



# Chicago Title Insurance Company

CACTI7727-7727-4526-0052611830-CTIC-2015-OP-20

## CONDITION OF TITLE REPORT

**Chicago Title Insurance Company, a Nebraska corporation,**  
herein called the Company,

*SUBJECT TO THE TERMS, LIMITATIONS AND CONDITIONS OF THE APPLICATION FOR THIS CONDITION OF TITLE REPORT, WHICH APPLICATION, OR COPY THEREOF, IS ATTACHED HERETO AND MADE A PART HEREOF*

### REPORTS

*To the party named in Schedule A, that as disclosed by the Title Instruments, the ownership of and the defects, liens and encumbrances against the Interest in the Land are as shown in Schedule B.*

*Any claim or other notice to the Company shall be in writing and shall be addressed to the Company at the issuing office or to:*

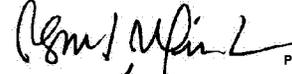
*Chicago Title Insurance Company  
P.O. Box 45023  
Jacksonville, FL 32232-5023  
Attn: Claims Department*

*THIS REPORT IS NOT VALID AND THE COMPANY SHALL HAVE NO LIABILITY HEREUNDER UNLESS THE APPLICATION REFERRED TO ABOVE, OR COPY THEREOF, IS ATTACHED HERETO.*

  
Countersigned



**Chicago Title Insurance Company**

BY  President

ATTEST  Secretary

**CONDITION OF TITLE REPORT**

**SCHEDULE A**

Fee: \$500.00  
Liability: \$5,000.00  
Date of Report: December 1, 2015, 07:30 A.M.

1. Name of Party:  
RCT Land Company
2. The Interest referred to in the Application is:  
A Fee as to Parcels I and II; and an Easement as to Parcel III
3. The Land referred to in the Application is described as follows:  
See Exhibit "A" attached hereto and made a part hereof.

**EXHIBIT "A"**

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

PARCEL I:

All that real property situate in the Rancho Encinal Y Buena Esperanza, County of Monterey, State of California, described as follows:

Beginning at a point, which is N. 39° 39' 30" W., 37.36 feet from a 1" diameter iron pipe standing at the most easterly corner of Parcel One described in the Deed from J. Ramon Somavia Jr. to Leo A. Marihart, et ux., dated July 7, 1952 and recorded in Volume 1394, Page 170, Official Records of Monterey County, in the centerline of Somavia County Road; thence running,

(1) S. 58° 18' 15" W., 2112.81 feet to a point; thence

(2) N. 31° 41' 45" W., 613.87 feet to a point; thence

(3) N. 58° 18' 15" E., 2027.96 feet to a 1-1/2" diameter iron pipe standing in the southwesterly line of the Southern Pacific Railroad Right of Way (100 feet wide) and also the northeasterly boundary of the said Parcel One; thence running along the last mentioned right of way line and northeasterly boundary of said Parcel One

(4) S. 39° 39' 30" E., 619.84 feet to the point of beginning.

EXCEPT therefrom an undivided 1/2 interest in all oil, gas, and mineral rights reserved to Leo A. Marihart and Juanita Somavia Marihart, his wife, their heirs and assigns who shall not be entitled to enter upon the land to conduct drilling or mining operation without the consent of Grantee, its successors or assigns in writing first had and obtained as reserved in the Deed from Leo A. Marihart, et ux., recorded June 23, 1965 in Reel 411, Page 848, Official Records of Monterey County.

ALSO EXCEPT THEREFROM that certain real property situate in Lot IV of the Spence Partition of the Rancho Encinal Y Buena Esperanza, Monterey County, California, being a portion of that certain 36.85 acre tract of land shown on Map filed August 16, 1965 in Volume X-3 of Surveys, at Page 222, Records of said County, described as follows:

Beginning at a 1 1/2" diameter iron pipe in the northeasterly boundary of said tract of land, at the most northerly corner of that certain 6.682 acre tract of land shown on Map filed in Volume X-4 of Surveys, at Page 118, Records of said County; thence running along said northwesterly boundary,

(1) N. 58° 18' 15" E., 80.0 feet; thence leave said boundary,

(2) S. 31° 39' 52" E., 613.59 feet to the northwesterly line of Somavia Road (a county road); thence along said road line,

(3) S. 58° 18' 15" W., 80.0 feet to a 1 1/2" diameter iron pipe at the most easterly corner of said 6.682 acre tract of land; thence along the northeasterly boundary thereof,

(4) N. 31° 41' 45" W., 613.87 feet to the point of beginning.

Certificate of Compliance recorded November 22, 1999 under Series No. 9986519, Monterey County Records.

## PARCEL II:

Beginning at the most northerly corner of that certain parcel conveyed in the Deed to Fusion Rubbermaid Corporation, a Corporation, recorded June 23, 1965 in Reel 411, Page 848, of Official Records, said point being on the southwesterly boundary of the Southern Pacific Railroad Right of Way; thence running along said right of way,

(1) N. 39° 30' 30" W., 795.20 feet; thence leaving said right of way line,

(2) S. 51° 20' 30" W., 2619.71 feet; thence

(3) S. 39° 46' 45" E., 249.11 feet; thence

(4) S. 53° 19' E., 240.28 feet to the most westerly corner of said parcel conveyed to Fusion Rubbermaid Corporation; thence along the northwesterly boundary thereof,

(5) N. 58° 18' 15" E., 2586.98 feet to the point of beginning.

Said parcel also being described as all that portion designated "38.025 AC Remainder" on the Map filed August 16, 1965 in Volume X-3 of Surveys, at Page 222.

Certificate of Compliance recorded May 21, 2002 under Series No. 2002048594, Monterey County Records.

## PARCEL III:

A right of way for road purposes over, upon, and across a strip of land 50.0 feet wide lying along, contiguous to, and northeasterly from the following described lines:

Beginning at the southeasterly terminus of Course No. 2 of the Parcel conveyed in the Deed to Fusion Rubbermaid Corporation, recorded June 23, 1965 in Reel 411, Page 848, Official Records; thence running,

(1) N. 44° 45-1/2' W., 511.20 feet; thence

(2) N. 49° 02' W., 122.79 feet; thence

(3) N. 53° 19' W., 38.39 feet to a point.

APN: 137-151-009

**CONDITION OF TITLE REPORT**

**SCHEDULE B**

Chicago Title Insurance Company reports that Title Instruments, on the date hereof, disclose:

1. Ownership of the Interest is in the name of:

**TMV Lands, a California General Partnership**

2. Real estate taxes:

1. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2016-2017.

2. Property taxes, including any personal property taxes and any assessments collected with taxes are as follows:

Code Area:	065-028
Tax Identification No.:	137-151-009
Fiscal Year:	2015-2016
1st Installment:	\$16,007.49, Paid
2nd Installment:	\$16,007.49, Open
Exemption:	\$0.00
Land:	\$2,841,533.00
Improvements:	\$0.00
Personal Property:	\$0.00
Bill No.:	0
Tracer No.:	0

3. The lien of supplemental or escaped assessments of property taxes, if any, made pursuant to the provisions of Chapter 3.5 (commencing with Section 75) or Part 2, Chapter 3, Articles 3 and 4, respectively, of the Revenue and Taxation Code of the State of California as a result of the transfer of title to the vestee named in Schedule A or as a result of changes in ownership or new construction occurring prior to Date of Policy.

4. Assessments and charges due the Monterey Regional Water Pollution Control Agency.

Further information may be obtained by contacting:  
District Billing Manager  
P.O. Box 2109  
Monterey, CA 93942  
(831) 372-2385

3. The following defects, liens and encumbrances (which are not necessarily shown in their order of priority) against the Interest:

1. **Water rights, claims or title to water**, whether or not disclosed by the public records.
2. **Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: Spreckels Sugar Company, a corporation  
 Purpose: power lines, poles and wires  
 Recorded: October 28, 1920, Book 177, Page 109, of Deeds  
 Affects: as therein provided.

Among other things, said document provides:

It being understood that any part of said right of way may be changed and a new right of way selected over any part of said lands which may be made necessary or proper by reason of the shifting of the Salinas River, it being the intent that the Spreckels Sugar Company shall at all times have an adequate right of way over said lands for said power line or lines and that said Spreckels Sugar Company shall have the right of ingress and egress over all said lands at all times for going upon said right of way for all purposes in connection with the maintenance of said line or lines.

3. **Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: Coast Valleys Gas and Electric Company, a Corporation  
 Purpose: Power Lines  
 Recorded: July 17, 1922, Book 4, Page 42, of Official Records  
 Affects: as therein provided.

4. **Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: Pacific Gas and Electric Company, a California corporation  
 Purpose: Pipelines  
 Recorded: March 9, 1949, Book 1124, Page 20, of Official Records  
 Affects: as therein provided.

5. **The fact** that the ownership of said land does not include rights of access to or from the street, highway, or freeway abutting said land, such rights having been relinquished by the document,

Recorded: January 18, 1952, Book 1354, Page 277, of Official Records  
 Affects: the Northeasterly boundary of said land as therein provided.

- 6. Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: Juanita Valerie Somavia, et al.  
Purpose: Road and Utility  
Recorded: January 21, 1952, Book 1354, Page 396, of Official Records  
Affects: as therein provided.

- 7. Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: Pacific Gas and Electric Company, a California corporation  
Purpose: pole line  
Recorded: February 19, 1954, Book 1509, Page 499, of Official Records  
Affects: as therein provided.

- 8. Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: Raymond J. Alsop, et ux.  
Purpose: Road  
Recorded: June 2, 1961, Book 2154, Page 66, of Official Records  
Affects: as therein provided.

- 9. Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: Leo A. Marihart, et ux.  
Purpose: road  
Recorded: June 23, 1965, Book /Reel 411, Page 848, of Official Records  
Affects: the northwesterly 50 feet

- 10. Easement(s)** for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the the Record of Survey Map filed in Volume X-3 of Surveys, Page 222.

Purpose: Right of Way  
Affects: as shown thereon.

- 11. Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: Leo A. Marihart, et ux.  
Purpose: Railroad Drill Track  
Recorded: October 14, 1966, Book /Reel 480, Page 222, of Official Records  
Affects: as therein provided.

- 12. Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: Fusion Rubbermaid Corporation, a Corporation  
Purpose: a Railroad Drill Track  
Recorded: October 14, 1969, Book /Reel 480, Page 224, of Official Records  
Affects: as therein provided.

- 13. Matters** contained in that certain document entitled "Terms and Provisions" dated September 21, 1966, executed by Leo A. Marihart, et al. recorded October 14, 1966, Book /Reel 480, Page 226, of Official Records.

Reference is hereby made to said document for full particulars.

- 14. Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: Leo A. Marihart, et ux.  
Purpose: a drill track and spur track  
Recorded: October 14, 1966, Book /Reel 480, Page 245, of Official Records  
Affects: as therein provided.

- 15. Matters** contained in that certain document entitled "Agreement" dated August 16, 1967, executed by Fusion Rubbermaid Corporation, et al., recorded August 16, 1967, Book /Reel 518, Page 166, of Official Records.

Reference is hereby made to said document for full particulars.

- 16. Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: Ashworth Products, Inc., a Delaware Corporation  
Purpose: a railroad drill tract  
Recorded: October 16, 1967, Book /Reel 526, Page 619, of Official Records  
Affects: as therein provided.

- 17. Matters** contained in that certain document entitled "Agreement Relative to Easements" dated December 15, 1981, executed by Albert C. Hansen, et al., recorded December 15, 1981, Book /Reel 1522, Page 119, of Official Records.

Reference is hereby made to said document for full particulars.

- 18. Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: Pacific Gas and Electric Company, a California corporation  
 Purpose: utilities with the right of ingress and egress  
 Recorded: December 20, 1984, Book /Reel 1796, Page 523, of Official Records  
 Affects: as therein provided.

- 19. Easement(s)** for the purpose(s) shown below and rights incidental thereto as granted in a document.

Granted to: Pacific Gas and Electric Company, a California corporation  
 Purpose: utilities with the right of ingress and egress  
 Recorded: October 17, 1996, Book /Reel 3433, Page 529, of Official Records  
 Affects: as therein provided.

- 20. An unrecorded lease** with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled: Subordination Non-Disturbance and Attornment Agreement  
 Lessor: TMV Lands, a California General Partnership  
 Lessee: Laguna Mist, L.L.C., a California Limited Liability Company  
 Recorded: November 30, 2006, Instrument No. 2006105326, of Official Records

The present ownership of the leasehold created by said lease and other matters affecting the interest of the lessee are not shown herein.

- 21. An unrecorded lease** with certain terms, covenants, conditions and provisions set forth therein as disclosed by the document

Entitled: Subordination Non-Disturbance and Attornment Agreement  
 Lessor: TMV Lands, a California General Partnership  
 Lessee: American Farms, LLC, a California Limited Liability Company  
 Recorded: November 30, 2006, Instrument No. 2006105327, of Official Records

The present ownership of the leasehold created by said lease and other matters affecting the interest of the lessee are not shown herein.

- 22. Any rights of the parties in possession** of a portion of, or all of, said land, which rights are not disclosed by the public record.

This Company will require, for review, a full and complete copy of any unrecorded agreement, contract, license and/or lease, together with all supplements, assignments and amendments thereto, before issuing any policy of title insurance without excepting this item from coverage. The Company reserves the right to except additional items and/or make additional requirements after reviewing said documents.

4. The following matters are disclosed by name only and the Company, without additional information, is unable to determine whether any or all of these matters are defects, liens or encumbrances against the Interest:

None



# Chicago Title Company

50 Winham Street, Salinas, CA 93901  
Phone: 831 424-8011 • FAX: 831 424-5169  
Title Officer: Rebecca Smith Phone: 831 424-8011

## INVOICE

RCT Land Company  
Attn: Kathy Franscioni  
86 Monterey Salinas HWY  
Salinas, CA 93908

INVOICE NO.: 727000005068  
January 14, 2016  
Unposted

TITLE NO.: 15-**52611830**-RS  
LOCATE NO.: CACTI7727-7727-4526-0052611830

REF. NO.:  
CUSTOMER PHONE: (831) 455-1096

SALES REP(S):

BUYER:  
SELLER:

PROPERTY: Somavia Ranch, Chualar, CA 93925; APN: 137-151-009

DESCRIPTION:

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429000	Condition Of Title Report - \$5,000.00	500.00
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PLEASE PAY THIS AMOUNT	\$ 500.00
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**TERMS – NET DUE UPON RECEIPT**