

Recording requested by
and when recorded mail to:
County of Santa Barbara
Department of Public Works
Jeanette Gonzales-Knight
130 East Victoria Street, Suite 100
Santa Barbara, CA 93101
Will Call

COUNTY OF SANTA BARBARA
OFFICIAL BUSINESS

No fee pursuant to Government Code § 6103
USE

SPACE ABOVE THIS LINE FOR RECORDER'S

No recording fee per Government Code § 27383

A.P.N. 137-710-017

The undersigned grantor declares DOCUMENTARY TRANSFER TAX \$ <u>zero</u> EXEMPTION (R&T CODE) § <u>11922</u> EXPLANATION <u>Municipal government agency</u>
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EASEMENT DEED AGREEMENT

This Easement Deed Agreement is made and entered into by and between the COUNTY OF SANTA BARBARA, a political subdivision of the State of California ("County") and Lynette Rasmussen ("Adjacent Property Owner"), and together referred to as the Parties, as follows:

WHEREAS, the County is the fee owner of that real property 940 Ballard Canyon Road, in the County of Santa Barbara, State of California, referred to as APN 137-710-017 ("Property"), acquired pursuant to quitclaim deed recorded on March 10, 2000 recorded as instrument number 2000-0014363;

WHEREAS, the Property was initially created by Parcel Map 10,996, being a portion of Tract No. 25 of the Rancho San Carlos De Jonata, recorded on September 12, 1969, Recorder's Certificate file number 26308 in Book 5 of Parcel Maps at Page 93;

WHEREAS, Parcel Map 10,996 created four parcels of which the County is the owner of Parcel One, also previously referred to as the Property, and the Adjacent Property Owner is the owner of Parcel Four. Parcel One included a 60-foot road easement over the border of Parcel One to allow access to Parcel Four;

WHEREAS, the Property is the location of the Ballard Canyon Closed Landfill (“Landfill”), which is a closed Class III landfill facility that is not open to the public, and for this reason the easement access needs to be limited to use by Parcels One and Four with fencing and gates as proposed in this Agreement;

WHEREAS, the Adjacent Property is known as 910 Ballard Canyon Road in the County of Santa Barbara, State of California, referred to as APN 137-710-014 and also previously referred to as Parcel 4, is owned by Lynette Rasmussen; and

WHEREAS, the Adjacent Property Owner currently accesses their Adjacent Property from the nearest public road, Ballard Canyon Road, by way of the road easement through the Property.

EASEMENT DEED

A non-exclusive 60-foot road easement over the Property (APN 137-710-017) for access to the Adjacent Property (APN 137-710-014), as particularly described in Exhibit A and depicted on Exhibit B, attached hereto and incorporated herein by reference.

AGREEMENT

For valuable consideration, the receipt and sufficiency of which is agreed to by both parties, the parties hereby covenant and agree as follows:

A. Adjacent Property Owner may, at its sole cost and expense, install and maintain a driveway and drainage improvements on the Easement Area as depicted on Exhibit C, attached hereto and incorporated herein by reference. Adjacent Property Owner will be solely responsible for these improvements and is required to maintain these improvements in good order and repair.

B. Adjacent Property Owner shall, at its sole cost and expense, install and maintain fencing at the easement perimeter as documented in Exhibit C attached hereto and incorporated herein by reference, to restrict access or trespassing onto the Landfill, also referred to as the Property. Adjacent Property Owner will be solely responsible for these improvements and is required to maintain these improvements in good order and repair.

C. Adjacent Property Owner shall, at its sole cost and expense, install separate protective fencing around the County of Santa Barbara’s Resource Recovery Waste Management Division (“RRWMD”) monitoring devices within the Easement Area as depicted on Exhibit C, attached hereto and incorporated herein by reference. Adjacent Property Owner will be solely responsible for these improvements and is required to maintain these improvements in good order and repair.

D. Adjacent Property Owner shall maintain all vegetation within the fenced Easement Area with the exception of the fenced areas surrounding the monitoring devices.

E. Adjacent Property Owner shall install a 20' wide gate on the perimeter fence as depicted on Exhibit C attached hereto and incorporated herein by reference, so that the County may continue to access the Landfill. Adjacent Property Owner will be solely responsible for these improvements and is required to maintain these improvements in good order and repair.

F. Adjacent Property Owner shall provide six (6) keys to any Knox Box, or other locking device, at the gated driveway entrance to County and shall provide any updated or replacement keys as necessary.

G. Adjacent Property Owner shall repair damaged monitoring devices within the Easement Area caused by use of the Easement Area.

H. The County is deemed the owner of all improvements in and around the Easement Area and the County has the right to remove any and all improvements.

I. The provisions of this Agreement shall run with the land and bind and inure to the benefit of the successors and assigns of the parties hereto.

J. This Agreement, including all recitals and exhibits hereto, constitutes the entire agreement between the parties and supersedes any and all prior understandings, negotiations, representations or agreement between the parties.

K. This Agreement shall be governed by and construed in accordance with the laws of the State of California.

L. If any provision of this Agreement is held by a court of competent jurisdiction to be invalid or unenforceable, then such provision or provision shall be deemed severable from the remaining provisions and shall not affect the other provisions herein.

M. This Agreement may be amended, modified or supplemented only in a writing signed by both parties and recorded in the Santa Barbara County Recorder's Office.

N. This Agreement may be executed in one or more counterparts, each of which shall for all purposes be deemed an original and all of which, when taken together, shall constitute one and the same instrument. The signatories to this Agreement have the authority to bind the parties.

IN WITNESS WHEREOF, COUNTY and ADJACENT PROPERTY OWNER have caused this Easement Deed Agreement to be executed by their duly authorized agents as set forth below.

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"ADJACENT PROPERTY OWNER"

By: Lynette Rasmussen
Lynette Rasmussen

Dated: MAY 15, 2024

"COUNTY"

County of Santa Barbara

By: Steve Lavagnino
Steve Lavagnino, Chair
Santa Barbara County Board of Supervisors

Dated: 7-9, 2024

ACKNOWLEDGEMENT

A notary public 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 California)
County of Santa Barbara)

On July 9, 2024 before me, Sheila de la Guerra, a Deputy Clerk, personally appeared Steve Lavagnino, 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 State of California that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.

MONA MIYASATO,
CLERK OF THE BOARD

Signature: Sheila de la Guerra
Sheila de la Guerra (Seal)



ACKNOWLEDGEMENT

A notary public 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 Iowa)
County of Polk)

On May 15, 2024 before me, Sarah Keesey, a Notary Public, personally appeared Lynette Rasmussen, who proved to me on the basis of satisfactory evidence to be the person(s) whose names(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 State of ~~California~~ Iowa that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Sarah Keesey



(Seal)

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 137-710-014

Parcel One:

Parcel 4 of Parcel Map No. 10,996 in the County of Santa Barbara, State of California s shown on Map filed in Book 5f Page 93 of Parcel Maps in the Office of the County Recorder of said County.

EXCEPTING therefrom all oil, petroleum and other hydrocarbon substances including natural gas therein, end thereon end thereunder, as conveyed to The Texas Company by deed recorded August 24, 1936, as Instrument No. 6625, in Book 367, Page 485 of Official Records; by deed dated March 5, 1973 recorded March 16, 1973, as Instrument No. 10093, in Book 2452, Page 642 of Official Records, Texaco Inc., successor to The Texas Company, relinquished all of its rights to the use end occupancy of the surface and top 100 feet of said land.

Parcel Two:

An easement for ingress, egress, public utilities and incidental purposes to be used in common with others over a strip of land 60.00 feet wide shown on the Westerly portion of Parcel 1 of said Parcel Map No. 10,996 as 60 Foot Road easement.

Parcel Three:

An easement for ingress, egress, public utilities and incidental purposes in, on, under, along and through the Southerly 15 feet of the following described land:

That portion of Tract No. 24 of the Rancho San Carlos de Jonata in the County of Santa Barbara, State of California, as shown on map filed in Book 5, Page 85 of Maps and Surveys in the Office of the County Recorder of said County, shown as the most Easterly 5.02 acre parcel of land on map filed in Book 81, Page 54 of Record of Surveys in the Office of said County Recorder.

Parcel Four:

Easements for ingress and egress, public utility and incidental purposes to be used in common with others over those areas shown as 40.00 feet wide and 60.00 feet wide road access easements, as shown on Map filed in Book 87, Page 73 of Record of Surveys, in the office of the County Recorder of Santa Barbara County.

Parcel Five:

An easement for ingress, egress and public utilities purposes over those portions of Tract No. 24 of the Rancho San Carlos de Jonata in the County of Santa Barbara, State of California, as shown on map filed in Book 5, Page 85 of Maps and Surveys, in the Office of the County recorder of said county, shown as that most Southerly 5.019 acre Parcel of land on map filed in Book 87, Page 73 of Record of Surveys, in the Office of the County Recorder of said County, described as follows:

Parcel A:

Commencing at the Southeasterly corner of said 5.019 acre Parcel;

thence, North 10°55'55" East, along said Easterly line of said 5.019 acre Parcel, 15.28 feet to the True Point of Beginning;

thence (1), North 10°55'55" East, along said Easterly line, 10.00 feet;

thence (2), leaving said Easterly line, South 59°50'34" West 19.54 feet to a point lying 15.00 feet Northerly of the Southerly line of said 5.019 acre Parcel;

EXHIBIT "A"
Legal Description
(continued)

thence (3), South 89°59'40" East, parallel with and 15.00 feet Northerly of said Southerly line, 25.94 feet to the True Point of Beginning.

Parcel B:

Commencing at the Southwesterly corner of said 5.019 acre Parcel;

thence, North 00°01'06" East, along the Westerly line of said 5.019 acre Parcel, 15.00 feet to the True Point of Beginning

thence (1), North 00°01'06" East, along said Westerly line, 13.50 feet;

thence (2), leaving said Westerly line, South 89°59'40" East 4.60 feet to the Southeasterly corner of an existing 5' high stone pillar;

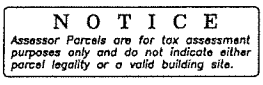
thence (3), South 57°40' 35" East 25.25 feet to a point lying 15.00 feet Northerly of the Southerly line of said 5.019 acre Parcel;

thence (4), North 89°59'40" West, parallel with and 15.00 feet Northerly of said Southerly line, 25.94 feet to the True Point of Beginning.

137-71

rotation = 49.3°

1" = 400
scale



Assessor's Map Bk, 137-Pg, 71
County of Santa Barbara, Calif.

08/03 12A into new pg 71
120-78 into 19 & 20

EXHIBIT "C"

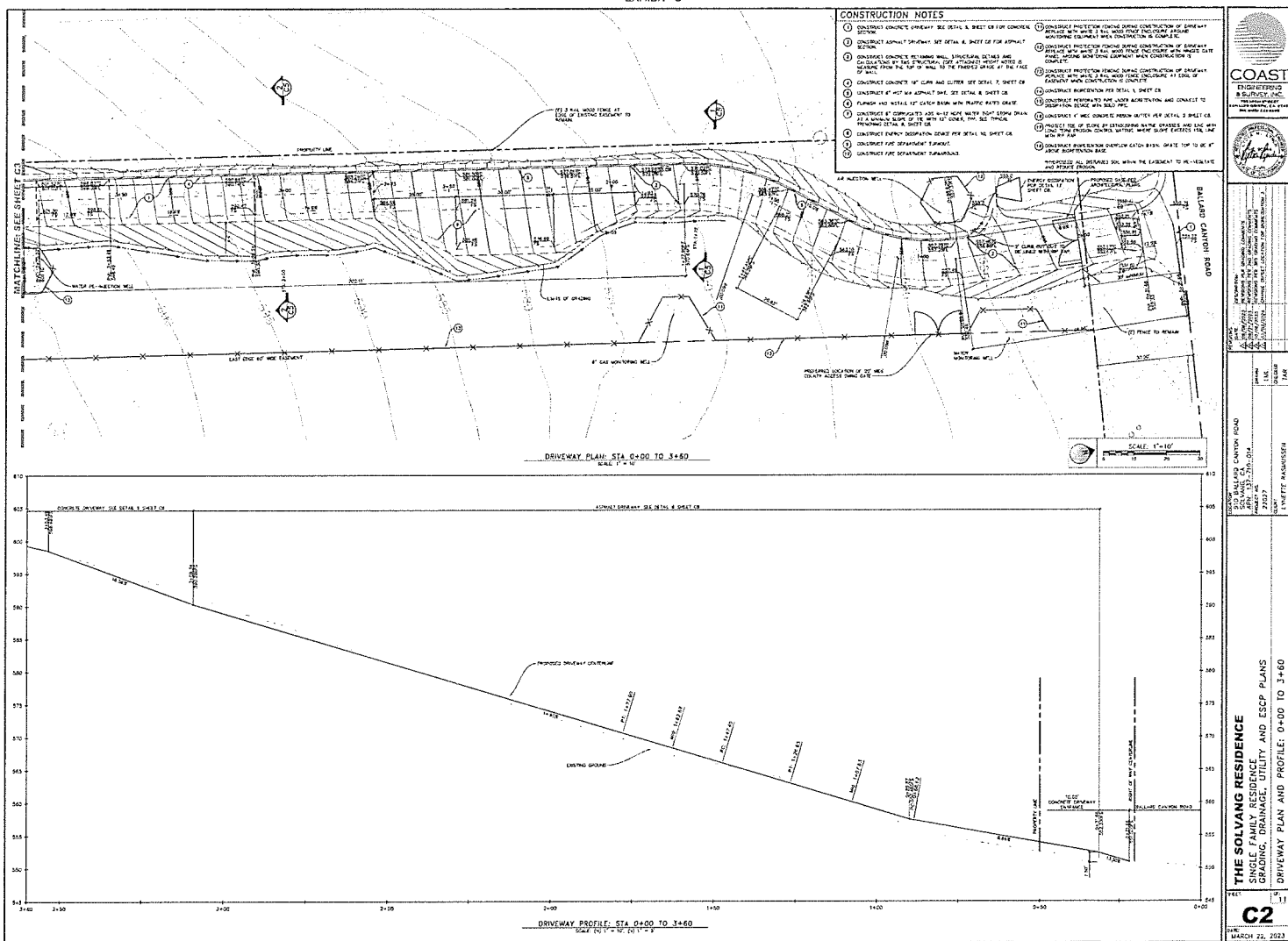
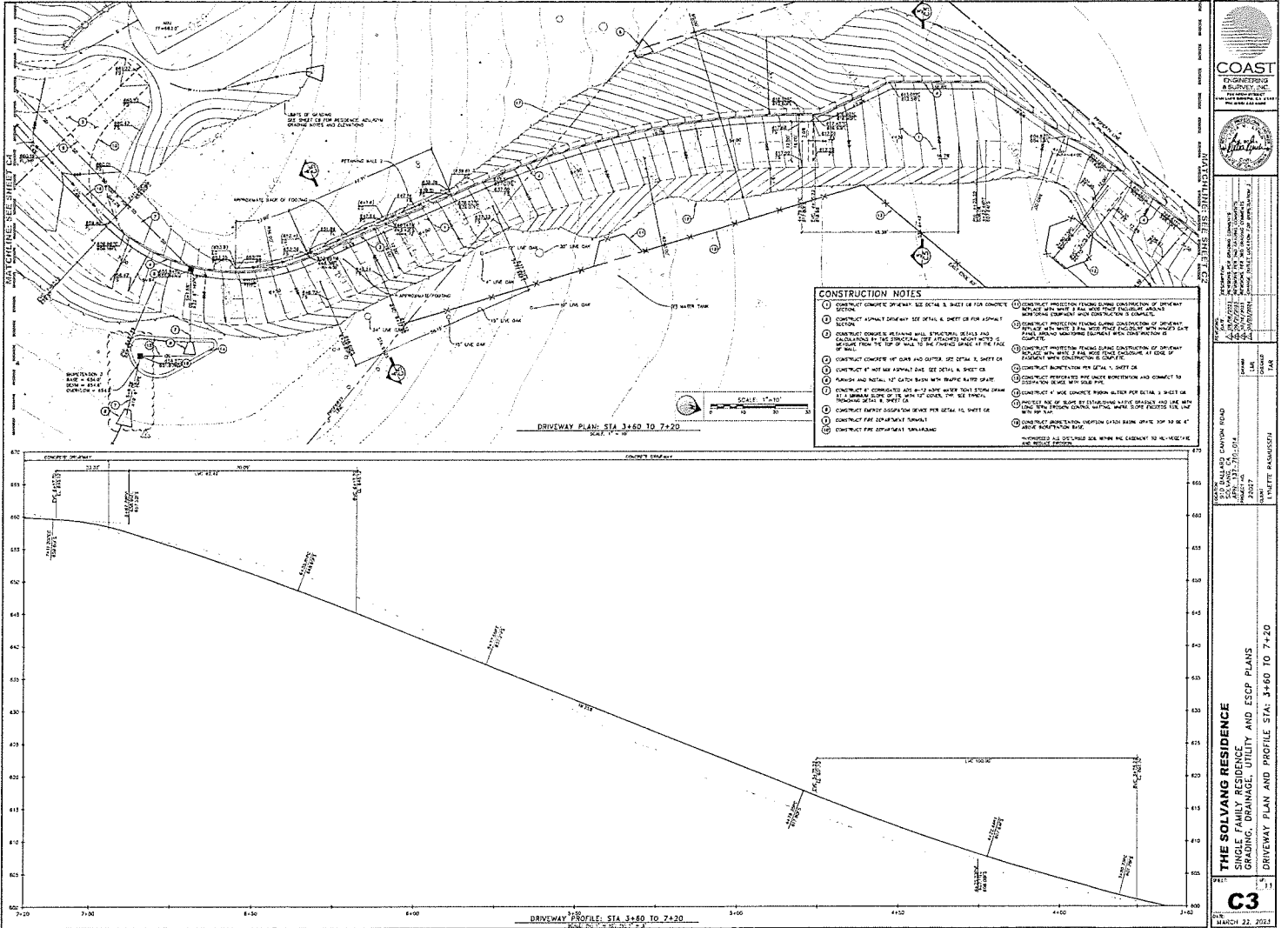
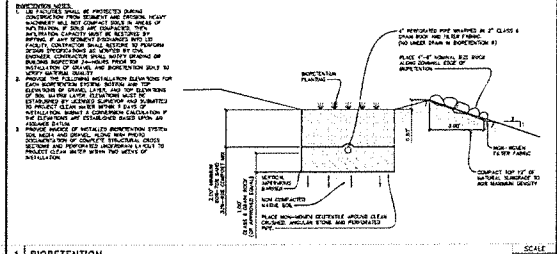
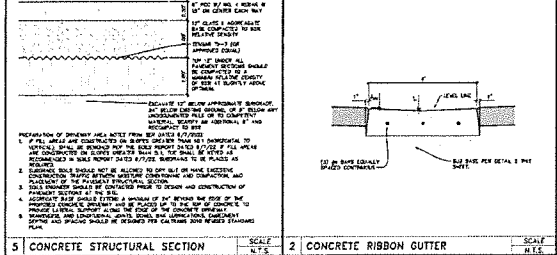


EXHIBIT "C"

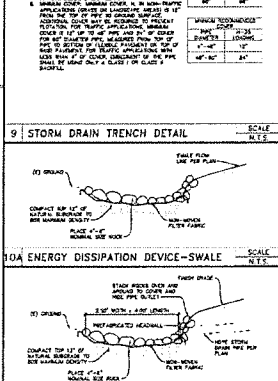




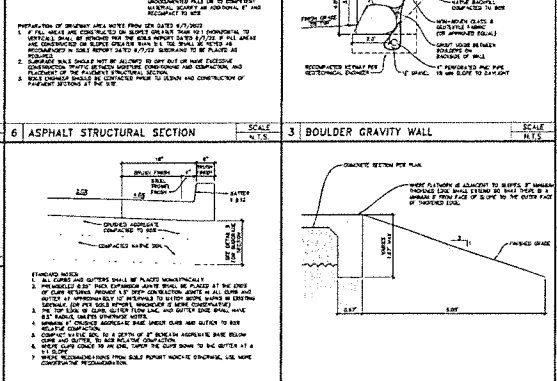
7	BIORETENTION	MTS
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4. 75	
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104 ENERGY DISSIPATION DEVICE-PIPE SCALE



7	CONCRETE CURB AND GUTTER	SCALE	4	CONCRETE DEPENDED EDGE.	SCALE
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