

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: 325-180-14

SPACE ABOVE THIS LINE FOR RECORDERS USE ONLY

Project: U.S. Hwy. 50/Missouri Flat Road Interchange
Project #71336
APN: 325-180-14

TEMPORARY CONSTRUCTION EASEMENT

TAFF A. FREITAS AND DOROTHY A. FREITAS, HUSBAND AND WIFE AS JOINT TENANTS, 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. In consideration of **\$10,500.00 (Ten-Thousand Five-Hundred 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 owners 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 U.S. Highway 50/Missouri Flat Road Interchange 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 U.S. Highway 50/Missouri Flat Road Interchange 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 U.S. Highway 50/Missouri Flat Road Interchange 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 **\$437.50 (Four-Hundred Thirty-seven Dollars and Fifty 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:

Executed on this date: _____, 2009

By: _____
TAFF A. FREITAS

By: _____
DOROTHY A. FREITAS

EXHIBIT "A"
LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT

All that portion of the lands described as Document No. 2002-0023644, on file in the office of the El Dorado County Recorder, being a portion of the southeast quarter of Section 14, Township 10 North, Range 10 East, M.D.M., unincorporated area of the County of El Dorado, State of California, and more particularly described as follows:

PARCEL 1

That portion of Helmrich Lane that lies within the bounds of said lands, containing 0.467 acres, more or less.

PARCEL 2

Commencing at the most westerly corner of the lands described in Book 3389, Official Records, at Page 376, in the office of said El Dorado County Recorder; thence South 03°44'34" East 12.681 meters (41.60 feet) **to the true point of beginning**; thence South 39°47'48" West 55.000 meters (180.45 feet); thence North 44°33'29" West 3.881 meters (12.73 feet) to a point hereinafter known as **Point 'A'**; thence continuing North 44°33'29" West 3.881 meters (12.73 feet); thence continuing North 44°33'29" West 37.238 meters (122.17 feet); thence North 40°04'35" East 33.206 meters (108.94 feet); thence North 85°36'28" East 18.126 meters (59.47 feet); thence South 74°37'53" East 17.167 meters (56.32 feet); thence South 41°47'14" East 16.166 meters (53.04 feet) to the point of beginning, containing 0.2215 hectares (0.547 acres), more or less.

PARCEL 3

A 7.500 meter (24.61 foot) wide portion of said lands described as follows:

Beginning at the aforementioned **Point 'A'**; thence in a southerly direction along the centerline of the existing roadbed to its intersection with the new westerly right-of-way line of State Route 50, containing 0.1729 hectares (0.427 acres), more or less.

See attached Exhibit

END OF DESCRIPTION.

Note: The basis of bearings for this description is Grid North, California Coordinate System of 1983, Zone 11, as defined in Chapter 611, Sections 8801-8819 of the State Resources Code. All distances are grid distances. To convert to ground distances, divide all distances by 0.999855.



EXHIBIT "B"

HELMRICH LN.
PARCEL 1

3389-OR-376

(TIE) S03°44'34"E
12.681m

POINT OF
BEGINNING

PARCEL 2

FREITAS

APN 325:180:14

2002-0023644

POINT 'A'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S39°47'48"W	55.000m
L2	N44°33'29"W	3.881m
L3	N44°33'29"W	3.881m
L4	N44°33'29"W	37.238m
L5	N40°04'35"E	33.206m
L6	N85°36'28"E	18.126m
L7	S74°37'53"E	17.167m
L8	S41°47'14"E	16.166m

EXIST. ROAD BED LEADING
TO WEBER CREEK

PARCEL 3

CL WEBER CREEK

NEW R/W LINE

EXIST. R/W LINE

U.S. HIGHWAY 50



SCALE = 1:1000
METRIC

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 _____, 2009, from **TAFF A. FREITAS AND DOROTHY A. FREITAS, HUSBAND AND WIFE AS JOINT TENANTS**, 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 _____ day of _____, 2009.

COUNTY OF EL DORADO

By: _____

Board of Supervisors

ATTEST:

Suzanne Allen de Sanchez,
Clerk of the Board of Supervisors

By: _____
Deputy Clerk