

COPY

NOT FOR RECORDING

TEMPORARY ASSIGNMENT OF PERMANENT EASEMENT RIGHTS

APN: 037-161-026

SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a special district (COUNTY), does hereby assign to THE CITY OF SANTA BARBARA, a municipal corporation (CITY), the non-exclusive temporary use of its easements in the City of Santa Barbara, County of Santa Barbara, State of California, which are particularly described on Exhibit A, and generally shown on Exhibit B, as attached hereto and incorporated by reference, for the construction, use, operation, repair and replacement of the City's Cota Street Bridge Replacement Project (Project) and a portion of the Lower Mission Creek Project, that includes all necessary appurtenant facilities, channel wall conformations, connections, topographic, and creek modifications, and any other work as necessary to the Project as specified, and for reasonable ingress and egress at all times.

Said easements use shall be as specified by, and in agreement with COUNTY. This temporary assignment of easement rights shall commence on April 15, 2014 and shall automatically terminate on June 15, 2016 or other date as determined to be reasonably necessary to complete the project construction, by COUNTY, and City.

COUNTY owns said Mission Creek Easements as identified on attached Exhibit A, and as generally shown on Exhibit B within the portion of Mission Creek located adjacent to the Cota Street Bridge Project. Said easement rights were dedicated to County. It is the intent of both parties, that the County would assign its Easements rights within the Mission Creek Project reach to CITY, for the mutual benefits of conducting necessary bridge and channel work within the Lower Mission Creek project area.

This bridge Project is a part of the COUNTY/CITY joint Lower Mission Creek Project as described in the Environmental Impact Report and Study done in 2000. The City agrees that it will assume responsibility for any CITY imposed conditions on this portion of the Lower Mission Creek Project above and beyond the Approved Environmental Documents and State and Federal Permits.

CITY agrees to secure any additional underlying landowner approvals if deemed necessary by CITY.

CITY agrees to defend, indemnify and hold COUNTY, its officers, agents and employees harmless from any claims, damages costs, expenses (including reasonable attorney's fees), judgments or liabilities arising out of or resulting from CITY'S temporary use of the easement rights being assigned as described above to the fullest extent allowable by law.

COUNTY: SANTA BARBARA COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

By: \_\_\_\_\_  
Scott D. McGolpin, Public Works Director

\_\_\_\_\_  
Date

CITY: CITY OF SANTA BARBARA

BY: \_\_\_\_\_  
Rebecca Bjork, Acting Public Works Director

\_\_\_\_\_  
Date

EXHIBIT "A"

R/W-2

16436  
Recorded at Request of  
Right of Way Agent  
Book 2274 Page 760  
Jun 13 2 44 PM '69  
Official Records  
Santa Barbara Co., Calif.  
Rita Van Buskirk, Recorder  
NO FEE  
INDEX  
COMPARED

BOOK 2274 PAGE 760

6/13/69

Ass. 37-161-26

Project No. 354  
Project: Mission Creek 12  
Parcel No. ~~Maint. expense~~  
Cost Share Project 2.1

EASEMENT DEED

NO TAX DUE

GEORGE GRAND and IRENE GRAND, husband and wife, Joint Tenants,

do hereby GRANT to the COUNTY OF SANTA BARBARA AND THE SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, bodies corporate and politic, a perpetual easement and right of way for flood control purposes including the right to remove dirt, soil, earth, silt, trees, vegetation, debris or other materials, in, over, under and across the real property in the County of Santa Barbara, State of California, described as:

That portion of Block 232 of the City of Santa Barbara as shown on the "Map of City of Santa Barbara laid out by Salisbury, Haley and drawn by V. Wackenrender - April 1853", described as follows: M.A.P.  
S.B. CITY Block  
232

All that property within the tract of land conveyed in the Deed to George Grand and Irene Grand, husband and wife, Joint Tenants, recorded August 7, 1945 in Book 655, Page 268 of Official Records, lying Northeastarily of the following described line:

Commencing at the most Westerly corner of said Grand tract of land, being a point in the Northeastarily line of Bath Street; thence, along the Northwestarily line of the Grand tract of land, North 41° 30' East 119.86 feet to the true point of beginning; thence Int. South 85° 25' East 11.27 feet; thence 2nd, South 72° 10' East 26.75 feet, more or less, to a point in the Southeastarily line of said Grand tract of land.

Grantors, for themselves, their heirs, successors and assigns, do hereby release grantees, its officers, employees and agents, from any and all liability arising out of the use of said land for the purposes stated or implied herein.

Dated: 5/19/1969

George Grand  
GEORGE GRAND

Irene Grand  
IRENE GRAND



ACKNOWLEDGMENT OF GRANTOR

STATE OF CALIFORNIA, COUNTY OF \_\_\_\_\_ ss.  
On \_\_\_\_\_, before me, the undersigned, a Notary Public in and for said  
County and State, personally appeared \_\_\_\_\_  
\_\_\_\_\_ known to me to be the person whose name \_\_\_\_\_ subscribed to the within Instrument, and acknowledged  
that \_\_\_\_\_ executed the same.

WITNESS my hand and official seal.

CERTIFICATE OF ACCEPTANCE

State of California, ss.  
County of Santa Barbara,

THIS IS TO CERTIFY that the interest in real property conveyed by the Deed or Grant dated May 19, 1969  
from George Grand and Irene Grand,  
husband and wife, Joint Tenants  
to the County of Santa Barbara, \_\_\_\_\_  
State of California, a political corporation and/or governmental agency, is hereby accepted by Order of the  
Board of Supervisors of the County of Santa Barbara on May 26, 1969

16436

STATE OF CALIFORNIA, } ss.  
COUNTY OF SANTA BARBARA, }

THIS IS TO CERTIFY that the interest in real property con-  
veyed by the Easement Deed dated May 19, 1969  
from George Grand and Irene Grand, husband and wife, Joint Tenants,

to the County of Santa Barbara, State of California and Santa  
Barbara County Flood Control & Water Conservation District, a  
political corporation and/or governmental agency, is hereby  
accepted by Order of the Board of Directors of the County of  
Santa Barbara Flood Control District on May 27, 1969  
and the grantee consents to recordation thereof by its duly  
authorized officer.

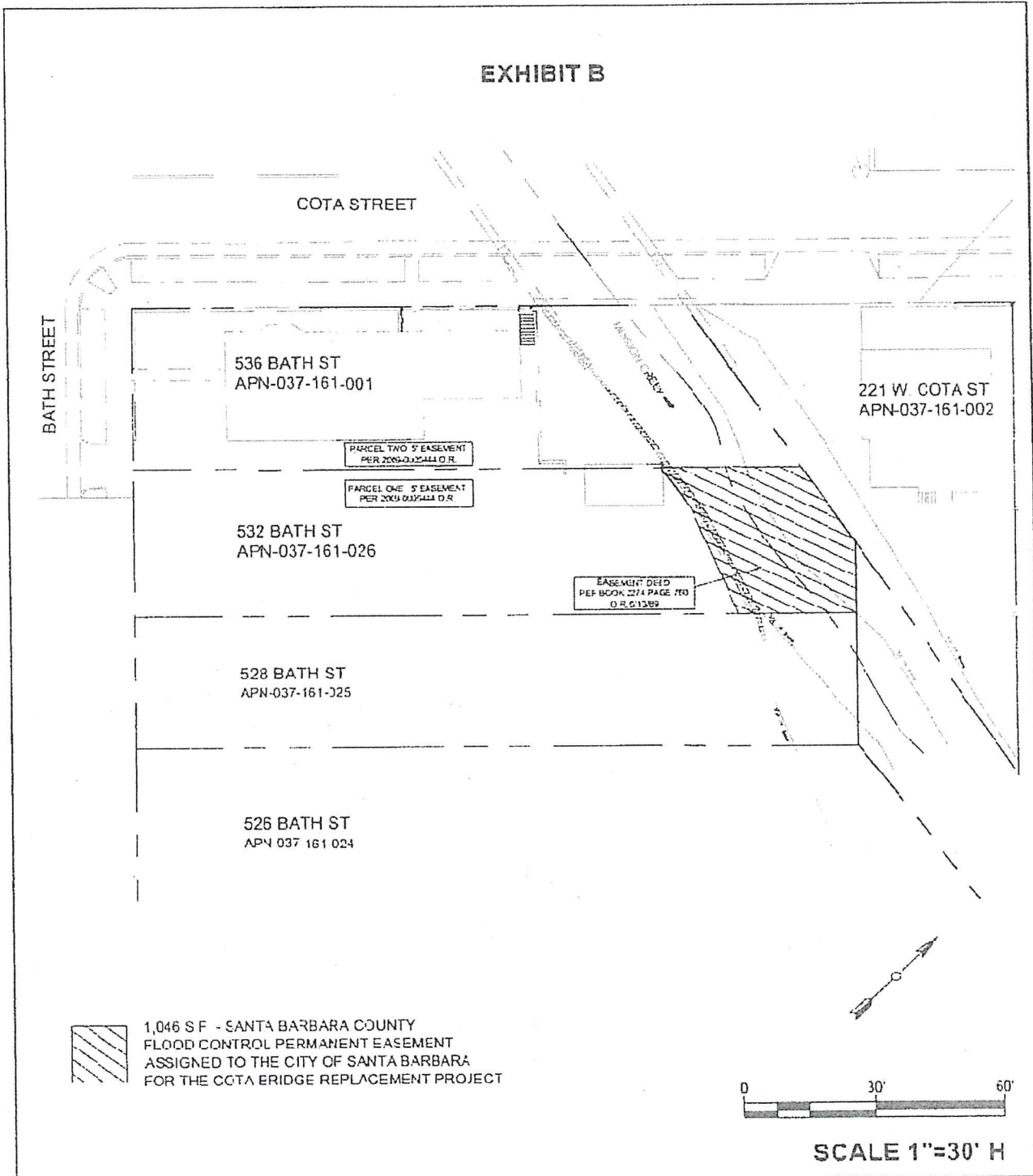
WITNESS my hand and the seal of said Board  
this 27th day of May, A.D. 19


J. E. LEWIS, Clerk

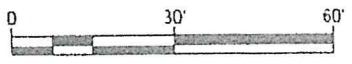
(SEAL)

By /s/ Lavina T. Sauers Deputy Clerk

EXHIBIT B



 1,046 S.F. - SANTA BARBARA COUNTY  
FLOOD CONTROL PERMANENT EASEMENT  
ASSIGNED TO THE CITY OF SANTA BARBARA  
FOR THE COTA BRIDGE REPLACEMENT PROJECT



SCALE 1"=30' H



CITY OF SANTA BARBARA  
PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION  
COTA BRIDGE REPLACEMENT - A.P.N. 037-161-025

