

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: 109-030-33

SPACE ABOVE THIS LINE FOR RECORDERS USE ONLY

Project: Durock Road /Business Drive Signalization Project
Project #73354
APN: 109-030-33

TEMPORARY CONSTRUCTION EASEMENT

THOMAS R. VAN NOORD, TRUSTEE OF THE THOMAS R. VAN NOORD 1999 TRUST, hereinafter referred to as "Grantor," grants to the County of El Dorado, 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. For good and valuable consideration, as more specifically described in the Easement Acquisition Agreement for Public Purposes entered into by Grantor and Grantee dated _____, 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 she/he/it is 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 Durock Road /Business Drive Signalization 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 Durock Road /Business Drive Signalization 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 1 (One) year of construction, together with the one-year warranty period. In the event that construction of the Durock Road /Business Drive Signalization Project is not completed within 1 (One) year of commencement of construction, Grantor shall be entitled to additional compensation as follows: for each month thereafter, the sum of **\$26.25 (Twenty-Six Dollars and Twenty-Five Cents, 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.

GRANTOR:

THOMAS R. VAN NOORD, TRUSTEE OF THE THOMAS R. VAN NOORD 1999 TRUST

Executed on this date: _____, 2008

By: _____
THOMAS R. VAN NOORD, TRUSTEE

(Notary Acknowledgements Follow)

EXHIBIT A

Temporary Construction Easement

All that real property situated in the County of El Dorado, State of California described as follows:

A portion of that certain parcel described in Document 2001-16866 recorded in the El Dorado County Recorders Office, State of California, being a portion of the Northeast Quarter of Section 11, Township 9 North, Range 9 East, described as follows:

A temporary construction easement more particularly described as follows:

BEGINNING AT A POINT lying on the Southerly right of way line of Durock Road (Old State Highway 50), said point being 40.00 feet Southerly or to the right of Engineer's Station 474+42.55 as said Stationing is delineated on the Old State Highway 50 plats, said point also being delineated as "P.O.B." on Exhibit B attached hereto; thence from said Point of Beginning, and leaving said Southerly right of way line, South 12°51'42" West a distance of 31.78 feet; thence South 42°26'59" West a distance of 10.71 feet; thence North 47°33'01" West a distance of 16.00 feet; thence North 40°06'42" East a distance of 7.01 feet; ; thence North 31°24'01" West a distance of 6.12 feet to a point being 40.00 feet Southerly or to the right of Engineer's Station 474+11.38; thence along said Southerly right of way line and along the arc of a 1460.00 foot radius curve to the right through a central angle of 01°11'27" said curve being subtended by a chord bearing North 54°45'26" East a distance of 30.34 feet to the Point of Beginning.

Basis of bearings of this description is identical to Parcel Map filed in book 47 of Parcel Maps page 117 in the El Dorado County recorders office.

END DESCRIPTION

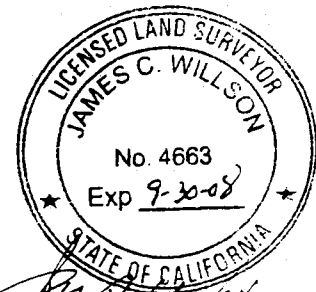


Exhibit B



1"=10'

A PORTION OF THE N.E. QUARTER OF SECTION 11, T. 9 N., R. 9 E., M.D.M.

Q STA = 474+42.55

Q STA = 474+11.38

LEGEND

- DIMENSION POINT-NOTHING FOUND OR SET
- P.O.B. POINT OF BEGINNING

474+00
 (OLD STATE HWY 50)
 DUROCK ROAD

40' RIGHT OF
 STA = 474+42.55
 P.O.B.

$\Delta = 01^{\circ}11'27''$
 $R = 1460.00'$ $L = 30.34'$
 $CH = N 54^{\circ}45'26'' E$
 $CHL = 30.34'$

40' RIGHT OF
 STA = 474+11.38

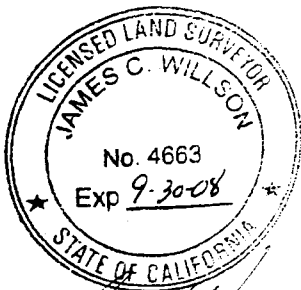
N $31^{\circ}24'01''$ W
 6.12'

N $40^{\circ}06'42''$ E
 7.01'

N $47^{\circ}33'01''$ W
 16.00'

S $42^{\circ}26'59''$ W
 10.71'

S $12^{\circ}51'42''$ W
 31.78'



James C. Willson
 4-3-07

VAN NOORD
 A.P.N. 109-030-33

CARLTON
 Engineering Inc.



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