

632A



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

FROM: Economic Development Agency and Transportation Department

SUBMITTAL DATE:
July 15, 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 21124-1, 21125-1 and 0527-003 and Temporary Construction Agreement for Parcels 21124-2 and 21125-2 all within a portion of Assessor's Parcel Numbers 472-110-005, 472-110-006 and 472-110-010 and authorize the Chairman of the Board to execute these documents on behalf of the County;
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;

(Continued)

Juan C. Perez, Director
Transportation Department

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 258,167	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ -0-	Budget Adjustment:	Yes
	Annual Net County Cost:	\$ -0-	For Fiscal Year:	10/11

SOURCE OF FUNDS: Transportation Uniform Mitigation Fee 100%	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

Policy
 Policy
 Consent
 Consent

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

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Buster, Stone, Benoit and Ashley
Nays: None
Absent: Tavaglione
Date: July 27, 2010
xc: EDA, Transp., Auditor, EO

Kecia Harper-Ihem
 Clerk of the Board
 By:
 Deputy

Prev. Agn. Ref.: 3/24/2009, 3.14 | District: 3 | Agenda Numbers:

ATTACHMENTS FILED
 WITH THE CLERK OF THE BOARD

3.37

FISCAL PROCEDURES APPROVED
 ROBERT E. BYRD, AUDITOR-CONTROLLER
 BY: 7/12/10
 SAMUEL WONG

FORM APPROVED COUNTY COUNSEL
 BY: 6-14-10
 CYNTHIA M. GUNZEL DATE

RECOMMENDED MOTION: (Continued)

3. Authorize the Auditor-Controller to adjust the Economic Development Agency's FY 2010/2011 budget as outlined on Schedule A; and
4. Authorize and allocate the sum of \$210,517 to purchase Parcels 21124-1, 21125-1 and 0527-003 and \$33,750 for a temporary construction easement on Parcels 21124-2 and 21125-2 all within a portion of Assessor's Parcel Numbers 472-110-005, 472-110-006 and 472-110-010 and \$13,900 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 472-110-005, 472-110-006 and 472-110-010 from Violet B. Hanna for a price of \$244,267. There are costs of \$13,900 associated with this transaction. Violet B. Hanna will execute a Grant Deed in favor of the State of California for a portion of Assessor's Parcel Number 472-110-010, referenced as Parcel 21124-1; a Grant Deed in favor of the State of California for a portion of Assessor's Parcel Numbers 472-110-005 and 472-110-006, referenced as Parcel 21125-1; and an Easement Deed in favor of the County of Riverside for a portion of Assessor's Parcel Number 472-110-010, referenced as Parcel 0527-003.

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 a portion of Assessor's Parcel Numbers 472-110-005, 472-110-006 and 472-110-010:

Acquisition:	\$210,517
Temporary Construction Easement:	\$33,750
Estimated Title and Escrow Charges:	\$2,000
Preliminary Title Report:	\$400
Appraisal:	\$8,000
EDA Real Property Staff Time:	\$3,500
Total Estimated Acquisition Costs:	\$258,167

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 2010/11. Thus, no net county cost will be incurred as a result of this transaction.

SCHEDULE A

Increase Estimated Revenues:

47220-7200400000-778280	Interfund-Reimb for Service	\$8,400
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Increase Appropriations:

47220-7200400000-525400	Title Company Services	\$ 400
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47220-7200400000-524550	Appraisal Services	\$8,000
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1 PROJECT: STATE ROUTE 79 (WINCHESTER) ROAD WIDENING
2 PARCELS: 21124-1, 21125-1 and 0527-003
3 APN(s): 472-110-005, 472-110-006 and 472-110-010 (portion)

4 ACQUISITION AGREEMENT

5 This agreement is made by and between the COUNTY OF RIVERSIDE, A POLITICAL
6 SUBDIVISION OF THE STATE OF CALIFORNIA herein called "County", and VIOLET B. HANNA
7 AND DAVID W. HANNA, AND THEIR SUCCESSORS, AS TRUSTEES OF THE HANNA
8 MARITAL TRUST ESTABLISHED MARCH 22, 2001, herein called "Grantor".

9 Grantor has executed and will deliver to Craig Olsen, Real Property Agent for the County
10 or to the designated escrow company, a Grant Deed in favor of the State of California dated
11 _____, identifying a portion of Assessor's Parcel Number 472-110-
12 010, referenced as Parcel 21124-1 and described on Exhibits "A" and "B" attached hereto and
13 made a part hereof, a Grant Deed in favor of the State of California dated
14 _____, identifying a portion of Assessor's Parcel Numbers 472-
15 110-005 and 472-110-006, referenced as Parcel 21125-1 and described on Exhibits "A" and "B"
16 attached hereto and made a part hereof, an Easement Deed in favor of the County of Riverside
17 dated _____, identifying a portion of Assessor's Parcel Number
18 472-110-010, referenced as Parcel 0527-003 and described on Exhibits "A" and "B" attached
19 hereto and made a part hereof, in consideration of which it is mutually agreed as follows:

20 1. The County shall:

21 A. Pay to the order of Grantor the sum of Two Hundred Ten
22 Thousand Five Hundred Seventeen Dollars (\$210,517) for the property, or interest therein,
23 conveyed by said deed, when title to said property or interest vests in County free and clear of
24 all liens, encumbrances, easements, leases (recorded or unrecorded), and taxes except those
25 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.

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

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

D. Construct the culverts according to the size and locations depicted in Exhibit "C", attached hereto and made a part hereof. The County shall have no further obligations with regard to future development of the site as consideration for this

1 Acquisition Agreement.

2 2. Intentionally deleted.

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

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

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

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

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

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1 8. Grantor, her 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: 3/9/2010

GRANTOR:

5 THE HANNA MARITAL TRUST
6 ESTABLISHED MARCH 22, 2001

7 By: Violet B. Hanna
8 Violet B. Hanna, ~~Successor~~ Trustee

9 By: [Signature]
10 David M. Hanna, Trustee
11 **COUNTY OF RIVERSIDE**

11 **ATTEST:**
12 Kecia Harper-Ihem
13 Clerk to the Board

12 By: Marion Ashley
13 Marion Ashley, Chairman
14 Board of Supervisors

13 By: [Signature]
14 Deputy

15 **APPROVED AS TO FORM:**
16 Pamela J. Walls
17 County Counsel

18 By: Synthia M. Gunzel
19 Cynthia M. Gunzel
20 Deputy County Counsel

21 CO:jw
22 08/13/09
23 218TR
24 12.956
25

EXHIBIT "A"
LEGAL DESCRIPTION

BEING A PORTION OF PARCEL 8 OF PARCEL MAP NUMBER 15244, ON FILE IN BOOK 85, PAGES 6 AND 7, OF PARCEL MAPS, RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE SOUTH ONE-HALF OF SECTION 21, 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 NORTHWESTERLY HALF-WIDTH) AND KELLER ROAD (13.410 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 7.951 METERS;

THENCE N 53°56'26" W, A DISTANCE OF 16.762 METERS TO THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF SAID KELLER ROAD WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID STATE ROUTE 79, SAID POINT BEING THE **TRUE POINT OF BEGINNING**;

THENCE S 62°55'15" W, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF KELLER ROAD, A DISTANCE OF 6.333 METERS TO AN ANGLE POINT THEREIN;

THENCE N 89°59'41" W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF KELLER ROAD, A DISTANCE OF 17.195 METERS TO A POINT 33.525 METERS NORTHWESTERLY OF, AS MEASURED AT RIGHT ANGLES TO SAID CENTERLINE OF STATE ROUTE 79;

(COURSE "A") THENCE N 36°03'34" E PARALLEL WITH AND 33.525 METERS NORTHWESTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 12.677 METERS;

(COURSE "B") THENCE S 86°24'42" E, A DISTANCE OF 10.105 METERS TO A POINT 25.000 METERS NORTHWESTERLY OF, AS MEASURED AT RIGHT ANGLES TO SAID CENTERLINE OF STATE ROUTE 79;

(COURSE "C") THENCE N 36°03'34" E PARALLEL WITH AND 25.000 METERS NORTHWESTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 420.000 METERS;

(COURSE "D") THENCE N 24°01'38" E, A DISTANCE OF 4.239 METERS TO THE CENTERLINE OF VIA GALATEA (18.286 METER WIDE ROAD EASEMENT) AS SHOWN ON SAID PARCEL MAP, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 91.431 METERS AND AN INITIAL RADIAL BEARING OF N 34°44'10" E;

THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID CENTERLINE THROUGH A CENTRAL ANGLE OF 01°19'24" AN ARC DISTANCE OF 2.112 METERS;

THENCE S 53°56'26" E ALONG SAID CENTERLINE, A DISTANCE OF 7.010 METERS TO SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 79;

THENCE S 36°03'34" W ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 426.503 METERS TO THE **TRUE POINT OF BEGINNING**.

CONTAINING: 3,565.4 SQUARE METERS, 38,378 SQUARE FEET, OR 0.881 ACRES NET AND 3,669.1 SQUARE METERS, 39,494 SQUARE FEET, OR 0.907 ACRES GROSS, 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 OVER AND ACROSS COURSES "(A)" THROUGH "(D)", INCLUSIVE, HEREINABOVE DESCRIBED.

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-KP 18.10-21124 (21124-1)

SEE ATTACHED EXHIBIT "B"

APPROVED BY: Smothery & Reed

DATE: 7/20/09

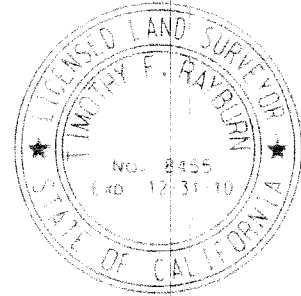


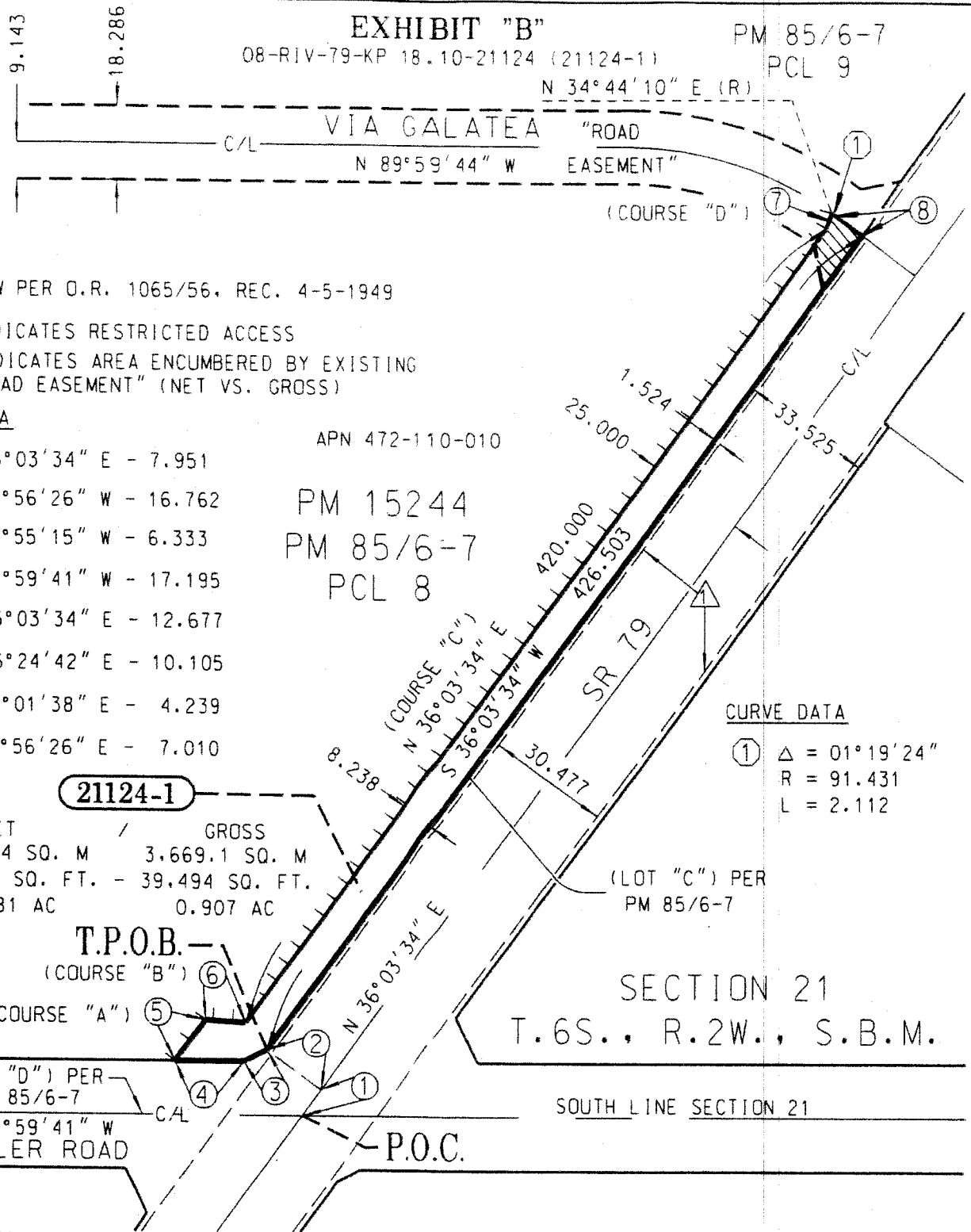
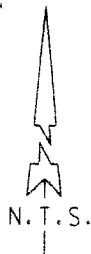
EXHIBIT "B"

08-RIV-79-KP 18.10-21124 (21124-1)

PM 85/6-7

PCL 9

N 34°44'10" E (R)



NOTE:

- ▲ R/W PER O.R. 1065/56, REC. 4-5-1949
- ▬▬▬ INDICATES RESTRICTED ACCESS
- ▨▨▨ INDICATES AREA ENCUMBERED BY EXISTING "ROAD EASEMENT" (NET VS. GROSS)

LINE DATA

- ① N 36°03'34" E - 7.951
- ② N 53°56'26" W - 16.762
- ③ S 62°55'15" W - 6.333
- ④ N 89°59'41" W - 17.195
- ⑤ N 36°03'34" E - 12.677
- ⑥ S 86°24'42" E - 10.105
- ⑦ N 24°01'38" E - 4.239
- ⑧ S 53°56'26" E - 7.010

APN 472-110-010

PM 15244
PM 85/6-7
PCL 8

CURVE DATA

- ① Δ = 01°19'24"
- R = 91.431
- L = 2.112

NET / GROSS
3,565.4 SQ. M / 3,669.1 SQ. M
38,378 SQ. FT. - 39,494 SQ. FT.
0.881 AC / 0.907 AC

21124-1

T.P.O.B.

(COURSE "B") ⑥

(COURSE "A") ⑤

(LOT "C") PER
PM 85/6-7

SECTION 21

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

SOUTH LINE SECTION 21

P.O.C.

(LOT "D") PER
PM 85/6-7
N 89°59'41" W
KELLER ROAD



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.:	21124-1
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.
	REVISED:	JULY, 2009
APPROVED BY: <i>Timothy F. Rayburn</i>	W.O. NO.:	B4-0527
DATE: <i>7/10/09</i>	SHEET 1 OF 1	

EXHIBIT "A"
LEGAL DESCRIPTION

BEING A PORTION OF PARCELS 9 AND 10 OF PARCEL MAP NUMBER 15244, ON FILE IN BOOK 85, PAGES 6 AND 7, OF PARCEL MAPS, RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE SOUTH ONE-HALF OF SECTION 21, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF SAID PARCEL 10, SAID CORNER BEING A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 79 (16.762 METER NORTHWESTERLY HALF-WIDTH) AS SHOWN ON SAID PARCEL MAP;

THENCE S 36°03'34" W ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 548.986 METERS TO THE CENTERLINE OF VIA GALATEA (18.286 METER WIDE ROAD EASEMENT) AS SHOWN ON SAID PARCEL MAP;

THENCE N 53°56'26" W, ALONG SAID CENTERLINE, A DISTANCE OF 7.010 METERS TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 91 431 METERS;

THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID CENTERLINE OF VIA GALATEA, THROUGH A CENTRAL ANGLE OF 01°19'24", AN ARC DISTANCE OF 2.112 METERS;

(COURSE "A") THENCE N 24°01'38" E, A DISTANCE OF 36.655 METERS TO A POINT 33.525 METERS NORTHWESTERLY OF, AS MEASURED AT RIGHT ANGLES TO THE CENTERLINE OF SAID STATE ROUTE 79;

(COURSE "B") THENCE N 36°03'34" E, PARALLEL WITH AND 33.525 METERS NORTHWESTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 500.985 METERS TO A POINT ON THE NORTHERLY LINE OF SAID PARCEL 10;

THENCE S 89°56'04" E ALONG SAID NORTHERLY LINE OF PARCEL 10, A DISTANCE OF 20.719 METERS TO THE **POINT OF BEGINNING**.

CONTAINING: 8,844.8 SQUARE METERS, 95,204 SQUARE FEET, OR 2.186 ACRES NET AND 8,963.8 SQUARE METERS, 96,485 SQUARE FEET, OR 2.215 ACRES GROSS, 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 REMAINING PROPERTY IN AND TO SAID STATE HIGHWAY OVER AND ACROSS COURSES "(A)" AND "(B)", HEREINABOVE DESCRIBED.

IT IS MUTUALLY UNDERSTOOD AND AGREED THAT A PORTION OF THE GRANTOR'S REMAINING PROPERTY IS LANDLOCKED, AND WITHOUT DIRECT ACCESS TO SAID STATE ROUTE 79 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 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 18.53-21125 (21125-1)

SEE ATTACHED EXHIBIT "B"

APPROVED BY: Timothy F. Rafter

DATE: 7/10/09

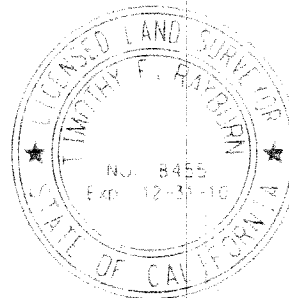


EXHIBIT "B"

08-RIV-79-KP 18.53-21125 (21125-1)


P.O.B.

NORTH LINE OF THE SOUTH ONE-HALF OF SECTION 21

N.T.S.

21125-1

	NET	GROSS
PM 85/6-7	8,844.8 SQ. M	8,963.8 SQ. M
PCL 10	95,204 SQ. FT. - 2.186 AC	96,485 SQ. FT. - 2.215 AC

 INDICATES AREA ENCUMBERED BY EXISTING "ROAD EASEMENT" (NET VS. GROSS)

APN 472-110-005

APN 472-110-006

COLFAX LANE

(LOT "A") PER PM 85/6-7

R/W PER O.R. 1065/56, REC. 4-5-1949

PM 15244
PM 85/6-7
PCL 9

LINE DATA

- ① N 53°56'26" W - 7.010
- ② N 24°01'38" E - 36.655
- ③ S 89°56'04" E - 20.719

CURVE DATA

- ① Δ = 01°19'24"
- R = 91.431
- L = 2.112

(LOT "B") PER PM 85/6-7

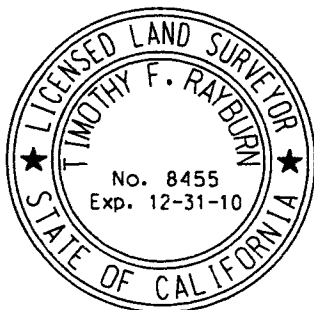
NOTE:

 INDICATES RESTRICTED ACCESS

SECTION 21

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.

PAR. NO.: 21125-1

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.

REVISED: JULY, 2009

W.O. NO.: B4-0527

APPROVED BY: *Timothy F. Rayburn* DATE: 7/01/09

SHEET 1 OF 1

EXHIBIT "A"
LEGAL DESCRIPTION

BEING A PORTION OF PARCEL 8 OF PARCEL MAP NUMBER 15244, ON FILE IN BOOK 85, PAGES 6 AND 7, OF PARCEL MAPS, RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE SOUTH ONE-HALF OF SECTION 21, 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 NORTHWESTERLY HALF-WIDTH) AND KELLER ROAD (13.410 METER NORTHERLY HALF-WIDTH), AS SHOWN ON SAID PARCEL MAP;

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

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

THENCE N 89°59'41" W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 43.293 METERS;

THENCE N 00°00'19" E, A DISTANCE OF 2.591 METERS;

THENCE N 76°02'32" E, A DISTANCE OF 35.874 METERS;

THENCE S 86°24'42" E, A DISTANCE OF 15.972 METERS TO A POINT 33.525 METERS NORTHWESTERLY 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 NORTHWESTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 12.677 METERS TO THE **TRUE POINT OF BEGINNING**.

CONTAINING: 374.0 SQUARE METERS, 4,025 SQUARE FEET, OR 0.092 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.

0527-003

SEE ATTACHED EXHIBIT "B"

APPROVED BY: *Michael*
DATE: 10-30-08

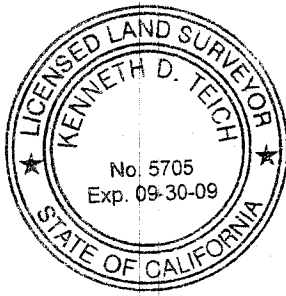


EXHIBIT "B"

0527-003

N.T.S.

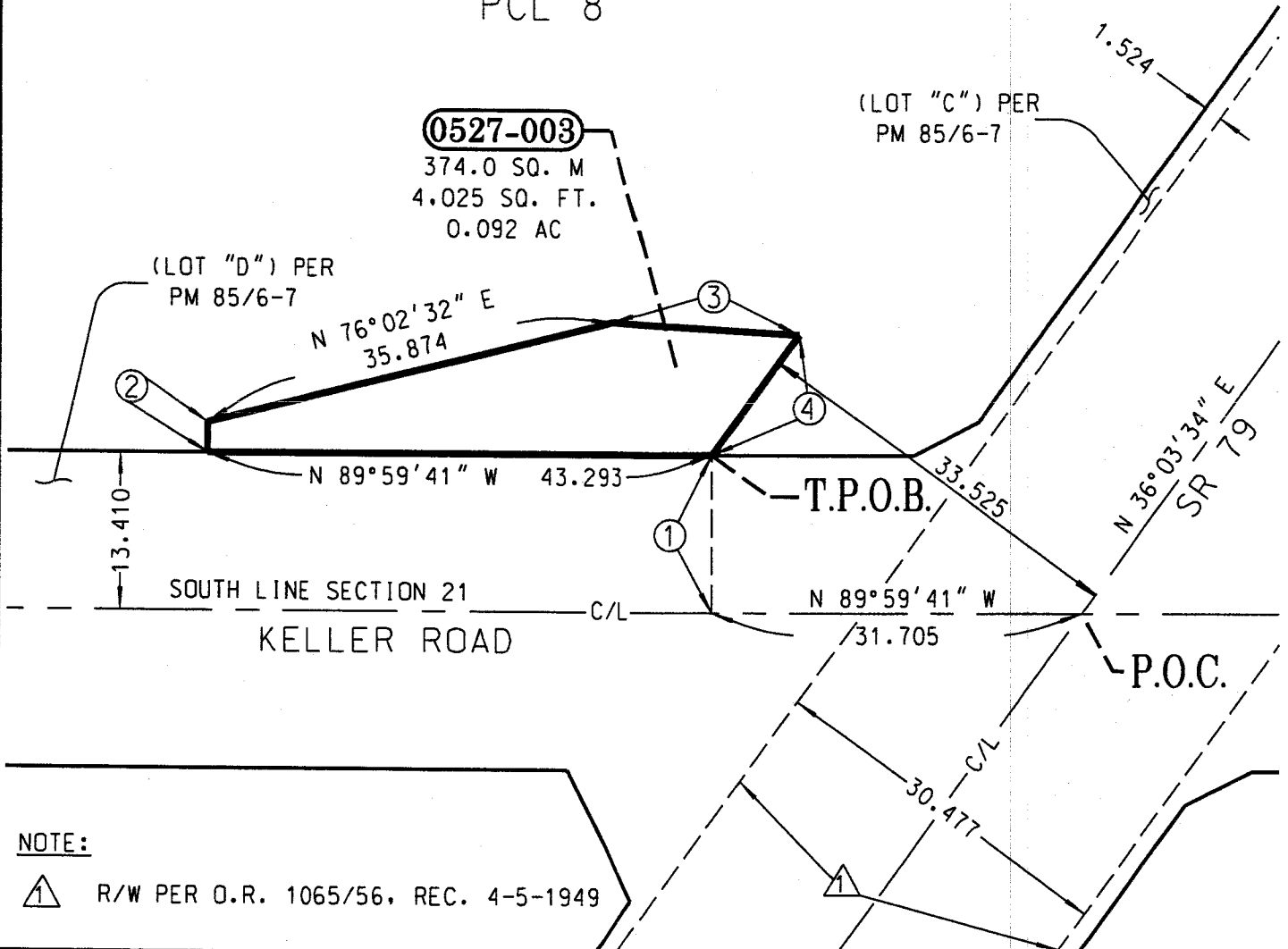
SECTION 21
T.6S., R.2W., S.B.M.

APN 472-110-010

PM 15244
PM 85/6-7
PCL 8

LINE DATA

- ① N 00°00'19" E - 13.410
- ② N 00°00'19" E - 2.591
- ③ S 86°24'42" E - 15.972
- ④ S 36°03'34" W - 12.677



0527-003

374.0 SQ. M
4.025 SQ. FT.
0.092 AC

(LOT "D") PER
PM 85/6-7

N 76°02'32" E
35.874

(LOT "C") PER
PM 85/6-7

1.524

13.410

N 89°59'41" W 43.293

T.P.O.B.

33.525

N 36°03'34" E
SR 79

SOUTH LINE SECTION 21

KELLER ROAD

C/L

N 89°59'41" W

31.705

P.O.C.

30.477

NOTE:

▲ R/W PER O.R. 1065/56, REC. 4-5-1949



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.: 0527-003

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: SEPTEMBER, 2008

W.O. NO.: B4-0527

APPROVED BY: *[Signature]* DATE: 10-7-08

SHEET 1 OF 1

HANNA PROPERTY
(APN NO. 472-110-005, 006, & 010)

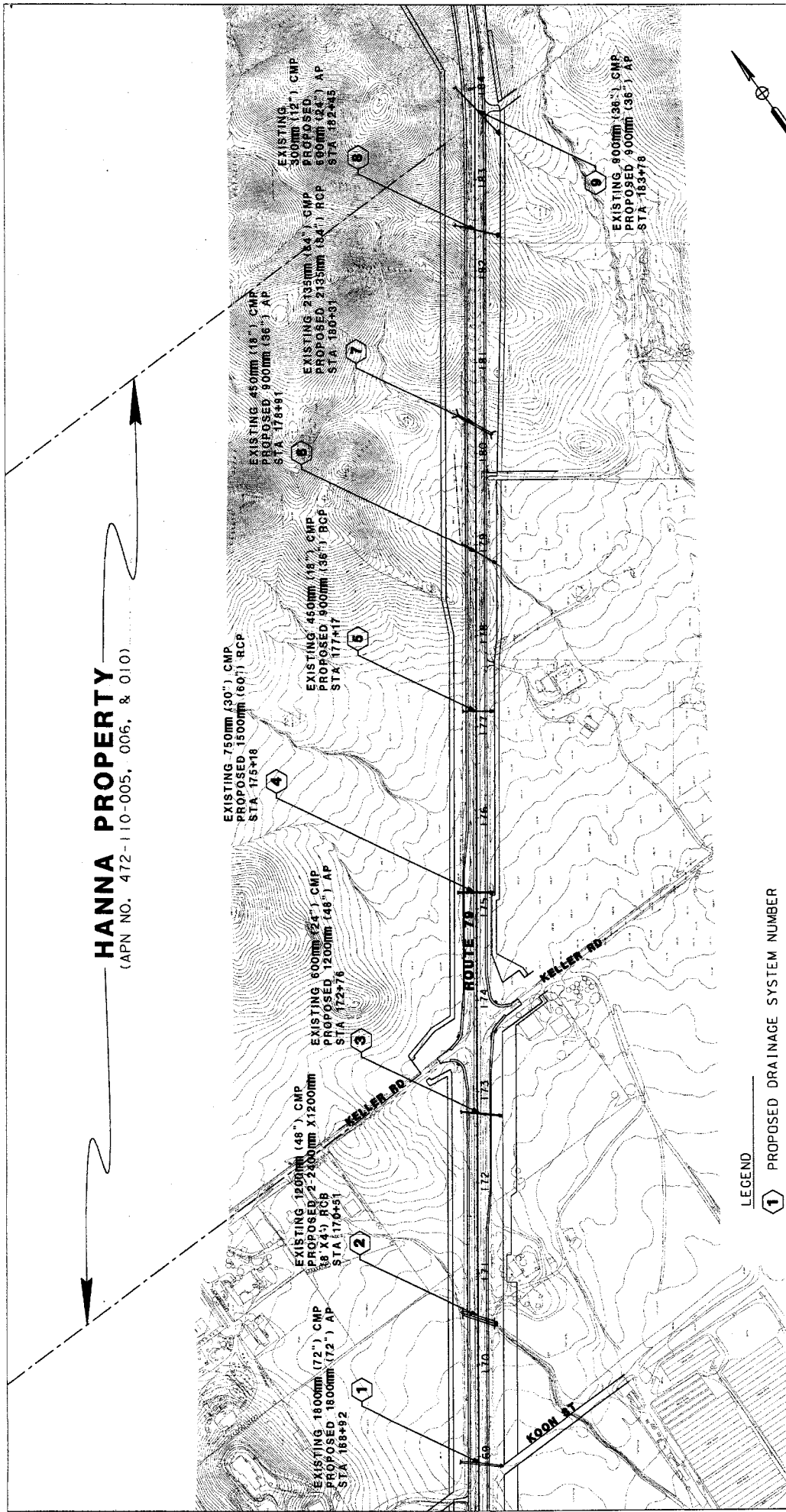


EXHIBIT C

**STATE ROUTE 79
HANNA PROPERTY
PROPOSED CULVERT CROSSINGS
COUNTY OF RIVERSIDE**
NOT TO SCALE

- LEGEND**
- ① PROPOSED DRAINAGE SYSTEM NUMBER
 - AP ALTERNATIVE PIPE (RCP, CMP, OR ANY OTHER MATERIAL ACCEPTABLE TO CALTRANS)
 - RCP REINFORCED CONCRETE PIPE
 - CMP CORRUGATED METAL PIPE
 - RCB REINFORCED CONCRETE BOX

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

3 VIOLET B. HANNA AND DAVID W. HANNA, AND THEIR SUCCESSORS, AS TRUSTEES OF
4 THE HANNA MARITAL TRUST ESTABLISHED MARCH 22, 2001 (Herein referred to as
"Grantor")

5 PROJECT: STATE ROUTE 79 (WINCHESTER) ROAD WIDENING
6 PARCELS: 21124-2 and 21125-2
7 APN(s): 472-110-005, 472-110-006 and 472-110-010 (PORTION)

8 TEMPORARY CONSTRUCTION AGREEMENT

9 1. The right is hereby granted County to enter upon and use the land of Grantor in
10 the County of Riverside, State of California, described as portion of Assessor's Parcel Numbers
11 472-110-005, 472-110-006 and 472-110-010, described in Exhibits "A" and "B" attached hereto
and made a part hereof, for all purposes necessary to facilitate and accomplish the construction
of State Route 79 (Winchester Road).

12 2. The temporary construction easement, used during construction of the project
13 consists of approximately fifty four thousand two hundred fifty six (54,256) square feet as
described in Exhibits "A" and "B"

14 3. A thirty (30) day written notice shall be given to Grantor prior to using the rights
15 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.

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

18 5. The right to enter upon and use Grantor's land includes the right to remove and
dispose of real and personal property located thereon.

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

21 7. Grantor shall be held harmless from all claims of third persons arising from the
22 use by County of Grantor's land.

23 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.

24 9. This agreement is the result of negotiations between the parties hereto. This
25 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

1 thereof.

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

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

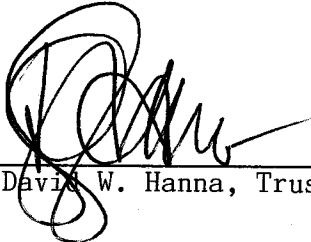
6 12. Grantor, their assigns and successors in interest, shall be bound by all the terms
7 and conditions contained in this agreement, and all the parties thereto shall be jointly and
8 severally liable thereunder.

9 13. County shall pay to the order of Grantor the sum of Thirty Three Thousand
10 Seven Hundred Fifty Dollars (\$33,750) for the right to enter upon and use Grantor's land in
11 accordance with the terms hereof.

12 Dated: 3/9/2010

GRANTOR:

THE HANNA MARITAL TRUST
ESTABLISHED MARCH 22, 2001


13 By: 
14 David W. Hanna, Trustee

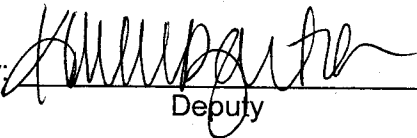
By: 
15 Violet B. Hanna, ~~Successor~~ Trustee

COUNTY OF RIVERSIDE

ATTEST:

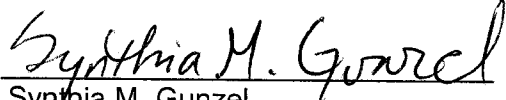
16 Kecia Harper-Ihem
17 Clerk to the Board

By: 
18 Marion Ashley, Chairman
19 Board of Supervisors

20 By: 
21 Deputy

APPROVED AS TO FORM:

22 Pamela J. Walls
23 County Counsel

24 By: 
25 Synthia M. Gunzel
Deputy County Counsel

CO:jw
08/13/09
218TR
12.956

JUL 27 2010 3:37

EXHIBIT "A"
LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT

AN EASEMENT FOR TEMPORARY CONSTRUCTION PURPOSES OVER A PORTION OF PARCEL 8 OF PARCEL MAP NUMBER 15244, ON FILE IN BOOK 85, PAGES 6 AND 7, OF PARCEL MAPS, RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE SOUTH ONE-HALF OF SECTION 21, 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 NORTHWESTERLY HALF-WIDTH) AND KELLER ROAD (13.410 METER NORTHERLY HALF-WIDTH), AS SHOWN ON SAID PARCEL MAP;

THENCE N 89°59'41" W ALONG THE CENTERLINE OF SAID KELLER ROAD, A DISTANCE OF 74.998 METERS;

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

THENCE N 89°59'41" W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 5.000 METERS;

THENCE N 00°00'19" E, A DISTANCE OF 6.500 METERS;

THENCE N 76°06'32" E, A DISTANCE OF 40.554 METERS;

THENCE S 86°24'42" E, A DISTANCE OF 24.104 METERS TO A POINT 30.000 METERS NORTHWESTERLY OF, AS MEASURED AT RIGHT ANGLES TO THE CENTERLINE OF SAID STATE ROUTE 79;

THENCE N 36°03'34" E PARALLEL WITH AND 30.000 METERS NORTHWESTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 416.728 METERS;

THENCE N 24°01'38" E, A DISTANCE OF 4.515 METERS TO THE CENTERLINE OF VIA GALATEA 18.286 METER WIDE ROAD EASEMENT) AS SHOWN ON SAID PARCEL MAP, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 91.431 METERS AND AN INITIAL RADIAL BEARING OF N 31°33'44" E;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°10'26", AN ARC DISTANCE OF 5.065 METERS;

THENCE S 24°01'38" W, A DISTANCE OF 4.239 METERS TO A POINT 25.000 METERS NORTHWESTERLY OF, AS MEASURED AT RIGHT ANGLES TO SAID CENTERLINE OF STATE ROUTE 79;

THENCE S 36°03'34" W PARALLEL WITH AND 25.000 METERS NORTHWESTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 420.000 METERS;

THENCE N 86°24'42" W, A DISTANCE OF 26.077 METERS;

THENCE S 76°02'32" W, A DISTANCE OF 35.874 METERS;

THENCE S 00°00'19" W, A DISTANCE OF 2.591 METERS TO THE **TRUE POINT OF BEGINNING**.

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

CONTAINING: 2,407.1 SQUARE METERS, 25,909 SQUARE FEET, OR 0.595 ACRES NET AND 2,453.1 SQUARE METERS, 26,405 SQUARE FEET, OR 0.606 ACRES GROSS, 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 18.10-21124 (21124-2)

SEE ATTACHED EXHIBIT "B"

APPROVED BY: Timothy F. Rayburn

DATE: 3/10/09

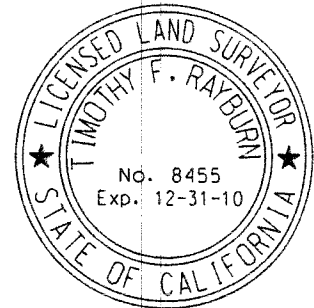
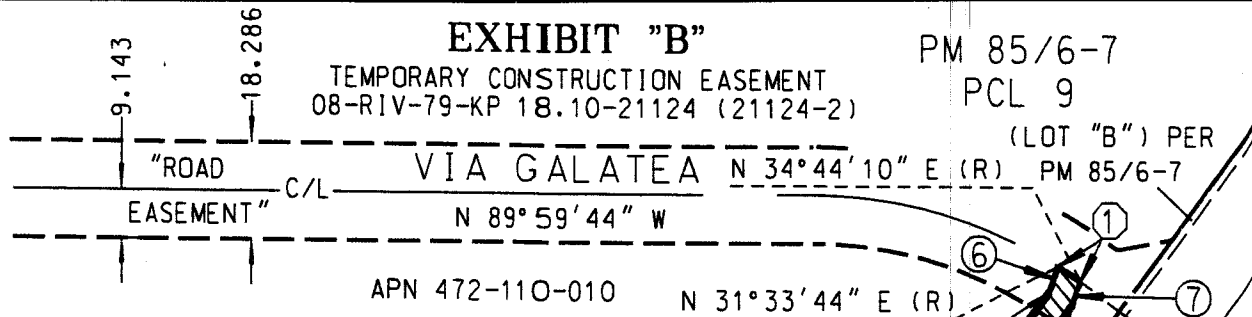


EXHIBIT "B"

TEMPORARY CONSTRUCTION EASEMENT
08-RIV-79-KP 18.10-21124 (21124-2)

PM 85/6-7
PCL 9



APN 472-110-010

N 31°33'44" E (R)

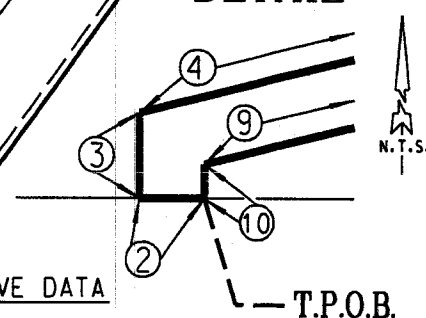
LINE DATA

- ① N 00°00'19" E - 13.410
- ② N 89°59'41" W - 5.000
- ③ N 00°00'19" E - 6.500
- ④ N 76°02'32" E - 40.554
- ⑤ S 86°24'42" E - 24.104
- ⑥ N 24°01'38" E - 4.515
- ⑦ S 24°01'38" W - 4.239
- ⑧ N 86°24'42" W - 26.077
- ⑨ S 76°02'32" W - 35.874
- ⑩ S 00°00'19" W - 2.591

NET / GROSS
2,407.1 SQ. M / 2,453.1 SQ. M
25,909 SQ. FT. - 26,405 SQ. FT.
0.595 AC / 0.606 AC

PM 15244
PM 85/6-7
PCL 8

DETAIL



INDICATES AREA ENCUMBERED BY EXISTING "ROAD EASEMENT" (NET VS. GROSS)

(LOT "D") PER PM 85/6-7

SEE DETAIL

CURVE DATA

- ① Δ = 03°10'26"
- R = 91.431
- L = 5.065

SECTION 21

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

KELLER ROAD C/L SOUTH LINE SECTION 21
N 89°59'41" W

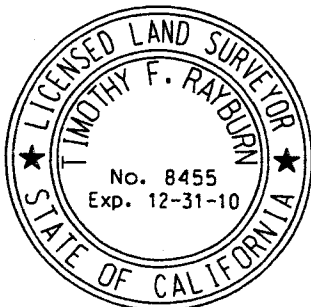
T.P.O.B.

P.O.C.

NOTE:

▲ R/W PER O.R. 1065/56, REC. 4-5-1949

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.: 21124-2

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.

REVISED: FEBRUARY, 2009

W.O. NO.: B4-0527

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

SHEET 1 OF 1

EXHIBIT "A"
LEGAL DESCRIPTION
TEMPORARY CONSTRUCTION EASEMENT

AN EASEMENT FOR TEMPORARY CONSTRUCTION PURPOSES OVER A PORTION OF PARCELS 9 AND 10 OF PARCEL MAP NUMBER 15244, ON FILE IN BOOK 85, PAGES 6 AND 7, OF PARCEL MAPS, RECORDS OF THE RECORDER OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN THE SOUTH ONE-HALF OF SECTION 21, TOWNSHIP 6 SOUTH, RANGE 2 WEST, SAN BERNARDINO MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST EASTERLY CORNER OF SAID PARCEL 10, SAID CORNER BEING A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 79 (16.762 METER NORTHWESTERLY HALF-WIDTH) AS SHOWN ON SAID PARCEL MAP;

THENCE N 89°56'04" W ALONG THE NORTHERLY LINE OF SAID PARCEL 10, A DISTANCE OF 20.719 METERS TO A POINT 33.525 METERS NORTHWESTERLY OF, AS MEASURED AT RIGHT ANGLES TO THE CENTERLINE OF SAID STATE ROUTE 79, SAID POINT BEING THE **TRUE POINT OF BEGINNING**;

THENCE S 36°03'34" W PARALLEL WITH AND 33.525 METERS NORTHWESTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 500.985 METERS;

THENCE S 24°01'38" W, A DISTANCE OF 36.655 METERS TO THE CENTERLINE OF VIA GALATEA (18.286 METER WIDE ROAD EASEMENT) AS SHOWN ON SAID PARCEL MAP, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 91.431 METERS AND AN INITIAL RADIAL BEARING OF N 34°44'10" E;

THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID CENTERLINE THROUGH A CENTRAL ANGLE OF 03°10'26", AN ARC DISTANCE OF 5.065 METERS;

THENCE N 24°01'38" E, A DISTANCE OF 36.379 METERS TO A POINT 38.525 METERS NORTHWESTERLY OF, AS MEASURED AT RIGHT ANGLES TO SAID CENTERLINE OF STATE ROUTE 79;

THENCE N 36°03'34" E, PARALLEL WITH AND 38.525 METERS NORTHWESTERLY OF SAID CENTERLINE OF STATE ROUTE 79, A DISTANCE OF 497.880 METERS TO A POINT ON SAID NORTHERLY LINE OF PARCEL 10;

THENCE S 89°56'04" E ALONG SAID NORTHERLY LINE, A DISTANCE OF 6.180 METERS TO THE **TRUE POINT OF BEGINNING**.

CONTAINING: 2,633.5 SQUARE METERS, 28,347 SQUARE FEET, OR 0.651 ACRES NET AND 2,679.6 SQUARE METERS, 28,843 SQUARE FEET, OR 0.662 ACRES GROSS, 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 18.53-21125 (21125-2)

SEE ATTACHED EXHIBIT "B"

APPROVED BY: Timothy F. Rayburn

DATE: 3/10/09

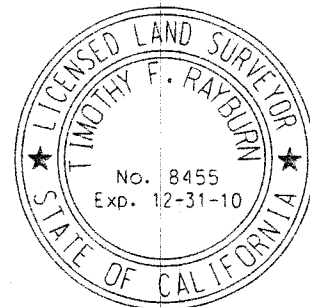


EXHIBIT "B"

TEMPORARY CONSTRUCTION EASEMENT
08-RIV-79-KP 18.53-21125 (21125-2)



NORTH LINE OF THE SOUTH
ONE-HALF OF SECTION 21

21125-2

NET	GROSS
2,633.5 SQ. M	2,679.6 SQ. M
28,347 SQ. FT. -	28,843 SQ. FT.
0.651 AC	0.662 AC

INDICATES AREA ENCUMBERED BY EXISTING "ROAD EASEMENT" (NET VS. GROSS)

PM 85/6-7

PCL 10

APN 472-110-005

APN 472-110-006

PM 15244

PM 85/6-7

PCL 9

R/W PER
O.R. 1065/56.
REC. 4-5-1949

LINE DATA

- ① N 89°56'04" W - 20.719
- ② S 24°01'38" W - 36.655
- ③ N 24°01'38" E - 36.379
- ④ S 89°56'04" E - 6.180

CURVE DATA

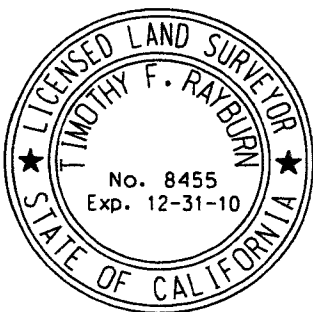
- ① Δ = 03°10'26"
- R = 91.431
- L = 5.065

VIA GALATEA CL

"ROAD EASEMENT"

SECTION 21

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: 3/10/09

PAR. NO.: 21125-2

PREPARED BY: N.J.C.

SCALE: N.T.S.

REVISED: FEBRUARY, 2009

W.O. NO.: B4-0527

SHEET 1 OF 1