

RECORDING REQUESTED BY
Contra Costa County
Public Works Department

WHEN RECORDED MAIL TO:

Contra Costa County
Public Works Department
Real Estate Division
255 Glacier Drive
Martinez, CA 94553
Attn: Olivia Reynolds-Freeman

Mail Tax Statements To:
Contra Costa Water District
C/o Real Property Management
P.O. Box H20
Concord, CA 94524

ROADWAY EASEMENT DEED

SPACE ABOVE THIS LINE FOR RECORDER'S USE

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 A.P.N. 007-160-014

THIS INDENTURE, made by and between CONTRA COSTA WATER DISTRICT, a California special district, hereinafter called the GRANTOR, and CONTRA COSTA COUNTY, a political subdivision of the State of California, hereinafter called the GRANTEE.

That the GRANTOR, for value received, hereby grants to GRANTEE and its successors and assigns a perpetual, non-exclusive easement and right of way for roadway purposes and facilities incidental thereto upon, in, under, along, and across GRANTOR's certain real property situated in the unincorporated area of the County of Contra Costa, State of California, described as follows:

FOR DESCRIPTION SEE EXHIBITS "A" and "A-1" ATTACHED HERETO AND MADE A PART HEREOF

To the extent permitted by law, GRANTEE shall indemnify, defend, and hold harmless GRANTOR, its directors, officers, agents, and employees from and against any and all loss, liability, expense, claims, costs, suits, and damages, including attorneys' fees, (collectively, "Liabilities") arising out of GRANTEE'S operation or performance under the easements to be transferred pursuant to this agreement, including all costs, claims and damages (including property and personal injury) arising out of any hazardous substances or hazardous wastes (including petroleum) to the extent GRANTEE releases said hazardous substances or hazardous wastes within the easement area as a direct result of GRANTEE'S activities within the easement area (except for such hazardous substances or wastes as are determined to have been placed within the easement areas by GRANTOR prior to being uncovered or released by GRANTEE'S activities within the easement areas). GRANTEE shall be responsible for and reimburse GRANTOR for any damage to or loss of GRANTOR'S facilities, including, but not limited to, any damage or loss due to corrosion of GRANTOR'S pipelines and appurtenant facilities, present or future, directly or substantially contributed to or caused by GRANTEE'S use of the easement area. However, notwithstanding anything to the contrary herein, GRANTEE

shall have no obligation to indemnify, defend, and hold harmless GRANTOR, its directors, officers, agents, and employees from any Liabilities arising out of the sole negligence or sole willful misconduct of GRANTOR, its directors, officers, agents, or employees. Notwithstanding anything to the contrary herein, nothing herein is intended to waive or release GRANTEE's right to contribution from GRANTOR for any environmental liabilities under state or federal laws and regulations.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto, and all covenants shall apply to and run with the land.

Dated _____, 2021.

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

CONTRA COSTA WATER DISTRICT
a California Special District

Diane Burges
Chair, Board of Supervisors



Stephen J. Welch
General Manager

ATTACH APPROPRIATE ACKNOWLEDGMENT

ORF:dw
G:\realprop\Marsh Creek Road Bridge Replacement (143&145)\CCWD\EA.27 Roadway Easement-CCWD .Final 5.5.21.doc
03/30/11

APPROVED AS TO FORM



DISTRICT LEGAL COUNSEL

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 05-19-2021 before me, Mary A. Neher, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Stephen J. Welch
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 Mary A Neher
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is 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: Roadway Easement Deed

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 or Conservator
- Other: _____

Signer Is Representing: _____

Signer's Name: _____

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

Signer Is Representing: _____

Marsh Creek Road (Road No. 3971A)
Contra Costa Water District
Portion of APN 007-160-014
Drawing No. RW-3971A-2020A

EXHIBIT "A"

Real property in an unincorporated area of the County of Contra Costa, State of California, being a portion of that part of Rancho Los Meganos within Township 1 South, Range 2 East, Mount Diablo Meridian, also being a portion of the property described in Exhibit D in the Final Order of Condemnation to Contra Costa Water District (CCWD), recorded September 10, 1998 in Recorder's Series number 1998-0218936, Contra Costa County records, described as follows:

Parcel 3 – Road Easement

Commencing at the northeast corner of said CCWD property (1998-0218936), being a point on the southerly right of way line of Marsh Creek Road; thence along said right of way line south $63^{\circ}15'53''$ west 615.25 feet; thence south $65^{\circ}00'23''$ west 421.49 feet to the Point of Beginning; thence from said Point of Beginning, leaving said right of way line south $50^{\circ}39'56''$ west 20.10 feet; thence south $62^{\circ}39'07''$ west 263.81 feet; thence south $67^{\circ}28'24''$ west 310.61 feet; thence south $80^{\circ}27'19''$ west 9.19 feet to said southerly right of way line; thence along said right of way line north $65^{\circ}00'23''$ east 602.23 feet to the Point of Beginning.

Containing an area of 5,634 square feet of land, more or less.

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: 9/17/2020



Marsh Creek Road (Road No. 3971A)
Contra Costa Water District
Portion of APN 007-160-014
Drawing No. RW-3971A-2020A

EXHIBIT "A-1"

Real property in an unincorporated area of the County of Contra Costa, State of California, being a portion of that part of Rancho Los Meganos within Township 1 South, Range 2 East, Mount Diablo Meridian, also being a portion of the property described in Exhibit D in the Final Order of Condemnation to Contra Costa Water District (CCWD), recorded September 10, 1998 in Recorder's Series number 1998-0218936, Contra Costa County records, described as follows:

Parcel 4 – Road Easement

Commencing at the northeast corner of said CCWD property (1998-0218936), being a point on the southerly right of way line of Marsh Creek Road; thence along said right of way line and the northerly line of said CCWD property south $63^{\circ}15'53''$ west 615.25 feet; thence south $65^{\circ}00'23''$ west 1050.73 feet; thence leaving said northerly CCWD line and along the southerly right of way line of Marsh Creek Road as described in the deed to Contra Costa County recorded December 28, 1936 in Book 424 of Official Records at Page 244, south $65^{\circ}00'23''$ west 68.71 feet to the Point of Beginning; thence from said Point of Beginning, leaving said right of way line south $24^{\circ}59'37''$ east 5.00 feet; thence south $56^{\circ}57'03''$ west 107.04 feet; thence south $65^{\circ}00'23''$ west 31.46 feet; thence north $24^{\circ}59'37''$ west 20.00 feet to said southerly right of way line; thence along said right of way line north $65^{\circ}00'23''$ east 137.45 feet to the Point of Beginning.

Containing an area of 1,954 square feet of land, more or less.


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: 9/17/2020




Mary A. Neher, District Secretary
Contra Costa Water District

RESOLUTION NO. 21-004

**A RESOLUTION AUTHORIZING EXECUTION OF A NON-EXCLUSIVE
PERPETUAL ROADWAY EASEMENT, TEMPORARY CONSTRUCTION EASEMENT,
AND A RIGHT OF WAY CONTRACT WITH CONTRA COSTA COUNTY
AT MARSH CREEK ROAD IN BRENTWOOD**

WHEREAS, the Contra Costa Water District (District) owns certain real property in the unincorporated Contra Costa County the for Los Vaqueros watershed; and

WHEREAS, Contra Costa County (County) has requested that District grant a non-exclusive perpetual roadway easement and temporary construction easement to the County for the replacement of a bridge at Marsh Creek Road as depicted in the Exhibit attached hereto; and

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the Contra Costa Water District, that the General Manager, or his designee, is hereby authorized to execute for and on behalf of the District, a Right of Way Contract with temporary construction easement, and a perpetual, non-exclusive roadway easement, each in a form approved by District's legal counsel, the easement to be recorded in the Official Records of Contra Costa County.

The foregoing Resolution was duly and regularly adopted at a meeting held on the 17th day of March 2021, by the Board of Directors of the Contra Costa Water District by the following vote:

AYES: Holdaway, Burgh, Avila, Borba, Martinez

NOES:


ABSTAIN:

ABSENT:



Lisa M. Borba, President

ATTEST:



Mary A. Neher, District Secretary

PREPARED FOR THE COUNTY OF CONTRA COSTA - DEPARTMENT OF PUBLIC WORKS

CHECKED BY	REVISOR	REVISION	DATE

REVISION 1: LAST REVISED 3/17/2010

UPGRADE TO ACES (CONTRACT) 007-180-014

RELATIVE BRIDGE SCALE 1/8" IN MODEL

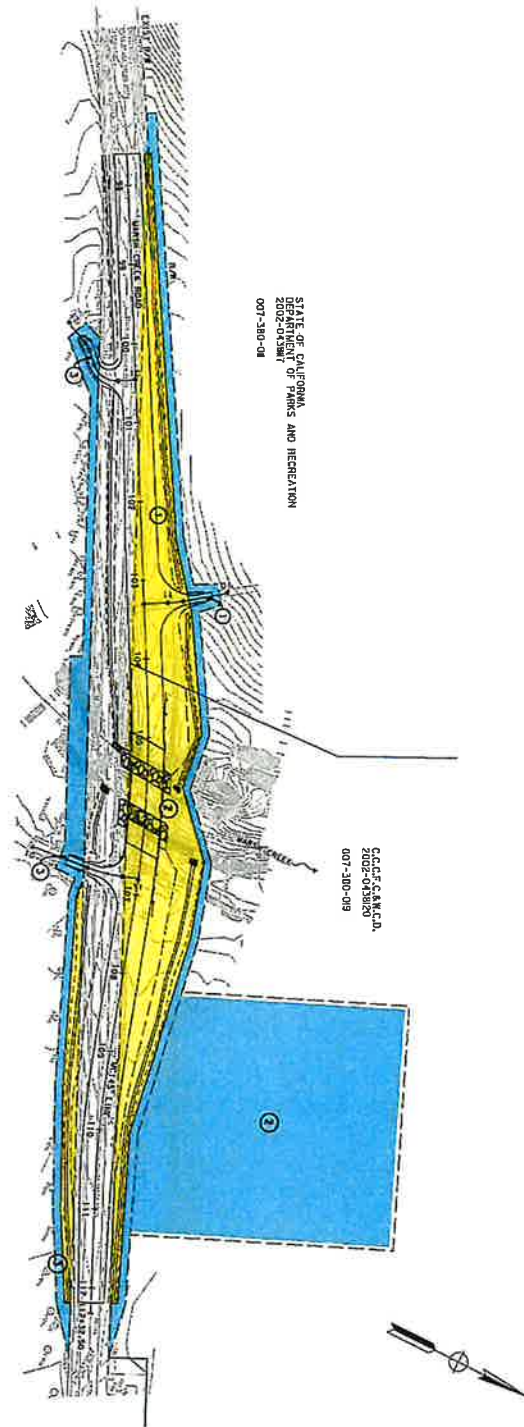
UNIT 0000

PROJECT NUMBER & PHASE 00000000001

DATE PLOTTED 01-20-20
 THE SHEET NUMBER IS 00-00-00

OWNER	COUNTY	ROUTE	LOCAL PROJECT
CONTRA COSTA COUNTY PUBLIC WORKS	CONTRA COSTA COUNTY PUBLIC WORKS		
ADDRESS	ADDRESS	ADDRESS	ADDRESS
2415 NINTON PARK DR. STE 600	2415 NINTON PARK DR. STE 600		
SACRAMENTO, CA 95833	SACRAMENTO, CA 95833		

- LEGEND**
- TEMPORARY CONSTRUCTION EASEMENT (TCE)
 - PERMANENT RIGHT-OF-WAY ACQUISITION
 - PRIVATE PROPERTY BOUNDARY



PANEL NO.	OWNER	RIGHT-OF-WAY (ACRES)	TCE (ACRES)
1	STATE OF CALIFORNIA, DEPARTMENT OF PARKS AND RECREATION	0.65	0.20
2	C.C.C.P. CANC.C.A.	1.03	2.38
3	C.C.W.D.	0.17	0.43

BRIDGE 145
MARSH CREEK ROAD BRIDGES REPLACEMENT PROJECT

DATE: 01-20-20
 RIGHT-OF-WAY EXHIBIT

SCALE: 1"=40'

PROJECT NUMBER & PHASE 00000000001