



**Napa County Regional Park  
and Open Space District**

Harold Kelly  
*Director Ward One*

Tony Norris  
*Director Ward Two*

Guy Kay  
*Director Ward Three*

Dave Finigan  
*Director Ward Four*

Myrna Abramowicz  
*Director Ward Five*

## AGENDA

### BOARD OF DIRECTORS REGULAR MEETING

**Monday October 10, 2011 2:00 P.M.**  
1195 Third Street, Third Floor, Napa, CA 94559

#### GENERAL INFORMATION

Agenda items will generally be considered in the order indicated below, except for Set Matters, which will be considered at the time indicated. Agenda items may from time to time be taken out of order at the discretion of the President.

The meeting room is wheelchair accessible. Assistive listening devices and interpreters are available through the District Secretary. Requests for disability related modifications or accommodations, aids, or services may be made to the Secretary's office no less than 48 hours prior to the meeting date by contacting (707) 259-8603.

Any member of the audience desiring to address the District on a matter on the Agenda, please proceed to the rostrum and, after receiving recognition from the President, give your name, address, and your comments or questions. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the President.

State law requires agency officers (Directors and Officers) to disclose, and then be disqualified from participation in, any proceeding involving a license, permit, or other entitlement for use, if the officer has received from any participant in the proceeding an amount exceeding \$250 within the prior 12 month period. State law also requires any participant in a proceeding to disclose on the record any such contributions to an agency officer.

All materials relating to an agenda item for an open session of a regular meeting of the Board of Directors which are provided to a majority or all of the members of the Board by Board members, staff or the public within 72 hours of but prior to the meeting will be available for public inspection, on and after at the time of such distribution, in the Conservation, Development and Planning Department Office at 1195 Third Street, Suite 210, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., except for County holidays. Materials distributed to a majority or all of the members of the Board at the meeting will be available for public inspection at the public meeting if prepared by the members of the Board or County staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials which are exempt from public disclosure under Government Code sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

#### 1. Call to Order and Roll Call

#### 2. Public Comment

In this time period, anyone may address the Board of Directors regarding any subject over which the Board has jurisdiction but which is not on today's posted agenda. In order to provide all interested parties an opportunity to speak, time limitations shall be at the discretion of the President. As required by Government Code, no action or discussion will be undertaken on any item raised during this Public Comment period.

### 3. Set Matters

2:00 p.m. Public Hearing on and first reading of an ordinance approving changes to the Ward boundaries for the Board of Directors.

### 4. Administrative Items

- A. Consideration and potential approval of Minutes of Board of Directors meeting of September 13, 2011.
- B. Update and potential direction to staff regarding the planned closure of Bothe-Napa Valley State Park and the Bale Grist Mill State Historic Park, and the District's proposal to operate the two parks in partnership with the Napa Valley State Parks Association (oral report).
- C. Consideration and potential approval of contract for the preparation of plans and specifications for Camp Berryessa.
- D. Consideration and potential approval of a temporary trailer/equipment staging area Right of Entry Permit on the District's Stone Corral property for the Lake Berryessa Resort Improvement District.
- E. Consideration and potential approval of access and utility easements across the District's Stone Corral property to benefit parcels APN#015-080-011 and 015-200-032.
- F. Update on potential donation of a 0.33 acre parcel located on Wagon Wheel Court in Lake Berryessa Estates (APN# 016-254-003)
- G. Consideration and potential approval of agreement with the California Conservation Corp in the amount of \$14,500 to complete fencing for the Napa River and Bay Trail Phase I.
- H. Receipt of report on expenditures, encumbrances, donations and grants approved by the General Manager.
- I. Review of the District Projects Status Report.

### 5. Announcements by Board and Staff

In this time period, members of the Board of Directors and staff will announce meetings, events and other matters of interest. No action will be taken by the Board on any announcements.

### 6. Agenda Planning

In this time period, members of the Board of Directors and staff will discuss matters for possible consideration at future meetings. No action will be taken by the Board other than whether and when to agendaize such matters, unless specifically noted otherwise.

### 7. Adjournment



Napa County Regional Park  
and Open Space District

## STAFF REPORT

Date: October 10, 2011  
Agenda Item: 3  
Subject: Public Hearing on and first reading of an ordinance approving changes to the Ward boundaries for the Board of Directors.

### Recommendation

Approve the first reading of the ordinance changing Ward boundaries to be coterminous with the new County Supervisorial districts. The second and final hearing will be held at the Board's November meeting. The following steps are needed to approve the first reading of the ordinance.

1. Open Public Hearing.
2. Staff reports.
3. Public comments.
4. Close Public Hearing.
5. Clerk reads the Ordinance Title.
6. Motion, second, discussion and vote to waive the balance of the reading of the ordinance.
7. Motion, second, discussion and vote on intention to adopt the ordinance.

### Background

The District Board of Directors is required to adjust Ward boundaries following each decennial census to reflect changes in population. Current Ward boundaries are coterminous with Napa County Board of Supervisor districts. The County has now completed its revision to the Supervisorial district boundaries. It is most efficient for the District to utilize the same boundaries for its wards as the Board of Supervisors uses for its districts. Staff has not identified any problems with utilizing the new supervisorial district boundaries to also serve as ward boundaries. Staff therefore recommends the Board of Directors approve the first reading of the ordinance.

**ORDINANCE NO. \_\_\_\_\_****AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NAPA  
COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT  
ADJUSTING THE BOUNDARIES OF THE WARDS OF THE DISTRICT**

The Board of Directors of the Napa County Regional Park and Open Space District  
ordains as follows:

**SECTION 1. Ward No. 1.**

Ward No. 1 is established and declared to be all that territory situated in the County of Napa, State of California, the exterior boundaries of which are described as follows:

BEGINNING at the centerline intersection of Clinton Street and Main Street, all further references to centerline of roads, streets or highways being made to the occupational centerline as it exists on the date of passage of this ordinance, unless otherwise stated for purposes of this description; thence southwesterly along the centerline of Clinton Street to its intersection with the centerline of Arroyo Drive; thence northwesterly along the centerline of Arroyo Drive to its intersection with the center of Napa Creek, all further references to center or meander of creeks, rivers, lakes or waterways being made to said center or meander as it exists on the date of passage of this ordinance, unless otherwise stated for purposes of this description; thence northwesterly along the center of Napa Creek to its intersection with the centerline of Jefferson Street; thence southerly along the centerline of Jefferson Street to its intersection with the centerline of Laurel Street; thence westerly along the centerline of Laurel Street to its intersection with Griggs Lane; thence continuing northwesterly and northeasterly along the centerline of Laurel Street to its intersection with the centerlines of First Street/Browns Valley Road/Antibes Place; thence westerly along the centerline of Browns Valley Road to its intersection with the centerline of Woodlawn Drive; thence northerly along the centerline of Woodlawn Drive to its intersection with the centerline of Scenic Drive; thence northwesterly along the centerline of Scenic Drive to its intersection with the centerline of Pinewood Drive; thence northerly along the centerline of Pinewood Drive to its intersection with the centerline of Carmel Drive; thence northwesterly along the centerline of Carmel Drive to its intersection with the centerline of Brittany Circle; thence northeasterly, northwesterly and westerly along the centerline of Brittany Circle to its intersection with the centerline of Westview Drive; thence southerly along the centerline of Westview Drive to its intersection with the centerline of Scenic Drive; thence westerly along the centerline of Scenic Drive to its intersection with Browns Valley Road; thence southerly along the centerline of Browns Valley Road to its intersection with the centerline of Partrick Road; thence northwesterly along the centerline of Partrick Road to its intersection with the prolongation of the northwesterly line of Parcel B as shown on that certain map entitled, "Record of Survey Map of Portion of Property of W.E. Coombes" filed for record on July 12, 1960 in the office of the County Recorder of Napa County, California, in Book 7 of Surveys at Page 21, all further references to filing or recording being made to said County Recorder of Napa County, California, unless otherwise stated for purposes of this description; thence southwesterly along the northwesterly line of said Parcel B to its intersection

with the center of the West Branch of Napa Creek (also known as Browns Valley Creek); thence southeasterly along the center of said Creek to its intersection with the northwesterly line of that certain subdivision of lands shown on the map entitled, "Final Map of Rollingwood Unit No. 1" filed for record on December 27, 1979 in Book 12 of Maps at Pages 29 and 30; thence southwesterly along the northwesterly line of said subdivision to the westerly corner of Lot 43 as shown on said map, said corner also being the northernmost corner of that certain subdivision of lands shown on the map entitled, "Final Map of Rollingwood Unit No. 2" filed for record on December 27, 1979 in Book 12 of Maps at Pages 31 and 32; thence westerly along the northerly line of said subdivision to the northwesterly corner thereof, said corner also being the northeasterly corner of Parcel B as shown on that certain map entitled, "Record of Survey Map of the Lands of Security Title Insurance Company" filed for record on August 28, 1962 in Book 6 of Surveys at Page 61; thence westerly along the northerly line of said Parcel B to the northwesterly corner thereof; thence southerly along the westerly line of said parcel to the southwesterly corner thereof, said corner also being the northwest corner of Lot 1 as shown on that certain map entitled, "Final Map of Hussey Ranch" filed for record on November 2, 2007 in Book 26 of Maps at Pages 42 through 48; thence southerly along the westerly line of said Lot 1 to the southwest corner thereof, said corner also being the northwesterly corner of the parcel described in that certain grant deed filed for record on July 9, 2003 in Instrument No. 2003-0036139; thence southerly, southeasterly and northerly along the westerly, southerly and easterly lines of said parcel to the intersection of the prolongation of said easterly line with the centerline of Buhman Avenue; thence southeasterly and southwesterly along the centerline of Buhman Avenue to its intersection with the centerline of Henry Road; thence westerly along the centerline of Henry Road to its intersection with the centerline of Dealy Lane; thence southeasterly along the centerline of Dealy Lane to its intersection with the centerline of Old Sonoma Road; thence southwesterly along the centerline of Old Sonoma Road to its intersection with the centerline of State Highway 12/121; thence westerly along the centerline of State Highway 12/121 to its intersection with the Napa/Sonoma County line, all further references to town, city or county lines being made to the lines as they exist on the date of passage of this ordinance, unless otherwise stated for purposes of this description; thence southerly along the Napa/Sonoma County line to the corner common to Napa, Sonoma and Solano Counties; thence easterly along the Napa/Solano County line to the center of the main channel of the Napa River; thence northerly along the center of the Napa River to its intersection with the prolongation of the southerly line of the subdivision shown on that certain map entitled, "Final Map of Newport North Unit No. 5" filed for record on February 4, 1988 in Book 15 of Maps at Pages 76 through 79; thence westerly along said southerly line to the intersection of the prolongation of said line with the prolongation of that course designated 'L1' as shown on the 'Plat of Description of Fill Area' in that certain grant deed filed for record on March 22, 2007 in Instrument No. 2007-0009677; thence westerly along the various courses which make up the northerly line of the parcel described in said grant deed to the intersection of the prolongation of said northerly line with the centerline of State Highway 121/29; thence northerly along the centerline of State Highway 121/29 to its intersection with West Imola Avenue; thence easterly along the centerline of West Imola Avenue/Imola Avenue to its intersection with the centerline of Penny Lane; thence northerly along the centerline of Penny Lane to its intersection with the prolongation of the southerly line of Lot 5 as shown on that certain map entitled, "Final Map of Atkeson's Subdivision" filed for record on June 16, 1949 in Book 4 of Maps at Pages 68 and 69; thence westerly along the southerly line of said Lot 5 to the westerly line of Atkeson's Subdivision, said

line also being the easterly line of the subdivision depicted on that certain map entitled, "Final Map of Napa Highlands Unit No. 3" filed for record on September 15, 1966 in Book 8 of Maps at Pages 47 and 48; thence northerly along the easterly line of said subdivision to the northeast corner of Napa Highlands Unit No. 3, said corner also being the southeast corner of said Parcel A as shown on that certain map entitled, "Parcel Map of a Portion of Parcel One as Described in Gift Deed to Fern L. Nicholas" filed for record on June 25, 1971 in Book 3 of Parcel Maps at Page 14; thence northerly along the easterly line of said Parcel A to the northeast corner thereof, said corner also being the northwest corner of the parcel described in that certain deed of trust filed for record on October 6, 2006 in Instrument No. 2006-0034934; thence easterly along the northerly line of said parcel to the northeast corner thereof; thence southerly along the easterly line of said parcel to the southerly line of the parcel described in that certain grant deed filed for record on January 31, 2005 in Instrument No. 2005-0003855; thence easterly along the southerly line of said parcel to the southeast corner thereof; thence northerly along the easterly line of said parcel to the Tulocay Rancho line, also being the southerly line of the parcel described in that certain correction grant deed filed for record on September 27, 2010 in Instrument No. 2010-0022316; thence westerly along the southerly line of said parcel to the southwest corner thereof; thence northwesterly, westerly, northerly and northeasterly along the various courses which make up the westerly line of said parcel to the intersection of the prolongation of said westerly line with the centerline of Coombsville Road; thence westerly along the centerline of Coombsville Road to its intersection with the centerlines of 3<sup>rd</sup> Street/Silverado Trail/East Avenue; thence northerly along the centerline of Silverado Trail to its intersection with the centerline of Lincoln Avenue/Clark Street; thence westerly along the centerline of Lincoln Avenue to its intersection with the centerline of Main Street; thence southerly along the centerline of Main Street to the point of beginning.

## **SECTION 2. Ward No. 2.**

Ward No. 2 is established and declared to be all that territory situated in the County of Napa, State of California, the exterior boundaries of which are described as follows:

BEGINNING at the intersection of the center of Napa Creek with the centerline of Jefferson Street, all further references to center or meander of creeks, rivers, lakes or waterways being made to said center or meander as it exists on the date of passage of this ordinance and all further references to centerline of roads, streets or highways being made to the occupational centerline as it exists on the date of passage of this ordinance, unless otherwise stated for purposes of this description; thence southerly along the centerline of Jefferson Street to its intersection with the centerline of Laurel Street; thence westerly along the centerline of Laurel Street to its intersection with Griggs Lane; thence continuing northwesterly and northeasterly along the centerline of Laurel Street to its intersection with the centerlines of First Street/Browns Valley Road/Antibes Place; thence westerly along the centerline of Browns Valley Road to its intersection with the centerline of Woodlawn Drive; thence northerly along the centerline of Woodlawn Drive to its intersection with the centerline of Scenic Drive; thence northwesterly along the centerline of Scenic Drive to its intersection with the centerline of Pinewood Drive; thence northerly along the centerline of Pinewood Drive to its intersection with the centerline of Carmel Drive; thence northwesterly along the centerline of Carmel Drive to its intersection with

the centerline of Brittany Circle; thence northeasterly, northwesterly and westerly along the centerline of Brittany Circle to its intersection with the centerline of Westview Drive; thence southerly along the centerline of Westview Drive to its intersection with the centerline of Scenic Drive; thence westerly along the centerline of Scenic Drive to its intersection with Browns Valley Road; thence southerly along the centerline of Browns Valley Road to its intersection with the centerline of Partrick Road; thence northwesterly along the centerline of Partrick Road to its intersection with the prolongation of the northwesterly line of Parcel B as shown on that certain map entitled, "Record of Survey Map of Portion of Property of W.E. Coombes" filed for record on July 12, 1960 in the office of the County Recorder of Napa County, California, in Book 7 of Surveys at Page 21, all further references to filing or recording being made to said County Recorder of Napa County, California, unless otherwise stated for purposes of this description; thence southwestwesterly along the northwesterly line of said Parcel B to the its intersection with the center of the West Branch of Napa Creek (also known as Browns Valley Creek); thence southeasterly along the center of said Creek to its intersection with the northwesterly line of that certain subdivision of lands shown on the map entitled, "Final Map of Rollingwood Unit No. 1" filed for record on December 27, 1979 in Book 12 of Maps at Pages 29 and 30; thence southwestwesterly along the northwesterly line of said subdivision to the westerly corner of Lot 43 as shown on said map, said corner also being the northernmost corner of that certain subdivision of lands shown on the map entitled, "Final Map of Rollingwood Unit No. 2" filed for record on December 27, 1979 in Book 12 of Maps at Pages 31 and 32; thence westerly along the northerly line of said subdivision to the northwesterly corner thereof, said corner also being the northeasterly corner of Parcel B as shown on that certain map entitled, "Record of Survey Map of the Lands of Security Title Insurance Company" filed for record on August 28, 1962 in Book 6 of Surveys at Page 61; thence westerly along the northerly line of said Parcel B to the northwesterly corner thereof; thence southerly along the westerly line of said parcel to the southwestwesterly corner thereof, said corner also being the northwest corner of Lot 1 as shown on that certain map entitled, "Final Map of Hussey Ranch" filed for record on November 2, 2007 in Book 26 of Maps at Pages 42 through 48; thence southerly along the westerly line of said Lot 1 to the southwest corner thereof, said corner also being the northwesterly corner of the parcel described in that certain grant deed filed for record on July 9, 2003 in Instrument No. 2003-0036139; thence southerly, southeasterly and northerly along the westerly, southerly and easterly lines of said parcel to the intersection of the prolongation of said easterly line with the centerline of Buhman Avenue; thence southeasterly and southwestwesterly along the centerline of Buhman Avenue to its intersection with the centerline of Henry Road; thence westerly along the centerline of Henry Road to its intersection with the centerline of Dealy Lane; thence southeasterly along the centerline of Dealy Lane to its intersection with the centerline of Old Sonoma Road; thence southwestwesterly along the centerline of Old Sonoma Road to its intersection with the centerline of State Highway 12/121; thence westerly along the centerline of State Highway 12/121 to its intersection with the Napa/Sonoma County line, all further references to town, city or county lines being made to the lines as they exist on the date of passage of this ordinance, unless otherwise stated for purposes of this description; thence northerly along the Napa/Sonoma County line to its intersection with the north line of Section 7, Township 6 North, Range 5 West, Mount Diablo Base and Meridian, all further references to sectionalized land being made to said Base and Meridian unless otherwise stated for purposes of this description; thence easterly along the north line of said Section 7 to the northwest corner of Section 8, Township 6 North, Range 5 West; thence easterly along the north line of said Section 8 to the

southwest corner of Section 4, Township 6 North, Range 5 West; thence northerly along the west line of said Section 4 to the West  $\frac{1}{4}$  corner of said Section 4; thence easterly along the south line of the north  $\frac{1}{2}$  to the center of said Section 4; thence southerly along the west line of the east  $\frac{1}{2}$  of said Section 4 to the North  $\frac{1}{4}$  corner of Section 9, Township 6 North, Range 5 West; thence southerly along the west line of the east  $\frac{1}{2}$  to the center of said Section 9; thence easterly along the north line of the south  $\frac{1}{2}$  of said Section 9 to the West  $\frac{1}{4}$  corner of Section 10, Township 6 North, Range 5 West; thence easterly along the north line of the south  $\frac{1}{2}$  to the center of said Section 10; thence southerly along the west line of the east  $\frac{1}{2}$  of said Section 10 to the North  $\frac{1}{4}$  corner of Section 15, Township 6 North, Range 5 West; thence southerly along the west line of the east  $\frac{1}{2}$  to the southwest corner of the northwest  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of said Section 15; thence easterly along the south line of the north  $\frac{1}{2}$  of the northeast  $\frac{1}{4}$  of said Section 15 to the northwest corner of Lot 2 of Section 14, Township 6 North, Range 5 West; thence easterly along the north line of said Lot 2 to its intersection with the westerly line of the Rancho de Napa; thence southwesterly along the westerly line of said Rancho de Napa to the westerly corner of the parcel described in that certain deed of trust filed for record on February 7, 1997 in Instrument No. 1997-0002830, said westerly corner also being described in said Instrument as the northernmost corner of Subdivision 'J' as shown on that certain map entitled, "Map of the Hudemann Ranch" filed for record on September 9, 1880 in Book 1 of Maps at Page 70; thence southeasterly along the northeasterly line of said Subdivision 'J' to the westerly corner of the parcel shown on that certain map entitled, "Record of Survey of the Lands of Emil E. Buschini et ux" filed for record on October 25, 1972 in Book 20 of Surveys at Page 29; thence southeasterly along the southerly line of said parcel to the northwest corner of Parcel "1" as shown on that certain map entitled "Parcel Map a Division of a Portion of the Lands of Matilda Brandlin" filed for record on April 2, 1985 in Book 14 of Parcel Maps at Pages 40 and 41; thence southeasterly along the northerly line of said parcel to the northeast corner thereof; thence southeasterly along the easterly line of said parcel to the southeast corner thereof, said corner also being a point on the southeastern line of the previously referenced Subdivision 'J'; thence southeasterly along said southeasterly line of Subdivision 'J' to the corner common to Subdivision 'I' and 'J' as shown on the above-referenced "Map of the Hudemann Ranch", said corner also being described as the most northerly corner of the parcel described in that certain grant deed recorded on January 31, 2007 in Instrument No. 2007-0003324; thence southeasterly along the various courses that make up the easterly line of said parcel to the most northerly corner of the parcel described in that certain quitclaim deed recorded on May 12, 2011 in Instrument No. 2011-0010961; thence southeasterly along the easterly line of said parcel to the most westerly corner of the parcel described in that certain grant deed recorded on April 15, 2010 in Instrument No. 2010-0008299; thence southeasterly along the various courses that make up the westerly line of said parcel to its intersection with the center of Redwood Creek; thence southeasterly along the center of said creek to its intersection with the northerly line of the parcel described in that certain grant deed filed for record on November 2, 1978 in Book 1105 of Official Records at Page 456; thence northeasterly along the prolongation of the northerly line of said parcel to its intersection with the centerline of Dry Creek Road; thence northwesterly along the centerline of Dry Creek Road to its intersection with the westerly prolongation of the northerly line of the subdivision shown on that certain map entitled, "Final Map of Dry Creek Village Unit No. 1" filed for record on February 13, 1990 in Book 17 of Maps at Pages 42 through 44; thence northeasterly along the northerly line of said subdivision to the northwest corner of the subdivision shown on that certain map entitled, "Dry Creek Village Unit No. 2" filed for record



on October 26, 1990 in Book 18 of Maps at Pages 3 through 8; thence northeasterly along the northerly line of said subdivision to the northwest corner of the subdivision shown on that certain map entitled, "Final Map of Vineyard Grove Subdivision" filed for record on October 21, 1998 in Book 21 of Maps at Pages 24 and 25; thence northeasterly along the northerly line of said subdivision to the northwest corner of the subdivision shown on that certain map entitled, "Final Map of Sundance Subdivision" filed for record on September 16, 2005 in Book 25 of Maps at Pages 63 through 65; thence northeasterly along the prolongation of the northerly line of said subdivision to its intersection with the northwest corner of the parcel described in that certain grant deed filed for record on May 4, 1978 in Book 1079 of Official Records at Page 635; thence northeasterly along the northerly line of said parcel to the northwest corner of the subdivision shown on that certain map entitled, "Final Map of Guerrera Estates" filed for record on May 23, 1995 in Book 20 of Maps at Pages 13 and 14; thence northeasterly along the northerly line of said subdivision to the northwest corner of the subdivision shown on that certain map entitled, "Record of Survey Map of the Lands of Emil Priebe" filed for record on May 15, 1964 in Book 12 of Surveys at Page 14; thence northeasterly along the northerly line of said subdivision to the northwest corner of the subdivision shown on that certain map entitled, "Final Map of Woodside Gardens" filed for record on September 26, 1991 in Book 18 of Maps at Pages 76 and 77; thence northeasterly along the northerly line of said subdivision to the northeast corner thereof, said corner also being shown as the southeast corner of Parcel 1 per Instrument No. 2006-0040840 as shown on that certain map entitled, "Record of Survey of the Lands of Linda Vista Winegrowers, LLC" filed for record on January 26, 2007 in Book 38 of Surveys at Pages 5 and 6; thence northwesterly along the easterly line of said parcel to the southeast corner of the Remaining Lands of Bruno as shown on that certain map entitled, "Parcel Map of a Portion of the Lands of George Bruno" filed for record on January 16, 1975 in Book 6 of Parcel Maps at Page 82; thence northwesterly along the easterly line of said Remaining Lands to its intersection with the southeasterly line of the parcel described in Instrument No. 2002-038072 and shown on that certain map filed for record on June 23, 2010 in Book 40 of Surveys at Page 51; thence northeasterly and northwesterly along the southeasterly and northeasterly lines of said parcel to its intersection with the southeasterly line of the subdivision shown on that certain map filed for record on July 20, 1998 in Book 21 of Maps at Pages 19 and 20; thence southwesterly and northwesterly along the southeasterly and westerly lines of said subdivision to the intersection of the extended westerly line with the centerline of Orchard Avenue; thence northeasterly along the centerline of Orchard Avenue to its intersection with the center of a slough, said slough being the same as that shown running through Lot 3 and Lot 4 on that certain map entitled, "Map of the Subdivision of a tract in Napa County, Cal, owned by R.B. Woodward and Helen J. Hutchinson" filed for record on December 13, 1893 in Book 1 of Maps at Page 88; thence northwesterly along the center of said slough to its intersection with Locust Street; thence northeasterly along the centerline of Locust Street to its intersection with the centerline of State Highway 29; thence southeasterly along the centerline of State Highway 29 to its intersection with the centerline of Salvador Avenue; thence northeasterly along the centerline of Salvador Avenue to its intersection with the northerly prolongation of the easterly line of the subdivision shown on that certain map entitled, "Final Map of Vineyard Vista Estates" filed for record on August 6, 1993 in Book 19 of Maps at Pages 59 and 60; thence southeasterly along the easterly line of said subdivision to the southeast corner thereof, said corner being on the northerly line of the parcel described in that certain deed recorded on September 11, 1947 in Book 277 of Official Records at Page 1; thence northeasterly along said northerly line to the northeast corner of the parcel

described in that certain deed of trust recorded on May 18, 2006 in Instrument No. 2006-0017565; thence southeasterly along the easterly line of said parcel to its intersection with the northerly line of the subdivision shown on that certain map entitled, "Parcel Map of the Lands of Darling Street Investors" filed for record on July 15, 2004 in Book 24 of Parcel Maps at Pages 43 and 44; thence southeasterly along said easterly line to the northeast corner of the parcel described in that certain grant deed recorded on August 8, 2005 in Instrument No. 2005-0031787; thence southeasterly along the easterly line of said parcel to the northeast corner of the parcel described in that certain deed of trust recorded on March 24, 2005 in Instrument No. 2005-0010980; thence southeasterly along the easterly line of said parcel to the northeast corner of the subdivision shown on that certain map entitled, "Final Map of Heather Estates Unit 3" filed for record on March 30, 1978 in Book 11 of Maps at Pages 92 through 94; thence southeasterly along the easterly line of said subdivision to the northeast corner of the subdivision shown on that certain map entitled, "Final Map of Heather Estates Unit 1" filed for record on September 28, 1977 in Book 11 of Maps at Pages 80 and 81; thence southeasterly along the extension of the easterly line of said subdivision to its intersection with the northerly line of Parcel C as said parcel is shown on that certain map entitled, "Parcel Map of a Portion of the Lands of Charles F. & Suzanne Messina" filed for record on November 6, 1978 in Book 10 of Parcel Maps at Page 19; thence southeasterly along the easterly line of said subdivision to the northeast corner of the subdivision shown on that certain map entitled, "Final Map of Lewis Homes – Napa" filed for record on June 5, 1972 in Book 10 of Maps at Pages 21 and 22; thence southeasterly along the easterly line of said subdivision to the southeast corner thereof, said corner also being on the northerly line of the subdivision shown on that certain map entitled, "Parcel Map of a Portion of the Lands of Napa Valley Unified School District" filed for record on January 29, 1973 in Book 4 of Parcel Maps at Page 94; thence northeasterly along the northerly line of said subdivision to the northeast corner thereof; thence southeasterly along the prolongation of the easterly line of said subdivision to its intersection with the centerline of Trower Avenue; thence southwesterly along the centerline of Trower Avenue to its intersection with State Highway 29; thence southeasterly along the centerline of State Highway 29 to its intersection with Napa Creek; thence easterly along the center of Napa Creek to the point of beginning.

### **SECTION 3. Ward No. 3.**

Ward No. 3 is established and declared to be all that territory situated in the County of Napa, State of California, the exterior boundaries of which are described as follows:

BEGINNING at the intersection of the Napa/Sonoma County line with the north line of Section 7, Township 6 North, Range 5 West, Mount Diablo Base and Meridian, all further references to town, city or county lines being made to the lines as they exist on the date of passage of this ordinance and all further references to sectionalized land being made to said Base and Meridian, unless otherwise stated for purposes of this description; thence easterly along the north line of said Section 7 to the northwest corner of Section 8, Township 6 North, Range 5 West; thence easterly along the north line of said Section 8 to the southwest corner of Section 4, Township 6 North, Range 5 West; thence northerly along the west line of said Section 4 to the West ¼ corner thereof; thence easterly along the south line of the north ½ to the center of said

Section 4; thence southerly along the west line of the east  $\frac{1}{2}$  of said Section 4 to the North  $\frac{1}{4}$  corner of Section 9, Township 6 North, Range 5 West; thence southerly along the west line of the east  $\frac{1}{2}$  to the center of said Section 9; thence easterly along the north line of the south  $\frac{1}{2}$  of said Section 9 to the West  $\frac{1}{4}$  corner of Section 10, Township 6 North, Range 5 West; thence easterly along the north line of the south  $\frac{1}{2}$  to the center of said Section 10; thence southerly along the west line of the east  $\frac{1}{2}$  of said Section 10 to the North  $\frac{1}{4}$  corner of Section 15, Township 6 North, Range 5 West; thence southerly along the west line of the east  $\frac{1}{2}$  to the southwest corner of the northwest  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  of said Section 15; thence easterly along the south line of the north  $\frac{1}{2}$  of the northeast  $\frac{1}{4}$  of said Section 15 to the northwest corner of Lot 2 of Section 14, Township 6 North, Range 5 West; thence easterly along the north line of said Lot 2 to its intersection with the westerly line of the Rancho de Napa; thence southwesterly along the westerly line of said Rancho de Napa to the westerly corner of the parcel described in that certain deed of trust filed for record on February 7, 1997 in Instrument No. 1997-0002830 in the office of the County Recorder of Napa County, California, all further references to filing or recording being made to said County Recorder of Napa County, California, unless otherwise stated for purposes of this description, said westerly corner also being described in said Instrument as the northernmost corner of Subdivision 'J' as shown on that certain map entitled, "Map of the Hudemann Ranch" filed for record on September 9, 1880 in Book 1 of Maps at Page 70; thence southeasterly along the northeasterly line of said Subdivision 'J' to the westerly corner of the parcel shown on that certain map entitled, "Record of Survey of the Lands of Emil E. Buschini et ux" filed for record on October 25, 1972 in Book 20 of Surveys at Page 29; thence southeasterly along the southerly line of said parcel to the northwest corner of Parcel 1 as shown on that certain map entitled "Parcel Map a Division of a Portion of the Lands of Matilda Brandlin" filed for record on April 2, 1985 in Book 14 of Parcel Maps at Pages 40 and 41; thence southeasterly along the northerly line of said parcel to the northeast corner thereof; thence southeasterly along the easterly line of said parcel to the southeast corner thereof, said corner also being a point on the southeastern line of the previously referenced Subdivision 'J'; thence southeasterly along said southeasterly line of Subdivision 'J' to the corner common to Subdivision 'I' and 'J' as shown on the above-referenced "Map of the Hudemann Ranch", said corner also being described as the most northerly corner of the parcel described in that certain grant deed recorded on January 31, 2007 in Instrument No. 2007-0003324; thence southeasterly along the various courses that make up the easterly line of said parcel to the most northerly corner of the parcel described in that certain quitclaim deed recorded on May 12, 2011 in Instrument No. 2011-0010961; thence southeasterly along the easterly line of said parcel to the most westerly corner of the parcel described in that certain grant deed recorded on April 15, 2010 in Instrument No. 2010-0008299; thence southeasterly along the various courses that make up the westerly line of said parcel to its intersection with the center of Redwood Creek, all further references to center or meander of creeks, rivers, lakes or waterways being made to said center or meander as it exists on the date of passage of this ordinance, unless otherwise stated for purposes of this description; thence southeasterly along the center of said creek to its intersection with the northerly line of the parcel described in that certain grant deed filed for record on November 2, 1978 in Book 1105 of Official Records at Page 456; thence northeasterly along the prolongation of the northerly line of said parcel to its intersection with the centerline of Dry Creek Road, all further references to centerline of roads, streets or highways being made to the occupational centerline as it exists on the date of passage of this ordinance, unless otherwise stated for purposes of this description; thence northwesterly along the centerline of Dry Creek

Road to its intersection with the westerly prolongation of the northerly line of the subdivision shown on that certain map entitled, "Final Map of Dry Creek Village Unit No. 1" filed for record on February 13, 1990 in Book 17 of Maps at Pages 42 through 44; thence northeasterly along the northerly line of said subdivision to the northwest corner of the subdivision shown on that certain map entitled, "Dry Creek Village Unit No. 2" filed for record on October 26, 1990 in Book 18 of Maps at Pages 3 through 8; thence northeasterly along the northerly line of said subdivision to the northwest corner of the subdivision shown on that certain map entitled, "Final Map of Vineyard Grove Subdivision" filed for record on October 21, 1998 in Book 21 of Maps at Pages 24 and 25; thence northeasterly along the northerly line of said subdivision to the northwest corner of the subdivision shown on that certain map entitled, "Final Map of Sundance Subdivision" filed for record on September 16, 2005 in Book 25 of Maps at Pages 63 through 65; thence northeasterly along the prolongation of the northerly line of said subdivision to its intersection with the northwest corner of the parcel described in that certain grant deed filed for record on May 4, 1978 in Book 1079 of Official Records at Page 635; thence northeasterly along the northerly line of said parcel to the northwest corner of the subdivision shown on the map entitled, "Final Map of Guerrera Estates" filed for record on May 23, 1995 in Book 20 of Maps at Pages 13 and 14; thence northeasterly along the northerly line of said subdivision to the northwest corner of the subdivision shown on that certain map entitled, "Record of Survey Map of the Lands of Emil Priebe" filed for record on May 15, 1964 in Book 12 of Surveys at Page 14; thence northeasterly along the northerly line of said subdivision to the northwest corner of the subdivision shown on that certain map entitled, "Final Map of Woodside Gardens" filed for record on September 26, 1991 in Book 18 of Maps at Pages 76 and 77; thence northeasterly along the northerly line of said subdivision to the northeast corner thereof, said corner also being shown as the southeast corner of Parcel 1 per Instrument No. 2006-0040840 as shown on that certain map entitled, "Record of Survey of the Lands of Linda Vista Winegrowers, LLC" filed for record on January 26, 2007 in Book 38 of Surveys at Pages 5 and 6; thence northwesterly along the easterly line of said parcel to the southeast corner of the Remaining Lands of Bruno as shown on that certain map entitled, "Parcel Map of a Portion of the Lands of George Bruno" filed for record on January 16, 1975 in Book 6 of Parcel Maps at Page 82; thence northwesterly along the easterly line of said Remaining Lands to its intersection with the southeasterly line of the parcel described in Instrument No. 2002-038072 and shown on that certain map filed for record on June 23, 2010 in Book 40 of Surveys at Page 51; thence northeasterly and northwesterly along the southeasterly and northeasterly lines of said parcel to its intersection with the southeasterly line of the subdivision shown on that certain map filed for record on July 20, 1998 in Book 21 of Maps at Pages 19 and 20; thence southwesterly and northwesterly along the southeasterly and westerly lines of said subdivision to the intersection of the extended westerly line with the centerline of Orchard Avenue; thence northeasterly along the centerline of Orchard Avenue to its intersection with the center of a slough, said slough being the same as that shown running through Lot 3 and Lot 4 on that certain map entitled, "Map of the Subdivision of a tract in Napa County, Cal, owned by R.B. Woodward and Helen J. Hutchinson" filed for record on December 13, 1893 in Book 1 of Maps at Page 88; thence northwesterly along the center of said slough to its intersection with Locust Street; thence northeasterly along the prolongation of the centerline of Locust Street to its intersection with the centerline of State Highway 29; thence southeasterly along the centerline of State Highway 29 to its intersection with the centerline of Salvador Avenue; thence northeasterly along the centerline of Salvador Avenue to its intersection with the northerly prolongation of the easterly line of the subdivision shown on that

certain map entitled, "Final Map of Vineyard Vista Estates" filed for record on August 6, 1993 in Book 19 of Maps at Pages 59 and 60; thence southeasterly along the easterly line of said subdivision to the southeast corner thereof, said corner being on the northerly line of the parcel described in that certain deed recorded on September 11, 1947 in Book 277 of Official Records at Page 1; thence northeasterly along said northerly line to the northeast corner of the parcel described in that certain deed of trust recorded on May 18, 2006 in Instrument No. 2006-0017565; thence southeasterly along the easterly line of said parcel to its intersection with the northerly line of the subdivision shown on that certain map entitled, "Parcel Map of the Lands of Darling Street Investors" filed for record on July 15, 2004 in Book 24 of Parcel Maps at Pages 43 and 44; thence southeasterly along said easterly line to the northeast corner of the parcel described in that certain grant deed recorded on August 8, 2005 in Instrument No. 2005-0031787; thence southeasterly along the easterly line of said parcel to the northeast corner of the parcel described in that certain deed of trust recorded on March 24, 2005 in Instrument No. 2005-0010980; thence southeasterly along the easterly line of said parcel to the northeast corner of the subdivision shown on that certain map entitled, "Final Map of Heather Estates Unit 3" filed for record on March 30, 1978 in Book 11 of Maps at Pages 92 through 94; thence southeasterly along the easterly line of said subdivision to the northeast corner of the subdivision shown on that certain map entitled, "Final Map of Heather Estates Unit 1" filed for record on September 28, 1977 in Book 11 of Maps at Pages 80 and 81; thence southeasterly along the prolongation of the easterly line of said subdivision to its intersection with the northerly line of Parcel C as said parcel is shown on that certain map entitled, "Parcel Map of a Portion of the Lands of Charles F. & Suzanne Messina" filed for record on November 6, 1978 in Book 10 of Parcel Maps at Page 19; thence southeasterly along the easterly line of said subdivision to the northeast corner of the subdivision shown on that certain map entitled, "Final Map of Lewis Homes – Napa" filed for record on June 5, 1972 in Book 10 of Maps at Pages 21 and 22; thence southeasterly along the easterly line of said subdivision to the southeast corner thereof, said corner also being on the northerly line of the subdivision shown on that certain map entitled, "Parcel Map of a Portion of the Lands of Napa Valley Unified School District" filed for record on January 29, 1973 in Book 4 of Parcel Maps at Page 94; thence northeasterly along the northerly line of said subdivision to the northeast corner thereof, said corner also being described as the northeast corner of Parcel C as shown on that certain map entitled, "Record of Survey Map of Portions of the Lands of Loma Linda University" filed for record on December 9, 1970 in Book 17 of Surveys at Page 55; thence southeasterly along the easterly line of said parcel to the northwest corner of the subdivision shown on that certain map entitled, "Final Map of Old Vine Way Subdivision" filed for record on November 2, 2001 in Book 23 of Maps at Pages 14 and 15; thence northeasterly along the northerly line of said subdivision to the northeast corner thereof; thence southeasterly along the easterly line thereof to the northwest corner of the subdivision shown on that certain map entitled, "Record of Survey Map of Lands of Scott Tandy" filed for record on March 11, 1964 in Book 11 of Surveys at Page 101; thence southeasterly, northeasterly and northwesterly along the westerly, southerly and easterly lines of said subdivision to the northeast corner thereof, said corner also being the northwest corner of Parcel 3 as shown on that map entitled, "Record of Survey Map of Property of E. Priebe" filed for record on February 28, 1962 in Book 8 of Surveys at Page 103; thence northeasterly along the northerly line of said parcel to the northeast corner thereof; thence southeasterly to the southwest corner of Parcel 4 as shown on said map; thence northeasterly along the southerly line of said Parcel 4 to the southeast corner thereof; thence northwesterly along the easterly line of said Parcel 4 to the southwest

corner of the parcel described in that certain quitclaim deed recorded on March 9, 2010 in Instrument No. 2010-0005174; thence northeasterly along the southerly line of said parcel to the southwest corner of the parcel described in that certain deed of trust recorded on May 20, 2005 in Instrument No. 2005-0019886; thence northwesterly along the westerly line of said parcel to the northwest corner thereof; thence northeasterly along the prolongation of the northerly line of said parcel to its intersection with the centerline of Big Ranch Road; thence southeasterly along the centerline of Big Ranch Road to its intersection with Trancas Street / Old Trancas Street; thence northeasterly along the centerline of Old Trancas Street to its termination at the most northerly corner of the parcel described in that certain deed of trust recorded on December 30, 2010 in Instrument No. 2010-0032515; thence southeasterly and easterly along the various courses of the northerly lines of said parcel to its intersection with the center of Napa River; thence southeasterly along the center of Napa River to its intersection with the centerline of Trancas Street; thence easterly along the centerline of Trancas Street to its intersection with the centerline of Silverado Trail; thence northwesterly along the centerline of Silverado Trail to its intersection with the westerly prolongation of the southerly line of the parcel described in that certain corporation grant deed recorded on December 20, 2001 in Instrument No. 2001-0046351; thence easterly along the various courses that make up the southerly line of said parcel to the southwest corner of the parcel described in that certain deed recorded on September 19, 2008 in Instrument No. 2008-0023754; thence easterly along the southerly line of said parcel to the southwest corner of the parcel described in that certain corporation grant deed recorded on February 24, 1995 in Instrument No. 1995-004299; thence northerly along the various courses that make up the westerly line of said parcel to the northwest corner thereof, said corner also being the center of Section 18, Township 7 North, Range 4 West; thence northerly along the north/south center section line of said Section 18 to the north  $\frac{1}{4}$  corner thereof; thence easterly along the north lines of Sections 18, 17 and 16, Township 7 North, Range 4 West to the southwest corner of Section 10, Township 7 North, Range 4 West; thence northerly along the west line of said Section 10 to the northwest corner thereof; thence easterly along the north lines of Sections 10, 11 and 12, Township 7 North, Range 4 West to the southwest corner of Section 6, Township 7 North, Range 3 West; thence northerly along the west line of said Section 6 to its intersection with the northeasterly line of State Highway 128; thence northwesterly along the northeasterly line of said State Highway 128 to the most westerly corner of the parcel described in that certain deed of trust recorded on August 15, 2005 in Instrument No. 2005-0032795; thence northeasterly along the northerly line of said parcel to its intersection with the west line of Section 6, Township 7 North, Range 3 West; thence northerly along said west line to the southwest corner of Section 31, Township 8 North, Range 3 West to an angle point in the district boundary of the Napa Valley Unified School District, all further references to school district boundaries being made to said boundary as it exists on the date of passage of this ordinance, unless otherwise stated for purposes of this description; thence along said school district boundary to its intersection with the southerly waterline of Lake Berryessa, all references to Lake Berryessa being made to said waterline as it exists on the date of passage of this ordinance; thence along the meanderings of the waterline of Lake Berryessa in a generally easterly direction to its intersection with the centerline of State Highway 128; thence northeasterly along the centerline of State Highway 128 to its intersection with the Napa/Solano County line; thence northerly along the Napa/Solano County line to the corner common to Napa, Solano and Yolo Counties; thence northerly and northwesterly along the Napa/Yolo County line to the corner common to Napa, Yolo and Lake Counties; thence southwesterly and westerly along the Napa/Lake County line to the corner

common to Napa, Lake and Sonoma Counties; thence southerly along the Napa/Sonoma County Line to the point of beginning.

**SECTION 4. Ward No. 4.**

Ward No. 4 is established and declared to be all that territory situated in the County of Napa, State of California, the exterior boundaries of which are described as follows:

BEGINNING at the intersection of the Napa/Solano County line with the centerline of State Highway 128, all further references to town, city or county lines being made to the lines as they exist on the date of passage of this ordinance and all further references to centerline of roads, streets or highways being made to the occupational centerline as it exists on the date of passage of this ordinance, unless otherwise stated for purposes of this description; thence southwesterly southeasterly and westerly along the Napa/Solano County line to its intersection with the easterly line of the parcel described in that certain grant deed recorded on December 11, 1997 in Instrument No. 1997-0029516, all further references to filing or recording being made to said County Recorder of Napa County, California, unless otherwise stated for purposes of this description; thence northerly along the easterly line of said parcel to the northeast corner thereof; thence westerly along the northerly line of said parcel to its intersection with the easterly line of the parcel described in that certain grant deed recorded on June 11, 2009 in Instrument No. 2009-0014919; thence northerly along the easterly line of said parcel to the northeast corner thereof; thence westerly along the northerly line of said parcel to the northeast corner of the parcel described in that certain corporation grant deed recorded on December 30, 2004 in Instrument No. 2004-0054341; thence westerly along the north line of said parcel to the northwest corner thereof, said corner also being on the easterly line of Parcel 1 as shown on that certain map entitled, "Parcel Map of a Portion of the Lands of The Estate of Nathan F. Coombs" filed for record on November 18, 1974 in Book 6 of Parcel Maps at Pages 68 and 69; thence westerly along the various courses making up the northerly line of said parcel to the northwest corner thereof; thence southeasterly along the westerly line of said parcel to the most easterly corner of Parcel A as shown on that certain map entitled, "Parcel Map of Lands of James H. Leonard and Margot D. Leonard" filed for record on May 18, 1979 in Book 10 of parcel Maps at Pages 72 and 73; thence southwesterly along the prolongation of the southerly line of said parcel to its intersection with the centerline of Third Avenue; thence northwesterly along the centerline of Third Avenue to its intersection with Blue Oak Lane; thence southwesterly and southeasterly along the centerline of Blue Oak Lane to its intersection with the easterly prolongation of the northerly line of Parcel D as shown on that certain map entitled, "Parcel Map of the Lands of B & E Investments" filed for record on May 29, 1979 in Book 10 of Parcel Maps at Page 74; thence northwesterly along the various courses that make up the northerly line of Parcel D and Parcel C as shown on said map to its intersection with the most northerly line of Parcel B as shown on that certain map entitled, "Survey of Lots 4,6, 7,8 and Division of Lots 5 and 10, etc." recorded on October 10, 1967 in Book 13 of Surveys at Page 85; thence westerly along the northerly line of Parcel B, Parcel A, Parcel D and Parcel E as shown on said map to its intersection with the easterly line of the parcel shown on that certain map entitled, "Record of Survey of the Lands of David M. & Catherine M. Krueger" filed for record on April 27, 1999 in Book 32 of Surveys at Page 47; thence northerly along the easterly line of said parcel to the

northeast corner thereof; thence westerly along the northerly line of said parcel to the northeast corner of the lands of Kongsgaard et al as shown on that certain map entitled, "Record of Survey of the Lands of Patricia Ann Streblov et al and of the Lands of Mary Kongsgaard et al" filed for record on May 30, 2006 in Book 37 of Surveys at Pages 77 and 78; thence westerly along the various courses that make up the northerly line of the lands of Kongsgaard and Streblov as shown on said map to the southeast corner of the lands of Bowman as shown on that certain map entitled, "Record of Survey of the Lands of John Bowman and Martin Wong" filed for record on June 27, 2002 in Book 35 of Surveys at Page 8; thence westerly along the various courses that make up the southerly line of the lands of Bowman to the southeast corner of the parcel described in that certain grant deed recorded on June 29, 2001 in Instrument No. 2001-0021498; thence westerly and northerly along the southerly and westerly lines of said parcel to the intersection of the prolongation of said westerly line with the centerline of Ashlar Drive; thence southwesterly and westerly along the centerline of Ashlar Drive to its intersection with Silverado Trail; thence southwesterly along the centerline of Silverado Trail to its intersection with Lincoln Avenue; thence westerly along the centerline of Lincoln Avenue to its intersection with the centerline of Main Street; thence southerly along the centerline of Main Street to its intersection with the centerline of Clinton Street; thence southwesterly along the centerline of Clinton Street to its intersection with the centerline of Arroyo Drive; thence northwesterly along the centerline of Arroyo Drive to its intersection with the center of Napa Creek; thence northwesterly along the center of Napa Creek to its intersection with State Highway 29; thence northerly along the centerline of State Highway 29 to its intersection with the centerline of Trower Avenue; thence easterly along the centerline of Trower Avnue to its intersection with the easterly line of Parcel C as shown on that certain map entitled, "Record of Survey Map of Portions of the Lands of Loma Linda University" filed for record on December 9, 1970 in Book 17 of Surveys at Page 55; thence southeasterly along the easterly line of said parcel to the northwest corner of the subdivision shown on that certain map entitled, "Final Map of Old Vine Way Subdivision" filed for record on November 2, 2001 in Book 23 of Maps at Pages 14 and 15; thence northeasterly along the northerly line of said subdivision to the northeast corner thereof; thence southeasterly along the easterly line thereof to the northwest corner of the subdivision shown on that certain map entitled, "Record of Survey Map of Lands of Scott Tandy" filed for record on March 11, 1964 in Book 11 of Surveys at Page 101; thence southeasterly, northeasterly and northwesterly along the westerly, southerly and easterly lines of said subdivision to the northeast corner thereof, said corner also being the northwest corner of Parcel 3 as shown on that map entitled, "Record of Survey Map of Property of E. Priebe" filed for record on February 28, 1962 in Book 8 of Surveys at Page 103; thence northeasterly along the northerly line of said parcel to the northeast corner thereof; thence southeasterly to the southwest corner of Parcel 4; thence northeasterly along the southerly line of said Parcel 4 to the southeast corner thereof; thence northwesterly along the easterly line of said Parcel 4 to the southwest corner of the parcel described in that certain quitclaim deed recorded on March 9, 2010 in Instrument No. 2010-0005174; thence northeasterly along the southerly line of said parcel to the southwest corner of the parcel described in that certain deed of trust recorded on May 20, 2005 in Instrument No. 2005-0019886; thence northwesterly along the westerly line of said parcel to the northwest corner thereof; thence northeasterly along the prolongation of the northerly line of said parcel to its intersection with the centerline of Big Ranch Road; thence southeasterly along the centerline of Big Ranch Road to its intersection with Trancas Street / Old Trancas Street; thence northeasterly along the centerline of Old Trancas Street to its termination at the most northerly



corner of the parcel described in that certain deed of trust recorded on December 30, 2010 in Instrument No. 2010-0032515; thence southeasterly and easterly along the various courses of the northerly lines of said parcel to its intersection with the center of Napa River; thence southeasterly along the center of Napa River to its intersection with the centerline of Trancas Street; thence easterly along the centerline of Trancas Street to its intersection with the centerline of Silverado Trail; thence northwesterly along the centerline of Silverado Trail to its intersection with the westerly prolongation of the southerly line of the parcel described in that certain corporation grant deed recorded on December 20, 2001 in Instrument No. 2001-0046351; thence easterly along the various courses that make up the southerly line of said parcel to the southwest corner of the parcel described in that certain deed recorded on September 19, 2008 in Instrument No. 2008-0023754; thence easterly along the southerly line of said parcel to the southwest corner of the parcel described in that certain corporation grant deed recorded on February 24, 1995 in Instrument No. 1995-004299; thence northerly along the various courses that make up the westerly line of said parcel to the northwest corner thereof, said corner also being the center of Section 18, Township 7 North, Range 4 West; thence northerly along the north/south center section line of said Section 18 to the north  $\frac{1}{4}$  corner thereof; thence easterly along the north lines of Sections 18, 17 and 16, Township 7 North, Range 4 West to the southwest corner of Section 10, Township 7 North, Range 4 West; thence northerly along the west line of said Section 10 to the northwest corner thereof; thence easterly along the north lines of Sections 10, 11 and 12, Township 7 North, Range 4 West to the southwest corner of Section 6, Township 7 North, Range 3 West; thence northerly along the west line of said Section 6 to its intersection with the northeasterly line of State Highway 128; thence northwesterly along the northeasterly line of said State Highway 128 to the most westerly corner of the parcel described in that certain deed of trust recorded on August 15, 2005 in Instrument No. 2005-0032795; thence northeasterly along the northerly line of said parcel to its intersection with the west line of Section 6, Township 7 North, Range 3 West; thence northerly along said west line to the southwest corner of Section 31, Township 8 North, Range 3 West to an angle point in the district boundary of the Napa Valley Unified School District, all further references to school district boundaries being made to said boundary as it exists on the date of passage of this ordinance, unless otherwise stated for purposes of this description; thence along said school district boundary to its intersection with the southerly waterline of Lake Berryessa, all references to Lake Berryessa being made to said waterline as it exists on the date of passage of this ordinance; thence along the meanderings of the waterline of Lake Berryessa in a generally easterly direction to its intersection with the centerline of State Highway 128; thence northeasterly along the centerline of State Highway 128 to the point of beginning.

#### **SECTION 5. Ward No. 5.**

Ward No. 5 is established and declared to be all that territory situated in the County of Napa, State of California, the exterior boundaries of which are described as follows:

Beginning at the intersection of the Napa/Solano County line with the center of the main channel of the Napa River, all further references to town, city or county lines being made to the lines as they exist on the date of passage of this ordinance and all further references to center or meander of creeks, rivers, lakes or waterways being made to said center or meander as it exists

on the date of passage of this ordinance, unless otherwise stated for purposes of this description; thence northerly along the center of the Napa River to its intersection with the prolongation of the southerly line of the subdivision shown on that certain map entitled, "Final Map of Newport North Unit No. 5" filed for record on February 4, 1988 in Book 15 of Maps at Pages 76 through 79, all further references to filing or recording being made to said County Recorder of Napa County, California, unless otherwise stated for purposes of this description; thence westerly along said southerly line to the intersection of the prolongation of said line with the prolongation of that course designated 'L1' as shown on the 'Plat of Description of Fill Area' in that certain grant deed filed for record on March 22, 2007 in Instrument No. 2007-0009677; thence westerly along the various courses which make up the northerly line of the parcel described in said grant deed to the intersection of the prolongation of said northerly line with the centerline of State Highway 121/29, all further references to centerline of roads, streets or highways being made to the occupational centerline as it exists on the date of passage of this ordinance, unless otherwise stated for purposes of this description; thence northerly along the centerline of State Highway 121/29 to its intersection with West Imola Avenue; thence easterly along the centerline of West Imola Avenue/Imola Avenue to its intersection with the centerline of Penny Lane; thence northerly along the centerline of Penny Lane to its intersection with the prolongation of the southerly line of Lot 5 as shown on that certain map entitled, "Final Map of Atkeson's Subdivision" filed for record on June 16, 1949 in Book 4 of Maps at Pages 68 and 69; thence westerly along the southerly line of said Lot 5 to the westerly line of Atkeson's Subdivision, said line also being the easterly line of the subdivision depicted on that certain map entitled, "Final Map of Napa Highlands Unit No. 3" filed for record on September 15, 1966 in Book 8 of Maps at Pages 47 and 48; thence northerly along the easterly line of said subdivision to the northeast corner of Napa Highlands Unit No. 3, said corner also being the southeast corner of said Parcel A as shown on that certain map entitled, "Parcel Map of a Portion of Parcel One as Described in Gift Deed to Fern L. Nicholas" filed for record on June 25, 1971 in Book 3 of Parcel Maps at Page 14; thence northerly along the easterly line of Parcel A to the northeast corner thereof, said corner also being the northwest corner of the parcel described in that certain deed of trust filed for record on October 6, 2006 in Instrument No. 2006-0034934; thence easterly along the northerly line of said parcel to the northeast corner thereof; thence southerly along the easterly line of said parcel to the southerly line of the parcel described in that certain grant deed filed for record on January 31, 2005 in Instrument No. 2005-0003855; thence easterly along the southerly line of said parcel to the southeast corner thereof; thence northerly along the easterly line of said parcel to the Tulocay Rancho line, also being the southerly line of the parcel described in that certain correction grant deed filed for record on September 27, 2010 in Instrument No. 2010-0022316; thence westerly along the southerly line of said parcel to the southwest corner thereof; thence northwesterly, westerly, northerly and northeasterly along the various courses which make up the westerly line of said parcel to the intersection of the prolongation of said westerly line with the centerline of Coombsville Road; thence westerly along the centerline of Coombsville Road to its intersection with the centerlines of 3<sup>rd</sup> Street/Silverado Trail/East Avenue; thence northerly along the centerline of Silverado Trail to its intersection with the centerline of Ashlar Drive; thence easterly and northeasterly along the centerline of Ashlar Drive to its intersection with the northerly prolongation of the westerly line of the parcel described in that certain grant deed recorded on June 29, 2001 in Instrument No. 2001-0021498; thence southerly and easterly along the westerly and southerly lines of said parcel to the southwest corner of the lands of Bowman as shown on that certain map entitled, "Record of Survey of the

Lands of John Bowman and Martin Wong” filed for record on June 27, 2002 in Book 35 of Surveys at Page 8; thence easterly along the various courses that make up the southerly line of the lands of Bowman to the northwest corner of the lands of Streblow as shown on that certain map entitled, “Record of Survey of the Lands of Patricia Ann Streblow et al and of the Lands of Mary Kongsgaard et al” filed for record on May 30, 2006 in Book 37 of Surveys at Pages 76 and 77; thence easterly along the various courses that make up the northerly line of the lands of Streblow and Kongsgaard to the northwest corner of the lands of Krueger as shown on that certain map entitled, “Record of Survey of the Lands of David M. & Catherine M. Krueger” filed for record on April 27, 1999 in Book 32 of Surveys at Page 47; thence easterly along the northerly line of said parcel to the northwest corner of the subdivision shown on that certain map entitled, “Survey of Lots 4,6,7,8 and Division of Lots 5 and 10, etc.” recorded on October 10, 1967 in Book 13 of Surveys at Page 85; thence easterly along the northerly line of said subdivision to its intersection with the most westerly line of Parcel C as shown on that certain map entitled, “Parcel Map of the Lands of B & E Investments” filed for record on May 29, 1979 in Book 10 of Parcel Maps at Page 74; thence southeasterly along the various courses that make up the northerly line of Parcel C and Parcel D as shown on said map to its intersection with the centerline of Blue Oak Lane; thence northwesterly and northeasterly along the centerline of Blue Oak Lane to its intersection with Third Avenue; thence southeasterly along the centerline of Third Avenue to its intersection with the prolongation of the southerly line of Parcel A as shown on that certain map entitled, “Parcel Map of the Lands of James H. Leonard and Margot D. Leonard” filed for record on May 18, 1979 in Book 10 of Parcel Maps at Pages 72 and 73; thence northeasterly along the southerly line of said parcel to the most easterly corner thereof, said corner also being on the westerly line of Parcel 1 as shown on that certain map entitled, “Parcel Map of a Portion of the Land of the Estate of Nathan F. Coombs” filed for record on November 18, 1974 in Book 6 of Parcel Maps at Pages 68 and 69; thence northwesterly along the westerly line of said parcel to the northwest corner thereof; thence easterly along the various courses that make up the northerly line of said parcel to the northeast corner thereof; thence southerly along the easterly line of said parcel to the northwest corner of the parcel described in that certain corporation grant deed recorded on December 30, 2004 in Instrument No. 2001-0054341; thence easterly along the northerly line of said parcel to the northwest corner of the parcel described in that certain grant deed recorded on June 11, 2009 in Instrument No. 2009-0014919; thence easterly along the northerly line of said parcel to the northeast corner thereof; thence southerly along the easterly line of said parcel to its intersection with the northerly line of the parcel described in that certain grant deed recorded on December 11, 1997 in Instrument No. 1997-0029516; thence easterly along the northerly line of said parcel to the northeast corner thereof; thence southerly along the easterly line of said parcel to its intersection with the Napa/Solano County line; thence westerly, southerly and westerly along the Napa/Solano County line to the point of beginning.

#### **SECTION 6. Graphic depiction.**

A graphic depiction of the ward boundaries established is shown on maps 1 and 2 entitled “2011 Napa County RPOSD Wards.”

#### **SECTION 7.** This ordinance shall take effect thirty (30) days after its passage.

**SECTION 8.** A summary of this ordinance shall be published at least once five days before adoption and at least once before the expiration of 15 days after its passage in the Napa Register, a newspaper of general circulation published in the County of Napa, together with the names of members voting for and against the same.

The foregoing Ordinance was introduced and read at a regular meeting of the Board of Directors of the Napa County Regional Park and Open Space District, held on the 10th day of October, 2011, and passed at a regular meeting of the Board of Directors of the Napa County Regional Park and Open Space District, held on the \_\_\_th day of \_\_\_\_\_, 2011, by the following vote:

AYES: DIRECTORS \_\_\_\_\_  
\_\_\_\_\_

NOES: DIRECTORS \_\_\_\_\_

ABSTAIN: DIRECTORS \_\_\_\_\_

ABSENT: DIRECTORS \_\_\_\_\_

\_\_\_\_\_  
MYRNA ABRAMOWICZ, President  
Napa County Regional Park and Open Space District

ATTEST: MELISSA GRAY  
District Secretary

By: \_\_\_\_\_

**APPROVED AS TO FORM**  
**Office of District Counsel**

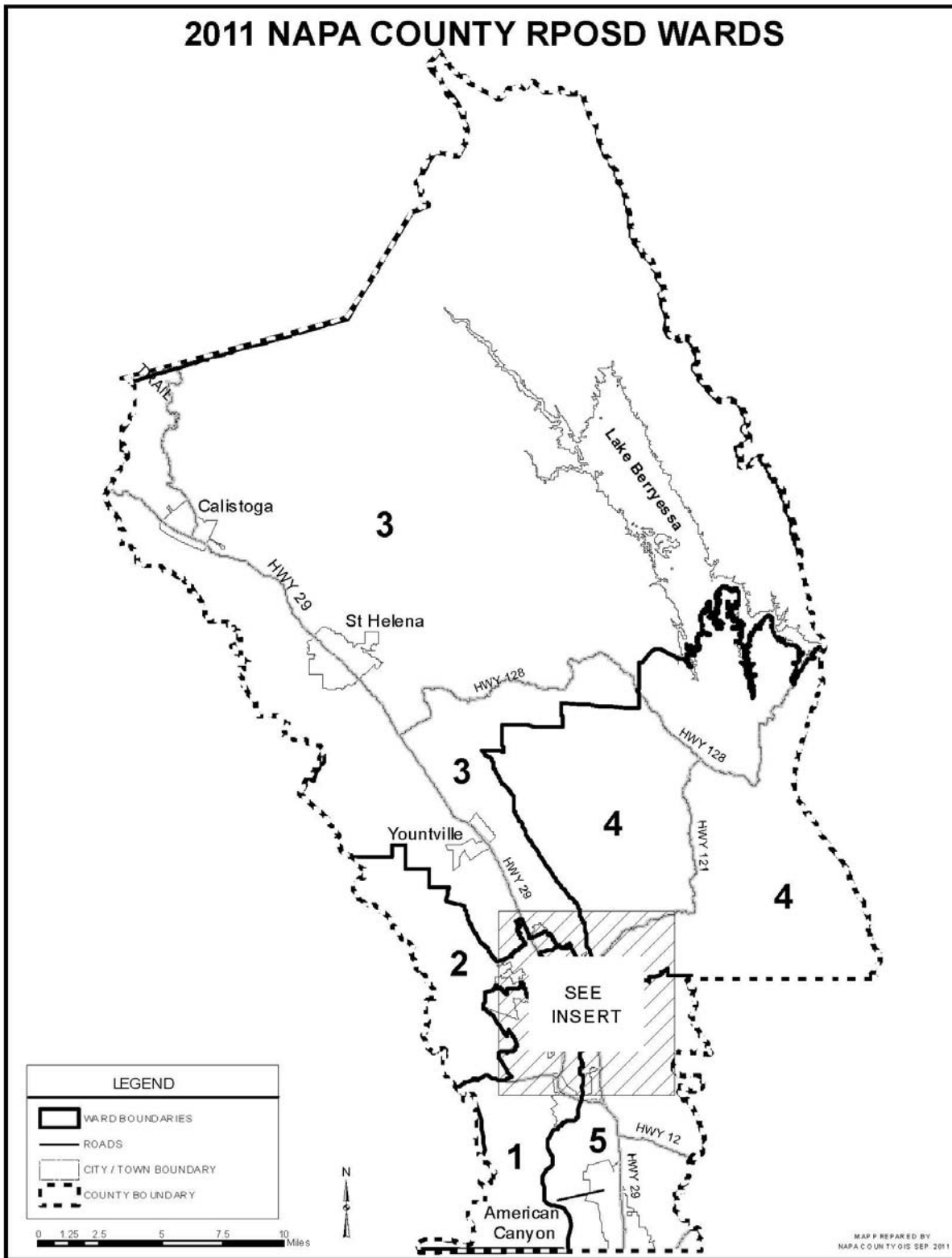
By: Chris R.Y. Apallas (by e-signature)  
Deputy County Counsel

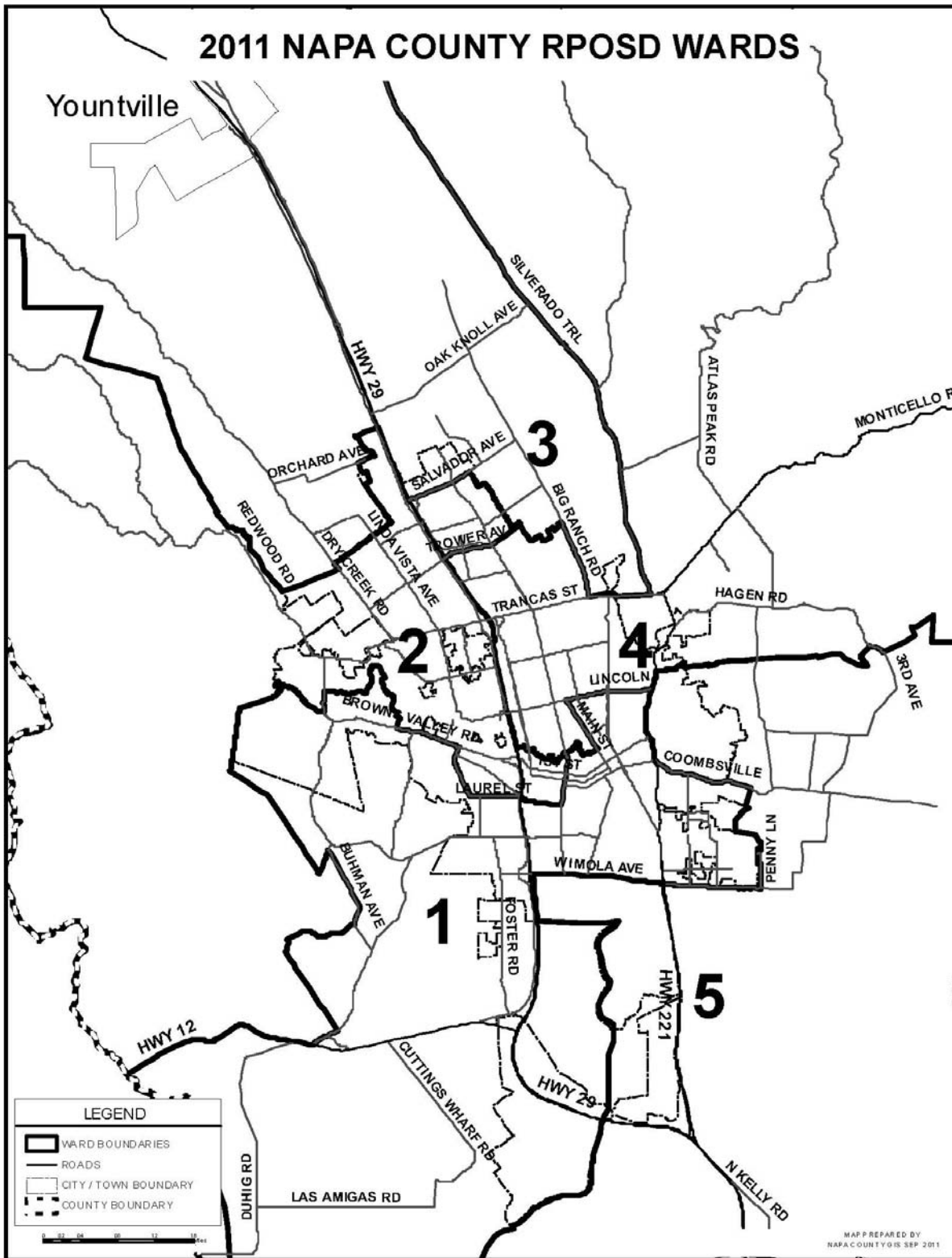
Date: September 21, 2011

I HEREBY CERTIFY THAT THE ORDINANCE ABOVE WAS POSTED IN THE OFFICE

OF THE DISTRICT SECRETARY IN THE ADMINISTRATIVE BUILDING, 1195 THIRD STREET ROOM 210, NAPA, CALIFORNIA ON \_\_\_\_\_.

\_\_\_\_\_,  
MELISSA GRAY, DISTRICT SECRETARY







Napa County Regional Park  
and Open Space District

Harold Kelly  
Director Ward One

Tony Norris  
Director Ward Two

Guy Kay  
Director Ward Three

Dave Finigan  
Director Ward Four

Myrna Abramowicz  
Director Ward Five

## MINUTES

### BOARD OF DIRECTORS REGULAR MEETING

Monday September 12, 2011 2:00 P.M.  
1195 Third Street, Third Floor, Napa, CA 94559

1. Call to Order and Roll Call

Meeting was called to order by Chair Myrna Abramowicz.  
Directors present: Tony Norris, Dave Finigan, Guy Kay, Harold Kelly and Myrna Abramowicz.  
Staff present: John Woodbury, Chris Apallas, Melissa Gray.

2. Public Comment

None

3. Set Matters

None

4. Administrative Items

A. Consideration of and potential approval of Minutes of Board of Directors meeting of August 8, 2011.

Minutes were approved as presented.  
GK-TN-DF-HK-MA

B. Discussion and potential direction to staff regarding the planned closure of Bothe-Napa Valley State Park and the Bale Grist Mill State Historic Park, and the District's proposal to operate the two parks in partnership with the Napa Valley State Parks Association. Directors confirmed the Board's support for the District's proposal dated August 23, 2011 and authorized the General Manager to develop a joint fundraising program with the Napa Valley State Parks Association to pay for one-time repair and start-up costs associated with local operation of the two parks.

DF-TN-GK-HK-MA

C. Consideration of potential acceptance of the donation of a 0.33 acre parcel located on Wagon Wheel Court in Lake Berryessa Estates (APN# 016-254-003).

Directors voted to defer the decision to the meeting of October 12, 2011 to enable staff to gather additional information before deciding whether to accept the donated property.  
DF-HK-TN-GK-MA



- D. Receipt of report on legislation of interest to the District, and consideration and potential approval of position of support for SB 436 (Kehoe) concerning endowments for mitigation easement monitoring.

Directors received the oral report on legislation of interest to the District and authorized the General Manager to support AB 436 (Kehoe)

HK-DF-TN-GK-MA

- E. Receipt of report on expenditures, encumbrances, donations and grants approved by the General Manager. Directors received the receipt of report on expenditures, encumbrances, donations and grants approved by the General Manager.

- F. Review of the District Projects Status Report.

John Woodbury gave the report with discussion on the Oat Hill Mine Trail, Moore Creek, Bay Area Ridge Trail, Napa River Bay Trail, Blue Ridge Berryessa Peak Trail, Berryessa Estates, Ecological Reserve, Skyline Park, Vallejo Lake and the Vine Trail.

5. Announcements by Board and Staff

- Harold Kelly announced that the Park District is listed in the Napa County Guide Book.
- Dave Finigan announced that he attended the latest volunteer day at Moore Creek.
- Guy Kay announced that he attended a potluck dinner of the Pope Valley Ropers and Riders.
- Myrna Abramowicz announced the joint meeting with the Park District Directors and the Board of Supervisors will be held on September 27, 2011.
- John Woodbury announced the quarterly Bay Open Space Council meeting will be held on September 15, 2011.

6. Agenda Planning

7. Adjournment

Meeting was adjourned to the regular Park & Open Space District Meeting of October 10, 2011.

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MYRNA ABRAMOWICZ,  
Board President

ATTEST:

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MELISSA GRAY  
District Secretary

Key

Vote: HK = Harold Kelly; TN = Tony Norris; GK = Guy Kay; DF = David Finigan; MA = Myrna Abramowicz

The maker of the motion and second are reflected respectively in the order of the recorded vote.

Notations under vote: N = No; A = Abstain; X = Excused



Napa County Regional Park  
and Open Space District

## **STAFF REPORT**

Date: October 10, 2011

Agenda Item: 4.C

Subject: Consideration and potential approval of contract for the preparation of plans and specifications for Camp Berryessa.

### Recommendation

Staff will present the recommendation at the Board meeting.

### Background

The District issued an request for proposals on August 31, 2011 for professional services to prepare construction plans and specifications for Camp Berryessa. The RFP was distributed to over 25 firms. A site visit for proposers was held on September 19, and proposals were due on September 27, 2011. Eight proposals were submitted. Staff is currently reviewing the proposals and expects to have a recommendation ready to present at the meeting.



Napa County Regional Park  
and Open Space District

## STAFF REPORT

Date: October 10, 2011  
Agenda Item: 4.D  
Subject: Consideration and potential approval of a temporary trailer/equipment staging area Right of Entry Permit on the District's Stone Corral property for the Lake Berryessa Resort Improvement District.

### Recommendation

Authorize General Manager to sign Right of Entry Permit on the District's Stone Corral property for use by the Lake Berryessa Resort Improvement District.

### Background

The Lake Berryessa Resort Improvement District's (LBRID) wastewater treatment plant is located immediate adjacent to the District's Stone Corral property. LBRID is currently implementing improvements to the wasterwater system and needs a location to stage their equipment and supplies. They are requesting use of an open dirt area adjacent to their treatment plant. The Right of Entry Permit would continue from the present through December 31, 2011.

The use of the area for temporary staging should have no adverse environmental or other impacts. The area is already highly disturbed. The contractor is required to follow standard stormwater runoff and erosion control measures. The area has been located such that it will not block access to Putah Creek by residents of Lake Berryessa Estates.

Granting the temporary Right of Entry Permit will facilitate an important public works project, and enable equipment to be stored away from residences.

The granting of the temporary Right of Entry Permit is exempt from the California Environmental Quality Act (Section 15302—Replacement or Reconstruction).



Napa County Regional Park  
and Open Space District

## STAFF REPORT

Date: October 10, 2011  
 Agenda Item: 4.E  
 Subject: Consideration and potential approval of access and utility easements across the District's Stone Corral property to benefit parcels APN#015-080-011 and 015-200-032.

### Recommendation

Authorize the Board President and/or the General Manager to execute access and utility easements across the District's Stone Corral property to benefit parcels APN#015-080-011 and 015-200-032.

### Background

The District accepted the donation of the Stone Corral property in December 2010. A variety of easements cross the property, including an unrecorded access agreement benefiting the owners of assessor's parcels 015-080-011 and 015-200-032. The owners of those parcels are currently seeking to correct building and other code violations on their property. Before they can undertake the work to correct the violations, they must establish clear legal right of access to their property. The access road which they have used, and maintained, over the past approximately 35 years, is mostly on District property, but also crosses property owned by the Lake Berryessa Resort Improvement District (LBRID).

Park district and LBRID attorneys have worked with the attorney for the Vincent and Fifield families, who own the two parcels which would be served by the easement, to craft recordable access and utility easements. The benefits to the park district of having these easements include (a) clearing up a cloud on the title to the District's land; (b) confirming that maintenance of the access road is the responsibility of those who use it (currently the Vincent and Fifield families and LBRID); (c) having the benefited property owners provide liability insurance coverage to the District, and (d) payment of \$5,000 as consideration for the easement. The \$5,000 figure is based on the value of the easement area as a proportion of the entire property.

It should be noted that in the event the District opens up the affected dirt road to general public use, the District will need to share in the cost of maintaining the road, based on the principal of proportion

District staff believes the proposed easements are a fair resolution of this title issue, and recommends authorization to execute the easement documents, subject to the District's risk manager's approval of language regarding liability insurance. The draft easement is attached.

The granting of access and utility easements is exempt from the California Environmental Quality Act (Class 1—Existing Facilities).

**Recorded at the Request of:**  
Napa County Regional Park and Open Space District

*DRAFT*

**When Recorded Return To:**  
Napa County Regional Park and Open Space District  
1195 Third Street, Suite 201  
Napa, CA 95401

No Tax Due  
Exempt Transfer  
Rev & Tax Code § 11922

Exempt from recording fee: Gov. Code § 27383

*Space Above This Line for Recorder's Use*

**Portion of APNs 016-120-037 and 015-070-036**

The undersigned grantor (s) declare (s): EXEMPT CODE § 11922  
Documentary transfer tax is \$ -0-  
( ) computed on full value of property conveyed  
( X ) Napa County Regional Park and Open Space District

**NAPA COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT  
AGREEMENT NO. \_\_\_\_\_**

**(Non-Exclusive Easement Agreement)**

**THIS EASEMENT AGREEMENT** is made and entered into as of this \_\_\_\_ day of \_\_\_\_\_, 2011, by and between the NAPA COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT, a special district of the State of California, hereinafter referred to as "PARK DISTRICT" and MARTIN K. VINCENT and PHYLLIS ELIZABETH VINCENT, Trustees of the Martin and Phyllis Vincent 2005 Revocable Trust, and CLYDE R. KING and MARY ELLEN KING, Trustees of The King Family Living Trust dated July 20, 1993 ("GRANTEES").

**RECITALS**

**WHEREAS**, the PARK DISTRICT is the sole owner in the fee simple of certain real property, located in the County of Napa, State of California, described in the deed recorded

December 29, 2010 in Series Number 2010-0032237 in the Office of the Napa County Recorder, and more particularly described in Exhibit 1 attached hereto (“Grantor’s Property”); and

WHEREAS, GRANTEES are the sole owners in fee simple of certain real property, located in the County of Napa, State of California, described in the deed recorded October 4, 1993 in Series Number 1993-031985 and the deed recorded March 8, 2005 in Series Number 2005-0008735 in the Office of the Napa County Recorder, and more particularly described in Exhibit 2 attached hereto (the “Benefited Property”); and

WHEREAS, a personal, non-assignable revocable license (“License”) was granted in 1975 by the then-owner of the Grantor’s Property, to the then-owners of the Benefited Property, to provide them with overland access to the Benefited Property over a then existing roadway (the “Old Jeep Road”); and

WHEREAS, a Notice of Grant of Right of Way (the “Right of Way Notice”) was recorded with respect to Grantor’s Property and the Benefited Property on February 15, 1979 in Book 1114 of Official Records at Page 843 to give notice of the existence of an agreement and grant of right of way affecting Grantor’s Property and the Benefited Property, which Right of Way Notice GRANTEES believe was intended to extinguish the License and evidence an easement across Grantor’s Property for overland access to the Benefited Property; and

WHEREAS, the length of the Old Jeep Road across Grantor’s Property is approximately 6,500 linear feet, of which approximately 5,400 linear feet of the road is also used by the Lake Berryessa Resort Improvement District; and

WHEREAS, the PARK DISTRICT wishes to convey a non-exclusive appurtenant Road Easement to the GRANTEES for purposes of providing access across Grantor’s Property to the Benefited Property, as well as to convey a non-exclusive appurtenant Aerial Easement to the GRANTEES for purposes of permitting electrical distribution equipment to cross Grantor’s Property; and

WHEREAS, GRANTEES are prepared to accept the conveyance of Road Easement and the Aerial Easement contemplated herein and to release any other rights GRANTEES may have with respect to Grantor’s Property, including, without limitation, any rights arising under or referred to in the Right of Way Notice.

### TERMS

NOW, THEREFORE, the PARK DISTRICT and GRANTEES hereby agree as follows:

1. **Conveyance of Road Easement Deed.** The PARK DISTRICT agrees to convey to GRANTEES a Road Easement Deed over the portions of Grantor’s Property that are described in Exhibits 4 and 5 for the purpose of providing access to the Benefited Property as needed to serve the current and historic uses of the Benefited Property under the terms contained herein. PARK DISTRICT and GRANTEES acknowledge that by separate instruments recorded

concurrently herewith, LAKE BERRYESSA RESORT IMPROVEMENT DISTRICT (“LBRID”) has agreed to convey and has conveyed to GRANTEES a companion Road Easement Deed that establishes a non-exclusive appurtenant easement over the property of LBRID that is described in Exhibit 5. As used herein, the term “Easement Area” shall mean the real property described in Exhibit 4 and that portion of the real property described in Exhibit 5 which is owned by the PARK DISTRICT.

2. **Conveyance of Aerial Easement Deed.** The PARK DISTRICT agrees to convey to GRANTEES an Aerial Easement Deed that establishes a non-exclusive appurtenant easement over that portion of the property described in Exhibit 6 that is owned by the PARK DISTRICT for the purpose of providing electrical service to the Benefited Property.

3. **Duty to Maintain.**

(a) **Road Easement:** GRANTEES shall maintain or cause to be maintained the Easement Area in a safe, all-weather gravel surface condition unless and until such time in the future the easement is released by written instrument. GRANTEES shall not place, leave, store or abandon any vehicles, equipment, structures or supplies within the Easement Area. GRANTEES shall notify PARK DISTRICT in writing, and obtain written authorization of PARK DISTRICT, which shall not be unreasonably withheld, prior to any removal of trees, pruning of vegetation, or grading or placement of soil within the Easement Area.

(b) **Entrance Gate:** The parties shall work together and take reasonable efforts to prevent unauthorized public use of the Easement Area, including but not limited to attempting to keep the gate at the entrance to the Easement Area from Stagecoach Canyon Road locked upon entering and exiting.

(c) **Aerial Easement:** GRANTEES shall maintain, at their sole cost and expense, a radial area ten (10) feet from the utility poles free of vegetation and objects.

(d) GRANTEES and PARK DISTRICT acknowledge the existence of telephone lines servicing the Benefited Property and understand and agree that the duty to maintain the lines rests solely with the telephone company which operates the lines.

4. **Costs for Maintenance and Repair of Road Easement Area.**

(a) GRANTEES shall be solely responsible for the cost to maintain the Easement Area from the Benefited Property to the “Y”, as depicted in Exhibit 3 and described in Exhibit 5.

(b) As between PARK DISTRICT and Grantees, the cost and responsibility of maintenance for the Easement Area from Stagecoach Canyon Road to the “Y”, as depicted in Exhibit 3 and described in Exhibit 4, shall be the responsibility of GRANTEES. GRANTEES

shall cooperate with and coordinate the maintenance of the Easement Area with the Lake Berryessa Resort Improvement District, and may share the cost of such maintenance with the Lake Berryessa Resort Improvement District under any terms and conditions agreed to by those parties. GRANTEES may also share the cost of such maintenance with the owners of real property within Berryessa Estates Subdivision or the association of such owners on any terms and conditions agreed to by GRANTEES and such owners or association.

(c) The allocation of responsibility for maintenance of the Easement Area pursuant to subparagraphs (a) and (b) above assumes that PARK DISTRICT's use of the Easement Area will be limited to that of its own personnel and its contractors in connection with the preservation of the Property as open space without on-site public use. To the extent that motorized public use of the Easement Area is authorized by action of PARK DISTRICT'S board of directors or is otherwise allowed to occur without objection by PARK DISTRICT, notwithstanding the provisions of subparagraphs (a) and (b) above, the allocation of the cost of maintenance of the Easement Area shall be determined pursuant to California Civil Code section 845. For purposes of paragraph 3(b) and this subparagraph (c), use of the Easement Area the owners of real property within the Lake Berryessa Estates Subdivision and their invited guests shall not be deemed to constitute public use.

**5. Consideration.**

(a) GRANTEES shall pay PARK DISTRICT the sum of Five Thousand Dollars (\$5,000) as consideration for the granting of the Road Easement, which represents the estimated pro-rated value of the Easement Area relative to the value of the entire parcel. PARK DISTRICT agrees to use these funds for access-related issues including the improvement, maintenance and control of the gate, and monitoring of individuals coming through the gate where the Easement Area begins at Stagecoach Canyon Road. GRANTEES shall pay this sum prior to the recordation of the Easement Deed. No additional payment shall be required as consideration for the granting of the Aerial Easement.

(b) Effective upon the recordation of the Road Easement Deed and the Aerial Easement Deed, GRANTEES hereby release all rights they may have with respect to Grantor's Property, including, without limitation, any rights arising under or referred to in the Right of Way Notice, save and except the rights created under this Agreement, the Road Easement Deed and the Aerial Easement Deed.

**6. Permits.** GRANTEES shall obtain all legally-required state and local permits and comply with all applicable regulations for any work done by GRANTEES pursuant to this Agreement. Non-compliance with this paragraph shall not be cause to invalidate this Agreement, the Road Easement Deed or the Aerial Easement Deed.



7. **Insurance.** GRANTEES shall obtain and maintain in full force and effect during the term of this Agreement the following liability insurance coverages, issued by a company admitted to do business in California and having an A.M. Best rating of A:VII or better or equivalent self-insurance:

(a) General Liability. General liability insurance coverage (personal injury and property damage) of not less than ONE MILLION DOLLARS (\$1,000,000) combined single limit per occurrence, covering liability or claims for any personal injury, including death, to any person and/or damage to the property of any person (other than any member of the general public or any owner, or tenant or guest of any owner, of property in any Berryessa Estates subdivision except to the extent that such person is an invitee of GRANTEES or any office, agent or employee of GRANTEES) arising from the acts or omissions of GRANTEES or any officer, agent, or employee of GRANTEES under this Agreement. If the coverage includes an aggregate limit, the aggregate limit shall be no less than twice the per occurrence limit.

(b) Certificates. All insurance coverages shall be evidenced by one or more certificates of coverage or, with the consent of PARK DISTRICT's Risk Manager, demonstrated by other evidence of coverage acceptable to PARK DISTRICT's Risk Manager, which shall be filed by GRANTEES with the General Manager prior to the recordation of the Easement Deed; shall reference this Agreement by its PARK DISTRICT number, shall be kept current during the term of this Agreement; shall provide that PARK DISTRICT shall be given no less than thirty (30) days prior written notice of any non-renewal, cancellation, other termination, or material change, except that only ten (10) days prior written notice shall be required where the cause of non-renewal or cancellation is non-payment of premium; and shall provide that the inclusion of more than one insured shall not operate to impair the rights of one insured against another insured, the coverage afforded applying as though separate policies had been issued to each insured, but the inclusion of more than one insured shall not operate to increase the limits of the company's liability. GRANTEES shall also file with the evidence of coverage an endorsement from the insurance provider naming the PARK DISTRICT, its officers, employees, agents and volunteers as additional insureds, and the certificate or other evidence of coverage shall provide that if the same policy applies to activities of GRANTEES not covered by this Agreement then the limits in the applicable certificate relating to the additional insured coverage of the PARK DISTRICT shall pertain only to liability for activities of GRANTEES under this Agreement, and that the insurance provided is primary coverage to the PARK DISTRICT with respect to any insurance or self-insurance programs maintained by PARK DISTRICT. The additional insured endorsements for the general liability coverage shall use Insurance Services Office (ISO) Form No. CG 20 09 11 85 or CG 20 10 11 85, or equivalent, including (if used together) CG 2010 10 01 and CG 2037 10 01; but shall not use the following forms: CG 20 10 10 93 or 03 94. Upon request of PARK DISTRICT's Risk Manager, GRANTEES shall provide or arrange for the insurer to provide within thirty (30) days of the request, certified copies of the actual insurance policies or relevant portions thereof.

(c) Deductibles/Retentions. Any deductibles or self-insured retentions shall be declared to, and be subject to approval by, PARK DISTRICT's Risk Manager, which approval

shall not be denied unless the PARK DISTRICT's Risk Manager determines that the deductibles or self-insured retentions are unreasonably large in relation to compensation payable under this Agreement and the risks of liability associated with the activities required of GRANTEES by this Agreement. At the option of and upon request by PARK DISTRICT's Risk Manager, if the Risk Manager determines that such deductibles or retentions are unreasonably high, either the insurer shall reduce or eliminate such deductibles or self-insurance retentions as respects PARK DISTRICT, its officers, employees, agents and volunteers or GRANTEES shall procure a bond guaranteeing payment of losses and related investigations, claims administration and defense expenses.

(d) Single Policy. PARK DISTRICT expressly consents to the provision of a single liability policy under which PARK DISTRICT and LBRID are additional insureds provided that the protection afforded PARK DISTRICT thereby is not diminished from that contemplated by this paragraph 7.

(e) Subrogation. PARK DISTRICT and GRANTEES shall each obtain from their respective insurers under all policies of fire, theft, liability, worker's compensation and other insurance maintained by either of them at any time insuring or covering the Grantor's Property or the Benefited Property or the use thereof, a waiver of all rights of subrogation which the insurer of one party might have against the other party. If either PARK DISTRICT or GRANTEES fails to obtain the requisite subrogation waiver, it shall not thereby be in default hereunder, but it shall indemnify the other against any loss or expense, including reasonable attorney's fees, resulting from the failure to obtain such waiver.

8. **Hold Harmless/Defense/Indemnification.** To the full extent permitted by law, GRANTEES will assume the liability related to GRANTEES' use the Easement Area and will defend, indemnify and hold PARK DISTRICT harmless from and against any and all actions, claims, damages, or expenses that may be asserted by any third party arising out of GRANTEES' use of the Easement Area, except to the extent the action, claim, damage or expense asserted by the third person results from the negligence or willful misconduct of PARK DISTRICT or its officers, employees, lessees, licenses or agents. Notwithstanding anything to the contrary contained herein, (1) PARK DISTRICT and its officers, employees and agents is/are not relieved of any other liability or responsibility imposed by law or equity with respect to other liabilities, damages, personal injury or death resulting from or in any manner connected with PARK DISTRICT's and its officers, employees, lessees, licenses and agents' acts or omissions or use of Grantor's Property or the Easement Area, nor shall any other obligation be imposed on GRANTEES which is not expressly contained in this Agreement, and (2) GRANTEES' obligation to defend, indemnify and hold PARK DISTRICT harmless shall not extend to any actions, claims, damages or expenses that may be asserted by any member of the general public or any owner, or tenant or guest of any owner, of property in any Berryessa Estates subdivision except to the extent that such person is an invitee of GRANTEES or any officer, agent or employee of GRANTEES.

9. **Remedy.** In the event GRANTEES fail to adequately maintain the Easement Area, provide the level and type of insurance required above, or violate any of the terms and conditions of the

Road Easement Deed and this Agreement, PARK DISTRICT shall provide written notice to GRANTEES describing the nature of the default and acceptable remedies. GRANTEES shall within 10 days of receipt of such notice begin implementing corrective actions, and shall diligently and continuously pursue these actions until the violation is corrected to the satisfaction of PARK DISTRICT. If GRANTEES fail to initiate and complete corrective action(s) as specified herein, PARK DISTRICT shall have the right but not the responsibility, to take whatever steps may be necessary to remedy the violation and, in addition to any other remedies which may be available to PARK DISTRICT, to place a lien on the Benefited Property in an amount equal to the District's costs to remedy.

10. **Binding on Successors.** The terms of this Agreement shall be a burden upon and shall continue as a restrictive covenant and equitable servitude running in perpetuity with Grantor's Property and shall bind GRANTEES, their heirs, personal representatives, lessees, executors, successors, including without limitation, purchasers at tax sales, assigns and all persons claiming under them. The parties intend that this Agreement shall benefit and burden, as the case may be, their respective successors, assigns, heirs, executors, administrators, agents, officers, employees, and all other persons claiming by or through them pursuant to the common and statutory law in the State of California. Further, the parties agree and intend that this Agreement and the Road Easement and the Aerial Easement it refers to create easements encompassed within the meaning of the phrase "easements constituting servitudes upon or burdens to the Property," as that phrase is used in California Revenue and Taxation Code section 3712(d) or any successor statute to that effect, such that a purchaser at a tax sale will take title to the Property subject to the Easement.

11. **Attorney's Fees.** In the event that either party commences legal action of any kind or character to either enforce the provisions of this Agreement or to obtain damages for breach thereof, the prevailing party in such litigation shall be entitled to all costs and reasonable attorney's fees incurred in connection with such action.

12. **No Third Party Beneficiaries.** PARK DISTRICT and GRANTEES acknowledge that, except for LBRID, this Agreement is solely for their own benefit and that of their successors assigns, and that no third party shall have any rights or claims arising hereunder, nor is it intended that any third party shall be a third party beneficiary of any provisions hereof.

13. **Severability.** If any provision of this Agreement, or any portion thereof, is found by any court of competent jurisdiction to be unenforceable or invalid for any reason, such provision shall be severable and shall not in any way impair the enforceability of any other provision of this Agreement.

14. **Notices.** All notices required or authorized by this Agreement shall be in writing and shall be delivered in person or by deposit in the United States mail, by certified mail, postage prepaid, return receipt requested. Any mailed notice, demand, request, consent, approval or communication that either party desires to give the other party shall be addressed to the other party at the address set forth below. Either party may change its address by notifying the other

party of the change of address. Any notice sent by mail in the manner prescribed by this paragraph shall be deemed to have been received on the date noted on the return receipt or five days following the date of deposit, whichever is earlier.

GRANTEES

PARK DISTRICT

MARTIN K. VINCENT  
[add addresses of GRANTEES]

NCRPOSD General Manager  
1195 Third Street, Room 210  
Napa, CA 94559

14. **Interpretation; Venue.**

(a) **Interpretation.** The headings used herein are for reference only. The terms of the Agreement are set out in the text under the headings. This Agreement shall be governed by the laws of the State of California without regard to the choice of law or conflicts.

(b) **Venue.** This Agreement is made in Napa County, California. The venue for any legal action in state court filed by either party to this Agreement for the purpose of interpreting or enforcing any provision of this Agreement shall be in the Superior Court of California, County of Napa, a unified court. The venue for any legal action in federal court filed by either party to this Agreement for the purpose of interpreting or enforcing any provision of this Agreement lying within the jurisdiction of the federal courts shall be the Northern District of California. The appropriate venue for arbitration, mediation or similar legal proceedings under this Agreement shall be Napa County, California; however, nothing in this sentence shall obligate either party to submit to mediation or arbitration any dispute arising under this Agreement.

15. **Entirety of the Contract.** This Agreement, including its exhibits, constitutes the entire Agreement between the parties relating to the subject of this Agreement and supersedes all previous Agreements, promises, representations, understandings and negotiations, whether written or oral, among the parties with respect to the subject matter hereof.

**IN WITNESS WHEREOF**, the parties hereto have caused this Agreement to be executed the day and year first above written.

**GRANTOR:**

**GRANTEES:**

\_\_\_\_\_  
MYRNA ABRAMOWICZ  
PRESIDENT, BOARD OF DIRECTORS

\_\_\_\_\_  
MARTIN K. VINCENT

Attest:

\_\_\_\_\_  
PHYLLIS ELIZABETH VINCENT  
Trustees of The Martin and Phyllis Vincent  
2005 Revocable Trust

\_\_\_\_\_  
CLYDE R. KING

Approved as to form:

\_\_\_\_\_  
MARY ELLEN KING  
Trustees of The King Family Living Trust  
Dated June 20, 1993

By: \_\_\_\_\_  
District Counsel

State of California )

County of \_\_\_\_\_ )

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

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

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (Seal)

**LIST OF EXHIBITS**

**EXHIBIT 1 – Legal Description of Grantor’s Property**

**EXHIBIT 2 - Legal Description of Benefited Property**

**EXHIBIT 3 - Map Depicting Entirety of Easement Area over Grantor’s Property and Property of Lake Berryessa Resort Improvement District**

**EXHIBIT 4 - Legal Description of Portion of Easement Area Lying Between Stagecoach Canyon Road and “Y”**

**EXHIBIT 5 – Legal Description of Portion of Easement Area Lying Between “Y” and Benefited Property**

**EXHIBIT 6 - Legal Description of Aerial Easement**

**EXHIBIT 1**  
**Legal Description of Grantor's Property**



**EXHIBIT 2****Legal Description of Benefited Property****PARCEL 1**

Lot 2 of Section 25, Township 10 North, Range 5 West, M.D.B. & M.  
(APN 015-180-011)

**PARCEL 2**

Those portions of Lots 2, 3 and 5 of Section 30, Township 10 North, Range 4 West, M.D.B & M. that lie southwest of the centerline of Putah Creek as it existed prior to 1954.

EXCEPTING THEREFROM that portion of Lot 5 lying southerly of Stone Corral Creek described in the deed to Harold O. Robertson recorded July 6 20, 1961 in Book 633 at page 851 of Official Records of Napa County.

(APN 015-200-032)

**EXHIBIT 3**

**Map Depicting Entirety of Easement Area over Grantor's Property and Property of  
Lake Berryessa Resort Improvement District**

**EXHIBIT 4**

**Legal Description of Portion of Easement Area Lying between Stagecoach Canyon  
Road and "Y"**

**EXHIBIT 5**

**Legal Description of Portion of Easement Area Lying between "Y" and Benefited Property**

**EXHIBIT 6**

**Legal Description of Aerial Easement**

## ROAD EASEMENT DEED

THIS NON-EXCLUSIVE ROAD EASEMENT is made and entered into as of \_\_\_\_\_, 2011, by the NAPA COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT ("Grantor") and MARTIN K. VINCENT and PHYLLIS ELIZABETH VINCENT, Trustees of the Martin and Phyllis Vincent 2005 Revocable Trust, and CLYDE R. KING and MARY ELLEN KING, Trustees of The King Family Living Trust dated July 20, 1993 ("Grantees").

1. For good and valuable consideration, receipt of which is hereby acknowledged, Grantor, as the owner of certain lands situated in the County of Napa, State of California, described in Exhibit A attached hereto ("Grantor's Property"), hereby grants to Grantees a non-exclusive appurtenant Road Easement over the portions of Grantor's Property that are described in Exhibits B and C attached hereto (the "Easement Area"), for the purpose of ingress and egress to the real property described in Exhibit E attached hereto (the "Benefited Property"). The location of the Easement Area is depicted on Exhibit D attached hereto.

2. Grantor reserves for itself, its heirs, successors and assigns, the right to use the Easement Area to the extent it is located on Grantor's Property for purposes which will not interfere with Grantee's full enjoyment of the rights hereby granted.

3. No buildings or other structures shall be erected within the Easement Area. No activity shall be undertaken or allowed nor shall any right of passage be permitted across the Easement Area that will interfere in any manner with the use of the Easement Area for the ingress and egress purposes, including but not limited to commercial and industrial activities; dumping of trash, garbage, compost, landscape pruning, or other unsightly or hazardous material within the Easement Area; unauthorized removal or planting of plants or plant material or the planting of vegetable or other such gardens or landscape within the Easement Area; filling, excavating, mining or drilling of any kind, nor any change in the topography of the land in any manner within the Easement Area except that the Grantor reserves its right to improve the Easement Area to the extent it is located on Grantor's Property, consistent with the use of the Easement Area.

4. This Easement shall bind and inure to the respective benefit of Grantor and Grantees, their heirs, successors and assigns.

5. Grantor and Grantees acknowledge that this Easement constitutes the Road Easement Deed agreed to be conveyed by Grantor pursuant to paragraph 1 of that certain Napa County Regional Park and Open Space District Agreement No. \_\_\_\_ (Non-Exclusive Easement Agreement) recorded \_\_\_\_\_, 2011 in Series No. \_\_\_\_\_ in the Office the Napa County Recorder.

IN WITNESS WHEREOF, Grantor has executed and acknowledged this Grant as of the day and year first above written, and Grantees, as of the date set forth next to their signatures, has accepted the Road Easement Deed made by this Grant.

**GRANTOR:**

**GRANTEES:**

\_\_\_\_\_  
MYRNA ABRAMOWICZ,  
PRESIDENT, BOARD OF DIRECTORS

\_\_\_\_\_  
MARTIN K. VINCENT

Attest:

\_\_\_\_\_  
PHYLLIS ELIZABETH VINCENT  
Trustees of The Martin and Phyllis Vincent  
2005 Revocable Trust

\_\_\_\_\_

\_\_\_\_\_  
CLYDE R. KING

Approved as to form:

\_\_\_\_\_  
MARY ELLEN KING  
Trustees of The King Family Living Trust  
Dated June 20, 1993

By: \_\_\_\_\_

**EXHIBIT A**

**Legal Description of Grantor's Property**



**EXHIBIT B**

**Legal Description of Portion of Easement Area Lying Between  
Stagecoach Canyon Road and "Y"**

EXHIBIT C

Legal Description of Portion of Easement Area Lying Between  
"Y" and the Benefited Property

EXHIBIT D

Plat Showing Location of Easement Area and Identification of Exhibit B and C

**EXHIBIT E****Legal Description of Benefited Property****PARCEL 1**

Lot 2 of Section 25, Township 10 North, Range 5 West, M.D.B. & M.  
(APN 015-180-011)

**PARCEL 2**

Those portions of Lots 2, 3 and 5 of Section 30, Township 10 North, Range 4 West, M.D.B & M. that lie southwest of the centerline of Putah Creek as it existed prior to 1954.

EXCEPTING THEREFROM that portion of Lot 5 lying southerly of Stone Corral Creek described in the deed to Harold O. Robertson recorded July 6 20, 1961 in Book 633 at page 851 of Official Records of Napa County.

(APN 015-200-032)

## AERIAL EASEMENT DEED

THIS AERIAL EASEMENT is made and entered into as of \_\_\_\_\_, 2011, by NAPA COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT ("Grantor") and MARTIN K. VINCENT and PHYLLIS ELIZABETH VINCENT, Trustees of the Martin and Phyllis Vincent 2005 Revocable Trust, and CLYDE R. KING and MARY ELLEN KING, Trustees of The King Family Living Trust dated July 20, 1993 ("Grantees").

1. For good and valuable consideration, receipt of which is hereby acknowledged, Grantor, as the owner of certain lands situated in the County of Napa, State of California, described in Exhibit A attached hereto ("Grantor's Property"), hereby grants to Grantees, as the owners of the real property described in Exhibit D attached hereto (the "Benefited Property") a non-exclusive appurtenant unobstructed Aerial Easement ("Easement") five (5) feet in width from a plane twenty (20) feet above ground level over, across, through and along the portions of Grantor's Property that lie within the boundaries described in Exhibit B attached hereto ("Easement Area"), the approximate location of which is depicted on Exhibit C attached hereto, to repair, replace, remove, operate, and maintain for the Benefited Property a line of conductors or cable and supports, and all other appliances, appurtenances and fixtures attached to the electrical line supports sited as shown on Exhibit C for the transmission and distribution of electricity, together with the right of ingress and egress to, from, across and along Grantor's Property and with the right to use Grantor's lands adjacent to Easement Area during temporary periods of construction or maintenance.

2. Grantor reserves for itself, its heirs, successors and assigns, the right to use the Easement Area to the extent it crosses Grantor's Property for purposes which will not interfere with Grantee's full enjoyment of the rights hereby granted.

3. No buildings or other structures shall be erected within the Easement Area other than poles in the locations shown on Exhibit B. No activity shall be undertaken or allowed nor shall any right of passage be permitted across the Easement Area that will interfere in any manner with the intended use of the Easement Area including but not limited to commercial and industrial activities; dumping of trash, garbage, compost, landscape pruning, or other unsightly or hazardous material within the Easement Area; unauthorized removal or planting of plants or plant material or the planting of vegetable or other such gardens or landscape within the Easement Area; filling, excavating, mining or drilling of any kind, nor any change in the topography of the land in any manner within the Easement Area except that the Grantor reserves its right to improve the Easement Area to the extent it crosses Grantor's Property, consistent with the use of the Easement Area.

4. Grantees will assume the liability related to Grantees' use of the Easement Area and will defend, indemnify and hold Grantor harmless from and against any and all actions, claims, damages, or expenses that may be asserted by any third party arising out of Grantees' use of the Easement Area, except where the action, claim, damage or expense asserted by the third

person results from the negligence or willful misconduct of Grantor or its officers, employees, lessees, licensees or agents. Notwithstanding anything herein, Grantor and its officers, employees and agents is/are not relieved of any other liability or responsibility imposed by law or equity with respect to other liabilities, damages, personal injury or death resulting from or in any manner connected with Grantor's and its officers, employees, lessees, licensees and agents' acts or omissions or use of its property or the Easement Area, nor shall any other obligation be imposed on Grantee which is not expressly contained in this Agreement.

5. This Easement shall bind and inure to the respective benefit of Grantor and Grantees, their heirs, successors and assigns.

6. Grantor and Grantees acknowledge that this Easement constitutes the Aerial Easement Deed agreed to be conveyed by Grantor pursuant to paragraph 2 of that certain Napa County Regional Park and Open Space District Agreement No. \_\_\_\_ (Non-Exclusive Easement Agreement) recorded \_\_\_\_\_, 2011 in Series No. \_\_\_\_\_ in the Office the Napa County Recorder.

IN WITNESS WHEREOF, Grantor has executed and acknowledged this Grant as of the day and year first above written, and Grantees, as of the date set forth next to their signatures, has accepted the Aerial Easement Deed made by this Grant.

**GRANTOR:**

**GRANTEES:**

\_\_\_\_\_  
MYRNA ABRAMOWICZ,  
PRESIDENT, BOARD OF DIRECTORS

\_\_\_\_\_  
MARTIN K. VINCENT

Attest:

\_\_\_\_\_  
PHYLLIS ELIZABETH VINCENT  
Trustees of The Martin and Phyllis Vincent  
2005 Revocable Trust

\_\_\_\_\_

\_\_\_\_\_  
CLYDE R. KING

Approved as to form:

\_\_\_\_\_  
MARY ELLEN KING  
Trustees of The King Family Living Trust  
Dated June 20, 1993 District Counsel

By:\_\_\_\_\_

EXHIBIT A

Legal Description of Grantor's Property

**EXHIBIT B**

**Legal Description of Easement Area**



EXHIBIT C

**Plat Showing Location of 1 Easement Area**

**EXHIBIT D****Legal Description of Benefited Property**

## PARCEL 1

Lot 2 of Section 25, Township 10 North, Range 5 West, M.D.B. & M.  
(APN 015-180-011)

## PARCEL 2

Those portions of Lots 2, 3 and 5 of Section 30, Township 10 North, Range 4 West, M.D.B & M. that lie southwest of the centerline of Putah Creek as it existed prior to 1954.

EXCEPTING THEREFROM that portion of Lot 5 lying southerly of Stone Corral Creek described in the deed to Harold O. Robertson recorded July 6 20, 1961 in Book 633 at page 851 of Official Records of Napa County.

(APN 015-200-032)



Napa County Regional Park  
and Open Space District

## **STAFF REPORT**

Date: October 10, 2011

Agenda Item: 4.F

Subject: Update on potential donation of a 0.33 acre parcel located on Wagon Wheel Court in Lake Berryessa Estates (APN# 016-254-003)

### Recommendation

No action is required.

### Background

This is a continued matter from the September meeting of the Board. The item was continued to allow more time to discuss further with the property owner the financial implications of the proposed donation. After learning of the costs that would be involved before the District could accept the property, the owner has apparently decided to not pursue the donation at this time.



Napa County Regional Park  
and Open Space District

## STAFF REPORT

Date: October 10, 2011  
Agenda Item: 4.G  
Subject: Consideration and potential approval of agreement with the California Conservation Corp in the amount of \$17,800 to complete fencing for the Napa River and Bay Trail Phase I.

### Recommendation

Authorize the Board President to execute an agreement with the California Conservation Corps (CCC) in the amount of \$14,500 to complete fencing for the Napa River and Bay Trail Phase I project.

### Background

In May 2011 the District contracted with the CCC to install fencing on the former landfill property as part of the construction of Phase I of the Napa River and Bay Trail, for a cost of \$17,780. After work was started it was discovered that large concrete boulders were located just below the surface of the ground around the perimeter of the landfill. This has made installation of the fence much more difficult than anticipated. A new contract for an additional \$10,000 was approved in August to cover extra costs. Unfortunately, difficult construction conditions have continued to be encountered along the southern side of the landfill, necessitating a further change order.

The extra costs for the CCC to complete the fencing will not exceed \$14,500. It should be noted that this does not include additional supplies and equipment rental, which total \$3,385; these expenses will be paid directly by the District under the General Manager's signature authority.

With this change order, the project contingency account is essentially exhausted. Fortunately, nearly all of the work is now done, so it is unlikely that any new unforeseen conditions will be encountered that would require further change orders.



Napa County Regional Park  
and Open Space District

## STAFF REPORT

Date: October 10, 2011  
 Agenda Item: 4.H  
 Subject: Receipt of report on expenditures, encumbrances, donations and grants approved by the General Manager

### Recommendation

Receive the report.

### Background

Section III.A (7) authorizes the General Manager to bind the district for supplies, materials, labor and other valuable consideration, in accordance with board policy and the adopted District budget, up to \$10,000 for non-construction purposes and up to \$25,000 for construction purposes, provided that all such expenditures are subsequently reported to the Board of Directors. Section III.A(8) of the By-Laws authorizes the General Manager to apply for grants and receive donations, subject to reporting such actions to the Board of Directors. Pursuant to this authorization, the following information is provided to the Board.

| Journal Date | Journal ID | Description                            | Reference                           | Amount     |
|--------------|------------|----------------------------------------|-------------------------------------|------------|
| 9/26/2011    | AP00221604 | GF Liability Insurance                 | ALLIANT INSURANCE SERVICES          | \$1,424.81 |
| 9/21/2011    | AP00221456 | GF—Transportation reimbursement        | JOHN WOODBURY                       | \$302.49   |
| 9/29/2011    | AP00221745 | GF Napa Cnty Landmarks awards ceremony | NAPA COUNTY LANDMARKS INC           | \$150.00   |
| 9/26/2011    | AP00221604 | MC—volunteer insurance                 | ALLIANT INSURANCE SERVICES          | \$838.00   |
| 9/21/2011    | AP00221456 | MC—expense reimbursement               | CJ YIP & ASSOCIATES                 | \$1,869.08 |
| 9/21/2011    | AP00221456 | MC—expense reimbursement               | JOHN WOODBURY                       | \$259.94   |
| 8/9/2011     | AP00219906 | MC—Possessory Interest Tax             | NAPA COUNTY TREASURER-TAX COLLECTOR | \$423.89   |
| 9/21/2011    | AP00221456 | MC—transportation reimbursement        | JOHN WOODBURY                       | \$46.62    |
| 9/21/2011    | AP00221456 | NRBT—transportation reimbursement      | JOHN WOODBURY                       | \$66.60    |
| 9/21/2011    | AP00221456 | NRER—transportation reimbursement      | JOHN WOODBURY                       | \$13.32    |

Napa County Regional Park and Open Space District

Plan of Projects  
**Status Report**

October 10, 2011

| Name of Project                            | Description                                                                                                                                                                                                                                                               | Status                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Bay Area Ridge Trail Realignment           | Amendment to the proposed alignment of the Bay Area Ridge Trail extend north to the Oat Hill Mine Trail                                                                                                                                                                   | Ridge Trail Board has approved evaluating the amended alignment. District staff is working with the Ridge Trail and other partners to prepare the evaluation. Sonoma County agency staff have prepared an initial analysis of trail alignments on the Sonoma side of the Napa-Sonoma border. <u>A proposed realignment for the Napa portion of the route is nearly complete, and should be available for BOD review at the November meeting.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Bay/River Trail -- American Canyon to Napa | An 8+ mile recreational trail between the cities of American Canyon and Napa generally following the Napa River and interior levees of associated wetlands.                                                                                                               | <p>Phase One--Euclptus Drive to Green Island Road <u>All permits and contracts in place.</u> Maggiora and Ghilotti has completed 3/4 of the construction. <u>The CCC is 80% complete with installing fencing around the landfill.</u> A contract for developing interpretive materials has been awarded to Susan Alfeld, and a second contract to design and fabricate the materials has been awarded to Erica Fielder. Trail construction is scheduled to be complete by <u>December 2011</u>, with the interpretive elements completed by <u>January 2012</u>.</p> <p>Phase Two--Green Island Road to Soscol Ferry Road Questa has completed a revised the draft PUC permit application for a public crossing of the SMART tracks. SMART, NRCA and the PUC have verbally agreed to allow the railroad crossing; formal concurrence is now being sought. District staff is continuing to work with SMART to get their formal approval. LSA Associates has completed a biological survey for the Fagan Marsh area; based on the results, DFG has indicated they do not want the trail alignment to follow the levee on the north side of Fagan Marsh; District staff is now reviewing the feasibility of an alternative alignment. DFG, the Bay Trail Project and the Coastal Conservancy are funding the preparation of the supplemental environmental analysis for the section of the trail next to DFG's ponds 9 and 10; this work is being handled by Ducks Unlimited on behalf of DFG. District staff met with the involved parties on May 25, 2011 to resolve questions, <u>and is continuing to meet to address questions about the scope of additional CEQA review.</u> District staff together with Napa Sanitation District staff toured two other water treatment facilities that have segments of the Bay Trail going through or past their facilities.</p> <p>Phase Three--Soscol Ferry Road to Napa Pipe All permits and permissions have been obtained, and construction bid documents are done. The project is ready to go to construction as soon as funding can be obtained. Funding for this project is included in the regional Transportation Improvement Plan. Caltrans staff has decided they are opposed to entering into a Master Agreement with the District for the receipt of this and expected future grants using federal transportation funds, so NCTPA will act as project sponsor. Staff met with Caltrans on May 26, 2011 to review the project, and is now preparing followup paperwork required by Caltrans. Caltrans after review the project had concerns about the eligibility of the project, but the District staff response appears to have convinced them to reverse their decision. The goal is to have the funds obligated prior to the end of this calendar year, so that the project can go to construction in the summer of 2012.</p> |
| Berryessa Estates                          | Acquire 480 acres next to Berryessa Estates from BLM at no fee through their Recreation and Public Purpose Act procedure. Would serve as a wilderness park for local residents eventually be the northern trailhead for a trail between Berryess Estates and Pope Canyon. | The District met with BLM in mid-January 2011 to discuss how to speed up BLM's process for the no-fee transfer of this property. Another meeting was held August 5, 2011 to try and speed up the BLM processing of this application. CDF and the Pope Valley Volunteer Fire Department have added a proposal to construct a fire substation on a corner of the property. A community meeting was held March 2009 to get input from the community. The District has completed the donation to the District of a small, 0.2 acre property that provides critical access to the northeast corner of the property. The District has allowed excess soil from a nearby public project to be disposed of on this property, which saves them money and facilitates the eventual construction of the fire substation; staff is working on a drainage easement to the County to assure the County takes care of the extension of the storm drain under this new fill. CDF crews did extensive fire break work in 2009 to protect the residences next to the BLM land.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Berryessa Vista                            | Planning and stewardship of this 224 acre wilderness park.                                                                                                                                                                                                                | Volunteers working with the District have completed detailed GIS mapping showing all existing roads, creek crossings, vista points and potential campsites. Continuing damage by off-road vehicles trespassing on the property was noted; staff is developing a plan for how to stop the trespass. As a first step, a letter was sent to all property owners in that area introducing the District, explaining the deed restriction prohibiting off road vehicles, and asking for their cooperation. No further work is anticipated until Lake Berryessa Trail planning is completed by Berryessa Trails and Conservation. An inholding between the District's property and BLM property is available for purchase; the land trust has agreed to pursue purchase of the property, with the understanding that the District is interested in acquiring the property from the land trust at a futree date when funding is available.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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| <p>Blue Ridge/Berryess Peak Trail</p> <p>Obtain right of way and construct trail to provide public access to extensive federal lands on Blue Ridge and to Berryessa Peak</p>                                                                                                                                                                      | <p>Obtained donated trail easement from the Ahmann family to close gaps between existing public lands on Blue Ridge. Undertook a reconnaissance of the trail route in December 2008. Based on this reconnaissance, a revised easement description was drafted, approved by the landowner and recorded. Botanical surveys field work needed for CEQA review is complete. At Negative Declaration and Use Permit hearing was approved December 16, 2009 by the County Planning Commission. An Operations and Management Plan has been approved by the property owner and the District. District staff and volunteers have flagged the route of the trail through the Ahmann property. There have been volunteer trail building work parties in November 2010 and January, February and March and April 2011. BLM staff on April 11th inspected the proposed trail alignment where it crosses BLM land, and is expected to issue their environmental clearance in the near future. District and BLM staff meet on August 5, 2011 to determine how to speed completion of BLM review of this project. Pending BLM approval, trail construction is scheduled to resume in the fall of 2011. BLM's biologist is scheduled to inspect the alignment on September 17, 2011.</p>                                                                                                                                                                                                                                                                    |
| <p>Camp Berryessa</p> <p>Redevelopment of former Boy Scout Camp into a group/environmental education camp.</p>                                                                                                                                                                                                                                    | <p>MOU with Bureau of Reclamation gave the District an 18 month period to develop a feasibility study for the camp. The District has completed the feasibility report, and BOR has reviewed and supports the conclusions. The draft combined NEPA/CEQA document has been completed and certified. A grant for \$50,000 to help with construction has been provided by the Mead Foundation. A \$1.5 million grant to construct Phase One of the camp was approved by the State Coastal Conservancy Board March 17, 2011. The management agreement between the District and Reclamation is fully executed. <u>AN RFP for preparation of construction plans and specifications was issued in late August; award of the contract will be scheduled for the Board's October meeting. A meeting of potential future users was held September 22, 2011.</u> The camp will likely open in 2013.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p>District Non-profit Foundation</p> <p>Organize a non-profit foundation to raise funds for District projects</p>                                                                                                                                                                                                                                | <p>The District Board has approved the goals, objectives and basic structure for a non-profit foundation to assist the District with fundraising. Board members are contacting potential future members of the foundation governing board.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <p><u>Historic ROW Analysis</u></p> <p>Study to determine location and status of historic road Rights-of-Way and whether they have value as non-motorized recreational trails</p>                                                                                                                                                                 | <p>Staff has completed a comprehensive review of historic rights-of-way, and is now focusing attention on those which have greatest potential.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>Lake Hennessey North Shore Trails</p> <p>Would open up several miles of existing dirt access road, and construct approximately 1 mile of new single track trail, into a loop trail system on the north side of Lake Hennessey, and connecting to the planned Moore Creek Open Space Park trail system.</p>                                     | <p>The Napa City Council in November, 2009 directed city staff to work with the District to finalize an agreement for the proposed Hennessey trails. A plant survey of the new section of trail was completed on April 3, 2010. City and District staff have come to an agreement on the extent of improvements and operational parameters, and are now working to complete a draft agreement for approval by both agencies; the date for consideration by the City Council has been delayed until December of 2011, because City staff are currently focused on hearings on proposed water rate increases. The District approved a Mitigated Negative Declaration on February 14, 2011. The earliest this area could be opened to the public is summer of 2013.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>Moore Creek Open Space Park Development</p> <p>Development of open space park on 673 acres acquired by the District adjacent to City of Napa watershed lands at Lake Hennessey to protect habitat, provide recreational trails, and overnight camping facilities.</p>                                                                          | <p>All discretionary permits have been obtained, and park improvements are underway. The County road department is scheduled starting any day to install approximately 1/4 mile of asphalt and chip seal to the entrance drive to the park. Design of the restrooms is still underway (awaiting completion of geotechnical work) The design of the new septic system for the ranch house has been submitted to the Regional Water Quality Control Board for review and approval. The park is expected to open to the public by the spring of 2012.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p>Napa River Ecological Reserve Restoration</p> <p>Remove invasive plants and restore native vegetation in the entryway meadow, replace damaged signage and information panels, restore the interior trail and interpretive elements, and if feasible install a seasonal bridge, using a \$100,000 grant from the State Coastal Conservancy.</p> | <p>The California Conservation Corps completed a first round of mechanical weed removal and installed an all-weather surface on the trail from the parking area to the river levee, in May 2010. In June the CCC did follow up chemical spraying and completed construction of the interpretive path. Additional invasive weed removal was done by volunteers on two weekends in September 2010. The District assisted Audubon coordinate a volunteer project on November 6, 2010 to prepare new maps showing the location of invasive species on the southwest side of the river and continue removal of invasive plants. The District has used grant funding to bring numerous school classes to the site to study ecology of the area and assist with the habitat restoration. A 50 volunteer work party did additional invasive plant removal on April 30, 2011. Staff met with invasive plant control specialists on June 3, 2011 to evaluate eradication efforts to date and plan next steps. Staff is continuing to work with local teachers to development curriculum and set up educational field trips. Native plant cuttings gathered from the reserve are being propagated in preparation for planting this fall. Supplemental grant funding for the restoration work was awarded to the District by the County Wildlife Commission. <u>The Conservancy has also indicated an willingness to extend the termination date for their grant, in light of the delays to the project caused by the State's budget problems.</u></p> |
| <p>Oat Hill Mine Trail</p> <p>Improvements to first 1/2 mile of trail next to Calistoga</p>                                                                                                                                                                                                                                                       | <p>The litigation holding up this project has been successfully concluded, meaning the District can now complete repairs to the first 1/2 mile of the trail. Because of the cash flow needs of the Napa River and Bay Trail project, completion of the work on the Oat Hill Mine will be delayed until May 2012.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>Oat Hill Mine Trail</p> <p>Transfer of 40 acre parcel from BLM</p>                                                                                                                                                                                                                                                                             | <p>The District in 2008 applied to BLM for a non-fee transfer to the District of a 40 acre parcel at Maple Springs on the Oat Hill Mine Trail; this application is pending. Staff met with BLM in February 2011 to discuss how to speed up this transfer; another meeting with the same topic is scheduled for August 5, 2011.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

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| <p>Rector Ridge/Stags Leap Ridge Trail</p> <p>Construction of staging area and 6+ miles of Ridge Trail climbing east from Silverado Trail near Rector Creek.</p>                                          | <p>CEQA on this project was completed several years ago--staff is preparing an update to the Negative Declaration due to the passage of time since the original approval. The project concept has been approved by the District Board, and is being positively viewed by the Veterans Home administration. Veterans Home staff have been having difficulty figuring out what approval process is needed, because of ongoing discussions at the state level about the appropriate roles and future programs for the Veterans Home. District and Veterans Home staff have discussed possible short-terms steps that can be taken to get the project moving. Key management staff at the Veterans Home retired in November 2011, so progress is delayed pending the filling of their vacant positions.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>River to Ridge Trail</p> <p>Lot line adjustment to legalize River to Ridge Trail as constructed (it currently encroaches on private property in two locations)</p>                                     | <p>Deeds accomplishing the adjustment in property boundaries between Syar and the State have been recorded. If the County ends up not being able to purchase Skyline Park, including the area with the River to Ridge Trail, then the County and the state will need to record a new trail alignment easement description.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>Skyline Park Protection</p> <p>Purchase of Skyline Park from the State</p>                                                                                                                             | <p>Three past legislative efforts to authorize sale to the County failed due to unrelated disagreements between the state legislature and administration. Separately, the County in September 2009 approved a new park overlay zone and an updated Master Plan for Skyline Park. A fourth legislative effort by Assemblymember Evans in 2010, sponsored by Napa County and supported by the District, was approved by the legislature and signed by the Governor. The County and state General Services have agreed on an appraisal process for determining the fair market value purchase price. Initially the State insisted that it take the lead in hiring the appraiser, but has now decided that the County must hire the appraiser. The County is now in the process of doing this.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>Spanish Valley, Crystal Flats and Stone Corral</p> <p>Planning for 3,400 acres of open space donated by Bob and Evalyn Trincherio</p>                                                                  | <p>Staff met with key community leaders from Lake Berryessa Estates on February 6 and March 6, 2011. A public session was held April 21st at the Pope Valley Farm Center. <u>The District has negotiated an easement across the District's Stone Corral property to resolve one of the clouds on the title to this land; this easement is scheduled for approval by the Board at its October meeting.</u> The next step is for the District to develop proposals for the area and discuss them with the potentially affected parties prior to developing a final proposal for public consideration.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p><u>State Parks</u></p> <p><u>Develop plan to operate Bothe-Napa Valley State Park and keep it and the Bale Grist Mill open</u></p>                                                                     | <p>Proposal submitted to State Parks on August 23, 2011. Met with St. Helena Star Editorial Board. <u>A joint meeting with the County Board of Supervisors was held on September 27, 2011.</u></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>Vallejo Lakes</p> <p>Possible purchase of 1100 acres of surplus Vallejo Water District lands, of which 200 acres are located in Napa County</p>                                                        | <p>Staff-level discussions between the District, the Land Trust of Napa County, the County of Solano and the Solano Land Trust indicate a common desire to work together to purchase this property adjacent to Skyline Park. The City Council of the City of Vallejo has officially authorized staff to pursue surplus of the property. District staff and our partners are continuing to research issues related to the property, including potential public access locations, potential trail alignments, and easements and other encumbrances which affect the property. The State Coastal Conservancy has indicated an interest in assisting with the funding necessary to purchase the property. The City of Vallejo has hired an appraiser to prepare an estimate of the property's fair market value. The surplus process has slowed down due to new discussions between the City and residents of Green Valley over overall water supply arrangements. The District is working with the American Land Conservancy to find funding for the acquisition. District staff met with Solano Land Trust staff on September 7, 2011 to discuss project status and next steps.</p>                                                                                                                                                                                                                                                                                                                                                                        |
| <p>Vine Trail</p> <p>A Class I bicycle/pedestrian path extending from Calistoga to the Vallejo Ferry Terminal sponsored by the Vine Trail Coalition, of which the District is a participating member.</p> | <p>The District has entered into an MOU with the Vine Trail Coalition to provide assistance as requested by the Coalition in receiving funds, preparing plans and environmental documents, constructing and operating the trail. The District, the Bay Area Ridge Trail, the San Francisco Bay Trail and the Vine Trail Coalition have prepared a joint Case Statement for the combined trail network for fundraising purposes. The District on February 5, 2010 submitted an appropriations request for FY 2011 to Senator Feinstein, and a similar request to Congressman Thompson on February 26, 2010 on behalf of the Vine Trail Coalition. The Metropolitan Transportation Commission has included \$211,000 in the Transportation Improvement Plan for FY 10-11 to fund preliminary engineering work on the trail between Yountville and the center of the City of Napa, and the Coalition in September voted to provide the grant's required \$28,000 non-federal match. Another \$183,000 in federal Transportation Enhancements fund is available to construct the section of the trail under the Butler Bridge. NCTPA will act as pass-through for both of these grants, since Caltrans has not been willing to enter into a Master Agreement with the District. Staff is currently working through the paperwork required by Caltrans for this grant. The Vine Trail won a \$2 million-plus grant from the U.S. Dept of Transportation; these funds will be used to start construction of the trail segment between Napa and Yountville.</p> |



## Completed Projects

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| Berryessa Vista Acquisition                                 | Purchase of 224 acres from the Land Trust of Napa County for use as a public park completed in early 2008 using State Prop 12 funds.                                                                                                                                                                                                                                                                                                                                                                                                         |
| Connolly Ranch                                              | Construction of patio, restrooms and cooking facilities completed in 2008 using State Prop 12 funds.                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Oat Hill Mine Trail                                         | The Oat Hill Mine Trail was formally opened in May Of 2008, after a major volunteer work party doing signage installation, brush removal and erosion control.                                                                                                                                                                                                                                                                                                                                                                                |
| Linda Falls                                                 | Conservation easement accepted in spring 2008 from Land Trust of Napa County to provide additional protection for this 39 acre property, which is owned by the land trust                                                                                                                                                                                                                                                                                                                                                                    |
| Master Plan Development                                     | The Master Plan for 2008-2013 was approved in January 2009                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Milliken Reservoir Trails and Picnic Area Feasibility Study | The feasibility study has been completed, and accepted by the Board of Directors. The Napa City Council in November, 2009 approved city staff recommendation to hold off on the Milliken Reservoir trails project until the Hennessey trail project is up and running.                                                                                                                                                                                                                                                                       |
|                                                             | Would construct approximately 3 miles of Bay Area Ridge Trail plus additional feeder and loop trails, along with a staging and picnic area                                                                                                                                                                                                                                                                                                                                                                                                   |
| Moore Creek Open Space Park                                 | Acquisition of 673 acres in the Moore Creek Watershed completed in December 2008. Trail reroute to remove two stream crossings mostly completed in May 2009. New heater installed in gatehouse in April 2009.                                                                                                                                                                                                                                                                                                                                |
| Napa River Ecological Reserve Improvements                  | Parking area paved, and rock barrier installed to control vehicular access in 2007. Trash enclosure constructed and entry signs restored by volunteers in 2008. Deteriorated kiosk removed in 2008. The District in July 2008 assumed the County's role in managing the preserve under the joint management agreement with DFG. A new maintenance contract with the non-profit organization Options 3 was started in January 2009. The old deteriorated information kiosk, which had become a serious eyesore, was removed in November 2008. |
| Napa River Flood Control Easement                           | Conservation easement accepted by District in 2007 to facilitate Flood District project and grant funding                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Newell Preserve Improvements                                | As part of the arrangement with the land trust on the District's purchase of Berryessa Vista, the land trust was willing to use some of the proceeds from the transaction to fund a well pump and distribution system at the Preserve. However, the first well drilled by the City of American Canyon came up dry. The City has dropped plans for digging any more test wells.                                                                                                                                                               |
|                                                             | Provide on-site water supply for group campground for cattle                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| River to Ridge Trail Enhancements                           | Installation of animal silhouettes along the entryway fence illustrating the types of birds and mammals that can be found in the area completed by Eagle Scout candidate in 2008. In November 2008 five Valley Oak trees were planted at the Highway 221 entrance to the trail with the assistance of a volunteer from CNPS.                                                                                                                                                                                                                 |
| River to Ridge Trail Entrance Enhancements                  | A new information kiosk was installed at the entrance in December 2008 as part of a Boy Scout project. Several Live Oak seedlings were donated by CNPS and have been planted at the entrance to improve its appearance.                                                                                                                                                                                                                                                                                                                      |
| Skyline Park Road and Trail Improvements                    | Erosion control work on Lake Marie Road, and paving of campground loop road, completed in 2007 using State Prop 12 funds.                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Skyline Park Concessionaire Agreement Renewal               | District staff negotiated renewal of concessionaire agreement on behalf of the County. The renewal involved changes to the fee schedule and amendments to and approval of subagreements with three non-profit partner organizations.                                                                                                                                                                                                                                                                                                         |
| Skyline Park Trail Improvements                             | Staff worked with SPCA and V-O-CAL to sponsor a weekend work party on October 15-17, 2010. Approximately 110 volunteers worked to reroute and repair trails experiencing serious erosion problems. SPCA is donating \$1,000 toward expenses.                                                                                                                                                                                                                                                                                                 |
|                                                             | Major volunteer event to reroute and repair trails                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Skyline Park Facility Improvements                          | The proposals for a second greenhouse and a covered arena were approved by the Department of General Services and by the County Board of Supervisors. The sponsors of these projects are now raising funds for implementation.                                                                                                                                                                                                                                                                                                               |
|                                                             | Partner-sponsored improvement include a second greenhouse and a covered equestrian arena.                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <u>River to Ridge Trail</u>                                 | Correct drainage problems to trail can be used year-round. Two volunteer work weekends in March and April and two more in May of 2010 were organized by the District to clear brush, improve drainage, and surface about 300 feet of the trail with quarry fines to control problems with mud. <u>Volunteers completed additional work in August 2011.</u>                                                                                                                                                                                   |
| South Napa Wetlands Habitat Area                            | Transfer was approved in concept by the flood control district, and Park District staff prepared the first draft of a transfer agreement. Subsequently, attorney's for the flood district concluded it would be better from their perspective for the flood district to retain ownership of the property, due to their ongoing maintenance obligations.                                                                                                                                                                                      |
|                                                             | Transfer to the District those wetlands owned by the Napa County flood control district between the Napa River, Highway 29 and Newport Drive for use as habitat and nature-based recreation.                                                                                                                                                                                                                                                                                                                                                 |

Trichero Open Space Acquisition

Donation of 3,400 acres of open space to the District by Bob and Evalyn Trinchero

The donation was completed on December 29, 2010. A related granting of an access easement to the Lake Berryessa Resort Improvement District was completed in mid-January 2011.

Wild Lake Ranch

Assist land trust with planning and possible joint management of trails, camping and picnic areas.

The District participated in the development of a strategic plan for the property, together with other public lands in the area, that was led by the Land Trust of Napa County. The land trust has decided, at least for the near term, to manage the Wildlake-Duff property itself.