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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 SAL
GALLAGHER 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

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22 **AND RELATED CROSS-ACTION AND**
ACTION IN INTERVENTION
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I, Sal Gallagher, 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 family and I have been residents in Diablo since 2001. We've been using the Easement for the last 23 years. Besides taking hikes, we use the Easement to walk our dogs. I also use it 5 times per week for mountain bike rides. I can't remember a time in the last 20 plus years that the Easement was not open to the public.

4. I consider the Easement a big part of our community. I see all types of users such as hikers, joggers, bike riders, dog walkers, and pedestrians all relying on the Easement for a safe passage between Alameda Diablo and Mt. Diablo Scenic Blvd.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on February 7 2024 in Danville, California.

