



## RESOLUTION NO. 060-2023

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

### **Resolution to Authorize the Department of Transportation Director, or Deputy Director Designee, to Approve Temporary Road Closures**

**WHEREAS**, the Department of Transportation Director periodically needs to temporarily close roads and bridges in support of utility projects, Capital Improvement Program (CIP) projects, Land Development projects, or as deemed necessary for the health and safety of persons or property; and

**WHEREAS**, delegating authority to approve road closures would allow such requests to be processed more quickly and efficiently; and

**WHEREAS**, pursuant to California Vehicle Code section 21101(e), the Board of Supervisors is authorized to temporarily close a portion of any street for the safety and protection of persons who are to use that portion of the street during the temporary closing; and

**WHEREAS**, pursuant to California Streets and Highways Code Section 942.5(a)-(c), the Board of Supervisors may close any county highway whenever the Board considers such closing necessary for the protection of the public, for the protection of such county highway from damage during storms, or during construction, improvement or maintenance operations thereon; and

**WHEREAS**, pursuant to California Vehicle Code section 21101(e) and California Streets and Highways Code section 942.6, the Board of Supervisors may delegate the powers associated with road closures to the County Road Commissioner; and

**WHEREAS**, pursuant to California Government Code Section 8634, during a local emergency, the Board of Supervisors or officials designated by the Board, may promulgate orders necessary to provide for the protection of life and property; and

**WHEREAS**, the County of El Dorado Ordinance Code section 12.04.020 vests the administration of County highways in the Department of Transportation Director, and section 12.04.030 defines the Road Commissioner as the Department of Transportation Director.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors delegates to the Department of Transportation Director, or the Transportation Director may delegate this power to a Deputy Director Designee ("Director") to approve and order the temporary closure of any County highway or bridge for a consecutive period of no more than 90 days, as specified in paragraphs 1-3 below, and to establish an alternate access route for traffic use, when deemed necessary, during the time of the temporary closure subject to the following requirements:

1. **Closures of County Roads:** The Director may temporarily close any County highway, bridge, or any road that is serviced by a County Zone of Benefit whenever the Director finds that the conditions in California Vehicle Code section 21101(e) or California Streets and Highways Code section 942.5 are met, or when the Director determines it is necessary for the protection of life and property during a local, state, or federal emergency proclaimed by the County, the State of California, or declared by the federal government.
2. **Closures for Road Work:** The Director may temporarily close any County highway or bridge or any road that is serviced by a County Zone of Benefit in support of utility projects, Capital Improvement



Program (CIP) projects, and Land Development projects whenever the Director finds that the conditions in California Vehicle Code section 21101(e) and California Streets and Highways Code section 942.5 are met.

**3. Closures of the Rubicon Trail:**

- a. For purposes of this paragraph, "Rubicon Trail" starts on Wentworth Springs Road at the intersection with USFS 17N12 at Airport Flats through Wentworth Springs Campground to the County Line boundary with Placer County. The Director may temporarily close all or a portion of the Rubicon Trail for a period of no more than seven (7) consecutive days as follows:
    - i. When the Director determines that conditions exist that warrant that closure to be in compliance with the easement granted by the United States Forest Service for the Rubicon Trail United States Forest Service for the Rubicon Trail (Doc No. 08/14/2012, 20120040283), which is attached as Exhibit A to this Resolution, and consistent with the most recently adopted Rubicon Trail Monitoring Protocol, which is on file with the Department of Transportation.
    - ii. When the Director determines that closure is necessary for the protection of the public health and safety during maintenance or repair work and finds that the conditions in California Vehicle Code section 21101(e) are met, or during a local, state, or federal emergency proclaimed by the County, the State of California, or declared by the federal government.
  - b. The Director will provide updates for the necessity for the specific closure, the appropriate location of the closure, and the duration of the closure based upon the condition of the Trail and surrounding roads and the actual or expected weather conditions. At the end of the seven (7) day period, the closure will automatically expire; however, the Director may continue the closure for another seven (7) days by providing justification via notice that the continued closure is necessary for one of the reasons stated in paragraph (a.) above.
- 4. Notice Regarding Closures:** For any closure done under the authority of this Resolution, the County works, to the extent feasible, to end any closure as soon as safely possible. The Director shall provide the estimated dates of any temporary closure and shall provide notification within 24 hours of the closure of the temporary closure and alternate route, when applicable, to the County Supervisor of the affected district, directly impacted business owners, directly impacted residents, the general public, the El Dorado County Transit Authority, and safety and law enforcement agencies in the project area. The Director may provide that notice through direct communication, signage, flyers, posting on the County website, or other means at the sole discretion of the Director. Any extension beyond the initial period of ninety (90) days will require Board of Supervisors' authorization.

**BE IT FURTHER RESOLVED** that this authorization shall remain in effect indefinitely unless terminated by resolution of the Board of Supervisors.

**BE IT FURTHER RESOLVED** that Resolution No. 015-2013, passed by the Board of Supervisors on February 12, 2013, and Resolution No. 044-2022, passed by the Board of Supervisors on March 15, 2022, are hereby terminated.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 2nd day of May, 2023, by the following vote of said Board:

Attest:  
Kim Dawson  
Clerk of the Board of Supervisors

Ayes: Thomas, Hidahl, Turnboo, Parlin, Laine  
Noes: None  
Absent: None

By:   
Kyle Kuperus, Deputy Clerk

  
Wendy Thomas, Chair, Board of Supervisors

**RECORDING REQUESTED BY:**

**Board of Supervisors**

**WHEN RECORDED MAIL TO:**

**Board of Supervisors  
330 Fair Lane  
Placerville, CA 95667**

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08/14/2012, 20120040283

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SPACE ABOVE THIS LINE RESERVED FOR  
RECORDER'S USE

**TITLE (S)**

**U.S. Department of Agriculture, Forest Service  
Public Road Easement, National Forest Roads and Trails Act,  
October 13, 1964, (P.L. 88-657)  
35CFR 251.50, et seq.  
Easement Grant to El Dorado County for Rubicon Trail**

**U.S. DEPARTMENT OF AGRICULTURE  
FOREST SERVICE**

**PUBLIC ROAD EASEMENT  
Act of October 13, 1964, (P.L. 88-657);  
36 CFR 251.50, et seq**

THIS EASEMENT, dated this 14<sup>th</sup> day of August, 2012 from the UNITED STATES OF AMERICA, acting by and through the Forest Service, Department of Agriculture, hereinafter called Grantor, to EL DORADO COUNTY, hereinafter called Grantee.

**WITNESSETH:**

WHEREAS, the Grantee has applied for a grant of an easement under the Act of October 13, 1964 (78 Stat. 1089, 16 U.S.C. 532-538), for a road over certain lands or assignable easements owned by the United States in the County of CA:EL DORADO, CA:PLACER State of CALIFORNIA, and administered by the Forest Service, Department of Agriculture.

NOW THEREFORE, Grantor does hereby grant to Grantee an easement for a public road and highway along and across a strip of land, hereinafter defined as the right-of-way over and across the lands in the County of CA:EL DORADO, CA:PLACER State of CALIFORNIA, Sec. 28, T. 14 N., R. 15 E., MT. DIABLO MERIDIAN, Sec. 32, T. 14 N., R. 15 E., MT. DIABLO MERIDIAN, Sec. 33, T. 14 N., R. 15 E., MT. DIABLO MERIDIAN, Sec. 34, T. 14 N., R. 15 E., MT. DIABLO MERIDIAN, NE1/4 Sec. 2, T. 13 N., R. 15 E., MT. DIABLO MERIDIAN, Sec. 6, T. 13 N., R. 16 E., MT. DIABLO MERIDIAN, El Dorado County, State of California, as described on exhibits A and B attached hereto. Exhibit C is made a part hereof.

The word "right-of-way" when used herein means said strip of land whether or not there is an existing road or highway located thereon. Except where it is defined more specifically, the word "highway" shall mean roads or highways now existing or hereafter constructed on the right-of-way or any segment of such roads or highways.

The right-of-way is shown and specifically described on the Exhibits A and B attached hereto and made a part hereof.

**This grant is made subject to the following terms, provisions, and conditions:**

1. Outstanding valid claims, if any, existing on the date of this grant.
2. The easement herein granted is limited to use of the described right-of-way for the purpose of construction, operation, and maintenance of a highway in accordance with approved plans, specifications, and stipulations described in the following conditions numbered 3 and 4 and does not include the grant of any rights for nonhighway purposes or facilities; Provided, That the Forest Service shall not exercise its right to use or authorize the use of any portion of the right-of-way for nonhighway purposes when such use would interfere with the free flow of traffic or impair the full use and safety of the highway; and Provided further, That nothing herein shall preclude the Forest Service from locating National Forest and other Department of Agriculture information signs on the portions of the right-of-way outside of construction limits.
3. Not applicable.
4. Any reconstruction of the highway situated on this right-of-way shall conform with plans, specifications, and written stipulations approved by the Forest Supervisor or authorized representative prior to beginning such reconstruction.
5. Consistent with highway safety standards, the Grantee shall:
  - a. Protect and preserve soil and vegetative cover and scenic and aesthetic values on the right-of-way outside of construction limits.
  - b. Provide for the prevention and control of soil erosion within the right-of-way and adjacent lands that might be affected by the construction operation, or maintenance of the highway, and shall vegetate and keep vegetated with suitable



species all earth cut or fill slopes feasible for revegetation or other areas on which ground cover is destroyed. The Grantee shall perform these activities where it is deemed necessary during a joint review between the authorized Forest Officer and Grantee prior to completion of the highway. The Grantee also shall maintain all terracing, water bars, leadoff ditches, or other preventive works that may be necessary to accomplish this objective. This provision also shall apply to waste disposal areas and slopes that are reshaped following slides that occur during or after construction.

6. The Grantee shall:

Establish no borrow, sand, or gravel pits; stone quarry; permanent storage areas; sites for highway-operation and maintenance facilities; camps; supply depots; or disposal areas within the right-of-way, unless shown on approved construction plans, without first obtaining approval of the authorized Forest Officer.

7. The Grantee shall maintain the right-of-way clearing by means of chemicals only after the Forest Supervisor has given specific written approval. Application for such approval must be in writing and must specify the time, method, chemicals, and the exact portion of the right-of-way to be chemically treated.

8. The Grantee does by the acceptance of this document covenant and agree for itself, its assigns, and its successors in interest to the property here granted or any part thereof, that the covenant set forth below shall attach to and run with the land:

a. That the Grantee shall operate the described property and its appurtenant areas and its buildings and facilities whether or not on the land therein granted as a public road, in full compliance with Title VI of the Civil Rights Act of 1964 and all requirements imposed by or pursuant to the regulations issued thereunder by the Department of Agriculture and in effect on the date of this document to the end that no person in the United States shall, on the grounds of race, sex, color, religion, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any programs or activities provided thereon; and


b. That the United States shall have the right to judicial enforcement of these covenants not only as to the Grantee, its successors and assigns, but also as to lessees and licensees doing business or extending services under contractual or other arrangements on the land therein conveyed.

The Chief, Forest Service, may terminate this easement, or any segment thereof, (1) by consent of the Grantee, (2) by condemnation, or (3) after a five (5) year period of nonuse, by a determination to cancel after notification and opportunity for hearing as prescribed by law.

9. Noxious Weeds (R5-D9). The permit holder shall prepare, in cooperation with the Forest Service, a noxious weed plan for surveying, preventing, reporting, controlling and monitoring noxious weed populations on the authorized areas and within the holder's area of responsibility. These measures may include, where appropriate, equipment inspection for soil, seeds, and vegetative matter, equipment cleaning, and use of weed-free materials (soil, gravel, straw, mulch) and seed mixes. A current list of noxious weeds of concern is available at the Forest Supervisor's Office.

IN WITNESS WHEREOF, the Grantor, by its Forest Supervisor, Eldorado National Forest, Pacific Southwest Region, Forest Service, has executed this easement pursuant to the delegation of authority to the Chief, Forest Service, 7 CFR 2.60, and the delegation of authority by the Chief, Forest Service, dated August 22, 1984 (49 FR 34283), and the delegation by the Regional Forester, Pacific Southwest Region, dated April 19, 2012, on the day and year first above written.

UNITED STATES OF AMERICA

By:   
Forest Supervisor, Eldorado National Forest  
Forest Service  
Department of Agriculture

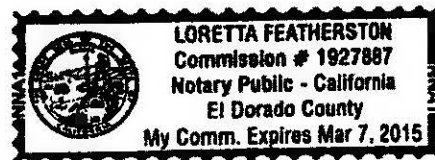
State of California  
County of El Dorado

On August 14, 2012 before me, Loretta Featherston,  
Notary Public, personally appeared Kathryn D. Hardy  
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.

Loretta Featherston  
Loretta Featherston  
Notary Public




Title of Document: U.S. Department of Agriculture Forest Service Public Road Easement

Document Date: August 14, 2012

Signer(s) Other Than Named Above: None

**LAND DESCRIPTION VERIFICATION  
 FEDERAL LAND**

<b>Conveyance Name:</b>	Rubicon Trail Easement			
<b>Forest Name:</b>	Eldorado National Forest			
<b>Assessor's Parcel Number:</b>	010-090-04; 010-090-23; 010-100-01; 010-100-02; 010-120-08; 010-200-04			
<b>Counties:</b>	El Dorado and Placer	<b>State:</b>	California	
<b>1. Legal Description:</b>	See attached Legal Description "Exhibit 'A' The Rubicon Trail (A Portion)" and attached Plat "Exhibit 'B'", signed and sealed August 14, 2012			
<b>2. Area:</b>	<u>Official</u> (Public Land Survey)	<u>Record</u> (deed)	<u>Actual</u> (map)	<u>Tax Assessor's</u> (taxing authority)
Strip 1		3.03 acres		
Strip 2		0.80 acres		
Strip 3		1.31 acres		
Strip 4		4.59 acres		
Strip 5		1.52 acres		
Strip 6		0.36 acres		
Strip 7		12.84 acres		
Strip 8		1.06 acres		
Strip 9		0.97 acres		
Strip 10		25.18 acres		
Strip 11		1.23 acres		
Tract 1		2.61 acres		
<b>2. Record Documents:</b>	<ul style="list-style-type: none"> <li>Attached Exhibits A and B, prepared by Loren Massaro, PLS 8117, signed August 14, 2012.</li> </ul>			
<b>3. Comments:</b>	<ul style="list-style-type: none"> <li>This legal description verification is based on the above legal description and map prepared by Loren Massaro, P.L.S. 8117, signed and sealed on July 31, 2012. This document MUST be attached for this legal description verification to be valid.</li> <li>Of the 55.50 acres included within the easement, approximately 2.69 acres (along 2340 feet of centerline) lie within Placer County and approximately 52.81 acres lie within El Dorado County.</li> </ul>			
<p>The legal description for the above described lands, proposed for conveyance by the UNITED STATES OF AMERICA, has been reviewed for technical sufficiency and acceptability for conveyance purposes and practicability for locating boundary lines.</p> <p>For purposes of conveyance for easement purposes, the acreage is 55.98 acres, more or less.</p>				
			August 14, 2012	
Mary A. Niederberger-Lee Land Surveyor 5716 USDA Forest Service			Date	



## **Exhibit 'A'**

### **The Rubicon Trail** (A Portion).

All that certain real property situate in Sections 28, 32, 33, and 34 Township 14 North, Range 15 East, M.D.M., El Dorado County and Placer County, State of California, Section 2 Township 13 North, Range 15 East, M.D.M and Section 6 Township 13 North, Range 16 East, M.D.M., El Dorado County, State of California, consisting of the following eleven (11) strips of land and one (1) tract of land being more particularly described as follows:

#### **Strip 1**

A strip of land fifty (50) feet in width, lying twenty-five (25) feet on each side of, parallel with and adjacent to the following described line:

Beginning in the centerline of Wentworth Springs Road (The Rubicon Trail) from which the Southwest corner of Section 32, Township 14 North, Range 15 East bears South 42° 07' 12" West 1421.95 feet; thence from said **POINT OF BEGINNING** along the Rubicon Trail South 69° 25' 49" East 609.73 feet; thence North 70° 25' 58" East 253.10 feet; thence North 80° 55' 23" East 181.63 feet; thence North 71° 53' 39" East 196.95 feet; thence South 82° 52' 30" East 160.63 feet; thence North 70° 09' 41" East 455.95 feet; thence South 82° 57' 48" East 176.96 feet; thence North 52° 31' 30" East 102.96 feet, to a point hereinafter referred to as **Trail Point 'A'**; thence North 52° 31' 30" East 30.86 feet; thence North 69° 17' 38" East 218.67 feet; thence North 24° 25' 08" East 166.88 feet; thence North 43° 33' 34" East 83.59 feet to a point hereinafter referred to as **Trail Point 'A1'**.

#### **Strip 2**

**Together with** a strip of land fifty (50) feet in width, lying twenty-five (25) feet on each side of, parallel with and adjacent to the following described line:

Beginning at the aforementioned **Trail Point 'A'**; thence South 74° 52' 47" East 244.47 feet; thence North 48° 29' 14" East 198.97 feet; thence North 14° 50' 06" East 94.60 feet; thence North 19° 46' 27" West 158.40 feet to the aforementioned **Trail Point 'A1'**.

### **Strip 3**

**Together with** a strip of land one-hundred (100) feet in width, lying twenty-five (25) Northwesterly of and seventy-five feet (75) Southeasterly of, parallel with and adjacent to the following described line:

Beginning at the aforementioned **Trail Point 'A1'**; thence North 43° 33' 34" East 119.06 feet; thence North 58° 02' 05" East 160.76 feet; thence North 43° 56' 30" East 220.77 feet; thence North 26° 26' 50" East 71.65 feet, to a point hereinafter referred to as **Trail Point 'A2'**.

### **Tract 1**

**Together with** a tract of land described as follows:

Beginning at the aforementioned **Trail Point 'A2'**; thence North 63° 33' 10" West 156.62 feet; thence North 09° 38' 03" West 453.36 feet; thence North 53° 59' 40" East 132.14 feet; thence South 36° 00' 20" East 25.00 feet, to a point hereinafter referred to as **Trail Point 'A3'**; thence South 36° 00' 20" East 25.00 feet; thence South 23° 13' 11" East 215.86 feet; thence South 09° 40' 25" East 158.46 feet; thence South 39° 13' 13" East 27.68 feet; thence North 50° 46' 47" East 50.00 feet; thence South 39° 13' 13" East 98.11 feet; thence South 26° 26' 50" West 186.44 feet; thence North 63° 33' 10" West 75.00 feet to the beginning point of said tract of land. Containing 2.61 acres more or less.

### **Strip 4**

**Together with** a strip of land fifty (50) feet in width, lying twenty-five (25) feet on each side of, parallel with and adjacent to the following described line:

Beginning at the aforementioned **Trail Point 'A3'**; thence North 53° 59' 40" East 53.55 feet; thence North 89° 32' 42" East 263.69 feet; thence North 68° 10' 36" East 153.82 feet; thence North 06° 37' 15" West 126.20 feet; thence North 75° 57' 16" East 179.40 feet; thence North 65° 53' 22" East 209.75 feet; thence South 60° 31' 04" East 90.44 feet; thence North 38° 28' 48" East 53.99 feet to a point hereinafter referred to as **Trail Point 'B'**; thence North 38° 28' 48" East 86.00 feet; thence North 12° 02' 55" East 274.43 feet; thence North 46° 41' 45" East 157.81 feet; thence South 82° 08' 30" East 96.42 feet; thence North 41° 34' 13" East 247.33 feet; thence North 35° 06' 11" East 120.01 feet; thence North 63° 18' 49" East 239.26 feet; thence North 36° 57' 48" East 211.94 feet; thence North 65° 29' 42" East 148.11 feet; thence North 60° 35' 35" East 46.23 feet; thence North 26° 47' 27" East 50.69 feet; thence North 23° 12' 07" East 204.41 feet; thence North 29° 29' 14" East 80.49 feet; thence North 44° 00' 09" East 100.99 feet; thence North 40° 05' 11" East 50.06 feet; thence

North 32° 40' 56" East 48.44 feet; thence North 26° 14' 06" East 68.70 feet; thence North 18° 52' 21" East 60.34 feet; thence North 08° 30' 06" East 103.82 feet; thence North 04° 39' 09" East 99.03 feet; thence North 10° 27' 39" East 99.38 feet; thence North 00° 08' 34" West 44.79 feet; thence North 13° 30' 32" East 51.85 feet; thence North 09° 55' 47" East 103.87 feet; thence North 26° 39' 04" East 71.33 feet, to a point hereinafter referred to as **Trail Point 'B1'**.

#### **Strip 5**

**Together with** a strip of land fifty (50) feet in width, lying twenty-five (25) feet on each side of, parallel with and adjacent to the following described line:

Beginning at the aforementioned **Trail Point 'B'**; thence South 74° 30' 54" East 88.99 feet; thence North 70° 35' 32" East 86.03 feet; thence South 84° 18' 53" East 142.24 feet; thence North 60° 30' 11" East 243.27 feet; thence North 48° 19' 03" East 188.13 feet; thence North 11° 18' 59" East 181.99 feet; thence North 28° 20' 44" West 151.21 feet; thence North 15° 44' 26" East 244.71 feet to the centerline of said Rubicon Trail.

#### **Strip 6**

**Together with** a strip of land fifty (50) feet in width, lying twenty-five (25) feet on each side of, parallel with and adjacent to the following described line:

Beginning at the aforementioned **Trail Point 'B1'**; thence North 03° 49' 01" East 122.55 feet; thence North 42° 31' 09" East 62.70 feet; thence North 19° 00' 24" East 102.93 feet; thence North 31° 32' 18" East 27.33 feet to the centerline of said Rubicon Trail .

#### **Strip 7**

**Together with** a strip of land fifty (50) feet in width, lying twenty-five (25) feet on each side of, parallel with and adjacent to the following described line:

Beginning at the aforementioned **Trail Point 'B1'**; thence North 17° 08' 26" West 139.03 feet; thence North 16° 26' 25" East 95.40 feet; thence North 34° 08' 37" East 52.56 feet; thence North 49° 30' 50" East 26.95 feet; thence North 86° 33' 51" East 326.25 feet; thence South 71° 10' 48" East 183.11 feet; thence South 78° 38' 03" East 174.36 feet; thence North 26° 13' 09" East 96.59 feet; thence South 77° 15' 21" East 178.49 feet; thence North 57° 49' 19" East 71.31 feet; thence South 85° 25' 28" East 136.53 feet; thence North 80° 23' 53" East 390.08 feet; thence North 56° 22' 41" East 233.46 feet; thence North 77° 48' 32" East 289.62 feet; thence South 85° 05' 31" East 623.86 feet; thence North 79° 12' 44" East 624.36 feet; thence North 83° 26' 40" East 114.78 feet;



thence South 72° 57' 11" East 469.13 feet; thence South 48° 26' 45" East 210.22 feet; thence South 88° 52' 55" East 68.87 feet; thence South 57° 09' 19" East 183.72 feet; thence South 66° 54' 23" East 166.06 feet; thence North 81° 56' 53" East 255.42 feet; thence South 33° 12' 25" East 87.52 feet; thence South 09° 49' 36" West 81.86 feet; thence South 31° 44' 56" East 82.24 feet; thence South 75° 00' 20" East 167.19 feet; thence South 53° 03' 25" East 423.74 feet; thence South 71° 16' 44" East 184.55 feet; thence North 74° 04' 24" East 212.51 feet; thence North 54° 28' 30" East 265.68 feet; thence North 75° 20' 54" East 172.38 feet; thence South 85° 38' 50" East 259.32 feet; thence North 69° 28' 38" East 256.33 feet; thence North 41° 24' 02" East 219.92 feet; thence South 77° 03' 44" East 142.20 feet; thence South 56° 01' 12" East 231.00 feet; thence North 54° 11' 06" East 231.81 feet; thence South 73° 30' 36" East 170.74 feet; thence North 68° 54' 26" East 77.37 feet; thence South 65° 56' 03" East 138.82 feet; thence South 63° 36' 13" East 442.45 feet; thence North 58° 52' 30" East 216.78 feet; thence South 63° 11' 52" East 58.44 feet; thence South 20° 50' 29" East 99.65 feet; thence South 80° 11' 29" East 203.79 feet; thence North 19° 15' 10" East 153.74 feet; thence South 73° 49' 10" East 67.20 feet; thence South 60° 54' 05" East 506.59 feet, to a point hereinafter referred to as **Trail Point 'C'**; thence South 53° 57' 27" East 104.05 feet; thence South 64° 32' 09" East 330.31 feet; thence South 58° 25' 45" East 223.78 feet; thence South 71° 11' 27" East 262.27 feet to the East line of said Section 34 from which the Northeast corner thereof bears North 02° 00' 49" West 1318.09 feet.

**Strip 8**

**Together with** a strip of land fifty (50) feet in width, lying twenty-five (25) feet on each side of, parallel with and adjacent to the following described line:

Beginning at the aforementioned **Trail Point 'C'**; thence North 61° 28' 08" East 102.49 feet; thence South 84° 03' 59" East 83.08 feet; thence North 60° 23' 33" East 157.78 feet; thence South 49° 32' 58" East 47.34 feet; thence North 48° 51' 23" East 87.93 feet; thence South 62° 31' 42" East 419.30 feet; thence South 87° 51' 31" East 24.67 feet to the East line of said Section 34 from which the Northeast corner thereof bears North 02° 00' 49" West 961.80 feet.

**Strip 9**

**Together with** a strip of land fifty (50) feet in width, lying fifty (50) feet southwesterly of, parallel with and adjacent to the following described line:

Beginning at a point from which the aforementioned **Trail Point 'C'** bears the following two (2) courses; 1) North 25° 27' 51" East 25.00 feet and 2) North 53° 57' 27" West 104.05 feet; thence from last said **POINT OF BEGINNING** South 64° 32' 09" East 328.97 feet; thence South 58° 25' 45" East 225.25 feet; thence

South 71° 11' 27" East 274.58 feet to the East line of said Section 34. Side line of said strip to extend to said East line, containing 0.97 acres more or less.

**Strip 10**

**Together with** a strip of land fifty (50) feet in width, lying twenty-five (25) feet on each side of, parallel with and adjacent to the following described line:

Beginning at a point in the South line of said Section 35, from which the Southeasterly corner thereof bears North 88° 15' 30" East 657.90 feet; thence from last said **POINT OF BEGINNING**, South 47° 52' 13" East 42.51 feet; thence South 25° 22' 36" East 220.53 feet; thence South 08° 28' 27" West 89.24 feet; thence South 02° 55' 20" West 78.22 feet; thence South 35° 19' 33" West 86.31 feet; thence South 01° 53' 40" East 37.96 feet; thence South 06° 52' 14" West 74.67 feet; thence South 70° 19' 35" East 225.94 feet; thence South 23° 29' 39" East 76.27 feet; thence South 77° 36' 31" East 112.21 feet; thence South 17° 14' 01" East 60.04 feet; thence North 87° 44' 41" East 116.57 feet; thence South 59° 45' 52" East 217.55 feet; thence North 32° 12' 52" East 63.10 feet; thence South 84° 28' 48" East 114.86 feet; thence South 54° 25' 06" East 245.57 feet; thence North 75° 51' 18" East 189.91 feet; thence South 58° 14' 51" East 165.73 feet; thence South 88° 56' 13" East 164.98 feet; thence North 59° 16' 49" East 172.89 feet; thence South 71° 09' 55" East 58.53 feet; thence North 72° 36' 33" East 61.75 feet; thence South 48° 11' 43" East 90.30 feet; thence South 11° 25' 53" East 69.45 feet; thence South 67° 59' 35" East 61.75 feet; thence South 39° 45' 59" East 39.41 feet; thence South 54° 45' 51" East 84.70 feet; thence South 45° 18' 31" East 112.00 feet; thence North 44° 18' 56" East 49.38 feet; thence South 82° 14' 22" East 76.58 feet; thence South 40° 55' 36" East 142.07 feet; thence North 52° 01' 56" East 63.51 feet; thence South 43° 09' 34" East 103.87 feet; thence South 88° 47' 09" East 168.35 feet; thence North 49° 41' 22" East 85.42 feet; thence South 66° 03' 05" East 141.73 feet; thence South 49° 41' 18" East 105.31 feet; thence South 85° 03' 59" East 81.53 feet; thence South 17° 10' 21" East 53.28 feet; thence North 66° 31' 48" East 132.03 feet; thence North 84° 14' 38" East 95.69 feet; thence North 80° 01' 33" East 74.11 feet; thence South 67° 38' 22" East 135.81 feet; thence North 85° 12' 32" East 145.45 feet; thence South 21° 53' 22" East 34.39 feet; thence South 68° 03' 39" East 128.71 feet; thence North 83° 35' 12" East 65.60 feet; thence North 40° 30' 28" East 69.61 feet; thence South 46° 23' 03" East 72.60 feet; thence North 74° 38' 30" East 328.28 feet; thence North 36° 26' 18" East 68.37 feet; thence North 56° 19' 33" East 97.56 feet; thence North 60° 00' 04" East 88.18 feet; thence North 36° 29' 12" East 217.32 feet; thence South 51° 30' 08" East 392.56 feet; thence South 44° 35' 02" East 247.90 feet; thence South 78° 37' 32" East 60.44 feet; thence North 16° 41' 29" West 121.42 feet; thence North 08° 47' 35" West 551.84 feet; thence North 03° 16' 47" East 429.55 feet; thence North 09° 39' 19" East 191.64 feet; thence North 38° 18' 43"

West 137.24 feet; thence North 04° 59' 55" East 195.33 feet; thence North 42° 25' 05" East 117.71 feet; thence North 08° 40' 53" West 353.75 feet; thence North 60° 20' 12" East 165.02 feet; thence North 04° 36' 39" West 137.32 feet to the South line of said Section 31, from which the Southeast corner thereof bears North 88° 03' 34" East 860.31 feet. Sidelines of said strip shall be shortened or lengthened as to terminate at said south line.

**Strip 11**

**Together with** a strip of land fifty (50) feet in width, lying twenty-five (25) feet on each side of, parallel with and adjacent to the following described line:

Beginning at a point in the South line of said Section 35, from which the South One-Quarter corner thereof bears North 88° 22' 00" East 366.31 feet; thence from last said **POINT OF BEGINNING** South 40° 23' 41" East 41.26 feet; thence South 73° 13' 16" East 106.99 feet; thence South 59° 17' 19" East 172.98 feet; thence South 49° 13' 15" East 181.52 feet; thence South 65° 12' 02" East 322.68 feet; thence South 53° 38' 34" East 247.45 feet to the centerline of the aforementioned **Strip 10**.

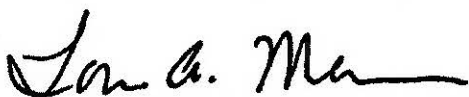
**Together with** the right of maintenance for any and all appurtenant drainage features located along said strips and tracts described herein.

See **Exhibit 'B'** sheets 1 thru 11, attached hereto and made a part hereof.

END OF DESCRIPTION

The basis of bearings for this description is grid north. All distances shown are grid distances. Divide distances by 0.9995988 to obtain ground distances.

The purpose of this description is to describe those portions of said Rubicon Trail as an easement for road purposes.



Loren A. Massaro P.L.S. 8117  
Associate Land Surveyor  
El Dorado County  
Department of Transportation

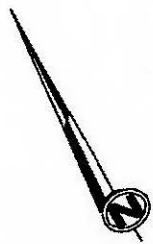


Dated: 08.14.2012



# EXHIBIT 'B'

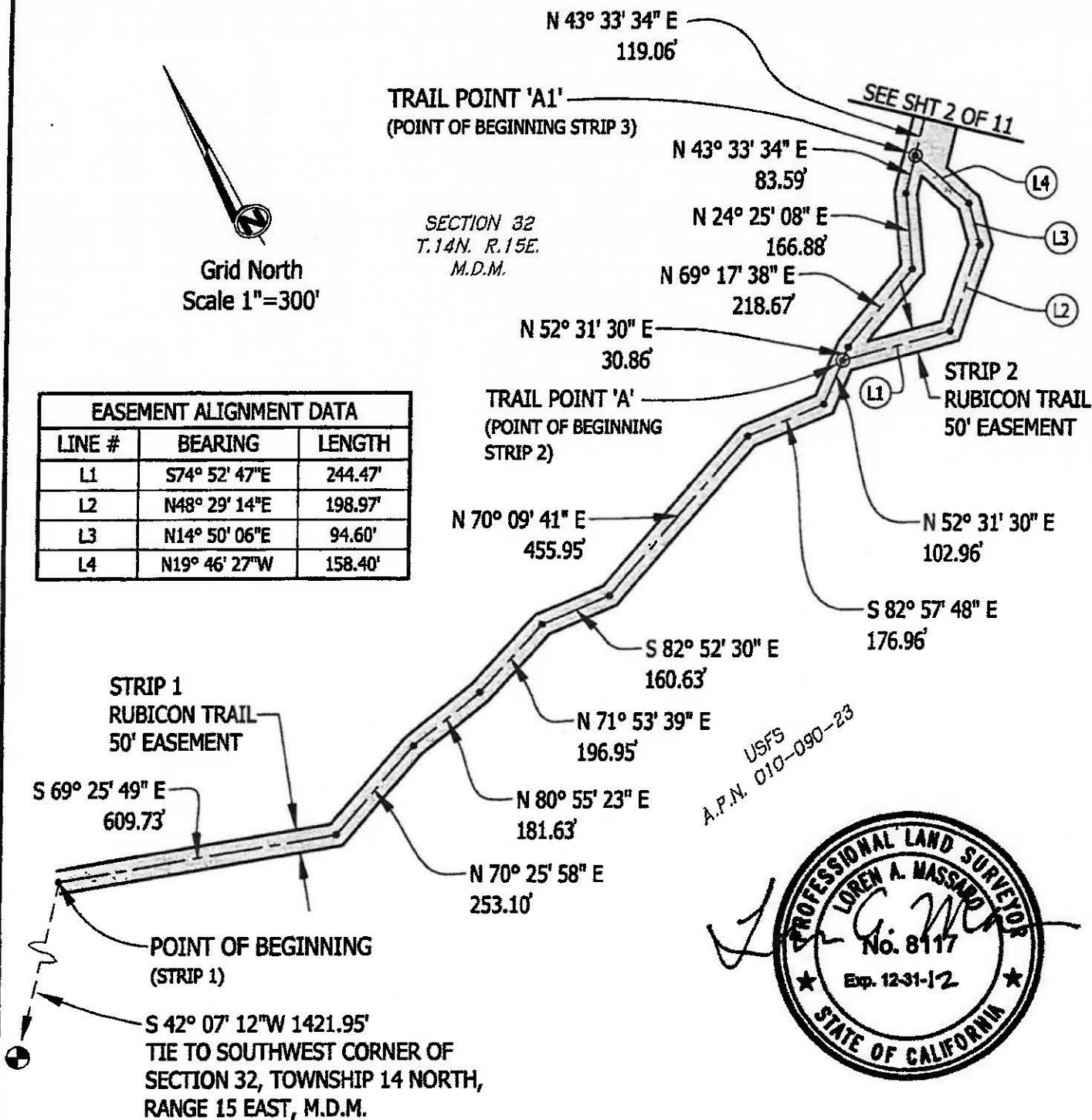
Situate in Sections 28, 32, 33, and 34 Township 14 North, Range 15 East, M.D.M. ,  
 El Dorado County and Placer County, State of California and Section 2 Township 13  
 North, Range 15 East, M.D.M. and Section 6 Township 13 North, Range 16 East, M.D.M.  
 El Dorado County, State of California



Grid North  
 Scale 1"=300'

SECTION 32  
 T.14N. R.15E.  
 M.D.M.

EASEMENT ALIGNMENT DATA		
LINE #	BEARING	LENGTH
L1	S74° 52' 47"E	244.47'
L2	N48° 29' 14"E	198.97'
L3	N14° 50' 06"E	94.60'
L4	N19° 46' 27"W	158.40'



USFS  
 A.P.N. 010-090-23

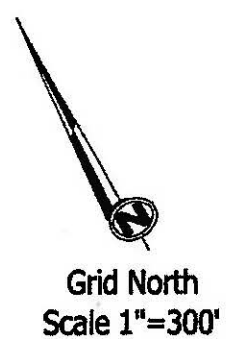
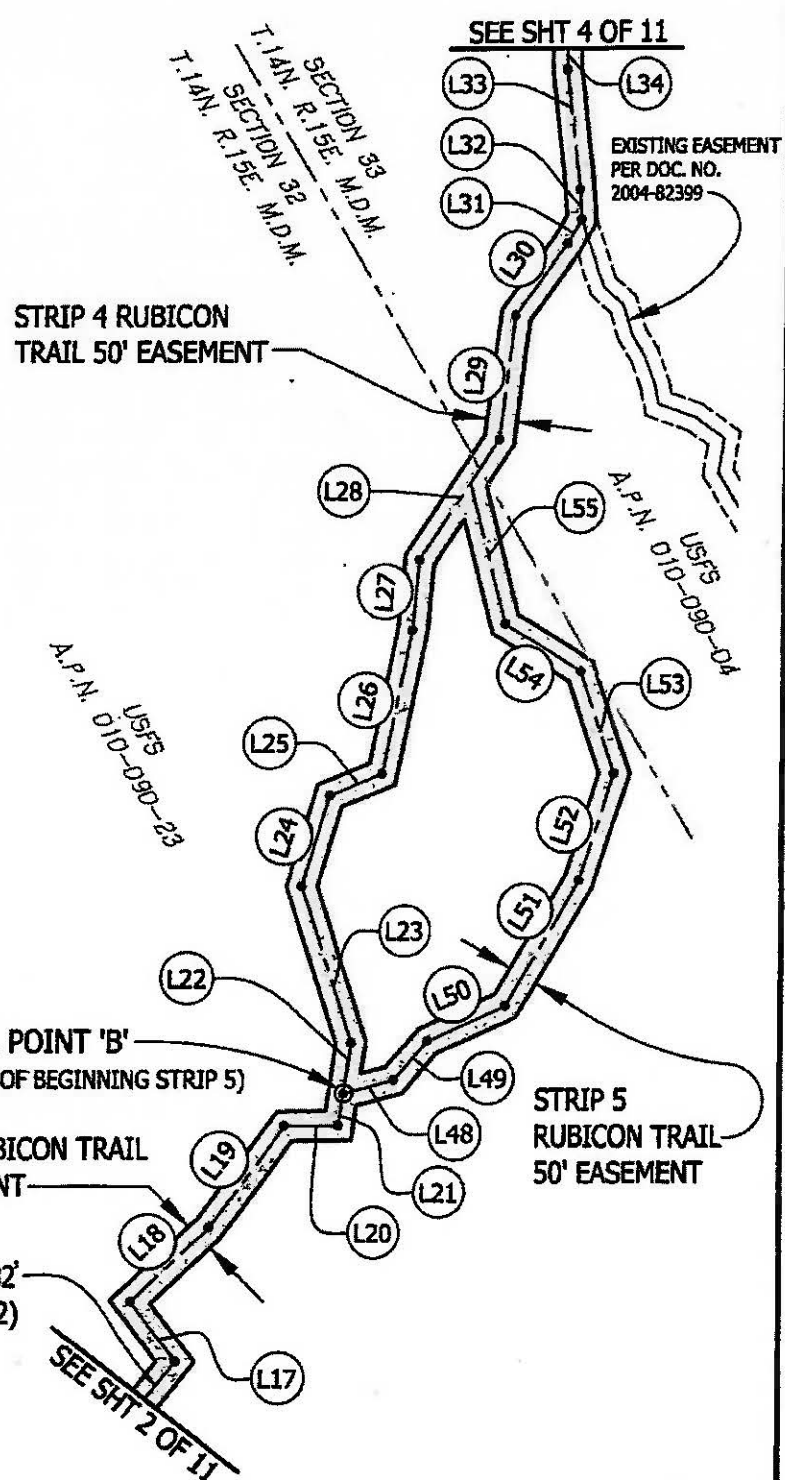




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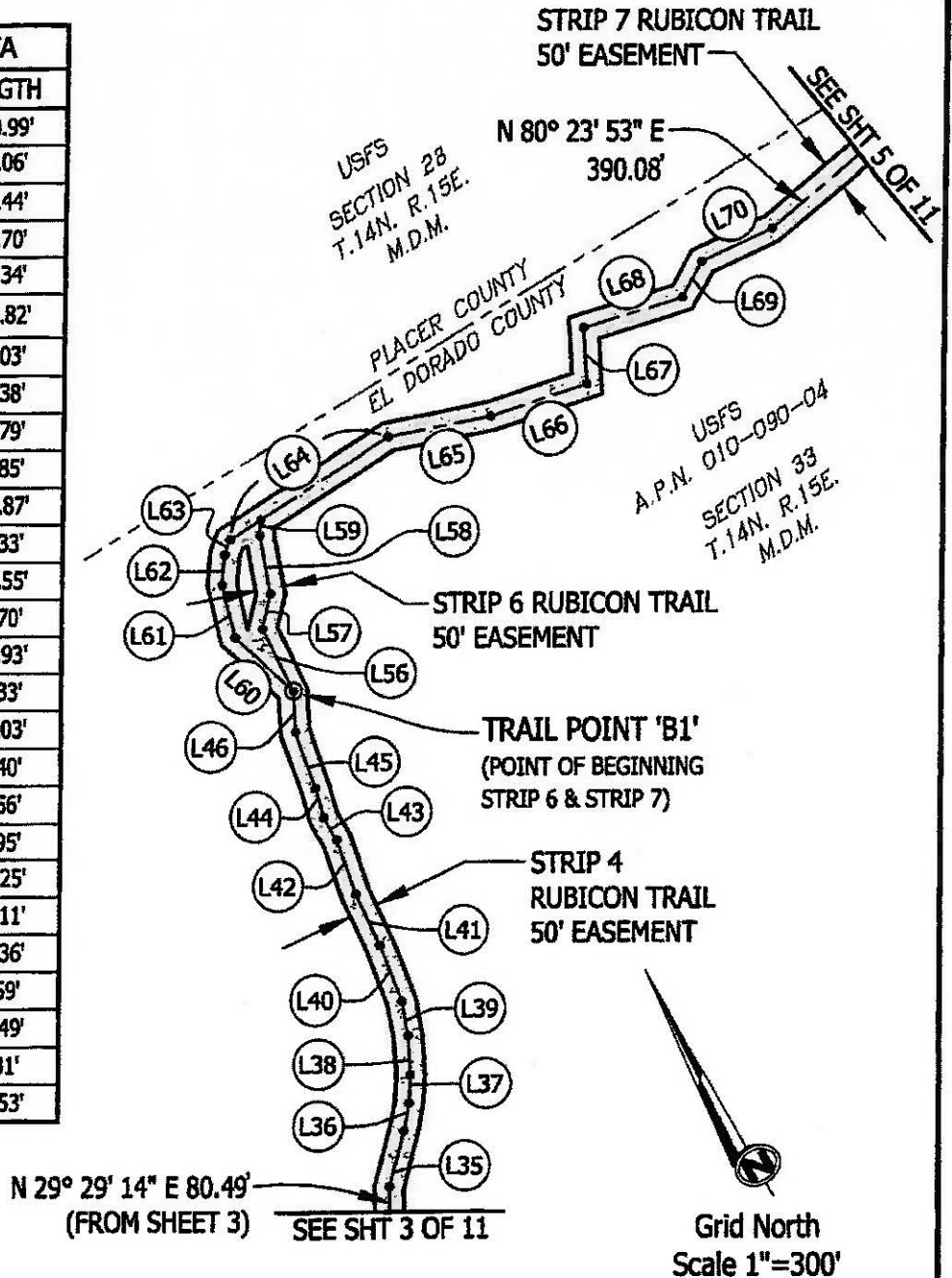
EASEMENT ALIGNMENT DATA		
LINE #	BEARING	LENGTH
L17	N 06° 37' 15" W	126.20'
L18	N 75° 57' 16" E	179.40'
L19	N 65° 53' 22" E	209.75'
L20	S 60° 31' 04" E	90.44'
L21	N 38° 28' 48" E	53.99'
L22	N 38° 28' 48" E	86.00'
L23	N 12° 02' 55" E	274.43'
L24	N 46° 41' 45" E	157.81'
L25	S 82° 08' 30" E	96.42'
L26	N 41° 34' 13" E	247.33'
L27	N 35° 06' 11" E	120.01'
L28	N 63° 18' 49" E	239.26'
L29	N 36° 57' 48" E	211.94'
L30	N 65° 29' 42" E	148.11'
L31	N 60° 35' 35" E	46.23'
L32	N 26° 47' 27" E	50.69'
L33	N 23° 12' 07" E	204.41'
L34	N 29° 29' 14" E	80.49'
L48	S 74° 30' 54" E	88.99'
L49	N 70° 35' 32" E	86.03'
L50	S 84° 18' 53" E	142.24'
L51	N 60° 30' 11" E	243.27'
L52	N 48° 19' 03" E	188.13'
L53	N 11° 18' 59" E	181.99'
L54	N 28° 20' 44" W	151.21'
L55	N 15° 44' 26" E	244.71'



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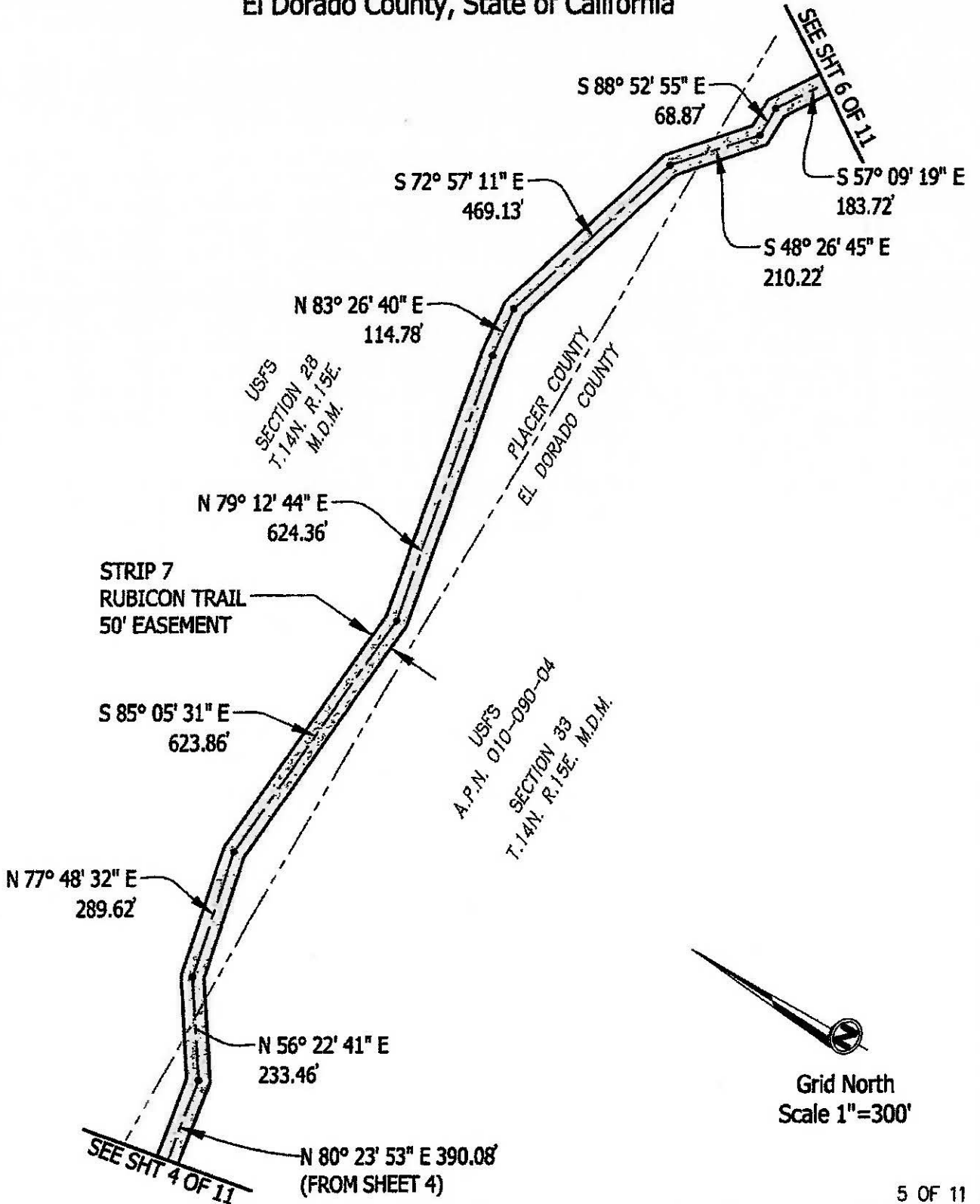
EASEMENT ALIGNMENT DATA		
LINE #	BEARING	LENGTH
L35	N 44° 00' 09" E	100.99'
L36	N 40° 05' 11" E	50.06'
L37	N 32° 40' 56" E	48.44'
L38	N 26° 14' 06" E	68.70'
L39	N 18° 52' 21" E	60.34'
L40	N 08° 30' 06" E	103.82'
L41	N 04° 39' 09" E	99.03'
L42	N 10° 27' 39" E	99.38'
L43	N 00° 08' 34" W	44.79'
L44	N 13° 30' 32" E	51.85'
L45	N 09° 55' 47" E	103.87'
L46	N 26° 39' 04" E	71.33'
L56	N 03° 49' 01" E	122.55'
L57	N 42° 31' 09" E	62.70'
L58	N 19° 00' 24" E	102.93'
L59	N 31° 32' 18" E	27.33'
L60	N 17° 08' 26" W	139.03'
L61	N 16° 26' 25" E	95.40'
L62	N 34° 08' 37" E	52.56'
L63	N 49° 30' 50" E	26.95'
L64	N 86° 33' 51" E	326.25'
L65	S 71° 10' 48" E	183.11'
L66	S 78° 38' 03" E	174.36'
L67	N 26° 13' 09" E	96.59'
L68	S 77° 15' 21" E	178.49'
L69	N 57° 49' 19" E	71.31'
L70	S 85° 25' 28" E	136.53'





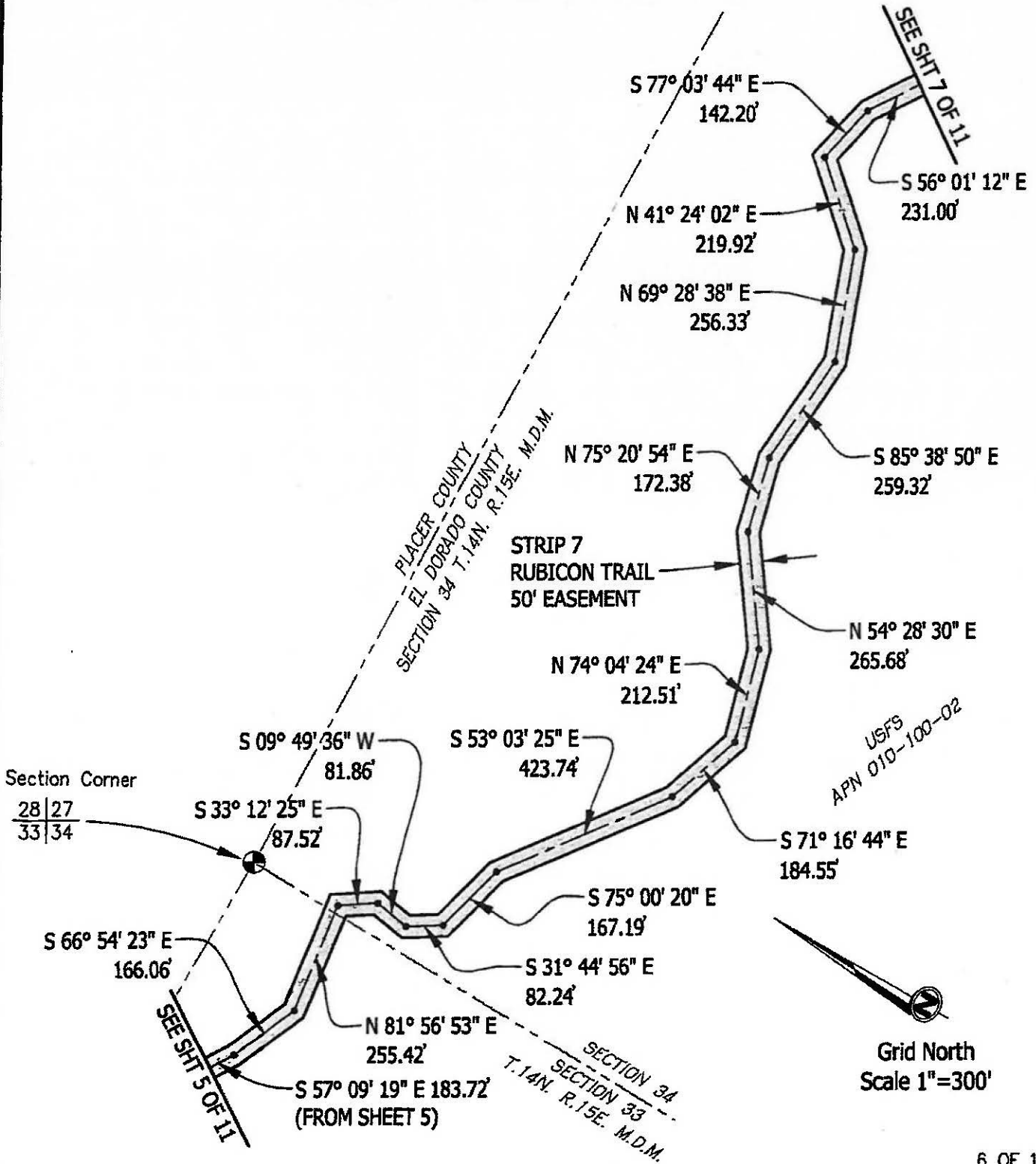
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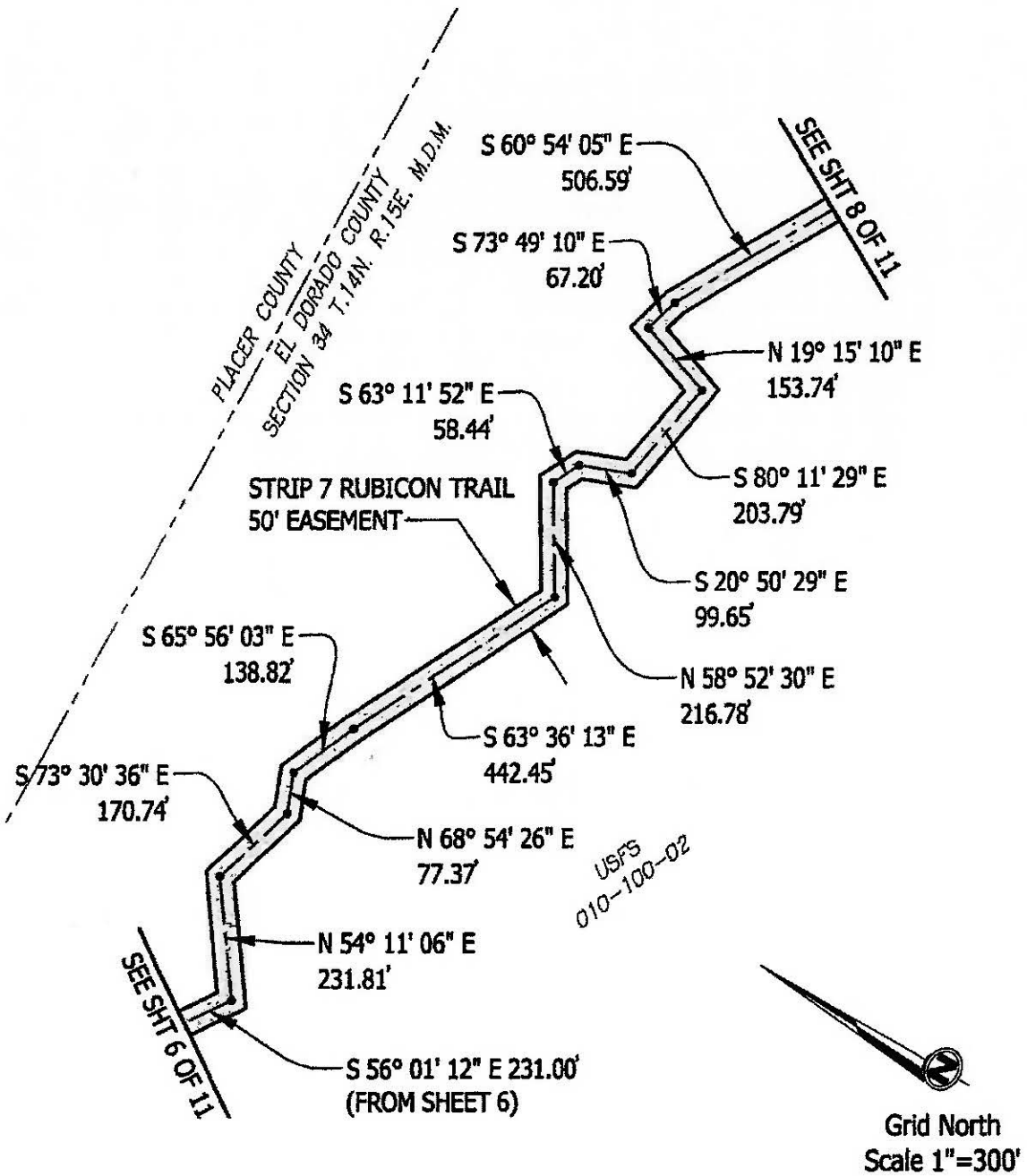
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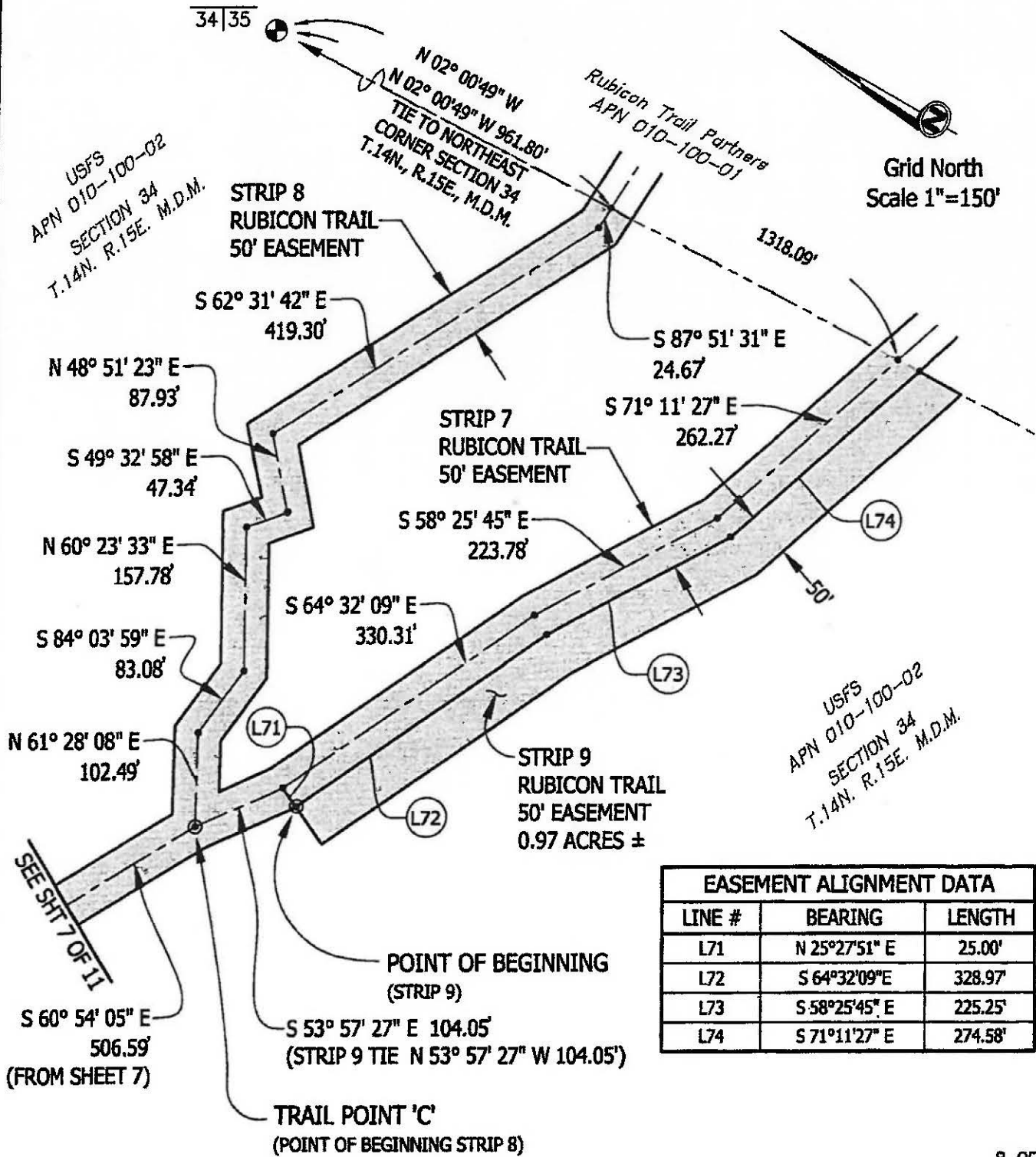
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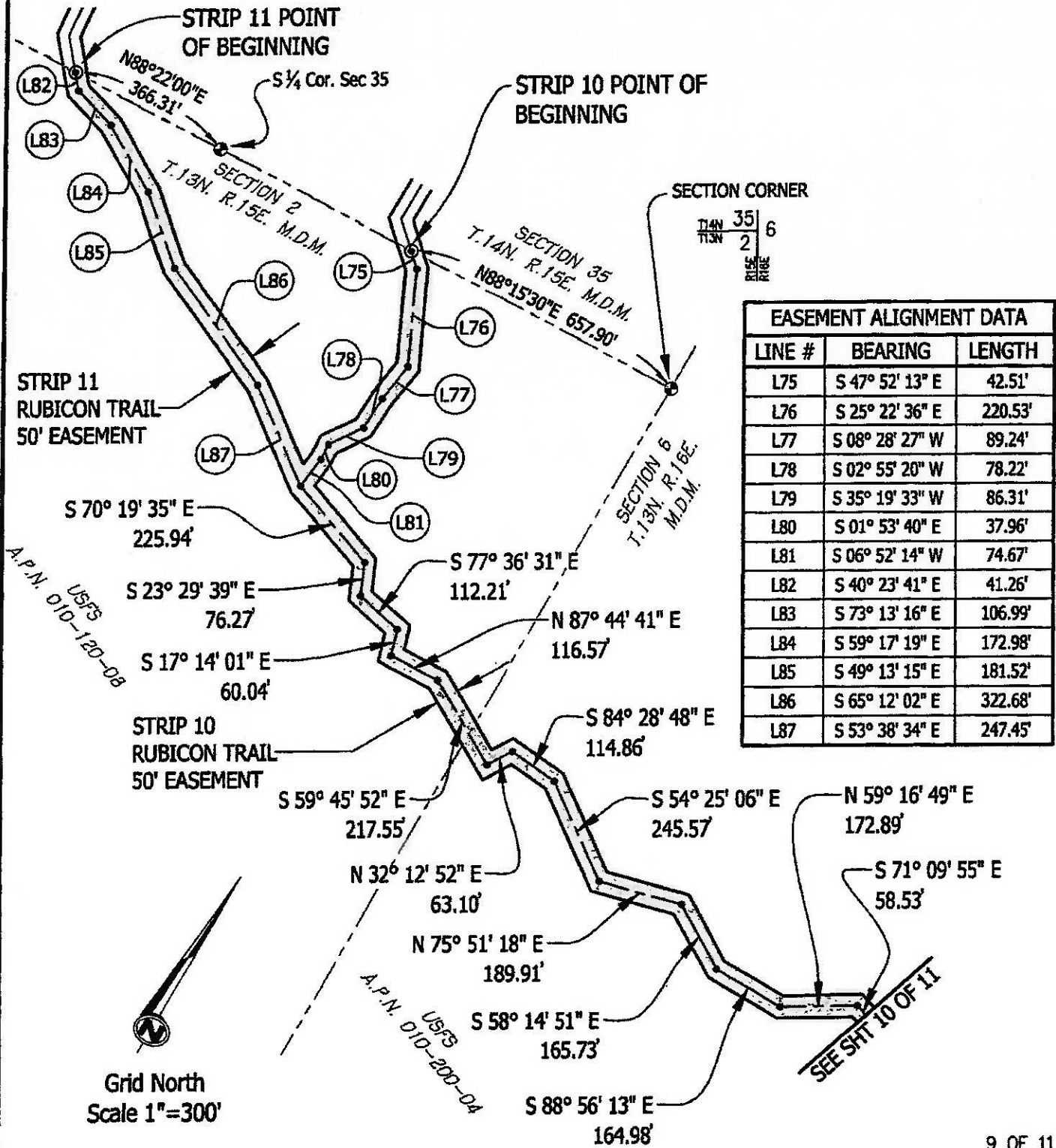
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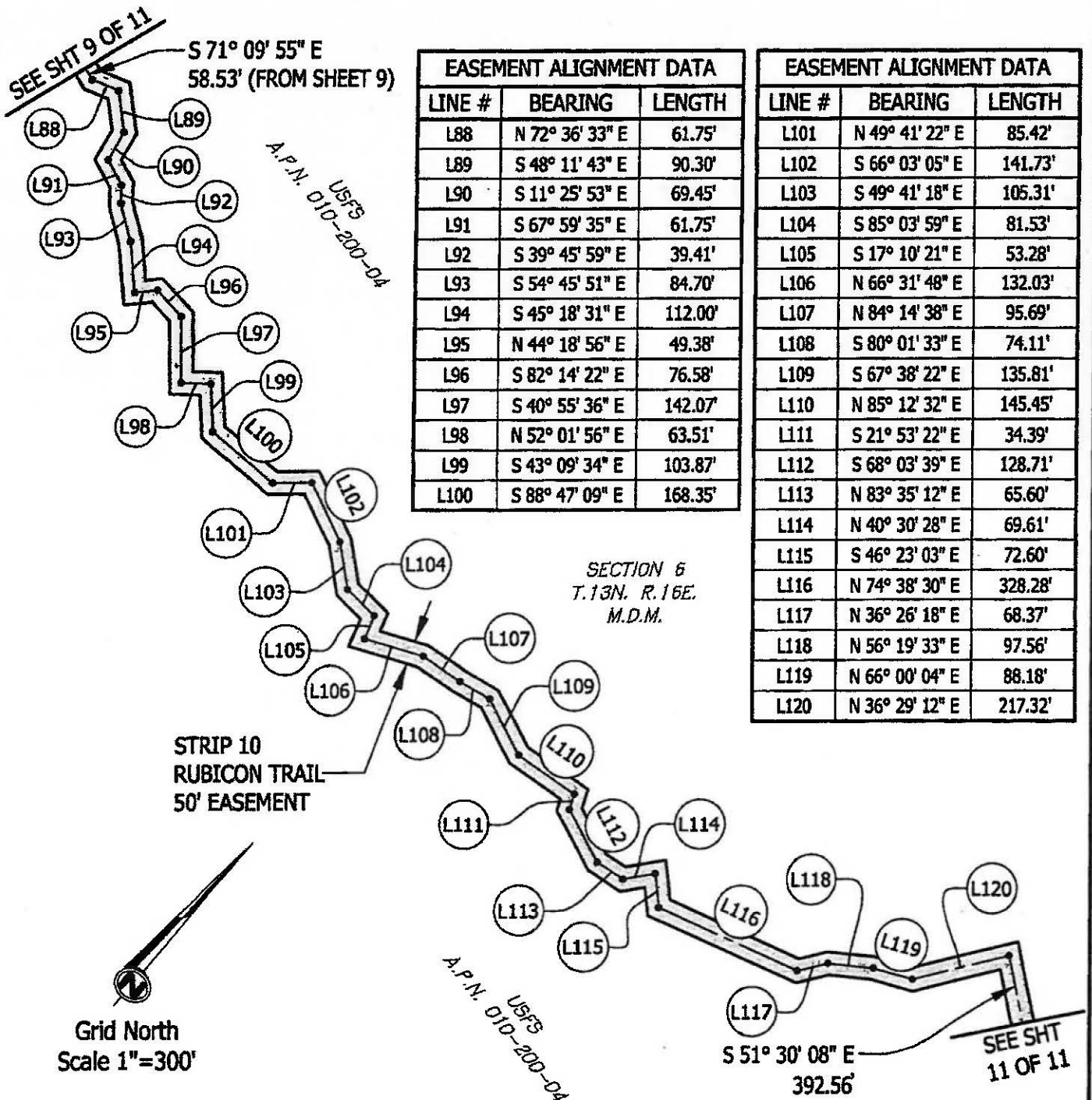
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 El Dorado County, State of California



EASEMENT ALIGNMENT DATA		
LINE #	BEARING	LENGTH
L88	N 72° 36' 33" E	61.75'
L89	S 48° 11' 43" E	90.30'
L90	S 11° 25' 53" E	69.45'
L91	S 67° 59' 35" E	61.75'
L92	S 39° 45' 59" E	39.41'
L93	S 54° 45' 51" E	84.70'
L94	S 45° 18' 31" E	112.00'
L95	N 44° 18' 56" E	49.38'
L96	S 82° 14' 22" E	76.58'
L97	S 40° 55' 36" E	142.07'
L98	N 52° 01' 56" E	63.51'
L99	S 43° 09' 34" E	103.87'
L100	S 88° 47' 09" E	168.35'

EASEMENT ALIGNMENT DATA		
LINE #	BEARING	LENGTH
L101	N 49° 41' 22" E	85.42'
L102	S 66° 03' 05" E	141.73'
L103	S 49° 41' 18" E	105.31'
L104	S 85° 03' 59" E	81.53'
L105	S 17° 10' 21" E	53.28'
L106	N 66° 31' 48" E	132.03'
L107	N 84° 14' 38" E	95.69'
L108	S 80° 01' 33" E	74.11'
L109	S 67° 38' 22" E	135.81'
L110	N 85° 12' 32" E	145.45'
L111	S 21° 53' 22" E	34.39'
L112	S 68° 03' 39" E	128.71'
L113	N 83° 35' 12" E	65.60'
L114	N 40° 30' 28" E	69.61'
L115	S 46° 23' 03" E	72.60'
L116	N 74° 38' 30" E	328.28'
L117	N 36° 26' 18" E	68.37'
L118	N 56° 19' 33" E	97.56'
L119	N 66° 00' 04" E	88.18'
L120	N 36° 29' 12" E	217.32'



## Exhibit C Stipulations

A saturated soil management strategy would be used to address motor vehicle use during the wet season.

The County will conduct monitoring on the Rubicon Trail to assess the effectiveness of the Saturated Soil Water Quality Protection Plan (SSWQPP); and to meet the County's goals of minimizing Trail erosion, and to reduce and capture contaminants and vehicle-caused sediment.

Monitoring to determine if a closure is necessary would begin on December 1 and continue until June 1. The monitoring period may be extended or shortened depending on conditions that may vary from year to year. Monitoring would include remote (office) monitoring and field (observations and measurements) monitoring. Remote monitoring would be conducted from the office to determine if field visits are warranted. Historic and current climatic (temperature and precipitation) data and hydrologic data (e.g. USGS, SMUD: stage height, discharge) would be used to make the field visit determination. When field visits are necessary, observations and measurements taken in the field would be used to determine if a closure is needed based on the potential for adverse impacts to water quality (e.g. contaminant rinsing, turbidity, sediment delivery) or active mechanical erosion.

The monitoring shall be documented and the results will be analyzed and assessed by the County and the Forest Service within seven (7) calendar days of monitoring. If the monitoring by the County demonstrates that the goals of the SSWQPP are being met, then the County will continue its maintenance and monitoring. If the monitoring demonstrates that saturated soil conditions exist and water is flowing on the trail at an amount capable of rinsing contaminants from vehicle components and capable of transporting sediment generated from mechanical tire action on the road within the Wentworth Springs Campground, Post Pile grade, Ellis Creek Tie Intersection, Walker Hill, Soup Bowl, Winter Camp, or Little Sluice areas; then the County will close the Rubicon Trail to public motorized vehicle use. When field monitoring by the County determines that the above conditions no longer exist then the County will lift the closure.

If the above monitoring is not conducted, the County will close the trail to be consistent with the Travel Management seasonal closure.

An annual monitoring report including the documentation and assessment shall be provided to the California Regional Water Quality Control Board for the Central Valley Region and to the Eldorado National Forest.

The standard, routine, and traditional operations and maintenance activities will be in conformance with an existing road maintenance agreement, such as the *Forest Road Agreement between the U.S. Department of Agriculture, Forest Service and El Dorado County*, dated October 6, 1992.



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 Public Road Easement dated August 14, 2012 from the United States of America, acting by and through the Forest Service, Department of Agriculture, to El Dorado County, a political subdivision of the State of California, is hereby accepted by order of the El Dorado County Board of Supervisors on August 14, 2012, and the grantee consents to recordation thereof by its duly authorized officer.

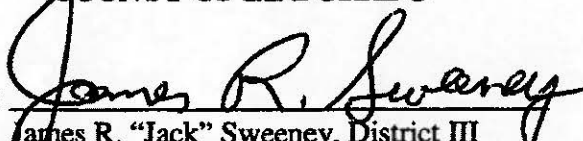
The property interest conveyed is an easement over federal lands in the Eldorado National Forest for the RUBICON TRAIL from Wentworth Springs Campground to the El Dorado County/Placer County boundary line, as more particularly described in the exhibits to the easement.

The acceptance of this easement does not supplant, replace, diminish, alter, abandon or vacate any preexisting rights-of-way that have been established under Revised Statutes section 2477 or in any other manner.

Dated this 14<sup>th</sup> day of August, 2012.

COUNTY OF EL DORADO

By:

  
James R. "Jack" Sweeney, District III  
Board of Supervisors

ATTEST:

Terri Daly  
Acting Clerk of the Board of Supervisors

By:

  
Deputy Clerk

