

**SUBMITTAL TO THE FLOOD CONTROL AND  
WATER CONSERVATION DISTRICT BOARD  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

806 B



**FROM:** General Manager-Chief Engineer

**SUBMITTAL DATE:**  
December 19, 2006

**SUBJECT:** Eastvale MDP Line E-1  
Project No. 2-0-00324  
Tract Nos. 30466, -1, -2, -3  
Assignment and Assumption Agreement

**RECOMMENDED MOTION:**

Approve the Assignment and Assumption Agreement between the District, the County, the BM & A Inc. Retirement Trust, Anthony P. Vernola, Regent Land Investment, LLC and Lennar Homes of California, Inc.; and authorize the Chairman to execute the Agreement documents on behalf of the District.

**BACKGROUND:**

The Agreement transfers the rights and responsibilities for construction of the Eastvale MDP Line E-1 storm drain, as established in the original Cooperative Agreement executed on August 9, 2005, from the

Continued on Page 2

Departmental Concurrence

**WARREN D. WILLIAMS**  
General Manager-Chief Engineer

|                       |                             |     |                         |     |
|-----------------------|-----------------------------|-----|-------------------------|-----|
| <b>FINANCIAL DATA</b> | Current F.Y. District Cost: | N/A | In Current Year Budget: | N/A |
|                       | Current F.Y. County Cost:   | N/A | Budget Adjustment:      | N/A |
|                       | Annual Net District Cost:   | N/A | For Fiscal Year:        | N/A |

|                             |   |                          |
|-----------------------------|---|--------------------------|
| <b>SOURCE OF FUNDS:</b> N/A | <b>Positions To Be Deleted Per A-30</b> | <input type="checkbox"/> |
|                             | <b>Requires 4/5 Vote</b>                | <input type="checkbox"/> |

**C.E.O. RECOMMENDATION:**

**APPROVE**

**County Executive Office Signature** *Alex Hann*

- Policy
- Policy
- Consent
- Consent

Dept Recomm.:  
Per Exec. Ofc.:

Prev. Agn. Ref.: District: 2<sup>nd</sup> Agenda Number: **11.1**

**ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD**

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**BACKGROUND:**

BM & A Inc. Retirement Trust and Anthony P. Vernola to Lennar Homes of California, Inc. (Developer).

The Agreement is necessary to provide for District construction inspection and the transfer of rights of way for the Eastvale MDP Line E-1 storm drain associated with Tract No. 30466. Upon completion of the project construction, the District will assume ownership, operation and maintenance of the facilities except for catch basins, connector pipes and laterals which are to be maintained by the County.

This matter is also on the County's Board Agenda this same date and County Counsel has approved the Agreement as to legal form.

**FINANCIAL:**

The Developer is funding all construction and construction inspection costs. Future operation and maintenance costs will accrue to the District and to the County.

MHW:seb