

SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

312B



FROM: TLMA - Planning Department

SUBMITTAL DATE:  
July 19, 2008

SUBJECT: Alcoholic Beverage Control License  
Determination of Public Convenience and Necessity (PNC-59)

**CONTROVERSIAL ISSUES:** Conditional Use Permit No. 3475 was approved on February 7, 2007 to permit the sales of alcoholic beverages (type 21) for off premises consumption for the Super Target. Super Target is currently seeking a determination for public necessity and convenience findings for a type 21 license to allow for the sale of general liquor for off-site consumption only.

**RECOMMENDED MOTION:** That the Board of Supervisors, based on the findings below, make a determination of Public Convenience and Necessity so that another Alcoholic Beverage license be issued to allow the sale of general liquor for off-site consumption only at a 177,332 sq. ft. Super Target retail store located northerly of La Piedra Road, southerly of Newport Road, westerly of Interstate 215, and easterly of Haun Road, Riverside County Assessor's Parcel Number 360-080-019, in the Third Supervisorial District, may be issued.

**BACKGROUND**

In accordance with Government Code 23958.4 the State of California Department of Alcoholic Beverage Control (ABC) may deny an application for an ABC license if there is an "undue concentration of licenses." An "undue concentration" exists if it is deemed to be in a census tract where the ratio of on-sale or off-sale retail ABC licenses to population exceeds the ratio of on-sale or off-sale retail ABC licenses to population in the county in which the applicant premises are located. A license may still be issued, however, if the local agency determines that the public use and necessity would be served by issuance of the license. The statute provides no definition or standard for determining "public necessity & convenience." The Alcoholic Control

Ron Goldman  
Planning Director

RG:jh/sn

Departmental Concurrence

REVIEWED BY EXECUTIVE OFFICE

DATE 8/6/08  
Tina Grande

Policy

Consent

Dep't Recomm.:  
Per Exec. Ofc.:

Prev. Agn. Ref.

District: Third

Agenda Number:

3.48

Board has determined that an "undue concentration" exists for the Census Tract in which the applicant's establishment is located. The project located in the Third Supervisorial District. The State Department of Alcoholic Beverage Control is requiring the applicant to obtain a determination of "Public Convenience and Necessity" from the County of Riverside prior to granting the license pursuant to Government Code Section 23958.4.8

Findings:

1. The proposed use, the sale of beer, wine, and distilled spirits for off-premise consumption, is a permitted use in the Community Development: Commercial Retail (CD:CR) land use designation, subject to the approval of a Conditional Use Permit.
2. The proposed use, the sale of beer, wine, and distilled spirits for off-premise consumption, is a permitted use, subject to approval of a Conditional Use Permit in the Specific Plan 194, Planning Area No. 10 (Commercial Center).
3. Per section 18.48 of Ordinance 348, a Conditional Use Permit for the sale of alcohol for off-premises consumption is not necessary for a retail commercial establishment which contains at least 20, 000 square feet of interior floor space and is primarily engaged in the sale of groceries and does not sell motor vehicle fuels.
4. The year 2000 census population for Census Tract No. 427.12 was 7,539 persons according to the US Census Bureau (Census 2000 Summary File 3).
5. According to County-maintained demographics, the 2005 population of Census Tract No. 427.12 was 13,497 persons.
6. The maximum concentration level for General Liquor License (Type 21) and Beer and Wine (Type 20) is limited to one per 1,250 people by census tract (Alcoholic Beverage Control Act: California Business and Professions Code 23817.5).
7. The California Alcoholic Beverage Control Board (ABC) has allocated five (5) off-site alcohol sales licenses within Census Tract No. 0427.12. Currently, six (6) licenses exist within this census tract. The approval of this project and subsequent licensing by ABC would increase the number of licenses in the Census Tract to seven (7).
8. The State Department of Alcoholic Beverage Control is requesting a determination of "public necessity and convenience" for the license.
9. The subject facility provides public necessity or convenience for the residents of the surrounding community.
10. The subject facility is not within 1000 feet of any public entity operating a public park or playground
11. The subject facility is located within the boundaries of the Menifee Union and Perris Union High School Districts.

12. The subject facility is not situated in such a manner that vehicle traffic from the facility may reasonably be believed to be a potential hazard to a school, church, Public Park or playground.
13. The project conforms to Article Nineteen (19), Section 15301, of the CEQA Guidelines, which states that existing facilities are exempt from CEQA if the proposed project: "Consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination."

## CUP Off-Site Alcohol Findings

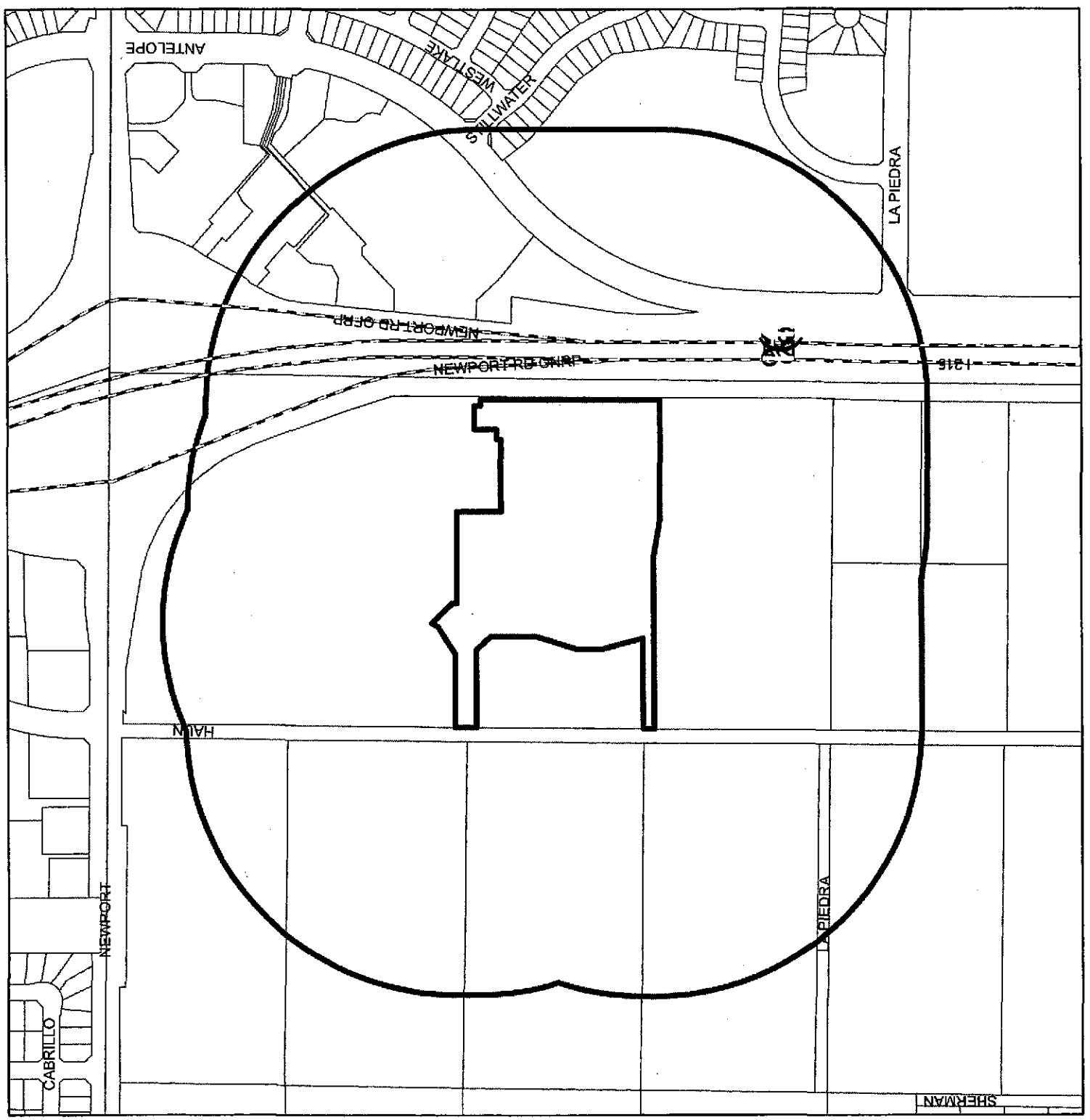
### BACKGROUND:

In accordance with Government Code 23958.4 the State of California Department of Alcoholic Beverage Control (ABC) may deny an application for an ABC license if there is an "undue concentration of licenses." An "undue concentration" exists if it is deemed to be in a census tract where the ratio of on-sale or off-sale retail ABC licenses to population exceeds the ratio of on-sale or off-sale retail ABC licenses to population in the county in which the applicant premises are located. A license may still be issued, however, if the local agency determines that the public use and necessity would be served by issuance of the license. The statute provides no definition or standard for determining "public necessity & convenience." The Alcoholic Control Board has determined that an "undue concentration" exists for the Census Tract in which the applicant's establishment is located. A "public convenience and necessity" determination is required for the new construction of a 177,332 sq. ft. Super Target retail store located northerly of La Piedra Road, southerly of Newport Road, westerly of Interstate 215, and easterly of Haun Road, to allow the sale of beer, wine, and distilled spirits for off-premise consumption. The Riverside County Assessor's Parcel Number for the project is 360-080-019. The project located in the Third Supervisorial District. The State Department of Alcoholic Beverage Control is requiring the applicant to obtain a determination of "Public Convenience and Necessity" from the County of Riverside prior to granting the license pursuant to Government Code Section 23958.4.8

### Findings:

1. The proposed use, the sale of beer, wine, and distilled spirits for off-premise consumption, is a permitted use in the Community Development: Commercial Retail (CD:CR) land use designation, subject to the approval of a Conditional Use Permit.
2. The proposed use, the sale of beer, wine, and distilled spirits for off-premise consumption, is a permitted use, subject to approval of a Conditional Use Permit in the Specific Plan 194, Planning Area No. 10 (Commercial Center).
3. Per section 18.48 of Ordinance 348, a Conditional Use Permit for the sale of alcohol for off-premises consumption is not necessary for a retail commercial establishment which contains at least 20, 000 square feet of interior floor space and is primarily engaged in the sale of groceries and does not sell motor vehicle fuels.
4. The year 2000 census population for Census Tract No. 427.12 was 7,539 persons according to the US Census Bureau (Census 2000 Summary File 3).
5. According to County-maintained demographics, the 2005 population of Census Tract No. 427.12 was 13,497 persons.
6. The maximum concentration level for General Liquor License (Type 21) and Beer and Wine (Type 20) is limited to one per 1,250 people by census tract (Alcoholic Beverage Control Act: California Business and Professions Code 23817.5).

7. The California Alcoholic Beverage Control Board (ABC) has allocated five (5) off-site alcohol sales licenses within Census Tract No. 0427.12. Currently, six (6) licenses exist within this census tract. The approval of this project and subsequent licensing by ABC would increase the number of licenses in the Census Tract to seven (7).
8. The State Department of Alcoholic Beverage Control is requesting a determination of "public necessity and convenience" for the license.
9. The subject facility provides public necessity or convenience for the residents of the surrounding community.
10. The subject facility is not within 1000 feet of any public entity operating a public park or playground.
11. The subject facility is located within the boundaries of the Menifee Union and Perris Union High School Districts.
12. The subject facility is not situated in such a manner that vehicle traffic from the facility may reasonably be believed to be a potential hazard to a school, church, Public Park or playground.
13. The project conforms to Article Nineteen (19), Section 15301, of the CEQA Guidelines, which states that existing facilities are exempt from CEQA if the proposed project: "Consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination."



- School Sites
- Highways
- Parcels
- Subject Boundary
- 1000 Foot Radius
- Parks



July 8, 2008

Disclaimer: Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

Source : County of Riverside  
 Author : Yvonne Nguyen  
 D:\projdata\mmap\planning\06160.mxd



May 23, 2008

**By Federal Express**

Ron Goldman  
Planning Director  
County of Riverside  
Planning Department  
4080 Lemon Street, 9<sup>th</sup> Floor  
Riverside, California 92502-1409

Re: Application for Determination of Public Convenience or Necessity  
Target, 30340 Haun Rd., Menifee, California 92584

Dear Mr. Goldman:

Our client, Target Corporation, has applied for a Type 21 off-sale alcohol beverage license to include sales of alcoholic beverages at its new store in Menifee, which is opening in October. Because the store is located in a census tract that has an "undue concentration" of off-sale licenses under Section 23958.4 of the Business and Professions Code, Target is requesting a determination that public convenience and necessity will be served by issuance of the license. The following is an explanation of Target's intended operations.

Target has applied to the Department of Alcoholic Beverage Control for a Type 21 off-sale general alcohol beverage license. The alcoholic beverages will be displayed in the Market section of the store, along with the other food and beverage products that Target sells. There will be signs posted near the display area indicating that customers must be 21 years of age or older to purchase alcoholic beverages.

Target plans to offer consumers an assortment of moderately priced wines, primarily from California producers. Adding alcohol beverages sales will complement the other food and beverage products that Target sells and will provide a convenience to Target's customers by eliminating the need for an additional shopping trip.

Kindly direct all notices and communications regarding this application to my attention. If you have any questions or would like additional information about Target's operations, please don't hesitate to contact me.

Sincerely,

Beth Aboulafia

Encl.

7/8/2008 12:23:51 PM

Menifee Union School District  
30205 Menifee Rd.  
Menifee, CA 92562

ATTN: Emmanuelle Reynolds  
Perris Union High School District  
155 E. 4th St.  
Perris, CA 92570-2124

Menifee Valley Eco. Dev. Agency  
P.O. Box2111  
Sun City, CA 92586

Menifee Union School District  
30205 Menifee Rd.  
Menifee, CA 92562

ATTN: Emmanuelle Reynolds  
Perris Union High School District  
155 E. 4th St.  
Perris, CA 92570-2124

Menifee Valley Eco. Dev. Agency  
P.O. Box2111  
Sun City, CA 92586



**California Department of Alcoholic Beverage  
Control  
For the County of RIVERSIDE - (Off-Sale Licenses)  
and Census Tract = 0427.12**

Report as of 5/22/2008

	License Number	Status	License Type	Orig. Iss. Date	Expir Date	Primary Owner and Premises Addr.	Business Name	Mailing Address	Geo Code
1)	401009	ACT	20	12/5/2003	11/30/2008	C A R ENTERPRISES INC 30107 ANTELOPE RD MENIFEE, CA 92584  Census Tract: 0427.12	SHELL	1040 N BENSON AVE UPLAND, CA 91786	3300
2)	407447	ACT	21	12/31/2003	6/30/2008	RALPHS GROCERY COMPANY 30125 ANTELOPE RD MENIFEE, CA 92584  Census Tract: 0427.12	RALPHS 140	PO BOX 54143 LOS ANGELES, CA 90054-0143	3300
3)	414660	ACT	20	10/7/2004	9/30/2008	PREVOST THOMAS RUFFIN 26825 NEWPORT RD MENIFEE, CA 92584  Census Tract: 0427.12	MENIFEE CAR WASH	914 FOOTHILL BLVD LA VERNE, CA 91750-3234	3300
4)	420912	ACT	20	5/2/2006	4/30/2009	JACK IN THE BOX INC 26015 NEWPORT RD SUN CITY, CA 92584  Census Tract: 0427.12	QUICK STUFF 7745	9330 BALBOA AVE SAN DIEGO, CA 92123	3300
5)	422964	ACT	20	4/4/2005	4/30/2009	MENIFEE MART INC 26925 NEWPORT RD MENIFEE, CA 92584	MENIFEE MART		3300

1  
2  
3  
4  
5

						Census Tract: 0427.12			
6)	425720	ACT	20	9/12/2005	8/31/2008	NACO L-PSHIP 30605 BRIGGS RD MENIFEE, CA 92584  Census Tract: 0427.12	WILDERNESS LAKES	PO BOX 2529 FRISCO, TX 75034	3300

6

--- End of Report ---

For a definition of codes, view our [glossary](#).

CUP03475

**COUNTY OF RIVERSIDE**  
**TRANSPORTATION AND LAND MANAGEMENT AGENCY**  
**Planning Department**  
*Ron Goldman - Planning Director*

**APPLICATION FOR DETERMINATION OF PUBLIC  
NECESSITY & CONVENIENCE**

In accordance with the Business and Professions Code, Section 23958.4, the State of California Department of Alcoholic Beverage Control (ABC) has been granted the authority to deny an application for an ABC License if there is "undue concentration of licenses." An "undue concentration" exists if the site for the license is deemed to be in a census tract where the ratio of on-sale or off-sale retail ABC licenses to population exceeds the ratio of on-sale or off-sale retail ABC licenses to population in the county in which the applicant premises are located. A license may still be issued, however, if the local agency (Riverside County Board of Supervisors) determines that the public use and necessity would be served by issuance of the license.

PNC 59

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

CASE NUMBER: HR 01961 DATE SUBMITTED: 6/24/08

**APPLICATION INFORMATION**

Applicant's Name: Target Corporation

Mailing Address: 1000 Nicollet Mall, TPN-0910, Minneapolis, MN 55403  
Street

Christine Powell City State ZIP

Daytime Phone No: (612) 761-5541 Fax No: ( )

Engineer/Representative's Name: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
Street

\_\_\_\_\_  
City State ZIP

Daytime Phone No: ( ) Fax No: ( )

Property Owner's Name: Same as applicant. E-Mail: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
Street

\_\_\_\_\_  
City State ZIP

Daytime Phone No: ( ) Fax No: ( )

If the property is owned by more than one person, attach a separate page that reference the application case number and lists the names, mailing addresses, and phone numbers of all persons having an interest in the real property or properties involved in this application.

APPLICATION FOR DETERMINATION OF PUBLIC NECESSITY & CONVENIENCE

**PROJECT INFORMATION**

Proposal (Describe Project/Ordinance No. 348 Reference No.):

Sale of alcoholic beverages for off-site consumption at new Super Target  
store opening in October 2008.

(Ordinance No. 348, Section 18.48)

Identify the particular type of license is being sought from the ABC: Type 21 Off-Sale General

Related cases or underlying case: \_\_\_\_\_

**PROPERTY INFORMATION** 30340 Haun Rd., Menifee CA 92584

Assessor's Parcel Number(s): 360-080-021; 019; 020

See attached legal description

Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_

Approximate Gross Acreage: 15.0

General location (nearby or cross streets): North of SWC Newport Rd. and  
Interstate 215, South of \_\_\_\_\_,  
East of \_\_\_\_\_, West of \_\_\_\_\_

Thomas Brothers map, edition year, page number, and coordinates: Ed. 2005, Pg. 868, Map Grid E3

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

**AUTHORIZATION FOR CONCURRENT FEE TRANSFER**

The signature below authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of your application, you will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

All signatures must be originals ("wet-signed"). Photocopies of signatures are not acceptable.

Jack N. Reif, Asst. Treasurer  
PRINTED NAME OF APPLICANT

Target Corporation

xx

Jack N. Reif  
SIGNATURE OF APPLICANT

**APPLICATION FOR DETERMINATION OF PUBLIC NECESSITY & CONVENIENCE**

**AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:**

I certify that I am/we are the record owner(s) or authorized agent and that the information filed is true and correct to the best of my knowledge. (Authorized agent must submit a letter from the owner(s) indicating authority to sign in the owner's behalf. All signatures must be original ["wet-signed"]. Photocopies of signatures are unacceptable). Use additional sheets as necessary.

All signatures must be originals ("wet-signed"). Photocopies of signatures are not acceptable.

Jack N. Reif, Asst. Treasurer

Target Corporation

PRINTED NAME OF PROPERTY OWNER(S)

xx

SIGNATURE OF PROPERTY OWNER(S)



PRINTED NAME OF PROPERTY OWNER(S)

SIGNATURE OF PROPERTY OWNER(S)

If the subject property is owned by persons who have not signed as owners above, attach a separate sheet that references the application case number and lists the printed names and signatures of all persons having an interest in the property.

**THE DETERMINATION OF PUBLIC NECESSITY & CONVENIENCE FILING PACKAGE MUST CONSIST OF THE FOLLOWING:**

1. One completed and signed application form.
2. One copy of the current legal description for each property involved. A copy of a grant deed of each property involved will suffice.
3. One exhibit (map) of the Census Tract the project site is located (with the project site identified, as well as the location of all other licensed facilities within said Census Tract.)
4. One Exhibit (map) with the project site identified, as well as the location of any church, school (public, private, day care), and playground or park within a 1 mile radius of the project site. The Exhibit shall also provide a ½ mile radius circle to help determine the proximity of said facilities to the proposed project site.
5. Applicable deposit-based fees.

**STEWART TITLE - Riverside  
COMMERCIAL DIVISION**

**RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:**

Stradling Yocca Carlson & Rauth  
660 Newport Center Drive, Suite 1600  
Newport Beach, California 92660  
Attn: Bruce C. Stuart, Esq.

**COPY of Document Recorded**

on 12-3-07 as No. 2007-0725350  
has not been compared with original.

**County Recorder  
RIVERSIDE COUNTY, CALIFORNIA**

A.P.N.(s): 360-080- 011 and 012

(Space Above for Recorder's Use)

**MAIL TAX STATEMENTS TO:**

Target Corporation  
Attn. Property Tax Department  
P O. Box 9456  
Minneapolis, MN 55440-9456

**DOCUMENTARY TRANSFER TAX:**

Not of public record pursuant to California  
Revenue and Taxation Code Section 11932

**GRANT DEED**

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, DONAHUE SCHRIBER ASSET MANAGEMENT CORPORATION, a Delaware corporation ("*Grantor*"), hereby grants to TARGET CORPORATION, a Minnesota corporation ("*Grantee*"), the real property (the "*Property*") in the County of Riverside, State of California, described as follows:

See Exhibit A attached hereto and incorporated herein by reference

Subject to those matters described on Exhibit B attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, Grantor has caused this Grant Deed to be duly executed on  
November 30, 2007.

*Grantor:*

DONAHUE SCHRIBER ASSET MANAGEMENT  
CORPORATION, a Delaware corporation

By: Mark L. Whitfield  
Name: Mark L. Whitfield  
Title: Executive Vice President

By: Lisa L. Hirose  
Name: Lisa L. Hirose  
Title: Secretary

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF ORANGE )

On November 28, 2007, before me, Wendy MacAulay, Notary Public, personally appeared Mark L. Whitfield, personally known to me ~~or proved to me on the basis of satisfactory evidence~~ to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



*Wendy MacAulay*  
Wendy MacAulay  
Notary Public in and for said  
County and State  
My Commission No. 1599091  
My Commission Expires 08/30/2009

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF ORANGE )

On November 28, 2007, before me, Wendy MacAulay, Notary Public, personally appeared Lisa L. Hirose, personally known to me ~~or proved to me on the basis of satisfactory evidence~~ to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



*Wendy MacAulay*  
Wendy MacAulay  
Notary Public in and for said  
County and State  
My Commission No. 1599091  
My Commission Expires 08/30/2009

**EXHIBIT A**

**LEGAL DESCRIPTION**

The land referred to herein is situated in the State of California, County of RIVERSIDE, Unincorporated Area, described as follows:

THAT PORTION OF PARCELS 14 AND 15 AS SHOWN BY PARCEL MAP 9504, ON FILE IN BOOK 67 PAGES 5 AND 6, OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, AND BEING A PORTION OF THE LAND SHOWN ON A MAP FILED IN BOOK 120 PAGE 86 OF RECORD OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT THE SOUTHWEST CORNER OF THE LAND SHOWN ON SAID RECORD OF SURVEY; THENCE ALONG THE WESTERLY LINE OF SAID LAND, NORTH 00°11'02" EAST, 673.56 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID WESTERLY LINE, SOUTH 90°00'00" EAST, 645.65 FEET; THENCE SOUTH 79°45'45" EAST, 135.51 FEET; THENCE SOUTH 90°00'00" EAST, 444.26 FEET TO A LINE PARALLEL WITH AND DISTANT 10.40 FEET WESTERLY, MEASURED AT RIGHT ANGLES FROM THE EASTERLY LINE OF SAID RECORD OF SURVEY, THENCE ALONG SAID PARALLEL LINE, NORTH 00°08'46" EAST, 666.02 FEET; THENCE LEAVING SAID PARALLEL LINE, NORTH 90°00'00" WEST, 23.27 FEET; THENCE NORTH 00°08'46" EAST, 23.56 FEET; THENCE NORTH 90°00'00" WEST, 88.46 FEET; THENCE SOUTH 00°00'00" WEST, 83.66 FEET; THENCE NORTH 90°00'00" WEST, 37.00 FEET; THENCE SOUTH 00°00'00" WEST, 15.00 FEET; THENCE NORTH 90°00'00" WEST, 268.88 FEET; THENCE NORTH 00°00'00" EAST, 166.02 FEET, THENCE NORTH 90°00'00" WEST, 341.28 FEET; THENCE NORTH 00°00'00" EAST, 17.32 FEET; THENCE NORTH 45°00'00" WEST, 107.33 FEET; THENCE SOUTH 25°56'43" WEST, 25.99 FEET; THENCE SOUTH 58°08'40" WEST, 119.50 FEET; THENCE NORTH 90°00'00" WEST, 274.99 FEET TO THE WESTERLY LINE OF SAID RECORD OF SURVEY, THENCE ALONG SAID WESTERLY LINE, SOUTH 00°11'02" WEST, 79.50 FEET; THENCE LEAVING SAID WESTERLY LINE, SOUTH 90°00'00" EAST, 290.18 FEET; THENCE SOUTH 42°45'01" EAST 74.82 FEET; THENCE SOUTH 00°00'00" WEST, 165.70 FEET; THENCE SOUTH 16°57'06" WEST 160.05 FEET; THENCE SOUTH 00°00'00" EAST, 93.67 FEET; THENCE SOUTH 14°42'54" EAST, 157.37 FEET; THENCE NORTH 90°00'00" WEST, 336.26 FEET TO THE WESTERLY LINE OF SAID RECORD OF SURVEY; THENCE ALONG SAID LINE, SOUTH 00°11'02" WEST, 40.52 FEET TO THE TRUE POINT OF BEGINNING, PER NOTICE OF LOT LINE ADJUSTMENT NO. 5132, RECORDED JULY 17, 2007, AS INSTRUMENT NO. 2007-0464142 OFFICIAL RECORDS, AND RE-RECORDED OCTOBER 22, 2007 AS INSTRUMENT NO. 2007-0650013, SHOWN AS PARCEL 1 ON SAID LOT LINE ADJUSTMENT.

EXHIBIT B  
PERMITTED ENCUMBRANCES

1. Real estate taxes and special assessments payable for fiscal year July 1, 2008-June 30, 2009, and subsequent years, not yet due and payable.
2. Ownership of said land does not include rights of access to or from those portions of Parcels 14 and 15 abutting the State Highway, such rights having been severed from said land by the document recorded July 28, 1976 as Instrument No. 109384.
3. Easement for street and public utilities and incidental purposes as shown on the map filed as Parcel Map 9504, recorded in Book 67, pages 5 and 6.
4. Ownership of said land does not include any vehicular rights of ingress and egress to or from the State Highway adjoining Parcels 14 and 15 as shown on the map filed as Parcel Map 9504, recorded in Book 67, pages 5 and 6.
5. Matters contained in Development Agreement No. 17, dated November 4, 1988 by and between the County of Riverside and Portley Farms, recorded November 4, 1988 as Instrument No. 323490, amended by document recorded June 14, 1989 as Instrument No. 194561, document recorded June 14, 1989 as Instrument No. 194562, document recorded December 12, 1990 as Instrument No. 450522, document recorded July 30, 1996 as Instrument No. 285041 and document recorded November 27, 1996 as Instrument No. 453891.
6. Covenants, conditions and restrictions set forth in Declaration of Restrictions recorded February 10, 2005 as Instrument No. 05-116690.
7. Matters shown on Record of Survey filed in Book 120, page 86.
8. Matters contained in Declaration of Restrictive Covenant by Donahue Schriber Realty Group, Inc., recorded August 16, 2006 as Instrument No. 06-0602600.
9. Matters contained in Declaration of Restrictive Covenant by Donahue Schriber Realty Group, L.P. and Donahue Schriber Asset Management Corporation, recorded October 26, 2007 as Instrument No. 2007-0658887.

# **RADIUS MAPS, ETC.**

3544 Portola Avenue  
Los Angeles, CA. 90032  
Tel: (323) 221-4555 Fax: (323) 226-9492  
[radiusmapsetc@sbcglobal.net](mailto:radiusmapsetc@sbcglobal.net)

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## **2,640 FT. RADIUS SCHOOLS, PARKS, CHURCHES, HOSPITALS AND YOUTH CENTER LIST**

**SITE LOCATION**  
***TARGET MENIFEE***  
30340 Haun Road  
Menifee, CA 92584  
***A.P.N.: 360-080-011,012***

**2,640 FT. SCHOOLS, PARKS, CHURCHES,  
HOSPITALS AND YOUTH CENTERS LIST**

**Site Address: 30340 HAUN ROAD  
MENIFEE CA 92584**

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- 2. CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS  
30654 LA PIEDRA ROAD, MENIFEE**
  
- 13. BELL MOUNTAIN MIDDLE SCHOOL  
28299 LA PIEDRA ROAD, MENIFEE**
  
- 14. MT SAN JACINTO COLLEGE  
28237 LA PIEDRA ROAD, SUN CITY**

# **RADIUS MAPS, ETC.**

3544 Portola Avenue

Los Angeles, CA. 90032

Tel: (323) 221-4555 Fax: (323) 226-9492

[radiusmapsetc@sbcglobal.net](mailto:radiusmapsetc@sbcglobal.net)

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## **5,280 FT. RADIUS SCHOOLS, PARKS, CHURCHES, HOSPITALS AND YOUTH CENTER LIST**

### **SITE LOCATION**

#### ***TARGET MENIFEE***

30340 Haun Road

Menifee, CA 92584

*A.P.N.: 360-080-011,012*

**5,280 FT. SCHOOLS, PARKS, CHURCHES,  
HOSPITALS AND YOUTH CENTERS LIST**

**Site Address: 30340 HAUN ROAD  
MENIFEE CA 92584**

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- 1. SUN CITY UNITED METHODIST CHURCH  
30220 CARMEL ROAD, SUN CITY**
  
- 2. CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS  
30654 LA PIEDRA ROAD, MENIFEE**
  
- 3. NEWPORT CHILD DEVELOPMENT CENTER  
29647 VIA NARAVILLA, SUN CITY**
  
- 4. CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS  
29725 BRADLEY ROAD, SUN CITY**
  
- 5. SUN CITY SEVENTH DAY ADVENTIST CHURCH  
29885 BRADLEY ROAD, SUN CITY**
  
- 6. GOOD SHEPHERD LUTHERAN CHURCH & SCHOOL  
26800 NEWPORT ROAD, MENIFEE**
  
- 7. CHESTER W MORRISON ELEMENTARY SCHOOL  
30250 BRADLEY ROAD, MENIFEE**
  
- 8. LYLE MARSH PARK  
27050 SCHOOL PARK DRIVE, MENIFEE**

9. **CALLIE KIRKPATRICK ELEMENTARY SCHOOL**  
28800 REVIERE DRIVE, MENIFEE
  
10. **LA PALOMA PARK**  
3000 MENIFEE ROAD, MENIFEE
  
11. **WHEATFIELD PARK**  
30627 MENIFEE ROAD, MENIFEE
  
12. **VALLEY WIDE RECREATION CENTER**  
28299 LA PIEDRA ROAD, MENIFEE
  
13. **BELL MOUNTAIN MIDDLE SCHOOL**  
28299 LA PIEDRA ROAD, MENIFEE
  
14. **MT SAN JACINTO COLLEGE**  
28237 LA PIEDRA ROAD, SUN CITY