

RECORDING REQUESTED OF:  
Contra Costa County

AFTER RECORDING RETURN TO:

Contra Costa County  
General Services Department  
Facilities Management Division  
255 Glacier Drive  
Martinez, CA 94553  
Attention: Karen Laws

APN: 162-493-009 and 162-493-012

(SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE)

## **AMENDMENT TO PARKING EASEMENT AGREEMENT**

Effective Nov. 9, 2017 ("**Effective Date**"), CONTRA COSTA COUNTY, a political subdivision of the State of California ("**County**"), and CONTRA COSTA CINEMA, LLC, a California limited liability company, ("**Cinema**") enter into this Amendment to Parking Easement Agreement ("**Amendment**") to amend that certain Parking Easement Agreement recorded on August 16, 1990, in Book 16056, at Page 631, as Instrument No. 90-167631 in the Official Records of Contra Costa County (the "**Easement Agreement**"), as follows.

### **Recitals**

Whereas, on August 8, 1990, the County and DUFFEL FINANCIAL AND CONSTRUCTION COMPANY, a California corporation ("**Duffel**"), entered into the Easement Agreement to allow the County to use parking spaces on certain real property owned by Duffel, as more particularly described in the Easement Agreement.

Whereas, Cinema now owns the real property previously owned by Duffel and has succeeded to Duffel's interest under the Easement Agreement.

Whereas, the County and Cinema desire to amend certain terms and provisions of the Easement Agreement, as set forth in this Amendment.

### **Amendment**

NOW, THEREFORE, for valuable consideration, the County and Cinema agree to amend the Easement Agreement as follows:

1. **Exhibit "A"** to the Easement Agreement is deleted in its entirety and replaced with new **Exhibit "A-1,"** attached hereto.
2. **Exhibit "A-2"** attached hereto is added as **Exhibit "A-2"** to the Easement Agreement.
3. Section 3 of the Easement Agreement is deleted in its entirety and replaced with the new Section 3 to read as follows:

3. EASEMENT GRANTED TO COUNTY:

Cinema hereby grants to County an exclusive easement, appurtenant to County's adjoining lands to the east, for use of thirty (30) parking spaces, as more particularly described in **Exhibit "A-1"** and depicted in **Exhibit "A-2"**, during the hours of 7:00 a.m. to 5:30 p.m., Monday through Friday, for parking purposes and for no other purposes whatsoever, together with rights of ingress and egress in all of the real property commonly identified as 555 Center Avenue, Martinez, California.

4. Except as expressly herein provided, the Easement Agreement remains in full force and effect.

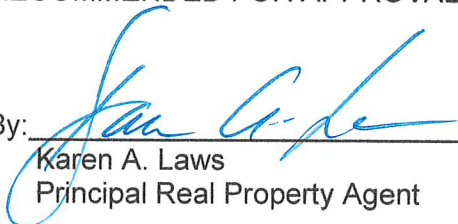
CONTRA COSTA COUNTY, a political  
subdivision of the State of California

By: \_\_\_\_\_  
Brian M. Balbas  
Interim Public Works Director

CONTRA COSTA CINEMA, LLC, a California  
limited liability company

By:  \_\_\_\_\_  
Kyle Conner  
Managing Member

RECOMMENDED FOR APPROVAL:

By:  \_\_\_\_\_  
Karen A. Laws  
Principal Real Property Agent

APPROVED AS TO FORM:  
SHARON L. ANDERSON, County Counsel

By:  \_\_\_\_\_  
Stephen M. Siptroth  
Deputy County Counsel

SMS

## EXHIBIT "A-1"

### Parking Area One - 23 Parking Spaces

Beginning at the most easterly corner of Parcel A of M.S. 551-85, filed August 15, 1985, in Book 117 of Parcel Maps at Page 36, Contra Costa County Records; thence from said point of beginning South 29° 00' 00" West, 31.59 feet; thence south 64° 56'49" West, 111.60 feet; thence North 61° 00' 00" West 115.87 feet; thence North 29° 00' 00", 42.00 feet; thence South 61° 00' 00" East, 118.35 feet to the point of beginning.

### Parking Area Two - 7 Parking Spaces

Beginning at a point on the southerly property line of Parcel A of M.S. 551-85, filed August 15, 1985, in Book 117 of Parcel Maps at Page 36, Contra Costa County Records; that is 165.58 feet from the southwesterly corner of said parcel; thence from said point of beginning South 45° 00' 00" West 18.00 feet; thence South 61° 00' 00" East, 59.50 feet, thence North 45° 00' 00" West 18.00 feet; thence North 61° 00' 00" West, 59.50 feet to the point of beginning.

EXHIBIT "A-2"

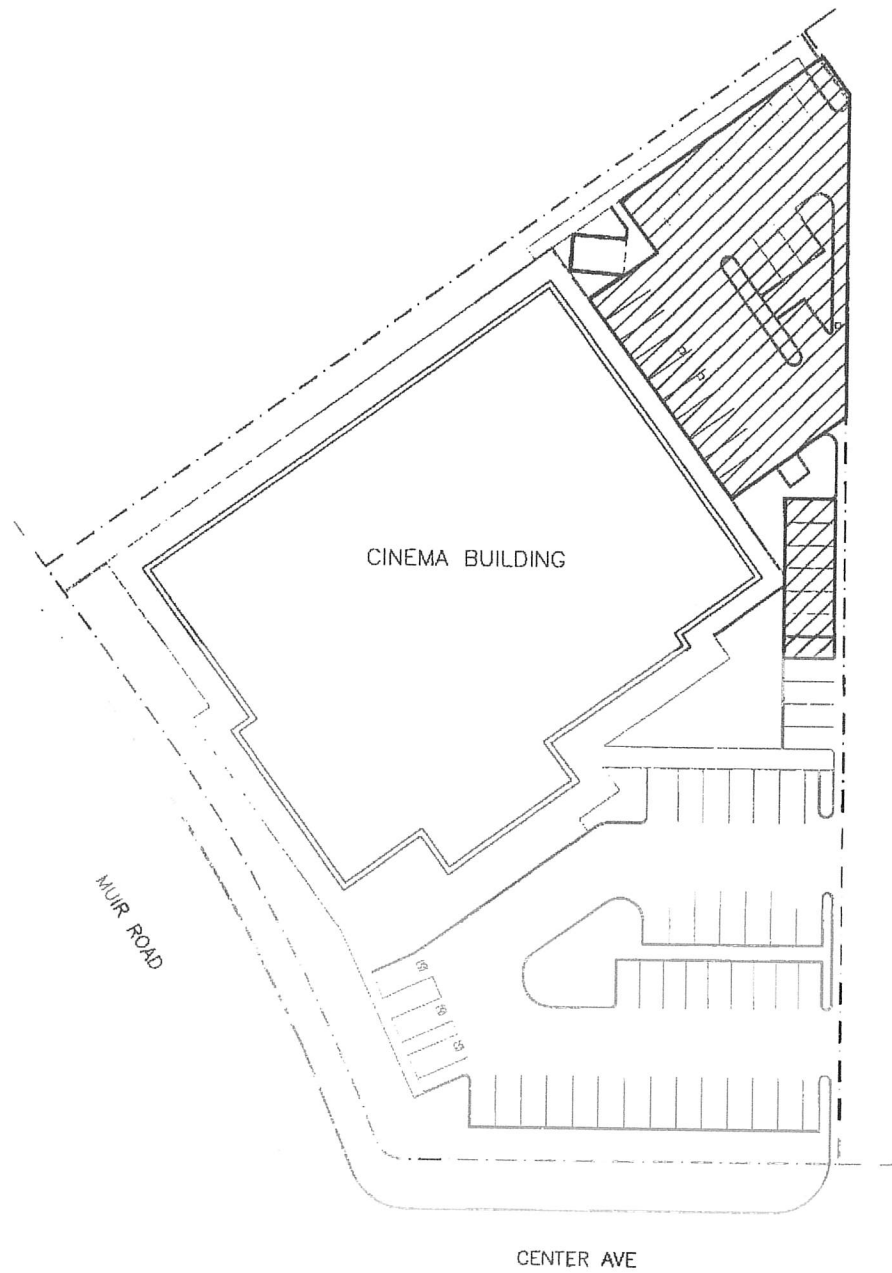


EXHIBIT 1A  
PARKING EASEMENT



-PARKING EASEMENT

### CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

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 )

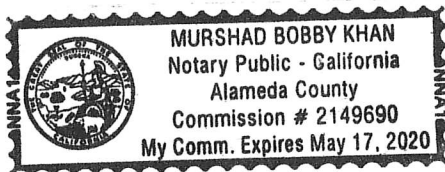
On 9<sup>th</sup>, NOVEMBER 2017 before me, MURSHAD BOBBY KHAN NOTARY PUBLIC  
Date Here Insert Name and Title of Officer

Personally appeared KYLE CONNER  
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 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



Place Notary Seal Above

Signature of Notary Public

### OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

#### Description of Attached Document

Title or Type of Document: AMENDMENT TO PARKING CASSEMENT AGREEMENT

Document Date: 9<sup>th</sup>, NOVEMBER 2017 Number of Pages: 2 - TWO

Signer(s) Other Than Named Above: \_\_\_\_\_

#### Capacity(ies) Claimed by Signer(s)

Signer's Name: KYLE CONNER

- ☒ Individual  
☐ Corporate Officer - Title(s): \_\_\_\_\_  
☐ Partner - ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer - Title(s): \_\_\_\_\_  
☐ Partner - ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER

RIGHT THUMBPRINT  
OF SIGNER