



Tsurai Ancestral Society

PO Box 62

Trinidad, CA 95570

08/13/2020

Trinidad City Council

Trinidad Planning Commission

409 Trinity Street

Trinidad, CA 95570

CC: City Planner; City Manager;

Steven Allen GHD; Rebecca Price-Hall; Sherri Provolt, Yurok Tribe;

Humboldt Alliance for Responsible Planning

RE: Trinidad City Council Meeting 8/11/20: Galindo Street Trail; Van Wycke Trail and Connectivity Project

Dear Trinidad City Council, Commission and Staff,

While attending the last Trinidad City Council meeting, the Tsurai Ancestral Society heard a desire for more inclusivity, transparency and open document sharing from the public regarding the above-named projects. This is also a sentiment shared and voiced by the Tsurai for many years. While we have been invited to stakeholder meetings, we do not think the process for these projects have been transparent, even to us.

Therefore, we respectfully request the City Council direct staff to conduct two public scoping meetings. One to address the closure of Galindo Street Trail, and the second to address the Van Wycke Trail Connectivity Project including the temporary closure of Van Wycke Trail. We think these scoping meetings would be most beneficial if held by the Commission and Council jointly.

In these scoping meetings, all historical information as to the development of these projects should be presented, as well as all alternative plans, recommendations, and designs. This would allow for greater public education, public input, and a more organized approach to sharing information.

The Tsurai Ancestral Society would like to help in any way we to help facilitate these public meetings.

Sincerely,

Sarah Lindgren-Akana

Tsurai Ancestral Society Secretary

RECORDING REQUESTED BY:
City of Trinidad

WHEN RECORDED MAIL TO:
Nancy Diamond
Gaynor & Diamond
Attorneys and Mediators
1160 G Street
Arcata, CA 95521

2000-6833-5
Recorded — Official Records
Humboldt County, California
Carolyn Crnich, Recorder
Recorded by TRINIDAD
Exempt from payment of fees
Clerk: KJ Total: 0.00
Apr 3, 2000 at 14:44
CONFORMED COPY

EASEMENT AGREEMENT

Preamble

This Agreement is made this 20th day of January, 2000, by and between THE CHER-AE HEIGHTS INDIAN COMMUNITY OF THE TRINIDAD RANCHERIA, hereinafter referred to as "Grantors," and the CITY OF TRINIDAD, hereinafter referred to as "Grantee."

Recitals

WHEREAS, Grantors are the owners of certain real property generally located in the City of Trinidad, Humboldt County, California, hereinafter referred to as the "Servient Tenement," and more particularly described on Exhibit 1 attached hereto and incorporated herein by this reference; and

WHEREAS, Grantee desires to acquire certain rights in the Servient Tenement;

NOW, THEREFORE, it is agreed as follows:

1. Grant of Easement: For valuable consideration, Grantor hereby irrevocably grants to Grantee an easement as hereinafter described.

2. Character of Easement: The easement granted herein is an easement in gross.

3. **Description of Easement:** The easement granted herein is a right-of-way for public ingress and egress across Grantor's property and onto a portion of a pier located on City of Trinidad tidelands, (hereinafter "Pier").

4. **Location:** The easement granted herein is located as follows: From the intersection of the "Pier" and the mean high tide line of the Pacific Ocean said easement shall run 369 feet away from the shore and towards the Ocean and be the same width as the "Pier." Commencing at the intersection of the Center line of the "Pier" as now located with the mean high tide line of the Pacific Ocean; and running thence in a northerly and easterly direction to its intersection with the center lines of Galindo Street and Bay Street Extended.

5. **Use by Grantee:** The easement herein includes the following use of the Servient Tenement:

A. Ingress and egress by members of the public for recreational purposes within the meaning of California Civil Code Section 846.

B. For foot traffic use only.

6. **Maintenance and Repair of Easement:** Grantor agrees to perform at its expense necessary repairs and maintenance due to normal wear and tear on the easement.

7. **Entire Agreement:** This instrument contains the entire agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force and effect excepting a subsequent modification in writing, signed by the party to be charged.

8. **Attorney's Fees:** In the event of any controversy, claim, or dispute relating to this instrument or the breach thereof, the prevailing party shall be entitled to recover from the losing party reasonable expenses, attorney's fees, and costs. To the extent necessary to litigate any claim or dispute arising under this Easement, Grantor waives

its claim to sovereign immunity and consents to the jurisdiction of Humboldt County, California.

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first above written.

GRANTOR:

THE CHER-AE HEIGHTS INDIAN COMMUNITY
OF THE TRINIDAD RANCHERIA,

By: Paul Corrin CHAIR PERSON

GRANTEE:

CITY OF TRINIDAD

By: Nancy Hogan, Mayor
Nancy Hogan, Mayor

CERTIFICATE OF ACCEPTANCE

CITY OF TRINIDAD: This is to certify that the interest in real property conveyed by the Easement Agreement effective as of the date executed, Cher-ae Heights Indian Community of the Trinidad Rancheria, to the City of Trinidad, a governmental agency of the State of California, is hereby accepted by the undersigned officer or agent on behalf of the City Council of the City of Trinidad pursuant to authority conferred by Resolution of the City Council of the City of Trinidad adopted on February 9, 2000, and Grantee consents to recordation thereof by its duly authorized officer.

Nancy Hogan
By: Nancy Hogan
Title: Mayor

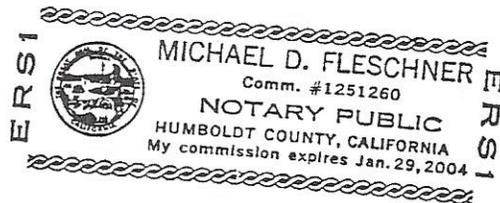
ACKNOWLEDGMENT

State of California)
)ss
County of Humboldt)

On 24 FEBRUARY, 2000, 1999, before me, a notary public, personally appeared NANCY HOGAN, [] personally known to me or [] proved to me on the basis of satisfactory evidence to be the person whose name(s) is/are subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity(ies), and that by her signature(s) on the instrument the person(s), or the entity(ies) upon behalf of which the person(s) acted, executed the instrument.

WITNESS, my hand and official seal.

Michael D. Fleschner



State of California)
)ss
County of Humboldt)

On January 21, ²⁰⁰⁰ 1999, before me, a notary public, personally appeared Carol Ervin [] personally known to me or [] proved to me on the basis of satisfactory evidence to be the persons 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(ies) upon behalf of which the person(s) acted, executed the instrument.

WITNESS, my hand and official seal.

Kerri J Malloy
Notary Public
In and for said County



trinidad\tidelands\leasement agmt.120

EXHIBIT 1

The land granted in Section 1 is all that portion of Trinidad Bay adjacent to Fractional Section 26, Township 8 North, Range 1 West, Humboldt Meridian, described as follows:

Beginning at Monument 2 at the intersection of East Street and View Avenue, as shown on the Map of the City of Trinidad prepared by Larson and MacMillan in 1961 and on file with the City Engineer for the City of Trinidad, California, the monument being 535.69 feet north and 786.95 feet west from the northeast corner of Section 26 and running thence south 4 degrees 28 minutes 30 seconds east along the southerly extension of the centerline of View Avenue 730 feet more or less to the ordinary high water mark of Trinidad Bay and the true point of beginning of the area herein described;

thence from the true point of beginning westerly and southerly following the ordinary high water mark to its southernmost point on Trinidad Head;

thence northeasterly along a straight line 1,600 feet more or less to the ordinary high water mark on the southernmost point on Prisoner Rock;

thence east 1,850 feet more or less to the southerly extension of the east line of Fractional Section 26;

thence north along the east line 1,350 feet more or less to the ordinary high water mark of Trinidad Bay;

thence northwesterly along the ordinary high water mark 800 feet more or less to the true point of beginning, containing 100 acres more or less.