

WHEN RECORDED MAIL TO: FIRST AMERICAN TITLE
P.O.Box 2503
Alameda, CA 94501

81-193356

EASEMENT AND ENCROACHMENT AGREEMENT

RECORDED AT REQUEST OF
FIRST AMERICAN TITLE CO.
70136 ALA.
RENE C. DAVIDSON
Alameda County, Calif.
NOV 17 1981

Whereas Christine R. Brecher, a single woman and Carol A. Brecher, a single woman are the fee title holders to the lands described in Exhibit "A", attached hereto and made a part hereof; and

Whereas Oreste Azzari and Maria Azzari, his wife, are the fee title holders to the lands described in Exhibit "B" attached hereto and made a part hereof and which lands therein described immediately adjoining the lands described in Exhibit "A"; and

Whereas there presently exists a garage and driveway which are intended to be appurtenant to the lands described in Exhibit "A";

And Whereas according to that certain survey dated July 24, 1965, by H. H. Gambs, said garage and driveway both encroach onto the lands described in Exhibit "B".

Now therefore in consideration of the sum of \$2,000.00, Oreste Azzari and Maria Azzari, his wife as fee title holder to the lands of Exhibit "B" hereby grants on to Christine R. Brecher, a single woman and Carol A. Brecher, a single woman an exclusive easement for the encroachment of said garage and driveway to the extent that the same do both now encroach according to said survey above referred to, together with the right to use and maintain the same solely for their present uses and purposes.

Said easement so granted is to be appurtenant to the lands described in Exhibit "A".

It is hereby further agreed and understood between the parties hereto that any costs of maintenance for said driveway and garage shall be at the sole expense of the owners of the lands described in Exhibit "A" and furthermore, that the owners of the lands described in Exhibit "B" hereby retain their fee title to same and may use said driveway for the purposes of maintaining the exterior of their residence which abuts said driveway as long as this does not unreasonably abstruct or interfere with the ingress and egress to said garage.

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This agreement shall insure to the benefit of and bind the parties hereto, their successors and assigns.

dated: 11-12-1981

Oreste Azzari
Oreste Azzari

Maria Azzari
Maria Azzari

Christine R. Brecher
Christine R. Brecher

Carol A. Brecher
Carol A. Brecher

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STATE OF CALIFORNIA

COUNTY OF ALAMEDA

On NOVEMBER 12, 1981 before me the undersigned, a Notary Public in and for said State personally appeared ORESTE AZZARI AND MARIA AZZARI

known to me to be the person whose name is THEY

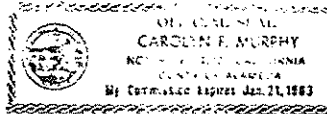
subscribed to the within instrument and acknowledged to me

that THEY executed the same

WITNESS my hand and official seal.

Signature

Carol F. Murphy



Name, Typed or Printed

This area for official notarial seal

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STATE OF CALIFORNIA

COUNTY OF ALAMEDA

On NOVEMBER 12, 1981 before me the undersigned, a Notary Public in and for said State, personally appeared CHRISTINE R. AZZARI AND CAROL A. BRECHER

known to me to be the person whose names are

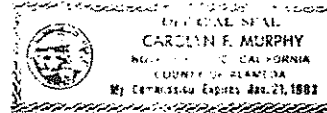
subscribed to the within instrument and acknowledged to me

that THEY executed the same

WITNESS my hand and official seal.

Signature

Carol F. Murphy



Name, Typed or Printed

This area for official notarial seal

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EXHIBIT "A"

LEGAL DESCRIPTION

REAL PROPERTY in the City of Alameda, County of Alameda, State of California, described as follows:

Beginning at a point on the eastern line of Court Street, distant thereon 93 feet 7-1/2 inches northerly from the point of intersection of said line of Court Street with the northern line of Encinal Avenue, formerly Monroe Street, as said streets are shown on the map hereinafter referred to; running thence northerly along the eastern line of Court Street, 41 feet 4 inches; thence at right angles easterly and parallel with said line of Encinal Avenue 100 feet; thence at right angles southerly and parallel with said line of Court Street 41 feet 4 inches; and thence at right angles westerly and parallel with said line of Encinal Avenue 100 feet to the point of beginning.

Being Lot 15 and a portion of Lot 16, Block 52, Map of Alameda, Surveyed and Drawn by J. T. Stratton, 1853, filed July 24, 1879, Map Book 6, Page 1, Alameda County Records.

A.P. No: 69-78-14

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EXHIBIT "B"

LEGAL DESCRIPTION

REAL PROPERTY in the City of Alameda, County of Alameda, State of California, described as follows:

Lot 14 in Block 82, of "Map of Alameda Surveyed and drawn by J. T. Stratton, 1853", filed July 24, 1879, in Book 6 of Maps, Page 1, records of said County.

RECORDED'S MEMO: Legibility for microfilming and copying
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