

04/08/2011, 20110016365

RECORDING REQUESTED BY: }

Board of Supervisors }

WHEN RECORDED MAIL TO: }

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

SPACE ABOVE THIS LINE RESERVED FOR
RECORDER'S USE

TITLE (S)

RESOLUTION 054-2011
IRREVOCABLE OFFER OF DEDICATION #10-0005
RS #32/56, TRACT 1
ASSESSOR'S PARCEL NUMBER 090-430-59
CONVENIENCE RETAILERS LLC, A DELAWARE LIMITED LIABILITY COMPANY



RESOLUTION NO. 054-2011

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

Irrevocable Offer of Dedication #10-0005

RS #32/56, Tract 1

Assessor's Parcel Number 090-430-59

Convenience Retailers LLC, a Delaware Limited Liability Company

WHEREAS, the authority to invoke the process of dedicating an easement over, under and/or across property by the County is established under Section 7050 of the California Government Code and Section 66475 of the Subdivision Map Act; and

WHEREAS, the authority to accept road right of way, in fee, public utilities and slope easements by the County, at its discretion, is established under Section 7050 of the California Government Code and Section 66477.1 of the Subdivision Map Act; and

WHEREAS, Convenience Retailers LLC, a Delaware Limited Liability Company, the legal owner of the property previously identified as Assessor's Parcel Number 090-430-42, and now identified as 090-430-59, is offering for dedication a road right of way, in fee, public utilities and slope easements, to the County of El Dorado; and

WHEREAS, said road right of way, public utilities and slope easements are situated on the southeast corner of the intersection of Mother Lode Drive and South Shingle Road, in Shingle Springs, and more particularly described in Exhibit A, and depicted in Exhibit B, attached to the Irrevocable Offer of Dedication; and

WHEREAS, said offer shall remain in effect and run with the land until such time the County of El Dorado Board of Supervisors accepts said offer; and

WHEREAS, the County of El Dorado Board of Supervisors has determined that it is in the public's best interest to accept said offer for road right of way, including the underlying fee, and acknowledge but reject said offer for public utilities and slope easements, at this time.

NOW, THEREFORE BE IT RESOLVED, that from and after the date this Resolution is recorded, said offer for road right of way, including the underlying fee, is hereby accepted, and said offer for public utilities and slope easements is hereby acknowledged but rejected, by the County of El Dorado Board of Supervisors.

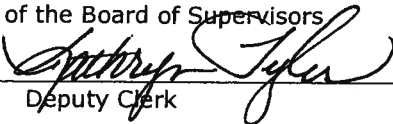
PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 5 day of April, 2011, by the following vote of said Board:

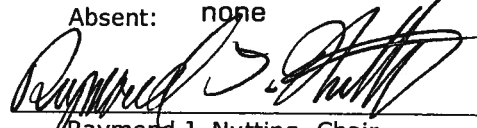
Ayes: Sweeney, Santiago, Knight, Nutting, Brigg

Noes: none

Absent: none

Attest:
Suzanne Allen de Sanchez
Clerk of the Board of Supervisors

By: 
Deputy Clerk


Raymond J. Nutting, Chair
Board of Supervisors

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

Attest: Suzanne Allen de Sanchez, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By: _____
Deputy Clerk

Date: _____

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

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

APN: 090-430-59

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

Above section for Recorder's use

**IRREVOCABLE OFFER OF DEDICATION
ROAD RIGHT OF WAY, PUBLIC UTILITIES EASEMENT
AND SLOPE EASEMENT**

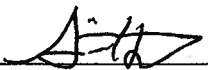
CONVENIENCE RETAILERS LLC, a Delaware limited liability company, hereinafter called GRANTOR, owner of the real property herein described, does hereby irrevocably offer for dedication to the **COUNTY OF EL DORADO**, a political subdivision of the State of California, a road right of way, in fee, a public utilities easement for all public purposes, and a slope easement for construction, and maintenance purposes, over, under, and across those areas contiguous to, adjacent to and outside of the herein above described road and public utilities easement, to points five feet beyond future top of cut slopes and toe of fill slopes, situate in the unincorporated area of the County of El Dorado, State of California, described as:

See Exhibits A & B, attached hereto and by reference is made a part hereof.

It is understood that this offer of dedication shall remain in effect and run with the land until such time as the County of El Dorado Board of Supervisors makes a finding of necessity for public purposes and accepts said offer by resolution.

IN WITNESS WHEREOF, GRANTOR has hereunto subscribed its name this 24th day of AUGUST, 2010.

GRANTOR: CONVENIENCE RETAILERS LLC

By: 
Signature

Name: SAM HIRBOD
Print name

Its: PRESIDENT

This document is executed in counterparts, each of which shall be an original and all of which together shall constitute one and the same instrument.

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:
County of El Dorado
Board of Supervisors
330 Fair Lane
Placerville, CA 95667
APN 090-430-59

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**IRREVOCABLE OFFER OF DEDICATION
ROAD RIGHT OF WAY, PUBLIC UTILITIES EASEMENT
AND SLOPE EASEMENT**

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TRUSTEE/BENEFICIARY

The undersigned, Chicago Title Co., as Trustee, or CONOCOPHILLIPS COMPANY, as collateral Agent, Trustee/Beneficiary under that Certain Deed of Trust dated January 30, 2009, Recorded as Document No. 2009-0015852, of the Official Records of El Dorado County, hereby consent to the recording of this document.



Signature
Richard J. Jemiec

Printed name

8.3.2010

Date
AVP

Title

(A Notary Public must acknowledge all signatures)

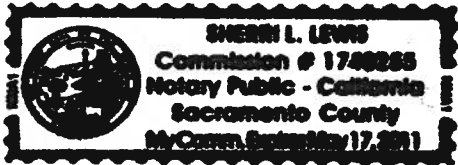
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Contra Costa }

On August 24, 2010 before me, Sherril L. Lewis
Date Here Insert Name and Title of the Officer

personally appeared Sam Harbad
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 Sherril L. Lewis
Signature of Notary Public

Place Notary Seal 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: APN 090-430-42

Document Date: August 24, 2010 Number of Pages: _____

Signer(s) Other Than Named Above: none

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

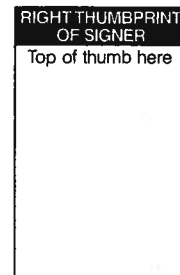
Signer Is Representing: _____



Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____



ILLEGIBLE NOTARY DECLARATION

I certify under penalty of perjury that the notary seal on the document to which this statement is attached reads as follows:

Name of Notary Shevri L. Lewis

Date commission expires September 17 2011

Notary identification number 1740265
(For Notaries commissioned after 1-1-1992)

Manufacturer/Vendor identification number NNA1
(For Notaries commissioned after 1-1-1992)

Place of execution of this declaration Contra Costa County

Dated September 1, 2010

Signed Deborah Shuler
(Firm name, if any)

El Dorado Co Dept of Transportation

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Sacramento }

On 3 Aug 2010 before me, Shawn Renee Ernoehazy, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Richard D. Niemiec
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.



Place Notary Seal Above

Signature [Handwritten Signature]
Signature of Notary Public

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: _____

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Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

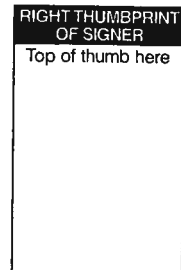
- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

RIGHT OF WAY DEDICATION (EXHIBIT "A"):

A PORTION OF LAND IN THE WEST ONE-HALF OF THE SOUTH EAST ONE-QUARTER OF SECTION 1, TOWNSHIP 9 NORTH, RANGE 9 EAST, M.D.M., AND A PORTION OF PARCEL 1 AS SHOWN ON THAT CERTAIN PARCEL MAP FILED IN THE EL DORADO COUNTY RECORDER'S OFFICE ON DECEMBER 16, 1988 IN BOOK 40 OF PARCEL MAPS AT PAGE 17, ALL IN THE COUNTY OF EL DORADO, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY OF SOUTH SHINGLE ROAD AND THE SOUTHEASTERLY RIGHT OF WAY OF MOTHER LODE DRIVE PER CALIFORNIA DIVISION OF HIGHWAYS MONUMENT MAP ED-50-R8.5, SHEET 3 OF 18 DATED MAY 1970; THENCE ALONG SAID EASTERLY RIGHT OF WAY OF SOUTH SHINGLE ROAD, SOUTH 16°42'44" EAST, 56.94 FEET TO THE INTERSECTION OF SAID EASTERLY RIGHT OF WAY OF SOUTH SHINGLE ROAD AND A LINE PARALLEL TO AND DISTANT 50 FEET EASTERLY FROM THE CENTERLINE OF SOUTH SHINGLE ROAD AS SHOWN ON SAID CALIFORNIA DIVISION OF HIGHWAYS MONUMENT MAP, SAID INTERSECTION ALSO BEING THE TRUE POINT OF BEGINNING; THENCE PARALLEL TO SAID CENTERLINE, SOUTH 21°45'45" EAST, 111.65 FEET TO THE SOUTHEASTERLY LINE OF THE LAND DESCRIBED AS EXHIBIT "B" IN DOCUMENT RECORDED MAY 28, 2010 AS INSTRUMENT NO. 2010-23728; THENCE ALONG SAID SOUTHEASTERLY LINE, SOUTH 62°02'05" WEST, 10.02 FEET TO A POINT ON SAID EASTERLY RIGHT OF WAY OF SOUTH SHINGLE ROAD, ALSO BEING THE MOST WESTERLY CORNER OF SAID PARCEL 1 AND DISTANT NORTH 21°45'45" WEST, 103.97 FEET FROM THE SOUTHWESTERLY CORNER OF SAID PARCEL 1; THENCE ALONG SAID EASTERLY RIGHT OF WAY OF SOUTH SHINGLE ROAD, NORTH 16°42'44" WEST, 113.18 FEET TO THE TRUE POINT OF BEGINNING.

THE BEARINGS SHOWN HEREON ARE BASED ON RECORD OF SURVEY RECORDED IN BOOK 32 OF RECORD OF SURVEYS AT PAGE 56, IN SAID COUNTY.

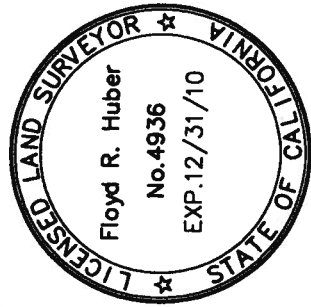
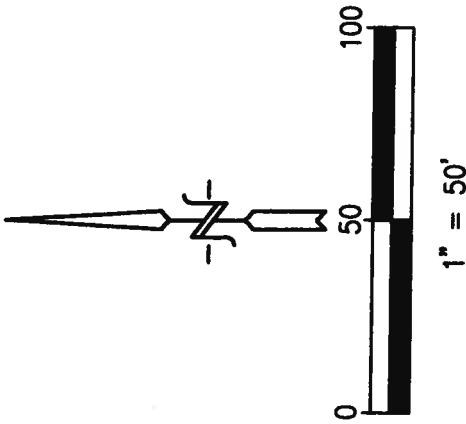
SEE EXHIBIT "B" ATTACHED



Floyd R. Huber, L.S.
Jun 11, 2010

EXHIBIT "B"

POR SEC 1, T9N, R9E, M.D.M. &
 POR PARCEL 1 PER PM 40-17
 EL DORADO COUNTY, CA

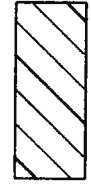


MMLCS

JUN 11, 2010

DEDICATION PER EXHIBIT "A"
 POINT OF COMMENCEMENT
 POINT OF BEGINNING

LEGEND



POC
 TPOB

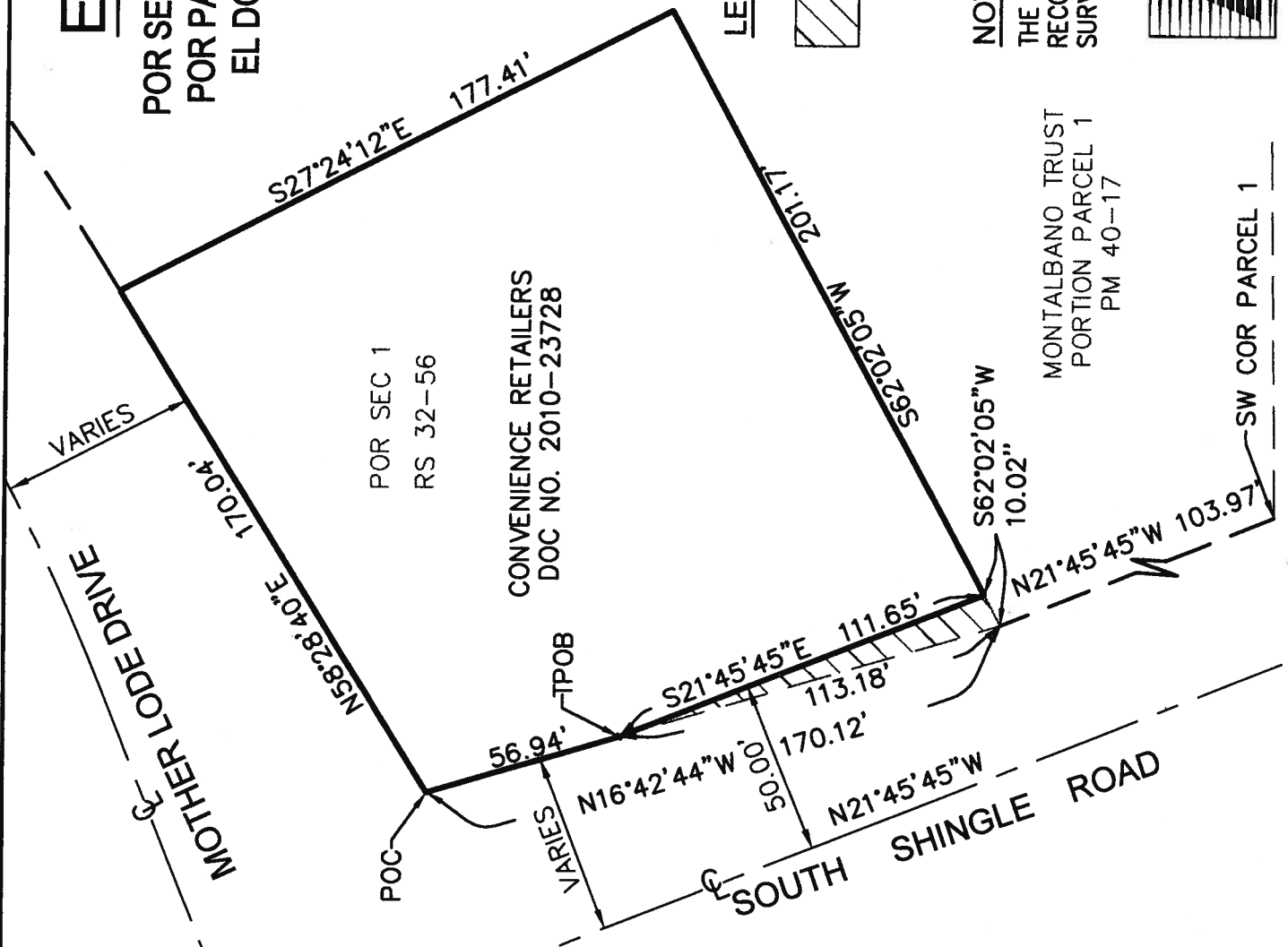
NOTES

THE BASIS OF BEARINGS SHOWN HEREON ARE BASED ON
 RECORD OF SURVEY RECORDED IN BOOK 32 OF RECORD OF
 SURVEYS AT PAGE 56 IN EL DORADO COUNTY



ATC DESIGN GROUP

Architects • Engineers • Planners
 304 ENTERPRISE ST. ESCONDIDO, CA 92029
 PH: (760)738-8800



POR SEC 1
 RS 32-56

CONVENIENCE RETAILERS
 DOC NO. 2010-23728

MONTALBANO TRUST
 PORTION PARCEL 1
 PM 40-17

SW COR PARCEL 1