

**RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:**

City of San Marcos
ATTN: City Clerk
1 Civic Center Drive
San Marcos, CA 92069

**EXEMPT FROM RECORDING FEES
[Government Code § 27383]**

THIS SPACE FOR RECORDER'S USE ONLY

APN: 221-041-54

MEMORANDUM OF GRANT OF ACCESS EASEMENT

This Memorandum memorializes completion of the “Grant of Access Easement” granted by the City of San Marcos (“City”) solely and exclusively to culturally affiliated tribes Pechanga Band of Indians, San Luis Rey Band of Indians, and Rincon Band of Luiseno Indians (“Grantees”), dated _____, for access to a tribal cultural resource area (the “Covenant”).

RECITALS

WHEREAS, Grantor is the sole owner in fee simple of real property containing 75.57 acres, located in the City of San Marcos, County of San Diego, State of California, designated Assessor’s Parcel Number 219-270-66; 220-170-40; 221-061-65; 221-061-66; 221-051-31; 221-051-32; 221-051-33; 221-051-34; 221-051-21; 221-051-56; 221-041-67; 221-041-73; 221-041-64; 221-041-66; 221-041-54; 221-041-55; and 221-041-56 (the “**Grantor’s Property**”).

WHEREAS, certain cultural resources exist on a portion of the Grantor’s Property that are of cultural significance to the Grantees who have legal ownership over them and the location of which will not be subject to further or future subsurface disturbance.

WHEREAS, Grantor has entered into a “Grant of Access Easement” in order to grant access over and across that certain portion of the Grantor’s Property (the “**Stewardship/Access Area**”). This memorandum is intended to be recorded in the chain of title to the Grantor’s Property.

COVENANTS, TERMS, CONDITIONS, AND RESTRICTIONS

In consideration of the above recitals and the mutual covenants, terms, conditions, and restrictions contained herein, the City has granted to Grantees and their designees, as appropriate, the “Grant of Access Easement” in perpetuity over and across the Stewardship/Access Area. The “Grant of Access Easement” shall run with the land and be binding on the City and its officials, heirs, successors, administrators, assigns, lessees, and other occupiers or users of the Stewardship/Access Area or any portion of it.

By recording this Memorandum in the chain of title to the Grantor’s Property, it provides all subsequent purchasers, lessees, mortgagees, and all other interested persons with notice of the existence of the “Grant of Access Easement”, its purpose, prohibited uses, reserved rights, access, costs and liabilities, notices, amendment, long-term maintenance, and its general provisions.

Document No. _____

This Memorandum is hereby recorded to provide the referenced notice of the “Grant of Access Easement” in lieu of recording such grant due to its confidential nature and need for long-term protection of cultural resources significant to Grantees in the Stewardship/Access Area.

City:

THE CITY OF SAN MARCOS

By: _____
Michelle Bender, City Manager

Attest:

Phillip Scollick, City Clerk

Approved as to form:

Helen Holmes Peak, City Attorney

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.

[illegible]

On _____, 2024, 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.

Notary Public

[seal]

Document No. _____