EXHIBIT H

RECORDING REQUESTED BY and
AFTER RECORDING MAIL TO:

Office of Santa Barbara City Attorney
David C. McDermott, Assistant City Attorney
740 State Street, Suite 201
Santa Barbara, California 93101
Phone: (805) 564-5329

APN: 033-111-012-02

NO FEES DUE - FOR BENEFIT OF PUBLIC AGENCY
(Space above this line for County Recorders Use Only)
No documentary tax due R & T 11922 (amended)

TEMPORARY CONSTRUCTION EASEMENT

(18 Months)

Grantors, Virginia Castagnola Hunter, as to an undivided 37.5% interest, Scott Hollister, as to undivided 3.571429% interest, George Hollister, as an undivided 3.571426% interest, Catherine Wallenfels, as an undivided 3.571429% interest, Francesca Hunter, as an undivided 3.571429% interest, Alexis Chernow, as an undivided 3.571429% interest, and Lighthouse & Corner, LLC, as an undivided 44.642858% interest, ("Grantors"), hereby grant and convey to **City of Santa Barbara, a municipal corporation** ("Grantee"), a temporary construction easement ("Easement") and right of entry to use the area described in **Exhibit "1"** and depicted in **Exhibit "2"**, attached hereto and incorporated herein, for reasonable and necessary ingress and egress to survey, inspect, excavate, construct, repair, remove, replace and reconstruct the Cabrillo Boulevard Bridge and a patio adjacent to Grantors' property and other appurtenant public works, improvements and facilities. The temporary construction easement shall be for a period of 18 months which shall begin upon written notice from Grantee to Grantors, unless otherwise extended by the parties. Grantee, upon completion of construction, will return the area of the temporary construction easement to the same or similar condition prior to construction, including replacing plants and vegetation removed or damaged by construction activities, except within the creek.

The easement is to facilitate Grantee's activities in removing and replacing the Cabrillo Boulevard Bridge and related public improvements and to modify, conform and rehabilitate improvements owned by Grantors adjacent to the bridge and creek.

IN WITNESS WHEREOF, Grantors have executed this Grant of Temporary Construction Easement as of this _____ day of _____, 2009.

GRANTORS:

Dated: _____

By: _____

Print name: _____

SDLIT\BBEACH\379501.1

Dated: _____ By: _____

Print name: _____

Dated: _____ By: _____

Print name: _____

Dated: _____ By: _____

Print name: _____

Dated: _____ By: _____

Print name: _____

Dated: _____ By: _____

Print name: _____

Dated: _____ By: _____

Print name: _____

Non-Exclusive Temporary Construction Easement

(Parcel 033-111-012-02)

That portion of Block 322 in the City of Santa Barbara, County of Santa Barbara, State of California, according to the official map thereof, being a portion of the parcel of land described in Exhibit "A" in the Quitclaim Deed to Lighthouse & Corner, LLC recorded January 3, 2008 as Instrument No. 2008-0000483 of Official Records, in the office of the County Recorder of said County.

Said portion of land is described as follows:

Beginning at the most northerly point of the portion of land described in the deed to the City of Santa Barbara in Street Easement Deed recorded July 11, 1997 as Instrument No. 97-40084 of Official Records of said county; thence,

1st S 02° 35' 49" E, a distance of 13.43 feet to a point which lies 0.50 feet northwesterly as measured perpendicular to the northwesterly line of Cabrillo Boulevard; thence,

2nd along a line parallel with and 0.50 feet northwesterly of said line of Cabrillo Boulevard S 42° 23' 15" W a distance of 11.35 feet to a point on the northerly boundary of the portion of land described in the easement granted to the County of Santa Barbara and the Santa Barbara County Flood Control and Water Conservation District in a Grant Deed recorded February 14, 1983 in Instrument No. 83-7191 of Official Records of said County; thence,

3rd along said northerly boundary S 73° 06' 46" W, a distance of 18.59 feet; thence,

4th N 42° 23' 15" E a distance of 26.83 feet; thence,

5th N 02° 35' 49" W, a distance of 14.15 feet to a point on the southwesterly line of Helena Avenue; thence,

6th along the southwesterly line of Helena Avenue S 47° 34' 53" E a distance of 10.00 feet to the point of beginning.

Containing an area of approximately 279 square feet.

This real property description was prepared by me, or under my direction, in conformance with the Professional Land Surveyor's Act.

Signature: _____ Date: 8-29-08

Mark E. Reinhardt, PLS

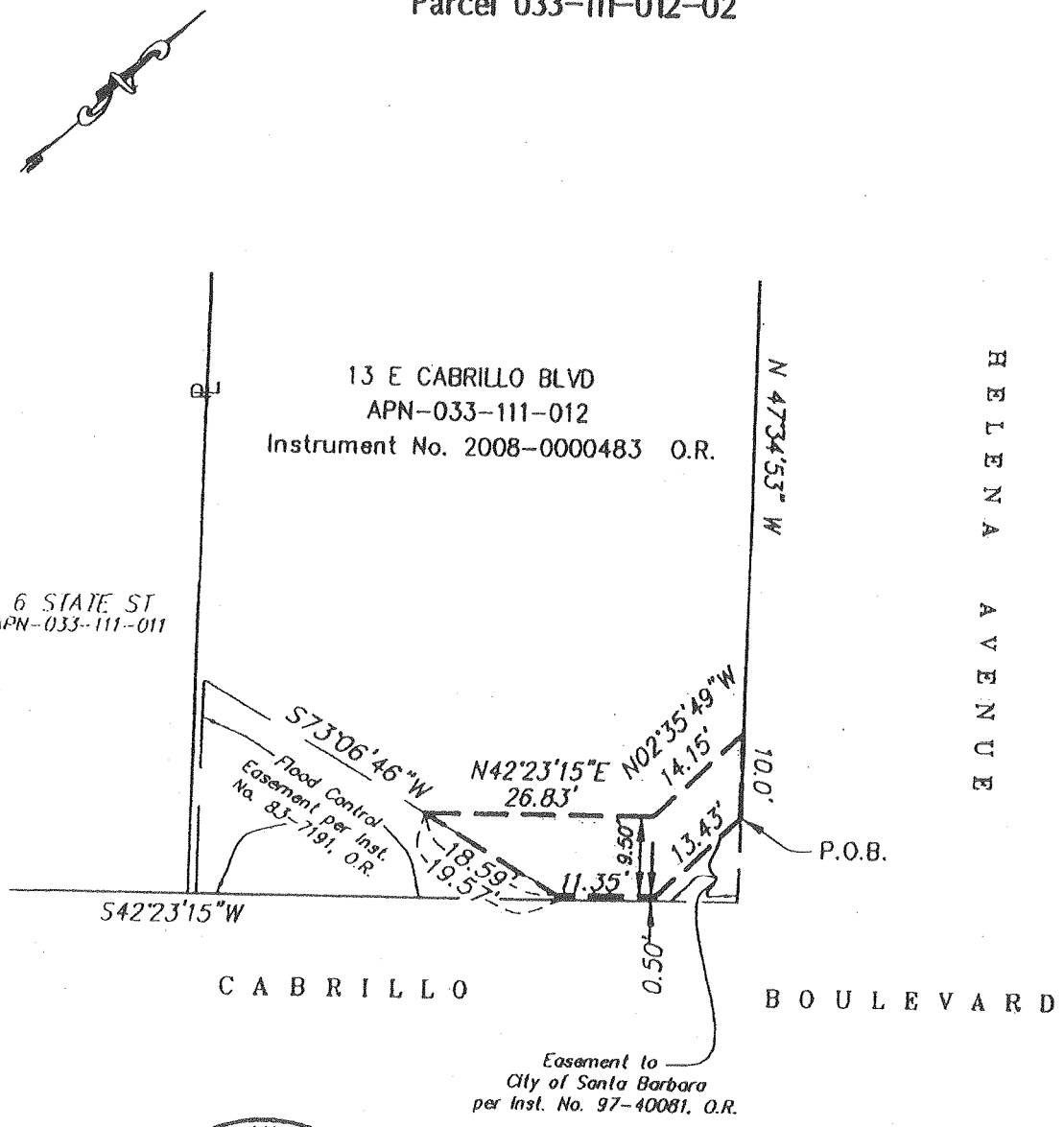
LICENSED LAND SURVEYOR
Mark E. Reinhardt
No. 6392
Exp. 12/31/08
STATE OF CALIFORNIA

Y:\10-00100 Series\1000105 Beagal Cabrillo Blvd\SURVEY_LEGAL DESCRIPTIONS\FOR THE RPD and RPR SITS\1000105 Legal Desc 033-111-012-02 RPD-OXXX.doc

Exhibit 1

Non-Exclusive Temporary Construction Easement

Parcel 033-111-012-02



LICENSED LAND SURVEYOR
Mark E. Reinhardt
No. 6392
Exp. 12/31/08
STATE OF CALIFORNIA

MNS ENGINEERS INC
ENGINEERS • SURVEYORS • CONSTRUCTION MANAGERS
Quality Infrastructure Services
4050 CALLE REAL, SUITE 110, SANTA BARBARA, CA 93110
TELEPHONE (805) 692-6921 FAX. (805) 692-6931
10-00105_845 • 100105_EXB.dwg • 12/07 • TR • E-FILE

GRAPHIC SCALE
0 10 20 40
(IN FEET)
1 inch = 20 ft.

P.N. 10-00105

Exhibit 2

ALL-PURPOSE ACKNOWLEDGMENT FOR CALIFORNIA

STATE OF CALIFORNIA
COUNTY OF _____

On _____, before me, _____,
Date — Name And Title Of Officer (e.g. "Jane Doe, Notary Public")

personally appeared _____,
Name(s) of Signer(s)

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.

Place Notary Seal Above

_____
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

CAPACITY CLAIMED BY SIGNER

- ☐ Individual
- ☐ Corporate Officer

_____
Title(s)

- ☐ Partner(s) ☐ Limited ☐ General
- ☐ Attorney-In-Fact
- ☐ Trustee(s)
- ☐ Guardian/Conservator
- ☐ Other: _____

Signer is representing:
Name Of Person(s) Or Entity(ies)

_____

_____

DESCRIPTION OF ATTACHED DOCUMENT

_____
Title or Type of Document

_____
Number Of Pages

_____
Date Of Document

_____
Signer(s) Other Than Named Above

SDLIT\BBEACH\379501.1

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by this instrument to the City of Santa Barbara, a public entity, is hereby accepted by the undersigned which the City of Santa Barbara consents to the recordation of this deed by its duly authorized officer.

Dated: _____ By: _____

Its: _____

CITY OF SANTA BARBARA

Resolution Number _____

Adopted on _____, 2009