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JOHN L. COOK
Attorney at Law
531 K Street
Eureka, CA. 95501
Telephone: (707) 443-7331

Attorney for CITY OF EUREKA

DONALD R. MICHAEL
COUNTY CLERK

DEC - 5 1984

By GEULAH WAHLUND
DEPUTY

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF HUMBOLDT

CITY OF EUREKA, a municipal
corporation,

NO: 69966
71031

Plaintiff,

JUDGMENT

vs.

STATE OF CALIFORNIA, et al.

Defendants.

//

CITY OF EUREKA, a municipal
corporation,

Plaintiff,

vs.

HAROLD PRIOR, et al.

Defendants.

//

HUMBOLDT BAY HARBOR, RECREATION
AND CONSERVATION DISTRICT, a
local public entity,

Cross-Complainant,

vs.

CITY OF EUREKA, a municipal corporation;
STATE OF CALIFORNIA; JOSEPH L. BROWNE,
JR., also known as JOSEPH L. BROWN, RUTH
A. BROWN; KEALOHA THOMAS COTTER, DOES I
through XXX, inclusive; and all persons
known or unknown claiming any legal or

1 equitable right, title, estate, lien or
2 interest in the property described in
3 the complaint adverse to Cross-Complainant's
4 title or any cloud upon Cross-Complainant's
5 title thereto,

6 Cross-Defendants. //

7
8 The above entitled action having come on for hearing
9 before the above entitled court this 21st day of November,
10 1984, plaintiff City of Eureka appearing by City Attorney
11 John L. Cook, defendant K.T. Cotter appearing by Warren
12 Jensen, and the defendant State of California, State Lands
13 Commission appearing by Joseph C. Rusconi, there being no
14 other appearance. All parties named as defendants having
15 been duly served as required by law and all unknown
16 persons claiming title in the lands at issue having been
17 given notice as required by law, and the court having
18 considered the evidence and testimony, and the court
19 having made its Findings of Fact and Conclusion of Law,

20 IT IS HEREBY DECREED:

21 1. The City of Eureka, based upon the purchase
22 agreement entered into between the City and K.T. Cotter,
23 is the sole owner of a fee simple absolute estate in the
24 real property located landward of the last natural
25 position of the mean high tide line within that property
26 located in the City of Eureka, Humboldt County,
27 California, a portion of said Parcel is more particularly
28 described in Exhibit A attached hereto and made a part
hereof subject to the effect of a quitclaim deed from
Kealoha Thomas Cotter to the County of Humboldt, dated
February 25, 1976 and recorded September 15, 1981, in Book

1 1653, page 1315, of Official Records of Humboldt County,
2 excluding, however, the property described in Exhibit B
3 hereto and made a part hereof.

4 2. The City of Eureka, by virtue of the grant from
5 the State of California located at Chapter 225 of the
6 Statutes of 1945, is the owner, subject to the public
7 trust for commerce, navigation and fisheries, subject to
8 the statutory trusts imposed by Chapter 225 of the Statute
9 of 1945 as amended, and subject to the reversionary and
10 supervisory rights of the grantor State of California,
11 of that portion of the property that is located waterward
12 of the last natural position of the mean high tide line
13 within that property located in the City of Eureka,
14 Humboldt County, California, as said Parcel is more
15 particularly described in Exhibit B attached hereto and
16 made a part hereof.

17 3. The State of California, State Lands Commission,
18 is the owner, by virtue of its being grantor pursuant to
19 Chapter 225 of the Statutes of 1945, of reversionary
20 interests in that portion of the property that is located
21 waterward of the last natural position of the mean high
22 tide line within that property located in the City of
23 Eureka, Humboldt County, California, as said Parcel is
24 more particularly described in Exhibit B attached hereto
25 and made a part hereof.

26 4. All of Exhibits A and B hereto are physically
27 within the City of Eureka and no lands granted to the
28 Humboldt Bay Harbor Recreation and Conservation District

1 pursuant to Chapter 1283 of the Statute of 1970, as
2 amended, are involved in either Exhibit A or B.

3 5. Except as provided above, defendants, both those
4 named and unnamed, own no right, title, estate, lien, or
5 interest in the property described in Exhibits A or B.

6 6. All of Parcels A and B are within the City of
7 Eureka.

8 DATED: 12-4-84

9
10 WILLIAM F. FERROGGIARO, JR.

11 JUDGE OF THE SUPERIOR COURT
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Description

That parcel of land situated in the County of Humboldt, State of California and located in the Southeast One-Quarter of Section 32 and the Southwest One-Quarter of Section 33, Township 5 North, Range 1 West and the East One-Half of Section 5 and the West One-Half of Section 4, Township 4 North, Range 1 West, Humboldt Meridian and more particularly described as follows:

EXHIBIT A Parcel "A"

BEGINNING at the intersection of the South line of Twelfth Street, as shown on the map of the Roberts Addition to the town of Bucksport with the West line of the Bucksport and Elk River Railroad, as shown in Book 40 of Surveys, Page 73, Humboldt County Records;

THENCE North 73 degrees 26 minutes 16 seconds West along the South line of Twelfth Street, 190 feet to the east bank of Elk River being the present line of Mean High Tide;

THENCE Southerly along said line of Mean High Tide 3600 feet, more or less, to its intersection with the westerly extension of an existing fence line, which is the South line of that parcel shown in Book 40 of Surveys, Page 150, H.C.R. and noted thereon as the best evidence of the South line of the Northwest One-Quarter of Section 4;

THENCE leaving said line of Mean High Tide, South 87 degrees 52 minutes 16 seconds East along the westerly projection of said existing fence line to the West line of the former Northwestern Pacific Railroad 66 Foot Right-of-Way;

THENCE North 1 degree 48 minutes 49 seconds East along said line 1100 feet, more or less, to the intersection with the West line of the old Bucksport and Elk River Railroad;

THENCE Northerly along said West line 2100 feet, more or less, to the intersection with the South line of Twelfth Street previously described.

EXHIBIT B Parcel "B"

COMMENCING at the intersection of the South line of Twelfth Street, as shown on the map of the Roberts Addition to the town of Bucksport with the West line of the Bucksport and Elk River Railroad, as shown in Book 40 of Surveys, Page 73, Humboldt County Records;

THENCE North 73 degrees 26 minutes 16 seconds West along the South line of Twelfth Street, 190 feet to the east bank of Elk River being the present line of Mean High Tide and the Point of Beginning;

THENCE Southerly along said line of Mean High Tide 230 feet, more or less, to its intersection with the shoreline of Humboldt Bay in its last natural position;

THENCE following said shoreline Southeasterly, Southerly, Westerly, Northerly, and Southwesterly 3000 feet, more or less, to the intersection with the centerline of Elk River, as it presently exists;

THENCE Northerly along the centerline of Elk River 1800 feet, more or less to its intersection with the westerly projection of the southerly line of Twelfth Street, as previously described;

THENCE South 73 degrees 26 minutes 16 seconds East along said line 310 feet, more or less to the Point of Beginning.

1 JOHN L. COOK
City Attorney
2 531 K Street
Eureka, CA 95501
3 Telephone: (707) 443-7331
4 Attorney for City of Eureka
5
6
7

DONALD R. MICHAEL
COUNTY CLERK
DEC - 5 1984
By BEULAH WAHLUND
DEPUTY

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF HUMBOLDT

10
11 CITY OF EUREKA, a municipal
corporation,)
12
13 Plaintiff,)

14 v.)

15 STATE OF CALIFORNIA, et al.,)
16 Defendants.)

NO. 69966
71031

STIPULATED FINDINGS OF FACT
AND CONCLUSIONS OF LAW FOR
ENTRY OF JUDGMENT

17 CITY OF EUREKA, a municipal
corporation,)
18
19 Plaintiff,)

20 v.)

21 HAROLD PRIOR, et al.,)
22 Defendants,)

23 HUMBOLDT BAY HARBOR, CREATION
AND CONSERVATION DISTRICT, a
24 local public entity,)
25
26 Cross-Complainant,)

27 v.)

27 CITY OF EUREKA, a municipal
corporation, STATE OF CALIFORNIA)

1 JOSEPH L. BROWNE, JR., also known
2 as JOSEPH L. BROWN, RUTH A.
3 BROWN; KEALOHA THOMAS COTTER,
4 DOES I through XXX, inclusive;
5 and all persons known or unknown
6 claiming any legal or equitable
7 right, title, estate, lien or
8 interest in the property described
9 in the complaint adverse to Cross-
10 Complainant's title or any cloud
11 upon Cross-Complainant's title
12 thereto,

13 Cross-Defendants. //

14 The City of Eureka has filed a complaint in eminent
15 domain to acquire certain property for construction of its
16 Wastewater Treatment Plant. As to Parcel C as described
17 in that complaint, named defendants (included defendants
18 K.T. Cotter, Chevron USA, successor in interest to
19 Standard Oil of California, Albert C. Hartman, Jr., and
20 June Gertrude Hartman, Federal Land Bank of Berkeley,
21 Joseph Brown, State of California and State Lands
22 Commission) were served with summons and complaint and
23 filed answers. Defendants named "all persons known and
24 unknown" were served through publication and posting
25 of notices. Only defendnts K.T. Cotter and State of
26 California, State Lands Commission, Humboldt Bay Harbor
27 Recreation and Conservation District, and Federal Land
28 Bank of Berkeley have filed answers asserting an interest
in Parcel C.

In support of the proposed judgment to be entered in
this case, the parties have stipulated to certain facts
and conclusions of law.

If any of the following findings of fact would more

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appropriately be a statement of law or any statement of law more appropriately be a finding of fact, such an interpretation is entirely consistent with the purposes of this stipulation.

On November 21, 1984, a hearing was held for the purpose of entry of judgment Quieting Title to a portion of Parcel C, described in Exhibits A & B attached hereto. Such hearing was held on that day in open court at which time the court considered the statement of counsel and the stipulated facts. At such time no objection was made to either the stipulated findings of fact and conclusions of law or to the proposed judgment.

The court, having considered all of the foregoing, finds the stipulated facts to reflect a fair and accurate representation of the available evidence. The court further renders its own conclusions of law based upon such stipulated facts and its opinion of the applicable law.

STIPULATION OF FACT

The following facts, for the purpose of quieting title to a portion of Parcel C as such is described in Exhibits A and B, attached hereto are stipulated to by the City of Eureka, State of California, State Lands Commission and K.T. Cotter.

1. The real property described in Exhibit A is presently composed of uplands located above the line of mean high tide.

2. A portion of Parcel C was on September 9, 1850, below the line of mean high tide and became vested on that

1 date as the sovereign land of the State of California
2 subject to the common law public trust for commerce,
3 navigation and fisheries.

4 3. A portion of Parcel C consists of accretions
5 which have been added to the historic shoreline.

6 4. Defendant Cotter is the owner in fee simple
7 absolute of that property described in Exhibit A located
8 landward of the last natural position of the mean high
9 tide line based on adverse possession.

10 5. Defendant Cotter claims title to that portion of
11 Parcel C located waterward of the last natural position of
12 the mean high tide line based upon possession and payment
13 of taxes for in excess of 70 years and upon the argument
14 that the accretions were naturally caused and thus belong
15 to the upland owner.

16 6. Plaintiff City of Eureka, pursuant to its grant
17 from defendant State of California located at Chapter 225
18 of the Statutes of 1945, and defendant State of
19 California, State Lands Commission, pursuant to its
20 reversionary and supervisory interests under the above
21 grant claim title to the accretions to Parcel C based upon
22 the arguments that those accretions were artificially
23 caused and thus belong to the sovereign owner of former
24 tide and submerged lands.

25 7. A bona fide title dispute thus exists between
26 the City of Eureka, State of California, and defendant
27 Cotter, the resolution of which would require great
28 expenditures of both court time and money by all parties

1 should trial be necessary.

2 8. Since the purpose of the City of Eureka in this
3 action is to acquire all of Parcel C, a purchase agreement
4 has been entered into whereby for the sum of \$58,500 (plus
5 interest at 10% from November 1, 1983), the City of Eureka
6 will acquire all of defendant Cotter's title to Parcel C,
7 whatever it may be.

8 9. The State of California, State Lands Commission,
9 approved the purchase by the City of Eureka of Parcel C
10 for \$58,500 at its meeting of October 25, 1984.

11 10. All defendants named as "all persons known and
12 unknown" have been given valid notice through publication
13 and posting.

14 11. All of Exhibits A and B hereto are physically
15 within the City of Eureka and no lands granted to the
16 Humboldt Bay Harbor Recreation and Conservation District
17 pursuant to Chapter 1283 of the Statute of 1970, as
18 amended, are involved in either Exhibit A or B.

19 STIPULATIONS OF LAW

20 1. There existed a bona fide title dispute between
21 the City of Eureka - State of California and K.T. Cotter
22 as to the ownership of Parcel C. However, since the City
23 of Eureka has agreed to purchase all interest of K.T.
24 Cotter in Parcel C, said dispute has now been resolved.

25 2. The purchase of Parcel C by the City of Eureka has
26 no effect on any other lands at issue in this action and
27 by the purchase neither side is barred from pressing any
28 of its arguments as to the ownership of any other land in

1 Humboldt Bay.

2 3. Any factual representations made in the
3 Stipulated Facts and Conclusions of Law apply only to
4 Parcel C and neither party shall be barred from any
5 factual assertion as to any other lands in Humboldt Bay.

6 4. As to Parcel C, all known parties have been
7 served as provided by law and all unknown claimants have
8 been given notice as provided by law.

9 5. The City of Eureka, based upon the purchase
10 agreement entered into between the City and K.T. Cotter is
11 the sole owner of a fee simple absolute estate in the real
12 property located landward of the last natural position of
13 the mean high tide line within that property located in
14 the City of Eureka, Humboldt County, California, described
15 in Exhibit A attached hereto, excluding, however, Exhibit
16 B hereto, subject to the effect of a quit claim deed from
17 Kealoha Thomas Cotter to the County of Humboldt, dated
18 February 25, 1976, and recorded September 15, 1981, in
19 Book 1653, page 1315, of Official Records of Humboldt
20 County.

21 6. The City of Eureka by virtue of the grant from
22 the State of California located at Chapter 225 of the
23 Statutes of 1945, is the owner, subject to the public
24 trust for commerce, navigation and fisheries, subject to
25 the statutory trusts imposed by Chapter 225 of the Statute
26 of 1945, as amended, and subject to the reversionary and
27 supervisory rights of the grantor State of California,
28 of that portion of the property that is located waterward

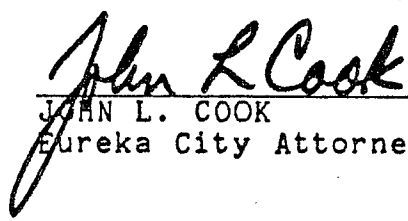
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of the last natural position of the mean high tide line within that property located in the City of Eureka, Humboldt County, California, as said Parcel is more particularly described in Exhibit B attached hereto and made a part hereof.

7. The State of California, State Lands Commission, is the owner by virtue of its being grantor pursuant to Chapter 225 of the Statutes of 1945, of reversionary and supervisory interests in that portion of the property that is located waterward of the last natural position of the mean high tide line within that property located in the City of Eureka, Humboldt County, California, as said Parcel is more particularly described in Exhibit B to the Judgment in this action.

8. Except as provided above, defendants, both those named and unnamed, own no right, title, estate, lien or interest in the property described in Exhibits A and B hereto.

DATED: November 21, 1984


JOHN L. COOK
Eureka City Attorney

DATED: November 30, 1984

JOHN K. VAN DE KAMP,
Attorney General of the
State of California
N. GREGORY TAYLOR
Assistant Attorney
General
DENNIS EAGAN
JOSEPH C. RUSCONI
Deputy Attorneys
General

By 
JOSEPH C. RUSCONI
Attorney for State of

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California State Lands
Commission

DATED: Nov. 21, 1984

Warren Jensen
WARREN JENSEN
Attorney for K.T. Cotter

DATED: _____

WILLIAM F. FERROGGIARO, JR.
JUDGE OF THE SUPERIOR
COURT, County of Humboldt

Description

That parcel of land situated in the County of Humboldt, State of California and located in the Southeast One-Quarter of Section 32 and the Southwest One-Quarter of Section 33, Township 5 North, Range 1 West and the East One-Half of Section 5 and the West One-Half of Section 4, Township 4 North, Range 1 West, Humboldt Meridian and more particularly described as follows:

EXHIBIT A
Parcel "A"

BEGINNING at the intersection of the South line of Twelfth Street, as shown on the map of the Roberts Addition to the town of Bucksport with the West line of the Bucksport and Elk River Railroad, as shown in Book 40 of Surveys, Page 73, Humboldt County Records;

THENCE North 73 degrees 26 minutes 16 seconds West along the South line of Twelfth Street, 190 feet to the east bank of Elk River being the present line of Mean High Tide;

THENCE Southerly along said line of Mean High Tide 3600 feet, more or less, to its intersection with the westerly extension of an existing fence line, which is the South line of that parcel shown in Book 40 of Surveys, Page 150, H.C.R. and noted thereon as the best evidence of the South line of the Northwest One-Quarter of Section 4;

THENCE leaving said line of Mean High Tide, South 87 degrees 52 minutes 16 seconds East along the westerly projection of said existing fence line to the West line of the former Northwestern Pacific Railroad 66 Foot Right-of-Way;

THENCE North 1 degree 48 minutes 49 seconds East along said line 1100 feet, more or less, to the intersection with the West line of the old Bucksport and Elk River Railroad;

THENCE Northerly along said West line 2100 feet, more or less, to the intersection with the South line of Twelfth Street previously described.

EXHIBIT B
Parcel "B"

COMMENCING at the intersection of the South line of Twelfth Street, as shown on the map of the Roberts Addition to the town of Bucksport with the West line of the Bucksport and Elk River Railroad, as shown in Book 40 of Surveys, Page 73, Humboldt County Records;

THENCE North 73 degrees 26 minutes 16 seconds West along the South line of Twelfth Street, 190 feet to the east bank of Elk River being the present line of Mean High Tide and the Point of Beginning;

THENCE Southerly along said line of Mean High Tide 230 feet, more or less, to its intersection with the shoreline of Humboldt Bay in its last natural position;

THENCE following said shoreline Southeasterly, Southerly, Westerly, Northerly, and Southwesterly 3000 feet, more or less, to the intersection with the centerline of Elk River, as it presently exists;

THENCE Northerly along the centerline of Elk River 1800 feet, more or less to its intersection with the westerly projection of the southerly line of Twelfth Street, as previously described;

THENCE South 73 degrees 26 minutes 16 seconds East along said line 310 feet, more or less to the Point of Beginning.

1 JOHN L. COOK
2 City Attorney
3 531 K Street
4 Eureka, CA. 95501
5 Telephone: (707) 443-7331

6 Attorney for CITY OF EUREKA

DONALD R. MICHAEL
COUNTY CLERK
DEC - 5 1984
CEULAH WAHLUND
DEPUTY

7
8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 IN AND FOR THE COUNTY OF HUMBOLDT

10 CITY OF EUREKA, a municipal
11 corporation,

NO: 69966
71031

12 Plaintiff,

BIFURCATION ORDER

13 vs.

14 STATE OF CALIFORNIA, et al.,

15 Defendants.

16 CITY OF EUREKA, a municipal
17 corporation,

18 Plaintiff,

19 vs.

20 HAROLD PRIOR, et al.,

21 Defendants.

22 HUMBOLDT BAY HARBOR, RECREATION
23 AND CONSERVATION DISTRICT, a
local public entity,

24 Cross-Complainant,

25 vs.

26 CITY OF EUREKA, a municipal
27 corporation; STATE OF CALIFORNIA;
28 JOSEPH L. BROWNE, JR., also known
as JOSEPH L. BROWN, RUTH A.
BROWN; KEALOHA THOMAS COTTER,
DOES I through XXX, inclusive;

1 and all persons known or unknown
2 claiming any legal or equitable
3 right, title, estate, lien or
4 interest in the property described
5 in the complaint adverse to Cross-
6 Complainant's title or any cloud
7 upon Cross-Complainant's title
8 thereto,

9 Cross-Defendants. //

10 This case having been heard on November 21, 1984 as
11 to a portion of the Sowash Claim (Parcel C) and their
12 being unresolved issues as to the remaining parcels,

13 IT IS HEREBY ORDERED that all remaining issues are
14 bifurcated into two phases.

15 1. Issues relating to Parcel F as described in
16 Exhibit A to the second amndment to complaint in eminent
17 domain filed herein on May 2, 1983.

18 2. All other issues.

19 Each phase may proceed independently of the other.

20 DATED: 12-4-84

21 WILLIAM F. FERNANDEZ, JR.
22 JUDGE OF THE SUPERIOR COURT
23
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27
28

DONALD R. MICHAEL
COUNTY CLERK

APR - 3 1984

RECORDED
By *Melissa [Signature]*
DEPUTY *a*

1 JOHN L. COOK
2 City Attorney
3 531 K Street
4 Eureka, CA. 95501
5 Telephone: (707) 443-7331
6
7
8 Attorney for Plaintiff CITY OF EUREKA
9

10 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
11
12 IN AND FOR THE COUNTY OF HUMBOLDT
13

14 CITY OF EUREKA, a municipal
15 corporation, NO: 69966 ✓
16 Plaintiff, NO: 71031
17 vs. DISCLAIMER AS TO PARCELS
18 STATE OF CALIFORNIA, et al., G, H & M
19 Defendants.
20 _____ //

21 CITY OF EUREKA, a municipal
22 corporation,
23 Plaintiff,
24 vs.
25 HAROLD D. PRIOR, et al.,
26 Defendants.
27 _____ //
28 Defendant Kealoha Thomas Cotter aka K.T. Cotter

29 defendant in the above-entitled action does hereby disclaim any
30 right, title estate and interest in and to that real property
31 described as parcels G, H & M in plaintiffs complaint
32 including the amendment thereto and waives any right to share in
33 the final distribution of the award in condemnation.

34 DATED: March 30, 1984

EXHIBIT NO. c

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Kealoha Thomas Cotter
KEALOHA THOMAS COTTER

The within instrument is a full, true and correct copy of the original on file in this office.
ATTEST: DEC - 6 1984
DONALD R. MICHAEL
County Clerk and ex-officio Clerk of the Superior Court of the State of California, in and for the County of Humboldt
Donald R. Michael
Deputy Clerk

23477

RECORDING REQUESTED BY

RECORDED AT REQUEST OF
Western Title Insurance Co
VOL 1755 OFFICIAL RECORDS PG 654

1/28 ORIGINAL GIVEN
TO CITY CLERK

AND WHEN RECORDED MAIL TO

DEC 20 10 19 AM '84

NAME CITY OF EUREKA
City Attorney
ADDRESS 531 K Street
CITY & STATE Eureka, CA. 95501

HUMBOLDT COUNTY RECORDS
TRACE MAIL ROOM, RECORDER

B. J. ...
DEPUTY FEE \$

Title Order No. _____ Escrow No. _____

SPACE ABOVE THIS LINE FOR RECORDER'S USE

MAIL TAX STATEMENTS TO
NAME
ADDRESS
CITY & STATE

Documentary transfer tax \$ *1,500.00*
 Computed on full value of property conveyed, or
 Computed on full value less liens and encumbrances
remaining thereon at time of sale.

M. J. ... Western Title Insurance Co.
Signature of declarant or agent determining tax—firm name

Individual Grant Deed

WESTERN TITLE FORM NO. 104

FOR VALUE RECEIVED, KEALOHA THOMAS COTTER also known as K.T. COTTER

GRANT to THE CITY OF EUREKA, a municipal corporation

all that real property situate in the

County of Humboldt

, State of California, described as follows:

(SEE EXHIBIT "A" ATTACHED HERETO)

Dated March 30 1984

Kealoha Thomas Cotter
KEALOHA THOMAS COTTER

STATE OF CALIFORNIA }
County of Humboldt } ss.

On March 30 1984, before me, the undersigned,
a Notary Public, in and for said State, personally appeared
Kealoha Thomas Cotter
known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that
he executed the same.

Meredith Heindle
Notary Public

FOR NOTARY SEAL OR STAMP

MEREDITH HEINLE
NOTARY PUBLIC
HUMBOLDT COUNTY, CALIFORNIA
My commission expires Dec. 21, 1987

PARCEL 'C'
DESCRIPTION

That real property situated in the City of Eureka, County of Humboldt, State of California, described as follows:

The description of the "Sowash Claim" as surveyed in 1909 by G.W. Conners and survey recorded in Book 5 of Surveys, page 40 in the County Recorder's Office is following in most instruments since, and is as follows:

BEGINNING at a point 74.46 chains West of the Northeast corner of Section 4, Township 4 North, Range 1 West, Humboldt Meridian;
RUNNING THENCE South 16 degrees 12 minutes East, 16.92 chains;
THENCE South 19.56 chains;
THENCE South 11 degrees East, 4.28 chains;
THENCE North 89 degrees 40 minutes West, 9.61 chains;
THENCE North 4 degrees 30 minutes West, 7.40 chains;
THENCE North 15 degrees 50 minutes West, 14.00 chains;
THENCE North 7 degrees 05 minutes West, 6.00 chains;
THENCE North 15 degrees 55 minutes West, 19.70 chains;
THENCE North 6 degrees 55 minutes East, 3.00 chains;
THENCE North 47 degrees East, 12.25 chains;
THENCE North 31 degrees East, 6.00 chains;
THENCE East, 1.64 chains;
THENCE South 8 degrees 20 minutes West, 10.70 chains;
THENCE South 5 degrees 25 minutes East, 7.00 chains;
THENCE South 17 degrees 10 minutes East, 4.92 chains, to the place of beginning.

EXCEPTING THEREFROM that portion thereof described as follows:

BEGINNING at a point located 1422.2 feet South and 583.5 feet West from the concrete monument set by surveyor, H.H. Hannah, in the intersection of Seventh and B Streets of Roberts Addition to Bucksport, position of which is shown on survey filed in the Recorder's Office of Humboldt County in Book 11 of Surveys, page 19;

AND RUNNING THENCE South 4 degrees 15 minutes West, 25 feet;

THENCE North 85 degrees 45 minutes West 25 feet to the line of ordinary high tide on the East shore of Humboldt Bay;

THENCE Northerly along said line of high tide, 25 feet, to a point that bears North 85 degrees 45 minutes West from the point of beginning;

AND THENCE South 85 degrees 45 minutes East 25 feet to the Point of Beginning.

PARCEL "C"
(Cont.)

ALSO EXCEPTING THEREFROM that portion thereof if any that lies North of the South line of that parcel of land first described in the Deed to Pacific Telephone and Telegraph Company recorded October 3, 1941 in Book 252 of Deeds page 149 H.C.R.

ALSO EXCEPTING THEREFROM that portion thereof if any that lies East of the West line of the Greater Eureka Waste Water Treatment Plant 40 Foot Access Road Right-of-Way as shown in Book 40 of Surveys page 73.

Said tract of land to be subject to that right-of-way conveyed to Eel River and Eureka Railroad Company by Joseph Russ by deed dated April 20, 1885, recorded May 2, 1885 in Book 16 of Deeds, page 517, Official Records of Humboldt County and by S.F. Pine by deed dated January 17, 1884, recorded January 19, 1884, in Book 11 of Deeds, page 660, Official Records of Humboldt County.

And also subject to the effect of a quitclaim deed from Kealoha Thomas Cotter to the County of Humboldt, dated February 25, 1976 and recorded September 15, 1981 in Book 1653, page 1315, of Official Records, Humboldt County.

ATTACHMENT

Parcel C

(The following statement should be recorded as a condition of the grant deed for property acquired with State and Federal Grant monies.)

CONDITION FOR PROTECTION OF STATE AND FEDERAL INTEREST IN REAL PROPERTY ACQUIRED WHOLLY OR IN PART WITH STATE AND FEDERAL GRANT MONIES.

WHEREAS the City of Eureka is indebted to the Environmental Protection Agency, a Federal governmental agency, 215 Fremont Street, San Francisco, California (hereinafter known as "EPA") and the California State Water Resources Control Board, a State governmental agency, 1416 Ninth Street, Sacramento, California (hereinafter known as "SWRCB") as a result of EPA's and SWRCB's agreement to reimburse the City of Eureka through the Clean Water Grant Program, \$71,750.00 used to pay part of the purchase of property hereinafter described:

WHEREAS, Title 40, Section 30.810-4 CFR requires the City of Eureka to adequately reflect and protect EPA's interest in the property in compliance with all recordation or registration requirements of the laws of the State of California.

WHEREAS, Article 16, Section 6 of the California Constitution prohibits the State from making any gift of public money or thing of value to any individual, municipal or other corporation. Therefore, the SWRCB requires the City of Eureka to adequately

reflect and protect that interest in compliance with all recordation or registration requirements of the laws of the State of California.

NOW, THEREFORE, the City of Eureka grants to EPA and SWRCB security interest in the property hereinafter described "Collateral". The Collateral is security for performance of City of Eureka's obligation under the Grant Agreement Amendment (062772110) between EPA and SWRCB and City of Eureka awarded September 24, 1982.

The City of Eureka warrants, covenants and agrees with EPA and SWRCB that:

1. WARRANTIES - (A) statements contained in the City of Eureka's Grant application are true and correct; (B) Proceeds from the Grant were used for the purpose agreed upon; (C) City of Eureka is the owner of the Collateral free and clear of any lien, encumbrance or security interest; and (D) City of Eureka will defend the Collateral against any claim or demand adverse to EPA's and SWRCB's interest.

2. INSPECTION - EPA and SWRCB shall have the right to inspect the Collateral at any time.

3. USE OF PROPERTY IN OTHER PROJECTS - The City of Eureka shall obtain approval from EPA and SWRCB for the use of the Collateral in other projects when the City of Eureka determines that the property is no longer needed for the original grant purpose. To the extent of EPA's interest, use in other projects

shall be limited to those under other Federal Government Grant programs or programs that have purposes consistent with those authorized for support by EPA.

4. REAL PROPERTY NO LONGER NEEDED FOR GRANT PURPOSES - When the real property is no longer needed for the grant purposes or for other projects, City of Eureka shall request disposition instructions from EPA and SWRCB.

5. DISPOSITION INSTRUCTIONS - The EPA and SWRCB shall observe the following rules in disposition instructions for the real property hereinafter described:

(1) In the case of the real property purchased in part with EPA and SWRCB funds, City of Eureka at the direction of EPA's and SWRCB's Project Officers, may:

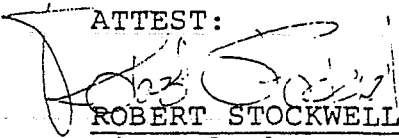
(i) Retain title with Federal and State restrictions removed if it compensates the Federal Government and the State Government an amount computed by applying the Federal and State percentage of participation in the net cost of the project to the current fair market value of the property, or

(ii) Sell the property under guidelines provided by EPA and SWRCB and pay the Federal Government and State Government an amount computed by applying the Federal and State percentage of participation in the net cost of the project to the proceeds from sale (after deducting actual and reasonable selling and fix-up expenses, if any, from the sales proceeds), or

(iii) Transfer title of the property to the Federal Government and State Government with their consent provided that in such cases the City of Eureka shall be entitled to compensation computed by applying the City of Eureka's percentage of participation in the net cost of the project to the current fair market value of the property.

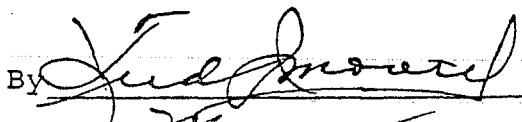
6. As used herein, Collateral is that real property acquired by the City of Eureka by that certain grant deed to which this statement is attached.

ATTEST:


ROBERT STOCKWELL
City Clerk

By _____
Deputy

CITY OF EUREKA

By 
Title Mayor

END OF DOCUMENT

RECORDING REQUESTED
City of Eureka

23478
RECORDED AT _____
Western Title Insurance Co.
VOL. 1755 OFFICIAL RECORDS PG 661

1/3/85 Original given
to City Clerk

MAIL TAX STATEMENTS TO
AND WHEN RECORDED MAIL TO

NAME City Clerk
ADDRESS City of Eureka
531 K Street
CITY & STATE Eureka, CA. 95501

Dec 20 10 19 AM '84

HUMBOLDT COUNTY RECORDS
GRACE DEPUTY
FEE \$

[Handwritten signature]
9.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

DOCUMENTARY TRANSFER TAX \$ _____

Quitclaim Deed

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
KEALOHA THOMAS COTTER

do.es. hereby REMISE, RELEASE, and FOREVER QUITCLAIM to the CITY OF
EUREKA, a municipal corporation

the following described real property in the
county of Humboldt, state of California:

(See Exhibit A attached hereto and incorporated herein by reference)

DOCUMENTARY TRANSFER TAX \$ None
✓ COMPUTED ON FULL VALUE OF PROPERTY CONVEYED.
OR COMPUTED ON FULL VALUE LESS LIENS AND
ENCUMBRANCES REMAINING AT TIME OF SALE.
[Signature] WESTERN TITLE
SIGNATURE OF DECLARANT OR AGENT DETERMINING TAX INSURANCE COMPANY

Dated Nov. 21, 1984

[Signature]
Kealoha Thomas Cotter

STATE OF CALIFORNIA }
COUNTY OF Humboldt } SS.

On Nov 21, 1984 before me, the under-
signed, a Notary Public in and for said County and State, personally
appeared Kealoha Thomas Cotter

_____, known to me
to be the person whose name is subscribed to the within
instrument and acknowledged that he executed the same.

[Signature]
Signature of Notary

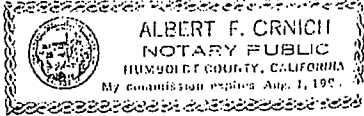
FOR NOTARY SEAL OR STAMP


EXHIBIT A

That real property situated in the City of Eureka, County of Humboldt, State of California, described as follows:

The description of the "Sowash Claim" as surveyed in 1909 by G. W. Conners and survey recorded in Book 5 of Surveys, page 40 in the County Recorder's Office is following in most instruments since, and is as follows:

BEGINNING at a point 74.46 chains West of the Northeast corner of Section 4, Township 4 North, Range 1 West, Humboldt Meridian; running thence South 16 degrees 12 minutes East, 16.92 chains; thence South, 19.56 chains; thence South 11 degrees East, 4.28 chains; thence North 89 degrees 40 minutes West, 9.61 chains; thence North 4 degrees 30 minutes West, 7.40 chains; thence North 15 degrees 50 minutes West, 14.00 chains; thence North 7 degrees 05 minutes West, 6.00 chains; thence North 15 degrees 55 minutes West, 19.70 chains; thence North 6 degrees 55 minutes East, 3.00 chains; thence North 47 degrees East, 12.25 chains; thence North 31 degrees East, 6.00 chains; thence East, 1.64 chains; thence South 8 degrees 20 minutes West, 10.70 chains; thence South 5 degrees 25 minutes East, 7.00 chains; thence South 17 degrees 10 minutes East, 4.92 chains, to the place of beginning.

EXCEPTING THEREFROM that portion thereof described as follows:

BEGINNING at a point located 1422.2 feet South and 583.5 feet West from the concrete monument set by surveyor, H. H. Hannah, in the intersection of Seventh and B Streets of Roberts Addition to Bucksport, position of which is shown on survey filed in the Recorder's Office of Humboldt County in Book 11 of Surveys, page 19;

and running thence South 4 degrees 15 minutes West, 25 feet; thence North 85 degrees 45 minutes West 25 feet to the line of ordinary high tide on the East shore of Humboldt Bay; thence Northerly along said line of high tide, 25 feet, to a point that bears North 85 degrees 45 minutes West from the point of beginning; and thence South 85 degrees 45 minutes East 25 feet to the point of beginning.

RECORDING REQUESTED BY

23479
RECORDED AT REQUEST
Western Title Insurance Co
VOL. 1755 OFFICIAL RECORDS PG 663

1/31/85 ORIGINAL
GIVEN TO CITY CLERK.

Dec 20 10 20 AM '84

HUMBOLDT COUNTY RECORDS
GRACE J. ...

Butterfield DEPUTY
FEE \$ none
15

MAIL TAX STATEMENTS TO
AND WHEN RECORDED MAIL TO

NAME City of Eureka
ADDRESS City Attorney
CITY & STATE 531 K Street
Eureka, CA. 95501

SPACE ABOVE THIS LINE FOR RECORDER'S USE

DOCUMENTARY TRANSFER TAX \$ None COMPUTED ON FULL VALUE OF PROPERTY CONVEYED, X, OR COMPUTED ON FULL VALUE LESS LIENS AND ENCUMBRANCES REMAINING AT TIME OF SALE



Richard Western Title Insurance Co.
SIGNATURE OF DECLARANT OR AGENT DETERMINING TAX. FIRM NAME

Quitclaim Deed

A.P. NO.

ORDER NO. THIS FORM FURNISHED BY HUMBOLDT LAND TITLE COMPANY

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
KEALOHA THOMAS COTTER also known as K.T. COTTER

do hereby REMISE, RELEASE, and FOREVER QUITCLAIM to

THE CITY OF EUREKA, a municipal corporation

the following described real property in the
county of Humboldt, state of California:

(SEE EXHIBIT "A" ATTACHED HERETO)

Dated March 30, 1984

Kealoha Thomas Cotter
KEALOHA THOMAS COTTER

STATE OF CALIFORNIA
COUNTY OF Humboldt } SS.

On March 30, 1984 before me, the under-
signed, a Notary Public in and for said County and State, personally
appeared Kealoha Thomas Cotter

known to me
to be the person whose name is subscribed to the within
instrument and acknowledged that he executed the same.

Meredith Heindle
Signature of Notary

FOR NOTARY SEAL OR STAMP



SCHEDULE "A"

That real property situate in the City of Eureka, County of Humboldt, State of California, described as follows:

That portion of the Southwest Quarter of Section 33, Township 5 North, Range 1 West, Humboldt Base and Meridian, described as follows:

BEGINNING on the South line of said Section 33 where it is intersected by the West line of the right of way of the Northwestern Pacific Railroad, being 33 feet Westerly from the centerline of said railroad, and said point of beginning being approximately 1982 feet Westerly from the Quarter Section corner on the South line of said Section 33;

thence North 2 minutes East along said Westerly line of the railroad right of way 1412.60 feet to the South line of the Tract conveyed by Mary Tomlinson to Whiting G. Press by Deed dated January 14, 1902 and recorded July 21, 1902, in Book 79 of Deeds, Page 354, Humboldt County Records;

thence North 77 degrees West, 344.04 feet along the South line of said Tract conveyed to Press to a point 33 feet Easterly (measured at a right angle) from the centerline of the main line railroad of Bucksport and Elk River Railway Company;

thence South 7 degrees 41 minutes West parallel with and 33 feet distant Easterly from said railroad centerline 552.32 feet to the beginning of a curve to the left, the radius of which is 1529.90 feet;

thence Southerly along said curve to which the last described line is tangent for a distance of 186 feet to the Southerly line of former Twelfth Street of Roberts' Addition to Bucksport (now abandoned), this course being a continuation of the line 33 feet Easterly from the centerline of said railroad;

thence North 75 degrees 12 minutes West, along said Southerly line of former Twelfth Street 19.20 feet to the true point of beginning of the Parcel of land to be described, said true point of beginning being the most Westerly corner of the Tract of land conveyed by Deed from Thomasina Tomlinson and Alice Brantley to John Shea, et ux, dated April 5, 1947 and recorded June 24, 1947, as Recorder's Serial No. 5860, Humboldt County Records;

thence from said true point of beginning South 10 degrees 50 minutes East, along the Westerly line of said Shea Tract of land 781.56 feet to a point on the South line of said Section 33 at the East line of the right of way of said Bucksport and Elk River Railway;

thence South 89 degrees 28 minutes West, along said Section line to a point 4914.36 feet West from the Southeast corner of said Section 33, said point being on the Easterly boundary of what is known as the "Sowash Claim", as surveyed by G. W. Conners in 1909, record of which survey appears in the Recorder's Office of Humboldt County in Book 5 of Surveys, Page 40;

continued ...

EXHIBIT NO. A

Schedule "A"
Page Two
continued ...

thence along the Easterly line of the Sowash Claim, North 17 degrees 10 minutes West, 324.72 feet;

thence North 5 degrees 25 minutes West, 462.00 feet;

thence North 8 degrees 20 minutes East, to the Southerly line of former Twelfth Street of Roberts' Addition to Bucksport (now abandoned);

thence South 75 degrees 12 minutes East along said Southerly line of former Twelfth Street to the true point of beginning.

Reference being made to licensed Survey No. 33 by H. H. Hannah of record in the County Recorder's Office of Humboldt County, California in Book 9 of Surveys, Page 58.

kg/sh

PARCEL "D"

That real property situated in the County of Humboldt, State of California, described as follows:

That tract of land in the Northwest Quarter of Section 4, Township 4 North, Range 1 West, Humboldt Meridian, bounded and described as follows:

Bounded on the North by the North line of said section, on the South by the South line of the Northwest Quarter of said section, on the West by the United States Meander line in said section, and on the East by the following described line:

BEGINNING at a point on the North line of said Section 4 at the intersection therewith of the former West line of the county road (as it was before it was widened and became a state highway) said point being distant 19 chains West of the quarter section post on the North line of said Section 4;

running thence along said West side of the county road as follows:

South 12-1/2 degrees East 19 chains;

thence South 18 degrees East 19.25 chains to the South line of the Northwest Quarter of said Section 4; the above containing 64 acres, more or less, and being the same as fifth parcel conveyed by Z. Russ & Sons Company to Russ Market Company by Deed dated January 2, 1915, and recorded in Book 130 of Deeds, page 41, in the Recorder's Office of Humboldt County, California.

EXCEPTING FROM the above a strip along East boundary for widening highway, containing 1.55 acres, more or less, conveyed to the State of California by Deed dated October 16, 1936 and recorded in said Recorder's Office in Book 230 of Deeds, page 425.

ALSO EXCEPTING a parcel near the Southwest corner, same as conveyed to Felice Bisio, et al, doing business as Eureka Tallow Company, by Deed dated March 26, 1929, in Book 191 of Deeds, page 17, described as follows:

Bounded on the West by the right of way of Northwestern Pacific Railroad Company, and on the East by the right of way of Bucksport and Elk River Railroad Company, and on the South by a line lying 60 feet North of and parallel with the South line of the Northwest Quarter of Section 4, Township 4 North, Range 1 West, Humboldt Meridian.

PARCEL "D"
(Cont.)

ALSO EXCEPTING a parcel of land along the East boundary for highway purposes, conveyed by Ira L. Tooby and Tooby and Prior, Inc., to the State of California by Deed dated March 5, 1956, and recorded in Book 392 of Deeds, page 177, in said Recorder's Office.

ALSO EXCEPTING a parcel at the Southeast corner thereof, which is described as follows:

BEGINNING at a point on the North line of said Section 4 at the intersection therewith of the West line of the strip of land conveyed to the State of California by Deed dated October 16, 1936, and recorded in the Recorder's Office of Humboldt County, California in Book 230 of Deeds, page 425;

thence Southerly following the West line of said strip, the following courses and distances:

Along a curve to the left having a radius of 5450.00 feet, through a central angle of 2 degrees, 27 minutes, 30 seconds a distance of 233.84 feet;

South 9 degrees, 00 minutes, 30 seconds East 491.75 feet to the beginning of a curve to the left, having a radius of 3050.00 feet;

along said curve through a central angle of 6 degrees 56 minutes a distance of 369.08 feet to a point marked by a brass pin in a 6 inch by 6 inch concrete block, further described as being State Highway Station 742+88.81 RC West;

thence South 15 degrees, 56 minutes, 30 seconds East 135 feet to the true point of beginning of the parcel being here excepted;

thence leaving said West line and running South 74 degrees, 03 minutes, 30 seconds West at right angles to said West line, a distance of 120 feet;

thence South 15 degrees, 56 minutes, 30 seconds East along a line parallel with said West line a distance of 283.88 feet;

thence along a curve to the right with a radius of 220.00 feet through a central angle of 74 degrees, 18 minutes, 13 seconds for a distance of 285.31 feet;

thence along a curve to the left with a radius of 220.00 feet through a central angle of 57 degrees, 55 minutes, 35 seconds for a distance of 222.42 feet;

thence South 0 degrees 26 minutes 08 seconds West about 510 feet to the South line of the Northwest Quarter of said Section 4;

thence East along the quarter section line to the West line of Highway 101;

and thence Northerly following the West line of said Highway 101 to the true point of beginning.

PARCEL "D"
(Cont.)

And also excepting therefrom, all that portion thereof which lies westerly of the westerly line of the Northwestern Pacific Railroad right-of-way as conveyed to Eel River and Eureka Railroad Company by Joseph Russ by deed dated April 20, 1885, recorded May 2, 1885 in Deed Book 16, Page 517, Official Records of Humboldt County.

Said tract of land to be subject to that right-of-way conveyed to Eel River and Eureka Railroad Company by Joseph Russ by deed dated April 20, 1885, recorded May 2, 1885 in Deed Book 16, Page 517, Official Records of Humboldt County.

Said tract of land also to be subject to the right-of-way as conveyed to Felice Bisio, et al, by deed recorded in Book 191 of Deeds, page 17, Humboldt County Records.

Said tract of land also to be subject to the affect of a grant of right-of-way for public road made by Felice Bisio and others to the County of Humboldt by deed dated March 9, 1962, recorded March 27, 1962, Book 680, Official Records, Page 94, Humboldt County Records.

Together with an easement for ingress, egress and public utilities over that real property in the County of Humboldt, State of California and located in the West one half (1/2) of Section 4, Township 4 North, Range 1 West, Humboldt Meridian and more particularly described as follows:

COMMENCING at the intersection of the North line of Section 4 with the East line of Northwestern Pacific Railroad as shown in Book 39 of Surveys page 38 H.C.R.

THENCE South 1 degree 48 minutes 49 seconds West along the East line of said Railroad 1538.77 feet to the intersection of the East line of the Northwestern Pacific Railroad 66 foot Right-of-Way with the centerline of the Bucksport and Elk River Railroad which is the most northerly corner of that parcel described in Book 191 of Deeds page 17 H.C.R. as shown in Book 40 of Surveys page 150.

THENCE following the centerline of the Bucksport and Elk River Railroad the following courses, South 12 degrees 09 minutes 00 seconds East 211.85 feet.

PARCEL "D"
(Cont.)

THENCE along a tangent curve concave to the Northeast from which the center bears North 77 degrees 51 minutes 00 seconds East with a radius of 1950.00 feet through a central angle of 25 degrees 03 minutes 00 seconds an arc distance of 677.67 feet.

THENCE South 37 degrees 12 minutes 00 seconds East 107.87 feet more or less to a point in line with an existing fence to the West.

THENCE leaving the centerline of said Bucksport and Elk River Railroad South 85 degrees 57 minutes 34 seconds East 259.25 feet to a point in an existing fence (subsequently destroyed by construction) that bears South 1 degree 47 minutes 51 seconds West 500.54 feet from the northerly terminus of that course shown as South 1 degree 47 minutes 51 seconds West 466.03 feet in Book 40 of Surveys page 101 H.C.R. and the Point of Beginning of the easement to be here in described.

THENCE South 87 degrees 27 minutes 27 seconds East 252.26 feet to a point in the West line of the State Freeway Right-of-Way that bears North 87 degrees 27 minutes 27 seconds West 189.65 feet from the northwesterly terminus of that course described as North 36 degrees 11 minutes 29 seconds West 65.20 feet in Parcel Two in the Deed to the State of California recorded May 14, 1956 in Book 392 of Official Records page 177 H.C.R.

THENCE North 2 degrees 51 minutes 45 seconds ^{EAST} along said Freeway Right-of-Way 30.00 feet to an angle point therein.

PARCEL "D"
(Cont.)

THENCE leaving said Freeway Right-of-Way North 87 degrees 27 minutes 27 seconds West 252.81 feet to a point in the East line of that parcel shown in Book 40 of Surveys page 101 H.C.R. that bears North 1 degree 47 minutes 51 seconds East 30.00 feet from the Point of Beginning.

THENCE South 1 degree 47 minutes 51 seconds West 30.00 feet to the Point of Beginning.

The above description is based on the California Coordinate System Zone 1. Grid Distances should be multiplied by 1.0001066 to obtain ground distance. For more detailed information as to the location of the above described boundaries see Book 40 of Surveys page 150, Book 39 of Surveys page 38 and Book 40 of Surveys page 101 H.C.R.

PARCEL "E"

All that real property situated in the County of Humboldt, State of California, described as follows:

That tract of land in the Northwest Quarter of Section 4, Township 4 North, Range 1 West, Humboldt Meridian, bounded and described as follows:

Bounded on the North by the North line of said section, on the West by the United States Meander line in said section, and on the East by the West line of the Northwestern Pacific Railroad right-of-way described in Book 16 of Deeds, Page 517, Humboldt County Records.

PARCEL F

The real property referred to in this Guarantee is situated in the County of Humboldt, State of California, and is described as follows:

PARCEL ONE

That real property in Sections 4 and 5, Township 4 North, Range 1 West, Humboldt Meridian, bounded as follows:

On the East by the West line of the right of way deeded to El River and Eureka Railroad Company (now Northwestern Pacific Railroad Company);

on the West by the low water line of Humboldt Bay;

on the North by the quarter section line running East and West through said Sections 4 and 5; and

on the South by the South line of said Section 5.

EXCEPTING any portion lying within Parcel Two herein described.

PARCEL TWO

That land known as Tide Land Survey No. 95 and bounded and particularly described as follows:

BEGINNING at a point on the margin of Humboldt Bay 13.30 chains South and 20 chains West of the Northeast corner of Section 8, in Township 4 North, of Range 1 West, of Humboldt Meridian;

thence following the meanders of said bay as surveyed by the United States township survey as follows: North 43-1/2 degrees East, 18.30 chains;

thence North 42 degrees East, 4.25 chains;

thence North 12 degrees East, 13.50 chains;

thence North 3 degrees East, 10.50 chains to Elk River;

thence downstream North 68 degrees West, 8 chains to low water mark of Humboldt Bay;

thence following meanders of low water mark South 3 degrees East, 26 chains;

and thence South 33-3/4 degrees West, 21.30 chains to the place of beginning.

Being in Sections 5 and 8, Township 4 North, Range 1 West, Humboldt Meridian.

EXCEPTING FROM Parcels One and Two a strip of land 50 feet wide next South of the South bank of Elk River, which strip was excepted from Deed made by Dolbeer and Carson in 1875, recorded in Book P of Deeds, page 511.

PARCEL "F"
(Cont.)

And also subject to the effect of a grant of an easement by Joseph L. Browne and wife to the County of Humboldt by deed dated May 9, 1979, recorded July 2, 1979, in Book 1576, Official Records, page 589, Humboldt County Records.

PARCEL I

Easements for construction and maintenance of a sewer outfall line within the Southeast Quarter of Section 32, Township 5 North, Range 1 West, and the Northwest Quarter of Section 4, and the Northeast Quarter of Section 5, Township 4 North Range 1 West, as follows:

PARCEL A

A temporary easement for constructing a sewer outfall pipeline that lies 300 feet on each side of the following described center line:

BEGINNING at a monument marking the center line intersection of Seventh and "B" Streets of Roberts Addition to the town of Bucksport as shown in Book 39 of Surveys page 37, Humboldt County Records.

Thence South 9 degrees 59 seconds 18 minutes West 1918.59 feet.

Thence North 77 degrees 56 minutes 57 seconds West 942.27 feet more or less to the intersection with course number 54 as shown on said Record of Survey from which the Southerly terminus of said course bears South 12 degrees 57 minutes 51 seconds East 119.86 feet, said point of intersection being on the high water line along the East side of the Elk River Spit and the true point of beginning.

Thence North 77 degrees 56 minutes 57 seconds West across said spit 947.60 feet to the intersection of course number 25 as shown on said Record of Survey from which the Southerly terminus bears South 0 degrees 20 minutes 00 seconds West 258.54 feet, said point

PARCEL 1
(cont.)

of intersection being on the Westerly high water line of the Elk River Spit.

The side lines of said easement to be shortened or lengthened as necessary to terminate at the high water lines along the East and West sides of Elk River Spit.

Said temporary construction easement shall expire on December 31, 1985.

PARCEL B

A permanent easement for maintaining a sewer outfall pipeline that lies 100 feet on each side of the center line defined in Parcel A above.

The side lines of said permanent easement to be shortened or lengthened as necessary to terminate at the high water lines along the East and West sides of Elk River Spit.

The above described line for Parcels A and B of Parcel Two are based on the California Coordinate System Zone 1. Bearings are grid and should be rotated left 1 degree 26 minutes, plus or minus to obtain true bearings. Distances are grid and should be multiplied by 1.0001066 to obtain ground distances.

PARCEL THREE

An easement for access, construction and maintenance of a sewer outfall pipeline, as follows:

A forty foot wide, floating easement within Parcel Two as shown on that Record of Survey on file in the Recorder's Office of Humboldt County in Book 39 of Surveys page 37, running from the South line of the permanent easement described in Parcel Two, B above, Southerly along the Elk River Spit to the West line of the Northwestern Pacific Railroad Company right of way, to meet said railroad right of way between points 50 feet South and 850 feet South of the South bank of Elk River.

PARCEL J

Parcel One:

That parcel of land situated in the County of Humboldt, State of California and located in the West One-Half of Section 33, Township 5 North, Range 1 West, Humboldt Meridian and more particularly described as follows:

BEGINNING at a found monument in a well shown in Book 11 of Surveys, Page 19, Humboldt County Records as marking the centerline intersection of Fifth Street and "B" Street of Roberts Addition to the Town of Bucksport recorded in Book 1 of Maps, Page 2, Humboldt County Records;

Thence Southerly along the centerline of "B" Street as shown on said Maps South 14 degrees 45 minutes 44 seconds West 447.97 feet to a monument in a well shown on said Record of Survey and commonly accepted as marking the centerline intersection of 7th and "B" Streets of said Roberts Addition;

Thence South 37 degrees 55 minutes 05 seconds West 272.02 feet to the Northeast corner of that parcel of land first described in the Deed to Pacific Telephone and Telegraph Co., recorded October 3, 1941 in Book 252, Page 149, Humboldt County Records and the True Point of Beginning of the parcel to be herein described;

Thence, South 09 degrees 26 minutes 44 seconds West 249.97 feet to the Southeast corner of said parcel;

Thence North 75 degrees 14 minutes 16 seconds West 15.31 feet along the South line of said parcel to its intersection with an existing cyclone fence;

Thence North 10 degrees 45 minutes 59 seconds East 249.50 feet along said fence to the North line of said parcel;

Thence South 75 degrees 14 minutes 16 seconds East 9.54 feet along said North line to the True Point of Beginning.

The above described parcel contains 3,093 square feet, more or less.

The above described easement is based on the California Coordinate System Zone One. Bearings are grid and should be rotated 1 degree 26 minutes ± to the left to obtain true bearings. Distances are grid and should be multiplied by 1.0001066 to obtain ground distances.

PARCEL TWO:

BEGINNING at a point located 1422.2 feet South and 583.5 feet West from the concrete monument set by surveyor H.H. Hannah in the intersection of Seventh and "B" Streets of Roberts' Addition to Bucksport, position of which is shown on survey filed in the Recorder's Office of Humboldt County, in Book 11 of Surveys, page 19;

and running thence South 4 degrees 15 minutes West 25 feet;
thence North 85 degrees 45 minutes West 25 feet to the line of ordinary high tide on the East shore of Humboldt Bay;

thence Northerly along said line of high tide 25 feet to a point that bears North 85 degrees 45 minutes West from the point of beginning;

and thence South 85 degrees 45 minutes East 25 feet to the point of beginning.

EXHIBIT NO. A

PARCEL L

The real property referred to in this Guarantee is situated in the City of Eureka, County of Humboldt, State of California, and is described as follows:

That portion of Lots 3 and 4 in Section 33, Township 5 North, Range 1 West, Humboldt Meridian, described as follows:

BEGINNING at a point which is 219.80 feet South and 159.9 feet West from the concrete monument set by H. H. Hannah at the intersection of Seventh and "B" Streets in Roberts Addition to Bucksport, as said monument is shown on survey for Hilfiker recorded in Book 11, page 19 of Surveys, in the office of the County Recorder of Humboldt County;

and running thence South 7 degrees 41 minutes West parallel with and 33 feet Westerly from and at right angles to center line of Bucksport and Elk River Railroad Company, 250 feet to the true point of beginning, said point being the Southeast corner of parcel of land described in Deed from Thomasina Tomlinson, et al, to Pacific Telephone and Telegraph Company, recorded October 3, 1941, Book 252, page 149 of Deeds, in the office of the County Recorder of said county;

thence continuing South 7 degrees 41 minutes West parallel with center line of said railroad right of way, 503.3 feet, more or less, to beginning of curve to left, the radius of which is 1595.9 feet;

thence along said curve, 177.6 feet to the Southerly line of Twelfth Street of said Roberts Addition to Bucksport;

thence North 75 degrees 12 minutes West along said last-mentioned line, 138.22 feet, more or less, to the U. S. meander line;

thence along said meander line North 549.4 feet and North 12 degrees East, 139.04 feet, more or less, to the Southwest corner of land described in said above-mentioned deed to Pacific Telephone and Telegraph Company;

thence South 77 degrees 4 minutes East along the South line of said property, 172.23 feet, more or less, to the true point of beginning.

EXHIBIT NO. A

END OF DOCUMENT