

51231
Aug 22 - 1955

INDEXED

BEFORE THE COMMISSIONERS OF CONTRA COSTA

COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

In the Matter of Authorizing the
Acceptance of Easements, Rights of
Way and Grants.

RESOLUTION

IT IS HEREBY RESOLVED by the Commissioners of Contra Costa County Flood Control and Water Conservation District, pursuant to the authority vested in them by Section 27281 of the Government Code of the State of California, that Chairman and Secretary of the Commissioners of this District, and each of them, are hereby severally authorized to accept on behalf of the Contra Costa County Flood Control and Water Conservation District any and all easements, rights of way and grants conveying any interest in real property to Contra Costa County Flood Control and Water Conservation District.

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed in the office of the County Recorder of the County of Contra Costa.

On motion of Commissioner McKim, seconded by Commissioner Marshall, the foregoing resolution was duly passed and adopted by the Commissioners of Contra Costa County Flood Control and Water Conservation District at a meeting on the 31st day of May, 1955, by the following vote, to wit:

AYES: Commissioners - McKim, Marshall, Welch, Geddes, Skeoch, Sr., Deardorff, Vanasek

NOES: Commissioners - NONE

ABSENT: Commissioners - Honegger, Simoni

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution of the Commissioners of the Contra Costa County Flood Control and Water Conservation District adopted on the 31st day of May, 1955.

Thomas S. Vanasek
Chairman of the Commissioners of
Contra Costa County Flood Control
and Water Conservation District.

CONSENT OF GRANTEE

(Pursuant to Section 27281 Government Code)

THIS IS TO CERTIFY that the Contra Costa County Flood Control and Water Conservation District, Grantee herein, acting by and through its undersigned Chairman/Secretary hereby accepts for public purposes the real property or interest therein conveyed by the attached instrument and consents to the recording thereof.

Dated August 17, 1955.

CONTRA COSTA COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

By: Thomas S. Vanasek

E A S E M E N T

For and in consideration of the benefits to be derived by the undersigned by the establishment and maintenance of the official channel hereinafter referred to, and for other valuable consideration, the undersigned, CLAUDE S. HOWELL, VERA J. HOWELL, MARGARET THOMSON, ~~NICOLAS I. GRANADOS~~

NICOLAS I. GRANADOS AND ISABEL GRANADOS

do hereby grant to CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a political subdivision, a perpetual easement for flood control purposes in, over and across the real property situate in the County of Contra Costa, State of California, described in EXHIBIT "A" attached hereto.

The easement herein granted shall include the right to construct, reconstruct, inspect, maintain and repair a channel, protection works, and appurtenant structures for the purpose of confining the waters of Lafayette Creek and its tributaries, to enter upon said land with personnel, vehicles and equipment, to remove all trees and vegetation thereon that interfere with the purpose for which the easement herein is granted, to take therefrom and use earth, rock, sand, and gravel for the purpose of excavating, widening, deepening, and otherwise rectifying the channel, and for the construction, maintenance and repair of embankments, protection works, and appurtenant structures by said Grantee, its officers, agents, and employees, and by persons under contract with it and their employees whenever and wherever necessary for flood control purposes.

DESCRIP OK

-1-

ED 6

PCLs. 15, 27, 31, 33

2596 OR ~~233~~ 222

LIBER 2596 PAGE 224

INDEXED 5230 EXHIBIT 553

The easement herein granted includes the right to make any necessary earth fills and to locate or relocate existing drainage pipes or structures in connection therewith on lands of the grantor lying outside said easement, provided that after such fill and location or relocation is completed the said lands of grantor will be left in a neat and orderly condition.

It is understood that each of the undersigned grantors grant only that portion of the above described land which is owned by said grantor, or in which said grantor has an interest.

TO HAVE AND TO HOLD, together with the right to do all things necessary to be done for the purpose of confining the waters of said stream and its tributaries within said right of way.

IN WITNESS WHEREOF this Grant of Easement is signed and executed this 18th day of July, 1955.

_____	<u>Claude S. Howell</u>
_____	<u>Vera J. Howell</u>
_____	<u>Margaret Thomson</u>
Witness <u>Edwin L. Galbraith</u>	<u>Nicolas I. Granados</u>

ACKNOWLEDGMENT OF SUBSCRIBING WITNESS

STATE OF CALIFORNIA, County of CONTRA COSTA: ss.

On this 17th day of August, in the year one thousand nine hundred and fifty-five, before me, George T. Derana, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Edwin L. Galbraith, known to me to be the person whose name is subscribed to the within instrument as a subscribing witness thereto, who, being by me duly sworn, deposed and said: that he resides in the _____ County of Contra Costa State of California; that he was present and saw Claude S. Howell, Vera J. Howell, Margaret Thomson, Nicolas I. Granados and Isabel Granados

personally known to him to be the person^s described in, and who executed the said within instrument as parties thereto, sign and execute the same; that he, the affiant, then and there, at the request of said persons, subscribed his name as a witness thereto.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

George T. Derana
Notary Public in and for the said County of CONTRA COSTA, State of California

My commission expires April 19, 1958

Portion of Block 6, as shown on the map entitled, "Map No. 1, Lafayette Homesites, by R. N. Burgess Company, a portion of the Rancho Laguna de los Palos Colorados, Contra Costa County, California, filed October 6, 1914 in Book 12 of Maps at Page 266, records of said county.

Beginning at a point on the center line of First Street, said point being distant along said center line, north 3° 33' 30" west, 324.62 feet from the intersection of said center line with the center line of Moraga Blvd., as shown on the above-mentioned map, said point of beginning to be hereinafter referred to as "Point A."

A strip of land 42 feet in width lying 21 feet on each side of the following described center line:

Beginning at the hereinabove mentioned "Point A"; thence south 61° 34' 30" east, 37.63 feet; thence southeasterly 24.89 feet along the arc of a curve concave to the northeast, having a radius of 124.68 feet, through an angle of 11° 26' 15"; thence south 73° 00' 45" east, 86.15 feet; thence northeasterly 202.78 feet along the arc of a curve concave to the northwest, having a radius of 162.75 feet, through an angle of 71° 23' 17"; thence north 35° 35' 58" east, 27.97 feet to a point, said point to be hereinafter referred to as "Point B."

A strip of land 30 feet in width lying 15 feet on each side of the following described center line:

Beginning at the herein above-mentioned "Point B"; thence northeasterly 93.58 feet along the arc of a curve concave to the southeast, having a radius of 120.94 feet, through an angle of 44° 19' 57" to a point, said point to be hereinafter referred to as "Point C."

A strip of land 32 feet in width lying 16 feet on each side of the following described center line:

Beginning at the herein above-mentioned "Point C"; thence north 79° 55' 55" east, 169.11 feet; thence southeasterly 64.03 feet along the arc of a curve concave to the southwest, having a radius of 134.97 feet through an angle of 27° 11'; thence south 72° 53' 05" east, 7.76 feet; thence easterly 75.37 feet along the arc of a curve concave to the north, having a radius of 106.14 feet, through an angle of 40° 40' 59" to a point, said point to be hereinafter referred to as "Point D".

A strip of land 36 feet in width lying 18 feet on each side of the following described center line:

Beginning at the herinabove mention "Point D"; thence north 66° 25' 56" east,

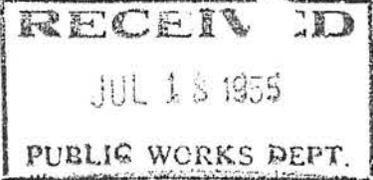
thereof.

Dated August 17, 1955.

CONTRA COSTA COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

By: Thomas S. Vanasek

Recorded at request of NORTH AMERICAN TITLE GUARANTY CORP.
at 40 min. past 2 P. M. AUG 22 1955
Fee \$off Contra Costa County Records
Ralph Cunningham, County Recorder.



51252
AUG 22 1955

RW-3 (6/55)

SUBORDINATION AGREEMENT

REFERENCE IS hereby made to that certain. Grant of Easement

for flood control purposes

dated the _____ day of July, 1955, executed by _____

Claude S. Howell and Vera J. Howell, his wife,

as Grantor, to Contra Costa County Flood Control and Water Conservation

District

as Grantee. Contra Costa County Title Company, a corporation,

the trustee in that certain Deed of Trust, dated the 4th day of June, 1952, and recorded on the 10th day of June, 1952, in the office of the County Recorder of the County of Contra Costa, State of California, in Book 1944 of Official Records at

State of California)
County of Contra Costa) ss

On July 19 1955, before me, Mary Caldera, a Notary Public, in and for said County and State, personally appeared Walter Davis and Daisy G. Davis

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same

Mary Caldera
Notary Public in and for the County of Contra Costa, State of California

DATED: the 19th day of July, 1955.

State of California)
County of Contra Costa)

On July 19, 1955 before me Mary Caldera a Notary Public in and for said County and State, personally appeared R. Tarantino

known to me to be the Vice-President of the corporation described in and that executed the within instrument, and also known to me to be the person who executed it on behalf of the corporation therein named, and she, acknowledged to me that such corporation executed the same.

Mary Caldera
Notary Public in and for the County of Contra Costa, State of California

10002596 PAGE 226
by and for the benefit of Contra Costa County Flood Control and Water Conservation District.

RW-3 (6/55)

SUBORDINATION AGREEMENT

REFERENCE IS hereby made to that certain Grant of Easement

for flood control purposes

dated the _____ day of July, 1955, executed by _____
Claude S. Howell and Vera J. Howell, his wife,

as Grantor, to Contra Costa County Flood Control and Water Conservation
District

as Grantee. Contra Costa County Title Company, a corporation,

the trustee in that certain Deed of Trust, dated the 4th day
of June, 1952, and recorded on the 10th day of June,
1952, in the office of the County Recorder of the County of Contra
Costa, State of California, in Book 1944 of Official Records at
page 260, and Walter Davis and Daisy G. Davis, his wife,

the beneficiary under said Deed of Trust ~~by Assignment~~ dated the
4th day of June, 1952, and recorded on the 10th
day of June, 1952, in the office of the County Recorder of
the County of Contra Costa, State of California, in Book 1944 of
Official Records at page 260, hereby consent to the execution of
said Grant of Easement and further agree that said Deed of
Trust shall in all respects be subordinate and inferior to said
Easement.

DATED: the 17 day of July, 1955.

Walter Davis
Walter Davis

Daisy G. Davis
Daisy G. Davis

Contra Costa County Title Company,
a corporation

By R. Mantua
VICE PRESIDENT

BENEFICIARIES

By
TRUSTEE

LIBER 2596 PAGE 226
by and for the benefit of Contra Costa County Flood Control and Water Conservation District.



28.15 feet; thence easterly 47.28 feet along the arc of a curve concave to the south, having a radius of 146.60 feet, through an angle of $18^{\circ} 28' 37''$ thence north $84^{\circ} 54' 33''$ east, 51.35 feet to a point on the center line of Second Street; said last mentioned point being distant along said center line, north $4^{\circ} 28'$ west, 214.88 feet from the intersection of said center line with the center line of Moraga Blvd., as shown on the above-mentioned map.

thereof.

Dated August 17, 1955.

CONTRA COSTA COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

By: Jonas S. Vanasek

Recorded at request of NORTH AMERICAN TITLE GUARANTY CORP.
at 40 min. past 2 P. M. AUG 22 1955
Fee \$off Contra Costa County Records
Ralph Cunningham, County Recorder.

BEFORE THE COMMISSIONERS OF CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

In the Matter of Authorizing the Acceptance of Easements, Rights of Way and Grants.

RESOLUTION

IT IS HEREBY RESOLVED by the Commissioners of Contra Costa County Flood Control and Water Conservation District, pursuant to the authority vested in them by Section 27281 of the Government Code of the State of California, that Chairman and Secretary of the Commissioners of this District, and each of them, are hereby severally authorized to accept on behalf of the Contra Costa County Flood Control and Water Conservation District any and all easements, rights of way and grants conveying any interest in real property to Contra Costa County Flood Control and Water Conservation District.

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed in the office of the County Recorder of the County of Contra Costa.

On motion of Commissioner McKim, seconded by Commissioner Marshall, the foregoing resolution was duly passed and adopted by the Commissioners of Contra Costa County Flood Control and Water Conservation District at a meeting on the 31st day of May, 1955, by the following vote, to wit:

AYES: Commissioners - McKim, Marshall, Welch, Geddes, Skeoch, Sr., Deardorff, Vanasek

NOES: Commissioners - NONE

ABSENT: Commissioners - Honegger, Simoni

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution of the Commissioners of the Contra Costa County Flood Control and Water Conservation District adopted on the 31st day of May, 1955.

Thomas D. Vanasek
Chairman of the Commissioners of Contra Costa County Flood Control and Water Conservation District.

CONSENT OF GRANTEE

(Pursuant to Section 27281 Government Code)

THIS IS TO CERTIFY that the Contra Costa County Flood Control and Water Conservation District, Grantee herein, acting by and through its undersigned Chairman/Secretary hereby accepts for public purposes the real property or interest therein conveyed by the attached instrument and consents to the recording thereof.

Dated August 18, 1955.

CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By: Thomas D. Vanasek

Recorded at request of NORTH AMERICAN TITLE GUARANTY CORP. AUG 24 1955
5 min. past 2P M.
Ralph Cunningham, County Recorder.

PLS. 21, 22, 23, 24

DISCIP OK 2597 ED OR 593

no IRS necessary.

Lafayette Creek

E A S E M E N T

For and in consideration of the benefits to be derived by the undersigned by the establishment and maintenance of the official channel hereinafter referred to, and for other valuable consideration, the undersigned, M. H. STANLEY and GRACE W. STANLEY, his wife,

do hereby grant to CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a political subdivision, a perpetual easement for flood control purposes in, over and across the real property situate in the County of Contra Costa, State of California, described in EXHIBIT "A" attached hereto.

The easement herein granted shall include the right to construct, reconstruct, inspect, maintain and repair a channel, protection works, and appurtenant structures for the purpose of confining the waters of Lafayette Creek and its tributaries, to enter upon said land with personnel, vehicles and equipment, to remove all trees and vegetation thereon that interfere with the purpose for which the easement herein is granted, to take therefrom and use earth, rock, sand, and gravel for the purpose of excavating, widening, deepening, and otherwise rectifying the channel, and for the construction, maintenance and repair of embankments, protection works, and appurtenant structures by said Grantee, its officers, agents, and employees, and by persons under contract with it and their employees whenever and wherever necessary for flood control purposes.

The easement herein granted includes the right to make any necessary earth fills and to locate or relocate existing drainage pipes or structures in connection therewith on lands of the grantor lying outside said easement, provided that after such fill and location or relocation is completed the said lands of grantor will be left in a neat and orderly condition.

It is understood that each of the undersigned grantors grant only that portion of the above described land which is owned by said grantor, or in which said grantor has an interest.

The grantors herein reserve unto themselves the right to erect or construct permanent improvements and buildings over and across the real property owned by said grantors and in which said easement is hereby granted, such erection or construction by said grantors to be at no cost or expense to grantee. Any such construction shall be so designed and located in such place and in such manner as not to hinder, prevent or interfere with the easement for flood control purposes hereby granted. It is an express condition of this grant of easement that before constructing any such improvements or structures, grantors will submit to grantee plans and specifications for the work to be done. No improvements or structures shall be placed or installed except in accordance with plans and specifications therefore located and designed in a place and manner indicated by prior written approval of the grantee.

TO HAVE AND TO HOLD, together with the right to do all things necessary to be done for the purpose of confining the waters of said stream and its tributaries within said right of way.

IN WITNESS WHEREOF this Grant of Easement is signed and executed this

8th day of July, 1955.

[Handwritten Signature]

ACKNOWLEDGMENT OF SUBSCRIBING WITNESS

STATE OF CALIFORNIA, County of CONTRA COSTA: ss.

On this 18th day of August, in the year one thousand nine hundred and fifty-five, before me, George T. Derana, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Edwin L. Galbraith, known to me to be the person whose name is subscribed to the within instrument as a subscribing witness thereto, who, being by me duly sworn, deposed and said: that he resides in the _____ County of Contra Costa State of California; that he was present and saw M. H. Stanley and Grace W. Stanley

personally known to him to be the persons described in, and who executed the said within instrument as parties thereto, sign and execute the same; that he, the affiant, then and there, at the request of said persons, subscribed his name as a witness thereto.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Handwritten Signature: George T. Derana]

Notary Public in and for the said County of CONTRA COSTA, State of California

My commission expires April 19, 1958

It is understood that each of the undersigned grantors grant only that portion of the above described land which is owned by said grantor, or in which said grantor has an interest.

The grantors herein reserve unto themselves the right to erect or construct permanent improvements and buildings over and across the real property owned by said grantors and in which said easement is hereby granted, such erection or construction by said grantors to be at no cost or expense to grantee. Any such construction shall be so designed and located in such place and in such manner as not to hinder, prevent or interfere with the easement for flood control purposes hereby granted. It is an express condition of this grant of easement that before constructing any such improvements or structures, grantors will submit to grantee plans and specifications for the work to be done. No improvements or structures shall be placed or installed except in accordance with plans and specifications therefore located and designed in a place and manner indicated by prior written approval of the grantee.

TO HAVE AND TO HOLD, together with the right to do all things necessary to be done for the purpose of confining the waters of said stream and its tributaries within said right of way.

IN WITNESS WHEREOF this Grant of Easement is signed and executed this

8th day of July, 1955.

Witness - Edwin L. Galbraith

W. W. Stanley
Grace W. Stanley

Witness _____

Portion of Block 6, as shown on the map entitled, "Map No. 1, Lafayette Homesites, by R. N. Burgess Company, a portion of the Rancho Laguna de los Palos Colorados, Contra Costa County, California", filed October 6, 1914 in Book 12 of Maps at Page 266, records of said county.

Beginning at a point on the center line of First Street, said point being distant along said center line, north $3^{\circ} 33' 30''$ west, 324.62 feet from the intersection of said center line with the center line of Moraga Blvd., as shown on the above-mentioned map, said point of beginning to be hereinafter referred to as "Point A."

A strip of land 42 feet in width lying 21 feet on each side of the following described center line:

Beginning at the hereinabove mentioned "Point A"; thence south $61^{\circ} 34' 30''$ east, 37.63 feet; thence southeasterly 24.89 feet along the arc of a curve concave to the northeast, having a radius of 124.68 feet, through an angle of $11^{\circ} 26' 15''$; thence south $73^{\circ} 00' 45''$ east, 86.15 feet; thence northeasterly 202.78 feet along the arc of a curve concave to the northwest, having a radius of 162.75 feet, through an angle of $71^{\circ} 23' 17''$; thence north $35^{\circ} 35' 58''$ east, 27.97 feet to a point, said point to be hereinafter referred to as "Point B."

A strip of land 30 feet in width lying 15 feet on each side of the following described center line:

Beginning at the herein above-mentioned "Point B"; thence northeasterly 93.58 feet along the arc of a curve concave to the southeast, having a radius of 120.94 feet, through an angle of $44^{\circ} 19' 57''$ to a point, said point to be hereinafter referred to as "Point C."

A strip of land 32 feet in width lying 16 feet on each side of the following described center line:

Beginning at the herein above-mentioned "Point C"; thence north $79^{\circ} 55' 55''$ east, 169.11 feet; thence southeasterly 64.03 feet along the arc of a curve concave to the southwest, having a radius of 134.97 feet through an angle of $27^{\circ} 11'$; thence south $72^{\circ} 53' 05''$ east, 7.76 feet; thence easterly 75.37 feet along the arc of a curve concave to the north, having a radius of 106.14 feet, through an angle of $40^{\circ} 40' 59''$ to a point, said point to be hereinafter referred to as "Point D".

A strip of land 36 feet in width lying 18 feet on each side of the following described center line:

Beginning at the herinabove mention "Point D"; thence north $66^{\circ} 25' 56''$ east,

28.15 feet; thence easterly 47.28 feet along the arc of a curve concave to the south, having a radius of 146.60 feet, through an angle of $18^{\circ} 28' 37''$ thence north $84^{\circ} 54' 33''$ east, 51.35 feet to a point on the center line of Second Street; said last mentioned point being distant along said center line, north $4^{\circ} 28'$ west, 214.88 feet from the intersection of said center line with the center line of Moraga Blvd., as shown on the above-mentioned map.

RECORDED
INDEXED
APR 18 1904

BEFORE THE COMMISSIONERS OF CONTRA COSTA

COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

In the Matter of Authorizing the Acceptance of Easements, Rights of Way and Grants.

RESOLUTION

IT IS HEREBY RESOLVED by the Commissioners of Contra Costa County Flood Control and Water Conservation District, pursuant to the authority vested in them by Section 27281 of the Government Code of the State of California, that Chairman and Secretary of the Commissioners of this District, and each of them, are hereby severally authorized to accept on behalf of the Contra Costa County Flood Control and Water Conservation District any and all easements, rights of way and grants conveying any interest in real property to Contra Costa County Flood Control and Water Conservation District.

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed in the office of the County Recorder of the County of Contra Costa.

On motion of Commissioner McKim, seconded by Commissioner Marshall, the foregoing resolution was duly passed and adopted by the Commissioners of Contra Costa County Flood Control and Water Conservation District at a meeting on the 31st day of May, 1955, by the following vote, to wit:

- AYES: Commissioners - McKim, Marshall, Welch, Geddes, Skeoch, Sr., Deardorff, Vanasek
- NOES: Commissioners - NONE
- ABSENT: Commissioners - Honegger, Simoni

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution of the Commissioners of the Contra Costa County Flood Control and Water Conservation District adopted on the 31st day of May, 1955.

Tomar D. Vanasek
Chairman of the Commissioners of Contra Costa County Flood Control and Water Conservation District.

CONSENT OF GRANTEE

(Pursuant to Section 27281 Government Code)

THIS IS TO CERTIFY that the Contra Costa County Flood Control and Water Conservation District, Grantee herein, acting by and through its undersigned Chairman/Secretary hereby accepts for public purposes the real property or interest therein conveyed by the attached instrument and consents to the recording thereof.

Dated August 16, 1955.

CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By: Tomar D. Vanasek

Recorded at request of NORTH AMERICAN TITLE GUARANTY CORP.
at _____ min past 8 A. M. SEP 30 1955
Fee \$4.00. Contra Costa County Records
Ralph Cunningham, County Recorder.

INDEXED

Descrip OK
ED 6 PCL 14
2620 OR 392

Lafayette Creek

E A S E M E N T

For and in consideration of the benefits to be derived by the undersigned by the establishment and maintenance of the official channel hereinafter referred to, and for other valuable consideration, the undersigned, MARCHANT CONSTRUCTION CO., INC., a California corporation

do hereby grant to CONTRA COSTA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a political subdivision, a perpetual easement for flood control purposes in, over and across the real property situate in the County of Contra Costa, State of California, described in EXHIBIT "A" attached hereto.

The easement herein granted shall include the right to construct, re-construct, inspect, maintain and repair a channel, protection works, and appurtenant structures for the purpose of confining the waters of Lafayette Creek and its tributaries, to enter upon said land with personnel, vehicles and equipment, to remove all trees and vegetation thereon that interfere with the purpose for which the easement herein is granted, to take therefrom and use earth, rock, sand, and gravel for the purpose of excavating, widening, deepening, and otherwise rectifying the channel, and for the construction, maintenance and repair of embankments, protection works, and appurtenant structures by said Grantee, its officers, agents, and employees, and by persons under contract with it and their employees whenever and wherever necessary for flood control purposes.

The easement herein granted includes the right to make any necessary earth fills and to locate or relocate existing drainage pipes or structures in connection therewith on lands of the grantor lying outside said easement, at no cost to Grantor, and provided that after such fill and location or relocation is completed the said lands of grantor will be left in a neat and orderly condition.

-1-

RECORDED AT REQUEST OF
NORTH AMERICAN TITLE
GUARANTY CORPORATION
SEP 30 1955
At _____ Page 814 M.
in Vol. _____
OFFICIAL RECORDS OF
CONTRA COSTA COUNTY
Ralph Cunningham
COUNTY RECORDER
FEE \$ 0.75

LIBER 2020 PAGE 394

It is understood that each of the undersigned grantors grant only that portion of the above described land which is owned by said grantor, or in which said grantor has an interest.

The grantors herein reserve unto themselves the right to erect or construct permanent improvements and buildings over and across the real property owned by said grantors and in which said easement is hereby granted, such erection or construction by said grantors to be at no cost or expense to grantee. Any such construction shall be so designed and located in such place and in such manner as not to hinder, prevent or interfere with the easement for flood control purposes hereby granted. It is an express condition of this grant of easement that before constructing any such improvements or structures, grantors will submit to grantee plans and specifications for the work to be done. No improvements or structures shall be placed or installed except in accordance with plans and specifications therefore, and located and designed in a place and manner indicated by prior written approval of the grantee. Grantee shall not withhold such approval if the proposed construction will not materially hinder, prevent or interfere with the easement hereby granted or the proper use thereof.

TO HAVE AND TO HOLD, together with the right to do all things necessary to be done for the purpose of confining the waters of said stream and its tributaries within said right of way.

IN WITNESS WHEREOF this Grant of Easement is signed and executed this

STATE OF CALIFORNIA)
COUNTY OF CONTRA COSTA) S.S.

On July 21, 1955, before me, Camille A. Bush, a Notary Public, in and for said County and State, personally appeared John P. Marchant and Clayton J. Herman known to me to be the president and secretary of the corporation that executed the within instrument and also known to me to be the person who executed it on behalf of such corporation and acknowledged to me that such corporation executed the same.

nt Construction Co., Inc.,
ornia corporation,

John P. Marchant Pres
Clayton J. Herman Secy

Camille A Bush
Notary Public in and for the County
of Contra Costa, State of California.
My Commission Expires Nov. 8, 1958

EXHIBIT "A"

Portion of Block 6, as shown on the map entitled, "Map No. 1, Lafayette Homesites, by R. N. Burgess Company, a portion of the Rancho Laguna de los Palos Colorados, Contra Costa County, California", filed October 6, 1914 in Book 12 of Maps at Page 266, records of said county.

Beginning at a point on the center line of First Street, said point being distant along said center line, North $3^{\circ} 33' 30''$ West, 324.62 feet from the intersection of said center line with the center line of Moraga Blvd., as shown on the above-mentioned map, said point of beginning to be hereinafter referred to as "Point A."

A strip of land 42 feet in width lying 21 feet on each side of the following described center line:

Beginning at the hereinabove mentioned "Point A"; thence South $61^{\circ} 34' 30''$ East, 37.63 feet; thence southeasterly 24.89 feet along the arc of a curve concave to the northeast, having a radius of 124.68 feet, through an angle of $11^{\circ} 26' 15''$; thence South $73^{\circ} 00' 45''$ East, 86.15 feet; thence northeasterly 202.78 feet along the arc of a curve concave to the northwest, having a radius of 162.75 feet, through an angle of $71^{\circ} 23' 17''$; thence North $35^{\circ} 35' 58''$ East, 27.97 feet to a point, said point to be hereinafter referred to as "Point B".

A strip of land 30 feet in width lying 15 feet on each side of the following described center line:

Beginning at the herein above-mentioned "Point B"; thence northeasterly 93.58 feet along the arc of a curve concave to the southeast, having a radius of 120.94 feet, through an angle of $44^{\circ} 19' 57''$ to a point, said point to be hereinafter referred to as "Point C".

A strip of land 32 feet in width lying 16 feet on each side of the following described center line:

Beginning at the herein above-mentioned "Point C"; thence North $79^{\circ} 55' 55''$ East, 169.11 feet; thence southeasterly 64.03 feet along the arc of a curve concave to the southwest, having a radius of 134.97 feet through an angle of $27^{\circ} 11'$; thence South $72^{\circ} 53' 05''$ East, 7.76 feet; thence easterly 75.37 feet along the arc of a curve concave to the north, having a radius of 106.14 feet, through an angle of $40^{\circ} 40' 59''$ to a point, said point to be hereinafter referred to as "Point D".

A strip of land 36 feet in width lying 18 feet on each side of the following described center line:

Beginning at the hereinabove mentioned "Point D"; thence North $66^{\circ} 25' 56''$ East, 28.15 feet; thence easterly 47.28 feet along the arc of a curve concave to the south, having a radius of 146.60 feet, through an angle of $18^{\circ} 28' 37''$; thence North $84^{\circ} 54' 33''$ East, 51.35 feet to a point on the center line of Second Street; said last mentioned point being distant along said center line, North $4^{\circ} 28'$ West, 214.88 feet from the intersection of said center line with the center line of Moraga Blvd., as shown on the above-mentioned map.