

RECORDING REQUEST BY
AND WHEN RECORDED RETURN TO:

COUNTY OF SOLANO
OFFICE OF COUNTY COUNSEL
580 Texas Street
Fairfield, CA 94533

1999-00075142
Recorded By: COUNTY OF SOLANO
Official Records
County of Solano
Robert Blechschmidt
Assessor/Recorder
11:00 31-AUG-99
51 RecFee
SurMon
NoPCOR
IncFee
DTTax
Free \$. 0
OvrSht
AR16 8 Pgs

EASEMENT DEED AND AGREEMENT

This Easement Deed and Agreement is entered into by the GURU NANAK SIKH TEMPLE, a California Nonprofit Religious Corporation ("Grantor"), and the COUNTY OF SOLANO, a political subdivision of the State of California ("Grantee").

Recitals:

A. Grantor is the owner of that certain real property located in Solano County, California, more particularly described in Exhibit A attached hereto and incorporated herein (the "Property").

B. Grantor on February 2, 1999 received from Grantee approval of a Use Permit for the purpose of establishing a religious temple on the Property (U-97-13 and AR-97-04).

C. Grantee wishes to limit any potential future expansion of the proposed religious temple so as to retain the Property's agricultural and open space values.

D. Grantor is willing to so limit any potential future expansion of the proposed religious temple as set forth herein.

E. *NOW, THEREFORE*, in consideration of the foregoing, the parties agree as follows:

Agreement:

1. Grant of Restrictive Easement: Pursuant to Government Code section 6950 et seq., and subject to the terms set forth below, Grantor hereby grants to Grantee, and Grantee hereby accepts, an Easement over the Property by which: (1) the total floor area of the religious worship facilities to be established on the Property shall be limited to no more than 6,000 square feet; and (2) the total number of persons who may congregate at the religious worship facilities on the Property at any one time shall be limited to no more than 200. The area of the Property encompassed within the cross-hatched area on the site plan of the Property, comprising approximately 5.16 acres thereof, more or less, as shown on Exhibit "B" attached hereto and incorporated herein, shall be used only for agricultural or open space uses.

2. Limitation of Grant: The Easement hereby granted shall not limit Grantor or Grantor's successors in interest from any use of the Property authorized by law at the time such use is proposed except as herein stated. Grantor shall specifically retain the right to maintain, replace and enlarge existing agricultural, residential and related structures and improvements on the Property, subject to the provisions of paragraph 3, below.

3. Compliance with County Ordinances: Nothing herein shall relieve Grantor from the obligation of complying with all Solano County ordinances in effect at the time Grantor or Grantor's successors in interest may apply for any permits to use the Property for any purpose.

4. Maintenance of Property: No right of access or use by Grantee or the general public to the Property is conveyed by this Easement, nor does this Easement impose on Grantee any obligation to keep, maintain, or control the Property. Grantor shall keep, maintain and control the Property.

5. Recordation: Grantor shall record this instrument in a timely fashion in the official records of Solano County, California.

6. Nature of Obligation: The restriction of this Easement shall run with the land and be binding upon, and inure to the benefit of, the parties hereto and their respective personal representatives, heirs, successors and assigns and shall continue as a servitude running in perpetuity with the Property.

7. Effective Date of Easement: This Easement is dependent upon, and shall not come into existence until, Grantor or Grantor's successors in interest exercise the development rights acquired through Grantee's approval of the Use Permit. Such rights will be deemed exercised if Grantor or Grantor's successors in interest apply for and obtain from Grantee a building permit for the construction of improvements for which the approval of the Use Permit was a legal prerequisite. If such a building permit is not applied for and issued, Grantee shall have no easement rights whatsoever hereunder.

8. General Provisions:

a. The interpretation and performance of this Easement shall be governed by the laws of the State of California.

b. This instrument sets forth the entire agreement of the parties with respect to the Easement and supersedes all prior discussion, negotiations, understandings or agreements relating to the Easement, all of which are merged herein.

c. The captions in this instrument have been inserted solely for convenience of reference and are not a part of this instrument and shall have no affect upon construction or interpretation.

d. By signing below, the parties represent they have proper authority to bind the respective party signatories hereto.

e. Grantor agrees not to challenge this Easement at a later date.

f. Grantor warrants that the descriptions attached in Exhibits "A" and "B" accurately reflect the easement described herein.

Dated: 4/13/99

GRANTEE:

COUNTY OF SOLANO, a political
Subdivision of the State of California

By John L. Silva
Chairman of the Board of
Supervisors

ATTEST:

By Maggie J. J. J. Deputy
Clerk of the Board

APPROVED AS TO FORM:
OFFICE OF SOLANO COUNTY COUNSEL

By Ann B. Bunting

Dated: 3.22.99

GRANTOR:

Guru Nanak Sikh Temple

By Paul Hayer
Paul Hayer, President

APPROVED AS TO FORM:
DICKENSON, PEATMAN & FOGARTY

By David W. Meyers
DAVID W. MEYERS
Attorneys for Temple

STATE OF CALIFORNIA)
) ss.
COUNTY OF SOLANO)

On MARCH 22nd 1999, before me, LISA H. MCGEE,
a Notary Public in and for the State of California, personally appeared PAUL HAYER,
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person
whose name is subscribed to the within instrument and acknowledged to me that he executed the
same in his authorized capacity, and that by his signature on the instrument the person, or the
entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Lisa H. McGee
NOTARY'S SIGNATURE

STATE OF CALIFORNIA)
) ss.
COUNTY OF SOLANO)

On _____, before me, _____,
a Notary Public in and for the State of California, personally appeared
_____, personally known to me (or proved to me on the basis of
satisfactory evidence) to be the person whose name is subscribed to the within instrument and
acknowledged to me that he executed the same in his authorized capacity, and that by his
signature on the instrument the person, or the entity upon behalf of which the person acted,
executed the instrument.

WITNESS my hand and official seal.

NOTARY'S SIGNATURE

EXHIBIT "A"

THE LAND REFERRED TO HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF SOLANO, CITY OF UNINCORPORATED, AND IS DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTHERLY SIDE OF COUNTY ROAD #81, AT THE NORTHEAST CORNER OF A CERTAIN 299 ACRE TRACT OF LAND CONVEYED TO STEVENSON C. READ, BY DEED DATED OCTOBER 7, 1859, AND RECORDED IN BOOK "M" OF DEEDS, PAGE 17; RUNNING THENCE S. 1° 47' E. 43.44 CHAINS, MORE OR LESS, TO THE SOUTHWEST CORNER OF LAND OF JOHN T. COOPER; THENCE S. 87° 57' E. 21.49 CHAINS TO THE SOUTHEAST CORNER OF SAID LAND; THENCE S. 40 CHAINS TO THE SOUTHEAST CORNER OF A CERTAIN TRACT OF LAND CONVEYED TO J.M. BOWMAN BY DEED RECORDED IN BOOK "P" OF DEEDS, PAGE 326; THENCE WEST 821 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF A CERTAIN 49 ACRE TRACT OF LAND CONVEYED BY WARREN A. WOODS AND LILLIE WOODS, HIS WIFE, TO R.H. CHADBOURNE AND F.A. CHADBOURNE, JR., BY DEEDS DATED JANUARY 10, 1921 AND RECORDED IN BOOK 251 OF DEEDS, PAGE 109; THENCE ALONG THE BOUNDARY OF SAID TRACT N. 0° 10' E. 1874 FEET; N. 33° 25' W. 367 FEET; N. 0° 40' W. 404 FEET; THENCE W. 659 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE ALONG THE BOUNDARY OF THAT CERTAIN TRACT OF LAND CONVEYED TO WARREN A. WOODS, BY DEED DATED JANUARY 21, 1920 AND RECORDED IN BOOK 246 OF DEEDS, PAGE 45; N. 46.80 FEET, MORE OR LESS, TO AN ANGLE IN SAID LINE; THENCE WEST 6.77 CHAINS TO ANOTHER ANGLE IN SAID LINE; THENCE N. 2° 31' W. 17 1/2 CHAINS, MORE OR LESS, TO THE SOUTHWEST CORNER OF A 13.78 ACRE TRACT OF LAND CONVEYED BY WARREN A. WOODS AND LILLIE WOODS, HIS WIFE, TO R.H. CHADBOURNE, BY DEED DATED FEBRUARY 8, 1923 AND RECORDED IN BOOK 269 OF DEEDS, PAGE 61; THENCE ALONG THE BOUNDARY OF SAID TRACT, S. 88° 21' E. 10.96 CHAINS TO A POINT ABOUT 15 FEET, MORE OR LESS, WESTERLY FROM WESTERLY LINE OF LAND OF J.T. COOPER; THENCE ALONG A FENCE, N. 1° 43' W. 15.66 CHAINS TO LAND OF SACRAMENTO NORTHERN RAILROAD AND CONTINUING SAME COURSE TO THE NORTHERLY LINE OF SAID RAILROAD; THENCE ALONG THE NORTHERLY BOUNDARY OF SAME S. 61° 12' WEST 6 1/2 CHAINS, MORE OR LESS, TO THE MOST EASTERLY CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED BY WARREN A. WOODS AND LILLIE WOODS, HIS WIFE, TO SUISUN VALLEY FRUIT GROWERS ASSOCIATION BY DEED DATED APRIL 7, 1920, AND RECORDED IN BOOK 246 OF DEEDS, PAGE 57 THENCE ALONG THE BOUNDARY OF SAID TRACT, S. 86° 44' WEST 119.5 FEET TO THE EAST LINE OF A CERTAIN 2.85 ACRE TRACT CONVEYED BY WARREN A. WOODS AND LILLIE WOODS, HIS WIFE, TO R.M. CHADBOURNE, BY DEED DATED FEBRUARY 8, 1923 AND RECORDED IN BOOK 269 OF DEEDS, PAGE 61; THENCE ALONG THE BOUNDARY OF SAID TRACT, N. 2° 17' W. 614 FEET TO THE SOUTHERLY LINE OF THE STATE HIGHWAY; THENCE N. 64° 39' E. 8 3/4 CHAINS, MORE OR LESS, TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM ALL THAT PORTION DESCRIBED IN THE DEED FROM R.E. EATON, ET UX TO WILLIAM C. HALE, ET AL, DATED SEPTEMBER 26, 1945, AND RECORDED SEPTEMBER 27, 1945 IN BOOK 331 OF OFFICIAL RECORDS, AT PAGE 232, SERIES NO. 9824.

ALSO EXCEPTING THEREFROM ALL THAT PORTION DESCRIBED IN THE DEED FROM R.E. EATON, ET UX TO THE STATE OF CALIFORNIA, DATED APRIL 25, 1950 AND RECORDED AUGUST 8, 1950, IN BOOK 542 OF OFFICIAL RECORDS, AT PAGE 162, SERIES NO. 10118.

ALSO EXCEPTING THEREFROM ALL THAT PORTION DESCRIBED IN THE DEED FROM R.E. EATON, ET UX TO THE STATE OF CALIFORNIA, DATED MARCH 29, 1960 AND RECORDED MAY 13, 1960, IN BOOK 1027 OF OFFICIAL RECORDS AT PAGE 555, SERIES NO. 9453.

ALSO EXCEPTING THEREFROM ALL THAT PORTION DESCRIBED IN THE DEED FROM MERVYN C. EATON TO THE COUNTY OF SOLANO, DATED MARCH 31, 1978 AND RECORDED JUNE 21, 1978, IN BOOK 1978 OF OFFICIAL RECORDS, AT PAGE 49482, SERIES NO. 28708.

ALSO EXCEPTING THEREFROM ALL THAT PORTION DESCRIBED IN THE DEED FROM MERVYN C. EATON TO SOLANO BUSINESS PARK, A JOINT VENTURE, ET AL, DATED AUGUST 13, 1960, AND RECORDED SEPTEMBER 3, 1980, IN BOOK 1980 OF OFFICIAL RECORDS, AT PAGE 61179, SERIES NO. 37575.

ALSO EXCEPTING THEREFROM ALL THAT PORTION DESCRIBED IN THE DEED FROM MERVYN C. EATON TO CREST ENTERPRISES, INC., A CALIFORNIA CORPORATION, DATED SEPTEMBER 3, 1980 AND RECORDED SEPTEMBER 18, 1980 IN BOOK 1980, PAGE 65363, SERIES NO. 40010.

ALSO EXCEPTING THEREFROM ALL THAT PORTION LYING WITHIN THE NORTHERLY AND SOUTHERLY LINES OF SACRAMENTO NORTHERN RAILROAD RIGHT OF WAY.

APN: 28-130-150

END OF
DOCUMENT

DEDICATED AG. AC. RANGE
5.16 AC. TOTAL

AGRICULTURE
& OPEN SPACE

ROCKVILLE RD.

NORTH SIDE STICK

(E) FIELD FENCE

(E) GRAVEL DRIVE

(E) TREES

(E) HOUSE

(E) FIELD FENCE

(E) DINING ROOM
TO BE REMOVED

(E) TEMPLE

(E) PATIO
(E) FLAJOLE
(E) WELL

(E) PLANTER
(E) UTILITY
TO BE REMOVED

(E) PARKING
GRAVEL SURFACE
102 SPACES (W/10'W)

RESIDENCE & TEMPLE
2.62 AC.

NORTH

SITE PLAN
1"=30'

SITE DATA

ADDRESS: 2945 ROCKVILLE RD.
GROSS AREA: 7.78 AC.
PARKING:
REQUIRED: 102% = 98
PROVIDED: 104

SITE PLAN

GURU NANAK SIKH TEMPLE
2945 ROCKVILLE RD
SUDBURY, CA

STEVEN RASMUSSEN, ARCHITECT
VADAVILLE, CALIFORNIA

707-447-6553

EXHIBIT "B"

EXHIBIT

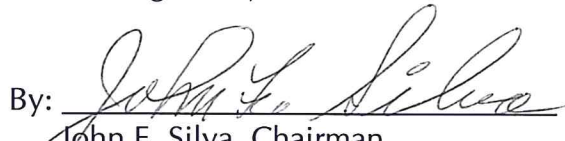
SHEET 1
OF 1

REVISED

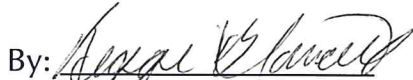
CERTIFICATE OF ACCEPTANCE
(California Government Code section 27281)

This certifies that the interest in real property conveyed by the deed or grant deed dated March 22, 1999 from Guru Nanak Sikh Temple to County of Solano, a political subdivision of the State of California, is accepted by the undersigned officer on behalf of the Solano County Board of Supervisors pursuant to authority conferred by Resolution No. 99-34 of the Solano County Board of Supervisors adopted on February 2, 1999, and the grantee consents to recordation.

Dated: August 31, 1999

By: 
John F. Silva, Chairman
Solano County Board of Supervisors

ATTEST:
Michael D. Johnson, Clerk
Board of Supervisors

By: 
Deputy

END OF
DOCUMENT