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11 In Pro Per Third Party Objector

12 **SUPERIOR COURT OF CALIFORNIA**

13 **COUNTY OF CONTRA COSTA**

14 ROBERT TIERNAN, et al.,

15 Plaintiffs,

16 v.

17 DIABLO COMMUNITY SERVICES
18 DISTRICT, et al.,

19 Defendants.

Case No. MSC17-02529

**DECLARATION OF NANCY SEIBERT
IN SUPPORT OF THIRD PARTIES
DAVID HAMMOND AND HAL
SEIBERT'S MOTION TO SET ASIDE
STIPULATED JUDGMENT BETWEEN
INTERVENORS AND U.S. BANK**

Date: 05/17/24
Time: 9:00am
Dept.: 18

22 AND RELATED CROSS-ACTION AND
23 ACTION IN INTERVENTION

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I, Nancy Seibert, declare as follows:


1. I am currently a resident of the unincorporated community of Diablo, County of Contra Costa. I make this Declaration based on my own personal knowledge, and if called as a witness, could and would testify to the same.

2. I am familiar with a gravel trail approximately 100 to 125 feet in length connecting Alameda Diablo and Mount Diablo Scenic Boulevard (leading to Mount Diablo State Park's "South Gate" entrance ("the Easement"), which is at the southerly end of the property located at 2354 Alameda Diablo, Diablo, California.

3. My residence is on Mt. Diablo Scenic Blvd and I have lived here since 1982, for 40 years. Since 1982 I have used the Easement approximately three times per week to walk to the Diablo Post office and walking through the Diablo community for exercise. I also have a tricycle (3 wheel bike) which I rode through the Easement to avoid travel on the alternative roads that have dangerous automobile traffic. Without the easement, there is no reasonable alternative means of riding my tricycle into the Diablo Community

4. The Easement has been continuously open and unobstructed for the 40 years I have lived in Diablo.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on February 4, 2024 in Diablo, California.



Nancy Seibert