

Recorded at the request of:

Contra Costa County
Public Works Department

Return to:

Contra Costa County
Public Works Department
Records Section

Area: Martinez

Road: Waterbird Way

Co. Road No.: 3882

Development No.: SD17-09459 & LP14-02046

APN: 159-250-019

OFFER OF DEDICATION - DRAINAGE PURPOSES

GONSALVES & SANTUCCI, INC., the undersigned, being the present title owner(s) of record of the herein described parcel of land, does hereby make an irrevocable offer of dedication to CONTRA COSTA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT, a political subdivision of the State of California, and its successors or assigns, of an easement for storm, flood and surface water drainage, including construction, access or maintenance of work, improvements and structures, whether covered or open, or the clearing of obstructions and vegetation, upon the real property situated in the County of Contra Costa, State of California, described in Exhibit "A" (written description) and shown on Exhibit "B" (plat map) attached hereto in support of the Lower Walnut Creek Restoration Project (the "Project").

To the extent permitted by law, and except as otherwise provided herein, the District shall indemnify, defend, and save harmless Grantor, its officers, employees, and agents from and against any and all costs, losses, damages, liabilities, expenses (including reasonable attorneys' fees and costs of defense), claims, and demands of whatever character, (collectively, "Liabilities") to the extent that the Liabilities arise from or are connected with the negligence or willful misconduct of the District, its officers, employees, contractors, or agents while occupying and using the Drainage Easement.

Grantor acknowledges: that the District's Project is a public project that will be constructed on public property owned by the District; that, under state law, any Project subcontractor's sole remedy for nonpayment would be to file a stop payment notice with the District; and that on publicly-owned projects located on public property, a mechanic's lien cannot be used to secure a payment obligation.

However, if a District contractor, or a subcontractor, performing work on the Project records a mechanic's lien against property owned by the Grantor to seek to assert or secure a claim to payment on the District's Project, the District, at its expense, will be responsible for taking actions necessary to cause the lien to be released or expunged.

It is understood and agreed that CONTRA COSTA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT and its successors or assigns shall incur no liability with respect to such offer of dedication, and shall not assume any responsibility for the offered parcel of land or any improvements thereon or therein, until such offer has been accepted by appropriate action of the Board of Supervisors, or of the local governing bodies of its successors or assigns.

The provisions hereof shall inure to the benefit of and be binding upon heirs, successors, assigns, and personal representatives of the respective parties hereto.

The undersigned executed this instrument on 1/5/21 (Date).

Gonsalve & Santucci, Inc.

(Name of owner as shown in title report)

(Signature) [Handwritten Signature]
(Print Name & Title) James S. Santucci, VICE PRESIDENT

(Signature) [Handwritten Signature]
(Print Name & Title) General Counsel

(See attached notary)

EXHIBIT "A"

Real property located in an unincorporated area of the County of Contra Costa, State of California, being a portion of Section 15, Township 2 North, Range 2 West, Mount Diablo Meridian, also being a portion of the property described as Parcel 2 in the Certificate of Compliance for Lot Line Adjustment LLA 01-0032., recorded March 6, 2003 in Recorder's Series Number 2003-0104328, Contra Costa County records, described as follows:

Drainage Easement FCPID 5249

Commencing at the north corner of said Parcel 2 (2003-0104328); thence, along the north line of said Parcel 2, south 49°26'51" west for a distance of 73.10 feet to the beginning of a non-tangent curve, concave to the west, having a radius of 211.00 feet and the center point of which bears south 52°35'29" west, said point being the Point of Beginning; thence leaving said north line of Parcel 2, along said curve through a central angle of 50°39'06" for an arc distance of 186.53 feet; thence south 13°14'35" west for a distance of 79.00 feet; thence south 5°16'01" east for a distance of 422.88 feet; thence south 5°03'01" east for a distance of 49.21 feet to the beginning of a tangent curve, concave to the northeast and having a radius of 18.00 feet; thence along said curve through a central angle of 90°00'00" for an arc distance of 28.27 feet; thence north 84°56'59" east for a distance of 36.72 feet to a point on the east line of said Parcel 2, and the beginning of a non-tangent curve, concave to the east, having a radius of 10,660.00 feet and the center point of which bears north 83°26'14" east; thence along said east line of Parcel 2 and along said curve through a central angle of 2°38'56" for an arc distance of 492.83 feet; thence continuing along said east line of Parcel 2, south 9°12'42" east for a distance of 70.03 feet; thence leaving said east line of Parcel 2, north 69°59'19" west for a distance of 41.99 feet to the beginning of a tangent curve, concave to the southeast, having a radius of 15.00 feet; thence along said curve through a central angle of 119°09'24" for an arc distance of 31.20 feet; thence south 9°08'43" east for a distance of 249.81 feet to the beginning of a tangent curve, concave to the northeast, having a radius of 22.00 feet; thence along said curve through a central angle of 86°23'03" for an arc distance of 33.17 feet; thence north 84°28'15" east for a distance of 38.75 feet to a point on said east line of Parcel 2; thence along said east line of Parcel 2 south 9°12'42" east for a distance of 66.54 feet; thence continuing along said east line of Parcel 2 south 14°51'46" east for a distance of 97.63 feet; thence leaving said east line of Parcel 2 south 83°53'54" west for a distance of 53.65 feet to the beginning of a tangent curve, concave to the northeast, having a radius of 122.00 feet; thence along said curve through a central angle of 86°57'23" for an arc distance of 185.16 feet; thence north 9°08'43" west for a distance of 460.39 feet; thence

north 8°12'54" west for a distance of 249.10 feet; thence north 5°15'07" west for a distance of 241.36 feet; thence north 5°16'01" west for a distance of 382.26 feet; thence north 13°54'59" west for a distance of 103.72 feet to the beginning of a non-tangent curve, concave to the southwest, having a radius of 58.00 feet and the center point of which bears south 83°34'42" west; thence along said curve through a central angle of 75°07'05" for an arc distance of 76.04 feet to a point on said north line of Parcel 2; thence along said north line of Parcel 2 north 40°39'04" east for a distance of 92.72 feet; thence continuing along said north line of Parcel 2 north 49°26'51" east for a distance of 118.67 feet to the Point of Beginning.

Containing 219,703 square feet (5.044 acres), more or less

Exhibit "B", a plat is attached hereto, and by this reference, made a part hereof.

This real property description has been prepared by me or under my direction, in conformance with the Professional Land Surveyors Act.

Signature: *James A. Stein*

Licensed Land Surveyor
Contra Costa County Public Works Department

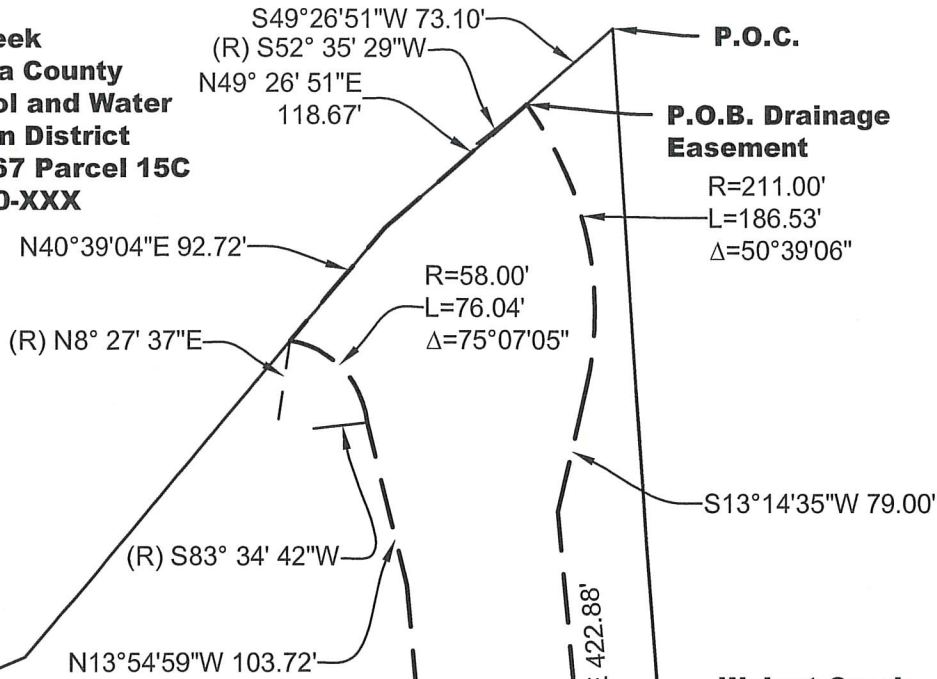
Date: 11/23/2020



EXHIBIT "B"

PLAT TO ACCOMPANY EXHIBIT "A"

**Pacheco Creek
Contra Costa County
Flood Control and Water
Conservation District
5060 O.R. 567 Parcel 15C
APN 159-250-XXX**



P.O.C.

**P.O.B. Drainage
Easement**

R=211.00'
L=186.53'
Δ=50°39'06"

R=58.00'
L=76.04'
Δ=75°07'05"

S13°14'35"W 79.00'

**Walnut Creek
Contra Costa County Flood
Control and Water
Conservation District
5060 O.R. 567 Parcel 15B
APN 159-260-XXX**

**Parcel Two
of LLA 01-0032
2003-104328
APN 159-250-019**

FCPID 5249

S5°03'01"E 49.21'
R=18.00'
L=28.27'
Δ=90°00'00"

(R) N83° 26' 14"E

R=10660.00'
L=492.83'
Δ=2°38'56"

N5°15'07"W 241.36'

N84° 56' 59"E
36.72'

N5°16'01"W 382.26'

S5°16'01"E 422.88'

See Sheet 2 of 2



File Path K:\surveys\Flood Control\WO8285 Lower Walnut Crk Restoration\ACAD\WO 8285 Lower Walnut Creek Restoration Easements.dwg Plot Date: 11/23/2020 1:37:58 PM

Drainage Easement FCPID 5249

Instr _____ Recorded _____

Series # _____



Contra Costa County
Public Works Department
255 Glacier Drive
Martinez, CA 94553

SCALE: 1"=120'

DATE: 11/23/2020

DRAWN BY: BD

DRAWING NO.

CHECKED BY: JS

FA-20156

See Sheet 1 of 2

N5°15'07"W 241.36'

N84° 56' 59"E
36.72'

(R) N83° 26' 14"E

EXHIBIT "B"

PLAT TO ACCOMPANY EXHIBIT "A"



N8°12'54"W 249.10'

FCPID 5249

R=10660.00'

L=492.83'

Δ=2°38'56"

**Pacheco Creek
Contra Costa County Flood
Control and Water
Conservation District
5060 O.R. 567 Parcel 15B
APN 159-260-XXX**

**Parcel Two
of LLA 01-0032
2003-104328
APN 159-250-019**

R=15.00'
L=31.20'
Δ=119°09'24"

S9° 12' 42"E
70.03'

N9°08'43"W 460.39'

N69° 59' 19"W
41.99'

R=22.00'
L=33.17'
Δ=86°23'03"

N84° 28' 15"E
38.75'

S9° 12' 42"E
66.54'

S14° 51' 46"E
97.63'

R=122.00'
L=185.16'
Δ=86°57'23"

S83°53'54"W 53.65'

Drainage Easement FCPID 5249



Contra Costa County
Public Works Department
255 Glacier Drive
Martinez, CA 94553

Instr _____ Recorded _____

Series # _____

SCALE: 1"=120'

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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 Contra Costa }

On January 5, 2021 before me, Cynthia Marie Lohman, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Joseph Sosteric
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.

Place Notary Seal and/or Stamp Above

Signature Cynthia Marie Lohman
Signature of Notary Public

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 of Conservator

Other: _____

Signer is Representing: _____

Signer's Name: _____

Corporate Officer – Title(s): _____

Partner – Limited General

Individual Attorney in Fact

Trustee Guardian of Conservator

Other: _____

Signer is Representing: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

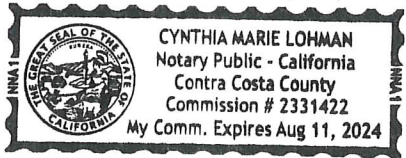
CIVIL CODE § 1189

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 Contra Costa }

On January 5, 2021 before me, Cynthia Marie Lohman, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Mariah P. Garcia
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 Cynthia Marie Lohman
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

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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: _____ Signer's Name: _____
 Corporate Officer – Title(s): _____ Corporate Officer – Title(s): _____
 Partner – Limited General Partner – Limited General
 Individual Attorney in Fact Individual Attorney in Fact
 Trustee Guardian of Conservator Trustee Guardian of Conservator
 Other: _____ Other: _____
Signer is Representing: _____ Signer is Representing: _____