

RIGHT OF WAY CONTRACT — STATE HIGHWAY — TEMPORARY EASEMENT

RW 8-4 (6/95)

Project Name: Canal Road Sidewalk and Bike Lanes

Federal Project No.: SR2SL 5928 (116)

County Project No.: 0662-6R4062

Grantor: Mt. Diablo Unified School District

Portion of Parcel No.: 095-010-006

THIS document in the form of a TEMPORARY CONSTRUCTION EASEMENT, covering the property particularly described in Clause 3 below, has been executed and delivered to Angela Bell, Assistant Real Property Agent for Contra Costa County (County).

In consideration of which, and the other considerations hereinafter set forth, it is mutually agreed as follows:

1. The parties have herein set forth the whole of their agreement. The performance of this agreement constitutes the entire consideration for said document and shall relieve the County of all further obligation or claims on this account, or on account of the location, grade or construction of the proposed public improvement.
2. The County shall pay the undersigned grantor the sum of ONE THOUSAND FOUR HUNDRED AND FIFTY Dollars and No/100 (\$1,450.00) for this Temporary Construction Easement.
3. Permission is hereby granted to the County or its authorized agent to enter upon grantor's land where necessary within that certain area described in Exhibit "A" and shown on Exhibit "B" attached hereto and made a part hereof, for the purpose of a driveway conform and staging area during construction of the Canal Road Sidewalk and Bike Lanes Project.
4. This Temporary Easement will terminate on December 31, 2016.
5. Parcel One will be available to the contractor, for staging purposes, during summer months only, beginning June 11, 2016 through August 24, 2016, to prevent impact to parking and bus traffic during regular school hours.

REMAINDER OF THE PAGE LEFT BLANK INTENTIONALLY

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- 6. It is anticipated that the contractor will begin work (Pavement Work) on Parcel One no earlier than mid-September 2015. Pavement Work will include slurry seal of the asphalt parking lot, striping of 7 parking spots, installation of car stops, two driveway conforms and if necessary, backfilling the hole left from the removal of the existing school sign. Prior to beginning any Pavement Work on Parcel One, the Project Engineer will coordinate work times with the construction contractor, the Principal and the Building and Grounds Manager of Bel Air Elementary school.

- 7. The undersigned grantor warrants that they are the owner in fee simple of the property affected by this Temporary Construction Easement as described in Clause 3 above and that they have the exclusive right to grant this Temporary Easement.

In Witness Whereof, the Parties have executed this agreement the day and year first above written.

GRANTEE
CONTRA COSTA COUNTY

GRANTOR
MT. DIABLO UNIFIED SCHOOL DISTRICT

By _____
Julia R. Bueren
Public Works Director

By _____
Jeff McDaniel
Executive Director of Maintenance
& Operations

Date: _____

Date _____

Recommended for Approval:

By _____
Angela Bell
Assistant Real Property Agent

By _____
Karen A. Laws
Principal Real Property Agent

EXHIBIT "A"

Real property in the unincorporated area of Bay Point, County of Contra Costa, State of California, being a portion of Lot 7, Section 14, Township 2 North, Range 1 West, Mount Diablo Meridian, and being portions of the parcels of land granted to the Mount Diablo Unified School District (MDUSD) in the Grant Deeds recorded December 28, 1949 in Book 1482 of Official Records at page 412 and recorded July 3, 1950 in Book 1586 of Official Records at page 111, Contra Costa County records, described as follows:

Parcel One-Temporary Construction Easement

Commencing at the southwest corner of said Mount Diablo Unified School District parcel (1482 OR 412) also being the southeast corner of Parcel 6 to the United States of America described in the Judgement on the Declaration of Taking (No. 210858) recorded December 29, 1938 in Book 487 of Official Records at Page 214; thence northerly along the westerly line of said MDUSD parcel (and the easterly line of Parcel 6) north $0^{\circ}04'55''$ west 20.00 feet to the Point of Beginning; thence from said Point of Beginning continuing along said line north $0^{\circ}04'55''$ west 15.00 feet; thence leaving said line south $89^{\circ}22'56''$ east 15.59 feet to a point on a non-tangent curve concave to the south, a radial from said point bears south $47^{\circ}22'43''$ east; thence easterly along said curve, having a radius of 94.00 feet, through a central angle of $95^{\circ}59'35''$, an arc distance of 157.49 feet; thence non-tangent to said curve south $89^{\circ}22'56''$ east 21.57 feet to a point on the westerly line of Lot 8 as shown on the Bel-Air Tract, filed November 9, 1939 in Book 23 of Maps at page 730; thence southerly along said line south $0^{\circ}43'41''$ east 15.00 feet to the northerly right of way line of Canal Road as described in the deed recorded August 7, 1930 in Book 235 of Official Records at page 235; thence westerly along said line north $89^{\circ}22'56''$ west, 177.03 feet to the Point of Beginning.

Containing an area of 5,662 square feet of land, more or less.

Bearings are based on the California Coordinate System of 1983 (CCS83), Zone III.

Exhibit "B" (Drawing number A-5384B-2015) is attached hereto and by this reference made a part hereof.

This real property description has been prepared by me or under my direction, in conformance with the Professional Land Surveyors Act.

Signature: _____

Licensed Land Surveyor

Date: _____

7/14/15



EXHIBIT "B"

PLAT TO ACCOMPANY EXHIBIT "A"



1"=50'

985 OR 142

APN 095-010-006

Mount Diablo Unified School District
Bel Air Elementary School

Bel Air Tract
23 M 730

Lot 5

Lot 6

Lot 7

Lot 8

Madison Avenue

1482
OR
412

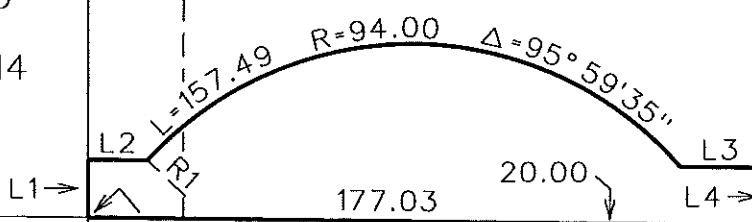
1586 OR 111

Line Data Table

No.	Bearing	Dist.
L1	N0° 04'55"W	15.00
L2	S89° 22'56"E	15.59
L3	S89° 22'56"E	21.57
L4	S0° 43'41"E	15.00
R1	S47° 22'43"E	94.00
T1	N0° 04'55"W	20.00

Contra
Costa
Canal

USA-Bureau
of Reclamation
C/O CCWD
487 OR 214



NE1/4 Section 14
SE1/4 Section 14

POB
POC

Canal Road

Center Section Line

T2N
R1W
MDM

40.00

State Route 4

Mount Diablo Unified School District, T.C.E.

Instrument : Temporary Construction Easement	Scale	1"=50'	Date	July 2015
	Drawn By	KT	File No.	A-5384B-2015
Series No.	Recorded	Checked By	JS	Cad File
		Mount Diablo Unified School District TCE.dgn		