

RECORDING REQUESTED BY:
Napa County Flood Control and Water
Conservation District

WHEN RECORDED MAIL TO:
Napa County Flood Control and Water
Conservation District
804 First Street
Napa, CA 94559

The undersigned grantee hereby declares this instrument to be exempt from Recording Fees (Govt. Code §§ 6103 and 27383) and Documentary Transfer Tax (Revenue and Taxation Code §11922). **Government Agency Acquiring Title**

APN: 044-301-032

Space Above This Line for Recorder's Use

FLOOD PROTECTION LEVEE EASEMENT DEED

LYDIA P DAMIAN AND JOHN DAMIAN, WIFE AND HUSBAND, AS COMMUNITY PROPERTY, hereinafter referred to as "GRANTOR", hereby GRANT(S) to the **Napa County Flood Control and Water Conservation District, a special district of the State of California**, hereinafter referred to as "GRANTEE", a perpetual and assignable right and easement in the land shown and described in Exhibits "A" and "B" attached 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.

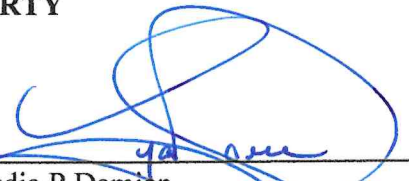
The easement granted herein includes incidental rights of maintenance, together with the free right of ingress and egress over, along, upon, in above, through and across the remaining portion of GRANTOR'S property, insofar as such right of ingress and egress is necessary to the proper use of the rights granted herein. In exercising said right of ingress and egress, GRANTEE shall, wherever practical, use existing roads and lanes across lands of GRANTOR, if such there be, and if not, by such route or routes as shall result in the least practicable inconvenience to GRANTOR and any occupants of GRANTOR'S property.

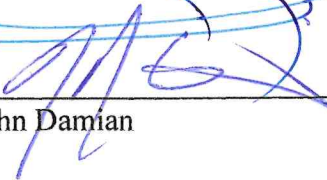
GRANTOR reserves for itself and its heirs and assigns, the right to use said easement area for purposes which will not interfere with GRANTEE'S full enjoyment of the rights hereby granted; provided that GRANTOR shall not erect or construct any building or other structure, or drill or operate any well, or plant any trees, landscaping, vegetation, or other obstruction within said easement area, or construct any fences.

The rights and obligations contained in this Grant of Flood Protection Easement run with and burden the land and are binding on GRANTOR and its successors and assigns and constitute an easement in gross for the benefit of GRANTEE and its successors and assigns.

IN WITNESS WHEREOF, GRANTOR(S) has executed and acknowledged this Grant as of the day and year first written below, and GRANTEE, as of the date set forth next to its signature in the certificate of acceptance, has accepted the grant of Easement made by this Grant.

GRANTOR: LYDIA P DAMIAN AND JOHN DAMIAN, WIFE AND HUSBAND, AS COMMUNITY PROPERTY

By: 
Lydia P Damian

By: 
John Damian

Date: 8/21/24

Date: 8/21/24

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

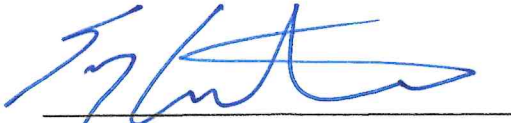
A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which the certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF NAPA

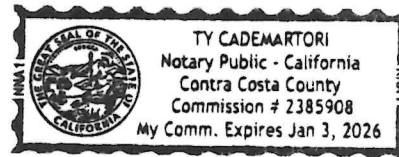
On this 21ST day of AUGUST, 2024, before me, TY CADEMARTORI, a Notary Public in and for the State of California, personally appeared LYDIA DAMIAN & JOHN DAMIAN proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged 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 the day and year first above written.



NOTARY PUBLIC



**CERTIFICATE OF ACCEPTANCE
FLOOD PROTECTION LEVEE EASEMENT DEED
(Portion of APN 044-301-032)**

Pursuant to California Government Code section 27281, this is to certify that the interest in real property granted by the Flood Protection Levee Easement Deed from LYDIA P. DAMIAN AND JOHN DAMIAN, WIFE AND HUSBAND, AS COMMUNITY PROPERTY, to the NAPA FLOOD CONTROL AND WATER CONSERVATION DISTRICT, to the NAPA FLOOD CONTROL AND WATER CONSERVATION DISTRICT (“District”), a special district of the State of California, is hereby accepted by its assignee as ordered by the District Board on July 26, 2022 and the District consents to the recordation thereof by its duly authorized officer.

Date: _____

RICHARD M. THOMASSER
District Manager

APPROVED AS TO FORM:
District Legal Counsel

By: Shana A. Bagley

Date: 07/28/2023

[PL No. 93166]

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

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

STATE OF CALIFORNIA
COUNTY OF NAPA

On this ____ day of _____, 20____, before me, _____, a Notary Public in and for the State of California, personally appeared _____ 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 the day and year first above written.

NOTARY PUBLIC

EXHIBIT A
Legal Description

FLOOD PROTECTION LEVEE EASEMENT

A portion of the Lands of Lydia P. Damian and John Damian, wife and husband as community property as described in the Grant Deed recorded on July 19, 2013 as Series Number in 2013-0020792, the office of the Napa County Records, State of California, said portion described as follows:

Beginning at the point on the south line of said Lands of Damian that bears North 80° 52' 10" East 125.64 feet from the southwest corner of said Lands of Damian; thence continuing along said south line North 80° 52' 10" East 50.40 feet; thence leaving said south line North 25° 39' 39" West 17.26 feet; thence North 31° 13' 00" West 22.09 feet; thence North 21° 11' 15" West 26.37 feet; thence North 21° 05' 12" West 19.69 feet to the north line of said Lands of Damian; thence along said north line South 71° 40' 11" West 37.57 feet to the beginning of a non-tangent curve concave to the southwest having a radius of 600.00 feet and to which a radial line bears North 70° 05' 39" East; thence leaving said north line southerly 76.70 feet along said curve through a central angle of 7° 19' 26" 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: 3,342Sq. Ft.
0.08 Ac.



EXHIBIT B

Plat Map

LANCE HAFENSTEIN
APN: 044-301-031

S71°40'11"W
37.57'

N21°05'12"W 19.69'
N21°11'15"W 26.37'

AREA
3342 SF
0.08 AC

N31°13'00"W 22.09'
N25°39'39"W 17.26'

R=76.10
L=7°19'26"

N70°05'39"E (R)
00.00'

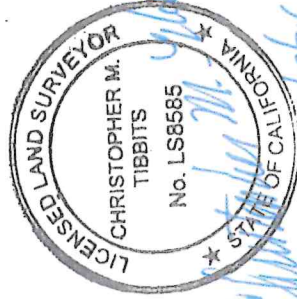
LYDIA & JOHN
DAMIAN

APN: 044-301-032
2013-0020192

N80°52'10"E 125.64'
50.40' P.O.B.

DAVID & VICKIE
TOMPKINS TRUSTEES
APN: 044-301-033

NAPA RIVER



1"=60'

- LEGEND
- PROPERTY LINE
 - EASEMENT LINE
 - ADJACENT PROPERTY LINE
 - R RADIUS IN FEET
 - L LENGTH IN FEET
 - Δ DELTA ANGLE
- FLOOD PROTECTION
LEVEE EASEMENT



RSA+ CONSULTING CIVIL ENGINEERS + SURVEYORS + 1980
03-06-2024

044-301-032 D-2 1 OF 1

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

W N Z - W L E W O H S