

**Recording Requested by:  
COUNTY OF NEVADA  
and when recorded mail to:**

Department of Public Works  
950 Maidu Avenue Suite 170  
P.O. Box 559002  
Nevada City, CA 95959

Recorder's Stamp

**TERMINATION AND RELEASE OF AGREEMENT - RIGHT OF ENTRY AND RIGHT OF WAY FOR DONATED RIGHTS OF WAY**

This TERMINATION AND RELEASE OF AGREEMENT - RIGHT OF ENTRY AND RIGHT OF WAY FOR DONATED RIGHTS OF WAY (this "**Termination**") by and between Nevada City Cashin's Field, LP, a California limited partnership, as successor in title to Erickson Lumber Company (the "**Owner**") and Nevada County, a political subdivision of the State of California (the "**County**") is entered into as of this \_\_\_\_ day of \_\_\_\_\_, 2021.

WHEREAS, pursuant to that certain Agreement – Right of Entry and Right of Way for Donated Rights of Way (the "**Agreement**") dated May 27, 1980 and recorded with the Recorder's Office of the County of Nevada, California on June 3, 1980 as Instrument No. 80-15103, a right of entry to the land described on Exhibit A (attached hereto and made a part hereof) was granted to the County for the purposes of constructing a County road improvement (the "**Right of Entry**"); and

WHEREAS, further to the Agreement the County was also granted an exclusive option to accept donations of right of way of the land as described on Exhibit B (attached hereto and made a part hereof) for any and all County road purposes (the "**Option to Accept Right of Way**"); and

WHEREAS, the Owner and the County mutually desire to terminate the Right of Entry and the Option to Accept Right of Way as described on Exhibit A and Exhibit B.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Owner and the County agree as follows:

1. The Right of Entry is hereby terminated and no longer effective with respect to the land described on Exhibit A.
2. The Option to Accept Right of Way is hereby terminated and no longer effective with respect to the land described on Exhibit B.

3. The Agreement is hereby terminated, and both the Owner and the County are hereby released from any and all obligations thereunder.
4. This Termination may be executed in counterparts and all such counterparts shall constitute one single Termination.

**[SIGNATURES APPEAR ON THE FOLLOWING PAGES]**

WITNESS THE EXECUTION HEREOF, this the \_\_\_\_ day of \_\_\_\_\_, 2021.

NEVADA COUNTY, a political subdivision of the State of California

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

Its:

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 )  
 ) ss.  
COUNTY OF NEVADA )

On \_\_\_\_\_, 2021, before me, \_\_\_\_\_, 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: \_\_\_\_\_

Notary Public Name Printed Legibly

\_\_\_\_\_

(affix notary seal in above open space)

IN WITNESS WHEREOF, this Termination shall be effective as of the day and year first above written.

NEVADA CITY CASHIN'S FIELD, LP,  
a California limited partnership

By: Nevada City Cashin's Field, LLC,  
a California limited liability company  
Its: Administrative General Partner

By: Central California Housing Corporation,  
a California corporation  
Its: Member/Manager

By: \_\_\_\_\_  
Austin Herzog, President

By: Cashin's Field-BBP, LLC,  
a California limited liability company  
Its: Managing General Partner

By: Building Better Partnerships, Inc.,  
a California nonprofit public benefit  
corporation  
Its: Sole Member

By: \_\_\_\_\_  
Gustavo Becerra, President





**EXHIBIT A**

**LEGAL DESCRIPTION OF RIGHT OF ENTRY**

ALL that land described by Deed in Book No. 461, Page 317, Official Records, Nevada County, State of California.

**EXHIBIT B**

**LEGAL DESCRIPTION OF OPTION TO ACCEPT RIGHT OF WAY**

PORTIONS of that certain real property in Nevada County, State of California, bounded and described as follows, to wit:

All that portions of real property, located in Nevada County, State of California, being a portion of that real property described in Book 461, Page 317, Official Records, Nevada County, which lies within the area between the tops of the cut slopes and/or the toes of the fill slopes of the heretofore stated County roadway improvement.