

# *CC&R's & Other Recorded Documents*

Recording Requested By:

- LAFRANCHI, MICKELSEN & HIRSCHFIELD

When Recorded Return To:

LAFRANCHI, MICKELSEN & HIRSCHFIELD  
P. O. Box 379  
Petaluma, California 94952

RECORDED AT REQUEST OF  
N W T SEC 35

AT 30 MIN. PAST 10 A M  
Solano County, California

*Quinn* RECORDER

DEC 29 1973 T

OFFICIAL RECORDS

FEES: 14.00

T 61167

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ESTABLISHMENT OF CONDITIONS, COVENANTS AND RESTRICTIONS FOR

LANDS OF IRWIN

ESTABLISHMENT OF CONDITIONS, COVENANTS AND RESTRICTIONS FOR  
LANDS OF IRWIN

KNOW ALL MEN BY THESE PRESENTS:

LEROY IRWIN and LOUISE IRWIN, being the owners of all of the following described real property, situated within the unincorporated area of the County of Sonoma, State of California, to wit: All that real property described in Exhibit A, has established a general plan for access and road improvements to serve such real property and do hereby establish the covenants, conditions, reservations and restrictions upon which and subject to which all parcels shall be improved or sold and conveyed by the parties hereto. Each and every one of these covenants, conditions, reservations and restrictions is, and all are, for the benefit of present and future owners of the parcels described above, or any interest therein, and shall inure to and pass with each and every parcel, and shall bind the respective successors in interest of the present owners thereof; should the parcels described herein be further divided, each such parcel thus created shall likewise be subject to the conditions, covenants and restrictions contained herein, whether or not the same are mentioned in any deed to such parcels. These covenants, conditions, reservations and restrictions are, and each thereof is, imposed upon the above-described parcels, all of which are to be construed as restrictive covenants running with the title to such lots and with each and every parcel thereof, to wit:

1. DEFINITIONS:

- A. The "road area" referred to herein shall be the presently improved roadways, or roadways improved hereafter, used for access as shown on the map

attached hereto as Exhibit B and described in Exhibit A. The term "lot" shall mean those lots or parcels identified as lots 1 through 4 on that certain Parcel Map No. M.S. 5112 recorded at Book 247, Page 8 of Sonoma County Official Records, or any subsequent division thereof.

- B. The "committee" referred to herein shall be composed of 4 representatives, one each from each of the 4 lots, provided that the owners of any one lot may have no more than one member on the committee at any one time. Should additional parcels be created on the lands described herein after this document is recorded, each such lot shall be entitled to one member on said committee. Notwithstanding the sentence above, so long as LEROY IRWIN or LOUISE IRWIN or their heirs shall own any interest in any parcel affected by these conditions, covenants and restrictions, LEROY IRWIN and LOUISE IRWIN, or their heirs, nominees or appointees, shall be entitled to two (2) memberships and two (2) votes on said committee; this power shall not be transferable and shall cease at such time as LEROY IRWIN and LOUISE IRWIN, or their heirs, cease to own any title in the subject parcels.



The committee shall be responsible for the maintenance, repairs, and improvements of the road area as herein-after set forth, but shall have no ownership or taxable interest in the road area.

A member of the committee shall be entitled to vote only upon such matters as affect that portion of the roadway for which he may be assessed according to the formula set forth below, provided, however, that LEROY IRWIN and LOUISE IRWIN, or their heirs, nominees or assigns shall be entitled to vote on any and all issues before the committee as set forth above in this Paragraph B.

## 2. RIGHTS AND REMEDIES.

If the owners of such lots or any of them, or their heirs or assigns, other person owning any parcel described above, or any interest therein other than a leasehold, to prosecute any proceedings at law or in equity against the person or persons violating any of such covenants, and either to prevent him from so doing or to recover damages for such violation, or both. Provided that, any controversy between the parties hereto involving the construction or application of any of the terms, covenants, or conditions of this agreement, shall on written request of one party served on the other, be submitted to arbitration, and such arbitration shall comply with and be governed by the provisions of the California Arbitration Act, Sections 1280 through 1294.2 of the California Code of Civil Procedure. The parties

shall each appoint one person to hear and determine the dispute and if they shall be unable to agree, then the two persons so chosen shall select a third impartial arbitrator whose decision shall be final and conclusive upon the parties hereto. The cost of such arbitration shall be borne by the losing party or in such proportions as the arbitrator shall decide.

The failure promptly to enforce any of the conditions, covenants, and restrictions shall not bar their enforcement. The invalidation of any one or more of the conditions, covenants, and restrictions by any court of competent jurisdiction in no way shall affect any of the other reservations and restrictions, but they shall remain in full force and effect.

3. ROAD AREA MAINTENANCE:

- A. The parties hereto declare and covenant for each and every parcel described above and each subsequent owner of any such parcel or any interest therein by acceptance of a deed therefor, whether or not it shall be so expressed in such deed, is deemed to covenant and agree to pay to the committee, assessments for the repair, improvements, and maintenance of the road area and the taxes thereon, such assessments to be established and collected as hereinafter provided. The assessments, together with interest, costs, and reasonable attorney's fees, shall be a charge on the land and shall be a continuing lien upon the property against which each such assessment is made. Each such assessment, together with interest, costs, and reasonable attorney's

fees, shall also be the personal obligation of the person who was the owner of such property at the time when the assessment fell due. The personal obligation for delinquent assessments shall not pass to his successors in title unless expressly assumed by them.

- B. Any assessment authorized under Section 3A shall be taken at a meeting of the committee called for that purpose, written notice of which shall be sent to all members not less than 15 or more than 50 days in advance of the meeting. If the proposed assessment is favored by a majority of the votes cast at such meeting, but such vote is less than the requisite number of all members which is necessary to levy an assessment, those members who were not present in person or by proxy may give their written consent to the appropriate officers of the committee not later than 30 days from the date of such meeting.

- C. Assessments shall be determined as follows for all lots and may be collected on a monthly basis:
- Assessments shall be levied against each parcel in the same proportion as the number of linear feet of road actually used by each parcel for access to dwellings, outbuildings or guest houses bears to the total number of linear feet in the roadway across all parcels affected hereby, provided,



each parcel shall bear in equal proportions costs incurred to maintain that portion of the road from the boundary line of Bennett Valley Road to the point said road commences to cross any portion of Lot 2 shown on Parcel Map No. 5112, recorded at Book 247, page 8 of Sonoma County Official Records.

- D. Any assessment not paid within 30 days after the due date shall bear interest from the due date at the rate of 8% per annum. The committee may bring action at law against the owner personally obligated to pay the same, or foreclose the lien against the property. No owner may waive or otherwise escape liability for the assessments provided for herein by non-use of the road area or abandonment of his lot.
- E. The lien of the assessment provided for herein shall be subordinate to the lien of any first mortgage. Sale or transfer of any lot shall not affect the assessment lien. However, sale or transfer of any lot pursuant to first mortgage foreclosure or any proceeding in lieu thereof, shall extinguish the lien of such assessments as to payments which became due prior to such sale or transfer. No foreclosure sale shall relieve such lot from liability for any assessments thereafter becoming due or from the lien hereof.
- F. The provisions of Paragraphs 3A-3E shall apply to lot 4 as described in Parcel Map No. 5112 recorded at Book 247, Page 8 of Sonoma County Official Records only at such time as said lot 4 is further split or at such time as the owner



of lot 4 shall construct any dwelling, outbuilding or guest house thereon and commence to use the roadway for access thereto. Until such occurrence as described, lot 4 shall not be assessed for maintenance, improvement, or repair of the roadway, nor for taxes thereon.

4. GATES AND CATTLE GUARDS.

A locked gate shall be maintained by the committee at the point where the roadway intersects the boundary between lots 1 and 2 described in Parcel Map No. 5112 until such time as development occurs on lot 1 or on the rear of either lot 2 or lot 3 described in Parcel Map No. 5112. Otherwise, no landowner, nor anyone holding by, through or under him, shall erect, maintain or permit any fence or closed gate across any road maintained by the committee unless all landowners affected by the above conditions, covenants and restrictions agree in writing. Cattle guards shall be permitted but shall be maintained by the landowner installing them. In the event such cattle guards are not maintained to the satisfaction of the committee, the committee shall have the power and authority, upon a majority vote thereof, either to repair or to remove such cattle guard, at its option; costs incurred as a consequence of repair or removal by the committee shall be assessed against the property of the responsible landowner and collected as set forth above.

IN WITNESS WHEREOF, the undersigned, being the owner and developer of the properties herein, has set his hand this 22 day of December, 1970.

Louise F. Irwin  
Louise F. Irwin

DESCRIPTION:

BOOK 3504 PAGE 54

All that real property situate in the County of Sonoma, State of California, described as follows:

PARCEL ONE:

Commencing at a point on the Easterly line of Section 31, Township 7 North, Range 7 West, M. D. B. & M., which is southerly 176.00 feet from the Northeast corner of said Section, thence North  $81^{\circ}54'20''$  West, to the Southwest corner of the Southeast quarter of the Southeast quarter of Section 30; thence West along the North line of Section 31, 20.00 chains to the Northwest corner of the Northeast one-quarter of said Section; thence South along the quarter section line 20.00 chains; thence South  $37^{\circ}$  East, 11.40 chains; thence South  $38^{\circ}$  East 13.60 chains; thence South  $54^{\circ}$  East, 2.00 chains to a point 16.89 chains East of the center of said Section 31; thence South  $56^{\circ}$  East 13.00 chains; thence South  $77-1/4^{\circ}$  East 2.33 chains; thence South  $88-1/4^{\circ}$  East, 1.77 chains; thence South  $85^{\circ}$  East 1.60 chains; thence South  $84^{\circ}$  East 1.15 chains; thence North  $74^{\circ}$  East 1.15 chains; thence North  $61-1/4^{\circ}$  East 1.95 chains; thence North  $75-1/2^{\circ}$  East 0.09 chains; thence North  $85-1/2^{\circ}$  East 0.09 chains; thence North  $8^{\circ}$  East, 1.00 chains; thence North 3.00 chains; thence North  $24-1/2^{\circ}$  East 1.00 chains; thence North  $35^{\circ}$  East 2.30 chains to the quarter section corner between Sections 31 and 32; thence North, along the line between said Sections 31 and 32 to the place of commencement.

Reserving therefrom an easement, 50 feet in width, for road and utilities, over Lots 2 and 3, as shown and designated upon Parcel Map No. M. S. 5112, filed January 21, 1977, in Book 247 of Maps, at page 8, Sonoma County Records.

Excepting therefrom that portion which is described as follows:

Commencing at the quarter section corner between Sections 31 and 32 at an iron pipe, at the northeast side of an 8 inch Buckeye tree; thence North 86.9 feet to a stake about  $1-1/2$  feet Northeast from a live oak tree; thence North  $84^{\circ}$  West 145 feet to an iron pipe; thence South  $8^{\circ}12'$  West 199.4 feet to a nail in a live oak stump; thence South  $71^{\circ}15'$  East 90.7 feet to a point at the end of the 12th course (N.  $24-1/2^{\circ}$  East 1.00 chain) as in the deed from Petronella Van Kappel to C. D. Ward and wife, recorded in Book 319 of Deeds, page 203, Sonoma County Records; thence North  $35^{\circ}$  East 2.30 chains (151.8 feet) as per aforesaid deed to the point of beginning, inclosing  $71/100$  acres as surveyed by J. E. Williams on March 7, 1921.

Also Excepting Therefrom Lots 2 and 3, as numbered and designated upon Parcel Map No. M. S. 5112, filed January 21, 1977, in Book 247 of Maps, at page 8, Sonoma County Records.

Reserving therefrom for road access purposes that portion of the easement described at Book 3213 page 221 of Official Records, Office of County Recorder of Sonoma County, California which crosses and traverses Lot 1 as numbered and designated upon Parcel Map No. M.S. 5112, filed January 21, 1977, in Book 247 of Maps, at page 8, Sonoma County Records.

PARCEL TWO:

A non-exclusive easement, 50 feet in width, over Lots 2, 3 & 4, for road and utilities, as shown and designated upon the above Parcel Map.

EXHIBIT "A"

EXHIBIT A



A non-exclusive easement for general road and utility purposes; lying within Section 31, Township 7 North, Range 7 West, M.D.M., over a strip of land having a uniform width of 50.00 feet over a portion of Lot 1 and Lot 2 of Parcel Map No. M.S. 5112, being a portion of the lands conveyed by Deed to G. Leroy Irwin and Louise F. Irwin, recorded in Book 2945 of Official Records, page 700, Sonoma County Records, the centerline of said 50.00 foot wide easement being more particularly described as follows:

COMMENCING at a found 2 inch iron pipe with brass cap marking the section corner common to Sections 29, 30, 31 and 32, Township 7 North, Range 7 West, M.D.M. (as shown on Record of Survey recorded in Book 210 of Maps, page 33, Sonoma County Records); thence from said point of commencement South  $0^{\circ} 06' 53''$  West along the east line of said Section 31, being the east line of the said lands of Irwin, and also being the east line of said Lot 2, 784.31 feet to a set 1/2 inch iron pipe and tag marking the true point of beginning of said centerline to be herein described; thence from said true point of beginning along said centerline the following courses:  
South  $83^{\circ} 53' 56''$  West, 137.76 feet to a set 1/2 inch iron pipe and tag; thence North  $70^{\circ} 28' 42''$  West, 205.74 feet to a set 1/2 inch iron pipe and tag; thence South  $60^{\circ} 31' 10''$  West, 125.52 feet to a set 1/2 inch iron pipe and tag; thence North  $33^{\circ} 37' 03''$  West, 84.27 feet to a set 1/2 inch iron pipe and tag; thence North  $47^{\circ} 43' 42''$  West, 104.79 feet to a set 1/2 inch iron pipe and tag; thence North  $63^{\circ} 26' 43''$  West, 245.63 feet to a set 1/2 inch iron pipe and tag; thence North  $43^{\circ} 15' 46''$  West, 166.95 feet to a set 1/2 inch iron pipe and tag; thence South  $89^{\circ} 43' 20''$  West, 366.99 feet to a set 1/2 inch iron pipe and tag; thence North  $41^{\circ} 13' 58''$  West, 41.00 feet to a point on the west line of said Lot 2, and the east line of Lot 1, said point being witnessed by a set 1/2 inch iron pipe and tag which bears North  $0^{\circ} 06' 53''$  East along the common line of said Lots 1 and 2, 37.84 feet, said point also being witnessed by a set 1/2 inch iron pipe and tag which bears South  $0^{\circ} 06' 53''$  West along said common line of Lots 1 and 2, 37.84 feet; thence from said point continuing along said centerline North  $41^{\circ} 13' 58''$  West, 131.56 feet to a set 1/2 inch iron pipe and tag; thence North  $60^{\circ} 23' 39''$  West, 235.99 feet to a set 1/2 inch iron pipe and tag; thence North  $89^{\circ} 52' 21''$  West, 370.04 feet to a set 1/2 inch iron pipe and tag; thence North  $55^{\circ} 15' 48''$  West, 155.20 feet to a set 1/2 inch iron pipe and tag; thence North  $84^{\circ} 12' 24''$  West, 348.84 feet to a set 1/2 inch iron pipe and tag; thence South  $52^{\circ} 49' 39''$  West, 106.42 feet to a set 1/2 inch iron pipe and tag; thence South  $15^{\circ} 31' 14''$  East, 149.25 feet to a set 1/2 inch iron pipe and tag; thence South  $51^{\circ} 07' 02''$  East, 645.01 feet to a set 1/2 inch iron pipe and tag; thence South  $57^{\circ} 10' 22''$  East, 677.84 feet to a set 1/2 inch iron pipe and tag; thence South  $25^{\circ} 35' 38''$  East 249.93 feet to a found 1/2 inch iron pipe and tag marking the corner common to Lot 2 and Lot 3 of said Parcel Map No. M.S. 5112, and also marking a point on the east line of said Lot 1, and being the point of termination of said centerline, the easterly line of said easement terminating at the point of intersection with the west line of said Lot 2, and the westerly line of said easement terminating at the point of intersection with the west line of said Lot 3.

(continued)

Basis of bearing, said Record of Survey recorded in Book 210 of Maps, page 33, Sonoma County Records. All tags mentioned bear the inscription Hogan, Schoch & Associates, LS 2798.

This easement shall be appurtenant to Lot 3 of said Parcel Map No. M.S. 5112, filed January 21, 1977, in Book 247 of Maps, at page 8, Sonoma County Records, and may be used for the purposes herein set forth by all parties who may become owners of said land or any part or portion thereof.

### Acknowledgment - General

State of California,

County of Sonoma

} ss.

On December 22, 1978

, before me, the undersigned, a Notary Public for California, personally appeared G. LEROY IRWIN and LOUISE F. IRWIN

known to me (~~as persons who are known to me~~), to be the person.s whose name.s are subscribed to the within instrument and acknowledged to me that he executed the same.



Teresa Matott  
Notary Public for California



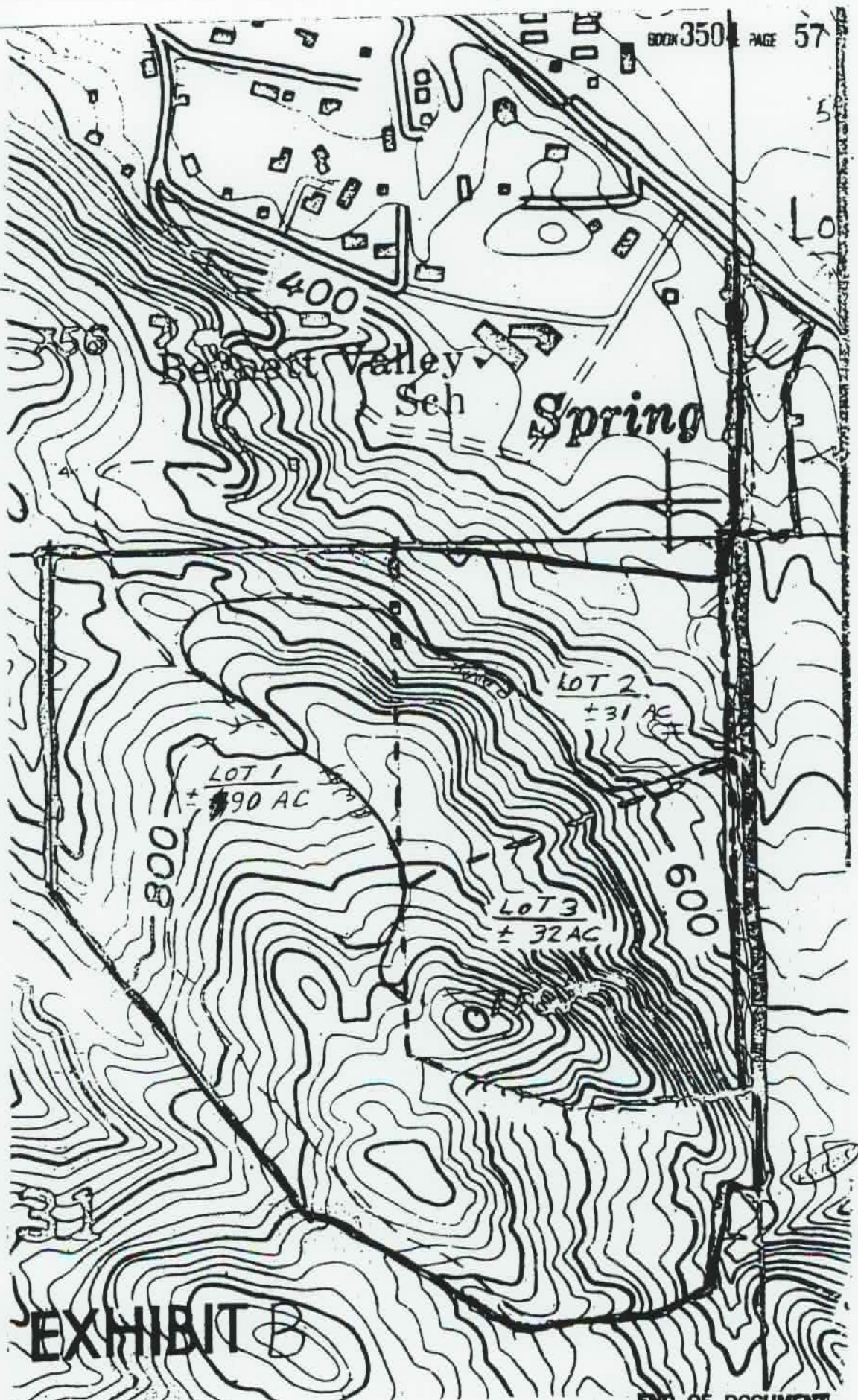


EXHIBIT B



RECORDING REQUESTED BY  
Transamerica Title Ins. Company

BOOK 3504 PAGE 154

RECORDED IN BOOK OF  
T A T CO  
DEC 29 1978  
OFFICIAL RECORDS  
SONOMA COUNTY CLERK  
\$5.00 PG. Recorder

T 61222

AND WHEN RECORDED MAIL TO

Name  
Street  
City  
State  
Zip  
John N. Stillion  
Carlos Chamorro  
2415 Pilgrimage Trail  
Los Angeles, Ca 90068

MAIL TAX STATEMENTS TO

Name  
Street  
City  
State  
Zip  
Same as above

DOCUMENTARY TRANSFER TAX  
PAID \$88.00



DOCUMENTARY TRANSFER TAX \$ 88.00  
X COMPUTED ON FULL VALUE OF PROPERTY CONVEYED,  
OR COMPUTED ON FULL VALUE LESS LIENS AND  
ENCUMBRANCES REMAINING AT TIME OF SALE.  
TATC  
Signature of Declarant or Agent determining tax. Firm Name

## GRANT DEED

(Escrow No. 73350)

By this instrument dated December 27, 1978, for a valuable consideration,

Kenneth A. Pasqualetti, a single man

hereby GRANTS to

John N. Stillion, a single man and Carlos Chamorro, a single man, both as  
joint tenants,

the following described Real Property in the State of California, County of Sonoma

City of Unincorporated Area

For complete legal description, see Exhibit "A" attached hereto, and made a  
part hereof,

KENNETH A. PASQUALETTI

STATE OF CALIFORNIA

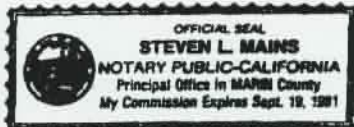
COUNTY OF SONOMA

On December 28, 1978, before me, the undersigned, a Notary Public in and for said  
County and State, personally appeared Kenneth A. Pasqualetti

known to me to be the  
person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary's Signature

Steven L. Mains



MAIL TAX STATEMENTS AS DIRECTED ABOVE

## EXHIBIT "A"

PARCEL A

Lot 1, as numbered and designated upon the Parcel Map 1360A filed in office of the County Recorder of the County of Sonoma on February 10, 1975 in Book 218 of Maps, page 22, Sonoma County Records.

PARCEL B

A Right of way for access, utility, drainage and road purposes, over a strip of land with a uniform width of 60.00 feet (measured at right angles) the center line more particularly described as follows:

Beginning at a 1/2 inch iron pipe marking the Southwest corner of the lands of Kenneth A. Pasqualetti as described in deed recorded in Book 2216 of Official Records, page 271, Sonoma County Records, said point being in the center of a road known as Fitzpatrick Lane, from which a deed call 36 inch fir tree bears North 82° 22' West, 15.18 feet; thence from said point of Beginning and along the center line of said 60 foot right of way North 6° 37' 45" East 253.10 feet to a 1/2 inch iron pipe; thence North 20° 32' 45" East, 935.11 feet to a 1/2 inch iron pipe; thence North 48° 09' 30" East, 361.59 feet to a 1/2 inch iron pipe; thence North 62° 10' 20" East 480.11 feet to a 1/2 inch iron pipe; thence North 62° 10' 20" East 480.11 feet to a 1/2 inch iron pipe; thence North 32° 54' 40" East, 715.92 feet to a 1/2 inch iron pipe; thence North 32° 54' 40" East, 1184.36 feet to a 1/2 inch iron pipe; thence North 33° 11' 50" East, 807.71 feet to a 1/2 inch iron pipe; thence South 58° 48' 30" East, 84.12 feet to a 1/2 inch iron pipe; thence North 66° 40' 15" East, 290.19 feet to a 1/2 inch iron pipe; thence South 83° 11' 30" East, 458.98 feet to a 1/2 inch iron pipe; thence North 79° 43' East, 274.34 feet to a 1/2 inch iron pipe; thence North 79° 43' East, 191.90 feet to a 1/2 inch iron pipe; thence North 52° 56' 30" East, 168.93 feet to a 1/2 inch iron pipe; thence North 73° 38' East 172.84 feet to a 1/2 inch iron pipe; thence South 69° 31' East, 225.45 feet to a 1/2 inch iron pipe; thence North 82° 06' 30" East, 620.46 feet to a 1/2 inch iron pipe; thence North 20° 41' East, 130.90 feet to a 1/2 inch iron pipe; thence North 5° 41' 30" East, 294.47 feet to a 1/2 inch iron pipe; thence North 11° 09' 10" West 191.39 feet to a 1/2 inch iron pipe; thence North 26° 52' 10" East, 199.39 feet, more or less, to a point on the North line of the said lands of Van Alstyne for a point of termination of the center line described.

Excepting therefrom that portion lying with Parcel One.

Assessor's Parcel No: 73-270-13  
Code Area: 96-008

PARCEL C

An easement around the existing spring and pump house; more particularly described as follows:

Commencing at a 1/2 inch iron pipe referred to as Point "A" in that deed Van Alstyne, et ux, to Van Alstyne, et al, recorded December 28, 1967, Book 2307 page 177, Series No:K-62708; thence South 53° 11' East, 486.48 feet to the point

of beginning of the easement to be herein described, thence from said point of beginning and continuing South 53° 11' East, 50.00 feet; thence South 36° 49' West, 50.00 feet; thence North 53° 11' West, 50.00 feet, thence North 36° 49' East, 50.00 feet to the point of beginning. Said easement also being shown in Parcel Map 1360-A.

PARCEL D

An easement over the existing water pipe lines; from the above described spring and pump house easement; running thence in a Northwesterly direction to the Easterly line of the above described Parcel One. Said easement also being shown on Parcel Map 1360-A.

A.P. #73-270-30

Code Area: 96-008





1995 0033960

OFFICIAL RECORDS OF  
SONOMA COUNTY  
BERNICE A. PETERSON

AT REQUEST OF:

Recording Requested By  
and When Recorded Return To:

GEARY, SHEA, O'DONNELL & GRATTAN  
Post Office Box 429  
Santa Rosa, California 95402

Attention: WILLIAM E. GEARY

11/02/1995 15:25:20  
FEE: \$ 19.00 PGS: PAID 5  
TT: \$ .00

A. P. No. Lies within A.P. No. 043-017-33  
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Document Title: DEED OF EASEMENT

GIFT

DEED OF EASEMENT

DON HAMILTON and SHARON HAMILTON, his wife, grant to CARLOS G. CAMPOS and SUSAN CAMPOS, his wife, an easement for view purposes only, restricting the use of said portion to such use, allowing only the clearing of branches obstructing the westerly view, over a portion of the lands of HAMILTON, said portion being approximately one-tenth (.1) of an acre, more or less, and described in Exhibit "A" attached hereto.

This easement is subject to landscaping covenants and conditions further set forth in the Easement Agreement between the parties, (paragraph 7), executed by grantees and grantors March 27, 1995.

Dated:

8/22/95

Don Hamilton  
DON HAMILTON

Sharon Hamilton  
SHARON HAMILTON

EASEMENT DEED

An easement over a portion of the lands of Donald Hamilton et ux for view purposes only, restricting the use of said portion to said use, allowing the clearing of branches obstructing the westerly view.

Said portion more particularly described as follows:

Lying within Section 31, T.7 N., R.7 W., M.D.M and being a portion of that certain Lot#1, delineated as Remaining Lands of Irwin as shown on Parcel Map No. MS 5112, recorded January 21, 1977 in Book 247 of Maps, page 8, Sonoma County Records, further being a portion of said lands conveyed to Donald Hamilton and Sharon Hamilton, on 4/15/1986, recorded under Doc.# 86-025554 Sonoma County Records, said portion more particularly described as follows; Commencing at a found 1/2" iron pipe tagged L.S.2798 marking the common westerly corner of lots 3 and 2 as said lots and corners are delineated on the above said Parcel Map No. MS 5112; thence from said corner and running along the common line of said lots 1 & 2, N 0°06'53"E 128.50 feet to a set 1/2" iron pipe tagged L.S.# 5970, the true point of beginning of the parcel to be described; thence leaving said lot line and the true point of beginning N 42°43'18" W 55.84 feet to a set 1/2" iron pipe tagged LS 5970; thence N 9°03'44" W 83.30 feet to a set 1/2" iron pipe tagged LS 5970; thence S 77°51'12" E 54.49 feet more or less to a set 1/2" iron pipe tagged LS 5970 on said westerly line of said Lot 2; thence returning along said line S 0°06'53" W 114.03 feet more or less to the true point of beginning, containing 0.10 acres more or less, from a survey in September 1993, by M.Sedgwick, holding found iron pipe monuments on the west line of said Lot 3 as the basis of bearings at N 0°06'53" E, Description prepared by Richard S. Hogan, LS #2798, (Lic.expr.6/'96) April 05, 1995

lies within AP 043-017-33

C:\wp51\data\survey\all\Comp002.LLA



# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5007

State of California  
County of Sonoma

On 8/10/95 before me, Kathy Barrett Notary Public  
DATE NAME/TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"  
personally appeared Don Hamilton  
NAME(S) OF SIGNER(S)

☐ personally known to me - OR - ☒ 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.



WITNESS my hand and official seal.

Kathy S. Barrett  
SIGNATURE OF NOTARY

## OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

### CAPACITY CLAIMED BY SIGNER

☒ INDIVIDUAL  
☐ CORPORATE OFFICER

TITLE(S)

☐ PARTNER(S) ☐ LIMITED  
☐ GENERAL

☐ ATTORNEY-IN-FACT  
☐ TRUSTEE(S)  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER:

SIGNER IS REPRESENTING:  
NAME OF PERSON(S) OR ENTITY(IES)

### DESCRIPTION OF ATTACHED DOCUMENT

Deed of Easement  
TITLE OR TYPE OF DOCUMENT

2  
NUMBER OF PAGES

8/10/95  
DATE OF DOCUMENT

Sharon Hamilton  
SIGNER(S) OTHER THAN NAMED ABOVE



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

No. 5907

State of California  
County of Sonoma

On Oct. 31, 1995 before me, Susan R. Hunter  
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Sharon Hamilton  
NAME(S) OF SIGNER(S)

☐ personally known to me - OR - ☐ 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.



WITNESS my hand and official seal.

Susan R. Hunter  
SIGNATURE OF NOTARY

**OPTIONAL**

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

**CAPACITY CLAIMED BY SIGNER**

☒ INDIVIDUAL  
☐ CORPORATE OFFICER

TITLE(S)

☐ PARTNER(S) ☐ LIMITED  
☐ GENERAL  
☐ ATTORNEY-IN-FACT  
☐ TRUSTEE(S)  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER: \_\_\_\_\_

**SIGNER IS REPRESENTING:**

NAME OF PERSON(S) OR ENTITY(IES)

Self

**DESCRIPTION OF ATTACHED DOCUMENT**

Deed of Easement  
TITLE OR TYPE OF DOCUMENT

two  
NUMBER OF PAGES

August 22, 1995  
DATE OF DOCUMENT

Don Hamilton  
SIGNER(S) OTHER THAN NAMED ABOVE



1995 0093961

OFFICIAL RECORDS OF  
**SONOMA COUNTY**  
BERNICE A. PETERSON

AT REQUEST OF:

Recording Requested By  
and When Recorded Return To:

GEARY, SHEA, O'DONNELL & GRATTAN  
Post Office Box 429  
Santa Rosa, California 95402

Attention: WILLIAM E. GEARY

11/02/1995 15:26:54  
FEE: \$ 31.00 PGS: PAID 9  
TT: \$ .00

A. P. No. Lies within A.P. No. 049-017-33 and 34  
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Document Title: DEED OF EASEMENT

GIFT

DEED OF EASEMENT

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, DON HAMILTON and SHARON HAMILTON, his wife, hereby grant to CARLOS G. CAMPOS and SUSAN CAMPOS, his wife, easements in the following described real property in the County of Sonoma, State of California:

1. A non-exclusive easement in perpetuity in and to the existing power and natural gas lines on "Parcel 1" known as Assessor's Parcel Number 49-17-33, including the right to extend those existing power and/or natural gas lines to "Parcel 2" known as Assessor's Parcel Number 49-17-31.

This utility easement across "Parcel 1" is described in Exhibit "A".

2. An easement 50 feet in width for road construction, drainage, maintenance, extension and perpetual use, including all utility purposes, over and across "Parcel 1" said easement being described in Exhibit "C" and illustrated in Exhibits "B" and "D" attached hereto and incorporated herein.

Dated:

8/22/95

Don Hamilton

DON HAMILTON

Sharon Hamilton

SHARON HAMILTON



EXHIBIT A

A STRIP OF LAND TEN FEET WIDE, APPURTENANT TO A 29.06 ACRE, LOT 2, M.S.5112, (BK.247 OF MAPS,PAGE 8, S.C.R.), SAID EASEMENT LIES WITHIN A PORTION OF THE LANDS OF HAMILTON ET UX. RECORDED UNDER DOCUMENT NO.#86-025554, SONOMA COUNTY RECORDS, THE INTENT OF THIS EASEMENT IS TO ALLOW FOR UTILITY PURPOSES INCLUDING ACCESS TO, CONSTRUCTION AND MAINTENANCE THEREOF FOR AN ELECTRICAL TIE IN TO THE EXISTING PG&E ELECTRIC TRANSFORMER BOX FOR POWER IN FAVOR OF LOT TWO, OF THAT CERTAIN PARCEL MAP M.S. 5112, THE EASEMENT IS NAMED ALSO IN FAVOR OF SAID PACIFIC GAS AND ELECTRIC CO.

Lying within Section 31, T.7 N., R.7 W.,M.D.M and being a portion of that certain Lot #1, delineated as Remaining Lands of Irwin as shown on Parcel Map No. MS 5112, recorded January 21, 1977 as Book 247 of Maps, page 8, Sonoma County Records, further being a portion of said lands conveyed to Donald Hamilton, and Sharon Hamilton, husband and wife, by grant deed recorded 4/15/1986, under Doc.# 86-025554 Sonoma County Records, the centerline of said 10 foot wide EASEMENT STRIP more particularly described as follows; Commencing at a found 1/2" iron pipe tagged L.S.2798 marking the common westerly corner of lots 3 and 2 as said lots and corners are delineated on the said Parcel Map No. MS 5112; thence from said corner and running along the common line of said lots 1 & 2, N 0°06'53"E 128.50 feet to a set 1/2" iron pipe tagged L.S.# 5970; thence continuing along said lot line N 0°06'53"E, 114.03 feet to a point; the true point of beginning for the centerline of the 10 foot wide strip of land to be herein described. thence from said true point of beginning leaving said lot line N 77°51'12" W, 43.59 feet to a point; thence N 39°40'04"W, 363.76 feet to a point; thence S 70°02'33"W, 26.10 feet to an existing PG&E utility line at an existing 3' x 3' x 2', transformer box; thence continuing S 70°02'33" W, 15.0 feet to the terminus point of said 10 foot wide utility strip centerline, **Together with** a temporary construction easement over the lands of said Hamilton et ux for any needed vehicular access in order to construct said underground trenching and construction of said utility line to Lot 2. From a survey in September 1993, by M.Sedgwick, LS holding found iron pipe monuments on the west line of said Lot 3 as the basis of bearings at N 0°06'53" E, Description prepared by Richard S. Hogan, LS #2798, (Lic.expr.6/'96) April 5, 1995.

Lies within AP 049-017-33



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**EXHIBIT B**

**DICK HOGAN**  
407 STONY POINT ROAD  
SANTA ROSA, CA 95401

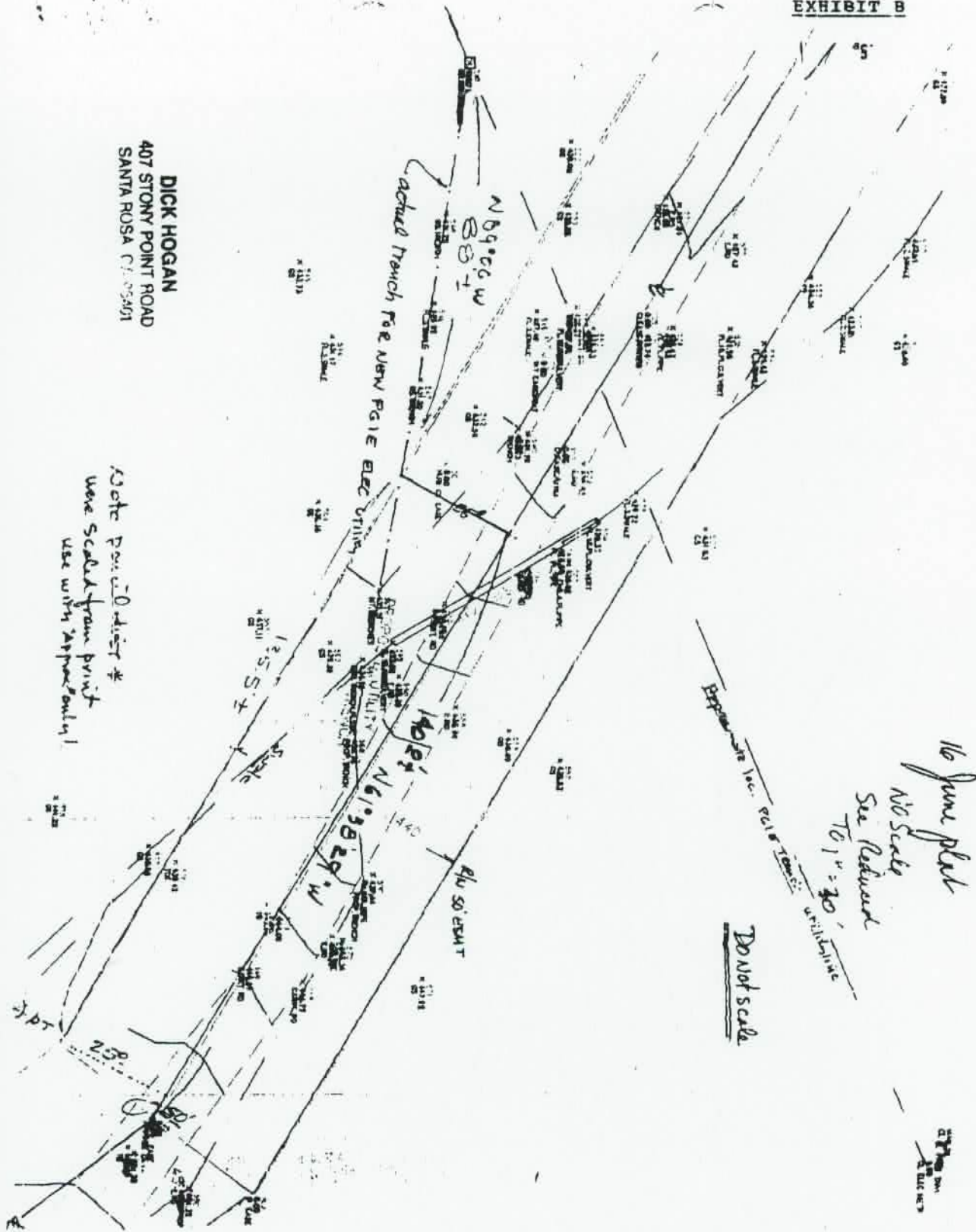


EXHIBIT C

A STRIP OF LAND FIFTY FEET WIDE FOR ACCESS, EGRESS, ROAD CONSTRUCTION, DRAINAGE AND MAINTENANCE, INCLUDING SPECIFIC UTILITY PURPOSES FOR PACIFIC GAS & ELECTRIC COMPANY UTILITY PURPOSES AND PACIFIC TELEPHONE CO. UNDERLYING THEREFOR, AND APPURTENANT TO THE FOLLOWING REFERRED TO LOT #2

Lying within Section 31, T.7 N., R.7 W., M.D.M and being a portion of that certain Lot #1, delineated as Remaining Lands of Irwin as shown on Parcel Map No. MS 5112, recorded January 21, 1977 in Book 247 of Maps, page 8, Sonoma County Records, further being a portion of said lands conveyed 4/15/1986 to Donald Hamilton and Sharon Hamilton, recorded under Doc.# 86-025554 Sonoma County Records, said EASEMENT more particularly described as follows: Commencing at a found 1/2" iron pipe tagged L.S.2798 marking the common westerly corner of lots 3 and 2 as said lots and corner; are delineated on the said Parcel Map No. MS 5112; thence from said corner and running along the common line of said lots 1 & 2, N 0°06'53"E 128.50 feet to a set 1/2" iron pipe tagged L.S.# 5970; thence continuing along said common lot line, 11.42 feet to a point, the true point of beginning for the easement strip herein described, said strip to be 50.0 feet wide, with the easement strip sides being parallel and lying 25.0 feet on both sides of the centerline of said easement strip hereinafter described; thence leaving said lot line into said lands of Hamilton et ux, along the said centerline from said true point of beginning S 67°38'56" E 22.80 feet to an angle point, (witnessed by a 1/2" iron pipe lying S 67°38'56" E 30.88'); thence continuing along said centerline N 58°18'04" W 210.70 feet to a point, witnessed by a 1/2" iron pipe lying N 38°26'03" E 25.68 feet); thence N 38°23'04" W 202.15 feet to a point, hereinafter referred to as "Point A" (witnessed by a 1/2" iron pipe lying N 39°58'40" E 25.68 feet); thence N 61°38'29" W 161.8 to a point A, crossed at or near this point A, by an underground utility trench; thence continuing N 61°38'29" W 32.59 feet to a point B, crossed at or near this point B by an underground water pipe; thence continuing N 61°38'29" W 287.21 feet to a set nail in the center of paving of an existing paved roadway; thence continuing along said paved roadway N 34°14'46"W 121.50 to a set nail in the center of a 12' wide paved section, thence N 57°34'37"W 187.04 feet to a set nail in the center of said roadway; thence N 46°23'51"W 293.07 feet to a set nail in the center of said roadway; thence N 22°46'52"W 80.25 feet to a set nail in the center of said roadway; thence N 14°53'00"E 66.98 feet to a set nail in said roadway; thence N 60°02'28"E 65.97 feet to a set nail in the center of said roadway; thence S 84°48'32"E 319.93 feet to a set nail in the center of said roadway; thence S 65°35'38"E 146.15 feet to a set nail in the center of said roadway; thence S 81°45'46"E 227.74 feet to a set nail in the center of said roadway; thence S 86°23'33"E 178.85 feet to a set nail in the center of said roadway; thence S 60°45'29"E 208.49 feet to a set nail in the center of said roadway; thence S 48°02'55" E 146.40 feet to a point in the center of said roadway at or near the said common line of said Lots 1 & 2, being the terminus point of said centerline of a roadway strip of land 50.0



feet in width, said last point being witnessed by a found 1/2" iron pipe which lies N 0°06'53"E 32.43 feet and a found 1/2" iron pipe tagged LS 2798, on the southerly side of said existing paved roadway which lies S 0°06'53" W 43.25 feet, both found witness 1/2" iron pipes are delineated on said recorded PARCEL MAP MS 5112; the length's of said side lines of the 50.0 foot wide strip to be adjusted on both sides of the above described centerline leaving the point of beginning throughout the above described centerline description to the terminus point above said: from a survey in April 1995, by M.Sedgwick, LS holding found iron pipe monuments on the west line of said Lot 3 as the basis of bearings at N 0°06'53" E, Description prepared by Richard S. Hogan, L.S. #2798, (Lic.expr.6/'96) April 5, 1995. Said strip lies within AP 049-017-33 and 34.

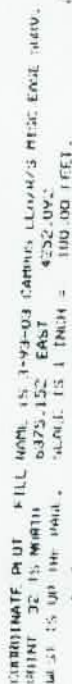
In addition thereto; an easement over a spur strip of land, ten feet in width, to be used for a Pacific Gas and Electric Company buried power cable line, the centerline of said 10' wide strip more particularly described as follows: Commencing at "Point A", a point on the centerline of the above said 50' wide easement, (at the westerly end of the course named N 38°23'04"W 202.15 feet); thence along said centerline N 61°38'29" W 140.0 feet to a point; thence at right angles S 28°21'31"W 25.0 feet to the southwesterly right of way line for the true point of beginning of the spur strip parcel center line to be described; thence N 89°W 88.0 feet more or less to the center of a 3.4' x 5.4' concrete P.G. & E. transformer connection box, the point of termination for said centerline of said 10' wide easement strip.



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**DICK HOGAN**  
407 STONY POINT ROAD  
SANTA ROSA, CA 95401



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

Nb. 5807

State of California

County of Sonoma

On 8/10/95 before me, Kathy Barrett Notary Public  
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Don Hamilton  
NAME OF SIGNER(S)

- ☐ personally known to me - OR - ☒ 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.



WITNESS my hand and official seal.

Kathy S. Barrett  
SIGNATURE OF NOTARY

**OPTIONAL**

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

**CAPACITY CLAIMED BY SIGNER**

- ☒ INDIVIDUAL  
☐ CORPORATE OFFICER

TITLE(S)

- ☐ PARTNER(S) ☐ LIMITED  
☐ GENERAL  
☐ ATTORNEY-IN-FACT  
☐ TRUSTEE(S)  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER: \_\_\_\_\_

**SIGNER IS REPRESENTING:**  
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Deed of Easement  
TITLE OR TYPE OF DOCUMENT

6  
NUMBER OF PAGES

8/10/95  
DATE OF DOCUMENT

Sharon Hamilton  
SIGNER(S) OTHER THAN NAMED ABOVE