

# Policy of Title Insurance



ISSUED BY

*First American Title Insurance Company*

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, FIRST AMERICAN TITLE INSURANCE COMPANY, a California corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land; and in addition, as to an insured lender only:
5. The invalidity or unenforceability of the lien of the insured mortgage upon the title;
6. The priority of any lien or encumbrance over the lien of the insured mortgage; said mortgage being shown in Schedule B in the order of its priority;
7. The invalidity or unenforceability of any assignment of the insured mortgage, provided the assignment is shown in Schedule B, or the failure of the assignment shown in Schedule B to vest title to the insured mortgage in the named insured assignee free and clear of all liens.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title or the lien of the insured mortgage, as insured, but only to the extent provided in the Conditions and Stipulations.

IN WITNESS WHEREOF, First American Title Insurance Company has caused this policy to be signed and sealed by its duly authorized officers as of Date of Policy shown in Schedule A.

*First American Title Insurance Company*

BY

*Gary L. Kenneth*

PRESIDENT

ATTEST

*Mark R. Arsen*

SECRETARY



*First American Title*

**SCHEDULE A**

Total Fee for Title Search, Examination  
and Title Insurance: \$8006.00

Amount of Insurance: \$11,400,000.00

Policy Number: 2705-1274893

Date of Policy: December 07, 2004 at 7:30 A.M.

1. Name of insured:

State of California

2. The estate or interest in the land which is covered by this policy is:

Fee as to Parcels I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX, XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX, XXX, XXXI, XXXII and XXXIV.

Easement as to Parcel XXXIII.

3. Title to the estate or interest in the land is vested in:

State of California

## **SCHEDULE B**

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:

### **PART ONE**

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 notice 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 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.

**SCHEDULE B**  
(Continued)

**PART TWO**

1. The lien of supplemental taxes, if any, assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation Code.
2. An easement for right of way and incidental purposes in the document recorded September 11, 1896 as Volume 48 at page 437 of Deeds.
3. An easement for right to fish and incidental purposes in the document recorded March 24, 1930 as Volume 233 at page 115 of Official Records.
4. An easement for right to fish and incidental purposes in the document recorded November 18, 1933 as Volume 375 at page 443 of Official Records.
5. The terms and provisions contained in the document entitled "Agreement" recorded July 5, 1955 as Volume 1628 at page 486 of Official Records.
6. An easement for lanes, roads, access and incidental purposes in the document recorded September 30, 1955 as Volume 1648 at page 552 of Official Records.
7. AN OIL AND GAS LEASE for the term therein provided, with certain covenants, conditions and provisions, as contained therein.

Dated: May 28, 1957

Lessor: Carter Bros. Land and Timber Company

Lessee: Ralph V. Carter, et al.

Recorded: December 9, 1957 in Volume 1834 of Official  
Records, at page 155

The present ownership of the leasehold created by said lease and other matters affecting the interest of the lessee are not shown herein.

8. An easement for road, utilities and incidental purposes in the document recorded August 1, 1996 as Reel 471 at page 644 of Official Records.
9. Terms, provisions, covenants, restrictions and conditions contained in a document executed pursuant to the California Land Conservation Act of 1965 (Williamson Act) and recorded February 27, 1970 as Reel 641 at page 369 of Official Records.



10. An easement for public utilities and incidental purposes in the document recorded May 12, 1972 as Reel 771 at page 694 of Official Records.
11. An easement for public utilities and incidental purposes in the document recorded June 28, 1972 as Reel 781 at pages 200 and 203 of Official Records.
12. The terms and provisions contained in the document entitled "Easement Agreement" recorded May 9, 1989 as Reel 2362 at page 622 of Official Records.
13. The terms and provisions contained in the document entitled "Preliminary Injunction" recorded May 15, 1990 as Reel 2508 at page 781 of Official Records.
14. The terms and provisions contained in the document entitled "Palo Corona Ranch Water Agreement" recorded September 13, 1996 as Reel 3419 at page 773 of Official Records and re-recorded October 8, 1996 in Reel 3428 at page 1530 of Official Records.
15. The terms and provisions contained in the document entitled "Judgment" recorded July 20, 1998 as Recorder's Series No. 9847036 of Official Records.
16. The terms and provisions contained in the document entitled "Grant Deed" recorded April 27, 2000 as Recorder's Series No. 2000026369 of Official Records.
17. An easement for vehicular, pedestrian, equestrian, utilities and incidental purposes in the document recorded April 27, 2000 as Recorder's Series No. 2000026371 and 2000026372 of Official Records.
18. An irrevocable license for the benefit of John A. Murphy, Jr. and Joan B. Murphy to enter by motor vehicle, hike and picnic, and upon the terms and provisions as contained in the Grant Deed to David E. Boyle, as Trustee of the Fish Ranch Trust, recorded April 27, 2000 as Recorder's Series No. 2000026372 of Official Records.
19. A document entitled "Permit Approval Notice" recorded August 13, 2003 as Recorder's Series No. 2003096888 of Official Records.
20. A document entitled "Notice" recorded August 20, 2003 as Recorder's Series No. 2003100464 of Official Records.
21. The terms and provisions contained in the document entitled "Easement Agreement" recorded April 2, 2004 as Recorder's Series No. 2004031093 of Official Records and re-recorded April 21, 2004 as Recorder's Series No. 2004038251 of Official Records.

Terms and provisions contained in the above document.

22. The terms and provisions contained in the document entitled "Irrevocable Offer to Dedicate Public Access Easement" recorded April 2, 2004 as Recorder's Series No. 2004031094 of Official Records and re-recorded April 21, 2004 as Recorder's Series No. 2004038249 of Official Records.

Terms and provisions contained in the above document.

23. An easement for ingress, egress, public utilities and incidental purposes in the document recorded December 7, 2004 as Recorder's Series Number 20040129166 of Official Records.

Terms and provisions contained in the above document.

24. Water rights, claims or title to, whether or not shown by public records.

The map attached, if any, may or may not be a survey of the land depicted hereon. First American expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

### **SCHEDULE C**

The land referred to in this policy is described as follows:

Real property in the unincorporated area of the County of Monterey, State of California, described as follows:

**PARCEL I:**

East half of Northeast quarter, Southwest quarter of Northeast quarter, Southeast quarter, and Lots 7 and 12 in Section 20 all in Township 17 South, Range 1 East of Mount Diablo Base and Meridian, according to the Official Plat thereof.

Excepting all the coal and other minerals, together with the right to prospect for, mine and remove the same pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat. 862), as reserved by the United States of America by Patent recorded July 22, 1927 in Volume 116 of Official Records at page 486.

Also excepting therefrom fifty percent interest in the minerals and mineral rights, as reserved by Katharine Christie by Grant Deed recorded April 21, 1955 in Volume 1610 of Official Records at page 77.

APN: 417-021-003

**PARCEL II:**

Lot 2 and the Northeast quarter of Northeast quarter of Section 29, Township 17 South, Range 1 East, Mount Diablo Base and Meridian, in the county of Monterey, State of California, according to the Official Plat thereof.

Excepting therefrom an undivided one-sixteenth of all coal, oil, gas and other mineral deposits, as reserved in the Patent from the State of California, recorded November 18, 1933 in Volume 375 of Official Records at page 443 and as provided by an act of the Legislature approved May 26, 1921 (Chapter 303, Statutes of California, 1921).

APN: 417-021-037  
417-021-042

**PARCEL III:**

Northeast quarter of the Northeast quarter, the Northwest quarter of the Northeast quarter, and South half of the Northeast quarter and the West half of the Southeast quarter of Section Nineteen and the Lots Four and Five of Section Twenty, all in Township Seventeen South of Range One East of the Mount Diablo Base and Meridian.

Excepting therefrom all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine and remove the same pursuant to the provisions and limitations of the Act of December 29, 1916 "39 Stat. 862", and as reserved in the Patent from the United States of America,

recorded June 19, 1929 in Volume 194 of Official Records at page 411.

APN: 417-021-001

PARCEL IV:

The Northwest quarter of the Northwest quarter of Section Twenty-Two, and the North half of the Northeast quarter and the Northwest quarter of Section Twenty-One, all in Township Seventeen South of Range One East of the Mount Diablo Base and Meridian, California.

APN: 417-021-004 (PORTION)  
417-021-005 (PORTION)

PARCEL V:

The South half of the Northeast quarter, and North half of the Southeast quarter and the North half of the Southwest quarter of Section Twenty-One and the Southwest quarter of the Northwest quarter and the Northwest quarter of the Southwest quarter of Section Twenty-Two in Township Seventeen South of Range One East of the Mount Diablo Base and Meridian, California.

APN: 417-021-004 (PORTION)  
417-021-005 (PORTION)

PARCEL VI:

The North half of the South half of the South half of Section Twenty-One in Township Seventeen South of Range One East of the Mount Diablo Base and Meridian, California.

APN: 417-021-004 (PORTION)

PARCEL VII:

The Northeast quarter of the Southwest quarter and the South half of the Southwest quarter of Section Twenty-Two, the North half of the Northwest quarter and the Southwest quarter of the Northwest quarter of Section Twenty-Seven, the North half of the Northeast quarter of Section Twenty-Eight, and the South half of the South half of the South half of Section Twenty-One in Township Seventeen South of Range One East of the Mount Diablo Base and Meridian, California.

APN: 417-021-004 (PORTION)  
417-021-005 (PORTION)  
417-021-046 (PORTION)

PARCEL VIII:

The Northeast quarter of the Northwest quarter of Section Twenty-Eight (28), Township Seventeen (17) South, Range One East of the Mount Diablo Base and Meridian, California.

APN: 417-021-046 (PORTION)

PARCEL IX:

The South half of the Southwest quarter of Section Twenty-Six, the Southeast quarter of the Southeast



quarter, the Southeast quarter of the Southwest quarter, the North half of the Southwest quarter, and the Southeast quarter of the Northwest quarter of Section Twenty-Seven, the North half of the Northeast quarter and the Northeast quarter of the Northwest quarter of Section Thirty-Four, and the North half of the Northwest quarter of Section Thirty-Five in Township Seventeen South of Range One East of the Mount Diablo Base and Meridian, California.

APN: 417-021-016 (PORTION)  
417-021-018 (PORTION)  
417-021-046 (PORTION)

PARCEL X:

The Southwest quarter of the Northeast quarter, the North half of Southeast quarter, and the Southwest quarter of the Southeast quarter of Section Twenty-Seven in Township Seventeen South of Range One East of the Mount Diablo Base and Meridian, California.

APN: 417-021-046 (PORTION)

PARCEL XI:

The South half of the Northwest quarter and the North half of the Southwest quarter of Section Twenty-Six in Township Seventeen South of Range One East of the Mount Diablo Base and Meridian, California.

APN: 417-021-016 (PORTION)

PARCEL XII:

The Southeast quarter of Section Twenty-Six in Township Seventeen South of Range One East of the Mount Diablo Base and Meridian, California.

APN: 417-021-016 (PORTION)

PARCEL XIII:

The South half of the Northwest quarter of Section Twenty-Five and the South half of the Northeast quarter of Section Twenty-Six in Township Seventeen South of Range One East of the Mount Diablo Base and Meridian, California.

APN: 417-021-015 (PORTION)  
417-021-016 (PORTION)

PARCEL XIV:

The North half of the Northwest quarter of Section Twenty-Five and the North half of the Northeast quarter of Section Twenty-Six in Township Seventeen South of Range One East of the Mount Diablo Base and Meridian, California.

APN: 417-021-015 (PORTION)  
417-021-016 (PORTION)

PARCEL XV:

The South half of the Southeast quarter of Section Twenty-Three and the South half of the Southwest quarter of Section Twenty-Four in Township Seventeen South of Range One East of the Mount Diablo Base and Meridian, California.

APN: 417-021-012

PARCEL XVI:

The Southeast quarter of Section Twenty-Five in Township Seventeen South of Range One East of Mount Diablo Base and Meridian, California.

APN: 417-021-015 (PORTION)

PARCEL XVII:

The Southwest quarter of Section Twenty-Five in Township Seventeen South of Range One East of the Mount Diablo Base and Meridian, California.

APN: 417-021-015 (PORTION)

PARCEL XVIII:

The East half of Section Thirty-Five in Township Seventeen South of Range One East of the Mount Diablo Base and Meridian, California.

APN: 417-021-018 (PORTION)

PARCEL XIX:

The North half of the South half and the South half of the North half of Section Thirty-Four, and the South half of the Northwest quarter and the Southwest quarter of Section Thirty-Five in Township Seventeen South of Range One East of the Mount Diablo Base and Meridian, California.

APN: 417-021-019

PARCEL XX:

The Southwest quarter of the Southwest quarter of Section 27 and the Northwest quarter of the Northwest quarter of Section 34, in Township 17 South, Range One East of the Mount Diablo Base and Meridian, California.

Excepting therefrom the following described property:

Beginning at an iron stake set 70 feet South of a large low forked sycamore witness tree, blazed on the South side thereof, and standing on the East bank of the Wild Cat Creek in the Southeast quarter of the Southeast quarter of Section 28, running thence due West to a point 660 feet due East of a line drawn due North and South through a small iron stake driven into a large part of Granite Rock on the North bank of the Wild Cat Creek, said line dividing the Southwest quarter of the Southeast quarter of Section 28 into two approximately equal portions; running thence North to the North boundary of said Southwest quarter of the Southeast quarter of Section 28; running thence East to the Northeast corner of the Southwest quarter of the Southwest quarter of Section 27; thence South to a point from which a line running due West comes back to said iron stake 70 feet from said witness tree, being the point of

beginning, being that parcel conveyed by Francis H. Davis, et al., to Herbert Heron, et al., dated October 9, 1928 and recorded in Book 167 of Official Records, at page 326.

APN: 417-021-018 (PORTION)  
417-021-046 (PORTION)

PARCEL XXI:

The Southeast quarter of the Southeast quarter of Section Twenty-Eight and the North half of the Northeast quarter and the Southeast quarter of the Northeast quarter of Section Thirty-Three in Township Seventeen South of Range One East, of the Mount Diablo Base and Meridian, California.  
Excepting therefrom all that parcel of land comprised within the following boundaries.

Beginning at an iron stake set Seventy (70) feet South of a large, low-forked sycamore witness-tree, blazed on the South side thereof and standing on the East bank of the Wild Cat Creek in the Southeast quarter of the Southeast quarter of Section 28; running thence due West to a point Six Hundred and Sixty (660) feet due East of a line drawn due North and South through a small iron stake driven into a large point of granite rock on the North bank of the Wild Cat Creek, said line dividing the Southwest quarter of the Southeast quarter of Section 28 into Two (2) approximately equal portions; running thence North to the North boundary of said Southwest quarter of the Southeast quarter of Section 28; running thence East to the Northeast corner of the Southwest quarter of the Southwest quarter of Section 27; thence South to a point from whence a line run due West comes back to said iron stake Seventy (70) feet from said witness tree, being the point of commencement.

APN: 417-021-058  
417-021-060

PARCEL XXII:

The Southwest quarter of the Southeast quarter of Section Twenty-Eight in Township Seventeen South of Range One East of the Mount Diablo Base and Meridian, California.

APN: 417-021-057 (PORTION)

PARCEL XXIII:

The Southwest quarter of Section Twenty-Eight in Township Seventeen South of Range One East of the Mount Diablo Base and Meridian, California.

APN: 417-021-057 (PORTION)

PARCEL XXIV:

Northeast quarter of Northwest quarter, Section Thirty-Three, Township Seventeen South, Range One East, Mount Diablo Base and Meridian.

EXCEPTING THEREFROM the West One-Third, the Easterly line of this One-Third being 88 feet West of the Westerly side of the Davis house, and running parallel to the Westerly line of said Northeast quarter of Northwest quarter of Section 33; being that portion conveyed by Francis H. Davis, et ux., to Louis Lange, dated March 8, 1930, recorded March 11, 1930 in Book 230 of Official Records, at page 289.

APN: 417-021-059 (PORTION)



PARCEL XXV:

The Northeast quarter of the Southeast quarter and the Southeast quarter of the Northeast quarter of Section Thirty-Two and the South half of the Northwest quarter of Section Thirty-Three, all in Township Seventeen South of Range One East of the Mount Diablo Base and Meridian, California.

APN: 417-021-059 (PORTION)  
417-021-026 (PORTION)

PARCEL XXVI:

The Northwest quarter of the Southeast quarter and the Southwest quarter of Section Thirty-Three in Township Seventeen South of Range One East of the Mount Diablo Base and Meridian, California.

APN: 417-021-059 (PORTION)

Excepting from portions of Parcels XV Through XXVI all the coal and minerals, together with the right to prospect for, mine and remove the same as contained in those certain Patents from the United States of America, recorded December 15, 1924 in Volume 49, Page 33, July 11, 1928 in Volume 156, Page 433, September 22, 1930, in Volume 258, Page 399 and May 5, 1933 in Volume 360, Page 479 Official Records of Monterey County, as said property is described in said Patents.

PARCEL XXVII:

The Southeast quarter of the Southeast quarter of Section Thirty-Two in Township Seventeen South of Range One East of the Mount Diablo Base and Meridian.

APN: 417-021-026 (PORTION)

PARCEL XXVIII:

The East half of the Northeast quarter of Section Twenty-Two, and the West half of the Northwest quarter of Section Twenty-Three all in Township Seventeen South of Range One East of the Mount Diablo Base and Meridian, California.

APN: 417-021-007

PARCEL XXIX:

Certain real property situate in U. S. Lot 2 of Section 4, Township 18 South, Range 1 East, M.D.B. & M., in the County of Monterey, State of California, particularly described as follows:

Beginning at the Northwest corner of said U. S. Lot 2, said corner being the most Westerly corner of that certain parcel of land described in Deed from Andrew Skov to Leslie E. Olsen, et ux., dated May 28, 1964 and recorded June 1, 1964 in Reel 327 of Official Records of Monterey County, at page 37; thence, following the Southwesterly boundary of said parcel of land described in said Deed to Olsen:

(1) Southeasterly 458 feet, more or less to a point which lies 126 feet Northwesterly along said boundary from the Southeasterly terminus of Course Numbered (2) of said boundary as described in said deed, said Southeasterly terminus of said course being also the Southwesterly corner of that certain parcel of land described in Deed from Andrew Skov to Leslie E. Olsen, et ux., dated April 25, 1961 and recorded



April 26, 1961 in Volume 2143 of Official Records of Monterey County, at page 493; thence leaving the boundary of said parcel of land conveyed to Olsen by said deed dated May 28, 1964;

(2) West, 140 feet, more or less, to intersection with a line drawn parallel with the West boundary of said U. S. Lot 2 and 100 feet Easterly therefrom; thence along said line so drawn.

(3) Southerly, parallel with said West boundary of U. S. Lot 2, a distance of 600 feet, more or less, to intersection with a line drawn parallel with the Northerly boundary of said U. S. Lot 2 and 1000 feet Southerly therefrom; thence along said line.

(4) Westerly 100 feet to the West boundary of said U. S. Lot 2; thence following said West boundary

(5) Northerly 1000 feet to the point of beginning.

APN: 418-051-004

PARCEL XXX:

A portion of Lot 4, in Section 4, Township 18 South, Range 1 East, Mount Diablo Base and Meridian, Monterey County, California.

Beginning at the Northwest corner of said Lot 4 and running thence East along the North line thereof, 535 feet; thence South to the center line of Garapatos Creek; thence Westerly along the center line of Garapatos Creek to a point in the West line of Lot 4; thence North along the West line of Lot 4 to the place of beginning.

APN: 418-051-001

PARCEL XXXI:

A portion of Lot 4, in Section 4, Township 18 South, Range 1 East, Mount Diablo Base and Meridian, Monterey County, California.

Beginning at the Northeast corner of said Lot 4 and running thence South along the East line thereof, 358 feet; thence West 300 feet; thence North 358 feet; thence East 300 feet to the place of beginning.

APN: 418-051-003

PARCEL XXXII:

The Easterly Three-Fourths (3/4) of the Southeast one-quarter of the Southwest One quarter of Section 34, in Township 17 South, Range 1 East, Mount Diablo Base and Meridian, California.

APN: 417-021-021

PARCEL XXXIII:

A non-exclusive easement for roadway purposes, and a non-exclusive easement for utilities appurtenant only to Parcels IV through XVIII, XX and XXI hereinabove described, as granted in that certain Grant of Easement and upon the terms and provisions as contained in that certain Grant of Easement executed by Westbrook Land and Timber, a general partnership and recorded May 9, 1989 in Reel 2362, Page 622, Monterey County Records.

Excepting therefrom however any "and connecting to certain roadway easements through other properties including that roadway easement recorded in the Official Records of Monterey County on March 4, 1932 in Book 327 beginning at Page 203".

PARCEL XXXIV:

Lot 6 of Section 20, in Township 17 South, Range 1 East, Mount Diablo Base and Meridian, California.

Excepting therefrom an undivided 1/16th of all coal, oil, gas and other mineral deposits in said lands, as reserved in the Patent from the State of California, recorded in Volume 233 of Official Records at page 115, and as reserved to the State of California by the provisions of an Act of the Legislature, approved May 25, 1921, (Chapter 303, Statutes of California, 1921).

APN: 417-021-041

PARCEL XXXV:

A non-exclusive easement for ingress, egress and public utilities over, under, upon and across the existing roads lying within the grantor's remaining property, as described in the "Grant Deed and Quitclaim of Certain Claims", recorded May 1, 2002, as Recorder's Series No. 2002041792 of Official Records, excepting there from Parcels I through XXXIV above described.

PARCEL XXXVI:

A non-exclusive easement for ingress, egress, public utilities and incidental purposes over, under, upon and across the existing roadways, as designated and defined in the Corporation Grant Deed to the Monterey Peninsula Regional Park District, recorded April 2, 2004 as Recorder's Series No. 2004031092 of Official Records and re-recorded April 21, 2004 as Recorder's Series No. 2004038250 of Official Records.

SAN JOSE Y SUR CHIQUITO RANCHO  
243-32

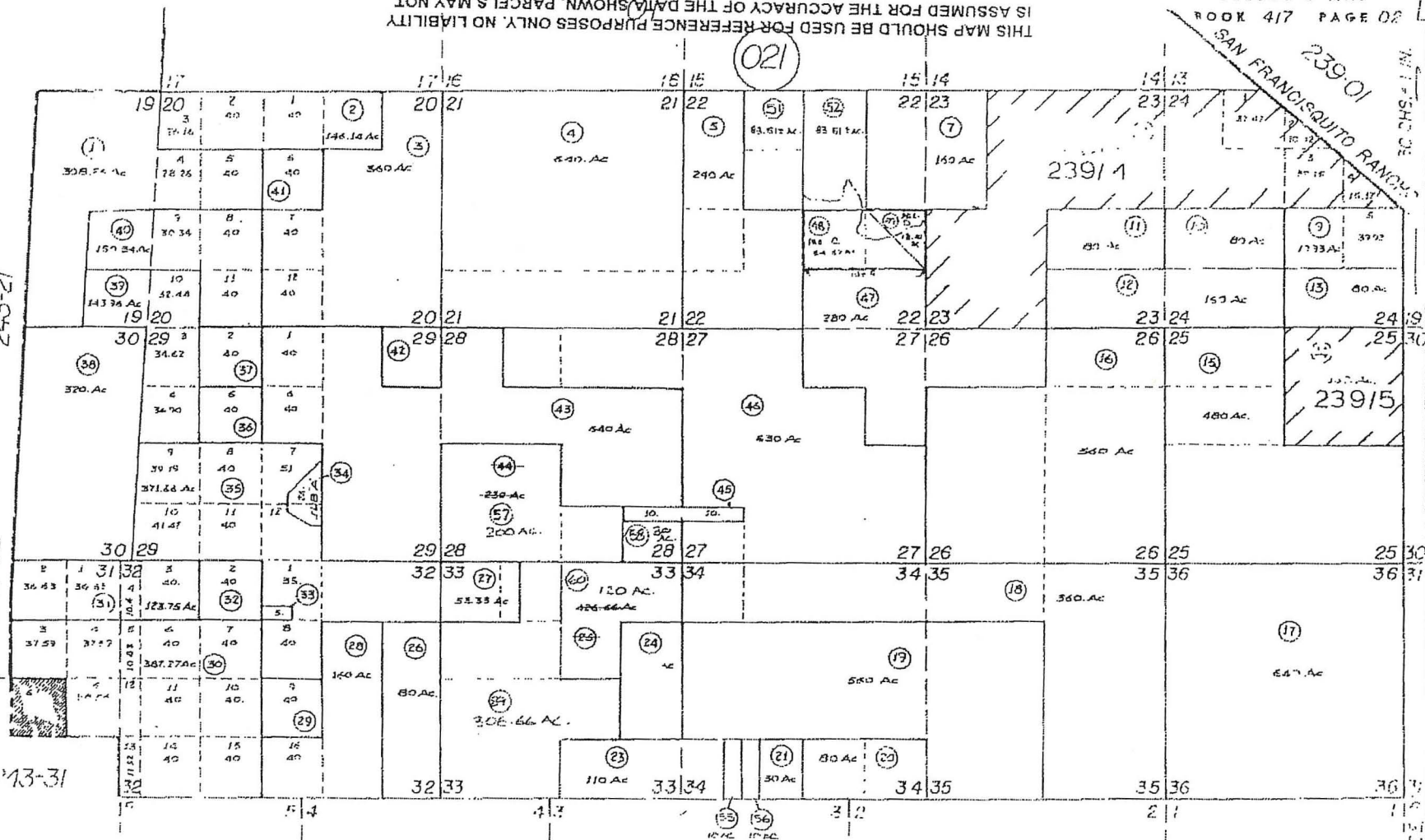
243-31

243-21

THIS MAP SHOULD BE USED FOR REFERENCE PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

ASSESSOR'S MAP  
BOOK 417 PAGE 02

SAN FRANCISCO RANCHO  
239-01



T. 18 S., R. 1 E.

T. 17 S., R. 1 E.  
SECTIONS 19 THRU. 36

OCT 17 2001



