

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

Return to:  
Carmel Estates Owners Association  
C/o Common Interest Management Services  
390 Carrol Court, Suite A  
Brentwood, CA 94513  
Attn: Amber Ford

Portion of Assessor's Parcel No.: 017-670-040

## GRANT OF EASEMENT

**THIS INDENTURE**, made by and between 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 "GRANTOR," and CARMEL ESTATES OWNERS ASSOCIATION, a California nonprofit mutual benefit corporation, hereinafter called the "GRANTEE,"

### WITNESSETH:

That the GRANTOR, for value received, hereby grants to the GRANTEE a permanent nonexclusive easement for the detention, distribution, and flowage of surface stormwater runoff from the Carmel Estates development over and upon that certain property ("Property") of GRANTOR, located in Contra Costa County, California, and more specifically described and depicted as follows:

**FOR DESCRIPTION AND PLAT MAP SEE EXHIBITS "A" AND "B" ATTACHED HERETO  
AND MADE A PART HEREOF**

GRANTOR, its successors and assigns, shall have the right to use the Property for any purpose not inconsistent with, or that will not unreasonably interfere with, the full use and enjoyment by the GRANTEE or its successors and assigns, of the rights and privileges herein granted under this easement.

GRANTEE intends to use this easement to satisfy the conditions of approval imposed for the development of Carmel Estates. It is understood that GRANTEE is not responsible for the protection or maintenance of GRANTOR's property within the area described and shown in Exhibits "A" and "B" herein.

**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 \_\_\_\_ day of \_\_\_\_, 2020.

Dated 2/11/2020

CONTRA COSTA COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

  
Candace Andersen  
Chair, Board of Supervisors

**ATTACH APPROPRIATE ACKNOWLEDGMENT**

JL:dw

G:\realprop\Three Creeks Parkway Restoration\Carmel Estates HOA\EA.03 Grant of Easement FC - Carmel Estates HOA - v3.doc  
08/10/15

Flowage Easement  
over Parcel B (504 M 5) along Marsh Creek Channel  
from CCCFC&WCD to the Carmel Estates Owners Association  
Portion of APN 017-670-040  
FCPID # 5220

## **EXHIBIT "A"**

Real property in the City of Brentwood, County of Contra Costa, State of California, being a portion of Parcel B of Subdivision 8311, Carmel Estates, filed May 23, 2007 in Book 504 of Maps at Page 5, more particularly described as follows:

### **Flowage Easement**

A nonexclusive easement, to provide for the flowage of surface runoff from said Subdivision 8311, Carmel Estates, over and across those portions of said Parcel B more particularly described as follows:

All of said Parcel B,

**Excepting therefrom** the following described portions of said Parcel B;

### **Excepted Area A:**

Beginning at a Northwest corner of said Parcel B;

1. Thence along the north line of said Parcel B, South 64°35'12" East, 53.83 feet to the northeast corner of said Parcel B;
2. Thence along the east line of said Parcel B, South 25°24'48" West, 35.98 feet;
3. Thence leaving said east line of Parcel B, South 86°41'19" West, 59.87 feet to a point on the west line of said Parcel B;
4. Thence along said west line of Parcel B, North 24°14'23" East, 64.77 feet to the Point of Beginning.

### **Excepted Area B:**

Beginning at a westerly corner of said Parcel B, said Point of Beginning being on the south side of Mission Field Lane and on the arc of a non-tangent curve, concave to the northwest, having a radius of 66.50 feet, from which a radial line bears North 24°52'19" West;

1. Thence northeasterly along said curve, along the westerly line of said Parcel B, through a central angle of  $64^{\circ}37'23''$ , for an arc length of 75.00 feet, to a westerly corner of said Parcel B
2. Thence along a northerly line of said Parcel B, South  $89^{\circ}29'42''$  East, 3.45 feet to a westerly corner of said Parcel B;
3. Thence along the west line of said Parcel B, North  $15^{\circ}48'53''$  East, 25.26 feet;
4. Thence leaving said west line of Parcel B, South  $9^{\circ}40'43''$  West, 83.13 feet;
5. Thence South  $54^{\circ}18'22''$  West, 43.21 feet to a point on the west line of said Parcel B;

Thence along said west line of Parcel B, North  $0^{\circ}30'18''$  East, 23.14 feet to the Point of Beginning.

Containing 30,450 square feet (0.699 acres) more or less

Bearings shown herein are based on an assumed bearing of South  $24^{\circ}14'23''$  West on the west line of said Parcel B of Subdivision 8311, from the northwest corner of said Parcel B.

**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

Date: 9/5/19



# EXHIBIT "B"

PLAT TO ACCOMPANY EXHIBIT "A"

## EXCEPTED AREA "A" LINE TABLE

NO.	BEARING	LENGTH
L1A	S 64°35'12" E	53.83'
L2A	S 25°24'48" W	35.98'
L3A	S 86°41'19" W	59.87'
L4A	N 24°14'23" E	64.77'

## EXCEPTED AREA "B" CURVE TABLE

NO.	RADIUS	DELTA	ARC LENGTH
C1B	-66.50'	64°37'23"	75.00'

## EXCEPTED AREA "B": LINE TABLE

NO.	BEARING	LENGTH
L1B	S 89°29'42" E	3.45'
L2B	N 15°48'53" E	25.26'
L3B	S 9°40'43" W	83.13'
L4B	S 54°18'22" W	43.21'
L5B	N 0°30'18" E	23.14'

SUBDIVISION 8311  
CARMEL ESTATES

MONTE VERDE LN

PARCEL A  
SUBDIVISION 8311

BASIS OF BEARINGS  
S 24°14'23" W

PARCEL B  
SUBDIVISION 8311

CCFC&WCD  
MARSH CREEK CHANNEL

POB

L1A

L4A

L2A

L3A

Excepted Area A

Flowage Easement Area

L2B

L1B

C1B

L3B

N 24°52'19" W  
(Radial)

POB

MISSION FIELD LN

Flowage Easement Area

L5B

Excepted Area B

L4B

FCPID: 5220

FC Drawing No.: FA-20132

Portion of Parcel B, Subdivision 8311

Instrument:	Scale: 1"=80'	Date: 08/19/2019
Series No.:	Drawn By: BJD	Sheet 1 of 1
Recorded:	Checked By: JS	Cad File: RW.....dgn