DOC # 2005-264989
10/24/2005 09:28A Fee:40.00
Page 1 of 12
Recorded in Official Records
County of San Joaquin
GARY W. FREEMAN
Assessor-Recorder-County Clerk
Paid by SAN JOAQUIN COU PUBLIC WORKS

After recording, return to:

County of San Joaquin

c/o Director of Public Works

1810 East Hazelton Avenue

Stockton, California 95205

Attention: Michael R. Callahan

IOD-05- 17

IRREVOCABLE OFFER AND

AGREEMENT TO DEDICATE ROADS

IN BROOKLAND FARMS

(VIA CASILINA PARKWAY AND LA CASTELLA LANE - PRIVATE ROADS)

THIS AGREEMENT dated this October 19, 2005, by and between the COUNTY OF SAN JOAQUIN, a political subdivision of the State of California, hereinafter referred to as COUNTY, and GUILHERME M. MENDONCA, DONATILDE P. MENDONCA, DENNIS DECOSTA, DIANE DECOSTA, KIRK OLSEN, ANNA M. OLSEN, WILLIAM P. MENDONCA and STEPHANIE D. MENDONCA, hereinafter referred to as OWNERS:

W I T N E S S E T H:

WHEREAS, Site Approval Application No. PA-03-22 was approved by the San Joaquin County Community Development Department on February 26, 2004, for the subdivision or development of land on the hereinafter described property with certain conditions of approval which require an Irrevocable Offer to Dedicate a 25-foot wide strip with 20-foot by 20-foot corner cut-off and a portion of cul-de-sac on Via Casilina Parkway (Private Road) and La Castella Lane (Private Road).

NOW, THEREFORE, for and in consideration of the approval of Site Approval Application No. PA-03-22, it is agreed by and between the parties hereto as follows:

1. OWNERS represent and warrant that they are the fee title OWNERS of the land described in Exhibit "A", which is attached hereto and incorporated herein.
2. OWNERS agree to convey to COUNTY fee title interest free and clear of all taxes, liens, encumbrances and assessments within ninety (90) days after written request for the same is made by COUNTY of the land described in Exhibit "B", which is attached hereto and incorporated herein. Said land is to be used as a public roadway.
3. This AGREEMENT, consisting of the burdens of conveying the above said road to COUNTY, is intended to run with the land described in Exhibit "A" attached hereto and made a part hereof and is binding on the heirs, successors and assigns of the OWNERS and the benefit is to run to the successors and assigns of COUNTY.

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first above written.

FORM APPROVED FOR USE IN 2005
BY THE OFFICE OF COUNTY COUNSEL

RECOMMENDED FOR APPROVAL:

THOMAS M. GAU
Deputy Director of Public Works

PS-5I012-J9

COUNTY OF SAN JOAQUIN, a political subdivision of the State of California

By _____
T. R. FLINN
Director of Public Works
San Joaquin County, California

"COUNTY"

GUILHERME M. MENDONCA

DONATILDE P. MENDONCA

DENNIS DECOSTA

DIANE DECOSTA

KIRK OLSEN

ANNA M. OLSEN

WILLIAM P. MENDONCA

"OWNERS"

STEPHANIE D. MENDONCA

STATE OF CALIFORNIA
COUNTY OF San Joaquin

On September 16, 2005, before me, Clara Montgomery, Notary Public, personally appeared Donatilde P. Mendonca and Saul Ramon Mendonca, [personally known to me][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:

(SEAL)

Clara Montgomery
Notary Public in and for the
Above-Mentioned State and County

CLARA MONTGOMERY
COMM. #1497874
Notary Public-California
SAN JOAQUIN COUNTY
My Comm. Exp. July 1, 2008

My commission expires July 1, 2006

MASTER.PS\NOTARY-IND (2/5/02)

CLARA MONTGOMERY
COMM. #1497874
Notary Public-California
SAN JOAQUIN COUNTY
My Comm. Exp. July 1, 2008

STATE OF CALIFORNIA
COUNTY OF San Joaquin

On Sept 16 2005, before me, Clara Montgomery, Notary Public, personally appeared Dennis DeCosta and _____, [personally known to me][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:

(SEAL)

Clara Montgomery
Notary Public in and for the
Above-Mentioned State and County

CLARA MONTGOMERY
COMM. #1497874
Notary Public-California
SAN JOAQUIN COUNTY
My Comm. Exp. July 1, 2008

My commission expires: July 1, 2008

MASTER.PS\NOTARY-IND (2/5/02)

STATE OF CALIFORNIA
COUNTY OF San Joaquin

On September 16, 2005, before me, Adela G. Gutierrez, Notary Public, personally appeared Dina De Costa and _____, [personally known to me][proved to me on the basis of satisfactory evidence] to be the person(~~s~~) whose name(~~s~~) is/a~~re~~ subscribed to the within instrument, and acknowledged to me that ~~he~~/she/th~~ey~~ executed the same in ~~his~~/her/th~~eir~~ authorized capacity(i~~es~~), and that by ~~his~~/her/th~~eir~~ 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:

(SEAL)

Adela G. Gutierrez
Notary Public in and for the
Above-Mentioned State and County

My commission expires: December 17, 2005

ADELA G. GUTIERREZ
Commission # 1335230
Notary Public - California
Alameda County
My Comm. Expires Dec 17, 2005

MASTER.PS\NOTARY-IND (2/5/02)

STATE OF CALIFORNIA
COUNTY OF San Joaquin

On September 16, 2005, before me, Clara Montgomery, Notary Public, personally appeared Kirk Olsen and Anna M Olsen, [personally known to me][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:

(SEAL)

Clara Montgomery
Notary Public in and for the
Above-Mentioned State and County

My commission expires: July 1, 2008

CLARA MONTGOMERY
COMM. #1497874
Notary Public-California
SAN JOAQUIN COUNTY
My Comm. Exp. July 1, 2008

MASTER.PS\NOTARY-IND (2/5/02)

STATE OF CALIFORNIA
COUNTY OF San Joaquin

On September 16, 2005, before me, Clara Montgomery, Notary Public, personally appeared William Linwood Mendes and _____, [personally known to me][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:

(SEAL)

Clara Montgomery
Notary Public in and for the
Above-Mentioned State and County

ESI1 CLARA MONTGOMERY
COMM. #1497874
Notary Public-California
SAN JOAQUIN COUNTY
My Comm. Exp. July 1, 2008 ESI1

My commission expires: July 1, 2008

MASTER.PS\NOTARY-IND (2/5/02)

STATE OF CALIFORNIA
COUNTY OF San Joaquin

On December 16 2005, before me, Adela G. Gutierrez, Notary Public, personally appeared Stephanie J. Montana and _____, [personally known to me][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:

(SEAL)

Adela G. Gutierrez
Notary Public in and for the
Above-Mentioned State and County

My commission expires: December 17, 2005

ADELA G. GUTIERREZ
Commission # 1335230
Notary Public - California
Alameda County
My Comm. Expires Dec 17, 2005

MASTER.PS\NOTARY-IND (2/5/02)

STATE OF CALIFORNIA)
) **ss.**
COUNTY OF SAN JOAQUIN)

On this 19TH day of October, in the year 2005, before me, Duayne B. Sabiniano, Deputy County Clerk, on behalf of GARY W. FREEMAN, Assessor-Recorder-County Clerk of the County of San Joaquin, State of California, personally appeared **T. R. FLINN**, personally known to me to be the person who executed this instrument as Director of Public Works of the County of San Joaquin, State of California, and acknowledged to me that the County of San Joaquin, State of California executed it.

WITNESS my hand and official seal:
GARY W. FREEMAN
Assessor-Recorder-County Clerk
of the County of San Joaquin
State of California

By: _____
Deputy County Clerk

(SEAL)

(This acknowledgment pursuant to Civil Code, Section 1189)

MASTER.PS\NOTARY-FLINN (2/5/02)

EXHIBIT "A"

All that certain real property situated in the unincorporated area, County of San Joaquin, State of California, described as follows:

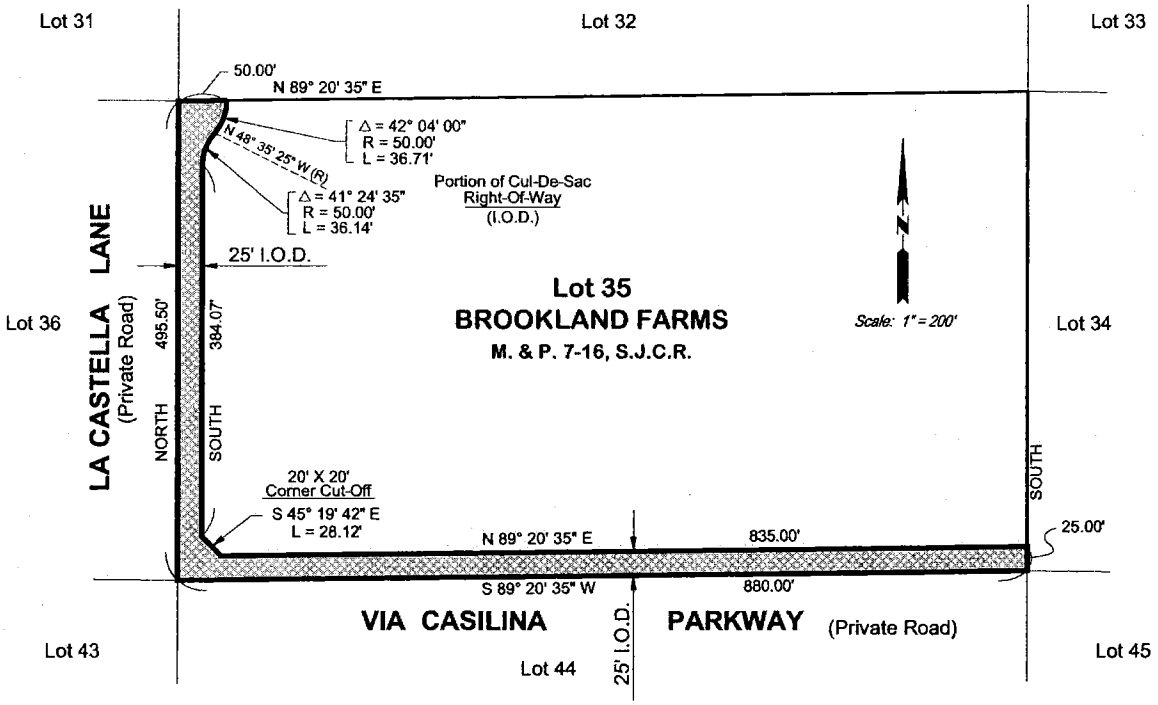
A portion of the east half (E. ½) of Section thirty-five (35), Township one (1) North, Range nine (9) East, Mount Diablo Base and Meridian, more particularly described as follows:

Lot 35, as shown upon map entitled BROOKLAND FARMS, filed for record May 31, 1913 in Volume 7 of Maps and Plats, Page 16, San Joaquin County Records.

EXHIBIT "B"

All that certain real property situated in the unincorporated area, County of San Joaquin, State of California and being a portion of the east half (E. ½) of Section thirty-five (35), Township one (1) North, Range nine (9) East, Mount Diablo Base and Meridian, more particularly described and shown as follows:

Beginning at the southeast corner of **Lot 35** of BROOKLAND FARMS, the map of which is filed for record in Volume 7 of Maps and Plats, Page 16, San Joaquin County Records; thence South 89° 20' 35" West along the south line of said Lot 35, a distance of 880.00 feet to the southwest corner thereof; thence North along the west line of said Lot 35, a distance of 495.50 feet to northwest corner thereof; thence North 89° 20' 35" East along the north line of said Lot 35, a distance of 50.00 feet to a point in a curve, said curve having a radius of 50 feet and a central angle of 42° 04' 00"; thence along said curve to the right 36.71 feet to a point in a reverse curve having a radius of 50 feet and a central angle of 41° 24' 35"; thence along said reverse curve to the left 36.14 feet; thence South, parallel with said west line of Lot 35, a distance of 384.07 feet; thence South 45° 19' 42" East, 28.12 feet; thence North 89° 20' 35" East, parallel with said south line of Lot 35, a distance of 835.00 feet to the east line of said Lot 35; thence South along said east line, 25.00 feet to the point of beginning.



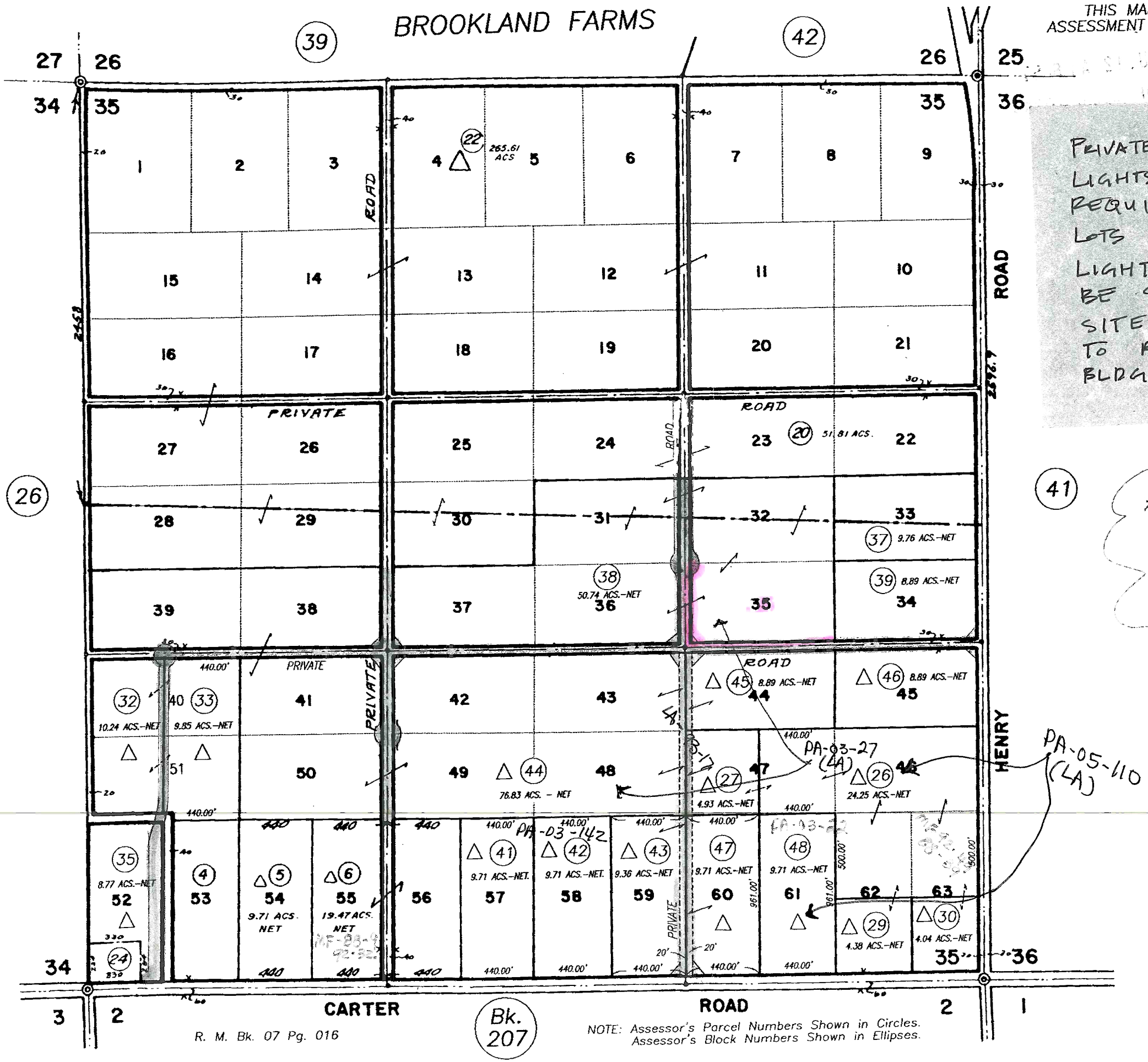
Note:
The intent of this description is to provide a private right-of-way for existing road improvements pursuant to Site Approval Application No. PA-03-22. Public right-of-way descriptions will be processed when County accepts the fee title dedication and may vary from the dedication herein described.

5-15-80

187-40

THIS MAP FOR ASSESSMENT USE ONLY

BROOKLAND FARMS



10/24/05

PRIVATE STREET LIGHTS ARE REQUIRED FOR LOTS 29-60. LIGHTS ARE TO BE SHOWN ON SITE PLANS PRIOR TO RELEASE OF BLDG. PERMITS

JW

1" = 600'

*For Lots 29-60 No Bldg. Permits shall be issued until each Lot's owner submits executed I.O.D.

△ – Williamson Act Parcels

HIGHEST A.P.N. USED			
YEAR	PAR. #	PAR. #	PAR. #
80-81	8		
82-83	17		
85-86	19		
90-91	23		
00-01	24		
04-05	31	36	
05-06	37	39	42
05-06	44	46	48

R. M. Bk. 07 Pg. 016

Bk. 207

NOTE: Assessor's Parcel Numbers Shown in Circles. Assessor's Block Numbers Shown in Ellipses.

Assessor's Map Bk.187 Pg.40
County of San Joaquin, Calif.