

HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT

PART A: Part A may be completed by the applicant

Applicant Name: **TANJA BAKER** APN: **522-026-007**

Planning & Building Department Case/File No.: **11167**

Road Name: **OLD 3 CREEKS RD** (complete a separate form for each road)

From Road (Cross street): **HWY 299 AND OLD 3 CREEKS RD**

To Road (Cross street): **OLD 3 CREEKS RD**

Length of road segment: **6.1 mi** miles Date Inspected **12/11/2017**

Road is maintained by: ☒ County ☐ Other
(State, Forest Service, National Park, State Park, BLM, Private, Tribal, etc)

Check one of the following:

Box 1 ☐ The entire road segment is developed to Category 4 road standards (20 feet wide) or better. If checked, then the road is adequate for the proposed use without further review by the applicant.

Box 2 ☒ The entire road segment is developed to the equivalent of a road category 4 standard. If checked, then the road is adequate for the proposed use without further review by the applicant.

An equivalent road category 4 standard is defined as a roadway that is generally 20 feet in width, but has pinch points which narrow the road. Pinch points include, but are not limited to, one-lane bridges, trees, large rock outcroppings, culverts, etc. Pinch points must provide visibility where a driver can see oncoming vehicles through the pinch point which allows the oncoming vehicle to stop and wait in a 20 foot wide section of the road for the other vehicle to pass.

Box 3 ☐ The entire road segment is not developed to the equivalent of road category 4 or better. The road may or may not be able to accommodate the proposed use and further evaluation is necessary. Part B is to be completed by a Civil Engineer licensed by the State of California.

The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road.

Signature

Dave Rask

Name Printed

Date

12/14/2017



Road Evaluation

BAK.WCCA
Photos 58/87 to 23/24

Legend

- Feature 1
- Old 3 Creeks Rd
- Route

Photo (23).jpg Photo (24).jpg

Photo (26).jpg Photo (25).jpg

Photo (28).jpg Photo (27).jpg

Photo (29).jpg Photo (30).jpg

Photo (32).jpg

Photo (31).jpg

Photo (33).jpg

Photo (35).jpg

Photo (37).jpg Photo (38).jpg

Photo (39).jpg

Photo (40).jpg

Photo (42).jpg Photo (41).jpg

Photo (45).jpg Photo (46).jpg

Photo (49).jpg Photo (50).jpg

Photo (52).jpg Photo (51).jpg

Photo (54).jpg

Photo (53).jpg

Photo (56).jpg

Photo (58).jpg

Photo (87).jpg

Google Earth

© 2017 Google

Photo log for Baker Road Evaluation
Apps #11167
APN- 522-026-007

Photo #23



Photo #24

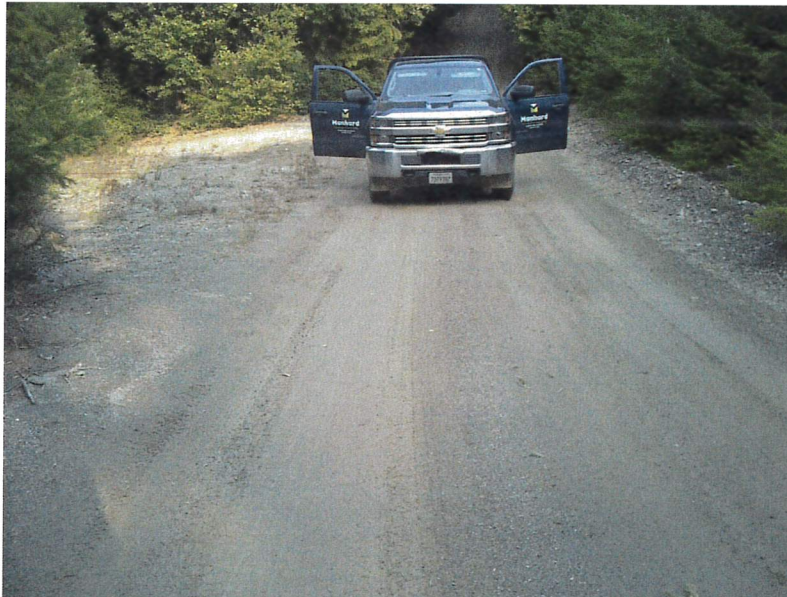


Photo #25



Photo #26

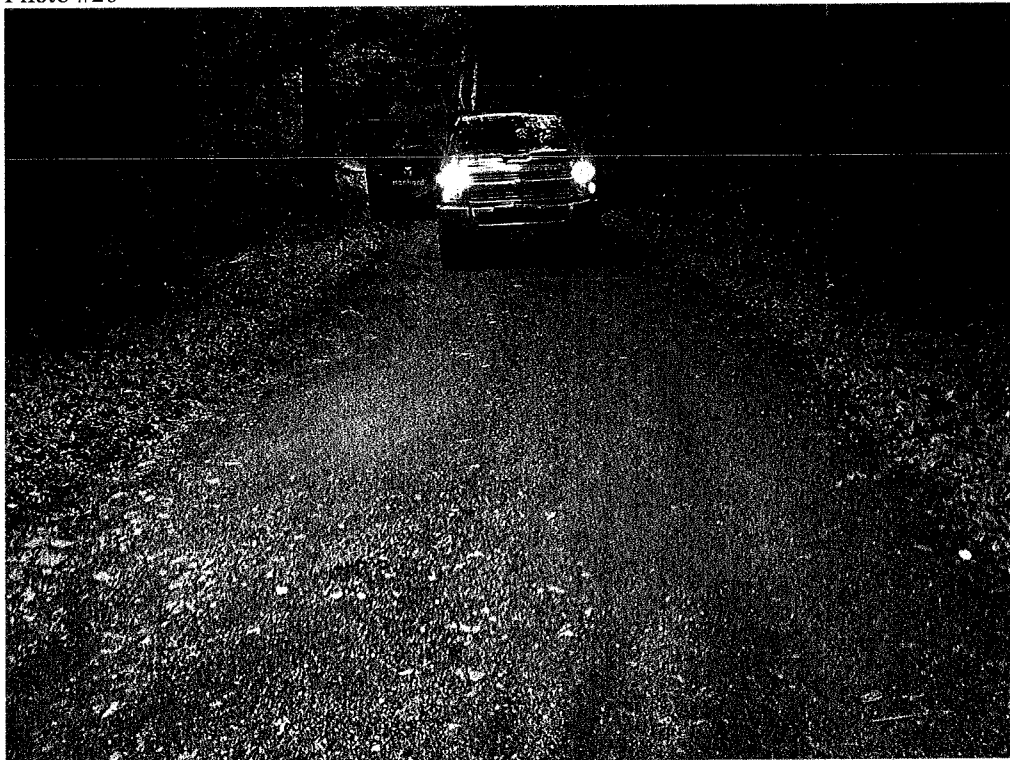


Photo #27



Photo #28



Photo #29



Photo #30



Photo #31



Photo #32



Photo #33



Photo #34



Photo #35



Photo #36

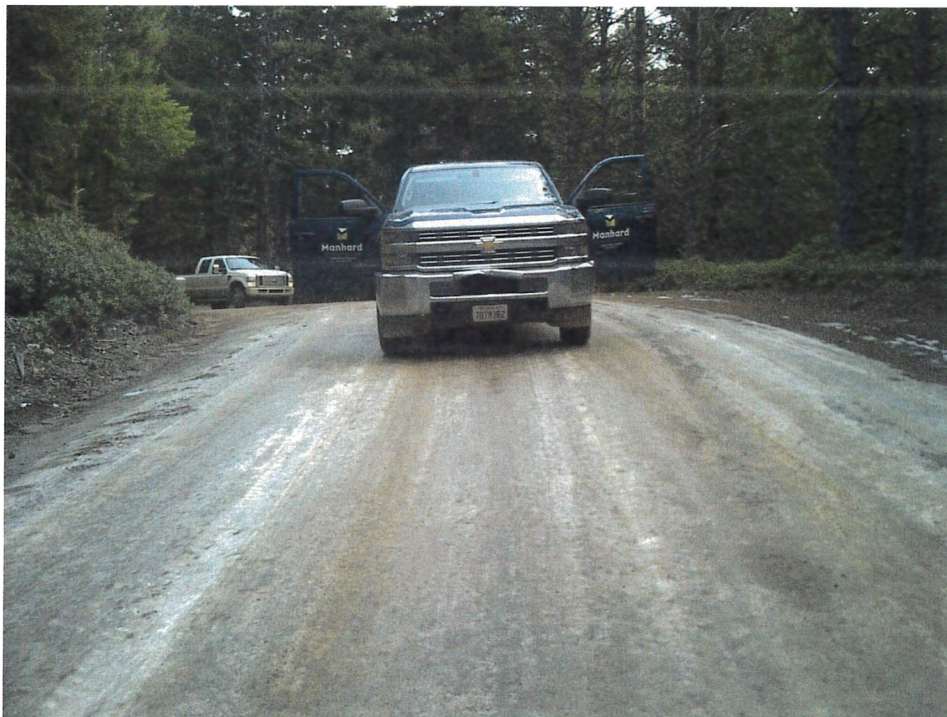


Photo #37



Photo #38

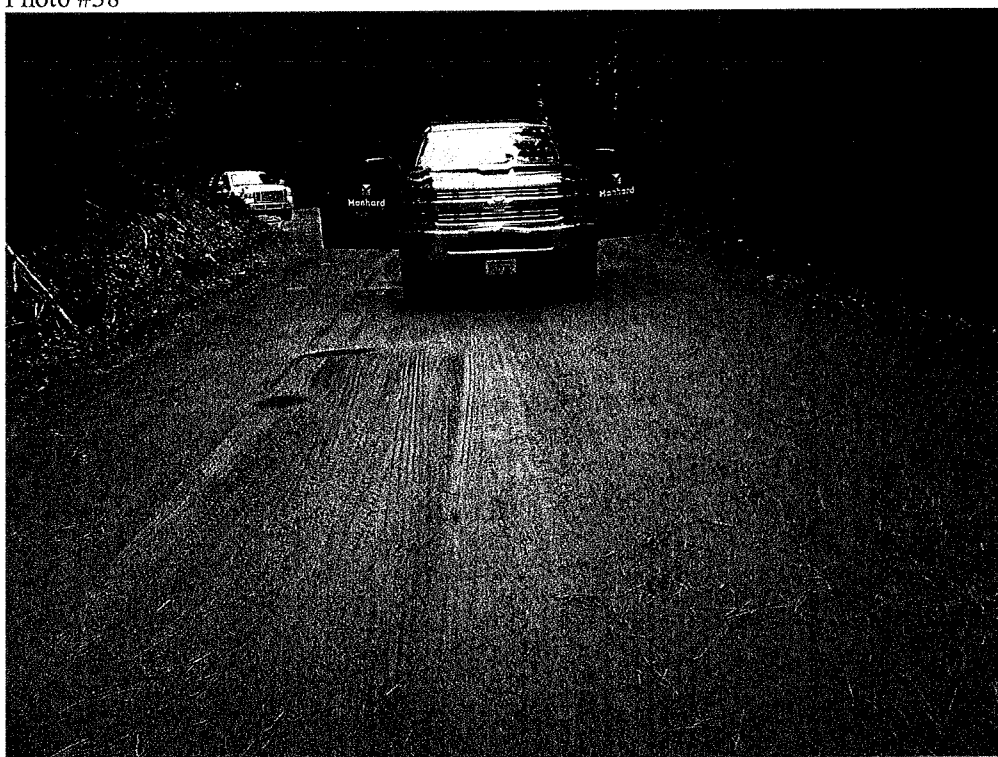


Photo #39



Photo #40



Photo #41



Photo #42

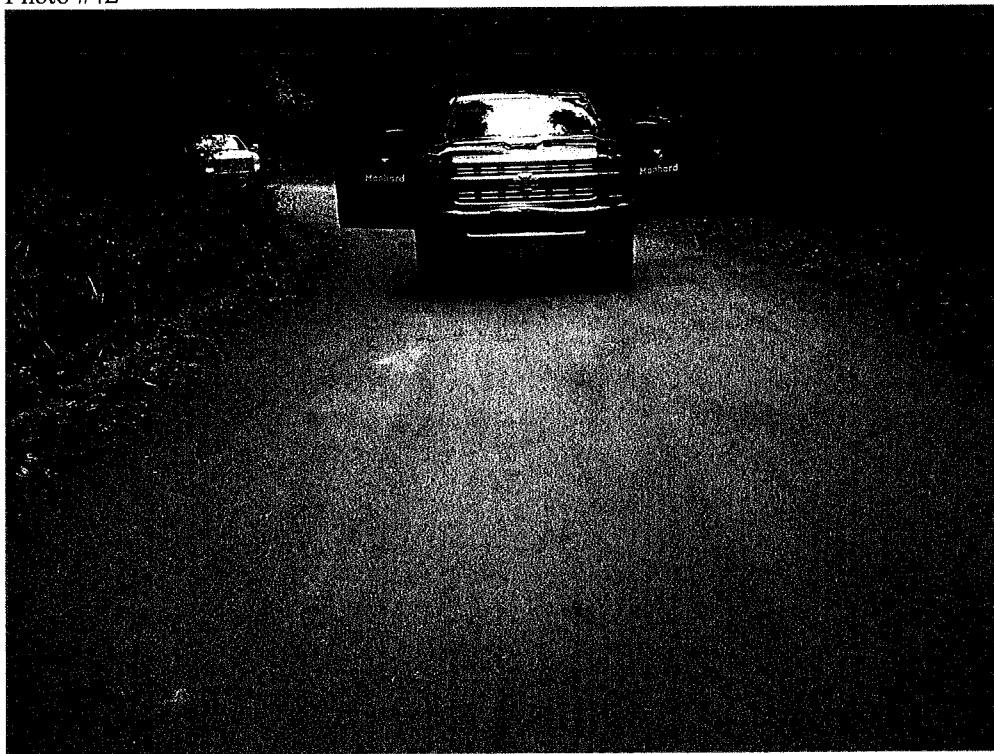


Photo #43



Photo #44



Photo #45



Photo #46



Photo #47



Photo #48



Photo #49



Photo #50

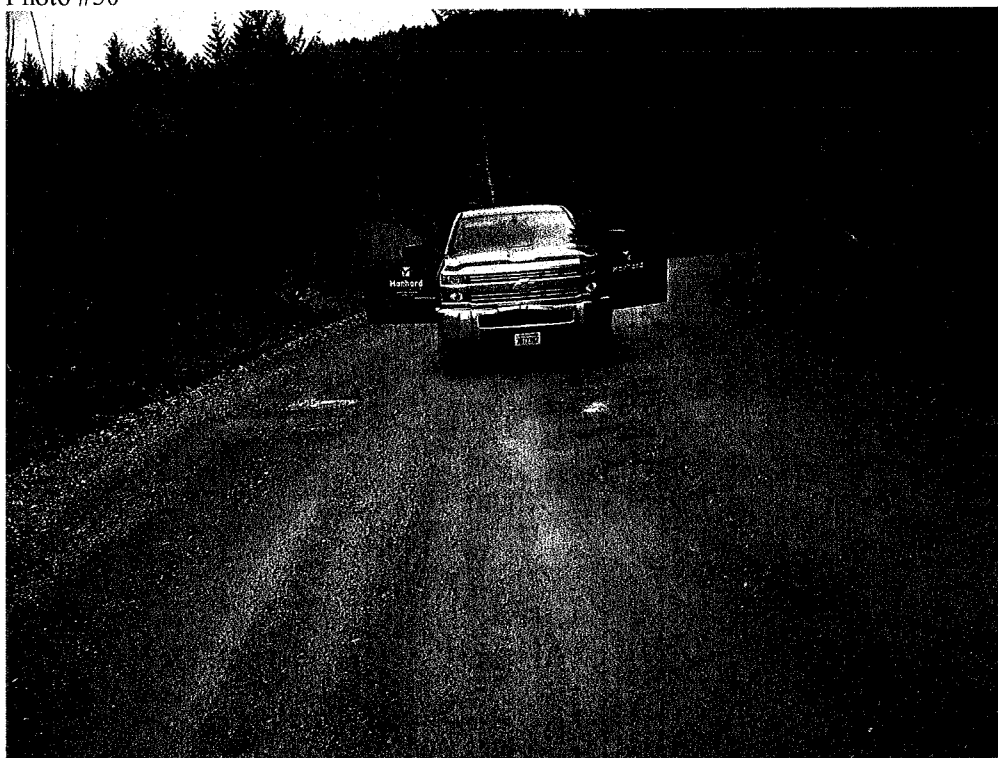


Photo #51



Photo #52



Photo #53



Photo #54



Photo #55



Photo #56



Photo #57



Photo #58

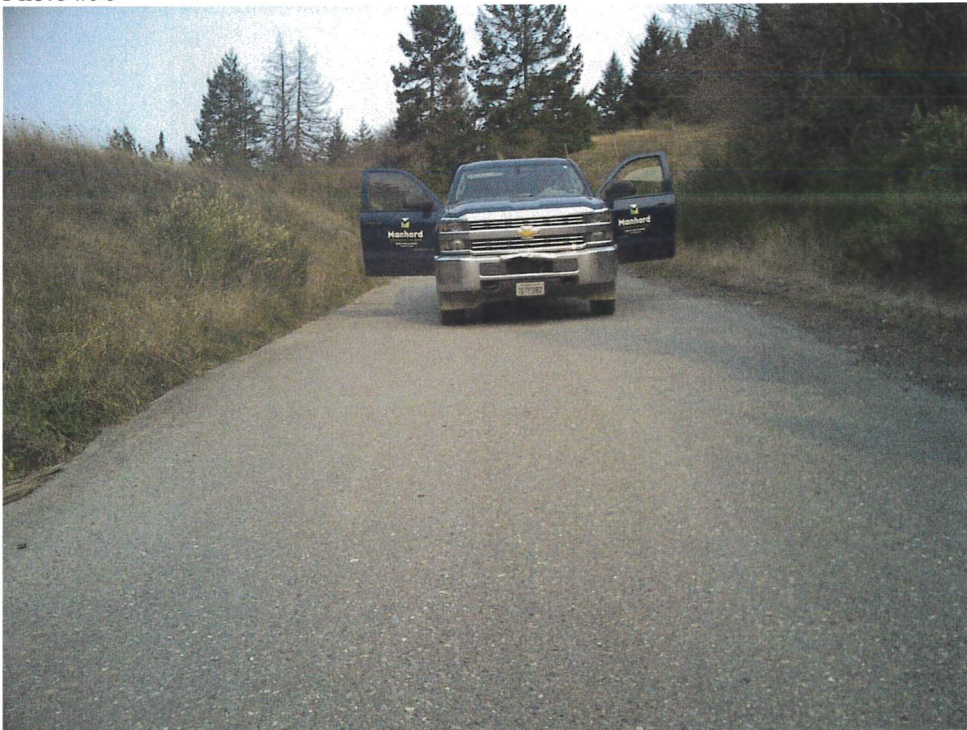


Photo #83



Photo #84



Photo #85

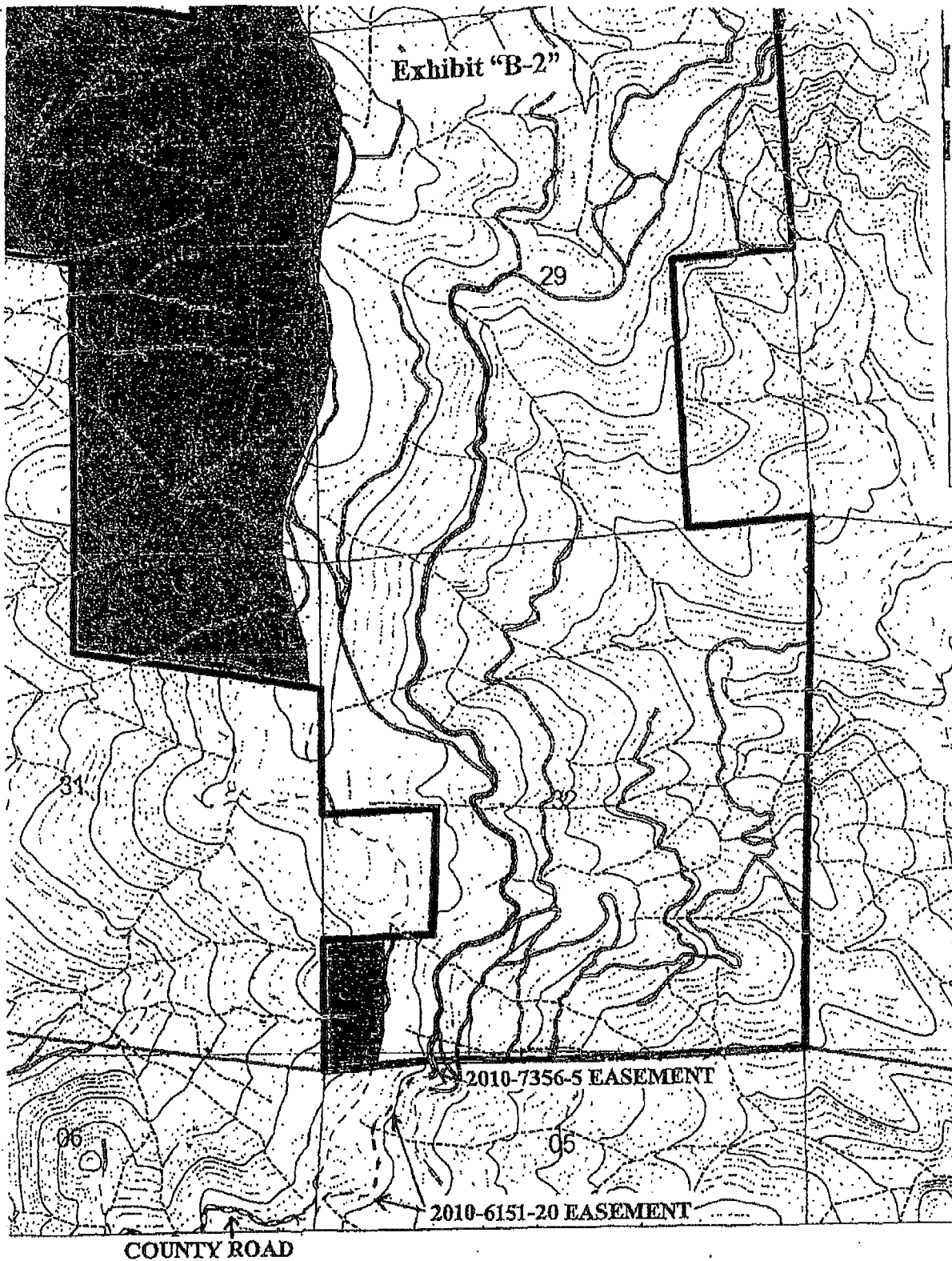


Photo #86



Photo #87







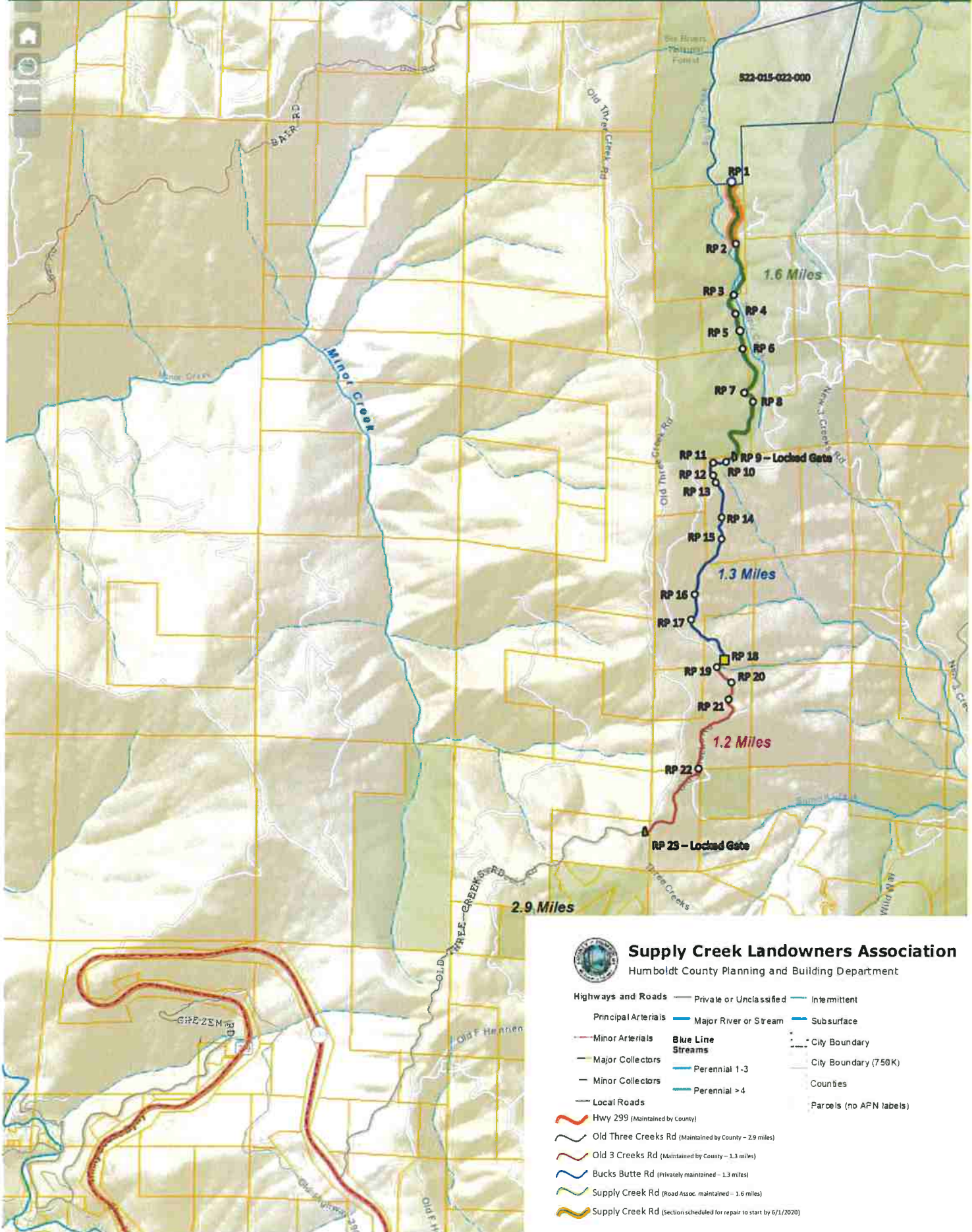
SUPPLY CREEK LANDOWNERS ASSOCIATION

Road Evaluation Report Photographs

APN: 522-022-015-000

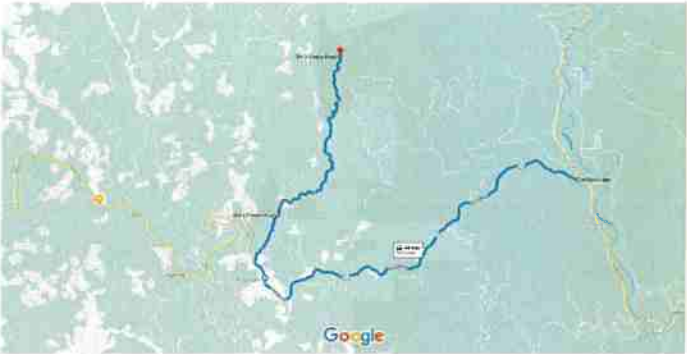
Date: March 27, 2020

Prepared for: Ryan Zuccaro





Willow Creek, California to Old 3 Creeks Rd, Willow Creek, CA 95573 Drive 18.3 miles, 44 min



Map data ©2020 Google 1 mi

Willow Creek
California

- 1. Head south on CA-96 W toward CA-299 E 72 ft
- 2. Turn right onto CA-299 W 10.9 mi
- 3. Turn right onto Old 3 Creeks Rd 1.5 mi

15 min (12.4 mi)

Old 3 Creeks Rd
California

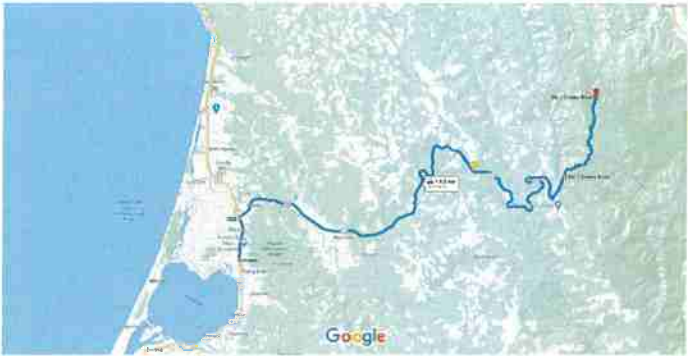
- 4. Head north on Old 3 Creeks Rd 1.4 mi
- 5. Slight right 0.9 mi
- 6. Slight left 0.4 mi

- 7. Continue onto Old 3 Creeks Rd 1.9 mi
- 8. Turn right to stay on Old 3 Creeks Rd Destination will be on the left 1.3 mi

25 min (5.9 mi)

Old 3 Creeks Rd
Willow Creek, CA 95573

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.



- 7. Slight right 0.9 mi
 - 8. Slight left 0.4 mi
 - 9. Continue onto Old 3 Creeks Rd 1.9 mi
 - 10. Turn right to stay on Old 3 Creeks Rd 1.3 mi
- Destination will be on the left

25 min (5.9 mi)

Old 3 Creeks Rd
Willow Creek, CA 95573

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

Arcata
California

- 1. Head north toward US-101 N 98 ft
- 2. Merge onto US-101 N 2.1 mi
- 3. Take exit 716A for CA-299 toward Weaverville/Redding 0.2 mi
- 4. Continue onto CA-299 E 26.6 mi
- 5. Turn left onto Old 3 Creeks Rd 1.5 mi

37 min (30.4 mi)

Old 3 Creeks Rd
California

- 6. Head north on Old 3 Creeks Rd 1.4 mi

**HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT**

PART A: *Part A may be completed by the applicant*

Applicant Name: RYAN ZUCCARO

APN: 522-022-015-000

Planning & Building Department Case/File No.: APPS: 11525

Road Name: SUPPLY CREEK RD (complete a separate form for each road)

From Road (Cross street): HWY 299

To Road (Cross street): OLD THREE CREEKS ROAD (COUNTY MAINTAINED - 2.9 miles & PRIVATE - 1.2 miles) to BUCKS BUTTE RD

Length of road segment: 1.6 miles Date Inspected: _____

Road is maintained by: ☒ County ☒ Other COUNTY TO 3 MILES / PRIVATE AFTER 3 MILES
(State, Forest Service, National Park, State Park, BLM, Private, Tribal, etc)

Check one of the following:

Box 1 ☐ The entire road segment is developed to Category 4 road standards (20 feet wide) or better. If checked, then the road is adequate for the proposed use without further review by the applicant.

Box 2 ☒ The entire road segment is developed to the equivalent of a road category 4 standard. If checked, then the road is adequate for the proposed use without further review by the applicant.

An equivalent road category 4 standard is defined as a roadway that is generally 20 feet in width, but has pinch points which narrow the road. Pinch points include, but are not limited to, one-lane bridges, trees, large rock outcroppings, culverts, etc. Pinch points must provide visibility where a driver can see oncoming vehicles through the pinch point which allows the oncoming vehicle to stop and wait in a 20 foot wide section of the road for the other vehicle to pass.

Box 3 ☐ The entire road segment is not developed to the equivalent of road category 4 or better. The road may or may not be able to accommodate the proposed use and further evaluation is necessary. Part B is to be completed by a Civil Engineer licensed by the State of California.

The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road. A map showing the location and limits of the road being evaluated in PART A is attached.

Signature _____

RYAN ZUCCARO

Name Printed _____

Date 3-31-2020

Important: Read the instructions before using this form. If you have questions, please call the Dept. of Public Works Land Use Division at 707.445.7205.

PART B: Only complete Part B if Box 3 is checked in Part A. Part B is to be completed by a Civil Engineer licensed by the State of California. Complete a separate form for each road.

Road Name: _____ Date Inspected: _____ APN: _____
From Road: _____ (Post Mile _____) Planning & Building
To Road: _____ (Post Mile _____) Department Case/File No.: _____

1. What is the Average Daily Traffic (ADT) of the road (including other known cannabis projects)?

Number of other known cannabis projects included in ADT calculations: _____
(Contact the Planning & Building Department for information on other nearby projects.)

ADT: _____ Date(s) measured: _____

Method used to measure ADT: ☐ Counters ☐ Estimated using ITE Trip Generation Book

Is the ADT of the road less than 400? ☐ Yes ☐ No

If YES, then the road is considered very low volume and shall comply with the design standards outlined in the American Association of State Highway and Transportation Officials (AASHTO) *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤ 400)*. Complete sections 2 and 3 below.

If NO, then the road shall be reviewed per the applicable policies for the design of local roads and streets presented in AASHTO *A Policy on Geometric Design of Highways and Streets*, commonly known as the "Green Book". Complete section 3 below.

2. Identify site specific safety problems with the road that include, but are not limited to: (Refer to Chapter 3 in AASHTO *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤ 400)* for guidance.)

A. Pattern of curve related crashes.

Check one: ☐ No. ☐ Yes, see attached sheet for Post Mile (PM) locations.

B. Physical evidence of curve problems such as skid marks, scarred trees, or scarred utility poles

Check one: ☐ No. ☐ Yes, see attached sheet for PM locations.

C. Substantial edge rutting or encroachment.

Check one: ☐ No. ☐ Yes, see attached sheet for PM locations.

D. History of complaints from residents or law enforcement.

Check one: ☐ No. ☐ Yes (☐ check if written documentation is attached)

E. Measured or known speed substantially higher than the design speed of the road (20+ MPH higher)

Check one: ☐ No. ☐ Yes.

F. Need for turn-outs.

Check one: ☐ No. ☐ Yes, see attached sheet for PM locations.

3. Conclusions/Recommendations per AASHTO. Check one:

☐ The roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above.

☐ The roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above, if the recommendations on the attached report are done. (☐ check if a Neighborhood Traffic Management Plan is also required and is attached.)

☐ The roadway cannot accommodate increased traffic from the proposed use. It is not possible to address increased traffic.

A map showing the location and limits of the road being evaluated in PART B is attached. The statements in PART B are true and correct and have been made by me after personally evaluating the road.

Signature of Civil Engineer _____

Date _____

Important: Read the instructions before using this form. If you have questions, please call the Dept. of Public Works Land Use Division at 707.445.7205.



Figure 1: RP 1 on Supply Creek Rd.
(Section scheduled for repair & maintenance - To start by 6/1/2020)



Figure 2: RP 2 on Supply Creek Rd.
(Section scheduled for repair & maintenance - To start by 6/1/2020)



Figure 3: RP 3 on Supply Creek Rd.



Figure 4: RP 4 on Supply Creek Rd.



Figure 5: RP 4 on Supply Creek Rd.



Figure 6: RP 5 on Supply Creek Rd.



Figure 7: RP 6 on Supply Creek Rd.



Figure 8: RP 6 on Supply Creek Rd.



Figure 9: RP 6 on Supply Creek Rd.



Figure 10: RP 7 on Supply Creek Rd.



Figure 11: RP 8 on Supply Creek Rd.

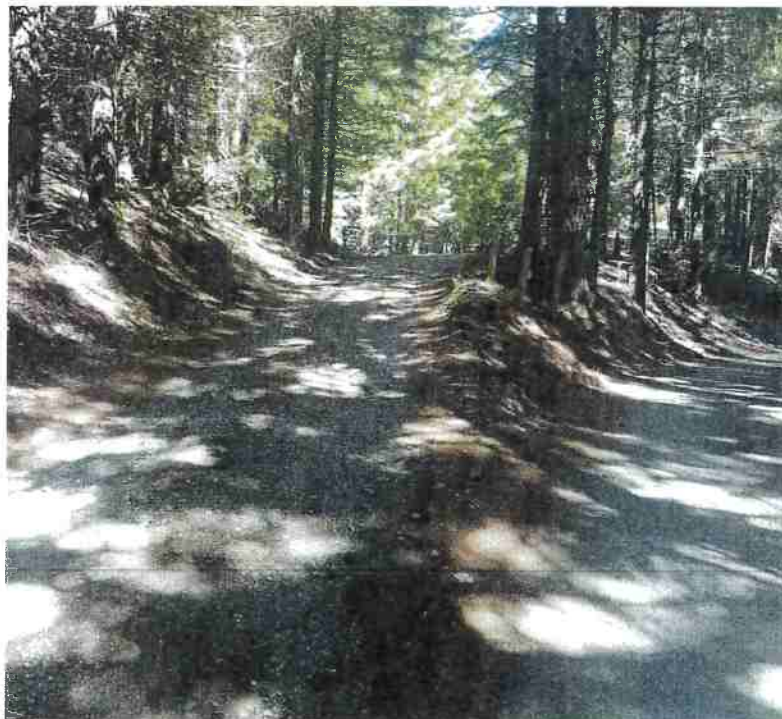


Figure 12: RP 9 on Supply Creek Rd.

**HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT**

PART A: Part A may be completed by the applicant

Applicant Name: RYAN ZUCCARO APN: 522-022-015-000

Planning & Building Department Case/File No.: APPS: 11525

Road Name: BUCK BUTTES RD (complete a separate form for each road)

From Road (Cross street): HWY 299

To Road (Cross street): OLD THREE CREEKS ROAD (COUNTY MAINTAINED - 2.9 miles & PRIVATE - 1.2 miles)

Length of road segment: 1.3 miles Date Inspected: _____

Road is maintained by: ☒ County ☒ Other COUNTY TO 3 MILES / PRIVATE AFTER 3 MILES
(State, Forest Service, National Park, State Park, BLM, Private, Tribal, etc)

Check one of the following:

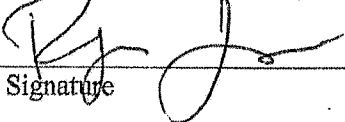
Box 1 ☐ The entire road segment is developed to Category 4 road standards (20 feet wide) or better. If checked, then the road is adequate for the proposed use without further review by the applicant.

Box 2 ☒ The entire road segment is developed to the equivalent of a road category 4 standard. If checked, then the road is adequate for the proposed use without further review by the applicant.

An equivalent road category 4 standard is defined as a roadway that is generally 20 feet in width, but has pinch points which narrow the road. Pinch points include, but are not limited to, one-lane bridges, trees, large rock outcroppings, culverts, etc. Pinch points must provide visibility where a driver can see oncoming vehicles through the pinch point which allows the oncoming vehicle to stop and wait in a 20 foot wide section of the road for the other vehicle to pass.

Box 3 ☐ The entire road segment is not developed to the equivalent of road category 4 or better. The road may or may not be able to accommodate the proposed use and further evaluation is necessary. Part B is to be completed by a Civil Engineer licensed by the State of California.

The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road. A map showing the location and limits of the road being evaluated in PART A is attached.


Signature

3-31-2020
Date

RYAN ZUCCARO

Name Printed

Important: Read the instructions before using this form. If you have questions, please call the Dept. of Public Works Land Use Division at 707.445.7205.

PART B: Only complete Part B if Box 3 is checked in Part A. Part B is to be completed by a Civil Engineer licensed by the State of California. Complete a separate form for each road.

Road Name: _____ Date Inspected: _____ APN: _____
From Road: _____ (Post Mile _____) Planning & Building
To Road: _____ (Post Mile _____) Department Case/File No.: _____

1. What is the Average Daily Traffic (ADT) of the road (including other known cannabis projects)?

Number of other known cannabis projects included in ADT calculations:
(Contact the Planning & Building Department for information on other nearby projects.) _____

ADT: _____ Date(s) measured: _____

Method used to measure ADT: ☐ Counters ☐ Estimated using ITE Trip Generation Book

Is the ADT of the road less than 400? ☐ Yes ☐ No

If YES, then the road is considered very low volume and shall comply with the design standards outlined in the American Association of State Highway and Transportation Officials (AASHTO) *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤ 400)*. Complete sections 2 and 3 below.

If NO, then the road shall be reviewed per the applicable policies for the design of local roads and streets presented in AASHTO *A Policy on Geometric Design of Highways and Streets*, commonly known as the "Green Book". Complete section 3 below.

2. Identify site specific safety problems with the road that include, but are not limited to: (Refer to Chapter 3 in AASHTO *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤ 400)* for guidance.)

A. Pattern of curve related crashes.

Check one: ☐ No. ☐ Yes, see attached sheet for Post Mile (PM) locations.

B. Physical evidence of curve problems such as skid marks, scarred trees, or scarred utility poles

Check one: ☐ No. ☐ Yes, see attached sheet for PM locations.

C. Substantial edge rutting or encroachment.

Check one: ☐ No. ☐ Yes, see attached sheet for PM locations.

D. History of complaints from residents or law enforcement.

Check one: ☐ No. ☐ Yes (☐ check if written documentation is attached)

E. Measured or known speed substantially higher than the design speed of the road (20+ MPH higher)

Check one: ☐ No. ☐ Yes.

F. Need for turn-outs.

Check one: ☐ No. ☐ Yes, see attached sheet for PM locations.

3. Conclusions/Recommendations per AASHTO. Check one:

☐ The roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above.

☐ The roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above, if the recommendations on the attached report are done. (☐ check if a Neighborhood Traffic Management Plan is also required and is attached.)

☐ The roadway cannot accommodate increased traffic from the proposed use. It is not possible to address increased traffic.

A map showing the location and limits of the road being evaluated in PART B is attached. The statements in PART B are true and correct and have been made by me after personally evaluating the road.

Signature of Civil Engineer _____

Date _____

Important: Read the instructions before using this form. If you have questions, please call the Dept. of Public Works Land Use Division at 707.445.7205.



Figure 13: RP 10 on Bucks Butte Rd.



Figure 14: RP 11 on Bucks Butte Rd.



Figure 15: RP 12 on Bucks Butte Rd.



Figure 16: RP 13 on Bucks Butte Rd.



Figure 17: RP 14 on Bucks Butte Rd.



Figure 18: RP 15 on Bucks Butte Rd.



Figure 19: RP 16 on Bucks Butte Rd.

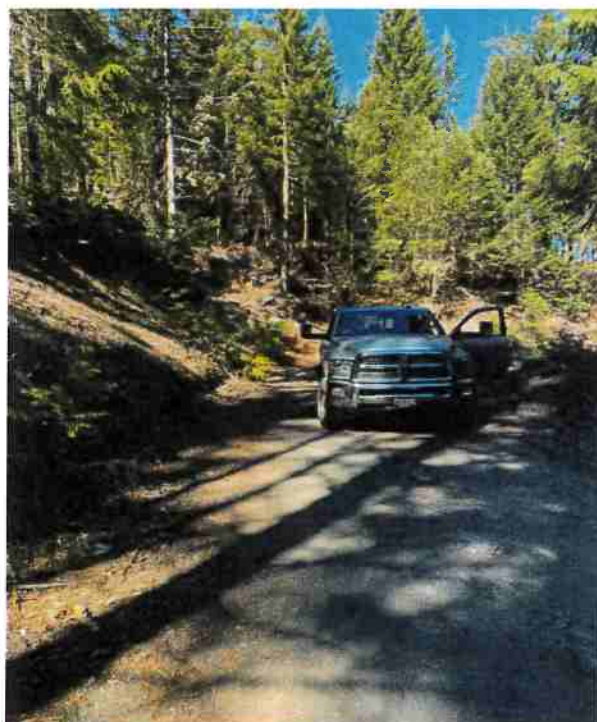


Figure 20: RP 17 on Bucks Butte Rd.



Figure 21: RP 18 on Bucks Butte Rd.

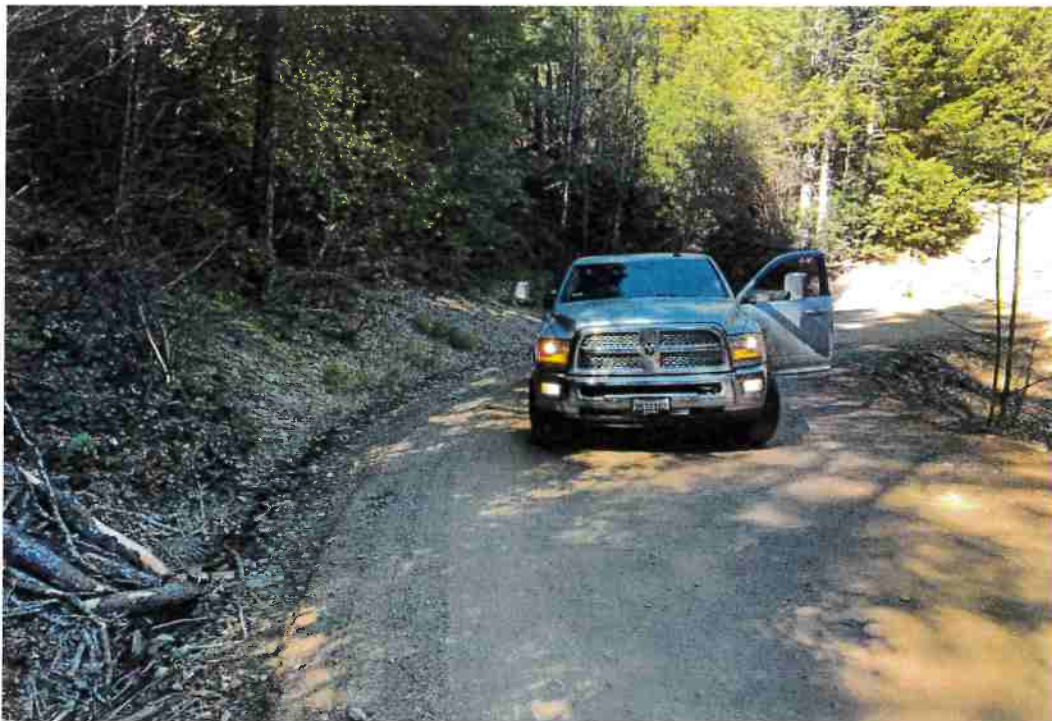


Figure 22: RP 19 on Old 3 Creeks Rd.



Figure 23: RP 20 on Old 3 Creeks Rd.



Figure 24: RP 21 on Old 3 Creeks Rd.



Figure 25: RP 22 on Old 3 Creeks Rd.



Figure 26: RP 23 on Old 3 Creeks Rd.

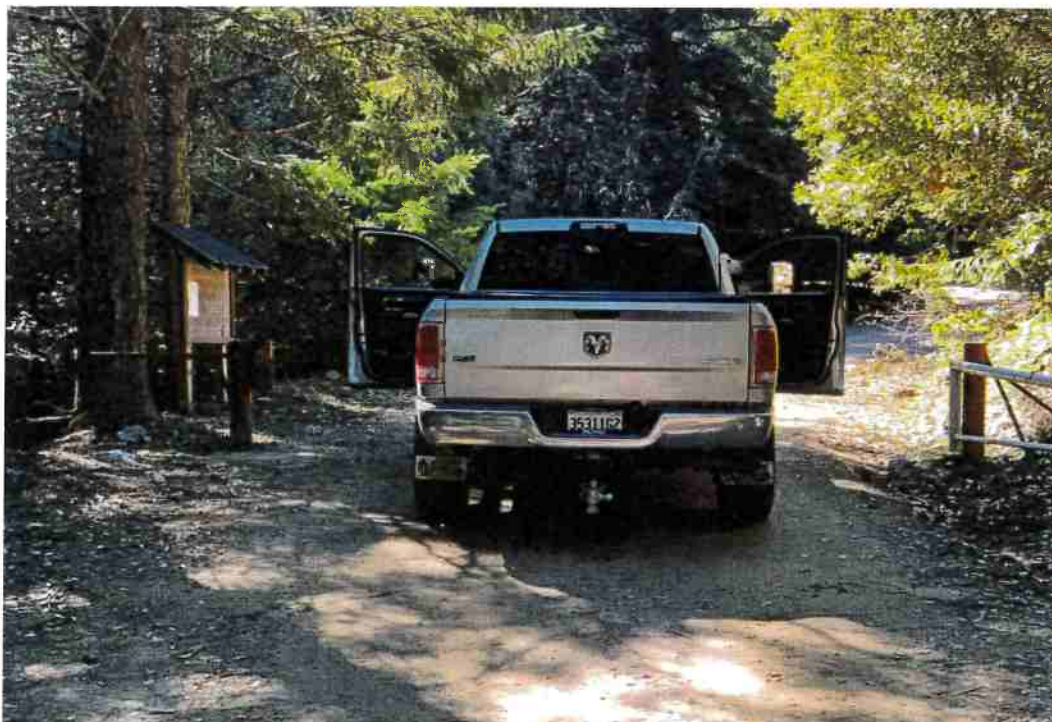


Figure 27: RP 23 on Old 3 Creeks Rd.



Figure 28: RP 23 on Old 3 Creeks Rd.



Figure 29: RP 23 on Old 3 Creeks Rd.



Figure 30: RP 23 on Old 3 Creeks Rd.

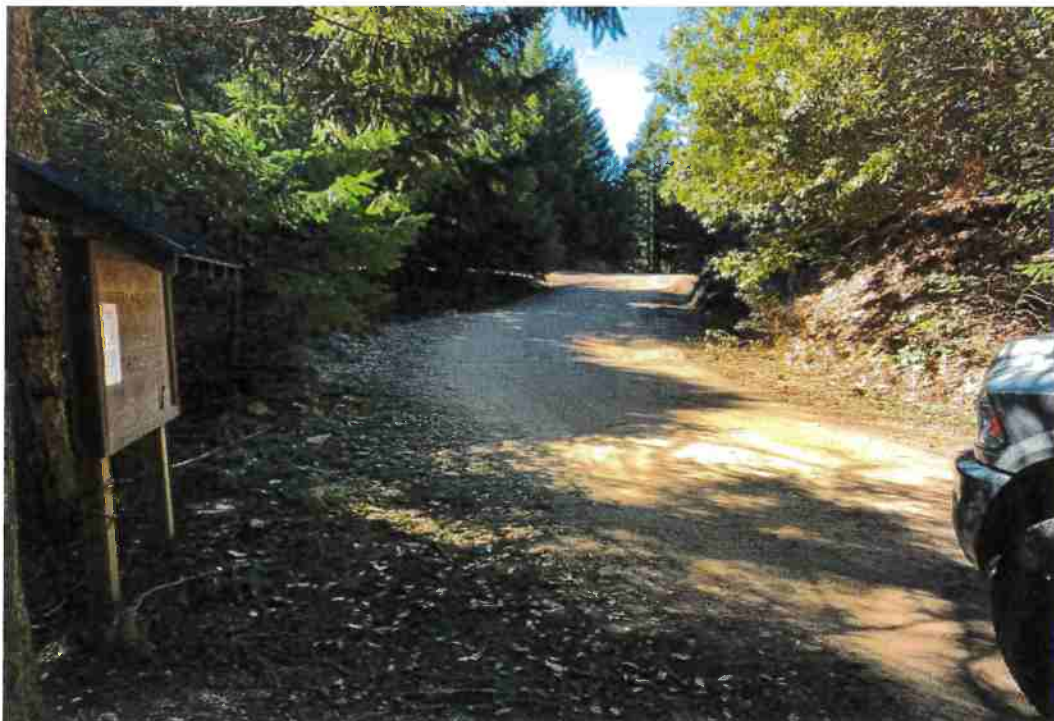


Figure 31: RP 23 on Old 3 Creeks Rd.



Figure 32: RP 23 on Old 3 Creeks Rd.

**HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS
ROAD EVALUATION REPORT**

PART A: Part A may be completed by the applicant

Applicant Name: RYAN ZUCCARO APN: 522-022-015-000

Planning & Building Department Case/File No.: APPS: 11525

Road Name: OLD THREE CREEKS RD (complete a separate form for each road)

From Road (Cross street): HWY 299

To Road (Cross street): OLD THREE CREEKS ROAD (COUNTY MAINTAINED - 2.9 miles)

Length of road segment: 1.2 miles Date Inspected: _____

Road is maintained by: ☒ County ☒ Other COUNTY TO 3 MILES / PRIVATE AFTER 3 MILES
(State, Forest Service, National Park, State Park, BLM, Private, Tribal, etc)

Check one of the following:

Box 1 ☐ The entire road segment is developed to Category 4 road standards (20 feet wide) or better. If checked, then the road is adequate for the proposed use without further review by the applicant.

Box 2 ☒ The entire road segment is developed to the equivalent of a road category 4 standard. If checked, then the road is adequate for the proposed use without further review by the applicant.

An equivalent road category 4 standard is defined as a roadway that is generally 20 feet in width, but has pinch points which narrow the road. Pinch points include, but are not limited to, one-lane bridges, trees, large rock outcroppings, culverts, etc. Pinch points must provide visibility where a driver can see oncoming vehicles through the pinch point which allows the oncoming vehicle to stop and wait in a 20 foot wide section of the road for the other vehicle to pass.

Box 3 ☐ The entire road segment is not developed to the equivalent of road category 4 or better. The road may or may not be able to accommodate the proposed use and further evaluation is necessary. Part B is to be completed by a Civil Engineer licensed by the State of California.

The statements in PART A are true and correct and have been made by me after personally inspecting and measuring the road. A map showing the location and limits of the road being evaluated in PART A is attached.

Signature

RYAN ZUCCARO

Name Printed

Date

3-30-2020

Important: Read the instructions before using this form. If you have questions, please call the Dept. of Public Works Land Use Division at 707.445.7265.

PART B: Only complete Part B if Box 3 is checked in Part A. Part B is to be completed by a Civil Engineer licensed by the State of California. Complete a separate form for each road.

Road Name: _____ Date Inspected: _____ APN: _____
From Road: _____ (Post Mile _____) Planning & Building
To Road: _____ (Post Mile _____) Department Case/File No.: _____

1. What is the Average Daily Traffic (ADT) of the road (including other known cannabis projects)?

Number of other known cannabis projects included in ADT calculations:
(Contact the Planning & Building Department for information on other nearby projects.) _____

ADT: _____ Date(s) measured: _____

Method used to measure ADT: ☐ Counters ☐ Estimated using ITE Trip Generation Book

Is the ADT of the road less than 400? ☐ Yes ☐ No

If YES, then the road is considered very low volume and shall comply with the design standards outlined in the American Association of State Highway and Transportation Officials (AASHTO) *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤ 400)*. Complete sections 2 and 3 below.

If NO, then the road shall be reviewed per the applicable policies for the design of local roads and streets presented in AASHTO *A Policy on Geometric Design of Highways and Streets*, commonly known as the "Green Book". Complete section 3 below.

2. Identify site specific safety problems with the road that include, but are not limited to: (Refer to Chapter 3 in AASHTO *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT ≤ 400)* for guidance.)

A. Pattern of curve related crashes.

Check one: ☐ No. ☐ Yes, see attached sheet for Post Mile (PM) locations.

B. Physical evidence of curve problems such as skid marks, scarred trees, or scarred utility poles

Check one: ☐ No. ☐ Yes, see attached sheet for PM locations.

C. Substantial edge rutting or encroachment.

Check one: ☐ No. ☐ Yes, see attached sheet for PM locations.

D. History of complaints from residents or law enforcement.

Check one: ☐ No. ☐ Yes (☐ check if written documentation is attached)

E. Measured or known speed substantially higher than the design speed of the road (20+ MPH higher)

Check one: ☐ No. ☐ Yes.

F. Need for turn-outs.

Check one: ☐ No. ☐ Yes, see attached sheet for PM locations.

3. Conclusions/Recommendations per AASHTO. Check one:

☐ The roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above.

☐ The roadway can accommodate the cumulative increased traffic from this project and all known cannabis projects identified above, if the recommendations on the attached report are done. (☐ check if a Neighborhood Traffic Management Plan is also required and is attached.)

☐ The roadway cannot accommodate increased traffic from the proposed use. It is not possible to address increased traffic.

A map showing the location and limits of the road being evaluated in PART B is attached. The statements in PART B are true and correct and have been made by me after personally evaluating the road.

Signature of Civil Engineer _____

Date _____

Important: Read the instructions before using this form. If you have questions, please call the Dept. of Public Works Land Use Division at 707.445.7205.



Figure 22: RP 19 on Old 3 Creeks Rd.



Figure 23: RP 20 on Old 3 Creeks Rd.



Figure 24: RP 21 on Old 3 Creeks Rd.



Figure 25: RP 22 on Old 3 Creeks Rd.



Figure 26: RP 23 on Old 3 Creeks Rd.



Figure 27: RP 23 on Old 3 Creeks Rd.



Figure 28: RP 19 on Old 3 Creeks Rd.



Figure 29: RP 19 on Old 3 Creeks Rd.



Figure 30: RP 19 on Old 3 Creeks Rd.



Figure 31: RP 19 on Old 3 Creeks Rd.

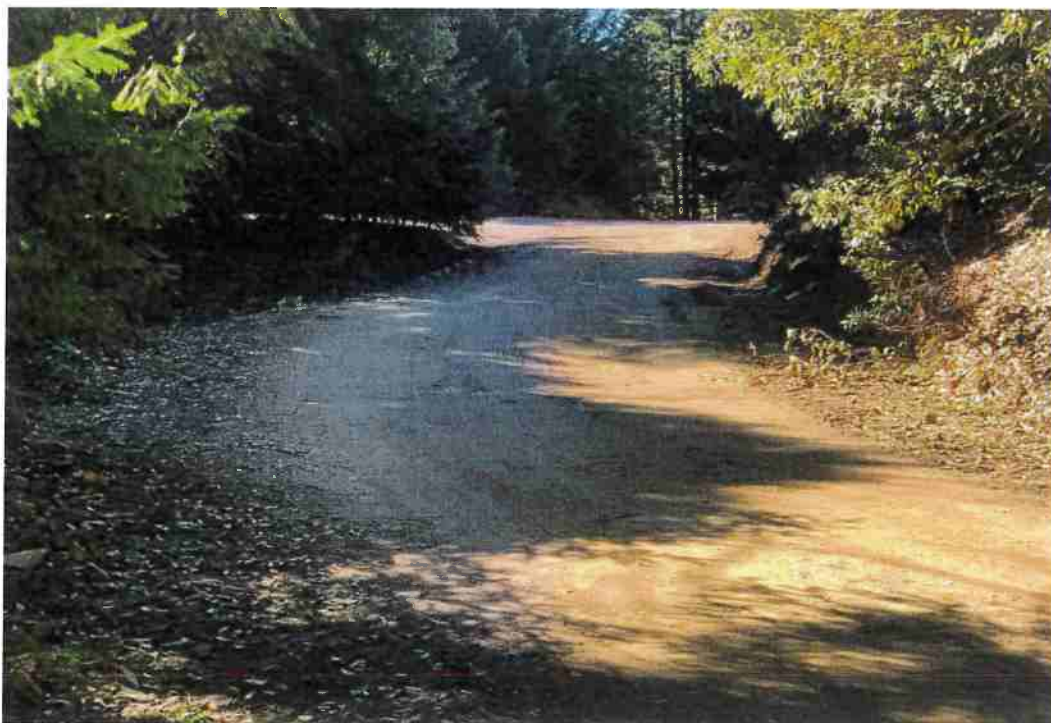


Figure 32: RP 19 on Old 3 Creeks Rd.

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

NAME: Stokes, Rowe, Harner & Kaufman, LLP
ADDRESS: 381 Bayside Road
CITY, STATE & ZIP: Arcata, CA 95521

A.P. Nos.

SUPPLY CREEK LANDOWNERS ASSOCIATION

DECLARATION OF RESTRICTIONS

AND

ROAD MAINTENANCE AGREEMENT

WHEREAS, the undersigned are the owners of the real property situated in the County of Humboldt, State of California, hereinafter described; and

WHEREAS, it is the plan of the undersigned to preserve the natural attractiveness and desirability of the said lands for the benefit of every portion thereof and the future owners of all or any portion of said lands; and

WHEREAS, there is situated on said lands private roadways which will be used in the future by portions of said lands, and it is the intention of the undersigned to provide for the future improvement, repair, maintenance, snow removal and upkeep of said roadways and to provide for the equitable sharing of expenses relating thereto among the persons benefiting from said roadways;

THEREFORE, the undersigned owners declare that all of the lands herein described are held and shall be held, conveyed, hypothecated, used, occupied and improved subject to the following limitations, restrictions and covenants, all of which are declared and agreed to be in the furtherance of a plan for the general improvement of said lands, and all of which are agreed upon for the purpose of enhancing and protecting the value, desirability and attractiveness of the lands and every part thereof. All of the limitations, restrictions and covenants herein after set forth shall run with the land and

shall be binding upon all parties having or acquiring any right, title or interest in said lands or any part thereof. It is the intent hereto that this instrument shall be recorded and that any subsequent transferee of the property or any part thereof, by acceptance of delivery of a deed and or to conveyance of the said property shall be deemed to have consented to and become bound by these terms.

1. Lands Subject to this Agreement.

The legal description of the lands subject to this agreement are set forth in Exhibit "A" attached hereto and made a part hereof.

2. Land Use.

No portion of said lands shall be used for other than agricultural or residential purposes except as specifically authorized by the provisions of paragraph 4 of these restrictions. The term "residential" shall include detached out-buildings for the use of the owner of the premises, his guests and tenants.

3. Exceptions to residential use.

Because of the area subject to these restrictions, it is recognized that it may be in the interest of all owners of lands covered thereby that certain commercial uses be authorized on portions of said lands. With that in mind, it is agreed that requests for authorization to conduct such enterprises shall be submitted in writing to the Road and Management Committee established by paragraph 5 of these restrictions. Such requests shall contain a detailed plot plan of the area proposed and the structures thereon, and a detailed statement of the activities proposed to be carried on. Following approval by the Road and Management Committee, the request shall be submitted to all owners of lands within the lands subject to these restrictions, and if approved by owners of sixty-five percent (65%) of the lands subject thereto, such exceptions to the residential restriction shall be authorized.

4. Nuisances.

No nuisance or offensive trade or activity shall be carried on upon any of the land nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

5. Road and Management Committee.

There is hereby established a "Supply Creek Landowners Association Road and Management Committee" (hereinafter referred to as "Committee") with membership, duties and powers as follows:

(a) Membership:

The Committee shall be composed of five (5) members elected at the first Annual Meeting as set forth below. At the first meeting of the Committee the members of the Committee shall draw lots to determine their term of office, one of such terms to be for one (1) year; two of such terms to be for two (2) years; and two of such terms to be for three (3) years. Members of the Committee shall, however, continue to serve until they have been replaced by election at an annual meeting, or by other means hereinafter set forth, and their successor has taken office.

In the event any Committee member shall cease to be an owner of lands subject to these restrictions, or shall be unable or unwilling to serve on the Committee for any reason, the remaining members shall select a replacement to serve the remainder of such unexpired term.

(b) Annual Meeting:

There shall be a meeting of all landowners of lands subject hereto to be held annually on the second Monday of September. The first such meeting shall occur on September 10, 2012 at 6PM at _____ at which the Committee shall be elected. Following the first such meeting, the Committee shall mail written notice of the time and place of such subsequent meetings to all landowners at least ten (10) day prior to such meeting date. Landowners may attend such meeting in person or by proxy, and proxy-holders, whether or not landowners, shall have the full rights of a landowner at such meeting.

(c) Voting at annual meeting:

At such annual meeting each landowner shall be entitled to one (1) vote.

(d) Order of business:

The order of business at such annual meeting shall be:

- (1) Call to order by Committee Chairman.
- (2) Election of new Committee members (if applicable).
- (3) Committee financial report.
- (4) Committee road report and recommendations.
- (5) Proposed assessments, if any.
- (6) Other business.

(e) Duties and powers of Committee:

The primary duty of the Committee shall be to act for the landowners as a whole in the enforcement of these restrictions and in providing for the repair, maintenance and snow removal, when necessary, of the roads covered hereby; to consider the addition of new roads to this agreement, as hereinafter set forth; to levy road maintenance assessments when required; to approve or disapprove requests for exceptions to these restrictions as hereinafter set for; and to carry out such other activities as the land owners shall from time to time direct.

(f) Annual fixed assessments:

The undersigned owners shall contribute \$1000 as a road maintenance start-up fund for each parcel of land subject to this agreement that is transferred or sold by them. Thereafter, all subsequent owners of lands subject hereto shall pay to the Committee an annual assessment proportional to the use by each owner of the roads subject to this agreement on or before October 1st of each year. In addition thereto, the Committee may, at its discretion, levy an additional assessment during any twelve month period commencing October 1. No further assessments shall be levied for any purpose without the prior approval of landowners exercising 65% of the voting power as herein set forth.

(g) Use of assessment funds:

The primary purpose of all funds collected by assessment shall be the repair, maintenance and snow removal of roadways within the subject lands. All funds collected shall be deposited by the Committee in a savings account at a bank or savings and loan association and shall be used for no purpose other than road maintenance and repair and necessary clerical and mailing expense, without prior approval of the membership entitled to exercise a majority of the voting power. The Committee's decision as to the location and nature of work of maintenance and repair shall be final.

(h) Assessments:

It is recognized that the owners use of the roads subject to this agreement will make variable use of the common access roads. Therefore, the assessments provided for herein shall be levied against lands in proportion to usage on a sliding scale that ranges from \$150 per year to \$350 per year or as determined by the Committee.

(i) Roads subject to this Agreement:

The presently existing road system subject to this agreement is delineated on Exhibit "B" attached hereto and made a part hereof.

(j) Use and definition of roads and quarries subject to this Agreement:

Those roads subject to this Agreement that provide access to more than two parcels are referred to herein as "Common Roads" and are demarcated on Exhibit "B" as cross-hatched. Those roads subject to this Agreement that provide access to two or fewer parcels and terminate within a single parcel are referred to herein as "Spur Roads" and are demarcated on Exhibit "B" as solid.

Spur Roads are subject to this Agreement to the extent that they pass through adjacent, neighboring parcels to the boundary of a parcel within which the Spur Road terminates referred to herein as "Terminating Parcels." Portions of a Spur Road lying within a Terminating Parcel are not subject to this Agreement.

Except with the prior approval of the landowner upon whose land a portion of the common roads pass, no gates or other obstructions of any kind may be constructed or maintained on common roads. Except by invitation of another affected landowner, an owner's use of common roads is limited to ingress and egress necessary to access that owner's parcel.

Randomly located rock quarries within the lands subject to this agreement shall be used for maintaining Common and Spur Roads and shall be utilized as needed to maintain the roads herein wherever they are most conveniently developed. Upon completion of utilizing a rock quarry the banks shall be sloped and left in as natural a state of condition as possible.

(k) Additional roads:

It is recognized by the signatories hereto, that as the lands subject to this agreement are developed and re-sold, additional roads may be constructed. It is further recognized that additional sales and re-sales of lands subject to this agreement may result in the construction of new roads which become through roads available for use not only by the owners immediately adjacent thereto, but to a greater or lesser extent by all landowners within the area. It is the intention of this agreement that all such roads be initially constructed by the developer and/or the parties immediately benefited thereby, and that the Committee shall not expend any of its funds for such initial construction. However, such roads may be submitted to the Committee with a request for future inclusion within the system of roads delineated on Exhibit "B". Such submission to the Committee shall be by means of a detailed legal description of the road in question. On receipt of such request the Committee shall:

(1) Examine the road in question with a view to determining whether or not it is or may be of general benefit to all lands subject hereto.

(2) If the Committee finds that such roads are of general benefit to all lands subject hereto and acceptable as to location, grade, alignment and construction, it shall determine what additional charges, if any, shall be agreed to, or what additional work of improvement, if any, shall be performed before such roads are accepted as a part of the system covered by this agreement.

(3) The Committee shall advise the parties requesting inclusion of such roads as to the conditions on which such roads will be accepted into the road system. Such conditions may include any or all of the following: additional road improvement; payment of a cash sum; agreement of the lands affected to an additional charge for maintenance, over and above that provided for herein, or any other conditions the Committee deems necessary to equalize the burden of maintenance and repair among all landowners.

(4) If the parties submitting such roads for inclusion agree to the terms recommended by the Committee, the Committee shall then advise the general membership of the roads proposed for inclusion and the terms of such inclusion. At the discretion of the Committee the matter may be considered at a regular or special meeting of all owners, or by submission by mail. In the event 65% of all landowners subject to this agreement agree to such inclusion on the terms proposed, the roads shall be included and shall thereafter be under the jurisdiction of the Committee and subject to all the terms hereof.

6. Enforcement.

No landowner may waive or otherwise escape liability for the assessments provided for herein. The Committee may promulgate a schedule of reasonable fines and penalties for any assessments that are delinquent.

The Committee may bring an action at law against an landowner personally obligated to pay the delinquent assessment, or foreclose its lien against the landowner's land. Foreclosure by the Committee of a landowner's lien may be by judicial foreclosure or by non-judicial foreclosure, in the same manner as the foreclosure of a mortgage or deed of trust upon real property under the laws of the State of California. Non-judicial foreclosure shall be commenced by the owners by recording in the office of the County Recorder a notice of delinquency, which notice shall state all amounts which have become delinquent with respect thereto and the costs (including attorneys' fees), penalties and interest which have accrued thereon, the amount of any assessment is owed, and the name of the record or reputed owner thereof. The Committee shall have the rights conferred by Section 2934(a) of the California Civil Code to assign their rights and obligations as Trustee in any non-judicial foreclosure proceeding to the same

extent as a Trustee designated under a deed of trust and for purposes of said Section 2934(a), the Committee shall be deemed to be the sole beneficiary.

The notice of delinquency shall state the election of the Committee to sell the land and shall otherwise conform with the requirements for a notice of default under Section 2924 of the California Civil Code. The recordation of the notice of delinquency shall correspond to the recordation of a notice of default under Section 2924 of the California Civil Code. The Committee or its assignee shall mail a copy of the notice to the landowner or reputed landowner at the last known address of the landowner, and to any person to whom the giving of notice is required by applicable provisions of Section 2924(b) of the California Civil code. In the event such notice is given by the Committee or its assignee, the landowner and junior encumbrancers shall have reinstatement rights identical to those provided by law for trustors or mortgagors, which rights must be exercised during the period specified by law for reinstatement of obligations secured by deeds of trust.

After the lapse of such time as may then be required by law following the recordation of the notice of default under a deed of trust, the Committee or its assignee may give notice of sale in the manner and for the period required in the case of deeds of trust. After the giving of the notice of sale, the Committee or its assignee, without demand on the landowner, may sell the landowner's land or other property at the time and place fixed in the notice of sale, at public auction to the highest bidder for cash in lawful money of the United States, payable at the time of sale. The Committee or its assignee may postpone sale by public announcement as such time and place of sale, and from time to time thereafter may postpone such sale by public announcement at the time fixed by the preceding postponement. The Committee shall deliver to the purchaser at foreclosure sale the landowner's deed conveying the landowner's land or other property so sold, but without covenant or warranty, express or implied. The recitals in such deeds shall be conclusive proof of the truthfulness thereof. Any person, including the other landowners subject to this agreement, may bid on the property and purchase the same at such sale.

After deducting all costs, fees and expenses of the Committee or its assignee shall apply the proceeds of the sale to payment of all sums secured by its lien at the time of sale, including interest, costs and attorneys' fees, and the remainder, in any shall be disbursed to the person or persons legally entitled thereto.

In the event the delinquent assessments and all other assessments which have become due and payable with respect to the same property, together with all costs (including attorneys' fees and costs of title company litigation guarantees, if any), penalties and interest which have accrued on such amounts, are fully paid or otherwise satisfied after recording a notice of delinquency but prior to the completion of any sale held to foreclose the lien provided for in this paragraph, the Committee shall record a further notice stating the satisfaction thereof.

Suit to recover a money judgment for unpaid common expenses, rent and attorneys' fees shall be maintainable without foreclosure or waiving the lien securing the same. Furthermore, the Owners may take such additional action as is necessary or appropriate to enforce their assessment rights hereunder.

Transfer of a landowner's land by sale or foreclosure sale or transfer of any landowner's land shall not affect the assessment lien. However, the sale or transfer on any landowner's land pursuant to trust deed foreclosure shall extinguish the lien of such assessments as to payments which become due prior to such sale or transfer (except for assessment liens recorded prior to the trust deed or mortgage.) No sale or transfer shall relieve such landowner from liability for any assessments thereafter becoming due or from the lien thereof.

Where the mortgage is the first mortgage of record or other purchaser of a the land obtains title to the same as a result of foreclosure of any such first mortgage, the person acquiring title, his successors and assigns, shall not be solely liable for the share of the common expenses or assessments by the Committee chargeable to such land which became due prior to the acquisition of title to such land by such acquirer. Such unpaid share of common expenses or assessments shall be deemed to be common expenses collectible from landowners of all the lands subject to this agreement including such acquirer, his successor and assigns.

Nothing herein shall be interpreted as limiting or restricting the rights of the undersigned or their successors in interest from pursuing such remedies as may be available under Civil Code Section 845 or other provisions of the law against owners of easements or lands to which said easement is attached who are not bound by this agreement

7. Incorporation.

By majority vote, as elsewhere herein provided, the Owners may incorporate a non-profit organization to assume and discharge their responsibilities hereunder on such terms as they may agree, provided only that no change may be made that would change the responsibility of each lot from the equal sharing of costs.

8. New Owners.

By purchase of a parcel subject to this agreement, the purchaser thereof consents and agrees to be bound by all of the terms and conditions set forth in this agreement. This agreement is intended to run with the land and to bind and benefit the land and the owners thereof in perpetuity.

9. Termination.

Upon the unanimous consent of all landowners hereunder this agreement may be terminated.

10. Attorneys fees and costs.

In the event any action is instituted by the Committee or any individual for the enforcement of any provision hereof or for damages or other relief in connection herewith, the successful party or parties in such litigation shall be entitled to their reasonable attorneys fees in an amount determined by the court, and in addition shall be entitled to reimbursement of their necessary expenses in such litigation not covered by normal "costs of suit" as defined by the Laws of the State of California then in effect.

DATED: _____

CERTIFICATE OF ACKNOWLEDGEMENT OF NOTARY PUBLIC

State of California

County of Humboldt

On _____, 2012, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons 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)