

Attachment A

**ATTACHMENT A**  
**EXCLUSIVE EASEMENT DEED**



2009-0062071

Recording requested by  
and to be returned to:  
Public Works  
Surveyors Division  
Will Call

Recorded | REC FEE 0.00  
Official Records |  
County of | CONFORMED COPY 0.00  
Santa Barbara |  
Joseph E. Holland |  
|  
| JH  
11:43AM 12-Oct-2009 | Page 1 of 5

**COUNTY OF SANTA BARBARA  
OFFICIAL BUSINESS**

S  
cc

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**EXCLUSIVE EASEMENT DEED**

JOEL BAKER, a married man as his sole and separate property, owner of all that real property in the State of California, County of Santa Barbara, City of Santa Barbara, particularly described as Santa Barbara County Assessor's Parcel Number 137-090-068, (herein the "Property"), as GRANTOR herein,

FOR A VALUABLE CONSIDERATION, DOES HEREBY GRANT TO

The SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a dependent special district, its successors or assigns, as GRANTEE herein, a permanent exclusive easement and right of way for the purposes of future construction, reconstruction, operation, repair, and maintenance including all surface and subsurface appurtenances, and together with access thereto. The permanent easement area and right of way is more particularly described in Exhibit A (legal description) and shown on Exhibit B (diagram) 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 structures, buildings, and/or any accessory parts can be erected or other use made by GRANTOR which would interfere with GRANTEE'S use of the easement. GRANTOR and its successors in interest shall obtain written approval from GRANTEE prior to implementing any work within the easement area.

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, 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 within the easement area as a result of the operations of GRANTEE subsequent to the effective date of this easement deed.

GRANTOR represents and warrants he is the owner of the Property described herein and that no additional signatures are required to carry out the duties contemplated herein.

"GRANTOR"

*[Handwritten Signature]*  
Joel R. Baker

DATE: 8-12-09

**GRANTOR'S ACKNOWLEDGEMENT**

State of California  
County of Santa Barbara

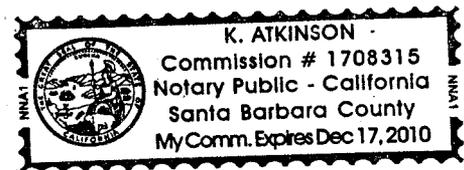
On Aug 12, 2009, before me, K. Atkinson,  
(Name of Notary)

personally appeared Joel R. Baker, 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)



**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 EXCLUSIVE EASEMENT DEED dated as of August 12, 2009, from JOEL R. BAKER, 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 October 6, 2009, and the Santa Barbara County Flood Control and Water Conservation District as GRANTEE consents to recordation thereof by its duly authorized officer.

WITNESS my hand and official seal

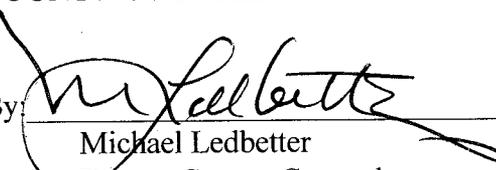
this 6<sup>th</sup> day of October, 2009.

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

APPROVED AS TO FORM:  
DENNIS A. MARSHALL  
COUNTY COUNSEL

By: 

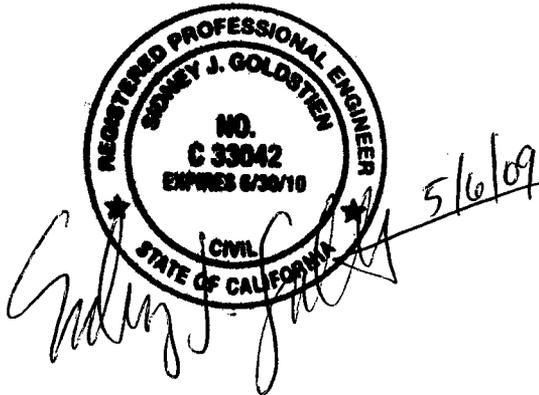
Michael Ledbetter  
Deputy County Counsel

## LEGAL DESCRIPTION

A 20.00 foot wide drainage and flood control easement dedicated to Santa Barbara County Flood Control and Water Conservation District located on Parcel Two of Parcel Map No. 14,609 and Parcel Map No. 31,032 (recorded as one map) in Book 59, Pages 11 through 14 of Parcel Maps, County of Santa Barbara, State of California, described as follows:

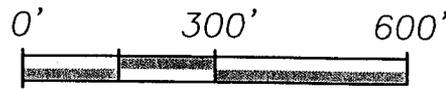
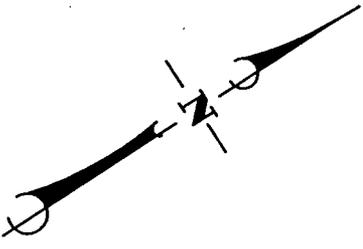
Beginning at the southwest corner of said Parcel Two as shown on said Parcel Map being a point on the easterly line of McMurray Road, thence;

1. Northerly along the Easterly line of McMurray Road and along a curve concave Westerly having a radius of 1232.00 feet and a radial bearing of North  $86^{\circ}50'55''$  West an arc distance of 22.10 feet through a central angle of  $01^{\circ}01'04''$ , thence;
2. South  $62^{\circ}10'37''$  East, 556.60 feet, thence;
3. South  $55^{\circ}32'54''$  East, 385.73 feet, thence;
4. South  $34^{\circ}27'06''$  West, 20.00 feet to an angle point on the southerly boundary of said Parcel Two, said point also being the southeast corner of Parcel One as shown on said Parcel Map, thence;
5. North  $55^{\circ}32'54''$  West, 384.57 feet along the southerly boundary of said Parcel Two, thence;
6. North  $62^{\circ}10'37''$  West, 546.03 feet to the Point of Beginning.

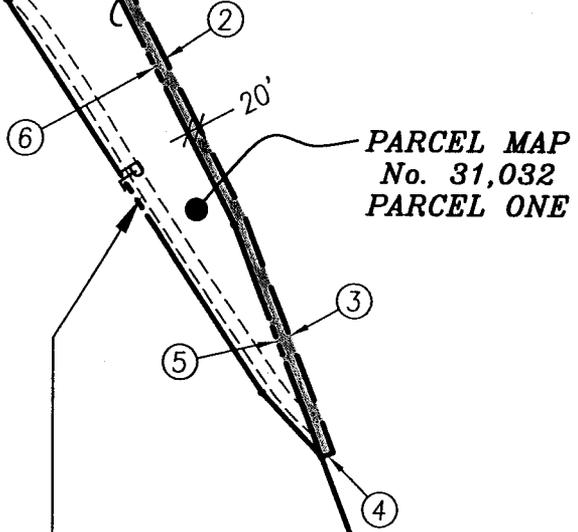


**EXHIBIT A**

20' WIDE DRAINAGE AND FLOOD CONTROL PURPOSES EASEMENT TO SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT



P.O.B. <sup>①</sup>  
McMurray Rd.

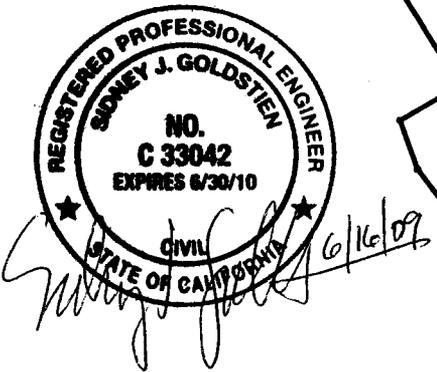


PARCEL MAP  
No. 31,032  
PARCEL ONE

PARCEL MAP  
No. 14,609  
PARCEL TWO

PARCEL C OF  
PARCEL MAP  
No. 12,092  
(JOHNSTON)

EXISTING 20' WIDE DRAINAGE AND FLOOD CONTROL PURPOSES EASEMENT TO SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PER PM 31,032



CURVE AND LINE DATA TABLE FOR DRAINAGE AND FLOOD CONTROL EASEMENT

| ID No. | Delta     | Radius   | Length | Bearing     | Distance |
|--------|-----------|----------|--------|-------------|----------|
| 1      | 01°01'04" | 1232.00' | 22.10' |             |          |
| 2      |           |          |        | S62°10'37"E | 556.60'  |
| 3      |           |          |        | S55°32'54"E | 385.73'  |
| 4      |           |          |        | S34°27'06"W | 20.00'   |
| 5      |           |          |        | N55°32'54"W | 384.57'  |
| 6      |           |          |        | N62°10'37"W | 546.03'  |

**EXHIBIT B**

15 JUNE 09