

Recorded at the request of:  
Contra Costa County Flood Control  
And Water Conservation District

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

Mail Tax Statements to:  
Gonsalves & Santucci, Inc.  
5141 Commercial Circle  
Concord, CA 94520

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**EXEMPT FROM RECORDING FEES PURSUANT TO GOV'T. CODE SECTION 27383 AND DOCUMENTARY TRANSFER TAX PURSUANT TO  
REVENUE AND TAXATION CODE SECTION 11922.**

Portion of Assessor's Parcel Nos. 159-250-006 and 159-250-021

### **GRANT OF EASEMENT (INGRESS & EGRESS)**

**THIS INDENTURE**, made by and between **GONSALVES & SANTUCCI, INC.**, a California corporation, hereinafter called the GRANTOR, and **CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT**, a flood control district, organized under the laws of the State of California, hereinafter called the GRANTEE,

#### **WITNESSETH:**

That the GRANTOR, for value received, hereby grants to the 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 unincorporated area of the County of Contra Costa, State of California, as follows:

#### **AS DESCRIBED ON EXHIBIT "A-2" AND SHOWN ON EXHIBIT "B-2" ATTACHED HERETO AND MADE A PART HEREOF.**

The easement herein granted shall include the right by said GRANTEE, its officers, agents and employees, and by persons under contract with it and their employees whenever and wherever necessary for ingress and egress purposes, to enter upon said land with personnel, vehicles and equipment, to remove all trees, vegetation and structures thereon that interfere with the purpose for which the easement herein is granted.


The location of Access Easement 4, described in Exhibit "A" may be relocated from time to time as mutually agreed upon by Grantor and District's Chief Engineer, or designee, provided that the Chief Engineer, or designee, determines such relocated Access Easement 4 is consistent with being substantially the same dimensions, having the substantially the same contiguity, and providing substantially the same access, as Access Easement 4 described in Exhibit "A." Upon any relocation of Access Easement 4, in accordance with the terms hereof, the parties will prepare an Exhibit "A" and, if necessary, amendment to this Grant of Easement to document the relocation.

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 Roadway Property.

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

**IN WITNESS WHEREOF**, the GRANTOR has executed this indenture this 5<sup>th</sup> day of April, 2021.

  
\_\_\_\_\_  
Name: JOE SOSTARI  
Title: VICE PRESIDENT

  
\_\_\_\_\_  
Name: Holly Bentucci  
Title: CFD - V.P.

**ABOVE SIGNATURES MUST BE NOTARIZED**

Access Easement 4  
Gonsalves & Santucci Inc.  
Portion of APN 169-250-021 and 169-250-008

### EXHIBIT "A-2"

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 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, and a portion of that parcel described as Lot 1 of Lot Line Adjustment #LL03-83 in the Corporation Grant Deed from Vinehill Investments, Inc. to Gonsalves & Santucci, Inc. recorded April 12, 2004 at Recorder's Series Number 2004-0125820, Contra Costa County records, described as follows:

Access Easement 4 FCPID 5253

An easement, having a minimum width of 25.00 feet, to provide ingress and egress from the Burlington Northern Santa Fe Railroad Right of Way at a location designated as Access Location "A" to the Contra Costa County Flood Control and Water Conservation District's Right of Way at a location designated as Access Location B as shown on attached Exhibit B over and across said Parcel (2002-0232100) and said Lot 1.

The location of said easement to follow an existing roadway within said Parcel (2002-0232100) and said Lot 1 as it has currently been constructed, the approximate location thereof shown on attached Exhibit B or as it may be relocated from time to time by such other route mutually agreed upon by the parties hereto.

Containing 26,790 square feet (0.615 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: \_\_\_\_\_

10/30/2020



# EXHIBIT "B-2"

## PLAT TO ACCOMPANY EXHIBIT "A-2"

Discovery Builders, Inc.  
Lot 2 of Lot Line  
Adjustment LLQ3-83  
APN 380-030-048

Pacheco Creek  
Contra Costa County Flood  
Control and Water  
Conservation District  
5898 O.R. 588

Gonsalves & Santucci, Inc.  
(Conco Site)  
2602-0232100  
APN 169-260-021

Gonsalves & Santucci, Inc.  
2004-0128820  
Lot 1 of Lot Line  
Adjustment LLQ3-83  
APN 169-260-008

Approximate location  
Access Easement  
(25' min width)

Access Location "B"

Access Location "A"

BN&P  
Railroad

BN&P  
Railroad

**Access Easement 4**  
**FCPID 5253**

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

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



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

SCALE: 1"=150'

DATE: 10/19/2020

DRAWN BY: BD

DRAWING NO.

CHECKED BY: JS

FA-20160