

Recording requested by
and to be returned to:
Public Works Dept.
Surveyor's Division
Attn: Real Property: JJH
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
(PERMANENT EASEMENT)

THE ROSENTHAL FAMILY TRUST dated March 25, 1988, and CAMERON R. KESSINGER, owner(s) of all that real property in the unincorporated area of the County of Santa Barbara, State of California, commonly known as 899 Concha Loma Drive, Carpinteria, California, and more particularly described as County Assessor's Parcel Number 001-070-031, (herein the "Property") as GRANTORS herein,

FOR A VALUABLE CONSIDERATION, DO HEREBY GRANT TO

the SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a dependent special district, its successors and assigns, as GRANTEE herein, a permanent easement and right-of-way for ingress and egress to and from Carpinteria Creek and purposes incidental thereto on, along, through, within and across that certain land situated in the County of Santa Barbara, State of California, more particularly described on Exhibit "A" and shown on Exhibit "B," both attached hereto and incorporated herein by this reference.

The GRANTORS and their successors in interest retain the right to use the easement area except that within the easement area, no permanent structures, buildings, and/or any accessory parts can be erected or other use made by GRANTORS which would interfere with GRANTEE'S use of the easement.

GRANTORS 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 area which is the subject of this deed, especially contamination by harmful, hazardous and/or toxic materials, if any.

In the event the indemnity hereunder exceeds that permitted by applicable law, such indemnity shall be construed as the maximum permitted by law. This indemnity shall not apply to any

contamination which may occur on the easement area as a result of the operations of GRANTEE subsequent to the effective date of this Easement Deed.

GRANTORS represent and warrant they are collectively the owners of the Property described herein, or are authorized by the owner(s) of the Property to execute this Easement Deed and that no additional signatures are required to carry out the duties contemplated herein.

DATED AS OF: May 6, 2008

"GRANTORS"

[Handwritten signature of Cameron R. Kessinger]

Cameron R. Kessinger

THE ROSENTHAL FAMILY TRUST dated March 25, 1988

[Handwritten signature of Peter Rosenthal]

Trustee: Peter Rosenthal

[Handwritten signature of Barbara C. Rosenthal]

Trustee: Barbara C. Rosenthal

+++++

ACKNOWLEDGMENT

State of California
County of ~~Santa Barbara~~
Los Angeles

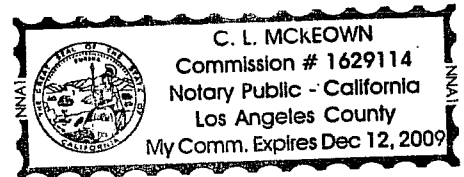
On May 6, 2008, before me, C. L. McKeown, Notary Public, a
(Name of Notary)

Notary Public, personally appeared Peter Rosenthal, 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)



ACKNOWLEDGMENT

State of California
County of ~~Santa Barbara~~
Los Angeles

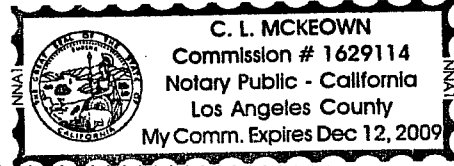
On May 6, 2008, before me, C. L. McKeown, Notary Public, a
(Name of Notary)

Notary Public, personally appeared Barbara C. Rosenthal, 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.

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Witness my hand and Official seal.

Signature:  (Seal)



ACKNOWLEDGMENT

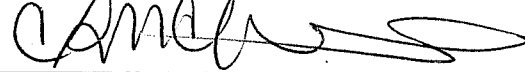
State of California
County of Santa Barbara

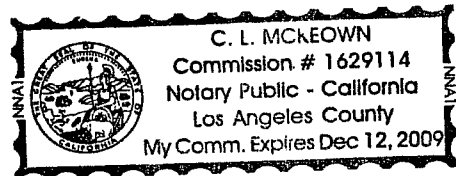
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I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and Official seal.

Signature:  (Seal)



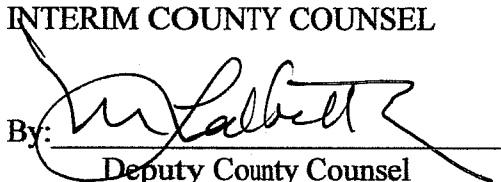
CERTIFICATE OF ACCEPTANCE

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

THIS IS TO CERTIFY that the interest in real property conveyed by the EASEMENT DEED (PERMANENT EASEMENT) dated May 6, 2008, from THE ROSENTHAL FAMILY TRUST dated March 25, 1988, and CAMERON R. KESSINGER to the SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a special dependent district, is hereby accepted by Order of the Board of Directors of the Santa Barbara County Flood Control and Water Conservation District on _____, 2008 and the Santa Barbara County Flood Control and Water Conservation District as GRANTEE consents to recordation thereof by its duly authorized officer.

APPROVED AS TO FORM:
DANIEL J. WALLACE,
INTERIM COUNTY COUNSEL

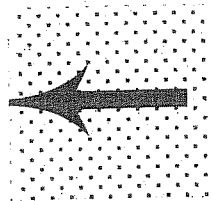
By: _____


Deputy County Counsel

WITNESS my hand and official seal

this _____ day of _____, _____.

MICHAEL F. BROWN,
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