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Deva Marie Proto
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RECORDING REQUESTED BY AND RETURN TO:

Clerk of the Board of Directors
Sonoma County Agricultural
Preservation and Open Space District
575 Administration Drive, Room 102A
Santa Rosa, CA 95403

Free recording per Government Code Section 6103

Escrow No. 4905-6471999(NC)

CALABAZAS CREEK REGIONAL PARK & OPEN SPACE PRESERVE
RECREATION CONSERVATION COVENANT
(California Civil Code §§815 *et seq.*)

THIS AGREEMENT is entered into by and between the Sonoma County Agricultural Preservation and Open Space District, a public agency formed pursuant to the provisions of Public Resources Code sections 5500 *et seq.* ("the District") and the County of Sonoma, a political subdivision of the State of California ("Owner") pursuant to Government Code section 5540.6.

Recitals

A. The District was formed for the purpose of preserving open space in the County of Sonoma and is funded by a voter approved sales tax, the expenditure of which is directed and limited by the Sonoma County Agricultural Preservation & Open Space 2006 Expenditure Plan ("the 2006 Expenditure Plan" or "the Plan") adopted in November 2006 as part of the Sonoma County Open Space, Clean Water and Farmland Protection Measure (Sonoma County Ordinance No. 5677R).

B. Among the categories of open space identified for protection in the 2006 Expenditure Plan are "fee interests for outdoor public recreation where the public use would not be inconsistent with the open space designations" listed in the Plan. In accordance with this

provision, the District acquired the fee interest in that certain real property, located in the unincorporated area of Sonoma County, more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference ("the Property").

C. The Sonoma County Board of Supervisors intends the Property to be used by the public, as reflected by actions taken on December 9, 2003, Resolution 03-1256.

D. In a companion transaction of even date, the District transferred the fee interest in the Property to the Owner pursuant to Public Resources Code section 5540.6.

E. In a companion transaction of even date, Owner has conveyed a conservation easement ("the Conservation Easement") to the District generally limiting the use of the Property to natural resource preservation, scenic preservation, and low-intensity public outdoor recreation and education consistent with identified Conservation Values. This Covenant is intended to complement the Conservation Easement by assuring the continued and perpetual recreational use of the Property consistent with the Conservation Easement.

F. In a companion transaction of even date, the Owner has granted to the District an irrevocable offer of dedication of the fee interest in the Property to secure the Owner's performance under this Covenant (the "Irrevocable Offer of Dedication").

Agreement

FOR VALUABLE CONSIDERATION, Owner hereby undertakes the following obligations for the benefit of the District:

1. *The Covenant.* Owner hereby conveys to the District a recreation conservation covenant ("Covenant") within the meaning of Restatement Third, Property (Servitudes) §1.6(1) and pursuant to the authority of Civil Code §§815 *et seq.* and the common law of California, to

assure that the Property will be continuously used, maintained, and operated by Owner and its successors in interest as a public park and open space preserve in perpetuity, available to the public for low-intensity public outdoor recreation and educational uses in a manner consistent with the Conservation Easement and the provisions herein.

2. Obligation to Provide Low-Intensity Public Outdoor Recreation and Educational Uses.

A. Owner hereby agrees to use, operate, and maintain the Property as a public park and open space preserve in perpetuity, available to the public for low-intensity outdoor public recreation and educational uses in a manner consistent with the Conservation Easement and the provisions herein. Such use, operation, and maintenance of the Property as a public park and open space preserve shall commence no later than three years from the date this Covenant is recorded in the Office of the Sonoma County Recorder and shall include, at a minimum, general availability of the Property for public hiking, picnicking, and nature study no less than six hours per day, seven days per week, except as otherwise provided in Section 5.6 of the Conservation Easement (Public Access Limitations). Owner's obligations hereunder shall not be enforceable by District until Owner has first completed its review, as may be required pursuant to the California Environmental Quality Act, of the potential environmental impacts, if any, associated with public recreational use of the Property.

B. Owner shall not engage in activities that impede public access to or public use of the Property for low-intensity outdoor public recreation and educational uses pursuant to this Covenant, except as otherwise provided in Section 5.6 of the Conservation Easement (Public Access Limitations) or as necessary on a temporary basis to protect public health or safety or the Property's natural resources and scenic values.

C. When a master plan is prepared and approved pursuant to Sections 5.1.8 and 6.1 of the Conservation Easement, Owner's use, operation, and maintenance of the Property as a public park and open space preserve shall be in accordance with such master plan.

D. The Owner shall place and maintain one entry sign at the primary access point from Nuns Creek Road and at least one trailhead sign on the Property, each recognizing the District's contribution. The design of such signs shall be consistent with the Hybrid Sign Graphics Style Guide ("Style Guide") dated November 9, 2012, available at the District office or the most current version of the Style Guide at the time such signs are installed.

3. *Enforcement.*

A. Concurrently with the recordation of this Covenant, Owner will have recorded an offer to dedicate the fee interest in the Property to the District pursuant to Public Resources Code section 5565.5, which may only be accepted by the District or its assignees in the event of an uncured breach of Owner's obligations under this Covenant. In the event of an uncured breach by the Owner of any of its obligations under this Covenant, the District may (1) institute a suit for appropriate equitable relief; (2) institute a suit to recover damages; (3) accept the offer of dedication; or (4) pursue any combination of the foregoing.

B. Prior to taking any action under Subparagraph 3.A, the District shall provide Owner with a notice to cure ("Notice"). The Notice shall be a written notification generally describing the condition or event claimed by the District to be a breach of Owner's obligations that is either mailed or otherwise delivered by the District to Owner. The Notice shall include a reasonable period in which the breach must be cured to the reasonable satisfaction of the District. The remedies provided by Subparagraph 3.A shall be available to the District immediately upon expiration of the cure period.

C. Enforcement of the obligations created by this Covenant shall be at the sole

discretion of the District. Any forbearance by the District to exercise its rights under this Covenant shall not be deemed or construed to be a waiver or forfeiture by the District.

D. The actual damages incurred by the District and allowed by Civil Code Section 815.7(c) resulting from Owner's breach of the obligations imposed by this Covenant are uncertain and would be impractical or extremely difficult to measure. Accordingly, the parties agree that the District's damages shall be measured by the fair market value of the Property, unencumbered and without regard to the Conservation Easement or this Covenant, multiplied by the length of time in years, including fractions thereof, during which the breach remains uncured after Notice was given by the District, multiplied by the then-current annual interest rate for post judgment interest, provided however that:

(i) No action for liquidated damages under this Paragraph 3(D) shall be filed without the consent of the District's Board of Directors or the governing Board of any successor agency to the District; and

(ii) No liquidated damages shall be assessed during any period for which Owner's governing body has, based upon substantial evidence, declared a fiscal emergency rendering it financially unable to perform its obligations under this Covenant; and

(iii) In no case shall liquidated damages exceed Two Million Dollars (\$2,000,000), as adjusted for inflation from the date of recordation of this Covenant, for any single breach.

The Owner's liability for damages is discharged if the Owner cures the breach within the time specified in the District's Notice.

E. The remedies set forth in this Paragraph 3 are in addition to and not intended

to displace any other remedy available to either party as provided by this Covenant, the Conservation Easement, Civil Code Section 815 et seq., the common law or any other applicable local, state or federal law.

F. Nothing contained in this Paragraph 3 shall be construed to entitle the District to bring any action against Owner for any failure to perform resulting from causes beyond Owner's control, including, without limitation, wildfire, flood, storm, and earth movement, or from any prudent action taken by Owner under emergency conditions to prevent, abate, or mitigate a failure to perform resulting from such causes, so long as such action, to the extent that Owner has control, is designed and carried out in such a way as to further the purpose of this Covenant.

4. *Subordinate Instruments.* All instruments granting any lease or other real property interest in the Property to third parties are subject to the limitations on transfers set forth in the Conservation Easement. Any such lease or other real property interest so created by Owner and all of the rights granted thereunder shall be and shall at all times remain subject, subordinate, and inferior to the District's rights under this Covenant and the Conservation Easement. Owner's power to create such third-party estates is limited by and subordinate to the irrevocable offer herein referenced and, as such, District may terminate any or all estates so created upon its acceptance of said irrevocable offer.

5. *Inspection.* The District may, within its sole discretion and from time to time, inspect the Property to determine if Owner is in compliance with this Covenant.

6. *Third Party Beneficiaries.* The District and Owner do not intend and this Covenant shall not be construed to create any rights in third parties.

7. *Integration.* This Agreement is the final and complete expression of the agreement between the parties and any and all prior or contemporaneous agreements written or oral have

been merged into this written instrument, other than the Conservation Easement which remains in full force and effect.

8. *Irrevocable Offer of Dedication.* Pursuant to Public Resources Code section 5565.5, Owner hereby grants to the District and its assignees an irrevocable offer of dedication of the fee interest in the Property, in the form and substance acceptable to District. Said offer of dedication shall, at all times, be subject, subordinate, and inferior to District's rights under this Covenant and the Conservation Easement. This offer of dedication may only be accepted by the District, or its assignees, in the event of an uncured breach of Owner's obligations under this Covenant.

9. *Covenant to Bind Successors.* This Covenant shall be a burden upon and shall continue as a restrictive covenant and equitable servitude running in perpetuity with the Property and shall bind Owner and its successors in interest, including but not limited to purchasers at tax sales, assigns, and all persons claiming under them forever. The parties intend that this Covenant shall benefit and burden, as the case may be, their respective successors, assigns, heirs, executors, administrators, agents, officers, employees, and all other persons claiming by or through them pursuant to the common and statutory law of the State of California. Further, the parties agree and intend that this Covenant creates an easement encompassed within the meaning of the phrase "easements constituting servitudes upon or burdens to the property," and irrevocable offers of dedication encompassed within the meaning of the phrase "unaccepted, recorded, irrevocable offers of dedication," as those phrases are used in California Revenue & Taxation Code section 3712(d) and (e), or any successor statute then in effect, such that a purchaser at a tax sale will take title to the Property subject to this Covenant.


[SIGNATURES AND ACKNOWLEDGEMENTS]

IN WITNESS WHEREOF, OWNER has executed this Irrevocable Offer of Dedication this

13th day of July, 2021.

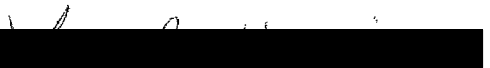
OWNER:

COUNTY OF SONOMA

By: 
Lynda Hopkins, Chair of the Board of Supervisors

DISTRICT:

SONOMA COUNTY AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT

By: 
Lynda Hopkins, President of the Board of Directors

ATTEST:


Deputy Clerk of the Board of Directors/Supervisors

NOTE: ACKNOWLEDGMENTS MUST BE ATTACHED FOR ALL SIGNATORIES.

ACKNOWLEDGMENT

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.

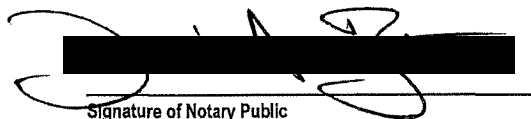
State of California
County of Sonoma)

On July 13, 2021 before me, Darin Asa Bartow, Notary Public,

personally appeared Lynda Hopkins,
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 of Notary Public

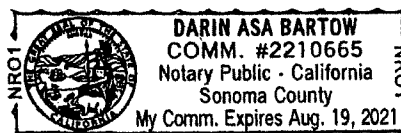


Exhibit A
LEGAL DESCRIPTION OF PROPERTY

Real property in the unincorporated area of the County of Sonoma, State of California, described as follows:

TRACT ONE: (APN: 053-040-038)

PARCEL ONE:

COMMENCING IN THE MIDDLE OF THE CALABAZAS CREEK, IN NUN'S CANYON; RUNNING THENCE WEST 15 CHAINS TO A POINT IN THE MIDDLE OF THE SANTA ROSA AND GLEN ELLEN PUBLIC ROAD; THENCE ALONG AND IN THE MIDDLE OF SAID ROAD NORTH 41° WEST, 02 CHAINS; THENCE NORTH 70° 15' WEST, 12.04 CHAINS; THENCE NORTH 31° 15' WEST, 16.73 CHAINS; THENCE LEAVING SAID PUBLIC ROAD NORTH 00° 31' EAST, 61.47 CHAINS; THENCE EAST 40.10 CHAINS TO THE SECTION CORNERS FOR SECTIONS 3, 4, 33, AND 34 IN TOWNSHIPS 6 AND 7 NORTH, RANGE 6 WEST, M.D.M.; THENCE NORTH 8.60 CHAINS; THENCE NORTH 56° 30' EAST, 25.50 CHAINS; THENCE NORTH 01° WEST, 17.73 CHAINS; THENCE WEST 0.55 CHAINS; THENCE SOUTH 82° WEST, 27.50 CHAINS; THENCE NORTH 05° 30' EAST, 15.73 CHAINS TO BROCKMAN'S CANYON; THENCE UP SAID CANYON SOUTH 75° 30' EAST, 2.50 CHAINS; THENCE NORTH 60° EAST, 6.00 CHAINS; THENCE NORTH 37° 30' EAST, 2.50 CHAINS; THENCE NORTH 51° EAST, 5.00 CHAINS; THENCE NORTH 62° EAST, 6.50 CHAINS; THENCE NORTH 67° 30' EAST, 5.80 CHAINS; THENCE LEAVING SAID BROCKMAN'S CANYON SOUTH, 6.00 CHAINS; THENCE EAST 70.37 CHAINS, MORE OR LESS, TO THE EASTERLY BOUNDARY LINE OF THE RANCHO LOS GUILICOS; THENCE SOUTH 25° 30' EAST, 44.50 CHAINS TO THE MIDDLE OF CALABEZAS CREEK IN NUNN'S CANYON; THENCE DOWN SAID CREEK FOLLOWING ITS MEANDERINGS, AND IN THE MIDDLE THEREOF, TO THE PLACE OF BEGINNING AND BEING KNOWN AS THE DRUMMOND RANCH.

SAVING AND EXCEPTING THEREFROM THAT PORTION DESCRIBED IN BOOK OF DEEDS 20, AT PAGE 195, SONOMA COUNTY RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION CONVEYED BY J. H. DRUMMOND, TO THE COUNTY OF SONOMA FOR ROAD PURPOSES BY DEED RECORDED IN BOOK 84 OF DEEDS, AT PAGE 507, SONOMA COUNTY RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION LYING SOUTHWESTERLY OF THE NORTHEASTERLY LINE OF THE STATE HIGHWAY LEADING FROM SANTA ROSA TO SONOMA AS SAID HIGHWAY IS DESCRIBED IN THAT DEED RECORDED IN BOOK 54 OF OFFICIAL RECORDS, AT PAGE 233, SONOMA COUNTY RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED IN THE DEED RECORDED IN BOOK 257 OF OFFICIAL RECORDS, AT PAGE 159, SONOMA COUNTY RECORDS.

ALSO EXCEPTING THEREFROM PARCEL 1 AS DELINEATED ON PARCEL MAP NO. 1663 FILED IN BOOK 142 OF MAPS, AT PAGE 5, SONOMA COUNTY RECORDS.

ALSO EXCEPTING THEREFROM THE LANDS DESCRIBED IN THE DEED RECORDED AS DOCUMENT NUMBER 1997-096929 OF OFFICIAL RECORDS, SONOMA COUNTY RECORDS (LLA96-0068).

PARCEL TWO:

THAT PORTION OF THE LANDS OF PETERSON AS DESCRIBED IN DOCUMENT NO. 1993- 0004707, SONOMA COUNTY RECORDS, LYING SOUTHERLY OF THE AGREED BOUNDARY LINEAS DESCRIBED IN EXHIBIT "A" OF THE BOUNDARY LINE AGREEMENT AND QUITCLAIM DEED, RECORDED FEBRUARY 27, 2004, UNDER DOCUMENT NO. 2004-026975, SONOMA COUNTY RECORDS.

TRACT TWO: (APN: PORTION 053-040-003)

PARCEL ONE:

LOT NUMBER 1 IN SECTION 34, T7N, R6W, MDM.PARCEL TWO:

LOT NUMBER 1 IN SECTION 3, T6N, R6W, MDM.PARCEL THREE:

A PORTION OF LOT NUMBER 2 AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION NUMBER 3, T6N, R6W, MDM, CONTAINING 27.98 ACRES, MORE ORLESS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID NORTHEAST QUARTER OF SECTION 3; THENCE SOUTHERLY ALONG THE EASTERN LINE OF SAID SECTION 3 TO THE CENTER LINE OF A ROADWAY NOW BEING USED BY CONSENT BY L.R. DECHESNE; THENCE WESTERLY AND NORTHWESTERLY ALONG THE CENTER LINE OF SAID ROADWAY TO INTERSECT THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3; THENCE NORTHWESTERLY IN A DIRECT LINE TO INTERSECT CALABEZAS CREEK AT A POINT IN THE CENTER THEREOF, DISTANT 20 FEET SOUTHWESTERLY FROM THE SOUTHWESTERN LINE OF THE OLD NUNN CANYON ROAD WHERE SAID ROAD CROSSES SAID CALABEZAS CREEK; THENCE NORTHEASTERLY ALONG THE CENTER OF SAID CREEK TO A POINT WHERE SAME INTERSECTS THE WESTERN LINE OF LOT 1 IN SAID SECTION 3; THENCE SOUTHERLY ALONG THE WESTERN LINE OF SAID LOT 1, TO THE SOUTHWEST CORNER THEREOF, WHICH SAID SOUTHWEST CORNER IS ALSO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF NORTHEAST QUARTER OF SAID SECTION 3; THENCE ALONG THE SOUTHERN LINE OF SAID LOT 1, 20 CHAINS TO THE POINT OF BEGINNING.

TRACT THREE: (APN: 053-030-028)

BEGINNING AT THE CENTER CORNER OF SECTION 35, T7N, R6W, MDM; THENCE NORTH, 31 CHAINS; THENCE NORTH 79° WEST, 7.50 CHAINS; THENCE SOUTH, 8.50 CHAINS; THENCE WEST, 6.50 CHAINS; THENCE NORTH 13° WEST, 7 CHAINS; THENCE SOUTH 79° 30' WEST, 10 CHAINS; THENCE SOUTH 5° 30' EAST, 5 CHAINS; THENCE WEST, 5 CHAINS TO THE LOS GUILICOS GRANT LINE, THENCE SOUTH EASTERLY ALONG SAID GRANT LINE TO THE CORNER OF ROMMEL'S LAND; THENCE EAST AND ALONG ROMMEL'S LINE TO THE PLACE OF BEGINNING.

EXCEPTING FROM THE ABOVE TRACTS ONE THRU THREE THE FOLLOWING DESCRIBED LAND:

PARCEL A1:

BEGINNING AT A POINT ON THE NORTH LINE OF STATE HIGHWAY 12 AT THE SOUTHEAST CORNER OF THE LANDS OF KUNDE, ET AL AS SHOWN ON THAT RECORD OF SURVEY FILED IN BOOK 520 OF

MAPS, AT PAGE 39, SONOMA COUNTY RECORDS, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THE LANDS OF BELTANE AS DESCRIBED IN THAT DEED RECORDED IN BOOK 2445 OF OFFICIAL RECORDS, AT PAGE 74, SONOMA COUNTY RECORDS, WHICH BEARS SOUTH 10° 27' 10" EAST, 1.73 FEET FROM A SET ½" REBAR AND CAP TAGGED PLS 4206; THENCE ON THE NORTHERLY RIGHT OF WAY LINE OF SAID HIGHWAY SOUTH 59° 50' 11" EAST, 2005.74 FEET TO A POINT ON THE WESTERLY LINE OF NUNN'S CANYON ROAD; THENCE ALONG THE WESTERLY LINE OF SAID ROAD ALONG A CURVE TO THE LEFT, FROM A TANGENT OF NORTH 23° 44' 44" EAST, HAVING A RADIUS OF 230.00 FEET, A CENTRAL ANGLE OF 22° 19' 24" FOR AN ARC LENGTH OF 89.61 FEET; THENCE NORTH 01° 40' 21" EAST, 125.73 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 270.00 FEET, A CENTRAL ANGLE OF 18° 48' 29" FOR AN ARC LENGTH OF 88.63 FEET; THENCE NORTH 20° 28' 59" EAST, 139.63 FEET; THENCE NORTH 27° 53' 27" EAST, 206.61 FEET; THENCE NORTH 30° 23' 37" EAST, 536.63 FEET; THENCE NORTH 28° 51' 01" EAST, 324.81 FEET; THENCE NORTH 30° 58' 06" EAST, 380.71 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 61° 45' 16" FOR AN ARC LENGTH OF 26.95 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF NELLIGAN ROAD; THENCE ALONG SAID SOUTHWESTERLY LINE OF NELLIGAN ROAD NORTH 30° 47' 41" WEST, 103.50 FEET; THENCE NORTH 20° 22' 16" WEST, 234.73; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 95.00 FEET, A CENTRAL ANGLE OF 22° 57' 12" FOR AN ARC LENGTH OF 38.06 FEET; THENCE NORTH 00° 30' 59" WEST, 130.96 FEET; THENCE NORTH 07° 16' 50" EAST, 176.84 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 580.00 FEET, A CENTRAL ANGLE OF 21° 21' 20" FOR AN ARC LENGTH OF 216.18 FEET; THENCE NORTH 14° 04' 36" WEST, 150.03 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 80.00 FEET, A CENTRAL ANGLE OF 43° 41' 43" FOR AN ARC LENGTH OF 61.01 FEET; THENCE NORTH 57° 46' 01" WEST, 60.04 TO A POINT ON THE LINE OF THE LANDS OF KUNDE AS DESCRIBED IN THAT DEED RECORDED AS DOCUMENT NO. 1998-110897 FROM WHICH A ½" IRON PIPE TAGGED LS 3890 BEARS NORTH 28° 30' 36" EAST, 16.48 FEET; THENCE LEAVING SAID SOUTHWESTERLY LINE OF NELLIGAN ROAD SOUTH 28° 30' 36" WEST, 468.81 TO A ½" IRON PIPE TAGGED LS 3890; THENCE SOUTH 52° 32' 29" WEST, 488.85 FEET TO A 16D NAIL ON THE SOUTHERLY SIDE OF A 6" DIAMETER FENCE POST; THENCE NORTH 52° 09' 31" WEST, 253.81 FEET; THENCE SOUTH 49° 52' 42" WEST, 1929.35 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING FROM THE ABOVE TRACTS ONE THRU THREE THE FOLLOWING DESCRIBED LAND:

PARCEL A2:

BEGINNING AT A POINT AT THE INTERSECTION OF THE NORTH LINE OF STATE HIGHWAY 12 AND THE EAST LINE OF NUNN'S CANYON ROAD WHICH BEARS SOUTH 59° 50' 11" EAST, 2045.55 FEET FROM THE SOUTHWEST CORNER OF THE LANDS OF KUNDE ET AL AS SHOWN ON THAT RECORD OF SURVEY FILED IN BOOK 520 OF MAPS, AT PAGE 39 SONOMA COUNTY RECORDS, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THE LANDS OF BELTANE AS DESCRIBED IN THAT DEED RECORDED IN BOOK 2445 OF OFFICIAL RECORDS, AT PAGE 74, SONOMA COUNTY RECORDS; THENCE ALONG A CURVE TO THE LEFT, FROM A TANGENT OF NORTH 24° 52' 58" EAST, HAVING A RADIUS OF 270.00 FEET, A CENTRAL ANGLE OF 23° 12' 50" FOR AN ARC LENGTH OF 109.39 FEET; THENCE NORTH 01° 40' 22" EAST, 125.72 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 230.00 FEET, A CENTRAL ANGLE OF 18° 48' 27" FOR AN ARC LENGTH OF 75.50 FEET; THENCE NORTH 20° 28' 50" EAST, 137.04 FEET; THENCE NORTH 27° 53' 36" EAST, 203.15 FEET; THENCE NORTH 30° 23' 33" EAST, 536.29 FEET; THENCE NORTH 28° 51' 06" EAST, 324.61 FEET; THENCE NORTH 30° 58' 03" EAST, 406.88 FEET; THENCE NORTH 69° 44' 00" EAST, 39.04 FEET TO A ½ INCH IRON PIPE LS 3890; THENCE NORTH 84° 34' 36" EAST, 26.17 FEET TO THE CENTER OF CALABASAS CREEK; THENCE ALONG SAID CREEK SOUTH 03° 49' 31" WEST, 51.85 FEET; THENCE SOUTH 18° 43' 39" EAST, 101.50 FEET; THENCE SOUTH 00° 16' 09" EAST, 46.30 FEET; THENCE

SOUTH 48° 52' 21" WEST, 151.05 FEET; THENCE SOUTH 39° 56' 26" WEST, 211.80 FEET; THENCE SOUTH 19° 58' 36" WEST, 90.65 FEET; THENCE SOUTH 45° 18' 41" WEST, 76.10 FEET; THENCE SOUTH 26° 44' 21" WEST, 103.22 FEET; THENCE SOUTH 50° 37' 01" WEST, 144.25 FEET; THENCE SOUTH 13° 38' 46" WEST, 223.85 FEET; THENCE SOUTH 37° 06' 36" WEST, 74.72 FEET; THENCE SOUTH 27° 01' 51" WEST, 125.65 FEET; THENCE SOUTH 35° 08' 46" WEST, 116.80 FEET; THENCE SOUTH 21° 04' 46" WEST, 106.85 FEET; THENCE SOUTH 02° 02' 41" WEST, 158.60 FEET; THENCE SOUTH 24° 32' 31" WEST, 205.00 FEET; THENCE SOUTH 05° 12' 21" WEST, 56.90 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY 12; THENCE LEAVING SAID CREEK NORTH 59° 50' 11" WEST, 76.43 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING FROM THE ABOVE TRACTS ONE THRU THREE THE FOLLOWING DESCRIBED LAND:

PARCEL A3:

BEGINNING AT A ½" IRON PIPE LS 3890 ON THE EASTERLY RIGHT OF WAY LINE OF NELLIGAN ROAD WHICH BEARS SOUTH 08° 31' 22" EAST, 2542.31 FEET FROM A 1.5" AUTO AXLE MARKING THE CORNERS FOR SECTIONS 33, 34, 3, AND 4, OF TOWNSHIPS 6 AND 7 NORTH, RANGE 6 WEST, MOUNT DIABLO MERIDIAN; THENCE LEAVING SAID ROAD NORTH 38° 15' 12" EAST, 207.40 FEET TO A ½" IRON PIPE TAGGED LS 3890; THENCE NORTH 80° 56' 58" EAST, 82.35 FEET TO A ½" IRON PIPE TAGGED LS 3890; THENCE SOUTH 73° 23' 02" EAST, 277.73 FEET TO A ½" IRON PIPE LS 3890; THENCE NORTH 30° 35' 51" EAST, 457.90 FEET TO A ½" IRON PIPE TAGGED LS 3890; THENCE NORTH 06° 24' 17" EAST, 168.62 FEET TO A ½" IRON PIPE TAGGED LS 3890; THENCE NORTH 41° 33' 05" EAST, 457.75 FEET TO A ½" IRON PIPE TAGGED LS 3890; THENCE NORTH 17° 02' 07" EAST, 290.79 FEET TO A ½" IRON PIPE TAGGED LS 3890; THENCE NORTH 45° 49' 51" EAST, 253.12 FEET TO A ½" IRON PIPE TAGGED LS 3890; THENCE SOUTH 85° 44' 23" EAST, 249.98 FEET TO A ½" IRON PIPE TAGGED LS 3890; THENCE NORTH 62° 16' 30" EAST, 93.22 FEET TO A ½" IRON PIPE TAGGED LS 3890; THENCE NORTH 38° 35' 43" EAST, 346.58 FEET TO A ½" IRON PIPE TAGGED LS 3890; THENCE NORTH 08° 09' 23" WEST, 150.00 FEET TO A ½" IRON PIPE TAGGED LS 3890; THENCE SOUTH 70° 10' 21" WEST, 900.59 FEET TO A ½" IRON PIPE TAGGED LS 3890 SET IN THE EASTERLY LINE OF THE LANDS OF BON AS SHOWN ON THAT RECORD OF SURVEY FILED IN BOOK 571 OF MAPS, AT PAGE 35, SONOMA COUNTY RECORDS; THENCE ALONG THE EAST AND SOUTH BOUNDARY LINES SOUTH 09° 47' 31" EAST, 54.06 FEET TO A ½" IRON PIPE TAGGED RCE 14946; THENCE SOUTH 04° 00' 05" WEST, 119.50 FEET TO A ½" IRON PIPE TAGGED RCE 14946; THENCE SOUTH 17° 42' 40" WEST, 117.14 FEET TO A ½" IRON PIPE TAGGED RCE 14946; THENCE SOUTH 28° 52' 23" WEST, 96.26 FEET TO A ½" IRON PIPE TAGGED RCE 14946; THENCE SOUTH 43° 34' 43" WEST, 186.55 FEET TO A ½" IRON PIPE TAGGED RCE 14946; THENCE NORTH 87° 28' 50" WEST, 251.18 FEET TO A ½" IRON PIPE TAGGED RCE 14946; THENCE NORTH 81° 31' 10" WEST, 116.62 FEET TO A ½" IRON PIPE TAGGED RCE 14946; THENCE NORTH 89° 26' 15" WEST, 65.61 FEET TO A ½" IRON PIPE TAGGED RCE 14946; THENCE SOUTH 73° 45' 35" WEST, 67.19 FEET TO A ½" IRON PIPE TAGGED RCE 14946; THENCE SOUTH 61° 57' 22" WEST, 38.74 FEET TO A ½" IRON PIPE TAGGED RCE 14946; THENCE SOUTH 69° 15' 25" WEST, 41.33 FEET TO A ½" IRON PIPE TAGGED RCE 14946; THENCE SOUTH 76° 46' 07" WEST, 56.46 FEET TO A ½" IRON PIPE TAGGED RCE 14946; 201.44 FEET TO A ½" IRON PIPE TAGGED RCE 14946 ON THE EASTERLY RIGHT OF WAY LINE OF NELLIGAN ROAD; THENCE ALONG SAID ROAD RIGHT OF WAY LINE ON A CURVE TO THE RIGHT FROM TANGENT OF SOUTH 06° 40' 41", HAVING A RADIUS OF 175.00 FEET, A CENTRAL ANGLE OF 29° 59' 56" FOR AN ARC LENGTH OF 91.63 FEET; THENCE NORTH 66° 40' 45" WEST, 4.79 FEET; THENCE SOUTH 33° 13' 12" WEST, 181.47 FEET; THENCE SOUTH 29° 20' 23" WEST, 199.64 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 65.00 FEET, A CENTRAL ANGLE OF 87° 06' 23" FOR AN ARC LENGTH OF 98.82 FEET; THENCE SOUTH 57° 46' 01" EAST, 179.22 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 120.00 FEET, A CENTRAL ANGLE OF 43° 41' 22" FOR AN ARC LENGTH OF 91.50 FEET; THENCE SOUTH 14° 04' 34" EAST, 150.03 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A

RADIUS OF 620.00 FEET, A CENTRAL ANGLE OF 11° 52' 58" FOR AN ARC LENGTH OF 128.58 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING FROM THE ABOVE TRACTS ONE THRU THREE THE FOLLOWING DESCRIBED LAND:

PARCEL B:

BEGINNING AT A FOUND 1 ½ INCH AUTO AXLE, BEING THE CORNER OF SECTIONS 33, 34, 3, AND 4 IN TOWNSHIP 6 AND 7 NORTH, RANGE 6 WEST, MOUNT DIABLO MERIDIAN; THENCE SOUTH 89° 14' 20" WEST, 497.69 FEET TO A ½" IRON PIPE TAGGED LS 3890; THENCE SOUTH 03° 34' 13" EAST, 85.20 FEET TO A ½" IRON PIPE TAGGED LS 3890 ON THE NORTHEASTERLY RIGHT OF WAY LINE OF NELLIGAN ROAD; THENCE ALONG SAID ROAD RIGHT OF WAY ON A CURVE TO THE RIGHT FROM A TANGENT OF SOUTH 76° 20' 18" EAST, HAVING A RADIUS OF 55.00 FEET, A CENTRAL ANGLE OF 84° 13' 28" FOR AN ARC LENGTH OF 80.85 FEET; THENCE SOUTH 01° 18' 38" EAST, 53.60 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 130.00 FEET, A CENTRAL ANGLE OF 30° 26' 57" FOR AN ARCLNGTH OF 69.09 FEET; THENCE SOUTH 31° 45' 35" EAST, 39.69 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 305.00 FEET, A CENTRAL ANGLE OF 47° 59' 25" FOR AN ARC LENGTH OF 255.46 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 245.00 FEET, A CENTRAL ANGLE OF 57° 17' 59" FOR AN ARC LENGTH OF 245.02 FEET, THENCE SOUTH 22° 27' 01" EAST, 241.95 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 520.00 FEET, A CENTRAL ANGLE OF 23° 51' 59" FOR AN ARC LENGTH OF 216.60 FEET; THENCE SOUTH 01° 24' 58" WEST, 127.72 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 205.88 FEET, A CENTRAL ANGLE OF 10° 40' 45" FOR AN ARC LENGTH OF 38.37 FEET; THENCE NORTH 67° 43' 20" EAST, 5.00 FEET TO A ½" IRON PIPE TAGGED RCE 14946 BEING IN THE NORTHERLY LINE OF THE LANDS OF BON AS SHOWN ON THAT RECORD OF SURVEY FILED IN BOOK 571 OF MAPS, AT PAGE 35, SONOMA COUNTY RECORDS; THENCE ALONG THE NORTHERLY AND EASTERLY BOUNDARY LINES OF BON NORTH 67° 43' 20" EAST, 516.31 FEET TO A ½" IRON PIPE TAGGED RCE 14946; THENCE NORTH 67° 56' 13" EAST, 521.78 FEET TO A ½" IRON PIPE TAGGED RCE 14946; THENCE NORTH 67° 43' 14" EAST, 208.11 FEET TO A ½" IRON PIPE TAGGED RCE 14946; THENCE SOUTH 40° 58' 02" EAST, 70.64 FEET TO A ½" IRON PIPE TAGGED RCE 14946; THENCE SOUTH 26° 25' 45" EAST, 42.42 FEET; THENCE SOUTH 09° 47' 31" EAST, 110.00 FEET TO A ½" IRON PIPE TAGGED LS 3890; THENCE LEAVING SAID LANDS OF BON NORTH 70° 10' 21" EAST, 900.59 FEET TO A ½" IRON PIPE TAGGED LS 3890; THENCE NORTH 08° 09' 23" WEST, 1058.23 FEET TO A ½" IRON PIPE TAGGED LS 3890; THENCE NORTH 08° 09' 23" WEST, 1387.48 FEET TO A ½" IRON PIPE TAGGED LS 3890; THENCE SOUTH 51° 03' 33" WEST, 563.99 FEET TO A ½" IRON PIPE TAGGED LS 3890 SET AT THE SOUTHEASTERLY CORNER OF THE LANDS OF FUNKE AS DESCRIBED IN THAT DEED RECORDED AS DOCUMENT NO. 1991-0077430 OF OFFICIAL RECORDS, SONOMA COUNTY RECORDS; THENCE ALONG THE SOUTHEASTERLY BOUNDARY LINE OF SAID LANDS OF FUNKS SOUTH 56° 09' 01" WEST, 1709.91 FEET ALONG THE SOUTHEASTERLY BOUNDARY LINE OF SAID LANDS OF FUNKE TO A ½" IRON PIPE TAGGED LS 3890 SET AT THE SOUTHEASTERLY CORNER OF THE LANDS OF FUNKE; THENCE SOUTH 00° 28' 18" EAST, 499.06 FEET TO A 1.5" AUTO AXLE AND THE POINT OF BEGINNING.

ALSO EXCEPTING FROM THE ABOVE TRACTS ONE THRU THREE THE FOLLOWING DESCRIBED LAND:

PARCEL C1:

COMMENCING AT A FOUND 1 ½" AXLE COMMON TO SECTIONS 33, 34, 3, AND 4 OF TOWNSHIP 6 AND 7 NORTH, RANGE 6 WEST, M.D.M.; THENCE NORTH 11° 45' 46" WEST, 2425.10 FEET TO THE WESTERLY FACE OF A 8X8 FENCE ON THE NORTHERLY LINE OF THE LANDS OF FUNKE AS DESCRIBED IN THAT DEED RECORDED AS DOCUMENT NO. 1991- 0077430 OF OFFICIAL RECORDS, SONOMA

COUNTY RECORDS AND BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE ALONG THE NORTHERLY LINE OF THE SAID LANDS OF FUNKE NORTH 83° 12' 19" EAST, 1929.67 FEET TO A ½" IRON PIPE AND TAG LS 3890; THENCE SOUTH 00° 17' 11" WEST, 1151.00 FEET TO A ½" IRON PIPE TAGGED LS 3890; THENCE LEAVING SAID LANDS OF FUNKE NORTH 51° 03' 33" EAST, 563.99 FEET TO A ½" IRON PIPE AND TAG LS 3890; THENCE NORTH 50° 49' 44" EAST, 2404.44 FEET TO A SET ½" IRON PIPE AND TAG LS 3890; THENCE NORTH 00° 10' 27" WEST, 530.33 FEET TO A SET ½" IRON PIPE AND TAG LS 3890; THENCE SOUTH 86° 33' 04" WEST, 458.40 FEET TO A SET ½" IRON PIPE AND TAG LS 3890; THENCE NORTH 87° 03' 06" WEST FOR 525.26 FEET TO A SET ½" IRON PIPE AND TAG LS 3890; THENCE NORTH 88° 20' 29" WEST, 1373.55 FEET TO A FOUND ¾" IRON PIPE NO TAG; THENCE NORTH 01° 18' 50" EAST, 91.13 FEET TO THE SOUTH RIGHT OF WAY LINE OF NELLIGAN ROAD; THENCE ALONG SAID RIGHT OF WAY LINE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 117.00 FEET, A CENTRAL ANGLE OF 47° 41' 35" FOR AN ARC LENGTH OF 97.39 FEET, SAID CURVE HAVING A CHORD BEARING OF SOUTH 81° 45' 49" WEST, 94.60 FEET; THENCE SOUTH 57° 59' 58" WEST, 114.02 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 800.00 FEET, A CENTRAL ANGLE OF 05° 40' 32", FOR AN ARC LENGTH OF 79.24 FEET; THENCE SOUTH 63° 40' 51" WEST, 57.29 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 365.00 FEET, A CENTRAL ANGLE OF 11° 23' 21" FOR AN ARC LENGTH OF 72.55 FEET; THENCE SOUTH 75° 03' 47" WEST, 41.05 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 360.00 FEET, A CENTRAL ANGLE OF 12° 30' 46" FOR AN ARC LENGTH OF 78.62 FEET; THENCE SOUTH 58° 57' 23" WEST, 81.27 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1245.00 FEET, A CENTRAL ANGLE OF 04° 13' 10" FOR AN ARC LENGTH OF 91.68 FEET; THENCE SOUTH 63° 10' 36" WEST, 83.35 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 280.00 FEET, A CENTRAL ANGLE OF 14° 24' 19" FOR AN ARC LENGTH OF 70.40 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 540.00 FEET, A CENTRAL ANGLE OF 13° 12' 51" FOR AN ARC LENGTH OF 124.54 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 330.00 FEET, A CENTRAL ANGLE OF 18° 12' 55" FOR AN ARC LENGTH OF 104.91 FEET; THENCE SOUTH 43° 46' 01" WEST, 123.21 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1610.00 FEET, A CENTRAL ANGLE OF 02° 38' 33" FOR AN ARC LENGTH OF 74.25 FEET; THENCE SOUTH 46° 24' 41" WEST, 97.03 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 270.00 FEET, A CENTRAL ANGLE OF 26° 50' 04" FOR AN ARC LENGTH OF 126.45 FEET; THENCE SOUTH 73° 14' 22" WEST, 84.30 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 700.00 FEET, A CENTRAL ANGLE OF 07° 17' 58" FOR AN ARC LENGTH OF 89.18 FEET; THENCE SOUTH 80° 32' 08" WEST, 42.93 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 685.00 FEET, A CENTRAL ANGLE OF 04° 38' 33" FOR AN ARC LENGTH OF 55.50 FEET; THENCE SOUTH 85° 11' 33" WEST, 63.96 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 335.00 FEET, A CENTRAL ANGLE OF 10° 29' 14" FOR AN ARC LENGTH OF 61.32 FEET; THENCE NORTH 84° 19' 43" WEST, 55.25 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 45.00 FEET, A CENTRAL ANGLE OF 77° 46' 26" FOR AN ARC LENGTH OF 61.08 FEET; THENCE SOUTH 06° 36' 04" WEST, 756.00 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING FROM THE ABOVE TRACTS ONE THRU THREE THE FOLLOWING DESCRIBED LAND:

PARCEL C2:

COMMENCING AT FOUND 1 ½" AXLE COMMON TO SECTIONS 33, 34, 3, AND 4 OF TOWNSHIP 6 AND 7 NORTH, RANGE 6 WEST M.D.M.; THENCE NORTH 18° 38' 40" EAST, 4250.73 FEET TO A POINT IN THE NORTHERLY RIGHT OF WAY OF NELLIGAN ROAD AND BEING THE POINT OF BEGINNING; THENCE ALONG THE SAID RIGHT OF WAY ON A CURVE TO THE LEFT, HAVING A RADIUS OF 157.00 FEET, A CENTRAL ANGLE OF 43° 12' 54" FOR AN ARC LENGTH OF 118.42 FEET, SAID CURVE HAVING A CHORD BEARING OF SOUTH 79° 36' 28" WEST, 115.63 FEET; THENCE SOUTH 58° WEST, 114.18 FEET; THENCE

ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 760.00 FEET, A CENTRAL ANGLE OF 05° 40' 33" FOR AN ARC LENGTH OF 75.29 FEET; THENCE SOUTH 63° 40' 34" WEST, 57.29 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 325.00 FEET, A CENTRAL ANGLE OF 11° 23' 18" FOR AN ARC LENGTH OF 64.60 FEET; THENCE SOUTH 75° 03' 52" WEST, 41.05 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 320.00 FEET, A CENTRAL ANGLE OF 16° 06' 32" FOR AN ARC LENGTH OF 89.97 FEET; THENCE SOUTH 58° 57' 20" WEST, 81.27 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1205.00 FEET, A CENTRAL ANGLE OF 04° 13' 10" FOR AN ARC LENGTH OF 88.74 FEET; THENCE SOUTH 63° 10' 30" WEST, 83.35 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 320.00 FEET, A CENTRAL ANGLE OF 14° 24' 16" FOR AN ARC LENGTH OF 80.45 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF 13° 12' 50" FOR AN ARC LENGTH OF 115.31 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 370.00 FEET, A CENTRAL ANGLE OF 18° 12' 58" FOR AN ARC LENGTH OF 117.63 FEET; THENCE SOUTH 43° 46' 06" WEST, 123.21 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1570.00 FEET, A CENTRAL ANGLE OF 02° 38' 33" FOR AN ARC LENGTH OF 72.41 FEET; THENCE SOUTH 46° 24' 39" WEST, 97.03 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 230.00 FEET, A CENTRAL ANGLE OF 26° 50' 05" FOR AN ARC LENGTH OF 107.72 FEET; THENCE SOUTH 73° 14' 44" WEST, 84.30 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 660.00 FEET, A CENTRAL ANGLE OF 07° 17' 57" FOR AN ARC LENGTH OF 84.08 FEET; THENCE SOUTH 80° 32' 41" WEST, 42.94 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 645.00 FEET, A CENTRAL ANGLE OF 04° 38' 33" FOR AN ARC LENGTH OF 52.26 FEET; THENCE SOUTH 85° 11' 14" WEST, 63.95 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 295.00 FEET, A CENTRAL ANGLE OF 10° 29' 15" FOR AN ARC LENGTH OF 54.00 FEET; THENCE NORTH 84° 19' 31" WEST, 55.71 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 85.00 FEET, A CENTRAL ANGLE OF 30° 16' 20" FOR AN ARC LENGTH OF 44.91 FEET; THENCE LEAVING SAID NORTHERLY LINE NORTH 06° 35' 52" EAST, 272.00 FEET TO THE CENTERLINE OF BROOKMANS CANYON; THENCE ALONG THE SAID CENTER LINE SOUTH 70° 38' 37" EAST, 148.67 FEET; THENCE NORTH 79° 33' 06" EAST, 146.05 FEET; THENCE NORTH 53° 33' 57" EAST, 331.82 FEET; THENCE NORTH 26° 26' 15" EAST, 90.87 FEET; THENCE NORTH 54° 22' 45" EAST, 304.24 FEET; THENCE NORTH 63° 38' 28" EAST, 364.03 FEET; THENCE NORTH 75° 54' 14" EAST, 174.57 FEET; THENCE NORTH 51° 18' 33" EAST, 194.60 FEET; THENCE NORTH 68° 25' 26" EAST, 232.80 FEET; THENCE SOUTH 67° 24' 24" EAST, 28.38 FEET; THENCE LEAVING THE SAID CANYON SOUTH 01° 18' 50" EAST, 214.46 FEET TO THE POINT OF BEGINNING:

ABOVE DESCRIBED TRACT'S ONE, TWO AND THREE LEGAL DESCRIPTION IS MADE PURSUANT TO THAT CERTIFICATE APPROVING A LOT LINE ADJUSTMENT LLA01-0100, RECORDED OCTOBER 22, 2004, AS INSTRUMENT NO. 2004-160460, OF OFFICIAL RECORDS.

TRACT FOUR:

PARCEL 1:

BEING A ROAD EASEMENT, 50 FEET IN WIDTH, FOR INGRESS AND EGRESS OVER A PORTION OF THE LANDS OF BELTANE, INC. AS DESCRIBED IN THOSE DEEDS RECORDED IN BOOK 2445, AT PAGE 755, AND DOCUMENT NO. 97-096930 OF OFFICIAL RECORDS, SONOMA COUNTY RECORDS; SITUATE IN THE RANCHO LOS GUILICOS, COUNTY OF SONOMA, STATE OF CALIFORNIA, THE CENTERLINE OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY LINE OF NELLIGAN ROAD WHICH BEARS NORTH 06° 36' 04" EAST, 152.17 FEET FROM THE CENTER WEST SIDE OF AN 8 INCH BY 8 INCH WOOD POST AS SHOWN ON THE RECORD OF SURVEY FILED IN BOOK 520 OF MAPS, AT PAGE 40, SONOMA COUNTY

RECORDS; THENCE ALONG SAID CENTERLINE THE FOLLOWING COURSES: NORTH 74° 58' 24" EAST, 39.15 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 33° 13' 14" FOR AN ARC LENGTH OF 57.98 FEET; THENCE SOUTH 71° 48' 23" EAST, 187.68 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 35° 41' 08" FOR AN ARCLength OF 124.57 FEET; THENCE NORTH 72° 30' 40" EAST, 127.38 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 18° 28' 07" FOR AN ARC LENGTH OF 64.47 FEET; THENCE NORTH 54° 02' 18" EAST, 123.02 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 250.00 FEET, A CENTRAL ANGLE OF 27° 29' 34" FOR AN ARC LENGTH OF 119.96 FEET; THENCE NORTH 26° 32' 50" EAST, 128.83 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 175.00 FEET, A CENTRAL ANGLE OF 73° 54' 07" FOR AN ARC LENGTH OF 225.72 FEET; THENCE SOUTH 79° 32' 49" EAST, 136.53 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 77° 07' 28" FOR AN ARC LENGTH OF 67.30 FEET; THENCE SOUTH 02° 25' 33" EAST, 23.86 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 37° 05' 27" FOR AN ARC LENGTH OF 48.55 FEET; THENCE SOUTH 39° 30' 38" EAST, 155.15 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 50° 11' 42" FOR AN ARCLength OF 87.61 FEET; THENCE SOUTH 89° 38' 28" EAST, 4.79 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 125.00 FEET, A CENTRAL ANGLE OF 68° 18' 04" FOR AN ARC LENGTH OF 149.01 FEET; THENCE NORTH 21° 59' 57" EAST, 82.81 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 175.00 FEET, A CENTRAL ANGLE OF 08° 22' 07" FOR AN ARC LENGTH OF 25.56 FEET; THENCE NORTH 33° 43' 13" EAST, 79.10 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 125.00 FEET, A CENTRAL ANGLE OF 16° 52' 02" FOR AN ARC LENGTH OF 36.80 FEET; THENCE NORTH 50° 35' 07" EAST, 130.85 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 125.00 FEET, A CENTRAL ANGLE OF 09° 21' 53" FOR AN ARC LENGTH OF 20.43 FEET; THENCE NORTH 59° 56' 59" EAST, 107.04 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 125.00 FEET, A CENTRAL ANGLE OF 14° 45' 28" FOR AN ARC LENGTH OF 32.20 FEET; THENCE NORTH 45° 11' 44" EAST, 51.81 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 125.00 FEET, A CENTRAL ANGLE OF 25° 53' 14" FOR AN ARCLength OF 56.48 FEET; THENCE NORTH 19° 18' 31" EAST, 68.02 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 47° 17' 55" FOR AN ARC LENGTH OF 61.91 FEET; THENCE NORTH 66° 36' 17" EAST, 37.85 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 33° 56' 38" FOR AN ARC LENGTH OF 44.43 FEET; THENCE NORTH 32° 39' 28" EAST, 36.95 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 11° 15' 07" FOR AN ARC LENGTH OF 19.64 FEET; THENCE NORTH 21° 23' 50" EAST, 42.90 FEET ; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 32° 58' 4" FOR AN ARC LENGTH OF 57.54 FEET; THENCE NORTH 54° 22' 07" EAST, 34.14 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 75° 06' 49" FOR AN ARC LENGTH OF 65.55 FEET; THENCE SOUTH 50° 30' 32" EAST, 64.60 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 31° 3' 09" FOR AN ARC LENGTH OF 40.65 FEET; THENCE SOUTH 81° 33' 54" EAST, 122.51 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 22° 06' 25" FOR AN ARCLength OF 77.17 FEET; THENCE NORTH 74° 06' 34" EAST, 279.73 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 121° 01' 32" FOR AN ARC LENGTH OF 105.61 FEET; THENCE SOUTH 15° 09' 02" WEST, 29.81 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 63° 54' 32" FOR AN ARC LENGTH OF 83.66 FEET; THENCE SOUTH 43° 44' 08" EAST, 128.19 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 26° 06' 42" FOR AN ARC LENGTH OF 34.18 FEET; THENCE SOUTH 69° 50' 36" EAST, 276.71 FEET ; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 21° 27' 11" FOR AN ARC LENGTH OF 28.08 FEET;

THENCESOUTH 48° 23' 32" EAST, 166.95 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 61° 28' 56" FOR AN ARC LENGTH OF 80.48 FEET; THENCE NORTH 70° 10' 14" EAST, 9.88 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 66° 52' 58" FOR AN ARC LENGTH OF 58.37 FEET; THENCE SOUTH 42° 59' 12" EAST, 85.53 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 50° 14' 00" FOR AN ARC LENGTH OF 43.84 FEET; THENCE NORTH 86° 46' 30" EAST, 18.31 FEET TO A POINT ON THE SOUTHEASTERLY BOUNDARY LINE OF PARCEL C OF THAT LOT LINE ADJUSTMENT APPROVED BY COUNTY OF SONOMA PERMIT AND RESOURCE MANAGEMENT DEPARTMENT AS FILE #LLA 01-0100 FROM WHICH A SET ½" IRON PIPE BEARS NORTH 50° 49' 44" EAST, 754.87 FEET.

THE SIDELINES OF THIS EASEMENT ARE TO BE EXTENDED OR SHORTEN TO START ON THE EASTERLY RIGHT OF WAY LINE OF NELLIGAN ROAD AND END ON THE SOUTHEAST BOUNDARY LINE OF SAID PARCEL C.

PARCEL 2:

BEING A ROAD EASEMENT, 50 FEET IN WIDTH, ACROSS A PORTION OF THE LANDS OF VAL PETERSON AND JOANN PETERSON TRUSTEES OF THE VAL PETERSON AND JOANN S. PETERSON 1992 REVOCABLE TRUST, DATED JANUARY 6, 1993 AND JOANN PETERSON, A MARRIED WOMAN AS HER SEPARATE PROPERTY AS DESCRIBED IN THAT DEED RECORDED IN DOCUMENT NO. 1993-4707 OF OFFICIAL RECORDS, SONOMA COUNTY RECORDS; SITUATE IN THE RANCHO LOS GUILICOS, COUNTY OF SONOMA, STATE OF CALIFORNIA, THE CENTERLINE OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERN LINE OF PARCEL D AS DESCRIBED IN LLA 01-0100 ON FILE IN THE OFFICE OF THE SONOMA COUNTY PERMIT AND RESOURCE MANAGEMENT DEPARTMENT, WHICH BEARS EAST, 936.34 FEET FROM A ½ INCH IRON PIPE 3890 IN SAID NORTHERN LINE AND SHOWN ON THE RECORD OF SURVEY SHOWING PARCELS DESCRIBED IN SAID LLA 01-0100, FILED SUBSEQUENT TO RECORDATION OF THIS DOCUMENT; THENCE ALONG THE CENTERLINE OF SAID EASEMENT THE FOLLOWING COURSES NORTH 20° 39' 58" WEST, 48.17 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 125.00 FEET, A CENTRAL ANGLE OF 68° 30' 01" FOR AN ARC LENGTH OF 149.44 FEET; THENCE NORTH 47° 50' 39" EAST, 41.18 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 125.00 FEET, A CENTRAL ANGLE OF 23° 35' 25" FOR AN ARC LENGTH OF 51.47 FEET; THENCE NORTH 24° 15' 11" EAST, 253.21 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 150.00 FEET, A CENTRAL ANGLE OF 15° 39' 47" FOR AN ARC LENGTH OF 41.01 FEET; THENCE NORTH 08° 35' 16" EAST, 279.06 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 13° 25' 44" FOR AN ARC LENGTH OF 17.58 FEET; THENCE NORTH 05° 00' 10" WEST, 168.34 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 30° 13' 49" FOR AN ARC LENGTH OF 39.57 FEET; THENCE NORTH 24° 53' 06" EAST, 100.21 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 28° 04' 38" FOR AN ARC LENGTH OF 98.01 FEET; THENCE NORTH 52° 58' 06" EAST, 35.40 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 25° 16' 43" FOR AN ARC LENGTH OF 33.09 FEET; THENCE NORTH 78° 14' 34" EAST, 42.70 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 75.00 FEET, A CENTRAL ANGLE OF 45° 06' 48" FOR AN ARC LENGTH OF 59.05 FEET; THENCE NORTH 33° 06' 56" EAST, 4.98 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 71° 18' 01" FOR AN ARC LENGTH OF 62.22 FEET; THENCE SOUTH 75° 34' 32" EAST, 92.33 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 18° 49' 03" FOR AN ARC LENGTH OF 32.84 FEET;

THENCE NORTH 85° 36' 51' EAST, 122 FEET MORE OR LESS TO THE EASTERLY LINE OF LOS GUILICOS RANCHO.

THE SIDELINES OF WHICH ARE TO BE SHORTENED OR PROLONGATED TO BEGIN AT THE SOUTHERLY LINE OF SAID LANDS OF PETERSON AND TO END ON THE EASTERLY LINE OF LOS GUILICOS RANCHO, BEING THE EASTERLY LINE OF THE LANDS OF PETERSON.

TRACT FIVE: (APN: 053-030-003; 053-030-029 AND PORTION 053-040-003)

SOUTHWEST ¼ AND SOUTH ½ OF SOUTHEAST ¼ OF SECTION 26; LOTS 1, 2, 3, 4 AND 5 AND THE EAST ½ OF SECTION 35; NORTHWEST ¼ AND WEST ½ OF SOUTHWEST ¼ OF SECTION 36, ALL IN TOWNSHIP 7 NORTH, RANGE 6 WEST, M.D.M.

EXCEPTING THEREFROM ALL THAT PORTION LYING WITHIN NAPA COUNTY.

ALSO EXCEPTING FROM TRACT FIVE DESCRIBED ABOVE THE FOLLOWING DESCRIBED PARCEL:

BEGINNING AT THE CENTER CORNER OF SECTION 35, TOWNSHIP 7 NORTH, RANGE 6 WEST, M.D.M.; THENCE NORTH, 31 CHAINS; THENCE NORTH 79° WEST, 7.50 CHAINS; THENCE SOUTH, 8.50 CHAINS; THENCE WEST, 6.50 CHAINS; THENCE NORTH 13° WEST, 7 CHAINS; THENCE SOUTH 79° 30' WEST, 10 CHAINS; THENCE SOUTH 5° 30' EAST, 5 CHAINS; THENCE WEST, 5 CHAINS TO THE LOS GUILICOS GRANT LINE; THENCE SOUTH EASTERLY ALONG SAID GRANT LINE TO THE CORNER OF ROMMEL'S LAND; THENCE EAST AND ALONG ROMMEL'S LINE TO THE PLACE OF BEGINNING.


A.P.N.s: 053-030-003 and 053-030-028 and 053-030-029 and 053-040-003 and 053-040-038

CERTIFICATE OF ACCEPTANCE
(Government Code Section 27281)
OF REAL PROPERTY BY THE
BOARD OF DIRECTORS OF THE
SONOMA COUNTY AGRICULTURAL PRESERVATION
AND OPEN SPACE DISTRICT


This is to certify that the interests in real property conveyed by the Recreation Conservation Covenant dated _____ from the County of Sonoma, a public agency, to the Sonoma County Agricultural Preservation and Open Space District, a governmental agency formed pursuant to the provisions of Public Resources Code Section 5506.5, is hereby accepted by the President of the Board of Directors on behalf of the District pursuant to the authority conferred by Resolution Nos. 21-0180 and 21-0181 of the Board of Directors, dated May 11, 2021, and the District consents to the recording thereof by its duly authorized officer.

Sonoma County Agricultural Preservation and
Open Space District

Dated: 7/13/21

By: 
Lynda Hopkins, President
Board of Directors

ATTEST:


Deputy Clerk of the Board of Directors