

### OPTION TO PURCHASE-CASH SALE

For the purchase of the real property described in the Director's Deed 027923-01-01 attached hereto and made a part hereof, COUNTY OF NAPA, hereinafter referred to as PURCHASER, hereby agrees to the terms of this option, and further agrees to pay to the State of California, Department of Transportation, hereafter referred to as STATE, for the purchase of the above-noted real property, the total sum of Forty Thousand dollars (\$40,000.00), as full payment for the purchase of said property.

All payments must be made payable to the order of the Department of Transportation.

#### TERMS OF OPTION:

1. TERM OF SALE: This purchase will be for all cash.
2. It is understood that this offer to purchase vests no right, title, interest or equity in or to said real property until the sale has been approved in the manner provided by law and a Director's Deed has been executed and delivered.
3. All sales are made subject to the approval of the California Transportation Commission. The STATE reserves the right to cancel the sale at any time prior to the recordation of the Director's Deed.
4. The property is sold in an "As Is" condition. Purchaser agrees that, as of the close of escrow, they will be acquiring the property in an "As Is" condition, with all faults and conditions then existing on the property, including any hazardous substances or hazardous waste that may be located on, or around the property, whether known or unknown, and PURCHASER assumes all responsibilities for such faults and conditions.
5. The STATE reserves the right to cancel the sale in part or its entirety any time prior to the approval of the sale by the California Transportation Commission. In the event of cancellation of sale the respective deposits of money shall be refunded without interest.
6. STATE shall convey to the PURCHASER a marketable title to the Property by Director's Deed. The right, title and interest in the Property shall not exceed that vested in the State of California, and the sale is subject to all title exceptions and reservations of record. The PURCHASER may obtain a policy of title insurance at their own expense.
7. The PURCHASER shall pay all recording fees, documentary stamp taxes, or other real estate transaction taxes or fees by whatever name known, including escrow fees or brokers commission, if any, and personal property sales taxes where applicable. It is the understanding of the parties that neither PURCHASER nor the STATE have contacted a real estate broker in connection with this transaction.

8. Should the PURCHASER desire a survey of the property, this may be accomplished by an independent survey at the PURCHASER'S expense. No warranty is made by the STATE relative to the ground locations of property line other than monumented highway right of way lines.
9. The PURCHASER shall be responsible for checking and complying with local building codes and ordinances. This property is sold in an "as is" condition.
10. PURCHASER requests that the property shall be vested as follows:

COUNTY OF NAPA, a political subdivision  
of the State of California

Date: \_\_\_\_\_ Signed: KEITH CALDWELL  
Chairman, Napa County Board of Supervisors

RECOMMENDED FOR APPROVAL:

STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
ROBERT BACHTOLD  
District Branch Chief  
Excess Land Sales

Date: \_\_\_\_\_

APPROVED  
STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
LINDA EMADZADEH  
District Office Chief  
R/W Property Management Services

Date: \_\_\_\_\_

APPROVED AS TO FORM  
Office of County Counsel

By:

Robert C. Mont

Date:

June 28, 2012

RECORDING REQUESTED BY  
State of California

WHEN RECORDED RETURN TO  
Department of Transportation  
P. O. Box 23440  
Oakland, CA 94623-0440

Attention: R/W Excess Lands

Documentary Transfer Tax: \$

Space above this line for Recorder's Use

## DIRECTOR'S DEED

District	County	Route	Post	Number
4	Nap	29	5.5	DD-027923-01-01

The STATE OF CALIFORNIA, acting by and through its Director of Transportation, does hereby grant to

all that real property in the un-incorporated area, County of Napa,  
State of California, described as:

Please see EXHIBIT "A" attached.

MAIL TAX  
STATEMENTS TO:

DOCUMENTARY TRANSFER TAX \$ \_\_\_\_\_  
☒ COMPUTED ON FULL VALUE OF PROPERTY CONVEYED, OR  
☐ COMPUTED ON FULL VALUE LESS LIENS & ENCUMBRANCES  
REMAINING THEREON AT TIME OF SALE.

\_\_\_\_\_  
Signature of declarant or agent determining tax-firm name

☒ County of Napa ☐ Unincorporated

EXHIBIT "A"

All that parcel of land situated in the County of Napa, State of California, being a portion of that real property described in Grant Deed No. 27923 from Rudolph Vogel and Frances A. Vogel, his wife, to the State of California, recorded under Serial number CD 8558, on October 31, 1977, in Volume 1057 at Page 333 Official Records of Napa County, more particularly described as follows:

BEGINNING at the most southerly corner of Segment 1 of Relinquishment Number 40387, recorded November 5, 1981 in Volume 1220 at Page 947, Official Records of Napa County; thence along the southeasterly line of said deed and its northeasterly prolongation, N 47°34'18" E, 75.46 feet; thence S 42°25'42"E, 661.09 feet; thence along a tangent curve to the right, with a radius of 1,206.36 feet through an angle of 20°23'04", an arc length of 429.20 feet to the southwesterly line of said grant deed to the State of California recorded under Serial Number CD8558; thence along last said line the following two courses, from a radial line that bears N 48°07'10"E, along a curve to the left with a radius of 1,958.00 feet, through a central angle of 0°32'52", an arc length of 18.72 feet and N 42°25'42" W, 1,062.57 feet to the POINT OF BEGINNING.

CONTAINING 1.633 acres, more or less.

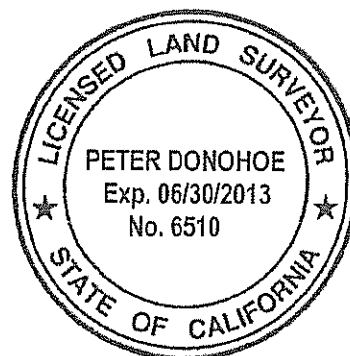
There shall be no abutter's rights of access appurtenant to the above-described real property in and to the adjacent freeway.

The bearings and distances used in the above description are on the California Coordinate System of 1983, Zone 2. Multiply the above distances by 1.0000166 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature: Peter Donohoe  
Licensed Land Surveyor

Date : 6-25-12



Subject to special assessments if any, restrictions, reservations, and easements of record.

This conveyance is executed pursuant to the authority vested in the Director of Transportation by law and, in particular, by the Streets and Highways Code.

WITNESS my hand and the seal of the Department of Transportation of the State of California, this  
 \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

STATE OF CALIFORNIA  
 DEPARTMENT OF TRANSPORTATION

APPROVED AS TO FORM AND PROCEDURE

\_\_\_\_\_  
 ATTORNEY  
 DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
 MALCOLM DOUGHERTY  
 Director of Transportation

By \_\_\_\_\_  
 Attorney in Fact  
 MARK T. SHINDLER  
 R/W Appraisals/Estimating, Property Management  
 and Utilities Services

STATE OF CALIFORNIA }  
 County of \_\_\_\_\_ } SS

ACKNOWLEDGMENT

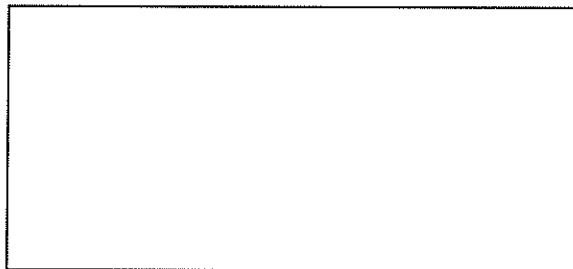
On \_\_\_\_\_ before me, \_\_\_\_\_,  
 (here insert name and title of the officer)

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.

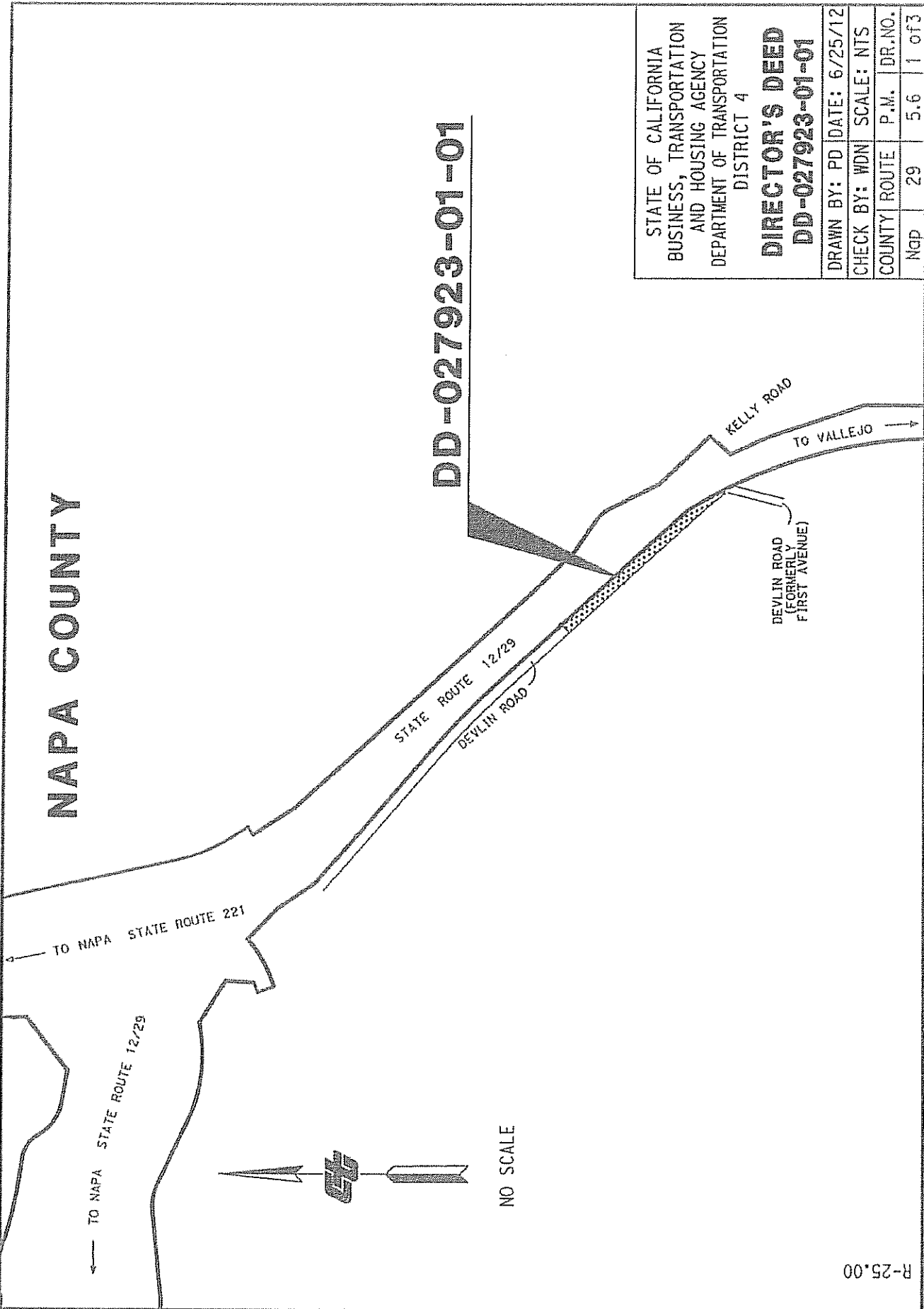
\_\_\_\_\_  
 (Notary Public's signature in and for said County and State)



(for notary seal or stamp)



(This space reserved for CTC Certification)



STATE OF CALIFORNIA BUSINESS, TRANSPORTATION AND HOUSING AGENCY DEPARTMENT OF TRANSPORTATION DISTRICT 4			
<b>DIRECTOR'S DEED</b> <b>DD-027923-01-01</b>			
DRAWN BY: PD	DATE: 6/25/12	CHECK BY: WDN	SCALE: NTS
COUNTY ROUTE	P.M.	DR.NO.	
Nap	29	5.6	1 of 3

DISTANCE SHOWN ARE ON THE CALIFORNIA  
COORDINATE SYSTEM OF 1983, ZONE 2.  
ALL UNITS ARE IN US SURVEY FEET.  
MULTIPLY DISTANCES SHOWN BY 1.0000166  
TO OBTAIN GROUND LEVEL DISTANCES.

# NAPA COUNTY



SCALE IN FEET  
0 100  
1" = 100'

DEVLIN ROAD

SEG. 1 OF  
REL. NO. 40387  
1220 OR 947  
11-5-81

14 PM 48

STATE ROUTE 12/29

DD-027923-01-01

1.633 Acres

S42°25'42"E 661.09'

S42°25'42"E 1062.57'

P.O.B. SWLY LINE OF CD8558  
1057 OR 333  
10-31-77

1 RS 35

## LEGEND

SEG. Segment  
REL Relinquishment  
POB Point of Beginning  
Ac. Acres  
Por. Portion

State of California  
Por. of 1057 O.R. 333  
10/31/77

STATE OF CALIFORNIA  
BUSINESS, TRANSPORTATION  
AND HOUSING AGENCY  
DEPARTMENT OF TRANSPORTATION  
DISTRICT 4

**DIRECTOR'S DEED**  
**DD-027923-01-01**

DRAWN BY: PD	DATE: 6/25/12
CHECK BY: WDN	SCALE: 1"=100'
COUNTY ROUTE	P.M. DR.NO.
29	5.6 2 of 3



DISTANCE SHOWN ARE ON THE CALIFORNIA  
COORDINATE SYSTEM OF 1983, ZONE 2.  
ALL UNITS ARE IN US SURVEY FEET.  
MULTIPLY DISTANCES SHOWN BY 1.0000166  
TO OBTAIN GROUND LEVEL DISTANCES.

State of California  
Por. of 1057 O.R. 333  
10/31/77

S42°25'42"E 1062.57'  
SWLY LINE OF CD8558  
1057 OR 333  
10-31-77  
RS 35

DD-027923-01-01

1.633 Acres

STATE ROUTE  
12/29

Curve Table			
Curve #	Radius	Delta	Length
C1	1958.00'	0°32'52"	18.72'

SCALE IN FEET  
0 100  
1" = 100'



NAPA COUNTY

STATE OF CALIFORNIA  
BUSINESS, TRANSPORTATION  
AND HOUSING AGENCY  
DEPARTMENT OF TRANSPORTATION  
DISTRICT 4

**DIRECTOR'S DEED**  
**DD-027923-01-01**

DRAWN BY: PD	DATE: 6/25/12
CHECK BY: WD	SCALE: 1"=100'
COUNTY ROUTE	P.M. DR.NO.
Map 29	5,6 3 of 3

DEVLIN ROAD  
(FORMERLY  
FIRST AVENUE)

LEGEND

- SEG. Segment
- REL Relinquishment
- POB Point of Beginning
- Ac. Acres
- Por. Portion

R-25.5