

RECORDED AT THE REQUEST OF,  
AND WHEN RECORDED, RETURN TO:

sep 11-0394  
OPR 12-5004

County of Sonoma  
Permit and Resource  
Management Department  
2550 Ventura Avenue  
Santa Rosa, CA 95403



2013108477<sup>1</sup>

OFFICIAL RECORDS OF  
SONOMA COUNTY

S/C PERMIT & RESOURCE MGT WILLIAM F ROUSSEAU

11/08/2013 03:54 DEED

RECORDING FEE: \$0.00

PAID

8

DRS



Recording fees waived pursuant to Government Code 6103

NO TRANSFER TAX DUE PURSUANT TO R&T SEC. 11922

### EASEMENT DEED AND AGREEMENT

#### Preamble

This Agreement made this 28<sup>th</sup> day of MAY, 202011, by and between  
Gordon Matthews and Maria Cardamone  
hereinafter referred to as "Grantor" and **County of Sonoma**, hereinafter referred to as "Grantee".

#### Recitals

WHEREAS, Grantor is the owner of certain real property commonly known as 2385 Willow Creek  
WILLOW CREEK RANCH  
in an unincorporated area of Sonoma County, State of California, hereinafter referred to as the "Servient  
Tenement" and described as Exhibit "A" attached: (include full legal description and the Assessor's Parcel  
Number).

#### Exhibit "A"

See Attached

APN # 097-210-004

EXHIBIT "A"

**RECORDING REQUESTED BY**  
First American Title Company

**AND WHEN RECORDED MAIL DOCUMENT TO:**  
Paul Matthews Property Trust  
301 Main St., Unit 34B  
San Francisco, CA 94105-5051

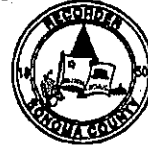


**2010083473**

OFFICIAL RECORDS OF  
SONOMA COUNTY

FIRST AMERICAN TITLE CO. JANICE ATKINSON  
09/29/2010 01:59 DEED  
RECORDING FEE: \$40.00  
COUNTY TAX: \$2,475.00  
PAID

10 PGS



Space Above This Line for Recorder's Use Only

A.P.N.: 097-210-006-000

File No.: 4904-3511707 (DR)

## GRANT DEED

The Undersigned Grantor(s) Declare(s): DOCUMENTARY TRANSFER TAX \$2,475.00; CITY TRANSFER TAX \$0.00;  
SURVEY MONUMENT FEE \$

- [ ☒ ] computed on the consideration or full value of property conveyed, OR  
[ ] computed on the consideration or full value less value of liens and/or encumbrances remaining at time of sale,  
[ ☒ ] unincorporated area; [ ] City of , and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Jani J. Poindexter, successor Trustee of the Poindexter Millennium Trust dated June 27, 2001 and Patience H. Poindexter, Trustee of The Patience H. Revocable Trust and Emelgh Poindexter and Elizabeth Poindexter and William MacAdam Poindexter

hereby GRANTS to Gordon Paul Matthews and Maria Cardamone, Trustees of The Paul Matthews Property Trust, under Trust Agreement dated September 23, 2010

the following described property in the Unincorporated Area , County of Sonoma, State of California:

**BEING A PORTION OF THE LANDS CONVEYED TO WILLOW CREEK RANCH COMPANY, BY DEED RECORDED DECEMBER 28, 1962, IN BOOK 1934 OF OFFICIAL RECORDS, PAGE 110, SONOMA COUNTY RECORDS, FURTHER BEING A PORTION OF PARCEL TWO AS SAID PARCEL IS SAID PARCEL IS DESCRIBED IN THE ABOVE MENTIONED DEED, SAID PORTION MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

Mail Tax Statements To: SAME AS ABOVE

Grant Deed - continued

Date: 09/28/2010

"A" CONT.

COMMENCING AT A POINT IN KNOWLES' FENCE, SAID POINT BEING DESCRIBED IN THE ABOVE MENTIONED DEED AS A POST "BLAZED AND MARKED S.62 FROM WHICH POST THE EXTREME EASTERN POINT OF KNOWLES' NOW GOODMAN'S RANCH, BEARS NORTH 57° 51' EAST, 10.25 CHAINS" (677 FEET); FURTHER SAID POINT OF COMMENCEMENT BEARS NORTH 57° 30' WEST, 7,091.04 FEET (DEED CALL OF 107.44 CHAINS) FROM THE NORTHERLY LINE OF THE LAND FORMERLY OWNED BY THE ESTATE OF W.S.M. WRIGHT, DECEASED, AS MENTIONED IN THE ABOVE DEED; THENCE FROM SAID POINT OF COMMENCEMENT SOUTH 57° 30' 00" WEST 2,672 FEET, MORE OR LESS ALONG THE LAND OF SAID GOODMAN TO A POINT WHICH IS THE TRUE POINT OF BEGINNING, SAID POINT BEING THE INTERSECTION OF SAID GOODMAN'S LINE WITH THE CENTERLINE OF AN EXISTING ROAD KNOWN AS WILLOW CREEK ROAD; THENCE FROM SAID TRUE POINT OF BEGINNING AND ALONG THE PHYSICAL CENTER LINE OF SAID WILLOW CREEK ROAD, AS SAID ROAD EXISTED AND WAS LOCATED BY SURVEY IN MAY 1980, THE FOLLOWING COURSES AND DISTANCES: SOUTH 11° 19' 58" EAST, 100.26 FEET, SOUTH 24° 36' 47" EAST, 40.78 FEET; SOUTH 40° 04' 14" EAST, 58.88 FEET; SOUTH 53° 22' 17" EAST, 90.63 FEET SOUTH 41° 01' 02" EAST, 36.23 FEET; SOUTH 33° 54' 06" EAST, 39.09 FEET; SOUTH 25° 18' 01" EAST 55.73 FEET; SOUTH 31° 39' 31" EAST, 44.32 FEET; SOUTH 40° 12' 34" EAST, 45.39 FEET; SOUTH 47° 16' 04" EAST, 321.14 FEET; SOUTH 84° 23' 06" EAST, 93.73 FEET TO A SET NAIL AND SHINER; NORTH 78° 40' 18" EAST, 251.44 FEET; SOUTH 83° 37' 40" EAST, 117.49 FEET TO A SET NAIL AND SHINER; SOUTH 70° 08' 23" EAST, 232.92 FEET TO A SET NAIL AND SHINER; SOUTH 73° 06' 56" EAST, 91.50 FEET TO A SET NAIL AND SHINER, THENCE LEAVING SAID CENTERLINE, SOUTH 12° 53' 39" WEST, 14.28 FEET TO A 1/2" IRON PIPE SET IN A FENCE LINE; THENCE SOUTH 9° 11' 35" WEST, 2745.26 FEET TO A SET 1/2" IRON PIPE; THENCE CONTINUING ALONG THE PREVIOUSLY MENTIONED BEARING SOUTH 9° 11' 35" WEST, 596.87 FEET TO A SET 1/2" IRON PIPE THENCE CONTINUING SOUTH 9° 11' 35" WEST, 2 FEET, MORE OR LESS TO A POINT IN THE AFOREMENTIONED NORTHERLY LINE OF THE ESTATE OF WRIGHT, SAID POINT BEARS NORTH 70° 00' 00" WEST, 1006 FEET, MORE OR LESS FROM THE NORTHEAST CORNER OF THE ESTATE OF WRIGHT; THENCE FROM SAID POINT AND ALONG SAID NORTHERLY LINE NORTH 70° 00' 00" WEST, 4,854 FEET, MORE OR LESS TO THE AFOREMENTIONED LAND OF GOODMAN; THENCE ALONG THE LAND OF SAID GOODMAN NORTH 57° 30' 00" WEST 4,419 FEET, MORE OR LESS TO THE POINT OF BEGINNING. ALL MENTIONED IRON PIPES ARE TAGGED WITH THE INSCRIPTION LS2798, FROM A SURVEY IN MAY 1980, BY JOHN J. FRITZGERALD LS 4419. THE BASIS OF BEARINGS FOR THIS DESCRIPTIONS IS THE AFOREMENTIONED DEED CALL OF SOUTH 57° 30' WEST.

WHEREAS, Grantee desires to acquire certain rights in the Servient Tenement:

NOW, THEREFORE, it is agreed as follows:

#### **Grant of Easement**

1. For valuable considerations, grantor hereby grants to Grantee an easement as hereinafter described.

#### **Character of Easement**

2. The easement granted herein is an easement in gross, for purposes of ingress and egress pertaining to the use described below.

#### **Description of Easement**

3. The easement granted herein is a right to come onto the property of Grantor and to bring associates and employees of the County of Sonoma Permit and Resource Management Department and/or the Regional Water Quality Control Board onto the property more fully described in Exhibit "A" attached hereto and incorporated herein by reference.

#### **Location**

4. The easement granted herein is located as follows:  
The entire Servient Tenement as described in Exhibit "A".

#### **Use by Grantee**

5. The easement granted herein includes the following use of the Servient Tenement: To come onto the property or accompanied as herein above set forth for the purpose of observing, testing, sampling, placing and removing of test devices and evaluating and monitoring Grantor's nonstandard individual sewage disposal system. Said activity shall be permitted on Servient Tenement only during normal business hours.

#### **Exclusiveness of Easement**

6. The easement granted herein is not exclusive.

#### **Entire Agreement**

7. This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force and effect excepting a subsequent modification in writing, signed by the party to be charged.

#### **Attorney's Fees**

8. In the event of any controversy, claim, or dispute relating to this instrument or the breach thereof, the prevailing party shall be entitled to recover from the losing party reasonable expenses, attorney's fees, and costs.

**Binding Effect**

9. This instrument shall bind and inure to the benefit of the respective heirs, personal representatives, successors, and assigns of the parties hereto.

**Operational Permit**

10. The instrument shall bind and inure to the benefit of the respective heirs, personal representatives, successors, and assigns of the parties hereto.

The instrument shall include the issuance of an operational permit for a nonstandard sewage disposal system to be issued to the Grantor at the time of installation of said sewage system and subsequent use.

This operational permit shall be renewed on an annual basis by the current owners of the property, who shall be bound by all requirements and restrictions as set forth in Chapter 24 of the Sonoma County Code.

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first above written.

**GRANTOR**

Dated: 5/28/2011

Property Owner(s):

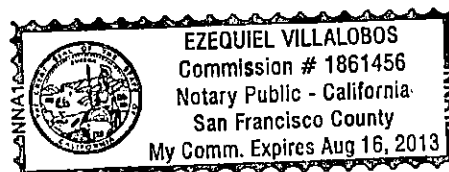
Gordon Matthews  
Maria Cardamone  
Maria Cardamone

STATE OF CALIFORNIA  
COUNTY OF San Francisco ) ss

On 5/28/2011 before me, Ezequiel Villalobos, Notary Public,  
personally appeared, Gordon Matthews and Maria Cardamone  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),  
or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature

[Handwritten Signature]

(SEAL)

RECORDED AT THE REQUEST OF,  
AND WHEN RECORDED, RETURN TO:

County of Sonoma  
Permit and Resource  
Management Department  
2550 Ventura Avenue  
Santa Rosa, CA 95403

Recording fees waived pursuant to Government Code 6103

PERMIT CONDITIONS  
FOR NONSTANDARD SEWAGE DISPOSAL SYSTEM

Name: GORDON MATTHEWS + Maria Campanone

Mailing Address: 301 MAIN ST. UNIT 31B

City: SAN FRANCISCO State: CA Zip Code: 94105

Site Address: 2335 WILLOW CREEK RD. ID No.: OPR12-5004

Please mark the appropriate box:

☐ Nonstandard Septic System

☐ Septic System with Pretreatment Device

☒ Subsurface Drip Disposal System

☐ Other:

NOTICE: The installation permit for the above nonstandard sewage disposal system is issued subject to the following conditions.

1. That the property owner(s) acknowledges the fact that the onsite wastewater disposal system serving the above property is nonstandard, that it is required to be operated under an Operational Permit, and that the County of Sonoma Permit and Resource Management Department (Department) makes no guarantee of satisfactory performance or warranty of the system.
2. That the nonstandard system for the above property is designed to serve a residential commercial use (circle one) and, that the maximum peak daily wastewater flow is not to exceed 450 gallons per day. Operating the system in excess of its maximum capacity in gallons per day is a violation of the terms and conditions of the Operational Permit which can be cause for the suspension and/or revocation of the permit.
3. That the system is designed to be constructed and operated with water saving devices and, that all such devices shall be properly maintained or replaced with equivalent types of water saving devices in the event that repair becomes necessary.
4. That, after installation and final approval of the nonstandard system, the owner agrees to monitor the system at the frequency required by the Department and/or the Regional Water Quality Control Board (RWQCB) on the self-monitoring forms provided by the Department. The forms require measurement of the depth to water in the monitoring wells, observance of the site and soil conditions, as well as indicating the dose counter readings and volume of wastewater discharged to the nonstandard system. All required self-monitoring reports are to be submitted to the Department in a timely manner.

5. At a minimum of once a year, a sample from the sump tank will be tested for biochemical oxygen demand (BOD), total suspended solids (TSS), dissolved oxygen (DO), nitrate and total coliform, and fecal coliform; at the owner's expense, on the County's monitoring schedule. Test results must be submitted, with monitoring reports, at least once a year. ***This item to apply only when a subsurface drip disposal system or septic system with a pretreatment device is being installed.***
6. That the area shall not be planted with unacceptable plants, shrubs, trees, ornamentals, vegetative cover, and irrigation system over or too close to a Subsurface Drip (SD) system. All landscaping plans shall be reviewed by the Department. ***This item to apply only when a subsurface drip disposal system is being installed.***
7. That the owners agree to inspect the SD system regularly as part of the monitoring program, especially checking for gopher strikes, damaged or torn SD lines and equipment. Only licensed and experienced professionals, C-36, C-42, or a licensed general engineering contractor shall install and/or repair damaged SD lines and equipment. ***This item to apply only when a subsurface drip disposal system is being installed.***
8. That, in the event of malfunction of the nonstandard system, action will be taken by the Department to abate the failing operation as a public health hazard and nuisance. The cost of repair and/or replacement of the nonstandard system could be significantly more expensive than a standard system repair and is the responsibility of the property owner.
9. That all areas of the parcel held for reserve in which to replace the nonstandard system be protected from development which would have an adverse effect or impact on the function of the system and/or the reserve area.
10. That the owner agrees to renew the required Operational Permit and pay fees annually as required by the Department as long as ownership of the site is retained or until such time the Department notifies the current owner that renewal is no longer necessary. Also, the current owner agrees to notify subsequent owners of this property of the above requirements to monitor and maintain the nonstandard system as well as the necessity to obtain and renew the Operational Permit.

Dated: 5/28/2011

Property Owner(s):

Gordon Matthews  
Maria Cardamone  
 Maria Cardamone

STATE OF CALIFORNIA )  
 COUNTY OF San Francisco ) ss

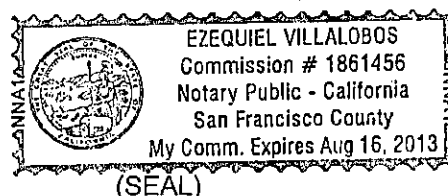
On July 3<sup>rd</sup>, 2013 before me, Ezequiel Villalobos, Notary Public, personally appeared, Gordon Matthews, Maria Cardamone who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

[Signature]

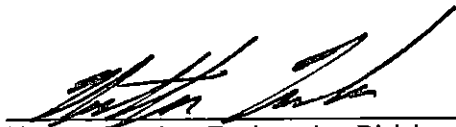


**GRANTEE  
COUNTY OF SONOMA**

**CERTIFICATE OF ACCEPTANCE (GOVERNMENT CODE 27281)**

This is to certify that the interest in real property conveyed above is hereby accepted by the undersigned officer or agent on behalf of the County of Sonoma, pursuant to authority conferred by Resolution No. **96-1454** of the Board of Supervisors of the County of Sonoma adopted on **November 5, 1996**, and the grantee consents to recordation thereof by its duly authorized officer.

**Pete Parkinson, Director, Permit & Resource Management Department**



Nathan Quarles, Engineering Division Manager, Permit & Resource Management Department

Dated: 7-17-13