

**Recording requested by:**  
Director of Public Works Department  
County of San Luis Obispo  
County Government Center, Room 207  
San Luis Obispo, CA 93408

**When recorded return to:**  
County Clerk  
County of San Luis Obispo  
1055 Monterey Street, Room D120  
San Luis Obispo, CA 93408

APN: ptn 091-301-033 [San Luis Obispo County]

No recording fee per Government Code § 6103  
No Documentary Transfer Tax per Revenue and Taxation Code § 11922

## QUITCLAIM DEED AND MAINTENANCE COVENANT

Highway 101, Nipomo, CA	300142.05	Willow Road Extension Project, Phase II (Interchange)
LOCATION	PROJECT#	PROJECT NAME

This QUITCLAIM DEED AND MAINTENANCE AGREEMENT (hereinafter "DEED"), entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between Cavaletto Ranches, LLC, hereinafter called "Cavaletto" and the COUNTY OF SAN LUIS OBISPO, hereinafter called "County."

### WITNESSETH

WHEREAS, Cavaletto is the owner of certain real property located at the south east quadrant of the intersection of State Highway 101 and Willow Road near Nipomo, California, in the County of San Luis Obispo hereinafter referred to as "Cavaletto Property";

and

WHEREAS, the County previously acquired real property from Cavaletto for construction of the State Highway 101 Willow Road Interchange Project by Final Order of Condemnation recorded as Document No. 2011061078, December 2, 2012, San Luis Obispo County Official Records (hereinafter FOC);

and

WHEREAS, the County also conveyed certain remnant properties to Cavaletto by Quitclaim Deed recorded as Document No. 2011061077, December 2, 2012, San Luis Obispo County Official Records (hereinafter County's Quitclaim);

and

WHEREAS, the County has determined that an error was made in the description of the remnant property described in the County's Quitclaim and additional real property remains to be conveyed to Cavaletto;

and

WHEREAS, a maintenance commitment is now required from Cavaletto for improvements constructed to accept drainage from the Cavaletto Property and said maintenance commitment allows the County, acting on behalf of the State of California, to eliminate a right of ingress and egress acquired from Cavaletto in the aforementioned FOC.

CONVEYANCE OF DEED

NOW, THEREFORE, the County now hereby QUITCLAIMS to Cavaletto any and all of its rights, titles and interests in the real property described in the attached Exhibit A and Exhibit B. RESERVING therefrom any and all abutter's rights of access appurtenant to the above described real property in and to the adjoining State Freeway.

MAINTENANCE COVENANT

NOW, THEREFORE, Cavaletto hereby COVENANTS AND AGREES to maintain the integrity and operation of the drainage infrastructure located on Cavaletto Property side of the Highway 101/Willow Road north-bound off-ramp retaining wall, hereinafter referred to as the Cavaletto Drainage System, and installed to collect drainage from the Cavaletto Property and direct said drainage into the Highway 101/Willow Road Interchange drainage system as further described and depicted in the Exhibit C attached hereto and incorporated herein. Maintenance of integrity and operation of the Cavaletto Drainage System includes, but is not limited to; keeping system clear of debris and obstructions at all times and extends throughout the Cavaletto Drainage System including, but not limited to, from Drainage Inlet #1, to Drainage Inlet #2, to the clean-out and vertical riser and terminating at the back of Retaining Wall 1B, as further depicted on Exhibit C.

It is understood and agreed that Cavaletto shall fully defend, indemnify and save harmless the COUNTY (or the County's successor(s) in interest) and all of its (Their) officers and employees from all claims, suits or actions of every name, kind and description brought under, including, but not limited to, tortious, contractual, inverse condemnation or other theories or assertions of liability occurring by reason of anything done or omitted to be done by the COUNTY (or the County's successor(s) in interest) under this agreement.

BINDING EFFECT

This Agreement shall inure to the benefit of and be binding upon the successors and assigns of both parties except as otherwise provided in this agreement. The covenants contained herein shall run with the land and shall also be enforceable as equitable servitudes.

Cavaletto Ranches, LLC

Dated: 9-25, 2013

By:   
MICHAEL J. CAVALETTO

ACKNOWLEDGMENT

State of California  
County of San Luis Obispo )

On September 05, 2013 before me, Phil Acosta, Notary  
(insert name and title of the officer)

personally appeared Michael J. Cavalletto  
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 *Phil Acosta*

(Seal)

ACKNOWLEDGMENT

State of California  
County of \_\_\_\_\_ )

On \_\_\_\_\_ before me, \_\_\_\_\_  
(insert name and title of the officer)

personally appeared \_\_\_\_\_  
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)

COUNTY OF SAN LUIS OBISPO

Dated: \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Chairperson of the Board of Supervisors  
County of San Luis Obispo

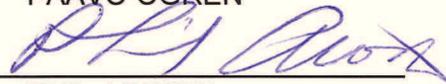
ATTEST:  
Julie L. Rodewald County Clerk-Recorder  
and Ex-Officio Clerk of the Board of Supervisors  
County of San Luis Obispo

\_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM AND LEGAL EFFECT:  
RITA L. NEAL  
County Counsel

By:   
Deputy County Counsel

RECOMMENDED FOR APPROVAL:  
Department of Public Works:  
PAAVO OGREN

By:   
PHIL ACOSTA  
Right of Way Agent

T: PWA\zz Willow Rd\Cavaletto Quitclaim & Mtc Agmt\_lrg-pwa-JBIm08-06-2013

## EXHIBIT A

**RIGHT OF INGRESS AND EGRESS:** The interests described herein shall include the right of ingress and egress to, from, along, over and across the remaining portion of the Larger Parcel using existing access roads or pathways to get to the fee and easement areas described herein. For so long as a Nursery exists on said remainder portion of the Larger Parcel, County and County's successors in interest shall honor pedestrian and vehicular disinfection procedures utilized by said Nursery whenever entering said remainder portion of the Larger Parcel. Nothing herein shall prevent or limit the rights of the owner of said remainder portion of the Larger Parcel to close such roadways, lanes, pathways, or rights-of-way, and to provide County and its successors in interest with comparable alternative access. (For purposes of this Exhibit A, "Larger Parcel" shall refer to the Larger Parcel described in Final Order of Condemnation recorded December 2, 2011, as Document No. 2011061078)

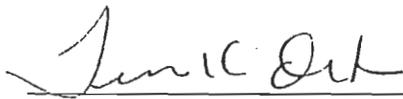
## Legal Description

That real property in the unincorporated area of San Luis Obispo County, California consisting of portions of the following properties: Parcel 2 of COAL 97-095 as said parcel is described in the deed recorded in Document Number 2001-013988 of Official Records, Parcel 2 of Parcel Map CO 89-389 as said parcel is delineated on the map recorded in Book 49 at Page 25 of Parcel Maps, Lot 7 of H. C. Ward's Subdivision of the Nipomo Rancho according to the map of a re-survey of Lot 22 titled "Map of Nipomo Reserve Tract" recorded in Book A at Page 26 of Maps, Parcel 1 as said parcel is described in the deed recorded in Volume 3433 at Page 26 of Official Records, and Parcel A as said parcel is described in the deed recorded in Volume 886 at Page 261 of Official Records, all afore-mentioned documents being on file in the office of the County Recorder of San Luis Obispo County, State of California, said property being more particularly described as follows:

Beginning at a 1-inch iron pipe marked LS 6192 located at the southeasterly corner of Parcel 1 as shown on the map recorded in Book 80 at Page 7 of Records  
Of Survey on file in the office of the County Recorder, County of San Luis Obispo, State of California, distant North  $49^{\circ}17'46''$  East, 446.79 feet from a 1-inch iron pipe marked LS 6192 located at the southwesterly corner of said Parcel 1; thence North  $69^{\circ}34'59''$  West, a distance of 782.58 feet to a point on the southwesterly property line of said Parcel 1, said point being the True Point of Beginning (TPOB) and the beginning of curve, a radial of said curve through said point bearing North  $54^{\circ}57'47.3''$  East, thence along said southwesterly line, in a southeasterly direction along said curve, concave southwesterly having a radius of 70,125.00 feet, through a central angle of  $00^{\circ}01'38.1''$ , an arc distance of 33.35 feet through which a radial of said curve bears North  $54^{\circ}59'25.4''$  East; thence departing from said southwesterly line, along the southwesterly line of the property described in the deed recorded in Document Number 2011061077 of Official Records on file in the office of the County Recorder of said county and state, South  $33^{\circ}07'41''$  East, a distance of 118.32 feet; thence South  $55^{\circ}02'09''$  West, a distance of 3.00 feet; thence along the northeasterly line of Parcel B as said parcel is described in the deed recorded in Document Number 2011061077 of Official Records on file in the office of said County Recorder, South  $33^{\circ}07'41''$  East, a distance of 60.03 feet to the northwesterly line of the property titled "Fee-Right of Way", the plat of which is labeled "Exhibit C-2" described in Document Number 2011051759 of Official Records on file in the office of said County Recorder; thence along said northwesterly line, North  $55^{\circ}02'09''$  East, a distance of 3.00 feet; thence along the southeasterly line of said property, South  $33^{\circ}07'41''$  East, a distance of 109.12 feet; thence South  $56^{\circ}52'19''$  West, a distance of 3.99 feet; thence South  $33^{\circ}07'41''$  East, a distance of 193.71 feet to the beginning of a tangent curve; thence southeasterly along said curve, concave southwesterly having a radius of 2,526.00 feet, through a central angle of  $03^{\circ}02'29''$ , an arc distance of 134.09 feet; thence tangent to last described curve, South  $30^{\circ}05'12''$  East, a distance of 43.98 feet; thence departing from said southeasterly line, North  $34^{\circ}57'51''$  West, a distance of 19.77 feet; thence North  $30^{\circ}09'21''$  West, a distance of 31.38 feet to the beginning of a tangent curve; thence in a

northwesterly direction along said curve, concave southwesterly having a radius of 2,361.00 feet, through a central angle of  $02^{\circ}52'44''$ , an arc distance of 118.64 feet; thence tangent to last described curve, North  $33^{\circ}02'06''$  West, a distance of 218.89 feet; thence North  $32^{\circ}46'25''$  West, a distance of 72.44 feet; thence North  $32^{\circ}58'54''$  West, a distance of 94.97 feet; thence North  $32^{\circ}50'09''$  West, a distance of 100.59 feet; thence North  $32^{\circ}00'55''$  West, a distance of 22.83 feet; thence North  $21^{\circ}49'05''$  West, a distance of 13.33 feet to the True Point of Beginning.

Containing 1,870 square feet, more or less.

 7/5/13  
Terence K. Orton, PE 21,807



U.S. HIGHWAY 101

1" IRON PIPE  
LS 6192

18.5' WIDE PG&E  
EASEMENT PER  
787 O.R. 402

N49°17'46"E 446.79'(M)  
N48°00'00"E 447.09'(R9)

30' WIDE UTILITY  
EASEMENT PER  
2007 O.R. 193

N69°34'59"W 782.58' (TIE)

PORTION OF PARCEL 1  
3433 O.R. 216  
(80 LS 7)

APN 091-301-078  
[MICHAEL J. CAVALETTI  
RANCHES LLC]

SEE PAGE A  
TPOB

G1

L5

L4

L3

L2

L1

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH
C1	00°01'38.1"	70125.00'	33.35'

PACIFIC COAST RAILROAD RIGHT OF WAY (ABANDONED)

PLAT

OF A PORTION OF LOTS 6 & 7, A MAPS 26  
IN THE COUNTY OF SAN LUIS OBISPO,  
STATE OF CALIFORNIA

PREPARED AT THE REQUEST OF  
COUNTY OF SAN LUIS OBISPO

BY

**ORTON ENGINEERING, INC.**

1686 RAMONA AVE, SUITE F  
GROVER BEACH, CA 93433  
TELEPHONE: (805) 474-1700

MAY, 2013 JOB NO. 13.006

PAGE 3 OF 5

LINE TABLE

LINE	BEARING	DISTANCE
L1	S40°41'47"E	20.00'
L2	S29°41'52"W	99.15'
L3	S56°52'19"W	23.00'
L4	S33°07'41"E	96.30'
L5	S21°49'05"E	51.54'

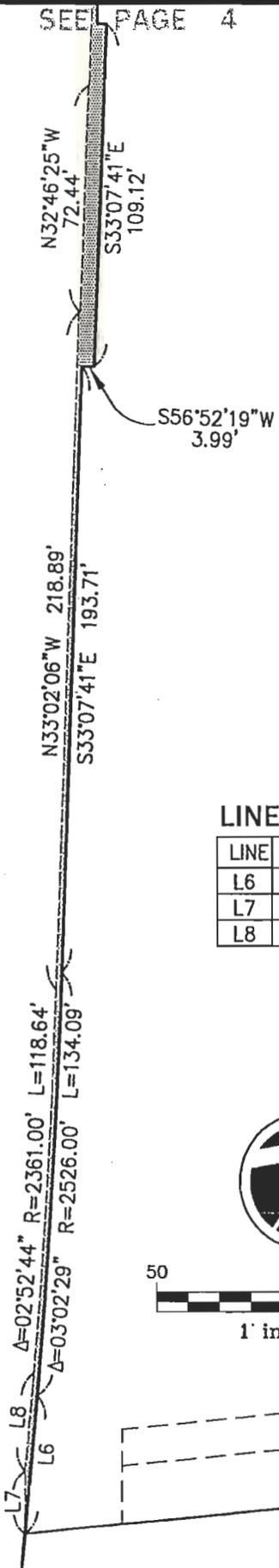


GRAPHIC SCALE





U.S. HIGHWAY 101



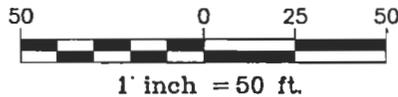
PORTION OF PARCEL 1  
 3433 O.R. 216  
 (80 LS 7)  
 APN 091-301-078  
 [MICHAEL J. CAVALETTI  
 RANCHES LLC]

LINE TABLE

LINE	BEARING	DISTANCE
L6	S30°05'12"E	43.98'
L7	N34°57'51"W	19.77'
L8	N30°09'21"W	31.38'

LEGEND

-  = 1,870 SQ. FT.
- (M)=MEASURED
- (R9)=80 LS 7
- 1" IP LS 6192 PER R9 OR AS NOTED



PLAT

OF A PORTION OF LOTS 6 & 7, A MAPS 26  
 IN THE COUNTY OF SAN LUIS OBISPO,  
 STATE OF CALIFORNIA

PREPARED AT THE REQUEST OF  
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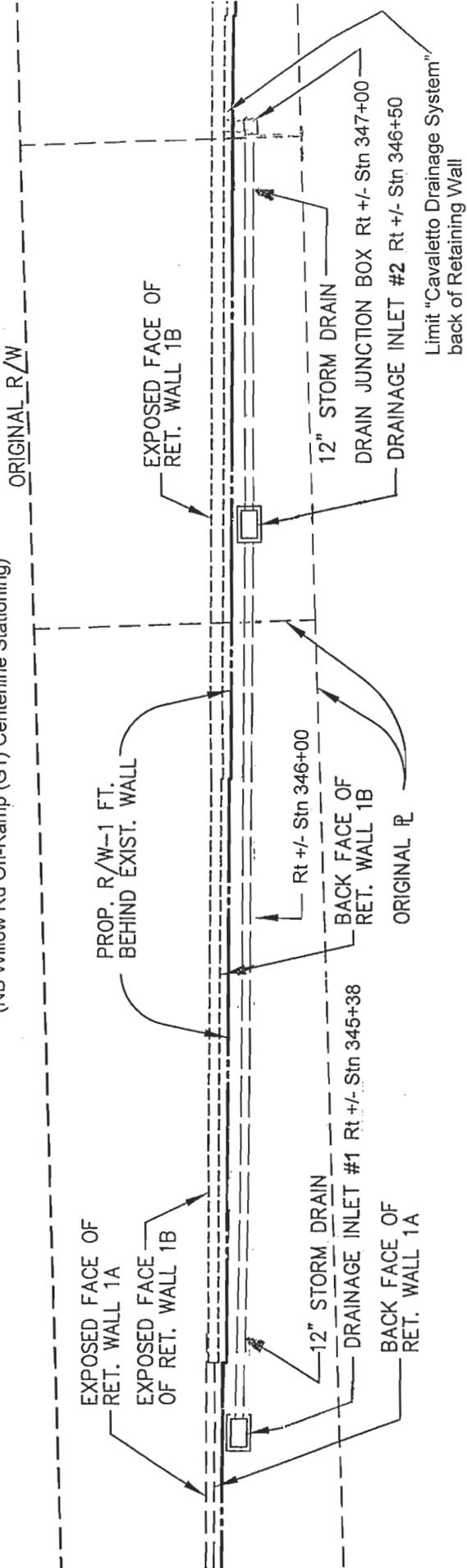
MAY, 2013

JOB NO. 13.006

# PLAN VIEW

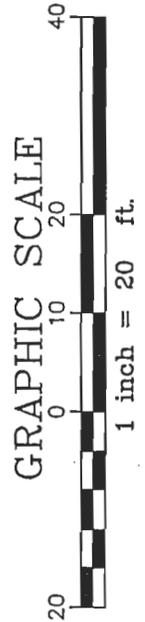
## HIGHWAY 101 WILLOW RD NB OFF-RAMP

(NB Willow Rd Off-Ramp (G1) Centerline Stationing)



EXIST. GREENHOUSE

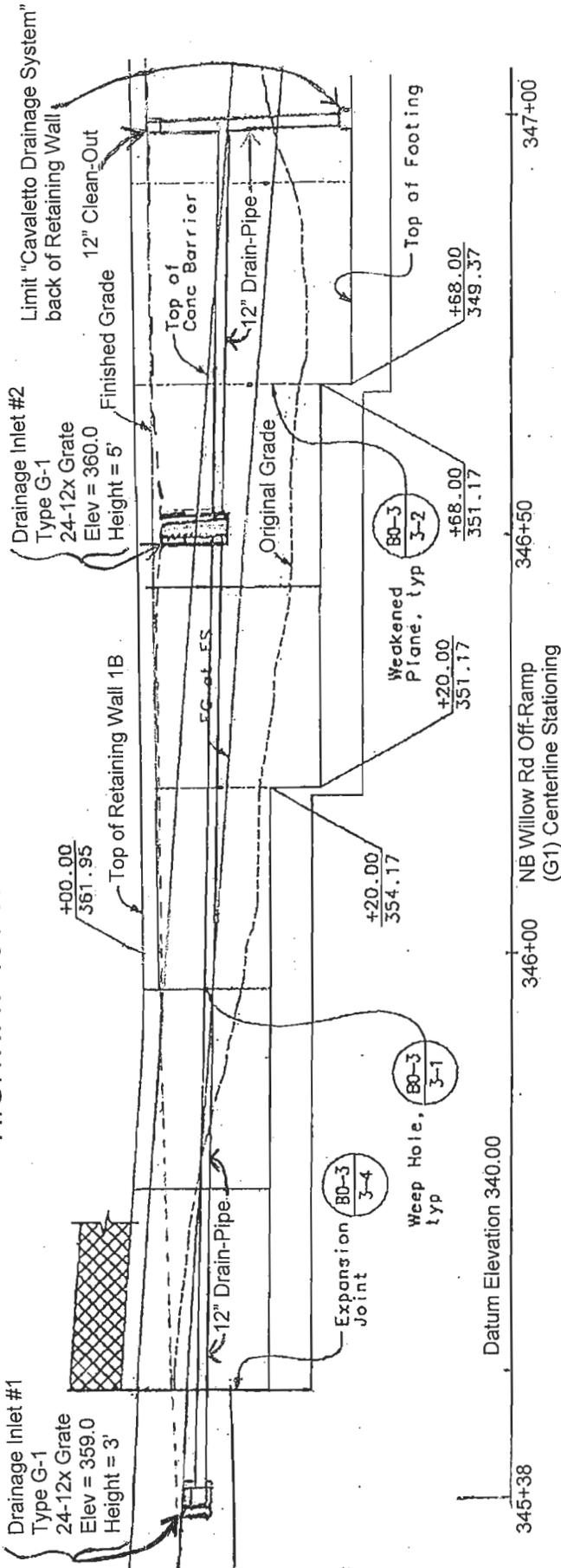
APN 091-301-033  
 [MICHAEL J. CAVALETTO  
 RANCHES LLC]



**EXHIBIT C**  
 CAVALETTO DRAINAGE SYSTEM  
 HIGHWAY 101 / WILLOW RD. INTERCHANGE  
 NIPOMO, CALIFORNIA  
 COUNTY OF SAN LUIS OBISPO

# PROFILE VIEW

## HIGHWAY 101 WILLOW RD NB OFF-RAMP



APN 091-301-033  
 [MICHAEL J. CAVALETTO  
 RANCHES LLC]

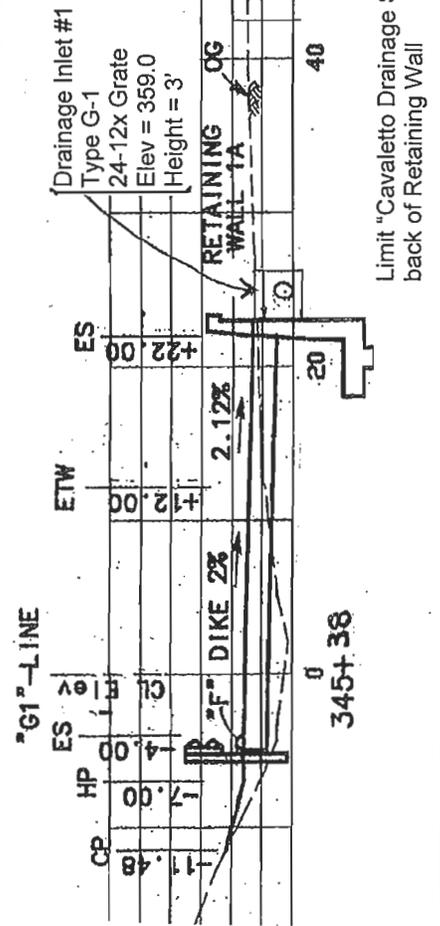
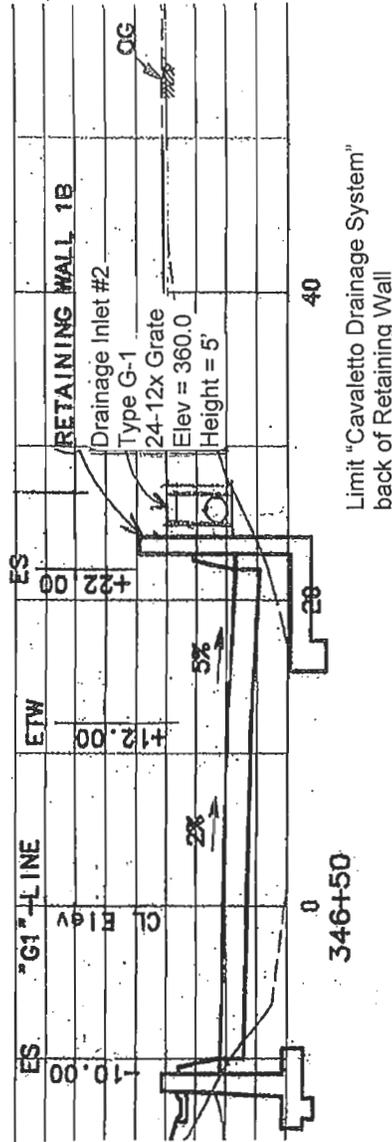
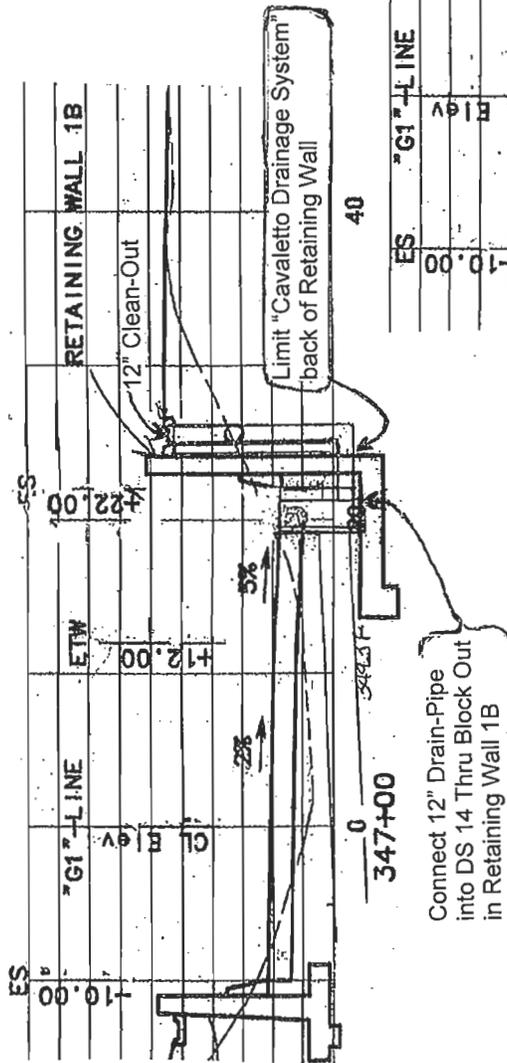


**EXHIBIT C**  
 CAVALETTO DRAINAGE SYSTEM  
 HIGHWAY 101 / WILLOW RD. INTERCHANGE  
 NIPOMO, CALIFORNIA  
 COUNTY OF SAN LUIS OBISPO

# CROSS SECTIONS

## HIGHWAY 101 WILLOW RD NB OFF-RAMP

(NB Willow Rd Off-Ramp (G1) Centerline Stationing)



# EXHIBIT C

CAVALETTO DRAINAGE SYSTEM  
 HIGHWAY 101 / WILLOW RD. INTERCHANGE  
 NIPOMO, CALIFORNIA  
 COUNTY OF SAN LUIS OBISPO