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C

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CITY OF VACAVILLE

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MICHELLE A. THORNBRUGH
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650 MERCHANT STREET
VACAVILLE, CA 95688

**DEVELOPMENT AGREEMENT BETWEEN THE CITY OF
VACAVILLE AND THE VACAVILLE REDEVELOPMENT AGENCY
REGARDING DEVELOPMENT OF THE NUT TREE PROPERTY**

May 13, 2003

**DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF
VACAVILLE AND THE VACAVILLE REDEVELOPMENT AGENCY REGARDING
DEVELOPMENT OF THE NUT TREE PROPERTY**

THIS DEVELOPMENT AGREEMENT ("Agreement") is entered into as of May 13, 2003 between the CITY OF VACAVILLE, a municipal corporation ("City"), and the VACAVILLE REDEVELOPMENT AGENCY, a public body corporate and politic ("Agency") pursuant to the authority of Sections 65864 through 65869.5 of the California Government Code and Division 14.17 of the Vacaville Land Use and Development Code.

RECITALS

- A. Under California law the Agency has the responsibility to implement the Redevelopment Plan for the Vacaville I-505/80 Redevelopment Project Area (the "**Redevelopment Plan**") adopted by the City on July 12, 1983 by Ordinance No. 1188, as amended from time to time, and the Redevelopment Implementation Plan adopted pursuant to Section 33490 of the Health and Safety Code. The Redevelopment Plan affects and controls the development and use of all real property located within an area within Vacaville, California, more particularly described in the Redevelopment Plan (the "**Project Area**").
- B. The Agency owns the property within the Project Area described in the attached Exhibit A-1 (the "**Agency Property**"). The Agency Property generally consists of the historic Nut Tree lands of approximately seventy-six (76) acres along East Monte Vista Avenue, which is commonly called the "**Core Property**". The Shell Gas Station property within the Core Property located at 1611 East Monte Vista Avenue ("**Shell Gas Station**") is subject to acquisition by Agency in August 2004.
- C. City owns the property within the Project Area as shown in the attached Exhibit A-2 (the "**City Property**"). The City will transfer ownership of the City Property to Agency prior to the conveyance of the Agency Property and the City Property (collectively the "**Property**") by the Agency to a developer.
- D. City's Municipal Code requires the payment of development impact fees in effect at the time of building permit issuance.
- E. The State of California is considering numerous and substantial changes to laws governing redevelopment agencies, calling into question the future financial capacity of redevelopment agencies.
- F. City will benefit from development of the Property in accordance with the Nut Tree Ranch Policy Plan. Specific benefits include but are not limited to the following: (a) development will provide substantial general fund revenue to City from property taxes, sales taxes, and transient occupancy taxes. As general fund revenue, such revenue will provide funding for critical public services such as police and fire protection, (b) development will lead to the creation of new jobs, available to Vacaville residents, (c) aesthetics of the community will be enhanced through elimination of abandoned buildings and improvements and

replaced with a high quality development, and (d) roadway improvements associated with the development will be used, in part, to accommodate city-wide traffic.

- G. Agency desires to convey the Property, at some future time, to one or more developers through a Disposition and Development Agreement(s). In order to facilitate the conveyance and development of the Property, Agency wishes to reserve certain infrastructure capacity and to have the right to pay sewer impact fees prior to building permit issuance for development on the Property.
- H. City has approved the Nut Tree Ranch Policy Plan that describes development of the Property. City certified an Environmental Impact Report ("EIR") and approved a Mitigation Monitoring Program for this development of the Property on July 9, 2002.

AGREEMENT

Section 1. Prepayment of Sewer Impact Fees

Agency shall have the right, but not the obligation, to pay City's sewer impact fees prior to City's issuance of building permits for development on the Property. Such payment shall reserve wastewater treatment capacity on an Equivalent Dwelling Unit ("EDU") basis. The maximum amount of wastewater treatment capacity that the Agency may reserve in this manner is 334.45 EDU's. If Agency elects to exercise this right, it shall make a payment to City to reserve up to this capacity within 30 days of the effective date of this Agreement. Such payment will constitute payment in full of sewer impact fees for the amount of capacity reserved by Agency, regardless of future changes in the amount or manner of calculation of such fees.

Agency shall have the right to transfer this wastewater treatment capacity, on an EDU basis, to other properties it owns if not needed for development of the Property.

Section 2. Water Treatment Capacity

City shall reserve a water treatment capacity of 0.36 million gallons per day for development of the Property. Water connection fees shall be paid in the manner and time required by the Vacaville Municipal Code and other City regulations, as such Code and regulations may be subsequently amended by City.

Section 3: Exemption from LOS Restrictions

City's General Plan and Land Use and Development Code imposes certain limitations on City's authority to approve a project where traffic studies indicate that such a project will have certain adverse effects on traffic flow. The standard used for measuring traffic flow on City streets is called a Level or (or Levels) of Service ("LOS"). LOS's are classified along an "A" through "F" range, as defined in the General Plan and Land Use and Development Code. Due to the substantial benefits that will accrue to City residents as a result of development of the Property as set forth in the above Recitals and elsewhere in this Agreement, the parties have agreed that Agency's vested rights to

commence and complete the development of the Property in accordance with this Agreement shall be exempt from, and not contingent upon satisfying, LOS standards otherwise applied by City to development projects.

Agency shall have the vested right to develop the Property, notwithstanding any determination that such development will directly, indirectly or cumulatively cause or contribute to a LOS worse than LOS D, provided that:

- a. City and Agency have completed the following road improvements: (i) widening of the Nut Tree Road overcrossing to four travel lanes, (ii) re-alignment and widening of East Monte Vista Avenue through the Property, in accordance with the Nut Tree Ranch Policy Plan, and (iii) modifications to freeway ramps adjacent to the Shell Gas Station property.
- b. The amount of vehicular traffic generated by development of the Property does not exceed 2,019 p.m. peak hour trips, which is the amount of traffic projected by the EIR.

City, in its discretion, shall take such steps as may be necessary to protect and implement this LOS exemption, including, without limitation: (i) the adoption by City of Statements of Overriding Consideration covering any City approvals of development on the Property, in lieu of denying future discretionary approvals for development of the Property and/or imposing new or modified mitigation measures or exactions, (ii) exempting development of the Property from existing or future ordinances, regulations, policies, moratoriums, or initiatives directly or indirectly related to this LOS exemption, and/or (iii) denying discretionary approvals for other development projects in the City that will contribute vehicular traffic and/or lower the LOS on streets within or adjacent to the Property.

Section 4: Responsibility for Road Improvements

The Agency is responsible for the cost of re-constructing East Monte Vista Avenue in a new alignment through the Agency Property, located between Putah South Canal and Nut Tree Overcrossing, and generally described in the Nut Tree Ranch Policy Plan. Payment for this cost may be done through any combination of cash contributions, establishment of an assessment district or other arrangements with developers through Disposition and Development Agreements entered into between the Agency and such developers.

The City is responsible for the widening of the Nut Tree Overcrossing to four travel lanes, the two freeway ramp improvements on East Monte Vista Road, adjacent to the Nut Tree Shell Station property and Airport Road, and related improvements subject to Caltrans approval. The Agency's financial contribution to the cost of these improvements shall be \$5.2 million. City shall be responsible for all other costs of these improvements, that shall be funded by the City's Traffic Impact Fee fund.

Section 5: Term

The term of this Agreement shall be twenty (20) years from its effective date. The effective date of this Agreement shall be the date first written above.

Section 6: Applicability to Successors in Interest; No Third Party Beneficiary

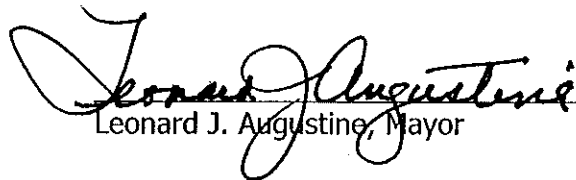
The provisions of this Agreement shall not apply to successors in interest to the Property (or portions thereof) unless Agency, by separate agreement, allows such provisions to apply to one or more successors in interest to the Property (or portions thereof). Nothing in this Agreement, whether express or implied, is intended to confer any rights or remedies on any persons other than the parties hereto and their respective successors and assigns, nor is anything in this Agreement intended to relieve or discharge the obligation or liability of any third parties to any party to this Agreement, nor shall any provision herein give any third persons any right of subrogation or action against any party to this Agreement.

Section 7: Entire Agreement; Amendments

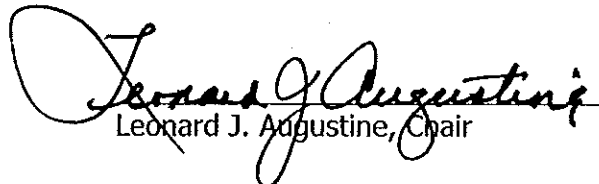
This Agreement represents the entire understanding of the parties as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered hereunder. This Agreement may only be modified by a written amendment duly executed by the parties to this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment as of the day and year first above written.

CITY: CITY OF VACAVILLE
a municipal corporation


Leonard J. Augustine, Mayor

AGENCY: VACAVILLE REDEVELOPMENT
AGENCY, a public body
corporate and politic


Leonard J. Augustine, Chair

APPROVED AS TO FORM:

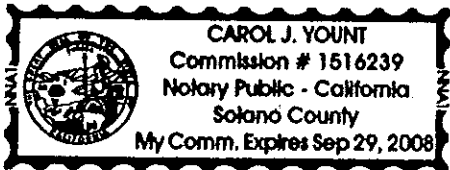

Gerald L. Hobrecht, City Attorney

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of SOLANO } ss.

On NOV. 16, 2004, before me, CAROL J. YOUNT, Notary Public,
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared LEONARD J. AUGUSTINE,
Name(s) of Signer(s)

- personally known to me
- 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.

WITNESS my hand and official seal.

Carol J. Yount
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____

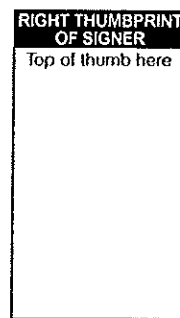
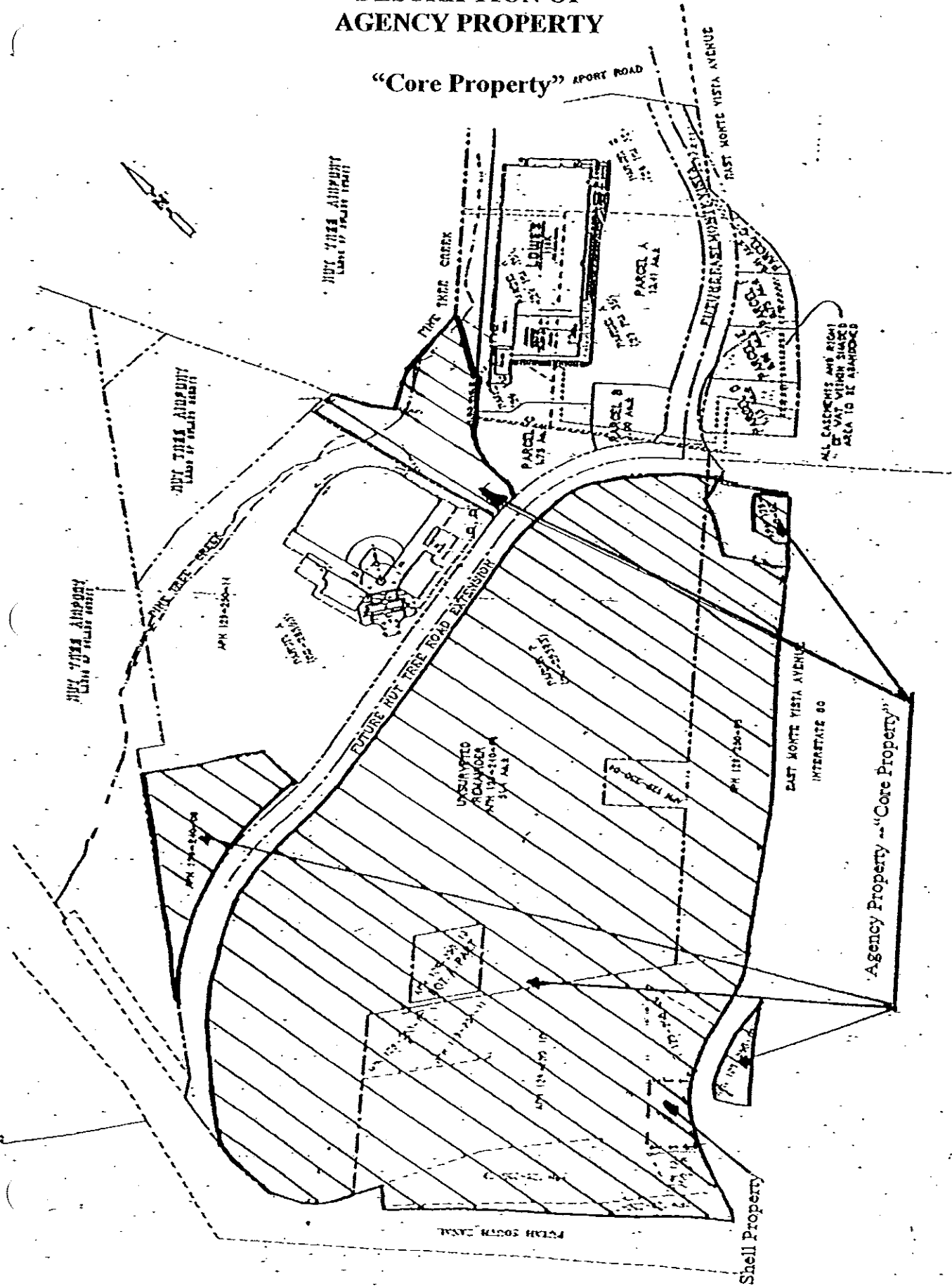


EXHIBIT A-1
DESCRIPTION OF AGENCY PROPERTY

EXHIBIT "A-1"

DESCRIPTION OF AGENCY PROPERTY

"Core Property" APORT ROAD



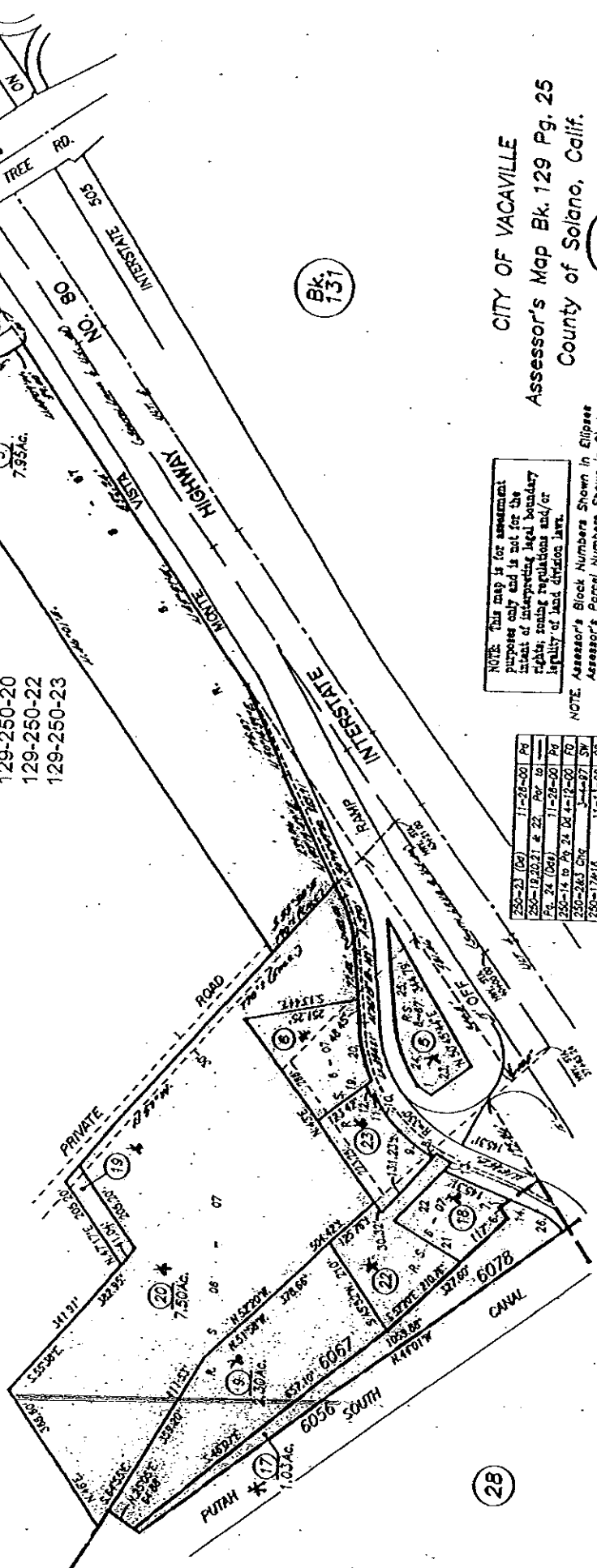
PUTAH, LUI 2/1, KANCHO LOS PUTOS
 POR. SEC. 15, T.6N., Y., M.D.B. & M. EXT.

Tax Area Code
 6067
 6078

AGENCY PROPERTY

APN 129-240-31	APN 129-250-02
125-240-32	129-250-03
125-240-37	129-250-05
129-240-17	129-250-06
	129-250-09
	129-250-17
	129-250-18
	129-250-19
	129-250-20
	129-250-22
	129-250-23

1. 31.63'	
2. S 14°40'21"E	63.30'
3. N 44°09'W	39.00'
4. S 17°20'35"E	118.28'
5. R=280'	77.80'
6. N 45°51"E	28.00'
7. N 44°09'W	38.44'
8. S 55°39'35"E	10.22'
9. R=352'	89.84'
10. R=238'	91.64'
11. N 59°31'	9.39'
12. R=353'	23.65'
13. N 55°43'00"W	24.70'
14. N 14°48'21"E	54.61'
15. N 73°38'16"E	53.15'
16. R=160'	53.15'
17. N 45°37'08"E	102.59'
18. N 48°31'03"E	56.55'
19. N 47°W	138.82'
20. R=142'	112.89'
21. S 15°53'30"W	153.07'
22. N 55°42'W	141.75'
23. S 38°51'59"E	98.89'
24. R=272'	139.47'
25. N 78°15'E	200.93'
26. R=142'	69.23'



NOTE: This map is for assessment purposes only and is not for the intent of interpreting legal boundary rights, zoning regulations and/or legality of land division here.

NOTE: Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles

250-23 (06)	11-26-00	PG
250-19 (02, 21 & 22)	PG	08
250-24 (04)	11-28-00	PG
250-14 (01, 24, 25, 26, 27, 28, 29)	11-28-00	PG
250-283 CHG	3-4-87	SW
250-17816	11-13-80	SS
REVISION	DATE	BY

CITY OF VACAVILLE
 Assessor's Map Bk. 129 Pg. 25
 County of Solano, Calif.

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 JUN 01 2001
 01/02

Bk. 129

28

24

24

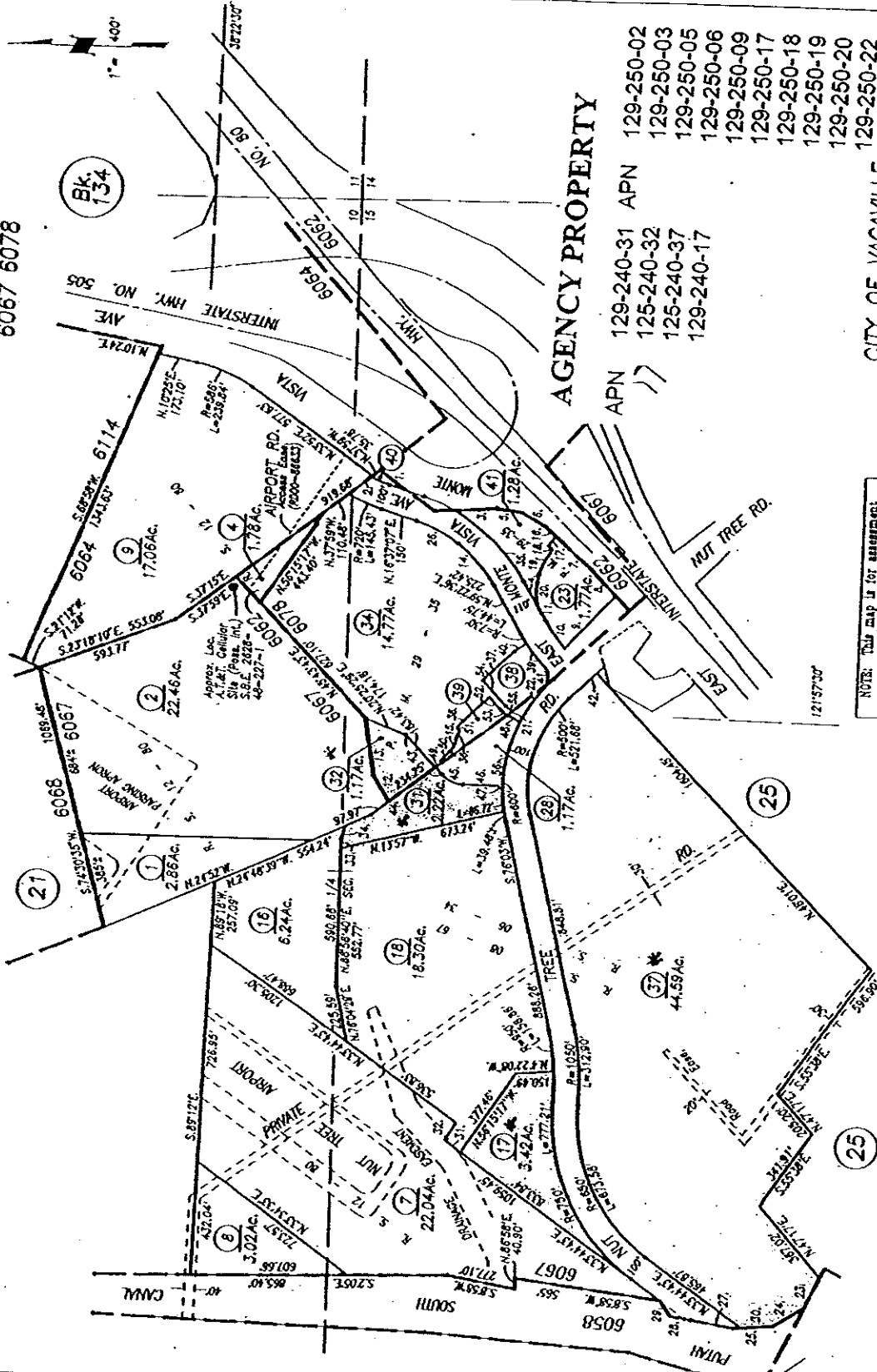
FOR SEC'S 10 & 15, T.4N., R.1W., M.D.B. & M. EXT.

129-24

VA AREA LOGS
6062 6064
6067 6078

Bk. 134

1. N.37.59W. L=111.00
2. S.88.51W. L=171.50
3. S.73.5E. L=111.31
4. N.83.8E. L=100.45
5. N.87.71E. L=105.42
6. N.40.22.44W. L=191.80
7. N.45.84.01E. L=144.54
8. N.47.15W. L=290.28
9. R=670. L=137.29
10. N.57.22.65E. L=88.97
11. N.57.14.59E. L=71.84
12. N.78.45.25E. L=237.05
13. R=511.87. L=221.87
14. R=70. L=43.84
15. N.40.22.44E. L=61.00
16. S.40.22.48W. L=21.54
17. R=240. L=111.36
18. R=240. L=135.97
19. R=60. L=181.12
20. S.64.48.04E. L=117.60
21. S.64.48.04E. L=151.04
22. S.64.48.04E. L=156.18
23. R=620. L=193.94
24. R=620. L=193.97
25. S.09.56W. L=56.31
26. S.04.12.44E. L=124.84
27. S.35.44.45W. L=60.00
28. S.45.15.17E. L=61.48
29. S.45.15.17E. L=37.91
30. R=720. L=407.85
31. R=70. L=43.88
32. N.44.04.41W. L=169.54
33. N.44.04.41W. L=171.00
34. R=230. L=124.51
35. S.4.00.07E. L=59.18
36. N.62.55.75E. L=59.49
37. N.42.10.10W. L=145.94
38. N.42.10.10W. L=221.44
39. N.37.29W. L=322.20
40. R=720. L=384.31
41. N.67.37.07E. L=149.35
42. N.44.04.41E. L=21.18
43. N.62.55.75E. L=59.55



AGENCY PROPERTY

- 129-250-02
- 129-250-03
- 129-250-05
- 129-250-06
- 129-250-09
- 129-250-17
- 129-250-18
- 129-250-19
- 129-250-20
- 129-250-22
- 129-250-23
- 129-240-31 APN
- 125-240-32
- 125-240-37
- 129-240-17

NOTE: This map is for assessment purposes only and is not for the intent of interpreting legal boundary rights, zoning regulations and/or legality of lease division lots.

NOTE: Assessor's Block Numbers Shown in Ellipses Assessor's Parcel Numbers Shown in Circles

REVISION	DATE	BY
5.85-P11 (7-9-02)	11-18-01	PE
240-20 & 41 (09)	11-28-00	PE
240-20, 23, 25, 28, 37(08)	11-28-00	PE
240-23 & 24 (06)	11-28-00	PE

CITY OF VACAVILLE
Assessor's Map Bk. 129 Pg. 24
County of Solano, Calif.

02 03 MAY 06 2002

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22

49. N.37.59W. L=32.80
50. N.44.04.41W. L=53.94
51. N.45.55.19E. L=20.11
52. N.45.55.19E. L=70.47
53. R=172.50. L=37.87
54. N.45.55.19E. L=137.51
55. R=87.50. L=29.78
56. R=620. L=287.84
57.
58.

LEGAL DESCRIPTION

CITY OF VACAVILLE

PARCEL ONE

BEGINNING AT A POINT ON THE COMMON BOUNDARY BETWEEN A CERTAIN 142.5 ACRE TRACT OF LAND BELONGING TO HESTER A. HARBISON AND DESCRIBED IN A DEED DATED MARCH 1, 1890, FROM GEO. A. MAYLONE TO JOSIAH ALLISON AND RECORDED IN VOLUME 106 OF DEEDS, PAGE 55, SOLANO COUNTY RECORDS, AND A TRACT OF LAND BELONGING TO SARAH J. OLSEN, AS DESCRIBED IN DEED TO HER, RECORDED DECEMBER 13, 1913, RECORDED IN BOOK 204 OF DEEDS, PAGE 240, INSTRUMENT NO. 3714; SAID POINT OF BEGINNING IS ALSO THE MOST WESTERLY CORNER OF PARCEL NO. 1 OF A CERTAIN TRACT OF LAND CONVEYED BY HESTER A. HARBISON TO THE STATE OF CALIFORNIA AND DESCRIBED IN A DEED AUGUST 12, 1945 AND RECORDED IN BOOK 301, PAGE 284, INSTRUMENT NO. 4016, OFFICIAL RECORDS OF SOLANO COUNTY; THENCE PARALLEL TO THE CENTER LINE OF THE DEPARTMENT OF PUBLIC WORKS SURVEY OF THE "HIGHWAY FROM VACAVILLE TO ONE MILE NORTH OF THE POWER STATION X-SOL-7-D", AND ALONG THE NORTHWESTERLY LINE OF SAID PARCEL NO. 1, NORTH 46°01' EAST, 629.5 FEET; THENCE CONTINUING ALONG THE BOUNDARY OF PARCEL NO. 1, SOUTH 88°59' EAST 14.14 FEET TO ITS MOST EASTERLY CORNER; THENCE ALONG THE NORTHWESTERLY LINE OF THE RIGHT-OF-WAY OF THE STATE HIGHWAY NORTH 46°01' EAST 40.00 FEET TO THE SOUTHWEST CORNER OF PARCEL NO. 2 OF THE LANDS SO CONVEYED BY HESTER A. HARBISON TO THE STATE OF CALIFORNIA; THENCE ALONG THE NORTHWESTERLY LINE OF SAID PARCEL NO. 2, NORTH 1 DEGREE 01' EAST 14.14 FEET; THENCE CONTINUING ALONG THE BOUNDARY OF SAID PARCEL NO. 2, NORTH 46°01' EAST 902.9 FEET, MORE OR LESS, TO A POINT ON THE COMMON BOUNDARY BETWEEN THE PROPERTY OF HESTER A. HARBISON AND THE WESTERLY BOUNDARY OF THAT CERTAIN PARCEL OF LAND CONVEYED TO MARION WEIR VAILE BY DEED RECORDED NOVEMBER 6, 1930, IN BOOK 63 OF OFFICIAL RECORDS, PAGE 300; THENCE ALONG THE COMMON BOUNDARY BETWEEN HARBISON AND VAILE, NORTH 37° WEST 264 FEET TO A POINT THENCE PARALLEL TO THE CENTER LINE OF THE DEPARTMENT OF PUBLIC WORKS SURVEY OF THE "HIGHWAY FROM VACAVILLE TO ONE MILE NORTH OF THE POWER STATION X-SOL-7-D", A DISTANCE OF 1677.6 FEET TO A POINT IN THE COMMON BOUNDARY BETWEEN HARBISON AND OLSEN; THENCE ALONG THE COMMON BOUNDARY BETWEEN HARBISON AND OLSEN SOUTH 55°38' EAST 267.4 FEET TO THE POINT OF BEGINNING. (THE BEARINGS USED IN THIS DESCRIPTION ARE 0°09' MORE TO THE NORTHEAST THAN THE BEARINGS OF THE STATE DEPARTMENT OF PUBLIC WORKS IN SURVEY OF X-SOL-7-D);

EXCEPTING THEREFROM THE PARCEL OF LAND DESCRIBED IN THE DEED FROM THE NUT TREE TO STATE OF CALIFORNIA, DATED MARCH 3, 1953, RECORDED MAY 14, 1953 IN BOOK 668 OF OFFICIAL RECORDS AT PAGE 19, INSTRUMENT NO. 7403.

ALSO EXCEPTING THEREFROM THE PARCELS OF LAND DESCRIBED AS PARCEL NO. 3 AND PARCEL NO. 9 IN THE FINAL ORDER OF CONDEMNATION HAD ON MARCH 13, 1963 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF SOLANO IN THE MATTER ENTITLED "THE PEOPLE OF THE STATE OF CALIFORNIA, PLAINTIFF, VS. FRED ADIEGO, POWER LAND INCORPORATED, ET AL, DEFENDANTS, CASE NO. 35777. A CERTIFIED COPY OF WHICH FINAL ORDER WAS RECORDED MARCH 13, 1963 IN BOOK 1189 OF OFFICIAL RECORDS AT PAGE 560, INSTRUMENT NO. 6633.

FURTHER EXCEPTING THEREFROM: ALL THAT PARCEL OF LAND LYING SOUTHEASTERLY OF THE NORTHWESTERLY BOUNDARY LINE OF THAT PARCEL OF LAND AS DESCRIBED IN DEED DATED JANUARY 23, 1967 FROM POWER LAND INC., A CORPORATION, TO CITY OF VACAVILLE, A MUNICIPAL CORPORATION, RECORDED DECEMBER 29, 1969 IN BOOK 1597 OF OFFICIAL RECORDS, PAGE 110, INSTRUMENT NO. 22226, SOLANO COUNTY RECORDS.

ASSESSOR'S PARCEL NUMBER: 0129-250-020 AND 030

PARCEL TWO:

PARCEL TWO

LEGAL DESCRIPTION

PORTION OF RANCHO LOS PUTOS, BEING A PORTION OF LOT 15 AS SHOWN ON THE MAP KNOWN AS SWAN'S SURVEY OF THE MC DANIEL TRACT, RECORDED MAY 13, 1857 IN BOOK "K" OF DEEDS AT PAGE 531, DESCRIBED AS FOLLOWS:

BEGINNING ON THE NORTHWESTERLY LINE OF THE PARCEL OF LAND DESCRIBED IN THE DEED FROM MARVIN W. OLSEN, ET UX, TO POWER LAND INCORPORATED, DATED JANUARY 2, 1957, RECORDED JANUARY 10, 1957 IN BOOK 864 OF OFFICIAL RECORDS AT PAGE 299, INSTRUMENT NO. 550, DISTANT THEREON NORTH 43° EAST, 43.66 FEET FROM THE MOST NORTHERLY CORNER OF THE PARCEL OF LAND DESCRIBED IN THE LEASE FROM POWER LAND INCORPORATED TO SHELL OIL COMPANY, DATED FEBRUARY 15, 1962, RECORDED APRIL 3, 1962 IN BOOK 1133 OF OFFICIAL RECORDS, AT PAGE 3, INSTRUMENT NO. 8212; THENCE FROM SAID POINT OF BEGINNING NORTH 43° EAST, ALONG SAID NORTHWESTERLY LINE AND THE EXTENSION NORTH 43° EAST THEREOF, 286.00 FEET; THENCE SOUTH 13°44' EAST, 251.25 FEET TO THE NORTHERLY LINE OF THE STRIP OF LAND CONVEYED IN THE DEED FROM POWER LAND COMPANY, INCORPORATED TO CITY OF VACAVILLE, DATED JANUARY 23, 1967, RECORDED DECEMBER 19, 1969 IN BOOK 1596 OF OFFICIAL RECORDS, AT PAGE 146, INSTRUMENT NO. 21885; THENCE ALONG SAID CITY OF VACAVILLE STRIP SOUTH 76°16' WEST, 48.45 FEET AND WESTERLY ALONG THE ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 342 FEET, TANGENT TO THE PRECEDING COURSE, THROUGH A CENTRAL ANGLE OF 19°45'02", AN ARC DISTANCE OF 117.89 FEET TO A POINT THAT BEARS SOUTH 47° EAST FROM THE POINT OF BEGINNING; THENCE NORTH 47° WEST, 136.92 FEET TO THE POINT OF BEGINNING.

ASSESSOR'S PARCEL NUMBER: 0129-250-060

PARCEL THREE

PARCELS A, B, AS SHOWN ON THAT CERTAIN RECORD OF SURVEY, ENTITLED: "THE BOUNDARIES OF THE HIGHWAY COMMERCIAL ZONE, PARCELS A, B, & C WITHIN THE NUT TREE PROPERTY IN RANCHO LOS PUTOS SOLANO COUNTY, CALIFORNIA AND BEING WITHIN THE CITY LIMITS OF VACAVILLE", FILED IN THE OFFICE OF THE COUNTY RECORDER ON DECEMBER 13, 1963 IN BOOK 8 OF SURVEYS AT PAGE 57, SOLANO COUNTY RECORDS, AS INSTRUMENT NO. 33079.

ASSESSOR'S PARCEL NUMBER: 0129-250-050

PARCEL FOUR

THAT PORTION OF THE LAND DESCRIBED IN DEED FROM L. A. CALVERT, ET UX, TO AMOLD EGHETTI, ET AL, DATED MAY 9, 1952 AND RECORDED MAY 19, 1952 IN BOOK 622 OF OFFICIAL RECORDS, PAGE 487, AS RECORDER'S INSTRUMENT NO. 7010, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHEASTERLY BOUNDARY OF THE LANDS DESCRIBED IN THE FOREMENTIONED DEED DISTANT THEREON NORTH NORTH 64°55' WEST 359.2 FEET FROM THE EASTERLY TERMINUS OF THE COURSE DESCRIBED IN SAID DEED AS NORTH 64°51' WEST 1,115.2 FEET SAID POINT ALSO BEING ON THE SOUTHWESTERLY BOUNDARY OF THE LAND DESCRIBED IN LEASE EXECUTED AND BETWEEN MARVIN W. OLSEN AND WIFE, AS LESSOR, AND POWER LAND INCORPORATED, AS LESSEE, RECORDED DECEMBER 6, 1955 IN BOOK 803 OF OFFICIAL RECORDS, PAGE 376, AS RECORDER'S INSTRUMENT NO. 23837; THENCE FROM SAID POINT OF BEGINNING SOUTH 25°05' WEST 116.6 FEET; THENCE SOUTH 46°07' EAST, 657.1 FEET TO THE MOST WESTERLY CORNER OF THE LAND DESCRIBED IN DEED FROM DOROTHY LEE CALBERT TO POWER LAND INCORPORATED, RECORDED MARCH 1956 IN BOOK 816 OF OFFICIAL RECORDS, PAGE 388, AS RECORDER'S INSTRUMENT NO. 3819; THENCE ALONG THE NORTHWEST BOUNDARY OF SAID LAST MENTIONED LAND NORTH 45°52' EAST 210 FEET TO THE MOST NORTHERLY CORNER THEREOF, SAID POINT ALSO BEING ON THE EAST BOUNDARY OF THE LAND DESCRIBED IN THE DEED FIRST HEREINBEFORE MENTIONED IN FAVOR OF AMOLD EGHETTI, ET AL, THENCE ALONG SAID NORTHEASTERLY BOUNDARY NORTH 51°58' WEST 378.66 FEET THENCE NORTH 64°55' WEST, 359.2 FEET TO THE POINT OF BEGINNING.

ASSESSOR'S PARCEL NUMBER: 0129-250-090

LEGAL DESCRIPTION

) PARCEL FIVE,

BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF PUTAH SOUTH CANAL WITH THE WESTERLY LINE OF THE LEFT FRONTAGE ROAD ADJOINING STATE HIGHWAY X-SOL-7D, AS SAID LINES ARE SHOWN ON THAT RECORD OF SURVEY RECORDED AT THE REQUEST OF POWER LAND, INC., IN BOOK 8 OF SURVEYS AT PAGE 67, SOLANO COUNTY OFFICIAL RECORDS; THENCE FROM SAID POINT OF BEGINNING, RUNNING ALONG SAID WESTERLY LINE NORTH 24°46' EAST, 10.62 FEET; THENCE NORTH 14°46' EAST, 130.73 FEET; THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 330 FEET AND TANGENT TO SAID LAST MENTIONED COURSE, THROUGH A CENTRAL ANGLE OF 1°30'57", AN ARC DISTANCE OF 8.73 FEET TO A POINT THAT BEARS RADially SOUTH 73°43'03" EAST; THENCE LEAVING SAID WESTERLY LINE, ALONG THE SOUTHERLY LINE OF A 30' WIDE PRIVATE RIGHT-OF-WAY, NORTH 55°42' WEST, 172.45 FEET; THENCE LEAVING SAID SOUTHERLY LINE SOUTH 19°58'20" WEST, 155.07 FEET TO SAID FIRST ABOVE MENTIONED NORTHERLY LINE; THENCE RUNNING ALONG SAID NORTHERLY LINE, SOUTH 52°20' EAST, 177.00 FEET; NORTH 45°53' EAST, 28.01 FEET AND SOUTH 44°08' EAST, 61.17 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL THAT PORTION CONVEYED IN THE DEED FROM NUT TREE, A LIMITED PARTNERSHIP, TO THE CITY OF VACAVILLE, A MUNICIPAL CORPORATION, RECORDED NOVEMBER 13, 1990 AS INSTRUMENT NO. 900090371, SOLANO COUNTY RECORDS.

ASSESSOR'S PARCEL NUMBER: 0129-250-180

) PARCEL SIX

A PORTION OF LOT 7 AS SHOWN ON THE MAP OF THE MC DANIEL TRACT, RECORDED MAY 13, 1857 IN BOOK "K" OF DEEDS AT PAGE 531, BEING A PORTION OF THE 6.07 ACRE PARCEL OF LAND DESCRIBED AS TRACT ONE OF PARCEL SIX (UNIT B-37) IN THE FINAL JUDGEMENT AS TO PARCEL SIX (UNIT B-37) HAD IN THE U. S. DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA, NORTHERN DIVISION, CASE NO. 7448 ON JANUARY 30, 1962 A CERTIFIED COPY OF WHICH WAS RECORDED APRIL 8, 1963 IN BOOK 1193 OF OFFICIAL RECORDS, PAGE 666, INSTRUMENT NO. 8922, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHEASTERLY BOUNDARY OF SAID 6.07 ACRE PARCEL DISTANT THEREON SOUTH 25°05' WEST 64.6 FEET FROM A POINT IN THE NORTHEASTERLY BOUNDARY OF THE PARCEL OF LAND DESCRIBED IN THE DEED FROM L. A. CALVERT ET UX, TO AMOLD SEGHETTI, ET AL, DATED MAY 9, 1952 AND RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY ON MAY 19, 1952 IN BOOK 622 OF OFFICIAL RECORDS AT PAGE 487, THAT IS DISTANT ALONG LAST SAID NORTHEASTERLY BOUNDARY NORTH 64°55' WEST 359.2 FEET FROM THE BEGINNING OF THE COURSE DESCRIBED AS NORTH 64°51' WEST 1115.2 FEET IN SAID DEED TO AMOLD SEGHETTI, ET AL, THENCE FROM SAID POINT OF BEGINNING ALONG THE NORTHEASTERLY BOUNDARY OF SAID 6.07 ACRE PARCEL AS FOLLOWS: SOUTH 46°07' EAST 657.1 FEET; THENCE SOUTH 52°18' EAST 327.6 FEET; THENCE NORTH 45°53' EAST 28.0 FEET; THENCE SOUTH 44°06' EAST 96.2 FEET TO THE SOUTHERLY BOUNDARY OF SAID 6.07 ACRE PARCEL THENCE ALONG SAID BOUNDARY SOUTH 45°54' WEST 112.3 FEET; THENCE ENTERING SAID 6.07 ACRE PARCEL NORTH 44°10' WEST 1071.4 FEET; THENCE NORTH 25°05' EAST 16.7 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL THAT PORTION CONVEYED IN THE DEED FROM NUT TREE, A LIMITED PARTNERSHIP, TO THE CITY OF VACAVILLE, A MUNICIPAL CORPORATION, RECORDED NOVEMBER 13, 1990 AS INSTRUMENT NO. 900090369, SOLANO COUNTY RECORDS.

ASSESSOR'S PARCEL NUMBER: 0129-250-170

) PARCEL SEVEN

BEGINNING AT A POINT IN THE MIDDLE OF WHAT IS CALLED AND KNOWN AS THE "TELEGRAPH ROAD"

LEGAL DESCRIPTION

(NTY ROAD NO. 79), WHERE THE LANDS FORMERLY OF J. ALLISON AND E. L. BENNETT JOIN; THENCE NORTH 52-3/4° WEST FOLLOWING THE DIVIDING FENCE OF SAID LANDS, 12 CHAINS AND 63 LINKS; THENCE NORTH 66-1/2° WEST, 6 CHAINS AND 21 LINKS; THENCE NORTH 46° EAST, 8 CHAINS AND 8 LINKS; THENCE SOUTH 57° EAST, 18 CHAINS AND 56 LINKS TO THE CENTER OF SAID TELEGRAPH ROAD; THENCE SOUTH 45-1/4° WEST ALONG SAID CENTERLINE 8 CHAINS AND 81 LINKS TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THE 0.089 ACRE PORTION THEREOF NOW INCLUDED IN HIGHWAY AS DESCRIBED IN DEED FROM SARAH JANE OLSEN TO STATE OF CALIFORNIA, DATED MAY 15, 1944, RECORDED JULY 12, 1944 IN BOOK 319 OF OFFICIAL RECORDS, PAGE 594, INSTRUMENT NO. 6109.

ALSO EXCEPTING THEREFROM 2.37 ACRES, MORE OR LESS, IN THE SOUTHWEST CORNER OF SAID TRACT AND DESCRIBED AS FOLLOWS TO-WIT:

BEGINNING AT A POINT IN THE SOUTHWESTERLY LINE OF A CERTAIN 13 ACRE TRACT OF LAND, SET APART BY THE SUPERIOR COURT OF CALIFORNIA AS A PROBATE HOMESTEAD TO SARAH JANE OLSEN AND DESCRIBED IN A DECREE OF SAID SUPERIOR COURT, RECORDED IN BOOK 176, PAGE 41, INSTRUMENT NO. 2434 OF OFFICIAL RECORDS OF SOLANO COUNTY; SAID POINT OF BEGINNING IS THE MOST WESTERLY CORNER OF A CERTAIN TRACT OF LAND CONVEYED BY SARAH OLSEN TO THE STATE OF CALIFORNIA BY A DEED RECORDED DECEMBER 7, 1944 IN BOOK 319, PAGE 594, INSTRUMENT NO. 6109 OF OFFICIAL RECORDS OF SOLANO COUNTY; SAID POINT OF BEGINNING BEARS NORTH 52°20' WEST, 104.07 FEET DISTANT FROM STATION 37+632 OF THE DEPARTMENT OF PUBLIC WORKS CENTERLINE SURVEY OF HIGHWAY FROM VACAVILLE TO ONE MILE NORTH OF THE POWER STATION X-SOL-7-D; THENCE ALONG THE NORTHWESTERLY LINE OF THE LAND CONVEYED TO THE STATE OF CALIFORNIA, NORTH 45°20' EAST, 350.8 FEET; THENCE NORTH 55°42' WEST, 324.8 FEET; THENCE SOUTH 42°52' WEST, 319.5 FEET TO A POINT IN THE SOUTHWESTERLY LINE OF THE MENTIONED SARAH JANE OLSEN PROPERTY; THENCE ALONG THE SOUTHWESTERLY LINE OF THE OLSEN TRACT, SOUTH 52°20' EAST, 304.9 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM ALL THAT PORTION THEREOF DESCRIBED IN THE DEED FROM MARVIN W. OLSEN, ET UX, TO THE STATE OF CALIFORNIA, DATED DECEMBER 20, 1950 AND RECORDED FEBRUARY 1, 1951 IN BOOK 569 OF OFFICIAL RECORDS, PAGE 410, INSTRUMENT NO. 1479.

ALSO EXCEPTING THEREFROM ALL THAT PORTION THEREOF DESCRIBED IN THE DEED FROM MARVIN W. OLSEN, ET UX, TO POWER LAND INCORPORATED, A CALIFORNIA CORPORATION, DATED NOVEMBER 15, 1955, AND RECORDED NOVEMBER 18, 1955 IN BOOK 800 OF OFFICIAL RECORDS, PAGE 315 AS INSTRUMENT NO. 22632.

ALSO EXCEPTING THEREFROM ALL THAT PORTION THEREOF DESCRIBED IN THE DEED FROM MARVIN W. OLSEN, ET UX, TO POWER LAND INCORPORATED, A CALIFORNIA CORPORATION, DATED JANUARY 2, 1957 AND RECORDED JANUARY 10, 1957 IN BOOK 864 OF OFFICIAL RECORDS, PAGE 299, AS INSTRUMENT NO. 550.

ALSO EXCEPTING THEREFROM ALL THAT PORTION THEREOF DESCRIBED IN THE DEED FROM MARVIN W. OLSEN, ET UX, TO THE STATE OF CALIFORNIA, DATED JANUARY 24, 1961 AND RECORDED JUNE 9, 1961 IN BOOK 1084 OF OFFICIAL RECORDS, PAGE 558, AS INSTRUMENT NO. 12433.

ALSO EXCEPTING THEREFROM ALL THAT PORTION THEREOF CONVEYED TO THE CITY OF VACAVILLE BY DEED FROM ROSE C. OLSEN DATED DECEMBER 11, 1969 AND RECORDED JANUARY 16, 1970 IN BOOK 99 OF OFFICIAL RECORDS, PAGE 435, AS INSTRUMENT NO. 861.

RT1 OF ASSESSOR'S PARCEL NUMBER: 0129-250-100

LEGAL DESCRIPTION

PARCEL EIGHT

BEING PARCEL C, AS SAID PARCEL IS SHOWN ON THE THAT CERTAIN RECORD OF SURVEY, ENTITLED: " THE BOUNDARIES OF THE HIGHWAY COMMERCIAL ZONE, PARCELS A, B, & C WITHIN THE NUT TREE PROPERTY IN RANCHO LOS PUTOS, SOLANO COUNTY, CALIFORNIA AND BEING WITHIN THE CITY LIMITS OF VACAVILLE", FILED IN THE OFFICE OF THE COUNTY RECORDER IN BOOK 8 OF SURVEYS AT PAGE 67, SOLANO COUNTY RECORDS.

EXCEPTING THEREFROM THAT PORTION OF SAID PARCEL C GRANTED TO THE CITY OF VACAVILLE IN THE DOCUMENT RECORDED AS SERIES NO. 1995-78077 SOLANO COUNTY RECORDS.

PARCEL NINE

ALL THAT PORTION OF PARCEL "B", AS SAID PARCEL IS DESCRIBED IN THE LOT LINE ADJUSTMENT RECORDED AS SERIES NO. 00-28393, SOLANO COUNTY RECORDS, BOUNDED AS FOLLOWS:

ON THE NORTHWEST BY THE LANDS OF THE COUNTY OF SOLANO NUT TREE AIRPORT, AS SAID LANDS ARE SHOWN ON THE RECORD OF SURVEY FILED IN BOOK 12 OF SURVEYS, AT PAGE 80, SOLANO COUNTY RECORDS; ON THE NORTHEAST AND EAST BY PARCEL "A", AS SAID PARCEL IS DESCRIBED IN SAID LOT LINE ADJUSTMENT; AND ON THE SOUTH AND SOUTHEAST BY THE CITY OF VACAVILLE RIGHT OF WAY AS DESCRIBED IN THE DOCUMENT RECORDED AS SERIES NO. 00-28421, SOLANO COUNTY RECORDS.

PARCEL TEN

BEING A PORTION OF PARCEL B AS SAID PARCEL IS DESCRIBED IN THE DOCUMENT RECORDED AS SERIES NUMBER 00-28393, ALL OF THE PARCELS OF LAND DESCRIBED AS PARCELS 3, 11 AND 12 IN THE DOCUMENT RECORDED AS SERIES NUMBER 1996-59083, AND ALL OF PARCEL 1 AS SAID PARCEL IS DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 800 OF OFFICIAL RECORDS, AT PAGE 315, ALL OF SOLANO COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE COMMON BOUNDARY BETWEEN THE WESTERLY LINE OF LANDS OF HESTER A. HARBISON, ORIGINALLY CONTAINING 143.50 ACRES AS DESCRIBED IN DEED RECORDED IN BOOK 106 OF DEEDS, PAGE 55, AND THE EASTERLY LINE OF LANDS OF SARAH J. OLSEN, AS DESCRIBED IN THE DEED RECORDED IN BOOK 204 OF DEEDS, PAGE 240, INSTRUMENT NO. 3714, SAID POINT OF BEGINNING LYING NORTH 55° 38' WEST, 267.4 FEET ALONG SAID LINE FROM THE NORTHWEST BOUNDARY OF NEW STATE HIGHWAY, AND BEING THE NORTHWEST CORNER OF THE 9.60 ACRE PARCEL OF LAND DESCRIBED IN DEED TO EDWIN I. POWER AND WIFE, RECORDED MARCH 25, 1946, RECORDER'S INSTRUMENT NO. 4419; THENCE ALONG THE NORTHWESTERLY LINE OF SAID LAND SO CONVEYED TO SAID EDWIN I. POWER ET UX, NORTH 46° 01' EAST, 1604.50 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF THE 100 FOOT WIDE RIGHT OF WAY DESCRIBED IN THE DOCUMENT RECORDED AS SERIES NUMBER 00-96447; THENCE FOLLOWING ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE NORTH 44° 10' 10" WEST, 145.94 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 500.00 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 59° 46' 50" FOR AN ARC LENGTH OF 521.68 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF THE 100 FOOT WIDE RIGHT OF WAY DESCRIBED IN THE DOCUMENT RECORDED AS SERIES NUMBER 00-23421, SOLANO COUNTY RECORDS; THENCE FOLLOWING ALONG SAID RIGHT OF WAY SOUTH 76° 63' 00" WEST, 848.81 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 09° 34' 52" FOR AN ARC DISTANCE OF 158.86 FEET TO THE BEGINNING OF A REVERSE CURVE HAVING A RADIUS OF 650.00 FEET; THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 59° 22' 28" FOR AN ARC DISTANCE OF 673.58 FEET; THENCE CONTINUING SOUTH 33° 44' 43" WEST, 465.87 FEET TO A POINT IN THE EASTERLY LINE OF THE PUTAH SOUTH CANAL AS DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 1096 OF OFFICIAL RECORDS, AT PAGE 618, SOLANO COUNTY RECORDS; THENCE SOUTHERLY FOLLOWING THE WESTERLY LINE OF SAID PUTAH SOUTH CANAL SOUTH 04° 12' 44" EAST, 124.64 FEET; THENCE SOUTH 32° 53' 55" EAST, 155.04 FEET; THENCE SOUTH 64° 46' 04" EAST, 117.60 FEET TO A POINT IN THE SOUTHEASTERLY LINE OF SAID PARCEL B; THENCE NORTH 47° 17' 00" EAST, 367.02 FEET TO THE WESTERLY MOST CORNER OF PARCEL 1 AS DESCRIBED IN THE DEED RECORDED IN BOOK 800 OF OFFICIAL RECORDS, AT PAGE 315, SOLANO COUNTY RECORDS; ; THENCE ALONG THE PERIMETER OF SAID PARCEL 1, SOUTH 55° 38' 00" EAST, 341.91 FEET; THENCE NORTH 47° 17' 00" EAST, 205.20 FEET TO A POINT IN THE SOUTHWESTERLY LINE OF SAID PARCEL B; THENCE SOUTH 55° 38' 00" EAST, 596.90 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION

PARCEL ELEVEN

BEING ALL OF PARCEL "C-1"; AS SAID PARCEL IS DESCRIBED IN THE DOCUMENT RECORDED AS SERIES NUMBER 00--86629, A PORTION OF PARCEL B AS SAID PARCEL IS DESCRIBED IN THE DOCUMENT RECORDED AS SERIES NUMBER 00-28393, AND A PORTION OF THE 100 FOOT WIDE RIGHT OF WAY DESCRIBED IN THE DOCUMENT RECORDED AS SERIES NUMBER 00-28421, ALL OF SOLANO COUNTY RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF SAID PARCEL "C-1"; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL B NORTH 37°59'00" WEST, 87.97 FEET; THENCE NORTH 24°48'39" WEST, 111.10 FEET TO THE MOST SOUTHEASTERLY CORNER OF THE LANDS OF SOLANO COUNTY AS DESCRIBED IN THE GRANT DEED RECORDED AS SERIES NUMBER 00-30090 OF OFFICIAL RECORDS IN THE OFFICE OF THE SOLANO COUNTY RECORDER; THENCE ALONG THE SOUTHERLY LINE THEREOF NORTH 73°31'38" WEST, 53.64 FEET; THENCE SOUTH 88°58'40" WEST, 37.91 FEET TO THE MOST NORTHEASTERLY CORNER OF PARCEL "A" AS DESCRIBED IN SAID DOCUMENT RECORDED AS SERIES NUMBER 00-28393; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID PARCEL "A" AND THE SOUTHERLY PROLONGATION THEREOF SOUTH 13°57'00" EAST, 673.24 FEET TO A POINT IN THE NORTHEASTERLY RIGHT OF WAY LINE OF THE 100 FOOT WIDE RIGHT OF WAY DESCRIBED IN THE DOCUMENT RECORDED AS SERIES NUMBER 00-96447, SAID POINT BEING ON A CURVE CONCAVE TO THE SOUTH, THE RADIUS OF WHICH BEARS SOUTH 10°10'47" EAST, 600.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°16'52" FOR AN ARC DISTANCE OF 86.72 FEET; THENCE LEAVING THE CURVE OF SAID NORTHEASTERLY RIGHT OF WAY LINE AND RUNNING NORTH 44°06'41" EAST, 17.18 FEET; THENCE NORTH 00°37'20" EAST, 140.52 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 125.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 45°17'59" FOR AN ARC DISTANCE OF 98.83 FEET; THENCE NORTH 5°19" EAST, 221.44 FEET TO A SOUTHEASTERLY CORNER OF SAID PARCEL "C-1"; THENCE NORTH 0°29" EAST, 174.16 FEET TO THE MOST NORTHEASTERLY CORNER OF SAID PARCEL "C-1"; THENCE SOUTH 79°45'23" WEST, 237.05 FEET; THENCE SOUTH 58°14'59" WEST, 121.64 FEET TO THE POINT OF BEGINNING.

PARCEL TWELVE

BEING ALL OF PARCEL 3 AS SAID PARCEL IS DESCRIBED IN THE FINAL ORDER OF CONDEMNATION HAD ON MARCH 13, 1963 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF SOLANO IN THE MATTER ENTITLED "THE PEOPLE OF THE STATE OF CALIFORNIA, PLAINTIFF VS. FRED ADIEGO, POWER LAND INCORPORATED, ET AL, DEFENDANTS, CASE NO. 35777. A CERTIFIED COPY OF WHICH FINAL ORDER WAS RECORDED MARCH 13, 1963 IN BOOK 1189 OF OFFICIAL RECORDS, AT PAGE 560, INSTRUMENT NUMBER 6633, SAID PARCEL 3 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WESTERLY CORNER OF THAT CERTAIN 0.052 OF AN ACRE PARCEL OF LAND ACQUIRED BY THE STATE OF CALIFORNIA BY DEED RECORDED APRIL 24, 1945 IN BOOK 301 OF OFFICIAL RECORDS, PAGE 285, SOLANO COUNTY RECORDS, SAID POINT BEING IN THE NORTHWESTERLY LINE OF STATE HIGHWAY, ROAD X-SOL-7-D AS SAID HIGHWAY EXISTED JANUARY 1, 1960; THENCE ALONG LAST SAID LINE S 45°51'W, 71.86 FEET; THENCE N 57°20'53"W, 118.26 FEET; THENCE S 43°42'39"W 117.75 FEET; THENCE S 14°48'21"E, 82.30 FEET; THENCE S 44°09' E 9.0 FEET TO THE AFORESAID NORTHWESTERLY LINE OF SAID STATE HIGHWAY; THENCE ALONG LAST SAID LINE S 45°51' W, 80.00 FEET; THENCE N 44° 09' W, 39.0 FEET; THENCE N 32°30'47" W, 4.79 FEET; THENCE N 28°15'57"E, 194.45 FEET; THENCE N 73°38'59"E, 148.80 FEET; THENCE N 75°37'47"E, 15.86 FEET TO THE SOUTHWESTERLY LINE OF THAT CERTAIN PARCEL OF LAND ACQUIRED BY FRED ADIEGO BY DEED RECORDED NOVEMBER 8, 1950 IN BOOK 557 OF OFFICIAL RECORDS, PAGE 218, SOLANO COUNTY RECORDS; THENCE ALONG LAST SAID LINE S 37°09' E, 177.54 FEET TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION

PARCEL THIRTEEN

COMMENCING AT THE MOST NORTHERLY CORNER OF THAT CERTAIN 0.131 ACRE PARCEL OF LAND DESCRIBED IN DEED FROM R.S. ROBERTSON ET UX TO THE STATE OF CALIFORNIA DATED DECEMBER 20, 1950 AND RECORDED FEBRUARY 2, 1951, IN BOOK 569 PAGE 434, OFFICIAL RECORDS, INSTRUMENT NO. 1480; THENCE NORTH 52° 20' WEST ALONG THE NORTHEASTERLY LINE OF THAT CERTAIN 47.48 ACRE PARCEL OF LAND AS DESCRIBED IN DEED FROM LEO S. LUCERO ET UX TO R.S. ROBERTSON ET UX DATED FEBRUARY 18, 1943, AND RECORDED FEBRUARY 19, 1943, IN BOOK 277, OFFICIAL RECORDS, PAGE 22, A DISTANCE OF 425 FEET; THENCE SOUTH 45° 52' WEST 210 FEET; THENCE SOUTH 52° 20' EAST BEING PARALLEL WITH THE NORTHEASTERLY LINE OF SAID ROBERTSON 47.48 ACRE PARCEL TO THE NORTHWESTERLY LINE OF THAT CERTAIN PARCEL OF LAND AS DESCRIBED IN DEED FROM CHARLES O. SCHERUBEL TO THE STATE OF CALIFORNIA, DATED JANUARY 20, 1949 AND RECORDED MAY 6, 1949, IN BOOK 476, OFFICIAL RECORDS, PAGE 416, INSTRUMENT NO. 4744; THENCE NORTH 45° 43' 55" EAST ALONG SAID NORTHWESTERLY LINE TO THE MOST NORTHERLY CORNER THEREOF; THENCE SOUTH 44° 09' EAST ALONG THE NORTHEASTERLY LINE THEREOF, 96.23 FEET, MORE OR LESS TO THE NORTHWESTERLY LINE OF THE ABOVE-REFERRED TO 0.131 ACRE PARCEL; THENCE NORTH 45° 52' EAST ALONG SAID NORTHWESTERLY LINE 195.86 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE SOUTHERLY 112' FEET

ALSO EXCEPTING THEREFROM ALL THAT PARCEL OF LAND LYING WITHIN PARCEL ONE AS DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF PUTAH SOUTH CANAL WITH THE WESTERLY LINE OF THE LEFT FRONTAGE ROAD ADJOINING STATE HIGHWAY X-SOL-7D, AS SAID LINES ARE SHOWN ON THAT RECORD OF SURVEY RECORDED AT THE REQUEST OF POWER LAND, INC., IN BOOK 100 OF SURVEYS AT PAGE 67, SOLANO COUNTY OFFICIAL RECORDS; THENCE FROM SAID POINT OF BEGINNING, RUNNING ALONG SAID WESTERLY LINE NORTH 24° 46' EAST, 10.62 FEET; THENCE NORTH 4° 46' EAST, 130.73 FEET; THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 330 FEET AND TANGENT TO SAID LAST MENTIONED COURSE, THROUGH A CENTRAL ANGLE OF 1° 30' 57", AN ARC DISTANCE OF 8.73 FEET TO A POINT THAT BEARS RADIALY SOUTH 73° 43' 03" EAST; THENCE LEAVING SAID WESTERLY LINE, ALONG THE SOUTHERLY LINE OF A 30' WIDE PRIVATE RIGHT-OF-WAY, NORTH 55° 42' WEST, 172.45 FEET; THENCE LEAVING SAID SOUTHERLY LINE SOUTH 3° 58' 20" WEST, 155.07 FEET TO SAID FIRST ABOVE MENTIONED NORTHERLY LINE; THENCE RUNNING ALONG SAID NORTHERLY LINE, SOUTH 52° 20' EAST, 117.00 FEET; NORTH 45° 53' EAST, 28.01 FEET TO SAID SOUTH 44° 08' EAST, 61.17 FEET TO THE POINT OF BEGINNING.

FURTHER EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF THAT CERTAIN 0.176 ACRE PARCEL OF LAND DESCRIBED IN DEED RECORDED IN BOOK 864 OF OFFICIAL RECORDS AT PAGE 299, RECORDS OF SOLANO COUNTY; THENCE NORTH 43° 00' EAST 192.93 FEET; THENCE SOUTH 47° 00' EAST 123.42 FEET TO A POINT ON A CURVE THE CENTER OF WHICH CURVE BEARS SOUTH 34° 14' 07" EAST, 355.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 4° 00' 00" FOR AN ARC DISTANCE OF 25.65 FEET; THENCE SOUTH 55° 42' EAST 13.76 FEET TO A POINT ON A CURVE, THE CENTER OF WHICH CURVE BEARS SOUTH 37° 42' 22" EAST, 342 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30° 09' 33" FOR AN ARC DISTANCE OF 180.02 FEET; THENCE NORTH 55° 42' WEST 151.93 FEET; THENCE NORTH 43° 00'

LEGAL DESCRIPTION

ST 30.32 FEET TO THE POINT OF BEGINNING.

FURTHERMORE, EXCEPTING THEREFROM ALL THOSE LYING SOUTHERLY OF THE FOLLOWING DESCRIBED LINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF A NORTHEASTERLY LINE OF PUTAH SOUTH CANAL WITH THE NORTHWESTERLY LINE OF THE LEFT FRONTAGE, ROAD ADJOINING STATE HIGHWAY -SOLE-7YD, AS SAID LINES ARE SHOWN ON THAT RECORD OF SURVEY, RECORDED AT THE REQUEST OF POWER LAND, INC., IN BOOK 8 OF SURVEYS, AT PAGE 67, SOLANO COUNTY OFFICIAL RECORDS, SAID POINT BEING THE SOUTHERLY CORNER OF THE PREMISES OF THE GRANTOR HEREIN; THENCE FROM SAID POINT OF BEGINNING, RUNNING ALONG SAID NORTHWESTERLY LINE $24^{\circ} 45' 12''$ EAST 10.62 FEET; THENCE, NORTH $14^{\circ} 44' 27''$ EAST 130.73 FEET; THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 330 FEET AND TANGENT TO SAID LAST MENTIONED COURSE, TO SAID COURSE BEARING $N 76^{\circ} 15' E$ WITH ARC DISTANCE OF 354.21 FEET AND THE TERMINATION OF THIS DESCRIPTION.

ALSO, FURTHER, EXCEPTING THEREFROM ALL THAT PORTION CONVEYED IN THE DEED FROM NUT TREE, A LIMITED PARTNERSHIP TO THE CITY OF VACAVILLE A MUNICIPAL CORPORATION, RECORDED NOVEMBER 13, 1990, INSTRUMENT NO. 900090371, SOLANO COUNTY RECORDS.

ALSO, FURTHERMORE, EXCEPTING THEREFROM THEREFROM ALL THAT PORTION LYING SOUTHERLY OF THE NORTHERLY LINE OF THE FOLLOWING DESCRIBED PARCEL OF LAND;

BEGINNING AT THE MOST SOUTHERLY CORNER OF THAT CERTAIN 0.176 ACRE PARCEL OF LAND DESCRIBED IN DEED RECORDED IN BOOK 864 OF OFFICIAL RECORDS AT PAGE 299, RECORDS OF SOLANO COUNTY; THENCE NORTH $43^{\circ} 00'$ EAST, 192.93 FEET; THENCE SOUTH $47^{\circ} 00'$ EAST, 123.42 FEET; THENCE TO A POINT ON A CURVE, THE CENTER OF WHICH CURVE BEARS SOUTH $34^{\circ} 14' 07''$ EAST, 355 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $4^{\circ} 08' 23''$ FOR AN ARC DISTANCE OF 25.65 FEET; THENCE SOUTH 55° EAST, 13.76 FEET TO A POINT ON A CURVE, THE CENTER OF WHICH CURVE BEARS SOUTH $37^{\circ} 42' 22''$ EAST, 342 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF $30^{\circ} 09' 33''$ FOR AN ARC DISTANCE OF 180.02 FEET; THENCE NORTH $55^{\circ} 42'$ WEST, 151.93 FEET, THENCE NORTH $43^{\circ} 00'$ EAST, 30.32 TO THE POINT OF BEGINNING.

PORTION OF ASSESSOR'S PARCEL NUMBER: 129-250-10

PARCEL FOURTEEN

BEING ALL OF PARCEL TWO AS SAID PARCEL IS DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 800 OF OFFICIAL RECORDS, AT PAGE 315, SOLANO COUNTY RECORDS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A FORTY FOOT STRIP OF LAND LYING ADJACENT TO THE SOUTHEASTERLY LINE OF PARCEL ONE AS SAID PARCEL ONE IS DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 800 OF OFFICIAL RECORDS, AT PAGE 315, SOLANO COUNTY RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST EASTERLY CORNER OF SAID PARCEL ONE AND PROCEEDING THENCE ALONG THE BOUNDARY LINE COMMON TO THE OLSEN AND POWER PROPERTIES, AS REFERRED TO IN PARCEL ONE, SOUTH $55^{\circ} 38'$ EAST 41.04 FEET; THENCE SOUTH $47^{\circ} 17'$ WEST 205.20 FEET; THENCE NORTH $55^{\circ} 38'$ WEST 41.04 FEET; THENCE NORTH $47^{\circ} 17'$ EAST 205.20 FEET TO THE POINT OF BEGINNING.

PARCEL FIFTEEN

LEGAL DESCRIPTION

THAT REAL PROPERTY IN THE CITY OF VACAVILLE, COUNTY OF SOLANO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF LAND DESCRIBED IN DEED FROM DOROTHY LEE CALBERT TO POWER LAND INCORPORATED, RECORDED MARCH 1, 1956 IN BOOK 816 OF OFFICIAL RECORDS, AT PAGE 388, AS INSTRUMENT NUMBER 3819, AND A PORTION OF THE 13 ACRE TRACT OF LAND, SET APART BY THE SUPERIOR COURT OF CALIFORNIA AS A PROBATE HOMESTEAD TO SARAH JANE OLSEN AND DESCRIBED IN THE IN A DECREE OF SAID SUPERIOR COURT, RECORDED IN BOOK 176 OF OFFICIAL RECORDS, AT PAGE 41, AS INSTRUMENT NUMBER 2434, ALL OF SOLANO COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF THAT CERTAIN 0.176 ACRE PARCEL OF LAND DESCRIBED IN DEED RECORDED IN BOOK 864 OF OFFICIAL RECORDS AT PAGE 299, RECORDS OF SOLANO COUNTY; THENCE NORTH 43°00' EAST, 192.93 FEET; THENCE SOUTH 47°00' EAST, 123.42 FEET TO A POINT ON A CURVE, THE CENTER OF WHICH CURVE BEARS SOUTH 34°14'07" EAST, 355 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 4°08'23" FOR AN ARC DISTANCE OF 25.65 FEET; THENCE SOUTH 55° EAST, 13.76 FEET TO A POINT ON A CURVE, THE CENTER OF WHICH CURVE BEARS SOUTH 37°42'22" EAST, 342 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 30°09'33" FOR AN ARC DISTANCE OF 180.02 FEET; THENCE NORTH 55°42' WEST, 151.93 FEET, THENCE NORTH 43°00' EAST, 30.32 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL THAT PORTION CONVEYED IN THE DEED FROM NUT TREE, A LIMITED PARTNERSHIP TO THE CITY OF VACAVILLE, RECORDED DECEMBER 12, 1989 AS INSTRUMENT NO. 89030, SOLANO COUNTY RECORDS.

CONTAINING 26,427 SQUARE FEET, MORE OR LESS.

APN 129-250-230