

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

STATE OF CALIFORNIA
c/o Judicial Council of California
Administrative Office of the Courts
Office of the General Counsel
455 Golden Gate Avenue
San Francisco, CA 94102
Attn: Melvin Kennedy, Managing Attorney
Office of the General Counsel, Real Estate Unit

OFFICIAL STATE BUSINESS – EXEMPT FROM RECORDING FEES PURSUANT TO GOV'T. CODE SECTION 27383 AND DOCUMENTARY TRANSFER TAX PURSUANT TO REVENUE AND TAXATION CODE SECTION 11922.

APN: 325-280-24-100; County of El Dorado

MEMORANDUM OF JOINT OCCUPANCY AGREEMENT

THIS MEMORANDUM OF JOINT OCCUPANCY AGREEMENT (“**Memorandum**”) is made and entered into the ____ day of _____, 200__ by and between the County of El Dorado, whose present address is _____ (“**County**”), and the Judicial Council of California, Administrative Office of the Courts (“**AOC**”), whose present address is 455 Golden Gate Avenue, San Francisco, CA 94102, Attention: Assistant Director, Office of Court Construction and Management, with respect to the following facts:

RECITALS

A. County is the fee owner of that certain real property located in the City of Placerville, County of El Dorado, State of California, and having a street address of Building C, 2850 Fairlane Court, Placerville, California, as more particularly described on **Attachment 1** to this Memorandum (“**Land**”), together with the improvements located thereon containing the court facility commonly known as Building “C”, and all other buildings, structures, and improvements located on and/or affixed to the Land (together with the Land, the “**Real Property**”);

B. Under that certain Transfer Agreement For The Transfer of Responsibility For Court Facility between AOC and County dated as of _____, 200__, AOC and County have entered into that certain Joint Occupancy Agreement, dated as of _____, 200__ (“**JOA**”), setting forth the terms governing the Parties’ respective rights and responsibilities regarding their shared possession, occupancy and use of the Real Property, as more particularly described in the JOA;

Court Facility #09-B1

Owned-Shared (TOR Only)

C. The JOA provides, among other things, for rights of first refusal and rights of first offer in favor of County and AOC to expand into and occupy, on a paid basis, any portion of the Real Property that County or AOC desire to vacate in accordance with Government Code § 70342(e);

D. Under the terms of the JOA, this Memorandum is to be recorded in the Official Records of County with respect to the Property for the purpose of memorializing the existence of the JOA, the terms of which inure to the benefit of, and bind, AOC, County and their respective successors and assigns. Any third-party interested in obtaining information about the Agreement may contact the parties at their above-referenced addresses.

[SIGNATURE PAGE TO IMMEDIATELY FOLLOW]

IN WITNESS WHEREOF, this Memorandum has been executed as of the day and year first above written.

APPROVED AS TO FORM:
Administrative Office of the Courts,
Office Of The General Counsel

**JUDICIAL COUNCIL OF CALIFORNIA,
ADMINISTRATIVE OFFICE OF THE
COURTS**

By: _____
Name: Leslie G. Miessner
Title: Attorney
Date: _____

By: _____
Name: Grant Walker
Title: Senior Manager, Business Services
Date: _____

ATTEST:
Cindy Keck, Clerk of the Board

**COUNTY OF EL DORADO, a political
subdivision of the State of California**

By: _____
Cindy Keck

By: _____
Name: Rusty Dupray
Title: Chair, Board of Supervisors
Date: _____

AOC ACKNOWLEDGMENT

**STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO**

On _____ before me, _____, Notary Public, personally appeared **GRANT WALKER**, 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 _____ (Seal)

**STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO**

On _____ before me, _____, Notary Public, personally appeared **LESLIE G. MIESSNER**, 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.

AOC ACKNOWLEDGMENT

Signature _____ (Seal)

COUNTY ACKNOWLEDGMENT

**STATE OF CALIFORNIA
COUNTY OF EL DORADO**

On _____ before me, _____, Notary Public, personally appeared _____, 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 _____ (Seal)

**STATE OF CALIFORNIA
COUNTY OF EL DORADO**

On _____ before me, _____, Notary Public, personally appeared _____, 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.

COUNTY ACKNOWLEDGMENT

Signature _____ (Seal)

ATTACHMENT 1

LEGAL DESCRIPTION OF THE PROPERTY

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PLACERVILLE, COUNTY OF EL DORADO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 10 NORTH, RANGE 10 EAST, M.D.B.&M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE TRACT OF LAND HEREIN DESCRIBED, A 1 ½ INCH CAPPED IRON PIPE, BEING A CORNER OF THE EL DORADO COUNTY FAIR GROUNDS, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 13, BEARS NORTH 53° 32' 30" WEST, 1236.60 FEET; THENCE FROM SAID POINT OF BEGINNING, ALONG AN EXISTING FENCE LINE, SOUTH 84° 46' EAST, 644.56 FEET, TO AN 18 INCH OAK; THENCE CONTINUING ON FENCE, ALONG WESTERLY SIDE OF A LANE SOUTH 12° 47' WEST, 167.59 FEET, A 16 INCH OAK; THENCE SOUTH 18° 31' WEST 307.51 FEET, A 24 INCH OAK; THENCE SOUTH 0° 30' WEST 341.94 FEET, A ¾ INCH IRON PIPE AT AN ANGLE IN FENCE; THENCE SOUTH 31° 11' EAST, 104.93 FEET, A CORNER FENCE POST; THENCE LEAVING LAST DESCRIBED FENCE AND ALONG A FENCE ON THE SOUTHERLY SIDE OF A PEAR ORCHARD SOUTH 62° 46' WEST, 126.36 FEET, A FENCE POST; THENCE LEAVING SAID FENCE NORTH 81° 22' WEST 450.78 FEET TO A POINT IN THE EAST FENCE LINE OF EL DORADO COUNTY FAIR GROUNDS, THENCE ALONG SAID FENCE NORTH 0° 01' WEST, 935.63 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 10 NORTH, RANGE 10 EAST, MDB&M, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER THEREOF A 1 ½ INCH CAPPED IRON PIPE, A CORNER OF THE EL DORADO COUNTY FAIR GROUNDS AND FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 13' BEARS NORTH 53° 32' 30" WEST 1236.60 FEET DISTANT; THENCE ALONG A FENCE LINE SOUTH 84° 46' EAST 10.05 FEET TO THE NORTHEAST CORNER, A 1 INCH CAPPED IRON PIPE STAMPED L.S. 2403 1970; THENCE SOUTH 0° 01' EAST 936.22 FEET TO THE SOUTHEAST CORNER, A 1 INCH CAPPED IRON PIPE STAMPED LS 2403 1970, SET IN A FENCE LINE; THENCE NORTH 81° 22' WEST 10.14 FEET TO A 8 INCH ROUND CORNER FENCE POST; THENCE ALONG THE EXISTING FENCE MARKING THE EL DORADO COUNTY FAIR GROUNDS NORTH 0° 01' WEST 935.63 FEET TO THE POINT OF COMMENCEMENT.

Court Facility #09-B1

A-1

Owned-Shared (TOR Only)

Error! Unknown document property name.

COUNTY ACKNOWLEDGMENT

APN: 325-280-24-100