

Recording requested by  
and to be returned to:  
Santa Barbara County Surveyor  
Real Property  
Will Call

**COUNTY OF SANTA BARBARA**  
**OFFICIAL BUSINESS**

Document entitled to free recordation  
Pursuant to Government Code Section 6103

*This Deed is not Valid Until Recorded*  
SPACE ABOVE THIS LINE FOR RECORDER'S USE

**GRANT DEED AGREEMENT WITH RESERVATIONS**

The COUNTY OF SANTA BARBARA, a political subdivision of the State of California, (herein the "Grantor"), as fee owner of the real property identified on "Exhibit A" attached hereto, for Sixty Thousand Dollars and no cents (\$60,000.00), receipt of which is hereby acknowledged, does hereby grant and transfer to:

P.R. Investments, LLC, a Limited Liability Company formed under the laws of the State of California (herein the "Grantee"),

its fee interest in a certain portion of the right-of-way granted to the County of Santa Barbara by that certain Grant Deed recorded in Book 2118 page 957, 1965. The location of the portion being transferred hereby is shown and described on "Exhibit A" attached hereto and incorporated herein. The area being transferred shall herein be identified as the "Portion."

~~Grantee specifically acknowledges and agrees that Grantor transfers and Grantee accepts the Portion on an "AS IS WITH ALL FAULTS" basis and that Grantee did not rely on any representations or warranties of any kind whatsoever, express or implied, from Grantor, its employees, agents, or brokers as to any matters concerning the Portion, including without limitations: its physical condition, including the structural elements of any improvements; its geology; the development potential of the Portion and its use, habitability, merchantability, or fitness for a particular purpose; its zoning or other legal status; its compliance with law; the presence or removal of hazardous or toxic materials, substances, or wastes on, under or about the Portion or the neighboring properties; the quality of labor or materials used in any improvements; the conditions of title to the Portion; leases, service contracts, or other agreements affecting the Portion; and the economics of the operation of the Portion.~~

This Grant Deed is made with the following reservations and conditions:

Grantee shall not reconfigure or close the section of Orcutt Road located within the Portion without coordinating with the County of Santa Barbara, Public Works Transportation Division prior to the commencement of work; and

Grantee shall maintain the road surface of said Portion in a safe and passable condition to a degree which is acceptable to the director of the Santa Barbara County Public Works Department for as long as the Portion is open to public traffic; and

Grantor reserves the current and future rights of the Southern California Gas Company (including its subsidiaries, successors and assigns) to operate, maintain or replace its facilities within a portion of the Grant Deed area. The area being reserved therefore is described and shown on "Exhibit B" attached hereto and incorporated herein; and

Grantee acknowledges the right of the public to use the section of the Portion located directly in front of Santa Barbara County Assessor's Parcel number 109-200-010 for ingress and egress to said property as shown on "Exhibit C" attached hereto and incorporated herein. Said ingress and egress shall meet minimum standards as set by the Santa Barbara County Fire Department, shall be maintained by Grantee in good condition, and shall remain open until such time as the County of Santa Barbara in its regulatory capacity agrees to the closure thereof; and

Grantee shall improve the entire Portion as part of the future development of the Evergreen Shopping Center, and agrees to coordinate with the owner(s) of parcel 109-200-010 in the design of said improvements within the section of the Portion in front of that parcel. The intent of this covenant is to create a homogeneous access route to the Evergreen center as well as to the building currently occupied by Spencer's Market that is compatible with the parking lot drive aisle on the Spencer's Market site, and to improve the open drainage ditch in front of that building.

This Grant Deed Agreement with Reservations constitutes the sale of excess public right-of-way adjacent to Grantee's property currently identified as County Assessor's Parcel Numbers 109-200-037 and -038 and shall not to create a separate legal parcel within the meaning of the California Civil Code Section 1093 nor a separate unit of real property within the California Subdivision Map Act. The Portion shall merge with and form legal parcels or units with APNs 109-200-037 and -038.

All the reservations and agreements contained herein shall apply to the Grantee's successors in interest, heirs, and assignees, and to any parcels that may be created out of the parcels currently known as 109-200-010, -037 and -038.

Grantee:  
P.R. Investments, LLC

By: Daniel P. Ringstmeyer 4/3/10  
Date  
Daniel P. Ringstmeyer, Member  
Printed or Typed name and Title

ACKNOWLEDGMENT

State of California  
County of Santa Barbara

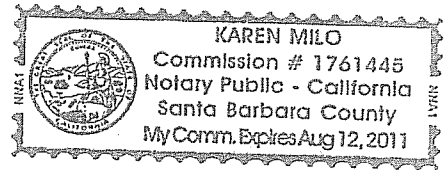
On June 3, 2010, before me, Karen Milo,  
(Name of Notary)

a Notary Public, personally appeared Daniel P Ringstmayer, 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)



Grantor:  
COUNTY OF SANTA BARBARA

By: \_\_\_\_\_  
Chair, Board of Supervisors

APPROVED AS TO FORM:  
DENNIS A. MARSHALL  
COUNTY COUNSEL

By:  \_\_\_\_\_  
Michael Ledbetter  
Deputy County Counsel

+++++

**BOARD OF SUPERVISORS ACKNOWLEDGMENT**

C.C. 1189  
State of California  
County of \_\_\_\_\_

On \_\_\_\_\_, before me, \_\_\_\_\_, a  
(Name of Deputy Clerk)

Deputy Clerk, personally appeared \_\_\_\_\_,  
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: \_\_\_\_\_ (Seal)

MICHAEL F. BROWN  
CLERK OF THE BOARD

By: \_\_\_\_\_  
Deputy Clerk

**Exhibit "A"**  
**Legal Description**  
**Public Road Abandonment**

A portion of California State Highway 135 right of way relinquished to the County of Santa Barbara per deed recorded August 27, 1965 in Book 2118, Page 957 Official Records, in the County of Santa Barbara, State of California, and more particularly described as follows:

Beginning at Northwesterly corner of Lot 1 of Evergreen Acres as shown on map filed in Book 117, Page 74 of Record of Surveys, in the office of county recorder of said County;

Thence North 88 degrees 25 minutes 23 seconds West, 157.30 feet, along the Southerly line of Winter Road as shown on said Record of Survey map, to the Easterly line of Orcutt Expressway (State Highway 135) as shown on said Record of Survey map and the true point of beginning;

Thence Southerly along said easterly line the following courses:

Thence South 07 degrees 48 minutes 01 seconds West, 723.58 feet;

Thence South 01 degrees 35 minutes 50 seconds West, 444.23 feet to an angle point shown on said Record of Survey map;

Thence North 88 degrees 25 minutes 27 seconds West, 46.86 feet to the Westerly line of said relinquishment;

Thence Northerly along the said Westerly line the following courses:

Thence North 10 degrees 34 minutes 48 seconds West, 16.65 feet;

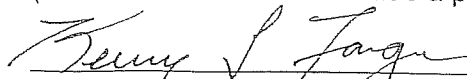
Thence North 01 degrees 34 minutes 30 seconds East, 235.78 feet to the beginning of a curve concave to the east having a radius of 4429.40 feet;

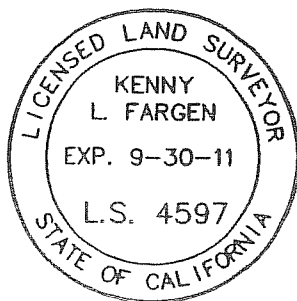
Thence Northerly along said curve an arc distance of 508.96 feet through a central angle of 06 degrees 35 minutes 01 seconds;

Thence North 08 degrees 09 minutes 12 seconds East, 406.32 feet, more or less, to the Southerly line of said Winter Road;

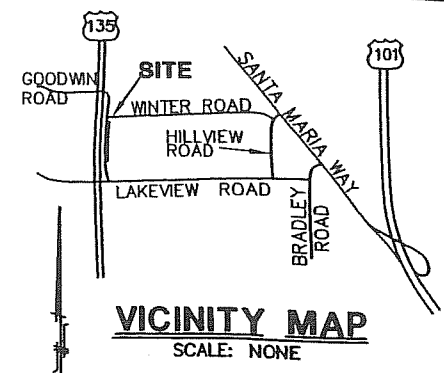
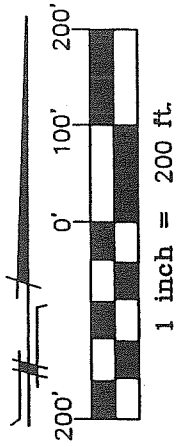
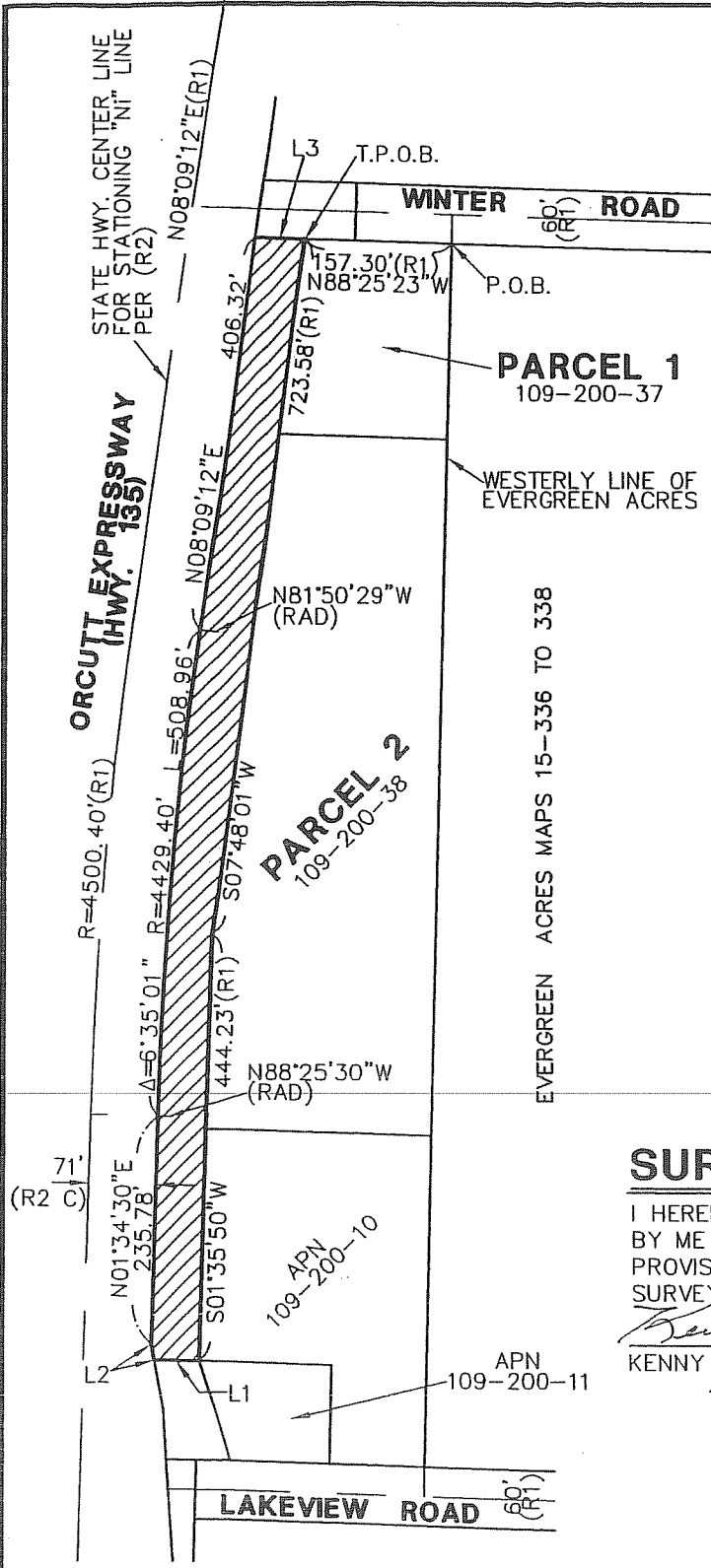
Thence South 88 degrees 25 minutes 23 seconds East, 53.24 feet, along said Southerly line, to the true point of beginning, containing 1.39 acres, more or less.

(see attached Exhibit B made a part hereof)

 9-23-09  
Kenny L. Fargen L.S. 4597 date  
license expiration date: 9-30-11



**EXHIBIT A**



**LINE TABLE**

LINE	LENGTH	BEARING
L1	46.86'	N88°25'27"W
L2	16.65'	N10°34'48"W
L3	53.24'	S88°25'23"E

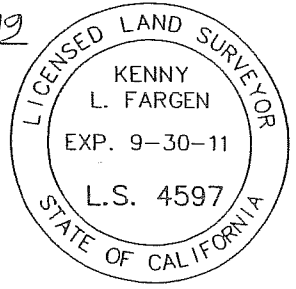
**LEGEND**

- (C) DENOTES CALCULATED DATA
- (R1) DENOTES RECORD DATA PER R.S 117-74
- (R2) DENOTES RECORD DATA PER CALIF. DIV. OF HIGHWAYS RIGHT OF WAY MAP (V-SB-2-N) DATED NOV., 1956
- P.O.B. POINT OF BEGINNING
- T.P.O.B. TRUE POINT OF BEGINNING
- ABANDONMENT AREA

**SURVEYORS STATEMENT**

I HEREBY STATE THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION UNDER THE PROVISIONS OF SECTION 8726 OF THE LAND SURVEYORS ACT.

*Kenny L. Fargen* 9-23-09  
 KENNY L. FARGEN L.S. 4597 DATE



**FARGEN SURVEYS INC.**

2624 AIRPARK DRIVE  
 SANTA MARIA, CALIFORNIA 93455  
 PHONE: 805-934-5727  
 FAX: 805-934-3448  
 DATE: SEPT., 2009

AN ABANDONMENT OF A PORTION OF STATE HIGHWAY 135 RIGHT OF WAY RELINQUISHED TO THE COUNTY OF SANTA BARBARA PER 2118-OR-957, IN THE COUNTY SANTA BARBARA, STATE OF CALIFORNIA.

**EXHIBIT A**

A non-exclusive easement to lay, construct, maintain, operate, repair, replace, patrol, change the size of, add to, or remove from time to time, as Grantee deems necessary, one or more pipelines and conduits, together with metering, measuring, regulating, cathodic protection, communications and other appurtenances (all hereinafter referred to as the "Facilities") for the transportation of gas, energy, communications, petroleum products and other substances (whether or not such substances are transported at any particular time), over, under, through, along, and together with the reasonable right of ingress and egress to and from the easement Facilities and the right to use Grantor's abutting property during construction of the Facilities.

Legal Description of Easement area:

A 15.00 foot wide strip of land measured at right angles, lying West of, parallel to, and adjoining the following described line:

Beginning at the Northwest corner of the parcel described as the Southerly 81.50 feet of the Northerly 231.50 feet between parallel lines of the Westerly 270 feet of the West half of the Southwest Quarter of Section 35, Township 10 North, Range 34 West, San Bernardino Meridian, in the County of Santa Barbara, State of California, as shown on Official Plat in the District Land Office April 11, 1873.

Excepting therefrom those portions included within the lines of Evergreen Acres, as shown on map thereof recorded in Book 15, Pages 336, 337, and 338 of Maps, in the office of the County Recorder of said County.

Also excepting therefrom that portion described in the deed to the State of California recorded February 20, 1958 as Instrument No. 3982 in Book 1505, Page 44 of Official Records of said County.

Commencing from said Northwest corner, thence South 7°48'01" West for a distance of 723.58 feet to a point; thence South 1°35'50" West for a distance of 444.23 feet to the end point of said line.

And as shown on the plat attached hereto as Exhibit "B" and made a part hereof.

*This legal description was prepared by Southern California Gas Company for an easement for utility distribution lines and service facilities pursuant to the exemption granted by California Business and Professions Code Section 8730 [C].*

**EXHIBIT B**

# EXHIBIT "B"

DRAWN BY: NAME/DATE

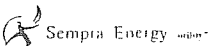
AJS 1-8-10



scale = n/a



The Gas Company



SOUTHERN CALIFORNIA GAS COMPANY

SCALE: N/A

ATLAS #: SBA 5659-2

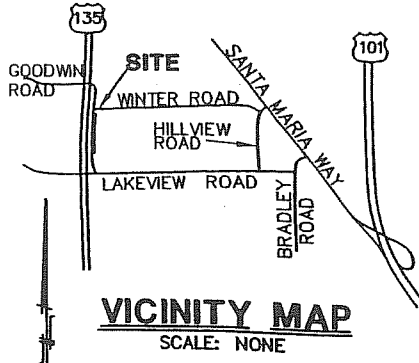
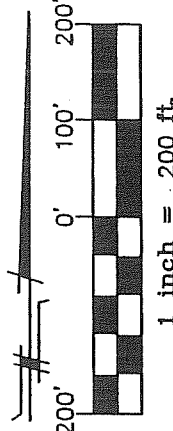
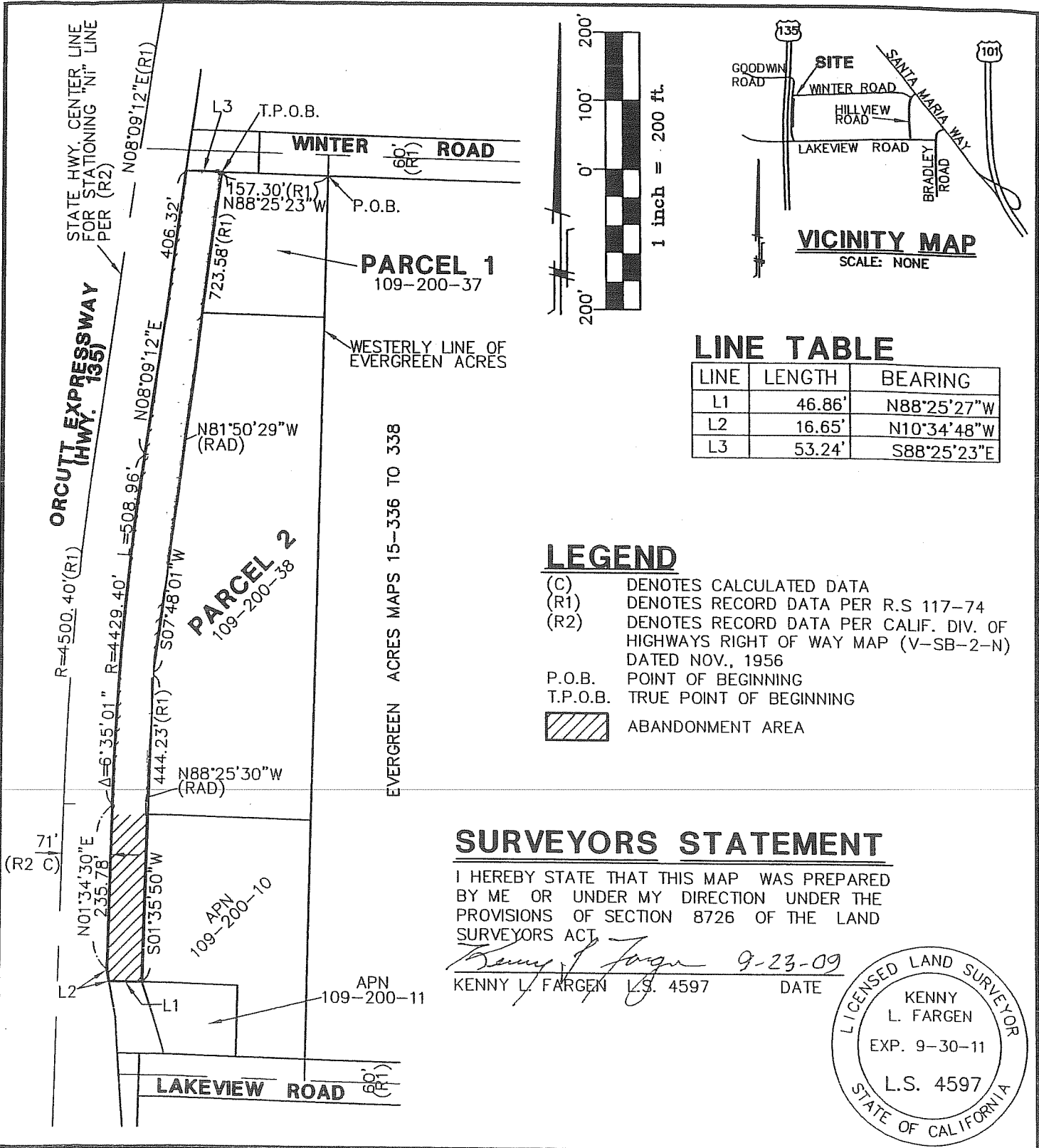
R/W #:

W.O. #:

FILE: orcuttrdvocatio

## EXHIBIT B





**LINE TABLE**

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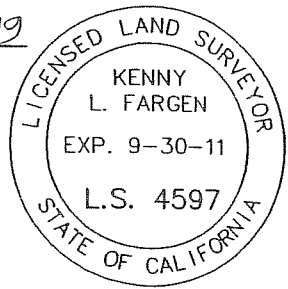
**LEGEND**

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- (R1) DENOTES RECORD DATA PER R.S 117-74
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*Kenny L. Fargen* 9-23-09  
 KENNY L. FARGEN L.S. 4597 DATE



**FARGEN SURVEYS INC.**

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**EXHIBIT C**