

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: 036-412-12

Project: Christmas Valley Phase 2C
Erosion Control Project #95190

SPACE ABOVE THIS LINE FOR RECORDERS USE ONLY

TEMPORARY CONSTRUCTION EASEMENT

MICHAEL PAUL NJOTEN, AN UNMARRIED MAN, 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 \$700.00 (SEVEN-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 **Christmas Valley Phase 2C Erosion Control Project #95190**. 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 18 (Eighteen) months of construction, together with the one-year warranty period. In the event that construction of the Project is not completed within 18 (Eighteen) months of commencement of construction, Grantor shall be entitled to additional compensation as follows: For each month thereafter, the sum of \$39.00 (Thirty-nine dollars Exactly) 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: MICHAEL PAUL NJOTEN, AN UNMARRIED MAN

Executed on: _____, 2012

By: _____
MICHAEL PAUL NJOTEN

(A Notary Public must acknowledge all signatures)

Exhibit 'A'

All that certain property situate in the Southwest One-Quarter of Section 5, Township 11 North, Range 18 East, M.D.M., El Dorado County, State of California. Being a portion of Lot 49 of that particular Subdivision Map filed in book C of subdivisions at page 22, official records, said county and state, described as follows:

The northerly 5.00 feet of the southerly 10.00 feet of said Lot 49. Containing 500 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 Lot 49 as an easement for construction purposes.

Loren A. Massaro

Loren A. Massaro, P.L.S. 8117

07.15.2010

Date



Exhibit 'B'

A portion of Lot 49, Subdivision C-22
Situate in the Southwest One-Quarter of Section 5,
T. 11 N., R. 18 E., M.D.M.
County of El Dorado, State of California
Scale 1" = 20'

Lot 42
S.D. C-22

Lot 48
S.D. C-22

Lot 41
S.D. C-22

Njoten
A.P.N. 036-412-12
Lot 49
S.D. C-22



Construction Easement Area
500 sq. ft.±



SANTA CLAUS DRIVE

Lot 40
S.D. C-22

Lot 50
S.D. C-22

5.00'

10.00'

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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 Grant of Temporary Construction Easement Deed dated _____, 2012, from **MICHAEL PAUL NJOTEN, AN UNMARRIED MAN**, to the **COUNTY OF EL DORADO, a political subdivision of the State of California**, 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: 036-412-12

Dated this _____ day of _____, 2012

COUNTY OF EL DORADO

By: _____
Chair
Board of Supervisors

ATTEST:

Suzanne Allen de Sanchez
Clerk of the Board of Supervisors

By: _____
Deputy Clerk