

AGREEMENT ON CONDITIONS FOR ACCEPTANCE OF DRAINAGE EASEMENTS

WHEREAS, Tentative Subdivision Map TM 01-1381-R4, also referred to as Serrano Village M2 and M3 of the El Dorado Hills Specific Plan, was approved by the County of El Dorado on _____, and included the following conditions relating to drainage:

- “12 . Cross lot drainage shall be avoided wherever possible. The CC&Rs for Village M2 and M3 shall include a requirement for a grading and drainage plan to be submitted for review and approval of the Architectural Control Committee of the Master or Village Homeowners’ Association at the time of building permit application. The CC&Rs shall require all “downhill” lots must be designed to accept any drainage from uphill lots and the Master or Village Homeowners’ Association shall enforce this condition.
- 13 . Drainage maintenance shall be the responsibility of the Master Owners’ Association. Therefore, all easements for drainage facilities shall first be offered to the County of El Dorado with rejection; the offer shall be subject to that agreement between Serrano and the County recorded as document 98-0015834-00 on March 26, 1998. Pursuant to the terms of said Agreement, upon rejection by the County, all drainage easements will be subsequently offered to the Master Owner’s Association simultaneously with the filing of the final map.” and,

WHEREAS, the Master Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Serrano provides,

3.07. Master Association Easements for Maintenance

A. The Master Association shall have an easement in and to that portion of a Lot or Parcel which adjoins the Common Area for the limited purpose of access to and maintenance of the adjoining Common Area. The Master Association shall have easements for access over such portions of Lots or Parcels as are reasonably necessary for the Master Association to maintain the Common Area and those front yard areas which are to be maintained by the Master Association, and no Owner shall interfere with the use of such easements by the Master Association or its agents or employees. The Master Association shall have easements for access over such portions of each Lot or Parcel as are reasonably necessary for the Master Association to maintain drainage facilities to be maintained by the Owner, should the owner fail to do so (which maintenance shall be at the sole cost and expense of the Owner); and to maintain drainage facilities to be maintained by the Master Association. No Owner shall interfere with the use of such easements by the Master Association or its agents or employees, and

WHEREAS, while the County intends to reject the offer of dedication for the drainage easements at the time of the final subdivision map for the Village, or any phase thereof, is approved, the County, and SERRANO ASSOCIATES, LLC, a Delaware limited liability company, the owner of Serrano Village M2 - Unit 1, wish to define the events upon which the County may rescind its rejection and accept the drainage easements,

NOW, THEREFORE, IT IS HEREBY AGREED by and between the County of El Dorado, a political subdivision of the State of California, and SERRANO ASSOCIATES, LLC, a Delaware limited liability company, as follows:

1. The County shall reject all offers of dedication of drainage easements within Serrano Village M2 – Unit 1 at the time of approval of the final map(s) therefore.
2. Notwithstanding the rights granted to it under Government Code section 66477.2(a), the County shall not thereafter rescind its action and accept the drainage easements unless the Board of Supervisors has made a finding, based upon substantial evidence submitted at a public hearing specially held by the Board to consider the matter, that the Serrano Master Homeowners Association, or its successor-in-interest, has: (1) abandoned its maintenance responsibilities or real property interest in said drainage facilities, or; (2) failed to maintain said drainage facilities in a safe and proper manner or in accordance with applicable County maintenance standards.
3. This Agreement is intended to manifest the understanding of the parties with respect to Conditions 12 and 13 of TM 01-1381-R4 and shall be utilized as the framework for the interpretation of other similar conditions imposed upon other tentative maps within the El Dorado Hills Specific Plan.
4. This Agreement is conditioned upon the creation and continued existence of the Serrano Master Homeowners' Association, or its successor-in-interest. In the event said organization or a similar such organization is not formed, or said organization ceases to exist without a successor-in-interest taking over its legal responsibilities for maintenance, then this Agreement shall become null and void without any further action by the County.

Dated: _____ COUNTY OF EL DORADO

By _____
Chairman, Board of Supervisors

ATTEST:

JAMES E. MITRISIN, Clerk
of the Board of Supervisors

By: _____
Deputy Clerk

Dated: _____

OWNER

SERRANO ASSOCIATES, LLC
a Delaware limited liability company

By: Parker Development Company
a California corporation
Its Managing Member

By:  _____
William R. Parker, President

Date: 8-19-15

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

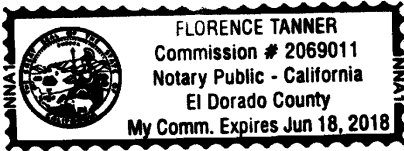
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of El Dorado)
On 8-19-15 before me, Florence Tanner, Notary Public,
Date Here Insert Name and Title of the Officer
personally appeared William R. Parker
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 Florence Tanner
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Agmt on Conditions For Acceptance of Drainage Easement Village in 2 Unit 1 Document Date: 8-19-15
Number of Pages: 4 Signer(s) Other Than Named Above: YES

Capacity(ies) Claimed by Signer(s)

Signer's Name: William R. Parker Signer's Name: _____
 Corporate Officer — Title(s): President Corporate Officer — Title(s): _____
 Partner — Limited General Partner — Limited General
 Individual Attorney in Fact Individual Attorney in Fact
 Trustee Guardian or Conservator Trustee Guardian or Conservator
 Other: _____ Other: _____
Signer Is Representing: Serrano Associates LLC Signer Is Representing: _____

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

COUNTY OF EL DORADO
BOARD OF SUPERVISORS
330 FAIR LANE
PLACERVILLE, CA 95667

Project: Serrano Village M2 – Unit 1
APN: por. 123-630-02 and por. 123-630-03

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

Above section for Recorder's use

**IRREVOCABLE OFFER OF DEDICATION
STORM DRAIN EASEMENT**

SERRANO ASSOCIATES, LLC, A Delaware Limited Liability Company, hereinafter referred to as 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, an easement for storm drain purposes, over, under and across that certain real property situate in the unincorporated area of the County of El Dorado, State of California, described as follows:

See Exhibits A & B, attached hereto and 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, 2015.

GRANTOR

SERRANO ASSOCIATES, LLC
A Delaware Limited Liability Company

By: Parker Development Company
A California Corporation
Managing Member

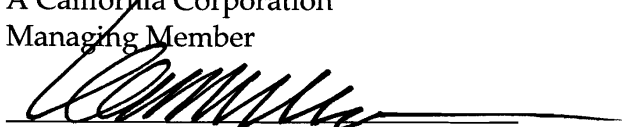
By: 
Its: President, William R. Parker

Exhibit "A"
Storm Drain Easement

All that real property situated in the County of El Dorado, State of California lying within Section 25, Township 10 North, Range 8 East, M.D.B.&M., being portions of Lots 2 and 3 as shown on the "Plat of Serrano Village M Large Lots", filed in the Recorder's office of said County in Book J of Maps at Page 129, being a 10 foot wide strip of land the centerline of which is more particularly described as follows:

Beginning at the northerly terminus of that certain course on the common line between said Lots 2 and 3 which bears "North 31°05'35" West 217.27 feet"; thence from said Point of Beginning South 45°28'08" East 31.15 feet and South 72°32'16" East 22.48 feet to a point of terminus.

The sidelines of said strip shall be extended or trimmed to terminate on the south line of the future road and P.U.E. shown on said Plat.

See **Exhibit B** attached hereto and made a part thereof.

End of Description



Prepared by:
R.E.Y. Engineers, Inc.

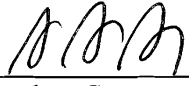
 8/25/15
Stephen Guay Date
P.L.S. 8277

EXHIBIT "B"

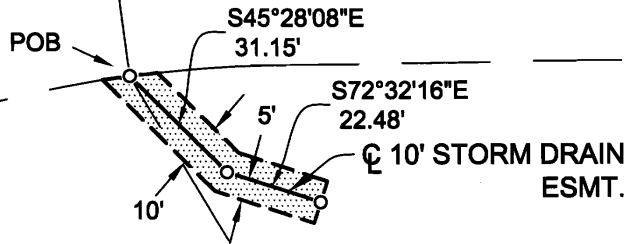
SCALE: 1"=40'

LOT 2
(SUB. J-129)

LOT 3
(SUB. J-129)

LOT 4
(SUB. J-129)

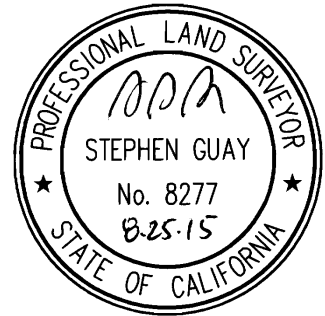
FUTURE ROAD AND PUE
(SUB. J-129)



LOT 3
(SUB. J-129)

LOT 2
(SUB. J-129)

N31°05'35\"/>



REVISION	JOB NO. <u>2677.192</u>	TITLE: <u>STORM DRAIN EASEMENT</u>	905 Sutter St. Suite 200 Folsom, CA 95630 (916) 366-3040 Fax (916) 366-3303 R. E. Y. ENGINEERS, Inc. Civil Engineers / Land Surveyors
	DATE: <u>6.4.14</u>	<u>PORTIONS OF LOT 2 AND LOT 3</u>	
	F.B. PAGE: _____	<u>SERRANO VILLAGE M, LARGE LOTS SUB. J-129</u>	
	SCALE: <u>1"=40'</u>	<u>COUNTY OF EL DORADO, CALIFORNIA</u>	
	DRAWN BY: <u>KI</u>	<u>T.10N., R.8E., S.25 M.D.B.&M.</u>	
CHECKED BY: <u>BT</u>	CLIENT: <u>SERRANO ASSOC.</u>	SCALE IN INCHES _____	DRAWING FILE NO. <u>S:\2677\192\EXH\SD_ESMT1</u>

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

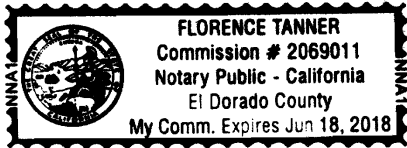
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of El Dorado)
On August 24, 2015 before me, Florence Tanner, Notary Public,
Date Here Insert Name and Title of the Officer
personally appeared William R. Parker
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 Florence Tanner
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Irrevocable Offer of Dedication Storm Drain Easement Document Date: 7-24-15
Number of Pages: 1 Signer(s) Other Than Named Above: no

Capacity(ies) Claimed by Signer(s)

Signer's Name: William R. Parker Signer's Name: _____
 Corporate Officer — Title(s): President Corporate Officer — Title(s): _____
 Partner — Limited General Partner — Limited General
 Individual Attorney in Fact Individual Attorney in Fact
 Trustee Guardian or Conservator Trustee Guardian or Conservator
 Other: _____ Other: _____
Signer Is Representing: Servano Associates, LLC Signer Is Representing: _____