

Recording requested by  
and to be returned to:  
County of Santa Barbara  
Public Works Department  
Surveyors Office  
WILL CALL  
Attn: JJH

**COUNTY OF SANTA BARBARA  
OFFICIAL BUSINESS**

No fee pursuant to  
Government Code § 6103

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SPACE ABOVE THIS LINE FOR RECORDER'S USE

APNs 033-010-013 & -014; and  
APNs 033-041-012 & -013; and  
APNs 033-042-014 & -017

**EASEMENT DEED**  
**(PERMANENT EASEMENT)**

THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA, a body corporate and politic, owner of all that real property in the City of Santa Barbara, County of Santa Barbara, State of California, commonly referred to as the Santa Barbara Railroad Depot, and more particularly described as County Assessor's Parcel Numbers 033-010-013 & -014; 033-041-012 & -013; and 033-042-014 & -017, as GRANTOR herein,

FOR A VALUABLE CONSIDERATION, DOES HEREBY GRANT TO

SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a dependent special district, its successors and assigns, as GRANTEE herein, a permanent subsurface easement and right of way for flood control purposes, including but not limited to the construction, reconstruction, operation, repair, and maintenance of a flood control culvert and related public improvements as specified in the plans approved by the City of Santa Barbara C-1-4594, together with the necessary rights of ingress, egress and access to the easement for the above-referenced purposes, in, on, over, along, under and through portions of those certain lands situated in the County of Santa Barbara, State of California, owned by GRANTOR, the Redevelopment Agency of the City of Santa Barbara, said lands being described in part in the Corporation Grant Deed recorded on March 26, 1993, as Instrument No. 93-022717 of Official Records, described in part in the Grant Deed recorded on June 21, 1995, as Instrument No. 95-033463 of Official Records, and also described in part in the Grant Deed recorded on January 17, 1997, as Instrument No. 97-002986 of Official Records as specified and limited below. Said permanent subsurface easement and right of way for flood control purposes is a strip of land more particularly described on Exhibit "A" and shown on Exhibit "B" attached hereto and incorporated herein by this reference.

If any construction, reconstruction, operation, repair, or maintenance of the flood control culvert by GRANTEE requires excavation of the parking lot in the easement area, or alters or damages any improvements on the parking lot or the ingress or egress within or without the easement area, GRANTEE shall, at GRANTEE'S sole cost and expense: (1) restore the surface of the parking lot and the ingress or egress to the same or better condition existing prior to any construction, reconstruction, operation, repair, or maintenance of the flood control culvert, and; (2) repair or replace any improvements altered or damaged by such construction, reconstruction, operation, repair, or maintenance of the flood control culvert. GRANTEE shall provide reasonable written notice to GRANTOR prior to beginning any construction, reconstruction, operation, repair or maintenance of the flood control culvert and related public improvements.

The continuing operation and maintenance of the parking lot not in the area on the real property subject to this easement is an important concern of GRANTOR. In order to protect the continuing operation and maintenance of the parking lot not in the easement area, GRANTEE shall not do any of the following without the prior written approval of the City Public Works Director or the Director's designee (which approval shall not be unreasonably withheld):

1. Use any portion of the parking lot in a manner different than the use for which the parking lot is available to the general public;
2. Excavate or damage the surface or subsurface of the parking lot or alter any improvements on the parking lot; or
3. Store any construction materials or equipment on the parking lot.

GRANTEE shall comply with any conditions specified in any required approval or permit applicable to GRANTEE relating to the construction, reconstruction, operation, repair, or maintenance of the flood control culvert.

Grantee, at its sole cost and expense, shall maintain and repair the flood control culvert and any related public improvements placed within the easement area in a safe and good working condition.

The GRANTOR and its successors in interest retain the right to use the surface of the easement area for all municipal, recreation, and park purposes so long as such use does not unreasonably interfere with GRANTEE'S use of the subsurface easement. In addition, GRANTOR may specifically operate and maintain the parking area contained within the easement area.

The provisions hereof shall run with the land and shall inure to the benefit of and be binding upon the heirs, successors, assigns and personal representatives of the respective parties hereto.

DATED AS OF: August 20, 2009

**[SIGNATURE PAGE FOLLOWS]**

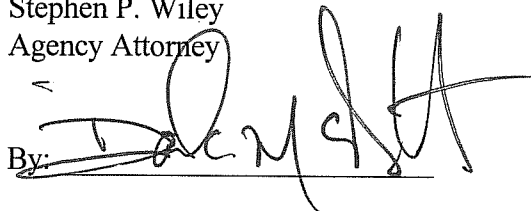
**EASEMENT DEED**  
**(PERMANENT EASEMENT)**  
**SIGNATURE PAGE**

Approved as to Content:

  
Public Works Director

Approved as to Form:

Stephen P. Wiley  
Agency Attorney

By: 

GRANTOR:

THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA,  
a body corporate and politic

By: 

Print Name: James L. Armstrong

Title: City Administrator

ACKNOWLEDGMENT

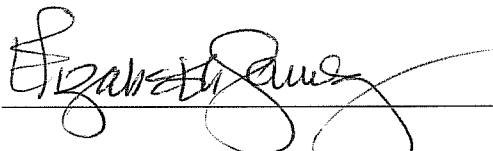
State of California  
County of Santa Barbara

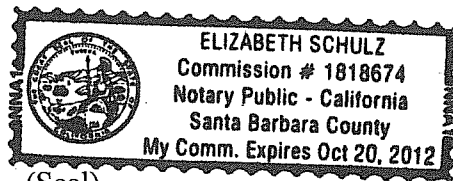
On July 22, 2009, before me, ELIZABETH SCHULZ, a  
(Name of Notary)

Notary Public, personally appeared Christine F. Andersen, 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)



**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 EASEMENT DEED (PERMANENT EASEMENT) dated as of August 20, 2009, from THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA, a body corporate and politic, 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 \_\_\_\_\_, and the Santa Barbara County Flood Control and Water Conservation District as GRANTEE consents to recordation thereof by its duly authorized officer.

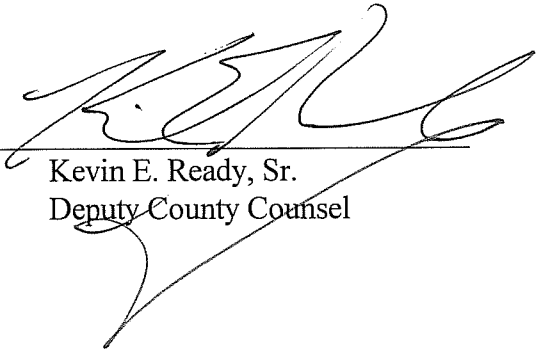
WITNESS my hand and official seal

this \_\_\_\_\_ day of \_\_\_\_\_.

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 MARSHALL  
COUNTY COUNSEL

By:   
Kevin E. Ready, Sr.  
Deputy County Counsel

ACKNOWLEDGMENT

STATE OF CALIFORNIA )  
COUNTY OF Santa Barbara )

On 8/19/2009 before me, Linda Gunther, Notary Public  
personally appeared

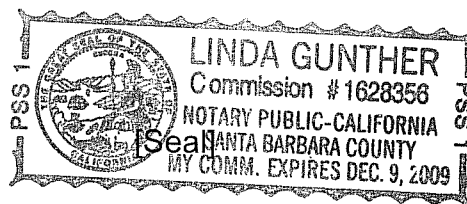
James L. Armstrong, who proved  
to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they  
executed the same in his/her/their authorized capacity(ies), and that by his/her/their  
signature(s) on 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

Linda Gunther



ACKNOWLEDGMENT

STATE OF CALIFORNIA )  
COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_ before me, \_\_\_\_\_,  
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]

## Legal Description

A strip of land 60.00 feet wide being a certain portions of Block 288 and Block 289 according to the Official Map of the City of Santa Barbara, also portions of Chapala Street as recorded in Grant Deed, Parcels One, Two and Three, dated January 17, 1997 as Instrument Number 97-002986 of Official Record, filed in the Office of the County Recorder, in the City of Santa Barbara, County of Santa Barbara, State of California, the centerline of which is described as follows:

COMMENCING at lead and tag marked "LS 3804 as shown on recorded map as "P&S CP 209" in Book 172, Page 10 of Record of Survey filed in said Recorder Office, and being the most Easterly Corner of Block 288;

1. Thence, along the southeast line of said Block 288 South  $42^{\circ}25'50''$  West 445.88 feet to the TRUE POINT OF BEGINNING and to a point hereinafter referred to as Point "A" having a coordinate value North 1976993.92, East 6051133.71;
2. Thence, leaving said southeast line North  $71^{\circ}57'14''$  West 70.78 feet to a tangent curve concave to the northeast having a radius of 100.00 feet;
3. Thence, northwesterly along said curve 42.08 feet through a central angle of  $24^{\circ}06'31''$ ;
4. Thence, North  $47^{\circ}50'40''$  West 91.56 feet to a tangent curve concave to the south having a radius of 80.00 feet;
5. Thence, Westerly along said curve 90.84 feet through a central angle of  $65^{\circ}03'31''$ ;
6. Thence, South  $67^{\circ}05'49''$  West 63.98 feet to a tangent curve concave to the north having a radius of 100.00 feet;
7. Thence, Westerly along said curve 69.66 feet through a central angle of  $39^{\circ}54'44''$ ;
8. Thence, North  $72^{\circ}59'27''$  West 58.58 feet to the southerly line of land shown on Corporation Grant Deed recorded January 11, 1977 as Instrument Number 1977-001512 of Official Record filed in the Office of said County Recorder and end of said described centerline

EXCEPT Lot 140 as shown on recorded map "MAP OF THE SUBDIVISION OF THE TRACT AMBASSADOR TRACT" in Book 15, Page 44 of Map Book, filed in the Office of the County Recorder in said County

Offset lines lengthen or shorten within the boundary of the grantors.

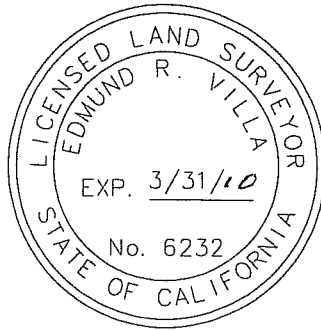
Unless otherwise noted, all bearing and distance in this legal description are grid, based on the California Coordinate System of 1983, Zone 5, 1991.35 Epoch Adjustment as shown in recorded map Book 172 Page 10 and 11 Record of Survey, which is based on Santa Barbara Control Network Survey recorded in Book 147, Page 70 through 74 filed in the Office of the County Recorder in said County.

Multiply distances by 1.000055750 to obtain ground level distance (combined Scale Factor calculated at P&S Control Point [CP] 209 in said Book 172 Page 10 Record of Survey. Coordinate value at CP 209; North 1977323.03, East 6051434.55, Elevation 13.99 (Vertical Datum based on NAVD 88)

This legal description was prepared by me or under my direction in conformance with the requirements of the Professional Land Surveyors Act.

Edmund R. Villa

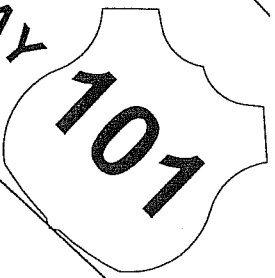
Edmund R. Villa



May 22, 2008

Date:





U.S. HIGHWAY

MONTECITO ST.

KEY RD

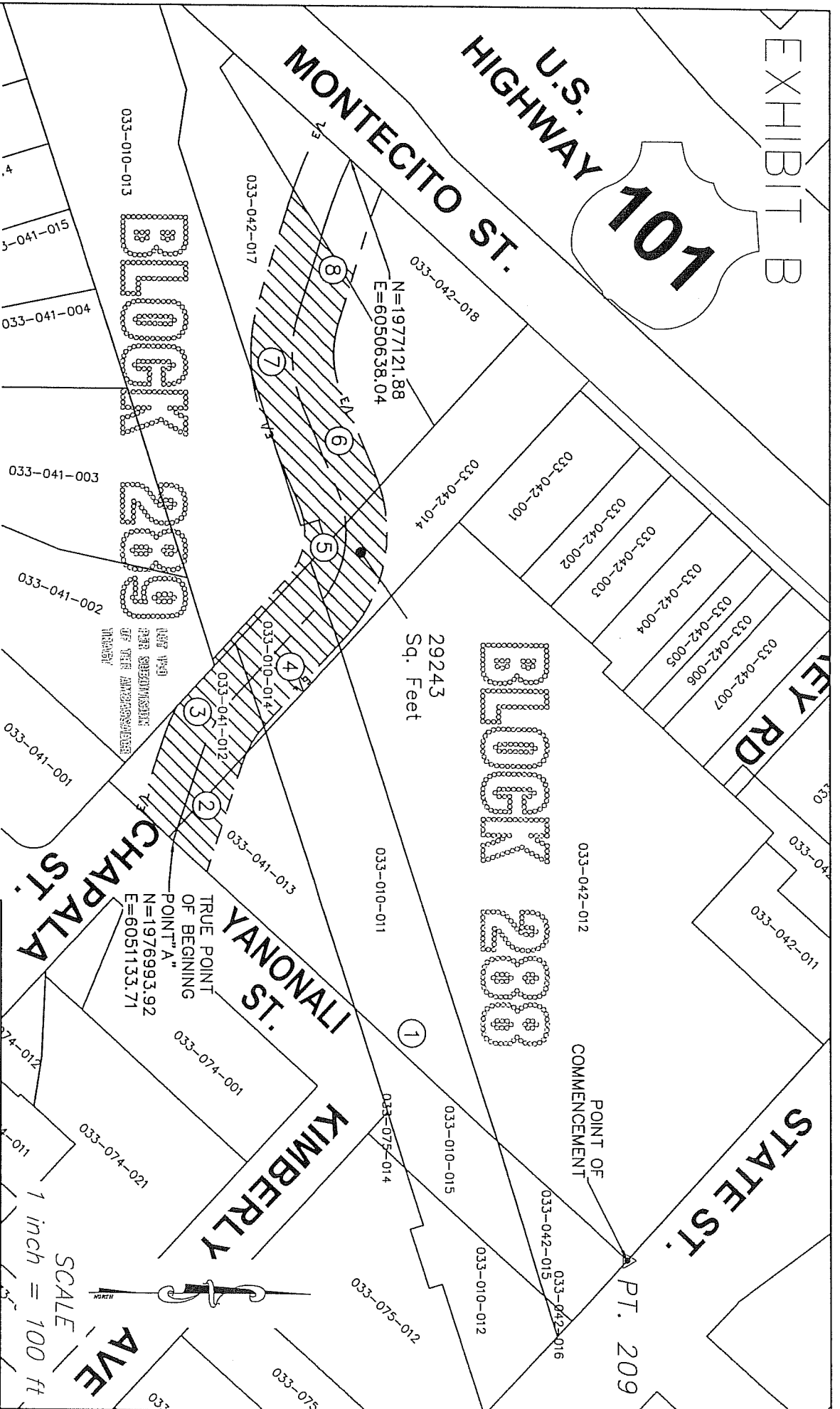
STATE ST.

BLEGGY CREEK

BLEGGY CREEK

YANONALI ST.  
KIMBERLY

CHAPALA ST.



THIS MAP WAS PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH PROFESSIONAL LAND SURVEYORS ACT.

EDMUND R. VILLA DATE 5/22/05



COUNTY OF SANTA BARBARA DEPARTMENT OF PUBLIC WORKS  
COUNTY SURVEYOR'S OFFICE

60' FLOOD CONTROL EASEMENT  
MISSION CREEK  
SANTA BARBARA COUNTY, CALIFORNIA  
FEBRUARY 2008  
RDA Properties

SCALE  
1 inch = 100 ft