

GRANT DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, and subject to the covenants, conditions, restrictions and reservations set forth, VIRGINIA J. TYNAN, also known as VIRGINIA JACK TYNAN, PHYLLIS SINTON, also known as PHYLLIS JACK SINTON, MARGARET E. KAETZEL, also known as MARGARET KAETZEL, GERTRUDE K. KAETZEL, also known as KATHLEEN KAETZEL and GERTRUDE KATHLEEN KAETZEL, KATHLEEN G. VON STEIN, formerly KATHLEEN G. NORMAND, JUDITH MEYER, formerly JUDITH KAETZEL, and MELBA RETICKER, Grantors, do hereby grant to the CITY OF SAN LUIS OBISPO, A MUNICIPAL CORPORATION, the following described real property in the City of San Luis Obispo, County of San Luis Obispo, State of California:

Commencing at a point on the southerly line of Higuera Street South 53° 7' West, One Hundred and eighty-three feet, six inches (183-6/12 feet) from the Southwest corner of Higuera and Nipoma Streets and running thence south 53° 7' West on the south line of Higuera Street two hundred and twenty-five (225) feet, thence south 36° 53' east to the line of Marsh Street; thence Northeasterly along the line of Marsh Street, two hundred and twenty-five (225) feet; thence at right angles northwesterly to Higuera Street and the point of beginning and being all that portion of Block 62 of the City of San Luis Obispo, occupied as a residence of R. E. Jack and wife, and extending from Higuera Street to Marsh Street according to two deeds: One made by H. M. Warden to Nellie Hollister Jack, dated August 9, 1875; and the other made by Thomas Higuera and others on February 11, 1876 to R. Edgar Jack, and both of record in the Recorder's Office of San Luis Obispo County, State of California.

Excepting therefrom that portion thereof conveyed to Manuel F. Lima, et ux, by deed dated September 29, 1922, and recorded October 2, 1922 in Book 157, Page 410 of Deeds.

Also excepting therefrom that portion thereof conveyed by deed dated November 14, 1917 and recorded November 22, 1917, in Book 118, Page 449 of Deeds to Nicholas F. Schlicht.

Together with all furniture, fixtures, equipment, documents, books and other personal property situated in or on said real property.

By the acceptance of this deed, said City of San Luis Obispo, hereinafter referred to as "City", agrees:

- x 1. To keep, preserve and use said real property and the residence situated thereon in a manner which maintains, enhances and celebrates its place in the historical development of San Luis Obispo.
- 2. To refer to the house and grounds as "The Jack Residence" as a memorial to Robert Edgar Jack and Nellie Hollister Jack, pioneers and builders, as well as devoted citizens, of San Luis Obispo City and County.
- x 3. To maintain the original character of the house as an example of a Victorian vintage residence. General maintenance and any restoration improvements shall be in keeping with the age and period when the original residence was constructed.
- x 4. To care for and preserve existing trees and shrubbery, and to return the gardens as much as possible to the appearance of the gardens as illustrated in photographs circa 1910-1920 provided by the Grantors.
- 5. To keep the residence and contents thereof adequately insured against loss by fire and other insurable hazards.
- 6. To permit, subject to reasonable rules and regulations, residents of the City and County of San Luis Obispo, visitors and tourists to enter and inspect the residence and gardens and any displays and exhibits which from time to time may be presented.
- 7. To appoint a committee of seven (7) members whose responsibility shall be to advise the City Council in the

administration of The Jack Residence for the greatest possible
* public use and enjoyment. Said committee shall recommend basic
rules and regulations for the use of the residence and grounds
which may include, but are not limited to, permitted uses,
conditions of use, hours and fees, if any. The committee shall
serve without pay and consist of city residents including:

(a) One member from the San Luis Obispo County Historical
Society.

(b) One member from the faculty of the School of Archi-
tecture and Environmental Design, California Polytechnic State
University, preferably an architectural historian.

(c) One member from the Ornamental Horticulture faculty
of the California Polytechnic State University.

(d) One member from the Parks and Recreation Commission,

(e) Two members selected at large.

(f) For a period of twenty (20) years from the date
hereof, the seventh member of the committee shall be an heir of
Robert Edgar Jack and Nellie Hollister Jack; the city residency
requirement may be waived for this member. Thereafter, this member
may be selected at large.

Committee appointments, tenure and rules of conduct shall
be the same as for other advisory bodies to the City Council, e.g.,
the Planning Commission.

8. To accept items of personal property for the permanent
collection of furnishings and artifacts, only upon majority approval
of the Committee. Likewise, to dispose, destroy and give away no
item of furnishings or artifacts without majority approval of the
Committee and then only with the approval of the City Council.

9. Should, at any time, the residence be destroyed by

fire or other act of God, to continue to maintain the real property for park purposes, such park to be known as "The Jack Park".

10. Not to sell or give away either the whole, or any part of the real property.

In the event of a violation of any of the covenants and conditions herein contained, or failure to comply therewith, said City, and any successor thereof, shall forfeit all title to said real and personal property and, in the event of any such forfeiture, title to said real and personal property shall revert to the descendants by law of intestacy of Robert Edgar Jack and Nellie Hollister Jack. Should there be no then known descendants of said Robert Edgar Jack and Nellie Hollister Jack, said property shall vest in the County of San Luis Obispo for the uses herein contained; provided, however, that if the County should not accept said property or should fail to use it for the purposes set forth herein, title to said property shall then vest in St. Stephen's Episcopal Church of San Luis Obispo.

In consideration of the foregoing, the grantee herein agrees to pay all county, city and special taxes or assessments which are now a lien upon the real property and personal property herein described, or which hereafter become a lien upon said real and personal property.

Dated this 10th day of March, 1975.

Virginia J. Tynan
Virginia J. Tynan 17

Gertrude Kathleen Kaetzel
Gertrude Kathleen Kaetzel 25

Phyllis Sinton
Phyllis Sinton 14

Kathleen G. Von Stein
Kathleen G. Von Stein 21

Margaret E. Kaetzel
Margaret E. Kaetzel 19

Judith Meyer
Judith Meyer 12

Mrs. R.T. L.