

Recorded at the request of:
Contra Costa County

Return to:
Contra Costa County
Public Works Department
Real Estate Division
255 Glacier Drive
Martinez, CA 94553
Attn: D. Kramer

Assessor's Parcel No. 408-100-034

GRANT OF EASEMENT

For Ingress/Egress Purposes – Rheem Creek (FCPID 5151)

THIS INDENTURE, made by and between **EAST BAY REGIONAL PARK DISTRICT**, a California special district, hereinafter called "GRANTOR," and **CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT**, a political subdivision of the State of California, hereinafter called "GRANTEE,"

WITNESSETH:

That GRANTOR, for value received, hereby grants to GRANTEE, and its successors and assigns, a perpetual easement and right of way for ingress and egress purposes (not to be exclusive) over and across that certain real property in the County of Contra Costa, State of California, described as follows (the "Easement Area"):

FOR DESCRIPTION SEE EXHIBITS "A" AND "A-1" ATTACHED HERETO AND MADE A PART HEREOF.

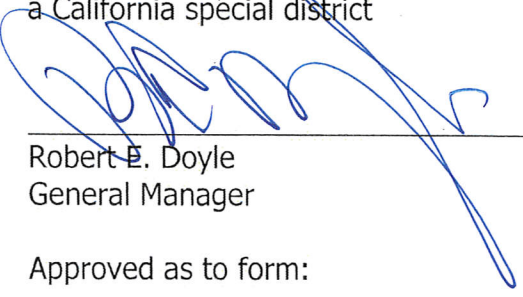
The easement herein granted shall include the right by GRANTEE, its officers, agents and employees, and by persons under contract with it and their employees, to enter upon the Easement Area with personnel, vehicles and equipment whenever necessary to access GRANTEE's Rheem Creek flood control improvements located on GRANTOR's land. GRANTEE shall access said flood control improvements by means of roads and lanes located within the Easement Area. GRANTEE shall have the right to remove all trees and vegetation within and along any roads and lanes within the Easement Area that may otherwise interfere with the purpose for which the easement herein is granted.

It is understood that GRANTEE is not responsible for repairing or replacing any of GRANTOR's improvements within any roads and lanes within the Easement Area, unless the damage is a result of GRANTEE's negligence or misconduct. Except where entry is required due to an emergency, GRANTEE will provide GRANTOR advance notice prior to entry if any of GRANTOR's improvements are obstructing GRANTEE's access and are at risk of being damaged by GRANTEE in gaining access to GRANTEE's Rheem Creek flood control improvements. It is further understood that GRANTOR makes no representations or warranties of any kind or nature concerning the easement area conveyed.

TO HAVE AND TO HOLD, all and singular, the rights above described unto GRANTEE and GRANTEE's successors and assigns forever.

IN WITNESS WHEREOF, GRANTOR has executed this indenture this 21 day of December, 2015.

EAST BAY REGIONAL PARK DISTRICT,
a California special district



Robert E. Doyle
General Manager

Approved as to form:

By: 

District Counsel

ABOVE SIGNATURE MUST BE NOTARIZED

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

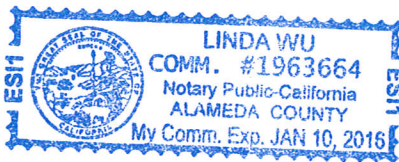
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
 County of Alameda)
 On December 21, 2015 before me, Linda Wu, Notary Public,
 Date Here Insert Name and Title of the Officer
 personally appeared Robert E. Doyle
 Name(s) of Signer(s)

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 [Signature]
 Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____
 Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer Is Representing: _____

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer Is Representing: _____

EXHIBIT A

FCPID 5151

REAL PROPERTY IN THE CITY OF RICHMOND, CONTRA COSTA COUNTY, CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING THOSE PORTIONS OF THE LAND CONVEYED IN THE FINAL ORDER OF CONDEMNATION BY THE SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF CONTRA COSTA, CASE NO. C06-00587, RECORDED MARCH 9, 2011, RECORDER'S SERIAL NUMBER 2011-0051223, OFFICIAL RECORDS OF SAID COUNTY.

BEING ALSO A PORTION OF PARCEL "C" AS SHOWN ON THE RECORD OF SURVEY FILED DECEMBER 21, 1967 IN BOOK 50 OF LAND SURVEYORS MAPS AT PAGES 18 AND 19, OFFICIAL RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION BOUND ON THE WEST BY THE EASTERLY LINE OF PARCEL "II." (A STRIP OF LAND 15 FEET IN WIDTH) AS DESCRIBED IN THE EASEMENT GRANTED TO CONTRA COSTA COUNTY FOR FLOOD CONTROL PURPOSES, RECORDED MAY 20, 1960 IN BOOK 3624 AT PAGE 205, OFFICIAL RECORDS OF SAID COUNTY AND STATE;

BOUND ON THE NORTHEAST BY THE SOUTHWESTERLY LINE OF PARCEL "I." AS DESCRIBED IN SAID FLOOD CONTROL EASEMENT (3624 OR 205);

BOUND ON THE SOUTH AND EAST BY THE SOUTHERLY AND EASTERLY LINES OF SAID PARCEL C (50 LSM 18) DELINEATED AS "NORTH 85°49'40" WEST, 1669.10 FEET;" "NORTH 48°12'23" EAST, 111.28 FEET;" "NORTH 85°49'40" EAST, 117.40 FEET;" "NORTH, 166.90 FEET;" AND "NORTH 64°49'15" WEST, 667.23 FEET;" THERON.

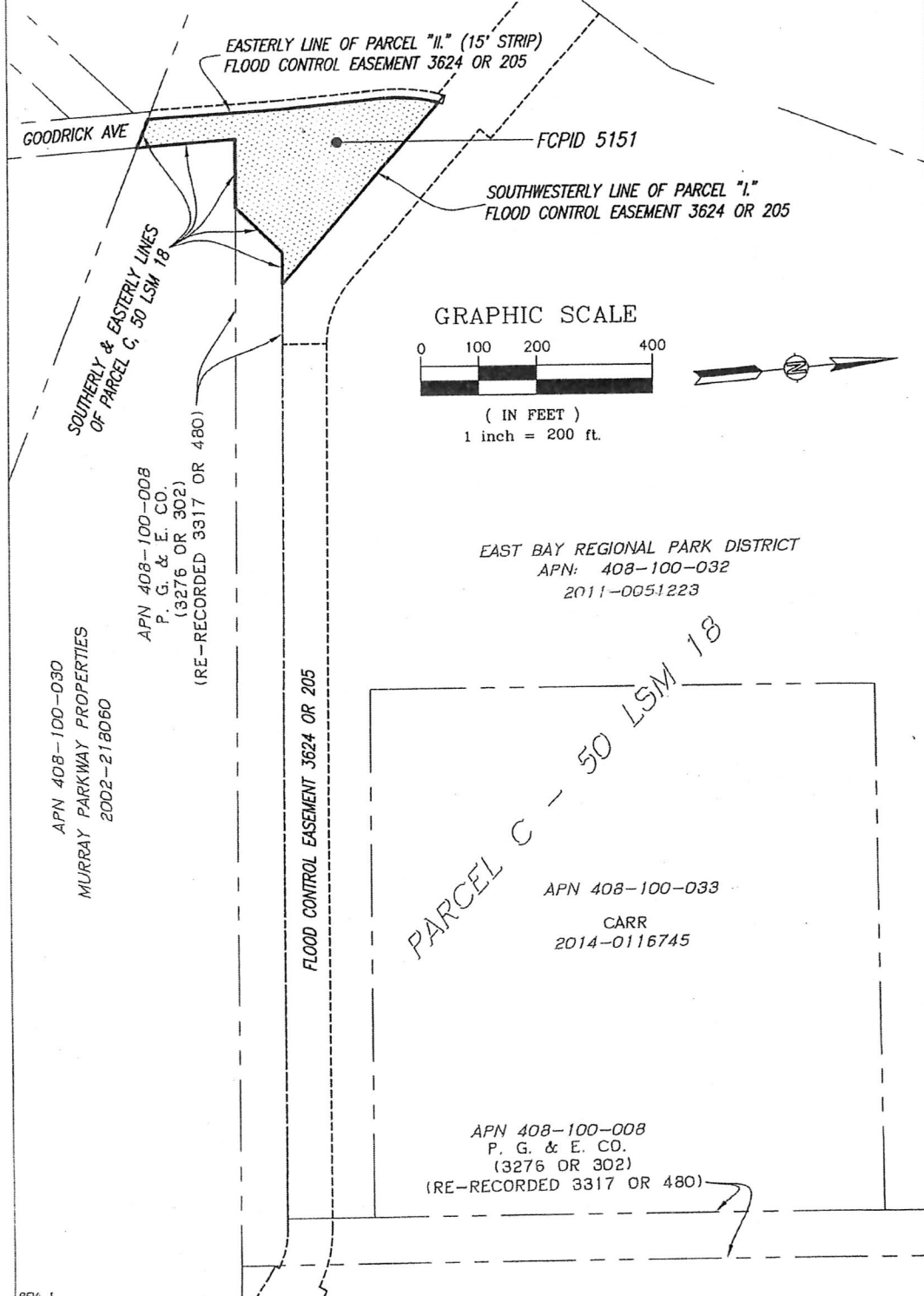
CONTAINING: 65,324 SQ. FT., 1.50 ACRES, MORE OR LESS.

EXHIBIT "A-1" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART OF THIS DESCRIPTION.



DATE: 03/03/2015

EXHIBIT A-1
PLAT TO ACCOMPANY LEGAL DESCRIPTION



REV. 1

KISTER, SAVIO & REI, INC LAND SURVEYORS - CIVIL ENGINEERS 825 SAN PABLO AVENUE PINOLE, CA. 94564	
PHONE: (510) 222-4020	FAX (510) 222-3718
FOR: EAST BAY REGIONAL PARKS	
DATE: 03/03/15	JOB No. 19145
SCALE: 1"=200'	DWG NO. PLAT

C.C.C.F.C & W.C.D.
DRAWING No. FA-20069