

RECORDING REQUESTED BY:
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 St, Room D120
San Luis Obispo, CA 93408

APN: 047-151-010 (portion)

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

PUBLIC ROAD AND SLOPE EASEMENT DEED No. 13-05

THIS INDENTURE, made this ____ day of _____, 2013, by John Hayashi, as Trustee of the Robert Hayashi Family Trust under Declaration of Trust dated October 1, 2013 or any successor Trustee of said Trust, hereinafter referred to as "Grantor", and the COUNTY OF SAN LUIS OBISPO, a political subdivision of the State of California, hereinafter referred to as "County":

WITNESSETH:

That Grantor, for a valuable consideration, receipt of which is hereby acknowledged, does hereby grant unto County, its successors and assigns an easement and right of way for public road and slope purposes including, but not limited to, the right to lay, construct, repair, maintain, operate, renew and replace roadway improvements, roadway related water collection and drainage systems, public utility facilities and appurtenances incidental thereto over, upon, and under that certain real property situate in the County of San Luis Obispo, State of California, described as follows:

see EXHIBIT "A-1", attached hereto and made a part hereof.

The easement granted herein includes the right to maintain slopes and ditches; plant and maintain grass, plants, or shrubs within the easement area for soil erosion purposes. Additionally, Grantor does hereby further grant to County, its successors and assigns, the necessary rights of entry to and from the hereinabove described property over existing roadways and pathways for operation of said easement.

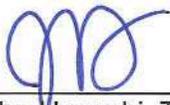
The consideration hereinabove recited shall also constitute payment in full for any severance damages to the remaining property of the Grantor, their successors and assigns, by reason of the construction, reconstruction, operation, repair and maintenance of said improvements referred to herein.

The provisions hereof shall inure to the benefit of the County, its successors and assigns, and shall bind the heirs, executors, administrators, assigns and successors in interest of the respective parties hereto, and all covenants shall apply to and run with the above described property.

IN WITNESS WHEREOF, Grantor has hereunto set their hand the day and year first above written.

(As used above the term "GRANTOR" shall include the plural as well as the singular number and the word "his" or "her" shall include the opposite gender as the case may be.)

GRANTOR: John Hayashi, as Trustee of the Robert Hayashi Family Trust under Declaration of Trust dated October 1, 2013 or any successor Trustee of said Trust

By: 
John Hayashi, Trustee

ACKNOWLEDGMENT

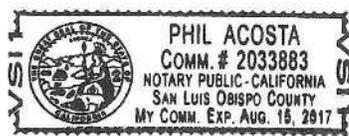
State of California
County of San Luis Obispo)

On May 21, 2014 before me, Phil Acosta, Notary Public personally
(insert name and title of the officer)

appeared John Hayashi, 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)

CERTIFICATE OF ACCEPTANCE

This is to certify that the **COUNTY OF SAN LUIS OBISPO**, grantee herein, hereby accepts for public purposes the real property, or interest therein, described in the foregoing Public Road and Slope Easement Deed dated _____, 20____, from John Hayashi, as Trustee of the Robert Hayashi Family Trust under Declaration of Trust dated October 1, 2013 or any successor Trustee of said Trust, Grantor herein, and consents to the recordation thereof.

In Witness Whereof, I have hereunto set my hand this ____ day of _____, 20____.

COUNTY OF SAN LUIS OBISPO

Chairperson of the Board of Supervisors
County of San Luis Obispo

ATTEST:
Julie L. Rodewald County Clerk-Recorder
County of San Luis Obispo

Deputy Clerk

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL
County Counsel

By:  Dated: 6/10/14, 2014
Deputy County Counsel

ACKNOWLEDGMENT

State of California
County of _____)

On _____ before me, _____ personally
(insert name and title of the officer)

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)

EXHIBIT A-1

A portion of Lot M of the J. F. Branch Homestead Tract in the County of San Luis Obispo, State of California as shown on map recorded in Book B of Maps, at Page 106 in the office of the County Recorder of Said County, and as described in deed recorded September 16, 1977 as Document No. 45870 in Volume No. 2010, at Page 730 of Official Records in the office of said County recorder. Said portion of Lot M also being shown on the "Plans for Construction; Tar Spring Creek Bridge on Branch Mill Road, Bridge No. 49C-0459, Federal Aid Bridge Replacement Project #BRLO-5949 (116), County Contract No. 300385" on file in the Department of Public Works of said County, being more particularly described as follows:

Beginning at a one inch iron pipe with plastic plug stamped "L.S. 7618", said pipe being a point on the deed line, 9.00 feet southeast of the true corner of that parcel of land described in that deed recorded as Document No. 2002107285 in the office of said County Recorder, and as shown on map recorded in Book 90 of Licensed Surveys, at Page 36 in the office of said County Recorder;

Thence, South 20°15'38" West 529.69 feet to a 2-inch iron pipe with brass tag Stamped "JDM RE 4338" at the west corner of a parcel of land described in that deed recorded in Book 375 of Official Records, at Page 357 in the office of Said County Recorder, and as shown on said Survey Map;

Thence, South 52°39'54" East 2488.67 feet to the **TRUE POINT OF BEGINNING**, being a point 25.41 feet right of Engineer's Station 10+87.73 of said Plans, said point also being a point on the south right-of-way of said Branch Mill Road, as said right-of-way existed and was declared a public highway per the San Luis Obispo County Board of Supervisor's action as declared in Board meeting minutes of said Board dated November 9, 1876, and recorded in Book C of said Board minutes, at Page 489;

Thence, leaving said right-of-way South 45°37'44" East 9.60 feet to a point 35.00 feet right of Engineer's Station 10+87.32, of said Plans; said point also being the beginning of a non-tangent curve, concave to the northwest, and having a radius of 635.00 feet, and to which point a radial bears South 48°12'11" East;

Thence, southwest along said curve 41.91 feet through a central angle of 03°46'55" to the end of said curve being a point 35.00 feet right of Engineer's Station 10+47.71 of said Plans, and to which point a radial bears South 44°25'16" East;

Thence, South 45°34'44" West 30.85 feet to a point 35.01 feet right of Engineer's Station 10+16.86 of said Plans;

Thence, South 07°32'57" West 40.59 feet to a point 60.00 feet right of Engineer's Station 9+84.90 of said Plans;

Thence, South 45°33'55" West 109.25 feet to a point 60.03 feet right of Engineer's Station 8+75.63, of said Plans;

Thence, North 44°26'05" West 10.00 feet to a point 50.03 feet right of Engineer's Station 8+75.63, of said Plans;

Thence, South 45°33'55" West 74.41 feet to a point 50.06 feet right of Engineer's Station 8+01.47, of said Plans;

EXHIBIT A-1

Thence, South 48°23'26" West 28.00 feet to a point 50.03 feet right of Engineer's Station 7+78.14, of said Plans;

Thence, North 44°25'16" West 5.97 feet to a point on the said existing south right-of-way of Branch Mill Road, said point being 44.09 feet right of Engineer's Station 7+77.65, of said Plans, and being the beginning of a non-tangent curve concave to the northwest, and having a radius of 205.00 feet and to which point a radial bears South 46°01'30" East;

Thence, northeast along said curve and said right-of-way, 18.57 feet through a central angle of 05°11'23" to the end of said curve, and to which point a radial bears South 51°12'53" East;

Thence along said right-of-way North 38°47'07" East 139.86 feet to the beginning of a tangent curve, concave to the southeast, and having a radius of 575.00 feet;

Thence along said curve and said right-of-way 115.25 feet through a central angle of 11°29'01" to the beginning of a reverse curve having a radius of 425.00 feet;

Thence, along said reverse curve and said right-of-way 43.75 feet through a central angle of 05°53'53" to the **TRUE POINT OF BEGINNING**, and to which point a radial bears South 45°37'44" East.

End of description.

The description above is shown graphically on the attached Exhibits B, B1 and B2.



Keith McMILLAN 1-31-14
KEITH MCMILLAN L.S. 6729