

A G R E E M E N T

The Regents of the University of California, a corporation of the State of California ("University of California" herein) desire to obtain the garden portion, and eventually the residence portion, of a parcel of property now owned and occupied by Mr. and Mrs. Gordon Guiberson ("Guiberson" herein), located in Bel Air, commonly known as 626 Siena Way, West Los Angeles, California. Said garden portion is more particularly described in Exhibit "A" attached hereto, while said residence portion is more particularly described in Exhibit "B" attached hereto.

Edward W. Carter ("Carter" herein), desires to facilitate such acquisition by acquiring the residence portion of such property and later making a gift of such portion to University of California subject to certain reservations and conditions as provided for herein.

Prior hereto, or contemporaneously herewith, University of California will enter into an escrow on its own behalf and for its own account for the purchase of the garden portion of such property directly from Guiberson, and Carter will enter into an escrow on his own behalf and for his own account for the purchase of the residence portion of the property directly from Guiberson.

In consideration of the mutual agreements contained herein, the parties hereto do hereby agree as follows:

1. Either during his lifetime or at his death by appropriate provisions in his Will, Carter agrees to give the residence portion to University of California,

without consideration, subject only to the following:

(a) The retention by Carter of a life estate in the residence portion, if the gift be completed while he is still living;

(b) The right of Carter's surviving spouse to use and occupy the residence portion for the entire period of the probate proceedings for Carter's estate, if the gift is completed by Will upon his death, but not to exceed, however, the period of two years after the date of his death.

2. Both Carter and the University of California agree that the restrictions imposed on the entire parcel of property formed by the garden portion and the residence portion set forth in the Restrictions in a Deed from Pacific Southwest Trust and Savings Bank recorded in Book 4567 at Pages 126-131 of Official Records of Los Angeles County, California, shall continue to be applicable notwithstanding the fact that such parcel is being separated into different ownerships.

3. University of California agrees to accept the residence portion from Carter subject to the conditions, covenants, restrictions, rights and rights of way presently of record, and in addition thereto University of California covenants and agrees that as long as the Restrictions imposed on Tract No. 7656, of which the above described parcel forms a part, as set forth in the Deed from Pacific Southwest Trust and Savings Bank recorded in Book 4567 at Pages 126-131 of Official Records of Los Angeles County, California, as the

same may be extended in accordance with their terms, remain in force and effect and binding upon the use of said parcel, the University of California agrees that said parcel will be used by it from and after the time the rights of Carter and his surviving spouse to use and occupy such residence portion terminate, solely for the private residence of a Chief Administrative Officer of the University of California (such as, the President or the Chancellor of the University of California, or whatever other title is then given to the persons serving in such capacities), or as the private residence of distinguished guests of the University of California for the duration of their visits provided that they are nonpaying guests and provided it is used essentially by a single family at any one time, and for no other purposes; and if any or all of the above described restrictions are still in force and effect and still binding upon the use of said parcel and if the University of California no longer uses or desires to use such residential portion for the above described purposes, it agrees to sell the residence portion, together with the garden portion, for its own benefit and account to such purchaser as it shall select who will use the residence portion solely as a private residence in accordance with the above described Restrictions.

4. It is the wish of Carter that his surviving spouse be permitted to rent the residence portion from University of California from and after the period reserved to her as specified in paragraph 1 (b) above for a reasonable period of time should she so desire; provided however, that his surviving spouse shall be required to pay rent

annually in an amount equal to the fair rental value of the residence portion as may be agreed upon between her and the University of California. However, Carter does not intend to impose any requirement on University of California that it rent the residence portion to his surviving spouse nor shall the agreement of University of California to rent the residence portion to her be a condition to the making of the gift by Carter of such residence portion.

DATED: This 18<sup>th</sup> day of December, 1964.

*Edward W. Carter*

Edward W. Carter

*Approved as to form:  
Ronald L. Reddick  
Assistant Counsel  
12-17-64*

The Regents of the University  
of California

By *Donald H. Mangler*  
Vice-Chairman

By *Major J. Palmer*  
Secretary

Lot 3, Block 4, Tract No. 7656, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 119, pages 70 to 76, inclusive of Maps, in the office of the County Recorder of said County.

EXCEPTING THEREFROM that portion thereof described as follows:

Beginning at the Northwesterly corner of said Lot 3; thence along the Northerly boundary of said Lot, North  $58^{\circ} 33' 10''$  East 28.26 feet to a point; thence leaving said boundary, South  $42^{\circ} 41' 00''$  East 125.49 feet; thence South  $60^{\circ} 40' 30''$  East 35.30 feet; thence South  $35^{\circ} 16' 10''$  East 43.35 feet; thence South  $25^{\circ} 28' 10''$  East 18.93 feet; thence South  $4^{\circ} 46' 40''$  East 27.25 feet; thence South  $17^{\circ} 57' 40''$  West 82.05 feet to a point in the Southerly boundary of said Lot distant thereon North  $87^{\circ} 35' 50''$  East 140.70 feet from the most Southerly corner thereof; thence along said boundary South  $87^{\circ} 35' 50''$  West 140.70 feet; thence North  $26^{\circ} 04' 20''$  West 132.62 feet to the most Westerly corner of said Lot 3, said corner being in a curve concave Westerly and having a radius of 105.00 feet; thence Northerly along said curve and the Easterly side line of Siena Way an arc distance of 163.60 feet to the point of beginning. Containing an area of 1.09 acres.

EXHIBIT "A"

That portion of Lot 3, Block 4, Tract No. 7656, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 119, pages 70 to 76, inclusive of Maps, in the office of the County Recorder of said County, described as follows:

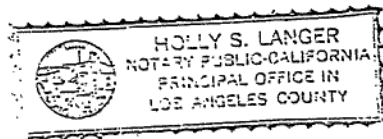
Beginning at the Northwesterly corner of said Lot 3; thence along the Northerly boundary of said Lot, North  $58^{\circ} 33' 10''$  East 28.26 feet to a point; thence leaving said boundary, South  $42^{\circ} 41' 00''$  East 125.49 feet; thence South  $60^{\circ} 40' 30''$  East 35.30 feet; thence South  $35^{\circ} 16' 10''$  East 43.35 feet; thence South  $25^{\circ} 28' 10''$  East 18.93 feet; thence South  $4^{\circ} 46' 40''$  East 27.25 feet; thence South  $17^{\circ} 57' 40''$  West 82.05 feet to a point in the Southerly Boundary of said Lot distant thereon North  $87^{\circ} 35' 50''$  East 140.70 feet from the most Southerly corner thereof; thence along said boundary South  $87^{\circ} 35' 50''$  West 140.70 feet; thence North  $26^{\circ} 04' 20''$  West 132.62 feet to the most Westerly corner of said Lot 3, said corner being in a curve concave Westerly and having a radius of 105.00 feet; thence Northerly along said curve and the Easterly side line of Siena Way an arc distance of 163.60 feet to the point of beginning. Containing an area of 0.85 acre.

EXHIBIT "B"

STATE OF CALIFORNIA        )  
COUNTY OF LOS ANGELES    ) ss:

On this 20th day of January, 1965, before me, a Notary Public in and for the County of Los Angeles, State of California, personally appeared EDWARD W. CARTER, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Holly S. Langer  
NOTARY PUBLIC  
in and for said County & State

My commission expires: \_\_\_\_\_  
HOLLY S. LANGER - NOTARY PUBLIC  
My Commission Expires March 4, 1966

STATE OF CALIFORNIA        )  
COUNTY OF ALAMEDA        ) ss:

On this 19th day of January, 1965, before me, a Notary Public in and for the County of Alameda, State of California, personally appeared DONALD H. McLAUGHLIN, known to me to be the Vice-Chairman, and MARJORIE J. WOOLMAN, known to me to be the Secretary, of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same, pursuant to its By-Laws or a resolution of its Board of Regents.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Frances C. Greenwood  
Frances C. Greenwood  
NOTARY PUBLIC  
in and for said County & State

My commission expires: Jan. 4, 1966