

680A



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

FROM: Economic Development Agency and Transportation Department

SUBMITTAL DATE:
April 22, 2010

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 21122-1, 21122-3, 21123-1, 21123-3 and 0527-002 and Temporary Construction Agreement for Parcels 21122-4, 21122-5 and 21123-4 all within a portion of Assessor's Parcel Numbers 476-010-047, 476-010-048 and 476-010-049 and authorize the Chairman of the Board to execute these documents on behalf of the County;

(Continued)

Juan C. Perez, Director
Transportation Department

Robert Field, Assistant County Executive Officer/EDA
By Dan Martinez, EDA Managing Director

FINANCIAL DATA	Current F.Y. Total Cost:	\$625,250	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ -0-	Budget Adjustment:	Yes
	Annual Net County Cost:	\$ -0-	For Fiscal Year:	09/10

SOURCE OF FUNDS: 100% Transportation Uniform Mitigation Fee	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input checked="" type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

County Executive Office Signature Jennifer L. Sargent

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
 Nays: None
 Absent: None
 Date: May 4, 2010
 xc: EDA, Transp., Auditor(2), E.O.

Kecia Harper-Ihem
 Clerk of the Board
 By:
 Deputy

FISCAL PROCEDURES APPROVED
 ROBERT E. BYRD, AUDITOR-CONTROLLER
 BY:
 SAMUEL WONG
 Departmental Concurrence

FORM APPROVED COUNTY COUNSEL
 BY:
 CYNTHIA M. GUINZEL
 DATE: 5-3-10

Policy Policy
 Consent Consent
 Dept't Recomm.:
 Per Exec. Ofc.:

Prev. Agn. Ref.: 3/24/2009, 3.14

District: 3

Agenda Number:

3.53

RECOMMENDED MOTION: (Continued)

2. Authorize the undersigned Assistant County Executive Officer/EDA or his designee to execute any other documents and administer all actions to complete this transaction;
3. Authorize the Auditor-Controller to adjust the Economic Development Agency's FY 2009/2010 budget as outlined on Schedule A; and
4. Authorize and allocate the sum of \$562,085 to purchase Parcels 21122-1, 21122-3, 21123-1, 21123-3 and 0527-002 and \$37,915 for a temporary construction easement on Parcels 21122-4, 21122-5 and 21123-4 all within Assessor's Parcel Numbers 476-010-047, 476-010-048 and 476-010-049 and \$25,250 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 the CalTrans.

The Economic Development Agency (EDA) has negotiated the acquisition and a temporary construction easement of a portion of Assessor's Parcel Numbers 476-010-047, 476-010-048 and 476-010-049 from Vasilios Rigas, Evanthia Rigas and Dialinpet Rigas Partnership (Rigas) for a price of \$600,000. There are costs of \$25,250 associated with this transaction. Rigas will execute a Grant Deed in favor of the State of California for a portion of Assessor's Parcel Numbers 476-010-048 and 476-010-049, referenced as Parcel 21122-1; a Grant Deed in favor of the State of California for a portion of Assessor's Parcel Number 476-010-047, referenced as Parcel 21123-1; an Easement Deed in favor of the State of California for a portion of Assessor's Parcel Numbers 476-010-048 and 476-010-049, referenced as Parcel 21122-3; an Easement Deed in favor of the State of California for a portion of Assessor's Parcel Number 476-010-047, referenced as Parcel 21123-3; and an Easement Deed for road purposes in favor of the County of Riverside for a portion of Assessor's Parcel Number 476-010-047, referenced as Parcel 0527-002.

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 of portions of Assessor's Parcel Numbers 476-010-047, 476-010-048 and 476-010-049:

Acquisition:	\$ 562,085
Temporary Construction Easement	\$ 37,915
Estimated Title and Escrow Charges:	\$ 4,000
Preliminary Title Report:	\$ 250
Appraisals:	\$ 13,000
Acquisition Administration:	\$ 8,000
Total Estimated Acquisition Costs:	\$ 625,250

While EDA will cover the cost for the due diligence services (Preliminary Title Report and Appraisal) at the time of this property transaction, it is understood that the Transportation Department will reimburse EDA for these costs. The budget adjustment attached (Schedule A) is necessary to allow this transaction. 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 2009/10. Thus, no net county cost will be incurred as a result of this transaction.

SCHEDULE A

Increase Estimated Revenues:

10000-7200400000-778280	Interfund-Reimb for Service	\$13,250
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Increase Appropriations:

10000-7200400000-525400	Title Company Services	\$ 250
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10000-7200400000-524550	Appraisal Services	\$13,000
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1 PROJECT: STATE ROUTE 79 (WINCHESTER) ROAD
2 WIDENING
3 PARCELS: 21122-1, 21122-3, 21123-1, 21123-3 and
4 0527-002
5 APN: 476-010-047 (portion), 476-010-048 (portion) and
6 476-010-049 (portion)

7 ACQUISITION AGREEMENT

8 This agreement is made by and between the COUNTY OF RIVERSIDE, A POLITICAL
9 SUBDIVISION OF THE STATE OF CALIFORNIA herein called "County", and VASILIOS P.
10 RIGAS AND EVANTHIA RIGAS, TRUSTEES OF THE RIGAS FAMILY TRUST EXECUTED
11 ON JULY 22, 1991, DIALINPET RIGAS PARTNERSHIP, A GENERAL PARTNERSHIP, AND
12 DIAMANTO RIGAS AND LINDA RIGAS AND PETE BILL RIGAS herein called "Grantor".

13 Grantor has executed and will deliver to Craig Olsen, Real Property Agent for the County
14 or to the designated escrow company, a Grant Deed in favor of the State of California dated
15 _____, identifying a portion of Assessor's Parcel Numbers 476-010-048 and 476-
16 010-049, referenced as Parcel 21122-1 described on Exhibits "A" and "B" attached hereto and
17 made a part hereof, a Grant Deed in favor of the State of California dated _____
18 identifying a portion of Assessor Parcel Number 476-010-047, referenced as Parcel 21123-1,
19 described on Exhibit "A" and "B" attached hereto and made a part hereof, an Easement Deed for
20 utility purposes in favor of the State of California dated _____, identifying a portion of
21 Assessor's Parcel Numbers 476-010-048 and 476-010-049, referenced as Parcel 21122-3 and
22 described on Exhibits "A" and "B" attached hereto and made a part hereof, an Easement Deed for
23 public road and utility purposes in favor of the State of California dated _____ identifying a
24 portion of Assessor Parcel Number 476-010-047, referenced as Parcel 21123-3 and described on
25 Exhibits "A" and "B" attached hereto and made a part hereof, an Easement Deed for road
purposes in favor of the County of Riverside dated _____ identifying a portion of Assessor's
Parcel Number 476-010-047, referenced as Parcel 0527-002 and described on Exhibit "A" and
"B" 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 Five Hundred Sixty Two
Thousand Eighty Five Dollars (\$562,085) 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.

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

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

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

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

7 2. Grantor shall:

8 A. Indemnify, defend, protect, and hold County, its officers,
9 employees, agents, successors, and assigns free and harmless from and against any and all
10 claims, liabilities, penalties, forfeitures, losses, or expenses, including without limitation,
11 attorneys' fees, whatsoever, arising from or caused in whole or in part, directly or indirectly, by
12 either (a) the presence in, on, within, under, or about the parcel of hazardous materials, toxic
13 substances, or hazardous substances as a result of Grantor's use, storage, or generation of
14 such materials or substances or (b) Grantor's failure to comply with any federal, state, or local
15 laws relating to such materials or substances. For the purpose of this agreement, such
16 materials or substances shall include without limitation hazardous substances, hazardous
17 materials, or toxic substances as defined in the Comprehensive Environmental Response,
18 Compensation, and Liability Act of 1980, as amended, 42 U.S.C. Section 9601, et seq.; the
19 Hazardous Materials Transportation Act, 49 U.S.C. Section 1801, et seq.; the Resource
20 Conservation and Recovery Act, 42 U.S.C. Section 6901, et seq.; and those substances
21 defined as hazardous wastes in Section 25117 of the California Health and Safety Code or
22 hazardous substances in Section 25316 of the California Health and Safety Code; and in the
23 regulations adopted in publications promulgated pursuant to said laws.

24 B. Be obligated hereunder to include without limitation, and
25 whether foreseeable or unforeseeable, all costs of any required or necessitated repair, clean-
up, detoxification, or decontamination of the parcel, and the preparation and implementation
of any closure, remedial action, or other required plans in connection therewith, and such
obligation shall continue until the parcel has been rendered in compliance with applicable
federal, state, and local laws, statutes, ordinances, regulations, and rules.

 3. Any and all moneys payable under this contract, up to and including the
total amount of unpaid principal and interest on the note secured by Deed of Trust recorded
November 12, 2003, as Instrument No. 2003-892595, Official Records of Riverside County,
shall, upon demand, be made payable to the beneficiary entitled thereunder; said beneficiary
to provide a partial reconveyance as Assessor's Parcel Numbers 476-010-047, 476-010-048
and 476-010-049, and to furnish Grantor with good and sufficient receipt showing said
moneys credited against the indebtedness secured by said Deed of Trust.

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

 4. It is mutually understood and agreed by and between the parties hereto
that the right of possession and use of the subject property by County, including the right to
remove and dispose of improvements, shall commence upon the execution of this agreement
by all parties. The amount shown in Paragraph 1A includes, but is not limited to, full payment

1 for such possession and use.

2 5. Grantor hereby agrees and consents to the dismissal of any
3 condemnation action which has been or may commenced by County in the Superior Court of
4 Riverside County to condemn said land, and waives any and all claim to money that has been
or may be deposited in court in such case or to damages by reason of the filing of such
action.

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

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

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

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

4 Dated: 3-2-10

5 **GRANTOR:**

6 The Rigas Family Trust executed
7 on July 22, 1991

8 By: _____
9 Vasilios P. Rigas, Trustee

10 By: _____
11 Evanthia Rigas, Trustee

12 Dialinpet Rigas Partnership,
13 a General Partnership

14 By: _____
15 Vasilios Rigas, General Partner

16 By: Diamanto Rigas
17 Diamanto Rigas, General Partner

Diamanto Rigas
Diamanto Rigas

Linda Rigas

Pete Bill Rigas

By: _____
Vasilios P. Rigas, Guardian

18 **ATTEST:**

19 Kecia-Harper-Ihem
20 Clerk of the Board

21 By: Kecia-Harper-Ihem
22 Deputy

COUNTY OF RIVERSIDE

By: Marion Ashley
Marion Ashley, Chairman
Board of Supervisors

23 **APPROVED AS TO FORM:**

24 Pamela J. Walls
25 County Counsel

By: Synthia M. Gunzel
Synthia M. Gunzel
Deputy County Counsel

MH:jw
08/19/09
218TR
12.935

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

4 Dated: 2-4-10

5 **GRANTOR:**

6 The Rigas Family Trust executed
7 on July 22, 1991

Diamanto Rigas

8 By: Vasilios P. Rigas Trustee
9 Vasilios P. Rigas, Trustee

Linda Rigas

10 By: Evanthia Rigas Trustee
11 Evanthia Rigas, Trustee

Pete Bill Rigas

12 By: Vasilios P. Rigas Guardian
13 Vasilios P. Rigas, Guardian

14 Dialinpet Rigas Partnership,
15 a General Partnership

16 By: Vasilios Rigas General Partner
17 Vasilios Rigas, General Partner

18 By: _____
19 Diamanto Rigas, General Partner

20 **COUNTY OF RIVERSIDE**

21 **ATTEST:**

22 Kecia-Harper-Ihem
23 Clerk of the Board

24 By: Marion Ashley
25 Marion Ashley, Chairman
Board of Supervisors

By: [Signature]
Deputy

APPROVED AS TO FORM:

Pamela J. Walls
County Counsel

By: Synthia M. Gunzel
Synthia M. Gunzel
Deputy County Counsel

MH:jw
08/19/09
218TR
12.935

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

4 Dated: _____

5 **GRANTOR:**

6 The Rigas Family Trust executed
7 on July 22, 1991

Diamanto Rigas

8 By: _____
9 Vasilios P. Rigas, Trustee

Linda Rigas

10 By: _____
11 Evanthia Rigas, Trustee

Pete Bill Rigas

12 By: _____
13 Vasilios P. Rigas, Guardian

14 Dialinpet Rigas Partnership,
15 a General Partnership

16 By: _____
17 Vasilios Rigas, General Partner

18 By: _____
19 Diamanto Rigas, General Partner

20 **COUNTY OF RIVERSIDE**

21 **ATTEST:**

22 Kecia-Harper-Ihem
23 Clerk of the Board

24 By: _____
25 Marion Ashley, Chairman
Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:

Pamela J. Walls
County Counsel

By: _____
Synthia M. Gunzel
Deputy County Counsel

MH:jw
08/19/09
218TR
12.935

EXHIBIT "A"
LEGAL DESCRIPTION

BEING A PORTION OF PARCELS 2 AND 3 OF PARCEL MAP NUMBER 13059, ON FILE IN BOOK 64, PAGE 28, OF PARCEL MAPS, RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF STATE ROUTE 79, WINCHESTER ROAD (16.762 METER SOUTHEASTERLY HALF-WIDTH) AND KOON STREET (9.143 METER NORTHERLY HALF-WIDTH), AS SHOWN ON SAID PARCEL MAP;

THENCE N 36°03'34" E ALONG THE CENTERLINE OF SAID STATE ROUTE 79, A DISTANCE OF 38.081 METERS;

THENCE S 53°56'26" E A DISTANCE OF 16.762 METERS, TO AN ANGLE POINT IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROUTE 79, SAID POINT ALSO BEING THE **TRUE POINT OF BEGINNING**;

THENCE N 36°03'34" E ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 267.839 METERS, TO THE NORTHWEST CORNER OF SAID PARCEL 2;

THENCE S 89°58'27" E ALONG THE NORTHERLY LINE OF SAID PARCEL 2 A DISTANCE OF 13.945 METERS, TO A POINT 28.039 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF SAID STATE ROUTE 79;

THENCE S 36°03'34" W PARALLEL WITH AND 28.039 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 282.063 METERS, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID KOON STREET;

THENCE N 25°50'36" W ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 12.784 METERS, TO THE **TRUE POINT OF BEGINNING**.

CONTAINING: 3,100.6 SQUARE METERS, 33,374 SQUARE FEET, 0.766 ACRES, MORE OR LESS.

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 ABOVE-DESCRIBED PROPERTY IN AND TO SAID STATE ROUTE 79.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTION ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM OF 1983, ZONE 6. MULTIPLY DISTANCES SHOWN 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-KP 17.60-21122 (21122-1)

SEE ATTACHED EXHIBIT "B"

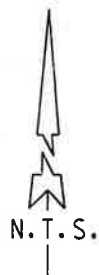
APPROVED BY: Timothy F. Rayburn

DATE: 3/10/09

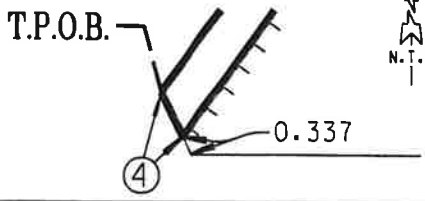


EXHIBIT "B"

08-RIV-79-KP 17.60-21122 (21122-1)



DETAIL



PM 13130
PM 70/53
PCL 4

NOTE: INDICATES RESTRICTED ACCESS

SECTION 28
T.6S., R.2W., S.B.M.

PM 64/28
PCL 2

APN 476-010-048

30.477 R/W PER
O.R. 1075/10,
REC. 5-10-1949

PM 19448
PM 118/43-44
PCL 4

PM 13059
PM 64/28
PCL 3

APN 476-010-049

(LOT "E") PER
PM 41/6-7

21122-1

3,100.6 SQ. M
33,374 SQ. FT.
0.766 AC.

LINE DATA

- ① N 36°03'34" E - 38.081
- ② S 53°56'26" E - 16.762
- ③ S 89°58'27" E - 13.945
- ④ N 25°50'36" W - 12.784

N 36°03'34" E
S 36°03'34" W

T.P.O.B.

SEE DETAIL

C/L KOON STREET
N 89°57'16" W

P.O.C.

(LOT "F") PER
PM 64/28



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.: 21122-1
PROJECT: STATE ROUTE 79	PREPARED BY: N.J.C.
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: FEBRURAY, 2009
APPROVED BY: <i>Timothy F. Rayburn</i>	W.O. NO.: B4-0527
DATE: 3/10/09	SHEET 1 OF 1

EXHIBIT "A"
LEGAL DESCRIPTION

BEING A PORTION OF PARCEL 1 OF PARCEL MAP NUMBER 13059, ON FILE IN BOOK 64, PAGE 28, OF PARCEL MAPS, RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF STATE ROUTE 79, WINCHESTER ROAD (16.762 METER SOUTHEASTERLY HALF-WIDTH) AND KELLER ROAD (13.410 METER SOUTHERLY HALF-WIDTH), AS SHOWN ON SAID PARCEL MAP;

THENCE S 36°03'34" W ALONG THE CENTERLINE OF SAID STATE ROUTE 79, A DISTANCE OF 7.963 METERS;

THENCE S 53°56'26" E, A DISTANCE OF 16.762 METERS TO AN ANGLE POINT IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROUTE 79, SAID POINT BEING THE **TRUE POINT OF BEGINNING**;

THENCE N 63°16'40" E, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 6.433 METERS TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID KELLER ROAD;

THENCE S 89°59'41" E, ALONG SAID RIGHT-OF-WAY LINE OF KELLER ROAD, A DISTANCE OF 17.095 METERS TO A POINT 33.525 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79;

THENCE S 36°03'34" W, PARALLEL WITH AND 33.525 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 8.149 METERS TO A POINT 19.998 METERS SOUTHERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF KELLER ROAD;

THENCE N 89°59'41" W, PARALLEL WITH AND 19.998 METERS SOUTHERLY OF SAID CENTERLINE OF KELLER ROAD, A DISTANCE OF 6.786 METERS TO A POINT 28.039 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79;

THENCE S 36°03'34" W, PARALLEL WITH AND 28.039 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79; A DISTANCE OF 180.542 METERS TO A POINT ON THE SOUTHERLY LINE OF SAID PARCEL 1;

THENCE N 89°58'27" W, ALONG SAID SOUTHERLY LINE OF PARCEL 1, A DISTANCE OF 13.945 METERS TO A POINT ON SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 79;

THENCE N 36°03'34" E, ALONG SAID RIGHT-OF -WAY LINE, A DISTANCE OF 185.106 METERS TO THE **TRUE POINT OF BEGINNING**.

CONTAINING: 2,167.3 SQUARE METERS, 23,329 SQUARE FEET, OR 0.536 ACRES, MORE OR LESS.

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 ABOVE-DESCRIBED PROPERTY IN AND TO SAID STATE ROUTE 79.

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

EXHIBIT "A"
LEGAL DESCRIPTION (CONTINUED)

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-KP 17.89-21123 (21123-1)

SEE ATTACHED EXHIBIT "B"

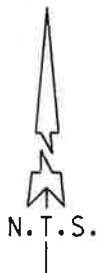
APPROVED BY: Timothy F. Rayburn

DATE: 3/10/09



EXHIBIT "B"

08-RIV-79-KP 17.89-21123 (21123-1)



P.O.C. —

SR 79

KELLER ROAD

NORTH LINE SECTION 28

N 89°59'41" W

26.820

13.410

(LOT "A") PER
PM 64/28

T.P.O.B.

SECTION 28

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

APN 476-010-047

PM 13059
PM 64/28
PCL 1

LINE DATA

- ① S 36°03'34" W - 7.963
- ② S 53°56'26" E - 16.762
- ③ N 63°16'40" E - 6.433
- ④ S 89°59'41" E - 17.095
- ⑤ S 36°03'34" W - 8.149
- ⑥ N 89°59'41" W - 6.786
- ⑦ N 89°58'27" W - 13.945

21123-1

2,167.3 SQ. M
23,329 SQ. FT.
0.536 AC.

PM 64/28
PCL 2

NOTE:

▬▬▬ INDICATES RESTRICTED ACCESS



R/W PER O.R. 1075/21, REC. 5-10-1949

(LOT "E") PER
PM 41/6-7



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.: **21123-1**

PROJECT: **STATE ROUTE 79**

PREPARED BY: N.J.C.

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: FEBRUARY, 2009

W.O. NO.: B4-0527

APPROVED BY: *Timothy F. Rayburn* DATE: 3/10/09

SHEET 1 OF 1

EXHIBIT "A"
LEGAL DESCRIPTION
PUBLIC UTILITY EASEMENT

AN EASEMENT FOR PUBLIC UTILITY PURPOSES OVER A PORTION OF PARCELS 2 AND 3 OF PARCEL MAP NUMBER 13059, ON FILE IN BOOK 64, PAGE 28, OF PARCEL MAPS, RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF STATE ROUTE 79, WINCHESTER ROAD (16.762 METER SOUTHEASTERLY HALF-WIDTH) AND KOON STREET (9.143 METER NORTHERLY HALF- WIDTH), AS SHOWN ON SAID PARCEL MAP;

THENCE S 89°57'16" E ALONG THE CENTERLINE OF SAID KOON STREET, A DISTANCE OF 41.679 METERS;

THENCE N 00°02'44" E A DISTANCE OF 9.143 METERS, TO THE MOST SOUTHERLY CORNER OF SAID PARCEL 3, SAID CORNER BEING A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID KOON STREET, SAID CORNER ALSO BEING THE **TRUE POINT OF BEGINNING**;

THENCE N 25°50'36" W ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL 3 A DISTANCE OF 0.337 METERS, TO A POINT 28.039 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79;

THENCE N 36°03'34" E PARALLEL WITH AND 28.039 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 282.063 METERS, TO A POINT ON THE NORTHERLY LINE OF SAID PARCEL 2;

THENCE S 89°58'27" E ALONG SAID NORTHERLY LINE A DISTANCE OF 4.950 METERS, TO A POINT 32.042 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79;

THENCE S 36°03'34" W PARALLEL WITH AND 32.042 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 114.460 METERS, TO A POINT ON THE NORTHERLY LINE OF SAID PARCEL 3;

THENCE S 89°57'23" E ALONG SAID NORTHERLY LINE A DISTANCE OF 7.418 METERS, TO A POINT 38.042 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79;

THENCE S 36°03'34" W PARALLEL WITH AND 38.042 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 167.981 METERS, TO A POINT ON SAID NORTHERLY RIGHT-OF-WAY LINE OF KOON STREET;

THENCE N 89°57'16" W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 11.998 METERS, TO THE **TRUE POINT OF BEGINNING**.

CONTAINING: 2,138.4 SQUARE METERS, 23,018 SQUARE FEET, OR 0.528 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 SHOWN BY 1.000100842 TO OBTAIN GROUND DISTANCE.

EXHIBIT "A"
LEGAL DESCRIPTION (CONTINUED)
PUBLIC UTILITY EASEMENT

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-KP 17.60-21122 (21122-3)

SEE ATTACHED EXHIBIT "B"

APPROVED BY: Timothy F. Rayburn

DATE: 7/14/09

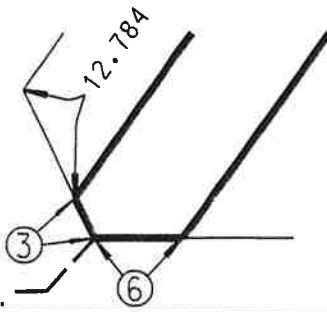


EXHIBIT "B"

PUBLIC UTILITY EASEMENT
08-RIV-79-KP 17.60-21122 (21122-3)

N.T.S.

DETAIL



PM 13130
PM 70/53
PCL 4

T.P.O.B.

SECTION 28
T.6S., R.2W., S.B.M.

(LOT "E") PER
PM 41/6-7

30.477 R/W PER
O.R. 1075/10.
REC. 5-10-1949

APN 476-010-048

APN 476-010-049

PM 19448
PM 118/43-44
PCL 4

21122-3
2,138.4 SQ. M
23,018 SQ. FT.
0.528 AC.

PM 13059
PM 64/28
PCL 3

LINE DATA

- ① S 89°57'16" E - 41.679
- ② N 00°02'44" E - 9.143
- ③ N 25°50'36" W - 0.337
- ④ S 89°58'27" E - 4.950
- ⑤ S 89°57'23" E - 7.418
- ⑥ N 89°57'16" W - 11.998

P.O.C.

T.P.O.B.

KOON STREET

SEE DETAIL

(LOT "F") PER
PM 64/28



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: 7/14/09

PAR. NO.: 21122-3

PREPARED BY: N.J.C.

SCALE: N.T.S.

DATE: JULY, 2009

W.O. NO.: B4-0527

SHEET 1 OF 1

EXHIBIT "A"
LEGAL DESCRIPTION
PUBLIC UTILITY EASEMENT

AN EASEMENT FOR PUBLIC UTILITY PURPOSES OVER A PORTION OF PARCEL 1 OF PARCEL MAP NUMBER 13059, ON FILE IN BOOK 64, PAGE 28, OF PARCEL MAPS, RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF STATE ROUTE 79, WINCHESTER ROAD (16.762 METER SOUTHEASTERLY HALF-WIDTH) AND KELLER ROAD (13.410 METER SOUTHERLY HALF-WIDTH), AS SHOWN ON SAID PARCEL MAP;

THENCE S 89°59'41" E ALONG THE CENTERLINE OF SAID KELLER ROAD, A DISTANCE OF 20.124 METERS;

THENCE S 00°00'19" W A DISTANCE OF 19.998 METERS, TO THE **TRUE POINT OF BEGINNING**;

THENCE S 89°59'41" E PARALLEL WITH AND 19.998 METERS SOUTHERLY OF SAID CENTERLINE OF KELLER ROAD, A DISTANCE OF 12.373 METERS, TO A POINT 38.042 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79;

THENCE S 36°03'34" W PARALLEL WITH AND 38.042 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 180.548 METERS, TO A POINT ON THE SOUTHERLY LINE OF SAID PARCEL 1;

THENCE N 89°58'27" W ALONG SAID SOUTHERLY LINE OF PARCEL 1 A DISTANCE OF 12.370 METERS, TO A POINT 28.039 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79;

THENCE N 36°03'34" E PARALLEL WITH AND 28.039 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 180.542 METERS, TO THE **TRUE POINT OF BEGINNING**.

CONTAINING: 1,806.0 SQUARE METERS, 19,439 SQUARE FEET, OR 0.446 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 SHOWN 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-KP 17.89-21123 (21123-3)

SEE ATTACHED EXHIBIT "B"

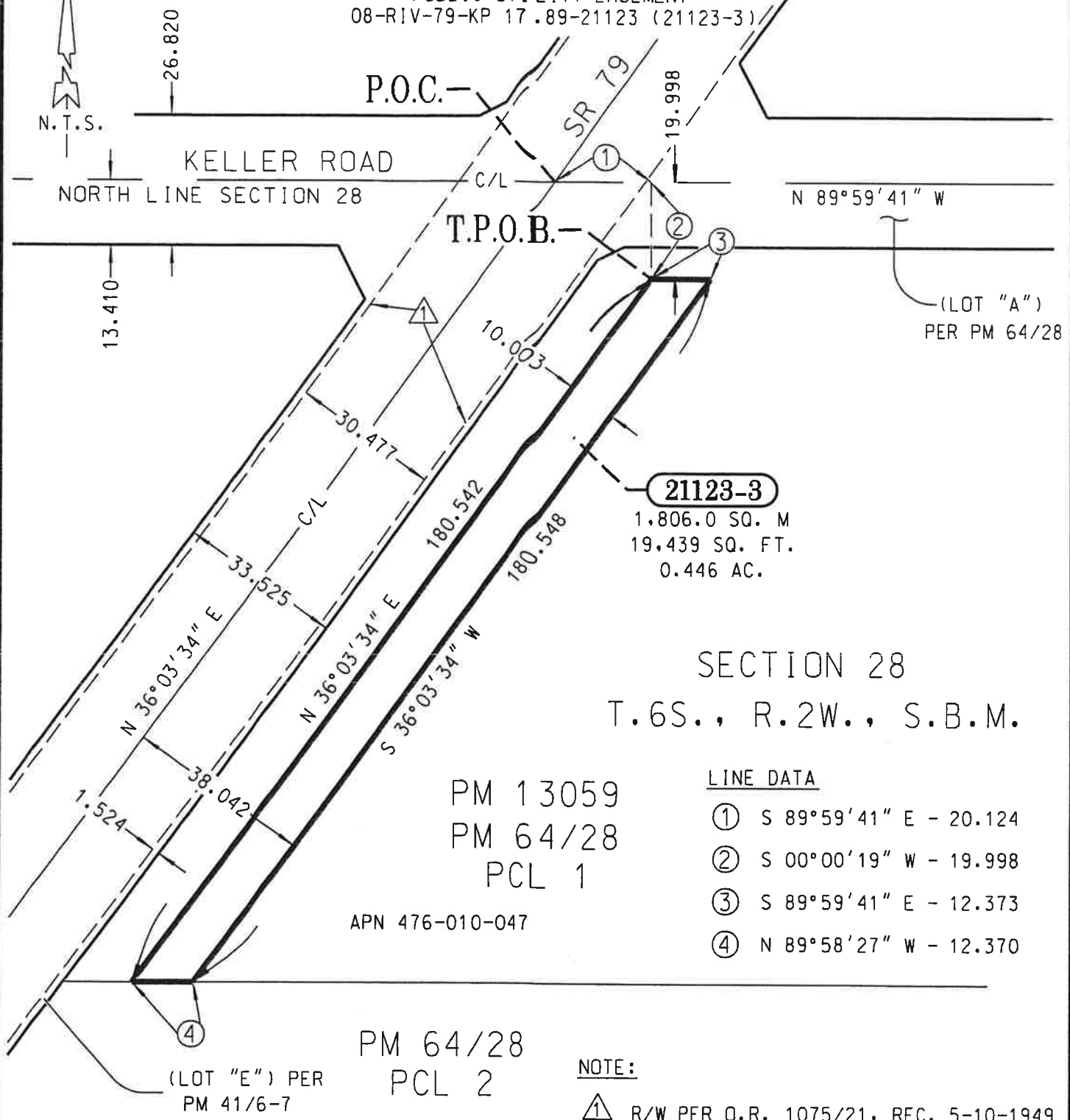
APPROVED BY: Timothy F. Rayburn

DATE: 7/14/09



EXHIBIT "B"

PUBLIC UTILITY EASEMENT
08-RIV-79-KP 17.89-21123 (21123-3)



N 89°59'41" W

(LOT "A")
PER PM 64/28

21123-3

1,806.0 SQ. M
19,439 SQ. FT.
0.446 AC.

SECTION 28

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

LINE DATA

- ① S 89°59'41" E - 20.124
- ② S 00°00'19" W - 19.998
- ③ S 89°59'41" E - 12.373
- ④ N 89°58'27" W - 12.370

PM 13059
PM 64/28
PCL 1

APN 476-010-047

PM 64/28
PCL 2

NOTE:

▲ R/W PER O.R. 1075/21, REC. 5-10-1949

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.: **21123-3**

PROJECT: **STATE ROUTE 79**

PREPARED BY: N.J.C.

SCALE: N.T.S.

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

DATE: JULY, 2009

W.O. NO.: B4-0527

APPROVED BY: *Timothy F. Rayburn* DATE: *7/14/09*

SHEET 1 OF 1

EXHIBIT "A"
LEGAL DESCRIPTION

BEING A PORTION OF PARCEL 1 OF PARCEL MAP NUMBER 13059, ON FILE IN BOOK 64, PAGE 28, OF PARCEL MAPS, RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF STATE ROUTE 79, WINCHESTER ROAD (16.762 METER SOUTHEASTERLY HALF-WIDTH) AND KELLER ROAD (13.410 METER SOUTHERLY HALF-WIDTH), AS SHOWN ON SAID PARCEL MAP;

THENCE S 89°59'41" E ALONG THE CENTERLINE OF SAID KELLER ROAD, A DISTANCE OF 31.705 METERS;

THENCE S 00°00'19" W A DISTANCE OF 13.410 METERS, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID KELLER ROAD, SAID POINT LIES 33.525 METERS SOUTHWESTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79, SAID POINT BEING THE **TRUE POINT OF BEGINNING**;

THENCE S 89°59'41" E ALONG SAID RIGHT-OF-WAY LINE OF KELLER ROAD A DISTANCE OF 43.298 METERS;

THENCE S 00°00'19" W A DISTANCE OF 6.588 METERS, TO A POINT 19.998 METERS SOUTHERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF KELLER ROAD;

THENCE N 89°59'41" W PARALLEL WITH AND 19.998 METERS SOUTHERLY OF SAID CENTERLINE OF KELLER ROAD, A DISTANCE OF 48.094 METERS, TO A POINT 33.525 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79;

THENCE N 36°03'34" E PARALLEL WITH AND 33.525 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 8.149 METERS, TO THE **TRUE POINT OF BEGINNING**.

CONTAINING: 301.0 SQUARE METERS, 3,240 SQUARE FEET, OR 0.074 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 SHOWN 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.

0527-002

SEE ATTACHED EXHIBIT "B"

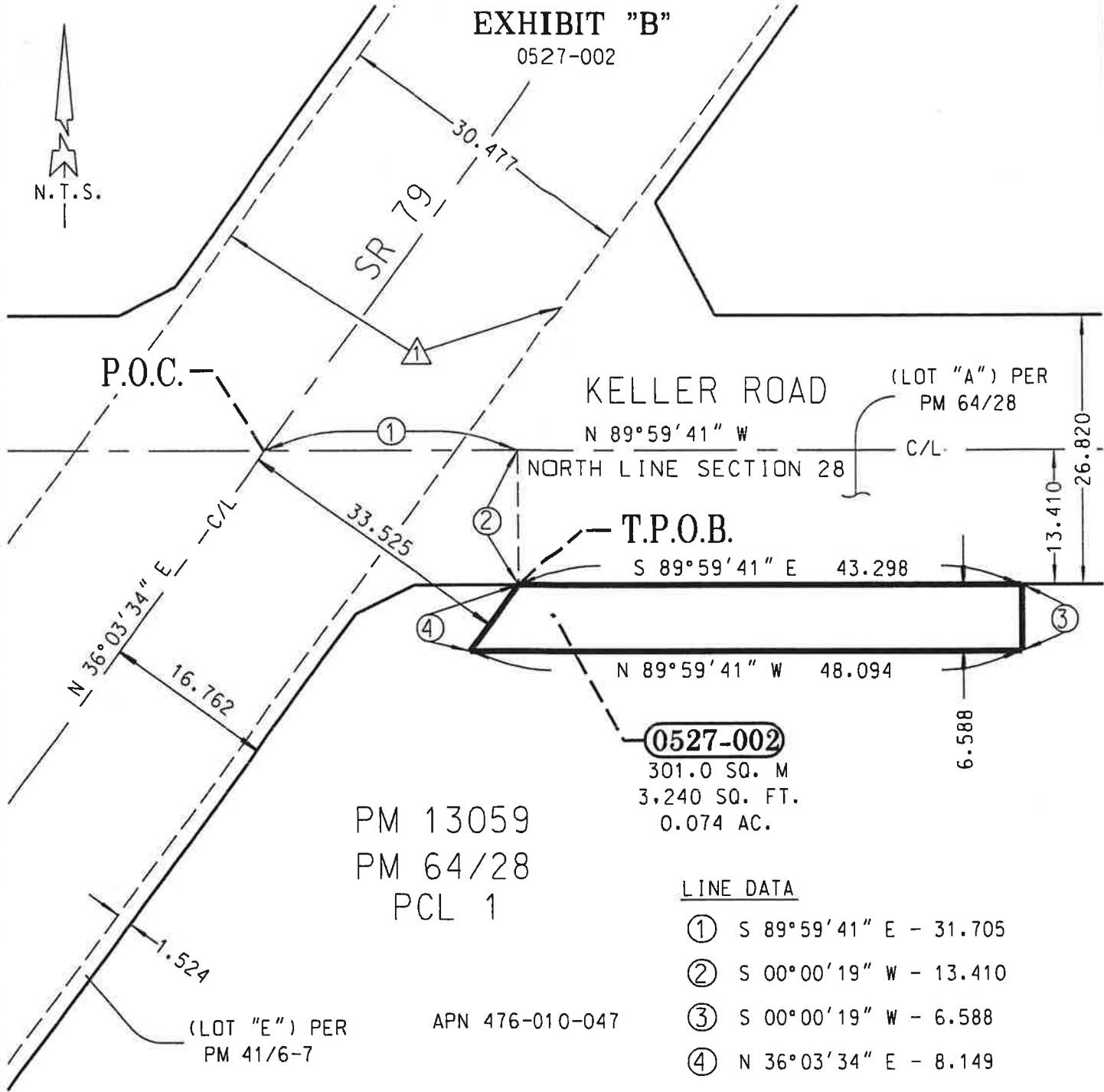
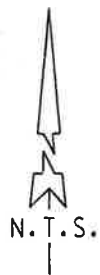
APPROVED BY: _____

DATE: 10/24/08



EXHIBIT "B"

0527-002



P.O.C.

KELLER ROAD

(LOT "A") PER PM 64/28

N 89°59'41" W

NORTH LINE SECTION 28

C/L

T.P.O.B.

S 89°59'41" E 43.298

N 89°59'41" W 48.094

0527-002

301.0 SQ. M
3,240 SQ. FT.
0.074 AC.

PM 13059

PM 64/28

PCL 1

LINE DATA

- ① S 89°59'41" E - 31.705
- ② S 00°00'19" W - 13.410
- ③ S 00°00'19" W - 6.588
- ④ N 36°03'34" E - 8.149

(LOT "E") PER PM 41/6-7

APN 476-010-047

SECTION 28

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

NOTE:

⚠ R/W PER O.R. 1075/21, REC. 5-10-1949



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: *David H. Duda* DATE: 10/29/08

PAR. NO.: 0527-002

PREPARED BY: N.J.C.

SCALE: N.T.S.

DATE: SEPTEMBER, 2008

W.O. NO.: B4-0527

SHEET 1 OF 1

1 COUNTY OF RIVERSIDE, A POLITICAL SUBDIVISION OF THE STATE OF CALIFORNIA
2 (Herein referred to as "County"), and

3 VASILIOS P. RIGAS AND EVANTHIA RIGAS, TRUSTEES OF THE RIGAS FAMILY TRUST
4 EXECUTED ON JULY 22, 1991, DIALINPET RIGAS PARTNERSHIP, A GENERAL
PARTNERSHIP, AND DIAMANTO RIGAS AND LINDA RIGAS AND PETE BILL RIGAS,
(Herein referred to as "Grantor").

5 PROJECT: STATE ROUTE 79 (WINCHESTER) ROAD
6 WIDENING
7 PARCEL: 21122-4, 21122-5 and 21123-4
8 APN: 476-010-047 (portion), 476-010-048 (portion) and
476-010-049 (portion)

9 TEMPORARY CONSTRUCTION AGREEMENT

10 1. The right is hereby granted County to enter upon and use the land of Grantor in
11 the County of Riverside, State of California, described as portion of Assessor's Parcel
12 Numbers 476-010-047, 476-010-048 and 476-010-049, highlighted on the map attached
hereeto, and made a part hereof, for all purposes necessary to facilitate and accomplish the
construction of State Route 79 (Winchester Road).

13 2. The temporary construction easement, used during construction of the project
14 consists of approximately 0.621 acres or 27,082 square feet as designated on the attached
map, referenced as Exhibit "A" hereinafter referred to as the ("TCE Area").

15 3. A thirty (30) day written notice shall be given to Grantor prior to using the rights
16 herein granted. The rights herein granted may be exercised for twenty-four (24) months from
the thirty (30) day written notice, or until completion of said project, whichever occurs later.

17 4. It is understood that the County may enter upon TCE Area where appropriate
or designated for the purpose of getting equipment to and from the easement area. County
18 agrees not to damage TCE Area in the process of performing such activities.

19 5. The right to enter upon and use TCE Area includes the right to remove and
dispose of real and personal property located thereon.

20 6. At the termination of the period of use of TCE Area by County, but before its
21 relinquishment to Grantor, debris generated by County's use will be removed and the surface
will be graded and left in a neat condition.

22 7. County shall indemnify, defend, protect, and hold Grantor and their successors
23 and assigns free and harmless from and against any and all claims, liabilities, penalties,
24 forfeitures, losses, or expenses, including without limitation, attorneys' fees, whatsoever,
arising from or caused in whole or in part by County's use of the TCE Area and construction
of the project, except to the extent any such losses, costs, damages, liabilities, and expenses
25 arise out of the acts or omission of Grantor.

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8. Grantor hereby warrants that they are the owners of the property described above and that they have the right to grant County permission to enter upon and use the land.

9. This agreement is the result of negotiations between the parties hereto. This agreement is intended by the parties as a final expression of their understanding with respect to the matters herein and is a complete and exclusive statement of the terms and conditions thereof.

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

11. This agreement supersedes any and all other prior agreements or understandings, oral or written, in connection therewith.

12. 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.

///
///
///

1 13. County shall pay to the order of Grantor the sum of Thirty Seven Thousand
2 Nine Hundred Fifteen Dollars (\$37,915) for the right to enter upon and use Grantor's land in
accordance with the terms hereof.

3 Dated: _____

4 **GRANTOR:**

5 The Rigas Family Trust executed
6 on July 22, 1991

Diamanto Rigas

7 By: _____
Vasilios P. Rigas, Trustee

Linda Rigas
Linda Rigas

8 By: _____
Evanthia Rigas, Trustee

Pete Bill Rigas

9 By: _____
Vasilios P. Rigas, Guardian

10 Dialinpet Rigas Partnership,
11 a General Partnership

12 By: _____
Vasilios Rigas, General Partner

13 By: _____
14 Diamanto Rigas, General Partner

15 **COUNTY OF RIVERSIDE**

16 **ATTEST:**

16 Kecia-Harper-Ihem
17 Clerk of the Board

By: Marion Ashley
Marion Ashley, Chairman
Board of Supervisors

18 By: Kumbanta
19 Deputy

20 **APPROVED AS TO FORM:**

20 Pamela J. Walls
21 County Counsel

22 By: Synthia M. Gunzel
23 Synthia M. Gunzel
24 Deputy County Counsel

MH:jw
08/19/09
218TR
12.935

1 13. County shall pay to the order of Grantor the sum of Thirty Seven Thousand
2 Nine Hundred Fifteen Dollars (\$37,915) for the right to enter upon and use Grantor's land in
accordance with the terms hereof.

3 Dated: _____

4 **GRANTOR:**

5 The Rigas Family Trust executed
6 on July 22, 1991


Diamanto Rigas

7 By: _____
8 Vasilios P. Rigas, Trustee

Linda Rigas

9 By: _____
10 Evanthia Rigas, Trustee

Pete Bill Rigas

By: _____
Vasilios P. Rigas, Guardian

11 Dialinpet Rigas Partnership,
12 a General Partnership


By: _____
13 Vasilios Rigas, General Partner


By: 
14 Diamanto Rigas, General Partner

15 **COUNTY OF RIVERSIDE**

16 **ATTEST:**


17 Kecia-Harper-Ihem
18 Clerk of the Board

By: 
19 Marion Ashley, Chairman
20 Board of Supervisors

By: 
21 Deputy

22 **APPROVED AS TO FORM:**

23 Pamela J. Walls
24 County Counsel

By: 
25 Cynthia M. Gunzel
Deputy County Counsel

MH:jw
08/19/09
218TR
12.935

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13. County shall pay to the order of Grantor the sum of Thirty Seven Thousand Nine Hundred Fifteen Dollars (\$37,915) for the right to enter upon and use Grantor's land in accordance with the terms hereof.

Dated: _____

GRANTOR:

The Rigas Family Trust executed on July 22, 1991

Diamanto Rigas

By: Vasilios P. Rigas Trustee
Vasilios P. Rigas, Trustee

Linda Rigas

By: Evanthia Rigas Trustee
Evanthia Rigas, Trustee

Pete Bill Rigas

By: Vasilios P. Rigas Guardian
Vasilios P. Rigas, Guardian

Dialinpet Rigas Partnership, a General Partnership

By: Vasilios Rigas GENERAL Partner
Vasilios Rigas, General Partner

By: _____
Diamanto Rigas, General Partner

COUNTY OF RIVERSIDE

ATTEST:

Kecia-Harper-Ihem
Clerk of the Board

By: Marion Ashley
Marion Ashley, Chairman
Board of Supervisors

By: [Signature]
Deputy

APPROVED AS TO FORM:

Pamela J. Walls
County Counsel

By: Synthia M. Gunzel
Synthia M. Gunzel
Deputy County Counsel

MH:jw
08/19/09
218TR
12.935

EXHIBIT "A"
LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT

AN EASEMENT FOR TEMPORARY CONSTRUCTION PURPOSES OVER A PORTION OF PARCEL 2 OF PARCEL MAP NUMBER 13059, ON FILE IN BOOK 64, PAGE 28, OF PARCEL MAPS, RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF STATE ROUTE 79, WINCHESTER ROAD (16.762 METER SOUTHEASTERLY HALF-WIDTH) AND KOON STREET (9.143 METER NORTHERLY HALF-WIDTH), AS SHOWN ON SAID PARCEL MAP;

THENCE N 36°03'34" E ALONG THE CENTERLINE OF SAID STATE ROUTE 79, A DISTANCE OF 249.274 METERS;

THENCE S 53°56'26" E A DISTANCE OF 32.042 METERS, TO THE **TRUE POINT OF BEGINNING**;

THENCE N 36°03'34" E PARALLEL WITH AND 32.042 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79 A DISTANCE OF 67.762 METERS, TO A POINT ON THE NORTHERLY LINE OF SAID PARCEL 2;

THENCE S 89°58'27" E ALONG SAID NORTHERLY LINE A DISTANCE OF 13.603 METERS, TO A POINT 43.042 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79;

THENCE S 36°03'34" W PARALLEL WITH AND 43.042 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 6.183 METERS;

THENCE N 89°58'27" W A DISTANCE OF 7.420 METERS, TO A POINT 37.042 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF SAID STATE ROUTE 79;

THENCE S 36°03'34" W, PARALLEL WITH AND 37.042 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 65.217 METERS;

THENCE N 53°56'26" W A DISTANCE OF 5.000 METERS, TO THE **TRUE POINT OF BEGINNING**.

CONTAINING: 385.0 SQUARE METERS, 4,144 SQUARE FEET, OR 0.095 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 SHOWN 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-KP 17.60-21122 (21122-4)

SEE ATTACHED EXHIBIT "B"

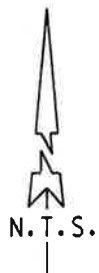
APPROVED BY: Timothy F. Rayburn

DATE: 7/14/09



EXHIBIT "B"

TEMPORARY CONSTRUCTION EASEMENT
08-RIV-79-KP 17.60-21122 (21122-4)



SECTION 28
T.6S., R.2W., S.B.M.

PCL 1
PM 64/28

LINE DATA

- ① S 53°56'26" E - 32.042
- ② S 89°58'27" E - 13.603
- ③ S 36°03'34" W - 6.183
- ④ N 89°58'27" W - 7.420
- ⑤ N 53°56'26" W - 5.000

30.477 R/W PER
O.R. 1075/10,
REC. 5-10-1949

PM 19448
PM 118/43-44
PCL 4

21122-4
385.0 SQ. M
4,144 SQ. FT.
0.095 AC.

PM 13059
PM 64/28
PCL 2

APN 476-010-048

APN 476-010-049

PM 64/28
PCL 3

(LOT "E") PER
PM 41/6-7

C/L KOON STREET
N 89°57'16" W

-P.O.C.

(LOT "F") PER
PM 64/28



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.

PAR. NO.: 21122-4

PREPARED BY: N.J.C.

SCALE: N.T.S.

DATE: JULY, 2009

W.O. NO.: B4-0527

APPROVED BY: *Timothy F. Rayburn* DATE: 7/14/09

SHEET 1 OF 1

EXHIBIT "A"
LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT

AN EASEMENT FOR TEMPORARY CONSTRUCTION PURPOSES OVER A PORTION OF PARCELS 2 AND 3 OF PARCEL MAP NUMBER 13059, ON FILE IN BOOK 64, PAGE 28, OF PARCEL MAPS, RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF STATE ROUTE 79, WINCHESTER ROAD (16.762 METER SOUTHEASTERLY HALF-WIDTH) AND KOON STREET (9.143 METER NORTHERLY HALF-WIDTH), AS SHOWN ON SAID PARCEL MAP;

THENCE S 89°57'16" E ALONG THE CENTERLINE OF SAID KOON STREET, A DISTANCE OF 53.677 METERS;

THENCE N 00°02'44" E A DISTANCE OF 9.143 METERS, TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID KOON STREET, SAID POINT LIES 38.042 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79, SAID POINT ALSO BEING THE **TRUE POINT OF BEGINNING**;

THENCE N 36°03'34" E, PARALLEL WITH AND 38.042 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 167.981 METERS, TO A POINT ON THE NORTHERLY LINE OF SAID PARCEL 3;

THENCE N 89°57'23" W, ALONG SAID NORTHERLY LINE, A DISTANCE OF 7.418 METERS TO A POINT 32.042 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79;

THENCE N 36°03'34" E, PARALLEL WITH AND 32.042 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 16.698 METERS;

THENCE S 53°56'26" E, A DISTANCE OF 11.000 METERS TO A POINT 43.042 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79;

THENCE S 36°03'34" W, PARALLEL WITH AND 43.042 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 176.683 METERS, TO A POINT ON SAID NORTHERLY RIGHT-OF-WAY LINE OF KOON STREET;

THENCE N 89°57'16" W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 6.181 METERS TO THE **TRUE POINT OF BEGINNING**.

CONTAINING: 979.6 SQUARE METERS, 10,544 SQUARE FEET, OR 0.242 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 SHOWN 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-KP 17.60-21122 (21122-5)

SEE ATTACHED EXHIBIT "B"

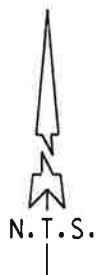
APPROVED BY: Timothy F. Rayburn

DATE: 7/14/09



EXHIBIT "B"

TEMPORARY CONSTRUCTION EASEMENT
08-RIV-79-KP 17.60-21122 (21122-5)



PM 64/28
PCL 2
APN 476-010-048

(LOT "E") PER
PM 41/6-7

SECTION 28

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

30.477 R/W PER
O.R. 1075/10.
REC. 5-10-1949

PM 19448
PM 118/43-44
PCL 4

21122-5

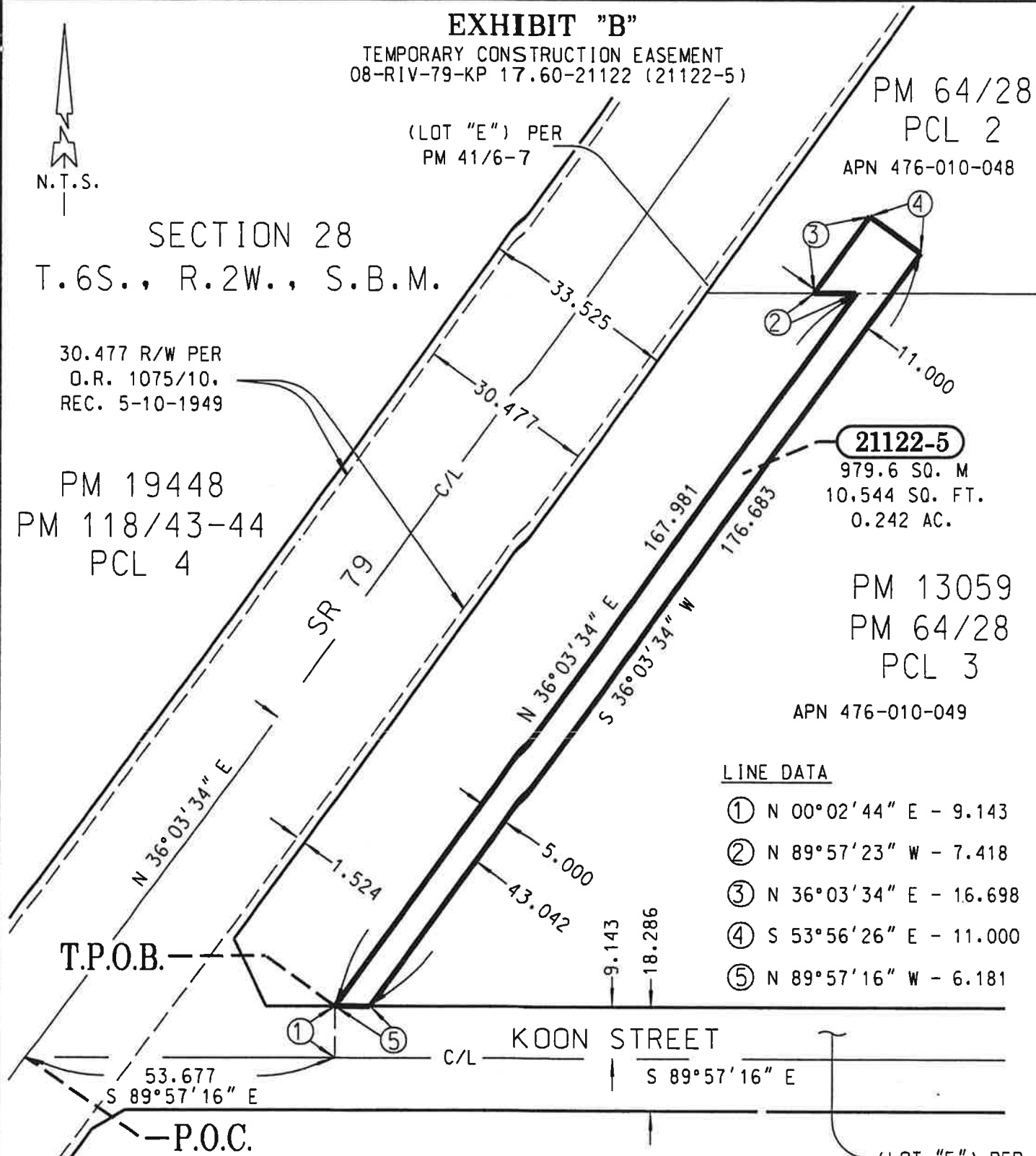
979.6 SQ. M
10.544 SQ. FT.
0.242 AC.

PM 13059
PM 64/28
PCL 3

APN 476-010-049

LINE DATA

- ① N 00°02'44" E - 9.143
- ② N 89°57'23" W - 7.418
- ③ N 36°03'34" E - 16.698
- ④ S 53°56'26" E - 11.000
- ⑤ N 89°57'16" W - 6.181



T.P.O.B.

KOON STREET

P.O.C.

(LOT "F") PER
PM 64/28



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: 7/14/09

PAR. NO.: 21122-5

PREPARED BY: N.J.C.

SCALE: N.T.S.

DATE: JULY, 2009

W.O. NO.: B4-0527

SHEET 1 OF 1

EXHIBIT "A"
LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT

AN EASEMENT FOR TEMPORARY CONSTRUCTION PURPOSES OVER A PORTION OF PARCEL 1 OF PARCEL MAP NUMBER 13059, ON FILE IN BOOK 64, PAGE 28, OF PARCEL MAPS, RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF STATE ROUTE 79, WINCHESTER ROAD (16.762 METER SOUTHEASTERLY HALF-WIDTH) AND KELLER ROAD (13.410 METER SOUTHERLY HALF-WIDTH), AS SHOWN ON SAID PARCEL MAP;

THENCE S 89°59'41" E ALONG THE CENTERLINE OF SAID KELLER ROAD A DISTANCE OF 75.003 METERS;

THENCE S 00°00'19" W A DISTANCE OF 13.410 METERS, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID KELLER ROAD, SAID POINT BEING THE **TRUE POINT OF BEGINNING**;

THENCE S 89°59'41" E ALONG SAID RIGHT-OF-WAY LINE OF KELLER ROAD A DISTANCE OF 5.000 METERS;

THENCE S 00°00'19" W A DISTANCE OF 11.588 METERS, TO A POINT 24.998 METERS SOUTHERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF KELLER ROAD;

THENCE N 89°59'41" W PARALLEL WITH AND 24.998 METERS SOUTHERLY OF SAID CENTERLINE OF KELLER ROAD, A DISTANCE OF 44.962 METERS, TO A POINT 43.042 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79;

THENCE S 36°03'34" W PARALLEL WITH AND 43.042 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 174.366 METERS, TO A POINT ON THE SOUTHERLY LINE OF SAID PARCEL 1;

THENCE N 89°58'27" W ALONG SAID SOUTHERLY LINE OF PARCEL 1 A DISTANCE OF 6.183 METERS, TO A POINT 38.042 METERS SOUTHEASTERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF STATE ROUTE 79;

THENCE N 36°03'34" E PARALLEL WITH AND 38.042 METERS SOUTHEASTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 180.548 METERS, TO A POINT 19.998 METERS SOUTHERLY OF, AS MEASURED AT RIGHT ANGLES TO, SAID CENTERLINE OF KELLER ROAD;

THENCE S 89°59'41" E PARALLEL WITH AND 19.998 METERS SOUTHERLY OF SAID CENTERLINE OF KELLER ROAD, A DISTANCE OF 42.507 METERS;

THENCE N 00°00'19" E A DISTANCE OF 6.588 METERS, TO THE **TRUE POINT OF BEGINNING**.

CONTAINING: 1,151.4 SQUARE METERS, 12,394 SQUARE FEET, OR 0.284 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 SHOWN BY 1.000100842 TO OBTAIN GROUND DISTANCE.

EXHIBIT "A"
LEGAL DESCRIPTION (CONTINUED)
TEMPORARY CONSTRUCTION EASEMENT

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-KP 17.89-21123 (21123-4)

SEE ATTACHED EXHIBIT "B"

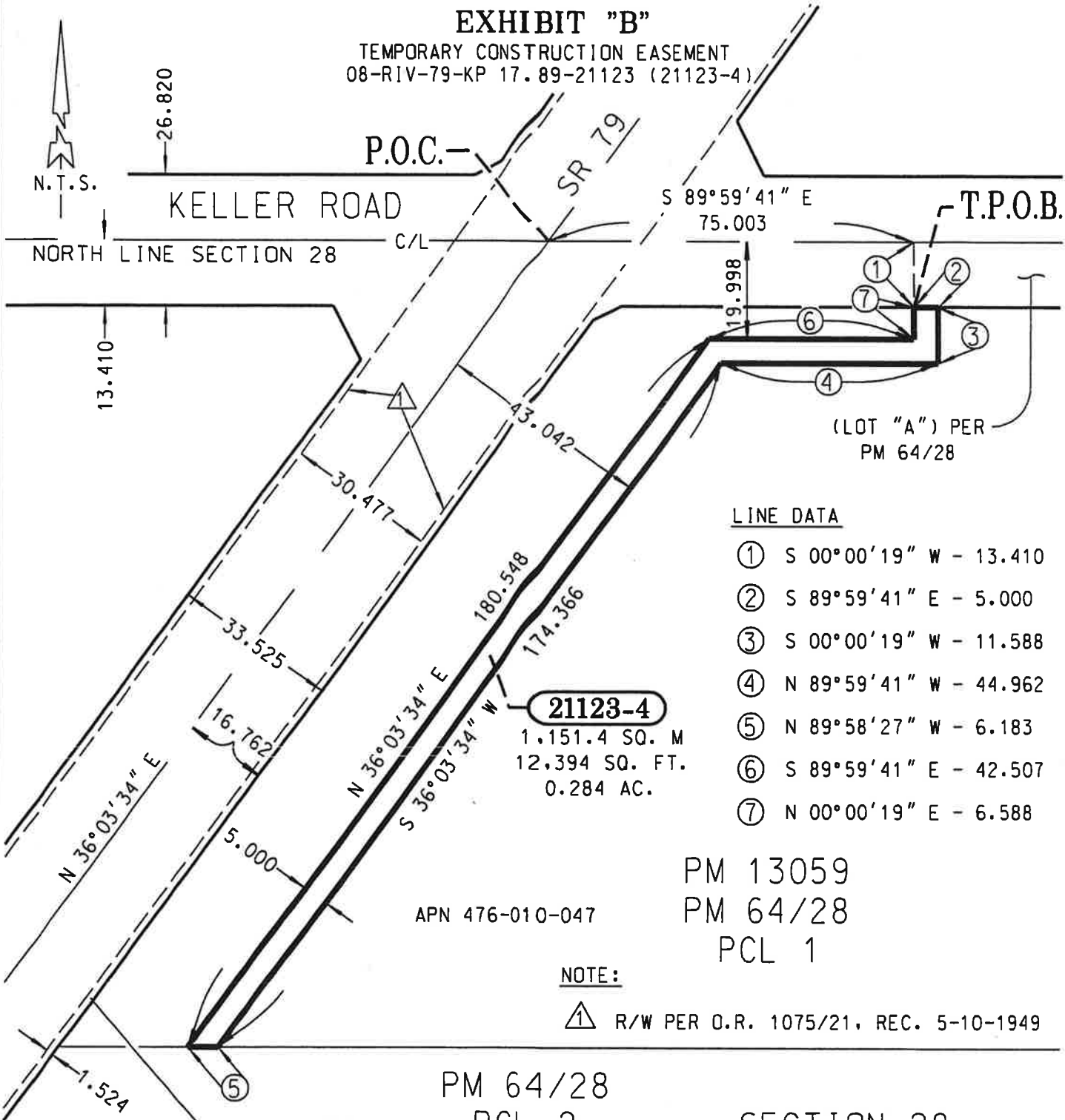
APPROVED BY: *Timothy F. Rayburn*

DATE: 7/14/09



EXHIBIT "B"

TEMPORARY CONSTRUCTION EASEMENT
08-RIV-79-KP 17. 89-21123 (21123-4)



LINE DATA

- ① S 00°00'19" W - 13.410
- ② S 89°59'41" E - 5.000
- ③ S 00°00'19" W - 11.588
- ④ N 89°59'41" W - 44.962
- ⑤ N 89°58'27" W - 6.183
- ⑥ S 89°59'41" E - 42.507
- ⑦ N 00°00'19" E - 6.588

21123-4

1,151.4 SQ. M
12,394 SQ. FT.
0.284 AC.

PM 13059
PM 64/28
PCL 1

NOTE:

△ R/W PER O.R. 1075/21, REC. 5-10-1949

PM 64/28
PCL 2

(LOT "E") PER
PM 41/6-7

SECTION 28

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: *Jonathan F. Ray* DATE: 7/14/09

PAR. NO.: 21123-4

PREPARED BY: N.J.C.

SCALE: N.T.S.

DATE: JULY, 2009

W.O. NO.: B4-0527

SHEET 1 OF 1