

#4106003.0

February 15, 2011

John McDowell
Napa County Planning Department
1195 Third Street, Room 210
Napa, CA 94559

RE: Scally Ranch Tentative Map and Application Submittal

Dear John:

We are submitting this Tentative Map and Application on behalf of Kathy Corey as discussed on December 8, 2010. Ms. Corey has been suffering from a prolonged illness and has just recently been able to get the application back to us signed. Considering the previous effort put forth by Chris Cahill on this project we hope the continued processing will be smooth and timely. I have opted not to submit a variance for the lot width to depth ratios at this point, but please let me know, at your earliest convenience, if you feel this will be the best way to proceed towards a complete application.

The previous submittal included the Land Division Application Completeness items: 11, 12, 13, 14, 16, 20, and 21. The items not applicable to this project include Application items: 7, 15, 17, 18, 19, and 22 thru 29. The 300 foot Adjoining Property list and Assessor's Page (Items 9 and 10) will be reissued at the time the application is ready for hearing. This will ensure all information is current and within the appropriate time requirements. The materials provided herein and those previously submitted address the Land Division Application Completeness Checklist needed for the Lands of Kathy Ann Corey Parcel Map.

I appreciate your past and future assistance on Ms. Corey's project and please let us know if there is anything we can do to expedite the review of her map.

Respectfully,

Carl Butts, P.E., LEED AP
Associate Principal

Encl.

rsacivil.com



NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT
 1195 Third Street, Suite 210 Napa, California 94559
 (707) 253-4417

APPLICATION FOR TENTATIVE PARCEL MAP OR TENTATIVE SUBDIVISION MAP

FOR OFFICE USE ONLY

ZONING DISTRICT: AW Date Submitted: 2/18/11
 TYPE OF APPLICATION: Tentative Subdivision Map Date Published: _____
 REQUEST: _____ Date Complete: _____

(Please type or print legibly)

PROJECT NAME: Scally Ranch
 Assessor's Parcel #: 033-210-016 & 014 Existing Parcel Size: 660 acres +/-
 Site Address/Location: Scally Lane
No. Street City State Zip
 Property Owner's Name: Kathy Corey
 Mailing Address: 6151 Hillside Drive El Sobrante, CA 94803-3617
No. Street City State Zip
 Telephone #: (510) 658 - 3922 Fax #: (510) 758 - 3924 E-Mail: bently.properties@comcast.net
 Applicant's Name: Riechers Spence & Associates
 Mailing Address: 1515 Fourth Street Napa, CA 94559
No. Street City State Zip
 Telephone #: (707) 252 - 3301 Fax #: (707) 252 - 4966 E-Mail: cbutts@rsacivil.com
 Status of Applicant's Interest in Property: Engineering Consultant
 Representative Name: Carl Butts, P.E., LEED AP
 Mailing Address: 1515 Fourth Street Napa, CA 94559
No. Street City State Zip
 Telephone #: (707) 252-3301 Fax #: (707) 252-4966 E-Mail: cbutts@rsacivil.com
 Purpose for Division: _____

Vesting Map? ☐ YES ☒ NO

I certify that all above statements are correct and that the information contained on the accompanying Parcel/Subdivision Map is accurate. I hereby authorize such investigations, including access to County Assessor's Records, as are deemed necessary by the County Planning Division for preparation of reports related to this application, including the right of access to the property involved.

Kathy Ann Corey 2-18-11
Signature of Property Owner Date
Kathy Ann Corey
Print Name

Signature of Applicant Date
Carl Butts, P.E., LEED AP
Print Name

TO BE COMPLETED BY CONSERVATION DEVELOPMENT AND PLANNING DEPARTMENT

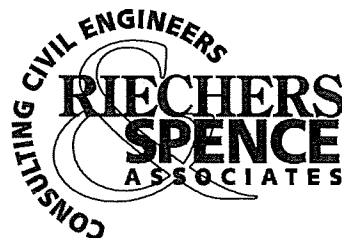
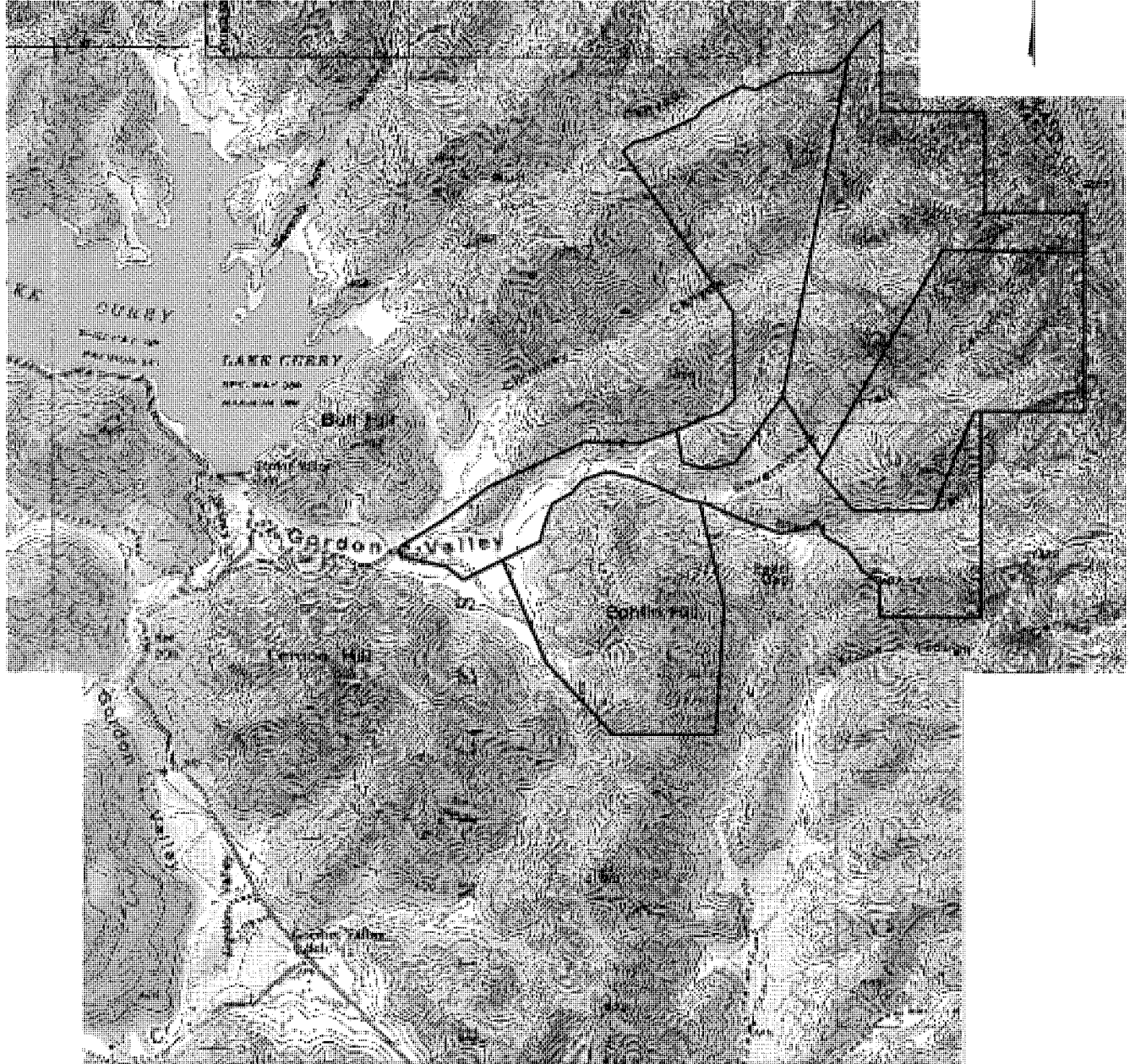
*Application Fee Deposit: \$ _____ Receipt No.: _____ Received by: _____ Date: _____

*Total Fees will be based on actual time and materials

WATER SUPPLY/WASTE DISPOSAL INFORMATION

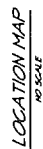
I.	PROPOSED WATER SUPPLY	Domestic	Emergency
	A. Source of Water (eg. spring, well, mutual water company, city, district, etc):	(P) Wells _____	(P) Tanks _____
	B. Name of Water Supplier (if water company, city, district): Annexation needed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	C. Water Availability (in gallons/minute):	TBD _____	_____
	D. Capacity of Water Storage System (in gallons):	TBD _____	TBD _____
	E. Nature of Storage Facility (e.g., tank, reservoir, swimming pool, etc):	(P) Tank _____	(P) Tank _____
II	PROPOSED LIQUID WASTE DISPOSAL	Domestic (sewage)	Other (please specify)
	A. Disposal Method (e.g., on-site septic system, on-site ponds, community system, district, etc.):	(P) Onsite Septic _____	_____
	B. Name of Disposal Agency (if sewage district, city, community system): Annexation needed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

LANDS OF KATHY ANN COREY
USGS EXHIBIT
NAPA COUNTY CALIFORNIA
1" = 2000'

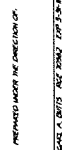


1541 Third Street
Napa, Calif. 94559
v 707.252.3301
f 707.252.4966

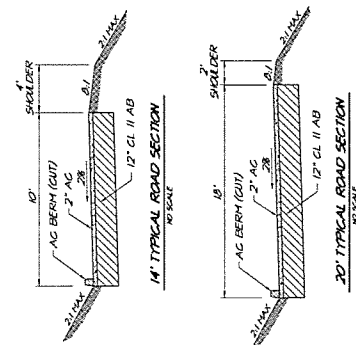
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1	COVER SHEET
2	SITE PLAN



1. THE TOWNSHIPS SHOW ON THESE PLANS HAS COME FROM THE TOWNSHIPS SURVEY PERFORMED BY MONTANA PACIFIC SURVEY ON JAN. 15, 1926.
2. EXISTING UTILITY SHOWN IS FROM A TOWNSHIP SURVEY PERFORMED BY MONTANA PACIFIC SURVEY.
3. SUBJECT PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLAIN AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FROM 1941.
4. THIS MAP SHOWS ALL CONTIGUOUS PROPERTY OF THE OWNER.
5. ALL EXISTING STRUCTURES ON THE SUBJECT PROPERTY ARE SHOWN.
6. ALL EXISTING AND PROPOSED EASEMENTS ARE SHOWN.
7. ALL EXISTING AND PROPOSED UTILITIES ARE SHOWN EXISTING OVERHEAD GAS UTILITIES AS SHOWN HERE DRAIN FROM RECORD SOURCES ON T.
8. ALL EXISTING UTILITY PIPES AND OVERHEAD LINES ARE SHOWN.
9. THERE ARE NO KNOWN WELLS OR SEPTIC TANKS ON THE SUBJECT



PARCEL MAP APPLICATION SUPPLEMENT
DEFERRAL OF REQUIREMENT FOR PRELIMINARY GEOLOGIC/SOILS REPORT

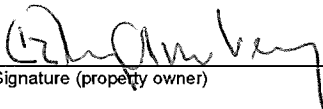
Applicant: Carl Butts / Riechers Spence & Associates

Proposal: _____

This acknowledges that a portion of the property proposed for division in this application is identified on the Napa County Environmental Sensitivity Maps as subject to soil and/or geologic instability.

No structures, roads or driveways, septic systems or other construction will be located in the areas of potential instability. The property owner expressly agrees that a statement will be recorded with the Final Map as follows:

NOTICE: The property divided herein is subject to soil and/or geologic instability in an "environmentally sensitive area" not disturbed as part of the land division. Prior to obtaining a permit for any structure or prior to constructing any road, driveway or septic system on any parcel created by this division, the owner must obtain a geologic/soil hazard report prepared by a qualified registered engineering geologist. Such report must be submitted to the Napa County Conservation, Development and Planning Department for review prior to application for building or grading permits.



Signature (property owner)

5.7.11

Date



A Tradition of Stewardship
A Commitment to Service

FILE # 112-00388

NAPA COUNTY
CONSERVATION, DEVELOPMENT & PLANNING DEPARTMENT
1195 Third Street, Suite 210, Napa, California, 94559 • (707) 253-4417

APPLICATION FORM

FOR OFFICE USE ONLY	
ZONING DISTRICT: <u>AW</u>	Date Submitted: _____
TYPE OF APPLICATION: <u>VARIANCE</u>	Date Published: _____
REQUEST: _____	Date Complete: _____

TO BE COMPLETED BY APPLICANT	
PROJECT NAME: <u>Scally Ranch</u>	
Assessor's Parcel #: <u>033-210-016 & 014</u>	Existing Parcel Size: <u>660 acres +/-</u>
Site Address/Location: <u>Scally Lane</u> <div style="display: flex; justify-content: space-between; font-size: small;"> No. Street City State Zip </div>	
Property Owner's Name: <u>Kathy Corey</u>	
Mailing Address: <u>6151 Hillside Drive</u> <div style="display: flex; justify-content: space-between; font-size: small;"> No. Street El Sobrante City CA 94803-3617 </div>	
Telephone #: <u>(510) 658 - 3922</u> Fax #: <u>(510) 758 - 3924</u> E-Mail: <u>bently.properties@comcast.net</u>	
Applicant's Name: <u>Riechers Spence & Associates</u>	
Mailing Address: <u>1515 Fourth Street</u> <div style="display: flex; justify-content: space-between; font-size: small;"> No. Street Napa City CA 94559 </div>	
Telephone #: <u>(707) 252 - 3301</u> Fax #: <u>(707) 252 - 4966</u> E-Mail: <u>cbutts@rsacivil.com</u>	
Status of Applicant's Interest in Property: <u>Engineering Consultant</u>	
Representative Name: <u>Carl Butts, PE, LEED AP</u>	
Mailing Address: <u>1515 Fourth Street</u> <div style="display: flex; justify-content: space-between; font-size: small;"> No. Street Napa City CA 94559 </div>	
Telephone #: <u>(707) 252-3301</u> Fax #: <u>(707) 252-4966</u> E-Mail: <u>cbutts@rsacivil.com</u>	

I certify that all the information contained in this application, including but not limited to the information sheet, water supply/waste disposal information sheet, site plan, floor plan, building elevations, water supply/waste disposal system site plan and toxic materials list, is complete and accurate to the best of my knowledge. I hereby authorize such investigations including access to County Assessor's Records as are deemed necessary by the County Planning Division for preparation of reports related to this application, including the right of access to the property involved.

<u>[Signature]</u> Signature of Property Owner	<u>5.31.11</u> Date	_____ Signature of Applicant	_____ Date
<u>Kathy A. Corey</u> Print Name		_____ Print Name	

TO BE COMPLETED BY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT			
Total Fees: \$ _____	Receipt No. _____	Received by: _____	Date: _____

PROJECT STATEMENT FOR VARIANCE REQUEST
COREY TENTATIVE MAP
APN 033-210-014/016

The applicant is requesting a variance to Section 18.108.025, Stream Setback, due to a number of reasons, as follows.

- (1) To provide legal access through an existing easement for the full and beneficial use of the property: As is reflected in the enclosed aerial and photographic exhibit, the driveway lies within an established 40' access easement. 40' was provided for this easement to ensure full and beneficial use of the parcels (650 acres +/-) per current allowed zoned uses. Strict compliance with the Stream Setback would prevent allowed zoned uses.
- (2) This driveway has existed in its current alignment for over 30 years, predating adoption of the Conservation Regulations.
- (3) Maintaining the existing alignment requires less grading and has a smaller footprint than re-alignment. Improvement of the existing road requires minimal grading from Stations 10+00 – 20+00 along the shoulders to provide approximately 2' of additional asphalt and 2' of base rock. Improvement of Stations 20+00 – 56+00 would require scarifying the existing road approximately 6" and the addition of base rock and asphalt emulsion to the surface. All grading would be conducted on slopes averaging 0-5%. Conversely, a new alignment, outside the creek setback would result in grading on slopes over 30% and significant earthwork as a result.
- (4) A new alignment within the Scally property would require removal of additional oaks and woodland. Only 3 oaks, identified at Station 50+00 are proposed to be removed under the current plan. A new alignment uphill of the existing and within 30% slopes would eliminate a significant number (estimated at over 100) of mature oaks greater than 6" diameter breast height.
- (5) A new alignment in compliance with both Stream Setback and 30% Slope constraints would require an easement from the adjoining property owner: A significant portion of Gordon Valley meeting both the Stream Setback and Slope constraints lies within the Chadbourne Parcel. A grant of easement from Chadbourne to Corey would be required to meet both these requirements.

REASONS FOR GRANTING A VARIANCE

1. Please describe what exceptional or extraordinary circumstances or conditions apply to your property (including the size, shape, topography, location or surroundings), which do not apply generally to other land, buildings, or use and because of which, the strict application of the zoning district regulations deprives your property of the privileges enjoyed by other property in the vicinity and under identical zoning classification.

The project lies within a portion of Scally Ranch located south and east of Lake Curry in eastern Napa County. The two parcels, APN 033-210-014 and 016 are served by an existing easement within APN 033-210-013, Lands of William Scally, recently deceased. This easement, dating back to 2006, was granted upon the sale of nearly 650 acres in a land transfer between William Scally and Kathy Corey. Access to the ranch is currently via a private drive which has served Mr. Scally's residence for decades and pre-dates adoption of the conservation regulations. Like many ranch access roads, this driveway is situated in the flatter portions of Gordon Valley bordered by Blue Hill to the north, Lemon Hill to the southwest and Ephlin Hill to the southeast and meanders along an eastern reach of Suisun Creek, within the current setback distances prescribed by Napa County Code Section 18.108.025. The driveway is in good condition with base rock of varying degrees of coverage. Lands to the south of the creek and at the base of Lemon Hill are characterized by slopes greater than 30% and heavily forested in oak woodland. The 650 acre ranch has no habitable structures at this time.

The flatter portions of Gordon Valley north of the road and south of Blue Hill are owned by Helen Chadbourne. These areas, outside of stream setbacks prescribed by Napa County Code Section 18.108.025, are not available to APN 033-210-014/016.

2. Please state why the granting of your variance request is necessary for the preservation and enjoyment of your substantial property rights.

We are requesting a variance to the aforementioned Code for the factors listed above and to provide full allowed use and benefit of the parcels allowed under Napa County Code Section 18.20.020. Regardless of the subdivision element of this tentative map, any development within the two parcels would still fall under this code. More specifically, any new residence or new winery – allowed uses without a Use Permit, would require an exception to the Code and subsequent use permit due to the current driveway alignment. Additionally, a realignment of the road outside of the stream setback would require a take of lands from Chadbourne. Without this grant, full use of the parcels would essentially put these parcels in de facto "range" or "conservation easement" status, or require other exceptions to code due to biologic, geographic and topographic constraints.

3. Please state why the granting of your variance request will not adversely affect the health or safety of persons residing or working in the neighborhood of your property, and will not be materially detrimental to the public welfare or injurious to property or improvements in your neighborhood.

The existing alignment of the driveway, situated in the flatter portions of the valley and within the easement, is well suited for a full 20-foot common drive. Much of the driveway is on cross slopes less than 2% and longitudinal slopes less than 5%. Nearly the entire road has sight distances greater than 300' allowing traffic to easily recognize and respond to oncoming traffic or hazards.

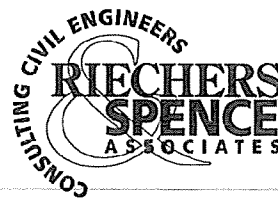
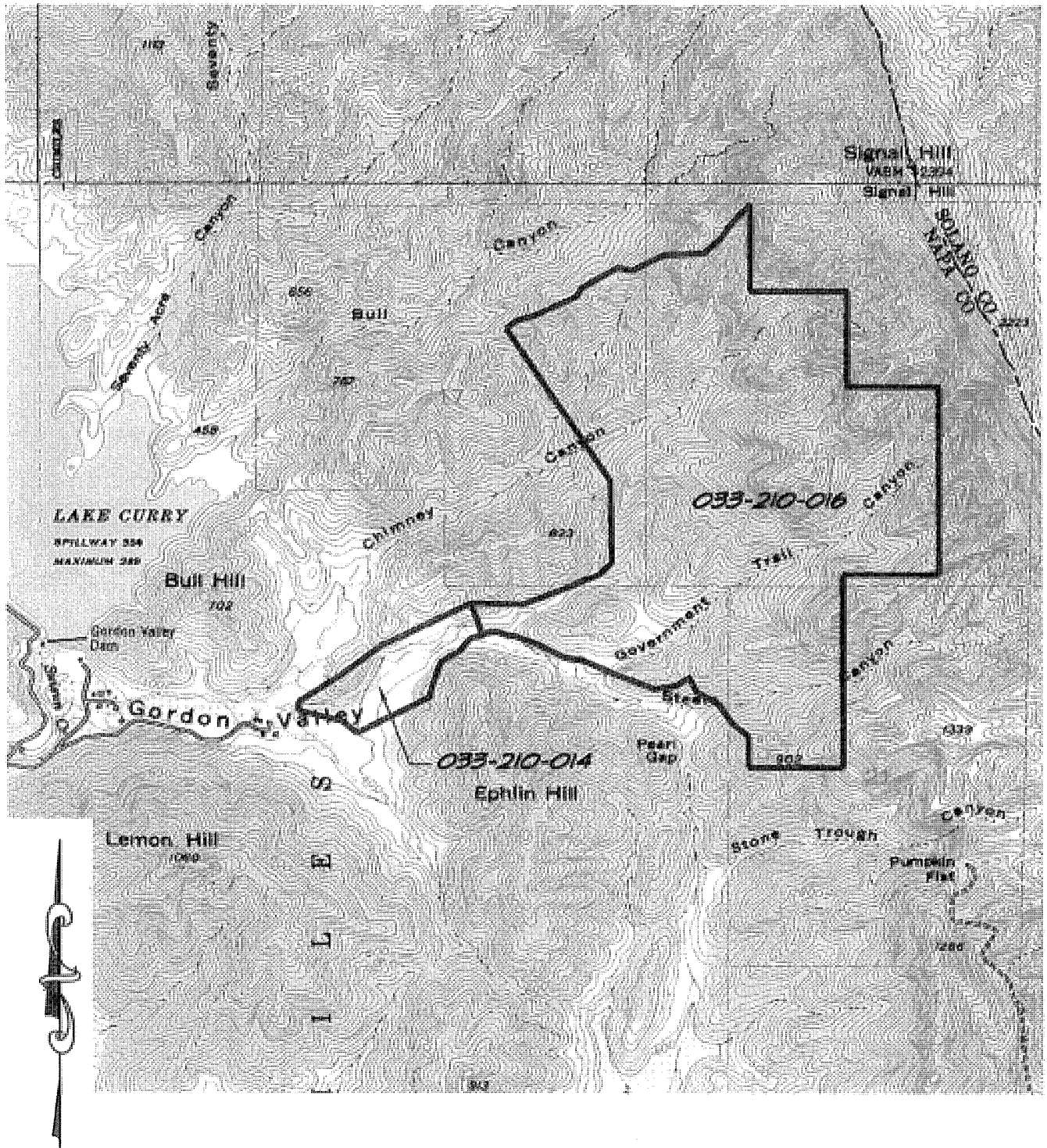
See Variance Project Statement and accompanying exhibits for more details supportive of variance findings.

COREY TENTATIVE MAP

USGS QUAD MAP

NAPA CALIFORNIA

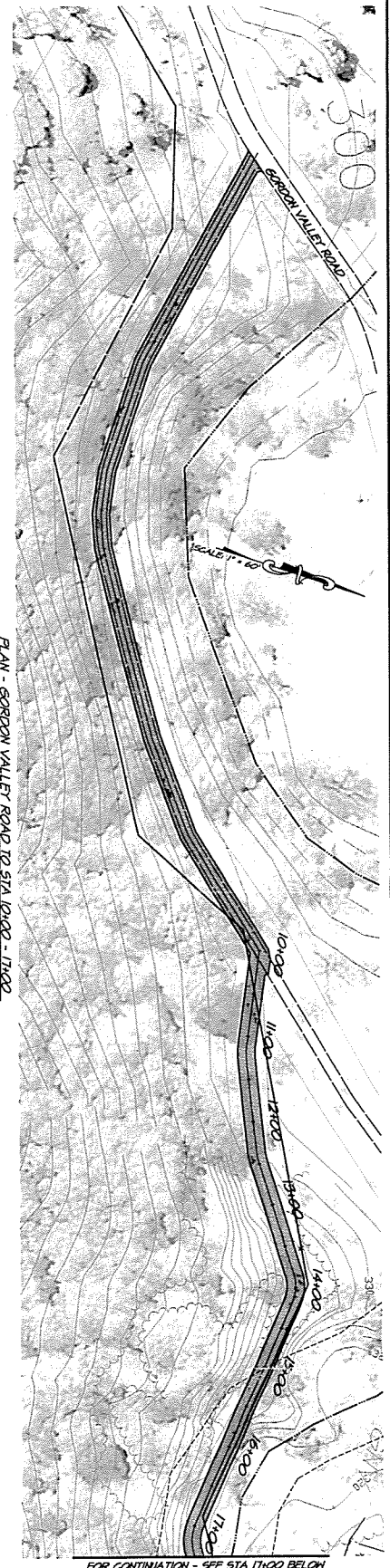
1" = 2000'



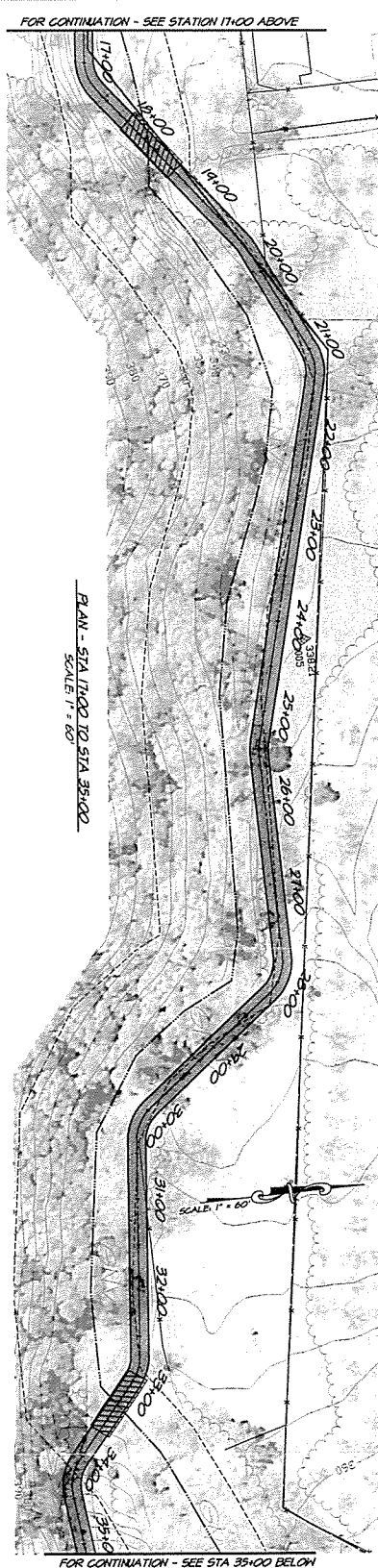
1515 Fourth Street
 Napa, Calif. 94559
 v 707.252.3301
 f 707.252.4966

may 20, 2011

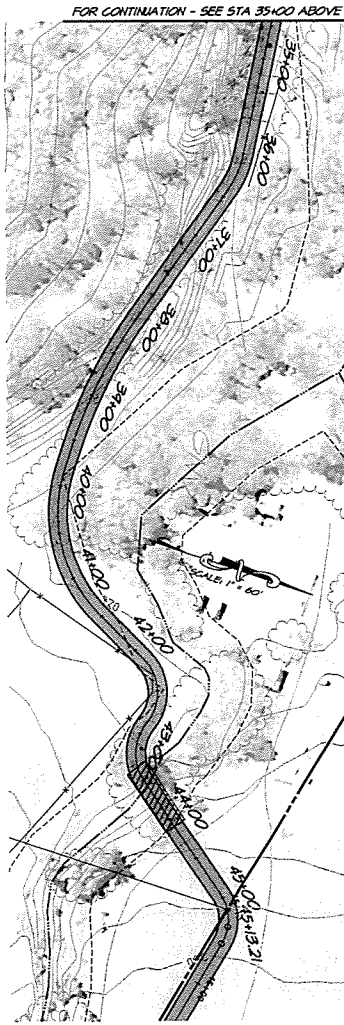
4106003.0 usgs.dwg



PLAN - GORDON VALLEY ROAD TO STA 17+00 - 17+00
SCALE 1" = 60'



PLAN - STA 17+00 TO STA 35+00
SCALE 1" = 60'



PLAN - STA 35+00 TO STA 45+13.21
SCALE 1" = 60'

RECEIVED

JUL 14 2011

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

Noted on English Paper 11/11/10 Please Continue the Cycle

DATE	11/11/10
DRAWN	JF
DESIGNED	JF
CHECKED	JF
DATE	11/11/10
BY	JF
DATE	11/11/10
BY	JF

LANDS OF KATHY ANN COREY ACCESS ROAD EXHIBIT NAPA COUNTY CALIFORNIA



1515 Fourth Street
Napa, California 94559

707.253.3301
707.253.4956

NO.	DATE	REVISIONS	BY	APPD

RECEIVED

JUL 14 2011



A Tradition of Stewardship
A Commitment to Service

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.
NAPA COUNTY

FILE # P11-00045(?)

CONSERVATION, DEVELOPMENT & PLANNING DEPARTMENT
1195 Third Street, Suite 210, Napa, California, 94559 • (707) 253-4417

APPLICATION FORM

FOR OFFICE USE ONLY

ZONING DISTRICT: AW Date Submitted: JULY 14, 2011
TYPE OF APPLICATION: STREAM SETBACKS Date Published: _____
REQUEST: _____ Date Complete: _____

TO BE COMPLETED BY APPLICANT

PROJECT NAME: Scally Ranch
Assessor's Parcel #: 033-210-016 & 014 Existing Parcel Size: 660 acres +/-
Site Address/Location: Scally Lane
No. Street City State Zip
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Kathy Corey 5.31.11
Signature of Property Owner Date Signature of Applicant Date
Kathy A. Corey _____
Print Name Print Name

TO BE COMPLETED BY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT

Total Fees: \$ _____ Receipt No. _____ Received by: _____ Date: _____

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COREY TENTATIVE MAP
APN 033-210-014/016**

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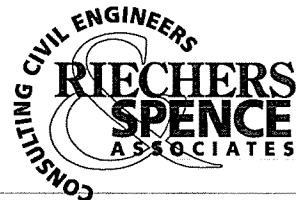
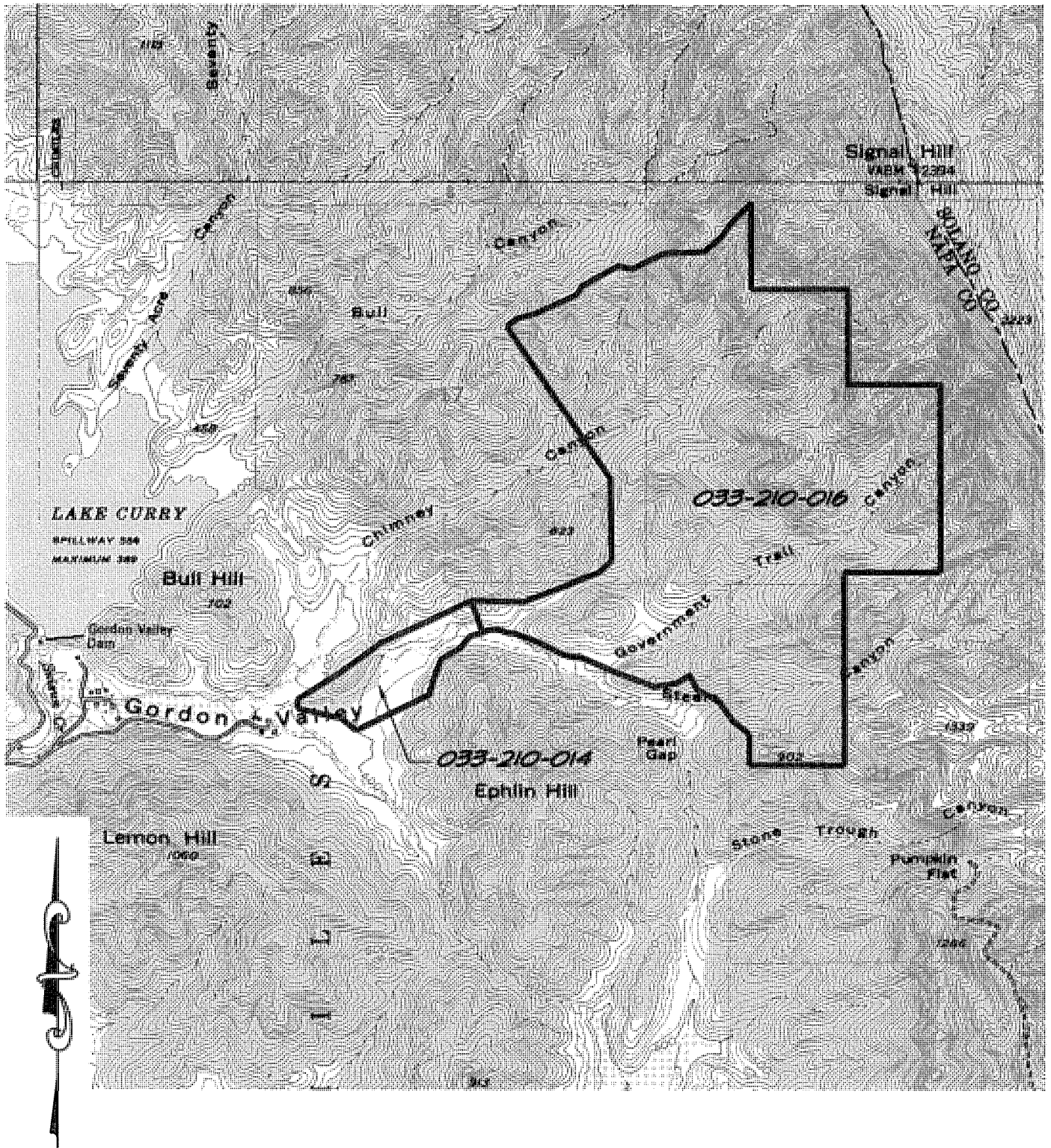
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COREY TENTATIVE MAP

USGS QUAD MAP

NAPA CALIFORNIA

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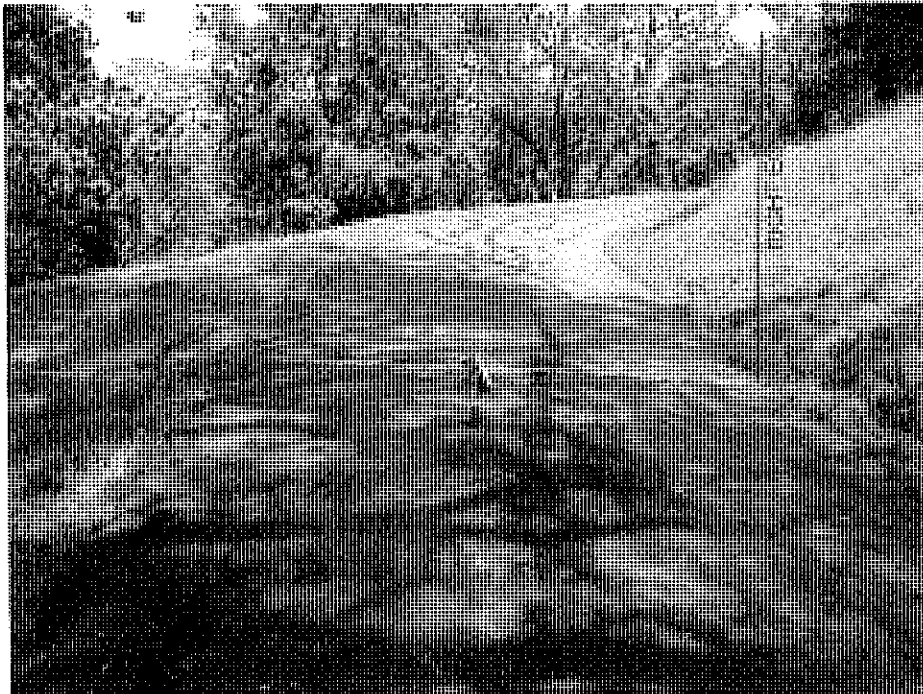
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may 20, 2011

4106003.0 usgs.dwg



Station 10+00



Station 11+00

rsacivil.com

1515 Fourth Street, Napa, CA 94559 Tel: 707.252.3301 Fax: 707.252.4966

RECEIVED

JUL 14 2011

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.



Station 12+00



Station 13+00



Station 14+00



Station 15+00



Station 16+00



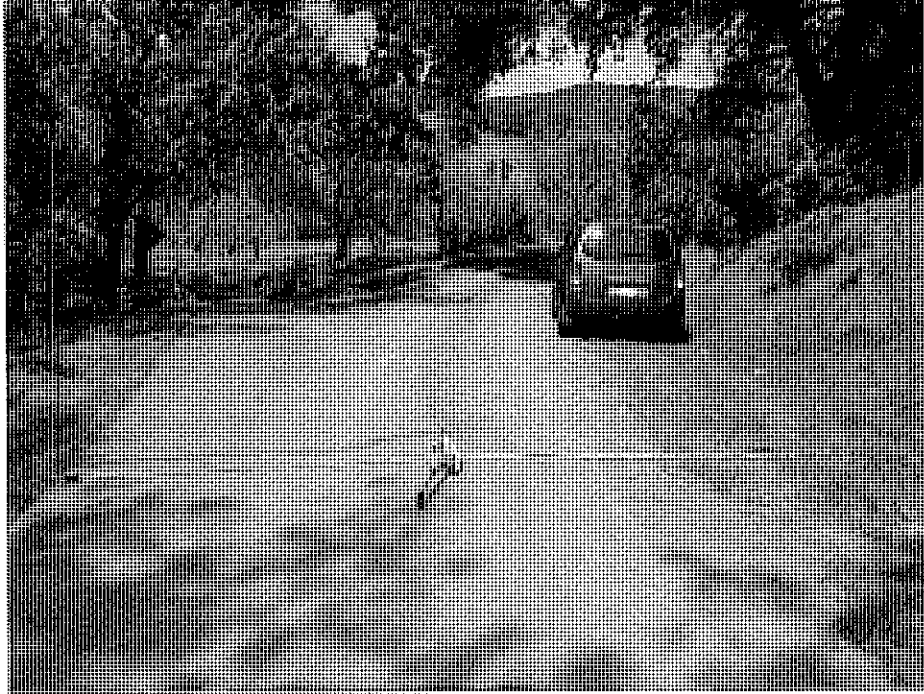
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Station 18+00



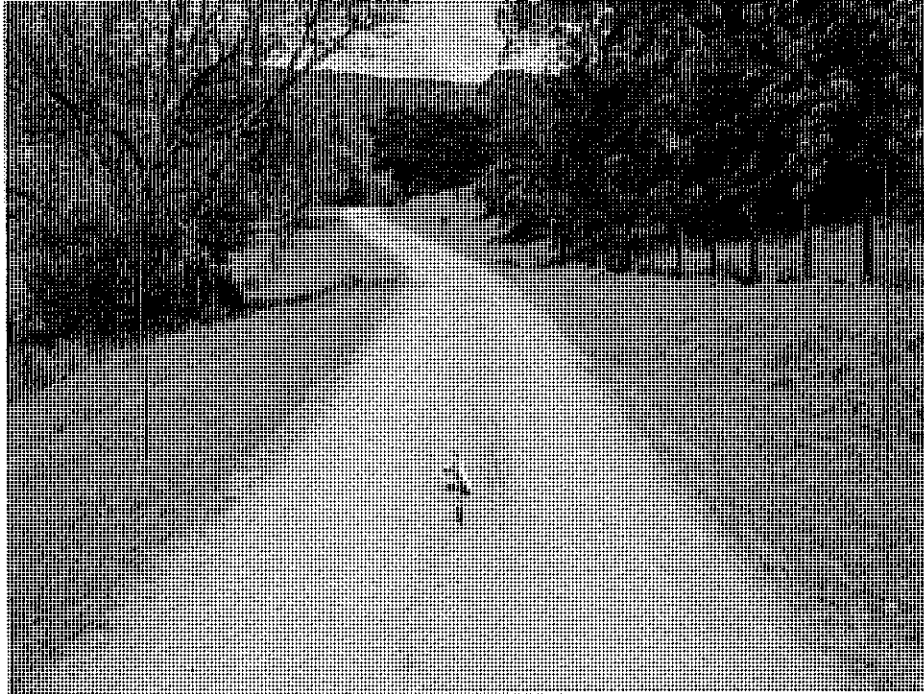
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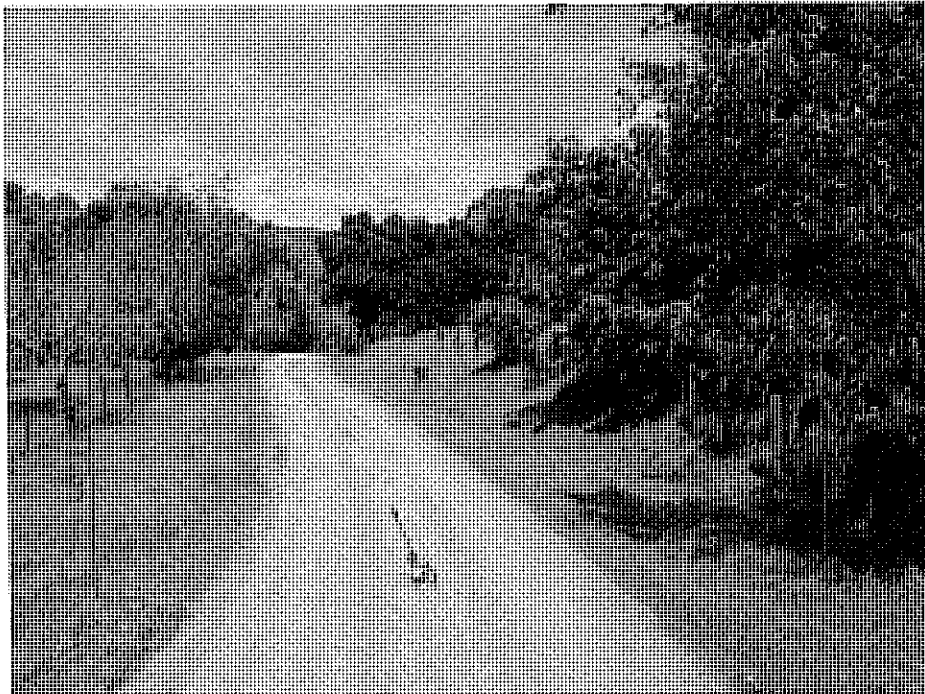
Station 20+00



Station 21+00



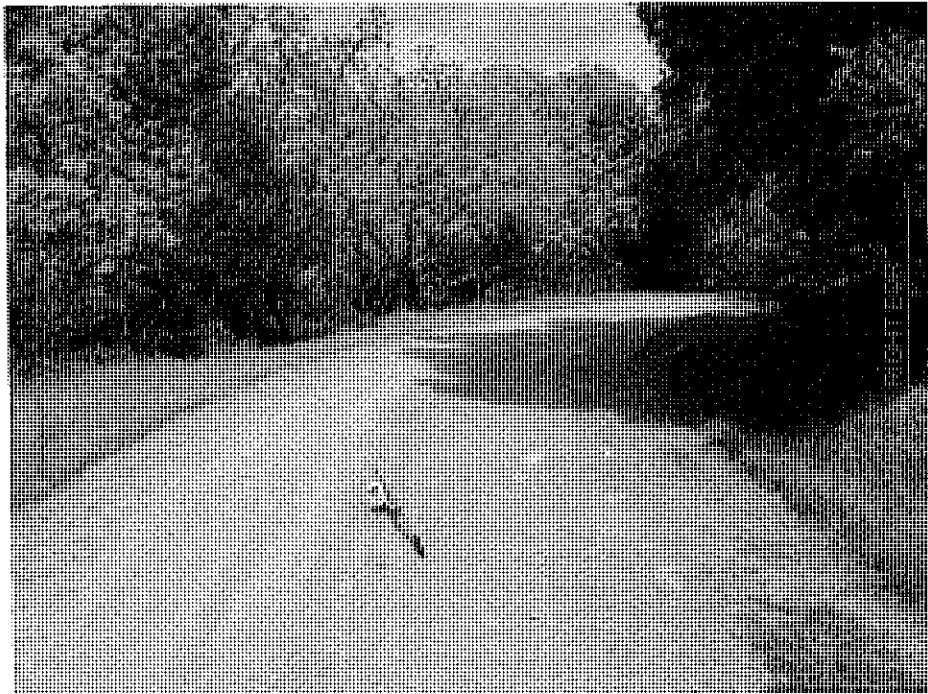
Station 22+00



Station 23+00



Station 24+00



Station 25+00



Station 26+00



Station 27+00



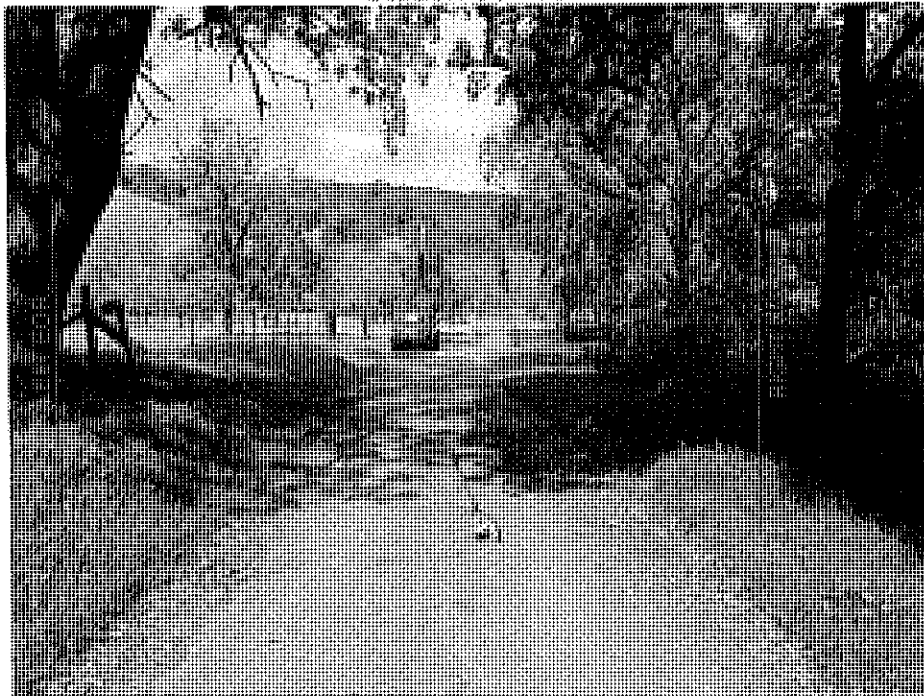
Station 28+00



Station 29+00



Station 30+00



Station 31+00



Station 32+00



Station 33+00



Station 34+00



Station 35+00



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Station 37+00



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Station 39+00



Station 40+00



Station 41+00



Station 42+00



Station 43+00



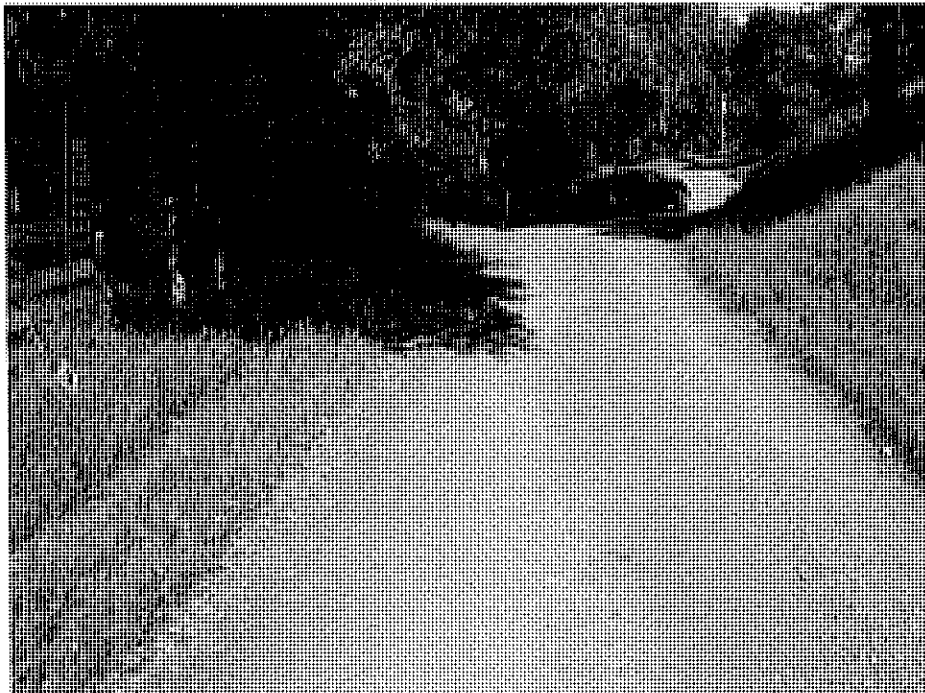
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Station 45+00



Station 46+00



Station 47+00



Station 48+00



Station 49+00



Station 50+00



Station 51+00



Station 52+00



Station 53+00



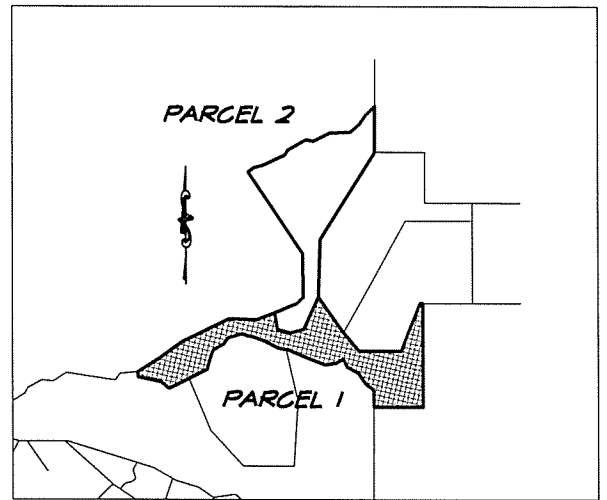
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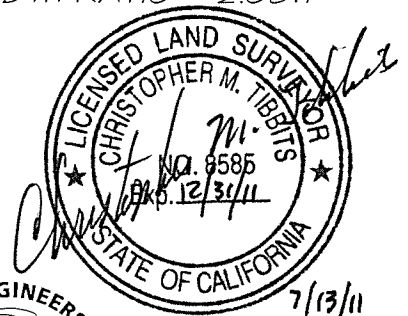
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Station 56+00

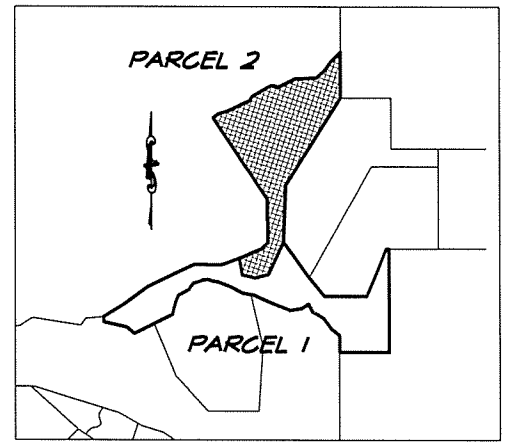
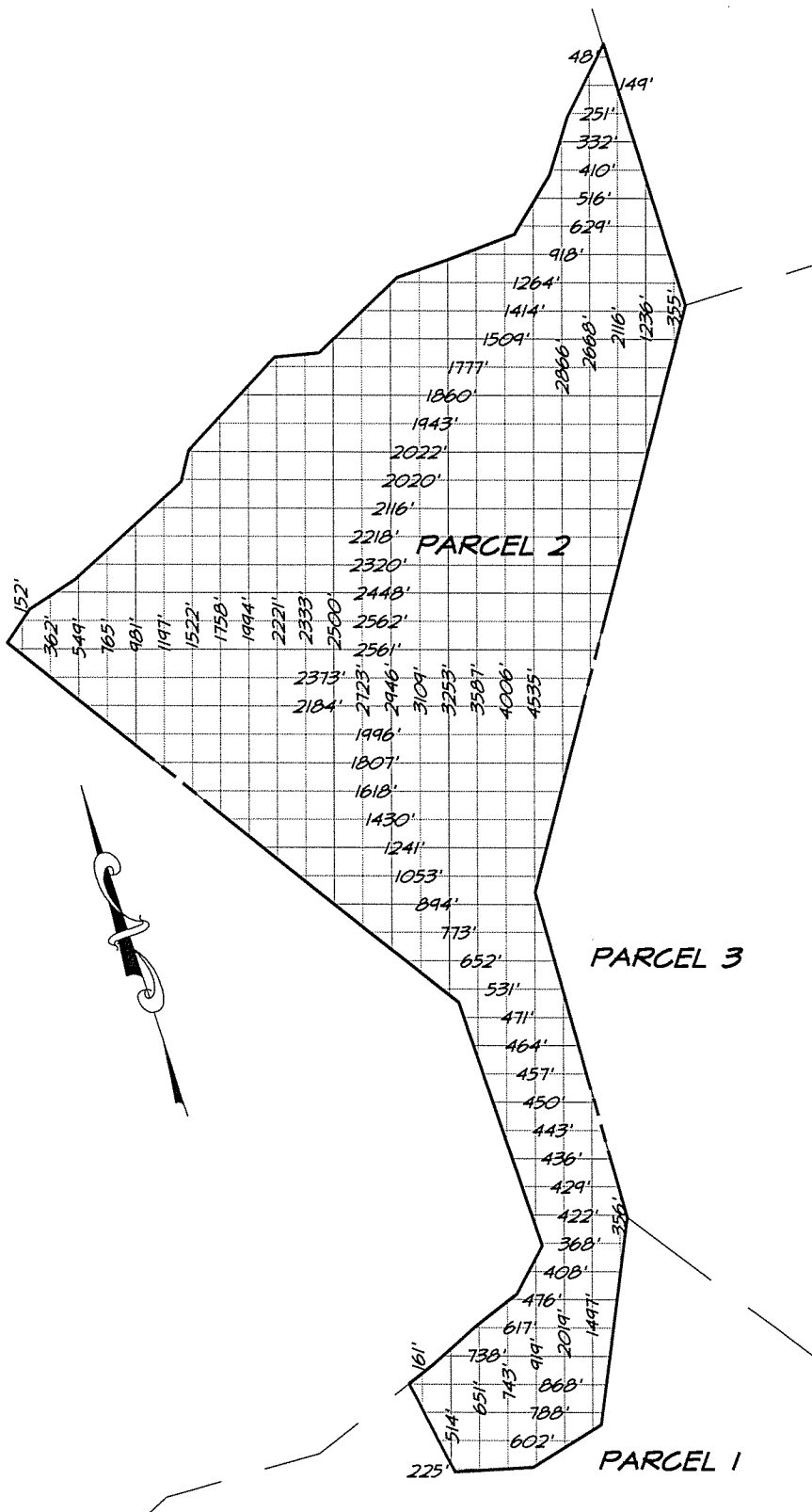


- $$\text{DEPTH/WIDTH RATIO} = 2.08:1$$



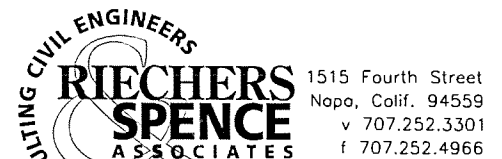
CONSULTING CIVIL ENGINEERS
RIECH & SPEISER
 ASSOCIATES

1515 Fourth Street
Napa, Calif. 94559
v 707.252.3301
f 707.252.4966



DEPTH/WIDTH RATIO DISPLAY
OF
PROPOSED PARCEL 2
FOR
LANDS OF COREY
NAPA COUNTY, CALIFORNIA

- 1) TOTAL AREA IS 7,054,094 SF
- 2) TOTAL GRID COUNT
AVERAGE WIDTH = 2,358
AVERAGE DEPTH = 1,108
DEPTH/WIDTH RATIO = 2.13:1



Corey
Parcel 1

13				111
254				160
380				209
505		11	258	269
636		179	307	486
784		347	356	703
990		515	405	920
1201		683	454	1137
1217		851	503	1354
1212	191	1021	552	1764
1208	428	1213	601	2242
1204	913	1581	1162	3656
1200		3553	1728	5281
1197				5465
835				5649
696	721	1717	2106	4544
665	748	481	1932	3161
487	845		1698	2543
438	869		1585	2454
401	905		1386	2291
420	992		1333	2325
444	1088		927	2015
510	1189		344	1533
612				1260
714				1234
725				1208
452				1182
461				1080
453				183
458				
538				
626				
1047				
1594				
1502				
1409				
1317				
1224				
1093				
931				
751				
569				
630				
569				
545				
645				
785				
903				
992				
1285				
1487				
1488				
1489				
2010				
2756				
2559				
1989				
1420				
850				
280				

total	56055
avarage length	934

total	56419
avarage length	1945

length to width ratio
2.08 :1

Corey
Parcel 2 second try

48			152
149			362
251			549
332			765
410			981
516			1197
629			1522
918			1758
1264			1994
1414			2221
1509			2333
1777			2500
1860			2723
1943			2946
2022			3109
2020	161	3253	3414
2116	514	3587	4101
2218	651	4006	4657
2320	743	4535	5278
2448	919	2019	2866
2562	1497	2668	4165
2561	356	2116	2472
2373		1236	1236
2184		355	355
1996			
1807			
1618			
1430			
1241			
1053			
894			
773			
652			
531			
471			
464			
457			
450			
443			
436			
429			
422			
368			
408			
476			
617			
738			
868			
788			
602			
225			

total	56501
avarage length	1108

total	56594
avarage length	2358

length to width ratio

2.13 :1

Escrow No.: 07-38703223-KH
Locate No.: CAFNT0928-7707-2387-0285102693
Title No.: 07-285102693-TJ

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN AN UNINCORPORATED AREA
, COUNTY OF NAPA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Parcel One:

All that certain real property situate in the unincorporated area of the County of Napa, State of California, being a portion of the Lands described in the Certificate of Compliance filed for record in the Office of the Napa County Recorder, as Instrument No. 2004-39017, more particularly described as follows:

Beginning at a 3/4" iron pipe and cap LS 6421 in the Southerly line of the lands of Chadbourne at the Northeast terminus of the course described as South 63° 45' West, 864.7 feet in the Deed filed for record in Book 206 of Official Records at Page 19 in said Recorders Office; thence from said point beginning, South 18° 52' 04" East 468.77 feet to a 30" Oak Tree in a wire fence; thence South 73° 40' 19" West, 170.42 feet to a 15" Oak Tree in a wire fence; thence South 41° 25' 45" West, 130.80 feet to a 20" Oak Tree in a wire fence; thence South 32° 36' 47" West, 80.32 feet to a t-bar fence post tagged LS 6421; thence South 59° 44' 45" West, 309.01 feet to a 4" X 4" wood fence post tagged LS 6421; thence South 21° 35' 35" West 160.96 feet to a 3/4" iron pipe and cap LS 6421; thence South 17° 30' 24" West 197.59 feet to a 24" Oak Tree in a wire fence; thence South 13° 43' 05" West, 161.57 feet to a 3/4" iron pipe and cap LS 6421; thence South 63° 07' 48" West, 1113.45 feet to a 3/4" iron pipe and cap LS 6421; thence North 50° 10' 50" West, 268.20 feet to a 3/4" iron pipe and cap LS 6421; thence North 77° 26' 00" West, 603.94 feet to a 3/4" iron pipe and cap LS 6421; thence North 02° 30' 26" West, 130.40 feet to a railroad tie fence post tagged LS 6421, being a point in said Southerly line of the lands of Chadbourne; thence along said Southerly line, North 57° 39' 42" East, 658.61 feet to a 6" diameter wood fence post tagged LS 6421; thence North 53° 14' 08" East 724.86 feet to a 20" Oak Tree in a wire fence; thence North 64° 24' 56" East, 494.17 feet to a 3/4" iron pipe and cap LS 6421; thence North 64° 03' 01" East, 864.40 feet (North 63° 45' West 864.7 feet in said Book 206 O.R. 19) to the point of beginning.

APN: 033-210-014

Parcel Two:

Being all of the Lands described in those certain Certificate of Compliance filed for record in the Office of the Napa County Recorder as Instrument Numbers, 2004-39016, 2004-39018, 2004-39019 and a portion of the Lands described in the Certificate of Compliance filed for record in the Office of said Recorder as Instrument No. 2004-39017, lying Northerly and Easterly of the following described line:

Beginning at a 3/4" iron pipe and cap LS 6421 in the Southerly line of the lands of Chadbourne at the Northeast terminus of that course described as South 63° 45' West, 864.7 feet in the Deed filed for record in Book 206 of Official Records at Page 19, in said Recorders Office; thence leaving said line, South 18° 52' 04" East 468.77 feet to an 30" Oak Tree in a wire fence; thence North 63° 50' 25" East, 76.04 feet to a 36" Oak Tree in said wire fence; thence North 84° 36' 47" East, 112.27 feet to a 40" Oak Tree in said wire fence; thence South 85° 09' 03" East 40.84 feet to a 36" Oak Tree in said wire fence; thence South 68° 33' 50" East, 89.47 feet to a 36" Oak Tree in said wire fence; thence South 80° 10' 48" East, 154.47 feet to a 3/4" iron pipe and cap LS 6421; thence South 68° 57' 04" East, 342.39 feet to a 3/4" iron pipe and cap LS 6421; thence South 62° 44' 19" East, 364.10 feet to a 40" Oak Tree in said wire fence; thence South 79° 20' 21" East, 286.87 feet to a 3/4" iron pipe and cap LS 6421; thence South 66° 06' 53" East, 500.81 feet to a 48" Oak Tree; thence South 68° 57' 33" East, 532.93 feet to a 30" Oak Tree in a wire fence; thence North 80° 35' 57" East, 303.89 feet to a 24" Oak Tree in said wire fence; thence North 57° 19' 05" East, 207.38 feet to a 30" Oak Tree in said wire fence; thence South 25° 38' 18" East, 227.71 feet to a 24" Oak Tree in said wire fence; thence South 61° 47' 25" East, 194.74 feet to a t-bar fence post tagged LS 6421; thence South 57° 37' 59" East, 144.93 feet to a 3/4" iron pipe and Cap LS 6421; thence South 35° 31' 15" East, 332.22 feet to a 15" Oak Tree in said wire fence; thence South 51° 16' 14" East, 278.44 feet to a 3/4" iron pipe and cap LS 6421 on the East line of the Chimiles Rancho, from which point Corner C5 of said Rancho bears, North 0° 17' 00" East, 2209.01 feet, said point being further described as the terminus of this description.

APN: 033-210-016

Parcel Three:

An Easement 40 feet in width, for ingress, egress, roadway, utilities and all purposes incidental thereto over a strip of land lying 20 feet on each side of the following described centerline, shortening or extending the sidelines of said Easement so as to terminate at the following described boundaries:

Commencing at the Northerly end of a certain course described as "North 31° 29' East, 204.1 feet to a stake in a fence", in that certain Grant Deed to Chadbourne, filed for record in Book 206 of Official Records at Page 19, in the Office of the Napa County Recorder, as marked by an angle point in a fence; thence along said course, South 24° 31' 03" West, 33.20 feet to the true point of beginning; thence leaving said course along an existing driveway, the following courses and distances; South 61° 33' 43" West, 60.62 feet; thence South 44° 44' 11" West, 111.16 feet; thence South 52° 57' 21" West 131.16 feet; thence South 60° 23' 42" West, 204.14 feet to the beginning of a tangent curve concave Northwest having a radius of 160.00 feet; thence Westerly along the arc of said curve through a central angle of 48° 29' 22" a distance of 135.41 feet; thence North 71° 06' 56" West, 122.88 feet to the beginning of a tangent curve concave Southerly, having a radius of 160.00 feet; thence Westerly along the arc of said curve, through a central angle of 37° 58' 29" a distance of 106.05 feet; thence South 70° 54' 35" West, 124 feet, more or less, to the East line of Gordon Valley Road and the terminus of this description.

Parcel Four:

An Easement 40 feet in width, for ingress, egress, roadway, utilities and all purposes incidental thereto over a strip of land lying 20 feet on each side of the following described centerline, shortening or extending the sidelines of said Easement so as to terminate at the following described boundaries:

Commencing at the Northerly terminus of that certain course described as "North 31° 29' East, 204.1 feet to a stake in a fence", in that certain Grant Deed to Chadbourne, filed for record in Book 206 of Official Records at Page 19 in the Office of the Napa County Recorder, as marked by an angle point in a fence; thence along said course, South 24° 31' 03" West, 33.20 feet to the true point of beginning; thence leaving said course, following the meandering of an existing driveway, the following courses and distances; North 61° 33' 43" East 439.46; thence South 83° 59' 41" East 295.50 feet; thence North 57° 37' 46" East 368.39 feet to a tangent curve concave Southerly, having a radius of 145.00 feet; thence Easterly along the arc of said curve 124.04 feet through a central angle of 49° 00' 49"; thence Southerly 73° 21' 25" East, 243.28 feet to a tangent curve concave Northerly having a radius of 637.00 feet; thence Easterly along the arc of said curve 220.52 feet through a central angle of 19° 50' 06"; thence North 86° 48' 29" East, 94.15 feet to a tangent curve concave Southwest having a radius of 91.00 feet; thence Easterly along the arc of said curve 95.91 feet through a central angle of 60° 23' 11"; thence South 32° 48' 20" East, 120.93 feet to a tangent curve concave Northeasterly having a radius of 112.00 feet; thence Southeasterly along the arc of said curve 111.30 feet through a central angle of 56° 56' 17"; thence South 89° 44' 37" East, 187.39 feet to a tangent curve concave Southwest having a radius of 82.00 feet; thence Southeasterly along the arc of said curve 90.27 feet through a central angle of 63° 04' 24" to the beginning of a reverse curve concave Northeast having a radius of 82.00 feet; thence Southeasterly along the arc of said curve 91.71 feet through a central angle of 64° 04' 59"; thence North 89° 26' 14" East, 237.39 feet; thence North 63° 05' 50" East, 137.09 feet; thence North 27° 33' 59" East 33.90 feet to a tangent curve concave Southeast having a radius of 225.00 feet; thence Northeasterly along the arc of said curve 226.60 feet through a central angle of 57° 42' 09"; thence North 85° 16' 08" East, 209.84 feet; thence North 70° 06' 50" East 77.97 feet to a point which bears South 77° 26' 00" East, 197.87 feet from a 3/4" iron pipe and cap LS 6421, said point being further described as the terminus of this description.

Parcel Five:

An Easement 40 feet in width, for ingress, egress, roadway, utilities, and all purposes incidental thereto over a strip of land twenty feet on each side of the following described centerline, shortening or extending the sidelines of said Easement so as to terminate the following described boundaries:

Beginning at a point which bears South 77° 26' 00" East, 197.87 feet from a 3/4" iron pipe and cap LS 6421; thence North 70° 06' 50" East, 45.69 feet; thence North 82° 29' 46" East, 161.67 feet to a tangent curve concave Northwest having a radius of 400.00 feet; thence Northeasterly along the arc of said curve 104.15 feet through a central angle of 14° 55' 04"; thence North 67° 34' 42" East, 584.00 feet; thence North 51° 36' 50" East, 1119.21 feet to a tangent curve concave Southerly having a radius of 65.00 feet; thence Easterly along the arc of said curve 100.89 feet through a central angle of

END OF DOCUMENT

88° 55' 47"; thence South 40° 13' 46" East, 40.77 feet to a tangent curve concave Northerly having a radius of 90.00 feet; thence Southerly and Easterly along the arc of said curve 143.53 feet through a central angle of 91° 22' 23"; thence North 48° 23' 50" East, 118.66; thence North 40° 37' 13" East, 74.33 feet; thence North 49° 23' 09" East, 27.67 feet; thence North 64° 57' 17" East, 186.57 feet to a point which bears North 18° 52' 04" West, 60.39 feet from a 30" Oak Tree in a wire fence, and the terminus of this description.

(Parcel Five is for the benefit of Parcel Two above)¹

TM Indemnification.jpg

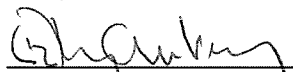
INDEMNIFICATION AGREEMENT

Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively "County") from any claim, action or proceeding (hereafter collectively "proceeding") brought against County, the purpose of which is to attack, set aside, void or annul the discretionary project approval of the County, or an action relating to this project required by any such proceeding to be taken to comply with the California Environmental Quality Act by County, or both. This indemnification shall include, but not be limited to damages awarded against the County, if any, and cost of suit, attorneys' fees, and other liabilities and expenses incurred in connection with such proceeding that relate to this discretionary approval or an action related to this project taken to comply with CEQA whether incurred by the Applicant, the County, and/or the parties initiating or bringing such proceeding. Applicant further agrees to indemnify the County for all of County's costs, attorneys' fees, and damages, which the County incurs in enforcing this indemnification agreement.

Applicant further agrees, as a condition of project approval, to defend, indemnify and hold harmless the County for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Applicant desires to pursue securing approvals which are conditioned on the approval of such documents.

In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorneys' fees and costs, and defends the action in good faith. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.

Carl Butts / Riechers Spence & Associates
Applicant


Property Owner (if other than Applicant)

2-7-11
Date

Project Identification