DOC # 2005-264981
10/24/2005 09:28A Fee:28.00
Page 1 of 8
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- 09

IRREVOCABLE OFFER AND

AGREEMENT TO DEDICATE ROADS

IN BROOKLAND FARMS

(VIA CASILINA PARKWAY AND VIA CARANO PLACE - 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 BRUCE RUSSELL and DANA RUSSELL, 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 variable-width to 25-foot wide strip with 20-foot by 20-foot corner cut-off on Via Casilina Parkway (Private Road) and Via Carano Place (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-J4

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"

BRUCE RUSSELL

DANA RUSSELL

"OWNERS"

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Stanislaus } ss.

On Sept. 15, 2005 (Date), before me, Kim Quintana (Name and Title of Officer (e.g., "Jane Doe, Notary Public")),

personally appeared Dana Lynn Grahamrussell (Name(s) of Signer(s)),

☐ 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.

KIM QUINTANA
Commission # 1533332
Notary Public - California
Stanislaus County
My Comm. Expires Dec 10, 2008

WITNESS my hand and official seal.

Kim Quintana
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

© 2004 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA 91313-2402 Item No. 5907 Reorder: Call Toll-Free 1-800-876-6827

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Stanislaus } ss.

On Sept. 15, 2005, (Date) before me, Kim Quintana, (Name and Title of Officer (e.g., "Jane Doe, Notary Public")),

personally appeared Bruce Lee Russell, (Name(s) of Signer(s)),

☐ 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.

KIM QUINTANA
Commission # 1533332
Notary Public - California
Stanislaus County
My Comm. Expires Dec 10, 2008

Place Notary Seal Above

WITNESS my hand and official seal.

Kim Quintana
Signature of Notary Public

OPTIONAL

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Description of Attached Document

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Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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

On this 19TH day of October, in the year 2005, before me, Dwayne 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, being a portion of the west half (W. ½) of Section thirty-five (35), Township one (1) North, Range nine (9) East, Mount Diablo Base and Meridian, more particularly described as follows:

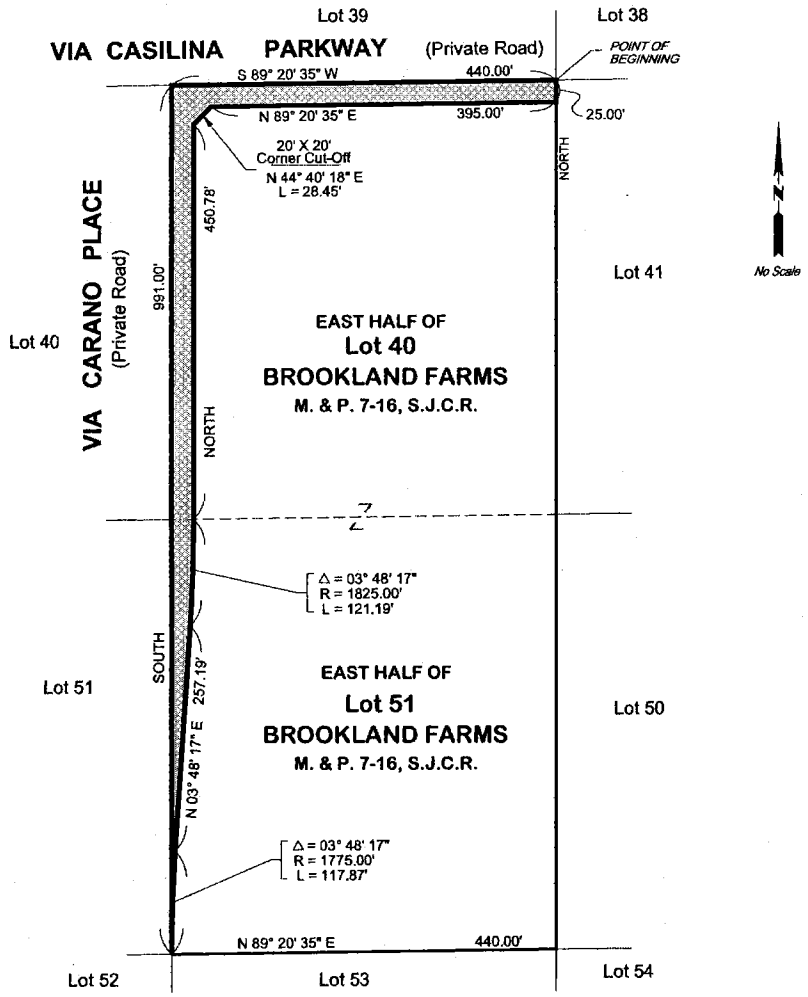
The east 440 feet of Lot 51, as shown upon map entitled BROOKLAND FARMS, filed for record May 31, 1913 in Volume 7 of Maps and Plats, Page 16, San Joaquin County Records, the west line of said east 440 feet being parallel with the east line of said Lot 51.

Together with the east 440 feet of Lot 40 as shown on the map of said BROOKLAND FARMS, the west line of said east 440 feet being parallel with the east line of said Lot 40.

EXHIBIT "B"

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

Beginning at the northeast corner of **Lot 40** 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 north line of said Lot 40, a distance of 440.00 feet to a point on the west line of the east half of said Lot 40; thence South along said west line, 991.00 feet to the south line of Lot 51 of said BROOKLAND FARMS and being on a point in a curve, said curve having a radius of 1,775 feet and a central angle of 03° 48' 17"; thence along said curve to the right 117.87 feet; thence North 03° 48' 17" East, 257.19 feet to a point in a curve having a radius of 1,825 feet and a central angle of 03° 48' 17"; thence along said curve to the left 121.19 feet to the north line of said Lot 51; thence North, parallel with said west line of the east half of Lot 40, a distance of 450.78 feet; thence North 44° 40' 18" East, 28.45 feet; thence North 89° 20' 35" East, parallel with said north line of Lot 40, a distance of 395.00 feet to the east line of said Lot 40; thence North along said east line, 25.00 feet to the point of beginning.



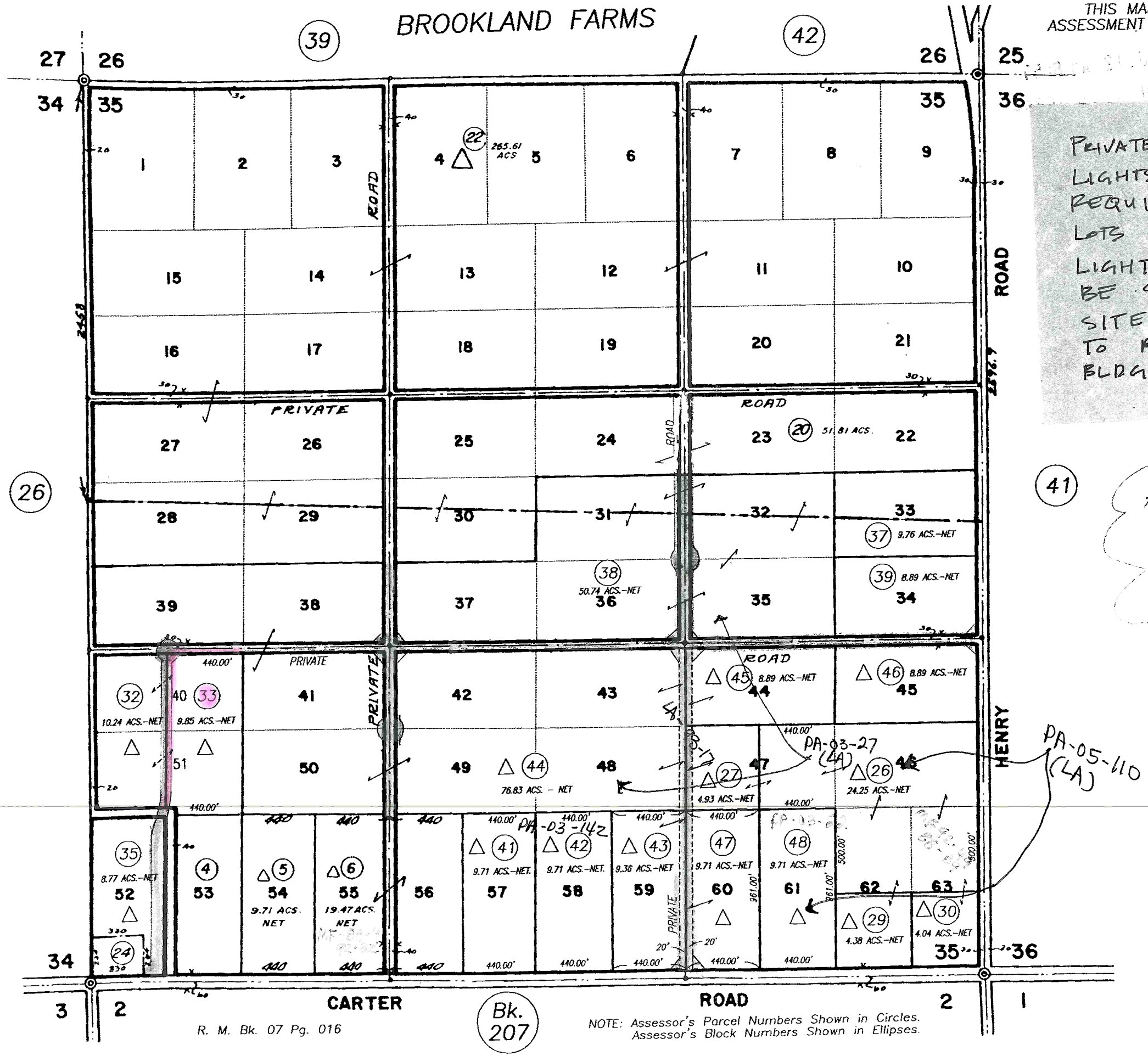
Note:
The intent of this description is to provide a private right-of-way for existing road improvements pursuant to Site Approval Application No. PA-03-22. Public right-of-way descriptions will be processed when County accepts the fee title dedication and may vary from the dedication herein described.

C:\D.F.I.A.-I.O.D\Exhibits\Brookland Farms (PA-03-22 SA)\EXHIBITS(PA-03-22 SA-Russell) 8-26-05.doc
D. Sabiniano

5-15-80

187–40

THIS MAP FOR ASSESSMENT USE ONLY



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	35	
05–06	37	39	42
05–06	44	46	48

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