Recording requested by, and
when recorded mail to:

Public Works Department
County of San Luis Obispo
County Government Center, Room 207
San Luis Obispo, CA 93408

SPACE ABOVE THIS LINE FOR RECORDER'S USE

COVENANT BETWEEN THE ATASCADERO MUTUAL WATER COMPANY AND THE COUNTY OF SAN LUIS OBISPO FOR PRESERVATION OF OAK TREE MITIGATION AREA

The Atascadero Mutual Water Company ("AMWC") and the County of San Luis Obispo ("County") hereby agree as follows:

WHEREAS, the AMWC owns certain real property as shown in the attached Exhibit A (hereafter, the "Subject Property") that is suitable for the planting of coast live oak and blue oak trees; and

WHEREAS, the Subject Property is approximately 2.0 acres as depicted on Exhibit B, and constitutes a portion of Assessor's Parcel Number 055-113-004 (commonly known as the Rojo Tank site at 12750 Rojo Court, Atascadero).

NOW THEREFORE, it is agreed by the parties hereto as follows:

1. In consideration of the County's agreement to plant oak trees on the Subject Property, the AMWC hereby grants the County the right to use the Subject Property for the purpose of planting and maintaining oak trees, including the necessary rights of ingress and egress, until such time as the trees have been declared as established or five (5) years, whichever is earlier.

2. In the spirit of protecting the Subject Property as an oak tree preservation area and an oak woodland habitat, the AMWC agrees that the Subject Property shall not be used in any manner that would be detrimental to the planting, growth, or maintenance of oak trees. The AMWC will refrain from disking,

mowing, applying herbicides or other activities within or near the Subject Property that could result in damage to any oak trees or oak tree saplings within the Subject Property.

3. Upon conclusion of the establishment and monitoring period by the County, City of Atascadero Municipal Code Title 9, Chapter 11 "Native Tree Regulations" applies to any removal or disturbance of native trees within the Subject Property.

4. This Covenant shall run with the land, and be binding on the parties successors and assigns.

IN WITNESS THEREOF, the parties hereto have executed this Covenant, and this Covenant shall become effective on the date shown signed by the County of San Luis Obispo.

ATASCADERO MUTUAL
WATER COMPANY

Date: 9/8/14

By: _____
Title GENERAL MANAGER

COUNTY OF SAN LUIS OBISPO

By: _____
Chairperson of the Board
County of San Luis Obispo
State of California

ATTEST:

_____
Clerk and Ex-Officio Clerk of the Board of Supervisors
County of San Luis Obispo
State of California

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

By:_____
Deputy County Counsel

Date: 9/15/14

State of California)
County of _____)

Notary Acknowledgment

On _____, before me, _____, Notary Public, 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)

State of California)
County of San Luis Obispo)

Notary Acknowledgment

On September 8, 2014, before me, Lorraine M. Halderman, Notary Public, personally appeared John B. Neil, 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

LORRAINE M. HALDERMAN
Commission # 1919354
Notary Public - California
San Luis Obispo County
My Comm. Expires Jan 25, 2015

Signature Lorraine M. Halderman (Seal)

VICINITY MAP

Exhibit A. Rojo Court Oak Mitigation Site - APN 055-113-004

COUNTY OF SAN LUIS OBISPO PUBLIC WORKS & TRANSPORTATION DEPARTMENT

1: 16,532

0 689 1,378 Feet

Created by: Eric Wier

Printed: 9/4/2014

Exhibit B. Rojo Court Oak Mitigation Site on APN 055-113-004 (approximately 2 acres)