DOC # 2005-264983
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- 11

IRREVOCABLE OFFER AND

AGREEMENT TO DEDICATE ROADS

IN BROOKLAND FARMS

(VIA CASILINA PARKWAY AND SANTA LUCIA COURT - 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 TONY F. MELO AND DARLENE A. MELO, 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 on Via Casilina Parkway (Private Road) and Santa Lucia Court (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-J1

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"

TONY F. MELO

DARLENE A. MELO

"OWNERS"

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Stanislaus } ss.

On SEPT. 20, 2005 (Date), before me, Kim McDoal (Name and Title of Officer (e.g., "Jane Doe, Notary Public")),

personally appeared Darlene Ann Melo (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 McDOAL
COMM. #1533332
NOTARY PUBLIC-CALIFORNIA
STANISLAUS COUNTY
My Comm. Expires Dec. 10, 2008
MPC2

Place Notary Seal Above

WITNESS my hand and official seal.

Kim McDoal
Signature of Notary Public

## 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. 20, 2005 (Date), before me, Kim McDoal (Name and Title of Officer (e.g., "Jane Doe, Notary Public")),
personally appeared Tony Fernando Melo (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 MCDOAL
COMM. #1533332
NOTARY PUBLIC-CALIFORNIA
STANISLAUS COUNTY
My Comm. Expires Dec. 10, 2008
MPC2 MPC2

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Signature of Notary Public

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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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☐ Other: _____
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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, described as follows:

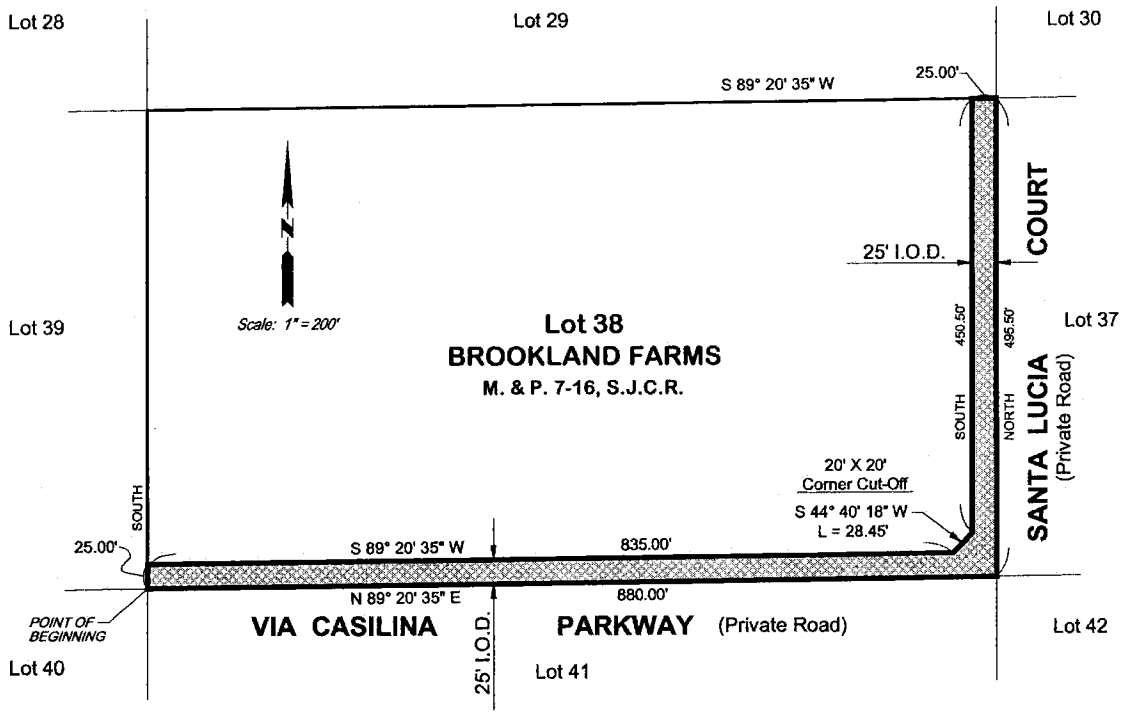
A portion of the west half (W. ½) of Section thirty-five (35), Township one (1) North, Range nine (9) East, Mount Diablo Base and Meridian, more particularly described as follows:

Lot 38, 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 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 and shown as follows:

Beginning at the southwest corner of **Lot 38** 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 North 89° 20' 35" East along the south line of said Lot 38, a distance of 880.00 feet to the southeast corner thereof; thence North along the east line of said Lot 38, a distance of 495.50 feet to the northeast corner thereof; thence South 89° 20' 35" West along the north line of said Lot 38, a distance of 25.00 feet; thence South, parallel with said east line of Lot 38, a distance of 450.50 feet; thence South 44° 40' 18" West, 28.45 feet; thence South 89° 20' 35" West, parallel with said south line of Lot 38, a distance of 835.00 feet to the west line of said Lot 38; thence South along said west 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-Melo) 8-26-05.doc
*D. Sabiniano*

5-15-80

# 187-40

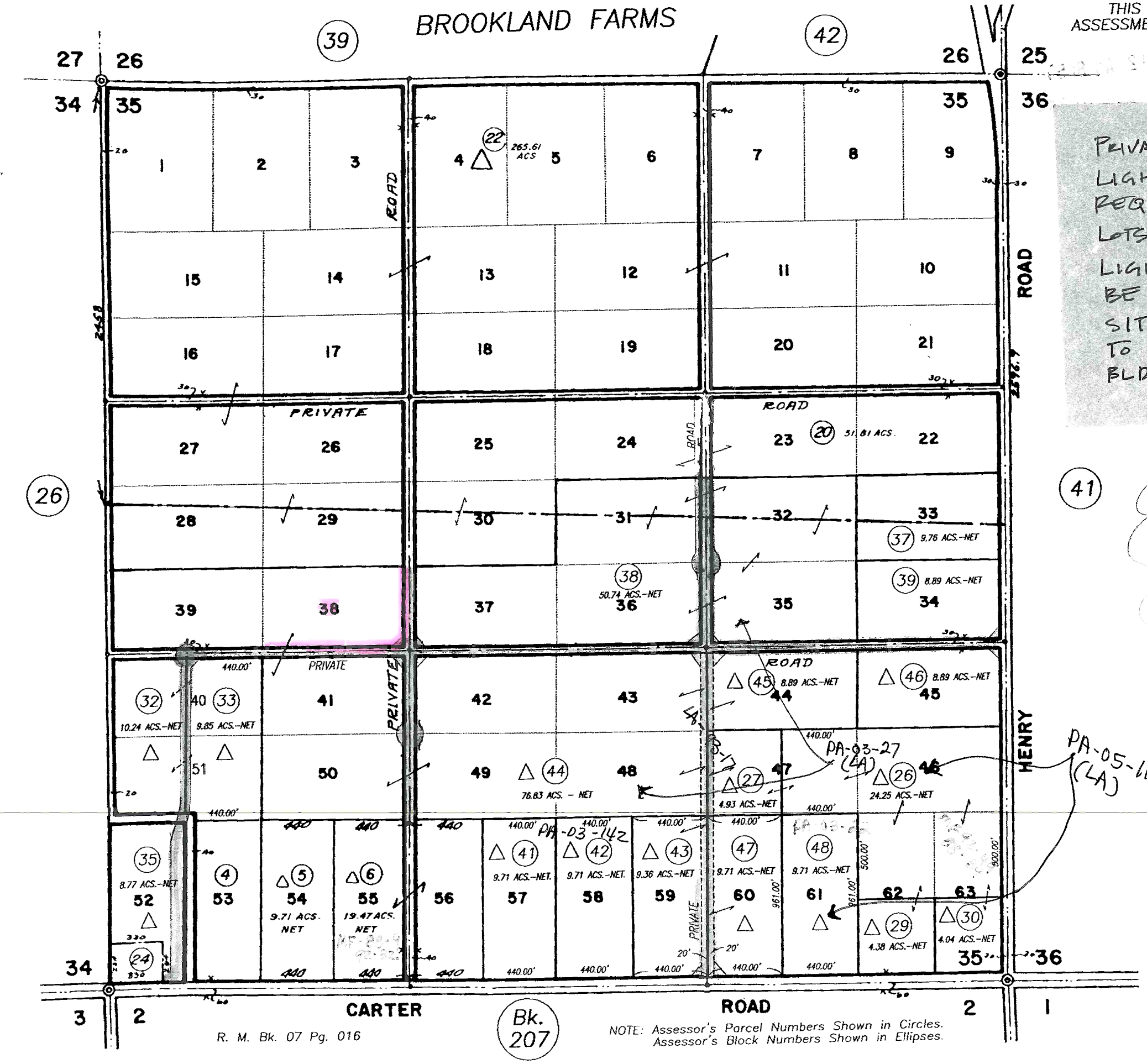
THIS MAP FOR ASSESSMENT USE ONLY

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

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




R. M. Bk. 07 Pg. 016

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

△ – 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.