

RECORDING REQUESTED BY  
**First American Title Company**

WHEN RECORDED MAIL TO:  
Robert & Rebecca Cole  
22205 Old Santa Cruz Hwy  
Los Gatos, CA 95033

DOCUMENT: 18889788



Pages: 17

Fees....	55.00
Taxes....	
Copies..	
AMT PAID	55.00

BRENDA DAVIS  
SANTA CLARA COUNTY RECORDER  
Recorded at the request of  
First American Title Company

RDE # 009  
4/17/2006  
1:32 PM

SPACE ABOVE THIS LINE FOR COUNTY RECORDER'S USE

## ROAD AGREEMENT

Document Title

## AGREEMENT

This Agreement entered into this (31) day of January, 2001, by and between JAMES L. BECK ("BECK"); and ROBERT E. COLE and/or REBECCA A. COLE, husband and wife, ("COLE"); and MATTHEW R. ROHM and/or DONNA L. ROHM, husband and wife, ("ROHM").

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

### I. RECITALS

This Agreement is made with reference to the following facts:

A. BECK owns three parcels of property located at 22195, 22207 and 22209 Old Santa Cruz Highway, Los Gatos, County of Santa Clara, State of California, Assessor's Parcel No's. 558-08-119, 558-08-095, and 558-08-096, described on Exhibit "A", which is attached hereto and made a part hereof as if set forth in full herein (the "Improved BECK Property").

B. COLE owns a parcel of property located at 22205 Old Santa Cruz Highway, Los Gatos, County of Santa Clara, State of California, Assessor's Parcel No. 558-08-121, described on Exhibit "B", which is attached hereto and made a part hereof as if set forth in full herein (the "COLE Property").

C. ROHM owns a parcel of property located at 22191 Old Santa Cruz Highway, Los Gatos, County of Santa Clara, State of California, Assessor's Parcel No. 558-08-122, described on Exhibit "C", which is attached hereto and made a part hereof as if, set forth in full herein (the "ROHM Property").

D. BECK, also owns two parcels of property located on the Old Santa Cruz Highway, Los Gatos, County of Santa Clara, State of California, Assessor's Parcel No. 558-08-111, and Parcel No. 558-08-112, both of which are described on Exhibit "D", which is attached hereto and made a part hereof as if set forth in full herein (the "Unimproved BECK Property").

E. An existing roadway presently belongs to BECK, COLE, ROHM and a fourth property owner who has chosen not to be a party to this agreement. This roadway is used to access their respective properties (the "Roadway"). The legal description of the Roadway is more particularly described in Exhibits "A", "B" and "C" attached hereto and made a part hereof.

F. COLE and ROHM are willing to grant to BECK a non-exclusive easement extending to the Unimproved BECK Property, for ingress and egress and for the installation and maintenance of public utilities in the Roadway on the terms and conditions herein set forth.

F. COLE is willing to grant to BECK an additional non-exclusive easement extending to the Unimproved BECK Property, for ingress and egress and for the installation and maintenance of public utilities in the Roadway on the terms and conditions herein set forth. This easement consists of a ten foot wide strip of land extending across the full length of the most northerly border of the COLE Property and running exactly parallel to, and adding ten feet to the width of, the easement described in Exhibit "B".

This additional easement shall be used only in the event that it is required by the County of Santa Clara as conditional to the granting of building permits on the Unimproved BECK Property.

## II. GRANT OF EASEMENT

COLE and ROHM hereby grant to BECK these non-exclusive easements to use the Roadway for ingress and egress and for the installation and maintenance of public utilities (the "Easements"). The Easements shall be appurtenant to the Unimproved BECK Property for the purpose of ingress and egress to and from and for the installation and maintenance of public utilities to the Unimproved BECK Property, or any portion thereof, in perpetuity. The legal description of the Roadway may be modified as required by a title company, or upon a new survey or engineer's description.

Any new driveway to be used for ingress and egress to and from the Unimproved BECK Property shall join the existing Roadway within fifty feet of the South-Easterly corner of Lot 111 and shall be designed such that it minimizes any adverse physical or visual impacts upon either the COLE or the ROHM Properties. In the event that the proposed new pavement deviates substantially from the currently defined Roadway, both COLE and ROHM shall review and provide final written approval before paving begins. However, COLE and ROHM shall not reasonably deny improvement of the Roadway and its access to the subject parcels.

## III. CONSIDERATION

In consideration for the grant of the Easement, BECK will pave the road with adequate drainage from the Old Santa Cruz Highway, through and including the driveway on the ROHM Property. The paving of the Roadway shall meet or exceed the standards as set forth by Santa Clara County building department. The paving shall be completed within 90 days of the approval date of this agreement or as soon as weather conditions permit. The cost of said paving is expected to not exceed \$25,000.00. Should the cost estimate exceed this amount, then the full cost of such improvements shall be born by BECK and not by either COLE or ROHM.

## IV. DURATION OF EASEMENT

The Easement herein granted shall be appurtenant to the Unimproved BECK Property in perpetuity until terminated by the parties or their successors in interest.

## V. COVENANTS RUN WITH LAND

All provisions of this Agreement, including the benefits and burdens set forth herein, shall run with the land and are binding upon and shall inure to the benefit of the heirs, successors and assigns of each of the parties hereto.

## VI. RESTRICIONS UPON UNIMPROVED BECK PROPERTY

BECK shall provide deed restrictions upon the Unimproved BECK Property allowing the construction of one single family dwelling on each parcel and requiring that all structures be set back a minimum of 75 feet from the existing Roadway. These deed restrictions shall be recorded on each parcel and shall supersede any county zoning restrictions or building codes that would allow the construction of more than one dwelling per parcel.

## VII. ADDITIONAL EASEMENTS

BECK shall not be allowed to grant additional easements for the use of the Roadway without the written approval of COLE and ROHM.

#### VIII. MISCELLANEOUS PROVISIONS.

A. **Attorney's Fees** Should legal action arising from this agreement be commenced between the parties, the prevailing party shall be entitled, in addition to all other appropriate relief, reasonable attorney's fees as awarded by the Court.

B. **Counterparts** This agreement may be executed in one or more counterparts, all of which shall be considered one and the same agreement, and shall become a binding agreement when one or more counterparts have been signed by each of the parties and delivered to the other parties.

C. **Singular, Plural, Gender** In this agreement, where applicable, references to the singular shall include the plural and references to the plural shall include the singular; in addition, where applicable, all references to the masculine gender shall include the feminine gender.

D. **Headings** The headings in this agreement are included for convenience of reference only, and shall not affect the construction or interpretation of any of its provisions.

E. **Additional Instruments** The parties agree to execute and deliver any other documents or instruments not specifically referred to herein, which are necessary or reasonably required by a party to carry out the intents and purposes of this agreement.

F. **Successors and Assigns** This agreement shall be binding upon and inure to the benefit of the heirs, successors and assigns of the parties hereto.

G. **Notices** All notices and other communications hereunder shall be in writing and shall be deemed to have been duly given if delivered or if mailed by first-class mail with postage prepaid:

If to BECK, to:	22217 Old Santa Cruz Highway Los Gatos, CA 95033
If to COLE, to:	22205 Old Santa Cruz Highway Los Gatos, CA 95033
If to ROHM, to:	22191 Old Santa Cruz Highway Los Gatos, CA 95033

H. **Governing Law** This agreement shall be governed by, interpreted, and construed under the laws of the State of California.

I. **Entire Agreement** The parties declare and represent that no promise, inducement, or agreement not herein expressed has been made by or to any party, and that this written agreement contains the entire agreement between the parties hereto relating to the subject matter of this agreement. This agreement may not be modified, altered, or amended except by a writing signed by all parties hereto.

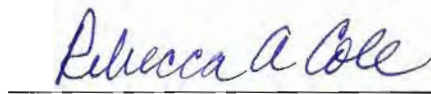
J. **Time of Essence** Time is of the essence in this agreement.

K. **Severability** If any term, provision, covenant, or condition of this agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the rest of the agreement shall remain in full force and effect and shall in no way be affected, impaired, or invalidated.

IN WITNESS WHEREOF, we have hereunto set our hands on the day and year first above written.

  
\_\_\_\_\_  
JAMES L. BECK

  
\_\_\_\_\_  
ROBERT E. COLE

  
\_\_\_\_\_  
REBECCA A. COLE

\_\_\_\_\_  
MATTHEW R. ROHM

\_\_\_\_\_  
DONNA L. ROHM

*signed in counterpart*

J. **Time of Essence** Time is of the essence in this agreement.

K. **Severability** If any term, provision, covenant, or condition of this agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the rest of the agreement shall remain in full force and effect and shall in no way be affected, impaired, or invalidated.

IN WITNESS WHEREOF, we have hereunto set our hands on the day and year first above written.

JAMES L. BECK

Robert E. Cole 1/31/01  
ROBERT E. COLE

Rebecca A. Cole 1/31/01  
REBECCA A. COLE

Matthew R. Rohm  
MATTHEW R. ROHM

Donna L. Rohm  
DONNA L. ROHM

## **EXHIBIT "A"**

The "Improved BECK Property"  
22195 Old Santa Cruz Highway  
Los Gatos, CA 95030  
APN: 558-08-119

Parcels A and B, as shown on that certain Record of Survey filed April 14, 1969, Map Book 261, page 42, Santa Clara County Records,

### PARCEL 1:

PARCELS A & B, as shown on that certain Record of Survey recorded June 25, 1965 in Book 196, page 29 of Maps, Records of Santa Clara County, California.

### PARCEL 2:

An easement for ingress and egress over a strip of land 20 feet in width, the Southwesterly line of which is described as follows: BEGINNING at the Easternmost corner of Parcel B, as shown on that certain Record of Survey, recorded June 25, 1965 in Book 196, page 29 of Maps, Records of Santa Clara County, California, and running thence North 60° 47' 12" West and along a Northeasterly line of said Parcel 8, 40.67 feet to the terminus of this easement.

### PARCEL 3:

An easement for ingress and egress and for the installation and maintenance of public utilities, over a strip of land 20 feet in width the centerline of which is described as follows:

BEGINNING at a point in the Northwesterly line of the Old Santa Cruz Highway (60.00 feet in width), as said Highway is shown on that certain Record of Survey recorded July 1, 1958 in Book 94, page 55 of Maps, Records of Santa Clara County, California, distant thereon South 23° 49' West 237.39 feet from a V iron pipe set at the Southern-most corner of that certain 2.57 acre tract of land conveyed to Harry C. Hedger, et ux, by Deed recorded November 28, 1950 in Book 2 103, page 52 1; Official Records, thence from said point of beginning North 65° 34' 30" West 136.41 feet; thence North 39° 18' 30" West 145.66 feet; thence North 23° 44' West 210.00 feet; thence North 10° 35' 30" East 181.01 feet to the point of intersection thereof with the Northwesterly prolongation of a Southwesterly line (having a bearing of South 53° 11' 19" East) of said 2.57 acre Tract thence south 53° 19' 10" East and along said prolongation 80.56 feet to the Westernmost corner of said 2.57 acre tract thence North 31° 04' 50" East and along the Northwesterly line of said 2.57 acre tract and along the Northeasterly prolongation thereof, 360 feet, more or less, to the point of intersection thereof, with the Southwesterly line of said Old Santa Cruz Highway, and the terminus of this easement.

### PARCEL 4:

An easement for ingress and egress and for the installation and maintenance of public utilities described as follows,

COMMENCING at a point in the Northwesterly line of the Old Santa Cruz Highway, at the most Southerly corner of that certain 1.287 acre parcel conveyed to Ray S. Snapp, at ux, by Deed recorded February 26, 1950 in Book 4709, page 414 of Official Records, as said Road and parcel

are shown on the Record of Survey, recorded February 16, 1960 in Book 116, page 54 of Maps, Records of Santa Clara County, California, thence along said Northwesterly line of the Old Santa Cruz Highway, South 236 49' West 10.01 feet to a point, said point being the True Point of Beginning of this description; thence continuing along the Northwesterly line of the Old Santa Cruz Highway, South 230 49' West 20.02 feet to an angle point; thence North 63° 34' 30" West 144.28 feet to an angle point; thence North 396 1 8' SO" West 150. 22 feet to a point on the most Southerly line of that parcel of land conveyed to Russell E. Johnson, et ux, by Deed recorded June 4, 1962 in Book 5597 page 486 of Official Records, thence along said Southerly line North 66° 16' East 21 feet, more or less, to a point which is 10 feet Southwesterly of and at Tight angles from the centerline of an ~existing easement granted for the purpose of ingress and egress and recorded on October 21, 1958 in Book 4207 at page 488 of Official Records- thence along the following courses being 10 feet Southwesterly of arid at right angles from said center line, South 39° 18' 30" East to a point which bears North 639 34' 30" West 139.03 feet from the said True

Point of Beginning thence South 63' 34' East 139.03 feet to the True Point of Beginning.

PARCEL 5:

An easement for ingress and egress and for the installation and maintenance of public utilities described as follows:

COMMENCING at a point in the Northwesterly line of the Old Santa Cruz Highway, at the most Southerly corner of that certain 1.287 acre parcel conveyed to Ray S. Snapp, et ux, by Deed recorded February 26, 1960 in Book 4709, page 414 of Official Records, as said Road and parcel are shown on the Record of Survey recorded February 16, 1960 in Book 116, page 54 of Maps, Records of Santa Clara County, California, thence along said Northwesterly line of the Old Santa Cruz Highway, South 23° 49' West 10.0 1 feet to a point, thence continuing along the Northwesterly line of the Old Santa Cruz Highway South 23' 49' West 20.02 feet to an angle point; thence North 63° 34' 30" West 144.28 feet to an angle point; thence North 39° 18' 30" West 150.22 feet to a point on the most Southerly line of that parcel of land conveyed to Russell E. Johnson, et ux, by Deed recorded June 4, 1962 in Book 5997 page 486 of Official Records, said point being the True Point of Beginning; thence along said Southerly line South 66° 16' West 11.63 feet to a point; thence at a right angle North 230 44' West 20.00 feet to a point; thence at a right angle North 66° 16' East 10.00 feet to a point; thence at a right angle North 23° 44' West 17.92 feet to a point on the prolongation of the most Northerly property line of said 1.287 acre parcel of land, thence along said prolongation North 66° 16' East 20.00 feet to a point which is 10 feet at right angles from the centerline of an existing easement granted for the purpose of ingress and egress and recorded on October 21, 1958 in Book 4207, page 488 of Official Records; thence along the following courses and distances being 10 feet Southwesterly of and at right angles from said centerline, South 23° 44' East 29.37 feet and South 39° 18' 30" East to said most Southerly line of that certain parcel of land conveyed to Russell E. Johnson, above referred to; thence along said last mentioned most Southerly line South 66° 16' West 21 feet, more or less, to the True Point of Beginning.



## EXHIBIT "B"

The Cole Property  
22205 Old Santa Cruz Highway  
Los Gatos, CA 95033  
APN: 558-08-121

### PARCEL ONE:

Parcel 1, as said parcel is shown upon that certain Parcel Map filed for record on May 7, 1971, Map Book 283, page 6.

### PARCEL TWO:

The non-exclusive easement for the purpose of ingress and egress and for the installation and maintenance of public utilities, created in the Deed executed by Claud C. Castor, et al, recorded October 21, 1958, Book 4207 Official Records, page 488, over a portion, of Section 16, Township 9 South, Range I West, Mount Diablo Base and Meridian, and being a strip of land 20 feet wide, the center line of which is described as follows:

BEGINNING in the Northwest line of the Old Santa Cruz Highway, 60 feet wide, distant thereon S. 23° 49' W., 237.39 feet from the Southerly corner of the 2.57 acre parcel of land described in the Deed to Harry C. Hodger, et ux, recorded November 28, 1950, Book 2103 Official Records, page 521; thence from said point of beginning, N. 63° 34' 30" W., 136.41 feet; thence N. 39° 18' 30" W., 145.66 feet; thence N. 23° 44' W., 210 feet thence N. 10° 55' 30" E., 181.01 feet to the Northwesterly prolongation of the Southwest line of said 2.57 acre parcel; thence S. 53° 19' 10" E., along said prolongation, 80.56 feet to the Westerly corner of said 2.57 acre parcel; thence N. 31° 04' 50" E., along said Northwest line and its Northeasterly prolongation, 360 feet, more or less, to the Southwest line of said Old Santa Cruz Highway.

### PARCEL THREE:

The easement for ingress and egress and for the installation and maintenance of public utilities, created in the Deed to Russell E. Johnson, et ux, recorded August 31, 1965, Book 7088 Official Records, page 396, over a portion of Section 16, Township 9 South, Range I West, Mount Diablo Base and Meridian, and described as follows: '

COMMENCING in the Northwest line of the Old Santa Cruz Highway 60 feet wide, at the Southerly corner of the 1.287 acre parcel of land described in the Deed to Ray S. Snapp, et ux, recorded February 26, 1960 in Book 4709 Official Records, page 414; thence S. 23° 49' W., along said Northwest line, 10.01 feet to the true point of beginning of this description; thence from said true point of beginning, S. 23° 49' W., along said Northwest line, 20.02 feet; thence N. 63° 34' 30" W., 177.28 feet; thence N. 39° 18' 30" W., 150.22 feet to the Southeast line of the parcel of land described as Parcel One in the Deed to Russell E. Johnson, et ux, recorded June 4, 1962 in Book 5597 Official Records, page 486; thence N. 66° 16' E., along said Southeast line, 21 feet, more or less, to a point which is 10 feet Southwesterly, at right angles, from the center line of the 20 foot easement described in the Deed recorded October 21, 1958 in Book 4207 Official Records, page 488; thence S. 39° 18' 30" E., along a line 10 feet Southwesterly, at right angles, from said centerline, to a point which bears, N. 63° 34' 30" W., 139.03 feet from the true point of beginning; thence S. 63° 34' 30" E., 139.03 feet to the true point of beginning.

PARCEL FOUR:

An easement for ingress and egress and for the installation and maintenance of public utilities over the following described parcel of land.

Being a portion of Parcel 2 as shown on the map of record of Survey filed May 7, 1971, Map Book 283, page 6, Santa Clara County Records, described as follows:

BEGINNING on the northeast corner of said Parcel Two also being the most northern corner of said parcel; thence S. 66°16'W. 242.15 feet to the northeast line of a parcel of land described in Deed to Paul A. Lupo, et ux, recorded December 14, 1970, Book 9154 Official Records, page 448; thence along said northeast line S. 23°44'E. 20 feet to the northwest corner of Parcel One as shown on the above referred to Record of Survey; thence along the northwest boundary line of said Parcel One N. 66°16'E. 242.15 feet to the northeast corner of said Parcel One; thence N. 23°44'W. 20 feet to the point of beginning.

## EXHIBIT "C"

The Rohm Property  
22191 Old Santa Cruz Highway  
Los Gatos, CA 95033  
APN: 558-08-122

### PARCEL ONE:

Parcel 2, as shown on the Parcel Map filed May 7, 1971 in Book 283 of Maps, page 6, Santa Clara County Records.

### PARCEL TWO:

A non-exclusive easement for the purpose of ingress and egress and for the installation and maintenance of public utilities, created in the Deed executed by Claud G. Castor, et al, recorded October 21, 1958 Book 4207 of Official Records, page 488, over a portion of Section 16, Township 9 south, Range 1 West, Mount Diablo Base and Meridian, and being a strip of land 20 feet wide, the center line of which is described as follows:

Beginning at the Northwest line of the Old Santa Cruz Highway, 60 feet wide, distant thereon South 23° 49' West 217.39 feet from the Southerly corner of the 2.57 acre parcel of land described in the Deed to Harry C. Hodger, et ux, recorded November 28, 1950 Book 2103 Official Records, page 521, thence from said point of beginning, North 63° 34' 30" West 136.41 feet; thence North 39° 18' 1" - thence North 10° 55' 30" West 145.66 feet; thence North 23° 44' West 210 feet, 30" East 181.0 ' 1 feet to the Southwesterly prolongation of the Southwest line of said 2.57 acre parcel; thence South 53° 19' 10" East along said prolongation 80.56 feet to the Westerly corner of said 2.57 acre parcel; thence North 3° 1' 04" 50" East along said Northwest line and its Northeasterly prolongation 360 feet, more or less, to the Southwest line of said Old Santa Cruz Highway.

### PARCEL THREE:

An easement for ingress and egress and for the installation and maintenance of public utilities, created in the Deed to Russell E. Johnson, et ux, recorded August 31, 1965 in Book 7088 Official Records, page 396, over a portion of Section 16, Township 9, South Range I West, Mount Diablo Base and Meridian, and described as follows:

Commencing in the Northwest line of the Old Santa Cruz Highway 60 feet wide, at the Southerly corner of the 1.287 acre parcel of land described in the Deed to Ray S. Snapp, et ux, recorded January 26, 1960 in Book 4709 Official Records, page 414; thence South 23° 49' West along said Northwest line 10.0 1 feet to the true point of beginning of this description; thence from said true point of beginning, South 23° 49' West along said Northwest line 20.02 feet; thence North 63° 34' 30" West 144.28 feet North 39° 10' 30" West 150.22 feet to the Southeast line of the parcel of land described as Parcel One in the Deed to Russell E. Johnson, et ux, recorded June 4, 1962 in Book 5597 Official Records, page 486; thence North 66° 16' East along said Southeast line, 21 feet more or less to a point which is 10 feet Southwesterly at right angles from the center line of the 20 foot easement described in the Deed recorded October 21, 1958 in Book 4207 of Official Records, page 488; thence South 39° 18' 30" East along a line 10 feet Southwesterly at right angles from said center line to a point which bears, North 63° 34' 20" West 139.03 feet from the true point of beginning; thence South 63° 34' 30" East 139.03 feet to the true point of beginning.

PARCEL FOUR:

A non-exclusive easement for ingress and egress as reserved by Paul A. Lupo, et ux in the Deed recorded December 30, 1976, Book C5 10, page 12, and being described as follows:

The Northwesterly 8 feet of Parcel I as shown on Parcel Map filed May 7, 1971 in Book 283 of Maps, page 6, Santa Clara County Records,

## EXHIBIT "D"

The Unimproved BECK Property  
Old Santa Cruz Highway  
Los Gatos, CA 95030  
APN: 558-08-111

### PARCEL 1:

BEGINNING at a point in the Northeasterly line of that certain tract of land conveyed by Elizabeth A. Laddick to Harry Ryan, by Deed dated April 9, 1931 and recorded January 6, 1932, in Volume 600 of Official Records, Page 73, Santa Clara County Records, California, distant along said line South 16 degrees 32' East 240 feet from the point of intersection of said Northeasterly line with the Southeasterly line of the original State Highway leading from Los Gatos to Santa Cruz, as said Highway is described in the Deed from J. H. Laddick, et ux, to the County of Santa Clara, dated October 23, 1915 and recorded January 6, 1916, in Volume 436 of Deeds, Page 357, Santa Clara County Records, California, said point of beginning also being the most Easterly corner of that certain parcel of land described in the Deed from Harry Ryan to Phoebe J. Ryan dated January 18, 1938 and recorded January 19, 1938, in Volume 858 of Official Records Page 368, Santa Clara County Records, California; thence along the Northeasterly line of said Tract so conveyed to Harry Ryan, hereinabove referred to South 16 degrees 32' East 456.94 feet to the most Easterly corner thereof; thence along the Southeasterly line of said Tract South 66 degrees 35' West 207.49 feet; thence North 16 degrees 32' West 644.29 feet to the Southeasterly line of said Highway; thence along said line North 65 degrees 32' East 6.06 feet to the most Westerly corner of said tract of land so conveyed to Phoebe J. Ryan hereinabove referred to; thence along the Southwesterly line thereof South 16 degrees 32' East 163.50 feet to the most Southerly corner of said land so conveyed to Phoebe J. Ryan; thence North 73 degrees 30' East 200 feet to the point of beginning being a part of North 1/2 of Section 16, T. 9 S. R. 1 W., M.D.B. & M.

### PARCEL 2:

BEGINNING at a 6' x 6' highway monument standing in the Southeasterly line of Los Gatos and Santa Cruz Road (California State Highway) as the same now exists 60 feet wide in the most Northerly corner of that certain parcel of land conveyed by Elizabeth A. Laddick, a widow to Harry Ryan by Deed dated April 9, 1931 and recorded January 6, 1932, in Book 600 of Official Records, Page 73, Santa Clara County Records, running thence along the Northeasterly line of said land so conveyed to Ryan South 16 degrees 32' East 240 feet; thence leaving said line and running at right angles thereto South 73 degrees 28' West 200 feet; thence North 16 degrees 32' West 163 1/2 feet to the Southeasterly line of the Los Gatos and Santa Cruz Road hereinabove referred to; thence Northeasterly and along said line 221-88 feet, more or less to the point of beginning, being a part of the Northwest 1/4 of Section 16 Township 9 S. R. 1 W., M.D.B. & M.

EXCEPTING FROM above Parcels No. 1 and 2 that certain parcel of land conveyed by Jay R. McCullough et ux, to Loren G. Bright et ux, by Deed dated October 23, 1967 and recorded October 26, 1967 in Book 7906 of Official Records at page 360 described as follows-,

Beginning at a 6" x 6" highway monument standing in the Southeasterly line of Los Gatos and Santa Cruz Road (California State Highway) as the same now exists 60 feet wide in the most Northerly corner of that certain parcel of land conveyed by Elizabeth A. Laddick, a widow to

Harry Ryan by Deed dated April 9, 1931 and recorded January 6, 1932 in Book 600 of Official Records, page 73 Santa Clara County Records; running thence along the Northeasterly line of said and running at right angles thereto, South 73 degrees 28' West 180 feet; thence North 16 degrees 32' West 204 1/2 feet to the Southeasterly line of the Los Gatos and Santa Cruz Road hereinabove referred to; thence Northeasterly and along said line 201.66 feet, more or less to the point of beginning being a part of the Northwest 1/4 of Section 16, Township 9 South, R. 1 W., M.D.B. & M. TOGETHER WITH an easement from road and drainage purposes as granted by Wilbert J. Jones, et ux, to Jay R. McCullough, et ux by Deed dated August 10, 1964 and recorded August 14, 1964, in Book 6623 of Official Records, Page 33 described as follows;

BEGINNING at the Northwest corner of that certain parcel of land described in the Deed from Phoebe J. Ryan to Jay R. McCullough, et ux, recorded October 2 1, 1958, in Book 4207 of Official Records, Page 484 said point of beginning being in the Southerly line of Old Santa Cruz Road; thence along said Southerly line of Old Santa Cruz Road, Westerly 71.70 feet; thence parallel with the Westerly line of said parcel to McCullough, Southerly 20 feet, more or less to the intersection with a line which is distant 20 feet at right angles with said Southerly line of Old Santa Cruz Road; thence along said line Easterly 70 feet, more or less to the Westerly line of said parcel to McCullough; thence along said Westerly line Northerly 20 feet, more or less to the point of beginning.

The Unimproved BECK Property  
Old Santa Cruz Highway  
Los Gatos, CA 95030  
APN: 558-08-112

BEGINNING at a 6" x 6" highway monument standing in the Southeasterly line of Los Gatos and Santa Cruz Road (California State Highway) as the same now exists 60 feet wide, in the most Northerly corner of that certain parcel of land conveyed by Elizabeth A. Laddick, a widow, to Harry Ryan, by Deed dated April 9, 1931 and recorded January 6, 1932 in Book 600 of Official Records, page 73, Santa Clara County Records; running thence along the Northeasterly line of said land so conveyed to Ryan, South 16 degrees 32' East 281 feet; thence leaving said line and running at right angles thereto, South 73 degrees 28' West 180 feet; thence North 16 degrees 32' West 204 **1/2 feet** to the Southeasterly line of the Los Gatos and Santa Cruz Road hereinabove referred to; thence Northeasterly and along said line 201.86 feet, more or less, to the point of beginning, being a part of the Northwest 1/4 of Section 16, Township 9 South, R. V, M.D.B. & M,

# CALIFORNIA NOTARY ACKNOWLEDGEMENT

APN No.:

STATE OF California )SS  
COUNTY OF Santa Clara )

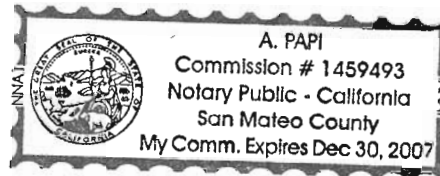
On March 14, 2006, before  
me, A. Papi, Notary Public personally appeared  
James L. Beck, personally known to me (or  
proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the  
within instrument and acknowledged to me that he/she/they executed 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.

*This area for official  
notarial seal*

Signature A. Papi

My Commission Expires: 12/30/2007



Notary Name: A. Papi Notary Phone: (408) 395. 5910  
Notary Registration Number: 1459493 County of Principal Place of Business: Santa Clara

# CALIFORNIA NOTARY ACKNOWLEDGEMENT

APN No.:

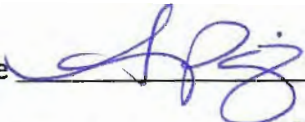
STATE OF California )SS  
COUNTY OF Santa Clara )

On March 14, 2006 before  
me, A. Papi, Notary Public personally appeared  
Robert E. Cole, 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.

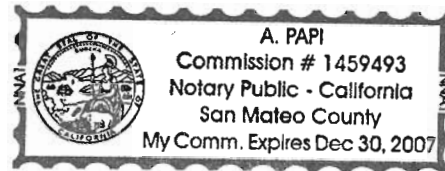
*This area for official  
notarial seal*

Signature



My Commission Expires:

12/30/2007



Notary Name:

A. Papi

Notary Phone:

408-395-5910

Notary Registration Number:

1459493

County of Principal Place of Business:

Santa Clara



# CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

File No: (MS)

APN No:

STATE OF California )SS  
COUNTY OF Santa Clara )

On 3.30.2006 before me, Monique R. Stevens Notary Public, personally appeared Rebecca A. Cole & Matthew R. Rohm & Donna L. Rohm 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



This area for official notarial seal.

## 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:

Road agreement

NUMBER OF PAGES

DATE OF DOCUMENT

SIGNER(S) OTHER THAN NAMED ABOVE