

**RECORDING REQUESTED BY, AND
WHEN RECORDED MAIL TO:**

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

APNs 193-900-013 (Portion)

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

**GRANT DEED OF DEVELOPMENT RIGHTS
(Stonebridge Estates)**

This Grant Deed of Development Rights is made by and between the Grantors, HEATHER PAQUETTE AND PAUL FRAN CZYK, and their successors and assigns ("Grantors") and the Grantee, CONTRA COSTA COUNTY, a political subdivision of the State of California, and its successors and assigns ("County").

RECITALS

- A. On November 9, 1993, the Contra Costa County Board of Supervisors approved a tentative map of the Stonebridge Estates residential subdivision (SD 7633) ("Stonebridge"), located in the unincorporated area of Alamo, Contra Costa County, State of California. A final map of SD 7633 was approved by the Board of Supervisors on August 8, 2015, and recorded on August 10, 1995 (Book 381 of Maps, page 36).
- B. The SD 7633 final map depicts a 39.68-acre open space parcel identified as Parcel C, fee title of which is held by the Stonebridge Estates Homeowners' Association ("Association").
- C. Pursuant to conditions of approval of the Stonebridge Estates development, on April 10, 1995, the Stonebridge Estates developer, Greenbriar Stonebridge Partners, L.P., recorded a grant deed of development rights, granting to the County development rights in several parcels within Stonebridge Estates, including Parcel C.
- D. Grantors own a parcel, identified as assessor's parcel number 193-900-013, that is adjacent to Parcel C. On February 6, 2020, Grantors, with the Association, applied for a lot line adjustment to alter the common boundary line between Grantors' parcel and Parcel C. The proposed lot line adjustment would convey an approximately 2,927-square-foot portion of Grantors' parcel to the Association, and an approximately 2,927-square-foot portion of Parcel C to Grantors.
- E. On August 30, 2021, the Zoning Administrator conditionally approved the requested lot line adjustment (LL20-0002, DP20-03028), conditioned upon (i) the Grantors' conveying to the County the development rights in the portion of Grantors' parcel to be conveyed to the Association and (ii) the County's quitclaim of its development rights in the portion of Parcel C to be conveyed to Grantors. This grant deed of development rights is intended to satisfy the first condition. The County's quitclaim would occur by separate instrument.
- F. The portion of Grantors' parcel to be conveyed to the Association by the conditionally approved lot line adjustment is described in Exhibit A and depicted in Exhibit B, both attached

hereto and incorporated herein by this reference, and will hereafter be referred to as the "Property."

- G. Grantors desire to evidence their intent, and to insure that the obligations specified herein are covenants, conditions, and restrictions that run with the land and are for the benefit of the County.

NOW, THEREFORE, for good and valuable consideration, including but not limited to the agreements contained herein, the receipt and sufficiency of which is hereby acknowledged, Grantors hereby grant to County, and its successors and assigns, on the terms and conditions set forth below, all the Development Rights within, on, and over the Property.

1. **Recitals.** The recitals are intended to be and shall be part of this Grant Deed.
2. **Development Rights.** "Development Rights" are defined to mean and refer to the right to divide, develop, or install or construct improvements on all or any portion of the Property.
3. **Negative Easement.** This Grant Deed is in the form of a negative easement, which shall run with the Property and shall bind the current Grantors and any future owners of all or any portion of the Property. This Grant Deed is an agreement in writing affecting the title or possession of the Property.
4. **Development Restrictions.** Except as provided herein, Grantors shall not divide, develop, or install or construct improvements on all or any portion of the Property, and Grantor agrees that no building permits or other permits shall be issued for the purpose of constructing improvements on any part of the Property. Grantors hereby waive and relinquish any rights they might otherwise have to such permits.
 - 4.1 **Plans and Specifications; County Approval.** Any and all improvements on the Property will be performed as approved by County or its successor public agency. Grantors shall cause plans and specifications for improvements to be prepared by competent persons legally qualified to do the work and to submit said improvement plans and specifications to County for approval prior to commencement of any work, and shall pay any County improvement plan review and inspection fee. The work shall be done in accordance with County standards in effect at the time improvement plans are submitted for approval. Grantors agree to commence and complete the work within the time specified by the County.
5. **Covenants Running With Land.** This Grant Deed, including all covenants, obligations, and conditions herein, runs with the land and shall inure to the benefit of and be binding on the heirs, successors, and assigns of the Grantors and County and all other parties having or acquiring any right, title, or interest in any part of the Property.
6. **Remedies.** Should Grantors violate any of the provisions hereof, County shall be entitled to all rights and remedies available at law or in equity, including without limitation, an order enjoining the activity in violation hereof and an order requiring the removal of the improvements constructed in violation hereof. In addition, County shall be entitled to an award of all expenses incurred by County in pursuing such violation(s), including costs, interest, attorney's fees, and other litigation expenses.

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IN WITNESS THEREOF, this Grant Deed of Development Rights is signed and executed this _____ day of _____, 2021.

GRANTEE

GRANTORS

CONTRA COSTA COUNTY

HEATHER PAQUETTE AND PAUL FRANCYK

By: _____
Chair, Board of Supervisors

By: _____
Heather Paquette
Owner

Attest: Monica Nino, Clerk of the Board of Supervisors and County Administrator

By: _____
Deputy

By: _____
Paul Franczyk
Owner

Approved as to Form:

Mary Ann McNett Mason
County Counsel

[Note: All signatures of Grantor must be notarized. Two officers must sign on behalf of a corporation. The first must be the chairman of the board, president, or any vice president; the second must be the secretary, assistant secretary, chief financial officer, or any assistant treasurer. (See Corp. Code, § 313.)]

By: _____
Deputy County Counsel

Attachments: Exhibit A: Legal Description
Exhibit B: Plat Map

Exhibit A

Legal Description

BEING A PORTION OF PARCEL ONE AS DESCRIBED IN THE GRANT DEED RECORDED MAY 24, 2018, AS DOCUMENT NO. 2018-0082097, CONTRA COSTA COUNTY RECORDS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST EASTERLY COMMON CORNER OF LOT 27 AND 28 AS SAID LOTS ARE SHOWN ON THE MAP OF SUBDIVISION 7633, FILED AUGUST 10, 1995, IN MAP BOOK 381, AT PAGE 36, CONTRA COSTA COUNTY OFFICIAL RECORDS, THENCE NORTH 39°13'22" WEST, 174.32 FEET; THENCE SOUTH 49°31'34" WEST, 89.96 FEET; THENCE SOUTH 01°56'21" EAST, 19.22 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUING SOUTH 01°56'21" EAST, 138.14 FEET TO THE NEW COMMON CORNER OF LOTS 27 AND 28; THENCE ALONG THE NEW COMMON LINE OF LOTS 27 AND 28, NORTH 74°10'26" EAST, 30.62 FEET; THENCE LEAVING SAID LINE NORTH 06°57'01" WEST, 95.96 FEET; THENCE NORTH 33°10'38" WEST, 41.18 FEET TO THE **POINT OF BEGINNING**.

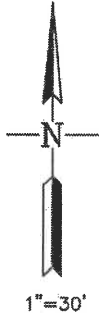
CONTAINING 2,927 SQUARE FEET, MORE OR LESS

SEE EXHIBIT B ATTACHED HERETO AND MADE A PART HEREOF.

PREPARED BY: _____
DARRYL ALEXANDER, PLS 5071

Exhibit B

Plat Map



PARCEL C
 SUBD 7633 (381 M 36)
 SCENIC EASEMENT
 APN 193-900-18

SERAFIX ROAD

EXCHANGE PARCEL
 PORTION OF PARCEL C
 AREA 2,927 s.f.
 TO LOT OWNER

BRIDGES COURT
 PARCEL D SUBD 7633

PAQUETTE
 100 BRIDGES COURT
 ALAMO, CA
 PARCEL ONE
 DOC. 2018-0082097
 APN 193-900-13

PARCEL C
 SUBD 7633 (381 M 36)
 SCENIC EASEMENT
 APN 193-900-18

EXCHANGE PARCEL
 PORTION OF PAR 1, 2018-0082097
 AREA=2,927 s.f.
 TO HOA

POC

LOT 27 SUBD 7633
 LOT 28 SUBD 7633

BASIS OF BEARINGS
 MAP OF SUBDIVISION 7633 (381 M 36)

- PROPERTY LINE NEW
- PROPERTY LINE EXISTING
- PROPERTY LINE TO BE ADJUSTED

LOT LINE ADJUSTMENT

ALEXANDER & ASSOCIATES INC.
 SURVEYORS - PLANNERS - ENGINEERS
 147 OLD BERNAL AVENUE, SUITE 10
 PLEASANTON, CALIFORNIA
 (925) 462-2255 (925) 462-8092 FAX

EXHIBIT "B"
PLAT TO ACCOMPANY
LEGAL DESCRIPTION
 UNINCORPORATED AREA
 CONTRA COSTA COUNTY CALIFORNIA

JOB NO.: 19054 C3D	
FILE NO.: 8X11	
DATE: JUNE 2019	
SHEET NUMBER:	TOTAL SHEETS:
1	1