

Placer Title Company  
Escrow No. 201-39426-BNS

RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:  
County of El Dorado  
Board of Supervisors  
330 Fair Lane  
Placerville, CA 95667  
APN: 329-280-13



El Dorado, County Recorder  
William Schultz Co Recorder Office  
DOC- 2013-0043313-00

Acct 6-PLACER TITLE CO  
Friday, AUG 16, 2013 14:32:29  
Ttl Pd \$0.00 Rcpt # 0001547224  
LJP/C1/1-6

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

PCDS  
FILED

### HIGHWAY AND PUBLIC UTILITIES EASEMENT DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged TOWER ENERGY GROUP, A CALIFORNIA CORPORATION, hereinafter referred to as "Grantor", grant to the COUNTY OF EL DORADO, a political subdivision of the State of California, the right of way and incidents thereto for a public highway upon, over and across that certain real property, situate in the unincorporated area of the County of El Dorado, State of California,

**DESCRIBED IN EXHIBIT "A1" AND AS DEPICTED IN EXHIBIT "B1" ATTACHED HERETO AND MADE A PART HEREOF, WHICH DESCRIPTION IS BY THIS REFERENCE INCORPORATED HEREIN.**

Said easement shall include rights of way for Public Utilities such as water, sewer and gas, and for poles, guy wires, anchors, overhead and underground wires and conduits for electric, telephone and television cable services, with the right to trim and remove trees, tree limbs, and brush, together with any and all appurtenances appertaining thereto, over, under and across said parcel.

TO HAVE AND TO HOLD said lands and interests therein unto COUNTY OF EL DORADO and its successors forever, subject, however, to the covenant, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property granted herein or structures constructed thereon are used for a purpose for which federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on COUNTY OF EL DORADO, its successors and assigns.

COUNTY OF EL DORADO, does hereby covenant and agree as a covenant running with the land for itself, successors and assigns, that

(a) no person shall on the grounds of race, color, sex, national origin, religion, age or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed; and

(b) COUNTY OF EL DORADO shall use the lands and interests in land so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code

of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in federally-assisted programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, and as Regulations may be amended; and

(c) in the event of breach of any of the above-mentioned nondiscrimination conditions, and only after determination that it is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964, the U.S. Department of Transportation shall have a right to re-enter said lands and facilities on said land, and the above-described land and facilities shall thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed upon COUNTY OF EL DORADO’s acquisition.


The Grantor hereby further grants to grantee all trees, growths (growing or that may hereafter grow), and road building materials within said right of way, including the right to take water, together with the right to use the same in such manner and at such locations as said grantee may deem proper, needful or necessary, in the construction, reconstruction, improvement or maintenance of said highway.


The County of El Dorado shall repair any damage, at its expense, caused by the County of El Dorado’s entry onto Grantor’s remaining property, outside the Utilities Easement, and shall restore the Grantor’s remaining property, as nearly as possible, to its original condition.

(As used above, the term “grantor” shall include the plural as well as the singular number.)

IN WITNESS WHEREOF, Grantor has herein subscribed their names on this 28<sup>th</sup> day of May, 2013.

**GRANTOR: TOWER ENERGY GROUP, A CALIFORNIA CORPORATION**

Date: 5/28/13 By:   
Twanna M. Rogers  
~~President~~ Secretary

Date: 5/28/13 By:   
John T. Rogers  
Secretary ~~president~~

**Notary Acknowledgements To Follow**

043313

CALIFORNIA ALL PURPOSE

ACKNOWLEDGMENT

State of California

County of Los Angeles

On May 28, 2013 before me, Kimberly Scioli, Notary Public,  
(here insert name and title of the officer)

Personally appeared Twanna M. Rogers and

John T. Rogers

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 Kimberly Scioli



(Seal)

**Exhibit 'A1'**  
**(36185-1)**

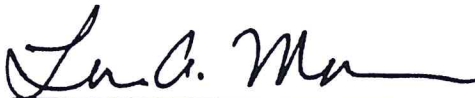
All that certain real property situate in the Southwest One-Quarter of Section 25, Township 10 North, Range 10 East, M.D.M., El Dorado County, State of California, being a portion of that particular property described in that certain document number 1998-0024912, official records said county and state more particularly described as follows:

Beginning on the southwesterly line of said property from which the southeast corner thereof bears the following 2 (two) courses; 1) South 50° 55' 38" East 79.59 feet and 2) along a curve to the left having a radius of 769.89 feet, through a central angle of 13° 46' 02" an arc length of 184.99 feet, said curve being subtended by a chord which bears South 57° 48' 39" East 184.55 feet; thence from said POINT OF BEGINNING along said southwesterly line North 50° 55' 38" West 7.95 feet to the beginning of a curve to the right having a radius of 25.00 feet; thence along said curve through a central angle of 90° 00' 00" an arc length of 39.26 feet, said curve being subtended by a chord which bears North 05° 56' 05" West 35.35 feet; thence North 39° 28' 29" East 17.52 feet; thence leaving said southwesterly line South 28° 15' 43" West 9.72 feet to the beginning of a non-tangent curve to the left having a radius of 37.83 feet; thence along said curve through a central angle of 69° 50' 00" an arc length of 46.11 feet, said curve being subtended by a chord which bears South 06° 39' 17" East 43.30 feet, thence South 39° 04' 22" West 2.74 feet to the POINT OF BEGINNING. See Exhibit 'B1' attached hereto and made a part hereof.

END OF DESCRIPTION

The basis of bearing for this description is CCS Zone 2 NAD83 grid north. All distances shown are grid distances. Divide distances by 0.999860 to obtain ground distances.

The purpose of this description is to describe that portion of said property for highway easement purposes.



Loren A. Massaro                      P.L.S. 8117  
Associate Land Surveyor  
El Dorado County  
Department of Transportation

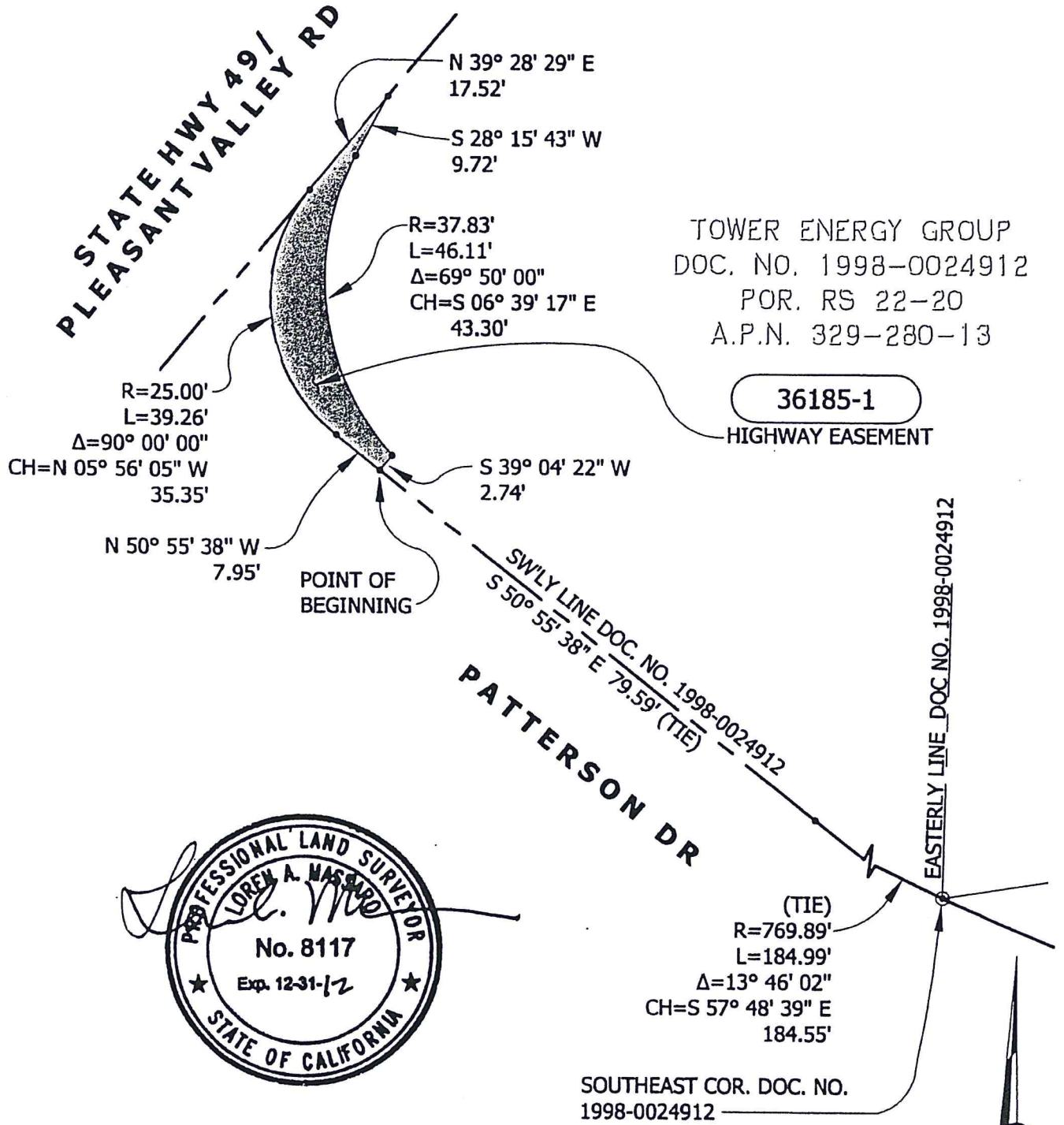


Dated: 11.09.2012

043313

# EXHIBIT 'B1'

Situate in the Southwest One-Quarter of Section 25, T. 10 N., R. 10 E., M.D.M.  
County of El Dorado, State of California



Grid North  
Scale 1"=20'

CO.	RTE.	P.M.
ED	49	10.51/10.78

RECORDING REQUESTED BY AND  
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 Highway Easement dated May 28, 2013, from **TOWER ENERGY GROUP, A CALIFORNIA CORPORATION**, 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: 329-280-13

Dated this 21 day of May, 2013.

**COUNTY OF EL DORADO**

By: \_\_\_\_\_


  
Ron Briggs, Chair  
Board of Supervisors

ATTEST:

James S. Mitrisin

Clerk of the Board of Supervisors

By: \_\_\_\_\_

  
Deputy Clerk