

Placer Title Company
Escrow No. 205-14093-BAS

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:
County of El Dorado
Department of Transportation
Board of Supervisors
360 Fair Lane
Placerville, CA 95667
APN: 071-500-36

Project: Northside School Class Bike Path Project



El Dorado, County Recorder
William Schultz Co Recorder Office
DOC- 2013-0020365-00

Acct 6-PLACER TITLE CO
Monday, APR 22, 2013 14:30:08
Ttl Pd \$0.00 Rcpt # 0001516997
LJP/C1/1-9

12-4-12
12-1383
#22

TEMPORARY CONSTRUCTION EASEMENT

PCOS
FILED

DAVID MICHAEL DWELLE, AS TO AN UNDIVIDED 20% INTEREST AND DAVID WARREN DWELLE, A MARRIED MAN AS TO AN UNDIVIDED 40% INTEREST AND KERRY M. DWELLE, ALSO KNOWN AS DAWNTRIX MARIE KERRY, A MARRIED WOMAN AS TO AN UNDIVIDED 40% INTEREST AS TENANTS IN COMMON, 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 1 (SR 193) Project #72304 (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. 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.

GRANTOR: DAVID MICHAEL DWELLE, AS TO AN UNDIVIDED 20% INTEREST AND DAVID WARREN DWELLE, A MARRIED MAN AS TO AN UNDIVIDED 40% INTEREST AND KERRY M. DWELLE, A MARRIED WOMAN AS TO AN UNDIVIDED 40% INTEREST AS TENANTS IN COMMON

Executed on: 10/5, 2012

By: David M Dwelle
David Michael Dwelle

By: David Warren Dwelle
David Warren Dwelle

By: Kerry M. Dwelle
Kerry M. Dwelle

Dawn Marie Kerry
Dawn Marie Kerry
AKA Kerry M. Dwelle

(A Notary Public Must Acknowledge All Signatures)

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Placer

On October before me, T. Karbowski, A Notary Public
(Here insert name and title of the officer)

personally appeared David Michael Dwebe

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.

T. Karbowski
Signature of Notary Public

(Notary Seal)



ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he/she/they~~, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

DESCRIPTION OF THE ATTACHED DOCUMENT

Easement Acquisition Agreement
(Title or description of attached document)

for Public Purposes
(Title or description of attached document continued)

Number of Pages 8 Document Date 10/27/2012

(Additional information)

CAPACITY CLAIMED BY THE SIGNER

Individual (s)

Corporate Officer

(Title)

Partner(s)

Attorney-in-Fact

Trustee(s)

Other _____

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Placer

On October 22, 2012 before me, T. Karbowski, A NOTARY PUBLIC
(Here insert name and title of the officer)

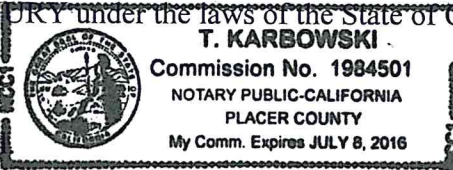
personally appeared David Warren Duelle

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.

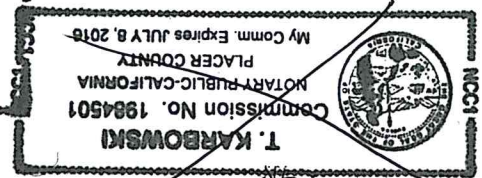
PERJURY under the laws of the State of California
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

T. Karbowski
Signature of Notary Public



(Notary Seal)



ADDITIONAL OPTIONAL INFORMATION

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 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

DESCRIPTION OF THE ATTACHED DOCUMENT

Easement Aquisition Agreement
(Title or description of attached document)

for Public Purposes
(Title or description of attached document continued)

Number of Pages 8 Document Date 10/22/2012

(Additional information)

CAPACITY CLAIMED BY THE SIGNER

Individual (s)

Corporate Officer

(Title)

Partner(s)

Attorney-in-Fact

Trustee(s)

Other _____

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Placer

On October 25, 2012 before me, T. Karbowski, A Notary Public,
(Here insert name and title of the officer)

personally appeared Dawnstrix Marie Kerry

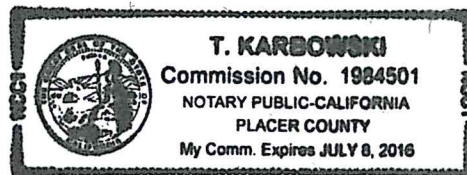
who proved to me on the basis of satisfactory evidence to be the person~~s~~ whose name~~s~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/~~she~~/~~they~~ executed the same in ~~his~~/~~her~~/~~their~~ authorized capacity~~(ies)~~, and that by ~~his~~/~~her~~/~~their~~ 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.

T. Karbowski
Signature of Notary Public

(Notary Seal)



ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

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DESCRIPTION OF THE ATTACHED DOCUMENT
Temporary Construction Easement
(Title or description of attached document)

Project # 72304
(Title or description of attached document-continued)

Number of Pages 12 Document Date 28 Oct 2012 14093
total pages

(Additional information)

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
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- Securely attach this document to the signed document

CAPACITY CLAIMED BY THE SIGNER

Individual (s)

Corporate Officer
(Title)

Partner(s)

Attorney-in-Fact

Trustee(s)

Other

Exhibit 'A'
(36165-1)

All that certain real property situate in the Southeast One-Quarter of Section 18, Township 12 North, Range 9 East, M.D.M., El Dorado County, State of California, being a portion of that particular parcel described in that certain document filed in Book 3093 at Page 744, official records said county and state more particularly described as follows:

The southerly 5.00 feet of said parcel lying northerly of, parallel with and adjacent to the northerly right of way of State Highway 193, said county and state. Containing 1037 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 parcel as an easement for construction purposes.

Loren A. Massaro

Loren A. Massaro P.L.S. 8117

Dated: 02.21.2012

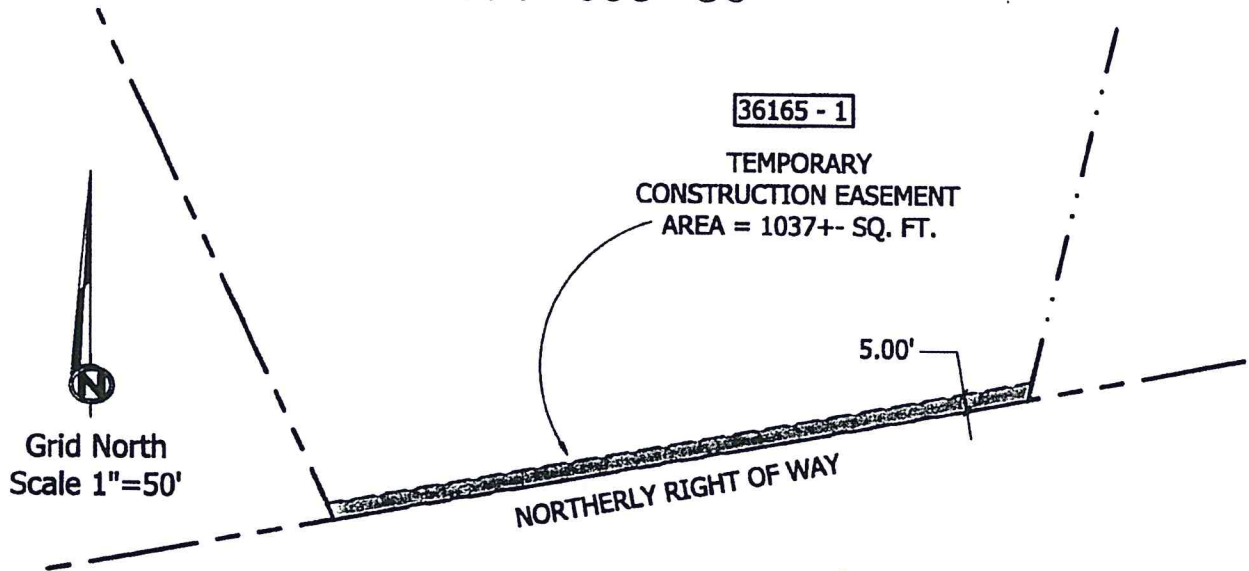


Government Code 27361.7
I certify under penalty of perjury that the portion(s) of the document that will not reproduce a readable copy to which this statement is attached reads as follows:
PERJURY under the laws of the
State of California
4-22-13 Placer Title
Date Signature Mary K. Bengtson

EXHIBIT 'B'

Situate in the Southeast One-Quarter of Section 18
Township 12 North, Range 9 East, M.D.M.
El Dorado County State of California

DWELLE
O.R. 3093-744
APN 071-500-36



HIGHWAY 193



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 October 5, 2012, from **DAVID MICHAEL DWELLE, AS TO AN UNDIVIDED 20% INTEREST AND DAVID WARREN DWELLE, A MARRIED MAN AS TO AN UNDIVIDED 40% INTEREST AND KERRY M. DWELLE, ALSO KNOWN AS DAWNTRIX MARIE KERRY, A MARRIED WOMAN AS TO AN UNDIVIDED 40% INTEREST AS TENANTS IN COMMON**, 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: 071-500-36

Dated this 4 day of December, 2012.

COUNTY OF EL DORADO

By:



John R. Knight
Board of Supervisors

, Chair

ATTEST:

James S. Mitrison
Clerk of the Board of Supervisors

By:


Deputy Clerk