

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:
County of El Dorado
Board of Supervisors
330 Fair Lane
Placerville, CA 95667
Assessor's Parcel Number: 118-110-03
MJ 318, L.P., et al

SPACE ABOVE THIS LINE FOR RECORDERS USE ONLY

Project: Latrobe Road Realignment
Project #73359

GRANT OF TEMPORARY CONSTRUCTION EASEMENT

MJ 318, L.P., a California Limited Partnership, Angelo K. Tsakopoulos, a married man, Tsakopoulos Family Partnership, a California General Partnership, and John C. Kemp and Lesley Ann Kemp, Trustees of the John C. Kemp and Lesley Ann Kemp Family Trust, Dated May 4, 1990, hereinafter referred to as "Grantor," grant to the **COUNTY OF EL DORADO, a political subdivision of the State of California**, hereinafter referred to as "Grantee," a temporary construction easement over, upon, and across a portion of that real property in the unincorporated area of the County of El Dorado, State of California, described as:

See Exhibits A and B attached hereto and made a part hereof.

This temporary construction easement is granted under the express conditions listed below:

1. For good and valuable consideration, as more specifically described in the Acquisition Agreement for Public Purposes entered into by Grantor and Grantee dated _____, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor does hereby grant to Grantee an easement for temporary construction over and across those identified portions of the Grantor parcel.
2. Grantor represents and warrants that he is the owner of the property described in Exhibit A and depicted on the map in Exhibit B attached hereto and made a part hereof, and that Grantor has the exclusive right to grant the temporary construction easement.
3. This temporary construction easement is necessary for the purpose of constructing the Latrobe Road Realignment Project. Specifically, this temporary construction easement shall allow Grantee or its agents, employees, and contractors the right of ingress and egress as may be reasonably necessary for construction purposes, inclusive of such repairs, replacements, and removals as may be from time to time required as well as for other purposes incidental to construction of the project, including any staging, stockpiling, and parking of construction vehicles or equipment. This temporary construction easement shall not be revoked and shall not expire until the recordation of the Notice of Completion of the Latrobe Road Realignment Project. Included within this temporary construction easement is the right of ingress and egress of Grantee, its agents, employees, and contractors for warranty repairs and the correction of defects in the work within the first year following completion of construction. This right during the one-year warranty period survives the expiration of this easement.

4. Compensation under this temporary construction easement covers the construction period estimated to be 4 (four) months of construction, together with the one-year warranty period. In the event that construction of the Latrobe Road Realignment Project is not completed within 4 months of commencement of construction, Grantor shall be entitled to additional compensation as follows: for each month thereafter, the sum of **\$200.00 (Two hundred dollars, exactly)** will be paid to Grantor, until construction is completed, at which time the one-year warranty period will commence at no additional compensation.

5. Grantee agrees to indemnify and hold harmless Grantor from and against any liability arising out of the entry onto the property by Grantee or its agents, employees, and contractors during the term of this temporary construction easement. In the event of property damage, Grantee, at its sole option, may either repair the damage or pay the estimated costs for the repair.

GRANTOR

MJ 318, L.P., a California Limited Partnership

By: _____ Date: _____
Angelo K. Tsakopoulos, Managing Partner

By: _____ Date: _____
Angelo K. Tsakopoulos

Tsakopoulos Family Partnership, a California General Partnership

By: _____ Date: _____
Katina Tsakopoulos, Managing General Partner

By: _____ Date: _____
John C. Kemp, Trustee

By: _____ Date: _____
Lesley Ann Kemp, Trustee

(All signatures must be acknowledged by a Notary Public)

Exhibit 'A'

All that certain property situate in Section 30, Township 9 North, Range 9 East, M.D.M., El Dorado County, State of California. Being a portion of Parcel 1 of that certain document number 2006 – 0005076, official records said county and state, described as follows:

A strip of land ten (10.0) feet in width lying northerly of and parallel with the following described line:

Beginning at point from which the northwest corner of Tract 1 as said tract is shown on that particular record of survey filed in Book 7 of Surveys at page 80, official records said county and state bears south 05°01'36" west 30.00 feet; thence from said POINT OF BEGINNING south 84°58'24" east 255.17 feet; thence south 71°46'10" east 97.90 feet; thence south 61°19'29" east 150.73 feet; thence south 54°37'12" east 113.88 feet; thence south 61°55'02" east 217.70 feet; thence south 63°49'34" east 725.35 feet to the terminus point of the herein described line. Said strip contains 15,625 square feet or 0.36 acres more or less. See Exhibit 'B', attached hereto and made a part hereof.

End of Description

The basis of bearing for this description is grid north per that Record of Survey filed in book 14 at page 13, official records, said county and state. All distances are grid distances. To obtain ground distances multiply grid distances by 1.00008.

The purpose of this description is to describe that portion of said Parcel 1 of document number 2006 – 0005076 for acquisition by the County of El Dorado as an easement for temporary construction purposes.



Loren A. Massaro, P.L.S. 8117

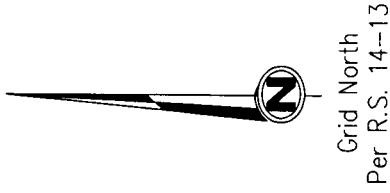
09.09.2009

Date



Exhibit 'B'

Situate in Section 30, Township 9 North, Range 9 East, M.D.M.
El Dorado County State of California
August 2009 1" = 150'



MJ318 / Tschkopoulos / Kernp
APN 118-110-03
R.S. 17-117

Temporary Construction Easement
Area = 0.36 Acres (15,625 Sq. Ft.)

POINT OF BEGINNING

S71°46'10"E
97.90'

S84°58'24"E
255.17'

S05°01'36"W
30.00'

Northwest Corner Tract 1

Gardemeyer
APN 117-020-15

Boundary Tract 1 R.S. 7-80

S61°19'29"E
150.73'

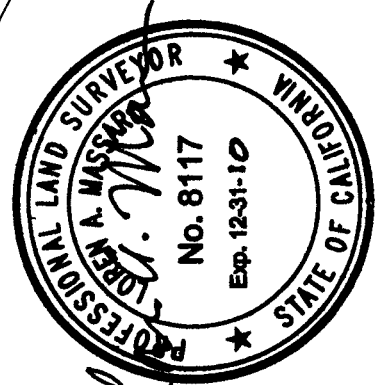
S54°37'12"E
113.88'

S61°55'02"E
217.70'

S63°49'34"E

LATROBE ROAD

725.35'



RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

County of El Dorado
Board of Supervisors
330 Fair Lane
Placerville, CA 95667

APN 118-110-03
MJ 318, L.P., et al

Above section for Recorder's use

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Grant of Temporary Construction Easement dated _____, 2011 from MJ 318, L.P., a California Limited Partnership, Angelo K. Tsakopoulos, Tsakopoulos Family Partnership, a California General Partnership, and John C. Kemp and Lesley Ann Kemp, Trustees of the John C. Kemp and Lesley Ann Kemp Family Trust, Dated May 4, 1990, to the **COUNTY OF EL DORADO, a political subdivision of the State of California**, is hereby accepted by order of the County of El Dorado Board of Supervisors and the Grantee consents to the recordation thereof by its duly authorized officer.

Dated this _____ day of _____, 2011

COUNTY OF EL DORADO

By: _____
Raymond J. Nutting, Chair
Board of Supervisors

ATTEST:

Suzanne Allen de Sanchez
Clerk of the Board of Supervisors

By: _____
Deputy Clerk