

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

615



**FROM:** Economic Development Agency &  
Waste Management Department

**SUBMITTAL DATE:**  
May 5, 2011

**SUBJECT:** Second Amendment to Revenue Ground Lease at the Closed West Riverside Landfill

**RECOMMENDED MOTION:** That the Board of Supervisors approve the Second Amendment to the Lease Agreement with Chester Timothy Adams; and authorize the Chairman to execute the Amendment.

**BACKGROUND:** On September 29, 2009 the County entered into a Revenue Ground Lease at the Closed West Riverside Landfill with Chester Timothy Adams for the purpose of developing and constructing an automobile race facility. Mr. Adams requested a change in use that will allow him to develop and construct an alternative energy facility. This change in use was allowed via the First Amendment to Revenue Lease executed on January 25, 2011.

(Continued)

FORM APPROVED COUNTY COUNSEL  
 BY: *Synthia M. Gunzel*  
 DATE: *4-21-11*  
 SYNTHIA M. GUNZEL  
 Departmental Concurrence

*[Signature]*  
 \_\_\_\_\_  
 Hans Kernkamp, General Manager-Chief  
 Engineer, Waste Management Department

*[Signature]*  
 \_\_\_\_\_  
 Robert Field, Assistant County Executive  
 Officer, Economic Development Agency

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2011/12

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

**C.E.O. RECOMMENDATION:** APPROVE  
 BY: *[Signature]*  
 \_\_\_\_\_  
 County Executive Office Signature Jennifer L. Sargent

Policy  Policy  
 Consent  Consent  
 Dept's Recomm.:  
 Per Exec. Ofc.:

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Buster, 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 17, 2011  
 xc: EDA, Waste

Kecia Harper-Ihem  
 Clerk of the Board  
 By: *[Signature]*  
 Deputy

Prev. Agn. Ref.: 10.3 of 5/23/00; District: 2 Agenda Number:  
 3.43 of 9/29/09; 3.13 of 1/25/11

ATTACHMENTS FILED  
 WITH THE CLERK OF THE BOARD

**3.12**

**BACKGROUND:** (Continued)

The original Lease stipulated Mr. Adams had an eighteen (18) month start-up period to complete his due diligence in compliance with the applicable regulatory requirements. Due to the change in the proposed use, it is appropriate and recommended that an extension to the start-up period is granted. This Second Amendment represents a twelve (12) month extension to complete the due diligence and obtain all necessary approvals for the project.

EDA has determined that this amendment is exempt under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15061, subdivision (b)(3), and 15262. EDA shall file a Notice of Exemption within 72 hours of County approval of this amendment. The project proponent will be responsible for CEQA compliance for development of the proposed Alternative Energy Facility. County Counsel has reviewed and staff recommends approval of the Second Amendment to the Lease Agreement.

**FINANCIAL DATA:**

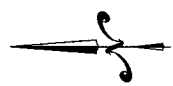
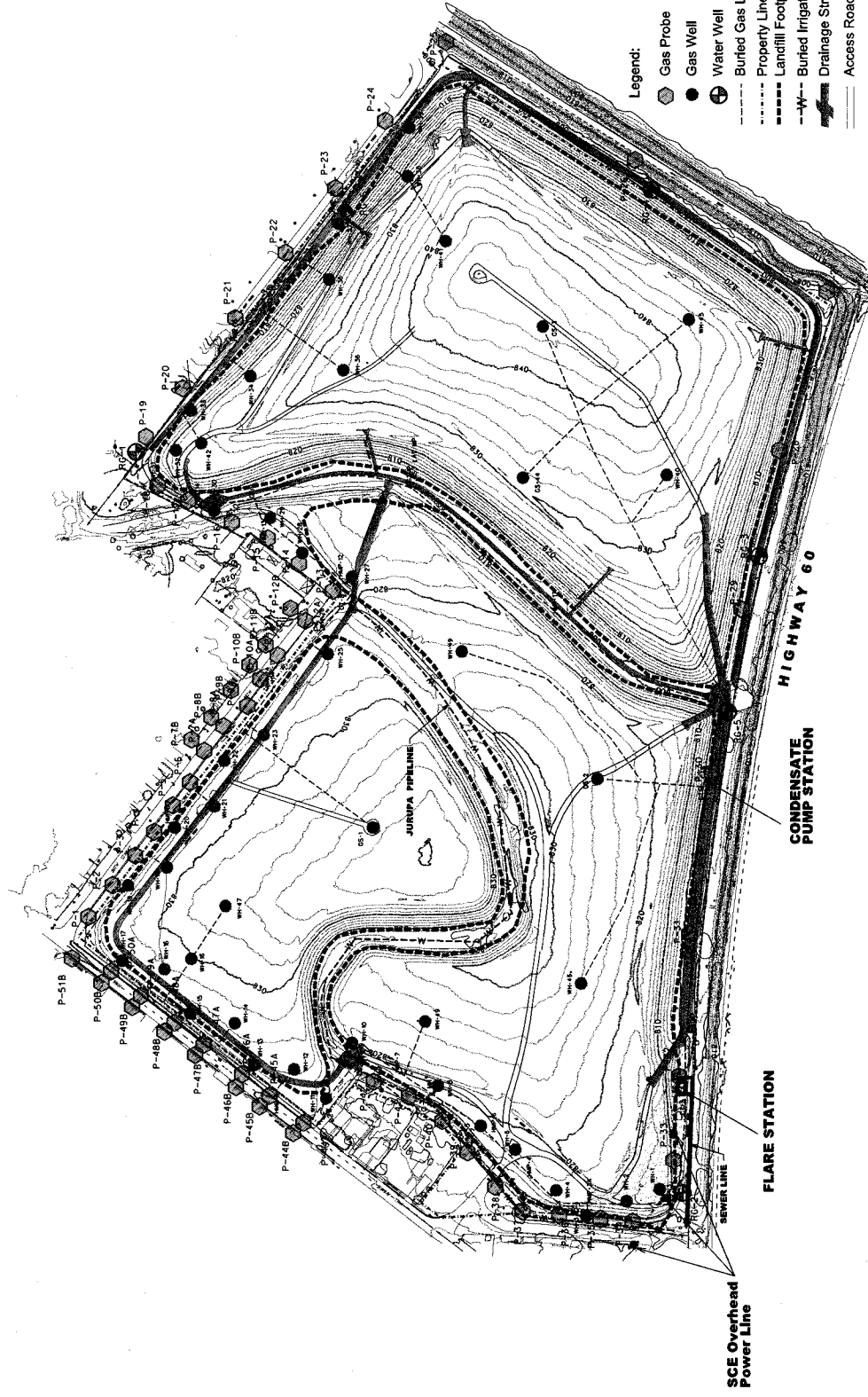
There are not costs associated with this transaction.

**Attachments:**

Second Amendment to Ground Lease







**Riverside County**  
**Waste Management Department**

Ground Lease between Riverside County and Tim Adams  
 West Riverside Sanitary Landfill

# Site Map

Exhibit A

File: eng/sites/west\_riverside/gokart\_roctrack/lease\_map\_01212009/wr\_exh\_A\_sitemap.dgn

Date: April 28, 2010

Photo Date: Oct. 2005

Scale: 1"=400'

Ground Lease between Riverside County and Tim Adams  
West Riverside Sanitary Landfill

**EXHIBIT "B-1"**

LEGAL DESCRIPTION OF WEST RIVERSIDE LANDFILL

Parcel 1- (APN 178-290-003):

Being a portion of Lot 2 of the Amended Map of the West Riverside Subdivision recorded in Map Book 4, Page n, records of Riverside County, California as shown on Record of Survey Book 96. Pages 2 through 5, inclusive, records of Riverside County, California, described as follows:

Beginning at the intersection of the Southwesterly right of way of 26th Street and the Northerly line of Lot "D", as shown on said Record of Survey;

Thence South 52° 30' 50" West along said Northerly line of Lot "D", 640.84 feet;

Thence North 88° 37' 10" West along said Northerly line of Lot "D", 300.00 feet;

Thence North 01° 06' 10" West along said Northerly line of Lot "D", 375.29 feet;

Thence North 54° 50' 10" West along said Northerly line of Lot "D", 115.00 feet;

Thence South 84° 22' 50" West along said Northerly line of Lot "D", 265.00 feet;

Thence South 26° 22' 50" West along said Northerly line of Lot "D", 67.08 feet, to a point on the Southwesterly line of that property described in Instrument No. 58017, recorded March 2, 1987, in the office of the County Recorder, records of Riverside County, California:

Thence North 52° 38' 14" West along said Southwesterly line of that property described in Instrument No. 58017 and parallel with the Southwesterly line of said Lot 2, 22.86 feet, to a point on the Northwesterly line of that property described in said Instrument No. 58017;

Thence North 37° 21' 46" East along said Northwesterly line of that property described in Instrument No. 58017, 6.50 feet, to a point on the Northeasterly line of that property described in said Instrument No. 58017;

Thence North 52° 38' 14" West along said Northeasterly line of that property described in Instrument No. 58017, 97.00 feet. to a point on the Northwesterly line of said Lot 2, said point also being on the Southeasterly right of way of Hall Avenue. as shown on said Record of Survey;

Thence North 37° ~ 1' 46" East along said Southeasterly right of way of Hall Avenue, 748.20 feet, to a point on said Southwesterly right of way of 26th Street;

Thence South 52° ~9' 10" East along said Southwesterly right of way of ~6th Street. 1059.56 feet. to the Point of Beginning.

Parcel 2 – (APN 178-290-006 and 178-290-013):

Being a portion of Lot "A" and Lot ~ of the Amended Map of the Indian Hill Tract, recorded in Map Book 1a, Page 3, records of Riverside County, California. as shown on Record of Survey Book 96, Pages 2 through 5, inclusive. records of Riverside County, California, described as follows:

Beginning at the most Easterly corner of Lot "D", as shown on said Record of Survey;

Thence North  $41^{\circ} 34' 36''$  East 33.09 feet, to a point on the Northeasterly right of way of 26th Street, as shown on said Record of Survey;

Thence North  $52^{\circ} 29' 10''$  West along said Northeasterly right of way of 26th Street, 28.91 feet;

Thence North  $37^{\circ} 28' 47''$  East 200.92 feet;

Thence North  $52^{\circ} 25' 03''$  West 18.18 feet;

Thence North  $25^{\circ} 54' 17''$  East 334.48 feet;

Thence South  $52^{\circ} 25' \sim 6''$  East 1279.31 feet, to a point on the Northwesterly right of way of the Santa Ana River, as shown on said Record of Survey;

Thence South  $31^{\circ} 32' 32''$  West along said Northwesterly right of way of the Santa Ana River, 1130.03 feet, to a point on the Northerly right of way of State Highway 60, as shown on said Record of Survey, said point also being the beginning of a non-tangent curve, concave Southerly, having a radius of 7624.88 feet, to which a radial bears North  $18^{\circ} 06' 06''$  East:

Thence Westerly along the arc of said curve and said Northerly right of way of State Highway 60, 531.84 feet, through a central angle of  $03^{\circ} 59' 47''$ , to the beginning of a compound curve, concave Southerly, having a radius of 6499.90 feet;

Thence Westerly along the arc of said curve and along said Northerly right of way of State Highway 60, 766.95 feet, through a central angle of  $06^{\circ} 45' 38''$ :

Thence North  $82^{\circ} 39' 19''$  West along said Northerly right of way of State Highway 60, 150,55 feet to the beginning of a curve, concave Southerly, having a radius of 3749,94 feet;

Thence Westerly along the arc of said curve and along said Northerly right of way of State Highway 60, 354,01 feet, through a central angle of  $05^{\circ} 24' 32''$ ;

Thence North  $88^{\circ} 03' 51''$  West along said Northerly right of way of State Highway 60, 338, 10 feet, to a point on the Northeasterly 22 foot right of way of 28th Street, as shown on said Record of Survey;

Thence North  $52^{\circ} 28' 38''$  West along said Northeasterly 22 foot right of way of 28th Street, 90,66 feet, to a point on the Southerly boundary of Blocks 12 and 13, as shown on Map Book 5, Page 116, records of Riverside County, California, also shown on said Record of Survey;

Thence North 41° 04' 57" East along said Southerly boundary, 11.02 feet, to a point on the Northeasterly 33 foot right of way of 28th Street, as shown on said Record of Survey; Thence North 52° 28' 38" West along said Northeasterly 33 foot right of way of 28th Street, 90.83 feet, to a point on the Southerly line of Lot "D", as shown on said Record of Survey, said point also being the most Westerly corner of said Lot "D";

Thence North 07° 35' 22" East along said Southerly line of Lot "D", 312.64 feet;

Thence North 50° 25' 22" East along said Southerly line of Lot "D", 295.40 feet;

Thence North 22° 40' 22" East along said Southerly line of Lot "D", 213.28 feet;

Thence North 67° 19' 38" West along said Southerly line of Lot "D", 1.80 feet, to the beginning of a non-tangent curve, concave Southeasterly, having a radius of 347.00 feet, to which a radial bears North 67° 19' 38" West;

Thence Northeasterly along the arc of said curve and along said Southerly line of Lot "D", 38.66 feet, through a central angle of 06° 23' 00", to the beginning of a compound curve, concave Southeasterly, having a radius of 49.00 feet;

Thence Northeasterly along the arc of said curve and along said Southerly line of Lot "0", 44.66 feet, through a central angle of 52° 13' 00", to which a radial bears North 08° 43' 38" West;

Thence North 83° 47' 22" East along said Southerly line of Lot "D", 177.15 feet, to the beginning of a curve, concave Southwesterly, having a radius of 1 09.00 feet;

Thence Southeasterly along the arc of said curve and along said Southerly line of Lot "0", 1 02.32 feet, through a central angle of 53° 4 7' 00", to the beginning of a compound curve, concave Westerly, having a radius of 69.00 feet;

Thence Southerly along the arc of said curve and along said Southerly line of Lot "D", 55.80 feet, through a central angle of 46° 20' 00", to which a radial bears South 86° 05' 38" East;

Thence South 04° 16' 22" West along said Southerly line of Lot "0", 239.97 feet, to the beginning of a curve, concave Easterly, having a radius of 174.00 feet;

Thence Southerly along the arc of said curve and along said Southerly line of Lot "D", 84.02 feet, through a central angle of 27° 40' 00", to the beginning of a compound curve, concave Northeasterly, having a radius of 95.00 feet;

Thence Southeasterly along the arc of said curve and along said Southerly line of Lot "D", 1 0 1.81 feet, through a central angle of 61 c 24' 00", to which a radial bears South 05· 12' 22" West;

Thence South 84° 55' 38" East along said Southerly line of Lot "D", 147.14 feet;

Thence North 82° 36' 22" East along said Southerly line of Lot "D", 99.60 feet;



Thence North  $63^{\circ} 08' 22''$  East along said Southerly line of Lot "D", 70.50 feet;

Thence North  $57^{\circ} 14' 22''$  East along said Southerly line of Lot "D", 94.30 feet;

Thence North  $54^{\circ} 23' 22''$  East along said Southerly line of Lot "D", 188.88 feet;

Thence North  $52^{\circ} 08' 22''$  East along said Southerly line of Lot "D", 129.50 feet;

Thence North  $41^{\circ} 34' 36''$  East along said Southerly line of Lot "D", 239.54 feet, to the Point of Beginning.

Parcel 3 – (APN 178-281-006):

Being a portion of Lot "C" of the Amended Map of the Indian Hill Tract. recorded in Map Book 10, Page 3. records of Riverside County, California. as shown on Record of Survey Book 96. Pages 2 through 5, inclusive. records of Riverside County, California. described as follows:

Beginning at the most Southwesterly comer of Lot "C", as shown on said Record of Survey, said point also being the intersection of the Easterly right of way of Turbine Street and the Northerly line of Lot "D", as shown on said Record of Survey;

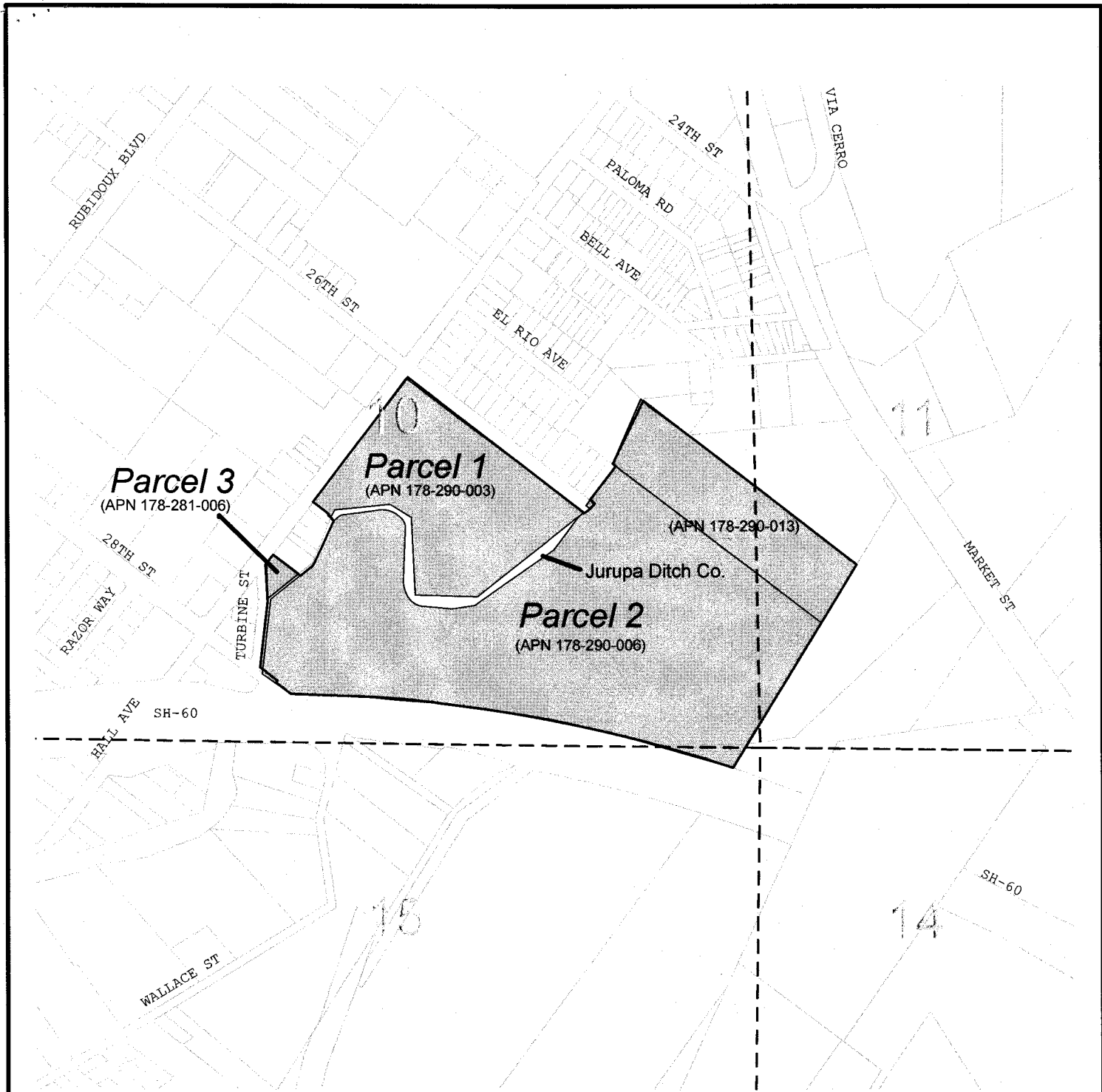
Thence North  $03^{\circ} 26' 43''$  West along said Easterly right of way of Turbine Street, 175.29 feet, to a point on the Southeasterly right of way of Hail Avenue, as shown on said Record of Survey;

Thence North  $37^{\circ} 21' 46''$  East along said Southeasterly right of way of Hall Avenue, 58.95 feet, to a point on the Southwesterly line of Instrument No. 77775, recorded July 15, 1971, in the office of the County Recorder, records of Riverside County, California, as shown on said Record of Survey;

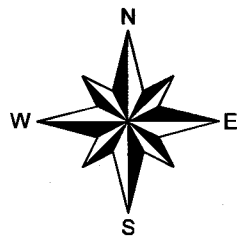
Thence South  $52^{\circ} 38' 14''$  East along said Southwesterly line of Instrument No. 77775, 163.13 feet, to a point on said Northerly line of Lot "D", as shown on said Record of Survey;


Thence South  $51^{\circ} 35' 17''$  West along said Northerly Line of Lot "D", 197.68 feet, to the Point of Beginning.

The hereinabove described parcels are shown on Exhibit "B-2".



T2S R5W



 *Riverside County*  
**Waste Management Department**

Ground Lease between Riverside County and Tim Adams  
**West Riverside Sanitary Landfill (Closed)**  
**Exhibit "B-2"**

This map is for graphical purpose only

Date: April 28, 2010

Not To Scale