

Recording requested by
and to be returned to:
County Of Santa Barbara
Surveyor's Office
WILL CALL

**COUNTY OF SANTA BARBARA
OFFICIAL BUSINESS**

No fee pursuant to Government Code § 6103
SPACE ABOVE THIS LINE FOR RECORDER'S USE

EASEMENT DEED AGREEMENT
(PERMANENT EASEMENT)

The LAND TRUST FOR SANTA BARBARA COUNTY, a California Nonprofit Public Benefit Corporation, owner of all that real property in the County of Santa Barbara, State of California, abutting Sandyland Cove Road, more particularly described as County Assessor's Parcel Numbers 004-031-005, -009, -010 and -011 (collectively herein the "Property") as GRANTOR herein,

DOES HEREBY GRANT TO

the SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a special district, its successors and assigns, as GRANTEE herein, a permanent easement and right of way over and across portions of the above referenced Property for the purpose of removal of soil, rock, vegetation and sediment ("Fill") from flood control channels and basins, for the placement and export of previously placed Fill, and for the maintenance of an existing earthen berm. The maintenance of the flood control channels and berm set forth above shall be the consideration for the granting of this easement and GRANTOR acknowledges the receipt and sufficiency of same.

This permanent easement is associated with flood control operations associated with Franklin Creek, which is located on and adjacent to the Property. The area of the placement and export easement is more particularly described and shown on Exhibit A attached hereto and incorporated herein by this reference. The area of the earthen berm easement is more particularly described and shown on Exhibit B attached hereto and incorporated herein by this reference.

GRANTOR and its successors in interest retain the right to use the easement areas, except that within the easement areas, no permanent structures, buildings, landscaping, vegetation and/or any accessory parts can be erected or other use made by GRANTOR which would interfere with GRANTEE'S use of the easement areas and facilities therein.

GRANTEE shall notify GRANTOR fifteen (15) days in advance of any planned flood control maintenance activities on the Property. GRANTEE shall obtain, and provide GRANTOR evidence that it has obtained, all required regulatory permits to conduct the planned activities

prior to commencing any activities on the Property. In emergency situations, flood control maintenance activities may be undertaken without prior notification, in which case GRANTEE shall notify GRANTOR as soon as possible about the scope and duration of such emergency operations.

GRANTEE shall inspect and make a photographic inventory showing the conditions of the entry roads, the areas of planned maintenance activities, and the immediately adjacent vegetation and public access improvements, and shall provide this inventory to GRANTOR prior to the start of any activities. In emergency situations, flood control maintenance activities may be undertaken without prior delivery of such inventory, in which case GRANTEE shall deliver the photographic inventory to GRANTOR as soon as possible.

GRANTEE agrees to promptly repair, replant or restore as nearly as practical to its pre-existing condition and as reflected in the photographic inventory, if available, any landform, vegetation or improvements of GRANTOR that are disturbed or damaged during maintenance operations. With respect to the approximately 5,000 square foot planted area near the pedestrian bridge, GRANTEE will clear the area of dirt and debris to encourage natural re-growth of the plants, but is not required to replant or irrigate this area. Grantee will repair or replace any damage to the improved pedestrian path crossing the easement areas toward the footbridge.

GRANTEE shall indemnify, defend and hold GRANTOR free and harmless from all loss, damage or liability arising from the performance of all or any activities by GRANTEE, its agents and employees on the Property.

In addition, upon completion of planned maintenance operations, GRANTEE shall return the unpaved maintenance entry roads and work areas within the easement areas to a condition comparable to the condition, appearance and utility of such roads prior to GRANTEE'S maintenance operations and as reflected in the photographic inventory, if available. The road bed adjacent to public access trails shall be compacted and finished to a condition that does not present a hazard to pedestrians. To reduce dust after maintenance operations, GRANTEE shall treat the road one time with watering, by spreading soil binders or by other method approved by GRANTOR, which approval shall not be unreasonably withheld and shall be given within five (5) business days of request by GRANTEE.

During planned and emergency maintenance operations, GRANTEE shall avoid disturbance outside the Easement areas, and shall minimize disturbance or damage to landforms, vegetation or improvements of GRANTOR within the easement areas. GRANTEE agrees to consult with GRANTOR on measures to identify, avoid and minimize such damage prior to the start of operations. Measures shall include, but are not limited to: (a) temporary protective fencing between the access road and the improved pedestrian trail beside the road; (b) trimming of vegetation near the road to allow passage of equipment; (c) installation of silt fencing to prevent runoff of soil or water from sediment stockpile outside of the Easement areas or into the creek.

The location of temporary stockpiling of sediment removed from the creek channel shall be done in the following order of priority: first, on top of the creek bank; second, on the GRANTEE'S property north of the Easement areas; third, within the existing bermed basin west of the

pedestrian path. These locations are shown on Exhibit C attached hereto and incorporated herein.

GRANTEE shall remove all stockpiled Fill and equipment within thirty (30) days of completing channel desilting or other maintenance operations, unless GRANTOR agrees to an extension of time.

GRANTEE acknowledges that GRANTOR is a publicly supported, tax-exempt nonprofit organization within the meaning of California Public Resources Code section 10221 and California Civil Code section 815.3 and is a tax exempt and "qualified conservation organization" within the meaning of Sections 501(c)(3) and 170(b)(1)(A)(iv) as defined by the United States Internal Revenue Code. GRANTEE further acknowledges that GRANTOR's purpose in owning the Property is to preserve the Property in its natural, scenic or open-space condition. GRANTEE agrees to exercise its rights and perform its obligations under this Easement in a manner that serves and protects GRANTOR's purposes to the greatest extent practicable.

"GRANTOR"
LAND TRUST FOR SANTA BARBARA COUNTY, a California Nonprofit Public Benefit Corporation

By: Warren P. Miller
Warren P. Miller, President

Richard James Nagler
Richard James Nagler, Secretary

Date: 8/8/11

State of California
County of Santa Barbara

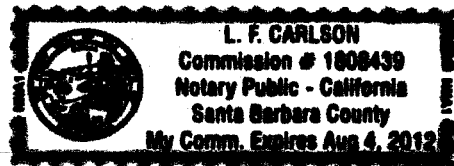
On 8/8/11, before me, L. F. Carlson Notary Public,
(Name of Notary)

personally appeared Wendy P. Miller & Richard James Taylor, 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: [Handwritten Signature] (Seal)



CERTIFICATE OF ACCEPTANCE

STATE OF CALIFORNIA, COUNTY OF SANTA BARBARA: SS. § 27281

THIS IS TO CERTIFY that the interest in real property conveyed by the EASEMENT DEED

AGREEMENT (PERMANENT EASEMENT) dated _____,
from the LAND TRUST FOR SANTA BARBARA COUNTY, a California Nonprofit Public
Benefit Corporation, to SANTA BARBARA COUNTY FLOOD CONTROL AND WATER
CONSERVATION DISTRICT, a special district, is hereby accepted by Order of the Board of
Directors of the Santa Barbara County Flood Control and Water Conservation District on
_____, and the Santa Barbara County Flood Control and Water
Conservation District as GRANTEE consents to recordation thereof by its duly authorized
officer.

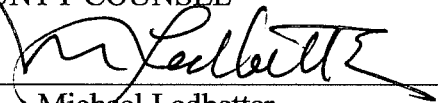
WITNESS my hand and official seal

this ____ day of _____, _____

CHANDRA L. WALLAR
CLERK OF THE BOARD and
Ex Officio Clerk of the Board of
Directors of the Santa Barbara
County Flood Control and Water
Conservation District

By _____
Deputy Clerk of the Board

APPROVED AS TO FORM:
DENNIS A. MARSHALL
COUNTY COUNSEL

By: 
Michael Ledbetter
Deputy County Counsel

LEGAL DESCRIPTION

That portion of Parcel One and Parcel Two described in the Grant Deed to LAND TRUST FOR SANTA BARBARA COUNTY recorded December 29, 2000 as Instrument No. 2000-0082473 in the Office of the County Recorder, in the County of Santa Barbara, State of California, described as follows:

Beginning at the northwesterly corner of said Parcel Two, on the southerly boundary of the railroad right of way and marked by a 3/4" x 18" rebar with 1-1/2" aluminum cap marked "LS 6392" as shown on map filed in Book 148, Page 60 of Record of Survey, in said Office of the County Recorder of said County;

- 1) Thence, southerly along the westerly line of said Parcel Two, S18°58'44"W 81.65 feet;
- 2) Thence, leaving said westerly line, S76°48'29"E 138.81 feet to the beginning of a curve concave to the southwest having a radius of 186.23 feet;
- 3) Thence, easterly and southeasterly along said curve 64.88 feet through a central angle of 19°57'36" to which point a radial line bears N33°09'07"E;
- 4) Thence, S56°50'53"E 69.04 feet;
- 5) Thence, S59°18'37"E 58.33 feet;
- 6) Thence, S60°36'30"E 49.54 feet to the beginning of a curve concave to the northeast having a radius of 328.02 feet;
- 7) Thence, southeasterly along said curve 23.88 feet through a central angle of 04°10'19";
- 8) Thence, S64°46'49"E 81.12 feet to the beginning of a curve concave to the southwest having a radius of 115.26 feet;
- 9) Thence, southeasterly along said curve 58.74 feet through a central angle of 29°11'55";
- 10) Thence, S35°34'54"E 5.75 feet to the beginning of a curve concave to the southwest having a radius of 255.72 feet;
- 11) Thence, southeasterly along said curve 18.76 feet through a central angle of 04°12'12" to a non-tangent line and to which point a radial line bears N58°37'18"E;
- 12) Thence, on a non-tangent line S31°47'26"W 139.91 feet;
- 13) Thence, S26°44'26"W 130.35 feet;
- 14) Thence, S43°13'14"W 77.35 feet;
- 15) Thence, S09°53'22"W 87.63 feet;
- 16) Thence, S34°17'12"W 10.82 feet;
- 17) Thence, S03°23'11"W 15.48 feet;
- 18) Thence, S20°31'59"W 16.13 feet;
- 19) Thence, S17°32'48"W 19.06 feet;
- 20) Thence, S23°54'26"W 16.51 feet;
- 21) Thence, S31°32'12"W 19.63 feet;
- 22) Thence, S30°13'18"W 61.79 feet;

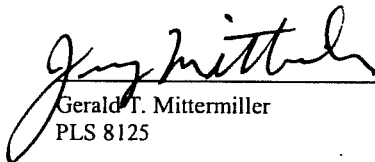
- 23) Thence, S32°25'17"W 12.61 feet;
- 24) Thence, S48°02'49"W 13.57 feet;
- 25) Thence, S29°03'52"W 11.08 feet;
- 26) Thence, S20°48'26"W 9.97 feet;
- 27) Thence, S11°55'55"W 62.57 feet;
- 28) Thence, S15°56'25"W 101.35 feet;
- 29) Thence, S17°53'27"W 108.69 feet;
- 30) Thence, S22°52'39"W 84.99 feet;
- 31) Thence, S28°56'05"W 48.90 feet;
- 32) Thence, S35°24'37"W 52.51 feet;
- 33) Thence, S43°03'58"W 15.29 feet;
- 34) Thence, S46°06'36"E 28.08 feet;
- 35) Thence, N45°56'19"E 44.00 feet;
- 36) Thence, N48°16'14"E 25.22 feet;
- 37) Thence, N34°03'07"E 40.22 feet;
- 38) Thence, N29°24'57"E 53.82 feet;
- 39) Thence, N23°51'21"E 52.57 feet;
- 40) Thence, N19°20'59"E 66.13 feet;
- 41) Thence, N14°04'44"E 73.74 feet;
- 42) Thence, N22°14'38"E 73.00 feet;
- 43) Thence, N23°23'05"E 67.47 feet;
- 44) Thence, N23°03'50"E 72.63 feet;
- 45) Thence, N26°31'00"E 95.01 feet;
- 46) Thence, N40°50'57"E 188.65 feet;
- 47) Thence, N46°47'03"E 38.08 feet;
- 48) Thence, N39°43'11"E 7.96 feet to the boundary of the land described in the Grant Deed to the Santa Barbara County Flood Control and Water Conservation District recorded April 2, 1976 as Instrument No. 12664 in Book 2608, Page 256 of Official Records of said County;
- 49) Thence, along said boundary N46°26'54"W 28.74 feet;
- 50) Thence, continuing along said boundary N16°50'11"E 201.79 feet;
- 51) Thence, leaving said boundary N24°18'30"W 17.33 feet to the beginning of a curve concave to the southwest having a radius of 270.72 feet;
- 52) Thence, northwesterly along said curve 53.27 feet through a central angle of 11°16'24";
- 53) Thence, N35°34'54"W 5.75 feet to the beginning of a curve concave to the southwest having a radius of 130.26 feet;
- 54) Thence, northwesterly along said curve 66.38 feet through a central angle of 29°11'56";
- 55) Thence, N64°46'49"W 81.12 feet to the beginning of a curve concave to the northeast having a radius of 313.02 feet;
- 56) Thence, northwesterly along said curve 22.79 feet through a central angle of 04°10'19";
- 57) Thence, N60°36'30"W 49.36 feet;

- 58) Thence, N59°18'37"W 57.84 feet;
- 59) Thence, N56°50'53"W 68.72 feet to the beginning of a curve concave to the southwest having a radius of 201.23 feet;
- 60) Thence, northwesterly and westerly along said curve 60.11 feet through a central angle of 17°06'55";
- 61) Thence, N73°57'48"W 94.07 feet;
- 62) Thence, N23°49'33"W 77.42 feet to the point of beginning;

Note: Bearings and distances used herein are based on the California Coordinate System of 1983, Zone 5.

END OF DESCRIPTION

This description was prepared by me or under my direction in conformance with the requirements of the Professional Land Surveyors Act.


Gerald T. Mittermiller
PLS 8125

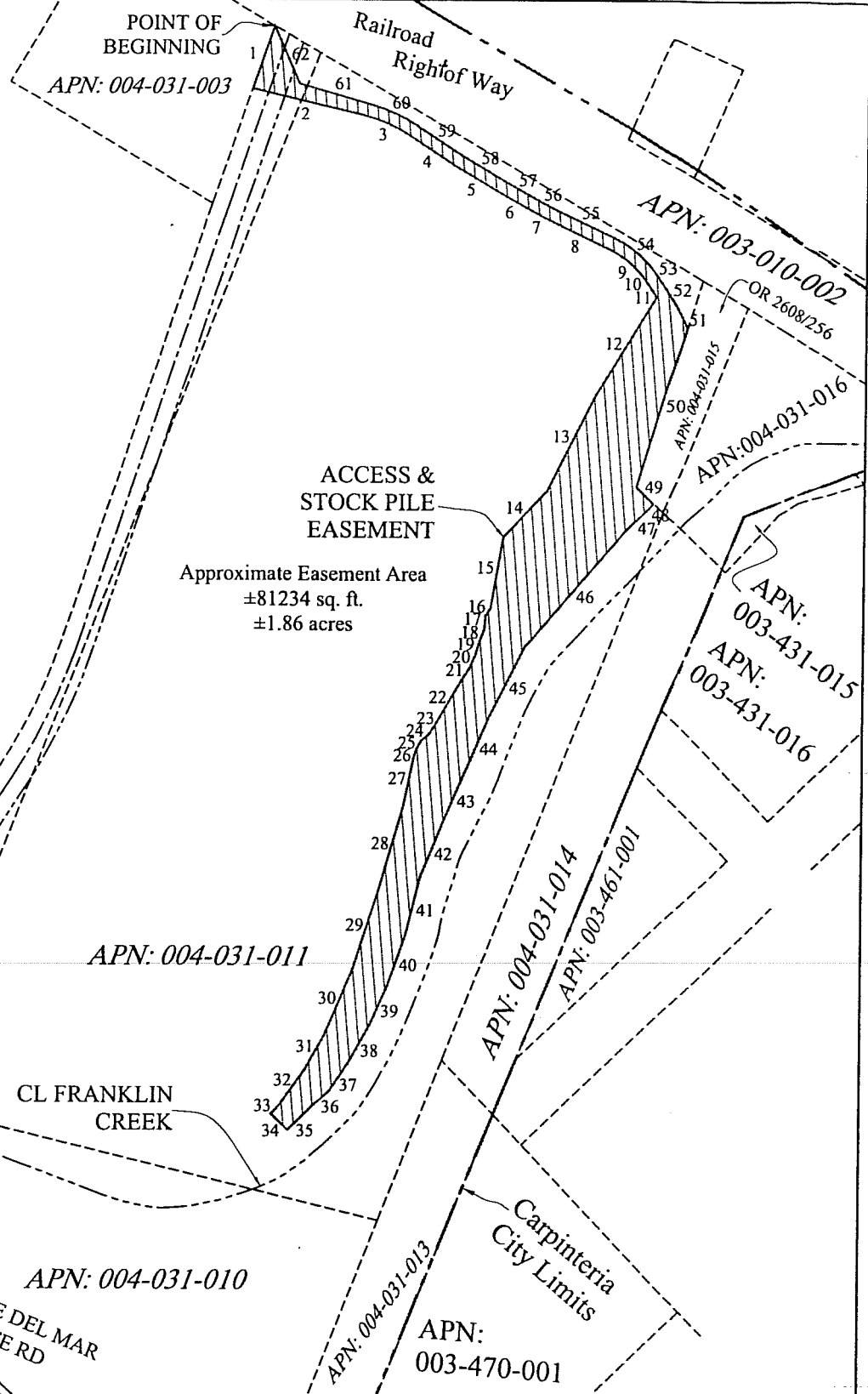


2-7-2011

Date:



1 inch = 200 ft.
SCALE



ACCESS &
STOCK PILE
EASEMENT

Approximate Easement Area
±81234 sq. ft.
±1.86 acres

THIS MAP WAS PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYORS ACT.

Gerald T. Mittermiller
GERALD T. MITTERMILLER

2-7-2011
DATE

COUNTY OF SANTA BARBARA DEPARTMENT OF PUBLIC WORKS
COUNTY SURVEYOR'S OFFICE

CARPINTERIA SALT MARSH
ACCESS AND STOCK PILE EASEMENT
CARPINTERIA
SANTA BARBARA COUNTY, CALIFORNIA
JANUARY 2011

EXHIBIT A S773

LEGAL DESCRIPTION

A strip of land 50 feet wide, being a portion of Parcel One and Parcel Two described in the Grant Deed to LAND TRUST FOR SANTA BARBARA COUNTY recorded December 29, 2000 as Instrument No. 2000-0082473 in the Office of the County Recorder, in the County of Santa Barbara, State of California, lying 25 feet on each side of the following described centerline:

COMMENCING at a 3 inch Brass Cap stamped "GEORGE MILLER" at the centerline intersection of Avenue Del Mar and Sandyland Cove Road as shown on map filed in Book 148, Page 60 of Record of Survey, in said Office of the County Recorder of said County, said point being distant thereon N77°31'18"W 165.84 feet (N78°16'00"W 165.85 feet shown on said map) from a 3 inch Brass Cap stamped "GEORGE MILLER" on centerline of Avenue Del Mar also shown on said map;

Thence, N28°02'20"E 245.99 feet to the TRUE POINT OF BEGINNING of said centerline; thence along the centerline of which is described as follows,

- 1) S61°12'09"E 151.66 feet;
- 2) Thence, S69°17'48"E 184.20 feet;
- 3) Thence, S71°33'40"E 73.67 feet;
- 4) Thence, S74°27'35"E 53.65 feet to the beginning of a curve concave to the north having a radius of 178.08 feet;
- 5) Thence, easterly along said curve 105.26 feet through a central angle of 33°51'59" to the beginning of a compound curve concave to the north having a radius of 2045.92 feet;
- 6) Thence, easterly along said curve 91.53 feet through a central angle of 2°33'48" to the beginning of a compound curve concave to the northwest having a radius of 115.72 feet;
- 7) Thence, northeasterly along said curve 31.72 feet through a central angle of 15°42'24" to the beginning of a compound curve concave to the northwest having a radius of 1755.78 feet;
- 8) Thence, northeasterly along said curve 55.00 feet through a central angle of 01°47'41" to the beginning of a compound curve concave to the northwest having a radius of 391.32 feet;
- 9) Thence, northeasterly along said curve 58.34 feet through a central angle of 08°32'33" to the beginning of a compound curve concave to the northwest having a radius of 267.60 feet;
- 10) Thence, northeasterly along said curve 57.15 feet through a central angle of 12°14'13" to the beginning of a compound curve concave to the northwest having a radius of 1372.10 feet;
- 11) Thence, northeasterly along said curve 57.89 feet through a central angle of 02°25'03" to the beginning of a compound curve concave to the northwest having a radius of 433.84 feet;

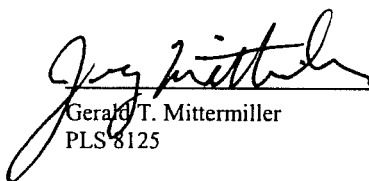
- 12) Thence, northeasterly along said curve 87.43 feet through a central angle of 11°32'49" to a non-tangent line and to which point a radial line bears S73°08'05"E;
- 13) Thence, on a non-tangent line N21°53'52"E 28.83 feet;
- 14) Thence, N18°16'28"E 49.49 feet;
- 15) Thence, N21°25'46"E 215.30 feet;
- 16) Thence, N26°10'35"E 59.74 feet;
- 17) Thence, N27°35'12"E 34.44 feet to the beginning of a curve concave to the southeast having a radius of 257.32 feet;
- 18) Thence, northeasterly along said curve 86.68 feet through a central angle of 19°18'03" to a non-tangent line and to which point a radial line bears N43°06'45"W;
- 19) Thence, N47°04'36"E 120.75 feet and end of described said centerline.

EXCEPTING THEREFROM any portion of said land lying outside of said Parcel One and Parcel Two.

Note: Bearings and distances used herein are based on the California Coordinate System of 1983, Zone 5.

END OF DESCRIPTION

This description was prepared by me or under my direction in conformance with the requirements of the Professional Land Surveyors Act.

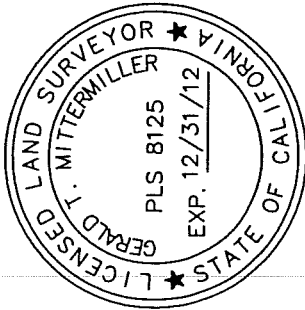

Gerald T. Mittermiller
PLS 8125



2-7-2011
Date:

THIS MAP WAS PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYORS ACT.

Gerald T. Mittermiller
 GERALD T. MITTERMILLER
 2-7-2011
 DATE



NOTE: Bearings & Distances shown hereon are based on CCS83, Zone 5, except 148/RS/60

1 inch = 200 ft.

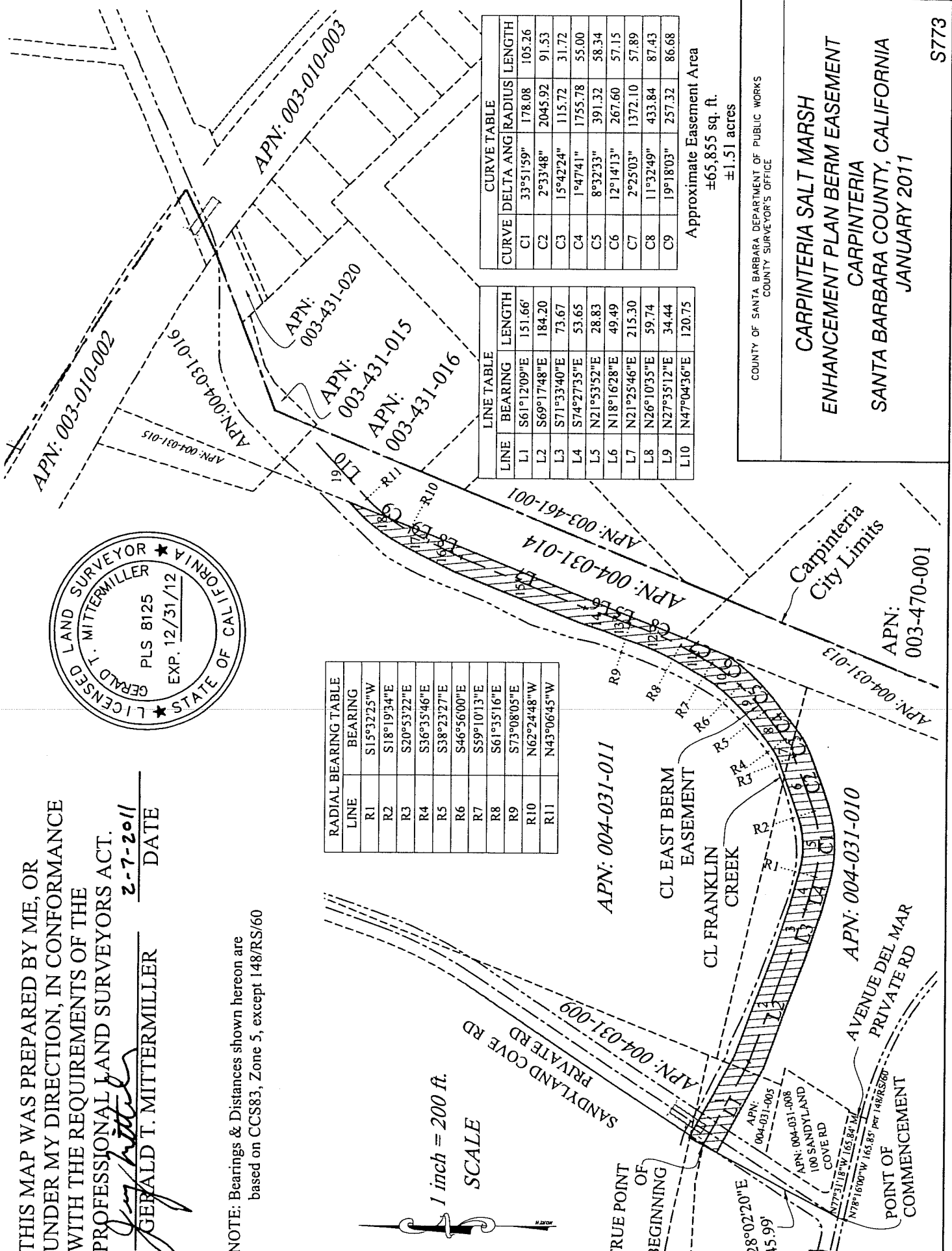
SCALE

LINE	BEARING
R1	S15°32'25"W
R2	S18°19'34"E
R3	S20°53'22"E
R4	S36°35'46"E
R5	S38°23'27"E
R6	S46°56'00"E
R7	S59°10'13"E
R8	S61°35'16"E
R9	S73°08'05"E
R10	N62°24'48"W
R11	N43°06'45"W

LINE	BEARING	LENGTH
L1	S61°12'09"E	151.66'
L2	S69°17'48"E	184.20
L3	S71°33'40"E	73.67
L4	S74°27'35"E	53.65
L5	N21°53'52"E	28.83
L6	N18°16'28"E	49.49
L7	N21°25'46"E	215.30
L8	N26°10'35"E	59.74
L9	N27°35'12"E	34.44
L10	N47°04'36"E	120.75

CURVE	DELTA ANG	RADIUS	LENGTH
C1	33°51'59"	178.08	105.26
C2	2°33'48"	2045.92	91.53
C3	15°42'24"	115.72	31.72
C4	1°47'41"	1755.78	55.00
C5	8°32'33"	391.32	58.34
C6	12°14'13"	267.60	57.15
C7	2°25'03"	1372.10	57.89
C8	11°32'49"	433.84	87.43
C9	19°18'03"	257.32	86.68

Approximate Easement Area
 ±65,855 sq. ft.
 ±1.51 acres



COUNTY OF SANTA BARBARA DEPARTMENT OF PUBLIC WORKS
 COUNTY SURVEYOR'S OFFICE

CARPINTERIA SALT MARSH
 ENHANCEMENT PLAN BERM EASEMENT
 CARPINTERIA
 SANTA BARBARA COUNTY, CALIFORNIA
 JANUARY 2011

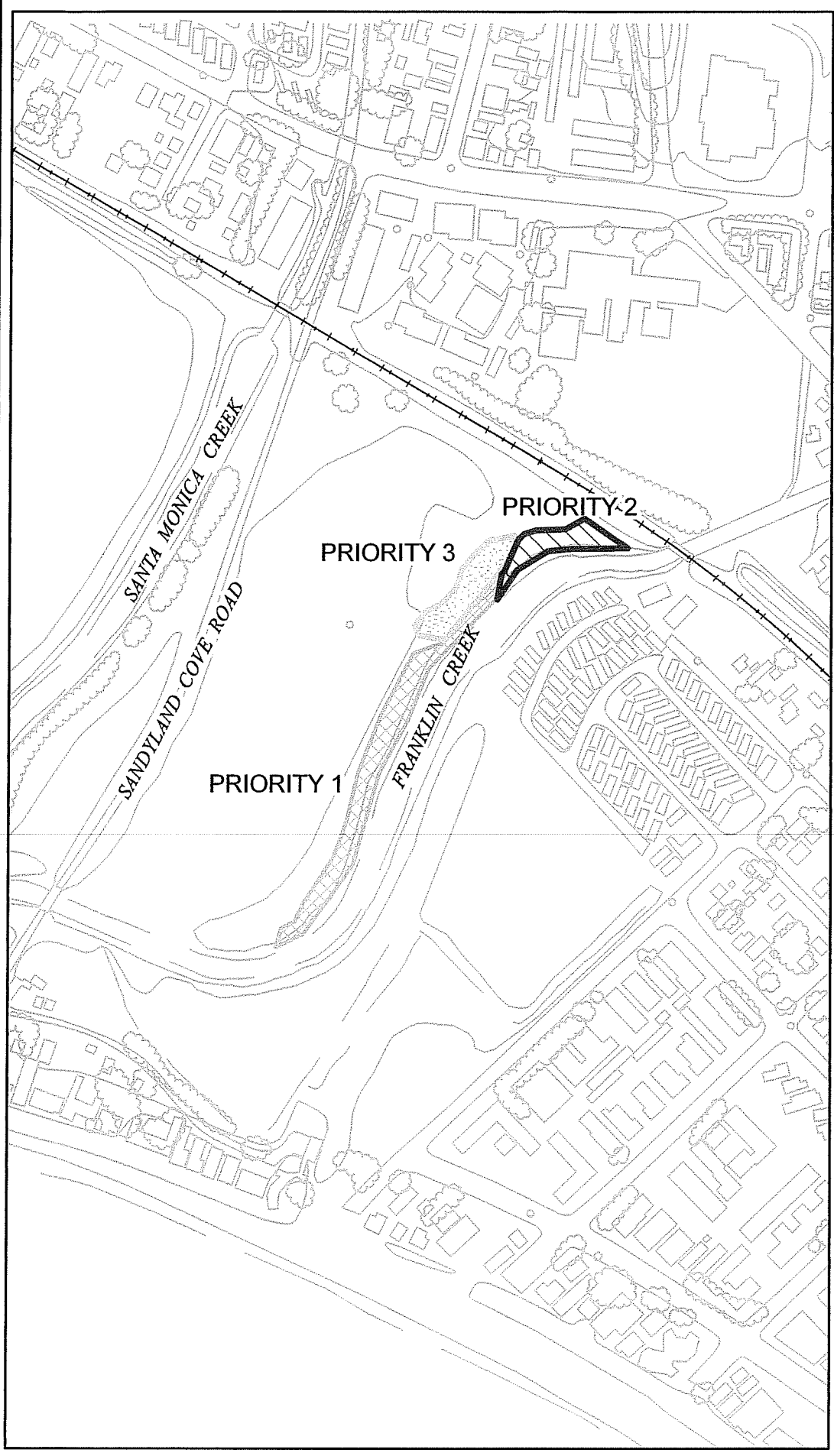
S773

EXHIBIT

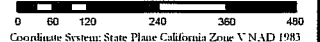


LEGEND

- +— Railroads
- CarpMarshTopo



This map is for reference only. Although every effort has been made to ensure the accuracy of information, errors and conditions originating from physical sources used to develop the database may be reflected on this map. Santa Barbara County shall not be liable for any errors, omissions, or damages that result from inappropriate use of this document. No level of accuracy is claimed for the boundary lines shown herein and lines should not be used to obtain coordinate values, bearings or distances.



Coordinate System: State Plane California Zone V NAD 1983

STOCKPILE PRIORITY EXHIBIT C

Santa Barbara County, California

Prepared By:
PW/FLOOD CONTROL

