

**Attachment 2**

**ATTACHMENT 2**

**Access and Maintenance Easement Deed**

RECORDING REQUESTED BY, AND  
WHEN RECORDED, MAIL TO:  
County of Santa Barbara  
Real Property Division  
1105 Santa Barbara Street, 2<sup>nd</sup> Floor  
Santa Barbara, CA 93101  
Will Call

No Documentary Transfer Tax  
per Rev & Tax Code 11922

(Space Above for Recorder's Use)  
No fee per Gov. Code 27383  
APN: 073-330-028 & -029

ACCESS and MAINTENANCE EASEMENT DEED  
(Permanent Easement)

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, THE VILLAGE AT LOS CARNEROS MASTER HOMEOWNERS ASSOCIATION, a California nonprofit mutual benefit corporation, formerly RCS-LOS CARNEROS, LLC, a Colorado limited liability company ("Grantor"), owner of Lots 9, 10 and 12 of Tract No. 32050, as shown on a Subdivision Map filed on March 10, 2015, in Book 206 at Pages 31 through 54, inclusive of Maps, in the Office of the Santa Barbara County Recorder ("Property"), does hereby grant by this Access and Maintenance Easement Deed to the SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a dependent special district of the County of Santa Barbara ("District"), its successors and assigns, the following easements:

1. A unrestricted non-exclusive easement for access, ingress and egress ("Access Easement") on, over, and across that certain portion of the Property particularly described as Parcel 1 on Exhibit "A" and depicted on Exhibit "B" attached hereto and incorporated herein (the "Access Area") for flood control access purposes; and

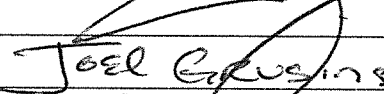
2. A non-exclusive easement ("Maintenance Easement," collectively, with the Access Easement, the "Flood Control Easements") on, over, and across that certain portion of the Property particularly described as Parcel 2 on Exhibit "A" and depicted on Exhibit "B" (the "Maintenance Area") for access, ingress and egress for flood control purposes and for maintenance, repair and replacement of any access roads located on or adjacent to such Parcel 2, or District's option.

3. The Flood Control Easements granted herein shall be subject to the following terms and conditions:

- a. District may, but shall not be required to, preserve, maintain in good condition and repair any access roads and related improvements within the Maintenance Area.
- b. Grantor promises that it will not perform, or knowingly allow others to perform, any act or use that interferes with or impairs District's rights pursuant to the Flood Control Easements. Grantor specifically promises that it will not make any physical alterations to the surface of the Access Area or the Maintenance Area that may impair District's easement rights without District's written consent. Grantor shall not construct any permanent buildings or structures in the Access and Maintenance Areas. Grantor authorizes District to enforce these covenants, including through the use of any proceeding available at law. Actions to enforce these covenants may consist of, but shall not be limited to, actions for injunctive relief or for specific performance.
- c. District and Grantor may enter into separate agreements regarding Grantor's construction of facilities in or surface alterations to the Access and Maintenance Areas.

Grantor has duly executed this Easement Deed to be duly executed on Nov 11, 2020.

"GRANTOR"  
THE VILLAGE AT LOS CARNEROS MASTER  
HOMEOWNERS ASSOCIATION, a California  
nonprofit mutual benefit corporation

By:   
Name: Joel Krusinski  
Title: PRESIDENT

ACKNOWLEDGEMENT

A notary 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 November 11, 2020, before me, Martha C Chavez, Notary Public, personally appeared Soel <sup>me</sup> Grusinsk, 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.

[SEAL]



Martha C Chavez  
Notary Public

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 Access & Maintenance Easement Deed dated \_\_\_\_\_, 2020, from THE VILLAGE AT LOS CARNEROS MASTER HOMEOWNERS ASSOCIATION, a California nonprofit mutual benefit corporation, as Grantor, to the SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a dependent special district, its successors or assigns, as District, is hereby accepted by Order of the Board of Directors of the Santa Barbara County Flood Control and Water Conservation District on \_\_\_\_\_, 2020, and District consents to recordation thereof by its duly authorized officer. Said easement is accepted for the purposes of regulation and control for the benefit of the people of the County of Santa Barbara.

WITNESS my hand and official seal  
this \_\_\_\_ day of \_\_\_\_\_, 2020.

MONA MIYASATO  
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:  
MICHAEL C. GHIZZONI  
COUNTY COUNSEL



By: \_\_\_\_\_  
Scott Greenwood  
Deputy County Counsel



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**FLOOD CONTROL ACCESS AND MAINTANCE EASEMENT**

Being those portions of Lots 9, 10, & 12 of Final Map No. 32,050, in the City of Goleta, County of Santa Barbara, State of California, as shown on the map filed March 10, 2015 in Book 206, Pages 31 through 54 inclusive of Maps, in the office of the County Recorder of said County, the portion lying within Lot 12 is also depicted and labeled on said map as "Easement 8" and said portions are more particularly described as follows:

PARCEL 1

Being portions of said Lots 10 and 12;

Commencing at the southwest corner of said Lot 9; thence, along the southerly line of Lot 9, North 53°39'16" East a distance of 113.00 feet to the beginning of the northeasterly line being 50.00 feet easterly from that certain "N. 36°18'27"W., 867.74 feet" course as described in "Parcel 1- Easement for Flood Control Access and Maintenance" in Instrument No. 2000-0074010 recorded November 28, 2000 of Official Records, of said County; thence, leaving said southerly line and along said northeasterly line,

North 36°18'27" West, a distance of 616.63 feet to a point on the southerly line of "Cortona Drive (Private Street)" as shown on said map and the True Point of Beginning, said point being hereinafter referred to as "Point A"; thence, continuing along said northeasterly line,

- 1st North 36°18'27" West, a distance of 143.87 feet; thence, leaving said northeasterly line,
- 2nd South 59°39'39" East, a distance of 88.35 feet to a point on the line common to Lots 10 and 11 of said map; thence, along said common line
- 3rd South 36°19'13" East, a distance of 4.74 feet to the beginning of a non-tangent curve, concave northerly, having a radius of 970.00 feet, and a radial center which bears North 33°48'17" West, said beginning of curve being the southerly corner common to Lots 10 and 11, said corner also being on the northerly line of "Cortona Drive (Private Street)" as shown on said map; thence, continuing along said northerly line the following two course,
- 4th Northeasterly, along said curve, through a central angle of 2°30'35" and an arc distance of 42.49 feet to a point; thence,
- 5th North 53°41'08" East, a distance of 140.85 feet to the beginning of a curve, concave northwesterly, and having a radius of 10.00 feet; thence,
- 6th Northerly, along said curve, through a central angle of 90°00'00" and an arc distance of 15.71 feet to a point on the westerly line of "Calle Koral (Private Street)" as shown on said map; thence, leaving said westerly line



- 7th North 53°41'08" East, a distance of 62.00 feet to a point on the easterly line of said "Calle Koral (Private Street)"; thence, continuing along said easterly line the following three courses,
- 8th South 36°18'52" East, a distance of 479.15 feet to the beginning of a curve, concave southwesterly, and having a radius 316.00 feet; thence,
- 9th Southeasterly, along said curve, through a central angle of 13°32'25" and an arc distance of 74.68 feet to a point; thence,
- 10th South 22°46'27" East, a distance of 151.36 feet to the beginning of a non-tangent curve, concave southerly and a radial center which bears South 26°56'35" East, 852.00 feet, said beginning of curve being on the northerly line of "Los Careros Road (Public Street)" as shown on said map; thence, along said northerly line,
- 11th Southwesterly, along said curve, through a central angle of 4°11'43" and an arc distance of 62.39 feet to a point on the westerly line of said "Calle Koral (Private Street)"; thence, along said westerly line the following three courses,
- 12th North 22°46'27" West, a distance of 158.17 feet to the beginning of a curve, concave southwesterly, and having a radius of 254.00 feet; thence,
- 13th Northwesterly, along said curve, through a central angle of 13°32'25" and an arc distance of 60.03 feet to a point; thence,
- 14th North 36°18'52" West, a distance of 399.15 feet to the beginning of a curve, concave southerly, and having a radius of 10.00 feet; thence,
- 15th Westerly, along said curve, through a central angle of 90°00'00" and an arc distance of 15.71 feet to a point, said point being on the southerly line of said "Cortona Drive (Private Street)"; thence, along said southerly line the following two courses,
- 16th South 53°41'08" West, a distance of 140.85 feet to the beginning of a curve, concave northerly, and having a radius of 1,030.00 feet; thence,
- 17th Southwesterly, along said curve, through a central angle of 4°18'56" and an arc distance of 77.58 feet to "Point A" the True Point of Beginning.

Containing 58,754 square feet or 1.349 acres, more or less.

#### PARCEL 2

Being a portion of said Lot 9;

Beginning at "Point A" as described in Parcel 1 above, said "Point A" being the beginning of a non-tangent curve, concave northerly, and a radial center which bears North 31°59'56" West, a distance of 1,030.00 feet; thence along the southerly line of "Cortona Drive (Private Street)" as shown on said map,



- 1st Northeasterly, along said curve, through a central angle of  $1^{\circ}57'01''$  and an arc distance of 35.06 feet to a line parallel with and distant 35.00 feet from said certain course described as "N.  $36^{\circ}18'27''$  W., 867.74 feet" in Instrument No. 2000-0074010; thence, leaving said southerly line,
- 2nd South  $36^{\circ}18'27''$  East, a distance of 614.57 feet to a point on the southerly line of said Lot 9; thence, along said southerly line,
- 3rd South  $53^{\circ}39'16''$  West, a distance of 35.00 feet to the northeasterly line being 50.00 feet easterly from that certain "N.  $36^{\circ}18'27''$  W., 867.74 feet" course as described in "Parcel 1-Easement for Flood Control Access and Maintenance" in Instrument No. 2000-0074010 recorded November 28, 2000 of Official Records, of said County; thence, leaving said southerly line and along said northeasterly line,
- 4th North  $36^{\circ}18'27''$  West, a distance of 616.63 feet to "Point "A" the True Point of Beginning.

Containing 21,542 square feet or 0.495 acres, more or less.

Parcels 1 and 2 herein described are delineated on the accompanying Exhibit B and made a part hereof for reference purposes.

END OF DESCRIPTION.



9/14/2016





9/14/2016

TRACT 13,072  
BK. 124 PG. 4  
OF MAPS

NORTHEASTERLY LINE  
OF INSTRUMENT NO.  
2000-0074010

POINT OF  
COMMENCEMENT

POINT "A"  
AND TRUE  
POINT OF  
BEGINNING  
PARCEL 1 AND  
PARCEL 2

EASEMENT  
PARCEL 1

LOT 9  
FINAL MAP NO. 32050  
BK. 206  
PGS. 31-54  
OF MAPS

EASEMENT  
PARCEL 2

LOS CARNEROS ROAD  
(PUBLIC STREET)

CORTONA DRIVE

CORTONA DRIVE  
(PRIVATE STREET)

CALLE KORAL  
(PRIVATE STREET)

LOT 10

LOT 11

LOT 12

LOT 7

LOT 8

LOT 13

LOT 13



111 East Victoria Street, Santa Barbara, CA 93101  
Phone: (805) 963-9532 Fax: (805) 966-9801



SCALE: 1" = 100'

**EXHIBIT B**  
**EASEMENT FOR**  
**FLOOD CONTROL ACCESS**  
**& MAINTENANCE PURPOSES**  
COUNTY OF SANTA BARBARA  
STATE OF CALIFORNIA

PN 2064015247 DWG: 15247REVLegal-Flood Control.dwg

PLOT DATE: 9/14/2016