

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

533



FROM: Successor Agency to the Redevelopment Agency

SUBMITTAL DATE:
July 5, 2012

SUBJECT: Mission Plaza Improvement Project – Easements

RECOMMENDED MOTION: That the Board of Supervisors approve and authorize the Chairman of the Board to execute the letter of indemnification and easement deeds for Southern California Edison replacement easements on the Mission Plaza Improvement Project.

BACKGROUND: On November 2, 2010, the Board of Directors entered into an agreement with Albert A. Webb Associates for the engineering and design of the Mission Plaza Improvement Project. The project is described as approximately 31 acres of land with Mission Boulevard to the north, Tilton Avenue to the south, Riverview Drive to the west, and Briggs Street to the east, within the Jurupa Valley Redevelopment Project Area.

(Continued)


Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2012/13

COMPANION ITEM ON BOARD AGENDA: No

SOURCE OF FUNDS: N/A

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY: 
County Executive Office Signature Jennifer L. Sargent

Prev. Agn. Ref.: 9.11 and 4.7 of 4/5/11

District: 2/2

Agenda Number

4.7

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

BACKGROUND: (Continued)

On June 14, 2011, the Board of Directors approved Items 4.6 and 9.5, a lease and recognized enforceable obligation with Cardenas Markets to construct a finished building pad of approximately 50,000 square feet, on-site and off-site improvements including parking lots, driveways, vehicle access and egress, pedestrian walkways, parking lot landscaping, parking lot lighting, trash bin locations, utility infrastructure, monument signage and tenant directory signage; items previously planned for and identified within CUP03665.

In order to grade the pad for the Cardenas Markets site and fulfill the Agency's obligation, it is necessary to relocate several Southern California Edison utility poles within the Cardenas Markets building pad location. The enclosed easements will replace the existing easements, and the prior easements will be vacated back to the County. Southern California Edison will not begin scheduling the relocation until thirty days after payment and easement documents have been received.

The letter of authorization and easement documents is identified within Recognized Obligation Payment Schedule (ROPS), under the line item Site Utilities, which has been approved by the Oversight Board and the California Department of Finance.

Staff recommends that the Board approve the motions and authorize the Chairman of the Board to execute the Southern California Edison easement deeds for the Mission Plaza Improvement Project.

Attachment:

- Edison Indemnification and Easement Package

Letter of Indemnification – Customer Civil

May 30, 2012

County of Riverside
Attn: Erik Sydow
3403 10th St., Suite 500
Riverside, CA 92501

Dear Mr. Sydow

Southern California Edison Company (SCE) has received information that you (Developer) are developing the following property that will require electric service:

Tract #	Mission Plaza / Mission Blvd. & Riverview Dr.
City	Rubidoux
Developer	County of Riverside
SCE Work Order #	TD# 578563

SCE understands that, for this project, the Developer has requested installation of the distribution electrical facilities (cable, conduits, etc.) prior to the installation of the curbs and gutters. As a condition of approval, SCE has the following requirements that must be satisfied before an agreement is made.

- (1) Developer shall establish sub-grade on the proposed street(s) or road(s) and obtain inspection approval from an SCE inspector;
- (2) Developer shall provide acceptable survey grade stakes on the top of the curb and property lines at a minimum of every 50 feet;
- (3) Developer shall provide acceptable grade stakes at each handhole, transformer, streetlight, and other associated structures and poles;
- (4) At SCE's request, Developer shall pothole the electric facilities after installation of the curbs and gutters and prior to paving, to verify depth and location. The need for this requirement, as well as the number and location of potholes will be determined by an SCE supervisor;
- (5) Developer shall be solely responsible for verifying that all electric facilities will be installed at the correct locations and that the curbs and gutters are constructed in the correct locations. If, for any reason the location or depth of the electric facilities need to be adjusted in any way, Developer shall be solely responsible for all costs associated with such relocation, and Developer shall defend, indemnify, and hold harmless SCE, its officers, agents, employees, assigns and successors in interest, from and against any and all liability, damages, losses, claims, demands, actions, causes of action, costs including attorneys' fees and expenses, or any of them, resulting from the installation of the electric facilities in the incorrect location or depth, except to the extent such incorrect installation was directly caused by SCE's gross negligence or willful misconduct.
- (6) Edison will not energize the electrical system without the curb and gutter installed, nor will Edison install cable without specific barricades and/or curb and gutter "plugs," i.e., short pieces of curb and gutter, approximately 10 feet in length. These "plugs" are to be located in front of all SCE structures, e.g., PME's, manholes, street lights and hand holes.

Thank you in advance for your cooperation. SCE looks forward to assisting you on your project. If you have any questions, please contact Tim Keetle (909-357-6221).

Please sign and return the original letter to me at your earliest convenience.

Sincerely,

SCE District Manager/ New Development Planning Manager

THE UNDERSIGNED HEREBY ACKNOWLEDGES RECEIPT, UNDERSTANDING, AND AGREEMENT TO THE TERMS CONTAINED IN THIS LETTER.

Signature: _____ Date: _____
Name: John Tavaglione Developer: County of Riverside, Successor to RDA
Title: Chairman, Board of Supervisors

Rev. 05/20/11

FORM APPROVED COUNTY COUNSEL

BY: Anita C. Willis
ANITA C. WILLIS

6-18-12
DATE

DS-115

RECORDING REQUESTED BY



SOUTHERN CALIFORNIA
EDISON

An EDISON INTERNATIONAL Company

WHEN RECORDED MAIL TO
SOUTHERN CALIFORNIA EDISON COMPANY

Real Properties
2131 Walnut Grove Avenue, 2nd Floor
Rosemead, CA 91770

Attn: Distribution/TRES

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**GRANT OF
EASEMENT**

<u>DOCUMENTARY TRANSFER TAX \$ NONE (VALUE AND CONSIDERATION LESS THAN \$100.00)</u>		DISTRICT Foothill	WORK ORDER 6030-6730 TD# 578563	IDENTITY 0-6187	MAP SIZE
SCE Company SIG. OF DECLARANT OR AGENT DETERMINING TAX FIRM NAME		FIM 666-1647-1 APN 181-020-023	APPROVED: Real Properties	BY SLS/BT	DATE 05/28/2012

COUNTY OF RIVERSIDE in its capacity as Successor Agency to the REDEVELOPMENT AGENCY FOR THE COUNTY OF RIVERSIDE (hereinafter referred to as "Grantor"), hereby grants to SOUTHERN CALIFORNIA EDISON COMPANY, a corporation, its successors and assigns (hereinafter referred to as "Grantee"), an easement and right of way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time overhead electrical supply systems and communication systems (hereinafter referred to as "systems"), consisting of poles, guy wires and anchors, crossarms, wires, and other appurtenant fixtures and/or equipment necessary or useful for distributing electrical energy and for transmitting intelligence by electrical means, in, on, over, across and along that certain real property in the County of Riverside, State of California, described as follows:

VARIOUS STRIPS OF LAND LYING WITHIN THOSE PORTIONS OF T.M. PARSON'S SURVEY OF A PORTION OF THE JURUPA RANCHO, AS PER MAP FILED IN BOOK 1, PAGE 68 OF RECORD OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY, MORE PARTICULARLY DESCRIBED AS PARCELS 1 THROUGH 4 IN THE ASSIGNMENT TO THE GRANTOR HEREIN, RECORDED ON AUGUST 08, 2008 AS DOCUMENT NO. 2008-0437668, OF OFFICIAL RECORDS, AND DESCRIBED IN THE DEED TO THE GRANTOR HEREIN, RECORDED ON JANUARY 31, 2011 AS DOCUMENT NO. 2011-0048584, OF OFFICIAL RECORDS, BOTH IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, AND WITHIN LOTS 1 AND "A" OF MAYFAIR SQUARE UNIT 1, RECORDED IN BOOK 39, PAGES 50 AND 51 OF MAPS, IN THE OFFICE OF COUNTY RECORDER OF SAID RIVERSIDE COUNTY, THE CENTERLINES OF SAID STRIPS BEING DESCRIBED AS FOLLOWS:

STRIP #1 (10.00 FEET WIDE)

COMMENCING AT THE MOST SOUTHERLY CORNER OF PARCEL 2 OF SAID ASSIGNMENT; THENCE ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL 2, NORTH 31°10'00" EAST 67.71 FEET; THENCE LEAVING SAID SOUTHEASTERLY LINE, EAST 14.81 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A" AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 05°31'20" WEST 5.00 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "B"; THENCE CONTINUING SOUTH 05°31'20" WEST 277.26 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "C"; THENCE SOUTH 58°52'13" EAST 410.00 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "D"; THENCE CONTINUING SOUTH 58°52'13" EAST 109.88 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "E"; THENCE SOUTH 87°55'45" EAST 193.12 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "F"; THENCE NORTH

33°47'20" EAST 160.78 FEET TO A POINT OF ENDING, SAID POINT HEREINAFTER REFERRED TO AS POINT "G".

THE SIDELINES OF SAID STRIP ARE TO BE PROLONGED OR SHORTENED TO JOIN AT THE ANGLE POINTS.

STRIP #2 (4.00 FEET WIDE)

BEGINNING AT SAID POINT "G"; THENCE NORTH 33°47'20" EAST 30.00 FEET TO A POINT OF ENDING.

STRIP #3 (4.00 FEET WIDE)

BEGINNING AT SAID POINT "F"; THENCE SOUTH 27°04'13" EAST 35.00 FEET TO A POINT OF ENDING.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN SAID STRIP #1.

STRIP #4 (4.00 FEET WIDE)

BEGINNING AT SAID POINT "E"; THENCE SOUTH 16°36'01" WEST 22.00 FEET TO A POINT OF ENDING.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN SAID STRIP #1.

STRIP #5 (4.00 FEET WIDE)

BEGINNING AT SAID POINT "D"; THENCE NORTH 32°35'38" EAST 20.00 FEET TO A POINT OF ENDING.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN SAID STRIP #1.

STRIP #6 (4.00 FEET WIDE)

BEGINNING AT SAID POINT "C"; THENCE SOUTH 05°31'20" WEST 35.00 FEET TO A POINT OF ENDING.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN SAID STRIP #1.

STRIP #7 (4.00 FEET WIDE)

BEGINNING AT SAID POINT "C"; THENCE NORTH 58°52'13" WEST 35.00 FEET TO A POINT OF ENDING.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN SAID STRIP #1

STRIP #8 (4.00 FEET WIDE)

BEGINNING AT SAID POINT "B"; THENCE SOUTH 58°41'10" EAST 35.00 FEET TO A POINT OF ENDING.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN SAID STRIP #1

STRIP #9 (4.00 FEET WIDE)

BEGINNING AT SAID POINT "A"; THENCE NORTH 05°31'20" EAST 30.00 FEET TO A POINT OF ENDING.

It is understood and agreed that the above description is approximate only, it being the intention of the Grantor(s) to grant an easement for said systems as constructed. The centerline of the easement shall be coincidental with the centerline of said systems as constructed in, on, over, under, across, and along the Grantor(s) property.

This legal description was prepared pursuant to Sec. 8730(c) of the Business & Professions Code.

Grantor hereby also grants to Grantee, its successors and assigns, and its and their contractors, agents and employees, the right of free access to said systems and facilities and every part thereof, at all times, for the purpose of exercising the rights herein granted, and the right to clear and to keep clear the above described real property, free from explosives, buildings, equipment, brush, combustible material and any and all other obstructions of any kind, and the right to trim or remove any tree or shrub which, in the opinion of Grantee, may endanger said systems and facilities, or any part thereof, or interfere with the exercise of the rights herein granted.

EXECUTED this ____ day of _____, 20__.

GRANTOR

COUNTY OF RIVERSIDE in its capacity as
Successor Agency to the REDEVELOPMENT
AGENCY FOR THE COUNTY OF RIVERSIDE

Signature

John Tavaglione
Print Name

Chairman, Board of Supervisors
Title

GRANTEE

SOUTHERN CALIFORNIA EDISON COMPANY,
a corporation

Dino J. LaBanca,
Real Properties Department

Date _____

FORM APPROVED COUNTY COUNSEL

BY:  6-18-72
ANITA C. WILLIS DATE

State of California)
)
County of _____)

On _____ before me, _____, personally
(here insert name and title of the officer)

appeared _____
who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct
WITNESS my hand and official seal.

Signature _____

(This area for notary stamp)

State of California)
)
County of _____)

On _____ before me, _____, personally
(here insert name and title of the officer)

appeared _____
who 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.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct
WITNESS my hand and official seal.

Signature _____

(This area for notary stamp)



May 29, 2012

County of Riverside
c/o RGI Utility Consultants, Inc.
Attention: Bob Gregory:
3480 Hamner Avenue
Norco, CA 92860

SUBJECT: Electric Service to Mission Blvd. & Riverside Dr., Rubidoux
Work Order No. TD578563
Our Reference # DSE800894503

Dear Mr. Gregory:

Southern California Edison Company has retained Spectrum Land Services to acquire rights of way to install Edison's electric distribution facilities.

In response to a request for electric service, we will need an easement from the County of Riverside to permit the construction and maintenance of electric facilities to the above-mentioned location. The enclosed plat shows the location of the proposed facilities.

You will find enclosed an original and one copy of a Grant of Easement document. Please have the original Grant of Easement executed, have the signature notarized, and return to me in the envelope provided. **NOTE:** The notary public must spell out each name exactly as they appear on each signature line and the notary stamps must be clear and legible to be accepted for recording by the County Recorder's Office. **Failure to promptly return the executed easement to this office may delay the energizing and scheduling of the facility installation.** The plat and copy of the easement are for your files.

Thank you for your cooperation on this project. If you have any questions, or need additional information, please call me at (714) 568-1800 ext. 228 or E-mail me at vwalters@spectrumland.com.

Sincerely,

Vicki Walters
Senior Right of Way Agent

Enclosures