

TRAFFIC SIGNAL APPURTENANCES EASEMENT

THIS TRAFFIC SIGNAL APPURTENANCES EASEMENT is entered into as of the ____ day of _____, 2010 by and between EL DORADO HILLS INVESTORS, LTD, A CALIFORNIA LIMITED PARTNERSHIP, hereinafter “Grantor”, and the County of El Dorado (County) whose address is 360 Fair Lane, Placerville, CA, 95667, hereinafter “Grantee”.

RECITALS

WHEREAS, Grantor is the owner of those certain parcels of land situated in the County of El Dorado, State of California, more particularly described as APN 117-160-19, 44, 45, 57, 60 and 61, (“Grantor Parcels”); and

WHEREAS, Grantee has requested from Grantor and Grantor is desirous of granting to Grantee, a non-exclusive easement for traffic signal appurtenances more particularly described in Exhibit A-1, A-2, A-3, A-4, A-5 and A-6, and depicted on Exhibit B-1, B-2, B-3, B-4, B-5 and B-6, attached hereto and made a part hereof (“Traffic Signal Appurtenances Easement”), and

NOW THEREFORE, in consideration of \$4,300.00 (Four-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 a non-exclusive easement for traffic signal appurtenances over, under and across those identified portions of the Grantors Parcels, subject to the following terms and conditions to which the parties hereto do hereby agree:

1. Easement for Traffic Signal Appurtenances. Grantor hereby grants to Grantee a non-exclusive easement for traffic signal appurtenances. Such easement shall be at the locations described in Exhibit A-1, A-2, A-3, A-4, A-5 and A-6, and depicted on Exhibit B-1, B-2, B-3, B-4, B-5 and B-6, attached hereto and made a part hereof. Grantee agrees to repair any damage caused to Grantor’s Parcel that is a direct result of the acts or negligence of Grantee, its employees, or contractors in installing, extending, maintaining, removing, or repairing the traffic signal appurtenances.
2. Use. Grantee, through its officers, employees and agents, shall have the right to enter upon the Traffic Signal Appurtenances Easement areas in such a manner and at times from the date hereof as may be reasonably necessary for the purpose of constructing, building, laying, patrolling, repairing, replacing, maintaining, and removing thereon certain appurtenances, including such repairs, replacements and removals as may be from time to time required. Said right shall be perpetual.
3. Maintenance. Grantee shall restore the surface of the Traffic Signal Appurtenances Easement area, subject to the rights of Grantee herein provided,

within a reasonable period following any of Grantee's permitted activities within the easement areas.

4. Indemnification. Grantor, its successors and assigns, will not be responsible for damage by others to said traffic signal appurtenances. During the terms of the Traffic Signal Appurtenances Easement, Grantee shall indemnify, defend and hold harmless Grantor from any damages or liability to persons or property that arises from the use, construction, removal, operation or maintenance of the Traffic Signal Appurtenances Easement by Grantee, its agents, employees, or contractors.

5. Duration. This Traffic Signal Appurtenances Easement and the rights granted hereby shall run with the land and shall bind and inure to the benefit of the parties hereto and their respective heirs, successors, sub-lessees and assigns.

6. Headings. The headings of the paragraph contained herein are intended for reference purposes only and shall not be used to interpret the Traffic Signal Appurtenances Easement contained herein or the rights granted hereby.

7. Counterparts. This Traffic Signal Appurtenances Easement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

8. Notices. All communications and notices required or permitted by this Traffic Signal Appurtenances Easement shall be in writing and shall be deemed to have been given on the earlier of the date when actually delivered to Grantee or Grantor by the other or three (3) days after being deposited in the United States mail, postage prepaid and addressed as follows, unless and until either of such parties notifies the other in accordance with this paragraph of a change of address:

Grantor: El Dorado Hills Investors, Ltd.
4364 Town Center Blvd., Suite 213
El Dorado Hills, CA 95762


Grantee: County of El Dorado
Department of Transportation
2850 Fairlane Court
Placerville, CA 95667

9. Effective Date. This Traffic Signal Appurtenances Easement shall be effective as of the last date written below.

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year written below.

GRANTOR:

EL DORADO HILLS INVESTORS, LTD
A CALIFORNIA LIMITED PARTNERSHIP

By: 
El Dorado Hills Investors, LTD
By: The Mansour Company,
Its General Partner
Anthony E. Mansour, CEO

Date: 8/16/2010

GRANTEE:

COUNTY OF EL DORADO

Norma Santiago, Chair
Board of Supervisors

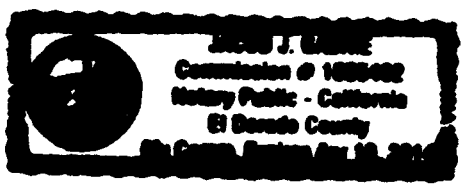
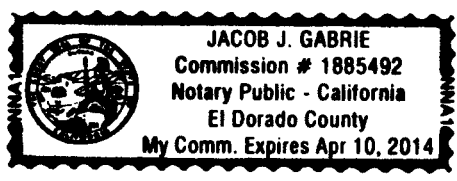
Date: _____

ATTEST: Suzanne Allen De Sanchez
Clerk of the Board of Supervisors

By: _____

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
 County of El Dorado }
 On 8/16/2010 before me, Jacob Gabrie,
Date Here Insert Name and Title of the Officer
 personally appeared Anthony Mansour
Name(s) of Signer(s)



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: [Signature]
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

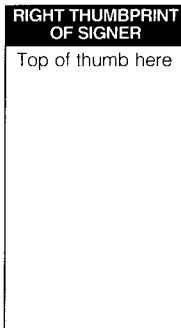
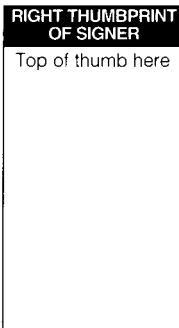
Description of Attached Document

Title or Type of Document: Easement
 Document Date: 08/16/2010 Number of Pages: _____
 Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Anthony Mansour Signer's Name: _____

- | | |
|--|--|
| <input checked="" type="checkbox"/> Corporate Officer — Title(s): <u>CEO</u> | <input type="checkbox"/> Corporate Officer — Title(s): _____ |
| <input type="checkbox"/> Individual | <input type="checkbox"/> Individual |
| <input type="checkbox"/> Partner — <input type="checkbox"/> Limited <input type="checkbox"/> General | <input type="checkbox"/> Partner — <input type="checkbox"/> Limited <input type="checkbox"/> General |
| <input type="checkbox"/> Attorney in Fact | <input type="checkbox"/> Attorney in Fact |
| <input type="checkbox"/> Trustee | <input type="checkbox"/> Trustee |
| <input type="checkbox"/> Guardian or Conservator | <input type="checkbox"/> Guardian or Conservator |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ |



Signer Is Representing: _____

Exhibit 'A'- 1

All that certain property situated in the west one-half Section 11, Township 9 North, Range 8 East, M.D.M., El Dorado County, State of California. Being a portion of Parcel N of that particular parcel map filed in book 47 of Parcel Maps at page 80, official records of said county and state more particularly described as follows:

All that portion of said Parcel N lying southeasterly of the following described line:

Commencing at a point on the southwesterly boundary of said Parcel N. Said point being the southeast corner of Parcel 2 of said map and the beginning of a non-tangent curve concave to the northeast having a radius of 1,128.00 feet and to which beginning a radial line bears South 42°04'07" West; thence northwesterly along said curve and southwesterly boundary, through a central angle of 00°23'11" a distance of 7.61 feet, said curve being subtended by a chord which bears North 47°44'16" West 7.61 feet to the true POINT OF BEGINNING; thence leaving said southwesterly boundary, North 41°15'46" East 86.02 feet to the northeasterly boundary of said Parcel N.

Containing 7,144 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 N as an easement for traffic signal appurtenance purposes.

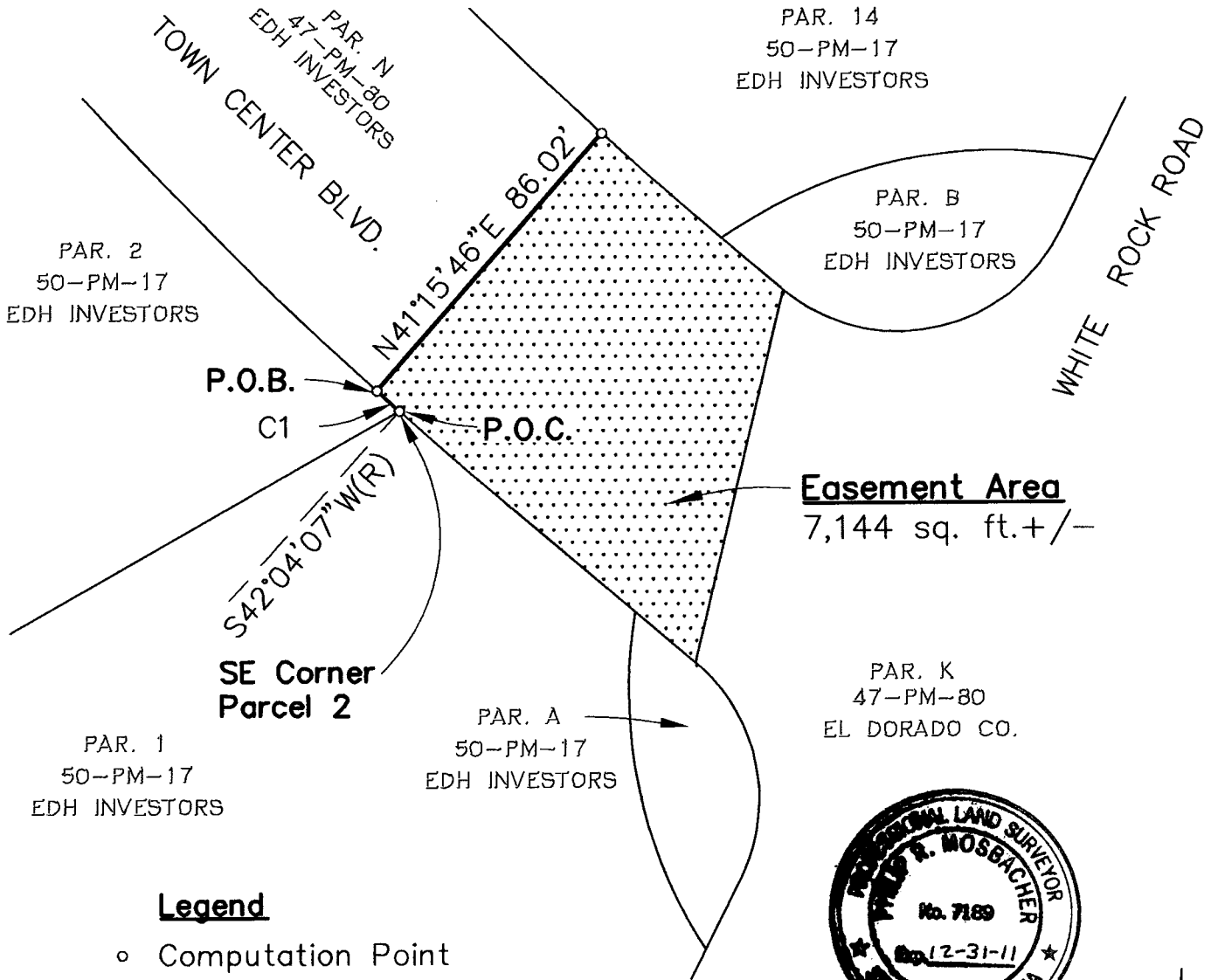
Philip R. Mosbacher
Philip R. Mosbacher, P.L.S. 7189

4/1/10
Date



Exhibit 'B'-1

Situate in West One-Half of Section 11, T. 9 N.,
R. 8 E., M.D.M. County of El Dorado, State of California
Scale 1" = 40'



Easement Area
7,144 sq. ft. +/-

Legend

- Computation Point
- P.O.C. Point of Commencement
- P.O.B. Point of Beginning
- (R) Radial



Philip R. Mosbacher



PARCEL CURVE DATA					
SEGMENT	RADIUS	LENGTH	DELTA	CH. BEARING	CH. DISTANCE
C1	1128.00'	7.61'	00°23'11"	N47°44'16"W	7.61'

Exhibit 'A' - 2

All that certain property situated in the west one-half of Section 11, Township 9 North, Range 8 East, M.D.M., El Dorado County, State of California. Being a portion of Parcel 1 of that particular parcel map filed in book 50 of Parcel Maps at page 17, official records of said county and state more particularly described as follows:

BEGINNING at the north corner of said Parcel 1; thence from said point of beginning along the boundary of said parcel South 60°29'20" West 12.65 feet to the beginning of a non-tangent curve concave to the northeast having a radius of 1,140.00 feet from which beginning a radial line bears South 42°16'11" West; thence leaving said boundary, southeasterly along said curve, through a central angle of 02°35'19" a distance of 51.50 feet, said curve being subtended by a chord which bears South 49°01'29" East 51.50 feet; thence South 50°19'08" East 38.70 feet to the easterly boundary of said Parcel 1 and the beginning of a non-tangent curve concave to the southeast having a radius of 120.00 feet and to which beginning a radial line bears North 87°02'01" West; thence northeasterly along said curve and easterly boundary, through a central angle of 06°37'08" a distance of 13.86 feet, said curve being subtended by a chord which bears North 06°16'33" East 13.85 feet; thence continuing along said easterly boundary, North 49°39'02" West 44.24 feet to the beginning of a curve concave to the northeast having a radius of 1,128.00 feet; thence northwesterly along said curve through a central angle of 01°43'09" a distance of 33.85 feet, said curve being subtended by a chord which bears North 48°47'27" West 33.85 feet to the POINT OF BEGINNING containing 998 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 1 as an easement for traffic signal appurtenance purposes.

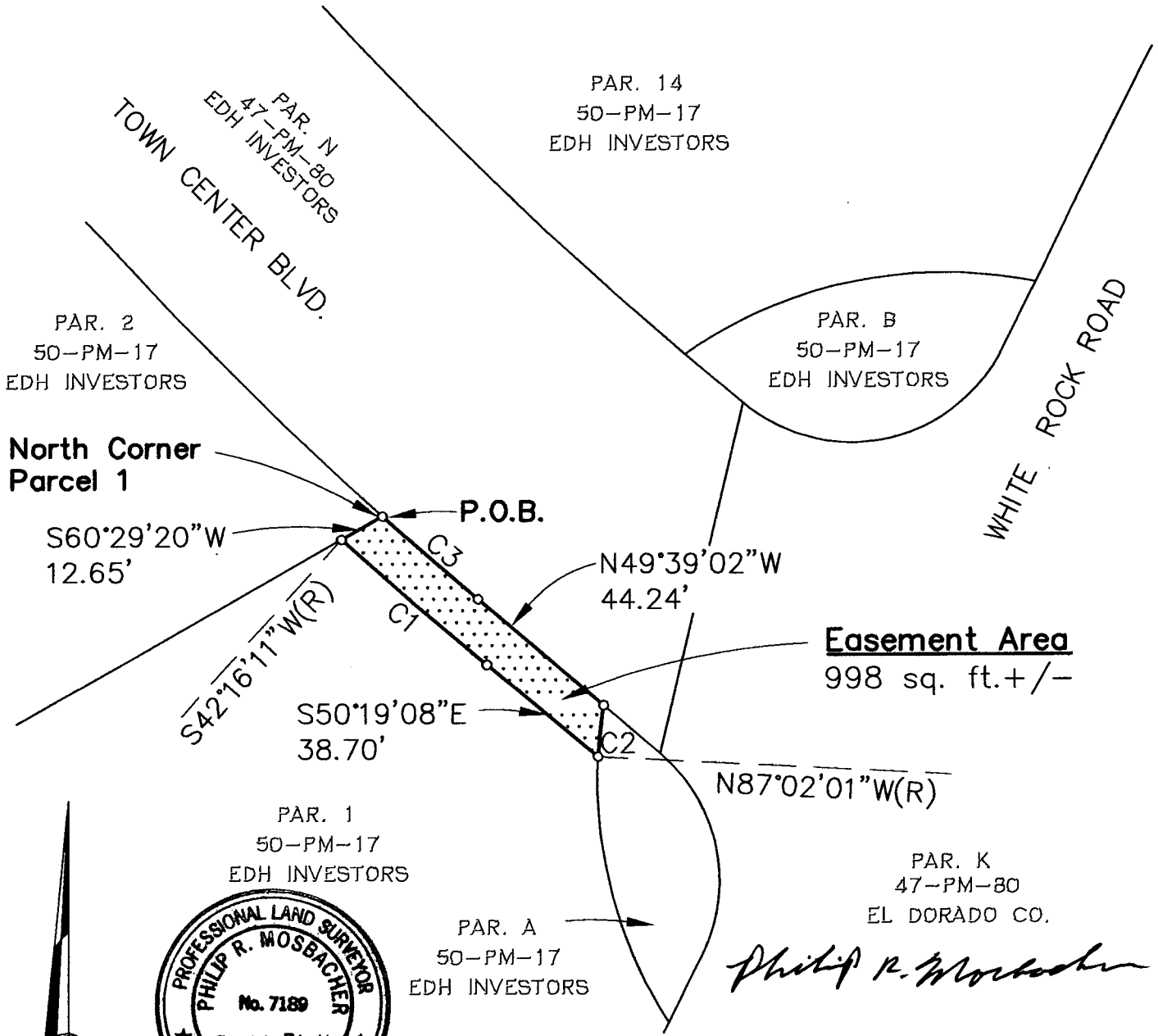
Philip R. Mosbacher
Philip R. Mosbacher, P.L.S. 7189

2/26/10
Date



Exhibit 'B'-2

Situate in West One-Half of Section 11, T. 9 N.,
R. 8 E., M.D.M. County of El Dorado, State of California
Scale 1" = 40'



Legend

- Computation Point
- P.O.B. Point of Beginning
- (R) Radial

PARCEL CURVE DATA					
SEGMENT	RADIUS	LENGTH	DELTA	CH. BEARING	CH. DISTANCE
C1	1140.00'	51.50'	02°35'19"	S49°01'29"E	51.50'
C2	120.00'	13.86'	06°37'08"	N06°16'33"E	13.85'
C3	1128.00'	33.85'	01°43'09"	N48°47'27"W	33.85'

Exhibit 'A'-3


All that certain property situated in the west one-half Section 11, Township 9 North, Range 8 East, M.D.M., El Dorado County, State of California. Being a portion of Parcel 2 of that particular parcel map filed in book 50 of Parcel Maps at page 17, official records of said county and state more particularly described as follows:

BEGINNING at the southeast corner of said Parcel 2; thence from said point of beginning along the southern boundary of said parcel, South 60°29'20" West 12.65 feet to the beginning of a non-tangent curve concave to the northeast having a radius of 1,140.00 feet to which beginning a radial line bears South 42°16'11" West; thence leaving said boundary northwesterly along said curve, through a central angle of 00°10'23" a distance of 3.44 feet, said curve being subtended by a chord which bears North 47°38'38" West 3.44 feet; thence North 41°15'46" East 12.01 feet to the easterly boundary of said Parcel 2 and the beginning of a non-tangent curve concave to the northeast having a radius of 1,128.00 feet to which beginning a radial line bears South 42°27'19" West; thence southeasterly along said curve and easterly boundary, through a central angle of 00°23'11" a distance of 7.61 feet, said curve being subtended by a chord which bears South 47°44'16" East 7.61 to the POINT OF BEGINNING containing 66 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 2 as an easement for traffic signal appurtenance purposes.


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

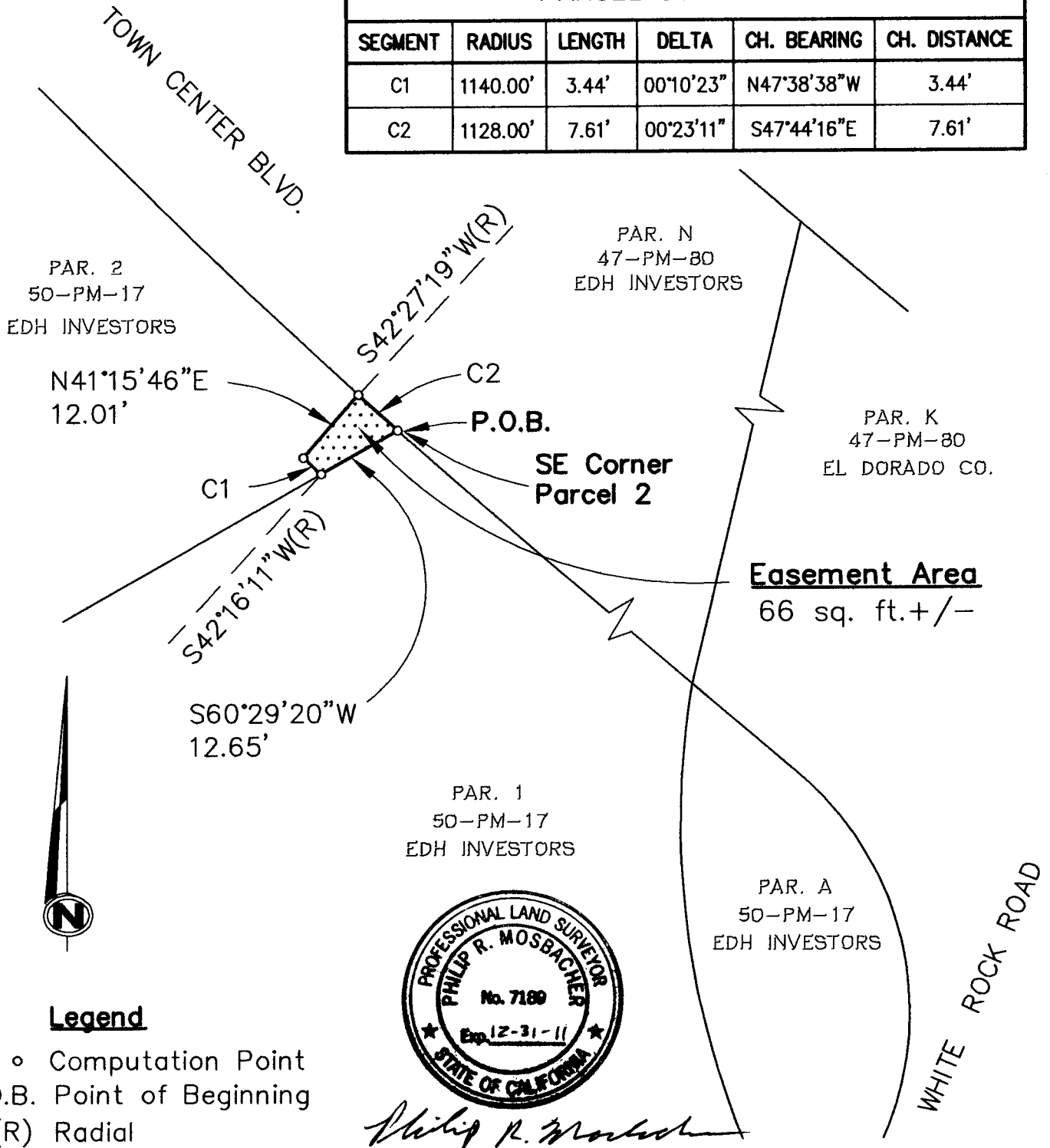
2/26/10
Date



Exhibit 'B'-3

Situate in West One-Half of Section 11, T. 9 N.,
R. 8 E., M.D.M. County of El Dorado, State of California
Scale 1" = 20'

PARCEL CURVE DATA					
SEGMENT	RADIUS	LENGTH	DELTA	CH. BEARING	CH. DISTANCE
C1	1140.00'	3.44'	00°10'23"	N47°38'38"W	3.44'
C2	1128.00'	7.61'	00°23'11"	S47°44'16"E	7.61'



Legend

- Computation Point
- P.O.B. Point of Beginning
- (R) Radial



Philip R. Mosbacher

Exhibit 'A' - 4

All that certain property situated in the west one-half Section 11, Township 9 North, Range 8 East, M.D.M., El Dorado County, State of California. Being a portion of Parcel 14 of that particular parcel map filed in book 50 of Parcel Maps at page 17, official records of said county and state more particularly described as follows:

BEGINNING at the southwest corner of said Parcel 14; thence from said point of beginning along a 1,042.00 foot radius curve concave to the northeast, to which beginning a radial line bears South 40°20'58" West; thence northwesterly along said curve and westerly boundary of said Parcel 14 through a central angle of 02°12'14" a distance of 40.08 feet, said curve being subtended by a chord which bears North 48°32'54" West 40.08 feet; thence leaving said westerly boundary North 41°15'46" East 9.67 feet; thence South 49°18'41" East 43.07 feet to the southerly boundary of said Parcel 14 and the beginning of a non-tangent curve concave to the southeast having a radius of 120.00 feet to which beginning a radial line bears North 29°54'21" West; thence southwesterly along said curve and southerly boundary through a central angle of 05°05'33" a distance of 10.67 feet, said curve being subtended by a chord which bears South 57°32'52" West 10.67 feet to the POINT OF BEGINNING containing 418 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 14 as an easement for traffic signal appurtenance purposes.

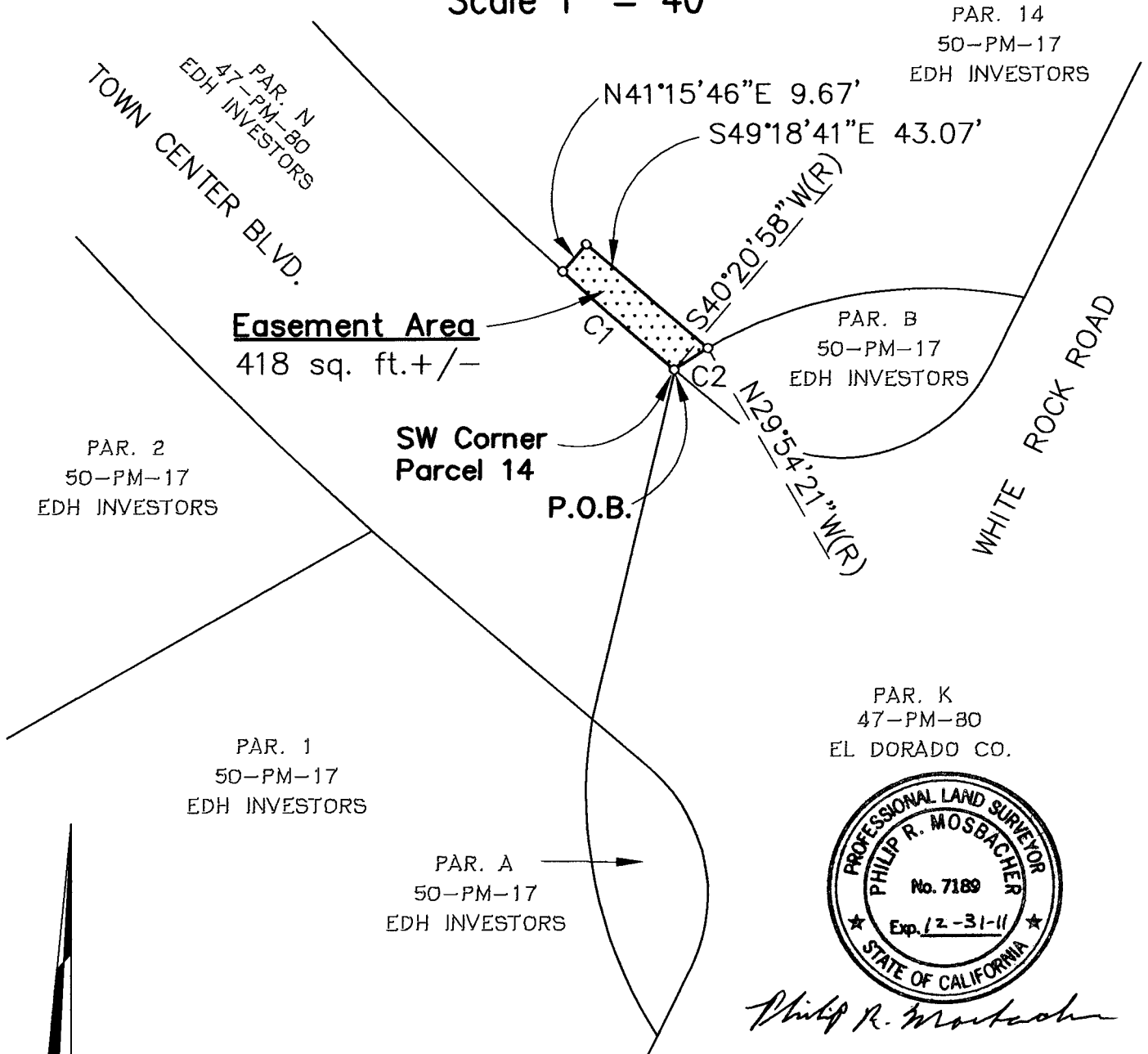
Philip R. Mosbacher
Philip R. Mosbacher, P.L.S. 7189

4/1/10
Date



Exhibit 'B'-4

Situate in West One-Half of Section 11, T. 9 N.,
R. 8 E., M.D.M. County of El Dorado, State of California
Scale 1" = 40'



Philip R. Mosbacher



Legend

- Computation Point
- P.O.B. Point of Beginning
- (R) Radial

PARCEL CURVE DATA					
SEGMENT	RADIUS	LENGTH	DELTA	CH. BEARING	CH. DISTANCE
C1	1042.00'	40.08'	02°12'14"	N48°32'54"W	40.08'
C2	120.00'	10.67'	05°05'33"	S57°32'52"W	10.67'

Exhibit 'A' - 5

All that certain property situated in the west one-half of Section 11, Township 9 North, Range 8 East, M.D.M., El Dorado County, State of California. Being a portion of Parcel A of that particular parcel map filed in book 50 of Parcel Maps at page 17, official records of said county and state more particularly described as follows:

BEGINNING at the north corner of said Parcel A; thence from said point of beginning along the boundary of said Parcel A, South 49°39'02" East 20.00 feet to the beginning of a curve concave to the southwest having a radius of 45.00 feet, thence southeasterly along said curve and boundary through a central angle of 76°00'00" a distance of 59.69 feet, said curve being subtended by a chord which bears South 11°39'02" East 55.41 feet; thence South 26°20'58" West 13.90 feet; thence leaving said boundary North 19°44'27" East 18.13 feet to the beginning of a curve concave to the southwest having a radius of 30.00 feet; thence northwesterly along said curve through a central angle of 70°03'35" a distance of 36.68 feet, said curve being subtended by a chord which bears North 15°17'21" West 34.44 feet; thence North 50°19'08" West 24.44 feet to the westerly boundary of said Parcel A and the beginning of a non-tangent curve concave to the southeast having a radius of 120.00 feet and from which beginning a radial line bears North 87°02'01" West; thence northeasterly along said curve and westerly boundary, through a central angle of 06°37'08" a distance of 13.86 feet, said curve being subtended by a chord which bears North 06°16'33" East 13.85 feet to the POINT OF BEGINNING containing 519 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 A as an easement for traffic signal appurtenance purposes.

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

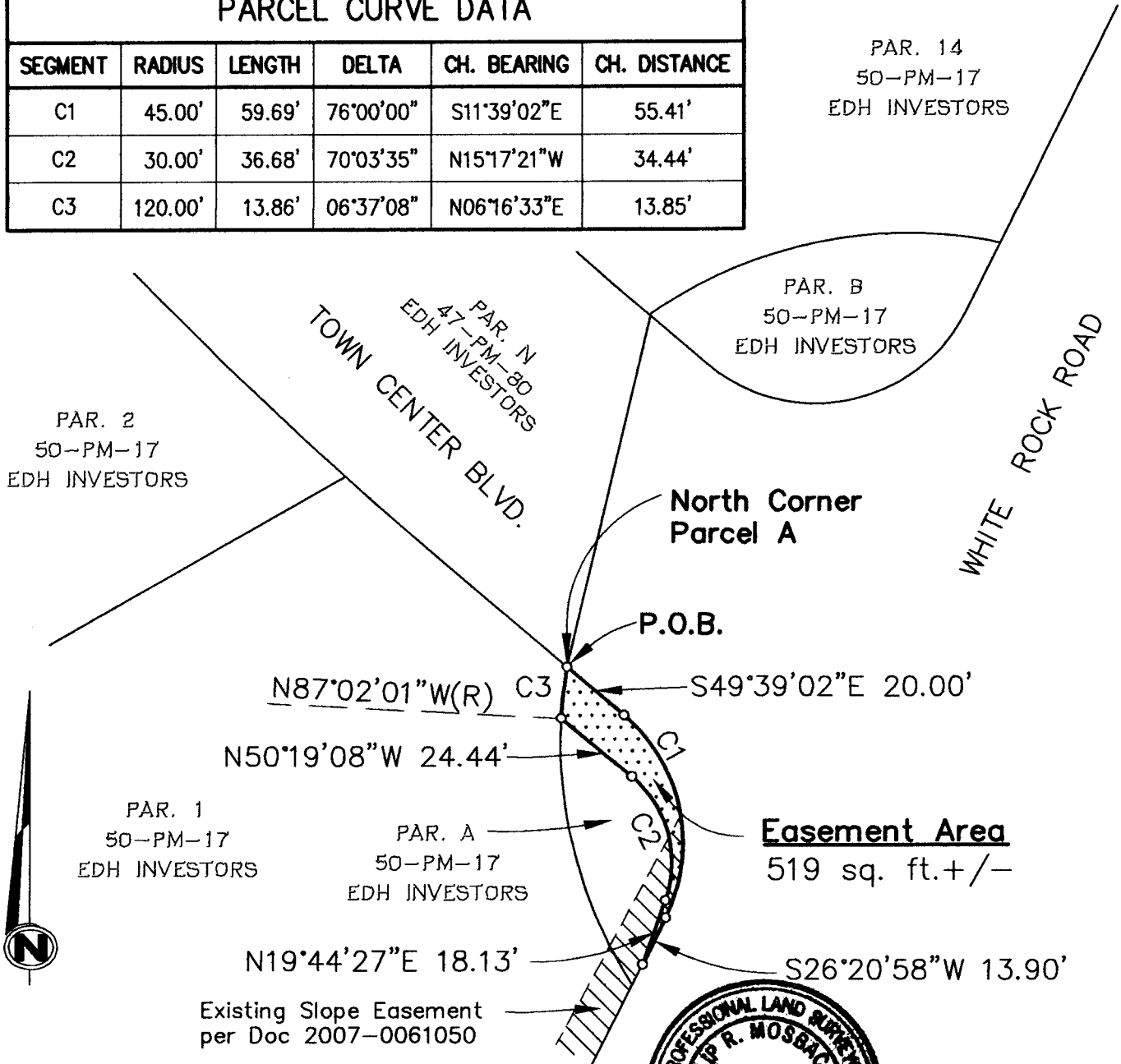
2/26/10
Date



Exhibit 'B'-5

Situate in West One-Half of Section 11, T. 9 N.,
R. 8 E., M.D.M. County of El Dorado, State of California
Scale 1" = 40'

PARCEL CURVE DATA					
SEGMENT	RADIUS	LENGTH	DELTA	CH. BEARING	CH. DISTANCE
C1	45.00'	59.69'	76°00'00"	S11°39'02"E	55.41'
C2	30.00'	36.68'	70°03'35"	N15°17'21"W	34.44'
C3	120.00'	13.86'	06°37'08"	N06°16'33"E	13.85'



Philip R. Mosbacher

Legend

- o Computation Point
- P.O.B. Point of Beginning
- (R) Radial

Exhibit 'A' - 6

All that certain property situated in the west one-half Section 11, Township 9 North, Range 8 East, M.D.M., El Dorado County, State of California. Being a portion of Parcel B of that particular parcel map filed in book 50 of Parcel Maps at page 17, official records of said county and state more particularly described as follows:

BEGINNING at the northwest corner of said Parcel B; thence from said point of beginning along the boundary of said parcel B, South 49°39'02" East 20.36 feet to the beginning of a curve concave to the northeast having a radius of 45.00 feet, thence southeasterly along said curve and boundary through a central angle of 38°46'21" a distance of 30.45 feet, said curve being subtended by a chord which bears South 69°02'14" East 29.87 feet; thence leaving said boundary, North 49°18'41" West 45.39 feet to the northerly boundary of said Parcel B and the beginning of a non-tangent curve concave to the southeast having a radius of 120.00 feet to which beginning a radial line bears North 29°54'21" West; thence southwesterly along said curve and northerly boundary through a central angle of 05°05'33" a distance of 10.67 feet, said curve being subtended by a chord which bears South 57°32'52" West 10.67 feet to the POINT OF BEGINNING containing 384 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 B as an easement for traffic signal appurtenance purposes.

Philip R. Mosbacher 2/26/10
Philip R. Mosbacher, P.L.S. 7189 Date

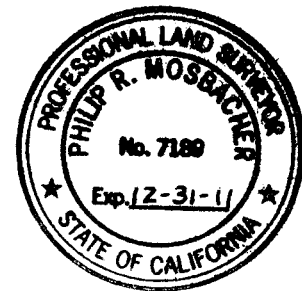
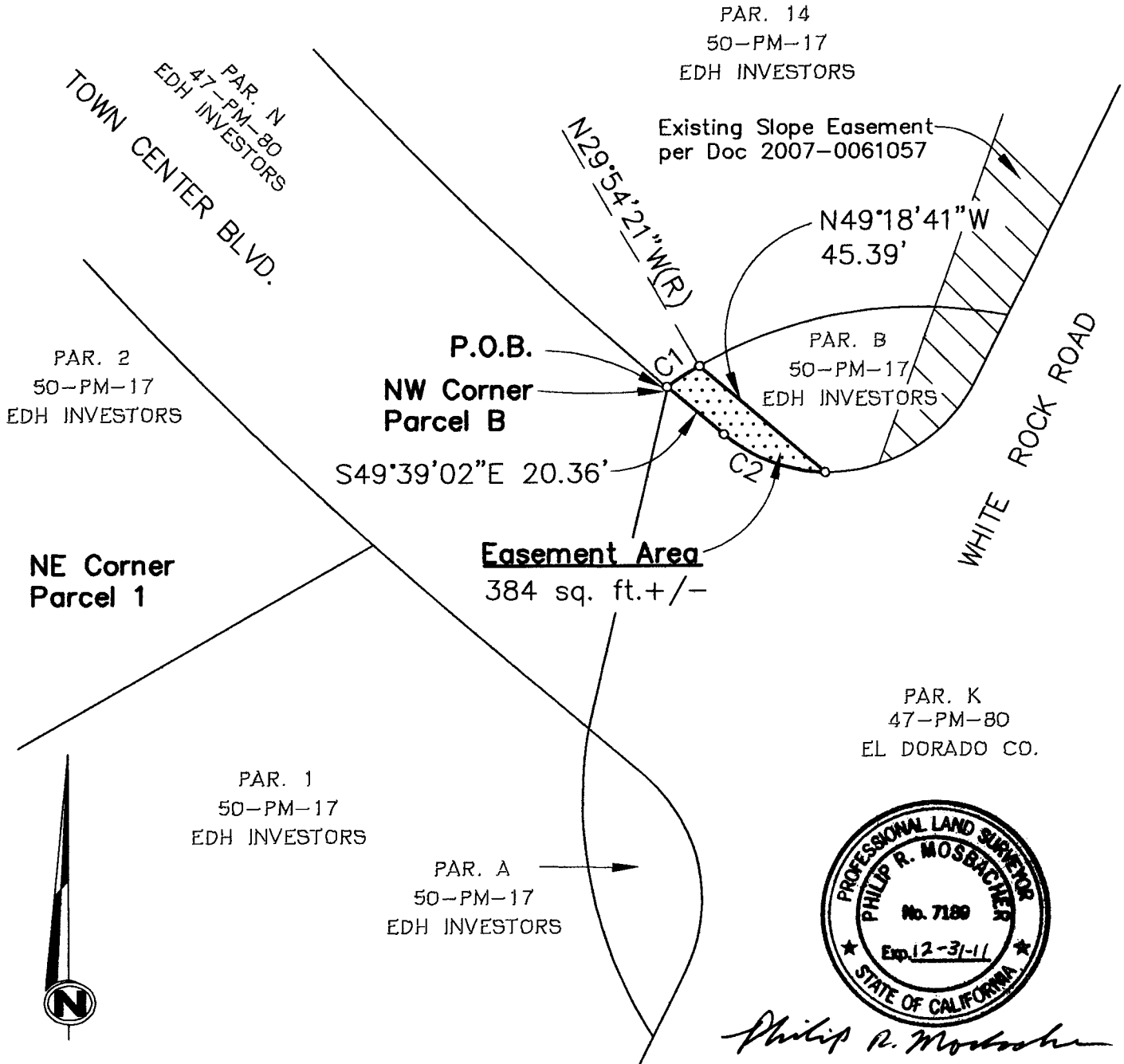


Exhibit 'B'-6

Situate in West One-Half of Section 11, T. 9 N.,
R. 8 E., M.D.M. County of El Dorado, State of California
Scale 1" = 40'



Philip R. Mosbacher

PARCEL CURVE DATA

SEGMENT	RADIUS	LENGTH	DELTA	CH. BEARING	CH. DISTANCE
C1	120.00'	10.67'	05°05'33"	S57°32'52"W	10.67'
C2	45.00'	30.45'	38°46'21"	S69°02'14"E	29.87'

Legend

- Computation Point
- P.O.B. Point of Beginning
- (R) Radial