Santa Clara County - Clerk-Recorder

01/03/2017 10:53 AM

RADE Properties, LLC

Titles: 1

Pages: 14

AND WHEN RECORDED MAIL TO:

RECORDING REQUESTED BY:

Fees: \$64.00 Taxes: \$0 Total: \$64.00

RADE Properties, LLC P. O. Box 54305 San Jose, CA 95154

APN 510-47-027 and APN 510-47-043

(Space Above This Line for Recorder's Use Only)

COVENANT OF EASEMENT AND RESTRICTIONS

RADE Properties, LLC (OWNER) owns the real property described in Exhibit A attached hereto ("BURDENED PROPERTY", also referred to as Parcel A). OWNER also owns the real property described in Exhibit B attached hereto ("BENEFITED PROPERTY", also referred to as Parcel B). Both parcels are depicted on Exhibit C attached hereto.

RECITALS

WHEREAS, the Town of Los Gatos approved and certified a lot line adjustment for the above-described properties on October 16, 2016 and recorded on October 26, 2016 as Document No. 23477967 in the Office of the County Recorder of Santa Clara County, State of California.

WHEREAS, the above parcels currently remain in the same ownership of RADE Properties, LLC, but the intent is to transfer one or both to third parties in the future.

NOW THEREFORE, Pursuant to Town of Los Gatos Code section 24.20.060, to provide access to the resulting lots following the lot line adjustment map, creating Parcels A and B, OWNER hereby grants a non-exclusive easement over and across an existing 36 foot right of way for ingress and egress and road purposes, including driveway construction and maintenance, together with electrical utility, and underground gas utility, cable TV, water lines, and sanitary sewer, through and across the BURDENED PROPERTY for the benefit of the BENEFITED PROPERTY. The right of way conveyed herein is described in Exhibit D attached hereto and depicted in Exhibit C attached hereto as the 36 foot right of way "as per Doc 4820200, B18, Page 553".

Further, OWNER grants an exclusive easement for right of way ingress and egress, including driveway construction and maintenance, together with electrical utility, and underground gas utility, cable TV, water lines, and sanitary sewer, through and across the BURDENED PROPERTY for the benefit of the BENEFITED PROPERTY. This easement used in conjunction with the non-exclusive easement first described above allows flexibility in placing access and utilities that might best fit the terrain. Any and all costs involved with the planning, permitting, construction, and maintenance of any such facilities are the sole responsibility of the GRANTEE. The easement conveyed herein is described in Exhibit E attached hereto and

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depicted in Exhibit F attached hereto as the cross-hatched area, generally lying

north and west of the non-exclusive easement first described above.

Finally, OWNER restricts the emergency turn around area shown on Exhibit G

attached hereto and described in Exhibit H attached hereto from private parking and

the construction of anything that prevents vehicles passage over it and only permits

the non-exclusive right of private access across and over.

IN WITNESS WHEREOF, the undersigned affixes its signature on the date

indicated below.

Dated: 2700 2016

RADE Properties, LLC

RONALD SHERROD, Managing Member

ATTACH ALL PURPOSE NOTARY ACKNOWLEDGMENT REQUIRED

FOR OWNER'S SIGNATURE

See attach

12/27/2016

3

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 this Certificate is attached, and not the truthfulness, accuracy, or validity of that document. State of California County of PURCER	1
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	WITNESS my hand and official seal.
PLACE NOTARY SEAL IN ABOVE SPACE	NOTARY'S SIGNATURE
	INFORMATION y prove valuable and could prevent fraudulent attachment
CAPACITY CLAIMED BY SIGNER (PRINCIPAL) INDIVIDUAL CORPORATE OFFICER PARTNER(S) ATTORNEY-IN-FACT GUARDIAN/CONSERVATOR	DESCRIPTION OF ATTACHED DOCUMENT Coverant of Easement & Restriction TITLE OR TYPE OF DOCUMENT TW ELVE NUMBER OF PAGES
SUBSCRIBING WITNESS OTHER:	DATE OF DOCUMENT OTHER
SIGNER (PRINCIPAL) IS REPRESENTING: NAME OF PERSON(S) OR ENTITY(IES)	RIGHT THUMBPRINT OF SIGNER SIGNER



OLIAS COMUNDSON PLS 8307

December 9, 2016

LEGAL DESCRIPTION FOR PARCEL "A"

SITUATE in the Town of Los Gatos, County of Santa Clara, State of California and being all of Parcels One and Two of the lands described in the grant deed to RADE Properties, LLC recorded October 13, 2015 as Document # 23105140 lying Southerly and Easterly of the following described line:

BEGINNING at a ½ inch iron pipe tagged LS 8307 on the Northwesterly line of Parcel 2 as shown on that certain Record of Survey Map, filed in the Office of the Recorder of the County of Santa Clara, State of California on February 10, 1965 in Book 190 of Maps, Page 52 and 53, from which a ½ inch open pipe at the Northerly terminus of the course "N 21° 13' 40" E, 96.20" bears N 21° 31' 04" E, 37.19 feet distant, also from which a ½ inch open pipe at the Southerly terminus of said course bears S 21° 31' 04" W, 59.35 feet distant. Thence, from said POINT OF BEGINNING the following courses:

- 1. N 68° 54' 25" E, 202.94 feet to a 1/2 inch pipe tagged LS 8307;
- 2. N 21° 05' 35" W, at 83.75 feet, a ½ inch pipe tagged LS 8307, a total distance of 114.16 feet, more or less, to a point on the Northerly line of said above mentioned Parcel Two.

Based on a field survey dated December 2015 by Edmundson & Associates, Land Surveying



OLIN S. EDMUNDSON
PLS 8307

December 9, 2016

LEGAL DESCRIPTION FOR PARCEL "B"

SITUATE in the Town of Los Gatos, County of Santa Clara, State of California and being all of Parcels One and Two of the lands described in the grant deed to RADE Properties, LLC recorded October 13, 2015 as Document # 23105140 lying Northerly and Westerly of the following described line:

BEGINNING at a ½ inch iron pipe tagged LS 8307 on the Northwesterly line of Parcel 2 as shown on that certain Record of Survey Map, filed in the Office of the Recorder of the County of Santa Clara, State of California on February 10, 1965 in Book 190 of Maps, Page 52 and 53, from which a ½ inch open pipe at the Northerly terminus of the course "N 21° 13' 40" E, 96.20" bears N 21° 31' 04" E, 37.19 feet distant, also from which a ½ inch open pipe at the Southerly terminus of said course bears S 21° 31' 04" W, 59.35 feet distant. Thence, from said POINT OF BEGINNING the following courses:

- 1. N 68° 54' 25" E, 202.94 feet to a 1/2 inch pipe tagged LS 8307;
- 2. N 21° 05' 35" W, at 83.75 feet, a ½ inch pipe tagged LS 8307, a total distance of 114.16 feet, more or less, to a point on the Northerly line of said above mentioned Parcel Two.

Based on a field survey dated December 2015 by Edmundson & Associates, Land Surveying

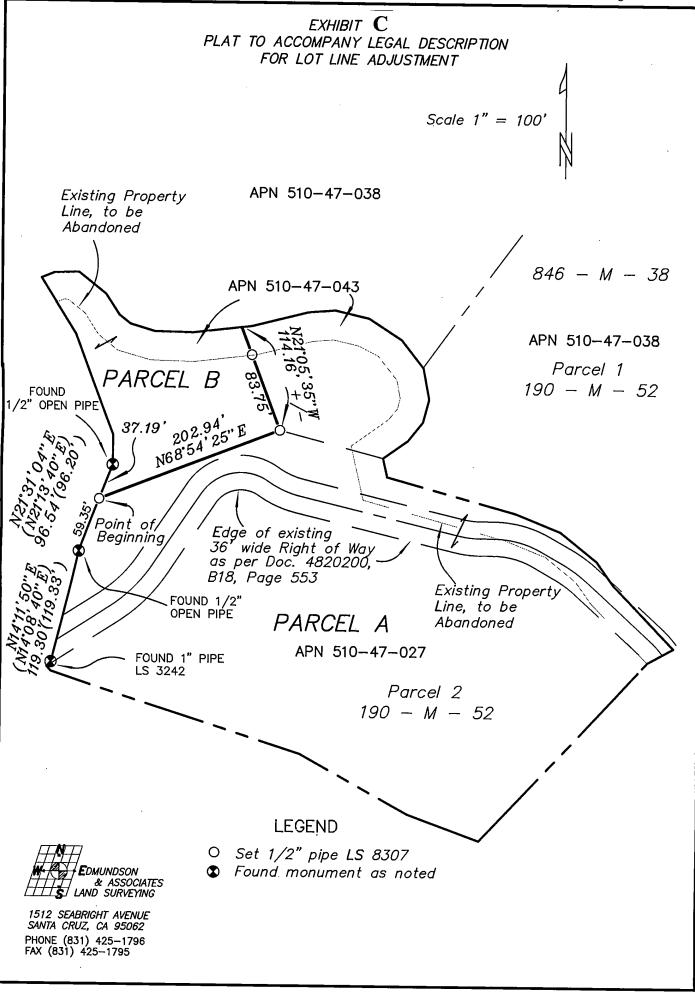


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MAIL TAX STATEMENT AS DIRECTED ABOVE Description: Santa Clara, CA Document - DocID 4820200 Page: 1 of 2000 Order: 5566552 Comment:



SCHEDULE A

SITUATE in the County of Santa Clera, State of California

Being a strip of land for road purposes and appurtenances thereto, 3 feet wide, 18.00 feet measured at right angles on either side of the following described centerline:

Beginning at a station in the centerline of the above mentioned lands from which the most Eastern corner of that certain 4.321 acre parcel of land shown on the map entitled "Record of Survey of Portions of Rancho Rinconada De Los Gatos" filed for record in book 190 of maps at pages 52 and 53, Official Santa Clara County Records, bears South 61° 35' 30" West 18.10 feet distant; thence from said station, along the arc of ourse to the left, tangent to the following course, with a radius of 100.00 feet, thru a central angle of 10° 50° 54", a distance of 18.93 feet; thence North 48° 05' West 91.34 feet; thence along the arc of a curve to the left, tangent to the preceeding course, with a radius of 150.00 feet, thru a central angle of 12° 30', a distance of 32.72 feet; thence North 60° 35' West 25.39 feet; thence along the arc of a curve to the left, tangent to the preceeding course, with a radius of 100.00 feet, thru a central angle of 29° 00', a distance of 50.61 feet to an and of curve; thence North 89° 35' West 14.47 feet, thence along the arc of a curve to the right, tangent to the preceeding course, with a radius of 100.00 feet, thru a central angle of 13° 05', a distance of 22.63 feet; thence North 76° 30' West 172.68 feet; thence along the arc of a ourge to the right, tangent to the preceeding course, with a radius of 100.00. feet, thru a central angle of 21° 15', a distance of 37.09 feet; thence along the arc of a curve to the left, tangent to the preceding curve, with a radius of 50.00 feet, thru a central angle of 90° 50', a distance of 79.27 feet; thence South 33° 55' West 90.98 feet; thence along the arc of a curve to the right, tangent to the preceeding course, with a radius of 150.00 feet, thru a central angle of 24° 10'33", a distance of 63.31 feet, thence South 58° 05' 33" West 67.16 feet to a station in the Western boundary of the before mentioned parcel 2, and from which the South Western corner of Parcel 2 bears South 14° 08° 40° West 23,54-2 and South 42° 48' 30" West 6.23 feet distant.

Description: Santa Clara, CA Document - DocID 4820200 Fage: Order: 5566552 Comment:





December 9, 2016

Olin S. EDMUNDSON PLS 8307

LEGAL DESCRIPTION OF EASEMENT FOR INGRESS, EGRESS AND UTILITIES

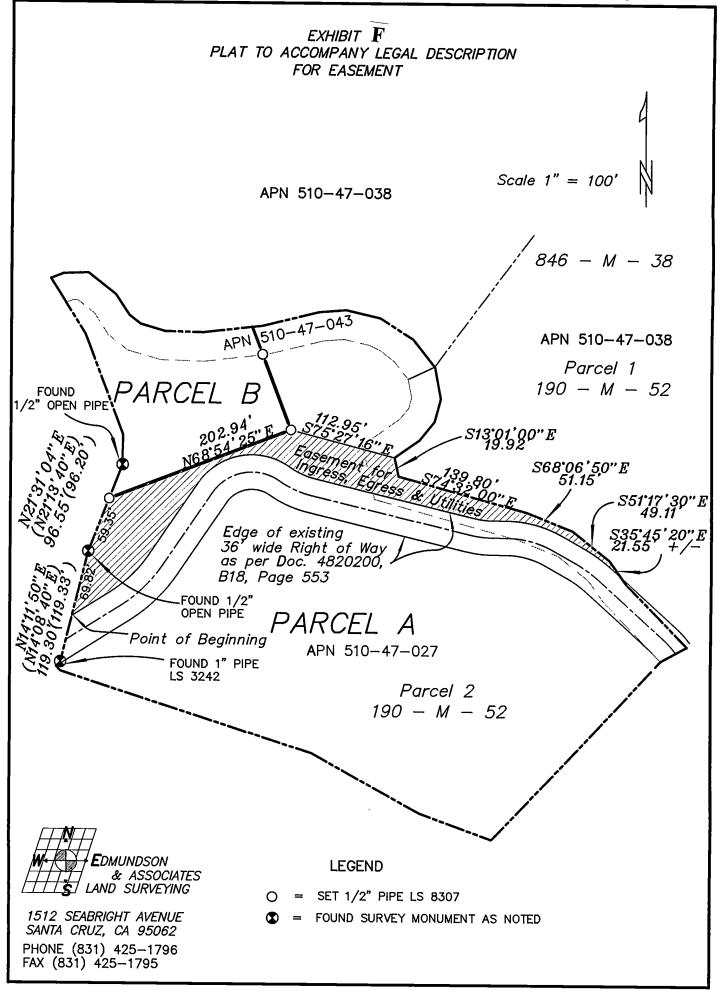
SITUATE in the Town of Los Gatos, County of Santa Clara, State of California and being a portion of Parcel 2 and a portion of "Wood Road" as shown on that certain Record of Survey Map filed in the Office of the Recorder of the County of Santa Clara, on February 10, 1965 in Book 190 of Maps, Page 52 and 53, more particularly described as follows:

BEGINNING at the intersection of the Northerly line of the 36 foot wide Right of Way described in Document # 4820200, Book 018, at Page 553, Official Records of Santa Clara County, with the Westerly line of said above mentioned Parcel 2. Thence, from said POINT OF BEGINNING the following courses:

- 1. Along said Westerly line of Parcel 2, N 14° 11' 50" E 69.82 feet to a 1/2" open pipe;
- 2. N 21° 31' 04' E 59.35 feet to a ½ inch pipe tagged LS 8307;
- 3. Leaving said Westerly line, N 68° 54' 25" E 202.94 feet to a ½ inch pipe tagged LS 8307;
- 4. S 75° 27' 16" E 112.95 feet to the Northerly terminus of the course "N 13° 01' W 19.92" shown on said above mentioned Record of Survey Map on the Northerly side of Wood Road;
- 5. Along the Northerly line of Wood Road the following five courses; S 13° 01' E, 19.92 feet to a point;
- 6. S 74° 32' E, 139.80 feet to a point;
- 7. S 68° 06' 50" E, 51.15 feet to a point;
- 8. S 51° 17' 30" E, 49.11 feet to a point;

- 9. S 35° 45' 20" E, 21.55 feet, more or less to the intersection of said Northerly line of Wood Road with the Northerly line of said above mentioned 36 feet wide Right of Way;
- 10. Along the Northerly line of said Right of Way, Northwesterly and Southwesterly to the POINT OF BEGINNING.

Based on a field survey dated December 2015 by Edmundson & Associates.



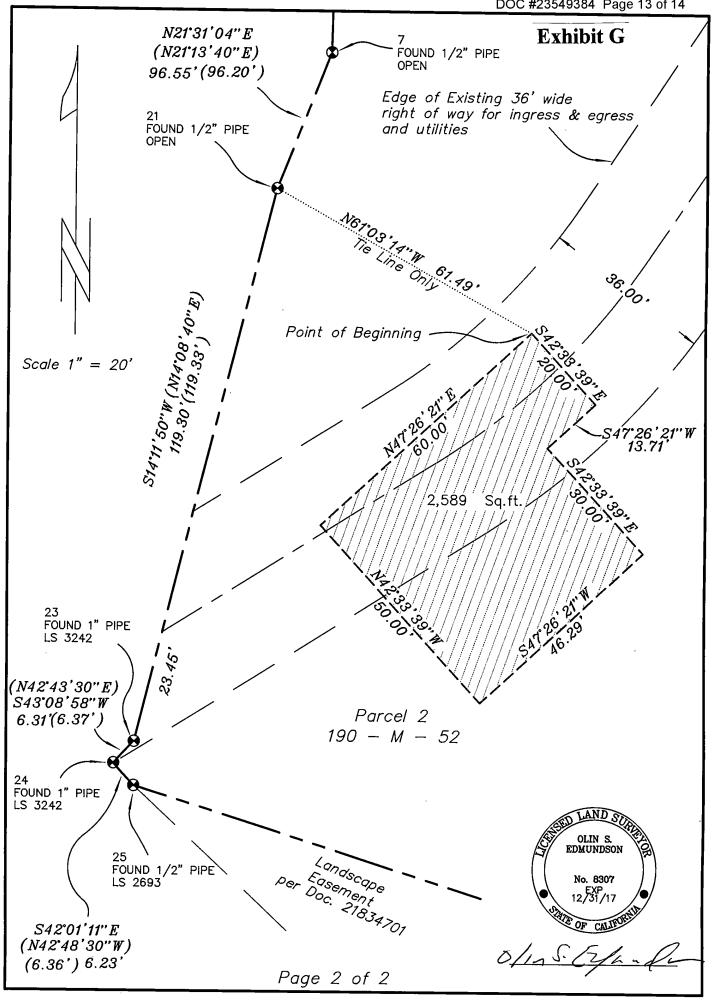


Exhibit H



OLIN S. EDMUNDSON PLS 8307

FIRE TRUCK TURNAROUND EASEMENT

SITUATE in the Town of Los Gatos, County of Santa Clara, State of California and being a portion of "Parcel 2" as shown on that certain Record of Survey Map filed in Book 190 of Maps at Page 52, Santa Clara County Records and being an easement more particularly described as follows;

BEGINNING at a point from which a ½ inch pipe (no tag) at the Northerly terminus of the course shown as NORTH 14°08'40" EAST, 119.33 on said above mentioned map bears NORTH 61°03'14" WEST, 61.49 feet distant; and from said pipe, a 1 inch pipe tagged LS 3242 bears SOUTH 14°11'50" WEST, 119.30 (shown on above said map as N 14°08'40" E, 119.33') Thence from said POINT OF BEGINNING, the following courses:

- 1) SOUTH 42°33'39" EAST, 20.00 feet to a point;
- 2) SOUTH 47°26'21" WEST, 13.71 feet to a point;
- 3) SOUTH 42°33'39" EAST, 30.00 feet to a point;
- 4) SOUTH 47°26'21" WEST, 46.29 feet to a point;
- 5) NORTH 42°33'39" WEST, 50.00 feet to a point;
- 6) NORTH 47°26'21" EAST, 60.00 feet to the POINT OF BEGINNING.

Enclosing an area of 2,589 square feet, more or less.