

Placer Title Company
Escrow No. 205-14089-B1A

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

County of El Dorado
Department of Transportation
Board of Supervisors
330 Fair Lane
Placerville, CA 95667
APN: 071-500-42

Project: Northside School Class Bike Path Project



El Dorado, County Recorder
William Schultz Co Recorder Office
DOC- 2013-0004493-00

Acct 6-PLACER TITLE CO

Tuesday, JAN 29, 2013 14:35:34

Ttl Pd \$0.00 Rcpt # 0001496488

LJP/C1/1-6

TEMPORARY CONSTRUCTION EASEMENT

PCOS
FILED

RONALD W. GUIRE AND ALICE L. GUIRE, TRUSTEES OF THE GUIRE FAMILY TRUST DATED SEPTEMBER 23, 2008, 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 "A4" and "B4" 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 **\$517.64** (FIVE-HUNDRED SEVENTEEN DOLLARS AND 64/100) 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 A1 and depicted on the map in Exhibit B1 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 1 (SR193) Project #72304 (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 \$21.57 (Twenty-One Dollars and Fifty-Seven 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.

RONALD W. GUIRE AND ALICE L. GUIRE, TRUSTEES OF THE GUIRE FAMILY TRUST DATED SEPTEMBER 23, 2008

Executed on: January 28, 2012 ~~2013~~ *Per [Signature] 2/8/13*

By: *Ronald W. Guire, Trustee*
Ronald W. Guire, Trustee

By: *Alice L. Guire, Trustee*
Alice L. Guire, Trustee

(A Notary Public Must Acknowledge All Signatures)

CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

State of California)
)ss.
County of EL DORADO)

On January 28 2013 before me, MIEKO SAETTA, Notary Public, personally appeared RONALD W. GUIRE AND ALICE L. GUIRE, 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 Mieko Saetta (Seal)



Exhibit 'A4'
(36167-7)

All that certain real property situate in Section 17 and Section 18, Township 12 North, Range 9 East, M.D.M., El Dorado County, State of California, being a portion of Parcel 1 of that particular Parcel Map filed in Book 44 of Maps at Page 80, official records said county and state more particularly described as follows:

Beginning at a point from which the southwesterly corner of said parcel 1 bears the following three (3) courses: 1) South 08° 06' 37" East 9.54 feet; 2) South 81° 53' 23" West 250.57 feet to the beginning of a curve to the left having radius of 10,048.51 feet; and 3) along said curve through a central angle of 00° 32' 34" an arc length of 95.20 feet, said curve being subtended by a chord which bears South 81° 37' 06" West 95.20 feet; thence from said POINT OF BEGINNING North 08° 06' 37" West 18.94 feet; thence North 75° 38' 11" East 145.28 feet; thence North 85° 04' 24" East 196.16 feet; thence South 05° 06' 04" East 20.26 feet; thence South 86° 04' 14" West 14.82 feet; thence South 85° 04' 24" West 179.75 feet; thence South 75° 38' 11" West 130.73 feet; thence South 80° 06' 35" West 15.01 feet to the POINT OF BEGINNING, containing 6,811 square feet or 0.16 acres more or less. See Exhibit B4, 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 0.9998518 to obtain ground distances.

The purpose of this description is to describe that portion of said parcel for construction easement purposes.

Loren A. Massaro

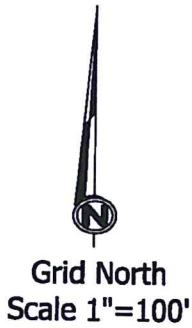
Loren A. Massaro P.L.S. 8117
Associate Land Surveyor
El Dorado County D.O.T.



Dated: 10.16.2012

EXHIBIT 'B4'

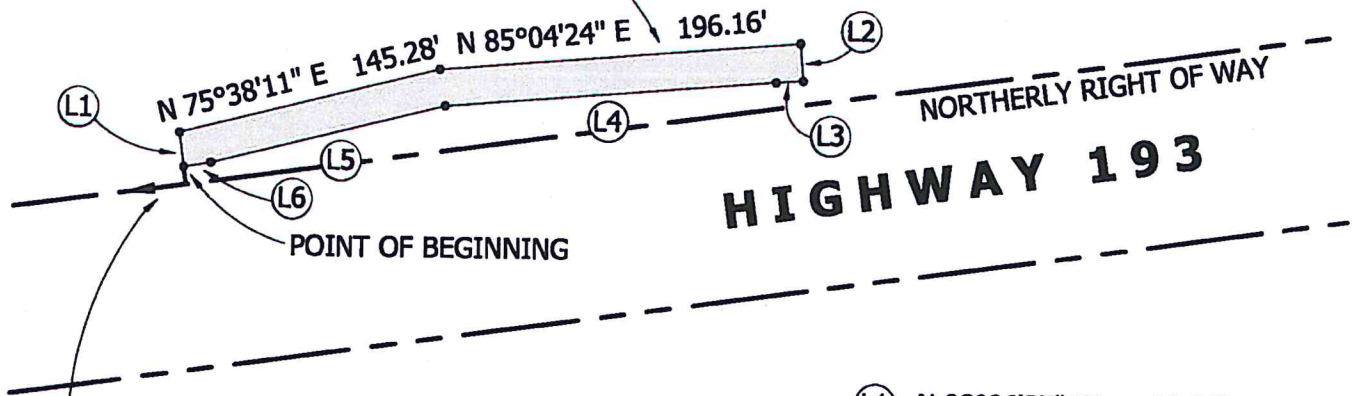
Situate in Sections 17 and 18
 Township 12 North, Range 9 East, M.D.M.
 Being a portion of Parcel 1 P.M. 44-80
 El Dorado County State of California



GUIRE TRUST
 DOC NO. 2008-60136
 APN 071-500-42
 PARCEL 1 P.M. 44-80



36167 - 7
 CONSTRUCTION EASEMENT
 AREA = 6811+- SQ. FT.,
 0.16 ACRES+-



TIE TO SW COR.
 1) S 08°06'37" E 9.54'
 2) S 81°53'23" W 250.57'
 3) R = 10,048.51 Δ = 00° 32' 34" L = 95.20'
 CH = S 81° 37' 06" W 95.20'

- (L1) N 08°06'37" W 18.94'
- (L2) S 05°06'04" E 20.26'
- (L3) S 86°04'14" W 14.82'
- (L4) S 85°04'24" W 179.75'
- (L5) S 75°38'11" W 130.73'
- (L6) S 80°06'35" W 15.01'

RECORDING REQUESTED BY AND
WHEN RECORDED, RETURN TO:

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

CERTIFICATE OF ACCEPTANCE

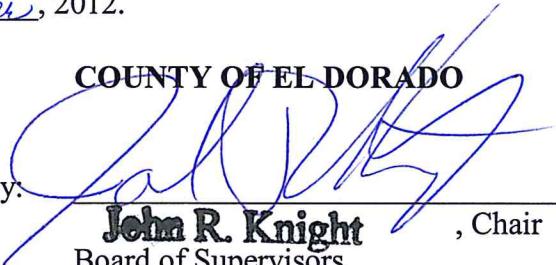
This is to certify that the interest in real property conveyed by the Temporary Construction Easement dated January 28, 2012¹³, from **RONALD W. GUIRE AND ALICE L. GUIRE, TRUSTEES OF THE GUIRE FAMILY TRUST DATED SEPTEMBER 23, 2008**, is hereby accepted by order of the County of El Dorado Board of Supervisors and the grantee consents to the recordation thereof by its duly authorized officer.

APN: 071-500-42

Dated this 18 day of December, 2012.

COUNTY OF EL DORADO

By: _____

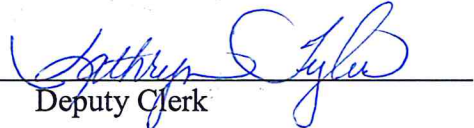


John R. Knight, Chair
Board of Supervisors

ATTEST:

James S. Mitrisin
Clerk of the Board

By: _____



Deputy Clerk