

Natasha Merkuloff
City Clerk, City of Calistoga
1230 Washington Street
Calistoga, CA 94515
707-942-5198
Grant Street

JUN 7 1984

AT 8:40 A M.
ELEANOR E. KIMBROUGH
COUNTY RECORDER

AGREEMENT

Exempt from Gov't Code 6103-Record

011-390-018
019 + 02
10/20/04
Holman
Stanko

THIS AGREEMENT made and entered into as of the 5TH day of JUNE, 1984, by and between the CITY OF CALISTOGA, a municipal corporation in the County of Napa, State of California, party of the first part, hereinafter referred to as "CITY," and FRANK P. KLEFFNER AND ELIZABETH M. KLEFFNER, parties of the second part, hereinafter referred to as "THE KLEFFNER," witnesseth:

WHEREAS, THE KLEFFNERS are the owners of certain real property situate, lying and being in the City of Calistoga, County of Napa, State of California, and more particularly described as follows:

All that real property situate in the City of Calistoga, County of Napa, State of California, being Parcel "A" as said parcel is shown on the map entitled "Parcel Map of a portion of the property of Henry M. Turner", recorded January 13, 1970 and filed in Book 2 of Parcel Maps, at page 11 in the office of the Napa County Recorder, described as follows:

Beginning at the most Easterly corner of said Parcel "A", said point being a point on the Southwest line of Grant Avenue; thence along the Northeasterly, Westerly and Southeasterly lines of said Parcel "A", North 59° 45' 00" West 441.27 feet, South 2° 10' 30" East 155.63 feet and North 29° 00' 00" East 980.62 feet to the place of beginning.

EXCEPTING THEREFROM, however, the Northeasterly 10 feet thereof as shown on said map.

WHEREAS, THE KLEFFNERS applied for and were granted tentative map approval to divide into three parcels the real property hereinabove described; and

WHEREAS, CITY granted said tentative map approval upon the condition that, inter alia, at such time as required by CITY, curbs, gutters, sidewalks, etc. and related surface street improvements (including but not limited to paving and engineering costs associated with all such improvements) for an eight-foot wide strip, be installed on Grant Street adjacent to Parcel One for which said tentative map approval was granted; said curbs, gutters, sidewalks, etc. and related surfact street improvements to be constructed in accordance with City of Calistoga regulations and standards and subject to approval of City's Consulting Engineer; and that THE KLEFFNERS share in the cost of construction of Grant Street in its entirety by bearing each, every and all costs of all such curbs, gutters, sidewalks, etc. and related surface street improvements within an eight-foot wide strip adjacent to said Parcel One; and

WHEREAS, CITY granted said tentative map approval upon

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the condition that at such time as City water and sewer is available to these properties, they be required to hook up to said services and pay such development fees above and beyond water and sewer hook-up fees as required by the City at that time, and that this be confirmed by a deferred improvement agreement.

NOW THEREFORE, it is mutually understood and agreed as follows:

1. That THE KLEFFNERS shall share in the cost of construction of Grant Street in its entirety by bearing each, every, and all costs of all such curbs, gutters, sidewalks, etc. and related surface street improvements within an eight-foot wide strip adjacent to Parcel One.

2. That when required by CITY and upon the availability of water and sewer services to Parcels Two and Three of the above-referenced division and tentative map, Parcels Two and Three shall be required to make the necessary extensions and hook-up to said services and shall pay water and sewer service hook-up fees as are in effect at the time of the respective hook-up as well as one-time development fees for each parcel as are in effect at said time.

3. THE KLEFFNERS acknowledge that the passage of time may result in an increase in road improvement costs, water and sewer service connection fees, and one-time development fees, and agree to pay the applicable fees at the time improvements or hook-ups are required by CITY.

4. That Condition No. 2 of this Agreement shall encumber Parcels Number Two and Three and that prior to issuance of any building permit for improvement of said Parcels Number Two or Three, a separate agreement confirming this encumbrance shall be executed between the then current owner of record and CITY.

5. That upon due execution of this Agreement, THE KLEFFNERS shall record said document as to Parcels Number One, Two, and Three in the Office of the County Recorder, County of Napa, State of California, and shall supply proof thereof to CITY.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

CITY OF CALISTOGA
A Municipal Corporation

by [Signature]
Mayor

ATTEST:

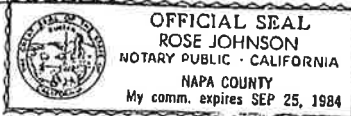
[Signature]
City Clerk

Elizabeth M. Kleffner
Elizabeth M. Kleffner

Frank P. Kleffner
Frank P. Kleffner

ACKNOWLEDGMENT

State of California)
County of Napa) ss.



On 5-31, 1984, before me, the undersigned a Notary Public in and for said State, personally appeared

FRANK P. KLEFFNER and ELIZABETH M. KLEFFNER known to me to be the persons whose names subscribed to the within instrument and acknowledged that They executed the same. WITNESS my hand and official seal.

Rose Johnson
Notary Public

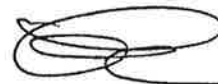
CERTIFICATION

This is to certify that the deferred agreement executed by ELIZABETH M. KLEFFNER and FRANK P. KLEFFNER on 31 May, 1984 agreeing to certain deferred requirements of the City of Calistoga, a political corporation and/or governmental agency, is hereby accepted by the undersigned officer or agent on behalf of the City Council of the City of Calistoga pursuant to authority conferred by resolution of the City Council of the City of Calistoga, adopted on April 3, 1984, and the parties to said agreement consent to recordation thereof by its duly authorized officer.

DATED:

6/5/84

by:



CITY ADMINISTRATOR

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END OF DOCUMENT

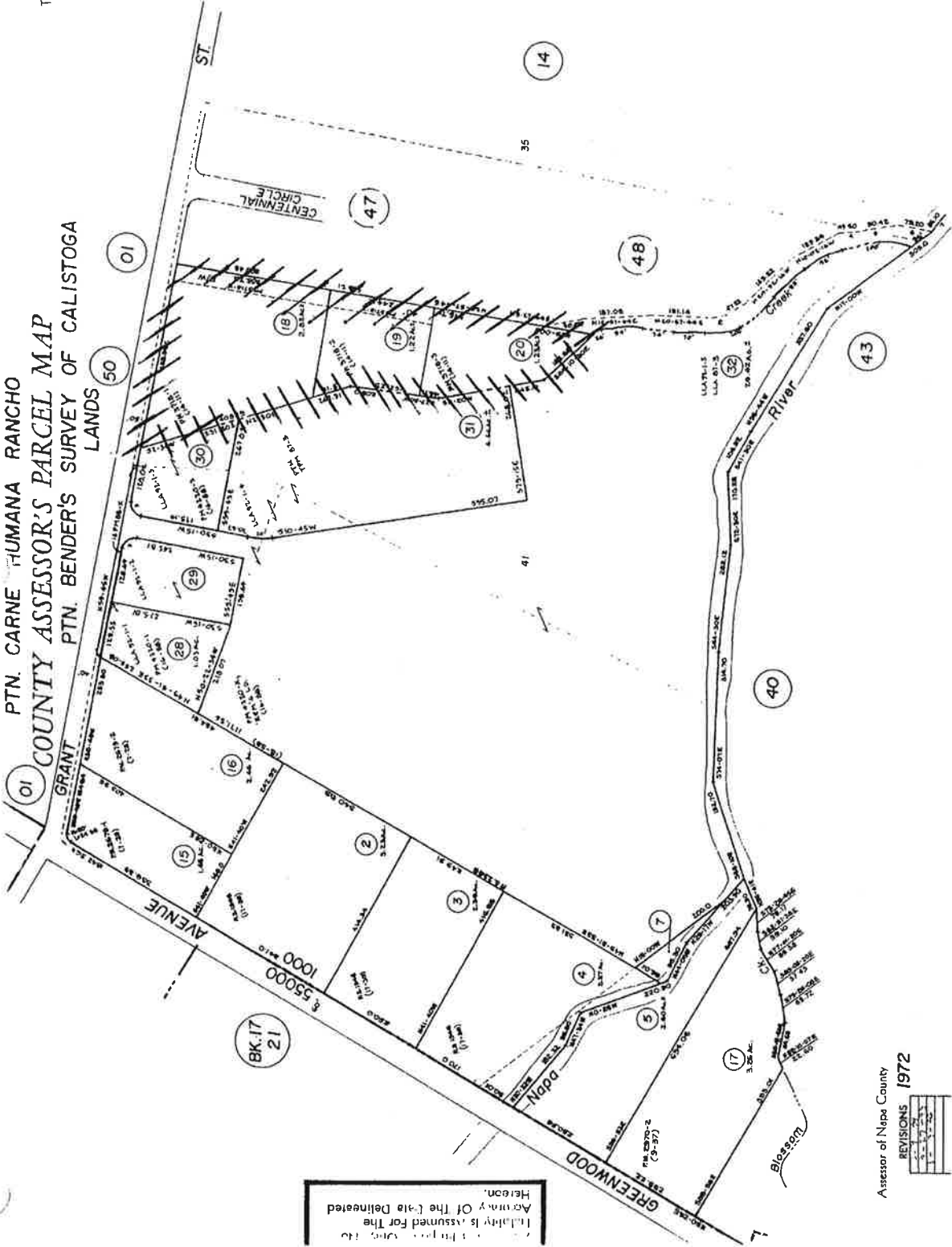
11-39
PTN. 11-14

Tax Area Code
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PTN. CARNE HUMANA RANCHO
 COUNTY ASSESSOR'S PARCEL MAP
 PTN. BENDER'S SURVEY OF CALISTOGA
 LANDS



Liability is assumed for the
 Accuracy of the Data Defined
 Herein.

Assessor of Napa County
 REVISIONS
 1972

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