

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

306A



**FROM:** Economic Development Agency/ Facilities Management  
and Transportation Department

**SUBMITTAL DATE:**

April 14, 2011

**SUBJECT:** Acquisition Agreement and Temporary Construction Agreement for the State Route 79  
(Winchester) Road Widening Project

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the attached Acquisition Agreement for Parcels 21148-1 and 0527-017 and Temporary Construction Agreement for Parcel 21148-2 all within portions of Assessor's Parcel Numbers 466-050-009, 466-050-010, and 466-050-011;
2. Authorize the Chairman of the Board to execute these agreements on behalf of the County;

(Continued)

\_\_\_\_\_  
Juan C. Perez, Director  
Transportation Department

\_\_\_\_\_  
Robert Field  
Assistant County Executive Officer/EDA  
By Lisa Brandl, Managing Director

**FINANCIAL  
DATA**

Current F.Y. Total Cost: \$ 566,000  
Current F.Y. Net County Cost: \$ 0  
Annual Net County Cost: \$ 0

In Current Year Budget: Yes  
Budget Adjustment: No  
For Fiscal Year: 2010/11

**COMPANION ITEM ON BOARD OF DIRECTORS AGENDA:** No

**SOURCE OF FUNDS:** Transportation Uniform Mitigation Fee

Positions To Be Deleted Per A-30 ☐  
Requires 4/5 Vote ☐

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

**County Executive Office Signature**

BY:   
\_\_\_\_\_  
Jennifer Sargent

Dep't Recomm.: ☐ Consent ☐ Policy ☒  
Per Exec. Ofc.: ☐ Consent ☐ Policy ☒

Prev. Agn. Ref.: 3.14 of 3/24/09

District: 3

Agenda Number:

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

**3.30**

FISCAL PROCEDURES APPROVED

PAUL ANGULO, CPA, AUDITOR-CONTROLLER

BY: 4/15/11

SAMUEL WONG

FORM APPROVED COUNTY COUNSEL

BY: 3-23-11

CYNTHIA M. GUNZEL, Department Counsel

**RECOMMENDED MOTION:** (Continued)

3. Authorize the Assistant County Executive Officer/EDA, or his designee, to execute any other documents and administer all actions necessary to complete this transaction; and,
4. Authorize and allocate the sum of \$491,127 to purchase Parcels 21148-1 and 0527-017 and \$58,873 for a temporary construction easement on Parcel 21148-2 all within a portion of Assessor's Parcel Numbers 466-050-009, 466-050-010, and 466-050-011 and \$16,000 to pay all related transaction costs.

**BACKGROUND:**

Winchester Road (SR-79) is one of the key north-south corridors in Southwest Riverside County. Due to significant regional and local growth, a project to widen SR-79 from Thompson Road to Domenigoni Parkway has been proposed. The project would widen this section of SR-79 from two to four lanes in accordance with the Memorandum of Understanding between the State of California Department of Transportation (CalTrans), County of Riverside Transportation Department and the City of Murrieta, adopted on June 15, 2004, which will address the traffic needs of the area, enhance interregional travel, relieve traffic congestion, improve traffic safety, and reduce response time for emergency service vehicles. The improvement of SR-79 is a major priority for Supervisor Stone and the need has been recognized by Riverside County Transportation Department, the City of Murrieta, the City of Temecula, and CalTrans.

The Economic Development Agency (EDA) has negotiated the acquisition and temporary construction easement of a portion of Assessor's Parcel Numbers 466-050-009, 466-050-010, and 466-050-011 from CAS Development, LLC (CAS) for a price of \$550,000. There are costs of \$16,000 associated with this transaction. CAS will execute a Grant Deed in favor of the State of California for a portion of Assessor's Parcel Numbers 466-050-009, 466-050-010, and 466-050-011, referenced as Parcel 21148-1 and a Grant Deed in favor of the County of Riverside for a portion of Assessor's Parcel Number 466-050-009, referenced as Parcel 0527-017.

This Form 11 has been reviewed and approved by County Counsel as to legal form.

**FINANCIAL DATA:**

The following summarizes the funding necessary for the acquisition and temporary construction easement for portions of Assessor's Parcel Numbers 466-050-009, 466-050-010, and 466-050-011:

Acquisition:	\$491,127
Temporary Construction Easement:	\$ 58,873
Estimated Title and Escrow Charges:	\$ 6,000
Preliminary Title Report:	\$ 0
Appraisal:	\$ 0
EDA Real Property Staff Time:	\$ 10,000
Total Estimated Acquisition Costs:	\$566,000

(Continued)

**FINANCIAL DATA:** (Continued)

EDA has already covered the costs for the due diligence (appraisal and preliminary title report) and will be or has been reimbursed by the Transportation Department. The remaining costs will be paid directly by the Transportation Department.

All costs associated with this property acquisition are fully funded in the Transportation Department's budget for FY 2010/11. Thus, no net county cost will be incurred as a result of this transaction.

Attachments:

Acquisition Agreement  
Temporary Construction Agreement

PROJECT: STATE ROUTE 79  
(WINCHESTER) ROAD  
WIDENING

PARCELS: 21148-1 and 0527-017

APN: 466-050-009 (portion), 466-050-  
010 (portion) and 466-050-011  
(portion)

### ACQUISITION AGREEMENT

This agreement is made by and between the COUNTY OF RIVERSIDE, A  
POLITICAL SUBDIVISION OF THE STATE OF CALIFORNIA herein called "County", and  
CAS DEVELOPMENT, LLC, A LIMITED LIABILITY COMPANY, herein called "Grantor".

Grantor has executed and will deliver to Stephi A. Villanueva, Supervising Real  
Property Agent for the County or to the designated escrow company, a Grant Deed in  
favor of the State of California dated \_\_\_\_\_, identifying a portion of Assessor's  
Parcel Numbers 466-050-009, 466-050-010 and 466-050-011, referenced as Parcel  
21148-1 and described on Attachment "A" attached hereto and made a part hereof, a  
Grant Deed in favor of the County of Riverside dated \_\_\_\_\_, identifying a  
portion of Assessor's Parcel Number 466-050-009, referenced as Parcel 0527-017 and  
described on Attachment "A" attached hereto and made a part hereof, in consideration of  
which it is mutually agreed as follows:

1. The County shall:

A. Pay to the order of Grantor the sum of Four Hundred Ninety-One  
Thousand One Hundred Twenty Seven Thousand Dollars (\$491,127) for the property,  
or interest therein, conveyed by said deed(s), when title to said property or interest  
vests in County free and clear of all liens, encumbrances, easements, leases (recorded  
or unrecorded), and taxes except those encumbrances and easements which, in the  
sole discretion of the County, are acceptable.

1           B.     Handle real property taxes, bonds, and assessments in the  
2 following manner:

3                   1.     All real property taxes shall be prorated, paid, and canceled  
4 pursuant to the provisions of Section 5081 et. seq., of the Revenue and Taxation Code.

5                   2.     County is authorized to pay from the amount shown in  
6 Paragraph 1A herein, any unpaid taxes together with penalties, cost and interest  
7 thereon, and any bonds or assessments that are due on the date title is transferred to,  
8 or possession is taken by the County, whichever first occurs.

9           C.     Pay all escrow, recording, and reconveyance fees incurred in this  
10 transaction, and if title insurance is desired by County, the premium charged therefore.

11           D.     Construct four lanes on State Route 79 between Domenigoni  
12 Parkway and Thompson Road. The portions bordering Assessor's Parcel Numbers  
13 466-050-009, 466-050-010, and 466-050011 shall be constructed at the ultimately  
14 westerly pavement limit with no funding to be provided by Grantor. The improvements  
15 shall be constructed in conformance to Attachment "B-1" attached hereto and made a  
16 part hereof.

17           E.     Construct a traffic signal with full turning movements at the  
18 intersection of Old Newport Road and SR 79, at County's sole expense as part of the  
19 Project, as shown on Attachment "B-2" attached hereto and made a part hereof.

20           F.     Attached hereto as Attachment "C" and incorporated herein is a  
21 letter dated November 9, 2010 from the County's Transportation and Land  
22 Management Agency to the County's Economic Development Agency (the  
23 "Inducement Letter"). Each and all of the covenants, agreements and undertakings of  
24 the County Transportation Department set forth in the Inducement Letter shall be  
25 deemed covenants, agreements and undertakings running in favor of Grantor, it being  
26 expressly understood that Grantor would not have entered this Agreement without  
27 them.

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1           G.     As to Sections 1A, 1D, and 1E, the closing and payment would occur the  
2 later of ten (10) business days after (i) Project receives Federal funding or (ii) Bank of  
3 America provides a partial reconveyance and its closing instructions, provided that if  
4 the closing has not occurred on or before December 31, 2011, then either side may  
5 terminate the agreement upon not less than thirty (30) days written notice to the other.  
6 The County could elect to nullify Grantor's termination notice by paying the purchase  
7 price within that thirty (30) day period.

8           2.     Grantor shall:

9           A.     Represents and warrant that during the period of Grantor's  
10 ownership of the property, there have been no disposals, releases or threatened releases  
11 of hazardous substances or hazardous wastes on, from or under the property. Grantor  
12 further represents and warrants that grantor has no knowledge of any disposal, release of  
13 hazardous substances or hazardous wastes on, from, or under the property which may  
14 have occurred prior to Grantor taking title to the property.

15                 The acquisition price of the property being acquired in this transaction  
16 reflects the fair market value of the property without the presence of contamination. If the  
17 property being acquired is found to be contaminated by the presence of hazardous waste  
18 which requires mitigation under Federal or State law, the County may elect to recover its  
19 cleanup cost from those who caused or contributed to the contamination. Subject to the  
20 foregoing representations, the County is acquiring the Property on an "as is" basis,  
21 without any other representations or warranties from Grantor.

22           3.     Any and all moneys payable under this contract, up to and including the  
23 total amount of unpaid principal and interest on the note secured by Deed of Trust  
24 recorded December 22, 2009, as Instrument No. 2009-0655402, Official Records of  
25 Riverside County, shall, upon demand, be made payable to the beneficiary entitled  
26 thereunder; said beneficiary to provide a partial reconveyance of portions of Assessor's  
27 Parcel Numbers 466-050-009, 466-050-010 and 466-050-011, and to furnish Grantor  
28

1 with good and sufficient receipt showing said moneys credited against the  
2 indebtedness secured by said Deed of Trust.

3 Grantor hereby authorizes and directs the disbursement of funds which are  
4 demanded under the term of said Deed of Trust.

5 4. It is mutually understood and agreed by and between the parties hereto  
6 that the right of possession and use of the subject property by County, including the  
7 right to remove and dispose of improvements, shall commence upon the recordation of  
8 Grant Deeds and the consideration set forth in Section 1A is paid.

9 The amount shown in Paragraph 1A includes, but is not limited to, full payment  
10 for such possession and use.

11 5. Subject to and conditioned upon the payment by the County of the sum of  
12 \$491,127, Grantor hereby agrees and consents to the dismissal of any condemnation  
13 action which has been or may commenced by County in the Superior Court of  
14 Riverside County to condemn said land, and waives any and all claim to money that  
15 has been or may be deposited in court in such case or to damages by reason of the  
16 filing of such action.

17 6. The performance by the County of its obligations under this agreement  
18 shall relieve the County of any and all further obligations or claims on account of the  
19 acquisition of the property referred to herein or on account of the location, grade, or  
20 construction of the proposed public improvement.

21 7. This agreement shall not be changed, modified, or amended except upon  
22 the written consent of the parties hereto.

23 8. This agreement is the result of negotiations between the parties and is  
24 intended by the parties to be a final expression of their understanding with respect to  
25 the matters herein contained. This agreement supersedes any and all other prior  
26 agreements and understandings, oral or written, in connection therewith. No provision  
27 contained herein shall be construed against the County solely because it prepared this  
28 agreement in its executed form.

9. Grantor, their assigns and successors in interest, shall be bound by all the terms and conditions contained in this agreement, and all the parties thereto shall be jointly and severally liable thereunder.

(SIGNATURES ON NEXT PAGE)

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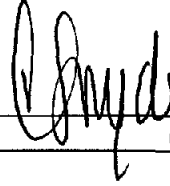
1 Dated

17 March 11

**GRANTOR:**

CAS Development, LLC, a Limited Liability Company

By:  
Its:



By:  
Its:

**COUNTY OF RIVERSIDE:**

By:

Bob Buster, Chairman  
Board of Supervisors

**ATTEST:**

Kecia Harper-Ihern  
Clerk of the Board

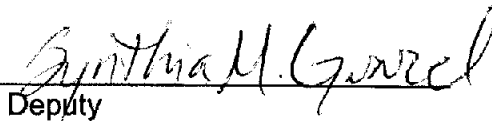
By:

Deputy

**APPROVED AS TO FORM:**

PAMELA J. WALLS, County Counsel

By:

  
Deputy

**SYNTHIA M. GUNZEL**

## **ATTACHMENT "A"**

Exhibit "A": Legal Descriptions and Exhibit "B": Depictions

A portion of Assessor's Parcel Numbers 466-050-009, 466-050-010 and 466-050-011, referenced as Parcel 21148-1 in favor of the State of California

A portion of Assessor's Parcel Number 466-050-009, referenced as Parcel 0527-017 in favor of the County of Riverside

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

BEING A PORTION OF THE NORTHEAST ONE-QUARTER OF SECTION 4, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, AS DESCRIBED IN GRANT DEEDS RECORDED JUNE 16, 2006, AS INSTRUMENT NO. 438097 AND INSTRUMENT NO. 438100, RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, AND SHOWN ON RECORD OF SURVEY, FILED IN BOOK 46, PAGE 12 OF RECORDS OF SURVEY, RECORDS OF SAID RECORDER, OF SAID COUNTY, AND DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHEAST CORNER OF SAID SECTION 4, AS SHOWN ON SAID RECORD OF SURVEY;

THENCE S 89°40'40" W, ALONG THE NORTH LINE OF SAID SECTION 4, ALSO BEING THE CENTERLINE OF NEWPORT ROAD, A DISTANCE OF 12.246 METERS, TO THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 79, WINCHESTER ROAD (15.238 METER HALF-WIDTH), AS SHOWN ON SAID RECORD OF SURVEY AND DESCRIBED BY EASEMENT DOCUMENT RECORDED MAY 24, 1949 IN OFFICIAL RECORD BOOK 1079, PAGES 96 THROUGH 98, INCLUSIVE, RECORDS OF SAID RECORDER OF SAID COUNTY;

THENCE S 02°40'12" E, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 6.100 METERS TO THE NORTHEAST CORNER OF PARCEL 1, AS SHOWN ON SAID RECORD OF SURVEY, SAID NORTHEAST CORNER BEING THE **TRUE POINT OF BEGINNING**;

THENCE S 02°40'12" E, CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 166.083 METERS, TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 1813.381 METERS, SAID CURVE IS CONCENTRIC WITH AND 15.238 METERS WESTERLY OF, AS MEASURED RADIALLY TO, THE CENTERLINE OF SAID STATE ROUTE 79;

THENCE CONTINUING SOUTHERLY, ALONG SAID WESTERLY RIGHT-OF-WAY AND SAID CONCENTRIC CURVE, THROUGH A CENTRAL ANGLE OF 00°41'28", AN ARC DISTANCE OF 21.873 METERS, TO THE EAST LINE OF SAID SECTION 4;

THENCE S 00°59'10" W, ALONG SAID EAST LINE OF SECTION 4, A DISTANCE OF 110.502 METERS, TO THE SOUTH LINE OF PARCEL 3, AS SHOWN ON SAID RECORD OF SURVEY;

THENCE S 89°40'40" W, ALONG SAID SOUTH LINE OF PARCEL 3, A DISTANCE OF 15.945 METERS, TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 1795.094 METERS AND AN INITIAL RADIAL BEARING OF S 88° 28' 09" E, SAID CURVE IS CONCENTRIC WITH AND 33.525 METERS WESTERLY OF, AS MEASURED RADIALLY TO, SAID CENTERLINE OF STATE ROUTE 79;

THENCE NORTHERLY, ALONG SAID CONCENTRIC CURVE, THROUGH A CENTRAL ANGLE OF 04°12'03", AN ARC DISTANCE OF 131.613 METERS, TO A POINT 33.525 METERS WESTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79;

THENCE N 02°40'12" W, PARALLEL WITH, AND DISTANT 33.525 METERS WESTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 166.833 METERS, TO THE NORTH LINE OF SAID PARCEL 1 AS SHOWN ON SAID RECORD OF SURVEY;

THENCE N 89°40'40" E, ALONG SAID NORTH LINE OF PARCEL 1, A DISTANCE OF 18.302 METERS, TO THE **TRUE POINT OF BEGINNING**;

CONTAINING 5,265.8 SQUARE METERS, 56,680 SQUARE FEET, OR 1.301 ACRES, MORE OR LESS.

**EXHIBIT "A"**  
**LEGAL DESCRIPTION (CONTINUED)**

THIS CONVEYANCE IS MADE FOR THE PURPOSE OF A STATE HIGHWAY AND THE GRANTOR HEREBY RELEASES AND RELINQUISHES TO THE GRANTEE ANY AND ALL ABUTTER'S RIGHTS INCLUDING ACCESS RIGHTS, APPURTENANT TO GRANTOR'S REMAINING PROPERTY IN AND TO SAID STATE HIGHWAY.

IT IS MUTUALLY UNDERSTOOD AND AGREED THAT A PORTION OF THE GRANTOR'S REMAINING PROPERTY IS LANDLOCKED, AND WITHOUT DIRECT ACCESS TO SAID STATE HIGHWAY OR TO ANY PUBLIC OR PRIVATE ROAD, AND GRANTORS HEREBY RELIEVE GRANTEE OF ANY LIABILITY TO PROVIDE ACCESS TO THE REMAINING LANDLOCKED PROPERTY.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 6. MULTIPLY DISTANCES BY 1.000100842 TO OBTAIN GROUND DISTANCE.

REFERENCE IS HEREBY MADE TO STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION - DISTRICT 8 MAP, FILE NUMBER RW 000014 / 1 THROUGH 60, INCLUSIVE, ON FILE AS MAP NUMBER 205 / 401 THROUGH 460, INCLUSIVE, IN THE OFFICE OF THE COUNTY SURVEYOR OF RIVERSIDE COUNTY, CALIFORNIA.

08-RIV-79-KP24.80-21148 (21148-1)

SEE ATTACHED EXHIBIT "B"

APPROVED BY: Timothy F. Rayburn

DATE: 9/10/09



# EXHIBIT "B"

08-RIV-79-KP24.80-21148 (21148-1)



PM 28605  
PM 203/99-102

SECTION 33  
T.5S., R.2W., S.B.M.

SECTION 34

T.5S., R.2W., S.B.M.

P.O.C.  
NE CORNER SECTION 4

N 89°40'40" E APN 466-050-015

NEWPORT ROAD

SECTION 4  
T.6S., R.2W., S.B.M.

T.P.O.B.

GRANT DEED  
INST. # 438097  
REC. 06/16/2006

APN 466-050-009

**21148-1**

5.265.8 SQ. M  
56.680 SQ. FT.  
1.301 AC.

APN 466-050-010

SHEET 2

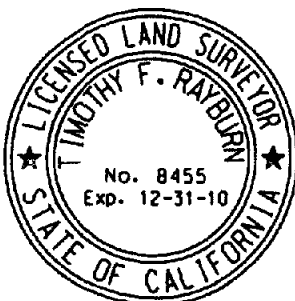
SHEET 3

GRANT DEED  
INST. # 438100  
REC. 06/16/2006

APN 466-050-011

PM 15532  
PM 115/57-66  
PCL 1

INDICATES RESTRICTED ACCESS



ALL DISTANCES SHOWN ARE METRIC GRID DISTANCES.  
GROUND DISTANCES MAY BE OBTAINED BY MULTIPLYING THE  
GRID DIST. BY A COMBINATION FACTOR OF 1.000100842.

COUNTY OF RIVERSIDE TRANSPORTATION DEPT., SURVEY DIV.

PAR. NO.: **21148-1**

PROJECT: **STATE ROUTE 79**

PREPARED BY: **KNV**

THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING  
DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.

SCALE: **N.T.S.**

DATE: **SEPTEMBER, 2009**

W.O. NO.: **B4-0527**

APPROVED BY: *Timothy F. Rayburn* DATE: *9/16/09*

SHEET 1 OF 3

# EXHIBIT "B"

PM 28605  
PM 203/99-102

08-RIV-79-KP24.80-21148 (21148-1)

SECTION 34

T.5S., R.2W., S.B.M.

SECTION 33  
T.5S., R.2W., S.B.M.

N.T.S.

-P.O.C.  
NE CORNER SECTION 4

SECTION LINE

N 89°40'40" E

APN 466-050-015

SECTION LINE

- C/L - NEWPORT ROAD

-T.P.O.B.

SECTION 4

T.6S., R.2W., S.B.M.

SECTION 3

RS 46/12

PCL 1

GRANT DEED  
INST. # 438097  
REC. 06/16/2006

R/W PER  
O.R. 1079/96-98  
REC. 05/24/1949

INDICATES RESTRICTED ACCESS  
APN 466-050-009

CURVE DATA

GRANT DEED

(A)  $\Delta = 05^\circ 44' 05''$   
R = 1828.619  
L = 183.026  
T = 91.590

INST. # 438097  
REC. 06/16/2006

(B)  $\Delta = 00^\circ 41' 28''$   
R = 1813.381  
L = 21.873  
T = 10.937

**21148-1**  
5,265.8 SQ. M  
56,680 SQ. FT.  
1.301 AC.

(C)  $\Delta = 04^\circ 12' 03''$   
R = 1795.094  
L = 131.613  
T = 65.836

PCL 2

APN 466-050-010

GRANT DEED  
INST. # 438100  
REC. 06/16/2006

APN 466-050-011

PCL 3

33.525

LINE DATA

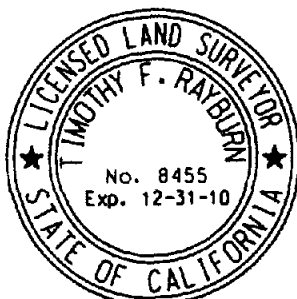
- ① S 89°40'40" W - 12.246
- ② S 02°40'12" E - 6.100
- ④ S 00°59'10" W - 110.502
- ⑦ N 89°40'40" E - 18.302

R/W PER

O.R. 1045/70-72  
REC. 01/18/1949

PM 15532  
PM 115/57-66  
PCL 1

SEE SHEET 3



ALL DISTANCES SHOWN ARE METRIC GRID DISTANCES.  
GROUND DISTANCES MAY BE OBTAINED BY MULTIPLYING THE  
GRID DIST. BY A COMBINATION FACTOR OF 1.000100842.

COUNTY OF RIVERSIDE TRANSPORTATION DEPT., SURVEY DIV.

PAR. NO.: 21148-1

PROJECT: STATE ROUTE 79

PREPARED BY: KNV

THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING  
DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.

SCALE: N.T.S.

DATE: SEPTEMBER, 2009

W.O. NO.: B4-0527

APPROVED BY: *Timothy F. Rayburn* DATE: 9/10/09

SHEET 2 OF 3

# EXHIBIT "B"

GRANT DEED  
INST. # 438097  
REC. 06/16/2006

08-RIV-79-KP24.80-21148 (21148-1)

SEE SHEET 2

N.T.S.

GRANT DEED  
INST. # 438097  
REC. 06/16/2006

APN 466-050-010

**21148-1**

5,265.8 SQ. M  
56,680 SQ. FT.  
1.301 AC.

RS 46/12

INDICATES RESTRICTED ACCESS

GRANT DEED  
INST. # 438100  
REC. 06/16/2006

APN 466-050-011

PCL 3

S 88°28'09" E (R)

PCL 4

SECTION 4

T.6S., R.2W., S.B.M.

R/W PER  
O.R. 1079/96-98  
REC. 05/24/1949

## LINE DATA

- ③ S 02°40'12" E - 166.083
- ④ S 00°59'10" W - 110.502
- ⑤ S 89°40'40" W - 15.945
- ⑥ N 02°40'12" W - 166.833

## CURVE DATA

- A Δ = 05°44'05"  
R = 1828.619  
L = 183.026  
T = 91.590
- B Δ = 00°41'28"  
R = 1813.381  
L = 21.873  
T = 10.937
- C Δ = 04°12'03"  
R = 1795.094  
L = 131.613  
T = 65.836

R/W PER  
O.R. 1045/70-72  
REC. 01/18/1949

PM 15532

PM 115/57-66

PCL 1

SECTION 3

T.6S., R.2W., S.B.M.



ALL DISTANCES SHOWN ARE METRIC GRID DISTANCES.  
GROUND DISTANCES MAY BE OBTAINED BY MULTIPLYING THE  
GRID DIST. BY A COMBINATION FACTOR OF 1.000100842.

COUNTY OF RIVERSIDE TRANSPORTATION DEPT., SURVEY DIV.

PROJECT: STATE ROUTE 79

THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING  
DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.

APPROVED BY: *Timothy F. Rayburn* DATE: 9/10/09

PAR. NO.: 21148-1

PREPARED BY: KNV

SCALE: N.T.S.

DATE: SEPTEMBER, 2009

W.O. NO.: B4-0527

SHEET 3 OF 3

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

BEING A PORTION OF THE NORTHEAST ONE-QUARTER OF SECTION 4, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, AS DESCRIBED IN A GRANT DEED RECORDED JUNE 16, 2006, AS INSTRUMENT NO. 438097, RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, AND SHOWN ON RECORD OF SURVEY FILED IN BOOK 46, PAGE 12 OF RECORDS OF SURVEY, RECORDS OF SAID RECORDER, OF SAID COUNTY, AND DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHEAST CORNER OF SAID SECTION 4, AS SHOWN ON SAID RECORD OF SURVEY;

THENCE S 89°40'40" W, ALONG THE NORTH LINE OF SAID SECTION 4, ALSO BEING THE CENTERLINE OF NEWPORT ROAD, A DISTANCE OF 30.298 METERS;

THENCE S 00°19'20" E, A DISTANCE OF 6.095 METERS TO A POINT 33.525 METERS WESTERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE CENTERLINE OF STATE ROUTE 79, WINCHESTER ROAD (15.238 METER HALF-WIDTH), SAID POINT BEING ON THE NORTH LINE OF PARCEL 1, AS SHOWN ON SAID RECORD OF SURVEY, SAID POINT ALSO BEING THE **TRUE POINT OF BEGINNING**;

THENCE S 02°40'12" E, PARALLEL WITH, AND DISTANT 33.525 METERS WESTERLY OF, SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 10.206 METERS, TO A POINT 16.292 METERS SOUTHERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF NEWPORT ROAD;

THENCE S 89°40'40" W, PARALLEL WITH, AND DISTANT 16.292 METERS SOUTHERLY OF SAID CENTERLINE OF NEWPORT ROAD, A DISTANCE OF 47.141 METERS;

THENCE N 00° 19' 20" W, A DISTANCE OF 10.197 METERS, TO A POINT ON THE NORTH LINE OF SAID PARCEL 1;

THENCE N 89° 40' 40" E, ALONG SAID NORTH LINE OF PARCEL 1, A DISTANCE OF 46.723 METERS, TO THE **TRUE POINT OF BEGINNING**;

CONTAINING 478.6 SQUARE METERS, 5,151 SQUARE FEET, OR 0.118 ACRES, MORE OR LESS.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 6. MULTIPLY DISTANCES BY 1.000100842 TO OBTAIN GROUND DISTANCE.

REFERENCE IS HEREBY MADE TO STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION - DISTRICT 8 MAP, FILE NUMBER RW 000014 / 1 THROUGH 60, INCLUSIVE, ON FILE AS MAP NUMBER 205 / 401 THROUGH 460, INCLUSIVE, IN THE OFFICE OF THE COUNTY SURVEYOR OF RIVERSIDE COUNTY, CALIFORNIA.

0527-017

SEE ATTACHED EXHIBIT "B"

APPROVED BY: *Timothy F. Rayburn*

DATE: 9/30/09

PAGE 1 OF 1





# EXHIBIT "B"

0527-017



SECTION 33

T.5S., R.2W., S.B.M.

PM 28605

PM 203/99-102

R/W PER  
LOT "E"  
PM 28605  
203/99-102

T.P.O.B.

P.O.C.

NE CORNER SECTION 4

SECTION 34

NEWPORT ROAD

SECTION LINE  
N 89°40'40" E

APN 466-050-015

13.410

RS 46/12

PCL 1

16.292

**0527-017**

478.6 SQ. M  
5,151 SQ. FT.  
0.118 AC.

GRANT DEED  
INST. # 438097  
REC. 06/16/2006

APN 466-050-009

SECTION 4

T.6S., R.2W., S.B.M.

SECTION LINE  
WINCHESTER ROAD

SECTION LINE

N 02°40'12" W

SR 79

C/L

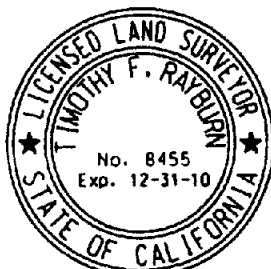
SECTION 3

LINE DATA

- ① S 89°40'40" W - 30.298
- ② S 00°19'20" E - 6.095
- ③ S 02°40'12" E - 10.206
- ④ S 89°40'40" W - 47.141
- ⑤ N 00°19'20" W - 10.197
- ⑥ N 89°40'40" E - 46.723

PM 15532

PM 115/57-66



ALL DISTANCES SHOWN ARE METRIC GRID DISTANCES.  
GROUND DISTANCES MAY BE OBTAINED BY MULTIPLYING THE  
GRID DIST. BY A COMBINATION FACTOR OF 1.000100842.

COUNTY OF RIVERSIDE TRANSPORTATION DEPT., SURVEY DIV.

PROJECT: STATE ROUTE 79

THIS PLAT IS AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE PRECEDING  
DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DESCRIPTION.

APPROVED BY: *Timothy F. Rayburn* DATE: 9/20/09

PAR. NO.: 0527-017

PREPARED BY: KNV

SCALE: N.T.S.

DATE: SEPTEMBER, 2009

W.O. NO.: B4-0527

SHEET 1 OF 1

## **ATTACHMENT "B"**

Attachment B-1: Right of Way Details Map

Attachment B-2: Old Newport Road Traffic Signal Plan









**ATTACHMENT "C"**



**COUNTY OF RIVERSIDE**  
**TRANSPORTATION AND**  
**LAND MANAGEMENT AGENCY**  
**Transportation Department**



*Juan C. Perez, P.E., T.E.*  
*Director of Transportation*

November 9, 2010

Ms. Stephi Villanueva  
Economical Development Agency  
Real Property Division  
3403 10<sup>th</sup> Street, Suite 500  
Riverside, CA 92501

Dear Ms. Villanueva:

Re: SR 79 (Winchester) Road Widening Project  
CAS Development  
Assessor's Parcel Numbers: 466-050-009, -010, and -011  
Parcel Numbers 21148-1, 21148-2, and 0527-017

The County Transportation Department has reviewed the request of the property owner for the placement of a septic system and driveway placement at the above mentioned site. The Department is committed to assisting the property owner through the development approval process and agree to the following:

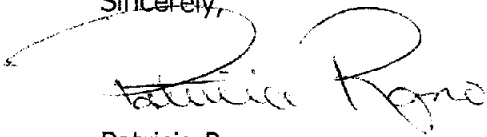
- The Department of Environmental Health (DEH) will accept for review the proposed use of an Onsite Wastewater Treatment System (OWTS) and/or Advanced Treatment Unit (ATU) for the subject property provided that the following criteria can be met:
  - Sanitary Sewer is not available as defined by the most current Uniform Plumbing Code.
  - A satisfactory detailed soils percolation report performed in accordance with the DEH Technical Guidance Manual has been reviewed and approved by the Department.
  - The cumulative discharges of waste flows are in compliance with the Regional Water Quality Control Board water quality standards.
  - There is sufficient area on the property for the proposed OWTS and/or ATU wastewater dispersal area including an area for 100% expansion.
  - All proposed OWTS and/or ATU must meet all required setbacks.
  - There is sufficient separation between the bottom of the proposed wastewater dispersal trench and groundwater.
  - There are sufficient soils for treatment (as defined by County Ordinance 650.5) at the proposed wastewater dispersal area.

Ms. Stephi Villanueva  
November 9, 2010  
Page 2

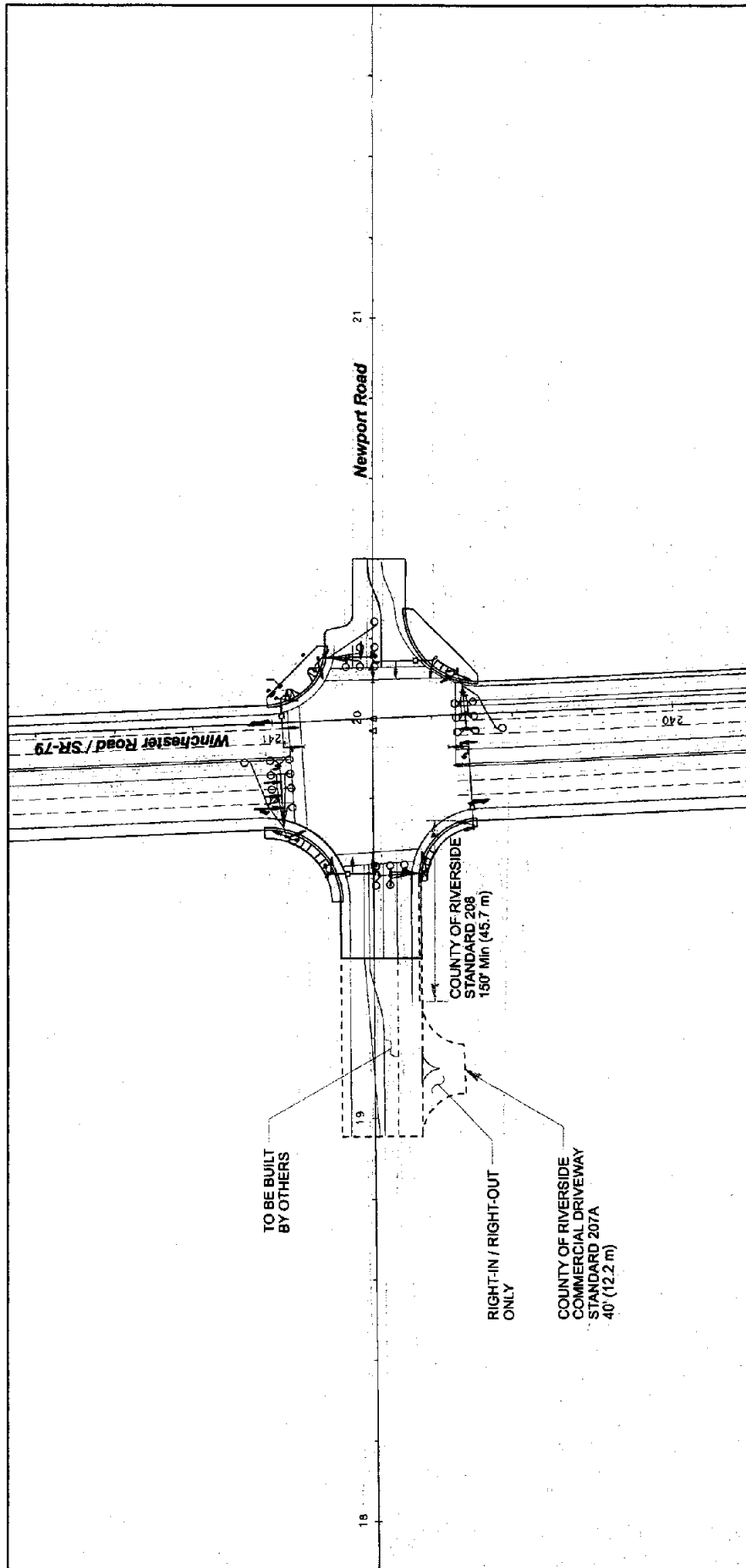
- A 40 foot driveway access from Newport Road will be granted upon development of parcel number 21148 as shown on the attached exhibit. This driveway access may be shared with the adjoining parcel westerly of this parcel.

If you have any questions feel free to contact Farah Khorashadi at (951) 955-6769 or by email at [FKHORASH@rctlma.org](mailto:FKHORASH@rctlma.org).

Sincerely,

A handwritten signature in dark ink, appearing to read "Patricia Romo", with a large, sweeping flourish extending from the end of the signature.

Patricia Romo  
Deputy Director



\\omul\proj\NewHill\c:\county\321865\SP\Drawings\NewportDwy EnhV6.pdf 10/28/2010

## Newport Road Driveway Addition

State Route 79 Widening Project  
Thompson Road to Domenigoni Parkway



## LEGEND

- Proposed SR-79 Project Edge of Pavement
- - - Driveway Addition By Others