

BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN JOAQUIN,  
STATE OF CALIFORNIA

ORDINANCE NO. 4649

**An Ordinance of the County of San Joaquin Approving the First Amendment to the Subsequent Development Agreement PA-2300058 by and Between County of San Joaquin and MHD, LLC Related to the Development of Certain Property Within the Mountain House Community**

The Board of Supervisors of the County of San Joaquin ordains as follows:

Section 1. This Ordinance incorporates as Exhibit “A”, and by this reference makes a part hereof, that second amendment to the development agreement by and between County of San Joaquin and MHD, LLC, related to the development of certain property within the Mountain House Community (the “First Amendment to the Subsequent Development Agreement”).

Section 2. On April 18, 2024 the San Joaquin County Planning Commission held a public hearing on the First Amendment to the Subsequent Development Agreement and forwarded the Amendment to the Board of Supervisors with a recommendation of approval.

Section 3. This Ordinance is adopted under the authority of Government Code Section 65864 et seq. (the “Development Agreement Legislation”), and pursuant to Division 13 (commencing with Section 9.1300.1) of Title 9 of the Ordinance Code of San Joaquin County establishing procedures and requirements for consideration of development agreements pursuant to Government Code Section 65864 et seq. (the “Development Agreement Regulations”).

Section 4. In accordance with the Development Agreement Legislation and the Development Agreement Regulations, the Board of Supervisors hereby finds and determines the following: the First Amendment to the Subsequent Development Agreement (Exhibit A) is consistent with the General Plan of the County, the Master Plan for the Mountain House Community, Specific Plan I and II, the Mountain House Development Title of the Ordinance Code of San Joaquin County, and the Public Financing Plan, and that the Amended Development Agreement will promote the public health, safety and general welfare.

Section 5. The Board of Supervisors hereby finds that pursuant to Section 15061 (b)(3) the proposed Amendment activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity is not subject to CEQA and is therefore exempt from further evaluation.

Section 6. The Board of Supervisors of the County of San Joaquin hereby approves the First Amendment to the Subsequent Development Agreement and the Chairman of the Board of Supervisors is hereby authorized and directed to execute the Second Amended Development Agreement on behalf of the County of San Joaquin.

Section 7. This Ordinance shall be in full force and effect thirty (30) days after its passage and adoption.

Section 8. Within ten (10) days after execution of the Second Amended Development Agreement on behalf of the County, the Community Development Director or their designee shall record the Second Amended Development Agreement and this Ordinance with the Recorder of the County of San Joaquin.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of San Joaquin, State of California, on this 21<sup>st</sup> of May 2024 to wit:

AYES: **Canepa, Patti, Ding, Rickman, Villapudua**

NOES: **None**

ABSENT: **None**

ABSTAIN: **None**

**Miguel A. Villapudua**

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MIGUEL A. VILLAPUDUA  
Chairman, Board of Supervisors  
County of San Joaquin  
State of California

ATTEST: RACHÉL DeBORD  
Clerk of the Board of Supervisors  
County of San Joaquin  
State of California



By **Rachél DeBord**

## EXHIBIT A

### FIRST AMENDMENT TO THE SUBSEQUENT DEVELOPMENT AGREEMENT PA-2300058 BY AND BETWEEN COUNTY OF SAN JOAQUIN AND MHD, LLC RELATED TO THE DEVELOPMENT OF CERTAIN PROPERTY WITHIN THE MOUNTAIN HOUSE COMMUNITY

This FIRST AMENDMENT OF SUBSEQUENT DEVELOPMENT AGREEMENT (this "First Amendment") is entered into as of this \_\_\_\_\_ day of \_\_\_\_\_, 2024 by and between Mountain House Developers LLC ("MHD") a Delaware limited liability company and the County of San Joaquin ("County"), referred to individually as a "Party" and collectively as the "Parties."

#### RECITALS

- A. County and Trimark Communities ("Trimark") entered into a Development Agreement on December 10, 1994, recorded in the Official Records of the County of San Joaquin on December 20, 1994, as Instrument No. 94136021 (the "1994 DA"). The 1994 DA was subsequently amended several times.
- B. On October 17, 2000, the 1994 DA and its subsequent amendments were superseded by an Amended and Restated Master Plan Development Agreement (the "Master Plan DA") A-00-924-A by and between the County of San Joaquin and Trimark, adopted by Ordinance No. 4091 and recorded in the Official Records of the County of San Joaquin on December 27, 2000, as Instrument No. 00153355 governing the development of certain property within the Mountain House Community.
- C. On February 8, 2005, the County adopted General Plan, Master Plan and Development Title amendments and Specific Plan II governing the development of approximately 2,440 acres of the Community by Resolution No. R-05-82, R--05-83, R-05- 84, and Ordinance No. 4242 and 4244 of the Board of Supervisors, and approved a Subsequent Development Agreement by Ordinance No. 4243, recorded in the Official Records of the County of San Joaquin on February 22, 2005, as Instrument No 2005-042179 (the "Subsequent DA").
- D. The purpose of the Subsequent DA is to further implement the Existing Approvals and the Master Plan DA with respect to the Property included within the Specific Plan II Area. The Subsequent DA incorporates provisions of the Master Plan DA where appropriate and modifies and supplements various Master DA provisions.
- E. In 2005 and 2007 Mountain House Developers, LLC (MHD, previously known as Shea Mountain House, LLC) acquired from Trimark lands subject to Specific Plan II, the Master Plan DA and the Subsequent DA, and in connection therewith the Master Plan DA and the Subsequent DA were assigned to MHD and the rights and obligation under the Master Plan DA and the Subsequent DA were assumed by MHD with respect to the lands MHD acquired from Trimark.
- F. In connection with development and implementation of Specific Plan II, MHD has completed construction of and dedicated to the Mountain House Community Services District (the "MHCSD") the following community facilities: the Water Treatment Plant (including the 15 MGD Expansion); Neighborhood Parks for Neighborhoods C, D and H; the MHCSD Library; the MHCSD Town Hall; the MHCSD Corporation Yard Phase I (fee payment); the North of Byron Water Storage Tank; the Central Flyover; and segments of arterial roadways including Great Valley Parkway, Central Parkway, Main Street and Mustang Boulevard, Mountain House Parkway, Byron Road and Grant Line Road. MHD has partially completed and dedicated the Wastewater Treatment Plan Phase 2 expansion, and continues to construct this facility. MHD has obtained conceptual design approval for the Central Park Phase 2, the Old River

Regional Park and the Mountain House Creek Park Phase 2, and has an approved design and is in the process of obtaining building permits for Fire Station (2).

- G. Community-wide infrastructure required of third parties has been completed and dedicated to the MHCS D, including the MHCS D Central Park Phase 1, the Mountain House Creek Park Phase 1, Fire Station (1), the College Park Tanks and Booster Pump, the Westside Booster Pump, and the Wastewater Treatment Plant Phase 1. The conceptual plans for Specific Plan III's South Community Park have been approved.
- H. The Specific Plan II Property has been granted several entitlement approvals, including: (i) Tentative Subdivision Map for Neighborhoods I and J (PA-0600327) approved September 11, 2007, and subsequently extended with an expiration date of September 11, 2025 (the "I and J Tentative Map"); and (ii) Tentative Subdivision Map for Neighborhoods K and L (PA-1000266 and PA-1000267) approved December 1, 2011, and subsequently extended with an expiration date of December 11, 2029 (the "K and L Tentative Map"). The I and J Tentative Map and the K and L Tentative Map are referred to collectively herein as the "Tentative Maps."
- I. The Subsequent DA, as amended, will expire on February 8, 2035, unless extended. The Community Development Director is authorized to and, upon written request of Developer, shall permit reasonable extensions of the Term not to exceed five (5) years each, and not to exceed fifteen (15) years in the aggregate for all such extensions, if the Community Development Director determines, with respect to each five (5) year extension, that (1) Developer is not in default under the Subsequent DA, and (2) Developer is participating in Financing Mechanisms then applicable to the Property to provide regional or local Infrastructure and Exactions in connection with the development of the Community and is not in default or delinquent in its obligations thereunder.
- J. Given current circumstances in the housing construction industry, MHD will require more time to obtain approval of a final map for Neighborhoods I, K and L than is currently provided by the existing September 11, 2025 expiration date for the I and J Tentative Map and the existing December 11, 2029 expiration date for the K and L Tentative Map.
- K. As such, the Parties desire to amend the Subsequent DA such that the Tentative Maps will have the same expiration date as the Subsequent DA, which is February 8, 2035. It is anticipated that the Subsequent DA will receive multiple five-year extensions, which will also then extend the life of the Tentative Maps.

NOW, THEREFORE, MHD AND COUNTY HEREBY AGREE AS FOLLOWS:

- 1. Capitalized terms not otherwise defined in this First Amendment shall have the meaning given to them in the Subsequent DA or Master Plan DA.
- 2. The Property covered by this First Amendment is the remaining land within the Specific Plan II that is owned or controlled by MHD, legally described in Exhibit A-1 and as shown on Exhibit B-1, both attached hereto and incorporated herein by this reference.
- 3. A new Section 2.2.16 is added to the Agreement as follows:

The term of a Tentative Map in which the Tentative Map shall be deemed a valid Existing Approval, shall be the same term set forth in Section

2.2.2. of the Subsequent Development Agreement by and between the County of San Joaquin and Trimark Communities (Ordinance No. 4243, Agreement #A-05-77).

4. A new Section 2.2.17 is added to the Agreement as follows:  
Section 2.2.16 Life of Project Approvals or Subsequent Approvals. The term of any Project Approval or Subsequent Approval, including Tentative Maps, shall automatically be extended for the longer of Term of this Agreement or the term otherwise applicable to such Project Approval or Subsequent Approval if this Agreement is no

longer in effect. The Term of this Agreement, any other Project Approval or Subsequent Approval shall not include any period of time during which any applicable development or utility moratorium, lawsuit or the actions of other public agencies that regulate land use, delays construction of the Project.

5. Except as otherwise set forth herein to the contrary, all terms and provisions of the Subsequent DA shall remain un-amended and continue in full force and effect.

IN WITNESS HEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

[signatures on following page]

Mountain House Developers, LLC,  
a Delaware limited liability company

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

Consented to by the County of San Joaquin on: \_\_\_\_\_  
Date

By: \_\_\_\_\_  
County of San Joaquin

Approved as to Form:

By: \_\_\_\_\_  
County Counsel

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )  
 )  
COUNTY OF \_\_\_\_\_ )

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

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

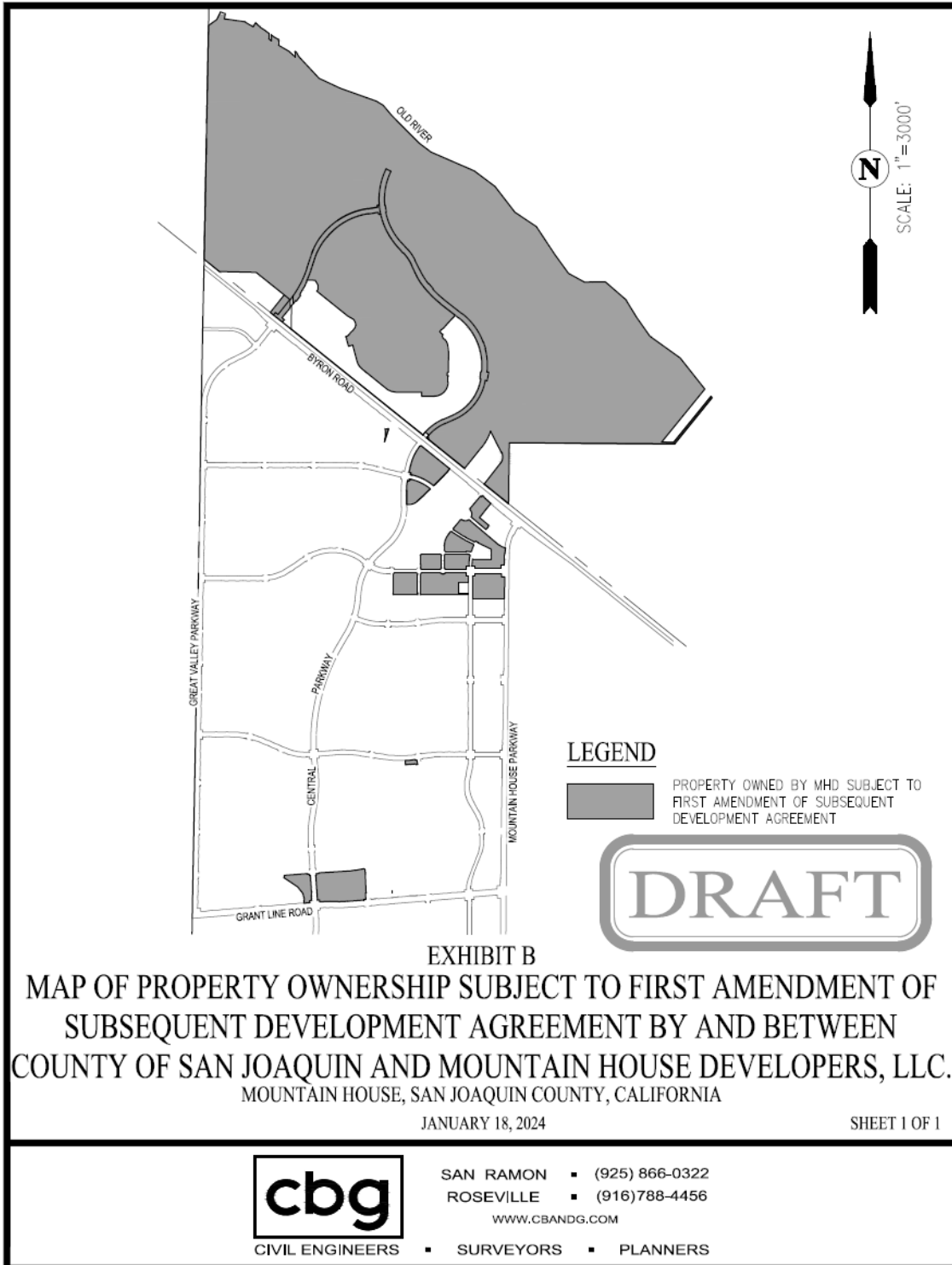
WITNESS my hand and official seal.

Signature \_\_\_\_\_

(SEAL)

**EXHIBIT A-1**

**Property to be included in the First Amendment to the Subsequent DA**



JOB NO. 0673-090

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**EXHIBIT B-1**

Real property in the unincorporated area of the County of San Joaquin, State of California, described as follows:

Parcel No. 1: Parcel S, B, C, D, 5, 6, 7 and 8 of San Joaquin County Tract Number 3968, Neighborhood J, Unit No. 1

Parcel No. 2: Lots 4, 5, 8, 12, 13, 15, 16, 17, 20, 21, 24, 25 of San Joaquin County Tract Number 3925, Town Center Mountain House

PARCEL NO. 3: (A PORTION OF APN 258-020-360-000, RESULTANT PARCEL A)

BEING A PORTION OF NEW PARCEL A, AS SAID NEW PARCEL A IS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED PURSUANT TO THE LOT LINE ADJUSTMENT, PA-190005, RECORDED JULY 15, 2019, AS DOCUMENT NO. 2019-074719 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID PARCEL A, SAID POINT ALSO BEING A POINT ON THE EASTERLY LINE OF KELSO ROAD (66 FEET WIDE), AS SAID KELSO ROAD IS SHOWN ON THE FINAL MAP FOR TRACT 3645, FILED FOR RECORDS OCTOBER 22, 2007, IN BOOK 41 OF MAPS AND PLATS, AT PAGE 50, IN SAID OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY;

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE EXTERIOR BOUNDARY OF SAID PARCEL A (DN 2019-074719) THE FOLLOWING FOUR (4) COURSES:

- 1) NORTH 00° 56' 24" EAST 198.69 FEET;
- 2) ALONG THE ARC OF A NON-TANGENT 2,547.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 55° 03' 24" WEST, THROUGH A CENTRAL ANGLE OF 16° 39' 16", AN ARC DISTANCE OF 740.35 FEET;
- 3) NORTH 18° 17' 20" EAST 340.62 FEET;
- 4) ALONG THE ARC OF A TANGENT 1,500.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 07° 34' 54", AN ARC DISTANCE OF 198.49 FEET;

THENCE LEAVING SAID EXTERIOR BOUNDARY, CONTINUING ALONG THE ARC OF SAID 1,500 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE



BEARS SOUTH 64° 07'46" EAST, THROUGH A CENTRAL ANGLE OF 09°01'29", AN ARC DISTANCE OF 236.27 FEET, TO A POINT ON SAID EXTERIOR BOUNDARY;

THENCE ALONG SAID EXTERIOR BOUNDARY, THE FOLLOWING TWENTY-SIX (26) COURSES:

1) CONTINUING ALONG THE ARC OF SAID 1,500.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 55°06'17" EAST, THROUGH A CENTRAL ANGLE OF 05°52'53", AN ARC DISTANCE OF 153.97 FEET,

2) NORTH 40°46'36" EAST 16.20 FEET;

3) ALONG THE ARC OF A TANGENT 1,713.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 40°43'46", AN ARC DISTANCE OF 1,217.71 FEET;

4) NORTH 81°30'22" EAST 242.81 FEET;

5) NORTH 08°29'38" WEST 50.00 FEET;

6) NORTH 81°30'22" EAST 50.00 FEET;

7) ALONG THE ARC OF A NON-TANGENT 1,655.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 85°25'16" EAST, THROUGH A CENTRAL ANGLE OF 07°49'49", AN ARC DISTANCE OF 226.18 FEET;

8) SOUTH 81°30'22" WEST 50.00 FEET;

9) NORTH 08°29'38" WEST 50.00 FEET;

10) SOUTH 81°30'22" WEST 242.81 FEET;

11) ALONG THE ARC OF A TANGENT 1,587.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 39°51'26", AN ARC DISTANCE OF 1,103.98 FEET;

12) SOUTH 41°38'56" WEST 48.37 FEET;

13) ALONG THE ARC OF A TANGENT 1,475.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 23°21'36", AN ARC DISTANCE OF 601.37 FEET;

14) SOUTH 18°17'20" WEST 274.13 FEET;

15) ALONG THE ARC OF A TANGENT 2,653.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 06°24'25", AN ARC DISTANCE OF 296.66 FEET;

16) SOUTH 65°18'15" EAST 6.00 FEET;

17) SOUTH 22°32'35" WEST 129.43 FEET;

18) SOUTH 32°35'24" WEST 119.77 FEET;

19) SOUTH 28°20'20" WEST 120.16 FEET;

- 20) SOUTH 55°32'34" EAST 25.00 FEET;
- 21) SOUTH 34°27'26" WEST 60.00 FEET;
- 22) SOUTH 37°00'03" WEST 50.05 FEET;
- 23) SOUTH 34°27'26" WEST 60.00 FEET;
- 24) NORTH 55°32'34" WEST 25.00 FEET;
- 25) SOUTH 32°48'12" WEST 55.30 FEET, AND;
- 26) SOUTH 42°33'31" WEST 47.45 FEET TO SAID POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS "RESULTANT PARCEL A" PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT, CERTIFICATE NO. PA1900239, RECORDED MARCH 5, 2020 AS INSTRUMENT NO. 2020-028897 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET, WITHOUT ANY RIGHT OF SURFACE ENTRY, AS EXCEPTED IN THE DEED EXECUTED BY WILLIAM E. RALPH, TRUSTEE, W. E. RALPH REVOCABLE TRUST, UTA NOVEMBER 9, 1988, RECORDED JANUARY 31, 1997, AS INSTRUMENT NO. 97011977, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERALS RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT THE RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC., A LIMITED LIABILITY COMPANY, BY GRANT DEED RECORDED MAY 13, 2005, RECORDER'S INSTRUMENT NO. 2005-115427, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC, A LIMITED LIABILITY COMPANY, BY GRANT DEED RECORDED JULY 17, 2007, RECORDER'S INSTRUMENT NO. 2007-129967, SAN JOAQUIN

COUNTY RECORDS.

PARCEL NO. 3A: (APN: 258-020-380-000, NEW PARCEL E)

BEING A PORTION OF PARCEL E, TOGETHER WITH A PORTION OF LOT 11, AS SAID PARCEL E AND LOT 11 ARE SHOWN AND SO DESIGNATED ON THE FINAL MAP FOR TRACT NO. 3645, FILED FOR RECORD ON OCTOBER 22, 2007 IN BOOK 41 OF MAPS AND PLATS, PAGE 50, IN THE OFFICE OF THE RECORDER OF SAN JOAQUIN COUNTY MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF SAID PARCEL E, SAID POINT BEING A POINT ON THE NORTHEASTERLY LINE OF UNION PACIFIC RAILROAD PROPERTY (100 FEET WIDE), AS SAID UNION PACIFIC RAILROAD PROPERTY IS SHOWN ON SAID MAP (41 M&P 50);

THENCE FROM SAID POINT OF BEGINNING, ALONG THE EXTERIOR BOUNDARY OF SAID PARCEL E (41 & 50) THE FOLLOWING SIX (6) COURSES:

- 1) NORTH 38°44'25" EAST 75.00 FEET;
- 2) SOUTH 51°15'57" EAST 75.00 FEET;
- 3) NORTH 38°44'03" EAST 460.70 FEET;
- 4) SOUTH 51°15'57" EAST 6.51 FEET;
- 5) ALONG THE ARC OF A NON-TANGENT, 2,547.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 52°22'47" WEST, THROUGH A CENTRAL ANGLE OF 0°06'24", AN ARC DISTANCE OF 4.74 FEET;
- 6) SOUTH 00°56'24" WEST 188.86 FEET;

THENCE, LEAVING SAID EXTERIOR BOUNDARY, SOUTH 34°35'50" WEST 66.45 FEET;

THENCE, SOUTH 41°36'45" WEST 98.70 FEET, TO SAID EXTERIOR BOUNDARY OF PARCEL E:

THENCE, ALONG SAID EXTERIOR BOUNDARY THE FOLLOWING FOUR (4) COURSES:

- 1) SOUTH 38°44'03" WEST 151.36 FEET;
- 2) SOUTH 51°15'57" EAST 75.00 FEET;
- 3) SOUTH 38°44'03" WEST 75.01 FEET;
- 4) NORTH 51°15'35" WEST 272.00 FEET TO SAID POINT OF BEGINNING.

LEGAL DESCRIPTION "NEW PARCEL E" PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT, CERTIFICATE NO. PA-1900006, RECORDED JUNE 13, 2019 AS INSTRUMENT NO. 2019-061876, OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET BENEATH THE SURFACE WITHOUT, HOWEVER, THE RIGHT OF SURFACE ENTRY, AS RESERVED IN THE DEED FROM CLIFFORD ALBERT RICKER AND YVONNE ELOISE RICKER, AS TRUSTEES OF THE RICKER FAMILY TRUST, RECORDED JULY 21, 1995, AS INSTRUMENT NO. 95065394, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERALS RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT THE RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC., A LIMITED LIABILITY COMPANY, BY GRANT DEED RECORDED MAY 13, 2005, RECORDER'S INSTRUMENT NO. 2005-115427, SAN JOAQUIN COUNTY RECORDS.

PARCEL NO. 8: (APN: 209-170-030-000)

COMMENCING AT THE QUARTER CORNER OF THE NORTH LINE OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 4 EAST, MOUNT DIABLO BASE AND MERIDIAN; AND RUN THENCE SOUTH 00° 01' EAST, 2026.3 FEET TO THE EASTERLY LINE OF THE SOUTHERN PACIFIC RAILROAD; THENCE ALONG SAID EASTERLY LINE OF SAID RAILROAD, SOUTH 52° 06' EAST, 1010 FEET TO A POST MARKED EP L AT A POINT WHERE THE QUARTER SECTION LINE EAST AND WEST THROUGH THE CENTER OF SECTION 3 AND 4 INTERSECT THE EASTERLY LINE OF SAID RAILROAD; THENCE ALONG SAID QUARTER SECTION LINE, NORTH 89° 38' EAST, 2288 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED TRACT OF LAND; THENCE NORTH 00° 20' WEST 910 FEET TO THE CENTER LINE OF A DITCH; THENCE MEANDER THE CENTER LINE OF SAID DITCH, NORTH 18° 53' EAST, 1600 FEET; THENCE NORTH 32° 20' EAST, 810 FEET; THENCE NORTH 54° 25' EAST, 160 FEET; THENCE NORTH 32° 07' EAST, 810 FEET TO THE LEFT BANK OF OLD RIVER; THENCE MEANDER THE LEFT BANK OF OLD RIVER UPSTREAM SOUTH 89° 46' EAST, 373 FEET; THENCE SOUTH 60° 17' EAST, 250 FEET; THENCE SOUTH 37° 35' EAST, 300 FEET; THENCE SOUTH 33° 40' EAST, 1050 FEET; THENCE SOUTH 55° 45' EAST, 875 FEET; THENCE SOUTH 39° 50' EAST, 1090 FEET TO THE WESTERLY LINE OF A CANAL RIGHT OF WAY; THENCE ALONG SAID WESTERLY LINE OF SAID CANAL, SOUTH 38° 58' WEST, 1670 FEET TO THE QUARTER SECTION LINE EAST AND WEST THROUGH THE CENTER OF SECTIONS 3 AND 4; THENCE ALONG SAID QUARTER SECTION LINE, SOUTH 89° 38' WEST, 3233.1 FEET TO THE POINT OF BEGINNING.

EXCEPT THEREFROM ANY PORTION LYING WITHIN THE FOLLOWING:

ALL THAT PORTION OF SECTION 34, TOWNSHIP 1 SOUTH, RANGE 4 EAST, AS SAID SECTION, TOWNSHIP AND RANGE ARE PROJECTED WITHIN RANCHO EL PESCADERO, LYING SOUTH OF THE PRESENT CHANNEL OF OLD RIVER AND NORTH OF A DREDGER

CUT, PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE QUARTER CORNER OF THE NORTH LINE OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 4 EAST, MOUNT DIABLO BASE AND MERIDIAN; AND RUN THENCE SOUTH 00° 01' EAST, 2026.3 FEET TO THE EASTERLY LINE OF THE SOUTHERN PACIFIC RAILROAD; THENCE ALONG SAID EASTERLY LINE OF SAID RAILROAD, SOUTH 52° 06' EAST, 1010 FEET TO A POST MARKED EP L, AT A POINT WHERE THE QUARTER SECTION LINE, EAST AND WEST THROUGH THE CENTER OF SECTION 3 AND 4 INTERSECTS THE EASTERLY LINE OF SAID RAILROAD; THENCE ALONG SAID QUARTER SECTION LINE, NORTH 89° 38' EAST, 2288 FEET; THENCE NORTH 00° 20' WEST, 910 FEET TO THE CENTER LINE OF A DITCH; THENCE MEANDER THE CENTER LINE OF SAID DITCH, NORTH 18° 53' EAST, 1600 FEET; THENCE NORTH 32° 20' EAST, 810 FEET; THENCE NORTH 54° 25' EAST, 160 FEET; THENCE NORTH 32° 07' EAST, 810 FEET TO THE LEFT BANK OF OLD RIVER; THENCE CONTINUING IN A NORTHERLY DIRECTION ACROSS SAID DREDGER CUT TO THE MOST WESTERLY AND DOWNSTREAM POINT OF LAND ON AN ISLAND, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED TRACT OF LAND; THENCE MEANDERING OLD RIVER UPSTREAM ALONG THE WATERS EDGE IN A NORTHERLY, EASTERLY AND SOUTHERLY DIRECTION TO THE MOST EASTERLY AND UPSTREAM POINT OF LAND ON SAID ISLAND; THENCE NORTHERLY AND WESTERLY MEANDERING THE WATERS EDGE ALONG THE SOUTH SIDE OF SAID ISLAND, DOWNSTREAM, TO THE POINT OF BEGINNING.

ALSO EXCEPT THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES BELOW A DEPTH OF 500 FEET FROM THE SURFACE OF SAID LAND, WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED IN THE DEED FROM ALDO J. BERTOLOTTI, ET AL, RECORDED SEPTEMBER 20, 1988 AS INSTRUMENT NO. 88079249, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM: ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RECORDED IN THE DEED FROM TRIMARK COMMUNITIES, LLC, RECORDED JULY 17, 2007 AS INSTRUMENT NO. 2007-129967 OF OFFICIAL RECORDS.

PARCEL NO. 9: (APN: 209-450-400-000 and 209-450-410-000)

PARCELS H AND I AS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT NO. 3848, MOUNTAIN HOUSE, NEIGHBORHOOD "D"-WEST", FILED FOR RECORD MARCH 10, 2017 IN BOOK 42 OF MAPS, AT PAGE 77, FILED IN THE OFFICE OF THE COUNTY RECORDER,

COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA.

EXCEPTING FROM PARCEL I, THAT PORTION CONVEYED TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT, DESCRIBED IN GRANT DEED RECORDED OCTOBER 10, 2018 AS INSTRUMENT NO. 2018-112805, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

EXCEPTING FROM PARCEL H, THAT PORTION CONVEYED TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT, DESCRIBED IN GRANT DEED RECORDED OCTOBER 6, 2022 AS INSTRUMENT NO. 2022-116409, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

EXCEPTING THEREFROM ALL OIL, GAS AND OTHER HYDROCARBONS AND MINERALS AS RESERVED BY BANK OF AMERICA NATIONAL TRUST AND SAVINGS ASSOCIATION, A NATIONAL BANKING ASSOCIATION, BY DEED RECORDED MAY 23, 1938 IN VOLUME 602 OF OFFICIAL RECORDS, AT PAGE 465, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPT THEREFROM ALL OIL, GAS AND MINERALS LYING IN AND UNDER SAID LAND, AS CONVEYED TO CAPITOL COMPANY BY DEED RECORDED DECEMBER 29, 1941, IN BOOK 764 OF OFFICIAL RECORDS, AT PAGE 108, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL MINERALS, GAS AND HYDROCARBONS IN AND UNDER SAID PROPERTY BELOW A DEPTH OF 500 FEET WITHOUT THE RIGHT OF SURFACE ENTRY INTO FIVE HUNDRED (500) FEET BELOW THE SURFACE OF SAID LAND, AS RESERVED BY ISABEL F. OLIVEIRA, TRUSTEE UNDER THE ISABEL F. OLIVEIRA SEPARATE PROPERTY TRUST DATED JANUARY 11, 1995, BY DEED RECORDED AUGUST 18, 2006, RECORDER'S INSTRUMENT NO. 2006-177082, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (i) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (ii) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (iii) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY AS RESERVED IN THE DEED FROM TRIMARK COMMUNITIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, RECORDED JULY 17, 2007, INSTRUMENT NO. 2007-129967 OF OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

PARCEL NO. 10: (APN: 254-550-070-000, 254-550-080-000, 254-550-110-000, 240-550-150-000 THROUGH 254-550-200, 254-550-230, 254-550-240-000, 254-550-270-000 AND 254-550-280-000)

LOTS 4, 5, 8, 12 THROUGH 17, INCLUSIVE, 20, 21, 24 AND 25 AS SHOWN ON TRACT NO. 3925, FILED NOVEMBER 16, 2018 IN BOOK 43 OF MAPS AND PLATS, PAGE 55, SAN JOAQUIN COUNTY RECORDS AND AMENDED PURSUANT TO THAT CERTAIN CERTIFICATE OF CORRECTION RECORDED MARCH 8, 2019 AS INSTRUMENT NO. 2019-023839 OF OFFICIAL RECORDS.

EXCEPTING FROM LOTS 4, 5, 18, 20, 24 AND 25, THOSE PORTIONS CONVEYED TO

MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT, A POLITICAL SUBDIVISION OF THE STATE OF CALIFORNIA, DESCRIBED AS AREAS 1 THROUGH 5, IN GRANT DEED RECORDED OCTOBER 21, 2020 AS INSTRUMENT NO. 2020-141515, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY RECORDERS.

ALSO EXCEPTING FROM LOT 25, THAT PORTION OF LAND CONVEYED TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT, IN GRANT DEED RECORDED MAY 14, 2021 AS INSTRUMENT NO. 2021-085255, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING FROM LOTS 5 AND 12 THROUGH 17, INCLUSIVE ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET BENEATH THE SURFACE WITHOUT, HOWEVER THE RIGHT OF SURFACE ENTRY, AS RESERVED IN THE DEED FROM ARNAUDO BROS., RECORDED AUGUST 3, 1994, AS INSTRUMENT NO. 94089630, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING FROM LOTS 4, 5, 8, 20, 21, 24 AND 25, ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET BENEATH THE SURFACE WITHOUT, HOWEVER, THE RIGHT OF SURFACE ENTRY, AS RESERVED IN THE DEED FROM ARNAUDO BROTHERS, RECORDED AUGUST 5, 1995, AS INSTRUMENT NO. 95070745, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (i) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (ii) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (iii) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY AS RESERVED IN THE DEED FROM TRIMARK COMMUNITIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, RECORDED JULY 17, 2007, INSTRUMENT NO. 2007-129967 OF OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

PARCEL NO. 11: (APN: 256-270-680-000)

PARCEL A, AS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT NO. 3545, SUBDIVISIONS OF SAN JOAQUIN COUNTY, CALIFORNIA, MOUNTAIN HOUSE, NEIGHBORHOOD 'H', UNIT NO 2", FILED FOR RECORD ON NOVEMBER 8, 2006 IN BOOK 41 OF MAPS AND PLATS, PAGE 7, SAN JOAQUIN COUNTY RECORDS.

EXCEPTING THEREFROM AN UNDIVIDED ½ INTEREST IN AND TO ALL MINERALS, GAS OR HYDROCARBONS, AS RESERVED IN THE DEED FROM FIRMINO R. DIAS AND MARY A. DIAS, HIS WIFE, TO BENJAMIN R. BURROUGHS AND MARY H. BURROUGHS, HIS WIFE, RECORDED SEPTEMBER 11, 1952, IN BOOK 1451 OF OFFICIAL RECORDS, PAGE 427, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPT THEREFROM AN UNDIVIDED ½ INTEREST IN AND TO ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF FIVE

HUNDRED (500) FEET BENEATH THE SURFACE OF SAID LAND WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED BY LOUIS N. SANTUCCI AND DOROTHY M. SANTUCCI, TRUSTEES OF THE SANTUCCI FAMILY TRUST U.T.A. DATED FEBRUARY 20, 1988, IN THE DEED RECORDED APRIL 29, 2005, AS INSTRUMENT NO. 2005-101887 OF OFFICIAL RECORDS, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET BENEATH THE SURFACE WITHOUT, HOWEVER, THE RIGHT OF SURFACE ENTRY, AS RESERVED IN THE DEED FROM TRIMARK COMMUNITIES, LLC, A LIMITED LIABILITY COMPANY ORGANIZED UNDER THE LAWS OF THE STATE OF CALIFORNIA, RECORDED MAY 13, 2005 AS INSTRUMENT NO. 2005-115427, SAN JOAQUIN COUNTY RECORDS.

PARCEL NO. 12: (APN:256-510-020-000 AND 256-510-030-000)

PARCELS T AND U AS SHOWN UPON THAT CERTAIN MAP ENTITLED, TRACT NO. 3544, MOUNTAIN HOUSE NEIGHBORHOOD "H", UNIT NO. 1, FILED FOR RECORD NOVEMBER 8, 2006, IN BOOK 41 OF MAPS AND PLATS, AT PAGE 6, SAN JOAQUIN COUNTY RECORDS. CERTIFICATE OF CORRECTION FOR COUNTY FINAL MAP, RECORDED MARCH 22, 2007, RECORDER'S INSTRUMENT NO. 2007-058281, SAN JOAQUIN COUNTY RECORDS.

EXCEPTING FROM THE ABOVE DESCRIBED PARCEL T, THAT PORTION CONVEYED TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT, DESCRIBED IN GRANT DEED RECORDED JULY 14, 2022, AS INSTRUMENT NO. 2022-085934, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

ALSO EXCEPT THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET BENEATH THE SURFACE WITHOUT, HOWEVER, THE RIGHT OF SURFACE ENTRY, AS RESERVED IN THE DEED FROM ARNAUDO BROTHERS, RECORDED AUGUST 4, 1995 AS INSTRUMENT NO. 95070745, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET BENEATH THE SURFACE WITHOUT, HOWEVER, THE RIGHT OF SURFACE ENTRY, AS RESERVED IN THE DEED FROM TRIMARK COMMUNITIES, LLC, A LIMITED LIABILITY COMPANY ORGANIZED UNDER THE LAWS OF THE STATE OF CALIFORNIA, RECORDED MAY 13, 2005 AS INSTRUMENT NO. 2005-115427, SAN JOAQUIN COUNTY RECORDS.

PARCEL NO. 13: (APN 258-020-060-000 THROUGH 258-020-080-000, 258-020-110-000, 258-020-180-000, 258-020-310-000, 258-020-330-000, 258-020-340-000, 258-030-030-000 THROUGH 258-030-060-000)

LOTS 2, 3, 4, 6, 7, 8, 15, 16 AND PARCELS B, C AND D AS SHOWN ON THE MAP DESIGNATED "TRACT NO. 3645, MOUNTAIN HOUSE, NEIGHBORHOODS I AND J, PHASE 1 LARGE LOT FINAL MAP" FILED FOR RECORD ON OCTOBER 22, 2007 IN BOOK 41 OF MAPS AND PLATS, PAGE 50, SAN JOAQUIN COUNTY RECORDS.



EXCEPTING FROM THE ABOVE DESCRIBED PARCEL B, THAT PORTION CONVEYED TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT, DESCRIBED IN GRANT DEED RECORDED JULY 14, 2022, AS INSTRUMENT NO. 2022-085932, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

ALSO EXCEPTING THEREFROM ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW THE DEPTH OF 500 FEET, WITHOUT ANY RIGHT OF SURFACE ENTRY, AS RESERVED BY WILLIAM E. RALPH, TRUSTEE, W.E RALPH REVOCABLE TRUST, UTA NOVEMBER 9, 1988 IN THE DEED RECORDED JANUARY 31, 1997 AS INSTRUMENT NO. 97011977 OF OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

ALSO EXCEPTING THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES BELOW A DEPTH OF 500 FEET FROM THE SURFACE OF SAID LAND, WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED IN THE DEED FROM ALDO J. BERTOLOTTI, ET AL, RECORDED SEPTEMBER 20, 1988 AS INSTRUMENT NO. 88079249, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERALS RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT THE RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC., A LIMITED LIABILITY COMPANY, BY GRANT DEED RECORDED MAY 13, 2005, RECORDER'S INSTRUMENT NO. 2005-115427, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAT 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC, A LIMITED LIABILITY COMPANY, BY GRANT DEED RECORDED JULY 17, 2007, RECORDER'S INSTRUMENT NO. 2007-129967, SAN JOAQUIN COUNTY RECORDS.

PARCEL NO. 14: (APN: 258-020-030-000, AND PORTIONS OF 258-020-350-000 AND 258-040-010, NEW LOT 1)

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL TWO (SHEA MOUNTAIN HOUSE PARCEL) IN THE DEED TO SHEA MOUNTAIN HOUSE LLC,

RECORDED JUNE 26, 2009, AS DOCUMENT NO. 2009-095451 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, TOGETHER WITH A PORTION OF THE DESIGNATED REMAINDER (PORTION), AS SAID DESIGNATED REMAINDER (PORTION) IS SHOWN AND SO DESIGNATED ON THE FINAL MAP FOR TRACT 3645, FILED FOR RECORD OCTOBER 22, 2007 IN BOOK 41 OF MAPS AND PLATS, AT PAGE 50, IN SAID OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERN CORNER OF SAID PARCEL TWO (DN 2009-095451) , SAID POINT BEING A POINT ON THE COUNTY LINE SEPARATING ALAMEDA COUNTY AND SAN JOAQUIN COUNTY, AS SAID COUNTY LINE IS SHOWN AND SO DESIGNATED ON SAID FINAL MAP (41 M&P 50) ; THENCE, FROM SAID POINT OF BEGINNING, ALONG THE NORTHERN LINE OF SAID PARCEL TWO (DN 2009-095451), AND (FOR THE PURPOSES OF THIS DESCRIPTION) ALONG THE DEED LINE DESCRIBED AS BEING ALONG THE CENTER LINE OF A LEVER ALONG THE SOUTH (LEFT) BANK OF OLD RIVER IN THAT CERTAIN DEED TO SHEA MOUNTAIN HOUSE, LLC, RECORDED MAY 13, 2005, AS DOCUMENT NO. 2005-115427 OF OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, AS SAID DEED LINE (DN 2005-115427) IS FURTHER SHOWN AND SO DESIGNATED ON SAID FINAL MAP (41 M&P 50) (AS NOTED IN THE FOLLOWING COURSES), AND ALSO ALONG THE TRAVERSE LINE (FOR THE PURPOSES OF THIS DESCRIPTION) BOR MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT (MHCSO) BOUNDARY, AS SAID LINE IS DESCRIBED TN RESOLUTION 941 ADOPTED BY LAFCO ON FEBRUARY 23, 1996, AS SAID TRAVERSE LINE IS FURTHER SHOWN AND SO DESIGNATED ON SAID FINAL MAP (41 M&P 50) (ALSO AS NOTED IN THE FOLLOWING COURSES), THE FOLLOWING TWENTYFIVE (25) COURSES:

- 1) ALONG SAID NORTHERN LINE OF PARCEL TWO (DN 2009-095451) , NORTH 54°02'13" EAST 241.35 FEET,
- 2) NORTH 26°03'13" EAST 164.32 FEET TO A POINT ON SAID DEED (DN 2005-115427) ,
- 3) ALONG SAID DEED LINE (DN 2005-115427) SOUTH 45°04'52" EAST 49.82 FEET
- 4) SOUTH 81°59'52" EAST 89.99 FEET
- 5) LEAVING SAID DEED LINE (DN 2005-115427) , SOUTH 08°00'08" WEST 84.99 FEET,
- 6) SOUTH 81°59'52" EAST 499.97 FEET
- 7) SOUTH 31°46'48" EAST 18.59 FEET
- 8) SOUTH 59°59'52" EAST 209.98 FEET
- 9) NORTH 30°00'08" EAST 87.60 FEET TO POINT ON SAID DEED LINE (DN 2005-115427)
- 10) ALONG SAID DEED LINE (DN 2005-115427), SOUTH 59°59'52" EAST 31.77 FEET,
- 11) SOUTH 54°13'52" EAST 199.99 FEET
- 12) SOUTH 48°13'52" EAST 189.99 FEET
- 13) LEAVING SAID DEED LINE (DN 2005-115427), SOUTH 01°10'08" WEST 99.99 FEET,
- 14) SOUTH 48°13'52" EAST 79.99 FEET,
- 15) NORTH 01°10'08" EAST 99.99 FEET TO A POINT ON SAID DEED LINE (DN 2005-115427) ,
- 16) ALONG SAID DEED LINE (DN 2005-115427) , SOUTH 59°48'52" EAST 199.99 FEET,
- 17) LEAVING SAID DEED LINE (DN 2005-115427) , SOUTH 01°10'08" WEST 99.99 FEET,
- 18) SOUTH 59°48'52" EAST 289.98 FEET,
- 19) SOUTH 47°38'52" EAST 199.49 FEET
- 20) NORTH 01°10'08" EAST 99.99 FEET TO A POINT ON SAID TRAVERSE LINE (41 M&P 50)
- 21) ALONG SAID TRAVERSE LINE (41 M&P 50), SOUTH 29°38'34" EAST 130.22 FEET,
- 22) SOUTH 43°00'42" EAST 719.63 FEET,

23) SOUTH 64°54'04" EAST 573.86 FEET  
24) SOUTH 70°30'25" EAST 518.05 FEET, AND  
25) LEAVING SAID TRAVERSE LINE (41 M&P 50), SOUTH 18°01'15" WEST 62.70 FEET:

THENCE, LEAVING SAID NORTHERN LINE OF PARCEL TWO (DN 2019-095451), SOUTH 69°37'28" EAST 100.16 FEET;

THENCE, ALONG THE ARC OF A TANGENT 364.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 26°32'50" AN ARC DISTANCE OF 168.66 FEET;  
THENCE, SOUTH 26°50'32" WEST 1,142.53 FEET;  
THENCE SOUTH 69°05'27" EAST 423.14 FEET;  
THENCE SOUTH 20°54'33" WEST 12.00 FEET;  
THENCE, SOUTH 37°16'12" WEST 41.69 FEET;  
THENCE, SOUTH 20°54'33" WEST 12.00 FEET;

THENCE, ALONG THE ARC OF A NON-TANGENT 23.00 FOOT RADIUS CURVE TO THE RIGHT FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 20°54'33" WEST THROUGH A CENTRAL ANGLE OF 96°05'36", AN ARC DISTANCE OF 38.57 FEET;  
THENCE, SOUTH 27°00'10" WEST 0.66 FEET;  
THENCE, SOUTH 62°59'50" EAST 12.00 FEET;  
THENCE, SOUTH 78°30'35" EAST 41.51 FEET;  
THENCE, SOUTH 62°59'50" EAST 12.00 FEET;  
THENCE, NORTH 27°00'10" EAST 1.30 FEET;  
THENCE, ALONG THE ARC OF A TANGENT 23.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 83°54'23", AN ARC DISTANCE OF 33.68 FEET;  
THENCE, SOUTH 69°05'27" EAST 18.50 FEET;  
THENCE, ALONG THE ARC OF A TANGENT 1,168.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 05°17'26" AN ARC DISTANCE OF 107.85 FEET;  
THENCE, SOUTH 63°48'01" EAST 220.35 FEET;  
THENCE, SOUTH 26°11'57" WEST 7.00 FEET;  
THENCE, ALONG THE ARC OF A NON-TANGENT 83.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 26°11'57" WEST, THROUGH A CENTRAL ANGLE OF 19°05'30", AN ARC DISTANCE OF 27.66 FEET;  
THENCE, ALONG THE ARC OF A REVERSE 117.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 45°17'27" EAST THROUGH A CENTRAL ANGLE OF 19°05'28", AN ARC DISTANCE OF 38.98 FEET;  
THENCE, SOUTH 63°48'01" EAST 27.30 FEET;  
THENCE, SOUTH 26°11'59" WEST 40.00 FEET;  
THENCE, SOUTH 63°48'01" EAST 25.00 FEET TO A POINT ON THE BOUNDARY LINE OF SAID PARCEL TWO (DN 2009-095451)

THENCE, ALONG SAID BOUNDARY LINE OF PARCEL TWO (DN 2009-095451), THE FOLLOWING ONE HUNDRED NINE (109) COURSES:

1) ALONG THE ARC OF A NON-TANGENT 1,655.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 64°48'16" EAST, THROUGH A CENTRAL ANGLE OF 29°46'28" AN ARC DISTANCE OF 860.04 FEET,  
2) SOUTH 81°30'22" WEST 50.00 FEET  
3) SOUTH 08°29'38" EAST 50.00 FEET,

- 4) SOUTH  $81^{\circ}30'22''$  WEST 242.81 FEET
- 5) ALONG THE ARC OF A TANGENT 1,713.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF  $26^{\circ}03'46''$ , AN ARC DISTANCE OF 779.21 FEET,
- 6) NORTH  $34^{\circ}33'24''$  WEST 8.65 FEET
- 7) ALONG THE ARC OF A NON-TANGENT 65.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH  $58^{\circ}33'29''$  WEST, THROUGH A CENTRAL ANGLE OF  $63^{\circ}10'17''$ , AN ARC DISTANCE OF 71.67 FEET,
- 8) ALONG THE ARC OF A COMPOUND 144.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH  $58^{\circ}16'14''$  WEST, THROUGH A CENTRAL ANGLE OF  $26^{\circ}46'11''$ , AN ARC DISTANCE OF 67.28 FEET
- 9) NORTH  $58^{\circ}29'57''$  WEST 13.10 FEET,
- 10) ALONG THE ARC OF A TANGENT 85.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL THENCE, SOUTH  $43^{\circ}04'38''$  EAST 67.66 FEET; ANGLE OF  $76^{\circ}32'26''$ , AN ARC DISTANCE OF 113.55 FEET,
- 11) NORTH  $50^{\circ}25'36''$  WEST 33.64 FEET,
- 12) ALONG THE ARC OF A NON-TANGENT 132.64 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH  $30^{\circ}53'11''$  WEST, THROUGH A CENTRAL ANGLE OF  $52^{\circ}42'01''$ , AN ARC DISTANCE OF 122.00 FEET,
- 13) ALONG THE ARC OF A NON-TANGENT 70.08 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH  $24^{\circ}28'54''$  EAST, THROUGH A CENTRAL ANGLE OF  $50^{\circ}00'02''$ , AN ARC DISTANCE OF 61.16 FEET,
- 14) ALONG THE ARC OF A NON-TANGENT 192.88 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH  $66^{\circ}51'16''$  WEST, THROUGH A CENTRAL ANGLE OF  $24^{\circ}25'32''$ , AN ARC DISTANCE OF 82.23 FEET,
- 15) SOUTH  $51^{\circ}23'22''$  WEST 172.58 FEET,
- 16) SOUTH  $37^{\circ}03'22''$  EAST 86.70 FEET,
- 17) ALONG THE ARC OF A NON-TANGENT 186.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH  $28^{\circ}44'16''$  EAST THROUGH A CENTRAL ANGLE OF  $53^{\circ}33'19''$ , AN ARC DISTANCE OF 173.86 FEET,
- 18) SOUTH  $07^{\circ}42'25''$  WEST 32.39 FEET
- 19) ALONG THE ARC OF A NON-TANGENT 130.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH  $00^{\circ}19'31''$  EAST, THROUGH A CENTRAL ANGLE OF  $20^{\circ}54'40''$ , AN ARC DISTANCE OF 47.45 FEET,
- 20) NORTH  $28^{\circ}33'06''$  WEST 218.40 FEET,
- 21) NORTH  $51^{\circ}17'10''$  EAST 61.00 FEET,
- 22) NORTH  $39^{\circ}09'18''$  EAST 27.88 FEET,
- 23) NORTH  $36^{\circ}49'40''$  EAST 23.01 FEET,
- 24) NORTH  $29^{\circ}29'08''$  EAST 27.84 FEET,
- 25) NORTH  $26^{\circ}34'26''$  EAST 21.56 FEET,
- 26) NORTH  $18^{\circ}53'35''$  EAST 44.41 FEET,
- 27) NORTH  $16^{\circ}59'49''$  EAST 19.63 FEET,
- 28) NORTH  $11^{\circ}01'17''$  EAST 67.35 FEET,
- 29) NORTH  $13^{\circ}50'45''$  EAST 35.21 FEET,
- 30) NORTH  $68^{\circ}18'10''$  WEST 45.60 FEET,
- 31) ALONG THE ARC OF A NON-TANGENT 249.97 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH  $31^{\circ}43'03''$  EAST, THROUGH A CENTRAL ANGLE OF  $100^{\circ}30'14''$ , AN ARC DISTANCE OF 438.48 FEET,
- 32) NORTH  $89^{\circ}21'00''$  EAST 57.34 FEET,
- 33) SOUTH  $81^{\circ}07'05''$  EAST 12.69 FEET,
- 34) NORTH  $08^{\circ}52'55''$  EAST 11.64 FEET,
- 35) ALONG THE ARC OF A TANGENT 11.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH

A CENTRAL ANGLE OF 55°05'05", AN ARC DISTANCE OF 10.58 FEET,  
 36) NORTH 63°58'00" EAST 35.16 FEET,  
 37) ALONG THE ARC OF A TANGENT 36.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH  
 A CENTRAL ANGLE OF 55°07'42", AN ARC DISTANCE OF 34.64 FEET,  
 38) SOUTH 60°54'18" EAST 51.04 FEET,  
 39) ALONG THE ARC OF A TANGENT 55.50 FOOT RADIUS CURVE TO THE LEFT, THROUGH  
 A CENTRAL ANGLE OF 135°45'14", AN ARC DISTANCE OF 131.50 FEET,  
 40) NORTH 16°39'32" WEST 16.60 FEET,  
 41) ALONG THE ARC OF A TANGENT 46.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH  
 A CENTRAL ANGLE OF 33°33'22", AN ARC DISTANCE OF 26.94 FEET,  
 42) NORTH 16°53'50" EAST 63.80 FEET  
 43) ALONG THE ARC OF A TANGENT 58.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH  
 A CENTRAL ANGLE OF 20°02'50", AN ARC DISTANCE OF 20.29 FEET,  
 44) NORTH 36°56'40" EAST 8.86 FEET  
 45) ALONG THE ARC OF A TANGENT 39.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH  
 A CENTRAL ANGLE OF 72°51'45", AN ARC DISTANCE OF 49.60 FEET,  
 46) ALONG THE ARC OF A REVERSE 65.00 FOOT RADIUS CURVE TO THE RIGHT, FROM  
 WHICH THE CENTER OF SAID CURVE BEARS NORTH 54°04'55" EAST, THROUGH A  
 CENTRAL ANGLE OF 23°53'00", AN ARC DISTANCE OF 27.09 FEET,  
 47) SOUTH 84°58'41" WEST 3.83 FEET,  
 48) NORTH 20°10'44" EAST 139.20 FEET,  
 49) ALONG THE ARC OF A NON-TANGENT 427.00 FOOT RADIUS CURVE TO THE LEFT,  
 FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 15°03'28" EAST, THROUGH A  
 CENTRAL ANGLE OF 09°05'47", AN ARC DISTANCE OF 67.79 FEET,  
 50) SOUTH 05°57'41" WEST 109.83 FEET,  
 51) NORTH 84°58'41" EAST 168.23 FEET,  
 52) NORTH 05°01'19" WEST 100.00 FEET,  
 53) NORTH 84°58'41" EAST 75.00 FEET,  
 54) SOUTH 05°01'19" EAST 100.00 FEET,  
 55) NORTH 84°58'41" EAST 136.00 FEET,  
 56) NORTH 05°01'19" WEST 100.00 FEET,  
 57) NORTH 84°58'41" EAST 229.55 FEET,  
 58) NORTH 05°01'19" WEST 54.00 FEET,  
 59) SOUTH 84°58'41" WEST 128.57 FEET,  
 60) NORTH 05°01'19" WEST 100.00 FEET,  
 61) SOUTH 84°58'41" WEST 58.00 FEET,  
 62) NORTH 60°41'42" WEST 70.23 FEET,  
 63) SOUTH 66°07'39" WEST 140.72 FEET,  
 64) ALONG THE ARC OF A NON-TANGENT 227.00 FOOT RADIUS CURVE TO THE LEFT,  
 FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 66°07'39" WEST, THROUGH A  
 CENTRAL ANGLE OF 17°17'30", AN ARC DISTANCE OF 68.51 FEET,  
 65) SOUTH 48°50'09" WEST 11.00 FEET,  
 66) SOUTH 55°07'46" WEST 32.23 FEET,  
 67) SOUTH 47°44'08" WEST 49.82 FEET,  
 68) SOUTH 87°05'03" WEST 46.34 FEET,  
 69) NORTH 85°53'05" WEST 45.16 FEET,  
 70) SOUTH 09°57'32" WEST 101.65 FEET,  
 71) ALONG THE ARC OF A NON-TANGENT 373.00 FOOT RADIUS CURVE TO THE RIGHT,  
 FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 09°57'32" EAST, THROUGH A  
 CENTRAL ANGLE OF 26°30'22", AN ARC DISTANCE OF 172.56 FEET,  
 72) SOUTH 36°27'54" WEST 11.00 FEET,

73) SOUTH 63°39'49" WEST 35.62 FEET,  
 74) SOUTH 38°42'28" WEST 11.00 FEET,  
 75) ALONG THE ARC OF A NON-TANGENT 427.00 FOOT RADIUS CURVE TO THE LEFT,  
 FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 38°42'28" EAST, THROUGH A  
 CENTRAL ANGLE OF 09°43'19" AN ARC DISTANCE OF 72.45 FEET,  
 76) SOUTH 28°59'09" WEST 107.95 FEET,  
 77) NORTH 53°11'19" WEST 187.03 FEET,  
 78) NORTH 35°14'24" WEST 96.84 FEET,  
 79) SOUTH 68°13'49" WEST 110.52 FEET,  
 80) SOUTH 21°46'11" EAST 124.06 FEET,  
 81) SOUTH 69°13'49" WEST 75.36 FEET,  
 82) SOUTH 21°46'11" EAST 30.94 FEET,  
 83) SOUTH 68°13'49" WEST 305.73 FEET,  
 84) SOUTH 19°49'46" WEST 136.48 FEET,  
 85) SOUTH 59°27'15" WEST 125.63 FEET,  
 86) ALONG THE ARC OF A NON-TANGENT 49.00 FOOT RADIUS CURVE TO THE RIGHT,  
 FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 25°01'10" WEST, THROUGH A  
 CENTRAL ANGLE OF 172°53'45", AN ARC DISTANCE OF 147.86 FEET,  
 87) SOUTH 17°54'55" WEST 22.07 FEET,  
 88) SOUTH 62°11'15" WEST 107.01 FEET,  
 89) ALONG THE ARC OF A NON-TANGENT 1,701.00 FOOT RADIUS CURVE TO THE RIGHT  
 FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 67°12'10" WEST, THROUGH A  
 CENTRAL ANGLE OF 11°07'14" AN ARC DISTANCE OF 330.15 FEET  
 90) SOUTH 11°40'36" EAST 10.29 FEET,  
 91) SOUTH 78°19'24" WEST 92.00 FEET,  
 92) SOUTH 11°40'36" EAST 311.05 FEET,  
 93) ALONG THE ARC OF A TANGENT 498.75 FOOT RADIUS CURVE TO THE LEFT, THROUGH  
 A CENTRAL ANGLE OF 28°18'46", AN ARC DISTANCE OF 246.46 FEET,  
 94) ALONG THE ARC OF A REVERSE 15.00 FOOT RADIUS CURVE TO THE RIGHT, FROM  
 WHICH THE CENTER OF SAID CURVE BEARS SOUTH 50°00'38" WEST, THROUGH A  
 CENTRAL ANGLE OF 88°46'55", AN ARC DISTANCE OF 23.24 FEET,  
 95) SOUTH 46°20'31" EAST 54.18 FEET,  
 96) ALONG THE ARC OF A NON-TANGENT 15.00 FOOT RADIUS CURVE TO THE RIGHT,  
 FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 42°10'32" EAST THROUGH A  
 CENTRAL ANGLE OF 82°47'42" AN ARC DISTANCE OF 21.68 FEET,  
 97) ALONG THE ARC OF A REVERSE 498.75 FOOT RADIUS CURVE TO THE LEFT FROM  
 WHICH THE CENTER OF SAID CURVE BEARS NORTH 40°37'10" EAST, THROUGH A  
 CENTRAL ANGLE OF 17°25'01" AN ARC DISTANCE OF 151.61 FEET,  
 98) SOUTH 66°47'51" EAST 457.97 FEET,  
 99) ALONG THE ARC OF A NON-TANGENT 1,500.00 FOOT RADIUS CURVE TO THE LEFT,  
 FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 70°13'57" EAST, THROUGH A  
 CENTRAL ANGLE OF 01°28'43", AN ARC DISTANCE OF 38.71 FEET,  
 100) SOUTH 18°17'20" WEST 340.62 FEET,  
 101) ALONG THE ARC OF A TANGENT 2,547.00 FOOT RADIUS CURVE TO THE RIGHT,  
 THROUGH A CENTRAL ANGLE OF 16°39'16", AN ARC DISTANCE OF 740.35 FEET,  
 102) NORTH 00°56'24" EAST 537.02 FEET,  
 103) NORTH 88°39'42" WEST 66.00 FEET,  
 104) SOUTH 00°56'24" WEST 630.74 FEET,  
 105) ALONG THE ARC OF A NON-TANGENT 2.547.00 FOOT RADIUS CURVE TO THE RIGHT,  
 FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 52°29'11" WEST, THROUGH A  
 CENTRAL ANGLE OF 00°06'24" AN ARC DISTANCE OF 4.74 FEET,

106) NORTH 51°15'57" WEST 1,043.38 FEET,  
107) NORTH 89°43'22" WEST 880.56 FEET,  
108) NORTH 51°15'35" WEST 470.34 FEET, AND  
109) NORTH 01°06'11" EAST 5,598.29 FEET TO SAID POINT OF BEGINNING.

TOGETHER THEREWITH A STRIP OF LAND LYING BETWEEN SAID DEED LINE ALONG THE CENTERLINE OF THE LEVEE ALONG THE SOUTH (LEFT) BANK OF OLD RIVER AND THE SOUTH (LEFT) BANK OF OLD RIVER, AS SAID STRIP IS SHOWN AND SO DESIGNATED ON SAID FINAL MAP (41 M&P 50).

ALSO TOGETHER THEREWITH A STRIP OF LAND LYING BETWEEN SAID TRAVERSE LINE FOR MHCSO ALONG THE SOUTH (LEFT) BANK OF OLD RIVER AND THE SOUTH (LEFT) BANK OF OLD RIVER LYING WITHIN LOT 1, AS SAID STRIP OF LAND AND LOT 1 ARE SHOWN AND SO DESIGNATED ON SAID FINAL MAP (41 M&P 50).

THIS LEGAL DESCRIPTION IS "NEW LOT 1" PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT, CERTIFICATE NO. PA1900238, RECORDED MARCH 5, 2020 AS INSTRUMENT NO. 2020-028896 OF OFFICIAL RECORDS.

TOGETHER WITH THAT PORTION OF VACATED KELSO ROAD, DESCRIBED AS "PARCEL B" IN THAT CERTAIN DOCUMENT ENTITLED "RESOLUTION NO. 2020-02", RECORDED NOVEMBER 02, 2020 AS INSTRUMENT NO. 2020-148253, OF OFFICIAL RECORDS.

EXCEPTING THEREFROM:

AN UNDIVIDED ONE-HALF INTEREST IN AND TO ALL OIL, GAS, PETROLEUM, NAPHTHA, OTHER HYDROCARBON SUBSTANCES AND MINERALS OF WHATSOEVER KIND AND NATURE IN, UPON OR BENEATH THE PROPERTY HEREINABOVE DESCRIBED, TOGETHER WITH THE RIGHT OF ENTRY AND ALL OTHER RIGHTS, INCLUDING ALL RIGHTS OF WAY AND EASEMENTS, WHICH MAY BE NECESSARY FOR THE DEVELOPMENT, PRODUCTION AND REMOVAL OF ALL SUCH SUBSTANCES AND MINERALS AND THE FULL ENJOYMENT OF THE GRANTOR'S INTEREST HEREIN RESERVED, AS RESERVED BY FEDERAL LAND BANK OF BERKELEY, A CORPORATION IN THE DEED TO EMIL A. HOEFER, ET UX, RECORDED JULY 27, 1949 IN BOOK 1217 OF OFFICIAL RECORDS, PAGE 40, SAN JOAQUIN COUNTY RECORDS. NOTE: BY QUITCLAIM DEED RECORDED DECEMBER 16, 1991 AS INSTRUMENT NO. 91121373, SAN JOAQUIN COUNTY RECORDS, THE SURFACE ENTRY RIGHTS WERE QUITCLAIMED TO A DEPTH OF 500 FEET.

AN UNDIVIDED 1/2 INTEREST OF ALL OIL, GAS, PETROLEUM, NAPHTHA AND OTHER HYDROCARBON SUBSTANCES AND MINERALS IN AND UNDER SAID LANDS, TOGETHER WITH THE RIGHT OF ENTRY AND ALL OTHER RIGHTS OF WAY AND EASEMENTS, WHICH MAY BE NECESSARY FOR THE DEVELOPMENT, PRODUCTION AND REMOVAL OF ALL SUCH SUBSTANCES AND MINERALS, AS RESERVED BY THE FEDERAL LAND BANK OF BERKELEY, IN DEED RECORDED JULY 27, 1949 IN BOOK 1217 OF OFFICIAL RECORDS, PAGE 40, SAN JOAQUIN COUNTY RECORDS AND RECORDED AUGUST 17, 1950 IN BOOK 1286 OF OFFICIAL RECORDS, PAGE 161, SAN JOAQUIN COUNTY RECORDS.

EXCEPTING THEREFROM: OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET BENEATH THE SURFACE WITHOUT, HOWEVER THE RIGHT OF SURFACE ENTRY AS RESERVED IN THE DEED FROM CLIFFORD

ALBERT RICKER AND YVONNE ELOISE RICKER, AS TRUSTEES OF THE RICKER FAMILY TRUST, RECORDED JULY 21, 1995 AS DOCUMENT NO. 95065394.

EXCEPT THEREFROM ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET, WITHOUT ANY RIGHT OF SURFACE ENTRY, AS EXCEPTED IN THE DEED EXECUTED BY WILLIAM E. RALPH, TRUSTEE, W. E. RALPH REVOCABLE TRUST, UTA NOVEMBER 9, 1988, RECORDED JANUARY 31, 1997, RECORDER'S INSTRUMENT NO. 97011977, SAN JOAQUIN COUNTY RECORDS.

AN UNDIVIDED 1/2 INTEREST IN AND TO ALL MINERALS, GAS OR HYDROCARBONS, BELOW A DEPTH OF 500-FEET BENEATH THE SURFACE OF SAID LAND WITHOUT THE RIGHT OF SURFACE ENTRY AS RESERVED IN THE DEED FROM INDEPENDENT FARM AND BUSINESS COMPANY TO TRIMARK COMMUNITIES, LLC, RECORDED APRIL 15, 2005 AS DOCUMENT NO. 2005-88679, SAN JOAQUIN COUNTY RECORD.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERALS RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT THE RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC., A LIMITED LIABILITY COMPANY, BY GRANT DEED RECORDED MAY 13, 2005, RECORDER'S INSTRUMENT NO. 2005-115427, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC, A LIMITED LIABILITY COMPANY, BY GRANT DEED RECORDED JULY 17, 2007, RECORDER'S INSTRUMENT NO. 2007-129967, SAN JOAQUIN COUNTY RECORDS.

PARCEL NO. 15: ( APN:209-170-040 AND PORTIONS OF 258-040-010 AND 258-020-350, NEW REMAINDER PARCEL)

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL TWO (SHEA MOUNTAIN HOUSE PARCEL) IN THE DEED TO SHEA MOUNTAIN HOUSE LLC, RECORDED JUNE 26, 2009, AS DOCUMENT NO. 2009-095451 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, TOGETHER WITH A



PORTION OF THE DESIGNATED REMAINDER (PORTION), AS SAID DESIGNATED REMAINDER (PORTION) IS SHOWN AND SO DESIGNATED ON THE FINAL MAP FOR TRACT 3645, FILED FOR RECORD OCTOBER 22, 2007 IN BOOK 41 OF MAPS AND PLATS, AT PAGE 50, IN SAID OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEASTERN CORNER OF SAID DESIGNATED REMAINDER (41 M&P 50), SAID POINT BEING THE EASTERN TERMINUS OF THAT CERTAIN COURSE SHOWN AND SO DESIGNATED AS "L39 NORTH 89°33'35" WEST 437.08 FEET" ON SHEET 14 OF 16 OF SAID FINAL MAP (41 M&P 50); THENCE, FROM SAID POINT OF BEGINNING, ALONG THE BOUNDARY LINE OF SAID DESIGNATED REMAINDER, AND ALONG THE TRAVERSE LINE FOR MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT (MHCSD) BOUNDARY, AS SAID LINE IS DESCRIBED IN RESOLUTION 941 ADOPTED BY LAFCO ON FEBRUARY 23, 1996 IS SAID TRAVERSE LINE IS SHOWN AND SO DESIGNATED ON SAID FINAL MAP (41 M&P 50) , THE FOLLOWING NINETEEN (19) COURSES:

- 1) NORTH 00°30'45" EAST 909.94 FEET,
- 2) NORTH 19°43'45" EAST 1,599.89 FEET,
- 3) NORTH 33°10'05" EAST 809.94 FEET,
- 4) NORTH 55°15'45" EAST 159.99 FEET,
- 5) NORTH 32°57'45" EAST 754.57 FEET TO A POINT ON SAID TRAVERSE LINE,
- 6) ALONG SAID TRAVERSE LINE, SOUTH 89°49'22" WEST 175.58 FEET,
- 7) NORTH 61°47'55" WEST 453.28 FEET,
- 8) NORTH 35°56'39" WEST 570.06 FEET,
- 9) NORTH 33°21'55" WEST 789.15 FEET,
- 10) NORTH 56°07'02" WEST 619.63 FEET
- 11) NORTH 37°35'14" WEST 778.81 FEET,
- 12) NORTH 53°00'31" WEST 615.68 FEET,
- 13) NORTH 66°36'47" WEST 1,129.73 FEET,
- 14) NORTH 52°47'18" WEST 362.86 FEET,
- 15) NORTH 44°46'24" WEST 927.42 FEET,
- 16) NORTH 40°08'21" WEST 322.96 FEET,
- 17) NORTH 58°30'27" WEST 183.88 FEET,
- 18) NORTH 70°30'25" WEST 369.73 FEET, AND
- 19) LEAVING SAID TRAVERSE LINE, SOUTH 18°01'15" WEST 62.70 FEET;

THENCE, LEAVING SAID BOUNDARY LINE, SOUTH 69°37'28" EAST 100.16 FEET;

THENCE, ALONG THE ARC OF A TANGENT 364.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A

CENTRAL ANGLE OF 26°32'50", AN ARC DISTANCE OF 168.66 FEET;

THENCE, SOUTH 43°04'38" EAST 67.66 FEET;

THENCE, SOUTH 26°50'32" WEST 1,142.53 FEET;

THENCE, SOUTH 69°05'27" EAST 423.14 FEET;

THENCE, SOUTH 20°54'33" WEST 12.00 FEET;

THENCE, SOUTH 37°16'12" WEST 41.69 FEET;

THENCE, SOUTH 20°54'33" WEST 12.00 FEET;

THENCE, ALONG THE ARC OF A NON-TANGENT 23.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 20°54'33" WEST THROUGH A CENTRAL ANGLE OF

96°05'36", AN ARC DISTANCE OF 38.57 FEET:

THENCE, SOUTH 27°00'10" WEST 0.66 FEET;

THENCE, SOUTH 62°59'50" EAST 12.00 FEET;  
 THENCE, SOUTH 78°30'35" EAST 41.51 FEET;  
 THENCE, SOUTH 62°59'50" EAST 12.00 FEET;  
 THENCE, NORTH 27°00'10" EAST 1.30 FEET;  
 THENCE, ALONG THE ARC OF A TANGENT 23.00 FOOT RADIUS CURVE TO THE RIGHT,  
 THROUGH A CENTRAL ANGLE OF 83°54'23", AN ARC DISTANCE OF 33.68 FEET,  
 THENCE, SOUTH 69°05'27" EAST 18.50 FEET;  
 THENCE, ALONG THE ARC OF A TANGENT 1,168.00 FOOT RADIUS CURVE TO THE RIGHT,  
 THROUGH A CENTRAL ANGLE OF 05°17'26", AN ARC DISTANCE OF 107.85 FEET;  
 THENCE, SOUTH 63°48'01" EAST 220.35 FEET;  
 THENCE, SOUTH 26°11'57" WEST 7.00 FEET;  
 THENCE, ALONG THE ARC OF A NON-TANGENT 83.00 FOOT RADIUS CURVE TO THE  
 RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 26°11'57" WEST  
 THROUGH A CENTRAL ANGLE OF 19°05'30" AN ARC DISTANCE OF 27.66 FEET;  
 THENCE, ALONG THE ARC OF A REVERSE 117.00 FOOT RADIUS CURVE TO THE LEFT,  
 FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 45°17'27" EAST, THROUGH A  
 CENTRAL ANGLE OF 19°05'28", AN ARC DISTANCE OF 38.98 FEET;  
 THENCE SOUTH 63°48'01" EAST 27.30 FEET;  
 THENCE, SOUTH 26°11'59" WEST 40.00 FEET;  
 THENCE, SOUTH 63°48'01" EAST 25.00 FEET TO A POINT ON THE BOUNDARY LINE OF SAID  
 PARCEL TWO (2009-095451);

THENCE, ALONG SAID BOUNDARY LINE, ALONG THE ARC OF A NON-TANGENT 1,655.00  
 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS  
 SOUTH 64°48'16" EAST,  
 THROUGH A CENTRAL ANGLE OF 01°00'15" AN ARC DISTANCE OF 29.00 FEET TO A POINT  
 ON SAID BOUNDARY LINE OF SAID DESIGNATED REMAINDER; THENCE, ALONG SAID  
 BOUNDARY LINE, THE  
 FOLLOWING THIRTY-TWO (32) COURSES:

- 1) SOUTH 63°48'01" EAST 130.00 FEET,
- 2) ALONG THE ARC OF A NON-TANGENT, 1,525.00 FOOT RADIUS CURVE TO THE LEFT  
 FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 63°48'01" EAST, THROUGH A  
 CENTRAL ANGLE OF 31°28'00", AN ARC DISTANCE OF 837.53 FEET,
- 3) NORTH 84°43'59" EAST 15.00 FEET,
- 4) SOUTH 08°29'38" EAST 170.00 FEET,
- 5) SOUTH 78°16'45" WEST 15.00 FEET,
- 6) ALONG THE ARC OF A NON-TANGENT 1,525.00 FOOT RADIUS CURVE TO THE LEFT,  
 FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 78°16'45" EAST, THROUGH A  
 CENTRAL ANGLE OF 30°56'18" AN ARC DISTANCE OF 823.46 FEET,
- 7) SOUTH 42°39'33" EAST 224.07 FEET,
- 8) ALONG THE ARC OF A TANGENT 1,065.00 FOOT RADIUS CURVE TO THE RIGHT,  
 THROUGH A CENTRAL ANGLE OF 16°46'06", AN ARC DISTANCE OF 311.69 FEET,
- 9) SOUTH 25°53'27" EAST 246.46 FEET,
- 10) ALONG THE ARC OF A TANGENT 2,035.00 FOOT RADIUS CURVE TO THE LEFT,  
 THROUGH A CENTRAL ANGLE OF 11°23'43", AN ARC DISTANCE OF 404.73 FEET,
- 11) NORTH 52°42'50" EAST 15.00 FEET,
- 12) SOUTH 39°41'52" EAST 170.00 FEET,
- 13) SOUTH 47°53'26" WEST 15.00 FEET,
- 14) ALONG THE ARC OF A NON-TANGENT 2,035.00 FOOT RADIUS CURVE TO THE LEFT  
 FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 47°53'26" EAST, THROUGH A

CENTRAL ANGLE OF

09°55'40" AN ARC DISTANCE OF 352.61 FEET,

15) SOUTH 52°42'50" EAST 557.41 FEET,

16) ALONG THE ARC OF A TANGENT 1,565.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 31°19'26", AN ARC DISTANCE OF 855.59 FEET,

17) NORTH 69°17'12" EAST 15.00 FEET,

18) SOUTH 17°37'46" EAST 170.00 FEET,

19) SOUTH 75°27'16" WEST 15.00 FEET,

20) ALONG THE ARC OF A NON-TANGENT 1,565.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 75°27'16" WEST, THROUGH A CENTRAL ANGLE OF 20°31'41", AN ARC DISTANCE OF 560.71 FEET,

21) SOUTH 84°01'03" EAST 50.00 FEET,

22) SOUTH 11°11'10" WEST 50.00 FEET,

23) SOUTH 11°48'59" WEST 110.01 FEET,

24) SOUTH 11°07'32" WEST 50.00 FEET,

25) NORTH 80°04'15" WEST 50.00 FEET,

26) ALONG THE ARC OF A NON-TANGENT 1,255.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 80°04'15" WEST, THROUGH A CENTRAL ANGLE OF 56°07'29" AN ARC DISTANCE OF 1,229.35 FEET,

27) SOUTH 66°03'14" WEST 260.21 FEET,

28) ALONG THE ARC OF A TANGENT 1,145.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 27°18'49", AN ARC DISTANCE OF 545.84 FEET,

29) SOUTH 38°44'25" WEST 10.00 FEET,

30) SOUTH 51°15'35" EAST 166.30 FEET,

31) SOUTH 89°39'26" EAST 1,851.60 FEET AND

32) SOUTH 89°33'35" EAST 437.08 FEET TO SAID POINT OF BEGINNING.

TOGETHER THEREWITH A STRIP OF LAND LYING BETWEEN SAID TRAVERSE LINE FOR MHCSO ALONG THE SOUTH (LEFT) BANK OF OLD RIVER AND THE SOUTH (LEFT) BANK OF OLD RIVER LYING WITHIN SAID DESIGNATED REMAINDER AS SHOWN ON SAID FINAL MAP (41 M&P 50).

ALSO TOGETHER THEREWITH THAT 1.59 ACRE PORTION OF SAID DESIGNATED REMAINDER SHOWN IN DETAIL I ON SHEET 16 OF 16 OF SAID FINAL MAP (41 M&P 50).

LEGAL DESCRIPTION IS "NEW REMAINDER PARCEL", PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT, CERTIFICATE NO. PA1900238, RECORDED MARCH 5, 2020 AS INSTRUMENT NO. 2020-028896 OF OFFICIAL RECORDS.

EXCEPTING FROM THE ABOVE DESCRIBED PARCEL, THAT PORTION CONVEYED TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT, DESCRIBED IN GRANT DEED RECORDED JULY 14, 2022, AS INSTRUMENT NO. 2022-085933, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

EXCEPTING FROM THE ABOVE DESCRIBED PARCEL, THAT PORTION CONVEYED TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT, DESCRIBED IN GRANT DEED RECORDED OCTOBER 25, 2022, AS INSTRUMENT NO. 2022-122705, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

ALSO EXCEPTING THEREFROM AN UNDIVIDED 3/4 INTEREST IN ALL OIL, GAS, MINERALS AND OTHER HYDROCARBONS IN AND UNDER A PORTION OF LAND DESCRIBED HEREIN,

AS RESERVED UNTO GEORGE COVERT AND WINNIFRED COVERT, HIS WIFE, THEIR HEIRS, SUCCESSORS OR ASSIGNS, IN DEED DATED OCTOBER 14, 1955, RECORDED OCTOBER 27, 1955 IN BOOK 1803 OF OFFICIAL RECORDS, AT PAGE 363, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES BELOW A DEPTH OF 500 FEET FROM THE SURFACE OF SAID LAND, WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED IN THE DEED FROM ALDO J. BERTOLOTTI, ET AL, RECORDED SEPTEMBER 20, 1988 AS INSTRUMENT NO. 88079249, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET, WITHOUT ANY RIGHT OF SURFACE ENTRY, AS EXCEPTED IN THE DEED EXECUTED BY WILLIAM E. RALPH, TRUSTEE, W. E. RALPH REVOCABLE TRUST, UTA NOVEMBER 9, 1988, RECORDED JANUARY 31, 1997, RECORDER'S INSTRUMENT NO. 97011977, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (i) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (ii) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (iii) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC, A LIMITED LIABILITY COMPANY, BY GRANT DEED RECORDED JULY 17, 2007, RECORDER'S INSTRUMENT NO. 2007-129967, SAN JOAQUIN COUNTY RECORDS.

PARCEL NO. 16: (APN: 262-020-040-000)

PARCEL D, AS SHOWN ON THE SUBDIVISION MAP OF TRACT NO. 3649, MOUNTAIN HOUSE, NEIGHBORHOOD "C", UNIT NO. 1, FILED FOR RECORD ON OCTOBER 25, 2013 IN BOOK 41 OF MAPS AND PLATS, AT PAGE 98, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY, CALIFORNIA (THE "MAP").

ALSO EXCEPTING THEREFROM ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY EMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, IN THAT

CERTAIN GRANT DEED RECORDED JULY 17, 2007, AS DOCUMENT NO. 2007-129967, OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

PARCEL NO. 17: (APN: 262-190-210-000 THROUGH 262-190-240-000)

LOTS 21 THROUGH 24 INCLUSIVE, AS SHOWN ON THE MAP ENTITLED "TRACT NO. 3849, MOUNTAIN HOUSE, NEIGHBORHOOD 'D'-WEST, UNIT 2" FILED ON MARCH 10, 2017, IN BOOK 42 OF MAPS AND PLATS, AT PAGE 78 IN THE RECORDS OF SAN JOAQUIN COUNTY, CALIFORNIA.

EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) MODIFIED BY LOT LINE DJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY AS RESERVED IN THE DEED FROM TRIMARK COMMUNITIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, RECORDED JULY 17, 2007, INSTRUMENT NO. 2007-129967 OF OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

PARCEL NO. 18: (APN: 262-240-560-000)

PARCEL B AS SHOWN ON THE MAP ENTITLED "TRACT NO. 3852, MOUNTAIN HOUSE, NEIGHBORHOOD 'D'-WEST, UNIT 5" FILED ON MARCH 10, 2017, IN BOOK 42 OF MAPS AND PLATS, AT PAGE 81 IN THE RECORDS OF SAN JOAQUIN COUNTY, CALIFORNIA.

EXCEPTING THEREFROM ALL OIL, GAS AND MINERALS LYING IN AND UNDER SAID LAND, AS CONVEYED TO CAPITOL COMPANY BY DEED RECORDED DECEMBER 29, 1941 IN BOOK 764 OF OFFICIAL RECORDS, PAGE 108, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL MINERALS, GAS AND HYDROCARBONS DEEPER THAN 500 FEET BELOW THE SURFACE AS RESERVED BY MANUEL OLIVEIRA, SUCCESSOR TRUSTEE UNDER THE MARY MARIA ROCHA SEPARATE PROPERTY TRUST DATED FEBRUARY 2, 1995 IN DEED RECORDED AUGUST 18, 2006, IN THE OFFICIAL RECORDS OF SAN JOAQUIN COUNTY UNDER RECORDER'S SERIAL NUMBER 2006-177057.

ALSO EXCEPTING THEREFROM: ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE LYING BELOW A DEPTH OF 500 FEET BENEATH THE SURFACE WITHOUT, HOWEVER, THE RIGHT TO MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED

DURATION TO THE INTENDED RESIDENTIAL  
OCCUPANTS OF THE PROPERTY AS RESERVED IN THE DEED FROM TRIMARK  
COMMUNITIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, RECORDED JULY 17,  
2007, INSTRUMENT NO. 2007-129967 OF OFFICIAL RECORDS OF SAN JOAQUIN COUNTY  
PARCEL NO. 19: INTENTIONALLY DELETED

PARCEL NO. 20: (APN: 258-020-300-000)

A PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 32,  
TOWNSHIP 1 SOUTH, RANGE 4 EAST, MOUNT DIABLO BASE AND MERIDIAN, MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 32; THENCE NORTH 00° 56'  
24" EAST ALONG THE EAST LINE OF SAID SECTION 32 A DISTANCE OF 51.71 FEET TO A  
POINT ON THE NORTHEASTERLY LINE OF THE UNION PACIFIC RAILROAD'S (FORMERLY  
SOUTHERN PACIFIC RAILROAD) 100-FOOT RIGHT-OF-WAY; THENCE NORTH 51° 15' 35"  
WEST ALONG SAID NORTHEASTERLY LINE A DISTANCE OF 500.59 FEET TO A 1" IRON PIPE  
TAGGED L.S. 4792 AND THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION;

THENCE NORTH 51° 15' 35" WEST ALONG SAID NORTHEASTERLY LINE OF THE UNION  
PACIFIC RAILROAD, A DISTANCE OF 1660.85 FEET TO A POINT ON THE NORTH LINE OF  
THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 32;  
THENCE SOUTH 88° 43' 22" EAST ALONG SAID NORTH LINE OF THE SOUTH HALF OF THE  
SOUTHEAST QUARTER OF SAID SECTION 32, A DISTANCE OF 880.56 FEET TO A 1" IRON  
PIPE TAGGED L.S. 4792;  
THENCE SOUTH 51° 15' 57" EAST A DISTANCE OF 1036.86 FEET TO A 1" IRON PIPE TAGGED  
L.S. 4792;  
THENCE SOUTH 38° 44' 03" WEST A DISTANCE OF 460.70 FEET TO A 1" IRON PIPE TAGGED  
L.S. 4792;  
THENCE NORTH 51° 15' 57" WEST A DISTANCE OF 75 FEET TO A 1" IRON PIPE TAGGED L.S.  
4792;  
THENCE SOUTH 38° 44' 25" WEST A DISTANCE OF 75.00 FEET TO THE TRUE POINT OF  
BEGINNING.

EXCEPT THEREFROM THAT CERTAIN LAND CONVEYED BY TRIMARK COMMUNITIES,  
LLC, A CALIFORNIA LIMITED LIABILITY COMPANY TO MOUNTAIN HOUSE COMMUNITY  
SERVICES DISTRICT, A POLITICAL SUBDIVISION OF THE STATE OF CALIFORNIA  
RECORDED DECEMBER 3, 2002 AS INSTRUMENT NO. 2002-217063, SAN JOAQUIN COUNTY  
RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A PORTION OF THAT CERTAIN 16.92 ACRE PARCEL OF LAND, AS SAID PARCEL OF  
LAND IS SHOWN AND SO DESIGNATED ON THAT CERTAIN RECORD OF SURVEY  
RECORDED FEBRUARY 18, 2000, IN BOOK 34 OF SURVEYS AT PAGE 109, IN THE OFFICE OF  
THE COUNTY RECORDER OF SAN JOAQUIN  
COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERN CORNER OF SAID PARCEL OF LAND;  
THENCE, FROM SAID POINT OF BEGINNING, ALONG THE NORTHERN LINE OF SAID  
PARCEL OF LAND, SOUTH 88° 43' 22" EAST 826.99 FEET;  
THENCE, LEAVING SAID NORTHERN LINE, SOUTH 38° 44' 07" WEST 250.92 FEET;

THENCE NORTH 51° 15' 53" WEST 134.91 FEET; THENCE ALONG THE ARC OF A TANGENT 70.00 FOOT RADIUS TO THE LEFT, THROUGH A CENTRAL ANGLE OF 90° 00' 04", AN ARC DISTANCE OF 109.96 FEET;  
THENCE SOUTH 38° 44' 03" WEST 61.56 FEET; THENCE SOUTH 51° 15' 57" EAST 159.53 FEET;  
THENCE SOUTH 38° 44' 03" WEST 40.73 FEET; THENCE SOUTH 51° 00' 00" EAST 48.71 FEET;  
THENCE NORTH 38° 44' 07" EAST 112.51 FEET; THENCE NORTH 83° 44' 07" EAST 84.85 FEET;  
THENCE SOUTH  
51° 15' 53" EAST 411.44 FEET; THENCE SOUTH 38° 44' 03" WEST 252.14 FEET TO A POINT ON THE  
SOUTHWESTERN LINE OF SAID PARCEL OF LAND; THENCE ALONG SAID SOUTHWESTERN LINE NORTH  
51° 15' 35" WEST 1,131.24 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT THEREFROM, ALL THAT PORTION CONVEYED TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT, BY DEED RECORDED JANUARY 19, 2007 AS INSTRUMENT NO. 2007-012804, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION OF LAND CONVEYED TO MOUNTAIN HOUSE COMMUNITY SERVICES DISTRICT, IN GRANT DEED RECORDED MARCH 18, 2010 AS INSTRUMENT NO. 2010-038336, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPT THEREFROM OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW A DEPTH OF 500 FEET BENEATH THE SURFACE WITHOUT, HOWEVER THE RIGHT OF SURFACE ENTRY, AS RESERVED IN THE DEED FROM CLIFFORD ALBERT RICKER AND YVONNE ELOISE RICKER, AS TRUSTEES OF THE RICKER FAMILY TRUST, RECORDED JULY 21, 1995 AS INSTRUMENT NO. 95065394, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING FROM THE ABOVE PARCEL (THE "PROPERTY") ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC, A LIMITED LIABILITY COMPANY IN THAT CERTAIN GRANT DEED RECORDED JULY 17, 2007, AS INSTRUMENT NO. 2007-129968, SAN JOAQUIN COUNTY RECORDS.

PARCEL NO. 21: (APN: 258-020-320-000 and a portion of 258-020-360-000, NEW LOT 5)

BEING ALL OF LOT 5, AS SAID LOT 5 IS SHOWN AND SO DESIGNATED ON THE FINAL MAP FOR TRACT 3645, FILED FOR RECORD OCTOBER 22, 2007 IN BOOK 41 OF MAPS AND PLATS,

AT PAGE 50, IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, TOGETHER WITH A PORTION OF NEW PARCEL A, AS SAID NEW PARCEL A IS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED PURSUANT TO THE LOT LINE ADJUSTMENT, PA-1900005, RECORDED JULY 15, 2019, AS DOCUMENT NO. 2019-074719 OF OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID LOT 5 (41 M&P 50); THENCE, FROM SAID POINT OF BEGINNING, ALONG THE EXTERIOR BOUNDARY OF SAID LOT 5 (41 M&P 50), THE FOLLOWING THIRTY-ONE (31) COURSES:

- 1) NORTH 59°43'06" WEST 9.37 FEET,
- 2) ALONG THE ARC OF A TANGENT 325.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 18°06'46", AN ARC DISTANCE OF 102.74 FEET,
- 3) NORTH 41°36'20" WEST 21.22 FEET,
- 4) ALONG THE ARC OF A TANGENT 125.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 28°24'08", AN ARC DISTANCE OF 61.96 FEET,
- 5) NORTH 13°12'12" WEST 61.00 FEET,
- 6) ALONG THE ARC OF A TANGENT 100.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 20°27'39", AN ARC DISTANCE OF 35.71 FEET,
- 7) NORTH 33°39'51" WEST 202.36 FEET,
- 8) ALONG THE ARC OF A TANGENT 150.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 34°34'18", AN ARC DISTANCE OF 90.51 FEET,
- 9) NORTH 68°14'09" WEST 105.04 FEET,
- 10) ALONG THE ARC OF A TANGENT 194.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 11°10'11", AN ARC DISTANCE OF 37.82 FEET,
- 11) ALONG THE ARC OF A REVERSE 25.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 32°56'02" WEST, THROUGH A CENTRAL ANGLE OF 54°38'16", AN ARC DISTANCE OF 23.84 FEET,
- 12) ALONG THE ARC OF A REVERSE 96.50 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 21°42'14" WEST, THROUGH A CENTRAL ANGLE OF 58°32'19", AN ARC DISTANCE OF 98.59 FEET,
- 13) ALONG THE ARC OF A REVERSE 45.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 36°50'05" WEST, THROUGH A CENTRAL ANGLE OF 53°15'32", AN ARC DISTANCE OF 41.83 FEET,
- 14) SOUTH 73°34'33" WEST 46.83 FEET,
- 15) ALONG THE ARC OF A TANGENT 197.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 04°44'51", AN ARC DISTANCE OF 16.32 FEET,
- 16) SOUTH 78°19'24" WEST 20.27 FEET,
- 17) ALONG THE ARC OF A TANGENT 15.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 23.56 FEET,
- 18) NORTH 11°40'36" WEST 180.00 FEET,
- 19) ALONG THE ARC OF A NON-TANGENT 15.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 78°19'24" EAST, THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC DISTANCE OF 23.56 FEET,
- 20) NORTH 78°19'24" EAST 9.55 FEET,
- 21) ALONG THE ARC OF A TANGENT 147.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 18°30'51", AN ARC DISTANCE OF 47.50 FEET,
- 22) SOUTH 83°09'45" EAST 53.47 FEET,
- 21) ALONG THE. ARC OF A TANGENT 53.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 11°43'19", AN ARC DISTANCE OF 10.84 FEET,



24) ALONG THE ARC OF A COMPOUND 15.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 04°53'04" WEST, THROUGH A CENTRAL ANGLE OF 42°59'06", AN ARC DISTANCE OF 11.25 FEET,  
25) ALONG THE ARC OF A REVERSE 110.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 47°52'10" EAST, THROUGH A CENTRAL ANGLE OF 71°19'08", AN ARC DISTANCE OF 136.92 FEET,  
26) ALONG THE ARC OF A REVERSE 60.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 23°26'58" EAST, THROUGH A CENTRAL ANGLE OF 28°01'26", AN ARC DISTANCE OF 29.35 FEET,  
27) ALONG THE ARC OF A REVERSE 245.00 FOOT RADIUS CURVE TO THE RIGHT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 04°34'28" EAST, THROUGH A CENTRAL ANGLE OF 83°03'57", AN ARC DISTANCE OF 355.19 FEET, 28) SOUTH 11°30'31" EAST 31.02 FEET,  
29) SOUTH 28°33'06" EAST 243.78 FEET,  
30) ALONG THE ARC OF A TANGENT 85.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 28°33'34", AN ARC DISTANCE OF 42.37 FEET, AND  
31) SOUTH 57°06'40" EAST 141.60 FEET;

THENCE, LEAVING SAID EXTERIOR BOUNDARY, SOUTH 57°06'40" EAST 15.53 FEET;

THENCE, ALONG THE ARC OF A NON-TANGENT 1,500.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 56°36'43" EAST, THROUGH A CENTRAL ANGLE OF 05°59'11", AN ARC DISTANCE OF 156.73 FEET;

THENCE, NORTH 59°43'06" WEST 12.45 FEET TO SAID POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS "NEW LOT 5" PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT, CERTIFICATE NO. PA1900239, RECORDED MARCH 5, 2020 AS INSTRUMENT NO. 2020-028897 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW THE DEPTH OF 500 FEET, WITHOUT ANY RIGHT OF SURFACE ENTRY, AS RESERVED BY WILLIAM E. RALPH, TRUSTEE, W.E RALPH REVOCABLE TRUST, UTA NOVEMBER 9, 1988 IN THE DEED RECORDED JANUARY 31, 1997 AS INSTRUMENT NO. 97011977 OF OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERALS RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT THE RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC., A LIMITED LIABILITY COMPANY, BY GRANT DEED RECORDED MAY 13, 2005, RECORDER'S INSTRUMENT NO. 2005-115427, SAN JOAQUIN COUNTY RECORDS.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND

MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC, A LIMITED LIABILITY COMPANY, BY GRANT DEED RECORDED JULY 17, 2007, RECORDER'S INSTRUMENT NO. 2007-129967, SAN JOAQUIN COUNTY RECORDS.

PARCEL NO. 22: (APN: 258-020-170-000 and a portion of 258-020-360-000, NEW LOT 9)

BEING ALL OF LOT 9, AS SAID LOT 9 IS SHOWN AND SO DESIGNATED ON THE FINAL MAP FOR TRACT 3645, FILED FOR RECORD OCTOBER 22, 2007 IN BOOK 41 OF MAPS AND PLATS, AT PAGE 50, IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, TOGETHER WITH A PORTION OF NEW PARCEL A, AS SAID NEW PARCEL A IS DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED PURSUANT TO THE LOT LINE ADJUSTMENT, PA-1900005, RECORDED JULY 15, 2019, AS DOCUMENT NO. 2019-074719 OF OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID LOT 9 (41 M&P 50); THENCE, FROM SAID POINT OF BEGINNING, ALONG THE EXTERIOR BOUNDARY OF SAID LOT 9 (41 M&P 50), THE FOLLOWING TWENTY-THREE (23) COURSES:

- 1) NORTH 66°47'51" WEST 342.13 FEET;
- 2) NORTH 23°12'09" EAST 27.09 FEET;
- 3) ALONG THE ARC OF A TANGENT 100.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 06°42'13", AN ARC DISTANCE OF 11.70 FEET;
- 4) NORTH 29°54'22" EAST 19.97 FEET;
- 5) ALONG THE ARC OF A TANGENT 50.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 17°57'57", AN ARC DISTANCE OF 15.68 FEET;
- 6) NORTH 11°56'25" EAST 2.62 FEET;
- 7) ALONG THE ARC OF A TANGENT 100.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 09°14'37", AN ARC DISTANCE OF 16.13 FEET;
- 8) NORTH 21°11'02" EAST 23.68 FEET;
- 9) ALONG THE ARC OF A TANGENT 50.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 05°21'14", AN ARC DISTANCE OF 4.67 FEET;
- 10) NORTH 15°49'48" EAST 17.87 FEET;
- 11) ALONG THE ARC OF A TANGENT 50.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 13°53'10", AN ARC DISTANCE OF 12.12 FEET;
- 12) NORTH 29°42'58" EAST 44.11 FEET;
- 13) ALONG THE ARC OF A TANGENT 50.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 04°55'30", AN ARC DISTANCE OF 4.30 FEET;
- 14) NORTH 24°47'28" EAST 15.65 FEET;
- 15) ALONG THE ARC OF A TANGENT 200.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 08°15'45", AN ARC DISTANCE OF 28.84 FEET;
- 16) NORTH 33°03'13" EAST 70.51 FEET; 17) SOUTH 33°39'51" EAST 96.12 FEET;

18) ALONG THE ARC OF A TANGENT 100.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 20°27'39", AN ARC DISTANCE OF 35.71 FEET;  
19) SOUTH 13°12'12" EAST 61.00 FEET;  
20) ALONG THE ARC OF A TANGENT 125.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 28°24'08", AN ARC DISTANCE OF 61.96 FEET;  
21) SOUTH 41°36'20" EAST 21.22 FEET;  
22) ALONG THE ARC OF A TANGENT 325.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 18°06'46", AN ARC DISTANCE OF 102.74 FEET;  
23) SOUTH 59°43'06" EAST 9.37 FEET;

THENCE, LEAVING SAID EXTERIOR BOUNDARY, SOUTH 59°43'06" EAST 12.45 FEET TO A POINT ON THE NORTHEASTERLY PROLONGATION OF THE SOUTHEASTERN LINE OF SAID LOT 9;

THENCE, ALONG SAID NORTHEASTERLY PROLONGATION, AND THE SOUTHEASTERN LINE OF SAID LOT 9, ALONG THE ARC OF A NON-TANGENT 1,500.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 62°35'54" EAST, THROUGH A CENTRAL ANGLE OF 04°07'04", AN ARC DISTANCE OF 107.80 FEET TO SAID POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS "NEW LOT 9" PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT, CERTIFICATE NO. PA1900239, RECORDED MARCH 5, 2020 AS INSTRUMENT NO. 2020-028897 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW THE DEPTH OF 500 FEET, WITHOUT ANY RIGHT OF SURFACE ENTRY, AS RESERVED BY WILLIAM E. RALPH, TRUSTEE, W.E RALPH REVOCABLE TRUST, UTA NOVEMBER 9, 1988 IN THE DEED RECORDED JANUARY 31, 1997 AS INSTRUMENT NO. 97011977 OF OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

ALSO EXCEPTING THEREFROM ALL INTEREST IN AND TO ANY AND ALL OIL, GAS AND MINERAL RIGHTS BELONGING OR PERTAINING TO THE PROPERTY MORE THAN 500 FEET BELOW THE SURFACE OF THE LAND, WITHOUT RIGHT OF ENTRY (I) ABOVE 500 FEET BELOW THE SURFACE OF THE LAND, (II) WITHIN 300 FEET OF ANY PARCEL BOUNDARY OF THE PROPERTY, AS SUCH BOUNDARIES MAY BE MODIFIED BY LOT LINE ADJUSTMENTS AND/OR FINAL PARCEL MAP RECORDATION, OR (III) WHICH AFTER ANY TEMPORARY CONSTRUCTION OR INSTALLATION PERIOD SHALL IN ANY MANNER CREATE (OR REQUIRE ANY EXTRAORDINARY CONSTRUCTION METHOD TO MITIGATE) A SIGNIFICANT VISUAL, AUDITORY OR OTHER NUISANCE OF EXTENDED DURATION TO THE INTENDED RESIDENTIAL OCCUPANTS OF THE PROPERTY, AS RESERVED BY TRIMARK COMMUNITIES, LLC, A LIMITED LIABILITY COMPANY, BY GRANT DEED RECORDED JULY 17, 2007, RECORDER'S INSTRUMENT NO. 2007-129967, SAN JOAQUIN COUNTY RECORDS.

PARCEL NO. 23: (APN: 258-020-200-000 and a portion of 258-020-360-000, NEW LOT 10)

BEING ALL OF LOT 10, AS SAID LOT 10 IS SHOWN AND SO DESIGNATED ON THE FINAL MAP FOR TRACT 3645, FILED FOR RECORD OCTOBER 22, 2007 IN BOOK 41 OF MAPS AND PLATS, AT PAGE 50, IN THE OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, TOGETHER WITH A PORTION OF NEW PARCEL A, AS SAID NEW PARCEL A IS

DESCRIBED IN THAT CERTAIN GRANT DEED RECORDED PURSUANT TO THE LOT LINE ADJUSTMENT, PA-1900005, RECORDED JULY 15, 2019, AS DOCUMENT NO. 2019-074719 OF OFFICIAL RECORDS, IN SAID OFFICE OF THE COUNTY RECORDER OF SAN JOAQUIN COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF SAID LOT 10 (41 M&P 50);

THENCE, FROM SAID POINT OF BEGINNING, ALONG THE EXTERIOR BOUNDARY OF SAID LOT 10 (41 M&P 50), THE FOLLOWING SIX (6) COURSES:

- 1) NORTH 60°44'47" EAST 3.08 FEET,
- 2) ALONG THE ARC OF A TANGENT 78.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 32°31'55", AN ARC DISTANCE OF 44.29 FEET,
- 3) SOUTH 86°43'18" EAST 61.19 FEET,
- 4) ALONG THE ARC OF A TANGENT 125.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 49°18'49", AN ARC DISTANCE OF 107.59 FEET,
- 5) SOUTH 51°16'16" EAST 8.82 FEET, AND
- 6) ALONG THE ARC OF A NON-TANGENT 1,500.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 50°56'37" EAST, THROUGH A CENTRAL ANGLE OF 04°09'40", AN ARC DISTANCE OF 108.94 FEET;

THENCE, LEAVING SAID BOUNDARY LINE, CONTINUING ALONG THE ARC OF SAID 1,500.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 55°06'17" EAST, THROUGH A CENTRAL ANGLE OF 01°30'26", AN ARC DISTANCE OF 39.46 FEET TO A POINT ON THE SOUTHEASTERLY PROLONGATION OF THE SOUTHWESTERN LINE OF SAID LOT 10 (41 M&P 50);

THENCE, ALONG SAID SOUTHEASTERLY PROLONGATION, AND THE SOUTHWESTERN LINE OF SAID LOT 10, NORTH 57°06'40" WEST 146.12 FEET TO SAID POINT OF BEGINNING.

THIS LEGAL DESCRIPTION IS "NEW LOT 10" PURSUANT TO THAT CERTAIN CERTIFICATE APPROVING A LOT LINE ADJUSTMENT, CERTIFICATE NO. PA1900239, RECORDED MARCH 5, 2020 AS INSTRUMENT NO. 2020-028897 OF OFFICIAL RECORDS.

EXCEPTING THEREFROM ALL OIL, GAS AND OTHER HYDROCARBON SUBSTANCES LYING BELOW THE DEPTH OF 500 FEET, WITHOUT ANY RIGHT OF SURFACE ENTRY, AS RESERVED BY WILLIAM E. RALPH, TRUSTEE, W.E RALPH REVOCABLE TRUST, UTA NOVEMBER 9, 1988 IN THE DEED RECORDED JANUARY 31, 1997 AS INSTRUMENT NO. 97011977 OF OFFICIAL RECORDS OF SAN JOAQUIN COUNTY.

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SAN JOAQUIN COUNTY RECORDS.