

Placer Title Company
Escrow No. 205-14083-BIAS

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:
County of El Dorado
Department of Transportation
Board of Supervisors
360 Fair Lane
Placerville, CA 95667
APN: 071-480-07

Project: Northside School Class Bike Path Project



El Dorado, County Recorder
William Schultz Co Recorder Office
DOC- 2013-0020364-00

Acct 6-PLACER TITLE CO

Monday, APR 22, 2013 14:30:08

Ttl Pd \$0.00

Rcpt # 0001516995

LJP/C1/1-8

12-4-12

12-1382

24

TEMPORARY CONSTRUCTION EASEMENT

KATHLEEN A. ELLINGHOUSE, SURVIVING JOINT TENANT, 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 \$500.00 (FIVE HUNDRED DOLLARS AND NO/100) 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 **Northside School Class I Bike Path - Phase 2 (SR 49) Project #72306 (Project)**. 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 24 (Twenty-Four) months of construction, together with the one-year warranty period. In the event that construction of the Project is not completed within 24 (Twenty-Four) months of commencement of construction, Grantor shall be entitled to additional compensation as follows: For each month thereafter, the sum of \$20.83 (Twenty Dollars and Eighty-Three Cents) 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.

Executed on: October 23, 2012 2012

By:


Kathleen A. Ellinghouse

(A Notary Public Must Acknowledge All Signatures)

ACKNOWLEDGMENT

State of California
County of Butte)

On October 23, 2012 before me, Jason M Andrews, A Notary Public
(insert name and title of the officer)

personally appeared Kathleen Ann Ellinghouse
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)



Exhibit 'A'
(36173-1 & 36173-2)

All that certain real property situate in the North One-Half of Section 19, Township 12 North, Range 9 East, M.D.M., El Dorado County, State of California, being a portion of Parcel 7 of that particular Parcel Map filed in Book 48 of Parcel Maps at Page 125, official records said county and state more particularly described as follows:

Tract 1

Beginning at the most southerly point of said Parcel 7; thence from said POINT OF BEGINNING along the westerly line of said Parcel 7 North $02^{\circ} 03' 26''$ West 18.30 feet to the beginning of a non-tangent curve to the left having a radius of 1944.71 feet; thence leaving said westerly line along said curve through a central angle of $00^{\circ} 57' 19''$ an arc length of 32.42 feet, said curve being subtended by a chord which bears North $13^{\circ} 03' 36''$ East 32.42 feet; thence South $75^{\circ} 56' 39''$ East 5.00 feet to the westerly right of way of Highway 49 said county and state, and the beginning of a non-tangent curve to the right having a radius of 1949.71 feet; thence along said right of way and said curve through a central angle of $01^{\circ} 28' 10''$ an arc length of 50.00 feet, said curve being subtended by a chord which bears South $13^{\circ} 19' 16''$ West 50.00 feet to the POINT OF BEGINNING. Containing 206 square feet more or less.

Together with:

Tract 2

All that portion of said Parcel 7 lying 5.00 feet westerly of, parallel with, and adjacent to the following described line.

Beginning at the northeast corner of said Parcel 7 and said westerly right of way; thence from said POINT OF BEGINNING along said right of way and through a curve to the right having a radius of 3,949.41 feet through a central angle of $00^{\circ} 20' 38''$ an arc length of 23.70 feet, said curve being subtended by a chord which bears South $01^{\circ} 35' 00''$ West 23.70 feet; thence South $06^{\circ} 28' 22''$ West 138.77 feet. Containing 811 square feet more or less.

See Exhibit 'B' attached hereto and made a part hereof.

END OF DESCRIPTION

020364 .

The basis of bearing for this description is CCS Zone 2 NAD83 grid north. All distances shown are grid distances. Divide distances by 0.9998518 to obtain ground distances.

The purpose of this description is to describe those portions of said parcel for construction easement purposes.

Loren A. Massaro

Loren A. Massaro P.L.S. 8117

Dated: 09.26.2012



EXHIBIT 'B'

SHEET 1 OF 2

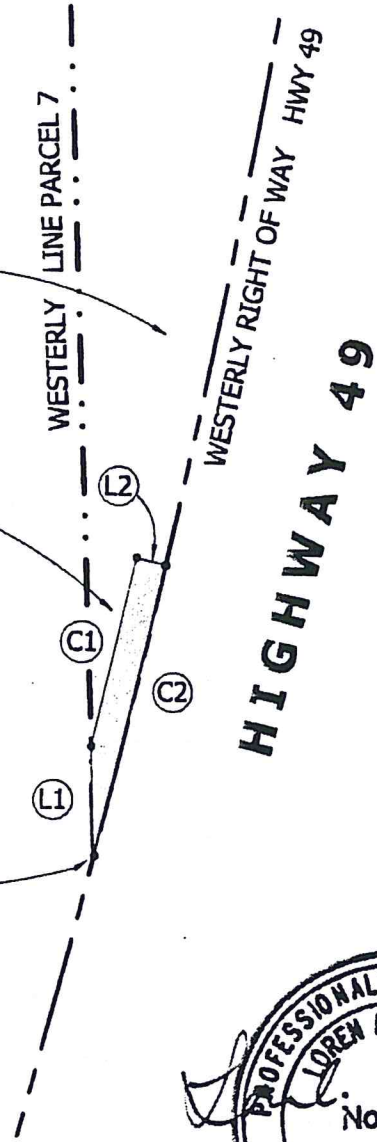
Situate in the North One-Half of Section 19,
 Township 12 North, Range 9 East, M.D.M.
 Being a portion of Parcel 7, P.M. 48-125
 El Dorado County State of California



ELLINGHOUSE
 DOC NO. 2001-1961
 APN 071-480-07
 PARCEL 7 P.M. 48-125

36173 - 1
 TRACT 1
 CONSTRUCTION EASEMENT
 AREA= 206 ±SQ.FT.

POINT OF BEGINNING
 TRACT 1
 MOST SOUTHERLY CORNER
 PARCEL 7



- (L1) N 02°03'26" W 18.30'
- (L2) S 75°56'39" E 5.00'
- (C1) R = 1,944.71 Δ = 00°57'19" L = 32.42'
 CH = N 13°03'36" E 32.42' (Non-tangent)
- (C2) R = 1,949.71 Δ = 01°28'10" L = 50.00'
 CH = S 13°19'16" W 50.00' (Non-tangent)

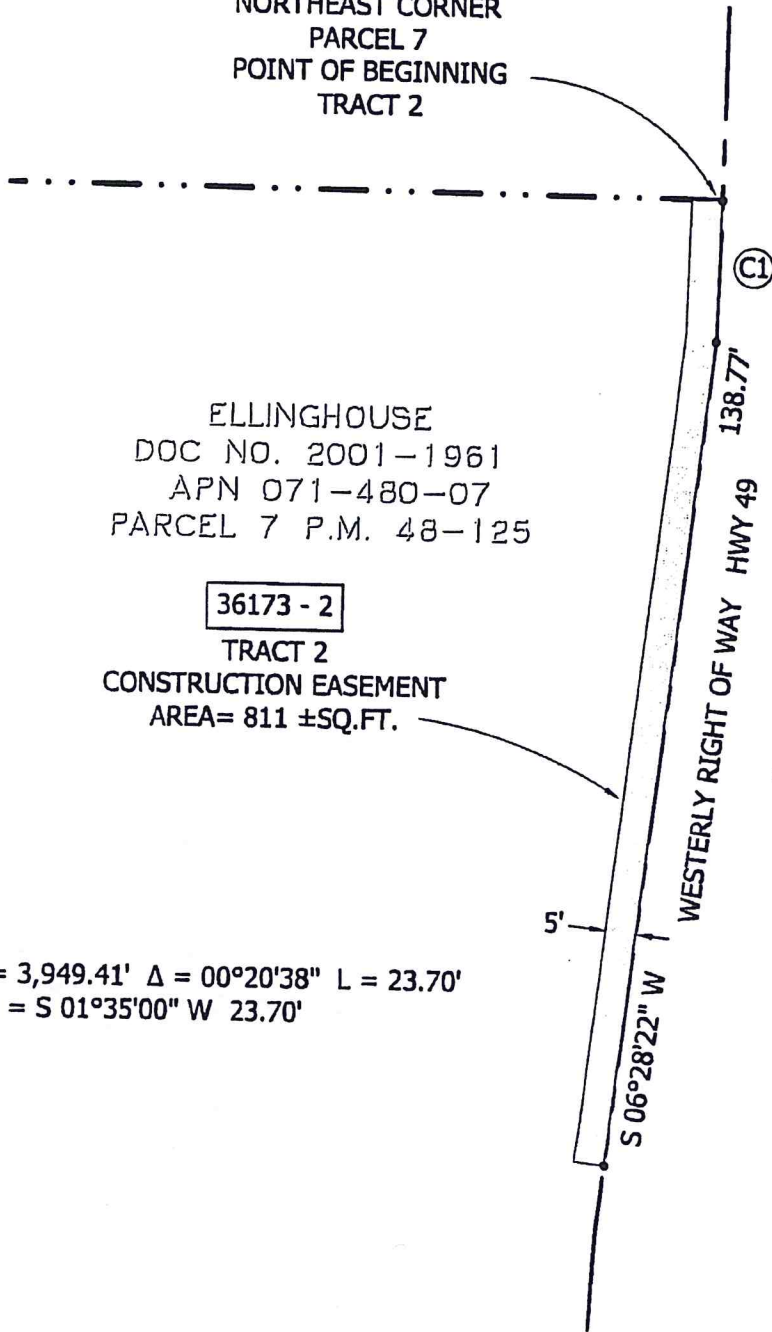
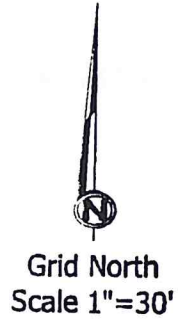


EXHIBIT 'B'

SHEET 2 OF 2

Situate in the North One-Half of Section 19,
Township 12 North, Range 9 East, M.D.M.
Being a portion of Parcel 7, P.M. 48-125
El Dorado County State of California

NORTHEAST CORNER
PARCEL 7
POINT OF BEGINNING
TRACT 2



ELLINGHOUSE
DOC NO. 2001-1961
APN 071-480-07
PARCEL 7 P.M. 48-125

36173 - 2
TRACT 2
CONSTRUCTION EASEMENT
AREA= 811 ±SQ.FT.

Ⓢ R = 3,949.41' Δ = 00°20'38" L = 23.70'
CH = S 01°35'00" W 23.70'

WESTERLY RIGHT OF WAY HWY 49
HIGHWAY 49

RECORDING REQUESTED BY AND
WHEN RECORDED, RETURN TO:

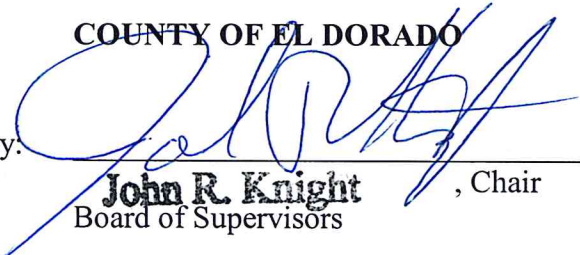
County of El Dorado
Board of Supervisors
330 Fair Lane
Placerville, CA 95667

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Temporary Construction Easement dated October 23, 2012, from **KATHLEEN A. ELLINGHOUSE, SURVIVING JOINT TENANT**, 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: 071-480-07

Dated this 4 day of December, 2012.

COUNTY OF EL DORADO
By: 
John R. Knight, Chair
Board of Supervisors

ATTEST:

JAMES S. MITRISID
, Clerk of the Board

By: 
Deputy Clerk