Grantor violate any of the provisions hereof, County shall be entitled to all rights and remedies available at law or in equity, including without limitation, an order enjoining the activity in violation hereof and an order requiring the removal of the improvements constructed in violation hereof. In addition, County shall be entitled to an award of all expenses incurred by County in pursuing such violation(s), including costs, interest, attorney's fees and other litigation expenses.

In Witness whereof, this Grant Deed of Development Rights is signed and executed this 24th day of December, 2008

Grantor

ROBERT A. WILLIAMSON and SUSAN T. WILLIAMSON

By: 

Robert A. Williamson

By: 

Susan T. Williamson

Attach: California All-Purpose Acknowledgement (Notarization)

cc: Public Works
MS07-0023
ZI08-12365

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Contra Costa

On 12/24/08 before me, Steven Jay Davanzo
(Here insert name and title of the officer)

personally appeared Robert A. Williamson and Susan T. Williamson

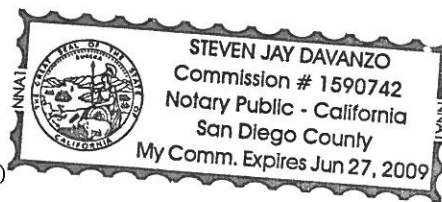
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) 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 of Notary Public

(Notary Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____ Document Date _____

(Additional information)

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
☐ Corporate Officer

(Title)

- ☐ Partner(s)
☐ Attorney-in-Fact
☐ Trustee(s)
☐ Other _____

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is/are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required, but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

Exhibit "A"

All that real property situated in the County of Contra Costa, State of California, described as follows:

Portions of Parcels A and B designated as "Scenic Easement" as shown on the Parcel Map of Minor Subdivision #MS07-0023, on file at the County Recorder's Office as follows:

Date: _____

Book: _____

Page: _____