

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

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

APN: 033-332-18

Project: Echo View Estates
Erosion Control Project #95169

SPACE ABOVE THIS LINE FOR RECORDERS USE ONLY

TEMPORARY CONSTRUCTION EASEMENT

HENRY W. HEINZERLING AND MAUREEN E. HEINZERLING, TRUSTEES OF THE HEINZERLING FAMILY TRUST U/D/T MARCH 15, 2007, 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 by reference is made a part hereof.

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

1. In consideration of \$2,300.00 (TWO-THOUSAND THREE-HUNDRED DOLLARS EXACTLY) 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 they are 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 **Echo View Erosion Control Project #95169**. 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 expire and be of no further force or effect on September 1, 2014. 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. As soon as Grantee files its Notice of Acceptance of the Project and the one year warranty period expires, Grantee shall record a release and reconveyance of this easement with the County of El Dorado Recorder's Office

4. Compensation under this temporary construction easement covers the construction period estimated to be 24 (Twenty-four) months of construction, together with the one-year warranty period. In the event that construction of the Project is not completed by September 1, 2014, should Grantor agree to extend the term of this temporary construction easement, Grantor shall be entitled to additional compensation as follows: For each month thereafter, the sum of \$139.00 (One-Hundred Thirty-nine dollars and 00/100ths) monthly, will be paid to the Grantor, until construction is completed.
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: HENRY W. HEINZERLING AND MAUREEN E. HEINZERLING,
TRUSTEES OF THE HEINZERLING FAMILY TRUST U/D/T MARCH 15, 2007**

Executed on: MARCH 6, 2012

By: 
HENRY W. HEINZERLING

By: 
MAUREEN E. HEINZERLING

Exhibit 'A'

All that certain property situate in the Northwest One-Quarter of Section 18, Township 12 North, Range 18 East, M.D.M., El Dorado County, State of California. Being a portion of Lot 19 of that particular Subdivision Map filed in Book C of Subdivisions at Page 44, Official Records, said County and State, more particularly described as follows:

All that portion of Lot 19 lying westerly of the following described line.

Beginning at a point on the northerly line of said Lot 19 from which the Northwest corner of said lot bears North 62°36'50" West, 12.12 feet. Thence from said POINT OF BEGINNING South 14°47'30" West, 39.16 feet; thence South 28°30'40" West, 15.82 feet; thence South 34°20'00" West, 31.83 feet to the southerly boundary of said Lot 19 and the terminus of the herein described line.

Containing 1,870 square feet more or less.

See Exhibit 'B', attached hereto and made a part hereof.

-End of Description-

The purpose of this description is to describe that portion of said Lot 19 as a temporary easement for construction purposes.

Philip R. Mosbacher
Philip R. Mosbacher, P.L.S. 7189

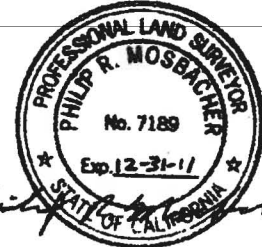
3/30/11
Date



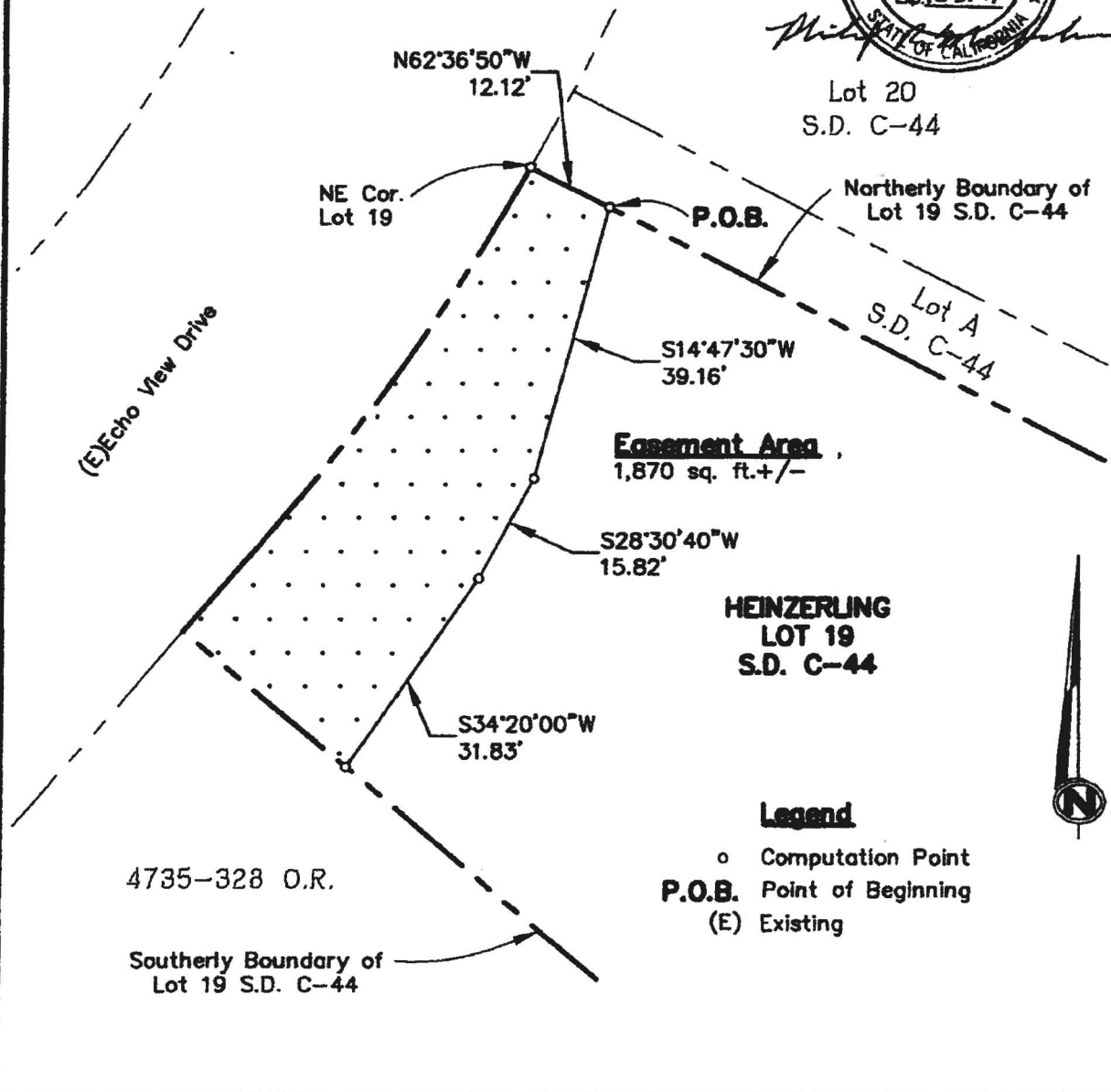
Existing APN 033-332-18

Exhibit 'B'

A portion of Lot 19, Subdivision C-44
 Situate in Northwest One-Quarter of
 Section 18, T. 12 N., R. 18 E., M.D.M.
 County of El Dorado, State of California
 Scale 1" = 20'



Philip R. Mosbacher



(A Notary Public must acknowledge all signatures)

CALIFORNIA ALL PURPOSE

ACKNOWLEDGMENT

State of California

County of Los Angeles

On 3-6-2012 before me, Louis M. Williams
(here insert name and title of the officer)

Personally appeared Henry W. Heinzerling AND

Maureen E. Heinzerling

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)

RECORDING REQUESTED BY AND
WHEN RECORDED, RETURN TO:

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

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Grant of Temporary Construction Easement Deed dated _____, 2012, from **Henry W. Heinzerling and Maureen E. Heinzerling, Trustees of the Heinzerling Family Trust U/D/T March 15, 2007** 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.

APN: 033-332-18

Dated this _____ day of _____, 2012

COUNTY OF EL DORADO

By: _____
Board of Supervisors Chair

ATTEST:

Suzanne Allen de Sanchez
Clerk of the Board of Supervisors

By: _____
Deputy Clerk