

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: 076-081-019 (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. 2016-06**

**THIS INDENTURE**, made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by Edward A. Weipert and Mary E. Weipert, Trustees of the Edward A. Weipert Family Revocable Trust u/d/t dated March 26, 1993, 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, as owner of that certain "Larger Parcel" more specifically described in the attached Exhibit "A" incorporated herein by reference, 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 (hereafter, "Easement Area"):

see EXHIBIT "B", attached hereto and made a part hereof.

The Grantor hereby further grants to County all trees, growths (growing or that may hereafter grow), improvements, and road building materials within said Easement Area, including the right to take water, together with the right to use the same in such manner and at such locations as said grantee may deem proper, needful or necessary, in the construction, reconstruction, improvement or maintenance of said road.

The easement granted herein includes the right to maintain slopes and ditches; plant and maintain grass, plants, trees 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 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 Grantor, for the Grantor and the Grantor's successors and assigns, hereby waives any claim for any and all damages to Grantor's remaining property contiguous to the easement hereby conveyed by reason of the location, construction, landscaping or maintenance of said road.

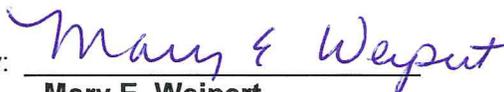
The provisions hereof shall inure to the benefit of the County, its successors and assigns, and shall bind the heirs, executors, administrators, assigns and successors in interest of the respective parties hereto, and all covenants shall apply to and run with the above described property.

IN WITNESS WHEREOF, Grantor has hereunto set his 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" shall include the feminine gender as the case may be.)

**Edward A. Weipert and Mary E. Weipert, Trustees of the Edward A. Weipert Family Revocable Trust u/d/t dated March 26, 1993, Grantor**

By:   
Edward A. Weipert

By:   
Mary E. Weipert

Date: 9-9-16

Date: 9-9-16

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

State of California NOTARY ACKNOWLEDGMENT  
County of San Luis Obispo

On September 9, 2016 before me, Phil Acosta, Notary public  
(insert name and title of the officer)

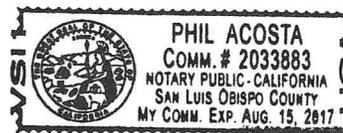
personally appeared Edward A. Weipert and Mary E. Weipert

\_\_\_\_\_, 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

## LEGAL DESCRIPTION

Real property in the unincorporated area of the County of San Luis Obispo, State of California, described as follows:

PARCEL 1: (CERTIFICATE OF COMPLIANCE 1993-079405):

THAT PORTION OF LOT NO. 38 (RANCHITA DE SANTA FE) TOWNSHIP 31 SOUTH, RANGE 12 EAST, M.D.B.M., ACCORDING TO THE OFFICIAL PLAT THEREOF AND THOSE PORTIONS OF PARCELS 1 AND 2 OF COAL-89-095, IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, RECORDED AUGUST 28, 1990 IN BOOK 47 AT PAGE 41 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF PARCEL 1 AS SHOWN ON THE MAP RECORDED IN BOOK 47 AT PAGE 41 OF PARCEL MAPS IN SAID COUNTY AND STATE, SAID POINT BEING ON THE EASTERLY RIGHT OF WAY OF STATE HIGHWAY 101; THENCE EASTERLY LEAVING SAID RIGHT OF WAY LINE AND ALONG THE NORTHERLY LINE OF SAID PARCEL 1 SOUTH 68°52'00" EAST, 942.33 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID NORTHERLY LINE SOUTH 12°47'50" WEST, 350.40 FEET; THENCE SOUTH 5°17'31" WEST, 305.94 FEET; THENCE SOUTH 4°24'58" EAST, 39.74 FEET; THENCE SOUTH 11°54'25" EAST, 92.17 FEET; THENCE SOUTH 40°13'49" EAST, 280.65 FEET TO THE INTERSECTION WITH THE CENTERLINE OF HIGUERA STREET; THENCE ALONG THE CENTERLINE OF SAID HIGUERA STREET, NORTH 29°03'22" EAST, 748.23 FEET; THENCE LEAVING THE CENTERLINE OF SAID HIGUERA STREET, NORTH 19°21'09" EAST, 147.62 FEET; THENCE WESTERLY ALONG SAID NORTHERLY LINE OF SAID PARCEL 1, NORTH 68°52'00" WEST, 546.57 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

A WATER WELL SITE, WATERLINE, ACCESS AND APPURTENANCES EASEMENT OVER THOSE PORTIONS OF LOT 38 OF RANCHITA DE SANTA FE IN TOWNSHIP 31 SOUTH, RANGE 12 EAST, M.D.M., IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, AS SHOWN ON THE GOVERNMENT TOWNSHIP PLAT THEREOF DESCRIBED AS:

1. A 10 FOOT WIDE WATERLINE, ACCESS AND APPURTENANCES EASEMENT CENTERED ON THE FOLLOWING DESCRIBED LINE;

COMMENCING AT A 1/2" REBAR WITH CAP PE 21807 BEING THE MOST NORTHERLY CORNER OF PARCEL 1 AS SHOWN ON THE MAP RECORDED IN BOOK 47 AT PAGE 41 OF PARCEL MAPS; THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY LINE OF SAID PARCEL 1, SOUTH 68°52'00" EAST 942.33 FEET; THENCE LEAVING SAID NORTHEASTERLY LINE, SOUTH 12°47'50" WEST, 59.89 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 84°42'50" WEST, 35.15 FEET; THENCE SOUTH 67°01'59" WEST, 196.00 FEET TO THE POINT OF TERMINUS. THE SIDELINES OF SAID 10 FOOT EASEMENT SHALL BE SHORTENED OR LENGTHENED SO AS TO INTERSECT WITH THE BOUNDARY OF PARCEL 1 ABOVE DESCRIBED.

2. A WELLSITE EASEMENT BEING A CIRCLE DRAWN WITH A 50.00 FOOT RADIUS FROM THE CENTERLINE BEING SAID POINT OF TERMINUS.

APN: 076-081-019

*First American Title*

## EXHIBIT B

*(Weipert, west side, 076-081-019 ptn)*

All that portion of Parcel 3 of COAL 93-029 described in Document 1993-079405 recorded December 20, 1993 in the Recorder's Office of the County of San Luis Obispo, State of California, said portion being more particularly described as follows;

Commencing at the easterly corner of Parcel 2 of Parcel Map COAL 89-095 filed August 28, 1990 in Book 47 of Parcel Maps at Page 41 in said Recorder's Office on the westerly right of way line of South Higuera Street as shown on said Parcel map;

Thence South 29°03'22" West 258.50 feet along said westerly right of way line to the true point of beginning;

Thence leaving said westerly right of way line North 60°56'38" West 15.00 feet;

Thence South 29°03'22" West parallel with and 15.00 feet westerly of said westerly right of way line 315.37 feet more or less to a point of intersection with the line described as "South 48°05'31" West 150.18 feet" as shown on said parcel map;

Thence North 48°05'31" East along said line 45.99 feet more or less to said westerly right of way line;

Thence along said right of way line North 29°03'22" East 271.90 feet more or less to the point of beginning.

Containing approximately 4405 square feet.

**TOGETHER WITH** that portion of said Parcel 3 more particularly described as follows:

Commencing at the easterly corner of Parcel 2 of Parcel Map COAL 89-095 filed August 28, 1990 in Book 47 of Parcel Maps at Page 41 in said Recorder's Office on the westerly right of way South Higuera Street as shown on said parcel map;

Thence South 29°03'22" West along said westerly right of way line 614.00 feet to the northeasterly terminus of the line described as "North 69°03'22" East 76.05 feet" as shown on said parcel map and the true point of beginning;

Thence South 69°03'22" West 15.56 feet along said line to a point 10.00 feet from and perpendicular to said westerly right of way line;

Thence South 29°03'22" West 176.00 feet parallel with and 10.00 feet westerly of said westerly right of way line;

Thence North 60°56'38" West 20.00 feet;

Thence South 29°03'22" West 52.00 feet;

SLO CO Parcel #16-06

## EXHIBIT B

Thence South 60°56'38" East 20.00 feet;

Thence South 29°03'22" West parallel with and 10.00 feet westerly of said westerly right of way line a distance of 19.00 feet more or less to the southwesterly line of said Parcel 3;

Thence South 40°13'49" East 10.69 feet along said southwesterly line of said Parcel 3 to said westerly right of way line of South Higuera Street;

Thence North 29°03'22" East 262.70 feet more or less to the point of beginning.

Containing approximately 3589 square feet.

End of Description



Edward M. Reading, P.L.S. 8081  
Date: April 11, 2016



EXHIBIT B



*Edward M. Reading*

PARCEL 3  
COAL 93-029  
DOC #1993-079405

PTN. PAR 2  
CO 01-0237  
74-PM-39

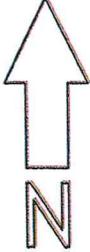
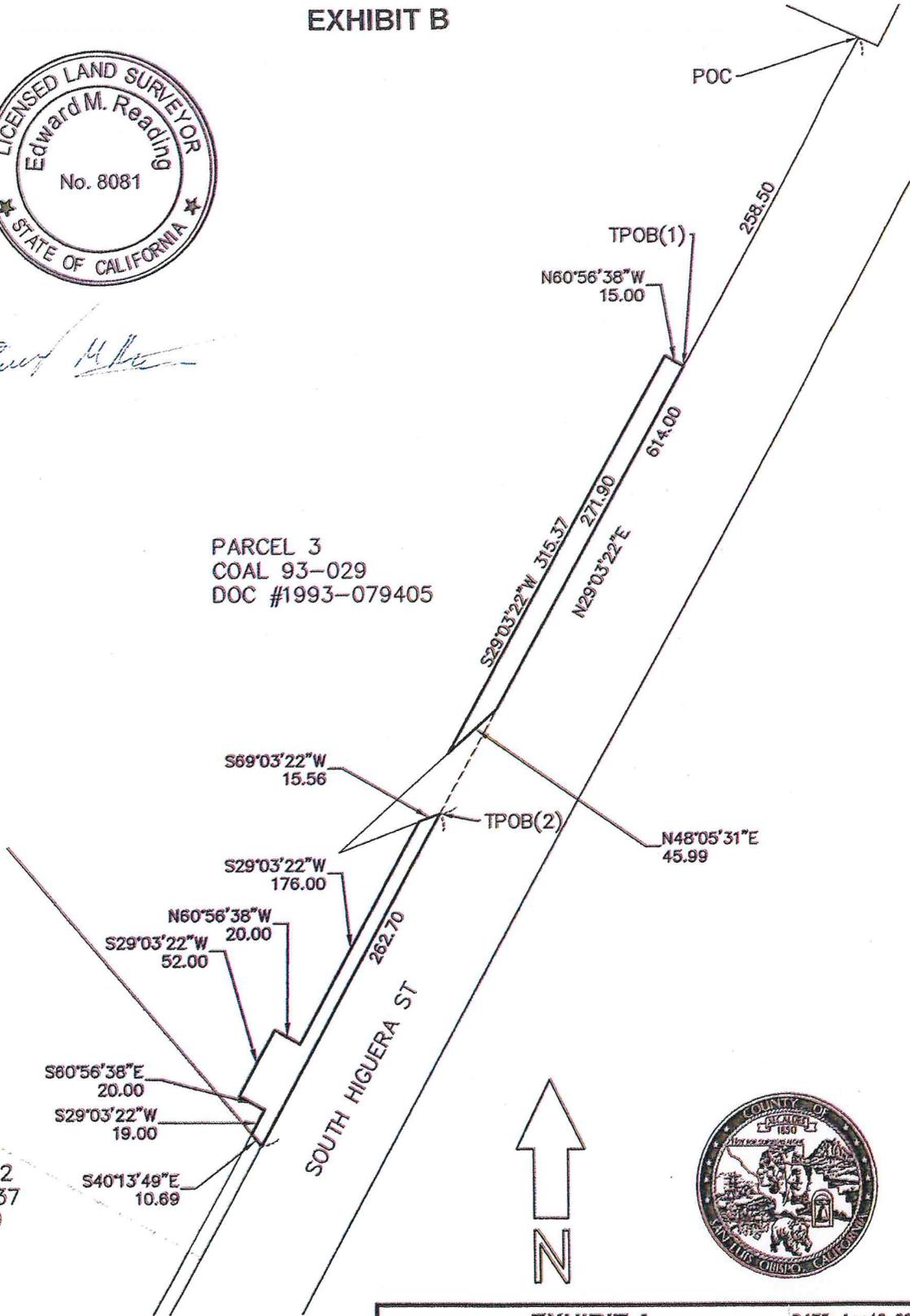


EXHIBIT A  
LEGAL DESCRIPTION EXHIBIT

Page 3 of 3 SLO CO Parcel #16-06

APN: 076-081-019

DATE: Apr 13, 2016  
DRAWN BY: EMR  
CHECKED BY: EMR  
SCALE: 1" = 100'

Drawing File Name: OCTO LGL DESC.dwg