

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

County of El Dorado
Department of Transportation
Attn: ROW Unit
2850 Fairlane Ct.
Placerville, CA 95667

APN: 084-030-015
Seller: Owings
Project #: 77126

Mail Tax Statements to above.
Exempt from Documentary Tax Transfer
Per Revenue and Taxation Code 11922

Above section for Recorder's use

GRANT OF TEMPORARY CONSTRUCTION EASEMENT

Constance M. Owings, Trustee of the 1991 Owings Revocable Trust, hereinafter referred to as "Grantor," grants 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 'A3' and 'B3'
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 \$73,476.10 (Seventy Three Thousand Four Hundred Seventy Six Dollars AND 10/100) 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 A3 and depicted on the map in Exhibit B3 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 Mosquito Road Bridge Replacement CIP No. 77126 (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. Stockpiling or parking of vehicles or equipment and placement of trailers/mobile offices is allowed to take place in this area together with on-site production of construction materials including batching/mixing of concrete. 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.

4. The Temporary Construction Easement is for a period of 6 years from the date of full execution. Construction is anticipated to take 3 years. This easement also includes a one-year warranty period.
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.

County will use federal/state/local funds for the acquisition of the land rights for this Project. County has entered into a Master Agreement, Administering Agency – State Agreement for Federal Aid Projects, Agreement No. 03-5925F15, effective October 18, 2016. County has agreed to comply with the terms and conditions of that Agreement, which include compliance with all Fair Employment Practices and with all Nondiscrimination Assurances as are contained in said Master Agreement.

TO HAVE AND TO HOLD said lands and interests therein unto COUNTY OF EL DORADO and its successors forever, subject, however, to the covenant, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on COUNTY OF EL DORADO, its successors and assigns. COUNTY OF EL DORADO does hereby covenant and agree as a covenant running with the land for itself, successors and assigns that:

- (a) no person shall on the grounds of race, color, sex, national origin, religion, age or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed; and
- (b) COUNTY OF EL DORADO shall use the lands and interests in land so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as Regulations may be amended; and
- (c) in the event of breach of any of the above-mentioned nondiscrimination conditions, and only after determination that it is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964, the U.S. Department of Transportation shall have a right to re-enter said lands and facilities on said land, and the above-described land and facilities shall thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed upon COUNTY OF EL DORADO's acquisition.

IN WITNESS WHEREOF, Grantor has herein subscribed its name on this 13 day of July, 2020.

GRANTOR: Constance M. Owings, Trustee of the 1991 Owings Revocable Trust

Constance M. Owings, Trustee
Constance M. Owings, Trustee

(All signatures must be acknowledged by a Notary Public)

EXHIBIT 'A3'

All that certain real property situate in the South Half of the Southwest Quarter of the Northeast Quarter, the West Half of the Southeast Quarter of the Northeast Quarter, and the West Half of the Northeast Quarter of the Southeast Quarter of Section 28, Township 11 North, Range 11 East, Mount Diablo Meridian, County of El Dorado, State of California, being a portion of the parcel described in that certain document filed in Book 3606, Page 661 in the official records of El Dorado County more particularly described as follows:

AREA 1:

BEGINNING a point on the southerly line of Tract 1 of that certain Record of Survey filed in Book 19 of Surveys, Page 73 in the records of said county and state which bears South 88°58'37" West, 88.92 feet from the Southeast corner thereof; thence from said POINT OF BEGINNING along said southerly line South 88°58'37" West, 65.35 feet; thence leaving said southerly line South 11°59'13" West, 260.26 feet; thence South 29°29'45" West, 329.16 feet; thence South 60°35'51" East, 218.84 feet to the northerly line of Parcel 2 of that certain Parcel Map filed in Book 20 of Parcel Maps, Page 20 in the records of said county and state; thence along the northerly and easterly lines of said Parcel 2 the following two (2) courses: 1) North 89°19'37" East, 238.42 feet; 2) South 5°16'57" East, 145.31 feet; thence leaving said easterly line South 60°35'51" East, 49.62 feet; thence North 75°52'21" East, 322.82 feet; thence North 14°07'39" West, 94.28 feet to the beginning of a curve concave easterly having a radius of 296.00 feet; thence northerly along said curve through a central angle of 10°20'39" an arc distance of 53.44 feet, said curve being subtended by a chord which bears North 8°57'20" West, 53.37 feet; thence South 86°13'00" West, 21.00 feet to the beginning of a non-tangent curve concave easterly having a radius of 317.00 feet; thence northerly along said curve through a central angle of 3°31'39" an arc distance of 19.52 feet, said curve being subtended by a chord which bears North 2°01'11" West, 19.51 feet; thence North 0°15'21" West, 152.66 feet; thence North 23°18'50" West, 122.90 feet; thence South 66°41'10" West, 60.00 feet to the beginning of a non-tangent curve concave southwesterly having a radius of 167.00 feet; thence northwesterly along said curve through a central angle of 27°13'50" an arc distance of 79.37 feet, said curve being subtended by a chord which bears North 36°55'45" West, 78.62 feet; thence North 39°27'20" East, 60.00 feet; thence North 50°32'40" West, 320.06 feet; thence South 39°27'20" West, 50.00 feet; thence North 50°32'40" West, 93.08 feet to the POINT OF BEGINNING. Containing 376,040 square feet (8.63 acres) more or less.

TOGETHER WITH:

AREA 2:

BEGINNING a point on the easterly line of Tract 1 of that certain Record of Survey filed in Book 19 of Surveys, Page 73 in the records of said county and state which bears

North 5°14'09" West, 143.75 feet from the Southeast corner thereof; thence from said POINT OF BEGINNING along said easterly line North 5°14'09" West, 164.32 feet; thence leaving said easterly line North 52°30'42" East, 61.29 feet; thence North 83°10'04" East, 357.19 feet; thence South 56°33'32" East, 165.10 feet; thence South 7°24'29" East, 370.27 feet; thence South 13°41'31" West, 225.92 feet; thence South 78°40'48" West, 57.96 feet to the beginning of a non-tangent curve concave westerly having a radius of 347.00 feet and a point hereinafter referred to as POINT 'A'; thence northerly along said curve through a central angle of 11°20'46" an arc distance of 68.72 feet, said curve being subtended by a chord which bears North 22°08'16" West, 68.60 feet; thence North 33°30'51" East, 190.74 feet; thence North 1°55'53" East, 107.78 feet; thence South 87°25'01" West, 50.48 feet; thence South 23°14'25" West, 51.74 feet; thence South 48°18'38" West, 166.74 feet; thence North 50°32'40" West, 320.06 feet; thence North 39°27'20" East, 46.45 feet; thence North 50°32'40" West, 126.54 feet; thence South 39°27'20" West, 56.53 feet to the POINT OF BEGINNING. Containing 209,286 square feet (4.80 acres) more or less.

TOGETHER WITH:

AREA 3:

BEGINNING at a point which bears South 6°52'15" East, 116.02 feet from the aforementioned POINT 'A'; thence from said POINT OF BEGINNING North 78°40'48" East, 141.57 feet; thence South 11°19'12" East, 15.00 feet; thence South 78°40'48" West, 143.21 feet to the beginning of a non-tangent curve concave westerly having a radius of 337.00 feet; thence southerly along said curve through a central angle of 1°51'48" an arc distance of 10.96 feet, said curve being subtended by a chord which bears South 1°11'15" East, 10.96 feet; thence South 0°24'01" East, 191.96 feet to the beginning of a non-tangent curve concave easterly having a radius of 237.00 feet; thence southerly along said curve through a central angle of 10°12'43" an arc distance of 42.24 feet, said curve being subtended by a chord which bears South 9°01'18" East, 42.19 feet; thence South 14°07'39" East, 94.28 feet; thence South 75°52'21" West, 42.00 feet; thence North 14°07'39" West, 94.28 feet to the beginning of a curve concave easterly having a radius of 279.00 feet; thence northerly along said curve through a central angle of 10°20'39" an arc distance of 50.37 feet, said curve being subtended by a chord which bears North 8°57'20" West, 50.30 feet; thence North 86°13'00" East, 22.00 feet; thence North 0°24'03" West, 168.63 feet; thence North 20°02'06" West, 53.31 feet to the POINT OF BEGINNING. Containing 11,935 square feet (0.27 acres) more or less.

-End of Description-

See Exhibit 'B3' attached hereto and made a part hereof.

The Basis of Bearings of the above description is grid North. Distances used in the above description are grid distances. Divide distances by 0.999845 to obtain ground distances.

The purpose of the above description is to describe that portion of said parcel as a temporary easement for construction purposes.

Joe Neely
Joseph C. Neely, P.L.S. 9026
Associate Land Surveyor
El Dorado County
Department of Transportation

Date 2/5/2020



EXHIBIT 'B3'

Situate in Section 28, T. 11 N., R. 11 E., M.D.M.
County of El Dorado, State of California



Grid North
Scale 1"=150'

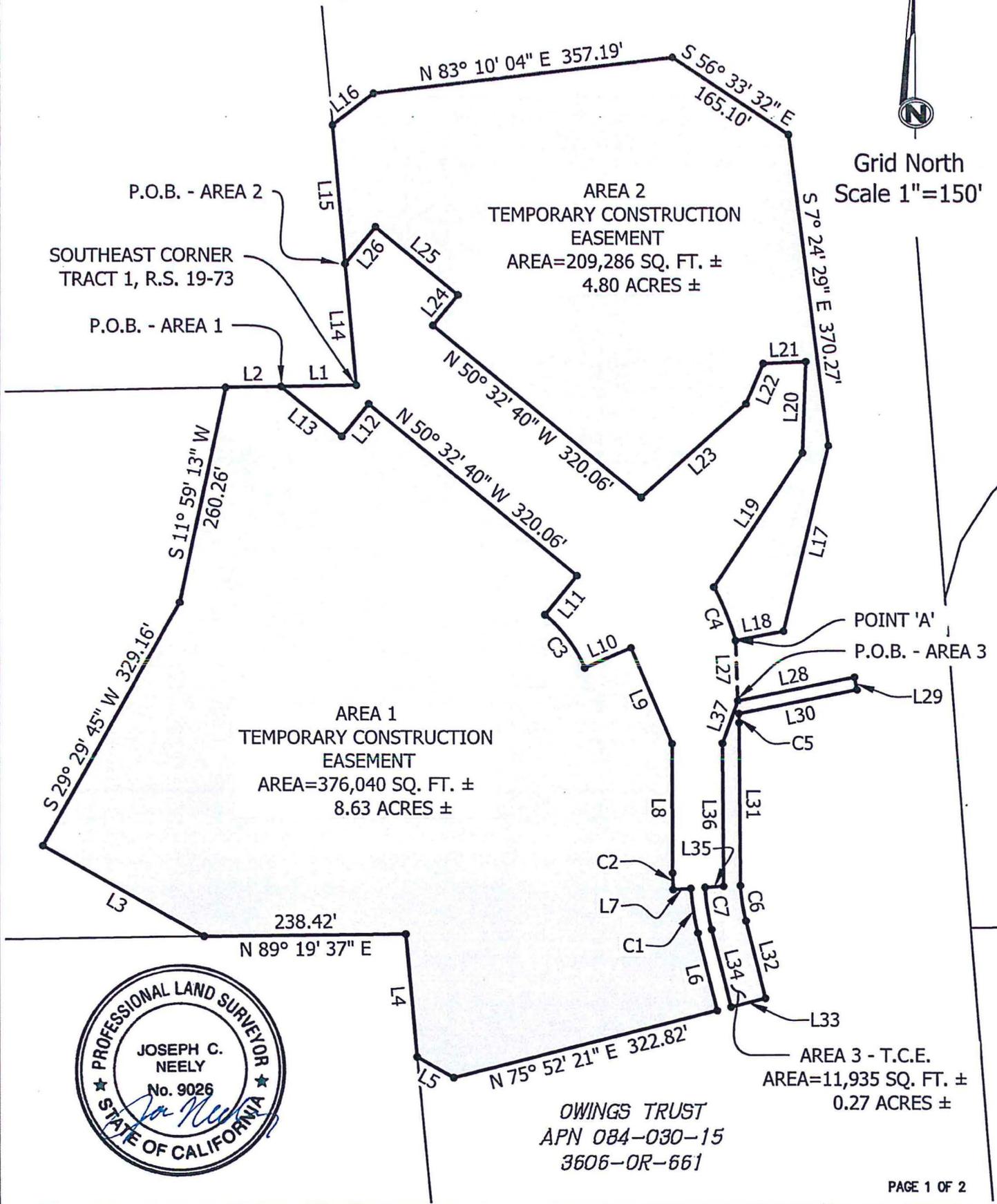


EXHIBIT 'B3'

Situate in Section 28, T. 11 N., R. 11 E., M.D.M.
County of El Dorado, State of California

C1	..... R=296.00' L=53.44' Δ=10° 20' 39" CH=N 8° 57' 20" W 53.37'	
C2	..... R=317.00' L=19.52' Δ=3° 31' 39" CH=N 2° 01' 11" W 19.51'	
C3	..... R=167.00' L=79.37' Δ=27° 13' 50" CH=N 36° 55' 45" W 78.62'	L16 N 52° 30' 42" E 61.29'
C4	..... R=347.00' L=68.72' Δ=11° 20' 46" CH=N 22° 08' 16" W 68.60'	L17 S 13° 41' 31" W 225.92'
C5	..... R=337.00' L=10.96' Δ=1° 51' 48" CH=S 1° 11' 15" E 10.96'	L18 S 78° 40' 48" W 57.96'
C6	..... R=237.00' L=42.24' Δ=10° 12' 43" CH=S 9° 01' 18" E 42.19'	L19 N 33° 30' 51" E 190.74'
C7	..... R=279.00' L=50.37' Δ=10° 20' 39" CH=N 8° 57' 20" W 50.30'	L20 N 1° 55' 53" E 107.78'
L1	..... S 88° 58' 37" W 88.92'	L21 S 87° 25' 01" W 50.48'
L2	..... S 88° 58' 37" W 65.35'	L22 S 23° 14' 25" W 51.74'
L3	..... S 60° 35' 51" E 218.84'	L23 S 48° 18' 38" W 166.74'
L4	..... S 5° 16' 57" E 145.31'	L24 N 39° 27' 20" E 46.45'
L5	..... S 60° 35' 51" E 49.62'	L25 N 50° 32' 40" W 126.54'
L6	..... N 14° 07' 39" W 94.28'	L26 S 39° 27' 20" W 56.53'
L7	..... S 86° 13' 00" W 21.00'	L27 S 6° 52' 15" E 116.02'
L8	..... N 0° 15' 21" W 152.66'	L28 N 78° 40' 48" E 141.57'
L9	..... N 23° 18' 50" W 122.90'	L29 S 11° 19' 12" E 15.00'
L10	..... S 66° 41' 10" W 60.00'	L30 S 78° 40' 48" W 143.21'
L11	..... N 39° 27' 20" E 60.00'	L31 S 0° 24' 01" E 191.96'
L12	..... S 39° 27' 20" W 50.00'	L32 S 14° 07' 39" E 94.28'
L13	..... N 50° 32' 40" W 93.08'	L33 S 75° 52' 21" W 42.00'
L14	..... N 5° 14' 09" W 143.75'	L34 N 14° 07' 39" W 94.28'
L15	..... N 5° 14' 09" W 164.32'	L35 N 86° 13' 00" E 22.00'
		L36 N 0° 24' 03" W 168.63'
		L37 N 20° 02' 06" E 53.31'

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }

COUNTY OF El Dorado }

On 7-13-2020 before me, Kyle Lassner Notary
Public, (here insert name and title of the officer)
Date

personally appeared Constance M. Owings

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: [Handwritten Signature] (Seal)

OPTIONAL

Description of Attached Document

Title or Type of Document: Grant of Temporary Construction Easement Number of Pages: 8

Document Date: 7-13-2020 Other: ∅

**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:**

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

APN: 084-030-015
Seller: Owings
Project #: 77126

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Grant of Temporary Construction Easement dated July 13th, 2020, from Constance M. Owings, Trustee of the 1991 Owings Revocable Trust, 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: 084-030-015

Dated this _____ day of _____, 20____.

COUNTY OF EL DORADO

By: _____
Brian K. Veerkamp, Chair
Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

By: _____
Deputy Clerk