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Dennis De La Montanya  
P.O. Box 820  
Healdsburg, CA 95448

Doc # 2007004696

Page 1 of 19

Date: 02/28/2007 03:24P

Filed by: FIRST AMERICAN TITLE

Filed & Recorded in Official Records

of COUNTY OF LAKE

DOUGLAS W. WACKER

COUNTY RECORDER

Fee: \$1203.00

Mail tax statements to  
above address

The undersigned grantor declares:

Documentary transfer tax: is \$1,122.00

Based on full consideration paid.

Portions of APN 044-331-13

## GRANT DEED



**EVANS-HOFMANN COMPANY LLC**, a Delaware limited liability company,

GRANTS TO

**DENNIS De La MONTANYA** and **TINA De La MONTANYA**, husband and wife, as community property with right of survivorship, and **CLEMENT C. CARINALLI** and **ANN MARIE CARINALLI**, husband and wife, as community property with right of survivorship,

all that certain real property situate in the unincorporated area of the County of Lake, State of California, described in Exhibit A attached hereto, subject to the restrictions on use set forth in Exhibit D attached hereto, and reserving therefrom a ten-foot (10') wide roadway and public utility easement, together with the right to offer the same for public dedication, more particularly described in Exhibit B attached hereto, said easement being appurtenant to the real property described in Exhibit C attached hereto.

Dated: November 27, 2006

**EVANS-HOFMANN COMPANY LLC**,  
a Delaware limited liability company

By Joan M. Evans  
Joan M. Evans, Manager

By Mary M. Hofmann  
Mary M. Hofmann, Manager

The foregoing grant is accepted subject to the restrictions on use set forth in Exhibit D attached hereto.

Dennis De La Montanya  
DENNIS De La MONTANYA

Tina De La Montanya  
TINA De La MONTANYA

Clement C. Carinalli  
CLEMENT C. CARINALLI

Ann Marie Carinalli  
ANN MARIE CARINALLI

STATE OF CALIFORNIA

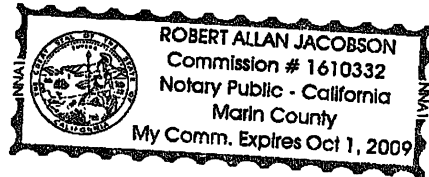
County of MARIN

On November 22, 2006, 2006, before Robert Allan Jacobson, the undersigned, a Notary Public in and for said County and State, personally appeared JOAN M. EVANS ~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature

Robert Allan Jacobson (Seal)



STATE OF CALIFORNIA

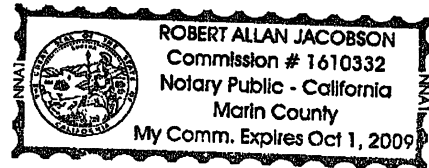
County of MARIN

On November 22, 2006, 2006, before Robert Allan Jacobson, the undersigned, a Notary Public in and for said County and State, personally appeared MARY M. HOFMANN ~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature

Robert Allan Jacobson (Seal)



STATE OF CALIFORNIA

County of ~~Lake~~ SONOMA

On 2/26/07, 2006, before Don Mackay, the undersigned, a Notary Public in and for said County and State, personally appeared DENNIS De La MONTANYA personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature

[Signature] (Seal)



STATE OF CALIFORNIA

County of Sonoma

On 2/26/07, 2006, before Don Mackay, the undersigned, a Notary Public in and for said County and State, personally appeared TINA De La MONTANYA personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature [Signature]

(Seal)



STATE OF CALIFORNIA

County of Lake

On 2/21/07, 2006, before [Signature], the undersigned, a Notary Public in and for said County and State, personally appeared CLEMENT C. CARINALLI personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)

STATE OF CALIFORNIA

County of \_\_\_\_\_

On \_\_\_\_\_, 2006, before [Signature], the undersigned, a Notary Public in and for said County and State, personally appeared ANN MARIE CARINALLI personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No:

APN No:

STATE OF California )SS

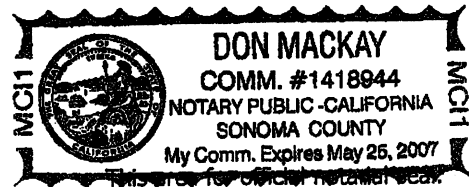
COUNTY OF SONOMA

On 2/23/07 before me, DON MACKAY, Notary Public, personally appeared Clement C. Carinatti

personally known to me (or 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.

WITNESS my hand and official seal.

Signature [Signature]



## OPTIONAL SECTION CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- ☒ INDIVIDUAL  
☐ CORPORATE OFFICER(S) TITLE(S)  
☐ PARTNER(S) ☐ LIMITED ☐ GENERAL  
☐ ATTORNEY-IN-FACT  
☐ TRUSTEE(S)  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER

SIGNER IS REPRESENTING:

Name of Person or Entity \_\_\_\_\_

Name of Person or Entity \_\_\_\_\_

## OPTIONAL SECTION

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

**THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW**

TITLE OR TYPE OF DOCUMENT: \_\_\_\_\_

NUMBER OF PAGES \_\_\_\_\_ DATE OF DOCUMENT \_\_\_\_\_

SIGNER(S) OTHER THAN NAMED ABOVE \_\_\_\_\_

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

STATE OF California )SS  
COUNTY OF SONOMA

File No: \_\_\_\_\_

APN No: \_\_\_\_\_

On 2/23/07 before me, DON MACKAY, Notary Public, personally appeared  
ANN MARIE CARINALLI

personally known to me (or 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.

WITNESS my hand and official seal.

Signature \_\_\_\_\_



## OPTIONAL SECTION CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- ☐ INDIVIDUAL  
☐ CORPORATE OFFICER(S) TITLE(S)  
☐ PARTNER(S) ☐ LIMITED ☐ GENERAL  
☐ ATTORNEY-IN-FACT  
☐ TRUSTEE(S)  
☐ GUARDIAN/CONSERVATOR  
☐ OTHER

SIGNER IS REPRESENTING:

\_\_\_\_\_  
Name of Person or Entity

\_\_\_\_\_  
Name of Person or Entity

## OPTIONAL SECTION

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

**THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW**

TITLE OR TYPE OF DOCUMENT: \_\_\_\_\_

NUMBER OF PAGES \_\_\_\_\_ DATE OF DOCUMENT \_\_\_\_\_

SIGNER(S) OTHER THAN NAMED ABOVE \_\_\_\_\_

**EXHIBIT "A"**

**ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE COUNTY OF LAKE,  
STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:**

**COMMENCING AT A POINT ON THE NORTH LINE OF LOT 18 IN BLOCK K, AS  
SHOWN ON THAT CERTAIN MAP ENTITLED, "SUBDIVISION NO. 1,  
BUCKINGHAM PARK," FILED IN THE OFFICE OF THE COUNTY RECORDER  
OF SAID LAKE COUNTY ON AUGUST 11, 1930 IN BOOK 5 OF TOWN MAPS, AT  
PAGES 85, 86 AND 87, THAT IS NORTH 88°52'00" EAST 131.46 FEET FROM THE  
NORTHWEST CORNER OF SAID LOT 18, AND RUNNING THENCE NORTH 23°  
10' 30" WEST 220.92 FEET;  
THENCE NORTH 13°54'30" WEST 249.73 FEET;  
THENCE NORTH 27°10'00" WEST 131.97 FEET; THENCE NORTH 50°39'30"  
WEST 316.52 FEET;  
THENCE NORTH 71°06'30" WEST 406.57 FEET;  
THENCE NORTH 78°23'30" WEST 219.48 FEET TO A ½ INCH IRON PIPE, FROM  
WHICH A 10 INCH FORKED WHITE OAK BEARS SOUTH 5°12'00" WEST 11.23  
FEET AND A 12 INCH WHITE OAK BEARS NORTH 44°52'00" WEST 23.23 FEET;  
THENCE NORTH 20°40'00" EAST 100.00 FEET;  
THENCE SOUTH 69°37'17" EAST, A DISTANCE OF 16.40 FEET TO THE  
BEGINNING OF A THREE BARBED WIRE STEEL "T" POST FENCE;  
THENCE ALONG THE SAID FENCE THE FOLLOWING COURSES:  
THENCE SOUTH 85°32'13" EAST, A DISTANCE OF 39.71 FEET;  
THENCE NORTH 79°12'07" EAST, A DISTANCE OF 138.14 FEET;  
THENCE NORTH 75°29'21" EAST, A DISTANCE OF 6.18 FEET TO THE TRUE  
POINT OF BEGINNING OF THE LANDS TO BE DESCRIBED;  
THENCE CONTINUING ALONG THE SAID FENCE THE FOLLOWING COURSES:  
THENCE NORTH 75°29'21" EAST, A DISTANCE OF 156.14 FEET;  
THENCE NORTH 68°53'14" EAST, A DISTANCE OF 180.28 FEET;  
THENCE NORTH 77°47'59" EAST, A DISTANCE OF 325.71 FEET;  
THENCE NORTH 83°14'47" EAST, A DISTANCE OF 92.11 FEET;  
THENCE NORTH 87°42'16" EAST, A DISTANCE OF 209.79 FEET;  
THENCE SOUTH 77°50'21" EAST, A DISTANCE OF 220.70 FEET;  
THENCE SOUTH 77°45'25" EAST, A DISTANCE OF 171.12 FEET;  
THENCE SOUTH 83°06'24" EAST, A DISTANCE OF 141.78 FEET;  
THENCE SOUTH 83°24'08" EAST, A DISTANCE OF 243.89 FEET;  
THENCE LEAVING SAID FENCE LINE SOUTH 40°52'00" EAST, A DISTANCE OF  
18.24 TO THE CENTERLINE OF A 40 FOOT ROADWAY AND PUBLIC UTILITY  
EASEMENT AS SHOWN ON THE MAP FILED ON DECEMBER 20, 1976, IN  
BOOK 12 OF PARCEL MAPS AT PAGE 1 IN THE RECORDER'S OFFICE OF LAKE  
COUNTY, CALIFORNIA;  
THENCE ALONG THE CENTERLINE OF SAID 40 FOOT ROADWAY AND  
PUBLIC UTILITY EASEMENT THE FOLLOWING COURSES:**

THENCE SOUTH 49°08'00" WEST (SHOWN AS SOUTH 49°05'20" WEST ON SAID  
 PARCEL MAP), A DISTANCE OF 53.65 FEET TO A TANGENT 575.76 FOOT  
 RADIUS CURVE CONCAVE TO THE SOUTHEAST;  
 THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL  
 ANGLE OF 25°32'50" AN ARC DISTANCE OF 256.72 FEET;  
 THENCE SOUTH 23°35'10" WEST, A DISTANCE OF 141.73 FEET (SHOWN AS  
 SOUTH 23°32'30" WEST, 141.73 FEET ON SAID PARCEL MAP) TO A TANGENT  
 635.57 FOOT RADIUS CURVE CONCAVE TO THE EAST;  
 THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE  
 OF 25°00'30" AN ARC DISTANCE OF 277.41 FEET TO THE BEGINNING OF A  
 COMPOUND 200.00 FOOT RADIUS CURVE CONCAVE TO THE EAST;  
 THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL  
 ANGLE OF 19°30'02" AN ARC DISTANCE OF 68.07 FEET;  
 THENCE LEAVING SAID CENTERLINE SOUTH 69°04'38" WEST, A DISTANCE  
 OF 80.38 FEET TO A TANGENT 150.00 FOOT RADIUS CURVE CONCAVE TO  
 THE NORTH;  
 THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF  
 45°37'16" AN ARC DISTANCE OF 119.44 FEET;  
 THENCE NORTH 65°18'06" WEST, A DISTANCE OF 187.00 FEET TO A  
 TANGENT 125.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST;  
 THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL  
 ANGLE OF 14°12'18" AN ARC DISTANCE OF 30.99 FEET;  
 THENCE NORTH 51°05'48" WEST, A DISTANCE OF 207.72 FEET TO A  
 TANGENT 175.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST;  
 THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF  
 43°23'47" AN ARC DISTANCE OF 132.55 FEET;  
 THENCE NORTH 39°52'11" WEST, A DISTANCE OF 314.00 FEET;  
 THENCE SOUTH 39°20'30" WEST, A DISTANCE OF 154.53 FEET;  
 THENCE NORTH 50°39'30" WEST, A DISTANCE OF 77.68 FEET;  
 THENCE NORTH 58°37'38" WEST, A DISTANCE OF 186.29 FEET;  
 THENCE NORTH 57°43'22" WEST, A DISTANCE OF 280.99 FEET TO THE TRUE  
 POINT OF BEGINNING.

~~CONTINUED TO THE NEXT PAGE OF THE~~



## LEGAL DESCRIPTION FOR ROADWAY AND PUBLIC UTILITIES

### EXHIBIT "B"

BEING A PORTION OF SECTION 33 TOWNSHIP 14 NORTH, RANGE 8 WEST, M.D.B. &M., LYING NORTH OF BUCKINGHAM PARK SUBDIVISION NUMBER 1 ON BUCKINGHAM POINT, COUNTY OF LAKE, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A STRIP OF LAND 10 FEET IN WIDTH ON THE WEST SIDE AND PARALLEL WITH THE 40 FOOT ROADWAY (KNOWN AS POINT DRIVE) AND PUBLIC UTILITY EASEMENT SHOWN ON A MAP FILED IN BOOK 12 OF PARCEL MAPS AT PAGE 1, IN THE COUNTY RECORDER'S OFFICE, LAKE COUNTY, CALIFORNIA, SAID STRIP OF LAND BEGINNING AT A POINT ON THE NORTH BOUNDARY LINE, NORTH 68°00'00" WEST, A DISTANCE OF 10.00 FEET FROM THE NORTHEAST CORNER OF LOT 9 OF THE BUCKINGHAM PARK SUBDIVISION NUMBER 1 FILED AUGUST 11, 1930 IN BOOK 5 OF TOWN MAPS AT PAGES 85, 86, AND 87, RECORDS OF LAKE COUNTY, CALIFORNIA;

THENCE ALONG AND PARALLEL WITH THE SAID ROADWAY AND PUBLIC UTILITY EASEMENT TO THE NORTH LINE OF THE PROPERTY DESCRIBED AS EXHIBIT "A" WITHIN THE APPROVED LOT LINE ADJUSTMENT LEGAL DESCRIPTION KNOWN AS EXHIBIT "A" AND "B" RECORDED OCTOBER 25, 2006 AS DOCUMENT NUMBER 2006028118.





**EXHIBIT C**

**REAL PROPERTY IN THE UNINCORPORATED AREA OF THE COUNTY  
OF LAKE, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:**

**PARCEL ONE**

**TRACT ONE**

**COMMENCING AT THE MOST NORTHERLY CORNER OF LOT 66 IN BLOCK  
"H", AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP OF SUBDIVISION  
NO. 1, BUCKINGHAM PARK", FILED IN THE OFFICE OF THE COUNTY  
RECORDER OF SAID LAKE COUNTY ON AUGUST 11, 1930 IN BOOK 5 OF  
TOWN MAPS AT PAGES 85 TO 87, INCLUSIVE;  
THENCE DEFLECTING 35°06' 10" TO THE RIGHT FROM THE  
NORTHEASTERLY  
LINE OF SAID LOT 66, AND RUNNING NORTH 8°22'30" WEST 1602.35 FEET TO  
THE TRUE POINT OF BEGINNING, BEING AT THE SOUTHWESTERLY  
CORNER OF THAT CERTAIN 12 ACRE PARCEL OF LAND DESIGNATED  
PARCEL 1 IN THE DEED FROM BUCKINGHAM COLONIES, LIMITED, A  
CORPORATION, TO DENT W. MACDONOUGH, DATED SEPTEMBER 26, 1933  
AND RECORDED JULY 23, 1934, IN BOOK 93 OF OFFICIAL RECORDS OF LAKE  
COUNTY AT PAGE 439;  
RUNNING THENCE SOUTHWESTERLY, ALONG THE NORTHWESTERLY LINE  
OF THAT CERTAIN 9.963 ACRE PARCEL OF LAND DESIGNATED PARCEL NO.  
2 IN THE DEED ABOVE REFERRED TO, THE FOLLOWING COURSES AND  
DISTANCES:  
SOUTH 2°20' WEST 33.58 FEET, SOUTHWESTERLY, ALONG THE ARC OF A  
CURVE TO THE RIGHT, TANGENT TO THE PRECEDING COURSE, WITH A  
RADIUS OF 200 FEET, A CENTRAL ANGLE OF 45°34'20", A DISTANCE OF  
159.08 FEET, AND SOUTH 2°20' WEST 525 FEET TO THE SOUTHWESTERLY  
CORNER OF SAID PARCEL 2;  
THENCE, LEAVING SAID WESTERLY BOUNDARY LINE OF SAID PARCEL 2,  
AND RUNNING NORTH 59°16' WEST 35 FEET;  
THENCE NORTHWESTERLY, ALONG THE ARC OF A CURVE TO THE LEFT,  
TANGENT TO THE PRECEDING COURSE, WITH A RADIUS OF 600 FEET, A  
CENTRAL ANGLE OF 17°14'10", A DISTANCE OF 180.50 FEET TO A LINE  
DRAWN PARALLEL WITH AND PERPENDICULARLY DISTANT 200 FEET  
WESTERLY FROM, THAT PORTION OF THE WESTERLY LINE OF SAID 12  
ACRE PARCEL OF LAND HAVING THE COURSE "NORTH 2°20' EAST 436.00  
FEET" AND THE SOUTHERLY PRODUCTION OF SAID WESTERLY LINE;  
THENCE NORTH 2°20' EAST TO THE LOW WATER LINE OF CLEAR LAKE;  
THENCE EASTERLY, ALONG SAID LOW WATER LINE, TO THE WESTERLY  
LINE OF THAT CERTAIN 12 ACRE PARCEL OF LAND DESIGNATED PARCEL 1  
IN THE DEED ABOVE REFERRED TO; THENCE SOUTH 2°20' WEST, ALONG  
SAID WESTERLY LINE, TO AN ANGLE  
POINT THEREIN, WHICH ANGLE POINT IS DISTANT NORTH 2°20' EAST 126.42**

FEET, AND NORTHWESTERLY ALONG THE ARC OF A CURVE TO THE LEFT, TANGENT TO THE PRECEDING COURSE, WITH A RADIUS OF 160 FEET, A CENTRAL ANGLE OF 51°19', A DISTANCE OF 143.30 FEET FROM THE TRUE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE SOUTHEASTERLY AND SOUTHERLY, ALONG THE SOUTHWESTERLY AND WESTERLY LINE OF SAID 12 ACRE PARCEL OF LAND DESIGNATED PARCEL 1 IN THE DEED ABOVE REFERRED TO, ALONG THE ARC OF A CURVE TO THE RIGHT, THE CENTER OF WHICH BEARS SOUTH 41°01' WEST 160 FEET FROM THE LAST MENTIONED ANGLE POINT, WITH A RADIUS OF 160 FEET, A CENTRAL ANGLE OF 51°19', A DISTANCE OF 143.30 FEET AND SOUTH 2°20' WEST, TANGENT TO THE PRECEDING CURVE 126.42 FEET TO THE TRUE POINT OF BEGINNING.

#### **TRACT TWO**

BEGINNING AT A POINT ON THE NORTH LINE OF LOT 18 IN BLOCK K AS SHOWN ON THAT CERTAIN MAP ENTITLED "SUBDIVISION NO. 1, BUCKINGHAM PARK," FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID LAKE COUNTY ON AUGUST 11, 1930 IN BOOK 5 OF TOWN MAPS AT PAGES 85, 86 AND 87, THAT IS NORTH 88 DEGREES 52' EAST 131.46 FEET FROM THE NORTHWEST CORNER OF SAID LOT 18, AND RUNNING THENCE NORTH 23 DEGREES 10' 30" WEST 220.92 FEET; THENCE NORTH 13 DEGREES 54' 30" WEST 249.73 FEET; THENCE NORTH 27 DEGREES 10' WEST 131.97 FEET; THENCE NORTH 50 DEGREES 39' 30" WEST 316.52 FEET; THENCE NORTH 71 DEGREES 06' 30" WEST 406.57 FEET; THENCE NORTH 78 DEGREES 23' 30" WEST 219.48 FEET TO A ½ INCH IRON PIPE, FROM WHICH A 10 INCH FORKED WHITE OAK BEARS SOUTH 5 DEGREES 12' WEST 11.23 FEET AND A 12 INCH WHITE OAK BEARS NORTH 44 DEGREES 52' WEST 23.23 FEET; THENCE NORTH 20 DEGREES 40' EAST 170.31 FEET THENCE NORTH 30 DEGREES 25' 30" EAST 183.97 FEET; THENCE NORTH 43 DEGREES 58' 30" EAST 165.52 FEET TO A ½ INCH IRON PIPE, FROM WHICH PIPE UNITED STATES COAST AND GEODETIC SURVEY TRIANGULATION STATION "SHAG" BEARS NORTH 82 DEGREES 49' 30" WEST 318.62 FEET AND A 14 INCH WHITE OAK BEARS NORTH 20 DEGREES 40' WEST 35.31 FEET, AND A 10 INCH WHITE OAK BEARS SOUTH 53 DEGREES 35' WEST 34.58 FEET; THENCE NORTH 7 DEGREES 22' 30" WEST 210.91 FEET TO A ½ INCH IRON PIPE, FROM WHICH AN 18 INCH LIVE OAK BEARS SOUTH 72 DEGREES 16' WEST 27.87 FEET, AND A 10 INCH LEANING LIVE OAK BEARS SOUTH 59 DEGREES 53' EAST 41.31 FEET; THENCE, CONTINUING NORTH 7 DEGREES 22' 30" WEST TO THE LOW WATER LINE OF CLEAR LAKE;

THENCE EASTERLY, ALONG SAID LOW WATER LINE, TO THE NORTHWESTERLY CORNER OF THAT CERTAIN TRACT CONVEYED BY BUCKINGHAM COLONIES, LTD., TO DENT. W. MACDONOUGH, ET UX., BY DEED DATED JANUARY 2, 1946, OF RECORD IN BOOK 168 OF OFFICIAL RECORDS OF LAKE COUNTY AT PAGE 364; THENCE, ALONG THE WESTERLY LINE OF SAID MACDONOUGH TRACT, SOUTH 2 DEGREES 20' WEST TO THE MOST WESTERLY CORNER OF SAID MACDONOUGH TRACT; THENCE SOUTH 2 DEGREES 20' WEST 380 FEET, MORE OR LESS, TO THE NORTHERLY LINE OF THAT CERTAIN TRACT DESCRIBED IN A DEED FROM BUCKINGHAM COLONIES, LTD., TO ALFRED AUGENSTEIN, ET AL., BY DEED DATED DECEMBER 29, 1947, OF RECORD IN BOOK 190 OF OFFICIAL RECORDS OF LAKE COUNTY, AT PAGE 164;

THENCE, ALONG THE NORTHERLY LINE OF SAID AUGENSTEIN TRACT, SOUTH 87 DEGREES 07' 12" WEST 200 FEET, MORE OR LESS, TO THE NORTHWESTERLY CORNER OF SAID AUGENSTEIN TRACT; THENCE, ALONG THE WESTERLY LINE OF SAID AUGENSTEIN TRACT, SOUTH 11 DEGREES 32' WEST 100 FEET TO THE NORTHWESTERLY CORNER OF THAT CERTAIN TRACT CONVEYED BY BUCKINGHAM COLONIES, LTD., A CORPORATION, TO ALFRED AUGENSTEIN BY DEED DATED OCTOBER 16, 1947, OF RECORD IN BOOK 190 OF OFFICIAL RECORDS OF LAKE COUNTY, AT PAGE 163; THENCE, ALONG THE WESTERLY LINE OF SAID LAST DESCRIBED AUGENSTEIN TRACT, SOUTH 11 DEGREES 23' WEST 400 FEET TO THE SOUTHWESTERLY CORNER THEREOF;

THENCE, ALONG THE SOUTHERLY LINE OF SAID AUGENSTEIN TRACT, EASTERLY 800 FEET, MORE OR LESS, TO ITS INTERSECTION WITH THE WESTERLY LINE OF THAT CERTAIN TRACT CONVEYED BY HENRY STONESON, ET AL., TO BUCKINGHAM COLONIES, LTD., BY DEED DATED MARCH 13, 1950, OF RECORD IN BOOK 206 OF OFFICIAL RECORDS OF LAKE COUNTY AT PAGE 402;

THENCE, ALONG THE WESTERLY LINE OF SAID TRACT SO CONVEYED BY STONESON, ET AL., TO BUCKINGHAM COLONIES, LTD., SOUTHERLY TO THE NORTHERLY EXTERIOR BOUNDARY LINE OF THAT CERTAIN SUBDIVISION KNOWN AS "SUBDIVISION NO. 1, BUCKINGHAM PARK," AS SHOWN ON THE OFFICIAL MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID LAKE COUNTY ON AUGUST 11, 1930 IN BOOK 5 OF TOWN MAPS AT PAGES 85, 86 AND 87;

THENCE, ALONG THE SAID NORTHERLY EXTERIOR BOUNDARY LINE OF SAID SUBDIVISION, WESTERLY TO THE POINT OF BEGINNING.

**EXCEPTING THEREFROM THE FOLLOWING:**

- (A) BEGINNING AT THE SOUTHWESTERLY CORNER OF THAT CERTAIN TRACT WITHIN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 14 NORTH, RANGE 8 WEST, M. D. M., CONVEYED BY BUCKINGHAM COLONIES, LTD., A CORPORATION, TO ALFRED AUGENSTEIN, ET UX., BY DEED DATED

OCTOBER 16, 1947, OF RECORD IN BOOK 190 OF OFFICIAL RECORDS OF LAKE COUNTY, AT PAGE 163, AND RUNNING THENCE, ALONG THE WESTERLY LINE OF SAID TRACT, NORTH 11 DEGREES 32' EAST 400 FEET TO THE NORTHWESTERLY CORNER OF SAID TRACT;  
THENCE SOUTH 87 DEGREES 07' WEST 430.18 FEET;  
THENCE SOUTH 31 DEGREES 25' EAST 441 FEET;  
AND THENCE NORTH 87 DEGREES 07' EAST 120 FEET TO THE POINT OF BEGINNING.

(B) AS CONVEYED IN THE DEED FROM DENT W. MACDONOUGH, ET UX., TO CARL O. CHRISTENSEN, ET UX., DATED MAY 14, 1965, RECORDED JUNE 9, 1965 IN BOOK 462 OF OFFICIAL RECORDS OF LAKE COUNTY, AT PAGE 153.

(C) TRACT A AS EXCEPTED IN THE DEED FROM DENT W. MACDONOUGH, ET UX., TO CARL O. CHRISTENSEN AND WILDA L. CHRISTENSEN, HIS WIFE, AS JOINT TENANTS, DATED MAY 14, 1965, RECORDED JUNE 9, 1965 IN BOOK 462 OF OFFICIAL RECORDS OF LAKE COUNTY, AT PAGE 153.

(D) COMMENCING AT A POINT ON THE NORTH LINE OF LOT 18 IN BLOCK K, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "SUBDIVISION NO. 1, BUCKINGHAM PARK," FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID LAKE COUNTY ON AUGUST 11, 1930 IN BOOK 5 OF TOWN MAPS, AT PAGES 85, 86 AND 87, THAT IS NORTH 88°52'00" EAST 131.46 FEET FROM THE NORTHWEST CORNER OF SAID LOT 18, AND RUNNING THENCE NORTH 23° 10' 30" WEST 220.92 FEET;  
THENCE NORTH 13°54'30" WEST 249.73 FEET;  
THENCE NORTH 27°10'00" WEST 131.97 FEET; THENCE NORTH 50°39'30" WEST 316.52 FEET;  
THENCE NORTH 71°06'30" WEST 406.57 FEET;  
THENCE NORTH 78°23'30" WEST 219.48 FEET TO A ½ INCH IRON PIPE, FROM WHICH A 10 INCH FORKED WHITE OAK BEARS SOUTH 5°12'00" WEST 11.23 FEET AND A 12 INCH WHITE OAK BEARS NORTH 44°52'00" WEST 23.23 FEET;  
THENCE NORTH 20°40'00" EAST 100.00 FEET;  
THENCE SOUTH 69°37'17" EAST, A DISTANCE OF 16.40 FEET TO THE BEGINNING OF A THREE BARBED WIRE STEEL "T" POST FENCE;  
THENCE ALONG THE SAID FENCE THE FOLLOWING COURSES:  
THENCE SOUTH 85°32'13" EAST, A DISTANCE OF 39.71 FEET;  
THENCE NORTH 79°12'07" EAST, A DISTANCE OF 138.14 FEET;  
THENCE NORTH 75°29'21" EAST, A DISTANCE OF 55.96 FEET TO THE TRUE POINT OF BEGINNING OF THE LANDS TO BE DESCRIBED;  
THENCE CONTINUING ALONG THE SAID FENCE THE FOLLOWING COURSES:  
THENCE NORTH 75°29'21" EAST, A DISTANCE OF 106.36 FEET;  
THENCE NORTH 68°53'14" EAST, A DISTANCE OF 180.28 FEET;  
THENCE NORTH 77°47'59" EAST, A DISTANCE OF 325.71 FEET;

THENCE NORTH 83°14'47" EAST, A DISTANCE OF 92.11 FEET;  
THENCE NORTH 87°42'16" EAST, A DISTANCE OF 209.79 FEET;  
THENCE SOUTH 77°50'21" EAST, A DISTANCE OF 220.70 FEET;  
THENCE SOUTH 77°45'25" EAST, A DISTANCE OF 171.12 FEET;  
THENCE SOUTH 83°06'24" EAST, A DISTANCE OF 141.78 FEET;  
THENCE SOUTH 83°24'08" EAST, A DISTANCE OF 243.89 FEET;  
THENCE LEAVING SAID FENCE LINE SOUTH 40°52'00" EAST, A DISTANCE OF 18.24 TO THE CENTERLINE OF A 40 FOOT ROADWAY AND PUBLIC UTILITY EASEMENT AS SHOWN ON THE MAP FILED ON DECEMBER 20, 1976, IN BOOK 12 OF PARCEL MAPS AT PAGE 1 IN THE RECORDER'S OFFICE OF LAKE COUNTY, CALIFORNIA;  
THENCE ALONG THE CENTERLINE OF SAID 40 FOOT ROADWAY AND PUBLIC UTILITY EASEMENT THE FOLLOWING COURSES:

THENCE SOUTH 49°05'20" WEST, A DISTANCE OF 53.65 FEET TO A TANGENT 575.76 FOOT RADIUS CURVE CONCAVE TO THE SOUTHEAST;  
THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 25°32'50" AN ARC DISTANCE OF 256.72 FEET;  
THENCE SOUTH 23°32'30" WEST, A DISTANCE OF 141.73 FEET TO A TANGENT 635.57 FOOT RADIUS CURVE CONCAVE TO THE EAST;  
THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 25°00'30" AN ARC DISTANCE OF 277.41 FEET TO THE BEGINNING OF A COMPOUND 200.00 FOOT RADIUS CURVE CONCAVE TO THE EAST;  
THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°30'02" AN ARC DISTANCE OF 68.07 FEET;  
THENCE LEAVING SAID CENTERLINE SOUTH 69°04'38" WEST, A DISTANCE OF 80.38 FEET TO A TANGENT 150.00 FOOT RADIUS CURVE CONCAVE TO THE NORTH;  
THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 45°37'16" AN ARC DISTANCE OF 119.44 FEET;  
THENCE NORTH 65°18'06" WEST, A DISTANCE OF 187.00 FEET TO A TANGENT 125.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST;  
THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°12'18" AN ARC DISTANCE OF 30.99 FEET;  
THENCE NORTH 51°05'48" WEST, A DISTANCE OF 207.72 FEET TO A TANGENT 175.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST;  
THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 43°23'47" AN ARC DISTANCE OF 132.55 FEET;  
THENCE NORTH 39°52'11" WEST, A DISTANCE OF 314.00 FEET;  
THENCE SOUTH 39°20'30" WEST, A DISTANCE OF 184.53 FEET;  
THENCE NORTH 50°39'30" WEST, A DISTANCE OF 77.68 FEET;  
THENCE NORTH 49°08'45" WEST, A DISTANCE OF 434.10 TO THE TRUE POINT OF BEGINNING.

(E) BEGINNING AT A POINT ON THE NORTH LINE OF LOT 18 IN BLOCK K, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "SUBDIVISION NO. 1, BUCKINGHAM PARK," FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID LAKE COUNTY ON AUGUST 11, 1930 IN BOOK 5 OF TOWN MAPS, AT PAGES 85, 86 AND 87, THAT IS NORTH 88 DEGREES 52' EAST 131.46 FEET FROM THE NORTHWEST CORNER OF SAID LOT 18, AND RUNNING THENCE NORTH 23 DEGREES 10' 30" WEST 220.92 FEET;  
THENCE NORTH 13 DEGREES 54' 30" WEST 249.73 FEET;  
THENCE NORTH 27 DEGREES 10' WEST 131.97 FEET; THENCE NORTH 50 DEGREES 39' 30" WEST 316.52 FEET;  
THENCE NORTH 71 DEGREES 06' 30" WEST 406.57 FEET;  
THENCE NORTH 78 DEGREES 23' 30" WEST 219.48 FEET TO A ½ INCH IRON PIPE, FROM WHICH A 10 INCH FORKED WHITE OAK BEARS SOUTH 5 DEGREES 12' WEST 11.23 FEET AND A 12 INCH WHITE OAK BEARS NORTH 44 DEGREES 52' WEST 23.23 FEET; THENCE NORTH 20 DEGREES 40' EAST 100.00 FEET;

THENCE SOUTH 69°37'17" EAST, A DISTANCE OF 16.40 FEET TO THE BEGINNING OF A THREE BARBED WIRE STEEL "T" POST FENCE;  
THENCE ALONG THE SAID FENCE THE FOLLOWING COURSES:

THENCE SOUTH 85°32'13" EAST, A DISTANCE OF 39.71 FEET;  
THENCE NORTH 79°12'07" EAST, A DISTANCE OF 138.14 FEET;  
THENCE NORTH 75°29'21" EAST, A DISTANCE OF 55.96 FEET;  
THENCE LEAVING SAID FENCE LINE SOUTH 49°08'45" EAST, A DISTANCE OF 434.10 FEET;  
THENCE SOUTH 50°39'30" EAST, A DISTANCE OF 77.68 FEET;  
THENCE NORTH 39°20'30" EAST, A DISTANCE OF 184.53 FEET;  
THENCE SOUTH 39°52'11" EAST, A DISTANCE OF 314.00 FEET TO THE BEGINNING OF A NON-TANGENT 175.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 04°29'35" EAST, 175.00 FEET;  
THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 43°23'47" AN ARC DISTANCE OF 132.55 FEET;  
THENCE SOUTH 51°05'48" EAST, A DISTANCE OF 207.72 FEET TO A TANGENT 125.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST;  
THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°12'18" AN ARC DISTANCE OF 30.99 FEET;  
THENCE SOUTH 65°18'06" EAST, A DISTANCE OF 187.00 FEET TO A TANGENT 150.00 FOOT RADIUS CURVE CONCAVE TO THE NORTH;  
THENCE ALONG SAID CURVE EASTERLY THROUGH A CENTRAL ANGLE OF 45°37'16" AN ARC DISTANCE OF 119.44 FEET;  
THENCE NORTH 69°04'38" EAST, A DISTANCE OF 80.38 FEET TO THE CENTERLINE OF A 40 FOOT ROADWAY AND PUBLIC UTILITY EASEMENT AS SHOWN ON A MAP FILED ON DECEMBER 20, 1976, IN BOOK

12 OF PARCEL MAPS AT PAGE 1 IN THE RECORDER'S OFFICE OF LAKE COUNTY, CALIFORNIA;

THENCE LEAVING SAID CENTERLINE, AND CONTINUING NORTH 69°04'38" EAST, A DISTANCE OF 20.00 FEET TO THE EAST LINE OF SAID EASEMENT, BEING A POINT ON A NON-TANGENT 180.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST HAVING A RADIAL BEARING OF SOUTH 69°04'38" WEST;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°29'58" AN ARC DISTANCE OF 32.98 FEET;

THENCE SOUTH 31°25'20" EAST A DISTANCE OF 0.72 FEET MORE OR LESS TO THE NORTHWEST CORNER OF EXCEPTION (A) TO TRACT FOUR, PARCEL ONE AS DESCRIBED IN THE DEED TO EVANS-HOFMANN COMPANY LLC, FILED JANUARY 21, 2000 AS DOCUMENT NO. 00-000950, OFFICIAL RECORDS OF SAID LAKE COUNTY;

THENCE ALONG THE WESTERLY LINE OF SAID EXCEPTION (A), SOUTH 31°25'00" EAST, A DISTANCE OF 441.00 FEET TO THE SOUTHWEST CORNER OF SAID EXCEPTION (A) SAID SOUTHWEST CORNER ALSO BEING THE NORTHWEST CORNER OF PARCEL 4 AS SHOWN ON A MAP FILED ON NOVEMBER 15, 1991 IN BOOK 32 OF PARCEL MAPS AT PAGES 33 AND 34 IN THE OFFICE OF THE COUNTY RECORDER OF SAID LAKE COUNTY, CALIFORNIA;

THENCE ALONG THE WEST LINE OF SAID PARCEL 4 SOUTH 31°28'00" EAST, A DISTANCE OF 4.88 FEET TO A TANGENT 225.94 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 10°58'24", AN ARC DISTANCE OF 43.27 FEET;

THENCE SOUTH 26°32'09" EAST, A DISTANCE OF 76.23 FEET TO THE BEGINNING OF A NON-TANGENT 245.94 FOOT RADIUS CURVE CONCAVE TO THE WEST, HAVING A RADIAL BEARING OF NORTH 87°27'36" EAST;

THENCE SOUTHERLY, ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 22°53'44" AND ARC DISTANCE OF 98.28 FEET; THENCE SOUTH 20°11'05" WEST, A DISTANCE OF 1.15 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 4 AND BEING A POINT ON THE NORTH LINE OF SAID "SUBDIVISION NO. 1, BUCKINGHAM PARK,";

THENCE ALONG SAID NORTH LINE THE FOLLOWING COURSES:

THENCE, NORTH 68°00'00" WEST, A DISTANCE OF 190.02 FEET;

THENCE NORTH 62°52'00" WEST, A DISTANCE OF 328.52 FEET;

THENCE SOUTH 88°52'00" WEST, A DISTANCE OF 442.70 FEET TO THE POINT OF BEGINNING.

### **TRACT THREE**

**BEGINNING AT A POINT THAT IS NORTH 11 DEGREES 32' EAST 400 FEET FROM A POINT THAT IS NORTH 2 DEGREES 44'27" EAST 207.45 FEET FROM THE MOST WESTERLY CORNER OF LOT 66 IN BLOCK H AS SHOWN ON THAT CERTAIN MAP ENTITLED "SUBDIVISION NO. 1, BUCKINGHAM PARK," FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID LAKE COUNTY ON AUGUST 11, 1930, IN BOOK 5 OF TOWN MAPS, AT PAGES 85, 86 AND 87; THENCE NORTH 78 DEGREES 28' WEST 325 FEET; THENCE SOUTH 87 DEGREES 07'12" WEST 475 FEET; THENCE NORTH 11 DEGREES 32' EAST 100 FEET; THENCE NORTH 87 DEGREES 07'12" EAST 475 FEET; THENCE SOUTH 78 DEGREES 28' EAST 325 FEET TO THE POINT THAT IS NORTH 11 DEGREES 32' EAST 100 FEET FROM THE POINT OF BEGINNING; AND THENCE SOUTH 11 DEGREES 32' WEST 100 FEET TO THE POINT OF BEGINNING.**

### **TRACT FOUR**

**BEGINNING AT A POINT THAT IS NORTH 11 DEGREES 32' EAST 500 FEET FROM A POINT THAT IS NORTH 2 DEGREES 44'27" EAST 207.45 FEET FROM THE MOST WESTERLY CORNER OF LOT 66 IN BLOCK H AS SHOWN ON THAT CERTAIN MAP ENTITLED "SUBDIVISION NO. 1, BUCKINGHAM PARK," FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID LAKE COUNTY ON AUGUST 11, 1930, IN BOOK 5 OF TOWN MAPS AT PAGES 85, 86 AND 87, SAID POINT OF BEGINNING BEING THE NORTHEASTERLY CORNER OF THAT CERTAIN TRACT DESCRIBED IN A DEED FROM BUCKINGHAM COLONIES, LTD., A CORPORATION, TO ALFRED AUGENSTEIN, ET AL., DATED DECEMBER 29, 1947, OF RECORD IN BOOK 190 OF OFFICIAL RECORDS OF LAKE COUNTY AT PAGE 164, AND RUNNING THENCE NORTH 11 DEGREES 32' EAST 195 FEET, MORE OR LESS, TO THE SOUTHERLY LINE OF THE TRACT OF LAND DESCRIBED AS PARCEL TWO IN THAT CERTAIN DEED FROM BUCKINGHAM COLONIES, LTD., A CORPORATION, TO DENT W. MACDONOUGH DATED SEPTEMBER 26, 1933, OF RECORD IN BOOK 93 OF OFFICIAL RECORDS OF LAKE COUNTY, AT PAGE 439; THENCE WESTERLY, ALONG THE SOUTHERLY LINE OF SAID MACDONOUGH TRACT, 545 FEET, MORE OR LESS, TO THE SOUTHWESTERLY CORNER THEREOF; THENCE NORTH 59 DEGREES 16 WEST, ALONG THE SOUTHERLY LINE OF THE TRACT OF LAND CONVEYED BY BUCKINGHAM COLONIES, LTD., A**



CORPORATION, TO DENT W. MACDONOUGH, ET UX., BY DEED DATED JANUARY 2, 1946, OF RECORD IN BOOK 168 OF OFFICIAL RECORDS OF LAKE COUNTY AT PAGE 364, 35 FEET;

THENCE NORTHWESTERLY, ALONG THE ARC OF A CURVE TO THE LEFT TANGENT TO THE PRECEDING COUSE WITH A RADIUS OF 600 FEET, THROUGH A CENTRAL ANGLE OF 17 DEGREES 14'10" A DISTANCE OF 180.50 FEET TO THE SOUTHWESTERLY CORNER OF SAID LAST MENTIONED MACDONOUGH TRACT;

THENCE SOUTH 2 DEGREES 20' WEST 380 FEET, MORE OR LESS, TO THE NORTHERLY LINE OF SAID TRACT DESCRIBED IN THE DEED FROM BUCKINGHAM COLONIES, LTD., A CORPORATION, TO ALFRED AUGENSTEIN, ET AL., DATED DECEMBER 29, 1947, OF RECORD IN BOOK 190 OF OFFICIAL RECORDS OF LAKE COUNTY AT PAGE 164;

THENCE NORTH 87 DEGREES 07'12" EAST, ALONG THE NORTHERLY LINE OF SAID AUGENSTEIN TRACT, 275 FEET, MORE OR LESS, TO AN ANGLE POINT THEREIN;

AND THENCE SOUTH 78 DEGREES 28' EAST, ALONG THE NORTHERLY LINE OF SAID AUGENSTEIN TRACT, 325 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL THAT PORTION THEREOF CONVEYED BY DENT W. MACDONOUGH TO RUTH DEFREMERY BY DEED DATED MARCH 23, 1962, RECORDED APRIL 12, 1962 IN BOOK 372 OF OFFICIAL RECORDS OF LAKE COUNTY AT PAGE 452.

EXCEPTING FROM TRACTS ONE, TWO, THREE AND FOUR ANY PORTION OF THE DESCRIBED PROPERTY IN THE BED OF CLEAR LAKE BELOW THE ADJUDICATED ELEVATION OF LOW WATER.

#### **TRACT FIVE**

PARCEL 4, AS SHOWN ON A MAP FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAID LAKE COUNTY ON DECEMBER 20, 1976 IN BOOK 12 OF PARCEL MAPS, AT PAGE 1.

APN : A portion of 044-331-13, 044-320-10 & 044-320-11

**PARCEL TWO**

COMMENCING AT THE SOUTHWESTERLY CORNER OF THAT CERTAIN PARCEL OF LAND CONTAINING 12 ACRES, CONVEYED BY BUCKINGHAM COLONIES, LIMITED, TO DENT W. MACDONOUGH BY DEED DATED SEPTEMBER 26, 1933, RECORDED ON THE 23<sup>RD</sup> DAY OF JULY, 1934, IN BOOK 93 OF OFFICIAL RECORDS OF LAKE COUNTY, AT PAGE 439; THENCE, FROM SAID POINT OF COMMENCEMENT, NORTH 2° 20' EAST, ALONG THE WESTERLY LINE OF SAID 12-ACRE PARCEL, 37 FEET, AND, AT RIGHT ANGLES THERETO, SOUTH 87° 40' EAST 105.1 FEET TO THE TRUE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE FROM SAID TRUE POINT OF BEGINNING, SOUTH 83° 43' 20" EAST, 411.09 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF SAID 12-ACRE PARCEL, DISTANT NORTH 21° 48' EAST THEREON 9.24 FEET FROM THE SOUTHEASTERLY CORNER OF SAID 12-ACRE PARCEL; THENCE ALONG SAID SOUTHEASTERLY LINE, NORTH 21° 48' EAST 256.04 FEET AND NORTH 32° 32' EAST 13.65 FEET; THENCE NORTH 73° 1' 40" WEST, 404.71 FEET TO THE CENTER LINE OF A CERTAIN ROADWAY 30 FEET WIDE; THENCE, ALONG SAID CENTER LINE, THE FOLLOWING COURSES AND DISTANCES: SOUTH 73° 11' WEST 14.84 FEET, SOUTHWESTERLY, ALONG THE ARC OF A CURVE TO THE LEFT, TANGENT TO THE PRECEDING COURSE WHOSE RADIUS IS 96 FEET AND CENTRAL ANGLE OF 78° 3' A DISTANCE OF 130.77 FEET, SOUTH 4° 52' EAST, TANGENT TO THE PRECEDING COURSE 90 FEET, SOUTH 19° 13' WEST 95.4 FEET, AND SOUTH 25° 19' WEST 42.4 FEET TO THE POINT OF BEGINNING.

APN 44-320-02

## **EXHIBIT D**

### **Deed Restrictions**

The real property described in Exhibit A that precedes this Exhibit D ("the Property"), consisting of approximately eighteen (18) acres, and each and every part thereof, shall be held, conveyed, hypothecated, encumbered, leased, rented, used, and occupied subject to the following limitations, reservations, restrictions, covenants, conditions, servitudes, liens and charges, all of which are agreed by Grantor and Grantee under this GRANT DEED in furtherance of the intentions of Grantor and Grantee to enhance, maintain, and protect the value of the Property and that real property described in Exhibit C that precedes this Exhibit D. All of the limitations, restrictions, reservations, covenants, conditions, servitudes, liens and charges shall be binding on and inure to the benefit of all parties having or acquiring any right, title, or interest in the Property and the real property described in said Exhibit C, and shall be binding on and inure to the benefit of the successors in interest of such parties.

There shall be no more than one permanently constructed single family residence on the Property, which single family residence shall not exceed a total of five thousand square feet. The only other permitted structures on the Property shall consist of a granny unit, outbuildings, barns, shops, garages, sheds, storage facilities. The one permitted single family residence shall not consist of a manufactured home, to-be-assembled home, mobile home, trailer, or similar type improvement. Furthermore, save and except for the above described structures, the uses to which the Property shall be put shall be limited to open space and/or agricultural uses only. If the Property is used for agricultural purposes, Grantee and all successors in interest shall employ good farming practices consistent with those utilized in Lake County or surrounding counties, if applicable, so as not to overburden the Property or deplete it of its natural resources.

The Property shall not be divided by subdivision map or parcel map, lot line adjustment, or otherwise without the prior approval of all owners of the real property described in Exhibit C.

The failure of Grantee or any successor in interest to comply with any provision of these restrictions shall give rise to a cause of action for the recovery of damages or for injunctive relief, or both. The prevailing party in any legal action to enforce these restrictions shall be entitled to attorney fees and costs.

Grantor and Grantee acknowledge that the restrictions contained in this GRANT DEED have been freely negotiated between the parties without undue influence or force of any kind; that such restrictions were a material consideration in Grantor's decision and willingness to sell the Property; and are created for the specific purposes, among other things, of protecting certain attributes enjoyed by the Property and the real property described in said Exhibit C.