

**RECORDING REQUESTED BY:**

Chicago Title Company  
Escrow No.: 08-77500978-LC  
Locate No.: CACTI7742-7742-4775-0077500978  
Title No.: 08-77500978-KJ

**When Recorded Mail Document To:**

APN: 007-050-15

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**SUBORDINATION AGREEMENT**

(Trust Deed to Easement)

**NOTE: This Subordination Agreement results in your Security Interest in the property becoming subject to and of lower priority than the lien of some other or later Security Instrument.**

THIS AGREEMENT, made this **1st** day of **July, 2008** by and between **Bank of Santa Barbara** present holder(s) of the beneficial interest in that certain deed of trust dated **April 19, 2007** and recorded **April 23, 2007**, Document No. **2007-0029748**, of Official Records of **Santa Barbara** County, in the State of California, herein called "First Party" which said deed of trust affects the following described real property;

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

And **County of Santa Barbara** herein called "Second Party" being the present owner(s) of the grant of easement (conveyed to/reserved by) **County of Santa Barbara** by document recorded \_\_\_\_\_, as Document No. \_\_\_\_\_, of Official Records of **Santa Barbara** County, in the State of California, said easement being described as follows:

A permanent non-exclusive easement and right-of-way for public riding and hiking trail purposes

WHEREAS the parties hereto desire to subordinate the lien or charge of said deed of trust to said easement hereinabove set forth.

NOW THEREFORE, the parties hereto, in consideration of these premises and of the mutual benefits to be derived by them for the agreement herein contained, do hereby agree that said easement (conveyed to/reserved by) said "Second Party" dated and recorded as aforesaid shall be and said easement is hereby made prior and paramount to said deed of trust and the lien thereof;

THAT the lien or charge of and said deed of trust as to the lands and premises hereinabove described is hereby subordinated to said easement;

AND THAT, in the event of Foreclosure of said deed of trust, the trustees sale and conveyance thereunder of the property described therein shall be subject to said easement and said easement shall not be affected thereby.

IN WITNESS WHEREOF, the parties hereto have set their hands or have caused this instrument to be executed by the proper Officers thereunto duly authorized the day and year first above written.

**IT IS RECOMMENDED THAT, PRIOR TO THE EXECUTION OF THIS SUBORDINATION AGREEMENT, THE PARTIES CONSULT WITH THEIR ATTORNEYS WITH RESPECT THERETO.**

FIRST PARTY

SECOND PARTY

**Bank of Santa Barbara**

**County of Santa Barbara**

By: *Robert Rothenberg*  
Robert Rothenberg, Exec. Vice President

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

By: *Lisa Howard*  
Lisa Howard, Vice President

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

State of California )  
County of Santa Barbara )

On July 1, 2008 before me,  
Donna Matsumura, Notary Public (here insert name and title of the officer),  
personally appeared Robert Rothenberg and Lisa Howard\*\*\*

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 *Donna Matsumura* (Seal)



State of California )  
County of \_\_\_\_\_ )

On \_\_\_\_\_ before me,  
\_\_\_\_\_, Notary Public (here insert name and title of the officer),  
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)

State of California )  
County of \_\_\_\_\_ )

On \_\_\_\_\_ before me,  
\_\_\_\_\_, Notary Public (here insert name and title of the officer),  
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.

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WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)

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## **EXHIBIT "A"**

All that certain real property situated in the County of Santa Barbara, State of California, described as follows:

### **PARCEL ONE:**

Beginning at the Northeast corner of Parcel Two of the tract of land described in the deed to San Ysidro Ranch Corporation, recorded November 17, 1936 as Instrument No. 8920 in Book 378, Page 356 of Official Records, records of said County;

thence West, along the North line of said Parcel Two, 177.00 feet to a point in San Ysidro Creek;

thence South, parallel with the East line of said Parcel Two, 190.00 feet;

thence East, parallel with the North line of said Parcel Two, 177.00 feet;

thence North, along the East line of said Parcel Two, 190.00 feet to the point of beginning.

### **PARCEL TWO:**

An easement for ingress and egress, private driveway, public and/or private utilities, street signage, landscaping and landscaping irrigation purposes, as created in that certain document entitled "Easement Agreement" recorded January 7, 2005 as Instrument No. 2005-0001619 of Official Records, over, under, across and through the following described property:

That portion of Parcel A of Parcel Map No. 11435 recorded in Book 9, Page 25 of Parcel Maps, in the office of the County Recorder, County of Santa Barbara, State of California, more particularly described as follows:

Beginning at the most Northerly corner of said Parcel A;

thence 1st, South 60° 29' 00" West along the Northerly line of said Parcel A, a distance of 20.00 feet to the Northwesterly corner of said Parcel A;

thence 2nd, South along the Westerly line of said Parcel A, a distance of 85.00 feet;

thence 3rd, North 60° 29' 00" East, a distance of 61.88 feet to a point in the Easterly line of said Parcel A;

thence 4th, North 29° 31' 00" West along said Easterly line, a distance of 73.97 feet to the point of beginning.

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