

Recording requested by, and)
when recorded, return to:)
State of California)
Natural Resources Agency)
Bonds & Grants)
1416 Ninth Street, Suite 1311)
Sacramento, CA 95814)

Space above this line for Recorder's use

MEMORANDUM OF UNRECORDED GRANT AGREEMENT/DEED RESTRICTIONS

This Memorandum of Unrecorded Grant Agreement/Deed Restrictions (Memorandum), dated as of _____, is recorded to provide notice of an agreement between the State of California, by and through the Natural Resources Agency ("Agency"), Contra Costa Resource Conservation District ("Grantee"), and Contra Costa County Flood Control and Water Conservation District ("Real Property Owner").

RECITALS

- On or about April 6, 2015, Agency and Grantee entered into a certain Grant Agreement, Grant No. E03109-0 ("Grant"), pursuant to which Agency granted to Grantee certain funds for the development of certain real property, highlighted in red on the attached Exhibit A and incorporated by reference (the "Real Property").
- On or about July 5, 2016, Grantee and Real Property Owner entered into a certain Encroachment Permit/Access Agreement, No. 622-10 ("Access Agreement"), pursuant to which Real Property Owner granted authority to Grantee to implement fish passage improvements on certain Real Property.
- On or about May 19, 2016, Real Property Owner issued a letter to the Grantee regarding Maintenance of Pinole Creek and Fish Passage Project in which the Real Property Owner agreed to accept perpetual responsibility for Maintenance of the improved facility upon acceptance of the work. The work was accepted on February 16, 2017 and recorded on March 3, 2017 as Document No. 2017-0038738-00.
- Under the terms of the Grants, Agency reserved certain rights with respect to the Real Property.
- The Agency desires the Grantee to execute this Memorandum to provide constructive notice to all third parties of certain Agency reserved rights under the Grant.

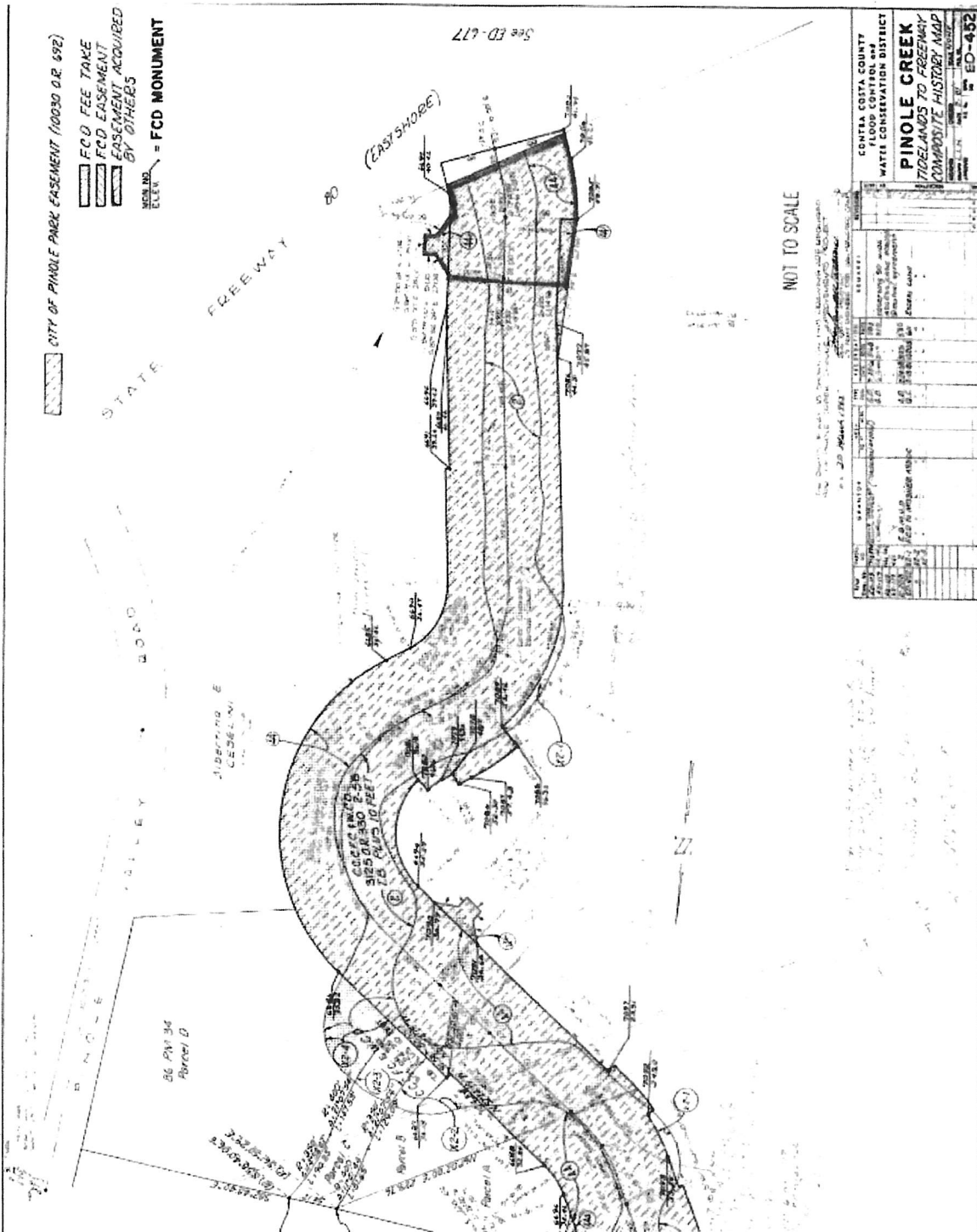
NOTICE

The following are terms of the Grant affecting the Real Property:

- The Real Property (including any portion of it or any interest in it) may not be sold or transferred without the written approval of the State of California, acting through the Natural Resources Agency or its successor, provided that such approval shall not be unreasonably withheld as long as the purposes for which the Grant was awarded are maintained.
- The Real Property Owner shall not use or allow the use of any portion of the Real Property for mitigation without the written permission of the State.
- The Real Property Owner shall not use or allow the use of any portion of the Real Property as security for any debt.

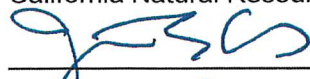
- For additional terms and conditions of the Grants, reference should be made to the Grant Agreements, which are on file with CA Natural Resources Agency, 1416 Ninth Street, Suite 1311, Sacramento, CA 95814, and Contra Costa Resource Conservation District, 5552 Clayton Road, Concord, CA 94521.

Exhibit A: Location Map of the Pinole Creek Fish Passage Project
Project Site is Highlighted in Red



By:

California Natural Resources Agency



Print Name: Julia Alvis

Title: Deputy Assistant Secretary

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.

Certificate of Acknowledgment

State of _____ County of _____

On _____ 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.

Signature _____

(seal)

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 Sacramento)

On 3-13-2018 before me, Sonia A. Windtberg, Notary Public
(insert name and title of the officer)

personally appeared JULIE ALVIS,
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

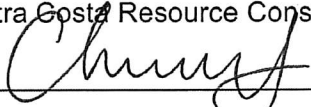
Sonia A. Windtberg

(Seal)



By:

Contra Costa Resource Conservation District


Print Name: CHRISTOPHER LIM

Title: EXECUTIVE DIRECTOR

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.

Certificate of Acknowledgment

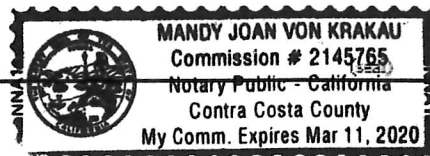
State of CALIFORNIA County of CONTRA COSTA

On MARCH 12, 2018 before me, Mandy Joan von Krakau, ^{Notary public} personally appeared CHRISTOPHER LIM, 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 Mandy Joan von Krakau



By:

Contra Costa County Flood Control and Water Conservation District

Print Name:

Title:

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.

Certificate of Acknowledgment

State of _____ County of _____

On _____ 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.

Signature _____

(seal)