

Recording requested by
and to be returned to:
Public Works Dept.
Real Property, Attn: JJH
Will Call

**COUNTY OF SANTA BARBARA
OFFICIAL BUSINESS**

No fee pursuant to
Government Code § 6103

This Deed is not Valid Until Recorded
SPACE ABOVE THIS LINE FOR RECORDER'S USE
APN: 033-074-011 (PORTION)

GRANT OF PERMANENT NONEXCLUSIVE EASEMENT

DONALD ALEXANDER CAMPBELL and JOY D. KELLY, husband and wife as community property with right of survivorship, owners of all that real property in the City of Santa Barbara, State of California, commonly known as 118 Chapala Street, Santa Barbara, California, and more particularly described as County Assessor's Parcel Number 033-074-011 (the "Property"), as GRANTORS herein,

FOR A VALUABLE CONSIDERATION, DO HEREBY GRANT TO

The SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a dependent special district of the County of Santa Barbara, a political subdivision of the State of California, its successors or assigns, as GRANTEE herein, a permanent nonexclusive easement and right of way in, on, over, under, along, and across a portion of the Property 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 flood control purposes, and subsequently for water flowage, flood control and all related purposes. The permanent easement area and right of way dedicated hereby is more particularly described in Exhibit A (legal description) and shown on Exhibit B (diagram) attached hereto and incorporated herein by this reference.

GRANTORS and their successors in interest retain the right to use the easement area except that within the easement area, no permanent improvements, fences, vegetation or permanent encroachments of any kind can be erected or other use made which would interfere with the present or future surface and subsurface rights granted herein. GRANTEE shall have the right to clear or keep clear from the easement area all buildings, structures and facilities which interfere with the use of the easement area at the expense of whoever is responsible for the installation of same. GRANTEE its successors, assigns, contractors and employees shall have the right, but not the obligation to maintain, trim and cut trees, shrubs, vegetation and roots, if any, as may endanger or interfere with the operation or use of the public facilities within and above the easement area, provided however that GRANTEE shall make the least injury and damage to the surface of the

ground and vegetation as is reasonably practical and restore the surface of the ground and vegetation to as near the same condition as it was prior to the above referenced work as is practicable.

GRANTORS shall not disturb or damage GRANTEE'S facilities on the Property. In the event said facilities are disturbed or damaged by GRANTORS, their successors, assigns, designees, employees, or contractors then GRANTORS shall immediately contact GRANTEE and shall repair or replace said facilities to GRANTEE'S satisfaction.

GRANTORS shall defend, indemnify, save, and hold harmless GRANTEE, its agents, employees, officers, successors, and assigns from any and all claims, liabilities, demands, costs (including reasonable attorney fees), and causes of action of all kinds with regard to the condition of the easement property which is the subject of this deed, including, hazardous and/or toxic materials, if any.

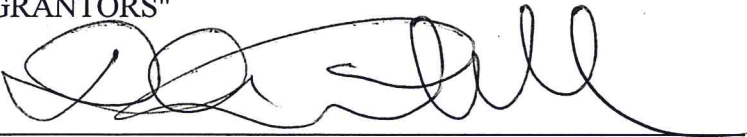
In the event the indemnity hereunder exceeds that permitted by applicable law, such indemnity shall be construed as the maximum permitted by law. This indemnity shall not apply to any contamination which may occur on the easement area as a result of the operations of GRANTEE subsequent to the effective date of this easement deed.

Signatories do hereby certify that they are, collectively, the sole owners of the Property; or warrant that they are authorized to sign on behalf of the GRANTORS, have communicated the contents, rights and duties of this easement deed to all parties having an interest in the Property, and that no additional signatures are required to grant the interest and perform the obligations specified herein.

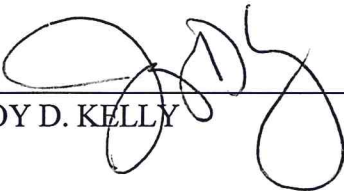
DATED AS OF: _____

4/18/13

"GRANTORS"



DONALD ALEXANDER CAMPBELL



JOY D. KELLY

ACKNOWLEDGMENT

State of California
County of Santa Barbara

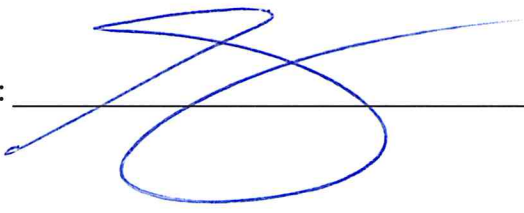
On April 18, 2013, before me, Cathy A. Springford,
(Name of Notary)

a Notary Public, personally appeared Donald Alexander Campbell and Jay D. Kelly, 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 PERMANENT NONEXCLUSIVE EASEMENT dated as of April 18, 2013, from DONALD ALEXANDER CAMPBELL and JOY D. KELLY to the SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, a dependent special district of the County of Santa Barbara, a political subdivision of the State of California, its successors or assigns, 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

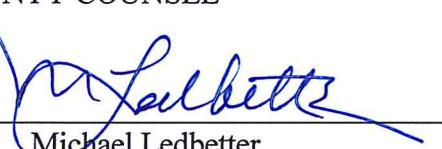
this _____ day of _____.

CHANDRA L. WALLAR,
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 A. MARSHALL
COUNTY COUNSEL

By: _____


Michael Ledbetter
Deputy County Counsel

PERMANENT EASEMENT

LEGAL DESCRIPTION

That portion of Block 306 in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, being also a portion of that real property described in the Grant Deed recorded November 14, 2007 as Instrument No. 2007-0078985 of Official Records in the office of the County Recorder of said County, described as follows:

BEGINNING at the northerly corner of that real property described in said Grant Deed;

THENCE, South 48°30'00" East, 56.67 feet to the easterly corner of said real property;

THENCE, South 41°30'00" West along the southeasterly line of said real property, 5.98 feet to the toe of wall on the northerly side of an existing wall;

THENCE, leaving said southeasterly line and along said toe of wall, North 73°39'07" West, 43.08 feet;

THENCE, continuing along said toe of wall, North 85°08'59" West, 22.03 feet to the northwesterly line of said real property;

THENCE, along said northwesterly line, North 41°30'00" East, 37.44 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM any portion of said existing wall.

End of Description

Containing 1136 square feet, more or less.

The Basis of Bearings for this description is the City Monument line of Chapala St. between found City Monuments at Mason & Yanonali Streets (North 48°30'00" West).

(See attached exhibit map made a part hereof)

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

E. Teñell Matlovsky

E. Teñell Matlovsky, PLS 8629



02/11/2013

Date

BLOCK 306

033-074-021

TOE OF
EXISTING WALL

TOP OF EXISTING WALL

033-074-012

P.O.B.

37.44'

56.67'

TOE OF
EXISTING WALL

22.03'

43.08'

5.98'

033-074-011
INST. NO. 2007-0078985

033-074-010

033-074-009

CHAPALA

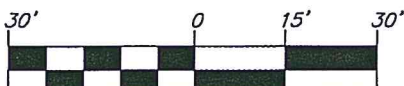
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SCALE: 1" = 30'



PERMANENT EASEMENT
APPROX. EASEMENT AREA=1,136 sq. ft.



GRAPHIC SCALE

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

PERMANENT EASEMENT
SANTA BARBARA COUNTY
FLOOD CONTROL DISTRICT
APN: 033-074-011
SANTA BARBARA COUNTY, CALIFORNIA