

RECORDING REQUESTED BY

PLACER TITLE COMPANY

WHEN RECORDED MAIL TO:

DEPARTMENT OF TRANSPORTATION  
BOARD OF SUPERVISORS  
330 FAIR LANE  
PLACERVILLE, CA 95667

Order Number: 205-14082-BAS



El Dorado, County Recorder  
William Schultz Co Recorder Office  
**DOC- 2013-0032754-00**

Acct 6-PLACER TITLE CO

Tuesday, JUN 25, 2013 14:32:17

Ttl Pd \$0.00 Rcpt # 0001533228

DLC/C1/1-7

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SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

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**TITLE(S)**

**TEMPORARY CONSTRUCTION EASEMENT**

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*APN 071-390-01*

032754

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: 071-390-01

Project: Northside School Class Bike Path Project

SPACE ABOVE THIS LINE FOR RECORDERS USE ONLY

## TEMPORARY CONSTRUCTION EASEMENT

**JUDSON R. ROBERTS AND DEBRA L. ROBERTS, AS CO-TRUSTEES OF THE ROBERTS FAMILY TRUST DATED OCTOBER 11, 2006**, 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 \$500.00 (FIVE-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 **Northside School Class I Bike Path - Phase 2 Project #72306 (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 Project.

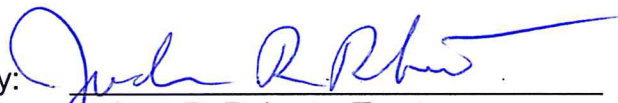
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Included within this temporary construction easement is the right of ingress and egress of Grantee, its agents, employees, and contractors for warranty repairs and the correction of defects in the work within the first year following completion of 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 24 (Twenty-Four) months of construction, together with the one-year warranty period. In the event that construction of the Project is not completed within 24 (Twenty-Four) months of commencement of construction, Grantor shall be entitled to additional compensation as follows: For each month thereafter, the sum of \$20.83 (Twenty Dollars and Eighty Three Cents) 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.

**JUDSON R. ROBERTS AND DEBRA L. ROBERTS, AS CO-TRUSTEES OF  
THE ROBERTS FAMILY TRUST DATED OCTOBER 11, 2006**

Executed on: June 24, ~~2012~~ 2013

By:   
\_\_\_\_\_  
Judson R. Roberts, Trustee

By:   
\_\_\_\_\_  
Debra L. Roberts, Trustee

(A Notary Public Must Acknowledge All Signatures)

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

State of California )

)ss.

County of El Dorado )

On June 24, 2013 before me, Cathy French,  
Notary Public, personally appeared JUDSON R. ROBERTS AND DEBRA L. ROBERTS,  
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 *Cathy French* (Seal)



**Exhibit 'A'**  
**(36174-1)**

All that certain real property situate in the South One-Half of Section 18, Township 12 North, Range 9 East, M.D.M., El Dorado County, State of California, being a portion of Parcel 1 of that particular Parcel Map filed in Book 28 of Parcel Maps at Page 36, official records said county and state more particularly described as follows:

A strip of land 5.00 feet in width lying westerly of parallel with and adjacent to the following described line:

Beginning on the westerly line of said Parcel 1 and the westerly right of way of Highway 49 said county and state, from which the one-quarter corner common to Sections 18 and 19 said Township and Range bears North 89° 28' 06" West 162.20 feet, said point being the beginning of a non-tangent curve to the left having a radius of 3,949.41 feet; thence from said POINT OF BEGINNING along said curve and said right of way through a central angle of 04° 54' 26" an arc length of 336.34 feet, said curve being subtended by a chord which bears North 01° 01' 42" West 336.24 feet. Containing 1,681 square feet more or less. See Exhibit 'B' attached hereto and made a part hereof.

END OF DESCRIPTION

The basis of bearing for this description is CCS Zone 2 NAD83 grid north. All distances shown are grid distances. Divide distances by 0.9998518 to obtain ground distances.

The purpose of this description is to describe those portions of said parcel for construction easement purposes.

*Loren A. Massaro*

Loren A. Massaro      P.L.S. 8117

Dated: 09.26.2012



032754

# EXHIBIT 'B'

Situate in the South One-Half of Section 18,  
Township 12 North, Range 9 East, M.D.M.  
Being a portion of Parcel 1, P.M. 28-36  
El Dorado County State of California

ROBERTS REV. TRUST  
DOC NO. 2006-73714  
APN 071-390-01  
PARCEL 1 P.M. 28-36

$R = 3,949.41'$   $\Delta = 04^{\circ}52'46''$   $L = 336.34'$   
 $CH = N 01^{\circ}01'42'' W 336.24'$

36174 - 1

CONSTRUCTION EASEMENT  
AREA = 1681 ± SQ.FT.

PRIVATE ROAD EASEMENT  
PER DOC. NO. 2009-13204



Grid North  
Scale 1"=50'

WESTERLY RIGHT OF WAY HWY 49

HIGHWAY 49



5'

ONE-QUARTER CORNER

POINT OF BEGINNING

SECTION 18  
SECTION 19

$N 89^{\circ} 28' 06'' W$  162.20'

032754

RECORDING REQUESTED BY AND  
WHEN RECORDED, RETURN TO:

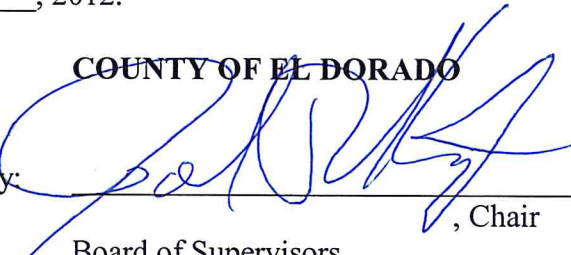
County of El Dorado  
Board of Supervisors  
330 Fair Lane  
Placerville, CA 95667

### CERTIFICATE OF ACCEPTANCE

**This is to certify** that the interest in real property conveyed by the Temporary Construction Easement dated June 24, 2012, 2012, from **JUDSON R. ROBERTS AND DEBRA L. ROBERTS, AS CO-TRUSTEES OF THE ROBERTS FAMILY TRUST DATED OCTOBER 11, 2006**, 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: 071-390-01

Dated this 4 day of December, 2012.

**COUNTY OF EL DORADO**  
By:   
\_\_\_\_\_, Chair  
Board of Supervisors

ATTEST:

JAMES S. MITRISIN  
Clerk of the Board

By:   
\_\_\_\_\_  
Deputy Clerk

06/25/2013, 20130032754