

RECORDING REQUESTED BY

PLACER TITLE COMPANY

WHEN RECORDED MAIL TO:

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

Order Number: 205-10790-BAS



El Dorado, County Recorder
William Schultz Co Recorder Office
DOC- 2013-0048731-00

Acct 6-PLACER TITLE CO
Tuesday, SEP 17, 2013 14:31:17
Ttl Pd \$0.00 Rcpt # 0001554612
KMV/C1/1-9

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

TITLE(S)

TEMPORARY CONSTRUCTION EASEMENT

APN 122-720-06

**PCOS
FILED**

048731

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:
County of El Dorado
Department of Transportation
Board of Supervisors
330 Fair Lane
Placerville, CA 95667
Assessor's Parcel Number: 122-720-06

SPACE ABOVE THIS LINE FOR RECORDERS USE ONLY

RA 11922

Project: US Hwy. 50 / Silva Valley Parkway Interchange
Project #71328

TEMPORARY CONSTRUCTION EASEMENT

RUMINSON GRADO VENTURES LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, 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 made a part hereof.

This temporary construction easement is granted under the express conditions listed below:

1. In consideration of \$1,000.00 (One-thousand 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 US Hwy. 50/Silva Valley Parkway Interchange Improvements Project #71328. 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 directly affecting the Grantor parcel, Grantor shall be entitled to additional compensation as follows: for each month thereafter, the sum of \$83.33 (Eighty-three Dollars, and 83/100ths exactly) will be paid to 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 this date: 7-31, 2013

GRANTOR:

RUMINSON GRADO VENTURES LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

PALOS VERDES PROPERTIES, INC., A California corporation, Its Managing Member

By: 

LEONARD GRADO, President

Its: Manager

Notary Acknowledgements Follow

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

State of California)

)ss.

County of El Dorado)

On July 31, 2013 before me, Judy Musick,
Notary Public, personally appeared **LEONARD GRADO**, 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 *Judy Musick* (Seal)



EXHIBIT "A"

APN 122-720-06

LEGAL DESCRIPTION

All that portion of the area shown as "TRACT 1" on the Map titled "RECORD OF SURVEY", filed July 24, 2007 in Book 30 of Record of Surveys, at Page 50, El Dorado County Records, more particularly described as follows:

TEMPORARY CONSTRUCTION EASEMENT


Commencing at a ¼" rebar with cast-iron cap stamped "1991 RCE 20329", marking the southwesterly corner of Document Number 2009-0018059, recorded April 21, 2009, El Dorado County Records, as shown on the Map titled "AMENDED RECORD OF SURVEY", filed August 30, 2011 in Book 33 of Record of Surveys, at Page 3, El Dorado County Records; thence along the westerly line of last said Document, North 06°06'25" West 355.30 feet to a ¼" rebar with aluminum cap stamped "PROP COR LS 6013"; thence continuing along last said westerly line, North 06°06'25" West 50.74 feet to the north line of said TRACT 1 and a ¼" pipe with cast-iron cap stamped "RCE 20329 1991" as shown on said AMENDED RECORD OF SURVEY; thence along north line, North 89°27'14" East 265.89 feet to the **Point of Beginning**; thence continuing along said north line, North 89°27'14" East 54.12 feet to the easterly line of last said Document, which point bears from a ¼" pipe with no tag/no cap, South 08°34'00" West 2.70 feet as shown on said AMENDED RECORD OF SURVEY; thence along last said easterly line, South 08°34'02" West 47.96 feet to a 5/8" rebar with 2" aluminum cap stamped "LS 6013"; thence continuing along said easterly line, South 08°34'02" West 13.25 feet; thence leaving said easterly line, West 45.00 feet; thence North 60.01 feet to the **Point of Beginning**.

See Exhibit "B", attached hereto and made a part hereof.

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Bearings used in the above description(s) are based upon CCS83 (CORS96), Zone 2, Epoch 1991.35. Grid distances shown are in US Survey feet, divide the distances shown above by 0.99991 to obtain ground level distances.

This real property description has been prepared at Mark Thomas & Company, Inc., by me, or under my direction, in conformance with the Professional Land Surveyors Act.


Albert DeLeon, LS 7716

March 6, 2012
Date



EXHIBIT "B"

LEGEND

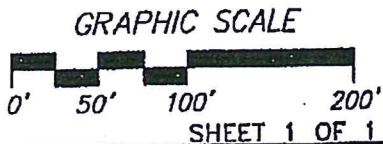
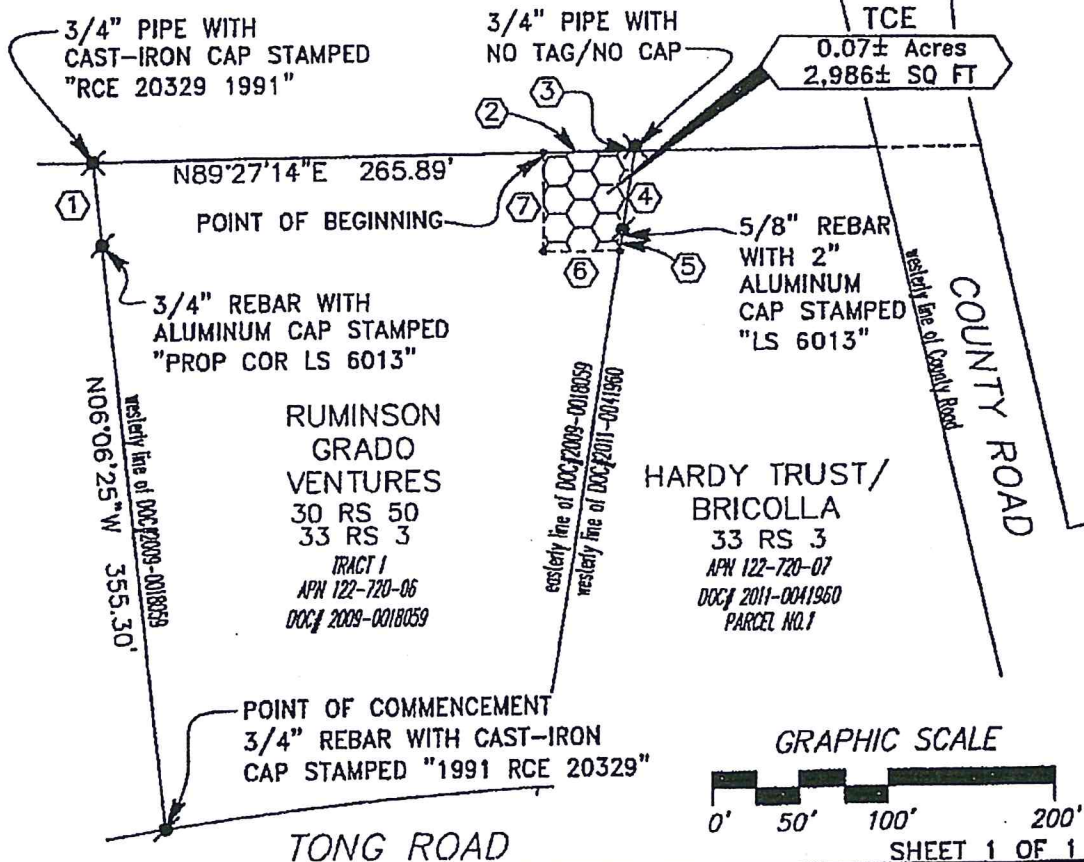
- DIMENSION POINT TYPICAL




Albert de Leon
March 6, 2012

LINE TABLE

①	N06°06'25"W	50.74'
②	N89°27'14"E	54.12'
③	S08°34'00"W	2.70'
④	S08°34'02"W	47.96'
⑤	S08°34'02"W	13.25'
⑥	WEST	45.00'
⑦	NORTH	60.01'



	EXHIBIT "B" APN 122-720-06 IN THE COUNTY OF EL DORADO STATE OF CALIFORNIA		Mark Thomas & Co., Inc. 7300 Folsom Blvd, Ste. 203 Sacramento, CA 95826 (916) 381-9100
	DWG. BY BGB CK. BY MJS	SCALE 1"=100'	

048731

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 Deed dated

7-31-2013, ~~2012~~ from **RUMINSON GRADO VENTURES LLC, A CALIFORNIA LIMITED LIABILITY COMPANY**, 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.

Dated this 16 day of October, 2012.

COUNTY OF EL DORADO

By: 

John R. Knight, Chair
Board of Supervisors

ATTEST:

Terri Daly, Acting
Clerk of the Board of Supervisors

By: 

Deputy Clerk

CONSENT TO GRANT OF TEMPORARY CONSTRUCTION EASEMENT

LATTE EXPRESS INC., A CALIFORNIA CORPORATION,
Beneficiary under that certain Deed of Trust dated April 17, 2009 executed by RUMINSON GRADO VENTURES LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, Trustors, and to PLACER FORECLOSURE, INC., as Substituted Trustee, recorded April 21, 2009, as Instrument No. 2009-18060, official Records of El Dorado County. Beneficiary hereby consents to the Grant of Temporary Construction Easement to THE COUNTY OF EL DORADO, A POLITICAL SUBDIVISION OF THE STATE OF CALIFORNIA by RUMINSON GRADO VENTURES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY by Grant Deed dated: XXXXXX July 31, 2013

BENEFICIARY: LATTE EXPRESS INC., A CALIFORNIA CORPORATION

BY: [Signature]
Name Printed: Jeff Abel
Its: President

State of California)
) ss.

County of Tuolumne)
On Sept. 14, 2013, before me Diane Boldemann, a Notary Public, personally appeared Jeffrey S. Abel, 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 [Signature] (Seal)

ILLEGIBLE NOTARY DECLARATION

I certify under penalty that the notary seal on the document to which this statement is attached reads as follows:
Name of Notary Diane Boldemann
Date commission expires 6-10-17
Notary identification number 2024686
Manufacturer/Vendor identification number NNAI
Dated 9-17-13
Signed Placer Title Co. By: [Signature]

