

**ATTACHMENT 5**

**Resolution of Necessity  
Amended  
Exhibit "A"  
and  
ATTACHMMENT "3"to Exhibit "A"**

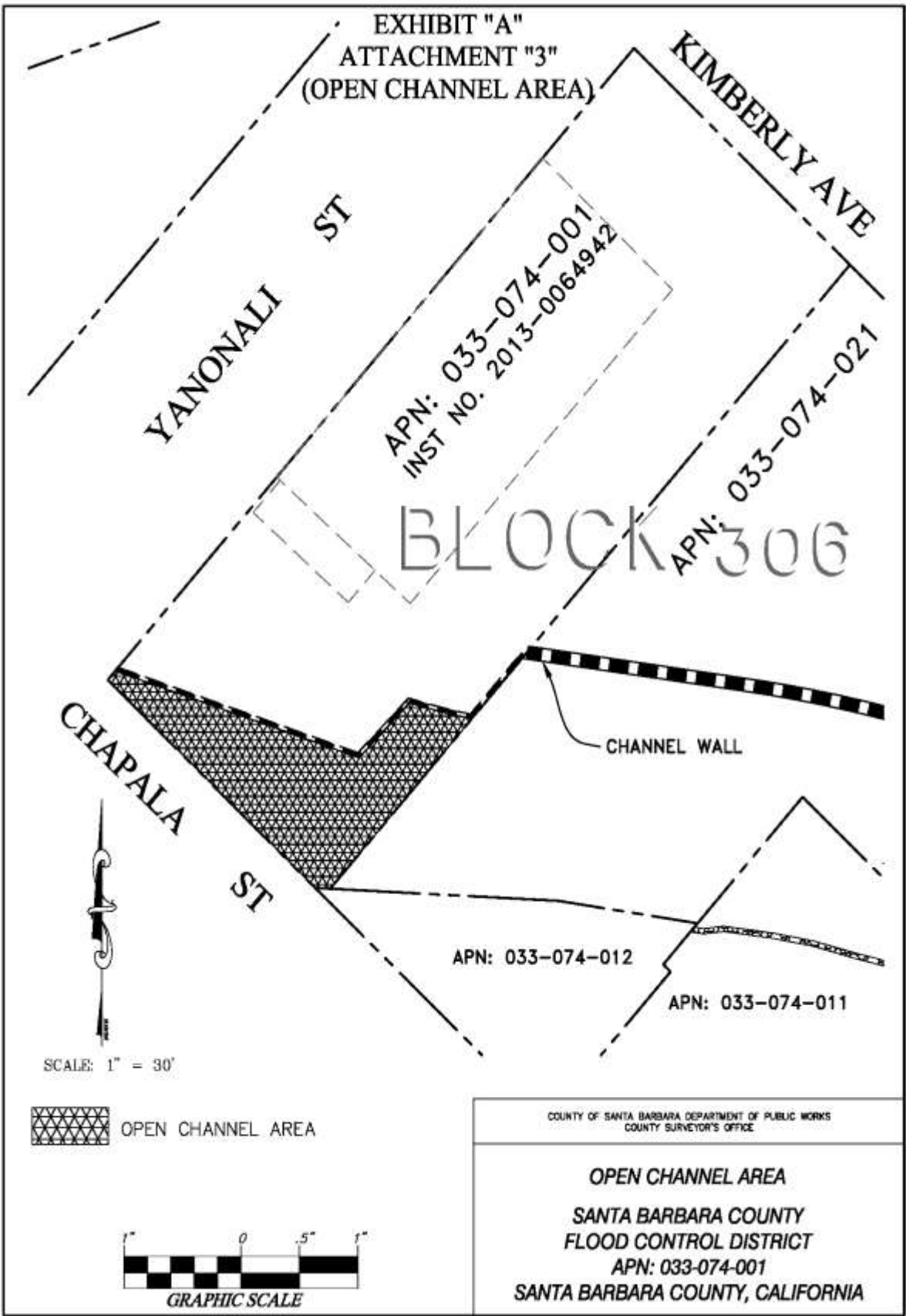
## EXHIBIT "A"

A permanent easement, and right-of-way in, on, over, under, along, and across a portion of the Santa Barbara Assessor Parcel No. 033-074-001 for the excavation, removal, demolition, and alteration of facilities, vegetation and topography, and for the construction, reconstruction, replacement, repair, use and maintenance of various improvements as required for the Lower Mission Creek Flood Control Project # SC8042, and subsequently for water flowage, flood control and all related purposes.

The permanent easement area (herein the "Easement Area") contains approximately 2,929 sq.ft. and is more particularly described in Attachment "1" to this Exhibit "A" (legal description) and shown on Attachment "2" to this Exhibit "A" attached hereto and incorporated herein by this reference.

OWNER shall retain the right to use the Easement Area for parking, driveways, access, landscaping and related surface uses provided that no surface or subsurface use of the Easement Area shall interfere with the rights acquired herein.

The permanent easement described herein does not include the right to construct an open-channel facility except for that portion along the southerly boundary of the Easement Area as depicted on Attachment "3" to this Exhibit "A" which is attached hereto and incorporated herein, completed and installed as part of the design and construction of the Mission Creek Project #SC8042, Reach 2A.



BLOCK 306

