

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**

THIS GRANT DEED AGREEMENT WITH RESERVATIONS is made by and between the COUNTY OF SANTA BARBARA, a political subdivision of the State of California, as Grantor herein, and Christina Madson; Kathy Mygatt, and Pamela Wilson all as Co-Trustee of the Gavlak Survivor's Trust, as Grantee herein;

WHEREAS, Grantor is the fee owner of the right-of-way known as North Refugio Road which was dedicated to the COUNTY for public use via Book 40, page 207 of Deeds, and in the Dedication found on Rack 3, Map 4 (Canada De Los Pinos) by the Santa Ynez Land and Improvement Company, recorded October 12, 1895 in the Office of the County Recorder of the County of Santa Barbara, and

WHEREAS, Grantee is the fee owner of 1881 North Refugio Road, APN 141-060-011 (herein the "Property"); and

WHEREAS, when the Property was originally created the developer believed that North Refugio Road was held by the County of Santa Barbara in easement and thus included a portion of that right-of-way within the Property's 10 acre boundary; and

WHEREAS, it was later discovered that North Refugio Road is held in fee by the County, thus the size of the Property was reduced so it is now less than the intended 10 acre size; and

WHEREAS, the Grantee desires to purchase a portion of the North Refugio Road fee adjacent to the Property and add that fee area to the Property, thus restoring the Property to it's intended size to 10 acres,

WHEREAS, the Grantee as owner of the Property has petitioned the County to abandon and sell a portion of County's fee ownership of North Refugio Road adjacent to the Property; and

WHEREAS, the Grantor will reserve a right-of-way easement over the area being transferred, thus the abandonment of the fee will have no impact on the public's right to use the North Refugio Road right-of-way; and

WHEREAS, Public Works has no objection to said abandonment and sale.

NOW, THEREFORE, Grantor hereby grants and transfers to Grantee and successors in interest the fee ownership of that real property identified on "Exhibit A" attached hereto and incorporated herein, in exchange for One Thousand, Three Hundred, Forty Dollars and 32/100 (\$1,340.32), receipt of which is hereby acknowledged. The area being transferred shall herein be identified as the "Portion."

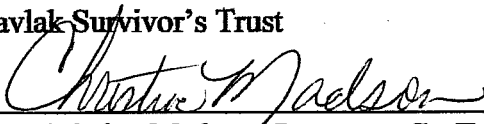
Grantor does hereby reserve and except from this Grant Deed a permanent easement for public road right-of-way, including any existing public utilities, and the right to install or grant others the right to install utilities therein, which rights and interests shall survive this Grant Deed in perpetuity.

Grantee specifically acknowledges that Grantor has transferred and Grantee has accepted 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.

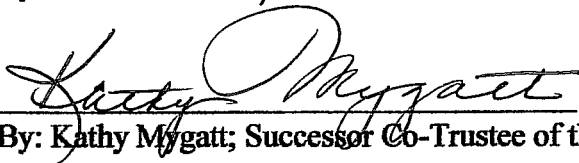
This Grant Deed results from the sale of excess fee ownership of a public road adjacent to Grantee's Property currently identified as County Assessor's Parcel Number 141-060-011 and is not intended to create a separate legal parcel within the meaning of the California Civil Code Section 1093 nor a separate unit of real property within the California Subdivision Map Act. The intent of this Grant Deed is to merge the Portion with and form a single legal parcel or unit with APN 141-060-011.

Grantee:

Gavlak Survivor's Trust



By: Christina Madson, Successor Co-Trustee of the Gavlak Survivor's Trust



By: Kathy Mygatt; Successor Co-Trustee of the Gavlak Survivor's Trust



By: Pamela Wilson; Successor Co-Trustee of the Gavlak Survivor's Trust

SEE ATTACHED FORM  
FOR NOTARY CERTIFICATE

GRANTOR'S ACKNOWLEDGMENT

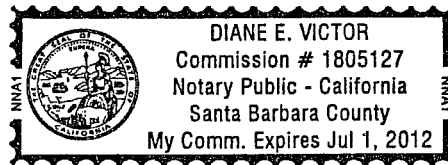
State of California  
County of Santa Barbara

On July 29, 2010, before me, DIANE E. VICTOR, a  
(Name of Notary)

Notary Public, personally appeared Kathy Mygatt,  
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: Diane E. Victor (Seal)

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GRANTOR'S ACKNOWLEDGMENT

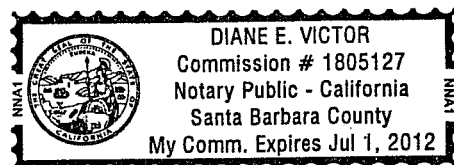
State of California  
County of Santa Barbara

On July 29, 2010, before me, DIANE E. VICTOR, a  
(Name of Notary)

Notary Public, personally appeared CHRISTINA MADSON,  
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: Diane E. Victor (Seal)

GRANTOR'S ACKNOWLEDGMENT

State of California

County of ~~Santa Barbara~~  
San Luis Obispo

On 07/27/2010, before me, Scott William Haigwood, a  
(Name of Notary)

Notary Public, personally appeared Pamela Wilson,  
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.



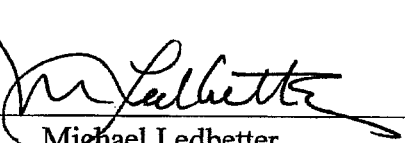
Signature: [Handwritten Signature] (Seal)

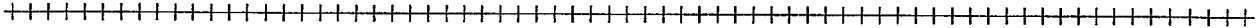
# GRANT DEED AGREEMENT WITH RESERVATIONS

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

That portion of Refugio Road, in the County of Santa Barbara, in the State of California, described as follows,

Commencing at a point in the centerline of Refugio Road, said point being a projection of the northerly property line of "The north one half of the east  $\frac{3}{4}$ ths of Lot 2, Tract 5 of the subdivision of the Rancho Canada De Los Pinos, or College Ranch in the unincorporated area of the County of Santa Barbara, State of California, according to the Map thereof, recorded in Rack No. 3, Map No. 4, record of said County, excepting therefrom the 408 feet, thereof," together with other properties shown on Record of Survey recorded in Book 87, at page 8 in the office of the County Recorder of Said County, more fully described as follows:

Thence, along the projection of the northerly property line of said property North  $89^{\circ} 41'30''$  West 29.00 feet to the **True Point of Beginning**;

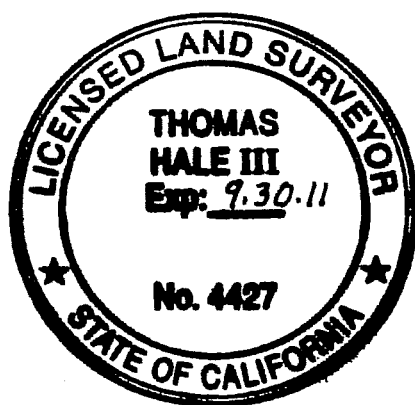
Thence leaving said northerly projection of said property line South  $00^{\circ} 22'18''$  West, parallel with the centerline of Refugio Road 456.19 feet to a point in the projection of the southerly property line of said property;

Thence North  $89^{\circ} 40'04''$  West 11.00 feet, along the projection of the southerly property line to a point;

Thence North  $00^{\circ} 22'18''$  East, 456.18 feet, parallel with the centerline of Refugio Road, to a point on the projection of the northerly property line

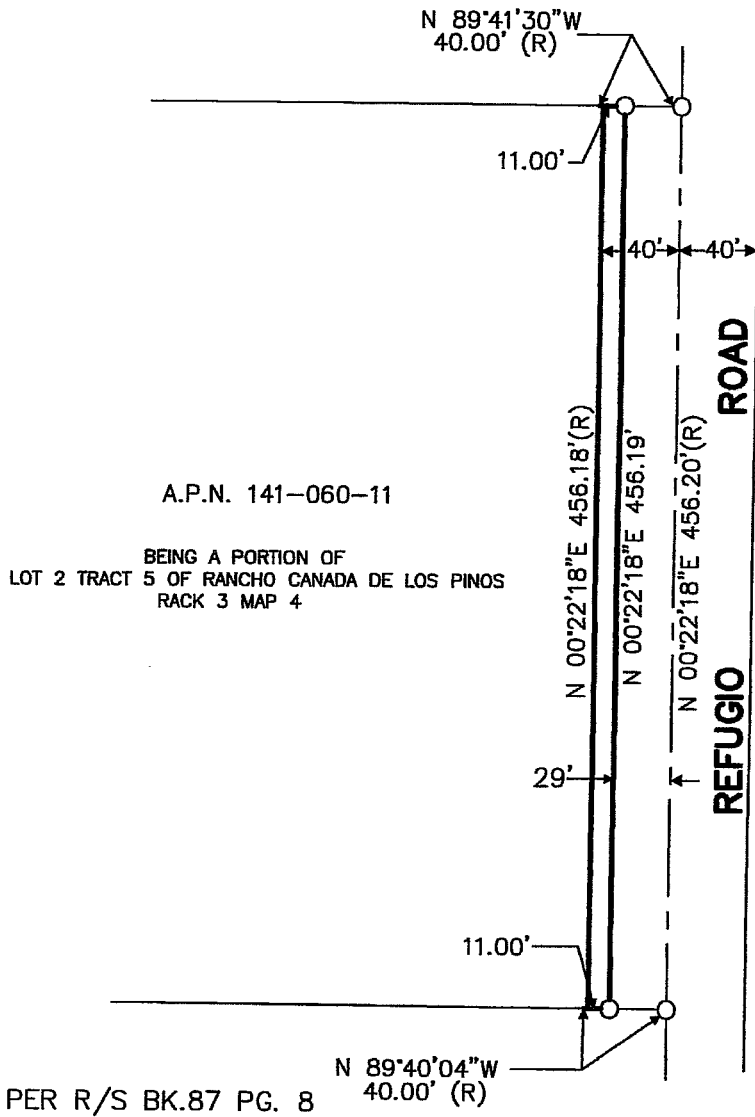
Thence South  $89^{\circ} 41'30''$  East 11.00 feet to the **True Point of Beginning** and the terminus thereof.

Gavlak wo 5204



A handwritten signature in black ink, appearing to be "Thomas Hale III", written over a horizontal line.

**EXHIBIT A**



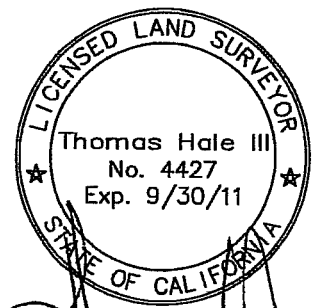
(R) = RECORD DATA PER R/S BK.87 PG. 8

THE NORTH ONE-HALF OF THE EAST 3/4THS  
OF LOT 2, TRACT 5 OF THE SUBDIVISION OF THE RANCHO CANADA  
DE LOS PINOS, OR COLLEGE RANCH ACCORDING TO THE MAP THEREOF  
RECORDED IN RACK NO. 3, MAP NO. 4, EXCEPTING THEREFROM THE  
SOUTH 408 FEET THEREOF.

## EXHIBIT MAP

CHRISTY GAVLAK PROPERTY  
1851 REFUGIO ROAD  
SANTA YNEZ

DATE: MAY 2010  
SCALE: 1" = 100'  
WO: 2009-02-5093



MAP PREPARED BY:  
CAL-COASTAL SURVEYING INC.  
375 ALISAL ROAD  
SOLVANG, CA. 93463  
PH. 688-6556  
FAX 688-3966

# EXHIBIT A