

**TEMPORARY CONSTRUCTION EASEMENT DEED**  
**(NOT FOR RECORDATION)**

CABRILLO UNIFIED SCHOOL DISTRICT, as Grantor herein, owner of that certain property situated in unincorporated County of San Mateo currently referred to as Assessor's Parcel Number 047-330-020, and also known as 400 Santiago Street, Half Moon Bay, California (hereinafter the "Property"),

FOR A VALUABLE CONSIDERATION, DOES HEREBY GRANT TO

COUNTY OF SAN MATEO, a political subdivision of the State of California, its authorized agents, contractors, officers and employees, as Grantee herein, a temporary construction easement (hereinafter the "TCE"), including the right to enter upon, store, and move equipment and materials to facilitate the construction of certain multi-use public trail improvements and other appurtenances (hereinafter the "Trail Facilities") in accordance with specifications of Grantee in, on, over, along, under, and across a portion of the Property described and shown in **EXHIBIT "A" attached hereto and made a part hereof** (the "TCE Area").

It is contemplated that this TCE shall be for a period of one (1) year, which shall begin upon the date construction of the Trail Facilities commences on the TCE area. This TCE shall terminate upon the filing of a "Notice of Completion" by Grantee's contractor performing the above-mentioned work, or by notification by Grantee that construction has been completed. However, in the event construction is not completed within said one (1) year period, the TCE shall be extended until such completion.

The Grantee, its authorized agents, employees and contractors shall exercise reasonable precautions necessary to prevent damage to and protect the Property during Grantee's entry thereon.

By Grantee's exercise of this TCE, Grantor assumes no liability for loss or damage to Grantee's property, or injury to or death of any agent, employee, or contractor of Grantee, unless said loss, damage, injury, or death is as a result, in part or wholly, of Grantor's breach of a legal duty.

Grantee agrees to defend, indemnify and hold Grantor harmless from any claims or damages resulting from Grantee's use of the TCE, unless said claims or damages are as a result, in part or wholly, of Grantor's breach of a legal duty.

Grantee, its authorized agents, employees, and contractors shall replace and/or repair any improvements outside of the permanent Trail Easement destroyed or damaged as a result of the rights granted under this TCE. If any improvements outside of the permanent Trail Easement are damaged or removed by Grantee, its authorized agents, employees, or contractors, they shall be restored or replaced by Grantee to as near the original condition and location as is practicable. If any mature trees outside of the permanent Trail Easement are damaged to the extent that they

do not survive, Grantee shall replace each such tree with two of the same species of trees of not less than 5-gallon size as Grantor's sole remedy.

IN WITNESS WHEREOF, Grantor and Grantee have executed this Temporary Construction Easement Deed as of the dates set forth below.

**"Grantor"**  
CABRILLO UNIFIED SCHOOL DISTRICT

By:   
Sean McPhetridge, Ed.D., Secretary  
Board of Trustees

Date: 2/12/21

**"Grantee"**  
COUNTY OF SAN MATEO

By: \_\_\_\_\_  
David J. Canepa, President  
Board of Supervisors

Date: \_\_\_\_\_



ENGINEERS  
SURVEYORS  
PLANNERS

December 16, 2020  
Project No. 20140242

**LEGAL DESCRIPTION  
TEMPORARY CONSTRUCTION EASEMENT**

All that certain real property situate in the city of Half Moon Bay, County of San Mateo, State of California, described as follows:

Being a portion of the lands described in that certain document entitled "GRANT DEED" recorded on September 23, 1954 in Volume 2656, Page 563 Official Records of said county, being more particularly described as follows:

**BEGINNING** at the southerly corner of the lands described in said Grant Deed, said point being on the northerly right of way line of Cabrillo Highway;

Thence along said northerly right of way line, North  $62^{\circ}52'24''$  West, 551.47 feet to the **TRUE POINT OF BEGINNING** of this description;

Thence continuing northwesterly along said right of way line, North  $62^{\circ}52'24''$  West, 59.12 feet;

Thence leaving said right of way line, North  $42^{\circ}53'46''$  West, 119.47 feet to the beginning of a tangent curve to the left;

Thence along said curve having a radius of 94.00 feet, through a central angle of  $39^{\circ}41'04''$ , for an arc length of 65.11 feet;

Thence North  $82^{\circ}34'50''$  West, 121.49 feet to said northerly right of way line;

Thence along said right of way line, North  $62^{\circ}52'24''$  West, 57.60 feet to the beginning of a non-tangent curve concave southerly, whose radius point bears South  $41^{\circ}59'11''$  East;

Thence leaving said right of way line, easterly along said curve having a radius of 36.00 feet, through a central angle of  $49^{\circ}24'21''$ , for an arc length of 31.04 feet;

Thence South  $82^{\circ}34'50''$  East, 148.38 feet to the beginning of a tangent curve to the right;

Thence along said curve having a radius of 126.00 feet, through a central angle of  $10^{\circ}07'25''$ , for an arc length of 22.26 feet;

Thence North  $26^{\circ}31'53''$  East, 3.74 feet;

Thence North  $89^{\circ}09'37''$  East, 47.66 feet;

Thence South 26°31'53" West, 26.16 feet to the beginning of a non-tangent curve concave southwesterly, whose radius point bears South 36°52'56" West;

Thence southeasterly along said curve having a radius of 126.00 feet, through a central angle of 10°13'18", for an arc length of 22.48 feet;

Thence South 42°53'46" East, 148.38 feet to the beginning of a tangent curve to the right;

Thence along said curve having a radius of 36.00 feet, through a central angle of 47°45'48", for an arc length of 30.01 feet to the **TRUE POINT OF BEGINNING**.

Containing 12,955 square feet more or less.

**BASIS OF BEARINGS:**

The bearings were based on NAD 83, California Coordinate System of 1983, EPOCH 2011. Distances shown hereon are ground level distances. Multiply distances by 0.99999714 to obtain grid values.

A plat showing the above described parcel is attached hereto and made a part hereof.

This legal description was prepared by me or under my direction in conformance with the requirements of the Professional Land Surveyors' Act.



\_\_\_\_\_  
David Jungmann, PLS 9267



12/16/2020

Date

**END OF DESCRIPTION**

