

Christopher J. Neary

From: Christopher J. Neary <cjneary@pacific.net>
Sent: Friday, April 27, 2018 7:27 AM
To: Irv Piotrkowski
Cc: 'Douglas H. Bosco'; 'Mitch Stogner'
Subject: 322 Lakeville

Dear Mr. Piotrkowski:

With regard to your request that NCRA release its Notice of Intent to Preserve interest for the benefit of your client's property located at 322 Lakeville in Petaluma I requested from you a google map which you provided. However, the map you provided was set forth at a scale in which it was not possible to ascertain the general location. I reviewed the google map webpage myself and it appears that the property is near the SMART station in downtown Petaluma.

NCRA and SMART recently entered into a transaction where it abandoned track near Hunt and Behrens. If the track bisecting your client's property had been cut off by that transaction I would recommend to my client that it execute the document as an accommodation.

However, in that your client's location appears to be not to be in a location affected by the recent abandonment your request needs to be approved both by SMART and by our Operator, Northwestern Pacific Railroad Company. I suggest that you start by contacting SMART and NWPCO and securing their consents prior to the consideration of the NCRA.

Also would you provide any documentation as to the factors that Old Republic is considering it would be appreciated.

Christopher Neary

322 Lakeville St.

322 Lakeville St

- Legend**
- 📍 322 Lakeville St
 - 🏠 Adobe Creek Funeral Home
 - 🔍 Feature 1

Google Earth

200 ft



RECORDING REQUESTED BY:

North Coast Railroad Authority

WHEN RECORDED MAIL TO:

North Coast Railroad Authority
Christopher J. Neary
Neary and O'Brien
110 South Main Street, Suite C
Willits, CA 95490

APN: 007-153-019

NOTICE OF RELEASE OF INTENT TO PRESERVE INTEREST

This Notice is executed and to be recorded with regard to the following considerations:

A. On June 8, 2016, the North Coast Railroad Authority (herein referred to as "Claimant") recorded a Notice of Intent to Preserve Interest as Document No. 2016049953 in the Official Records of the County of Sonoma which Notice is herein referred to as "The Notice."

B. The Notice sought to impose certain burdens on the real property referred to in The Notice as Sonoma County Assessor's Parcel No. 007-153-013 which parcel is now referred to as Sonoma County Assessor's Parcel No. 007-153-019 and is also commonly known as 322 Lakeville Street, Petaluma, California 94952 and is more particularly described in Exhibit A attached hereto and incorporated herein. Said parcel is herein referred to as the "Subject Parcel."

C. Claimant now desires to release the Subject Parcel from any and all effects and burdens which may have imposed by The Notice.

IT IS THEREFORE AGREED AS FOLLOWS:

1. Release. The Subject Property is released from all burdens and effects of the Notice which Notice is hereby withdrawn as to the Subject Property.

2. Acknowledgment of Approval. The undersigned acknowledges that this Notice of Release of Intent to Preserve Interest was duly approved by the governing board of the North Coast Railroad Authority "Claimant" at its regularly scheduled meeting of April 11, 2018.

North Coast Railroad Authority

Dated: April __, 2018

By: _____
Christopher J. Neary
General Counsel

EXHIBIT A
TO NOTICE OF RELEASE OF INTENT TO PRESERVE INTEREST

That portion of Block 9, as shown on the Map of East Petaluma, recorded October 28, 1857 in Book 3 of Maps, Page 28, Sonoma County Records, lying Southeasterly of the Southeasterly line of the lands described in Deed of Irene C. Burns, recorded February 1, 1937 in Book 426 of Official Records, Page 66, under Recorder's Serial No. A-78643, and Northeasterly of the Northeasterly line of the lands of Northwestern Pacific Railroad, as said Railroad is further identified as being Assessors Parcel S.B.E. 853-49-2 Par.9.

APN: 007-153-019

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)
County of Sonoma)

On _____ before me, _____, a 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 _____

[Seal]