

EXHIBIT B

PUBLIC WATER UTILITY EASEMENT

A nonexclusive and perpetual easement in favor of the Napa County Flood Control and Water Conservation District (“DISTRICT”) over, under, within, through, and along the land shown and described and depicted in the attachments hereto and made a part hereof (“EASEMENT AREA”), for public water utility purposes including laying, constructing, repairing, maintaining, operating, rehabilitating, inspecting, installing, replacing, accessing, or taking other similar actions necessary or prudent for the safe operation of existing and future water pipelines, together with any and all above and below ground appurtenances thereto (collectively, “UTILITIES”) together with the right of surface ingress and egress, including service vehicle access, and the right to use the EASEMENT AREA for staging during periods of construction, reconstruction, installation, inspection, maintenance, replacement, and removal of the UTILITIES.

The DISTRICT may transfer this Public Water Utility Easement to the City of Napa for the purposes set forth herein, and upon such transfer, the City of Napa shall succeed to all rights and obligations of and to the DISTRICT hereunder.

The FEE OWNER shall not undertake or allow any activity, use, or right of passage across or within the EASEMENT AREA, or grant any private or public easements over the EASEMENT AREA, that will interfere in any manner with the DISTRICT’s use of the EASEMENT AREA for the purposes set forth herein without the DISTRICT’s prior written consent, including but not limited to filling, excavating, mining, or drilling of any kind, or any change in the topography of the land in any manner within the EASEMENT AREA.

The FEE OWNER shall not install or maintain, or allow to be installed or maintained, any permanent structures, including but not limited to foundations, fences, retaining walls, pools, houses, or signs, within the EASEMENT AREA.

The DISTRICT and the City of Napa shall have the right to enter upon the EASEMENT AREA to keep the EASEMENT AREA free and clear of and from any and all debris, including the right to trim and remove or otherwise control any trees and vegetation or portions thereof, which are deemed reasonably necessary for the purpose of maintaining the EASEMENT AREA or the UTILITIES.

The DISTRICT and the City of Napa shall not be responsible for replacing or repairing any surface or above-ground improvements within the EASEMENT AREA that may be disturbed or damaged as a result of work by the City of Napa, including but not limited to decorative pavement/pavers/concrete, or landscaping, except as set forth herein. Notwithstanding anything to the contrary set forth herein, the City of Napa’s sole responsibility for repairing water trenches within the EASEMENT AREA is limited to compliance with the City of Napa’s then-current water trench detail standard (City Std W-13A as of 2022), as may be amended, excluding asphalt concrete.

The rights and obligations contained in this Public Water Utility Easement run with and burden the land, and are binding on the FEE OWNER and its successors and assigns.

PUBLIC WATER UTILITY EASEMENT LEGAL DESCRIPTION AND PLAT
MAP

PUBLIC WATER UTILITY EASEMENT

A portion of the Lands of David T. Gracia and Leslie Ann Gracia, Husband and Wife as Joint Tenants as described in the Grant Deed recorded on October 31, 2008 as Series Number 2008-0026862, Napa County Records, State of California, said portion described as follows:

Beginning at the point on the southeast line of said Lands of Gracia that bears North 45° 47' 35" East 159.50 feet from the south corner of said Lands of Gracia; thence continuing along said southeast line North 45° 47' 35" East 25.00 feet; thence leaving said southeast line North 44° 12' 25" West 60.00 feet to the northwest line of said Lands of Gracia; thence along said northwest line South 45° 47' 35" West 25.00 feet; thence leaving said northwest line South 44° 12' 25" East 60.00 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: 1,500 Sq. Ft.
0.03 Ac.



NAPA RIVER
 AREA
 1500 SF
 0.03 AC
 S45°47'35"W 25.00'
 N44°12'25"W 60.00'

LOUIS MILLIGROM
 APN: 044-301-025
 JENNIFER & LESLIE
 APN: 044-301-026
 DAVID & GRACIA
 2008-0026862
 CHAMROEN
 PINKATHOK
 APN: 044-301-027
 N45°47'35"E 154.50'
 S44°12'25"E 60.00'



1"=60'

LEGEND
 --- PROPERTY LINE
 --- EASEMENT LINE
 --- ADJACENT PROPERTY LINE
 --- PUBLIC WATER
 --- UTILITY EASEMENT

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RSA+ CONSULTING CIVIL ENGINEERS + SURVEYORS + [1980]

05-06-2024

044-301-026 E-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' 04" WEST.

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

5406
044-301-026 E-1
05-06-2024

North: 1877417.6989' East: 6482049.9652'

Segment #1 : Line

Course: N45°47'35"E Length: 25.00'

North: 1877435.1302' East: 6482067.8859'

Segment #2 : Line

Course: N44°12'25"W Length: 60.00'

North: 1877478.1398' East: 6482026.0507'

Segment #3 : Line

Course: S45°47'35"W Length: 25.00'

North: 1877460.7085' East: 6482008.1301'

Segment #4 : Line

Course: S44°12'25"E Length: 60.00'

North: 1877417.6989' East: 6482049.9652'

Perimeter: 170.00' Area: 1500.00 Sq. Ft.

Error Closure: 0.0000 Course: N0°00'00"E

Error North: 0.00000 East: 0.00000

Precision 1: 1700000000.00

