

## EXHIBIT A

### FLOOD PROTECTION LEVEE EASEMENT

A perpetual and assignable right and easement in favor of the Napa County Flood Control and Water Conservation District (“DISTRICT”) in the land shown and described and depicted in the attachments hereto and made a part hereof to construct, maintain, repair, operate, patrol, and replace flood protection improvements, including all appurtenances thereto; subject, however, to existing easements for public roads and highways, public utilities, railroads, and pipelines.

FEE OWNER retains the right to use said easement area for purposes which will not interfere with the DISTRICT’s full enjoyment of the rights hereby granted; provided that FEE OWNER shall not erect or construct any building or other structure, or drill or operate any well, or plant any trees, landscaping, vegetation, or other obstruction within said easement area, or construct any fences.

The rights and obligations contained in this Flood Protection Levee Easement run with and burden the land, and are binding on the FEE OWNER and its successors and assigns.

FLOOD PROTECTION LEVEE EASEMENT LEGAL DESCRIPTION AND  
PLAT MAP

## FLOOD PROTECTION LEVEE EASEMENT

A portion of the Lands of Larry Ellis Inc., a California corporation as described in the Grant Deed recorded April 11, 2001 as Series Number 2001-0010570, Napa County Records, State of California, said portion described as follows:

**Beginning** at the point on the south line of said Lands of Larry Ellis Inc., that bears South 89° 51' 19" East 258.40 feet from the southwest corner of said Lands of Larry Ellis Inc.; thence leaving said south line North 41° 34' 06" East 8.65 feet; thence North 44° 30' 24" East 90.98 feet; thence North 44° 01' 54" East 11.75 feet to the north line of said Lands of Larry Ellis Inc.; thence along said north line South 89° 51' 19" East 20.81 feet; thence South 44° 01' 54" West 26.24 feet; thence South 44° 30' 24" West 85.45 feet to the south line of said Lands of Larry Ellis Inc.; thence along said south line North 89° 51' 19" West 20.36 feet to the **Point of Beginning**.

Basis of Bearing being the bearing between Monuments #B-9 and #B-10 on Lincoln Avenue shown on the map Record of Survey Map No. 3052, filed June 26, 1978 in Book 20 of Record of Surveys at Page 64-72, Napa County Records, as North 89° 43' 00" West and measured as North 89° 43' 09" West.

### End Description

Area: 1,674 Sq. Ft.  
0.04 Acres



JORDAN LANE

CALDERON & BALINES  
APN: 044-230-003

AREA  
1,674 SF  
0.04 AC

S89°51'19"E  
20.81'

N44°01'54"E 11.75'

S44°01'54"W  
26.24'

LARRY ELLIS INC.  
APN: 044-230-004  
DN: 2001-0010570

N44°30'24"E 90.98'

S44°30'24"W  
85.45'

N41°34'06"E 8.65'

S89°51'19"E 258.40'

P.O.B. 20.36'

N89°51'19"W 200.64'

DAVID BESS  
APN: 044-230-005

NAPA

RIVER

1"=60'

LEGEND  
- - - - - PROPERTY LINE  
- - - - - EASEMENT LINE  
- - - - - ADJACENT  
- - - - - PROPERTY LINE



FLOOD PROTECTION  
LEVEE EASEMENT

<b>RSA+</b>	1515 FOURTH STREET
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0T-20-2023

044-230-004-C-2

| OF |

BASIS OF BEARING

THE BEARING BETWEEN MONUMENTS #B-9 AND #B-10 ON LINCOLN AVENUE SHOWN ON THE MAP RECORD OF SURVEY MAP NO. 3052, FILED JUNE 26, 1978 IN BOOK 20 OF RECORD OF SURVEYS AT PAGE 64-72, NAPA COUNTY RECORDS, AS NORTH 89° 43' 00" WEST AND MEASURED AS NORTH 89° 43' 09" WEST.

THIS EXHIBIT IS FOR GRAPHIC PURPOSES ONLY. ANY ERRORS OR OMISSIONS ON THIS EXHIBIT SHALL NOT AFFECT THE DEED DESCRIPTION

5406  
044-230-004 C-1 Clos  
07-20-2023

North: 1873853.6557' East: 6481690.2901'

Segment #1 : Line  
Course: N41°34'06"E Length: 8.65'  
North: 1873860.1273' East: 6481696.0295'

Segment #2 : Line  
Course: N44°30'24"E Length: 90.98'  
North: 1873925.0114' East: 6481759.8057'

Segment #3 : Line  
Course: N44°01'54"E Length: 11.75'  
North: 1873933.4591' East: 6481767.9726'

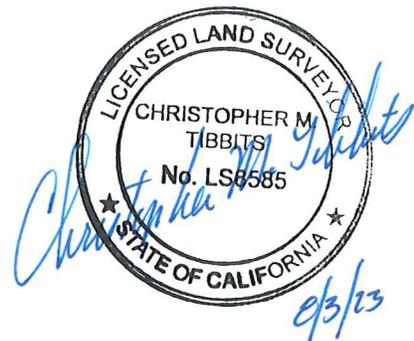
Segment #4 : Line  
Course: S89°51'19"E Length: 20.81'  
North: 1873933.4066' East: 6481788.7826'

Segment #5 : Line  
Course: S44°01'54"W Length: 26.24'  
North: 1873914.5412' East: 6481770.5443'

Segment #6 : Line  
Course: S44°30'24"W Length: 85.45'  
North: 1873853.6009' East: 6481710.6445'

Segment #7 : Line  
Course: N89°51'19"W Length: 20.36'  
North: 1873853.6523' East: 6481690.2846'

Perimeter: 264.24' Area: 1674.16 Sq. Ft.  
Error Closure: 0.0064 Course: S58°33'29"W  
Error North: -0.00336 East: -0.00549  
Precision 1: 41287.50



## EXHIBIT B TEMPORARY CONSTRUCTION EASEMENT

A Temporary Construction Easement, over, across, under, and through the real property situated in the County of Napa, State of California, described and depicted in the attachments hereto and made a part hereof (“EASEMENT AREA”), for construction and conformance purposes related to the Napa River / Napa Creek Flood Protection Project (“PROJECT”).

The easement shall include, without limitation, the right of the Napa County Flood Control and Water Conservation District (“DISTRICT”), its officers, agents, contractors, and employees, and other governmental agencies responsible for review or construction of any portion of the PROJECT and such agencies’ officers, agents, contractors, and employees, to enter upon the EASEMENT AREA with personnel, vehicles, and equipment for construction of the PROJECT, and all other activities related thereto, to remove all improvements, trees, and vegetation thereon that interfere with the purpose for which this easement is granted, to conform the EASEMENT AREA to the PROJECT, and do any and all other actions necessary and appropriate to the construction of the PROJECT. Access and use of portions of the EASEMENT AREA by FEE OWNER, its tenants, invitees, and guests will be allowed to the extent that said portion is not being used for PROJECT construction or staging purposes at that time.

If improvements in the EASEMENT AREA are removed pursuant to this Temporary Construction Easement, such improvements will be restored to their original condition or as close thereto as is feasible, on or before the termination of the Temporary Construction Easement period. In the event the DISTRICT determines that restoration of said improvements within the Temporary Construction Easement area is not feasible or practicable, FEE OWNER will be compensated for the improvements at a market value determined by the DISTRICT.

This Temporary Construction Easement is for a total period of Twelve (12) months, to commence on the START DATE stated in the notice that DISTRICT delivers to FEE OWNER, fixing the start date of occupation of the EASEMENT AREA and construction of the PROJECT there as identified in the Plans and Specifications for the Floodwalls North of the Bypass Project. The Temporary Construction Easement will terminate twelve (12) months after the START DATE (the “TERM”).

In case of unpredictable delays in construction, upon written notification by the DISTRICT to FEE OWNER, the TERM of the Temporary Construction Easement may be unilaterally extended by the DISTRICT for up to an additional twelve (12) months on a monthly basis provided that the DISTRICT provides written notice to FEE OWNER of such extension prior to the expiration of the original TERM or any monthly extension thereof and the DISTRICT shall pay FEE OWNER the monthly rate determined to be just compensation for said extension.

In no event shall this Temporary Construction Easement TERM extend beyond the completion of construction or December 31, 2028, whichever occurs first. At no additional cost to DISTRICT, during the Temporary Construction Easement TERM, the DISTRICT shall have the right to enter

upon FEE OWNER's retained property, where necessary, to reconstruct or perform any warranty or conformance works during or after the expiration of the Temporary Construction Easement and any extension thereto and/or the completion of the PROJECT. Said works include conforming driveways, walkways, lawn, landscaped and hardscaped areas, irrigation systems, sidewalks, or any area where reconstruction or warranty work on FEE OWNER's retained property is necessary. All work performed by the DISTRICT in the EASEMENT AREA shall conform to applicable building, fire, and sanitary laws, ordinances, and regulations relating to such work and shall be done in a good and workmanlike manner.

Within sixty (60) days of the end of the TERM, the DISTRICT will execute, acknowledge, and deliver to FEE OWNER a quitclaim deed to confirm the termination of the Temporary Construction Easement to eliminate the AGREEMENT and this Temporary Construction Easement as encumbrances on the title of the FEE OWNER's real property. The forgoing notwithstanding, a failure by the DISTRICT to deliver a quitclaim deed or a failure by FEE OWNER to record a quitclaim deed as provided herein shall not be deemed to extend the term of the Temporary Construction Easement beyond the TERM set forth herein above.

The rights and obligations contained in this Temporary Construction Easement: (a) run with and burden the land, and are binding on FEE OWNER and its successors and assigns, and (b) during the TERM and extensions thereof, constitute an easement in gross for the benefit of the DISTRICT and its successors and assigns.

TEMPORARY CONSTRUCTION EASEMENT LEGAL DESCRIPTION AND  
PLAT MAP

## TEMPORARY CONSTRUCTION EASEMENT

A portion of the Lands of Larry Ellis Inc., a California corporation as described in the Grant Deed recorded April 11, 2001 as Series Number 2001-0010570, Napa County Records, State of California, said portion described as follows:

**Beginning** at the point on the south line of said Lands of Larry Ellis Inc., that bears South 89° 51' 19" East 245.07 feet from the southwest corner of said Lands of Larry Ellis Inc.; thence along said south line South 89° 51' 19" East 13.34 feet; thence leaving said south line North 41° 34' 06" East 8.65 feet; thence North 44° 30' 24" East 90.98 feet; thence North 44° 01' 54" East 11.75 feet to the north line of said Lands of Larry Ellis Inc.; thence along said north line North 89° 51' 19" West 13.88 feet; thence leaving said north line South 44° 01' 54" West 2.09 feet; thence South 44° 30' 24" West 91.19 feet; thence South 41° 34' 06" West 17.73 feet to the **Point of Beginning**.

Basis of Bearing being the bearing between Monuments #B-9 and #B-10 on Lincoln Avenue shown on the map Record of Survey Map No. 3052, filed June 26, 1978 in Book 20 of Record of Surveys at Page 64-72, Napa County Records, as North 89° 43' 00" West and measured as North 89° 43' 09" West.

### End Description

Area: 1,111 Sq. Ft.  
0.03 Acres

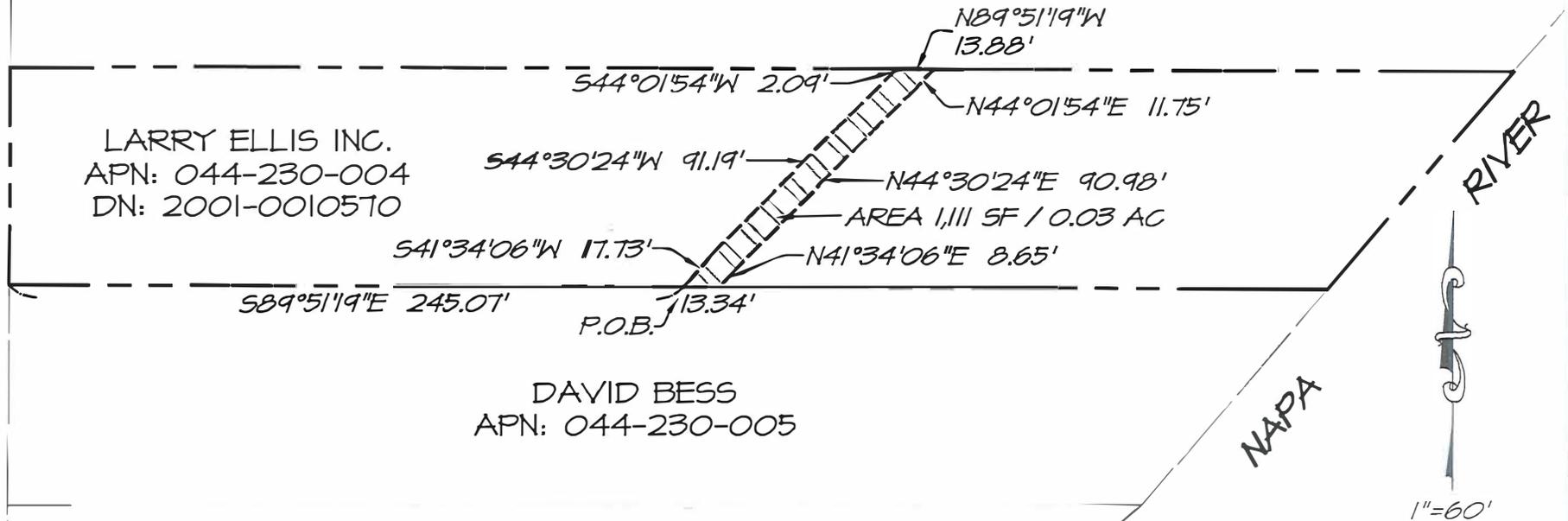


JORDAN LANE

CALDERON & BALINES  
APN: 044-230-003

LARRY ELLIS INC.  
APN: 044-230-004  
DN: 2001-0010570

DAVID BESS  
APN: 044-230-005



**LEGEND**  
 ———— PROPERTY LINE  
 - - - - - EASEMENT LINE  
 - · - · - ADJACENT PROPERTY LINE

TEMPORARY CONSTRUCTION EASEMENT

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 NAPA, CALIF. 94559  
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01-20-2023  
044-230-004-D-2 | OF 1

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BASIS OF BEARING  
 THE BEARING BETWEEN MONUMENTS #B-9 AND #B-10 ON LINCOLN AVENUE SHOWN ON THE MAP RECORD OF SURVEY MAP NO. 3052, FILED JUNE 26, 1978 IN BOOK 20 OF RECORD OF SURVEYS AT PAGE 64-72, NAPA COUNTY RECORDS, AS NORTH 89° 43' 00" WEST AND MEASURED AS NORTH 89° 43' 09" WEST.

5406  
044-230-004 D-1 Clos  
07-20-2023

North: 1873833.3198' East: 6481493.5903'

Segment #1 : Line

Course: S89°51'19"E Length: 13.34'

North: 1873833.2861' East: 6481506.9303'

Segment #2 : Line

Course: N41°34'06"E Length: 8.65'

North: 1873839.7577' East: 6481512.6697'

Segment #3 : Line

Course: N44°30'24"E Length: 90.98'

North: 1873904.6418' East: 6481576.4459'

Segment #4 : Line

Course: N44°01'54"E Length: 11.75'

North: 1873913.0896' East: 6481584.6128'

Segment #5 : Line

Course: N89°51'19"W Length: 13.88'

North: 1873913.1246' East: 6481570.7329'

Segment #6 : Line

Course: S44°01'54"W Length: 2.09'

North: 1873911.6220' East: 6481569.2802'

Segment #7 : Line

Course: S44°30'24"W Length: 91.19'

North: 1873846.5881' East: 6481505.3567'

Segment #8 : Line

Course: S41°34'06"W Length: 17.73'

North: 1873833.3232' East: 6481493.5927'

Perimeter: 249.61' Area: 1111.98 Sq. Ft.

Error Closure: 0.0041 Course: N34°42'13"E

Error North: 0.00337 East: 0.00234

Precision 1: 60880.49



EXHIBIT C  
FEE SIMPLE LEGAL DESCRIPTION AND PLAT MAP

### FEE AREA

A portion of the Lands of Larry Ellis Inc., a California corporation as described in the Grant Deed recorded April 11, 2001 as Series Number 2001-0010570, Napa County Records, State of California, said portion described as follows:

**Beginning** at the point on the south line of said Lands of Larry Ellis Inc., that bears South 89° 51' 19" East 278.76 feet from the southwest corner of said Lands of Larry Ellis Inc.; thence leaving said south line North 44° 30' 24" East 85.45 feet; thence North 44° 01' 54" East 26.24 feet to the north line of said Lands of Larry Ellis Inc.; thence along said north line South 89° 51' 19" East 189.90 feet, more or less, to the center of Napa River and being the east line of said Lands of Larry Ellis Inc.; thence down the center of said river South 40° 10' 30" West 104.48 feet, more or less to a point that bears South 89° 51' 19" East 479.40 feet from said southwest corner and being the south line of said Lands of Larry Ellis Inc.; thence along said south line North 89° 51' 19" West 200.64 feet, more or less to the **Point of Beginning**.

Basis of Bearing being the bearing between Monuments #B-9 and #B-10 on Lincoln Avenue shown on the map Record of Survey Map No. 3052, filed June 26, 1978 in Book 20 of Record of Surveys at Page 64-72, Napa County Records, as North 89° 43' 00" West and measured as North 89° 43' 09" West.

### End Description

Area: 15, 612 Sq. Ft.  
0.36 Acres



JORDAN LANE

CALDERON & BALINES  
APN: 044-230-003

LARRY ELLIS INC.  
APN: 044-230-004  
DN: 2001-0010570

DAVID BESS  
APN: 044-230-005

S89°51'19"E 189.90'

N44°01'54"E  
26.24'

N44°30'24"E  
85.45'

S89°51'19"E 278.76'

N89°51'19"W 200.64'

P.O.B.

AREA  
15,612 SF  
0.36 AC

104.48'  
S40°10'30"W  
RIVER

NAPA

1"=60'



FEE AREA	SF	AC
ABOVE TOB	5,833	0.13
BELOW TOB	9,779	0.23
TOTAL AREA	15,612	0.36

**LEGEND**

—————	PROPERTY LINE
-----	EASEMENT LINE
-----	ADJACENT PROPERTY LINE
-----	TOP OF BANK (TOB)
-----	FEE

BASIS OF BEARING

THE BEARING BETWEEN MONUMENTS #B-9 AND #B-10 ON LINCOLN AVENUE SHOWN ON THE MAP RECORD OF SURVEY MAP NO. 3052, FILED JUNE 26, 1978 IN BOOK 20 OF RECORD OF SURVEYS AT PAGE 64-72, NAPA COUNTY RECORDS, AS NORTH 89° 43' 00" WEST AND MEASURED AS NORTH 89° 43' 09" WEST.

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5406  
044-230-004 B-1 Clos  
04-20-2023

North: 1873849.7596' East: 6481569.3780'

Segment #1 : Line

Course: N44°30'24"E Length: 85.45'

North: 1873910.6999' East: 6481629.2778'

Segment #2 : Line

Course: N44°01'54"E Length: 26.24'

North: 1873929.5653' East: 6481647.5161'

Segment #3 : Line

Course: S89°51'19"E Length: 189.90'

North: 1873929.0856' East: 6481837.4155'

Segment #4 : Line

Course: S40°10'30"W Length: 104.48'

North: 1873849.2548' East: 6481770.0129'

Segment #5 : Line

Course: N89°51'19"W Length: 200.64'

North: 1873849.7616' East: 6481569.3735'

Perimeter: 606.71' Area: 15612.35 Sq. Ft.

Error Closure: 0.0049 Course: N66°15'17"W

Error North: 0.00198 East: -0.00451

Precision 1: 123818.37

