

GRANT OF EASEMENT

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, a public corporation of the State of California, hereby grants to the CITY OF DAVIS, a municipal corporation of the State of California, the following:

1. A right-of-way of easement to build, construct, reconstruct and maintain a bicycle and pedestrian pathway and all appurtenances appertaining thereto, on, over, across and under all that real property situate in the County of Yolo, State of California, and being portions of Section 16 and 17, Township 8 North, Range 2 East, M.D.B.&M., more particularly described as follows:

BEGINNING at a point which bears the following courses and distances from the S.W. 1/4 corner of Section 9, T8N, R2E, M.D.B.&M., as shown on the map of University Farms Unit No. 7, filed for record in the Office of Yolo County Recorder in Book 6 of Maps, page 5; S 89°42'50" W, 1424.03 feet along the south line of Section 9 and S 0°17'10" E, 64.00 feet, said point of beginning being on the North line of the existing UCD bike path; thence S 80°38'50" W, 22.13 feet; thence N 66°30'12" W, 48.32 feet; thence S 89°42'50" W, 97.87 feet; thence S 81°49'21" W, 60.11 feet; thence S 89°42'50" W, 316.00 feet; thence N 83°45'59" W, 70.46 feet; thence S 89°42'50" W, 354.54 feet; thence S 80°42'50" W, 85.23 feet to a point on the easterly right-of-way line of State Route 113; thence N 46°09'10" E, 31.32 feet along said State right-of-way to the northerly boundary of the University of California at Davis; thence along said boundary N 89°42'50" E, 971.05 feet; thence leaving said boundary S 66°30'12" E, 59.51 feet to a point on the north line of the existing bike path also described herein as the point of beginning, containing 0.2772 acres more or less.

BEGINNING at a point which bears the following two courses from the SE corner of Section 8 T8N, R2E, N 89°24'00" W, 777.85 feet and S 00°23'15" W, 30.00 feet: said point of beginning being the intersection of the southerly projection of the centerline of Arthur Street as shown on the map of Subdivision No. 1052 filed for record in the office of Yolo County Recorder, map book 6, page 91 and the north property line of the lands of the University of California at Davis; thence along said north property line S 89°24'00" E, 647.10 feet to a point on the westerly right-of-way line of State Route 113; thence along said right-of-way line S 44°23'45" E, 22.63 feet; thence N 89°24'00" W, 713.10 feet; thence N 00°36'00" E, 16.00 feet to a point on the north boundary of the lands of the University of California at Davis; thence along said boundary S 89°24'00" E, 50.00 feet to the point of beginning, containing 0.259 acres more or less.

This grant is made subject to the following terms, conditions and covenants, and grantee, by acceptance of this grant, agrees to be bound by such terms, conditions and covenants:

1. Grantee shall construct, reconstruct and maintain in good condition and repair, without any cost to grantor, the pathway and all appurtenances thereto within the easement area; and

2. Grantee shall indemnify grantor from liability and hold grantor harmless from any and all claims, demands, actions or loss for injury or death to persons or damage to property --

A. Caused or alleged to have been caused, directly or indirectly, by the condition or the state of repair of said pathway and appurtenances, and/or

B. Arising during the course of construction, reconstruction or maintenance of said improvements and appurtenances and caused or alleged to have been caused, directly or indirectly, by the grantee, its agents, officers, employees, or the construction or maintenance contractor, or said contractor's agents, officers or employees.

3. If the use of the bicycle and pedestrian pathway is discontinued or if the pathway and appurtenances are not maintained to the satisfaction of the grantor, the grantee, within 90 days after receipt of written notice from the grantor, shall remove said pathway and all appurtenances thereto and shall leave the easement area in a condition suitable for landscape or agricultural use.

IN WITNESS WHEREOF, the undersigned has executed these presents this 28th day of July, 1970.

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

William S. Galt
Chairman

Marjorie J. Woolman
Secretary

APPROVED AS TO FORM:

R.B. Portwood

ROMULUS B. PORTWOOD
ASSISTANT COUNSEL OF THE REGENTS
OF THE UNIVERSITY OF CALIFORNIA

STATE OF CALIFORNIA }
County of Alameda } ss.

On this 28th day of July in the year one thousand nine hundred and seventy, before me, _____

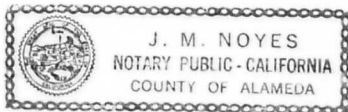
J. M. NOYES a Notary Public in and for the County of Alameda, State of California, residing therein, duly commissioned and sworn, personally appeared Marjorie J. Woolman

known to me to be the _____ of the corporation described in and that executed the within instrument, and also known to me to be the persons who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal in the County of Alameda, the day and year in this certificate first above written.

J. M. Noyes
Notary Public in and for the County of Alameda, State of California.

My Commission Expires 9-18-71



State of California }
County of Los Angeles } ss.

On this 29th day of July, 1970, before me, Barbara W. Deadrick, a Notary Public

in and for said County of Los Angeles, duly commissioned and sworn, personally appeared WILLIAM FRENCH SMITH

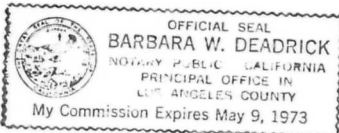
known to me to be the Chairman

of The Regents of the University of California, a public corporation, and known to me to be the person(s) who executed the within instrument on behalf of said public corporation and acknowledged to me that The Regents of the University of California executed the same.

In Witness Whereof, I have hereunto set my hand, and affixed my Official Seal, at my office in the County of Los Angeles, the day and year in this Certificate first above written.

Barbara W. Deadrick

BARBARA W. DEADRICK, Notary Public
County of Los Angeles, State of California
Commission expires



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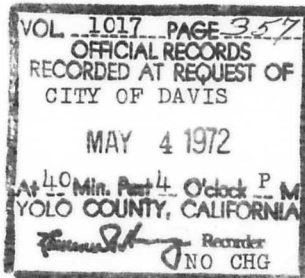
CERTIFICATE

This is to certify that the interest in real property conveyed by deed or grant dated July 28, 1970 from the Regents of the University of California to the City of Davis, a municipal corporation, is hereby accepted by authority of the City Council of the City of Davis and the grantee consents to recordation thereof by its duly authorized officer.

CITY OF DAVIS

By Howard L. Reese
City Clerk

August 11, 1970



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