

89-065373

Rec Fee 59.00  
Total 59.00

Recorded  
Official Records  
County of  
Santa Barbara  
Kenneth A Pettit  
Recorder  
3:14pm 29-Sep-89

FM 28

Recording Requested By:

When Recorded Return to:  
Charles D. Kimbell  
ALLEN and KIMBELL  
317 East Carrillo Street, Suite 100  
Santa Barbara, California 93101  
Telephone: (805) 963-8611

28

DECLARATION OF COVENANTS AND CONFIRMATION OF EASEMENTS  
REGARDING PRIVATE ROAD

✓ THIS DECLARATION OF COVENANTS AND EASEMENTS ("Declaration") is made this \_\_\_ day of \_\_\_\_\_, 1988, by the following persons with reference to the following facts:

A. JOEL E. CARLISLE and JOYCE CARLISLE ("Carlisle") are the owners of that property described in Exhibit "A" and shown as Parcel 11 on the Assessor Parcel Map attached as Exhibit "H" ("Carlisle Property").

B. MARY JANE NELSON and MICHAEL D. GRUA ("Nelson/Grua") are the owners of that property described in Exhibit "B" and shown as Parcel 10 on the Assessor Parcel Map attached as Exhibit "H" ("Nelson/Grua Property").

C. BRENT BIXLER and NANCY BIXLER ("Bixler") are the owners of that property described in Exhibit "C" and shown as Parcel 9 on the Assessor Parcel Map attached as Exhibit "H" ("Bixler Property").

D. CRAIG JOSEPH JENNINGS and JUDY JACOBSON JENNINGS ("Jennings") are the owners of that real property described in Exhibit "D" and shown as Parcel 8 on the Assessor Parcel Map attached as Exhibit "H" ("Jennings Property").

E. KURT D. LUSINK and DIANE M. LUSINK ("Lusink") are the owners of that certain property described in Exhibit "E" and shown as Parcel 19 on the Assessor Parcel Map attached as Exhibit "H" ("Lusink Property").

F. THOMAS R. BURT and JAMES SWEENEY ("Burt/Sweeney") are the owners of the real property described in Exhibit "F" and shown as Parcel 18 on the Assessor Parcel Map attached as Exhibit "H" ("Burt/Sweeney Property").

G. CHARLOTTE DOYLE DAVIS ("Davis") is the owner of the real property described in Exhibit "G" and shown as Parcel 14 on the Assessor Parcel Map attached as Exhibit "H" ("Davis Property")

H. There is an easement 25 feet in width lying 12.5 feet on either side of the common property lines between the Carlisle Property, the Lusink Property, the Nelson/Grua Property, the Morris Property, the Bixler Property, and the Davis Property, ending at the Jennings Property, as shown by the cross-hatched area on the Assessor's Map attached as Exhibit "H" ("Private Road Easement"). Within the Private Road Easement area is a private road which presently provides access to all of the benefited properties ("private road"). The purpose of this document is to confirm the easements for the benefit of all the benefited properties as provided herein and to provide for the repair and maintenance of the private road.

I. Carlisle, Nelson/Grua, Bixler, Jennings, Lusink, Burt/Sweeney and Davis shall be collectively referred to as "Owners". Their respective properties described above shall be referred to collectively as the "benefited properties".

NOW, THEREFORE, owners hereby declare that the property shall be held, sold, and conveyed, subject to the following easements, restrictions covenants and conditions:

1. Easements. By their execution of this Declaration, each of the parties hereby confirm that the portion of the Private Road Easement passing over their property is a valid and existing easement for ingress, egress, private utilities and incidental purposes, for the benefit of each of the other Owners subject to the terms and conditions of this Declaration. To the extent that a grant or conveyance of any rights is necessary to confirm that easement, that grant or conveyance is intended and made by this Declaration. Lusink joins in this Declaration only to confirm the easement, but expressly disclaims any right to use the private road, and all the other Owners expressly excuse Lusink from any obligations whatsoever with respect to improvement, maintenance, repair and replacement of any road improvement within the Private Road Easement. Despite the foregoing, the use by Davis of the private road shall be limited to emergency uses, and all the other owners expressly excuse Davis from any obligations whatsoever with respect to improvement, maintenance, repair, or replacement of any road improvement within the Private Road Easement. The rights of Davis or Lusink to use the private road may be expanded to general ingress and egress, by doing the following:

(a) Tendering to the road master on behalf of all the other owners a sum equal to his share of the depreciated value of the road improvements then existing to compensate for his suspension of maintenance obligations for the period from the date of this Declaration to the date of his tender of the required sum.

(b) Recording of a notice in the office of Official Records referring to this Declaration and certifying that Davis or Lusink wishes to restore his right to full use of the road improvements in the road easement area, and that he has tendered the proper amount to the road maintenance fund. Such notice must be signed by the then-serving road master who shall certify that the sum so deposited is acceptable to him as being in compliance with the requirement of this provision.

2. Road Improvements: Standard of Maintenance. The road improvements shall be maintained by the Owners pursuant to this Declaration. The standard to which the road improvements shall be maintained is as follows:

(a) Until improved pursuant to the provisions of subparagraph (b) below, the road improvements shall be maintained in essentially the condition existing upon the date of this agreement.

(b) If less than all of the Owners decide to improve the private road to a higher standard than that described in subparagraph (a), they may do so at their sole cost and expense, and the standard of maintenance for the portions of the private road so improved, shall thereafter be to the condition existing immediately after such improvements.

3. Maintenance and Improvements: Sharing of Costs: Authority of Road Master

(a) The reasonable costs for maintenance and repair of the private road be shared as follows:

[i] The lineal distance from the westerly end of the private road where it intersects Camino Cielo to the respective driveways of each of the Carlisle, Nelson/Grua, Morris, Bixler and Jennings Properties shall be measured. Upon the execution of this agreement those distances are as follows:

Carlisle	327 feet
Nelson/Grua	962 feet
Burt/Sweeney	1140 feet
Bixler	1330 feet
Jennings	1330 feet

[ii] Each owner's lineal footage shall be divided by the sum of all lineal footage to determine his proportionate share ("share") of the cost of maintenance. Upon the execution of this Declaration, the percentages allocated to each owner are as follows:

Carlisle	6.44%
Nelson/Grua	18.90%
Burt/Sweeney	22.40%
Bixler	26.13%
Jennings	26.13%

[iii] If any owner changes the location of his principal access to his property from the private road, or Lusink, or Davis expand their permitted uses to general ingress and egress under Paragraph 1, the foregoing calculations shall be revised accordingly.

(b) The road improvements shall be maintained accordingly to those standards set forth in paragraph 2 above; provided that Owners may agree to a higher standard of maintenance by unanimous written consent.

(c) The Owners shall meet not later than September of each calendar year to formulate a budget for the ensuing calendar year for purposes of allocation of their responsibilities hereunder and to establish rules and regulations for the use of the Private Road. The approval by the owners of four of the benefited properties shall be required to establish a budget under this paragraph. If such approval cannot be obtained, the budget for the then-current year shall be deemed approved for the ensuing year. The initial budget for calendar year 1989 shall be that as set forth on Exhibit "I" attached hereto. The Owners shall thereafter be obligated to contribute their share of the sums required of them as set forth in the budget. At such meeting, the Owners then making full use of the private road, shall elect a "road master," and failing election the road master's duties shall be rotated on an annual basis to the Owners of the properties then actively involved in the use and maintenance of the road under this Declaration, in the following order: Jennings property, Bixler property, Burt/Sweeney property, Nelson/Grua property, and Carlisle property. The road master shall prepare an accounting and shall present such accounting to each owner on an annual, or periodic basis.

(d) The road master shall be entitled to collect from the Owners such sums as may be owing by such Owners under the budget necessary to maintain the facilities, improvements and insurance coverage and shall arrange for necessary work and services for the required maintenance and pay the expenses thereof from the funds collected from the Owners. The Owners expressly authorize the road master to seek contribution as required by Civil Code Section 845 of other users of the private road who are not parties to this declaration. Civil Code Section 845 provides as follows:

"(a) The owner of any easement in the nature of a private right-of-way, or of any land to which any such easement is attached, shall maintain it in repair.

"(b) If the easement is owned by more than one person, or is attached to parcels of land under different ownership, the cost of maintaining it in repair shall be shared by each owner of the easement or the owners of the parcels of land, as the case may be,

pursuant to the terms of any agreement entered into by the parties for that purpose. If any owner who is a party to the agreement refuses to perform or fails after demand in writing to pay the owner's proportion of the cost, an action for specific performance, or contribution may be brought against that owner in a court of competent jurisdiction by the other owners, either jointly or severally.

"(c) In the absence of an agreement, the cost shall be shared proportionately to the use made of the easement by each owner.

"Any owner of the easement, or any owner of land to which the easement is attached, may apply to any court where the right-of-way is located and that has jurisdiction over the amount in controversy for the appointment of an impartial arbitrator to apportion the cost. The application may be made before, during, or after performance of the maintenance work. If the arbitration award is not accepted by all of the owners, the court may enter a judgment determining the proportionate liability of each owner. The judgment may be enforced as a money judgment by any party against any other party to the action."

(e) If the private road is damaged or destroyed through the act or omission of any owner or his guests, tenants, agents, or employees, whether or not such act or omission is negligent or otherwise culpable, such owner shall forthwith proceed to rebuild, repair, or replace them to as good a condition as formerly existed, without cost to the other owners. The road master may enforce the obligation of the responsible Owner on behalf of the other Owners.

#### 4. Indemnification; Insurance

(a) Indemnity. The owner of each respective property shall release, discharge and agree to indemnify and hold each of the owners of the other properties, their heirs, successors and assigns, harmless from any and all claims or causes of action of any nature whatsoever arising from the use by the indemnifying owner of the Easement Area for the purpose above set forth, except for claims arising from the active negligence of the other owners, their heirs, successors or assigns, and the indemnifying owner shall undertake the defense of each of the other owners against any and all such claims and causes of action.

(b) Public Liability Insurance. Each of the owners of shall obtain liability and property damage insurance coverage with respect to any matters for which he has indemnified the other owners pursuant to Section 4(a) above and shall provide proof of such insurance coverage to the road master showing such coverage to be in effect at all times. If any owner fails to comply with the requirements of this subparagraph, the road master may obtain such insurance coverage on behalf of such owner and may include the cost thereof in the budget referred to in paragraph 3(c) and charge the cost thereof against the owner failing to comply. Such policy or policies shall be carried with reputable companies authorized to do business in the State of California in an amount not less than One Hundred Thousand and no/100 Dollars (\$100,000.00) combined single limit and shall name as insured the owner and each party indemnified by such owner pursuant to subparagraph (a).

#### 5. General

(a) The road master or any Owner shall have the right to enforce the provisions of this Declaration by any proceeding at law or in equity or as otherwise provided herein.

(b) The easements, covenants, conditions and restrictions contained herein are for the benefit of the benefitted properties, and as such shall be covenants

appurtenant to and running with each such property and binding on the successive owners thereof.

(c) If a controversy arises in any way connected with this Declaration, the owners shall submit the matter to arbitration under the rules of the American Arbitration Association then in effect. Any decision arising from such procedure may be enforced by a court of competent jurisdiction.

(d) Except as expressly provided herein to the contrary, any modification of this Declaration must be in writing and signed by all the owners.

(e) If any term, covenant, condition or provision of this Declaration is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the provisions hereof shall remain in full force and effect, and shall in no way be affected, impaired or invalidated thereby.

(f) If any dispute arises under this Declaration or any other rights and obligations hereunder, and legal action is instituted thereon, the prevailing party shall be entitled to recover his reasonable cost of attorney's fees as determined by the court, or through arbitration.

6. Effective Date. Sept. 20, 1989.

IN WITNESS WHEREOF, the foregoing instrument was subscribed the day and year first above written.

Joel E. Carlisle  
Joel E. Carlisle  
Mary Jane Nelson  
Mary Jane Nelson  
Brent Bixler  
Brent Bixler  
Craig Joseph Jennings  
Craig Joseph Jennings  
Kurt D. Lusink  
Kurt D. Lusink  
Thomas R. Burt  
Thomas R. Burt  
Charlotte Doyle Davis  
Charlotte Doyle Davis

Joyce Carlisle  
Joyce Carlisle  
Michael D. Grua  
Michael D. Grua  
Nancy Bixler  
Nancy Bixler  
Judy Jacobson Jennings  
Judy Jacobson Jennings  
Diane M. Lusink  
Diane M. Lusink  
James Sweeney  
James Sweeney

DS

RECORDING REQUESTED BY

Ticor Title Insurance

KENNETH L. PETTIT  
CLERK OF SUPERIOR COURT  
1987-056085

SANTA BARBARA CO. CL.  
867 JUL 27 AM 8 00

AND WHEN RECORDED MAIL TO

Name JOEL E. CARLISLE  
JOYCE CARLISLE  
Street Address 5587 W. Camino Cielo  
City & State Santa Barbara, CA 93105

MAIL TAX STATEMENTS TO

Name same as above

Street Address  
City & State

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CAT. NO. NN00982  
TO 1923 CA 12 831

Individual Grant Deed

APN #153-100-11

THIS FORM FURNISHED BY TICOR TITLE INSURERS

ALL ITEM	<p>The undersigned grantor(s) declare(s):          Documentary transfer tax is \$ <u>312.95</u>  <input checked="" type="checkbox"/> computed on full value of property conveyed, or  <input type="checkbox"/> computed on full value less value of liens and encumbrances remaining at time of sale.  <input checked="" type="checkbox"/> Unincorporated area: ( ) City of _____, and</p>
	<p>FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,          GREGORY GALLANT, AN UNMARRIED MAN</p>
	<p>hereby GRANT(S) to JOEL E. CARLISLE AND JOYCE CARLISLE, HUSBAND AND WIFE AS          JOINT TENANTS</p>
	<p>the following described real property in the          County of SANTA BARBARA, State of California:</p>
	<p>LOT 11 OF THE GEORGE HANEY TRACT, IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA,          IN SECTION 21, TOWNSHIP 5 NORTH, RANGE 28 WEST, SAN BERNARDINO BASE AND MERIDIAN,          ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 43, PAGE 53, RECORD OF SURVEYS, IN THE          OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.</p>
	<p>EXHIBIT "A"</p> <p>Dated: JULY 22, 1987</p> <p>STATE OF CALIFORNIA          COUNTY OF Santa Barbara } ss.          On July 24, 1987 before          me, the undersigned, a Notary Public in and for said State,          personally appeared Gregory Callant</p> <p>personally known to me or proved to me on the basis of sat-          isfactory evidence to be the person whose name          subscribed to the within instrument and acknowledged          that he executed the same.          WITNESS my hand and official seal.</p> <p>Signature <i>Nancy Cfrnuda</i></p>
	<p>153-100-11</p> <p>OFFICIAL SEAL          NANCY CFRNUDA          Notary Public California          Principal Office in          Santa Barbara County          My Comm. Exp Feb 19, 1991</p> <p>(This area for official notarial seal)</p>
	<p>Title Order No. 192076 KAT      Escrow or Loan No. 192076 CP</p>

LAWYERS TITLE

Oct 19 8 00 AM '83

AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHERWISE SHOWN BELOW, MAIL TAX STATEMENTS TO

OFFICIAL RECORDS  
SANTA BARBARA CO., CALIF.  
HOWARD C. NEWELL  
CLERK-RECORDER

NAME: Mary Jane Nelson, etal  
STREET ADDRESS: 5589 W. Camino Cielo  
CITY, STATE ZIP: Santa Barbara, California

Title Order No. 141053CF Exemw No. 10681DW

This space for Recorder's use

MONUMENT SURVEY TAX EXEMPT

# Quitclaim Deed

THE UNDERSIGNED GRANTOR(S) DECLARE(S) DOCUMENTARY TRANSFER TAX IS 153 100 100 00 1  Consideration less than \$100.00  
 computed on full value of property conveyed, or  
 computed on full value less value of liens or encumbrances remaining at time of sale, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Mary Jane Nelson, a married woman, who acquired title as an unmarried woman

hereby RELEASE(S) and QUITCLAIM(S) to Mary Jane Nelson and Michael D. Grus, wife and husband, as joint tenants

the following described real property in the County of Santa Barbara, State of California:

Legal Description as per Exhibit "A" attached hereto and made a part hereof.

### EXHIBIT "B"

Dated October 3, 1983

Mary Jane Nelson  
Mary Jane Nelson

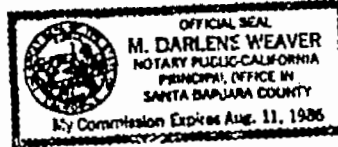
STATE OF CALIFORNIA }  
COUNTY OF Santa Barbara } ss.

On October 3, 1983 before me, the undersigned, a Notary Public in and for said State, personally appeared

Mary Jane Nelson  
(or proved to me on the basis of satisfactory evidence) known to me to be the person(s) whose name(s) is (are) subscribed to the within instrument and acknowledged that she executed the same.

Witness my hand and official seal.

Signature: M. Darlene Weaver



(Space above for official notarial seal)

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY SO SHOWN, MAIL AS DIRECTED ABOVE

Name

Street Address

City & State

## DESCRIPTION:

Those portions of Lots 13 and 17 of the George Haney Tract, in the County of Santa Barbara, State of California, as shown on the map thereof filed in Book 43 at Page 53 of Record of Surveys, in the office of the County Recorder of said County, described as follows:

## PARCEL ONE:

Beginning at the Northwest corner of said Lot 17 of said Haney Tract; thence, South, along the Westerly line of said Lot 17, a distance of 504.34 feet to a point on the Northerly line of said Lot 13; thence, West, along the Northerly line of said Lot 13, a distance of 505 feet to the Northwest corner thereof; thence, South, along the Westerly line of said Lot 13, a distance of 325.54 feet to the Southwest corner thereof; thence along the Southerly line of said Lot 13 the following courses and distances: North 77°43' East 5.86 feet; South 40°08'40" East 79.96 feet; South 76°32'40" East 82.01 feet; North 70°27'20" East 94.53 feet; South 68°28' East 96.68 feet; thence leaving said Southerly line of said Lot 13, North 67°03'10" East 232.34 feet to a point on the Easterly line of said Lot 13; thence, North, along the Easterly line of said Lot 13, a distance of 267.78 feet; thence North 16°42' East 52.20 feet; thence, North, 490.08 feet to a point on the Northerly line of said Lot 17; thence North 70°23' West, along the Northerly line of said Lot 17, a distance of 42.46 feet to the point of beginning.

## PARCEL TWO:

An undivided 1/11th intersect in and to that portion of Lot 10 of the George Haney Tract, in Section 21, T5N, R 28 W, SBB & M, in the County of Santa Barbara, State of California, according to the map thereof recorded in Book 43, Page 53 of Record of Surveys in the office of the County Recorder, described as follows:

Commencing at the Northwest corner of Lot 14 of said George Haney Tract, thence North 34°13' East, 32.43 feet to the true point of beginning; thence North 30 feet; thence East 30 feet; thence South 30 feet; thence West 30 feet to the true point of beginning.



RECORDING REQUESTED BY  
**TICOR**  
 D WHEN RECORDED MAIL THIS DEED AND, UNLESS  
 HEREAFTER SHOWN BELOW, MAIL TAX STATEMENTS TO:  
 NAME **Brent Bixler & Nancy Bixler**  
 STREET **P.O. Box 30489**  
 CITY **Santa Barbara, Ca 93130**  
 STATE **CA**

KENNETH A. FETTIT  
 CLERK RECORDER  
 -1907-033387

SANTA BARBARA CO. CA.  
 1987 MAY -6 AM 8:00

1	5/06/87	4.00	RE
2	5/06/87	1.00	RE
3	5/06/87	2.00	RU
31	5/06/87	10.00	HS

2. STAMPS AFFIXED  
 AFTER RECORDING

53 | 100 | 09413 | ALL  
 PIN

SPACE ABOVE THIS LINE FOR RECORDER'S USE  
 Title Order No. **191283-K.T.**  
 Escrow or Loan No. **5462 JRT**

**GRANT DEED** MONUMENT SURVEY-510.00

THE UNDERSIGNED GRANTOR(S) DECLARE(S)  
 DOCUMENTARY TRANSFER TAX is \$ See Reverse  
 computed on full value of property conveyed, or  
 computed on full value less value of liens or encumbrances remaining at time of sale,  
 (unincorporated area:  City of \_\_\_\_\_ and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,  
 DAVID R. ORTIZ, a single man

has by GRANT(S) to  
 BRENT BIXLER and NANCY BIXLER, husband and wife

the following described real property in the unincorporated area of the  
 County of Santa Barbara State of California:

Legal description attached hereto as Exhibit "A" and  
 made a part hereof.

EXHIBIT "C"

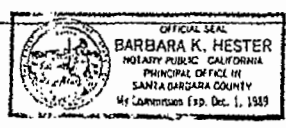
Dated February 27, 1987

*David R. Ortiz*  
 David R. Ortiz

STATE OF CALIFORNIA  
 COUNTY OF Santa Barbara  
 On February 27, 1987  
 undersigned, a Notary Public in and for said State, personally appeared  
David R. Ortiz

\_\_\_\_\_ personally  
 know 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 that no interested party  
 WITNESS my hand and official seal

*Barbara K. Hester*



(This is a true and correct copy)

Exhibit "A"

LEGAL DESCRIPTION:

PARCEL ONE:

THOSE PORTIONS OF LOTS 13 AND 17 OF THE GEORGE HANEY TRACT, IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, AS SHOWN ON THE MAP THEREOF FILED IN BOOK 43, AT PAGE 53 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 17; THENCE SOUTH, ALONG THE EASTERLY LINE OF SAID LOT 17, 825.85 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 17 THE FOLLOWING COURSES AND DISTANCES: NORTH 57°28'40" WEST 24.91 FEET; SOUTH 23°34'50" WEST 81.03 FEET; SOUTH 39°17'-1/2' WEST 50 FEET; SOUTH 79°35' WEST 50 FEET; NORTH 79°07' WEST 50 FEET; NORTH 68°28' WEST 60.89 FEET TO THE SOUTHWEST CORNER OF SAID LOT 17; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 13 NORTH 68°28' WEST 230 FEET; THENCE NORTH 67°03'10" EAST 232.34 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT 17; THENCE NORTH, ALONG THE WESTERLY LINE OF SAID LOT 17, A DISTANCE OF 267.78 FEET; THENCE NORTH 16°42' EAST 52.20 FEET; THENCE NORTH 490.08 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT 17; THENCE SOUTH 70°23' EAST, ALONG THE NORTHERLY LINE OF SAID LOT 17, A DISTANCE OF 238.87 FEET TO THE POINT OF BEGINNING.

PARCEL TWO:

AN UNDIVIDED 1/11TH INTEREST IN AND TO THAT PORTION OF LOT 10 OF THE GEORGE HANEY TRACT, IN SECTION 21, TOWNSHIP 5 NORTH, RANGE 28 WEST, S.B.B. & M., IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 43, AT PAGE 53 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID SANTA BARBARA COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 14 OF SAID GEORGE HANEY TRACT; THENCE NORTH 34°13' EAST 32.43 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 30 FEET; THENCE EAST 30 FEET; THENCE SOUTH 30 FEET; THENCE WEST 30 FEET TO THE TRUE POINT OF BEGINNING.

ALSO TOGETHER WITH AN UNDIVIDED 1/11TH INTEREST IN AND TO THE WELL, CASING, PUMPS AND TANKS AND ALL EQUIPMENT THEREON, AND PIPE LINES APPURTENANT THERETO.

SANTA BARBARA TITLE COMPANY

1986-077734

1986 07 14 11 9 00

FOR THIS RECORDING ONLY TYPE AND VALUE APPROVED SHOWN BELOW  
C.A. No. 1000000/00

Craig & Judy Jennings  
5593 West Camino Cielo  
Santa Barbara, CA 93105

1	1/14/79	100	100
2	1/14/79	100	100
3	1/14/79	100	100
30	1/14/79	100	100
31	1/14/79	100	100

same as above

629263 8799-JH

2  
600 HENRY TR LOTS 10A 2A X 2E 1/4 W 1/4 SEC 21-5-28  
SPACE ABOVE THIS LINE FOR RECORDER'S USE

### GRANT DEED

Assessor's Parcel No 153-100-07, 153-100-08, 153-100-13

Monument Survey fee \$10.00

THE UNDERSIGNED GRANTOR(S) DECLARE(S)  
153-110-16

Monument Survey fee exempt

DOCUMENTARY TRANSFER TAX is \$ 308.00

computed on full value of property conveyed, or

computed on full value less value of liens or encumbrances remaining at time of sale

unincorporated area

city of

AND

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

HARRY DE MOTT SIMS, III, and JUDITH FAVOUR SIMS, husband and wife,

hereby GRANT(s) to <sup>Joseph</sup> CRAIG JENNINGS and <sup>Jacquelin</sup> JUDY JENNINGS, husband and wife, as  
community property

the following described real property in the  
County of Santa Barbara, State of California

AS SHOWN ON LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT A

#### EXHIBIT "D"

Dated August 19, 1986

STATE OF CALIFORNIA  
COUNTY OF Santa Barbara

} ss

On the 14th day of October, in the year 1986,

before me, the undersigned, a Notary Public in and for said State,

personally appeared

Harry De Mott, III, and Judith Favour Sims

, personally known to me

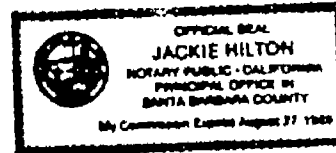
(or proved to me on the basis of satisfactory evidence) to be the  
person(s) whose name(s) is/are subscribed to the within  
instrument, and acknowledged to me that s/he/they executed it

WITNESS my hand and official seal

Signature

*Jackie Hilton*  
NOTARY PUBLIC IN AND FOR SAID STATE

*Harry De Mott Sims III*  
Harry De Mott Sims III  
*Judith Favour Sims*  
Judith Favour Sims



(This area for official notary seal)

EXHIBIT "A"  
LEGAL DESCRIPTION

PARCEL ONE:

LOT 18 AND THAT PORTION OF LOT 16 OF THE GEORGE HANEY TRACT, SECTION 21, TOWNSHIP 5, NORTH, RANGE 28 WEST S.B.M., IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 43, PAGE 53, OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 18; THENCE NORTH 60°20'40" WEST, ALONG THE SOUTHERLY LINE OF SAID LOT 18, A DISTANCE OF 82.41 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 44°04'20" WEST 25.81 FEET; THENCE, NORTH 59°34'50" WEST, 233.18 FEET; THENCE NORTH 53°36'30" WEST, 25.63 FEET TO THE CENTER LINE OF A 50 FOOT PRIVATE ROAD; THENCE NORTH 23°34'50" EAST, ALONG SAID CENTER LINE OF SAID ROAD, 81.03 FEET; THENCE SOUTH 57°28'40" EAST, CONTINUING ALONG SAID CENTER LINE OF SAID ROAD, 24.91 FEET TO THE SOUTHWEST CORNER OF SAID LOT 18; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 18, THE FOLLOWING COURSES AND DISTANCES; SOUTH 57°28'40" EAST 177.92 FEET, SOUTH 31°30'40" EAST 109.48 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL TWO:

THAT PORTION OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 SECTION 21, T. 5N., R 28 W., SAN BERNARDINO BASE AND MERIDIAN, IN SAID COUNTY, LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT DISTANT S. 19°06'25" W., 80.29 FEET FROM ENGINEER'S STATIONS 359 + 56 P.O.C. ON THE CENTER LINE OF THE DEPARTMENT OF PUBLIC WORKS SURVEY FOR STATE HIGHWAY ROAD V-58-80-C, AS SAID CENTER LINE IS DELINEATED ON THE MAP FILED IN THE STATE HIGHWAY MAP BOOK AT PAGE 514, RECORDS OF SAID COUNTY; THENCE N. 89°56'28" W. 362.35 FEET; THENCE N. 70°31'44" W. 1519 FEET; THENCE N. 70°23' W. 87.22 FEET; THENCE N. 60°55'14" W., 304.14 FEET TO A POINT DISTANT S. 19°37' W., 150.00 FEET FROM ENGINEER'S STATION 376 + 00 P.O.T. ON SAID CENTER LINE.

PARCEL THREE:

AN UNDIVIDED 1/11TH INTEREST IN AND TO THAT PORTION OF LOT 10 OF THE GEORGE HANEY TRACT, IN SECTION 21, TOWNSHIP 5, NORTH RANGE 28 WEST, S.B.B. & M. IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 43, PAGE 53, RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 14 OF SAID GEORGE HANEY TRACT; THENCE NORTH 34°13' EAST 32.43 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 30 FEET; THENCE EAST 30 FEET; THENCE SOUTH 30 FEET; THENCE WEST 30 FEET TO THE TRUE POINT OF BEGINNING.

(Page 3 of 7)

SBT 629263

1327550-RDB  
Postage registered by  
Post Office

78 23153  
MAY 23 8 00 AM '78

OFFICIAL RECORDS  
SANTA BARBARA CO., CALIF.  
HOWARD C. MENZIE  
CLERK-RECORDER

INDEXED

MAIL RECORDED MAIL TO

Mr. and Mrs. Kurt D. Lusink  
5399 W. Camino Cielo  
Santa Barbara, CA. 93103

MAIL ABOVE THIS LINE FOR RECEIVERS USE

MAIL TAX STATEMENTS TO  
SAME ADDRESSEE AS ABOVE;  
A. P. No. 133-100-19-00-3

GRANTOR DECLARES

DOCUMENTARY TRANSFER TAX \$102.30

Computed on the consideration or value of property conveyed, OR  
Computed on the consideration or value less liens or encumbrances  
remaining at time of sale.

Signature of Declarant or Agent determining tax - Firm Name

### GRANT DEED

MONUMENT SURVEY - \$10.00

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

DON P. O'MALLEY and AARON O'MALLEY, husband and wife

hereby GRANT(S) to

KURT D. LUSINK and DIANE M. LUSINK, husband and wife as community property

the real property in the ~~City~~ unincorporated area of the  
County of Santa Barbara

State of California, described as

LEGAL DESCRIPTION DESCRIBED AS EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

### EXHIBIT "E"

WITNESSED April 28, 1978

STATE OF CALIFORNIA  
COUNTY OF SANTA BARBARA  
I, LYNN

*Don P. O'Malley*  
DON P. O'MALLEY

*Aaron O'Malley*  
AARON O'MALLEY

WITNESSED May 11, 1978

Don P. O'Malley and  
Aaron O'Malley

MAY 23 1978

78 23183

EXHIBIT "A"

DESCRIPTION:

All that certain land situated in the State of California in the unincorporated area of the County of Santa Barbara described as follows:

**PARCEL ONE:** Lot 10 of the George Haney Tract in Section 21, Township 5 North, Range 28 West, S. B. M. & M., as shown on a Map recorded in Book 43, page 53 of Record of Surveys, in the Office of the County Recorder of Santa Barbara County, California.

**EXCEPTING THEREFROM** that portion thereof described as follows:

Commencing at the Northwest corner of Lot 14 of said George Haney Tract; thence North 34 degrees, 13 feet, East 32.43 feet to the true point of beginning; thence North 30 feet; thence East 30 feet; thence South 30 feet; thence West 30 feet to the true point of beginning.

**ALSO EXCEPTING THEREFROM** that portion described as follows:

Beginning at the Southeast corner of said Lot; thence North 445.53 feet to a point in the center line of a private road as shown on said survey; thence westerly along said center line the following courses and distances: North 68 degrees, 28 feet, West 218.55 feet; South 70 degrees, 27 feet, 20 inches, West 94.53 feet and North 76 degrees, 32 feet, 40 inches, West 82.01 feet; thence leaving said center line of said road South 10 degrees, 31 feet, 20 inches, West 282.95 feet to a point in the center line of another private road as shown on said survey; thence Easterly along said last mentioned center line the following courses and distances: North 70 degrees, 46 feet, 20 inches, East 123.66 feet and South 43 degrees, 13 feet, 40 inches, East 378.43 feet; thence East leaving said center line, 47.86 feet to the point of beginning.

**PARCEL TWO:** An undivided 1/4th interest in and to that portion of said Lot 10 described as follows:

Commencing at the Northwest corner of Lot 14 of said George Haney Tract; thence North 34 degrees, 13 feet, East 32.43 feet to the true point of beginning; thence North 30 feet; thence East 30 feet; thence South 30 feet; thence West 30 feet to the true point of beginning.

\*\*\*\*\*

78 23183

RECORDER'S MEMO: LEGIBILITY OF WRITING,  
TYPING OR PRINTING UNSATISFACTORY IN THIS  
DOCUMENT WHEN RECEIVED.

**Santa Barbara Title Company**  
 RECORDING REQUESTED BY  
**Santa Barbara Title Company**  
 AND WHEN RECORDED MAIL THIS DEED AND, UNLESS OTHER  
 WISE SHOWN BELOW, MAIL TAX STATEMENTS TO:  
 NAME **Thomas R. Burt and James Sweeney**  
 ADDRESS **5597 West Camino Cielo**  
**Santa Barbara, CA 93105**  
 CITY & STATE ZIP

89-003351 | Rec Fee 7.00  
 | DOC 385.00  
 Recorded | SUR 10.00  
 Official Records | Total 402.00  
 County of  
 Santa Barbara  
 Kenneth A. Pettit  
 Recorder  
 6:00am 18-Jan-89 | PM 2

Title Order No. 634258 Escrow No. 000132

2

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**GRANT DEED**

Monument Survey fee \$10.00.  
 Monument Survey fee exempt.  
 Assessor's Parcel No. 153-100-18  
 The undersigned declares that the documentary transfer tax is \$ 385.00 and is  
 computed on the full value of the interest or property conveyed, or is  
 computed on the full value less the value of liens or encumbrances remaining thereon at the time of sale. The land,  
 tenements or realty is located in  
 unincorporated area  city of Santa Barbara and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

**LYNN P. MORRIS and GEORGIANA VINING, husband and wife**

hereby GRANT(S) to

**THOMAS R. BURT, a single man as to an undivided 50% interest and JAMES SWEENEY, a single man as to an undivided 50% interest as tenants in common.**  
 the following described real property in the  
 county of **Santa Barbara**, state of California:

FOR COMPLETE LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

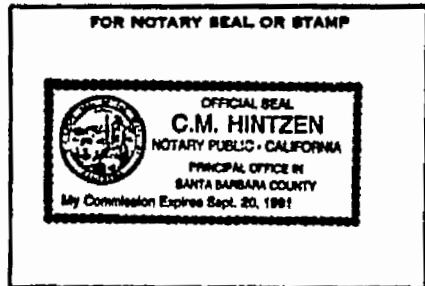
EXHIBIT "F"

Dated January 6, 1989

*Lynn P. Morris*  
 Lynn P. Morris  
*Georgiana Vining*  
 Georgiana Vining

STATE OF CALIFORNIA } ss.  
 COUNTY OF Santa Barbara  
 On JANUARY 10, 1989 before me, the under-  
 signed, a Notary Public in and for said County and State, personally  
 appeared Lynn P. Morris and Georgiana Vining

\_\_\_\_\_, known to me  
 to be the person(s) whose name(s) are subscribed to the within  
 instrument and acknowledged that they executed the same.  
*M. Hintzen*  
 Notary of Notary



MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE: IF NO PARTY SO SHOWN, MAIL AS DIRECTED ABOVE

Name \_\_\_\_\_ Street Address \_\_\_\_\_ City & State \_\_\_\_\_

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

THOSE PORTIONS OF LOT 10 OF THE GEORGE HANEY TRACT, IN SECTION 21, TOWNSHIP 8 NORTH, RANGE 28 WEST, S.B.M., ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 43, PAGE 53, RECORDS OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY DESCRIBED AS FOLLOWS:

**PARCEL ONE:**

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT THENCE NORTH 445.53 FEET TO A POINT IN THE CENTER LINE OF A PRIVATE ROAD AS SHOWN ON SAID SURVEY; THENCE WESTERLY ALONG SAID CENTER LINE THE FOLLOWING COURSES AND DISTANCES: NORTH 68°28' WEST 218.56 FEET; SOUTH 70°27'20" WEST 94.53 FEET AND NORTH 76°32'40" WEST 82.01 FEET; THENCE LEAVING SAID CENTER LINE OF SAID ROAD SOUTH 10°31'20" WEST 282.95 FEET TO A POINT IN THE CENTER LINE OF ANOTHER PRIVATE ROAD AS SHOWN ON SAID SURVEY; THENCE EASTERLY ALONG SAID LAST MENTIONED CENTER LINE THE FOLLOWING COURSES AND DISTANCES: NORTH 70°46'20" EAST 123.66 FEET AND SOUTH 43°13'40" EAST 378.43 FEET; THENCE EAST, LEAVING SAID CENTER LINE, 47.86 FEET TO THE POINT OF BEGINNING.

**PARCEL TWO:**

AN UNDIVIDED 1/2ND INTEREST IN AND TO THAT PORTION OF SAID LOT 10 DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 14 OF SAID GEORGE HANEY TRACT; THENCE NORTH 34°13' EAST 32.43 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 30 FEET; THENCE EAST 30 FEET; THENCE SOUTH 30 FEET; THENCE WEST 30 FEET TO THE TRUE POINT OF BEGINNING.



88-072239

Rec Fee 11.00  
Cash 11.00

Recorded  
Official Records  
County of  
Santa Barbara  
Kenneth A. Pettit  
Recorder  
12:50pm 8-Nov-88

FM 4

*certify*

RECORDING REQUESTED IF  
WHEN RECORDED RETURN TO

4

ATTORNEY OR PARTY WHO FILED: <b>MICHAEL HALL GRAY</b> Attorney at Law 829 De La Vina Street Santa Barbara, CA 93101 TELEPHONE NO: (805) 963-1953		FOR COURT USE ONLY  <b>FILED</b> SUPERIOR COURT SANTA BARBARA <b>AUG 29 1988</b> KENNETH A. PETTIT, County Clerk-Recorder By: <i>Carol Mine</i> CAROL MINE, Deputy Clerk-Recorder
ATTORNEY FOR DECEASED: <b>Charlotte D. Davis</b> SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA BARBARA STREET ADDRESS: 1100 Anacapa Street MAILING ADDRESS: P. O. Drawer CC CITY AND ZIP CODE: Santa Barbara, CA 93101		
BRANCH NAME: ESTATE OF (NAME): <b>JOSEPH C. DAVIS,</b>		
DECEASED: <b>DECEASED</b>		
<b>SPOUSAL PROPERTY ORDER</b>		CASE NUMBER: <b>172884</b>

1. Date of hearing: August 29, 1988 Time: 8:30 a.m. Dept: 1 Room:

THE COURT FINDS

- All notices required by law have been given.
- Decedent died on (date): June 9, 1988
  - a resident of the California county named above.
  - a nonresident of California and left an estate in the county named above.
  - Intestate  testate.

THE COURT FURTHER FINDS AND ORDERS

- The property described in attachment 4a is property passing to the surviving spouse, (name): **Charlotte D. Davis**, and no administration of it is necessary.
  - See attachment 4b for further order respecting transfer of the property to the surviving spouse.
- To protect the interests of the creditors of (business name):
 

an unincorporated trade or business, a list of all its known creditors and the amount owed each is on file.

  - Within (specify): \_\_\_\_\_ days from this date, the surviving spouse shall file an undertaking in the amount of \$ \_\_\_\_\_, upon condition that the surviving spouse pay the known creditors of the business.
  - See attachment 5b for further order protecting the interests of creditors of the business.
- The property described in attachment 6a is property that belongs to the surviving spouse, (name): **Charlotte D. Davis**, under Probate Code sections 100 and 101, and the surviving spouse's ownership is hereby confirmed.
  - See attachment 6b for further order respecting transfer of the property to the surviving spouse.
- All property described in the Spousal Property Petition that is not determined to be property passing to the surviving spouse under Probate Code section 13500, or confirmed as belonging to the surviving spouse under Probate Code sections 100 and 101, shall be subject to administration in the estate  described in attachment 7.
- Other (specify): \_\_\_\_\_

EXHIBIT "G"

Date:

JUDGE OF THE SUPERIOR COURT

9.  Number of pages attached: 2

Signature follows last attachment

Estate of Joseph C. Davis, Deceased

Date of Death: June 9, 1988

NO. 172884

ATTACHMENT 4a TO SPOUSAL PROPERTY ORDER

Decedent's one-half interest in community property which is passing to surviving spouse, Charlotte D. Davis:

REAL PROPERTY

1) Real property situated in the City of Santa Barbara, County of Santa Barbara, commonly known as 5595 West Camino Cleo, Santa Barbara, California, described as follows:

PARCEL ONE: Lot 16 of the George Haney Tract in Section 21, Township 5 North, Range 78 West, S.B.B. & M., as shown on a map recorded in Book 43, page 53 of Record of Surveys, in the office of the County Recorder of Santa Barbara County, California.

EXCEPTING therefrom that portion thereof described in the deed to Crescencio Leo Ortiz, and wife, recorded May 12, 1959, as Instrument No. 14951 in Book 1624, page 190 of Official Records.

PARCEL TWO: A Right of Way for road and pipe line purpose over an existing road 20 feet in width, extending in a general northwesterly direction from the westerly line of said Lot 16 across the southwesterly portion of Lot 10 of said Haney Tract to the intersection thereof with the northerly line of the 50 foot private road shown on the map of said Haney Tract.

PARCEL THREE: An undivided 1/11th interest in and to the following described well site: Commencing at the Northwest corner of Lot 14 of said George Haney Tract; thence north 34° 13' east 32.43 feet to the true point of beginning; thence north 30 feet; thence east 30 feet; thence south 30 feet; thence west 30 feet to the true point of beginning.

ALSO TOGETHER WITH an undivided 1/11th interest in and to the well, casing, pumps and tanks and all equipment thereon, and pipe lines appurtenant thereto.

Assessor's Parcel No.: 153-100-14

SECURITIES

- 2) 10 shares, common stock, KEMPER CORPORATION, Certificate No. CU62859
- 3) 3 shares, common stock, KEMPER CORPORATION, Certificate No. CO27054
- 4) 1 share, common stock, KEMPER CORPORATION, Certificate No. KS0001124
- 5) 1 share, common stock, KEMPER CORPORATION, Certificate No. SP0001056

ATTACHMENT 4a to SPOUSAL PROPERTY ORDER

---

Estate of Joseph C. Davis, Deceased

Date of Death: June 9, 1988

NO. 172884

ATTACHMENT 6a TO SPOUSAL PROPERTY ORDER

Surviving spouse's one-half interest in community property which is confirmed to surviving spouse, Charlotte D. Davis:

REAL PROPERTY

1) Real property situated in the City of Santa Barbara, County of Santa Barbara, commonly known as 5595 West Camino Cielo, Santa Barbara, California, described as follows:

PARCEL ONE: Lot 16 of the George Haney Tract in Section 21, Township 5 North, Range 28 West, S.B.B. & M., as shown on a map recorded in Book 43, page 53 of Record of Surveys, in the office of the County Recorder of Santa Barbara County, California.

EXCEPTING therefrom that portion thereof described in the deed to Crescencio Leo Ortiz, and wife, recorded May 12, 1959, as Instrument No. 14951 in Book 1624, page 190 of Official Records.

PARCEL TWO: A Right of Way for road and pipe line purpose over an existing road 20 feet in width, extending in a general northwesterly direction from the westerly line of said Lot 16 across the southwesterly portion of Lot 10 of said Haney Tract to the intersection thereof with the northerly line of the 50 foot private road shown on the map of said Haney Tract.

PARCEL THREE: An undivided 1/11th interest in and to the following described well site: Commencing at the Northwest corner of Lot 14 of said George Haney Tract; thence north 34° 13' east 32.43 feet to the true point of beginning; thence north 30 feet; thence east 30 feet; thence south 30 feet; thence west 30 feet to the true point of beginning.

ALSO TOGETHER WITH an undivided 1/11th interest in and to the well, casing, pumps and tanks and all equipment thereon, and pipe lines appurtenant thereto.

Assessor's Parcel No.: 153-100-14

SECURITIES

- 2) 10 shares, common stock, KEMPER CORPORATION, Certificate No. CU62859
- 3) 3 shares, common stock, KEMPER CORPORATION, Certificate No. CO27054
- 4) 1 share, common stock, KEMPER CORPORATION, Certificate No. KS0001124
- 5) 1 share, common stock, KEMPER CORPORATION, Certificate No. SF0001056

AUG 29 1988

RONALD C. STEVENS

Judge of the Superior Court

ATTACHMENT 6a to SPOUSAL PROPERTY ORDER

This is a true certified copy of the original document on file or of record in my office. It bears the seal and signature, imprinted in purple ink, of the County Clerk-Recorder.

KENNETH A. PETTIT *Kenneth A. Pettit*  
COUNTY CLERK-RECORDER, SANTA BARBARA COUNTY, CALIFORNIA

DATE: AUG 31 1988 BY DEPUTY: *Douglas T. Merry*

DOUGLAS T. MERRY



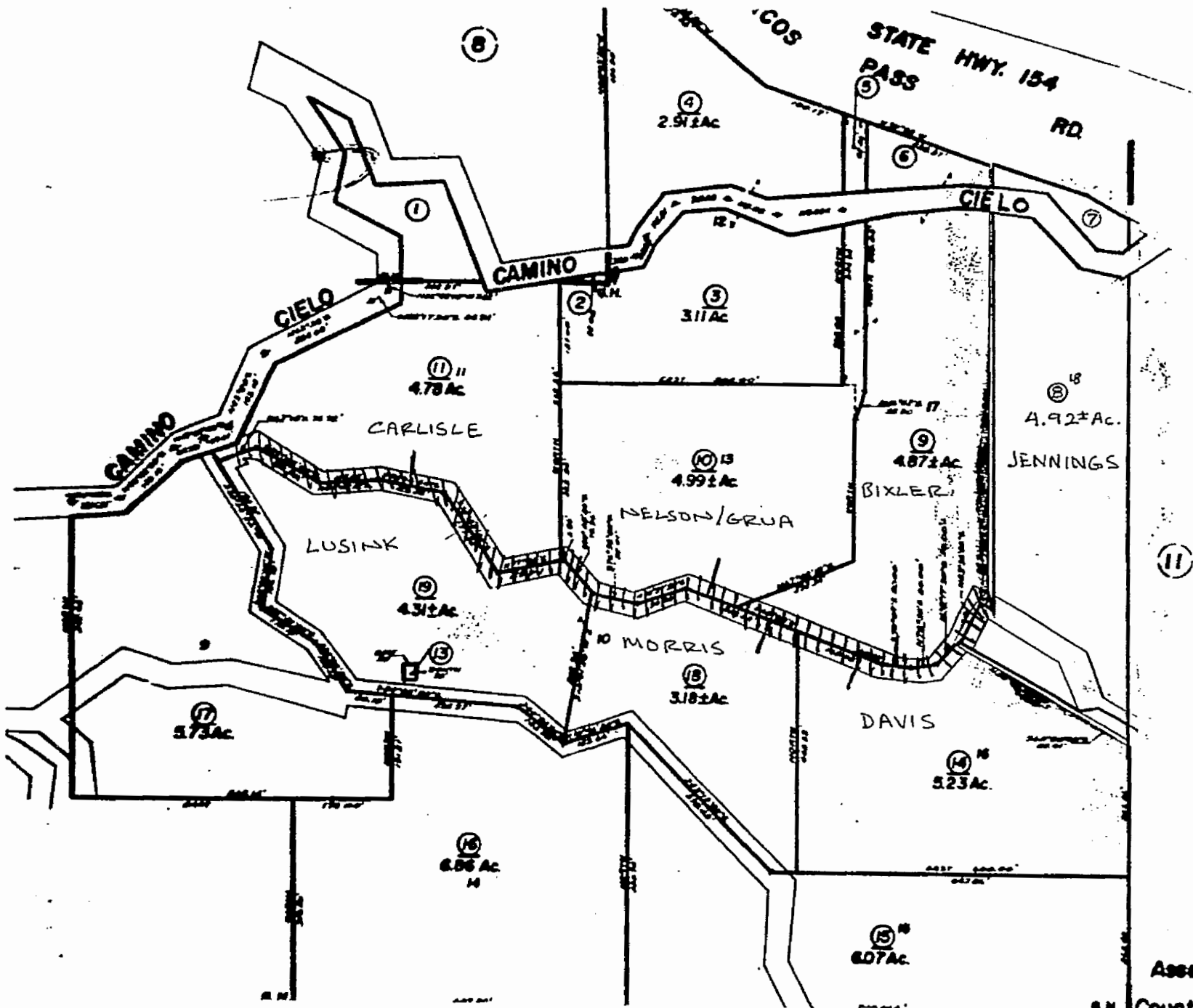


EXHIBIT "H"

Assessor's Map  
S.C. County of Santa

## MINUTES OF MEETING HELD SEPTEMBER 14, 1989

A meeting of the voting members of the Road Association convened at 7:30 P.M. on September 14, 1989 at the Jennings' residence at 5593 West Camino Cielo.

Present were: Craig and Judy Jennings, Brent and Nancy Bixler, Tom Burt and Cynthia Brooks, Mary Jane Nelson and Michael Grua, and Curt Lusink.

Craig Jennings and Tom Burt presented bids for maintenance and repair of the paved portion of the existing road. Although three bids were solicited only two bids were submitted, one from Granite Construction Company and one from Midco Construction Company. The bid from Granite Construction was \$2,500.00. The bid from Midco Construction was \$1,900.00.

Craig Jennings, Tom Burt, and Brent Bixler then described improvements that they proposed to make to the road at their sole cost and expense. They have contracted with Granite Construction Company to do the work. The improvements are to consist of:

1. Apply a level course of hot AC paving over the existing paved portion of road and then pave that with a finish course of 1 1/2" AC paving. The cost of this portion is \$4,585.00.
2. Fine grade upper 400 feet of road 10 feet wide then pave with 2 1/2" AC paving over 4" of imported base material. The cost of this portion is \$6,369.00.

Property owners were informed that Granite Construction would tie each of their driveways into the newly improved road at the owner's expense for a fixed per square foot price (as yet undetermined) if they so desired.

It was agreed that the triangle where the lower road turns onto the upper road should be paved at the same time to prevent breaking down the edge of the upper road. The additional per square foot cost of this part of the job will be the same as tying in the driveways.

Curt Lusink expressed his concern about the present situation where all of the water that runs down the road dumps out through a culvert onto his property causing a serious erosion problem.

EXHIBIT "I"

Craig Jennings, Tom Burt, and Brent Bixler recommended that, in addition to the proposed repair and maintenance of the existing paved portion of the road, "speed bumps" be installed at strategic locations on the road to divert water in several locations to reduce the flow through the existing culvert and mitigate the erosion problem. In addition it was proposed that a curb be installed at the inside curve of the road below the Nelson/Grua residence to help hold the bank from sliding onto the road. It was further recommended that property owners could install chain link fencing in back of the curb to hold rockfall off the road. Tom Burt had obtained a bid from Granite Construction Company to install the "speed bumps" and curbing for a price of \$1,364.00.

Craig Jennings moved that the association approve a budget for 1989 of \$3,264.00 which was the total of the low bid for maintenance of \$1,900.00 from Midco Construction Company plus \$1,364.00 for "speed bumps" and curbs.

A vote was taken and the budget of \$3,264.00 for 1989 was unanimously approved.

It is noted here for future reference that, should Davis or Lusink wish to expand their use of the road in accordance with sections 1a and 1b of the agreement, the useful life of the improvements to be made in 1989 is 25 years and the base value of the road improvements is \$14,218.00.

Respectfully submitted,

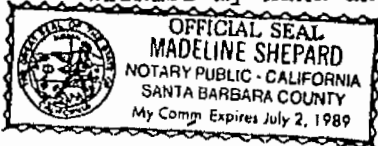
  
Craig Jennings

Date: 9/20/89

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SANTA BARBARA )

On June 14, 198<sup>8</sup>, before me, the undersigned  
Notary Public personally appeared Joel E. Carlisle  
who, personally known to me (or proved to me on the  
basis of satisfactory evidence) to be the person(s) whose name(s)  
he subscribed to the within instrument, and acknowledged that  
he executed it.

WITNESS my hand and official seal.

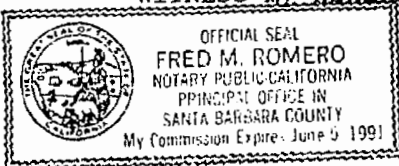


Madeline Shepard  
Notary's Signature

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SANTA BARBARA )

On June 14, 198<sup>8</sup>, before me, the undersigned  
Notary Public personally appeared Joyce Carlisle  
who, personally known to me (or proved to me on the  
basis of satisfactory evidence) to be the person(s) whose name(s)  
she subscribed to the within instrument, and acknowledged that  
she executed it.

WITNESS my hand and official seal.

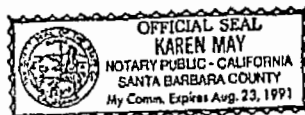


Fred M. Romero  
Notary's Signature

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SANTA BARBARA )

On June 15, 198<sup>8</sup>, before me, the undersigned  
Notary Public personally appeared Craig Joseph Jennings  
who, personally known to me (or proved to me on the  
basis of satisfactory evidence) to be the person(s) whose name(s)  
he subscribed to the within instrument, and acknowledged that  
he executed it.

WITNESS my hand and official seal.



Karen May  
Notary's Signature

120188k1



STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SANTA BARBARA )

On June 15, 1988<sup>9</sup>, before me, the undersigned Notary Public personally appeared Judy Jacobson Jennings, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged that she executed it.

WITNESS my hand and official seal.

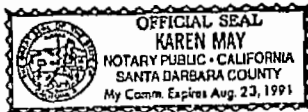


Karen May  
Notary's Signature

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SANTA BARBARA )

On June 15, 1988<sup>9</sup>, before me, the undersigned Notary Public personally appeared Thomas R. Beert, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged that he executed it.

WITNESS my hand and official seal.

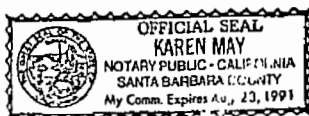


Karen May  
Notary's Signature

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SANTA BARBARA )

On June 15, 1988<sup>9</sup>, before me, the undersigned Notary Public personally appeared Nancy Ripken, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged that she executed it.

WITNESS my hand and official seal.



Karen May  
Notary's Signature

120188k1

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SANTA BARBARA )

On June 15, 1988<sup>9</sup>, before me, the undersigned Notary Public personally appeared Just Juvinak, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged that he executed it.

WITNESS my hand and official seal.



Karen May  
Notary's Signature

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SANTA BARBARA )

On June 15, 1988<sup>9</sup>, before me, the undersigned Notary Public personally appeared Diane Juvinak, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged that she executed it.

WITNESS my hand and official seal.



Karen May  
Notary's Signature

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF SANTA BARBARA )

On June 19, 1989, before me, the undersigned Notary Public personally appeared Charlotte Doyle Davis, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged that she executed it.

WITNESS my hand and official seal.



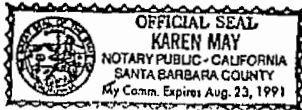
Bette Ford Thigpen  
Notary's Signature

120188k1

STATE OF CALIFORNIA )  
 )ss.  
COUNTY OF SANTA BARBARA )

On July 4, 1988<sup>9</sup>, before me, the undersigned Notary Public personally appeared Mary Jane Nelson, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged that she executed it.

WITNESS my hand and official seal.

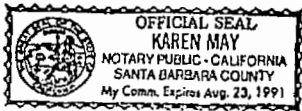


Karen May  
Notary's Signature

STATE OF CALIFORNIA )  
 )ss.  
COUNTY OF SANTA BARBARA )

On July 4, 1988<sup>9</sup>, before me, the undersigned Notary Public personally appeared Michael D. Hrusa, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged that he executed it.

WITNESS my hand and official seal.

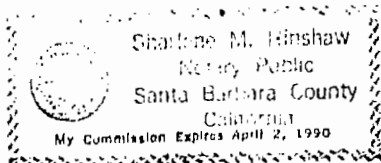


Karen May  
Notary's Signature

STATE OF CALIFORNIA )  
 )ss.  
COUNTY OF SANTA BARBARA )

On July 27, 1988, before me, the undersigned Notary Public personally appeared James Hunsbury, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged that he executed it.

WITNESS my hand and official seal



Shantine M. Hinshaw  
Notary's Signature

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