

Principles and Procedures of the Seaside Basin Monitoring and Management Plan

Introduction

This document sets forth the criteria that will guide the Watermaster in creating the Seaside Basin Monitoring and Management Plan. It also establishes a procedure for dealing with seawater intrusion, should the same occur, during the time the Watermaster is developing its plan of action to deal with such an eventuality.

Plan Criteria

Within sixty days of entry of the Judgment by the Court, the Watermaster will submit for the Court's approval a Monitoring and Management Plan containing details for implementation of the following actions:

- a. *Exploratory borehole drilling program.* About four exploratory boreholes shall be drilled along the shoreline and the northern boundary of the Basin to depths ranging from 500 to 1500 feet, the depth being controlled by the depth of the Monterey formations. Lithologic samples shall be collected and classified for every one foot of drilling. A full suite of geophysical logs shall be collected. The data collected as part of this program shall be compared to other well data in the Seaside Basin to further refine the hydrogeologic conceptual model in the areas between the production wells and saline groundwater.
- b. *Geophysical surveys.* Geophysical surveys shall be performed along the shoreline and the northern boundary of the Basin, intersecting the test borehole locations. The results of the geophysical surveys shall be calibrated against the test borehole data. The borehole data and the surveys shall be analyzed to characterize the near shore hydrology and to locate and design new monitoring wells.
- c. *New monitoring wells.* About four to six monitoring well clusters shall be drilled and installed along the shoreline and the northern boundary of the Basin. Each cluster shall consist of at least four to five wells to provide a detailed vertical characterization of head and water quality through the aquifer system. The Watermaster shall coordinate the placement of the wells with MPWMD, which already has some monitoring wells in place with plans to drill more, to avoid duplication of effort and cost inefficiencies.

- d. *Design and implementation of a piezometric and water quality monitoring program.* Pressure transducers and ionic probes (EC and Cl) shall be installed in each well at each cluster. These probes will record water levels and water quality on a frequent interval (every 15 minutes for water levels, and every day for water quality). Where possible, similar probes will be installed in the pumping wells to record water levels and on/off cycles. Grab samples will be obtained periodically to true up the ionic probes. These data will be analyzed to assess the state of seawater intrusion, reveal groundwater barriers within the aquifer system, and more accurately estimate aquifer system parameters.
- e. *Development and implementation of a management program.* The objectives of the management program will be to optimize pumping, halt seawater intrusion, and return the Basin to equilibrium through implementation of conservation methods; replacement of water drawdown by substitution of reclaimed water, where appropriate; infusion of imported water into the aquifer; and utilization of controlled pumping schedules through analysis of real-time monitoring.

The management program will include periodic review of monitoring information and the use of this review to guide near-term and long-term groundwater pumping. If seawater is detected by the MPWMD monitoring wells currently in place, or by pumping wells, or by the monitoring well system contemplated by this document, the Watermaster shall follow the procedures developed pursuant to the mandate of the following paragraph. If it is detected before such procedures are in place, the Watermaster shall follow the procedure set forth in the *Interim Contingency Procedure to Contain Seawater Intrusion*, infra.

Within one year after entry of the Judgment by the Court, the Watermaster will: (a) develop improved estimates of the natural and secondary recharge within the Seaside Basin; (b) develop and implement a program for collecting groundwater production, water use, and land use data for the Seaside Basin and appropriate adjacent areas; (c) develop a suitable groundwater model of the Seaside Basin and appropriate adjacent areas; (d) develop a plan of action to be implemented to avoid various adverse effects in the Basin, including seawater intrusion; and (e) develop a plan of action to contain seawater intrusion, should it occur. The plan of action to avoid adverse effects in the Basin shall include a timeline for the importation of Non-Native water for spreading or injection into the Basin, and for acquisition of recycled water in lieu of Native Water production, and shall outline concrete steps to be taken to secure both Non-Native Water and recycled water.

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Interim Contingency Procedure to Contain Seawater Intrusion

If Seawater intrusion is detected in the Basin during the development of the Watermaster's Management Plan, the following contingency plan will be set in motion to prevent seawater from contaminating larger portions of the Basin:

- a. *Detection in a coastal monitoring well.* If seawater intrusion is detected in a coastal monitoring well, it is imperative that pumping stresses be reduced so that seawater is not pulled inland to producing wells. To accomplish this, all wells that produce from the intruded aquifer that are within one-half mile of the affected monitoring well will reduce their production to the equivalent of one-half their previous five-year pumping average. Monitoring of groundwater levels within the one-half mile radius of the affected well will be increased to determine if groundwater gradients following reductions in pumping have been modified sufficiently to prevent further seawater intrusion. This increase in monitoring effort will include installing at least one new monitoring well as a sentinel between the affected monitoring well and the nearest down-gradient active production well. After six months of reduced pumping, the threat of further seawater intrusion will be re-evaluated. If there continues to be a groundwater gradient that would pull the detected seawater toward producing wells, the pumping wells within one-half mile of the affected monitoring well will further reduce pumping to one-third of their previous five-year pumping average. After another six months of monitoring, the direction of groundwater gradients will again be evaluated. If there continues to be a groundwater gradient that would pull the detected seawater towards producing wells, then the wells with reduced pumping will discontinue pumping. If, after the initial discovery of intrusion, seawater is encountered in an additional monitoring well, pumping reductions will be required for nearby producing wells in the same manner as for the first intruded monitoring well.
- b. *Detection in a production well.* If seawater intrusion is encountered in a production well, that well will discontinue pumping. In addition, all wells that produce from the intruded aquifer that are within one-half mile of the affected well will reduce their production to the equivalent of one-half of their previous five-year pumping average. The sequence of threat evaluation, subsequent pumping reductions, and installation of new monitoring wells will be the same as for that in subparagraph a.

If the implementation of the procedures set forth above causes a production well to reduce its pumping or to cease pumping altogether, all reasonable efforts must be undertaken by the Watermaster to insure that lost production will be replaced by redistributing pumping, further conservation efforts on the part of all parties, or provision of replacement water from other sources.

Parcel Descriptions

Legal description:Parcel I:

A part of Rancho Noche Buena and Monterey City Lands Tract No. 1 in County of Monterey, State of California, being a part of that certain 86.75 acre tract of land conveyed by T.A. Work, et ux, to Mrs. E. Roberts by Deed dated May 16, 1921, recorded in Vol. 13 of Official Records at page 444, Records of Monterey County, and particularly described as follows:

Beginning at a 4" x 4" post standing at northeasterly corner of the above mentioned 86.75 acre tract of land and in the westerly boundary of that certain strip of land, 100 feet wide, as conveyed by David Jacks, to Monterey Railroad Company by Deed dated May 1, 1880, recorded in Vol. Z of Deeds at page 472, Records of Monterey County (now known as the right of way of the Southern Pacific Railroad, Monterey Branch) and from which point of beginning the S.P.R.R. Engineer's station 594 + 60.0 C.C.T. 201/2 in center line of tract bears S. 60° 10' E., 50.3 feet distant; thence southerly along westerly boundary of said 100 foot strip of land for a distance of 1570 feet, a little more or less, to a 4" x 4" post marked "AT 1386.6" "SPRR LINE," from which SPRR Engineer's Station 610 + 51.0, C.C.T.2 in centerline of tract bears S. 63° 21' E., 61.1 feet distant; thence leave said westerly boundary and running N. 53° 06' W., 1386.6 feet, at 765.6 feet to a 4" x 4" post marked "A + 621.0" "LINE", at 1243.1 feet at a 4" x 4" post marked "AT 143.5" "LINE" "WP", 1386.6 feet to a point in the mean high water line of Monterey Bay; thence along mean high water of Monterey Bay, N. 32° 08 1/2' E., 1500 feet to a point in the Northerly boundary of said 86.75 acre tract; thence along said northerly boundary up middle of canyon S. 53° 06' E., 1115.0 feet, at 132.6 feet a 4" x 4" post marked "AT 132.6" "WP" at 523.8 feet to a 4" x 6" post marked "AT 523.8" at 905.0 feet a 4" x 4" fencepost, 1115.0 feet to the place of beginning. Courses all true, declination of magnetic needle being 17° 30' East.

Excepting therefrom all that certain real property described in the Final Order of Condemnation issued out of the Superior Court of the State of California for the County of Monterey, Case No. 55706 entitled The People of the State of California, acting by and through the Department of Public Works, plaintiff, vs. Bank of America National Trust and Savings Association, et al, defendants, recorded April 1, 1966 in Reel 455 of Official Records of Monterey County at Page 620.

Parcel II:

That certain tract of land conveyed by T.A. Work, et ux, to Edith A. Roberts by Deed dated January 3, 1927 and recorded in Volume 102 of Official Records at page 129, records of Monterey County, particularly described as follows:

Beginning at the above mentioned 4" x 4" post standing at the northeast corner of the first above described tract; thence northerly along westerly boundary of the above mentioned 100 foot strip of railroad property for a distance of 210.0 feet; thence in a direct line to a 4" x 4"

Legal description -- page 2:

fence post in the northerly boundary of the said 86.75 acre tract which bears N. 53° 06' W., 210.0 feet from the place of beginning; thence along said northerly boundary S. 53° 06' E., 210.0 feet to the place of beginning. Courses all true, variation of the magnetic needle 17° 30' East.

-APNS: 011-501-004
011-501-014

END OF DOCUMENT

**Legal Description of York School Parcels Subject to
Stipulated Judgment**

Legal Description

Parcels 1 and 2, as shown and designated on that certain Record of Survey filed on September 27, 1996 in Volume 20 of Surveys at Page 75, records of Monterey County, California.

APN 031-131-005 [5.41 acre parcel]

APN 031-131-006 [101.19 acre parcel]

SURVEYOR'S STATEMENT

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE LAND SURVEYOR'S ACT AT THE REQUEST OF THE YORK SCHOOL BOARD SURVYOR 11906.

JOHN N. VAN ZANDER
R.C.E. #15310
STATE OF CALIFORNIA
EXPIRES 31 MARCH 1997



RECORDER'S STATEMENT

FILED FOR RECORD AT THE REQUEST OF BESTON ENGINEERS, INC.
THIS COPY DAY OF SEPTEMBER 1996, AT 2:12 P.M., IN VOLUME 520
OF SURVEYS MAPS AT PAGE 25, RECORDS OF MONTEREY COUNTY,
CALIFORNIA

BRUCE A. REEVES
COUNTY RECORDER

SERIAL NO. 57246

Page: 7-00

COUNTY SURVEYOR'S STATEMENT

THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8788
OF THE LAND SURVEYOR'S ACT THIS 21 DAY OF DECEMBER 1996.

Jackie L. Latham
COUNTY SURVEYOR 2007/11



RECORD OF SURVEY
BOUNDARY OF A 101.19 & 5.41 ACRE PARCEL
BEING A PORTION
OF FORT ORD MILITARY RESERVATION

MONTEREY CITY LANDS TRACT No. 1
MONTEREY COUNTY, CALIFORNIA

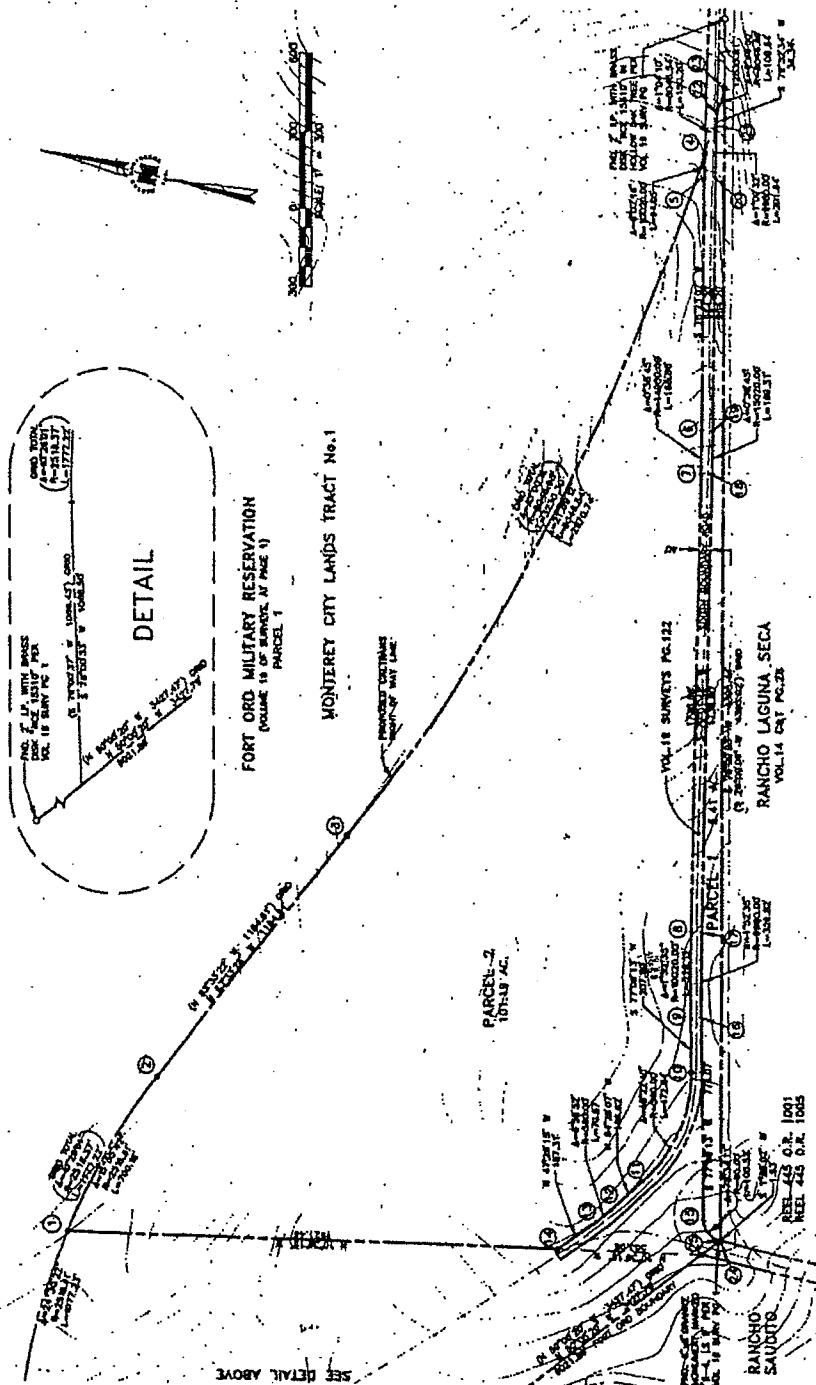
YORK SCHOOL

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RESTOR ENGINEERS, INC.

COAL EXPOSURE : - SURVEYING - LANE PLANNING
9789 BLUE LAKEVIEW LANE, MONTEREY, CALIFORNIA 96040
SCALE: 1"-300' DATE: AUGUST 1988 WD: 5604

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LEGEND

- DENOTES SET 1" IRON PIPE WITH PLASTIC PLUG *RCE 15310*
- FOUND 1 1/2" IRON PIPE WITH BRASS DISK *R.C.E. 15310*, UNLESS OTHERWISE NOTED.
- + DENOTES NOTHING SET.

BASIS OF BEARINGS:

THE BASES OF BEARINGS FOR THE SURVEY IS THE GRID BEARING OF A POINT 407° E FROM THE CALIFORNIA HIGH PRECISION GEODETIC NETWORK (CHPN) CONTROL STATION CA HPON ON 17° AND "841 3450 N TRUE". THE HORIZONTAL DATUM IS THE NORTH AMERICAN DATUM OF 1983 (NAD 83). THE GRID BEARING IS BASED ON THE LAURENT CLAYTON PROJECTION FOR CALIFORNIA STATE PLANE ZONE 4. THE COORDINATES FOR THE TWO POINTS ESTABLISHED IN THE CALIFORNIA DEPARTMENT OF WATER RESOURCES' TRANSFORMATION OF COORDINATES (TRANSFORM) SURVEY ARE LISTED IN TABLE I. THE BEARINGS FOR THIS SURVEY WERE ESTABLISHED USING GLOBAL POSITIONING SYSTEM (GPS), FAST-STATIC SURVEYING TECHNIQUES.



**Legal Description of a 5.41 Acre Parcel
On the Former Fort Ord Military Reservation
(Designated as Parcel L3.1)**

Certain real property situate in Monterey City Lands Tract No. 1, in the County of Monterey, State of California described as follows:

Parcel 1 as shown on that certain Record of Survey filed in Volume 20, Page 75 of Surveys in the office of the County Recorder of said county, more particularly described as follows:

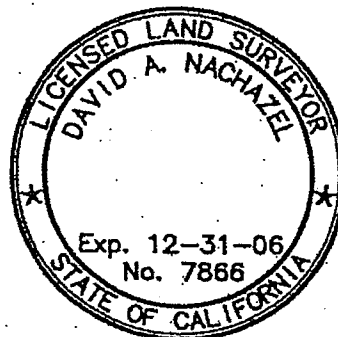
Beginning at a 1 inch iron pipe with plastic plug stamped "RCE 15310" marking the most easterly corner of said Parcel 1; thence

- 1) South $78^{\circ}00'03''$ West, 4,395.44 feet to a 6" x 8" granite monument marked "S-4, LS 8" marking the most westerly corner of said Parcel 1; thence
- 2) North $01^{\circ}35'02''$ East, 1.93 feet to the beginning of a curve concave to the southeast having a radius of 80.00 feet; thence
- 3) Northeasterly 105.52 feet along said curve through a central angle of $75^{\circ}34'11''$; thence
- 4) North $77^{\circ}09'13''$ East, 776.07 feet to the beginning of a curve concave to the south having a radius of 9,980.00 feet; thence
- 5) Easterly 326.82 feet along said curve through a central angle of $01^{\circ}52'35''$; thence
- 6) North $79^{\circ}01'48''$ East, 1,738.80 feet to the beginning of a curve concave to the north having a radius of 15,020.00 feet; thence
- 7) Easterly 169.31 feet along said curve through a central angle of $00^{\circ}38'45''$; thence
- 8) North $78^{\circ}23'02''$ East, 964.20 feet to the beginning of a curve concave to the south having a radius of 9,980.00 feet; thence
- 9) Easterly 201.84 feet along said curve through a central angle of $01^{\circ}09'32''$; thence
- 10) North $79^{\circ}32'34''$ East, 36.34 feet to the beginning of a non-tangent curve concave to the north having a radius of 8,046.54 feet, and to which beginning a radial bears South $04^{\circ}13'13''$ West; thence
- 11) Easterly 109.62 feet along said curve through a central angle of $00^{\circ}46'50''$ to the **Point of Beginning**.

Containing 5.41 Acres, more or less.

Dated: March 22, 2005

Bestor Engineers, Inc.
David Nachazel
Licensed Surveyor #7866
State of California
Expires: 31 December 2006



**Legal Description of a 101.19 Acre Parcel
On the Former Fort Ord Military Reservation
(Designated as Parcel L3.2)**

Certain real property situate in Monterey City Lands Tract No. 1, in the County of Monterey, State of California described as follows:

Parcel 2 as shown on that certain Record of Survey filed in Volume 20, Page 75 of Surveys in the office of the County Recorder of said county, more particularly described as follows:

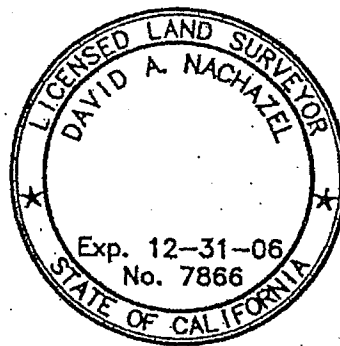
Beginning at a 1 inch iron pipe with plastic plug stamped "RCE 15310" marking the most easterly corner of said Parcel 2, said point being the beginning of a non-tangent curve concave to the south having a radius of 10,020.00 feet, and to which beginning a radial bears North 11°04'42" West, said point also being on the northerly boundary of that certain 40 foot wide right-of-way of South Boundary Road as said right-of-way is shown and designated as Parcel 3 as per map filed in Volume 19, Page 122 of Surveys in the office of the County Recorder of said county; thence along said northerly boundary

- 1) Westerly, 94.05 feet through a central angle of 00°32'16"; thence
- 2) South 78°23'02" West, 964.20 feet to the beginning of a curve concave to the north having a radius of 14,980.00 feet; thence
- 3) Westerly, 168.86 feet along said curve through a central angle of 00°38'45"; thence
- 4) South 79°01'48" West, 1,738.80 feet to the beginning of a curve concave to the south having a radius of 10,020.00 feet; thence
- 5) Westerly, 328.13 feet along said curve through a central angle of 01°52'35"; thence
- 6) South 77°09'13" West, 207.00 feet to the beginning of a curve concave to the north having a radius of 560.00 feet; thence
- 7) Westerly, 472.84 feet along said curve through a central angle of 48°22'40"; thence
- 8) North 54°28'07" West, 166.62 feet to the beginning of a curve concave to the northeast having a radius of 580.00 feet; thence
- 9) Northwesterly, 70.67 feet along said curve through a central angle of 06°58'52"; thence
- 10) North 47°29'15" West, 187.31; thence
- 11) North 10°36'16" West, 1,921.46 feet to the beginning of a non-tangent curve concave to the south having a radius of 2,518.61 feet, and to which beginning a radial bears North 10°30'53" East; thence
- 12) Easterly, 700.18 feet along said curve through a central angle of 15°55'42"; thence
- 13) South 63°33'25" East, 1,184.91 feet to the beginning of a curve concave to the north having a radius of 8,046.54 feet; thence
- 14) Easterly, 2,970.74 feet along said curve through a central angle of 21°09'12" to the most easterly corner of said Parcel 2 and to the **Point of Beginning**.

Containing 101.19 Acres, more or less.

Dated: September 15, 2005

Bestor Engineers, Inc.
David Nachazel
Licensed Surveyor #7866
State of California
Expires: 31 December 2006



SAND CITY PARCELS

PARCEL I

A PARCEL OF LAND IN THE CITY OF SAND CITY LOCATED WITHIN THE "MAP OF EAST MONTEREY, MONTEREY COUNTY, CA" BEGINNING AT THE MOST SOUTHERLY CORNER OF LOT 14 IN BLOCK 33 AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP OF EAST MONTEREY, MONTEREY COUNTY, CA., SURVEYED BY W.C. LITTLE," FILED FOR RECORD OCTOBER 18, 1887 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA IN VOLUME 1 OF MAPS, "CITIES AND TOWNS" AT PAGE 22, THENCE:

- NORTH 0°05'45" WEST, 271.91 FEET; THENCE
- NORTH 89°54'15" EAST, 50.00 FEET; THENCE
- NORTH 0°05'45" WEST, 50.00 FEET; THENCE
- NORTH 89°54'15" EAST, 50.00 FEET; THENCE
- NORTH 0°05'45" WEST, 149.82 FEET; THENCE
- NORTH 89°54'15" EAST, 300.00 FEET; THENCE
- SOUTH 0°05'45" EAST, 192.16 FEET TO THE NORTHERN RIGHT-OF-WAY LINE OF THE FORMER SOUTHERN PACIFIC RAILROAD (TAMC PROPERTY); THENCE
- ALONG SAID RIGHT-OF-WAY NORTH 55°02'51" EAST, 904.00 FEET MORE OR LESS TO THE INTERSECTION WITH THE SOUTHERN RIGHT-OF-WAY LINE OF REDWOOD AVENUE AS SHOWN ON SAID "MAP OF EAST MONTEREY"; THENCE
- SOUTH 34°57'09" EAST, 35.00 FEET; THENCE
- SOUTH 55°02'51" WEST, 1527.83 FEET MORE OR LESS TO A POINT WHICH IS SOUTH 34°57'09" EAST OF THE INTERSECTION OF THE NORTHERN RIGHT-OF-WAY LINE OF THE FORMER SOUTHERN PACIFIC RAILROAD (TAMC PROPERTY) AND THE NORTHERN RIGHT-OF-WAY LINE OF ORANGE AVENUE AS SHOWN ON SAID "MAP OF EAST MONTEREY"; THENCE
- NORTH 34°57'09" EAST, 35.00 FEET TO THE INTERSECTION OF SAID LINES; THENCE
- NORTH 55°02'51" EAST, 136.39 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.88 ACRES MORE OR LESS.

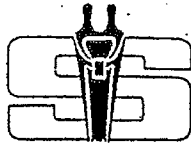
PARCEL II

A PARCEL OF LAND IN THE CITY OF SAND CITY LOCATED WITHIN THE "MAP OF EAST MONTEREY, MONTEREY COUNTY, CA" AND THE "SEASIDE ADDITION TO THE MAP OF EAST MONTEREY, MONTEREY, CA" BEGINNING AT THE MOST WESTERLY CORNER OF LOT 1 IN BLOCK 40 AS SHOWN ON THAT CERTAIN MAP ENTITLED "MAP OF EAST MONTEREY, MONTEREY COUNTY, CA, SURVEYED BY W.C. LITTLE," FILED FOR RECORD OCTOBER 18, 1887 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA IN VOLUME 1 OF MAPS, "CITIES AND TOWNS" AT PAGE 22, THENCE:

- NORTH 0°17'58" WEST, 197.63 FEET TO THE INTERSECTION OF THE MOST EASTERLY LINE OF BLOCK 4 OF THE SEASIDE ADDITION; THENCE
- NORTH 31°36'14" WEST, 126.44 FEET; THENCE
- SOUTH 74°12'10" WEST, 106.54 FEET; THENCE
- NORTH 15°47'31" WEST, 163.92 FEET; THENCE
- NORTH 63°39'31" EAST, 24.52 FEET; THENCE
- NORTH 29°04'20" EAST, 42.40 FEET; THENCE
- SOUTH 60°55'40" EAST, 75.72 FEET; THENCE
- NORTH 66°23'15" EAST, 160.35 FEET; THENCE
- SOUTH 31°53'22" EAST, 227.98 FEET; THENCE
- NORTH 74°24'06" EAST, 115.97 FEET; THENCE
- SOUTH 15°35'54" EAST, 50.00 FEET; THENCE
- SOUTH 74°24'06" WEST, 101.20 FEET; THENCE
- SOUTH 32°12'24" EAST, 103.74 FEET TO THE NORTHERLY LINE OF BLOCK 4 AS SHOWN ON THE "MAP OF EAST MONTEREY"; THENCE
- SOUTH 74°34'15" WEST, 175.96 FEET; THENCE
- SOUTH 0°17'58" EAST, 125.00 FEET; THENCE
- NORTH 89°49'37" WEST, 75.21 FEET TO THE POINT OF BEGINNING.

CONTAINING 2.44 ACRES MORE OR LESS.





Sanctity of Contract

ESCALANTE OFFICE:
STEWART TITLE OF CALIFORNIA, INC.
450 Lincoln, Suite 101
Salinas, California 93901
(831) 424-0334/FAX (831) 424-9867
www.stewartmonterey.com
Contact: CLARA BABER

STEWART TITLE OF CALIFORNIA, INC.

PRELIMINARY REPORT

PROPERTY ADDRESS:

1 MCCLURE WAY
SEASIDE, CA

OUR ORDER NO.: 01114905

REFERENCE NO: FT. ORD GOLF COURSES

In response to the above referenced application for a policy of title insurance, Stewart Title of California, Inc. hereby reports that is prepared to issue, or cause to be issued, as of the date hereof a Policy or Policies of Title Insurance describing the land at the estate or therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception in Schedule B or not excluded from coverage pursuant to the printed Schedules, Conditions, and Stipulations of said Policy forms.

The printed Exceptions and Exclusions from the coverage of said Policy or Policies are set forth in the attached list. Copies of the Policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit B of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.

THIS REPORT (AND ANY SUPPLEMENTS OR AMENDMENTS HERETO) IS ISSUED FOR THE PURPOSE OF FACILITATING THE ISSUANCE OF A POLICY OF TITLE INSURANCE AND NO LIABILITY IS ASSUMED HEREBY. IF IT IS DESIRED THAT LIABILITY BE ASSUMED PRIOR TO THE ISSUANCE OF A POLICY OF TITLE INSURANCE, A BINDER OR COMMITMENT SHOULD BE REQUESTED.

SCHEDULE A

Order No.: 01114905

Dated as of: August 02, 2001 at 7:30 A.M.

The form of policy of title insurance contemplated by this report is:

American Land Title Association Loan Policy

California Land Title Association Owners Policy

The estate or interest in the land hereinafter described or referred to covered by this report is:

A FEE AS TO PARCEL(S) 1, 2, AND 3 HEREIN DESCRIBED AND
EASEMENT(S) MORE PARTICULARLY DESCRIBED AS TO PARCEL(S) 3A, 3B,
3C, 4, 5 AND 6

Title to said estate or interest at the date hereof is vested in:

THE CITY OF SEASIDE, a political subdivision of the State of
California

The land referred to in this report is situated in the State of California, County of MONTEREY,
in City of SEASIDE and is described as follows:

SEE LEGAL ATTACHMENT



LEGAL DESCRIPTION

Order No.: 01114905

The land referred to herein is situated in the State of California, County of MONTEREY, City of SEASIDE described as follows:

PARCEL 1:

CERTAIN REAL PROPERTY SITUATE IN RANCHO NOCHE BUENA, COUNTY OF MONTEREY, STATE OF CALIFORNIA, PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN ANGLE POINT ON THE NORTHWESTERLY BOUNDARY OF THAT CERTAIN 375.134 ACRE PARCEL (FORT ORD GOLF COURSES), AS SAID BOUNDARY AND PARCEL ARE SHOWN ON THAT CERTAIN RECORD OF SURVEY MAP FILED NOVEMBER 16, 1994 IN VOLUME 19 OF SURVEY MAPS, AT PAGE 21, RECORDS OF MONTEREY COUNTY, CALIFORNIA, SAID POINT ALSO BEING SHOWN AND DESIGNATED AS CORNER NUMBERED TWENTY-TWO (22) ON SAID MAP (HAVING COORDINATES: NORTHING = 2125520.43 AND EASTING = 5731464.95): THENCE ALONG SAID BOUNDARY

- (1) N. 44° 39' 19" E. 1733.18 FEET; THENCE
- (2) EASTERLY, 414.10 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 470.00 FEET, THROUGH A CENTRAL ANGLE OF 50° 28' 54"; THENCE TANGENTIALLY
- (3) S. 84° 51' 47" E., 1476.58 FEET; THENCE
- (4) NORTHEASTERLY, 468.31 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 530.00 FEET, THROUGH A CENTRAL ANGLE OF 50° 37' 37"; THENCE TANGENTIALLY
- (5) N. 44° 30' 36" E., 436.91 FEET TO THE MOST NORTHERLY CORNER OF SAID PARCEL; THENCE ALONG THE NORTHEASTERLY BOUNDARY OF SAID PARCEL
- (6) S. 45° 29' 24" E., 82.00 FEET; THENCE
- (7) S. 61° 45' 31" E., 311.38 FEET; THENCE
- (8) S. 20° 21' 57" E., 41.35 FEET; THENCE
- (9) S. 28° 46' 07" E., 98.84 FEET; THENCE
- (10) S. 32° 16' 38" E., 220.10 FEET; THENCE

Continued on next page

- (11) S. 56° 17' 20" E., 103.07 FEET; THENCE
- (12) S. 52° 37' 09" E., 174.13 FEET; THENCE
- (13) S. 50° 36' 52" E., 376.85 FEET; THENCE
- (14) S. 41° 44' 54" E., 311.38 FEET TO THE NORTHEASTERLY CORNER OF SAID PARCEL; THENCE ALONG THE EASTERLY BOUNDARY OF SAID PARCEL
- (15) S. 23° 22' 44" W., 855.21 FEET; THENCE
- (16) S. 09° 09' 39" E., 430.68 FEET; THENCE LEAVING SAID EASTERLY BOUNDARY
- (17) S. 66° 45' 05" E., 79.92 FEET; THENCE
- (18) S. 23° 14' 55" W., 1707.26 FEET TO THE NORTHEASTERLY CORNER OF THAT CERTAIN 40.092 ACRE PARCEL SHOWN AND DESIGNATED AS "PARCEL 3" ON THAT CERTAIN RECORD OF SURVEY MAP FILED NOVEMBER 18, 1994 IN VOLUME 19 OF SURVEYS, AT PAGE 22, RECORDS OF MONTEREY COUNTY, CALIFORNIA; THENCE ALONG THE NORTHERLY BOUNDARY THEREOF
- (19) N. 79° 34' 35" W., (AT 77.60 FEET, A POINT ON SAID EASTERLY BOUNDARY OF SAID 375.134 ACRE PARCEL), 1025.59 FEET TO THE NORTHWESTERLY CORNER OF SAID PARCEL 3; THENCE ALONG THE COMMON BOUNDARY OF BOTH SAID PARCELS
- (20) S. 23° 14' 55" W., (AT 1852.03 FEET, THE SOUTHEASTERLY CORNER OF SAID 375.134 ACRE PARCEL), 1897.43 FEET TO THE SOUTHWESTERLY CORNER OF SAID PARCEL 3; THENCE LEAVING THE BOUNDARY OF SAID PARCEL 3
- (21) S. 23° 14' 55" W., 77.69 FEET; THENCE
- (22) N. 87° 38' 15" W., 417.95 FEET; THENCE
- (23) N. 02° 10' 44" W., 293.61 FEET; THENCE
- (24) N. 41° 23' 40" W., 33.31 FEET TO AN ANGLE POINT ON THE SOUTHWESTERLY BOUNDARY OF SAID 375.134 ACRE PARCEL; THENCE ALONG

Continued on next page

SAID SOUTHWESTERLY BOUNDARY

- (25) N. 41° 23' 40" W., 225.85 FEET; THENCE
- (26) N. 54° 48' 21" W., 116.12 FEET; THENCE
- (27) N. 70° 30' 41" W., 79.18 FEET; THENCE
- (28) N. 52° 56' 22" W., 364.27 FEET; THENCE
- (29) N. 48° 34' 36" W., 301.92 FEET; THENCE
- (30) N. 01° 05' 39" W., 245.40 FEET; THENCE
- (31) N. 00° 02' 24" W., 238.08 FEET; THENCE
- (32) N. 08° 39' 13" W., 196.46 FEET; THENCE
- (33) N. 10° 58' 04" W., 239.05 FEET; THENCE
- (34) N. 14° 02' 58" W., 479.24 FEET; THENCE
- (35) N. 25° 14' 12" W., 188.26 FEET; THENCE
- (36) N. 45° 42' 30" W., 230.28 FEET; THENCE
- (37) N. 57° 01' 36" W., 147.39 FEET; THENCE
- (38) N. 74° 45' 09" W., 263.40 FEET; THENCE
- (39) N. 08° 25' 05" W., 475.89 FEET; THENCE
- (40) N. 12° 55' 30" E., 35.88 FEET; THENCE
- (41) N. 22° 53' 19" W., 544.56 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION OF SAID LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CERTAIN REAL PROPERTY SITUATE IN RANCHO NOCHE BUENA, COUNTY OF MONTEREY, STATE OF CALIFORNIA, PARTICULARLY DESCRIBED AS FOLLOWS:

Continued on next page

COMMENCING AT THE MOST NORTHERLY CORNER OF THAT CERTAIN 375.134 ACRE PARCEL, AS SAID CORNER AND PARCEL ARE SHOWN ON THAT CERTAIN RECORD OF SURVEY MAP FILED NOVEMBER 16, 1994 IN VOLUME 19 OF SURVEYS, AT PAGE 21, RECORDS OF MONTEREY COUNTY, CALIFORNIA, SAID CORNER ALSO BEING DESIGNATED AS CORNER NUMBERED TWENTY-SEVEN (27) AND BEARS N. 44° 30' 36" E., 436.91 FEET; DISTANT FROM CORNER NUMBERED TWENTY-SIX (26), AS SHOWN ON SAID MAP; THENCE

(A) S. 24° 11' 58" W., 1410.85 FEET TO THE TRUE POINT OF BEGINNING; THENCE

(1) S. 59° 00' 00" E., 270.00 FEET; THENCE

(2) S. 31° 00' 00" W., 350.00 FEET; THENCE

(3) N. 59° 00' 00" W., 270.00 FEET; THENCE

(4) N. 31° 00' 00" E., 350.00 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL WATER RIGHTS TO POTABLE WATER DERIVED FROM THE SALINAS AQUIFER, AS SET FORTH IN THE DEED RECORDED JANUARY 15, 1997 IN REEL 3468, PAGE 1515, OFFICIAL RECORDS.

PARCEL 2:

CERTAIN REAL PROPERTY SITUATE IN RANCHO NOCHE BUENA, COUNTY OF MONTEREY, STATE OF CALIFORNIA, PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A GRANITE MONUMENT MARKED "NB4A", BEING AN ANGLE POINT ON THE SOUTHWESTERLY BOUNDARY OF THAT CERTAIN PARCEL 1 OF THE FORT ORD MILITARY RESERVATION AS SAID PARCEL 1 IS SHOWN ON THAT CERTAIN RECORD OF SURVEY MAP FILED SEPTEMBER 7, 1994 IN VOLUME 19 OF SURVEY MAPS, AT PAGE 1, RECORDS OF MONTEREY COUNTY, CALIFORNIA (HAVING COORDINATES: NORTHING = 2121541.64 AND EASTING = 5734939.34); THENCE

(A) N. 66° 43' 46" W., 3957.11 FEET TO THE TRUE POINT OF BEGINNING (HAVING COORDINATES: NORTHING = 2123104.99 AND EASTING = 5734939.34); THENCE

Continued on next page

(= 5731304.14); THENCE

(1) S. 77° 49' 37" W., 11.76 FEET; THENCE

(2) SOUTHWESTERLY, 145.91 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 85.00 FEET, THROUGH A CENTRAL ANGLE OF 98° 21' 00"; THENCE TANGENTIALLY

(3) S. 20° 31' 23" E., 32.81 FEET; THENCE

(4) S. 55° 53' 55" W., 57.43; THENCE

(5) NORTHWESTERLY 174.74 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 220.00 FEET, THROUGH A CENTRAL ANGLE OF 45° 30' 32"; THENCE TANGENTIALLY

(6) N. 78° 35' 33" W., 90.16 FEET; THENCE

(7) N. 11° 46' 00" E., 271.23 FEET; THENCE

(8) NORTHEASTERLY , 48.21 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET, THROUGH A CENTRAL ANGLE OF 92° 04' 19"; THENCE TANGENTIALLY

(9) S. 76° 09' 41" E., 182.36 FEET; THENCE

(10) SOUTHEASTERLY, 109.41 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 220.00 FEET, THROUGH A CENTRAL ANGLE OF 28° 29' 38" TO THE CURVE POINT OF BEGINNING. AND BEING A PORTION OF SAID PARCEL 1.

EXCEPTING THEREFROM ALL WATER RIGHTS TO POTABLE WATER DERIVED FROM THE SALINAS AQUIFER, AS SET FORTH IN THE DEED RECORDED JANUARY 15, 1997 IN REEL 3468, PAGE 1515, OFFICIAL RECORDS.

PARCEL 3:

CERTAIN REAL PROPERTY SITUATE IN MONTEREY CITY LANDS TRACT NO. 1, COUNTY OF MONTEREY, STATE OF CALIFORNIA, PARTICULARLY DESCRIBED AS FOLLOWS:

Continued on next page

COMMENCING AT A GRANITE MONUMENT MARKED "NB4A", BEING AN ANGLE POINT ON THE SOUTHWESTERLY BOUNDARY OF THAT CERTAIN PARCEL 1 OF THE FORT ORD MILITARY RESERVATION AS SAID PARCEL 1 IS SHOWN ON THAT CERTAIN RECORD OF SURVEY MAP FILED SEPTEMBER 7, 1994 IN VOLUME 19 OF SURVEY MAPS, AT PAGE 1, RECORDS OF MONTEREY COUNTY, CALIFORNIA (HAVING COORDINATES: NORTHING = 2121541.64 AND EASTING = 5734939.34); THENCE

(A) N. 65° 14' 42" E., 1172.01 FEET TO THE TRUE POINT OF BEGINNING (HAVING COORDINATES: NORTHING = 2122032.41 AND EASTING (= 5736003.65); THENCE

(1) N. 23° 20' 00" E., (AT 207.55 FEET, A POINT HEREINAFTER REFERRED TO AS "POINT A"; AT 293.18 FEET, A POINT HEREINAFTER REFERRED TO AS "POINT B") 300 FEET; THENCE

(2) S. 66° 40' 00" E., (AT 118.91 FEET, A POINT HEREINAFTER REFERRED TO AS "POINT C"; AT 149.02 FEET, A POINT HEREINAFTER REFERRED TO AS "POINT D"), 300.00 FEET; THENCE

(3) S. 23° 20' 00" W., (AT 24.05 FEET, A POINT HEREINAFTER REFERRED TO AS "POINT D", AT 55.76 FEET, A POINT HEREINAFTER REFERRED TO AS "POINT E"), 300.00 FEET; THENCE

(4) N. 66° 40' 00" 300.00 FEET TO THE TRUE POINT OF BEGINNING AND BEING A PORTION OF SAID PARCEL 1.

EXCEPTING THEREFROM ALL WATER RIGHTS TO POTABLE WATER DERIVED FROM THE SALINAS AQUIFER, AS SET FORTH IN THE DEED RECORDED JANUARY 15, 1997 IN REEL 3468, PAGE 1515, OFFICIAL RECORDS.

PARCEL 3A:

TOGETHER WITH A 70 FOOT-WIDE EASEMENT FOR WATER LINE PURPOSES OVER THE FOLLOWING DESCRIBED PARCEL.

BEGINNING AT HEREINABOVE DESCRIBED "POINT A"; THENCE

(1) N. 31° 30' 00" W., 874.03 FEET; THENCE

(2) N. 70° 00' 00" W., 120.92 FEET TO A POINT ON THE

Continued on next page

SOUTHEASTERLY BOUNDARY OF THAT CERTAIN 40.092 ACRE PARCEL SHOWN AND DESIGNATED AS "PARCEL 3 (FITCH SCHOOL)" ON THAT CERTAIN RECORD OF SURVEY MAP FILED NOVEMBER 14, 1994 IN VOLUME 19 OF SURVEY MAPS, AT PAGE 22, RECORDS OF MONTEREY COUNTY, CALIFORNIA, AS SAID POINT BEARS (ALONG SAID BOUNDARY) S. 23° 14' 55" W., 278.82 FEET DISTANT FROM THE MOST EASTERLY CORNER OF SAID PARCEL 3; THENCE ALONG SAID BOUNDARY

(3) N. 23° 14' 55" E., 70.11 FEET; THENCE LEAVING SAID BOUNDARY

(4) S. 70° 00' 00" E., 141.39 FEET; THENCE

(5) S. 31° 30' 00" E., 849.15 FEET TO HEREINABOVE DESCRIBED "POINT B"; THENCE

(6) S. 23° 20' 00" W., 85.63 FEET TO THE POINT OF BEGINNING.

PARCEL 3B:

AND TOGETHER WITH A 30 FOOT-WIDE EASEMENT FOR OVERFLOW PIPE PURPOSES OVER THE FOLLOWING DESCRIBED PARCEL:

BEGINNING AT HEREINABOVE DESCRIBED "POINT C"; THENCE

(1) N. 28° 11' 00" E., 112.29 FEET; THENCE

(2) S. 61° 49' 00" E., 30.00 FEET; THENCE

(3) S. 28° 11' 00" W., 109.74 FEET TO A POINT HEREINABOVE DESCRIBED AS "POINT D"; THENCE

(4) N. 66° 40' 00" W., 30.11 FEET TO THE POINT OF BEGINNING.

PARCEL 3C:

TOGETHER WITH A 30 FOOT-WIDE EASEMENT FOR ROAD PURPOSES OVER THE FOLLOWING DESCRIBED PARCEL:

BEGINNING AT HEREINABOVE DESCRIBED "POINT E"; THENCE

Continued on next page

- (1) S. 47° 45' 00" E., 85.80 FEET; THENCE
- (2) S. 43° 45' 00" E., 219.42 FEET; THENCE
- (3) S. 56° 00' 00" W., 30.44 FEET; THENCE
- (4) N. 43° 45' 00" W., 213.22 FEET; THENCE
- (5) N. 47° 45' 00" W., 74.47 FEET TO HEREINABOVE DESCRIBED
"POINT F"; THENCE
- (6) N. 23° 20' 00" E., 31.71 FEET TO THE POINT OF BEGINNING.

PARCEL 4:

AN EASEMENT FOR ROAD AND UTILITY PURPOSES BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A GRANITE MONUMENT MARKER "NB4A", BEING AN ANGLE
POINT ON THE SOUTHWESTERLY BOUNDARY OF THAT CERTAIN PARCEL 1 OF
THE FORT ORD MILITARY RESERVATION AS SAID PARCEL 1 IS SHOWN ON
THAT CERTAIN RECORD OF SURVEY MAP FILED SEPTEMBER 7, 1994 IN
VOLUME 19 OF SURVEY MAPS, AT PAGE 1, RECORDS OF MONTEREY COUNTY,
CALIFORNIA (HAVING COORDINATES: NORTHING EQUALS 2121541.64 AND
EASTING EQUALS 5734939.34); THENCE

- (1) N. 87° 38' 15" W., 2620.44 FEET; THENCE LEAVING SAID
BOUNDARY,
- (2) N. 34° 09' 07" W., 1118.93 FEET; THENCE
- (3) N. 55° 50' 53" E., 62.65 FEET; THENCE
- (4) S. 33° 54' 04" E., 759.29 FEET; THENCE
- (5) S. 40° 09' 33" E., 114.92 FEET; THENCE
- (6) S. 48° 11' 17" E., 206.18 FEET; THENCE
- (7) SOUTHEASTERLY, 179.02 FEET ALONG THE ARC OF A TANGENT CURVE
TO THE LEFT HAVE A RADIUS OF 260.00 FEET, THROUGH A CENTRAL

Continued on next page

ANGLE OF 39° 26' 58" THENCE TANGENTIALLY

(8) S. 87° 38' 15" E., 1279.68 FEET; THENCE

(9) N. 23° 14' 55" E., 77.69 FEET TO THE MOST WESTERLY CORNER OF THAT CERTAIN 40.092 ACRE PARCEL SHOWN AND DESIGNATED AS PARCEL 3 (FITCH SCHOOL) ON THAT CERTAIN RECORD OF SURVEY MAP FILED NOVEMBER 16, 1994 IN VOLUME 19 OF SURVEY MAPS, AT PAGE 22, RECORDS OF MONTEREY COUNTY, CALIFORNIA; THENCE ALONG THE SOUTHERLY AND EASTERLY BOUNDARY OF SAID 40.092 ACRE PARCEL,

(10) S. 87° 38' 15" E., 429.80 FEET; THENCE

(11) NORTHEASTERLY 1121.83 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 930.00 FEET, THROUGH A CENTRAL ANGLE OF 69° 06' 50"; THENCE LEAVING LAST SAID BOUNDARY,

(12) S. 19° 26' 42" W., 753.69 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL WATER RIGHT TO POTABLE WATER DERIVED FROM THE SALINAS AQUIFER, AS SET FORTH IN THE DEED RECORDED JANUARY 15, 1997 IN REEL 3468, PAGE 1515, OFFICIAL RECORDS.

PARCEL 5:

AN EASEMENT FOR ROAD AND UTILITY PURPOSES BEGIN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN ANGLE POINT ON THE NORTHWESTERLY BOUNDARY OF THAT CERTAIN 375.134 ACRE PARCEL (FORT ORD GOLF COURSES), AS SAID BOUNDARY AND PARCEL ARE SHOWN ON THAT CERTAIN RECORD OF SURVEY MAP FILED NOVEMBER 16, 1994 IN VOLUME 19 OF SURVEY MAPS, AT PAGE 21, RECORDS OF MONTEREY COUNTY, CALIFORNIA, SAID POINT ALSO BEING SHOWN AND DESIGNATED AS CORNER NUMBERED TWENTY-TWO (22) ON SAID MAP (HAVING COORDINATES: NORTHING EQUALS 2125520.43 AND EASTING EQUALS 5731464.95); THENCE ALONG SAID BOUNDARY,

(1) N. 44° 39' 19" E., 1733.18 FEET; THENCE

(2) EASTERLY, 414.10 FEET ALONG THE ARC OF A TANGENT CURVE TO

Continued on next page

THE RIGHT HAVE A RADIUS OF 470.00 FEET, THROUGH A CENTRAL ANGLE OF 50° 28' 54"; THENCE TANGENTIALLY

- (3) S. 84° 51' 47" E., 1476.58 FEET; THENCE
- (4) NORTHEASTERLY, 468.31 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 530.00 FEET, THROUGH A CENTRAL ANGLE OF 50° 37' 37"; THENCE TANGENTIALLY
- (5) N. 44° 30' 36" E., (AT 436.91 FEET, LEAVING SAID BOUNDARY) 1214.31 FEET; THENCE
- (6) N. 52° 45' 18" W., 60.49 FEET; THENCE
- (7) S. 44° 30' 36" W., 1206.66 FEET; THENCE
- (8) WESTERLY, 415.30 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 470.00 FEET, THROUGH A CENTRAL ANGLE OF 50° 37' 37"; THENCE TANGENTIALLY
- (9) N. 84° 51' 47" W., 1476.58 FEET; THENCE
- (10) SOUTHWESTERLY, 466.97 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 530.00 FEET, THROUGH A CENTRAL ANGLE OF 50° 28' 54"; THENCE TANGENTIALLY
- (11) S. 44° 39' 19" W., 2088.27 FEET; THENCE
- (12) SOUTHWESTERLY, 153.84 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 4770.00 FEET, THROUGH A CENTRAL ANGLE OF 18° 45' 16"; THENCE TANGENTIALLY
- (13) S. 63° 24' 35" W., 649.45 FEET; THENCE
- (14) SOUTHWESTERLY, 167.68 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1830.00 FEET, THROUGH A CENTRAL ANGLE OF 05° 15' 00"; THENCE TANGENTIALLY
- (15) S. 58° 09' 35" W., 39.73 FEET; THENCE
- (16) S. 57° 59' 07" W., 255.83 FEET; THENCE

Continued on next page

LEGAL DESCRIPTION - continued
Order No.:01114905

(17) SOUTHWESTERLY, 257.69 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 570.00 FEET WHOSE CENTER BEARS N. 32° 03' 19" W., THROUGH A CENTRAL ANGLE OF 25° 54' 09"; THENCE TANGENTIALLY

(18) S. 83° 50' 50" W., 173.72 FEET; THENCE

(19) SOUTHWESTERLY, 336.66 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 605.00 FEET, THROUGH A CENTRAL ANGLE OF 31° 52' 59"; THENCE NON-TANGENTIALLY

(20) S. 39° 02' 05" W., 48.88 FEET; THENCE

(21) SOUTHWESTERLY, 235.98 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 620.04 FEET WHOSE CENTER BEARS S. 42° 02' 56" E., THROUGH A CENTRAL ANGLE OF 21° 48' 23"; THENCE NON-TANGENTIALLY

(22) S. 48° 10' 09" W., 16.00 FEET; THENCE

(23) S. 04° 07' 13" W., 16.00 FEET; THENCE

(24) S. 26° 08' 41" W., 1035.15 FEET; THENCE

(25) SOUTHWESTERLY, 213.21 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 680.04 FEET, THROUGH A CENTRAL ANGLE OF 17° 57' 48"; THENCE TANGENTIALLY

(26) S. 44° 06' 29" W., 255.19 FEET; THENCE

(27) SOUTHWESTERLY 255.41 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 820.05 FEET, THROUGH A CENTRAL ANGLE OF 17° 50' 43"; THENCE TANGENTIALLY

(28) S. 26° 15' 46" W., 187.90 FEET; THENCE

(29) S. 03° 01' 44" W., 367.64 FEET TO AN ANGLE POINT ON THE SOUTHWESTERLY BOUNDARY OF THAT CERTAIN PARCEL 1, AS SAID BOUNDARY AND PARCEL ARE SHOWN ON THAT CERTAIN RECORD OF SURVEY MAP FILED SEPTEMBER 7, 1994 IN VOLUME 19 OF SURVEYS, AT PAGE 1, RECORDS OF MONTEREY COUNTY, CALIFORNIA, SAID POINT ALSO BEING SHOWN AND DESIGNATED AS CORNER NUMBERED THREE HUNDRED TWENTY-SIX

Continued on next page

- (326) ON SAID MAP; THENCE ALONG SAID BOUNDARY,
(30) N. $31^{\circ} 41' 48''$ E., 182.78 FEET; THENCE
(31) N. $08^{\circ} 14' 06''$ E., 113.99 FEET; THENCE
(32) S. $88^{\circ} 09' 44''$ E., 49.74 FEET; THENCE
(33) N. $01^{\circ} 50' 16''$ E., 60.00 FEET; THENCE
(34) N. $69^{\circ} 37' 11''$ W., 47.18 FEET; THENCE
(35) N. $04^{\circ} 32' 55''$ E., 45.01 FEET; THENCE
(36) N. $18^{\circ} 23' 45''$ E., 133.46 FEET; THENCE
(37) N. $39^{\circ} 37' 46''$ E., 233.97 FEET; THENCE
(38) N. $32^{\circ} 49' 26''$ E., 152.97 FEET; THENCE
(39) N. $48^{\circ} 49' 46''$ E., 154.06 FEET; THENCE
(40) N. $35^{\circ} 27' 17''$ E., 106.34 FEET; THENCE
(41) N. $28^{\circ} 43' 45''$ E., 404.39 FEET; THENCE
(42) N. $23^{\circ} 49' 01''$ E., 35.65 FEET; THENCE LEAVING LAST SAID
BOUNDARY,
(43) N. $63^{\circ} 51' 19''$ W., 19.64 FEET; THENCE
(44) N. $26^{\circ} 08' 41''$ E., 693.51 FEET; THENCE
(45) NORTHEASTERLY, 217.71 FEET ALONG THE ARC OF A TANGENT
CURVE TO THE RIGHT HAVING A RADIUS OF 560.04 FEET, THROUGH A
CENTRAL ANGLE OF $22^{\circ} 16' 23''$; THENCE NON-TANGENTIALLY
(46) N. $39^{\circ} 02' 05''$ E., 46.70 FEET; THENCE
(47) NORTHEASTERLY, 296.65 FEET ALONG THE ARC OF A NON-TANGENT
CURVE TO THE RIGHT HAVE A RADIUS OF 545.00 FEET WHOSE CENTER
BEARS S. $37^{\circ} 20' 22''$ E., THROUGH A CENTRAL ANGLE OF $31^{\circ} 11' 12''$;
Continued on next page

THENCE TANGENTIALLY

(48) N. 83° 50' 50" E., 173.72 FEET; THENCE

(49) NORTHEASTERLY, 284.81 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 630.00 FEET; THROUGH A CENTRAL ANGLE OF 25° 54' 09"; THENCE NON-TANGENTIALLY

(50) N. 57° 59' 07" E., 255.69 FEET; THENCE

(51) N. 58° 09' 35" E., 39.64 FEET; THENCE

(52) NORTHEASTERLY, 162.18 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1770.00 FEET THROUGH A CENTRAL ANGLE OF 05° 15' 00"; THENCE TANGENTIALLY

(53) N. 63° 24' 35" E., 649.45 FEET; THENCE

(54) NORTHEASTERLY, 173.48 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 530.00 FEET, THROUGH A CENTRAL ANGLE OF 18° 45' 16"; THENCE TANGENTIALLY

(55) N. 44° 39' 19" E., 355.09 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL WATER RIGHTS TO POTABLE WATER DERIVED FROM THE SALINAS AQUIFER, AS SET FORTH IN THE DEED RECORDED JANUARY 15, 1997 IN REEL 3468, PAGE 1515, OFFICIAL RECORDS.

PARCEL 6:

A NON-EXCLUSIVE EASEMENT VARIOUSLY 12 AND 10 FEET IN WIDTH FOR THE OPERATION, MAINTENANCE, REPAIR AND REPLACEMENT OF INFRASTRUCTURE PERTAINING TO NON-POTABLE IRRIGATION SYSTEM AS CREATED BY AND UNDER THE TERMS OF THE QUITCLAIM DEED FOR TRANSFER OF BAYONET AND BLACK HORSE GOLF COURSES TO THE CITY OF SEASIDE, CALIFORNIA, RECORDED JANUARY 15, 1997 IN REEL 3468, PAGE 1515, OFFICIAL RECORDS OVER THROUGH OR UNDER "HAYES PARK", AS DEPICTED BY DASHED LINES ON THE FINAL PAGE OF EXHIBIT A OF SAID DEED AND AS REFERENCED IN THE SECOND PARAGRAPH OF THAT CERTAIN DOCUMENT ENTITLED NOTICE RECORDED JANUARY 15, 1997 IN REEL 3468, PAGE 1507, OFFICIAL RECORDS.



Continued on next page

LEGAL DESCRIPTION - continued
Order No.:01114905

A.P.N.: 031-051-005

SCHEDULE B

At the date hereof, exceptions to coverage in addition to the printed exceptions and exclusions in a Policy of Title Insurance are as follows:

1. 2001/2002 General Taxes are exempt.
2. Unsecured Taxes assessed to BSL Golf of California, Assessment No: 800-024-260, Assessor's Parcel No. 031-051-005 due in one installment of \$1,100.00 on August 31, 2001.
Affects: Leasehold interest.
3. Unsecured Taxes assessed to BSL Golf of California, Assessment No: 860-002-438, Assessor's Parcel No. 031-051-005 due in one installment of \$116,238.98.
Affects: Leasehold interest.
4. The lien of supplemental taxes, if any, assessed pursuant to the provisions of Chapter 3.5 (commencing with Section 75) of the Revenue and Taxation Code of the State of California.
5. Premises may lie within the boundaries of the Monterey Regional Water Pollution Control Agency and may be subject to assessments and obligations therein. Verification of current status should be made prior to the close of this transaction. Phone No.: (831) 372-2385
6. A non-exclusive easement for public utilities, subject to the conditions contained therein, granted to Coalinga Oil Transportation Company, recorded December 29, 1904 in Volume 82 of Deeds, at page 292, Official Records.

NOTE: Said easement can not be located from information set forth in said document.

7. Easement for public utilities, sewer lines, gas pipelines, wells, roads, electrical pole lines and wires, subject to the conditions contained therein, and incidents thereto reserved by David J. Jacks Corporation, a corporation, in deed recorded August 21, 1917 in Book 151, of Deeds, page 140.
Affects: Those portions of said land as described therein.

Said easements were quitclaimed to the United States of America by Deed recorded October 3, 1940 in Book 692 at Page 10, Official Records.

8. Terms and conditions as contained in the Deed executed by David J. Jacks Corporation, a corporation, to the United States of America, recorded August 21, 1917 in Book 151 of Deeds at page 140.
Affects: Said land and other property.

9. Easement for electrical pole lines and wires, and road purposes, subject to the conditions contained therein, and incidents

Continued on next page

SCHEDULE "B" CONTINUED:
Order No. 01114905

thereto granted to Coast Valley Gas & Electric Company, a California corporation, by deed recorded July 26, 1924 in Book 39, of Official Records, page 490, and as delineated on that certain Record of Survey Map filed in the Office of the Recorder of the County of Monterey, State of California, on September 7, 1994 in Volume 19 of Surveys, at Page 1, and corrected by Certificate of Correction thereto recorded October 21, 1994 in Reel 3163 at Page 1216, Official Records.
Affects: Those portions of said land as described therein.

Modification of said easements thereunder recorded February 11, 1931 in Book 280 at page 127, Official Records.

Amendment to said easements thereunder recorded October 24, 1954 in Book 1562 at page 81, Official Records.

10. Easement for water pipeline, subject to the conditions contained therein, and incidents thereto granted to Likins-Foster Ord Corp., a corporation, by deed recorded February 13, 1951 in Book 1281, of Official Records, page 1, and as delineated on that certain Record of Survey Map filed in the Office of the Recorder of the County of Monterey, State of California, on September 7, 1994 in Volume 19 of Surveys, at Page 1, and corrected by Certificate of Correction thereto recorded October 21, 1994 in Reel 3163 at Page 1216, Official Records.
Affects: Said land as described therein.
11. Easement for gas and water pipelines and public utility pole lines, subject to the conditions contained therein, and incidents thereto granted to the Pacific Gas and Electric Company, a corporation, by deed recorded November 17, 1972 in Reel 810, of Official Records, page 669, and as delineated on that certain Record of Survey Map filed in the Office of the Recorder of the County of Monterey, State of California, on September 7, 1994 in Volume 19 of Surveys, at Page 1, and corrected by Certificate of Correction thereto recorded October 21, 1994 in Reel 3163 at Page 1216, Official Records.
Affects: Those strips of land as described therein lying with said land.
12. Terms and conditions as contained in the Department of the Army License for ingress and egress over established roads on former Fort Ord, Monterey County, California, open to the public to allow public access to the property known as Bayonet and Black

Continued on next page

SCHEDULE "B" CONTINUED:
Order No. 01114905

Horse Golf Course, executed by Marvin D. Fisher, Chief, Real Estate Division, Sacramento District, on behalf of the Secretary of the Army, to the City of Seaside, a political subdivision of the State of California, recorded January 15, 1997 in Reel 3468 at Page 1508, Official Records.

NOTE: No description of said roads is described in said license.

13. Terms and conditions as contained in a Quitclaim Deed for Transfer of Bayonet and Black Horse Golf Courses to the City of Seaside, California, which sets forth, among other things, reservations and easements for infrastructures for irrigation system, water pipelines, public utilities and road access, and references to asbestos, lead-based paint, unexploded ordnance, hazardous materials and toxic substances, executed by the United States of America, acting by and through the Secretary of the Army, to the City of Seaside, a political subdivision of the State of California, recorded January 15, 1997 in Reel 3468 at Page 1515, Official Records.
14. Terms and conditions as contained in an unrecorded Lease dated January 15, 1997 executed by and between the City of Seaside, a municipal corporation, as Lessor, and BSL Golf of California, Inc., a California corporation, as Lessee, for a term of 30 years commencing on January 15, 1997 and ending on January 14, 2027, subject to extension for up to two 5-year Option Terms, as disclosed by a Memorandum of Commencement Date, recorded January 15, 1997 in Reel 3468 at Page 1575, Official Records.
15. A financing statement filed in the office of the County Recorder showing:
Debtor: BSL Golf of California, Inc., a California corporation
Secured Party: Wells Fargo Bank, National Association
Additional Secured Party: Reliance Trust Company
Recorded January 15, 1997 in Reel 3469, of Official Records of Monterey County, page 47.
16. A financing statement filed in the office of the County Recorder showing:
Debtor: BSL Golf of California, Inc., a California corporation
Secured Party: Wells Fargo Bank, National Association

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SCHEDULE "B" CONTINUED:
Order No. 01114905

Recorded January 15, 1997 in Reel 3469, of Official Records of Monterey County, page 101, and Re-recorded February 10, 1997 in Reel 3479 at page 163, Official Records.

Amendment thereunder recorded June 26, 1998 as Recorder's Serial No. 9841729, Official Records.

17. Terms and conditions as contained in the Department of the Army Easement for Electric Power and for Natural Gas Pipeline Right-of-Way Located on Presidio of Monterey Annex and Certain Excess Lands Formerly Designated as Fort Ord Military Installation, Monterey, California, executed by and between the United States of America, through the Secretary of the Army, as Grantor, and Pacific Gas and Electric Company, a California corporation, as Grantee, recorded April 17, 1997 in Reel 3506 at page 1533, Official Records.

Affects: Those strips of land as described therein lying within said land.

Notice of Final Description for Easement executed by Pacific Gas and Electric Company, recorded September 9, 1997 as Recorder's Serial No. 9751897, Official Records.

Correction Deed thereunder executed by Pacific Gas and Electric Company, a California corporation, recorded October 1, 1997 as Recorder's Serial No. 9756845, Official Records.

Affects: Those strips of land as described therein lying within said land.

18. Deed of Trust to secure payment of \$15,000,000.00, and any other amounts secured thereby, dated May 15, 1998, recorded June 16, 1998 as Recorder's Serial No. 9841732, of Official Records of Monterey County

Trustor : BSL Golf of California, Inc., a California Corporation
Trustee : American Securities Company, a corporation
Beneficiary : Wells Fargo Bank, National Association
Loan No. : not shown

Terms and conditions as contained in a Consent by Lessor of Real Property executed by and between Wells Fargo Bank, National Association, as Bank, the City of Seaside, as Lessor, and BSL
Continued on next page

SCHEDULE "B" CONTINUED:
Order No. 01114905

Golf of California, Inc., a California corporation, as Lessee, recorded June 26, 1998 as Recorder's Serial No. 9841733, Official Records.

19. Terms and conditions as contained in an unrecorded Option Agreement dated November 24, 1997, executed by and between BSL Golf of California, Inc., a California corporation, and the Firefighters' Pension & Relief Fund for the City of New Orleans, a disclosed by a Memorandum of Option Agreement recorded November 26, 1997 as Recorder's Serial No. 9770629, Official Records.

Said Option Agreement was subordinated to the lien of the Deed of Trust shown as Exception No. 18 herein by Subordination Agreement recorded June 26, 1998 as Recorder's Serial No. 9841731, Official Records.

NOTES:

NOTE 1:

This report is preparatory to the issuance of an ALTA Loan Policy of Title Insurance. We have no knowledge of any fact which would preclude the issuance of said ALTA Loan Policy with Endorsements 100 and 116 attached.

The Property Address of said land herein is known as:

1 MCCLURE WAY
SEASIDE, CA

NOTE 2:

No conveyances affecting the herein described real property have been recorded in the two years preceding the date of this report.

NOTE 3:

Short Term Rate applicable:
YES

NOTE 4:

California "Good Funds" Law

Effective January 1, 1990, California Insurance Code Section 12413.1 (Chapter 598, Statutes of 1989) prohibits a title insurance company, controlled escrow company, or underwritten title company from disbursing funds from an escrow or

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SCHEDULE "B" CONTINUED:
Order No. 01114905

NOTE (Continued):

sub-escrow account, (except for funds deposited by WIRE TRANSFER or ELECTRONIC PAYMENT) until the day those funds are made available to the depositor pursuant to Part 229 of Title 12 of the Code of Federal Regulations, (REG.CC). Items such as CASHIER'S, CERTIFIED OR TELLERS CHECKS may be available for disbursement on the business day following the business day of deposit, however, other forms of deposits may cause extended delays in closing the escrow or sub-escrow.

STEWART TITLE OF CALIFORNIA, INC. will not be responsible for accruals of interest or other charges resulting from compliance with the disbursement restrictions imposed by State law.

BT/CB/JC 08/15/01

EXHIBIT A

CLTA PRELIMINARY REPORT FORM
LIST OF PRINTED EXCEPTIONS AND EXCLUSIONS

SCHEDULE B

1. CALIFORNIA LAND TITLE ASSOCIATION STANDARD COVERAGE POLICY - 1990
EXCLUSIONS FROM COVERAGE

THE FOLLOWING MATTERS ARE EXPRESSLY EXCLUDED FROM THE COVERAGE OF THIS POLICY AND THE COMPANY WILL NOT PAY LOSS OR DAMAGE, COSTS, ATTORNEYS' FEES OR EXPENSES WHICH ARISE BY REASON OF:

1. (A) ANY LAW, ORDINANCE OR GOVERNMENTAL REGULATION (INCLUDING BUT NOT LIMITED TO BUILDING OR ZONING LAWS, ORDINANCES, OR REGULATIONS) RESTRICTING, REGULATING, PROHIBITING OR RELATING TO (I) THE OCCUPANCY, USE, OR ENJOYMENT OF THE LAND; (II) THE CHARACTER, DIMENSIONS OR LOCATION OF ANY IMPROVEMENT NOW OR HEREFTER ERECTED ON THE LAND; (III) A SEPARATION IN OWNERSHIP OR A CHANGE IN THE DIMENSIONS OR AREA OF THE LAND OR ANY PARCEL OF WHICH THE LAND IS OR WAS A PART; OR (IV) ENVIRONMENTAL PROTECTION, OR THE EFFECT OF ANY VIOLATION OF THESE LAWS, ORDINANCES OR GOVERNMENTAL REGULATIONS, EXCEPT TO THE EXTENT THAT A NOTICE OF THE ENFORCEMENT THEREOF OR A NOTICE OF A DEFECT, LIEN OR ENCUMBRANCE RESULTING FROM A VIOLATION OR ALLEGED VIOLATION AFFECTING THE LAND HAS BEEN RECORDED IN THE PUBLIC RECORDS AT DATE OF POLICY.
- (B) ANY GOVERNMENTAL POLICE POWER NOT EXCLUDED BY (A) ABOVE, EXCEPT TO THE EXTENT THAT A NOTICE OF THE EXERCISE THEREOF OR NOTICE OF A DEFECT, LIEN OR ENCUMBRANCE RESULTING FROM A VIOLATION OR ALLEGED VIOLATION AFFECTING THE LAND HAS BEEN RECORDED IN THE PUBLIC RECORDS AT DATE OF POLICY.
2. RIGHTS OF EMINENT DOMAIN UNLESS NOTICE OF THE EXERCISE THEREOF HAS BEEN RECORDED IN THE PUBLIC RECORDS AT DATE OF POLICY, BUT NOT EXCLUDING FROM COVERAGE ANY TAKING WHICH HAS OCCURRED PRIOR TO DATE OF POLICY WHICH WOULD BE BINDING ON THE RIGHTS OF A PURCHASER FOR VALUE WITHOUT KNOWLEDGE.
3. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS:
 - (A) WHETHER OR NOT RECORDED IN THE PUBLIC RECORDS AT DATE OF POLICY, BUT CREATED, SUFFERED, ASSUMED OR AGREED TO BY THE INSURED CLAIMANT;
 - (B) NOT KNOWN TO THE COMPANY, NOT RECORDED IN THE PUBLIC RECORDS AT DATE OF POLICY, BUT KNOWN TO THE INSURED CLAIMANT AND NOT DISCLOSED IN WRITING TO THE COMPANY BY THE INSURED CLAIMANT PRIOR TO THE DATE THE INSURED CLAIMANT BECAME AN INSURED UNDER THIS POLICY;
 - (C) RESULTING IN NO LOSS OR DAMAGE TO THE INSURED CLAIMANT;
 - (D) ATTACHING OR CREATED SUBSEQUENT TO DATE OF POLICY; OR
 - (E) RESULTING IN LOSS OR DAMAGE WHICH WOULD NOT HAVE BEEN SUSTAINED IF THE INSURED CLAIMANT HAD PAID VALUE FOR THE INSURED MORTGAGE OR FOR THE ESTATE OR INTEREST INSURED BY THIS POLICY.
4. UNENFORCEABILITY OF THE LIEN OF THE INSURED MORTGAGE BECAUSE OF THE INABILITY OR FAILURE OF THE INSURED AT DATE OF POLICY, OR THE INABILITY OR FAILURE OF ANY SUBSEQUENT OWNER OR INDEBTEDNESS, TO COMPLY WITH THE APPLICABLE DOING BUSINESS LAWS, OF THE STATE IN WHICH THE LAND IS SITUATED.
5. INVALIDITY OR UNENFORCEABILITY OF THE LIEN OF THE INSURED MORTGAGE, OR CLAIM THEREOF, WHICH ARISES OUT OF THE TRANSACTION EVIDENCED BY THE INSURED MORTGAGE AND IS BASED UPON USURY OR ANY CONSUMER CREDIT PROTECTION OR TRUTH IN LENDING LAW.
6. ANY CLAIM, WHICH ARISES OUT OF THE TRANSACTION VESTING IN THE INSURED THE ESTATE OR INTEREST INSURED BY THIS POLICY OR THE TRANSACTION CREATING THE INTEREST OF THE INSURED LENDER, BY REASON OF THE OPERATION OF FEDERAL BANKRUPTCY, STATE INSOLVENCY OR SIMILAR CREDITORS' RIGHTS LAWS.

EXCEPTIONS FROM COVERAGE

THIS POLICY DOES NOT INSURE AGAINST LOSS OR DAMAGE (AND THE COMPANY WILL NOT PAY COSTS, ATTORNEYS' FEES OR EXPENSES) WHICH ARISE BY REASON OF:

1. TAXES OR ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE RECORDS OF ANY TAXING AUTHORITY THAT LEVIES TAXES OR ASSESSMENTS ON REAL PROPERTY OR BY THE PUBLIC RECORDS.
- PROCEEDINGS BY A PUBLIC AGENCY WHICH MAY RESULT IN TAXES OR ASSESSMENTS, OR NOTICES OF SUCH PROCEEDINGS, WHETHER OR NOT SHOWN BY THE RECORDS OF SUCH AGENCY OR BY THE PUBLIC RECORDS.
2. ANY FACTS, RIGHTS, INTERESTS OR CLAIMS WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS BUT WHICH COULD BE ASCERTAINED BY AN INSPECTION OF THE LAND OR WHICH MAY BE ASSERTED BY PERSONS IN POSSESSION THEREOF.
3. EASEMENTS, LIENS OR ENCUMBRANCES, OR CLAIMS THEREOF, WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS.
4. DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGE IN AREA, ENCROACHMENTS, OR ANY OTHER FACTS WHICH A CORRECT SURVEY WOULD DISCLOSE, AND WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS.
5. (A) UNPATENTED MINING CLAIMS; (B) RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; (C) WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT THE MATTERS EXCEPTED UNDER (A), (B) OR (C) ARE SHOWN BY THE PUBLIC RECORDS.

(LIST OF PRINTED EXCEPTIONS AND EXCLUSIONS CONTINUED ON NEXT PAGE)

2. AMERICAN LAND TITLE ASSOCIATION
RESIDENTIAL TITLE INSURANCE POLICY (6-1-87)
EXCLUSIONS

IN ADDITION TO THE EXCEPTIONS IN SCHEDULE B, YOU ARE NOT INSURED AGAINST LOSS, COSTS, ATTORNEYS' FEES, AND EXPENSES RESULTING FROM:

1. GOVERNMENTAL POLICE POWER, AND THE EXISTENCE OR VIOLATION OF ANY LAW OR GOVERNMENTAL REGULATION. THIS INCLUDES BUILDING AND ZONING ORDINANCES AND ALSO LAWS AND REGULATIONS CONCERNING:
 - * LAND USE
 - * LAND DIVISION
 - * IMPROVEMENTS ON THE LAND
 - * ENVIRONMENTAL PROTECTION

THIS EXCLUSION DOES NOT APPLY TO VIOLATIONS OR THE ENFORCEMENT OF THESE MATTERS WHICH APPEAR IN THE PUBLIC RECORDS AT POLICY DATE.

THIS EXCLUSION DOES NOT LIMIT THE ZONING COVERAGE DESCRIBED IN ITEMS 12 AND 13 OF COVERED TITLE RISKS.

2. THE RIGHT TO TAKE THE LAND BY CONDEMNATING IT, UNLESS:

- * A NOTICE OF EXERCISING THE RIGHT APPEARS IN THE PUBLIC RECORDS ON THE POLICY DATE
- * THE TAKING HAPPENED PRIOR TO THE POLICY DATE AND IS BINDING ON YOU IF YOU BOUGHT THE LAND WITHOUT KNOWING OF THE TAKING

3. TITLE RISKS:

- * THAT ARE CREATED, ALLOWED, OR AGREED TO BY YOU
- * THAT ARE KNOWN TO YOU, BUT NOT TO US, ON THE POLICY DATE - - UNLESS THEY APPEARED IN THE PUBLIC RECORDS
- * THAT RESULT IN NO LOSS TO YOU
- * THAT FIRST AFFECT YOUR TITLE AFTER THE POLICY DATE - - THIS DOES NOT LIMIT THE LABOR AND MATERIAL LIEN COVERAGE IN ITEM 8 OF COVERED TITLE RISKS

4. FAILURE TO PAY VALUE FOR YOUR TITLE.

5. LACK OF A RIGHT:

- * TO ANY LAND OUTSIDE THE AREA SPECIFICALLY DESCRIBED AND REFERRED TO IN ITEM 3 OF SCHEDULE A OR
- * IN STREETS, ALLEYS, OR WATERWAYS THAT TOUCH YOUR LAND

THIS EXCLUSION DOES NOT LIMIT THE ACCESS COVERAGE IN ITEM 5 OF COVERED TITLE RISKS.

EXCEPTIONS FROM COVERAGE

THIS POLICY DOES NOT INSURE AGAINST LOSS OR DAMAGE (AND THE COMPANY WILL NOT PAY COSTS, ATTORNEYS' FEES OR EXPENSES) WHICH ARISE BY REASON OF:

1. ANY RIGHTS, INTERESTS, OR CLAIMS OF PARTIES IN POSSESSION OF THE LAND NOT SHOWN BY THE PUBLIC RECORDS.
2. ANY EASEMENTS OR LIENS NOT SHOWN BY THE PUBLIC RECORDS. THIS DOES NOT LIMIT THE LIEN COVERAGE IN ITEM 8 OF COVERED TITLE RISKS.
3. ANY FACTS ABOUT THE LAND WHICH A CORRECT SURVEY WOULD DISCLOSE AND WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS. THIS DOES NOT LIMIT THE FORCED REMOVAL COVERAGE IN ITEM 12 OF COVERED TITLE RISKS.
4. ANY WATER RIGHTS OR CLAIMS OR TITLE TO WATER IN OR UNDER THE LAND, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.

(LIST OF PRINTED EXCEPTIONS AND EXCLUSIONS CONTINUED ON NEXT PAGE)

3. AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (10-17-92)
 WITH ALTA ENDORSEMENT - FORM 1 COVERAGE
 AND
 AMERICAN LAND TITLE ASSOCIATION LEASEHOLD LOAN POLICY (10-17-92)
 WITH ALTA ENDORSEMENT - FORM 1 COVERAGE
 EXCLUSIONS AND COVERAGE

THE FOLLOWING MATTERS ARE EXPRESSLY EXCLUDED FROM THE COVERAGE OF THIS POLICY AND THE COMPANY WILL NOT PAY LOSS OR DAMAGE, COSTS, ATTORNEY'S FEES OR EXPENSES WHICH ARISE BY REASON OF:

1. (A) ANY LAW, ORDINANCE OR GOVERNMENTAL REGULATION (INCLUDING BUT NOT LIMITED TO BUILDING AND ZONING LAWS, ORDINANCES, OR REGULATIONS) RESTRICTING, REGULATING, PROHIBITING OR RELATING TO (I) THE OCCUPANCY, USE, OR ENJOYMENT OF THE LAND; (II) THE CHARACTER, DIMENSIONS OR LOCATION OF ANY IMPROVEMENT NOW OR HEREAFTER ERECTED ON THE LAND; (III) A SEPARATION IN OWNERSHIP OR A CHANGE IN THE DIMENSIONS OR AREA OF THE LAND OR ANY PARCEL OF WHICH THE LAND IS OR WAS A PART; OR (IV) ENVIRONMENTAL PROTECTION, OR THE EFFECT OF ANY VIOLATION OF THESE LAWS, ORDINANCES OR GOVERNMENTAL REGULATIONS, EXCEPT TO THE EXTENT THAT A NOTICE OF THE ENFORCEMENT THEREOF OR A NOTICE OF A DEFECT, LIEN OR ENCUMBRANCE RESULTING FROM A VIOLATION OR ALLEGED VIOLATION AFFECTING THE LAND HAS BEEN RECORDED IN THE PUBLIC RECORDS AT DATE OF POLICY.
 (B) ANY GOVERNMENTAL POLICE POWER NOT EXCLUDED BY (A) ABOVE, EXCEPT TO THE EXTENT THAT A NOTICE OF THE EXERCISE THEREOF OR A NOTICE OF A DEFECT, LIEN OR ENCUMBRANCE RESULTING FROM A VIOLATION OR ALLEGED VIOLATION AFFECTING THE LAND HAS BEEN RECORDED IN THE PUBLIC RECORDS AT DATE OF POLICY.
2. RIGHTS OF EMINENT DOMAIN UNLESS NOTICE OF THE EXERCISE THEREOF HAS BEEN RECORDED IN THE PUBLIC RECORDS AT DATE OF POLICY, BUT NOT EXCLUDING FROM COVERAGE ANY TAKING WHICH HAS OCCURRED PRIOR TO DATE OF POLICY WHICH WOULD BE BINDING ON THE RIGHTS OF A PURCHASER FOR VALUE WITHOUT KNOWLEDGE.
3. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS:
 - (A) CREATED, SUFFERED, ASSUMED OR AGREED TO BY THE INSURED CLAIMANT;
 - (B) NOT KNOWN TO THE COMPANY, NOT RECORDED IN THE PUBLIC RECORDS AT DATE OF POLICY, BUT KNOWN TO THE INSURED CLAIMANT AND NOT DISCLOSED IN WRITING TO THE COMPANY BY THE INSURED CLAIMANT PRIOR TO THE DATE THE INSURED CLAIMANT BECAME AN INSURED UNDER THIS POLICY;
 - (C) RESULTING IN NO LOSS OR DAMAGE TO THE INSURED CLAIMANT;
 - (D) ATTACHING OR CREATED SUBSEQUENT TO DATE OF POLICY (EXCEPT TO THE EXTENT THAT THIS POLICY INSURES THE PRIORITY OF THE LIEN OF THE INSURED MORTGAGE OVER ANY STATUTORY LIEN FOR SERVICES, LABOR OR MATERIAL OR TO THE EXTENT INSURANCE IS AFFORDED HEREIN AS TO THE ASSESSMENTS FOR STREET IMPROVEMENTS UNDER CONSTRUCTION OR COMPLETED AT DATE OF POLICY); OR
 - (E) RESULTING IN LOSS OR DAMAGE WHICH WOULD NOT HAVE BEEN SUSTAINED IF THE INSURED CLAIMANT HAD PAID VALUE FOR THE INSURED MORTGAGE.
4. UNENFORCEABILITY OF THE LIEN OF THE INSURED MORTGAGE BECAUSE OF THE INABILITY OR FAILURE OF THE INSURED AT DATE OF POLICY, OR THE INABILITY OR FAILURE OF ANY SUBSEQUENT OWNER OF THE INDEBTEDNESS, TO COMPLY WITH APPLICABLE DOING BUSINESS LAWS OF THE STATE IN WHICH THE LAND IS SITUATED.
5. INVALIDITY OR UNENFORCEABILITY OF THE LIEN OF THE INSURED MORTGAGE, OR CLAIM THEREOF, WHICH ARISES OUT OF THE TRANSACTION EVIDENCED BY THE INSURED MORTGAGE AND IS BASED UPON USURY OR ANY CONSUMER CREDIT PROTECTION OR TRUTH IN LENDING LAW.
6. ANY STATUTORY LIEN FOR SERVICES, LABOR OR MATERIALS (OR THE CLAIM OF PRIORITY OF ANY STATUTORY LIEN FOR SERVICES, LABOR OR MATERIALS OVER THE LIEN OF THE INSURED MORTGAGE) ARISING FROM AN IMPROVEMENT OR WORK RELATED TO THE LAND WHICH IS CONTRACTED FOR AND COMMENCED SUBSEQUENT TO DATE OF POLICY AND IS NOT FINANCED IN WHOLE OR IN PART BY PROCEEDS OF THE INDEBTEDNESS SECURED BY THE INSURED MORTGAGE WHICH AT DATE OF POLICY THE INSURED HAS ADVANCED OR IS OBLIGATED TO ADVANCE.
7. ANY CLAIM, WHICH ARISES OUT OF THE TRANSACTION CREATING THE INTEREST OF THE MORTGAGEE INSURED BY THIS POLICY, BY REASON OF THE OPERATION OF FEDERAL BANKRUPTCY, STATE INSOLVENCY, OR SIMILAR CREDITORS' RIGHTS LAWS, THAT IS BASED ON:
 - (I) THE TRANSACTION CREATING THE INTEREST OF THE INSURED MORTGAGEE BEING DEEMED A FRAUDULENT CONVEYANCE OR FRAUDULENT TRANSFER; OR
 - (II) THE SUBORDINATION OF THE INTEREST OF THE INSURED MORTGAGEE AS A RESULT OF THE APPLICATION OF THE DOCTRINE OR EQUITABLE SUBORDINATION; OR
 - (III) THE TRANSACTION CREATING THE INTEREST OF THE INSURED MORTGAGEE BEING DEEMED A PREFERENTIAL TRANSFER EXCEPT WHERE THE PREFERENTIAL TRANSFER RESULTS FROM THE FAILURE:
 - (A) TO TIMELY RECORDED THE INSTRUMENT OF TRANSFER; OR
 - (B) OF SUCH RECORDATION TO IMPART NOTICE TO A PURCHASER FOR VALUE OR A JUDGMENT OR LIEN CREDITOR.

(LIST OF PRINTED EXCEPTIONS AND EXCLUSIONS CONTINUED ON NEXT PAGE)

THE ABOVE POLICY FORMS MAY BE ISSUED TO AFFORD EITHER STANDARD COVERAGE OR EXTENDED COVERAGE. IN ADDITION TO THE ABOVE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE IN A STANDARD COVERAGE POLICY WILL INCLUDE THE FOLLOWING GENERAL EXCEPTIONS:

EXCEPTIONS FROM COVERAGE

THIS POLICY DOES NOT INSURE AGAINST LOSS OR DAMAGE (AND THE COMPANY WILL NOT PAY COSTS, ATTORNEYS' FEES OR EXPENSES) WHICH ARISE BY REASON OF:

1. TAXES OR ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE RECORDS OF ANY TAXING AUTHORITY THAT LEVIES TAXES OR ASSESSMENTS ON REAL PROPERTY OR BY THE PUBLIC RECORDS.
2. PROCEEDINGS BY A PUBLIC AGENCY WHICH MAY RESULT IN TAXES OR ASSESSMENTS, OR NOTICES OF SUCH PROCEEDINGS, WHETHER OR NOT SHOWN BY THE RECORDS OF SUCH AGENCY OR BY THE PUBLIC RECORDS.
3. ANY FACTS, RIGHTS, INTERESTS OR CLAIMS WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS BUT WHICH COULD BE ASCERTAINED BY AN INSPECTION OF THE LAND OR BY MAKING INQUIRY OF PERSONS IN POSSESSION THEREOF.
4. EASEMENTS, LIENS OR ENCUMBRANCES, OR CLAIMS THEREOF, WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS.
5. DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGE IN AREA, ENCROACHMENTS, OR ANY OTHER FACTS WHICH A CORRECT SURVEY WOULD DISCLOSE, AND WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS.
6. (A) UNPATENTED MINING CLAIMS; (B) RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; (C) WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT THE MATTERS EXCEPTED UNDER (A), (B) OR (C) ARE SHOWN BY THE PUBLIC RECORDS.

4. AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (10-17-92)
AND

AMERICAN LAND TITLE ASSOCIATION LEASEHOLD OWNER'S POLICY (10-17-92)
EXCLUSIONS FROM COVERAGE

THE FOLLOWING MATTERS ARE EXPRESSLY EXCLUDED FROM THE COVERAGE OF THIS POLICY AND THE COMPANY WILL NOT PAY LOSS OR DAMAGE, COST, ATTORNEYS' FEES OR EXPENSES WHICH ARISE BY REASON OF:

1. (A) ANY LAW, ORDINANCE OR GOVERNMENTAL REGULATION (INCLUDING BUT NOT LIMITED TO BUILDING AND ZONING LAWS, ORDINANCES, OR REGULATIONS) RESTRICTING, REGULATING, PROHIBITING OR RELATING TO (I) THE OCCUPANCY, USE, OR ENJOYMENT OF THE LAND; (II) THE CHARACTER, DIMENSIONS OR LOCATION OF ANY IMPROVEMENT NOW OR HEREAFTER ERECTED ON THE LAND; (III) A SEPARATION IN OWNERSHIP OR A CHANGE IN THE DIMENSIONS OR AREA OF THE LAND OR ANY PARCEL OF WHICH THE LAND IS OR WAS A PART; OR (IV) ENVIRONMENTAL PROTECTION, OR THE EFFECT OF ANY VIOLATION OF THESE LAWS, ORDINANCES OR GOVERNMENTAL REGULATIONS, EXCEPT TO THE EXTENT THAT A NOTICE OF THE ENFORCEMENT THEREOF OR A NOTICE OF A DEFECT, LIEN OR ENCUMBRANCE RESULTING FROM A VIOLATION OR ALLEGED VIOLATION AFFECTING THE LAND HAS BEEN RECORDED IN THE PUBLIC RECORDS AT DATE OF POLICY.
- (B) ANY GOVERNMENTAL POLICE POWER NOT EXCLUDED BY (A) ABOVE, EXCEPT TO THE EXTENT THAT A NOTICE OF THE EXERCISE THEREOF OR A NOTICE OF A DEFECT, LIEN OR ENCUMBRANCE RESULTING FROM A VIOLATION OR ALLEGED VIOLATION AFFECTING THE LAND HAS BEEN RECORDED IN THE PUBLIC RECORDS AT DATE OF POLICY.
2. RIGHTS OF EMINENT DOMAIN UNLESS NOTICE OF THE EXERCISE THEREOF HAS BEEN RECORDED IN THE PUBLIC RECORDS AT DATE OF POLICY, BUT NOT EXCLUDING FROM COVERAGE ANY TAKING WHICH HAS OCCURRED PRIOR TO DATE OF POLICY WHICH WOULD BE BINDING ON THE RIGHTS OF A PURCHASER FOR VALUE WITHOUT KNOWLEDGE.
3. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS:
 - (A) CREATED, SUFFERED, ASSUMED OR AGREED TO BY THE INSURED CLAIMANT;
 - (B) NOT KNOWN TO THE COMPANY, NOT RECORDED IN THE PUBLIC RECORDS AT DATE OF POLICY, BUT KNOWN TO THE INSURED CLAIMANT AND NOT DISCLOSED IN WRITING TO THE COMPANY BY THE INSURED CLAIMANT PRIOR TO THE DATE THE INSURED CLAIMANT BECAME AN INSURED UNDER THIS POLICY;
 - (C) RESULTING IN NO LOSS OR DAMAGE TO THE INSURED CLAIMANT;
 - (D) ATTACHING OR CREATED SUBSEQUENT TO DATE OF POLICY; OR
 - (E) RESULTING IN LOSS OR DAMAGE WHICH WOULD NOT HAVE BEEN SUSTAINED IF THE INSURED CLAIMANT HAD PAID VALUE FOR THE ESTATE OR INTEREST INSURED BY THIS POLICY.
4. ANY CLAIM, WHICH ARISES OUT OF THE TRANSACTION VESTING IN THE INSURED THE ESTATE OR INTEREST INSURED BY THIS POLICY, BY REASON OF THE OPERATION OF FEDERAL BANKRUPTCY, STATE INSOLVENCY, OR SIMILAR CREDITORS' RIGHTS LAWS, THAT IS BASED ON:

- (I) THE TRANSACTION CREATING THE ESTATE OR INTEREST INSURED BY THIS POLICY BEING DEEMED A FRAUDULENT CONVEYANCE OR FRAUDULENT TRANSFER; OR
- (II) THE TRANSACTION CREATING THE ESTATE OR INTEREST INSURED BY THIS POLICY BEING DEEMED A PREFERENTIAL TRANSFER EXCEPT WHERE THE PREFERENTIAL TRANSFER RESULTS FROM THE FAILURE:
 - (A) TO TIMELY RECORD THE INSTRUMENT OF TRANSFER; OR
 - (B) OF SUCH RECORDATION TO IMPART NOTICE TO A PURCHASER FOR VALUE OR A JUDGMENT OR LIEN CREDITOR.

(LIST OF PRINTED EXCEPTIONS AND EXCLUSIONS CONTINUED ON NEXT PAGE)

CLTA PRELIMINARY SHORT FORM

THE ABOVE POLICY FORMS MAY BE ISSUED TO AFFORD EITHER STANDARD COVERAGE OR EXTENDED COVERAGE. IN ADDITION TO THE ABOVE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE IN A STANDARD COVERAGE POLICY WILL INCLUDE THE FOLLOWING GENERAL EXCEPTIONS:

EXCEPTIONS FROM COVERAGE

THIS POLICY DOES NOT INSURE AGAINST LOSS OR DAMAGE (AND THE COMPANY WILL NOT PAY COSTS, ATTORNEYS' FEES OR EXPENSES) WHICH ARISE BY REASON OF:

1. TAXES OR ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE RECORDS OF ANY TAXING AUTHORITY THAT LEVIES TAXES OR ASSESSMENTS ON REAL PROPERTY OR BY THE PUBLIC RECORDS, PROCEEDINGS BY A PUBLIC AGENCY WHICH MAY RESULT IN TAXES OR ASSESSMENTS, OR NOTICES OF SUCH PROCEEDINGS, WHETHER OR NOT SHOWN BY THE RECORDS OF SUCH AGENCY OR BY THE PUBLIC RECORDS.
2. ANY FACTS, RIGHTS, INTERESTS OR CLAIMS WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS BUT WHICH COULD BE ASCERTAINED BY AN INSPECTION OF THE LAND OR BY MAKING INQUIRY OF PERSONS IN POSSESSION THEREOF.
3. EASEMENTS, LIENS OR ENCUMBRANCES, OR CLAIMS THEREOF, WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS.
4. DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGE IN AREA, ENCROACHMENTS, OR ANY OTHER FACTS WHICH A CORRECT SURVEY WOULD DISCLOSE, AND WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS.
5. (A) UNPATENTED MINING CLAIMS; (B) RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; (C) WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT THE MATTERS EXCEPTED UNDER (A), (B) OR (C) ARE SHOWN BY THE PUBLIC RECORDS.

5. CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (6-2-98) ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE (10-17-98) EXCLUSIONS

IN ADDITION TO THE EXCEPTIONS IN SCHEDULE B, YOU ARE NOT INSURED AGAINST LOSS, COSTS, ATTORNEYS' FEES, AND EXPENSES RESULTING FROM:

1. GOVERNMENTAL POLICE POWER, AND THE EXISTENCE OR VIOLATION OF ANY LAW OR GOVERNMENT REGULATION. THIS INCLUDES ORDINANCES, LAWS AND REGULATIONS CONCERNING:
 - A. BUILDING
 - B. ZONING
 - C. LAND USE
 - D. IMPROVEMENTS ON LAND
 - E. LAND DIVISION
 - F. ENVIRONMENTAL PROTECTION

THIS EXCLUSION DOES NOT APPLY TO VIOLATIONS OR THE ENFORCEMENT OF THESE MATTERS IF NOTICE OF THE VIOLATION OR ENFORCEMENT APPEARS IN THE PUBLIC RECORDS AT THE POLICY DATE.

THIS EXCLUSION DOES NOT LIMIT THE COVERAGE DESCRIBED IN COVERED RISK 14, 15, 16, 17, OR 24.

2. THE FAILURE OF YOUR EXISTING STRUCTURES, OR ANY PART OF THEM, TO BE CONSTRUCTED IN ACCORDANCE WITH APPLICABLE BUILDING CODES. THIS EXCLUSION DOES NOT APPLY TO VIOLATIONS OF BUILDING CODES IF NOTICE OF THE VIOLATION APPEARS IN THE PUBLIC RECORDS AT THE POLICY DATE.
 3. THE RIGHT TO TAKE THE LAND BY CONDEMNING IT, UNLESS:
 - A. NOTICE OF EXERCISING THE RIGHT APPEARS IN THE PUBLIC RECORDS AT THE POLICY DATE; OR
 - B. THE TAKING HAPPENED BEFORE THE POLICY DATE AND IS BINDING ON YOU IF YOU BOUGHT THE LAND WITHOUT KNOWING OF THE TAKING.
 4. RISKS:
 - A. THAT ARE CREATED, ALLOWED, OR AGREED TO BY YOU, WHETHER OR NOT THEY APPEAR IN THE PUBLIC RECORDS;
 - B. THAT ARE KNOWN TO YOU AT THE POLICY DATE, BUT NOT TO US, UNLESS THEY APPEAR IN THE PUBLIC RECORDS AT THE POLICY DATE;
 - C. THAT RESULT IN NO LOSS TO YOU; OR
 - D. THAT FIRST OCCUR AFTER THE POLICY DATE - THIS DOES NOT LIMIT THE COVERAGE DESCRIBED IN COVERED RISK 7, 8, D, 22, 23, 24 OR 25.
 5. FAILURE TO PAY VALUE FOR YOUR TITLE.
 6. LACK OF A RIGHT:
 - A. TO ANY LAND OUTSIDE THE AREA SPECIFICALLY DESCRIBED AND REFERRED TO IN PARAGRAPH 3 OF SCHEDULE A; AND
 - B. IN STREETS, ALLEYS, OR WATERWAYS THAT TOUCH THE LAND.
- THIS EXCLUSION DOES NOT LIMIT THE COVERAGE DESCRIBED IN COVERED RISK 11 OR 18.

**"GOLD" COMPREHENSIVE PROTECTION
PLAN POLICY OF TITLE INSURANCE
EXCLUSIONS FROM COVERAGE**

THE FOLLOWING MATTERS ARE EXPRESSLY EXCLUDED FROM THE COVERAGE OF THIS POLICY AND THE COMPANY WILL NOT PAY LOSS OR DAMAGE, COST, ATTORNEYS' FEES OR EXPENSES WHICH ARISE BY REASON OF:

1. (A) ANY LAW, ORDINANCE OR GOVERNMENTAL REGULATION (INCLUDING BUT NOT LIMITED TO BUILDING AND ZONING LAWS, ORDINANCES, OR REGULATIONS) RESTRICTING, REGULATING, PROHIBITING OR RELATING TO (I) THE OCCUPANCY, USE, OR ENJOYMENT OF THE LAND; (II) THE CHARACTER, DIMENSIONS OR LOCATION OF ANY IMPROVEMENT NOW OR HEREAFTER ERECTED ON THE LAND; (III) A SEPARATION IN OWNERSHIP OR A CHANGE IN THE DIMENSIONS OR AREA OF THE LAND OR ANY PARCEL OF WHICH THE LAND IS OR WAS A PART; OR (IV) ENVIRONMENTAL PROTECTION, OR THE EFFECT OF ANY VIOLATION OF THESE LAWS, ORDINANCES OR GOVERNMENTAL REGULATIONS, EXCEPT TO THE EXTENT THAT A NOTICE OF THE ENFORCEMENT THEREOF OR A NOTICE OF A DEFECT, LIEN OR ENCUMBRANCE RESULTING FROM A VIOLATION OR ALLEGED VIOLATION AFFECTING THE LAND HAS BEEN RECORDED IN THE PUBLIC RECORDS AT DATE OF POLICY. THIS EXCLUSION FROM COVERAGE 1(A) DOES NOT LIMIT THE COVERAGE PROVIDED IN INSURING PROVISIONS NUMBER 14, 15, 16, 17, 34, AND 41.
(B) ANY GOVERNMENTAL POLICE POWER NOT EXCLUDED BY (A) ABOVE, EXCEPT TO THE EXTENT THAT A NOTICE OF THE EXERCISE THEREOF OR A NOTICE OF A DEFECT, LIEN OR ENCUMBRANCE RESULTING FROM A VIOLATION OR ALLEGED VIOLATION AFFECTING THE LAND HAS BEEN RECORDED IN THE PUBLIC RECORDS AT DATE OF POLICY. THIS EXCLUSION FROM COVERAGE 1(A) DOES NOT LIMIT THE COVERAGE PROVIDED IN INSURING PROVISIONS NUMBER 14, 15, 16, 17, 34, AND 41.
2. RIGHTS OF EMINENT DOMAIN UNLESS NOTICE OF THE EXERCISE THEREOF HAS BEEN RECORDED IN THE PUBLIC RECORDS AT DATE OF POLICY, BUT NOT EXCLUDING FROM COVERAGE ANY TAKING WHICH HAS OCCURRED PRIOR TO DATE OF POLICY WHICH WOULD BE BINDING ON THE RIGHTS OF A PURCHASER FOR VALUE WITHOUT KNOWLEDGE.
3. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS:
 - (A) CREATED, SUFFERED, ASSUMED OR AGREED TO BY THE INSURED CLAIMANT;
 - (B) NOT KNOWN TO THE COMPANY, NOT RECORDED IN THE PUBLIC RECORDS AT DATE OF POLICY, BUT KNOWN TO THE INSURED CLAIMANT AND NOT DISCLOSED IN WRITING TO THE COMPANY BY THE INSURED CLAIMANT PRIOR TO THE DATE THE INSURED CLAIMANT BECAME AN INSURED UNDER THIS POLICY;
 - (C) RESULTING IN NO LOSS OR DAMAGE TO THE INSURED CLAIMANT;
 - (D) ATTACHING OR CREATED SUBSEQUENT TO DATE OF POLICY (THIS EXCLUSION FROM COVERAGE 3 (D) DOES NOT LIMIT THE COVERAGE PROVIDED IN INSURING PROVISIONS NUMBER 7, 8, 15, 16, 18, 21, 22, 24, 25, 26, 28, 29, 30, 32, 33, 34, 35, 38, 39, AND 40);
 - (E) RESULTING IN LOSS OR DAMAGE WHICH WOULD NOT HAVE BEEN SUSTAINED IF THE INSURED CLAIMANT HAD PAID VALUE FOR THE INSURED MORTGAGE.
4. UNENFORCEABILITY OF THE LIEN OF THE INSURED MORTGAGE BECAUSE OF THE INABILITY OR FAILURE OF THE INSURED AT DATE OF POLICY, OR THE INABILITY OR FAILURE OF ANY SUBSEQUENT OWNER OF THE INDEBTEDNESS, TO COMPLY WITH APPLICABLE DOING BUSINESS LAWS OF THE STATE IN WHICH THE LAND IS SITUATED.
5. INVALIDITY OR UNENFORCEABILITY OF THE LIEN OF THE INSURED MORTGAGE, OR CLAIM THEREOF, WHICH ARISES OUT OF THE TRANSACTION EVIDENCED BY THE INSURED MORTGAGE AND IS BASED UPON ANY CONSUMER CREDIT PROTECTION OR TRUTH-IN-LENDING LAW.
6. ANY CLAIM, WHICH ARISES OUT OF THE TRANSACTION CREATING THE INTEREST OF THE MORTGAGEE INSURED BY THIS POLICY, BY REASON OF THE OPERATION OF FEDERAL BANKRUPTCY, STATE INSOLVENCY, OR SIMILAR CREDITORS' RIGHTS LAWS, THAT IS BASED ON:
 - (A) THE TRANSACTION CREATING THE ESTATE OF THE INSURED MORTGAGEE BEING DEEMED A FRAUDULENT CONVEYANCE OR FRAUDULENT TRANSFER; OR
 - (B) THE SUBORDINATION OF THE INTEREST OF THE INSURED MORTGAGEE AS A RESULT OF THE APPLICATION OF THE DOCTRINE OF EQUITABLE SUBORDINATION; OR
 - (C) THE TRANSACTION CREATING THE INTEREST OF THE INSURED MORTGAGEE BEING DEEMED A PREFERENTIAL TRANSFER EXCEPT WHERE THE PREFERENTIAL TRANSFER RESULTS FROM THE FAILURE;
 - (I) TO TIMELY RECORD THE INSTRUMENT OF TRANSFER; OR
 - (II) OF SUCH RECORDATION TO IMPART NOTICE TO A PURCHASER FOR VALUE OR A JUDGMENT OR LIEN CREDITOR.
7. TAXES, ASSESSMENTS, COSTS, CHARGES, DAMAGES AND OTHER OBLIGATIONS TO THE GOVERNMENT SECURED BY STATUTORY LIENS THAT BECOME A LIEN ON THE LAND SUBSEQUENT TO DATE OF POLICY, BUT THIS EXCLUSION 7 DOES NOT LIMIT THE COVERAGE OF INSURING PROVISION 34.

Stewart Title Guaranty Company, Stewart Title Insurance Company, Stewart Title of California, Inc.

Privacy Policy Notice

PURPOSE OF THIS NOTICE

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of Stewart Title Guaranty Company, Stewart Title Insurance Company, Stewart Title of California, Inc.

We may collect nonpublic personal information about you from the following sources:

- * Information we receive from you, such as on applications or other forms.
- * Information about your transactions we secure from our files, or from our affiliates or others.
- * Information we receive from a consumer reporting agency.
- * Information that we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates or to nonaffiliated third parties permitted by law.

We also may disclose this information about our customers or former customers to the following types of nonaffiliated companies that perform marketing services on our behalf or with whom we have joint marketing agreements:

- * Financial service providers such as companies engaged in banking, consumer finance, securities and insurance.
- * Non-financial companies such as envelope stuffers and fulfillment service providers.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

SCALE: 1 IN. = 600 FT.

MONTEREY

BAY

ASSRS. SUB. A

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ASSRS. SUB. C
15.133 AC.

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SEASIDE
HIGH SCHOOL

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CONRAD RD.

LUZON RD.

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3
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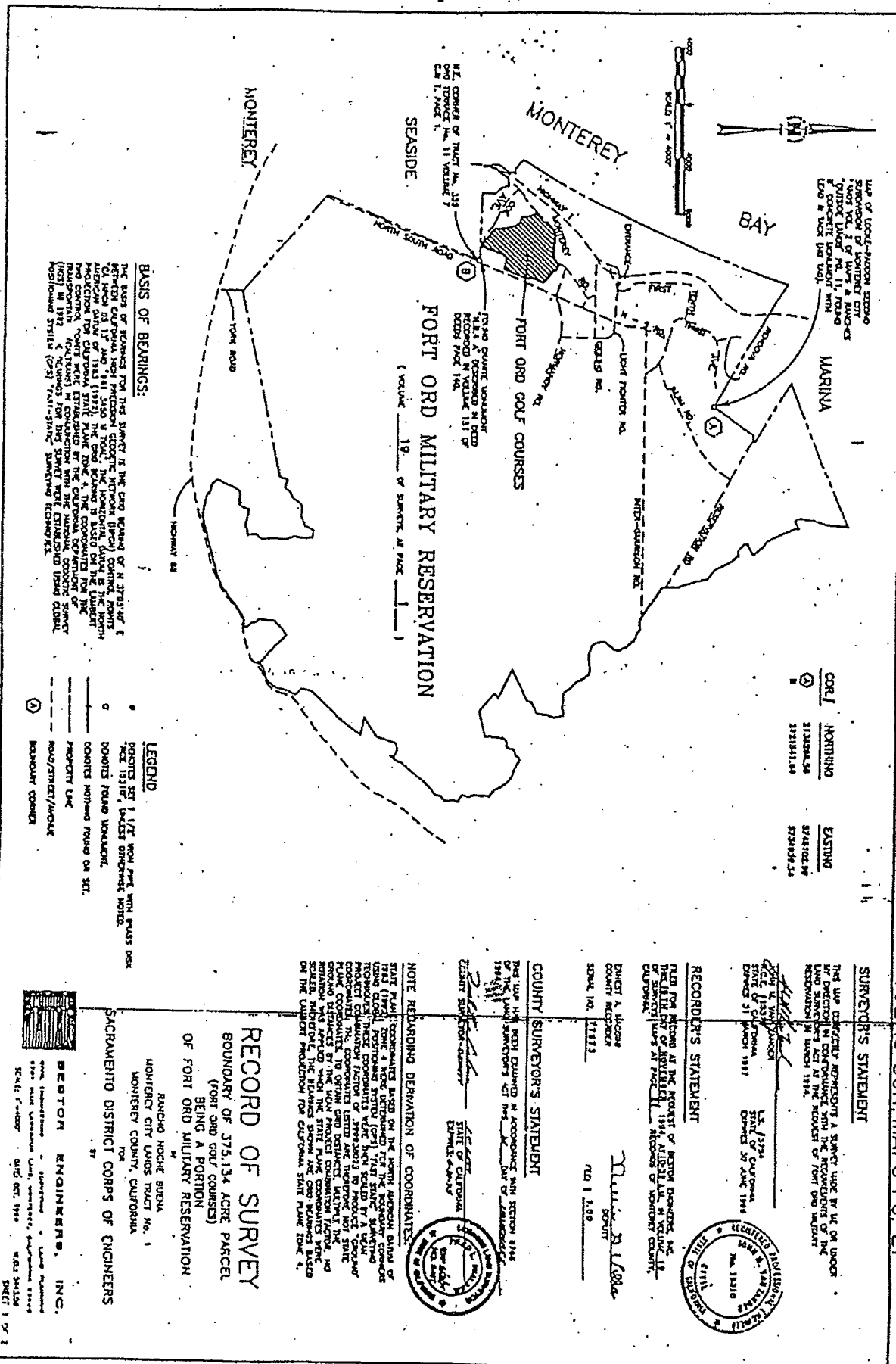
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FORT ORD

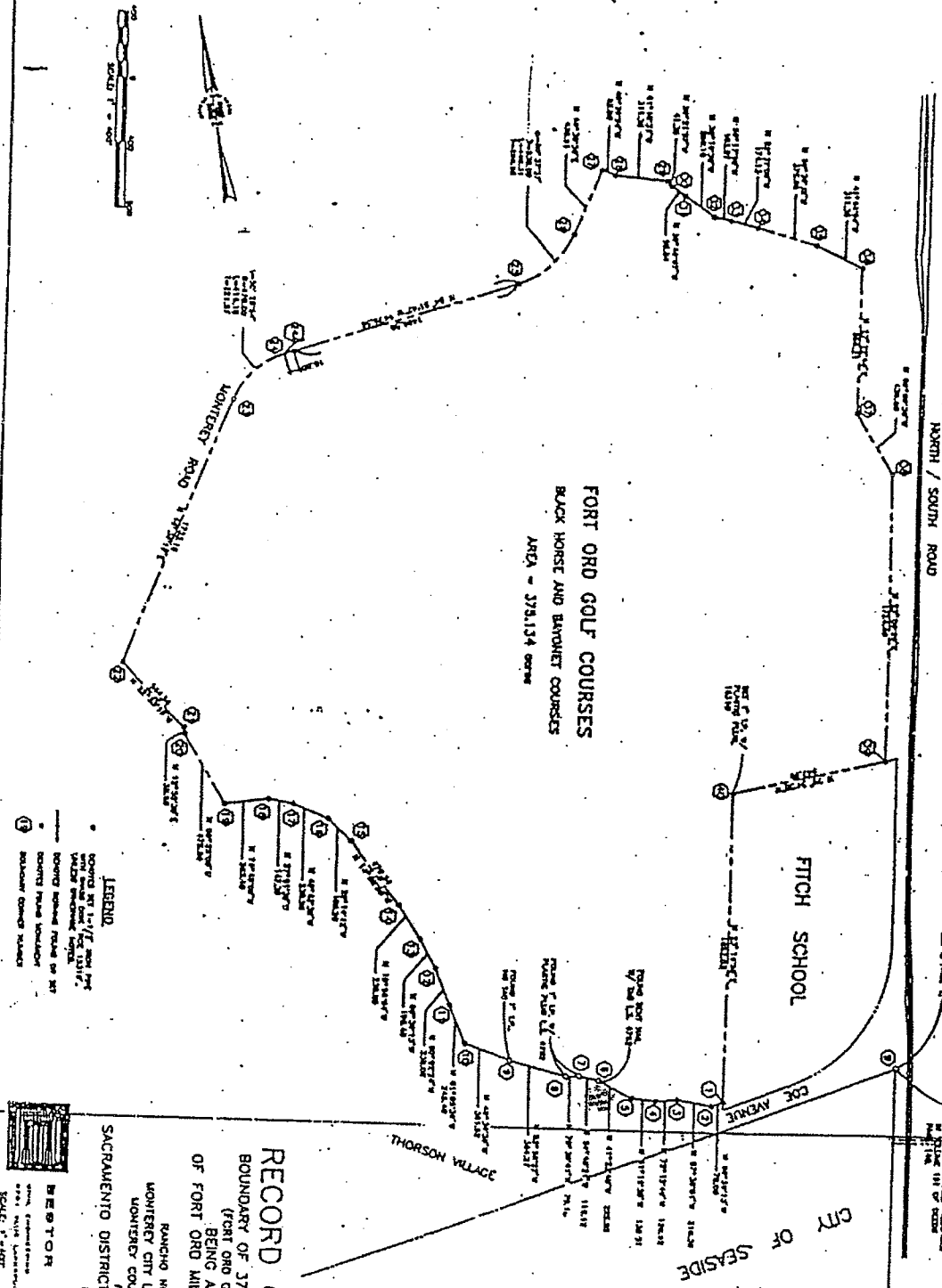
COUNTY OF MONTEREY
ASSESSOR'S MAP
BOOK 31 PAGE 1

This map is furnished as a matter of accommodation only, and no liability is assumed by its attachment to the policy of title insurance of Stewart Title Guaranty Company.

This map is furnished as a matter of accommodation only, and no liability is assumed by its attachment to the policy of title insurance of Stewart Title Guaranty Company.



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 (VOLUME 19, OF SURVEYS AT PAGE 1.)



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 • BOUNDARY OF 1/4 SECTION 84, T. 12 N., R. 12 E., S. 4
 • BOUNDARY OF 1/4 SECTION 85, T. 12 N., R. 12 E., S. 4
 • BOUNDARY OF 1/4 SECTION 86, T. 12 N., R. 12 E., S. 4
 • BOUNDARY OF 1/4 SECTION 87, T. 12 N., R. 12 E., S. 4
 • BOUNDARY OF 1/4 SECTION 88, T. 12 N., R. 12 E., S. 4
 • BOUNDARY OF 1/4 SECTION 89, T. 12 N., R. 12 E., S. 4
 • BOUNDARY OF 1/4 SECTION 90, T. 12 N., R. 12 E., S. 4
 • BOUNDARY OF 1/4 SECTION 91, T. 12 N., R. 12 E., S. 4
 • BOUNDARY OF 1/4 SECTION 92, T. 12 N., R. 12 E., S. 4
 • BOUNDARY OF 1/4 SECTION 93, T. 12 N., R. 12 E., S. 4
 • BOUNDARY OF 1/4 SECTION 94, T. 12 N., R. 12 E., S. 4
 • BOUNDARY OF 1/4 SECTION 95, T. 12 N., R. 12 E., S. 4
 • BOUNDARY OF 1/4 SECTION 96, T. 12 N., R. 12 E., S. 4
 • BOUNDARY OF 1/4 SECTION 97, T. 12 N., R. 12 E., S. 4
 • BOUNDARY OF 1/4 SECTION 98, T. 12 N., R. 12 E., S. 4
 • BOUNDARY OF 1/4 SECTION 99, T. 12 N., R. 12 E., S. 4
 • BOUNDARY OF 1/4 SECTION 100, T. 12 N., R. 12 E., S. 4



RECORD OF SURVEY
 BOUNDARY OF 375,134 ACRE PARCEL
 (FORT ORD GOLF COURSES)
 BEING A PORTION
 OF FORT ORD MILITARY RESERVATION
 IN
 RANCHO NOCHE BUENA
 MONTGOMERY CITY LANDS TRACT No. 1
 MONTGOMERY COUNTY, CALIFORNIA
 FOR
 SACRAMENTO DISTRICT CORPS OF ENGINEERS
 BY
BESTOR ENGINEERS, INC.
 1000 Folsom Street, Suite 100, San Francisco, California 94103
 SCALE 1"=400' DATE OCT. 1985 W.B. 341304

Bishop, McIntosh & McIntosh

Alternative Production Allocation

Place of Use

Legal Description

That certain real property Described as Parcel 1 and Parcel 2 as shown on Volume 15, Page 190 of Parcel Maps, filed in the Office of the County Recorder of Monterey, State of California described as follows:

Beginning at the southwesterly corner of Parcel 2 as shown on Volume 15, Page 190 of Parcel Maps, filed in the Office of the County Recorder of Monterey; thence

- 1) North, 132.00 feet to the beginning of a non-tangent curve, concave north, having a radius of 170.00 feet, and to which beginning a radial bears South 37°10'00" East; thence
- 2) Easterly, 110.28 feet along said curve, through a central angle of 37°10'00"; thence
- 3) North 52°50'00" East, 149.37 feet; thence
- 4) North 22°30'00" West, 165.88 feet; thence
- 5) North 80°00'00" East, 110.00 feet; thence
- 6) North 16°30'00" East, 415.00 feet; thence
- 7) North 16°30'00" West, 105.88 feet; thence
- 8) North 44°11'18" East, 110.00 feet; thence
- 9) North 83°26'18" East, 170.00 feet; thence
- 10) South 54°03'42" East, 160.00 feet; thence
- 11) North 83°31'18" East, 180.00 feet; thence
- 12) South 57°43'42" East, 225.00 feet; thence
- 13) South 88°48'42" East, 715.00 feet; thence
- 14) South 21°30'00" East, 85.00 feet; thence
- 15) South 21°30'00" East, 85.00 feet; thence
- 16) South 19°00'00" West, 135.00 feet; thence
- 17) South 30°00'00" East, 55.00 feet; thence
- 18) South 64°00'00" East, 100.00 feet; thence
- 19) North 56°30'50" East, 312.38 feet; thence
- 20) North 00°07'38" East, 1,246.18 feet; thence
- 21) North 67°00'00" West, 425.02 feet; thence
- 22) North 18°58'19" East, 205.18 feet; thence
- 23) North 45°03'05" West, 117.72 feet; thence

- 24) North 08°24'30" West, 223.00 feet; thence
- 25) North 82°30'34" West, 216.80 feet; thence
- 26) West, 99.47 feet; thence
- 27) South 17°01'49" West, 251.49 feet; thence
- 28) South 25°00'00" West, 38.98 feet; thence
- 29) Continue southwesterly along said line, 53.10 feet; thence
- 30) North 67°00'00" West, 60.04 feet; thence
- 31) North 25°00'00" East, 90.00 feet; thence
- 32) North 17°01'49" East, 239.00 feet; thence
- 33) South 76°00'00" West, 97.78 feet; thence
- 34) South 70°00'00" West, 98.07 feet; thence
- 35) South 78°00'00" West, 74.00 feet; thence
- 36) South 84°00'00" West, 203.00 feet; thence
- 37) North 80°00'00" West, 80.00 feet; thence
- 38) North 58°00'00" West, 69.00 feet; thence
- 39) North 34°00'00" West, 68.00 feet; thence
- 40) North 11°59'51" West, 249.61 feet; thence
- 41) South 78°00'09" West, 514.98 feet; thence
- 42) Continue westerly along said line, 61.69 feet to the beginning of a curve, concave southeast, having a radius of 220.00 feet; thence
- 43) Southwesterly 175.36 feet along said curve, through a central angle of 45°40'09"; thence
- 44) South 32°20'00" West, 68.61 feet; thence
- 45) North 57°40'00" West, 35.00 feet to the beginning of a curve, concave south, having a radius of 530.00 feet; thence
- 46) Westerly 410.07 feet along said curve, through a central angle of 44°19'51"; thence
- 47) North 78°00'09" East, 2,213.91 feet; thence
- 48) South 11°59'51" East, 60.01 feet; thence
- 49) South 81°30'00" East, 239.29 feet; thence
- 50) South 70°35'30" East, 123.50 feet; thence
- 51) North 81°11'18" East, 85.52 feet; thence
- 52) South 26°33'42" East, 99.82 feet; thence
- 53) North 86°06'18" East, 139.96 feet; thence
- 54) North 16°46'18" East, 375.61 feet; thence
- 55) North 78°00'09" East, 520.00 feet; thence

- 56) South 27°23'42" East, 280.00 feet; thence
- 57) South 89°28'42" East, 210.00 feet; thence
- 58) South 21°03'42" East, 270.00 feet; thence
- 59) South 57°11'18" West, 160.00 feet; thence
- 60) South 31°36'18" West, 250.00 feet; thence
- 61) South 31°03'42" East, 220.00 feet; thence
- 62) South 33°56'18" West, 390.00 feet; thence
- 63) North 71°43'42" West, 230.00 feet; thence
- 64) South 58°36'18" West, 190.00 feet; thence
- 65) South 03°43'42" East, 290.00 feet; thence
- 66) South 57°22'35" East, 373.62 feet; thence
- 67) North 80°34'59" East, 267.61 feet; thence
- 68) North 84°31'21" East, 153.29 feet; thence
- 69) South 74°52'13" East, 327.86 feet; thence
- 70) South 84°20'29" East, 224.52 feet; thence
- 71) South 42°36'32" East, 93.11 feet; thence
- 72) South 76°35'50" East, 293.61 feet; thence
- 73) South 26°19'19" East, 136.78 feet; thence
- 74) South 21°36'43" East, 115.18 feet; thence
- 75) South 68°10'09" West, 287.48 feet; thence
- 76) South 38°33'50" West, 317.27 feet; thence
- 77) South 08°51'22" East, 522.61 feet; thence
- 78) South 34°53'42" East, 190.00 feet; thence
- 79) Continue southeasterly along said line, 470.00 feet; thence
- 80) South 72°03'42" East, 360.00 feet; thence
- 81) North 61°56'18" East, 220.00 feet; thence
- 82) North 78°56'18" East, 466.00 feet; thence
- 83) South 14°13'42" East, 183.05 feet; thence
- 84) South 21°33'42" East, 250.00 feet; thence
- 85) South 07°39'48" West, 199.76 feet; thence
- 86) South 69°26'18" West, 60.00 feet; thence
- 87) South 71°01'18" West, 120.00 feet; thence
- 88) South 82°56'18" West, 230.00 feet; thence
- 89) South 88°36'18" West, 155.00 feet; thence
- 90) North 86°08'42" West, 155.00 feet; thence

- 91) North 82°13'42" West, 160.00 feet; thence
- 92) North 76°48'42" West, 150.00 feet; thence
- 93) North 75°03'42" West, 160.00 feet; thence
- 94) North 70°18'42" West, 160.00 feet; thence
- 95) North 61°13'31" West, 290.26 feet; thence
- 96) North 57°03'42" West, 395.74 feet; thence
- 97) North 42°53'42" West, 152.00 feet; thence
- 98) North 66°08'42" West, 494.00 feet; thence
- 99) North 76°03'42" West, 490.00 feet; thence
- 100) South 89°56'18" West, 488.00 feet; thence
- 101) South 75°36'18" West, 642.00 feet; thence
- 102) North 89°43'42" West, 278.00 feet; thence
- 103) South 86°31'18" West, 414.00 feet; thence
- 104) North 89°18'42" West, 338.00 feet; thence
- 105) North 85°13'42" West, 160.00 feet; thence
- 106) North 74°33'42" West, 230.99 feet to the **Point of Beginning**.

Containing 188.61 acres, more or less, as shown on the plat attached hereto and made a part of.

Bearings cited herein are referenced to Volume 15, Page 190 of Parcel Maps, filed in the office of the County Recorder of Monterey.

Dated: October 31, 2005

Bestor Engineers, Inc.

H. PATRICK WARD, PLS
LS 7866
Exp: 12/31/06

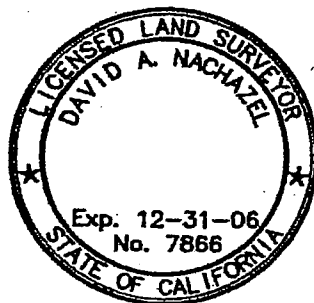


EXHIBIT "A"
DESCRIPTION OF REAL PROPERTY

THE LAND REFERRED TO IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF MONTEREY AND IS DESCRIBED AS FOLLOWS:

PARCEL A

Parcels I through P as shown on the Map entitled "Tract No. 1307, Rancho Monterey", which map was filed for record on November 4th, 1998 in Volume 20 of Cities and Towns, as Page 7 in the Office of the County Recorder of Monterey County, California

PARCEL B (LEASEHOLD)

Beginning at a large granite monument, marked L S 8, S 4 standing at the common corner for Monterey City Lands Tract No. 1 (Pueblo Tract) as patented and the Rancho Saucito and Laguna Seca, as patented from which a double live oak 14" in diameter bears N. 18° 15' W., 35.35 feet distant, and leaning live oak 14" in diameter bears N. 50° 40' E., 69.85 feet distant, both trees being marked B T L S 8; thence along the boundary between said Monterey City Lands Tract No 1 and the Rancho Laguna Seca

- (1) N. 76° 05' E., 12537.36 feet to a hollow live oak 20 inches in diameter, marked LS9 from which a live oak 20 inches in diameter bears N. 89° 30' W., 66.17 feet distant and a double live oak 30 inches in diameter bears S. 44° 45' W., 63.50 feet distant both trees being marked B T L S 9; thence still along said dividing line
- (2) N. 77° 36' E., 987.4 feet to a 4 x 4 inch post marked M A F, S J F, Station; thence leaving said line
- (3) S. 22° 00 1/2' W., 5357.6 feet at 850.0 feet a 4 x 4 inch post marked M A F, S J F, On Line, at 4843.2 feet a 4 x 4 inch post marked M A F, S J F, standing in a fence corner near the Laguna Seca Ranch Building at 5310.3 feet a 4 x 4 inch post marked M A F, S J F, W P. Standing in the northern right of way line of the New Salinas-Monterey Road (width 80 feet) from which a live oak 30 inches in diameter marked B T bears N. 17° E., 78 feet distant; 5357.6 feet to a station 376.44 of the center line of the said new right of way of said road; thence
- (4) S. 5° 35' W., 2855.1 feet at 41.1 feet a 4 x 4 inch post in fence on the southern side of said road, 1305.0 feet 4 x 4 inch post marked M A F, S J F, Line at 2293.8 feet a 4 x 4 inch post marked M A F, S J F, Line 2855.1 feet to a 8 x 8 inch post marked S J F, MAF, standing in the boundary between the Rancho Laguna Seca and Monterey City lands Tract No. 2 (Pueblo Tract); thence
- (5) N. 80 36' W., 1615.4 feet along fence and the boundary between Laguna Seca and Monterey City Lands Tract No. 2 to a live oak 2 1/2 feet in diameter, Corner L S 3 of the Patent survey of the Rancho Laguna Seca; thence
- (6) N. 40° 39' W., 1779.8 feet at 1062.7 feet a 4 x 4 inch post marked L S R, Line at 1707.0 feet a 4 x 4 inch post marked L S R, 409+77.6 in south line of new road

right of way at 1711.6 feet a large granite witness monument near the south line of the new Salinas Monterey Road Right of Way from which Engineer Station 409+05.61 E.C., bears N. 57° 32' E., 82.16 feet distant 1779.8 feet to Station L S 4 in the road right of way; thence

(7) N. 76° 04' W., 2550.2 feet a 4 x 4 inch post marked L S R, Line at 995.6 feet to a 4 x 4 inch post marked L S R, S J F, Line 420+28.15 in fence on south line of road at 1615 feet a 4 x 4 inch post marked L S R, Line, on Summit of Spur at 2015.0 feet a 4 x 4 inch post marked L S R, Line 2550.2 feet to the original Patent Survey Corner Oak L S 5; thence

(8) N. 89° 56' W., at 100.5 feet a 4 x 4 inch post marked L S R, S J F, Line at 525.0 feet a 4 x 4 inch post marked L S R, S J F, Line at 1273.1 feet a 4 x 4 inch post marked L S R, S J F Line 450+62, at 2337.0 feet a 4" x 4" post marked L S R, 461+16.5 Line, in fence on south side of the new road right of way, at 2551.2 feet a 4 x 4 inch post marked L S R. T. 16, S R 1 E, T. 16 S R 2 E, 2676.6 feet to a 8 x 8 inch post marked L S 6 set in the roots of the original oak corner tree S L 6, from which a live oak 10 inches in diameter bears S. 52° 15' W., 21 feet distant, marked B T, L S 6, and live oak 12 inches in diameter bears S. 83° E., 38.8 feet distant, marked B T L S 6; thence

(9) N. 75° 13 1/2' W., 3032.4 feet a 418.7 feet to a 4 x 4 inch post L S R, S J F Line at 943.9 feet a 4 x 4 inch post marked L S R, S J F, Line at 1243.9 feet a 4 x 4 inch post marked L S R, S J F Line at 189.10 feet a 4 x 4 inch post marked L S R, S J F, Line at 2491.0 feet a 4 x 4 inch post marked L S R, S J F, Line 3032.4 feet a 8 x 8 inch post marked L S 7 in fence, from which a live oak 14 inches in diameter bears S. 27° 50' E., 47 feet distant; thence leave the line of the Monterey City Lands Tract No. 2, and along the easterly line of the Rancho Saucito

(10) N. 0° 15' W., 1571.5 feet at 83.3 feet a 4 x 4 inch post marked T J F in fence on the north line of the new road right of way (width 80 feet) at 234.3 feet a large live oak on line marked, with a cross 1571.5 feet to the place of beginning.

Excepting therefrom that portion of said land described in the deed to the County of Monterey, recorded April 30, 1929 in Book 190, Page 91, Official Records.

Also excepting therefrom all that portion of said land conveyed to Eula May Leidig, by deed recorded April 23, 1946 in Volume 919 Official Records, Page 426

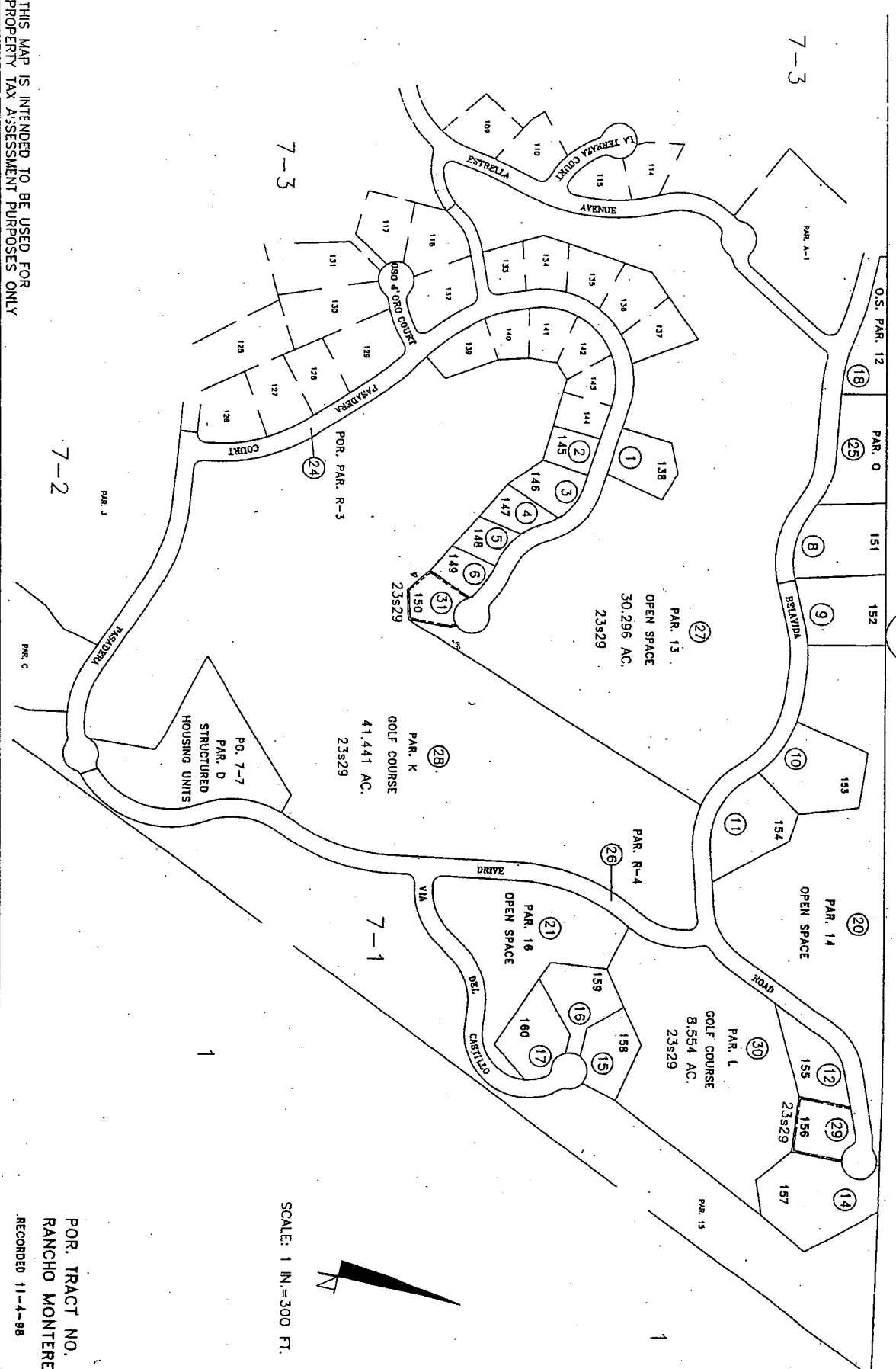
Also excepting therefrom that portion of said land described in the deed to Constance H. Bishop, recorded June 30, 1952 in Book 1390, Page 299, Official Records.

Also excepting therefrom that portion of said land described in the deed to James E. Elliott, et ux, recorded September 19, 1960 in Book 2083, Page 276, Official Records.

TAX CODE AREA 134-04
31/13

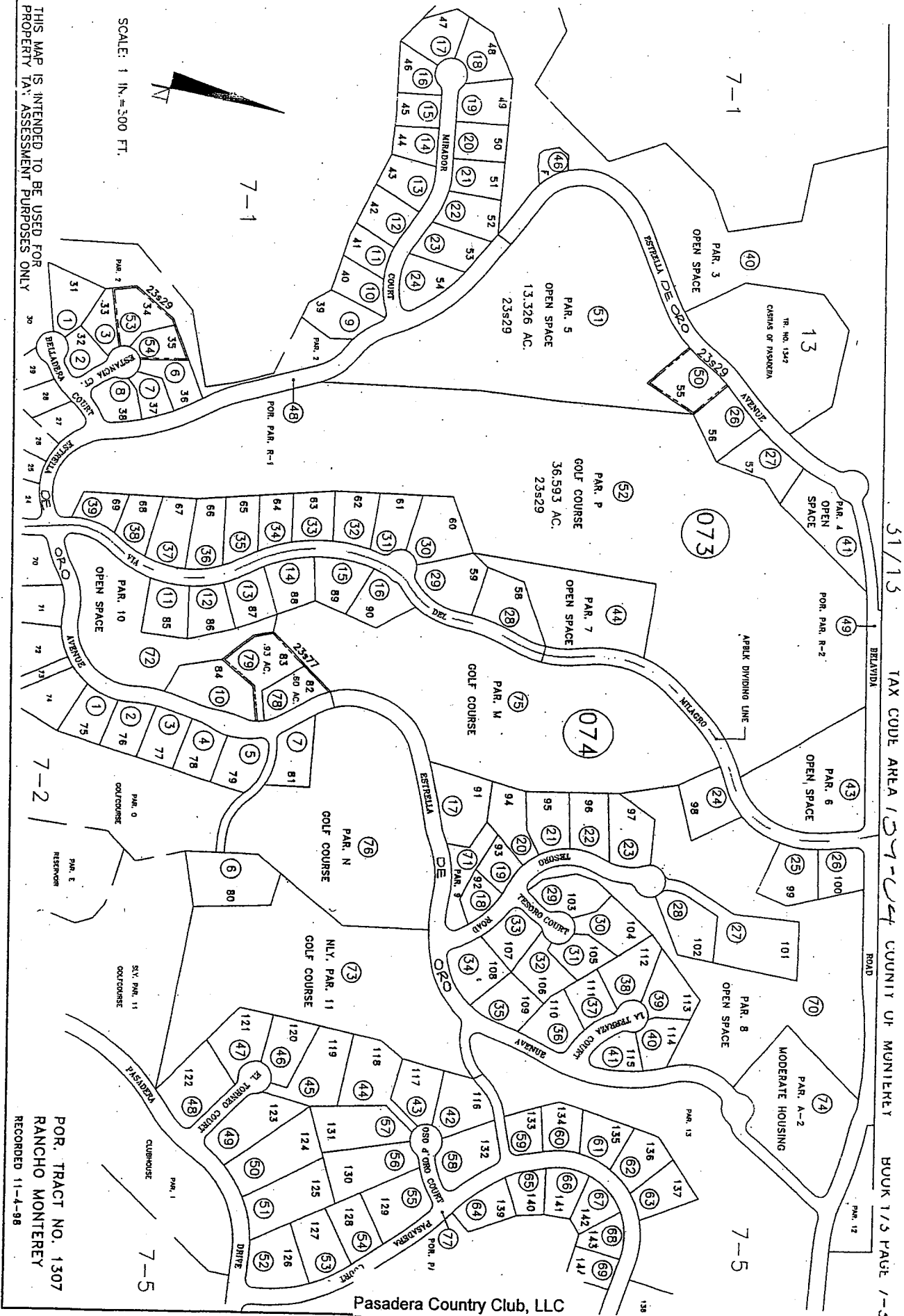
COUNTY OF MONTEREY
ASSESSOR'S MAP
BOOK 173 PAGE 7-

Pasadera Country Club, LLC
Page 3



THIS MAP IS INTENDED TO BE USED FOR
PROPERTY TAX ASSESSMENT PURPOSES ONLY

POR. TRACT NO. 1307
RANCHO MONTEREY
RECORDED 11-4-98



**Mission Memorial Park
Legal Description and Map**

DESCRIPTION

PARCEL I:

Certain real property situate, lying and being in the County of Monterey, State of California, being a portion of that certain 4.000 acres of land conveyed by Mission Memorial Park Inc., to John H. Moncivich and Walter Ehrlich by Deed dated August 10, 1955 in Volume 1647, Official Records of Monterey County, Page 261, particularly described as follows:

Beginning at the Southwesterly corner of said 4.00 acre parcel, being also a portion on the Westerly line of that certain 40 1/3 acre tract of land conveyed from Walter Ehrlich, et al, to Mission Memorial Park by Deed dated February 25, 1953 and recorded October 30, 1953 in Volume 1487, Official Records of Monterey County, at Page 420, from which point of beginning a concrete monument standing at the Northeasterly corner of Tract No. 303, Ord Terrace No. 9, as shown on that certain Map filed in Volume 6 of Maps, "Cities and Towns", at Page 104, Monterey County Records, bears N. 0° 42' 35" W., 830.75 feet (deed N. 1° 01' W., 831.9 feet); thence

(1) Along the Southerly line of said 4.000 acre parcel, S. 89° 48' E., 102.71 feet (deed S. 89° 48' E., 97.72 feet); thence

(2) 36.29 feet along the arc of a tangent curve to the left of radius 25.00 feet (long chord bears N. 48° 36' 40" E., 33.19 feet and central angle of 83° 10' 40"); thence

(3) 184.40 feet along the arc of a tangent reverse curve to the right of radius 255.00 feet (long chord bears N. 27° 44' 20" E., 180.41 feet and central angle of 41° 26'); thence

(4) Leaving the Easterly line of said 4.000 acre parcel N. 41° 32' 40" W., 125.00 feet; thence

(5) S. 89° 09' 50" W., 132.07 feet to a point on the Westerly line of said 4.000 acre parcel and the Easterly line of said Ord Terrace No. 9; thence

(6) Following said line, S. 0° 42' 35" E., 272.91 feet to the point of beginning.

A.P. NO.: 011-061-018

PARCEL II:

Beginning at a point on the Westerly line of that certain 40 1/3 acre tract of land conveyed from the City of Monterey to Walter Ehrlich, et al, by a Deed dated July 23, 1952 and recorded July 25, 1952 in Volume 1395, Official Records of Monterey County, at Page 187, from which point of beginning, a granite monument at the Northeasterly corner of Lot 1, Rancho Noche Buena bears N. 1° 01' W., 98.91 feet to a point on the Northerly line of said Lot 1, and thence along said Northerly line N. 89° 09' 50" E., 1307.36 feet (by said deed 1308.18 feet); thence from said point of beginning and following said Westerly line of said tract of land

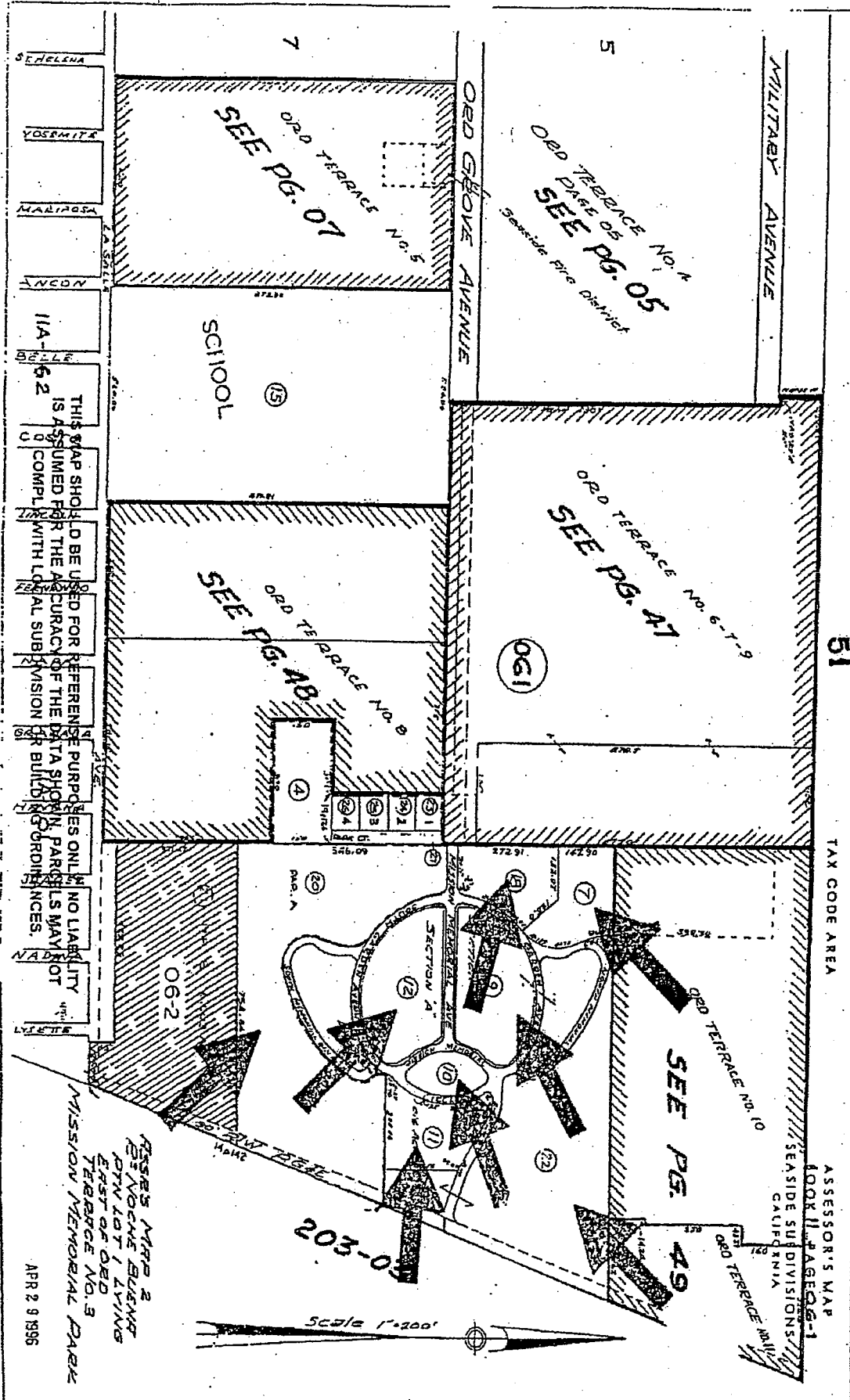
DESCRIPTION

- (1) S. 1° 01' E., 831.90 feet (in said deed said line is given a bearing of S. 0° 42' 35" E.); thence leaving said line
- (2) S. 89° 48' E., 97.72 feet; thence
- (3) 36.29 feet along the arc of a tangent curve of radius 25 feet (long chord bears N. 48° 36' 40" E., 33.19 feet); thence
- (4) 184.40 feet along the arc of a tangent reverse curve of radius 255 feet (center of said curve bears S. 82° 58' 40" E., long chord bears N. 27° 44' 20" E., 180.41 feet); thence
- (5) 164.72 feet along the arc of a tangent reverse curve of radius 125 feet (center of said curve bears N. 41° 32' 40" W., long chord bears N. 10° 42' 20" E., 153.05 feet); thence
- (6) 109.11 feet along the arc of a tangent reverse curve of radius 235 feet (center of said curve bears N. 62° 57' 20" E., long chord bears N. 13° 44' 35" W., 108.13 feet); thence tangentially
- (7) N. 0° 26' 30" W., 398.30 feet; thence
- (8) S. 89° 09' 50" W., 221.04 feet to the point of beginning and being a portion of said 40 1/3 acre tract of land.

EXCEPTING THEREFROM that certain real property described in the Deed from John H. Moncovich, et al, to Mission Memorial Park, a Corporation, dated August 22, 1958 and recorded October 28, 1958 in Volume 1905, Official Records of Monterey County, at Page 268.

ALSO EXCEPTING THEREFROM that certain real property described in the Deed from John H. Moncovich, et al, to R.I. Gorrell and A. Von Drachenfels, a Partnership, composed of R.I. Gorrell and A. Von Drachenfels, dated October 27, 1958 and recorded November 25, 1958 in Volume 1912, Official Records of Monterey County, at Page 150.

A.P. NO.: 011-061-007



Description: Monterey, CA Assessor Map 11.6 Page 1 of 2 Only
 Order: JCV Comment:

EXHIBIT "A"

EXHIBIT "A"

Calabrese Lands

PARCEL 1:

All that real property situated in the City of Sand, County of Monterey, State of California, described as follows:

Part of Lot 1 of Rancho Noche Buena in Monterey County, Calif., described as follows, to wit:

Commencing at the intersection of the westerly line of Ocean View Avenue with the Northerly line of Park Drive projected Westerly, as same are shown and designated on that certain map entitled, "Map No. 3, Hot Spring Tract, being a portion of Lot 1, Rancho Noche Buena, Monterey County, Calif., surveyed by C. H. Sanders, March 1912", filed for record April 1, 1912 in the office of the County Recorder of the County of Monterey, State of California, in Volume 2 of Maps, "Cities and Towns", at page 35; and running thence: S. 61° 15' E., 581.7 feet along the northerly line of said Park Drive; thence

S. 56° 43 ½' E., 374 feet along the said northerly line of Park Drive; thence

N. 33° 16 ½' E., 479.6 feet; thence

N. 61° 15' W., 972.6 feet to the westerly line of Lot 1 of Rancho Buena which is also the westerly line of Ocean Ave., projected northerly; thence

S. 31° 16' W., along said westerly line 450 feet to the point of beginning containing 10.00 acres of land, a little more or less;

Also any and all land adjacent and contiguous to the above described property lying westerly of the above parcel and projecting into the Bay of Monterey and between the northerly line and the southerly line of the above described parcel as said lines are projected westerly;

EXCEPTING THEREFROM any portion of the above property lying within the lines of State Freeway No. 1.

APN: 011-012-005 and 011-011-020 - Vacant Lots in Sand City, California

Parcel 2:

All that real property situate in the City of Sand, County of Monterey, described as follows:

Certain real property situate in the Rancho Noche Buena, in the County of Monterey, State of California, being a portion of that certain 86.75 acre parcel of land conveyed from T. A. Work, et ux, to Mrs. Edith A. Roberts by deed dated May 16, 1921 and recorded April 5, 1923 in Volume 13 of Official Records of Monterey County at Page 444, particularly described as

BEGINNING at a point in said 86.75 acre parcel, being the intersection of the southwesterly line of that certain 41.01 acre parcel of land described in lease from Jno. L. D. Roberts to Pacific Coast Agregates, Inc., dated October 18, 1946, with the northwesterly boundary of that certain 9.20 acre parcel of land described as Parcel 1A in Action No. 55706, Order for Possession, of the Superior Court of the State of California in and for the County of Monterey, dated October 6, 1965, said southwesterly lease boundary line being a line which bears S. 51° 10' E. from a point on the northwesterly boundary of said 86.75 acre parcel of land lying 1500.0 feet southwesterly along said northwesterly boundary from the most northerly corner of said 86.75 acre parcel, and said northwesterly boundary of said Parcel 1A being the northwesterly Right of Way Line of proposed State Highway, Road V-Non-56-I, Mon, Sea, Snd C, as delineated on the map filed in the State Highway Map Book at Pages 631 to 643, incl., records of said County; thence, along the boundary of said Parcel 1A, following Courses No. (12) and (11) as described in said court order

1. S. 59° 15' 51" W., 124.11 feet, to angle point of said boundary at southwesterly terminus of said course (12); thence
 2. S. 73° 07' 28" W., 1.85 feet; thence, leaving said boundary
 3. N. 51° 10' W., parallel with said southeasterly line of said lease parcel (in said lease N. 53° 06' W.) a distance of 68.20 feet; thence
 4. Westerly, 128.88 feet, along the arc of a tangent curve to the left with radius of 100 feet (long chord bears N. 83° 05' 17" W., 120.14 feet); thence, non-tangentially
 5. N. 51° 10' W., parallel with said southeasterly line of said lease parcel, a distance of 103.90 feet; thence
 6. N. 38° 50' E., 190.0 feet, to intersection with said lease line; thence
 7. S. 51° 10' E., along said lease line (in said lease S. 53° 06' E.), 312.52 feet, to the point of beginning. Basis of bearings for the above stated courses being identical with and derived from survey for said State Highway as shown on said highway map sheet.
- TOGETHER WITH a non-exclusive easement for road and utilities purposes over the following described parcel of land;

BEGINNING at the westerly terminus of course numbered 2 of the boundary of the above described parcel of land, said course being stated "S. 73° 07' 28" W., 1.85 feet", thence

1. S. 73° 07' 28" W., along the boundary of said Parcel 1A as described in said court order, 121.03 feet, to angle point of said boundary; thence, leaving said boundary
2. N. 35° 00' 35" W., 100.00 feet, to the westerly terminus of course numbered 4 of the boundary of the above described parcel of land, said course being a curve of radius 100 feet; thence, following the boundary of said parcel as above described
3. Easterly 128.88 feet along the arc of said curve to the right having a radius of 100 feet (center of said curve bears S. 35° 00' 35" E., 100.00 feet distant from the terminus of the preceding course), to a point from which said center bears S. 38° 50' W.; thence tangentially
4. S. 51° 10' E., 68.20 feet, to the point of beginning.

APN: 011-501-010

EXHIBIT 19-A

MONTHLY ALLOCATION REPORT

Reported in Acre-Feet

September 30, 2005

Jurisdiction	Budget Authority	Cleaner	Remaining FY 2008	FY 2009 Budget	FY 2009 Actual	Remaining FY 2009	Public Health Grant	Emergency Grants	Expendable	Total Available
Airport District	8.100	0.000	5.782		0.000	0.000	0.000	0.000	0.000	5.782
Carmel-by-the-Sea	19.410	0.000	1.630		1.081	0.000	0.000	0.000	0.560	3.271
Del Rey Oaks	8.100	0.000	0.000		0.440	0.000	0.000	0.000	0.000	0.000
Monterey	76.320	0.000	0.015		50.659	0.000	9.702	0.020 Cr	38.792	17.999
Monterey County	87.710	0.000	17.406		13.080	0.000	0.065	0.000	7.827	19.972
Pacific Grove	25.770	0.000	1.620		1.410	0.000	1.091	0.000	11.473	5.040
Sand City	51.860	0.000	1.490		0.838	0.000	0.838	0.000	24.717	27.045
Seaside	65.450	0.000	25.863		34.438	0.000	34.438	0.000	4.534	63.842
TOTALS	340.770	0.000	53.896		101.946	0.000	47.215	0.020 Cr	87.343	142.951

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CERTIFICATE OF MAILING

C.C.P. SEC. 1013a

I do hereby certify that I am not a party to the within stated cause and that on

1-12-06

I deposited true and correct copies of the following document:

TENTATIVE DECISION FILED JANUARY 12, 2006

in sealed envelopes with postage thereon fully prepaid, in the mail at Salinas, California 93901,
directed to each of the following named persons at their respective addresses, as hereinafter set forth:

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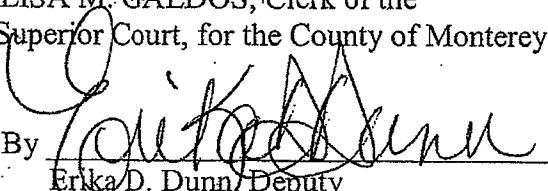
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Dated:

1-12-06

LISA M. GALDOS, Clerk of the
Superior Court, for the County of Monterey

By


Erika D. Dunn, Deputy

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PROOF OF SERVICE

I am employed in the County of Sacramento; my business address is Hall of Justice Building, 813 Sixth Street, Third Floor, Sacramento, California; I am over the age of 18 years and not a party to the foregoing action.

On February 15, 2006, I served a true and correct copy of

DECISION

X (by mail) on all parties in said action listed below, in accordance with Code of Civil Procedure §1013a(3), by placing a true copy thereof enclosed in a sealed envelope in a designated area for outgoing mail, addressed as set forth below. At Somach, Simmons & Dunn, mail placed in that designated area is given the correct amount of postage and is deposited that same day, in the ordinary course of business, in a United States mailbox in the City of Sacramento, California.

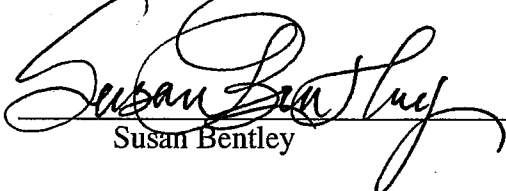
— (by personal delivery) by personally delivering a true copy thereof to the person and at the address set forth below:

— (by facsimile transmission) to the person at the address and phone number set forth below:

— (by electronic mail transmission) to the parties at the e-mail addresses set forth below:

SEE ATTACHED SERVICE LIST

I declare under penalty of perjury that the foregoing is true and correct under the laws of the State of California. Executed on February 15, 2006, at Sacramento, California.


Susan Bentley

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