

**A T T A C H M E N T**  
**6**

**GRANT**  
**of**  
**RIDING and HIKING TRAILS**  
**EASEMENT**  
**(Casa Dorinda)**

**Recording requested by  
County of Santa Barbara**

**When recorded mail to:**  
County of Santa Barbara  
General Services Department  
Real Property Division  
Will Call

No Fee per Cal. Gov. Code 6103

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN: 009-640-001

**GRANT OF EASEMENT FOR RIDING AND HIKING TRAILS**

This Grant of Easement for Riding and Hiking Trails (“Trail Easement”) is effective upon recordation in the Official Records of the County of Santa Barbara, State of California by the MONTECITO RETIREMENT ASSOCIATION (“GRANTOR”), to the COUNTY OF SANTA BARBARA, a political subdivision of the State of California (“COUNTY”), each a “party” and together the “parties” to this Trail Easement, for the purpose of establishing in perpetuity the Trail Easement and associated rights described below.

**Recitals**

A. GRANTOR is the owner in fee simple of certain real property located in the unincorporated area of the County of Santa Barbara, commonly known as 300 Springs Road, Santa Barbara, California, commonly identified as Assessor’s Parcel Nos. 009-640-001, consisting of approximately 47.31 acres, located in the unincorporated community of Montecito, State of California, described in Exhibit A and depicted on Exhibit B, attached hereto and incorporated herein by this reference (“Property”); and

B. GRANTOR owns and operates a retirement community on the Property known as Casa Dorinda pursuant to a Conditional Use Permit issued by COUNTY (90-CP-091) (“1990 CUP”); and

C. In 1973, GRANTOR’s predecessor-in-interest executed and conveyed to COUNTY a “Grant of Easement for Riding and Hiking Trail” dated February 26, 1973 and recorded in the Official Records of the County of Santa Barbara on March 23, 1973 in Book 2453, Page 493 - 500 (“1973 Trail Easement”); and

D. GRANTOR has applied to the COUNTY for a Conditional Use Permit Revision (14CUP-00000-00002 and 14RVP-00000-00005) in order to construct improvements to the Casa Dorinda campus (“2016 CUP Revision”); and

E. On May 18, 2016, the Montecito Planning Commission approved GRANTOR's application for the 2016 CUP Revision subject to certain conditions of approval, including Condition No. 37, the text of which is attached as Exhibit C ("Condition 37"), which condition requires that GRANTOR record a new trail easement and extinguish the 1973 Trail Easement.

### Deed

In consideration of the recitals set forth above, and other consideration, receipt of which is hereby acknowledged, GRANTOR hereby grants to COUNTY a perpetual non-exclusive easement and right-of-way for public riding and hiking trail purposes, described and depicted in Attachment 1 AND Exhibits A through H attached thereto, as the Riding and Hiking Trails, which is incorporated herein by this reference ("Riding and Hiking Trails"), as required to connect to such public trails or roads as may exist on the adjacent parcel(s), subject to the following conditions and reservations:

1. **LIABILITY.** Neither GRANTOR, or its successors or assigns, shall have or assume liability for injury to persons or damage to property arising out of or connected in any way with the Riding and Hiking Trails or the easement conveyed herein, and any use made thereof by COUNTY, any agent or licensee of COUNTY, or by any member of the public, except for any injury to persons or damage to property resulting from GRANTOR's willful misconduct or from the GRANTOR's negligence, whether in whole or in part.

2. **MOTORIZED ACCESS; NO PAVING.** Motorized access to, along and across said easement and right-of-way shall be limited to COUNTY law enforcement, handicapped access, emergency and trail and open space maintenance vehicles only. In no event shall COUNTY pave any part of the Riding and Hiking Trails without the express prior written consent of GRANTOR.

3. **NO ENCROACHMENTS.** No encroachments or obstructions shall be placed or constructed by GRANTOR, its heirs, successor or assigns, within the Riding and Hiking Trails without prior written permission from the COUNTY's Director of Community Services Department, as provided for in Chapter 26 of the Santa Barbara County Code or any applicable successor County ordinance.

4. **TRAIL EASEMENT WIDTH.** The Riding and Hiking Trails shall be fifteen (15) feet in width.

5. **RESERVED RIGHTS.** GRANTOR reserves to itself, and to its representatives, heirs, successors and assigns, all rights accruing from the ownership of the Riding and Hiking Trails, including the right to engage in or permit or invite others to engage in all uses of the Property that are not expressly prohibited herein.

Without limiting the generality of the foregoing, the following rights are expressly reserved to GRANTOR, its representatives, heirs, successors and assigns:

(a) The right to place, maintain or remove fences along the boundaries of the Riding and Hiking Trail easement (edge of easement area).

6. **NO ASSIGNMENT.** Neither this Trail Easement nor any rights hereunder shall be transferable by COUNTY or subject to any assignment, voluntary or involuntary, except to another public entity.

September 7, 2016

GRANTOR

MONTECITO RETIREMENT ASSOCIATION

By: \_\_\_\_\_  
Chief Executive Officer  
Brian McCague

A notary or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of \_\_\_\_\_

County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_ a Notary Public  
(Name of Notary)

Public, personally appeared Brian McCague, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument, the person or the entity upon behalf of which the person 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)

California Civil Code § 1189

# EXHIBIT A

## Property Legal Description

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF MONTECITO, COUNTY OF Santa Barbara, STATE OF CA AND IS DESCRIBED AS FOLLOWS:

### PARCEL ONE:

That portion of the Outside Pueblo Lands of the City of Santa Barbara, in the County of Santa Barbara, State of California, shown as "29.151Ac." on Map filed in Book 86, Pages 8 and 9 of Record of Surveys, in the office of the County Recorder of said County.

Except all water and water rights, together with all water and water rights in and of the Hot Springs Branch of the Montecito Creek and the Springs and the source thereof, as granted to Kenneth H. Hunter, et al., by Quitclaim Deeds recorded February 6, 1966 as Instrument No. 4934, 4935 and 4936 in Book 2221, Pages 120, 121 and 124, respectively, of Official Records.

### PARCEL TWO:

That portion of the Outside Pueblo Lands of the City of Santa Barbara in the County of Santa Barbara, State of California, shown as "19.208 Ac." on Map filed in Book 86, Pages 8 and 9 of Record of Surveys, in the office of the County Recorder of said County.

EXCEPTING therefrom that portion thereof conveyed to the County of Santa Barbara, by deed recorded March 15, 1973 as Instrument No. 9901 in Book 2452, Page 304 of Official Records.

### PARCEL THREE:

An easement for road and public utility purposes over all of that certain property described as Parcel One in the deed to Eric P. Ramstrum, et ux., recorded October 16, 1962 as Instrument No. 43340 in Book 1957, Page 72 of Official Records.

### PARCEL FOUR:

An easement for sewer purposes over a strip of land twenty feet in width lying Northeasterly of and adjacent to the Southwesterly line of Parcel Two as contained in deed recorded October 16, 1962, as Instrument No. 43340 in Book 1957, Page 72 of Official Records, the Northerly line of said easement to be shortened to connect with the Easterly line and the Northwesterly line of said parcel.

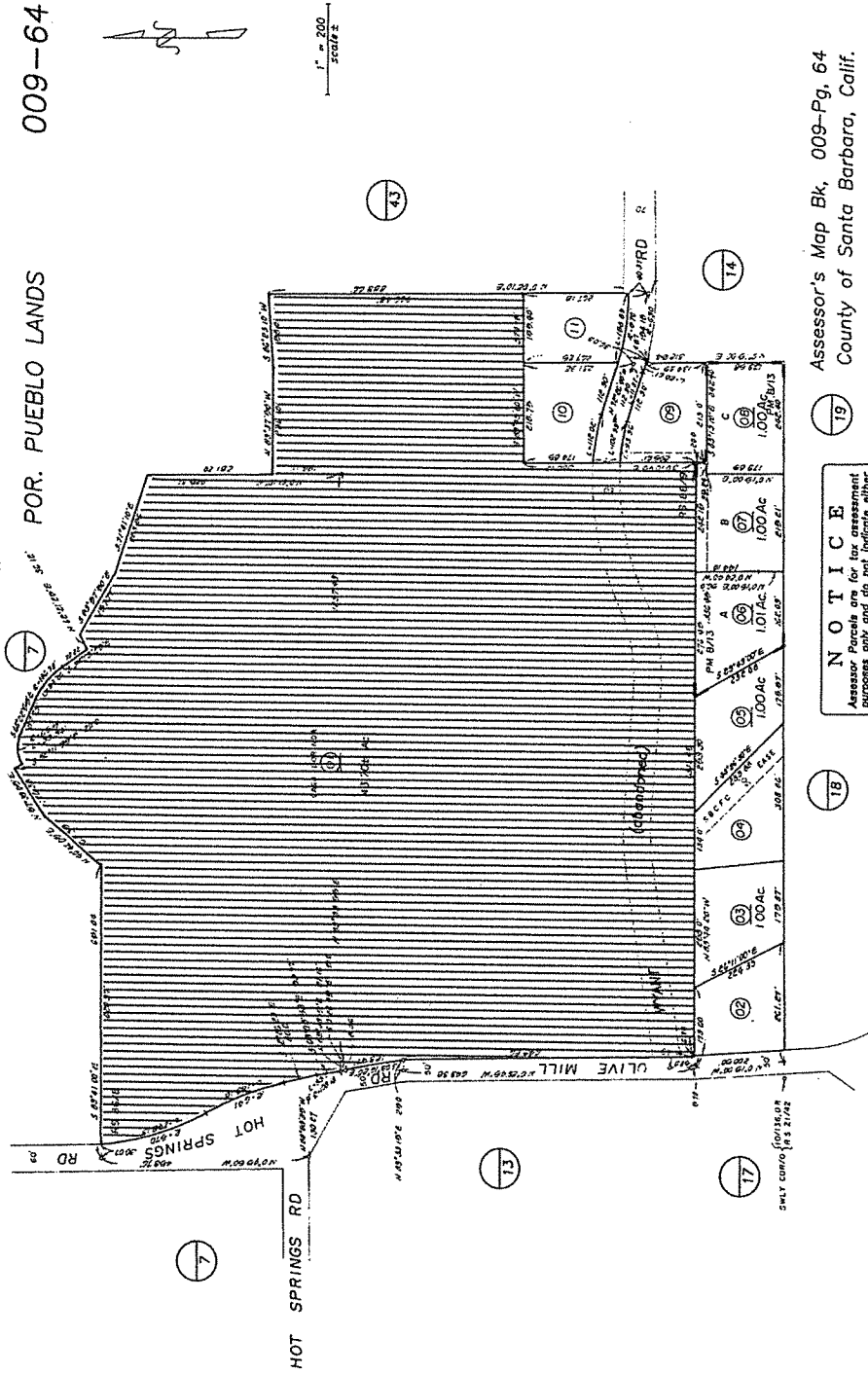
APN: 009-640-001

# EXHIBIT B

## Property Depiction

009-64

POR. PUEBLO LANDS



Assessor's Map Bk, 009-Pg, 64  
County of Santa Barbara, Calif.

**NOTICE**  
Assessor Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

10/03  
revised per Map Bk

## EXHIBIT C

### 2016 CUP Revision Condition 37

37. **SpCond-2 Re-dedication of Trails.** Prior to issuance of Zoning Clearance for any building or structure permitted under 14RVP-00000-00005, the Owner/Applicant shall complete a one-time quit claim of existing recorded trail easements and shall rededicate trail easements within the revised open space easement, to conform to their currently used locations and in accordance with the Parks Department Condition letter dated September 30, 2015, and as modified to retain the trail easement segment at the northwest corner of the property as shown on sheet C-5.1 of the project plans.

**TIMING:** The quitclaim of existing recorded trail easements and re-dedication of revised trails easements shall be accepted by the Board of Supervisors and recorded on the title, prior to issuance of the first Zoning Clearance for any development permitted as part of 14RVP-00000-00005.



# ATTACHMENT 1

Property  
Legal Descriptions and Depiction  
(Exhibits A through H)

## Exhibit A

That portion of the Outside Pueblo Lands described as that certain 29.151 Acre Parcel in the County of Santa Barbara, State of California shown on a map recorded in Book 86 Pages 8 and 9 of Record of Surveys in the office of the County Recorder in the County of Santa Barbara, State of California included within a strip of land 15.00 feet wide lying 7.50 feet on each side of a line described as follows:

Commencing at the Southwest corner of said 29.151 Acre Parcel;

Thence along the Westerly Boundary line of said 29.151 Acre Parcel North  $3^{\circ}44'15''$  West 5.70 feet; thence North  $0^{\circ}26'45''$  West 315.24 feet to the True Point of Beginning:

Thence South  $84^{\circ}49'37''$  East 86.77 feet to the beginning of a tangent curve concave southwesterly having a radius of 100.00 feet; thence southeasterly along said curve through a central angle of  $54^{\circ}18'26''$  an arc distance of 94.78 feet; thence South  $30^{\circ}31'11''$  East 88.54 feet to the beginning of a tangent curve concave northeasterly having a radius of 70.00 feet; thence easterly along said curve through a central angle of  $69^{\circ}07'04''$  an arc distance of 84.44 feet; thence North  $80^{\circ}21'45''$  East 179.98 feet to a point designated as POINT "A"; thence North  $80^{\circ}21'45''$  East 175.29 feet to the beginning of a tangent curve concave northwesterly having a radius of 250.00 feet; thence northeasterly along said curve through a central angle of  $24^{\circ}08'43''$  an arc distance of 105.35 feet; thence North  $56^{\circ}13'02''$  East 119.18 feet; thence North  $40^{\circ}40'47''$  East 92.90 feet to a point designated as POINT "B"; thence North  $40^{\circ}40'47''$  East 27.75 feet to a point designated as POINT "C"; thence South  $78^{\circ}18'12''$  East 79.36; thence South  $51^{\circ}31'44''$  East 29.56 feet to a point designated as POINT "D"; thence North  $75^{\circ}57'44''$  East 89.02 feet; thence North  $83^{\circ}58'40''$  East 131.27 feet; thence North  $55^{\circ}34'23''$  East 65.24 feet to the beginning of a tangent curve concave southerly having a radius of 55.00 feet; thence easterly along said curve through a central angle of  $73^{\circ}00'00''$  an arc distance of 70.07 feet; thence South  $51^{\circ}25'37''$  East 21.90 feet to a point designated as POINT "E"; thence South  $78^{\circ}06'36''$  East 48.87 feet; thence North  $61^{\circ}58'38''$  East 55.15 feet; thence North  $87^{\circ}16'43''$  East 71.30 feet; thence North  $27^{\circ}16'18''$  East 118.82 feet; thence North  $6^{\circ}21'28''$  East 102.37 feet to a point designated as POINT "F"; thence North  $25^{\circ}18'25''$  West 34.75 feet; thence North  $7^{\circ}41'10''$  East 63.73 feet; thence North  $31^{\circ}24'01''$  East 35.65 feet to a point designated as POINT "G"; thence North  $22^{\circ}17'50''$  East 68.75 feet; thence North  $34^{\circ}06'45''$  East 37.50 feet; thence North  $84^{\circ}51'03''$  East 33.15 feet; thence North  $50^{\circ}55'21''$  East 34.72 feet to the Easterly Boundary line of said 29.151 Acre Parcel.

The sidelines of said easement to be lengthened and shortened to terminate Westerly on said Westerly Boundary line and Easterly on said Easterly Boundary line.

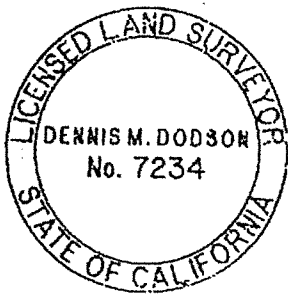
Document prepared by:



Dennis M. Dodson

LS 7234

License Expiration Date: 12-31-16



OLIVE MILL ROAD

29.151 ACRE  
PARCEL PER  
MAP BOOK 86  
PAGE 9

A

B  
C

D

E

F

G



SCALE: 1" = 200'

EXHIBIT A

Exhibit B

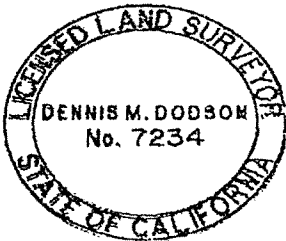
That portion of the Outside Pueblo Lands described as that certain 29.151 Acre Parcel and that certain 19.208 Acre Parcel in the County of Santa Barbara, State of California shown on a map recorded in Book 86 Pages 8 and 9 of Record of Surveys in the office of the County Recorder in the County of Santa Barbara, State of California included within a strip of land 15.00 feet wide lying 7.50 feet on each side of a line described as follows:

Beginning at POINT "A" as described in Exhibit A hereinabove;

Thence North 4°05'18" East 67.81 feet thence North 17°19'31" East 113.68 feet; thence North 9°25'44" East 63.00 feet; thence North 43°15'56" East 37.57 feet to a point designated as POINT "H"; thence North 54°25'20" West 74.30 feet; thence North 43°35'57" West 87.61 feet; thence North 60°12'06" West 140.86 feet; thence North 46°46'45" West 178.23 feet; thence North 38°58'00" West 30.19 feet; thence North 13°44'56" East 15.09 feet to a point on the Northerly boundary line of said 29.151 Acre Parcel also being the Southerly boundary line of that certain 19.208 Acre Parcel as shown on said map recorded in Book 86 Pages 8 and 9 of Record of Surveys; thence leaving said Southerly boundary line North 13°44'56" East 16.86 feet; thence North 29°08'53" East 82.22 feet; thence North 10°47'03" East 60.44 feet; thence North 24°10'41" West 11.21 feet; thence South 77°41'31" West 162.59 feet; thence South 33°58'14" West 27.18 feet; thence South 75°01'35" West 37.12 feet to the Easterly boundary line of the land conveyed to the County of Santa Barbara by deed recorded March 15, 1973 as Instrument No. 9901 in Book 2452 Page 304 of official records distant thereon North 9°03'58" West 53.77 feet; thence North 12°26'23" West 33.24 feet from the Northwest corner of said 29.151 Acre Parcel.

The sidelines of said easement to be lengthened and shortened to terminate Southerly on Northerly edge of said Exhibit A and Westerly on said Easterly boundary line.

Document prepared by:



A handwritten signature in black ink, appearing to read "Dennis M. Dodson", written over a horizontal line.

Dennis M. Dodson  
LS 7234

License Expiration Date: 12-31-16

BOOK 2452  
PAGE 304 O.R.

OLIVE MILL ROAD

29.151 ACRE  
PARCEL PER  
MAP BOOK 86  
PAGE 9

19.208 ACRE  
PARCEL PER  
MAP BOOK 86  
PAGE 8

A

H



SCALE: 1" = 200'

EXHIBIT B

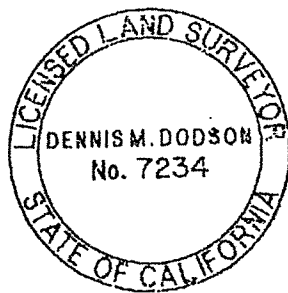
Exhibit C

That portion of the Outside Pueblo Lands described as that certain 29.151 Acre Parcel in the County of Santa Barbara, State of California shown on a map recorded in Book 86 Pages 8 and 9 of Record of Surveys in the office of the County Recorder in the County of Santa Barbara, State of California included within a strip of land 15.00 feet wide lying 7.50 feet on each side of a line described as follows:

Beginning at POINT "B" as described in Exhibit A hereinabove;

Thence North 50°53'47" West 58.99 feet; thence North 81°48'18" West 79.46 feet; thence North 55°32'09" West 48.08 feet; thence North 86°41'40" West 36.28 feet; thence South 83°49'27" West 156.63 feet to a point described in Exhibit B hereinabove as POINT "H".

Document prepared by:



A handwritten signature in black ink, appearing to read "Dennis M. Dodson", written over a horizontal line.

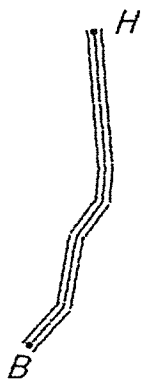
Dennis M. Dodson

LS 7234

License Expiration Date: 12-31-16

OLIVE MILL ROAD

29.151 ACRE PARCEL  
PER MAP BOOK 86 PAGE 9



SCALE: 1" = 200'

EXHIBIT C



Exhibit D

That portion of the Outside Pueblo Lands described as that certain 29.151 Acre Parcel in the County of Santa Barbara, State of California shown on a map recorded in Book 86 Pages 8 and 9 of Record of Surveys in the office of the County Recorder in the County of Santa Barbara, State of California included within a strip of land 15.00 feet wide lying 7.50 feet on each side of a line described as follows:

Beginning at POINT "A" as described in Exhibit A hereinabove;

Thence South  $32^{\circ}46'52''$  East 90.66 feet; thence South  $66^{\circ}14'41''$  East 89.04 feet; thence South  $76^{\circ}13'18''$  East 277.46 feet; thence North  $86^{\circ}39'01''$  East 150.75 feet; thence North  $79^{\circ}34'16''$  East 83.20 feet to a point designated as POINT "I"; thence South  $84^{\circ}25'30''$  East 55.29 feet; thence South  $63^{\circ}10'33''$  East 43.81 feet; ; thence North  $89^{\circ}47'31''$  East 122.26 feet; ; thence North  $43^{\circ}58'59''$  East 22.45 feet; thence North  $0^{\circ}14'24''$  East 148.60 feet to a point designated as POINT "J"; thence North  $0^{\circ}38'21''$  East 204.41 feet; thence North  $22^{\circ}59'57''$  East 57.65 feet; thence North  $70^{\circ}08'08''$  East 12.73 feet to POINT "E" as described in Exhibit A hereinabove.

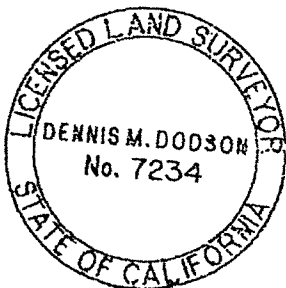
Document prepared by:



Dennis M. Dodson

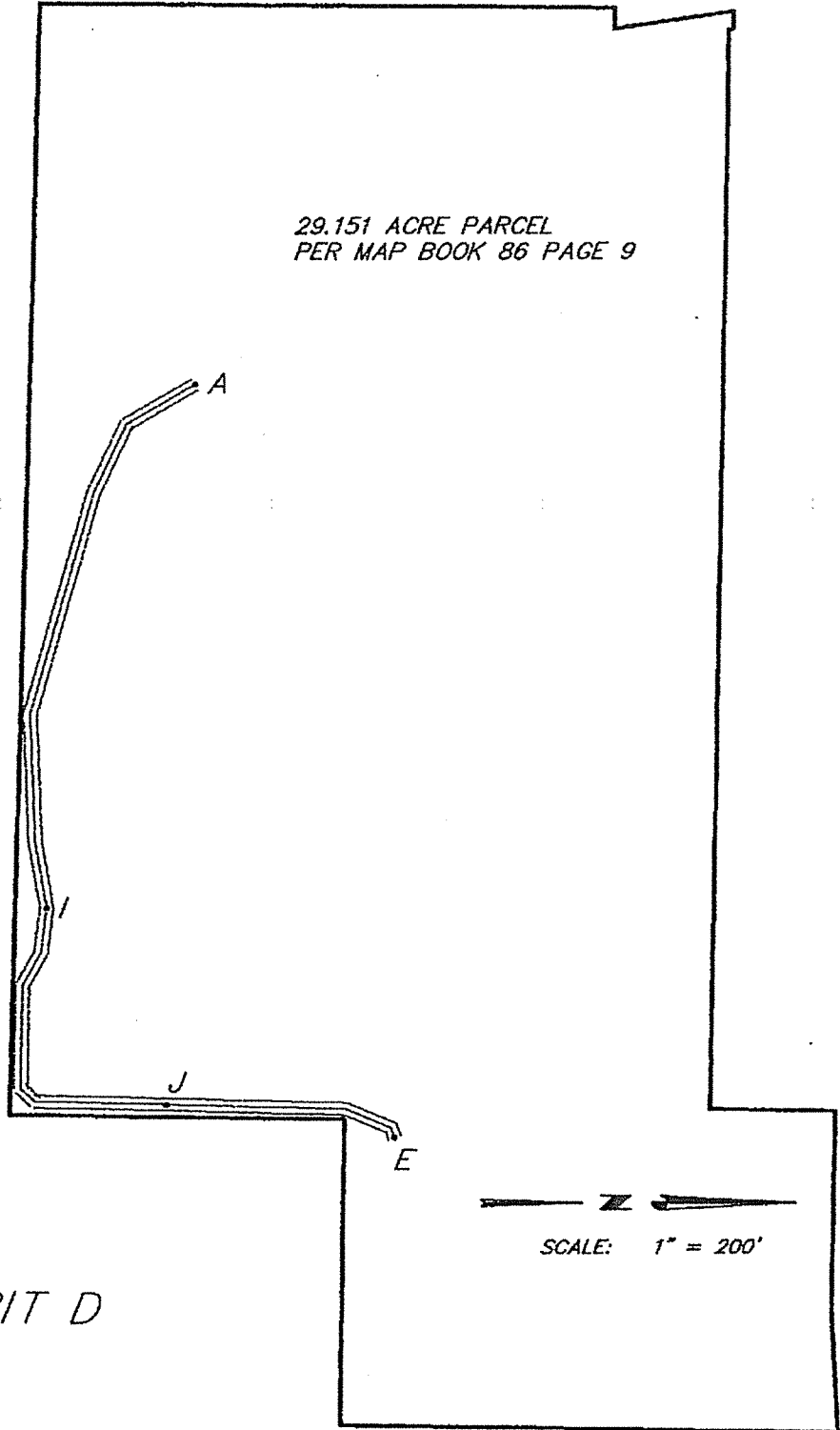
LS 7234

License Expiration Date: 12-31-16



OLIVE MILL ROAD

29.151 ACRE PARCEL  
PER MAP BOOK 86 PAGE 9



SCALE: 1" = 200'

EXHIBIT D

Exhibit E

That portion of the Outside Pueblo Lands described as that certain 29.151 Acre Parcel in the County of Santa Barbara, State of California shown on a map recorded in Book 86 Pages 8 and 9 of Record of Surveys in the office of the County Recorder in the County of Santa Barbara, State of California included within a strip of land 15.00 feet wide lying 7.50 feet on each side of a line described as follows:

Beginning at POINT "D" as described in Exhibit A hereinabove;

Thence South  $12^{\circ}18'34''$  East 105.42 feet; thence South  $36^{\circ}07'23''$  East 58.81 feet; thence South  $55^{\circ}59'37''$  East 78.02 to a point designated as POINT "K"; thence South  $71^{\circ}10'15''$  East 83.57 feet; thence North  $82^{\circ}20'12''$  East 116.57 feet to POINT "J" as described in Exhibit D hereinabove.

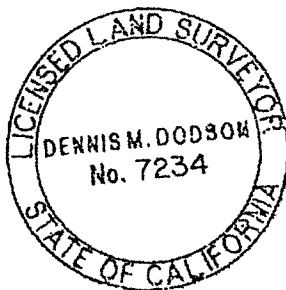
Document prepared by:



Dennis M. Dodson

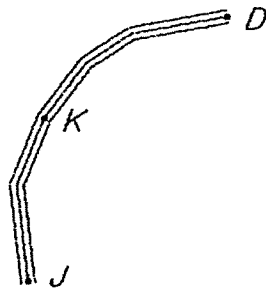
LS 7234

License Expiration Date: 12-31-16



OLIVE MILL ROAD

29.151 ACRE PARCEL  
PER MAP BOOK 86 PAGE 9



SCALE: 1" = 200'

EXHIBIT E

Exhibit F

That portion of the Outside Pueblo Lands described as that certain 29.151 Acre Parcel in the County of Santa Barbara, State of California shown on a map recorded in Book 86 Pages 8 and 9 of Record of Surveys in the office of the County Recorder in the County of Santa Barbara, State of California included within a strip of land 15.00 feet wide lying 7.50 feet on each side of a line described as follows:

Beginning at POINT "K" as described in Exhibit E hereinabove;

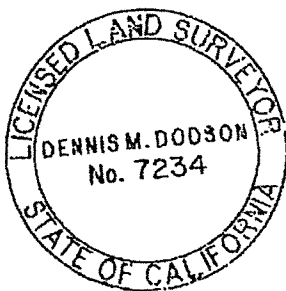
Thence South  $24^{\circ}02'28''$  West 48.80 feet; thence South  $5^{\circ}18'25''$  East 32.19 feet; thence South  $15^{\circ}42'53''$  West 77.77 feet to POINT "I" as described in Exhibit d hereinabove.

Document prepared by:



Dennis M. Dodson  
LS 7234

License Expiration Date: 12-31-16



OLIVE MILL ROAD

29.151 ACRE PARCEL  
PER MAP BOOK 86 PAGE 9

I  
K



SCALE: 1" = 200'

EXHIBIT F

Exhibit G

That portion of the Outside Pueblo Lands described as that certain 29.151 Acre Parcel in the County of Santa Barbara, State of California shown on a map recorded in Book 86 Pages 8 and 9 of Record of Surveys in the office of the County Recorder in the County of Santa Barbara, State of California included within a strip of land 15.00 feet wide lying 7.50 feet on each side of a line described as follows:

Beginning at POINT "F" as described in Exhibit A hereinabove;

Thence South 37°11'23" East 68.86 feet; thence South 53°36'44" East 67.75 feet.

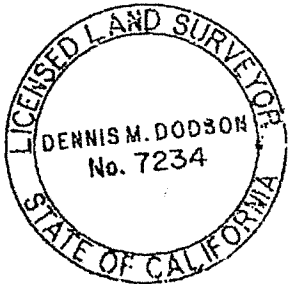
Document prepared by:



Dennis M. Dodson

LS 7234

License Expiration Date: 12-31-16



OLIVE MILL ROAD

29.151 ACRE PARCEL  
PER MAP BOOK 86 PAGE 9



SCALE: 1" = 200'



EXHIBIT G



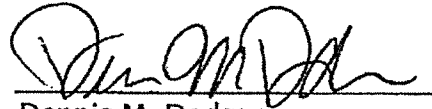
Exhibit H

That portion of the Outside Pueblo Lands described as that certain 29.151 Acre Parcel in the County of Santa Barbara, State of California shown on a map recorded in Book 86 Pages 8 and 9 of Record of Surveys in the office of the County Recorder in the County of Santa Barbara, State of California included within a strip of land 15.00 feet wide lying 7.50 feet on each side of a line described as follows:

Beginning at POINT "G" as described in Exhibit A hereinabove;

Thence North  $54^{\circ}20'58''$  East 96.68 feet.

Document prepared by:



Dennis M. Dodson

LS 7234

License Expiration Date: 12-31-16



OLIVE MILL ROAD

29.151 ACRE PARCEL  
PER MAP BOOK 86 PAGE 9



SCALE: 1" = 200'



EXHIBIT H

**CERTIFICATE OF ACCEPTANCE**

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

THIS IS TO CERTIFY that this Grant of Open Space conveyed by the Grant of Easement for Riding and Hiking Trails dated September 7, 2016, from MONTECITO RETIREMENT ASSOCIATION (also known as "CASA DORINDA"), a California non-profit public benefit corporation as Grantor, to COUNTY OF SANTA BARBARA, a political subdivision of the State of California, as COUNTY, is hereby accepted by Order of the Board of Supervisors on September 20, 2016, and the County of Santa Barbara consents to recordation thereof by its duly authorized officer. Said easement is accepted for the purposes of regulation and control for the benefit of the people of the County of Santa Barbara.

WITNESS my hand and official seal this \_\_\_\_\_ day of September 2016

CLERK  
CLERK OF THE BOARD OF SUPERVISORS  
COUNTY OF SANTA BARBARA

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
MICHAEL C. GHIZZONI  
COUNTY COUNSEL

By: \_\_\_\_\_  
Steven Baugh  
Deputy County Counsel