

RECORDING REQUESTED BY:

City of Napa

WHEN RECORDED RETURN TO:

City Clerk  
City of Napa  
P.O. Box 660  
Napa, CA. 94559

THE UNDERSIGNED DECLARES: DOCUMENTARY TRANSFER TAX EXEMPT  
PER R\*T CODE 11922 AND GOVERNMENT CODE 6103 AND TAXABILITY CODE 2-00,  
EXEMPT FROM RECORDING FEES PER GOVERNMENT CODE 27383

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**GRANT OF EASEMENT  
PUBLIC ROAD AND UTILITY EASEMENT**

APN: 046-610-021 (portions)

THIS GRANT OF EASEMENT is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2022, by and between NAPA COUNTY, a political subdivision of the State of California (County), and the CITY OF NAPA, a California charter city (City). County and City are hereinafter collectively referred to as the Parties.

RECITALS

A. The County is the owner of the real property located in the City of Napa, Napa County, California commonly known as Assessor's Parcel No. 046-610-021 (Grantor Parcel).

B. Napa Redevelopment Partners, LLC (NRP) is developing what is commonly known as the Napa Pipe Project, and has requested the County grant an easement to the City over an unimproved portion of the Grantor Parcel for the purpose of facilitating NRP's extension of "Street A" as identified in the approved Napa Pipe tentative map and extension of public utilities to serve the Napa Pipe Project.

C. Government Code section 25526.6 authorizes the County to convey an easement to the City upon a finding that the conveyance is in the public interest and that the conveyance will not substantially conflict or interfere with the County's use of the Grantor Parcel.

D. The County finds and determines the conveyance of this public road easement benefits the public by improving the flow of traffic to and from a development that includes affordable housing, and that the conveyance will not materially interfere with adjacent County operations at the South Campus facility.

E. NRP has paid the County Twenty-Two Thousand, Two Hundred and Seventy-Six dollars (\$22,276) for the easement plus an additional Five Thousand, Eight Hundred and Ninety-Five dollars (\$5,895) for the portion of the Owners Association Dues attributable to the easement area.

EASEMENT

1. For good and valuable consideration, receipt of which is hereby acknowledged, the County hereby grants to the City an easement for public road and utility purposes, including the right to lay, construct, repair, maintain, operate, renew and replace roadway improvements, sanitary sewer and storm drain collection systems, water distribution systems, electric facilities, public utilities facilities, and appurtenances incidental thereto, in, over, across, and upon the Grantor Parcel situated in the City of Napa, Napa County, State of California, as shown and described in Exhibit A and depicted on Exhibit B attached hereto.

2. The easement shall be kept open and free from buildings and above-ground structures of any kind except: (a) public streets, sidewalks, and associated improvements, (b) public utility structures and appurtenances, (c) street lights, and (d) storm water structures, facilities and appurtenances.

3. The City shall defend, indemnify, protect and hold the County, its officers and employees, and any subsequent owners of the Grantor Parcel, harmless from and against all claims or judgments asserted, or liability established for damages or injuries to any person or property, which arise from the construction, maintenance, or use of the easement area as a public right-of-way. The City's duty to defend, indemnify and hold harmless shall not include any claims or liability arising from the active negligence or willful misconduct of the County, its officers or employees, or any subsequent owners of the Grantor Parcel.

**IN WITNESS WHEREOF**, the parties hereto, by their respective duly authorized officers signing below, have executed this Agreement.

NAPA COUNTY  
a political subdivision of the State of California

CITY OF NAPA  
a California charter city

By: \_\_\_\_\_  
Ryan Gregory  
Chair of the Board of Supervisors

By: \_\_\_\_\_  
Julie B. Lucido  
Public Works Director

Approved as to Form

Approved as to Form

By: Thomas C. Zeleny  
Interim County Counsel  
PL Doc. No. 49631

By: \_\_\_\_\_  
Deputy City Attorney

Approved by the Napa County Board of Supervisors

By: \_\_\_\_\_  
Deputy Clerk of the Board

Attest:

By: \_\_\_\_\_  
Neha Hoskins  
Clerk of the Board of Supervisors



July 23, 2021  
BKF Job No. 20165165-10

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**EASEMENT ONE**  
**(across Napa County property)**

All that certain real property situate in the City of Napa, County of Napa, State of California, and described as follows:

**BEING** a portion of Parcel 12-H, as said parcel is shown on that certain map entitled "Parcel Map No. 4697", filed December 20, 1993, in Book 20 of Parcel Maps, at Page 6, in the Office of the Recorder of Napa County, being more particularly described as follows:

**BEGINNING** at the southwestern corner of Parcel C, as said Parcel C is shown on said Parcel Map (20 PM 6);

**THENCE**, from said Point of Beginning, along the southerly line of said Parcel C, South 89°49'04" East 52.00 feet (said southerly line shown as North 89°48'56" East on said Parcel Map);

**THENCE**, leaving the last said line, the following four (4) courses:

- 1) South 00°10'56" West 15.59 feet,
- 2) southerly along a tangent curve to the right, having a radius of 479.00 feet, through a central angle of 13°00'09", an arc distance of 108.70 feet,
- 3) southwesterly along a compound curve to the right, having a radius of 205.00 feet, to which a radial line to said curve bears South 76°48'55" East, through a central angle of 12°03'58", an arc distance of 43.17 feet, and
- 4) South 25°15'03" West 60.57 feet to the westerly line of said Parcel 12-H;

**THENCE**, along the westerly line of said Parcel 12-H, North 00°10'56" East (said westerly line shown as North 00°11'04" East on said Parcel Map) 218.96 feet to the **POINT OF BEGINNING**.

Containing an area of 8,044 square feet, more or less.

The basis is bearings of North 62°46'23" East between City of Napa control point No. 1 and point No. 51 as shown on that Record of Survey - City of Napa Control Network, filed for record on April 6, 2012, in Book 41 of Surveys at Pages 44 through 47, inclusive, in the Office of the Recorder of Napa County. Based on the California State Plane Coordinate System NAD83, Zone 2 (2008 Epoch). Distances shown are based on ground distance.

A plat showing the above described easement is attached hereto and made a part hereof as Exhibit "B".

By: Paul Kittredge  
Paul Kittredge, P.L.S No. 5790

Dated: 7/26/21





**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

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 \_\_\_\_\_ )

On \_\_\_\_\_ before me, \_\_\_\_\_,  
*Date Here Insert Name and Title of the Officer*

personally appeared \_\_\_\_\_  
*Name(s) of Signer(s)*

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 \_\_\_\_\_  
*Signature of Notary Public*

*Place Notary Seal Above*

**OPTIONAL**

*Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

Corporate Officer — Title(s): \_\_\_\_\_

Partner —  Limited  General

Individual  Attorney in Fact

Trustee  Guardian or Conservator

Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

Corporate Officer — Title(s): \_\_\_\_\_

Partner —  Limited  General

Individual  Attorney in Fact

Trustee  Guardian or Conservator

Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

CERTIFICATE OF ACCEPTANCE

BY

CITY OF NAPA, CALIFORNIA

THIS IS TO CERTIFY that the interest in real property conveyed by the Easement Grant Deed dated \_\_\_\_\_ from Napa County, a political subdivision of the State of California, to the City of Napa, a California charter city, is hereby accepted on behalf of the City Council of the City of Napa pursuant to authority conferred by City of Napa Council Resolution Number 88-157, dated June 21, 1988, and the Grantee consents to the recordation thereof by its duly authorized officer.

Dated: \_\_\_\_\_

CITY OF NAPA, a California charter city

By: \_\_\_\_\_

Julie B. Lucido  
Public Works Director