

Recording requested by
and to be returned to:
Santa Barbara County Public Works
Real Property; Attn: JJH
Will Call

**COUNTY OF SANTA BARBARA
OFFICIAL BUSINESS**

Document entitled to free recordation
Pursuant to Government Code Section 6103

This Deed not Valid Until Recorded

APN: 075-063-010 (Portion)
County Project No.: 862358
Real Property Folio #: R-410

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NONEXCLUSIVE PERMANENT EASEMENT DEED

EDWARD ST. GEORGE, Trustee of the Edward St. George Revocable Trust dated May 16, 2002, as amended, owner of all that real property in the unincorporated area of the County of Santa Barbara, State of California, commonly referred to as 828 Embarcadero Del Mar, Isla Vista, (the "Property") and more particularly described as County Assessor's Parcel number 075-063-010, referred to as GRANTOR herein,

FOR A VALUABLE CONSIDERATION, DOES HEREBY GRANT TO

the COUNTY OF SANTA BARBARA, a political subdivision of the State of California, its successors and assigns, as GRANTEE herein, a permanent easement and right of way for the present and future construction, reconstruction, operation, repair, and maintenance of sidewalk, roadway and public utility improvements, and related public improvements for public purposes in such number and size, and with such accessory parts and structures, and with all surface and subsurface appurtenances incidental thereto, as the GRANTEE, or its successors in interest, may from time to time deem necessary to install within the easement, together with the necessary rights of ingress and egress to the easement for the above-referenced purposes, in, on, over, along, under and through that certain land situated in the County of Santa Barbara, State of California, more particularly described and shown on Exhibit "A" attached hereto and incorporated herein by this reference.

GRANTOR and his successors in interest retain the right to use the easement area except that within the easement area, no permanent surface improvements, trees, vines, fences or permanent encroachments of any kind can be erected or other use made which would interfere with the use, construction, operation, repair or maintenance of the present or future surface and subsurface rights granted herein. Grantor's use of the easement area shall comply with all provisions of the Santa Barbara County Code, including Chapter 28 – Roads, as now enacted or hereafter amended. GRANTEE shall have the right to clear or keep clear from the permanent easement area all buildings, structures and facilities of a permanent nature which interfere with the use of the easement area at the expense of whoever is responsible for the installation of same. GRANTEE, its

successors, assigns, contractors and employees shall have the right, but not the obligation to maintain, trim and cut those trees, shrubs, vegetation and roots, if any, within and above the surface of the easement area, provided however that GRANTEE shall make the least injury and damage to the surface of the ground and vegetation, and shall restore the surface of the ground and vegetation to as near the same condition as it was prior to the above referenced work as is practicable.

It is hereby noted that Santa Barbara County Public Works staff recommended the removal of the large Phoenix Canariensis, (Canary Island Date) palm tree located on the corner of Segovia and Embarcadero Del Mar Roads (the "Tree"). Removal of this Tree was recommended to the GRANTOR because the sidewalk and curb ramp installation will require the removal of a portion of the Tree's root system, which removal may compromise the Tree's health. However, GRANTOR requested that the Tree remain. Therefore GRANTOR does hereby accept full responsibility for the health, safety, and ongoing maintenance of the Tree, and shall defend, indemnify, save, and hold harmless GRANTEE, its agents, employees, officers, successors, and assigns from any and all claims, liabilities, demands, costs (including reasonable attorney fees), and causes of action of all kinds related to the condition and maintenance of the Tree.

GRANTOR shall defend, indemnify, save, and hold harmless GRANTEE, its agents, employees, officers, successors, and assigns from any and all claims, liabilities, demands, costs (including reasonable attorney fees), and causes of action of all kinds with regard to the condition of the easement property which is the subject of this deed, including, harmful, hazardous and/or toxic materials, if any. This indemnity shall not apply to any contamination which may occur on the easement property as a result of the operations of GRANTEE subsequent to the effective date of this easement.

In the event the indemnity hereunder exceeds that permitted by applicable law, such indemnity shall be construed as the maximum permitted by law.

GRANTOR does hereby certify that he is the sole owner of the Property; has communicated the contents, rights and duties of this Easement Deed to all parties having an interest in the Property, and that no additional signatures are required to grant the interest and perform the obligations specified herein.

"GRANTOR"

EDWARD ST. GEORGE REVOCABLE TRUST DATED MAY 16, 2002, as amended

By: _____
Trustee
EDWARD ST. GEORGE

DATE

ACKNOWLEDGMENT

State of California
County of _____

On _____, before me, _____, a
(Name of Notary)

Notary Public, personally appeared _____,
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: _____ (Seal)

CERTIFICATE OF ACCEPTANCE

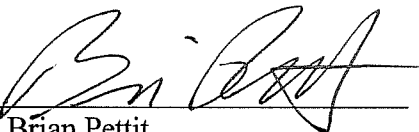
STATE OF CALIFORNIA, COUNTY OF SANTA BARBARA: GC. § 27281

THIS IS TO CERTIFY that the interest in real property conveyed by the EASEMENT DEED (PERMANENT EASEMENT) dated _____, from the EDWARD ST. GEORGE REVOCABLE TRUST DATED MAY 16, 2002, as amended, to the COUNTY OF SANTA BARBARA, a political subdivision of the State of California, is hereby accepted by Order of the Board of Supervisors of the County of Santa Barbara on _____, and the County of Santa Barbara as GRANTEE consents to recordation thereof by its duly authorized officer.

WITNESS my hand and official seal

this _____ day of _____, _____.

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

By: 
Brian Pettit
Deputy County Counsel

MONA MIYASATO
CLERK OF THE BOARD

By: _____
Deputy

EXHIBIT A

LEGAL DESCRIPTION

That portion of Lot 3 in Block "N" of The Ocean Terrace Tract, in the County of Santa Barbara, State of California, as per map recorded in Book 15, Pages 101 through 103 of Maps in the Office of the County Recorder of said County, described as follows:

The southerly 25.5 feet of the westerly 135 feet of said Lot 3; and the southerly 26 feet of the westerly 15 feet of said Lot 3.

EXCEPTING therefrom the southerly 21.00 feet of said Lot 3 as described in Right of Way Grant recorded October 14, 1960 in Book 1789, Page 88 of Official Records of said County.

ALSO EXCEPTING therefrom the westerly 10.00 feet of said Lot 3 as described in Right of Way Grant recorded October 18, 1955 in Book 1340, Page 464 of Official Records of said County.

End of Description

Containing 565 square feet, more or less.

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

E. Teñell Matlovsky
E. Teñell Matlovsky, PLS 8629



11/27/2013
Date

EXHIBIT B

EMBARCADERO DEL MAR

SCALE
1 inch = 30 ft



25'

10'

10' Easement per 1340/OR/464

125'

PORTION OF
LOT 3, BLOCK N
15 MB 101

INSTRUMENT # 2013-0024454

APN: 075-063-010

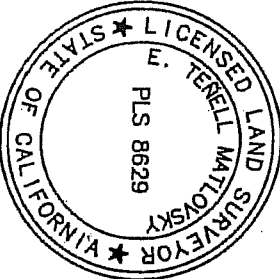
5'
21'

21' Easement per 1789/OR/88
20' Easement per 15/MB/101

SEGOVIA RD

4.5'

THIS MAP WAS PREPARED BY ME, OR UNDER
MY DIRECTION, IN CONFORMANCE WITH THE
REQUIREMENTS OF THE LAND SURVEYORS ACT.
E. Tenell Matlovsky
E. TENELL MATLOVSKY / 11/27/2013
DATE



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

ISLA VISTA SIDEWALKS EASEMENT

APN: 075-063-010

PORTION OF LOT 3, BLOCK N, 15 MB 101
THE OCEAN TERRACE TRACT
SANTA BARBARA COUNTY, CALIFORNIA

OCTOBER 2013

S855

EXHIBIT A