

DEPARTMENT OF THE ARMY
EASEMENT FOR ROAD OR STREET

ON HARRY L. ENGLEBRIGHT LAKE, CALIFORNIA

NO. DACW05-2-75-715

THE SECRETARY OF THE ARMY, under and by virtue of the authority vested in him by Title 10, United States Code, Section 2668 hereby grants to **and in accordance with Contract No. DA-04-167-CIVENG-66-95 dated 14 February 1966, authorized by Public Law 716, 75th Congress, 3rd Session, approved 25 June 1938 (52 Stat. 1040), hereby grants to Yuba County Water Agency**

hereinafter designated as the grantee, an easement for a right-of-way for a road or street over, across, in, and upon lands of the United States described as follows: in Exhibit "A," and as shown in yellow on Exhibit "B," both exhibits attached hereto and made hereof.

~~*as shown in red on Exhibit*~~ ~~*attached hereto and made a part hereof.*~~

THIS EASEMENT is granted subject to the following provisions and conditions:

- 1. The construction, use, and maintenance of said road or street, including culverts and other drainage facilities, shall be performed without cost or expense to the United States, under the general supervision and subject to the approval of the officer having immediate jurisdiction over said premises.*
- 2. The grantee shall at all times maintain said road or street in good condition and shall promptly make all repairs thereto needed to preserve a smooth-surface highway.*
- 3. Any property of the United States damaged or destroyed by the grantee incident to the use and occupation of the said premises shall be promptly repaired or replaced by the grantee to the satisfaction of the said officer, or in lieu of such repair or replacement the grantee shall, if so required by said officer, pay to the United States money in an amount sufficient to compensate for the loss sustained by the United States by reason of damages to or destruction of Government property.*
- 4. The use and occupation of said lands of the United States for the purposes authorized by this instrument shall be subject to such rules and regulations as the said officer may prescribe from time to time in order to properly protect the interests of the United States.*
- 5. The United States shall in no case be liable for any damages or injuries to the said road or street which may be caused by or result from any operations undertaken by the Government, and no claim or right to compensation shall accrue from such damages or injuries.*

6. The United States reserves the right to make such connections between the road or street herein authorized and roads and streets on said lands as the Chief of Engineers may from time to time consider necessary, and also reserves to itself rights-of-way for all purposes across, over, and/or under the right-of-way hereby granted; provided, however, that such rights shall be used in a manner that will not create unnecessary interference with the use and enjoyment by the grantee of said right-of-way for highway purposes.

7. It is to be understood that this instrument is effective only insofar as the rights of the United States in the property over which the said road or street is to be extended are concerned, and that the grantee shall obtain such permission as may be necessary on account of any other existing rights.

8. All or any part of such right-of-way herein granted may be terminated by the Secretary of the Army for failure to comply with any or all of the terms or conditions of this grant, or for non-use for a two-year period or abandonment of rights granted herein.

9. It is understood that the provisions of Conditions Nos. 1 and 5, supra, shall not abrogate or interfere with any agreements or commitments made or entered into between the grantee and any other agency of the United States with regard to financial aid to the grantee in connection with the construction, maintenance, or repair of the road or street described herein.

10. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the use and occupation of the said premises, nor for damages to the property of the grantee, or for injuries to the person of the grantee (if an individual), nor for damages to the property or injuries to the person of the grantee's officers, agents, servants, or employees, or others who may be on said premises at their invitation or the invitation of any one of them, arising from or incident to governmental activities, and the grantee shall hold the United States harmless from any and all such claims.

11. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the construction, maintenance, and use of said road or street.

12. The term of this easement shall be for a fifty (50) year period beginning 14 August 1967 and ending 13 August 2017.

That prior to the execution of this easement the granting clause was altered and Condition 12 was added.

This easement is not subject to Title 10, United States Code, Section 2662.

IN WITNESS WHEREOF I have hereunto set my hand this 17th day of November 1975, by authority of the Secretary of the Army

APPROVED AS TO FORM AND CONTENT:
YUBA COUNTY WATER AGENCY

U. S. GOVERNMENT PRINTING OFFICE 16-72225-1

BY: Harold J. Spudis
TITLE: Chairman

DATE: May 13, 1975

Edward Gowen
EDWARD GOWEN
Acting Director of Real Estate
Office, Chief of Engineers
Department of the Army

NEW NARROWS ACCESS ROAD
DESCRIPTION FOR EASEMENT

A portion of the Southwest One-quarter of Section 14, Township 16 North, Range 6 East, M.D.B.&M. and being more particularly described as follows:

Beginning at a point on the South line of said Southwest One-quarter, which lies S 86°11'20" E - 1393.31 feet from the Southwest corner of said Section 14; thence from said point of beginning N 65°52'00" E - 21.39; thence on a curve to the left having a radius of 50.00 feet, through a central angle of 42°01'00" an arc length of 36.67 feet; thence N 23°51'00" E 299.61 feet; thence on a curve to the left having a radius of 150.00 feet, through a central angle of 19°27'00" an arc length of 50.92 feet; thence N 4°24'00" E - 71.02 feet; thence on a curve to the right having a radius of 350.00 feet, through a central angle of 14°29'00" an arc length of 38.48 feet; thence N 18°53'00" E - 211.70 feet; thence on a curve to the left having a radius of 350.00 feet, through a central angle of 2°03'00" an arc length of 49.17 feet; thence N 10°50'00" E - 61.27 feet; thence on a curve to the right having a radius of 450.00 feet, through a central angle of 7°55'00" an arc length of 62.18 feet; thence N 18°45'00" E - 217.45 feet; thence on a curve to the right having a radius of 550.00 feet, through a central angle of 8°40'00" an arc length of 83.20 feet; thence N 27°25'00" E 110.19 feet; thence S 72°16'00" W - 133.28 feet; thence on a curve to the right having a radius of 150.00 feet, through a central angle of 37°51'00" an arc length of 99.09 feet; thence N 69°53'00" W - 320.08 feet to a point which lies S 87°20'25" E - 15.43 feet from the center of the Southwest One-quarter of said Section 14; thence S 87°20'25" E - 659.37 feet; thence S 27°25'00" W - 208.16 feet; thence on a curve to the left having a radius of 450.00 feet, through a central angle of 8°40'00" an arc length of 63.22 feet; thence S 18°45'00" W - 217.45 feet; thence on a curve to the left having a radius of 350.00 feet, through a central angle of 7°55'00" an arc length of 48.36 feet; thence S 10°50'00" W - 61.27 feet; thence on a curve to the right having a radius of 450.00 feet, through a central angle of 8°03'00" an arc length of 63.22 feet; thence S 18°53'00" W - 211.70 feet; thence on a curve to the left having a radius of 250.00 feet, through a central angle of 14°29'00" an arc length of 63.20 feet; thence S 4°24'00" W 71.02 feet; thence on a curve to the right having a radius of 250.00 feet, through a central angle of 19°27'00" an arc length of 84.87 feet; thence S 23°51'00" W 253.44 feet; thence N 30°35'00" E - 36.71 feet; thence on a curve to the right having a radius of 250.00 feet, through a central angle of 19°12'00" an arc length of 83.78 feet; thence N 49°47'00" E 234.71 feet; thence on a curve to the left having a radius of 250.00 feet, through a central angle of 12°11'00" an arc length of 53.16 feet; thence N 37°36'00" E - 403.45 feet; thence South 163.90 feet; thence S 37°36'00" W - 273.60 feet; thence on a curve to the right having a radius of 350.00 feet, through a central angle of 12°11'00" an arc length of 74.42 feet; thence S 49°47'00" W - 234.71 feet; thence on a curve to the left having a radius of 150.00 feet, through a central angle of 19°12'00" an arc length of 50.27 feet; thence S 30°35'00" W 37.95 feet to the South line of the Southwest One-quarter of Section 14:

EXHIBIT "A"

thence along said South line N 86°11'20" W - 240.91 feet to the point of beginning.

All bearings are referred to the California Coordinate System, Grid Zone II.

All distances are grid distances as defined by the California Coordinate System, Grid Zone II. They may be converted to actual ground distances by adding 0.016 foot per 100.00 feet to all distances.