

**Recorded at the request of:**  
Contra Costa County  
Engineering Services Division

**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, 159-250-021, & 159-250-022

## **OFFER OF DEDICATION - ACCESS EASEMENT**

GONSALVES & SANTUCCI, INC., the undersigned, being the present title owner of record of the herein described parcel of land, do hereby make an irrevocable offer of dedication to **CONTRA COSTA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT** and its successors or assigns, an easement for access purposes, over 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 Access 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 body of its successors or assigns.

In the event **CONTRA COSTA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT**, or its successors and assigns, on behalf of the public, should determine that the use of said property or any portion thereof is no longer needed, the rights herein given shall terminate as to those portions not needed and revert to the undersigned owner or 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 1/5/2021 (Date).

Consalves & Santucci, Inc.

\_\_\_\_\_

\_\_\_\_\_  
(Name of owner as shown in title report)

(Signature) [Handwritten Signature], VICE PRESIDENT  
(Print Name & Title)

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

(See attached notary)

**EXHIBIT "A"**

Real property located in an unincorporated area of the County of Contra Costa, State of California, being portions of Section 15 and the Northwest Quarter of Section 22, Township 2 North, Range 2 West, Mount Diablo Meridian, also being a portion of that parcel described in the Grant Deed from LandBank Baker, L.L.C. to Gonsalves & Santucci, Inc. recorded July 2, 2002 in Recorder's Series Number 2002-0232100, Contra Costa County records, described as follows:

**Access Easement 1 FCPID 5250**

Commencing at the east corner of said parcel (2002-0232100); thence along the southeast line of said parcel (2002-0232100), south 33°05'10" west for a distance of 243.09 feet to the southwest corner of that parcel described in the Grant Deed from Gonsalves & Santucci, Inc. to Central Contra Costa Sanitary District recorded on August 6, 2007 at Recorder's Series Number 2007-0224784; thence along the southwest line of said Parcel (2007-0224784), north 29°37'46" west for a distance of 14.67 feet to the Point of Beginning; thence leaving said southwest line, south 33°05'10" west for a distance of 9.05 feet to the beginning of a tangent curve, concave to the northwest, having a radius of 122.78 feet; thence along said curve through a central angle of 5°27'41" for an arc distance of 11.70 feet; thence south 38°32'51" west for a distance of 76.27 feet to the beginning of a tangent curve, concave to the southeast, having a radius of 121.78 feet; thence along said curve through a central angle of 6°14'59" for an arc distance of 13.28 feet; thence south 32°17'52" west for a distance of 245.64 feet to the beginning of a tangent curve, concave to the northwest, having a radius of 135.00 feet; thence along said curve through a central angle of 47°46'41" for an arc distance of 112.57 feet to the beginning of a tangent curve, concave to the north, having a radius of 5,389.00 feet; thence along said curve through a central angle of 2°34'31" for an arc distance of 242.22 feet to the beginning of a tangent curve, concave to the southeast, having a radius of 47.07 feet; thence along said curve through a central angle of 83°30'18" for an arc distance of 68.60 feet to the beginning of a tangent curve, concave to the east, having a radius of 55.24 feet; thence along said curve through a central angle of 13°02'36" for an arc distance of 12.58 feet a point on a southerly line of said Gonsalves & Santucci, Inc. Parcel (2002-0232100); thence along said southerly line south 70°49'26" west, 25.07 feet to the beginning of a non-tangent curve concave to the east having a radius of 80.24 feet, the central point of which bears north 74°27'20" east; thence leaving said southerly line and along said curve through a central angle of 14°41'27" for an arc distance of 20.57 feet to the beginning of a tangent curve, concave to the southeast and having a radius of

72.07 feet; thence along said curve through a central angle of 83°30'18" for an arc distance of 105.04 feet to the beginning of a tangent curve, concave to the north, having a radius of 5,364.00 feet; thence along said curve through a central angle of 2°34'31" for an arc distance of 241.10 feet to the beginning of a tangent curve, concave to the northwest, having a radius of 110.00 feet; thence along said curve through a central angle of 47°46'41" for an arc distance of 91.73 feet; thence north 32°17'52" east for a distance of 245.64 feet to the beginning of a tangent curve, concave to the southeast, having a radius of 146.78 feet; thence along said curve through a central angle of 6°14'59" for an arc distance of 16.01 feet; thence north 38°32'51" east for a distance of 76.27 feet to the beginning of a tangent curve, concave to the northwest, having a radius of 97.78 feet; thence along said curve through a central angle of 5°27'41" for an arc distance of 9.32 feet; thence north 33°05'10" east for a distance of 21.95 feet to a point on said southwest line of said Central Contra Costa Sanitary District Parcel (2007-0224784); thence along said southwest line, south 29°37'46" east for a distance of 28.13 feet to the Point of Beginning;

Containing 20,244 square feet (0.465 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: 10/20/2020



# EXHIBIT "B"

## PLAT TO ACCOMPANY EXHIBIT "A"



**Gonsalves & Santucci, Inc.**  
**(Conco Site)**  
**2002-0232100**  
**APN 159-250-021**

**Central Contra Costa  
 Sanitary District**  
**2007-0224784**  
**APN 159-250-020**

**Gonsalves &  
 Santucci, Inc.**  
**(Conco Site)**  
**2002-0232100**  
**APN 159-250-022**

**Parcel Two of  
 LLA 01-0032**  
**2003-104328**  
**APN 059-250-019**

**P.O.C.**

**S33°05'10"W 243.09'**

**BNSF Railroad**

**P.O.B.  
 Access  
 Easement**

**N33° 05' 10"E**  
 21.95'

**R=97.78'**  
**L=9.32'**  
 $\Delta=5^{\circ}27'41''$

**S29° 37' 46"E**  
 28.13'

**N38° 32' 51"E**  
 76.27'

**R=146.78'**  
**L=16.01'**  
 $\Delta=6^{\circ}14'59''$

**N29° 37' 46"W**  
 14.67'

**S33° 05' 10"W**  
 9.05'

**R=122.78'**  
**L=11.70'**  
 $\Delta=5^{\circ}27'41''$

**S38° 32' 51"W**  
 76.27'

**R=121.78'**  
**L=13.28'**  
 $\Delta=6^{\circ}14'59''$

**FCPID 5250**

**25'**

**N32° 17' 52"E**  
 245.64'

**S32° 17' 52"W**  
 245.64'

**Central Contra Costa  
 Sanitary District**  
**Book 8698 O.R. Page 644**  
**APN 159-140-050**

See Sheet 2 of 2

### Access Easement 1 FCPID 5250

Instr \_\_\_\_\_ Recorded \_\_\_\_\_

Series # \_\_\_\_\_



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

**SCALE:** 1"=80'

**DATE:** 10/19/2020

**DRAWN BY:** BD

**DRAWING NO.**

**CHECKED BY:** JS

**FA-20157**

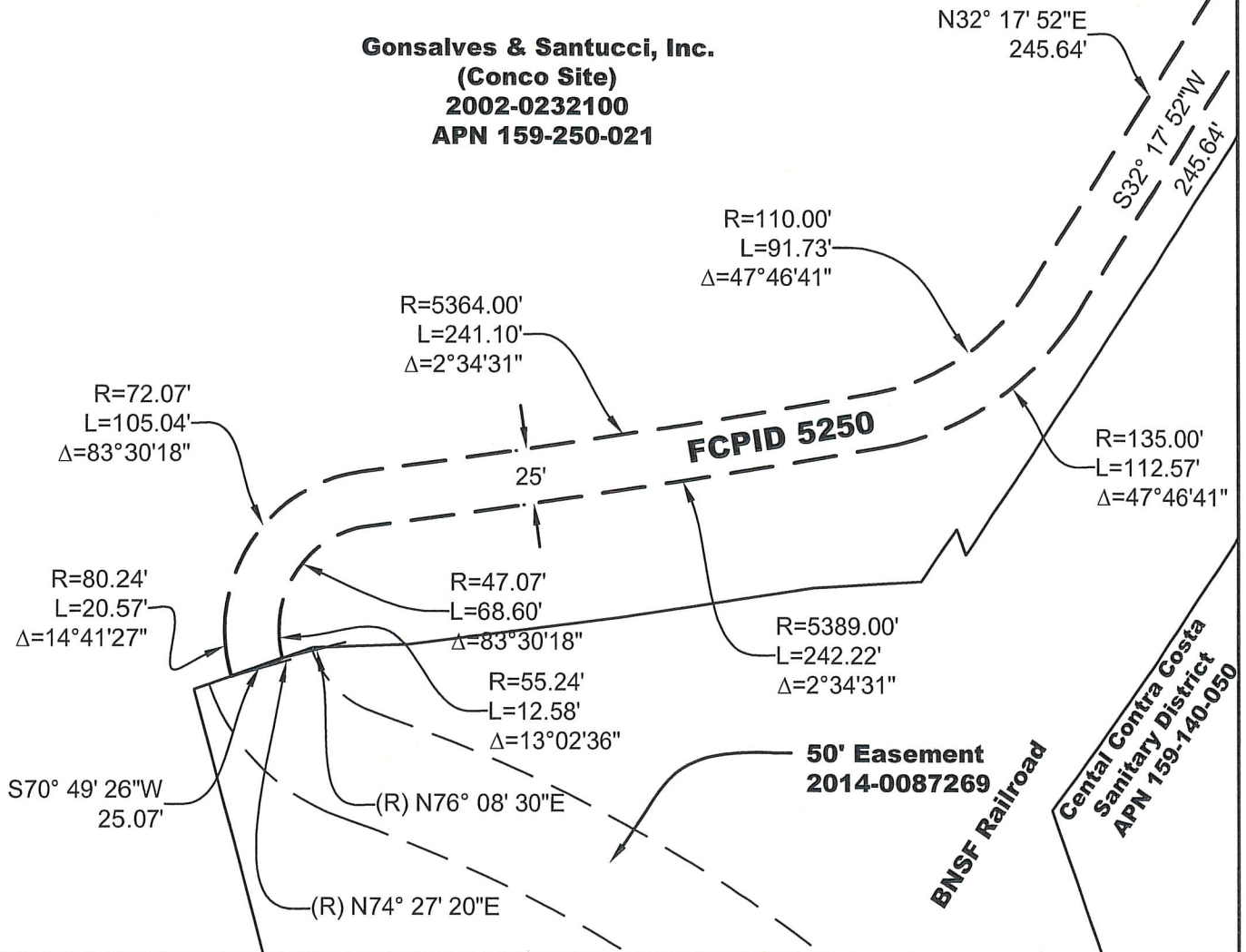
# EXHIBIT "B"

## PLAT TO ACCOMPANY EXHIBIT "A"



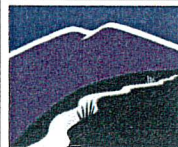
See Sheet 1 of 2

**Gonsalves & Santucci, Inc.**  
**(Conco Site)**  
**2002-0232100**  
**APN 159-250-021**



### Access Easement 1 FCPID 5250

Instr \_\_\_\_\_ Recorded \_\_\_\_\_  
 Series # \_\_\_\_\_



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

SCALE: 1"=80'

DATE: 10/19/2020

DRAWN BY: BD

DRAWING NO.

CHECKED BY: JS

FA-20157

**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, also being a portion of that parcel described in the Grant Deed from LandBank Baker, L.L.C. to Gonsalves & Santucci, Inc. recorded July 2, 2002 in Recorder's Series Number 2002-0232100, Contra Costa County records, described as follows

**Access Easement 3 FCPID 5252**

Commencing at the south corner of said Parcel 2 (2003-0104328); thence, along the southeast line of said parcel (2002-0232100), south 33°05'10" west for a distance of 130.58 feet to the southeast corner of that parcel described in the Grant Deed from Gonsalves & Santucci, Inc. to Central Contra Costa Sanitary District recorded on August 6, 2007 at Recorder's Series Number 2007-0224784; thence along the northeast line of said Parcel (2007-0224784), north 29°37'46" west for a distance of 14.67 feet to the Point of Beginning; thence continuing along the northeast line of said Parcel (2007-0224784), north 29°37'46" west for a distance of 28.25 feet to the beginning of a non-tangent curve, concave to the west, having a radius of 87.50 feet, the central point of which bears north 59°45'28" west; thence along said curve through a central angle of 60°45'03" for an arc distance of 92.78 feet; thence north 30°30'32" west for a distance of 62.50 feet; thence north 59°29'28" east for a distance of 71.99 feet to a point on the west line of said Parcel 2 (2003-0104328); thence continuing north 59°29'28" east for a distance of 51.15 feet to the beginning of a tangent curve, concave to the northwest, having a radius of 87.50 feet; thence along said curve through a central angle of 26°00'31" for an arc distance of 39.72 feet; thence north 33°28'58" east for a distance of 774.63 feet to the beginning of a tangent curve, concave to the west, having a radius of 107.50 feet; thence along said curve through a central angle of 64°03'23" for an arc distance of 120.18 feet; thence north 30°34'25" west for a distance of 210.34 feet to the beginning of a tangent curve, concave to the east, having a radius of 122.78 feet; thence along said curve through a central angle of 20°51'45" for an arc distance of 44.71 feet; thence north 9°42'40" west for a distance of 9.70 feet; thence north 81°23'39" east for a distance of 20.50 feet; thence north 68°01'43" east for a distance of 102.33 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 5,130.00 feet and the central point of which bears north 81°13'04" east; thence along said east line of Parcel 2 and along said curve through a central angle of

3°54'19" for an arc distance of 349.67 feet; thence leaving said east line of Parcel 2 south 33°28'58" west for a distance of 844.22 feet to the beginning of a tangent curve, concave to the northwest, having a radius of 112.50 feet; thence along said curve through a central angle of 26°00'31" for an arc distance of 51.07 feet; thence south 59°29'28" west for a distance of 51.24 feet to said west line of Parcel 2; thence continuing south 59°29'28" west for a distance of 17.40 feet to the beginning of a tangent curve, concave to the east, having a radius of 29.50 feet; thence along said curve through a central angle of 90°00'00" for an arc distance of 46.34; thence south 30°30'32" east for a distance of 8.00 feet to the beginning of a tangent curve concave to the west, having a radius of 112.50 feet; thence along said curve through a central angle of 63°35'42" an arc distance of 124.87 feet; thence south 33°05'10" west for a distance of 8.61 feet to the Point of Beginning;

Containing 54,176 square feet (1.244 acres), more or less.

The location of said easement to follow over and across those portions of said Parcel 2 at the location herein described, and as it may be relocated from time to time by such other route, maintaining a minimum width of 24.00 feet, as mutually agreed upon by the parties hereto.

**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: 

Licensed Land Surveyor  
Contra Costa County Public Works Department

Date: 11/13/2020





# EXHIBIT "B"

PLAT TO ACCOMPANY EXHIBIT "A"

See Sheet 2 of 2



**IT Corporation  
Parcel 2  
2001-315918  
APN 159-250-014**

**Gonsalves &  
Santucci, Inc.  
(Conco Site)  
2002-0232100  
APN 159-250-022**

**Central Contra Costa  
Sanitary District  
2007-0224784  
APN 159-250-020**

**FCPID 5252  
Parcel Two of LLA 01-0032  
2003-104328 APN 059-250-019**

**BNSF Railroad**

**Central Contra Costa  
Sanitary District  
Book 8698 O.R. Page 644  
APN 159-140-050**

R=87.50'  
L=39.72'  
 $\Delta=26^{\circ}00'31''$   
N59° 29' 28"E  
51.15'

N59° 29' 28"E  
71.99'

R=112.50'  
L=51.07'  
 $\Delta=26^{\circ}00'31''$

S59° 29' 28"W  
51.24'  
S59° 29' 28"W  
17.40'

**P.O.C.** R=29.50'  
L=46.34'  
 $\Delta=90^{\circ}00'00''$

N30° 30' 32"W  
62.50'  
R=87.50'  
L=92.78'  
 $\Delta=60^{\circ}45'03''$

S30° 30' 32"E  
8.00'  
R=112.50'  
L=124.87'  
 $\Delta=63^{\circ}35'42''$

(R) N59° 45' 28"W  
N29° 37' 46"W  
28.25'

S33° 05' 10"W  
130.58'

**P.O.B.  
Access Easement**

N29° 37' 46"W  
14.67'  
S33° 05' 10"W  
8.61'

## Access Easement 3 FCPID 5252



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

Instr \_\_\_\_\_ Recorded \_\_\_\_\_

Series # \_\_\_\_\_

SCALE: 1"=100'

DATE: 10/19/2020

DRAWN BY: BD

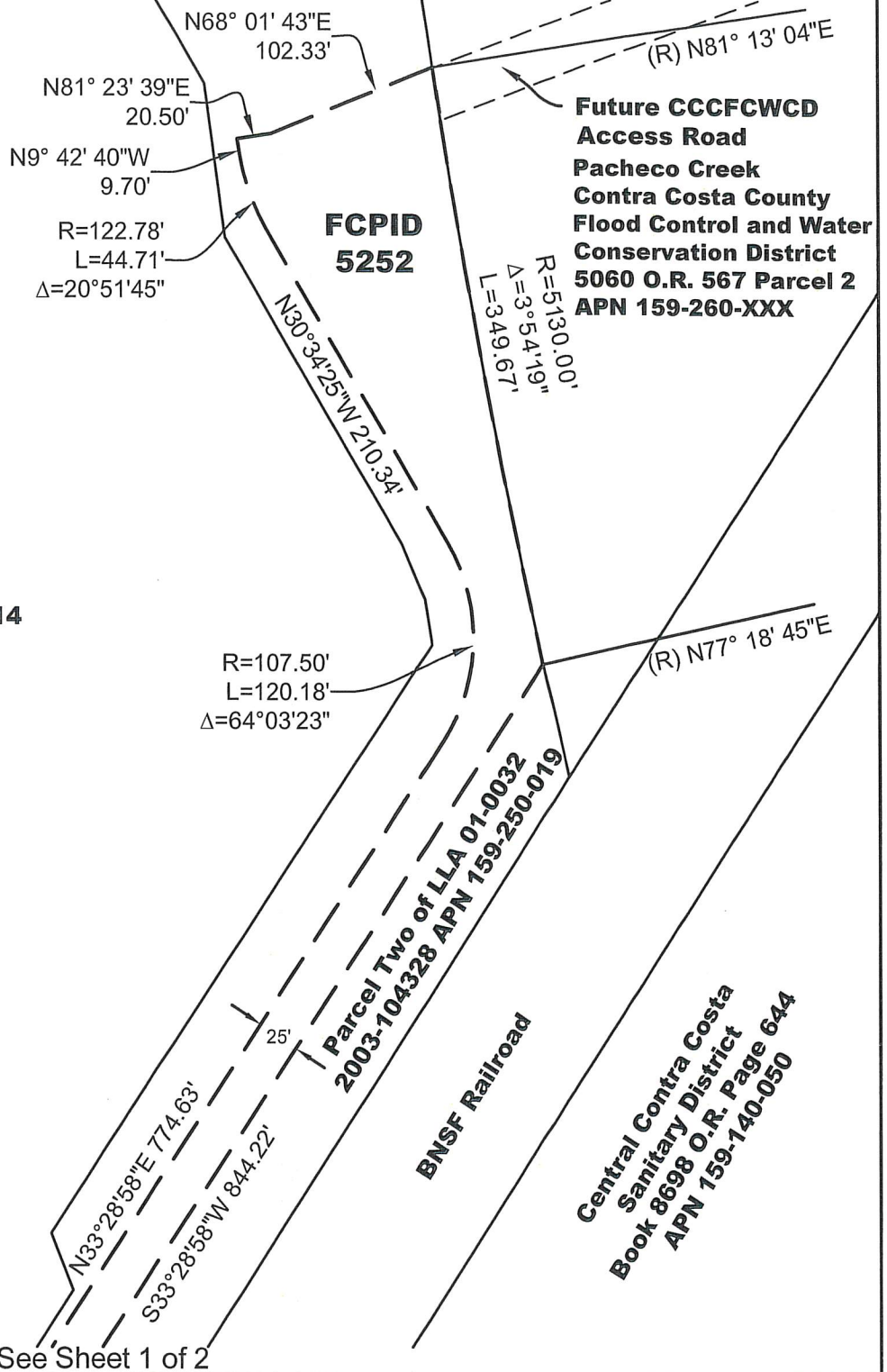
DRAWING NO.

CHECKED BY: JS

FA-20159

# EXHIBIT "B"

## PLAT TO ACCOMPANY EXHIBIT "A"



**IT Corporation  
Parcel 2  
2001-315918  
APN 159-250-014**

**Future CCCFCWCD  
Access Road  
Pacheco Creek  
Contra Costa County  
Flood Control and Water  
Conservation District  
5060 O.R. 567 Parcel 2  
APN 159-260-XXX**

R=107.50'  
L=120.18'  
Δ=64°03'23"

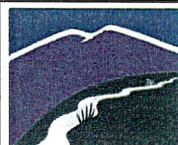
R=5130.00'  
Δ=3°54'19"  
L=349.67'

(R) N77° 18' 45"E

See Sheet 1 of 2

### Access Easement 3 FCPID 5252

Instr \_\_\_\_\_ Recorded \_\_\_\_\_  
Series # \_\_\_\_\_



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

SCALE: 1"=100'

DATE: 10/19/2020

DRAWN BY: BD

DRAWING NO.

CHECKED BY: JS

FA-20159

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

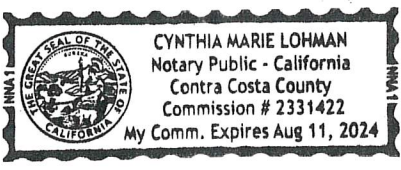
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

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 Sostaric  
*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**

*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: \_\_\_\_\_

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: \_\_\_\_\_

**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**

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: _____	Signer's Name: _____
<input type="checkbox"/> Corporate Officer – Title(s): _____	<input type="checkbox"/> Corporate Officer – Title(s): _____
<input type="checkbox"/> Partner – <input type="checkbox"/> Limited <input type="checkbox"/> General	<input type="checkbox"/> Partner – <input type="checkbox"/> Limited <input type="checkbox"/> General
<input type="checkbox"/> Individual <input type="checkbox"/> Attorney in Fact	<input type="checkbox"/> Individual <input type="checkbox"/> Attorney in Fact
<input type="checkbox"/> Trustee <input type="checkbox"/> Guardian of Conservator	<input type="checkbox"/> Trustee <input type="checkbox"/> Guardian of Conservator
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
Signer is Representing: _____	Signer is Representing: _____