

MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



9.19

During the oral communication section of the agenda for Tuesday, June 28, 2011, Robert Mabee read his statement into the record.

**ATTACHMENTS FILED WITH
CLERK OF THE BOARD**

**AGENDA NO.
9.19**

**Riverside County Board of Supervisors
Request to Speak**



Submit request to Clerk of Board (right of podium),
Speakers are entitled to three (3) minutes, subject
Board Rules listed on the reverse side of this form.

SPEAKER'S NAME: Robert MABEE

Address: 3086 Mibuel ST
(only if follow-up mail response requested)

City: Riverside **Zip:** 92506

Phone #: 788-4858

Date: 6-28-11 **Agenda #** _____

PLEASE STATE YOUR POSITION BELOW:

Position on "Regular" (non-appealed) Agenda Item:

_____ **Support** _____ **Oppose** _____ **Neutral**
ORAL COMMUNICATIONS

Note: If you are here for an agenda item that is filed
for "Appeal", please state separately your position on
the appeal below:

_____ **Support** _____ **Oppose** _____ **Neutral**

I give my 3 minutes to: _____

June 28th, 2011

To the Board of Supervisors:

I would like to thank again Supervisor Ashley and Supervisor Tavaglione. I believe every board meeting that Supervisor Buster will allow himself to take the honorable path. I have no hope with Supervisor Stone. Past performance is usually future performance.

Today I have 4 documents.

Document 1: Agenda 10.3, Oct 3rd, 1995. In agenda 10.3 Riverside County Flood Control Director Kenneth Edwards recommended that the board approve resolution no. F95-~~50~~ authorization to convey 4 non exclusive easements for ingress and egress purposes over district owned land. Justification- side channel modification has landlocked 4 property owners and these easements will provide new unobstructed access to the property owners. Supervisor Buster and Supervisor Tavaglione voted yes. Supervisor Tavaglione signed the easements. Four easements were received by Kenneth Edwards for recording 10-25-95.

Documents No. 2 & 3: Two letters dated Dec 28th, 2010 and May 4th, 2011 from Riverside County Flood Control Assistant Chief Engineer, Steve Thomas to Robert Mabee stating his easement deed and three other easement deeds to the other property owners were never recorded and can not be found. This is the same Kenneth Edwards that on Agenda 3.30, April 12th, 2011 told the Board of Supervisors that other than Robert Mabee no other property owner has ever complained.

Document No. 4: Newspaper articles and letters from property owners and attorneys complaining about the dangerous encroachment in the road blocking access to their properties. Kenneth Edwards spent over \$400,000.00 of taxpayers money on this abortion and his reward is a very large pension from the tax payers. County Counsel and Flood Control have deceived all of you. Supervisor Tavaglione signed the easements in good faith. He is doing the honorable thing now to correct a wrong. I would like to ask County Counsel to tell the Board that Mr. Stone lied on agenda 3.60, June 14th, 2011 when he informed the Board Robert Mabee filed a class action lawsuit. County Counsel as a officer of the court has an obligation to inform the court in case 184107 that the deeds were never recorded and this was fraud upon the court.

Robert Mabee
3086 Miguel St.
Riverside, Ca 92506
(951) 788-4858

Submitted by Robert Mabee
06/28/2011 (date) Item: Oral

WARREN D. WILLIAMS
General Manager-Chief Engineer



1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
951.788.5965 FAX
www.rcflood.org

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

LETTER OF TRANSMITTAL

Mr. Robert Mabeo
3086 Miguel Street
Riverside, CA 92506

Date: December 28, 2010

Dear Mr. Mabeo:

Re: Bautista Creek Channel
Basement Deed
Parcel 4030-500A

We are forwarding enclosed ___ under separate cover the following items:

Prints Plans Specifications Copy of Letter Other

- A copy of the referenced Basement Deed dated October 3, 1995.

These are transmitted as checked below:

<input type="checkbox"/> For approval	<input type="checkbox"/> Approved as submitted	<input type="checkbox"/> Resubmit ___ copies
<input type="checkbox"/> For your use	<input type="checkbox"/> Approved as noted	for approval
<input checked="" type="checkbox"/> As requested	<input type="checkbox"/> Returned for corrections	<input type="checkbox"/> Submit ___ copies for
<input type="checkbox"/> For review and comment	<input type="checkbox"/> Return ___ corrected prints	distribution

REMARKS: Be advised that following a thorough search of our records, staff could not confirm that the attached Basement Deed had ever been recorded. Should you have questions regarding this matter, please feel free to contact me.

By: Steve Thomas
STEPHEN C. THOMAS
Assistant Chief Engineer

Enclosure

SCT:bjp
P8/134709

WARREN D. WILLIAMS
General Manager-Chief Engineer



1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

May 4, 2011

Mr. Robert Mabee
3086 Miguel Street
Riverside, CA 92506

Dear Mr. Mabee:

Re: Bautista Creek Channel

In correspondence dated December 28, 2010 the District informed you that we could not confirm that a certain easement deed, adjacent to what once was your property, had ever been recorded. Recently you asked that we confirm in writing whether or not similar easement deeds had been conveyed to other property owners along Bautista Creek Channel.

Be advised that following a search of our files, staff could not confirm that easements have been extended to other property owners along Bautista Creek Channel.

Should you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in cursive script that reads "Steve Thomas".

STEPHEN C. THOMAS
Assistant Chief Engineer

SCT:bjp
P8/137332



By the Staff of The Press-Enterprise

...and ...

...and ...

...and ...

Hemet residents at complaints over lots of road

By Bill ...
The Press-Enterprise

HEMET is ...

...and ...

...and ...

...and ...

...and ...

...and ...

...and ...

Property owner battles county for road access

By JACK ROBINSON
The Press-Enterprise

HEMET — A Hemet property owner is waging a legal battle with county officials he accuses of illegally blocking access to his property.

The lawsuit is part of a complex dispute between the Riverside County Flood Control District and several property owners along the Bautista Creek flood control channel access road.

The road, which allows residents and workers to reach homes and groves owned by 10 families along the Bautista Creek flood control channel south of Florida Avenue, lies within a county right-of-way. Property owners along the road have an easement — a legal right incorporated in land records — to use the road.

Last week, residents argued with county workers who arrived to explain a plan to lock a gate across the road to keep trespassers out of the channel. Although they would have keys to the gate, residents complained the gate would prevent sheriff's deputies, fire and ambulance crews from reaching them quickly in an emergency.

Residents also complain the district partially blocked the road earlier this year by building several drainage pipes that open onto the road. Property owner Robert Mabee, acting as his own attorney, sued the district in April in an effort to force removal of the obstructions.

A Superior Court judge recently dismissed the suit, ruling that Mabee must first file an administrative claim with the county. Mabee, who argues that state law allows citizens to sue immediately in matters of urgency, yesterday filed an appeal with the

4th District Court of Appeal in San Bernardino. No court date has been set.

Although the drainage pipes extend only about a foot into the narrow access road, Mabee said they constrict it enough to cause severe problems for cars and large citrus trucks that use it.

"It's very difficult," he said yesterday. "You have to realize how difficult it is to go down that road when there's a citrus truck and trailer coming up. I've backed up 300 or 400 feet to let them by."

Mabee said county officials have ignored his complaints.

"It's really shabby," he said. "They won't see me, they never answer letters . . . I would think it would be better to sit down and work it out."

Mabee said he would welcome condemnation proceedings, which would grant residents reimbursement for district encroachment on their easement. County officials say those proceedings, begun this summer, have been suspended while they search for an agreement with residents.

"If they want to take the road, they could condemn it," Mabee said. "I would have no argument with that. Then I would have my day in court and do it legal."

Kenneth Edwards, district chief engineer, said yesterday that the drainage pipes "don't impact the easement in any way, shape or form. It doesn't impact the traversability of the road."

Edwards said county officials have many times discussed both the gate and drainage-pipe controversies with residents. He said he will meet with them next week

(See ACCESS, Page B-5)

ACCESS . . .

(From Page B-1)

before setting a date to lock the gate.

Dale Brusewitz, captain of the California Department of Forestry fire station at Little Lake, yesterday offered some support to residents who say the gate and the drainage pipes will hamper emergency workers.

"It's going to be quite a bit slower (to respond), especially if

we have to unlock a gate," Brusewitz said. Because relying on keys that will open the gate is impractical, firefighters would use bolt cutters to respond to emergencies on the road, he said. Brusewitz said flood control officials should look for other solutions to the problem of keeping trespassers out of the channel. "I think somebody's going to admit they've made a gross error," he said. "I just hope it comes out to a nice easy solution that nobody gets hurt."

LAW OFFICES OF

GOOD, WILDMAN, HEGNESS & WALLEY

5000 CAMPUS DRIVE

NEWPORT BEACH, CALIFORNIA 92660

(714) 955-1100

PAUL W. WILDMAN
(1924-1983)

OF COUNSEL
LOUIS A. CAPPADONA

RONALD K. BROWN, JR.*
GARY ALDO DAFELD*
JOSEPH E. DUBOIS
STEVEN H. GENTRY*
ROY M. GOOD
JOHN M. HARVEY*
PAUL C. HEGNESS
MICHAEL E. HENNESSY
GREGORY A. HILE*
ROGER LILJESTROM
JAMES M. PARKER
JOHN A. STILLMAN
KRIS A. THAGARD
DOUGLAS M. VICKERY
THOMAS E. WALLEY

*A PROFESSIONAL CORPORATION

RECEIVED
APR 29 1986

April 24, 1986

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

Mr. Tom W. Rodda
Chief of Flood
Control Operations
Riverside County Flood Control
and Water Conservation District
1995 Market Street
P. O. BOX 1033
Riverside, California 92502-1033

Re: Project Number 4030 - BAUTISTA CREEK CHANNEL

Dear Mr. Rodda:

Our office represents the interest of Michael and George O'Connell, successors-in-interest to Raymond and Lola Deichsel, parties to an access easement granted on April 6, 1981.

In our telephone conversation of March 22, you indicated that the existing easement does not contain any explicit language as to which party has the burden of maintenance. Assuming this to be the case, we believe that since the land is owned by the County there would be an implied covenant of maintenance of the easement by the County. Furthermore, the County has historically maintained the easement for at least 25 years. The conduct of the parties, as well as proscriptive rights militate in favor of our clients' position that maintaining the easement is the burden of the County.

As a practical matter we do not see why the County would expose itself to possible liability for improper or lack of maintenance of the new road easement (since it is their property) by trying to switch the burden of maintenance.

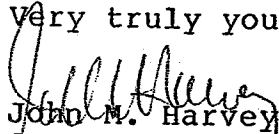
19. i Rodda

Mr. Tom W. Rodda
April 24, 1986
Page 2

The foregoing notwithstanding, our clients are willing to accept a change in the easement and even accept a different road surface but are unwilling to undertake the obligation to maintain the easement. If the County sees its way clear to modify the right of way agreement to contain provisions to the effect that the new easement will be maintained by the County, our clients will agree to the change.

Please advise us of the County's position.

Very truly yours,



John M. Harvey

dm

cc: Messrs. O'Connell

RECEIVED

JAN 16 1987

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

January 8, 1987

Mr. Donald F. Greywood
Riverside County Flood Control District
1995 Market Street
Riverside, CA 92502

RE: BAUTISTA CHANNEL ACCESS RIGHTS

Dear Mr. Greywood:


We are in receipt of your offer letter dated 12-22-86. There is concern on our part in regards to the mounded areas of the new unpaved access road. These mounded areas make access by a large truck such as the ones used by the fruit pickers very difficult and dangerous. For some reason the road was made too narrow in these areas making it impossible to clearly see oncoming traffic and thereby making the probability of a head on collision quite high.

We wish to propose that you go drive this road yourself and then get back to us on your recommendations for change.


In conclusion the way it stands now your offer cannot be accepted.

Waiting for your reply.

Sincerely,


George O'Connell


Michael O'Connell


Tom Banwell

GO/lt

CC Greywood

January 12, 1988

Mr. George O'Connell
1921 Yale Street
Santa Ana, CA 92704

Dear Mr. O'Connell:

Re: Bautista Creek Access
Rights

The District's last correspondence with you was our letter dated December 22, 1986, which included our offer for the exchange of easement rights. Since that time there was a meeting at the Board of Supervisors where testimony was taken concerning your attempt to condemn our existing easement rights. At that meeting and through subsequent meetings it was brought to the District's attention that the new easement and road constructed was not considered adequate for two reasons. Sight distance was not adequate and the road was narrow at the locations where it ramped up over side drainage pipes at three location.

The District has been working with the Army Corps of Engineers (the builders of the channel) to find a way to eliminate these concerns. We are now in a position to cut the side drainage dikes back thereby providing a level road for its entire length. In addition this will enable us to achieve a minimum of 18 feet of road width at these locations.

The District intends to sell its excess property along the channel (from Fairview Avenue upstream) to the adjoining property

owners. This excess property does include the new road and easement we wish you to use in exchange for your existing easement. Your new easement rights would allow you or future interest in your property access over this area.

Enclosed is a revised right of way agreement which is a statement of our offer for exchange of easement rights.

Very truly yours,

KENNETH L. EDWARDS
Chief Engineer

DONALD F. GREYWOOD
Chief of Operations

Enclosure

DFG:bab
dg10112a

FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD SUBMITTAL
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



FROM: Chief Engineer SUBMITTAL DATE: October 3, 1995
SUBJECT: Authorization to Convey Non-Exclusive Easements
Bautista Creek Channel Project # 4-0-0030
Resolution No. F95-50
RECOMMENDED MOTION:

The Board approve Resolution No. F95-50, Authorization to Convey four (4) non-exclusive easements for ingress and egress purposes over District owned land.

JUSTIFICATION:

See Page 2

FINANCIAL:

This action grants access easements over existing District right of way. No cost to District.

for 
KENNETH L. EDWARDS
General Manager-Chief Engineer

REVIEWED BY ADMINISTRATIVE OFFICE

DATE 9/26/95

RIVERSIDE
COUNTY
CLERK OF THE BOARD
4080 LEMON ST 1ST FLOOR
RIVERSIDE CALIF 92501
909-955-1060

12/13/10 1:54PM 03
000000 #9610 Tiosha

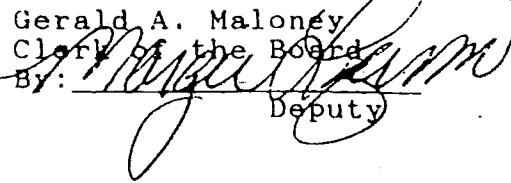
7595 COPY \$10.00

ECHECK \$10.00

MINUTES OF THE FLOOD CONTROL & WATER CONSERVATION DISTRICT BOARD

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

Ayes: Buster, Tavaglione and Wilson
Noes: None
Absent: Cenicerros and Mullen
Date: October 3, 1995
xc: Flood

Gerald A. Maloney
Clerk of the Board
By: 
Deputy

FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD SUBMITTAL
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

SUBMITTAL DATE: October 3, 1995

SUBJECT: Authorization to Convey Non-Exclusive Easements
Bautista Creek Channel Project # 4-0-0030
Resolution No. F95-50

JUSTIFICATION:

The District's Bautista Creek Channel from Fairview Avenue upstream has experienced vandalism and trespassing. To prevent this and limit potential liabilities, the District fenced the 15-foot wide maintenance road and modified several side channel conveyances. Certain individuals by virtue of being successors in interest to an access easement (Instrument No. 91932) enjoyed the use of the 15-foot wide strip of land adjacent to said channel. Said access easement provided that if at any time a public highway or street was extended to the described lands in Section 22 lying easterly of Bautista Creek Channel said easement shall cease and determine. To this end, the District granted to the County a 40-foot wide strip of land adjacent to the 15-foot wide easement for acceptance in the County's non-maintained road system (Instrument No. 127298).

A portion of the 15-foot wide access easement is located within a drainage wash, making it dangerous and unusable during times of storm flow. In addition, the side channel modification has obstructed physical access to a portion of the 15-foot side easement. The granting of these easements will provide new unobstructed access to the property owners (see attached Exhibit A).

1
2 Board of Supervisors

Riverside County Flood Control
and Water Conservation District

3 RESOLUTION NO. F95-50
4 AUTHORIZATION TO CONVEY NON-EXCLUSIVE EASEMENTS
(THIRD SUPERVISORIAL DISTRICT)

5 BE IT RESOLVED, DETERMINED AND ORDERED by the Board
6 of Supervisors of the Riverside County Flood Control and Water
7 Conservation District in regular session assembled on October 3,
8 1995, that authorization is hereby approved to convey non-
9 exclusive easements on Parcel 4030-500A for ingress and egress
10 purposes to Robert D. & Martha A. Mabee, Robert A. & Leslie
11 Barnes, the Michael H. O'Connell Family Trust and George D.
12 O'Connell Family Trust, and DGM Hemet Partners.

13 BE IT FURTHER RESOLVED AND DETERMINED that the
14 General Manager-Chief Engineer is authorized to execute all
15 documents associated with the conveyance.
16

17 Roll Call:

18 Ayes: Buster, Tavaglione and Wilson

19 Noes: None

20 Absent: Cenicerros and Mullen

21
22
23
24
25
26
27 JMP:seb
rcfc\5280
28

CERTIFICATE OF ACCEPTANCE
(Government Code Section 27281)

THIS IS TO CERTIFY that the interest in real property conveyed to the County of Riverside, State of California, by the within instrument, is hereby accepted for the purpose of vesting title in the County of Riverside by the undersigned on behalf of the Board of Supervisors pursuant to the authority conveyed by Resolution No. 88-184 of the Board of Supervisors adopted May 12, 1988 and the grantee consents to the recordation thereof by its duly authorized officer.

This certificate of acceptance does not constitute acceptance of any road into the county maintained system pursuant to Section 941 of the Streets & Highways Code.

Date: 5-11-88

County of Riverside

By Leroy D. Smock
Leroy D. Smock
Road Commissioner and County Surveyor

THIS INSTRUMENT IS FOR THE BENEFIT OF THE COUNTY OF RIVERSIDE AND ENTITLED TO BE RECORDED WITHOUT FEE (GOV. CODE 5103)

FOR RECORDER'S USE

RETURN TO RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

127298

RECEIVED FOR RECORD AT 2:40 O'CLOCK P.M.

MAY 12 1988
Approved in Official Records of Riverside County, California
William E. Pinsky
Recorder
Page 3

EASEMENT

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

grant(s) to the County of Riverside an easement for public road and drainage purposes, including public utility and public services purposes, over, upon, across, and within the real property in the County of Riverside, State of California, described as follows:

Parcel 4030-500 -

Being a portion of Sections 16, 21 and 22, Township 5 South, Range 1 East, San Bernardino Base and Meridian, lying within all or parts of Parcels 4030-16, 4030-17, 4030-17B, 4030-19A, 4030-20, 4030-21A and 4030-22 as shown on Record of Survey, Book 31, Pages 52-59, inclusive, Records of Riverside County, California, described as follows:

A strip of land 40 foot in width measured at right angles, lying Easterly of, parallel and concentric with a line which lies 60 feet Easterly of, parallel and concentric with the centerline of Bautista Creek as shown on said Record of Survey.

The side lines of said 40 foot wide strip of land shall be prolonged or shortened so as to terminate at the Northerly end with the Easterly right of way of Fairview Avenue and terminate at the Southerly end with the Southerly line of Section 22.

Grantor understands that the herein described road shall not become part of the county maintained road system until accepted by subsequent resolution of the Board of Supervisors pursuant to Section 941 of the Street and Highways Code

X

127296

DATED APR 12 1948

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By *Melba Eunlap*
Chairman

State of California)
County of Riverside) ss.

On April 12, 1948
Melba Eunlap

before me personally appeared known to me to be the Chairman of the Board of Supervisors of Riverside County Flood Control and Water Conservation District and the person whose name is subscribed to the foregoing instrument, and he acknowledged to me that said District executed the same.

GERALD A. MALONEY, County Clerk

By *Gerald A. Maloney*
Deputy

(SEAL)

END RECORDED DOCUMENT

91992

AFTER RECORDING RETURN TO:
RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
P. O. BOX 1033, RIVERSIDE, CALIFORNIA

Project 4030
Bautista Creek Channel

RECEIVED FOR RECORD

AUG 9 1965

15 Min. Post-Record
W. G. Ball Controller
Recorded in Official Records
of Riverside County, California

W. H. DeLoach

RECORDED
THIS

*Attention returned from 4-1-63. Check and
return no later than 10/1/63. Identify & retransmit
number and year of*

EASEMENT DEED

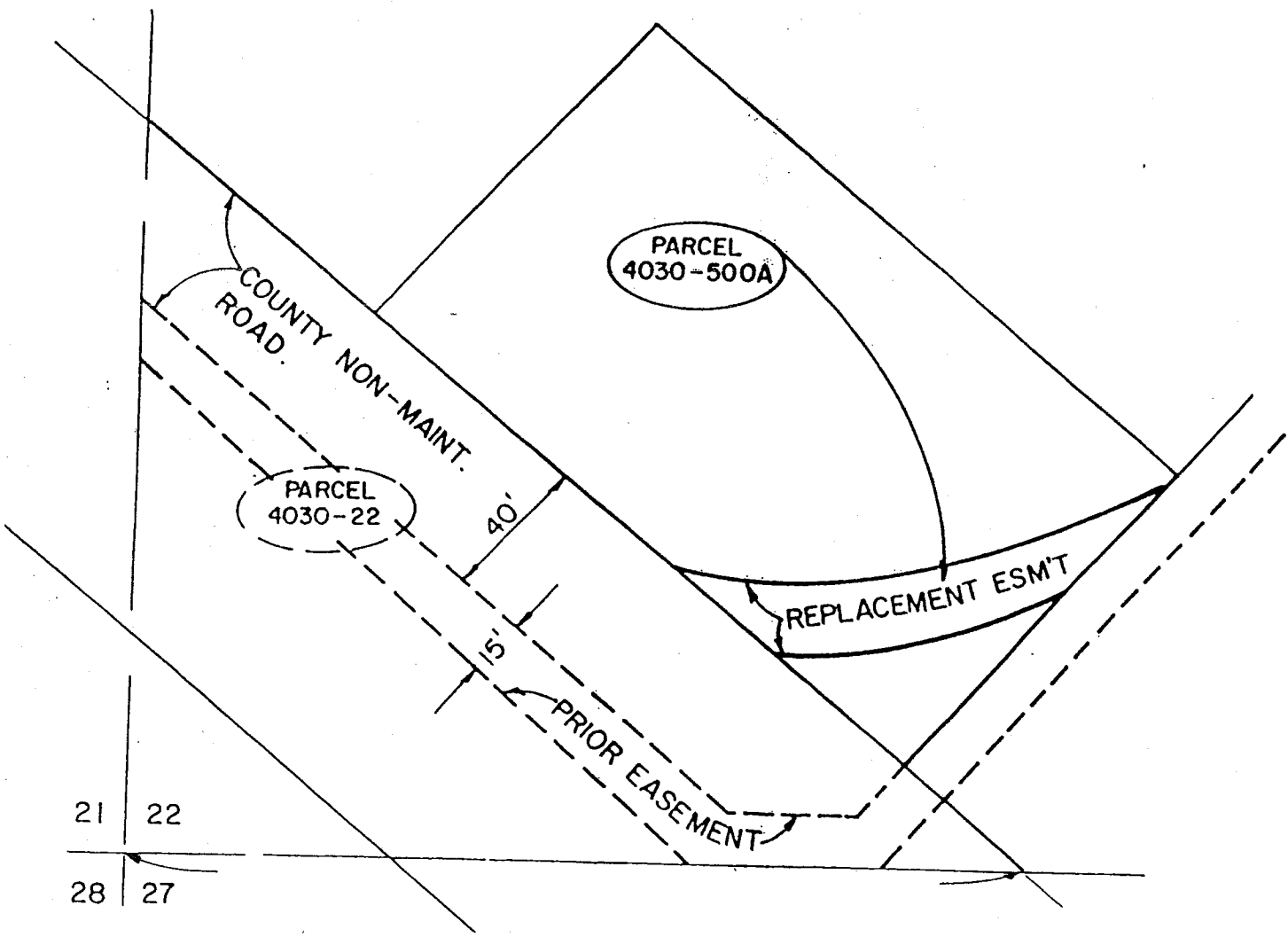
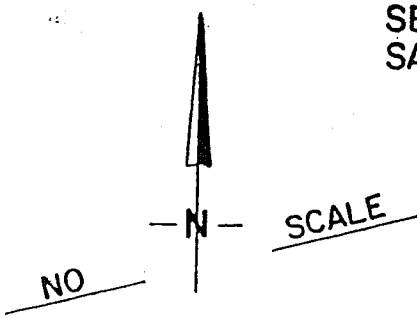
RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT hereby grants to RAYMOND DEICHSEL, JR. and LOLA H. DEICHSEL a non-exclusive private easement for ingress and egress over the land in the County of Riverside, State of California, described as:

The northeasterly 15.00 feet of the southwesterly 155.00 feet of that certain 200-foot wide right of way as shown on Record of Survey filed April 14, 1960, in Record of Survey Book 31, pages 52-59, inclusive, records of Riverside County, California, between the easterly right of way line of Fairview Avenue and the south line of Section 22, Township 5 South, Range 1 East, S.B.B. & M; together with an easement 15.00 feet in width northerly of, adjacent to, and parallel with the south line of said Section 22, extending from the easterly line of the above-described easement to the easterly line of Parcel 4030-22 as shown on Record of Survey filed April 14, 1960, in Record of Survey Book 31, pages 52-59, records of Riverside County, California.

This easement is granted pursuant to the contract between the parties, dated April 16, 1961, which provides that District shall grant to Deichsels this easement for ingress and egress to Deichsels landlocked remainder described as the South half of the South half of Section 22, Township 5 South, Range 1 East, S.B.B. & M; Excepting therefrom the Southeast-quarter of the Southeast quarter of the Southeast quarter of said Section 22.

BAUTISTA CREEK CHANNEL PARCEL 4030-500A

BEING A PORTION OF THE SOUTHWEST QUARTER OF
SECTION 22, TOWNSHIP 5 SOUTH, RANGE 1 EAST,
SAN BERNARDINO BASE AND MERIDIAN.



OCT 3 1995

10.3

Recorded at request of and return to:
Riverside County Flood Control &
Water Conservation District
1995 Market Street
Riverside, California 92501

FREE RECODING

This instrument is for the benefit of
Riverside County Flood Control and
Water Conservation District, and is
entitled to be recorded without fee.
(Govt. Code 6103)

Parcel: 4030-500A
Project: Bautista Creek Channel

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT hereby GRANTS to DGM HEMET PARTNERS, A GENERAL PARTNERSHIP a non-exclusive easement for ingress and egress over the real property in the County of Riverside, State of California, described as:

PARCEL 4030-500A as shown on "Exhibit A" attached hereto and made apart hereof.

10/25/95

4 original Easements
(1 of each) were
picked up by Flood
Control (Janet Park)
me

10/3/95 10.3

BAUTISTA CREEK CHANNEL
PARCEL 4030-500A

Being a portion of the Southwest quarter of Section 22, Township 5 South, Range 1 East, San Bernardino Base and Meridian, described as follows:

Commencing at the Southwest corner of Section 22 as shown on Record of Survey Book 31, Pages 52 through 59, inclusive, Records of Riverside County, California;

Thence North $89^{\circ} 17' 26''$ East along the South line of said Section 22, a distance of 406.21 feet to the Southeast corner of Parcel 4030-22 as shown on said Record of Survey, said point being a point on a curve to which a radial bears North $39^{\circ} 54' 50''$ East, said curve is concaved Northeast, having a radius of 7,900.00 feet;

Thence Northwesterly along the arc of said curve through a central angle of $00^{\circ} 09' 42''$, an arc distance of 22.29 feet;

Thence North $40^{\circ} 47' 30''$ East, a distance of 67.77 feet to the Point of Beginning;

Thence South $68^{\circ} 16' 21''$ West, a distance of 25.02 feet to the beginning of a tangent curve concaved Northerly, having a radius of 140.00 feet;

Thence Westerly along the arc of said curve through a central angle of $24^{\circ} 25' 22''$, an arc distance of 59.68 feet;

Thence North $49^{\circ} 12' 30''$ West, a distance of 38.83 feet to the beginning of a non-tangent curve concaved Northerly, having a radius of 120.00 feet to which a radial bears North $17^{\circ} 27' 07''$ East;

Thence Easterly along the arc of said curve through a central angle of $39^{\circ} 10' 36''$, an arc distance of 82.05 feet;

Thence North $68^{\circ} 16' 21''$ East, a distance of 63.46 feet;

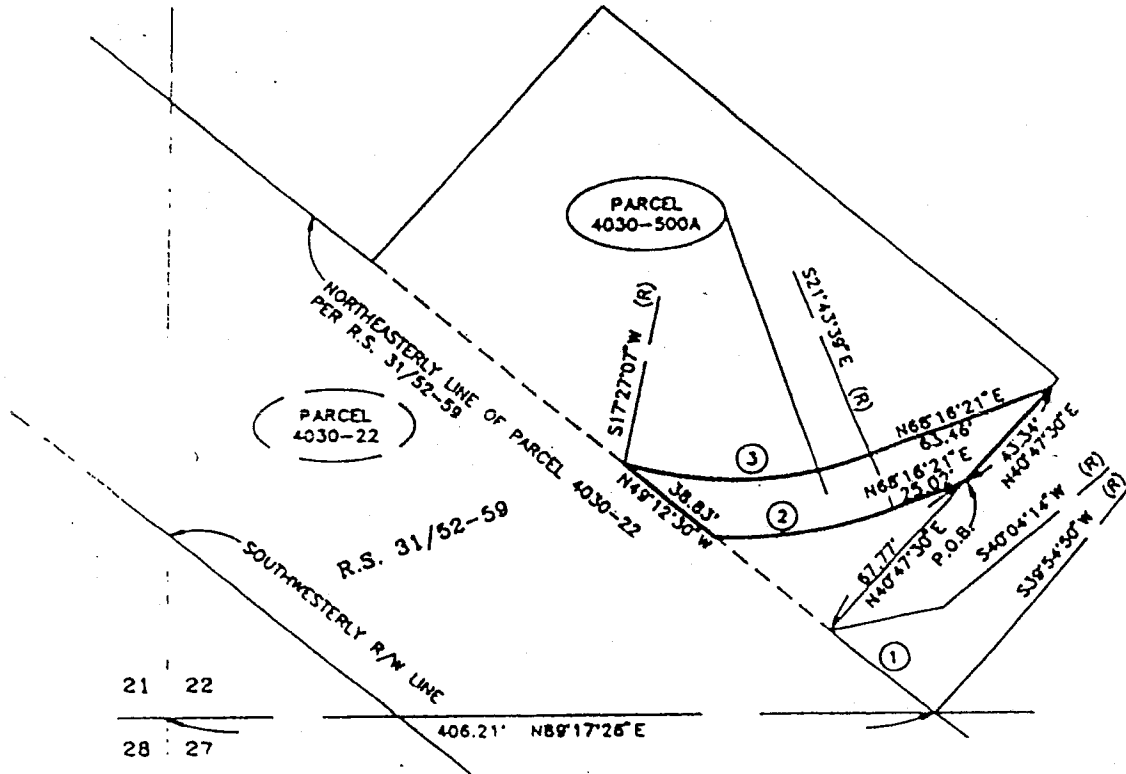
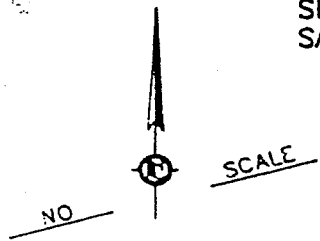
Thence South $40^{\circ} 47' 30''$ West, a distance of 43.34 feet to the Point of Beginning.


WILLIAM H. YOUNG

Land Surveyor No. 3364
Signed For: Riverside County
Flood Control and Water
Conservation District
Date: April 12, 1993

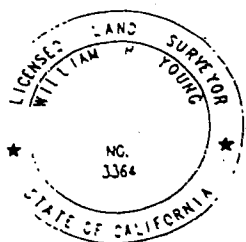
**BAUTISTA CREEK CHANNEL
PARCEL 4030-500A**

BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN.



R/W CURVE DATA				
#	Δ =	R =	T =	L =
1.	00°09'24"	7900.00'	10.80'	22.29'
2.	24°25'22"	140.00'	30.30'	59.68'
3.	39°10'36"	120.00'	42.70'	82.05'

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
1995 MARKET ST. RIVERSIDE, CA. 92502



PROJECT: BAUTISTA CREEK CHANNEL

PAR.: 4030-500A

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL (S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.

PREPARED BY: C.M.M.

SCALE: NO SCALE

APPROVED BY: *W. P. Young*
DATE: *April 13, 1993*

DATE: APRIL 8, 1993

SHEET 1 OF 1

Recorded at request of and return to:
Riverside Flood Control &
Water Conservation District
1995 Market Street
Riverside, California 92501

FREE RECODING

This instrument is for the benefit of
Riverside County Flood Control and
Water Conservation District, and is
entitled to be recorded without fee.
(Govt. Code 6103)

Parcel: 4030-500A

Project: Bautista Creek Channel

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT hereby GRANT(S) to

MICHAEL H. O'CONNELL AND MARGARET D. O'CONNELL, TRUSTEES OF THE MICHAEL H. O'CONNELL FAMILY TRUST established November 29, 1989 and GEORGE D. O'CONNELL AND DEBORAH J. O'CONNELL TRUSTEES OF THE GEORGE D. O'CONNELL FAMILY TRUST established November 28, 1989, a non-exclusive easement for ingress and egress over the real property in the County of Riverside, State of California, described as:

PARCEL 4030-500A as shown on "Exhibit A" attached hereto and made apart hereof.

the real property in the
State of California, described as:

County of Riverside,

10/3/95 10.3

BAUTISTA CREEK CHANNEL
PARCEL 4030-500A

Being a portion of the Southwest quarter of Section 22, Township 5 South, Range 1 East, San Bernardino Base and Meridian, described as follows:

Commencing at the Southwest corner of Section 22 as shown on Record of Survey Book 31, Pages 52 through 59, inclusive, Records of Riverside County, California;

Thence North $89^{\circ} 17' 26''$ East along the South line of said Section 22, a distance of 406.21 feet to the Southeast corner of Parcel 4030-22 as shown on said Record of Survey, said point being a point on a curve to which a radial bears North $39^{\circ} 54' 50''$ East, said curve is concaved Northeast, having a radius of 7,900.00 feet;

Thence Northwesterly along the arc of said curve through a central angle of $00^{\circ} 09' 42''$, an arc distance of 22.29 feet;

Thence North $40^{\circ} 47' 30''$ East, a distance of 67.77 feet to the Point of Beginning;

Thence South $68^{\circ} 16' 21''$ West, a distance of 25.02 feet to the beginning of a tangent curve concaved Northerly, having a radius of 140.00 feet;

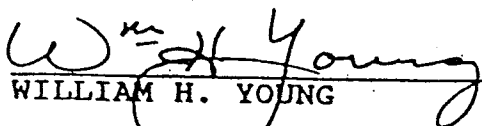
Thence Westerly along the arc of said curve through a central angle of $24^{\circ} 25' 22''$, an arc distance of 59.68 feet;

Thence North $49^{\circ} 12' 30''$ West, a distance of 38.83 feet to the beginning of a non-tangent curve concaved Northerly, having a radius of 120.00 feet to which a radial bears North $17^{\circ} 27' 07''$ East;

Thence Easterly along the arc of said curve through a central angle of $39^{\circ} 10' 36''$, an arc distance of 82.05 feet;

Thence North $68^{\circ} 16' 21''$ East, a distance of 63.46 feet;

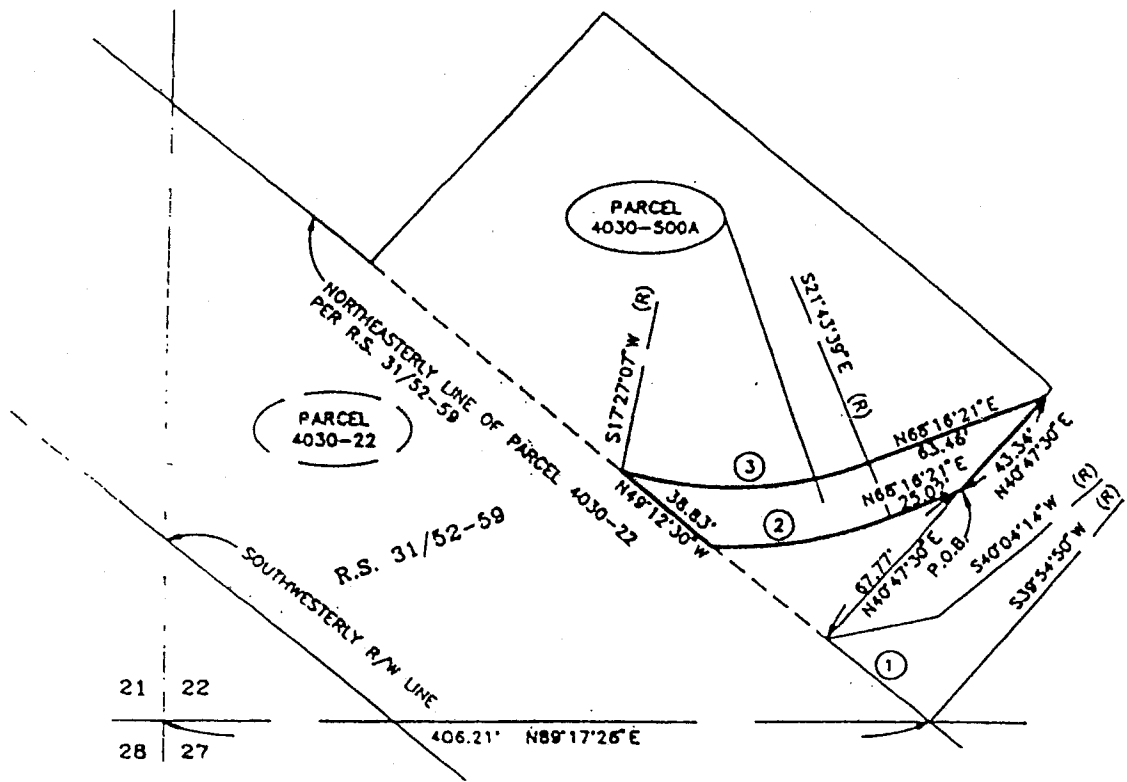
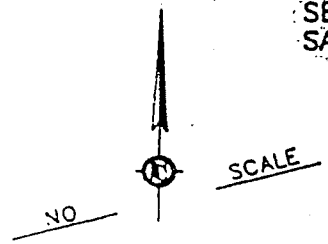
Thence South $40^{\circ} 47' 30''$ West, a distance of 43.34 feet to the Point of Beginning.


WILLIAM H. YOUNG

Land Surveyor No. 3364
Signed For: Riverside County
Flood Control and Water
Conservation District
Date: April 12, 1993

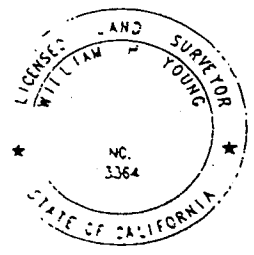
BAUTISTA CREEK CHANNEL PARCEL 4030-500A

BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN.



21 22
28 27

R/W CURVE DATA				
#	Δ =	R =	T =	L =
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2.	24°25'22"	140.00'	30.30'	59.68'
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RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
1995 MARKET ST. RIVERSIDE, CA. 92502

PROJECT: BAUTISTA CREEK CHANNEL	PAR.: 4030-500A
THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL (S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.	PREPARED BY: C.M.M.
APPROVED BY: <i>W.P. Young</i>	SCALE: NO SCALE
DATE: <i>April 13, 1993</i>	DATE: APRIL 8, 1993
	SHEET 1 OF 1

Recorded at request of and return to:
Riverside County Flood Control &
Water Conservation District
1995 Market Street
Riverside, California 92501

FREE RECODING

This instrument is for the benefit of
Riverside County Flood Control and
Water Conservation District, and is
entitled to be recorded without fee.
(Govt. Code 6103)

Parcel: 4030-500A
Project: Bautista Creek Channel

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT hereby GRANTS to ROBERT A. BARNES AND LESLIE BARNES, husband and wife as joint tenants a non-exclusive easement for ingress and egress over the real property in the County of Riverside, State of California, described as:

PARCEL 4030-500A as shown on "Exhibit A" attached hereto and made apart hereof.

10/3/95 10.3

Project: Bautista Creek Channel
Parcel: 4030-500A

Dated: Oct. 3, 1995

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

By: _____

[Signature]
JOHN F. TAVAGLIONE

Chairman, Flood Control and
Water Conservation District

STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE)

On October 3, 1995 before me, the undersigned, as Clerk of
the Board of Supervisors of the Riverside County Flood Control and
Water Conservation District, State of California, personally appeared
John F. Tavaqlione

_____ personally known to me to be the
person who executed this instrument as the Chairman of the Board of
Supervisors of said District, and acknowledged to me that the
Riverside County Flood Control and Water Conservation District
executed it.

GERALD A. MALONEY
Clerk of the Board of Supervisors

By: _____

[Signature]
Deputy

10/3/95 10.3

BAUTISTA CREEK CHANNEL
PARCEL 4030-500A

Being a portion of the Southwest quarter of Section 22, Township 5 South, Range 1 East, San Bernardino Base and Meridian, described as follows:

Commencing at the Southwest corner of Section 22 as shown on Record of Survey Book 31, Pages 52 through 59, inclusive, Records of Riverside County, California;

Thence North $89^{\circ} 17' 26''$ East along the South line of said Section 22, a distance of 406.21 feet to the Southeast corner of Parcel 4030-22 as shown on said Record of Survey, said point being a point on a curve to which a radial bears North $39^{\circ} 54' 50''$ East, said curve is concaved Northeast, having a radius of 7,900.00 feet;

Thence Northwesterly along the arc of said curve through a central angle of $00^{\circ} 09' 42''$, an arc distance of 22.29 feet;

Thence North $40^{\circ} 47' 30''$ East, a distance of 67.77 feet to the Point of Beginning;

Thence South $68^{\circ} 16' 21''$ West, a distance of 25.02 feet to the beginning of a tangent curve concaved Northerly, having a radius of 140.00 feet;

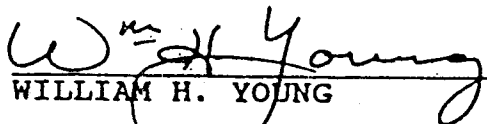
Thence Westerly along the arc of said curve through a central angle of $24^{\circ} 25' 22''$, an arc distance of 59.68 feet;

Thence North $49^{\circ} 12' 30''$ West, a distance of 38.83 feet to the beginning of a non-tangent curve concaved Northerly, having a radius of 120.00 feet to which a radial bears North $17^{\circ} 27' 07''$ East;

Thence Easterly along the arc of said curve through a central angle of $39^{\circ} 10' 36''$, an arc distance of 82.05 feet;

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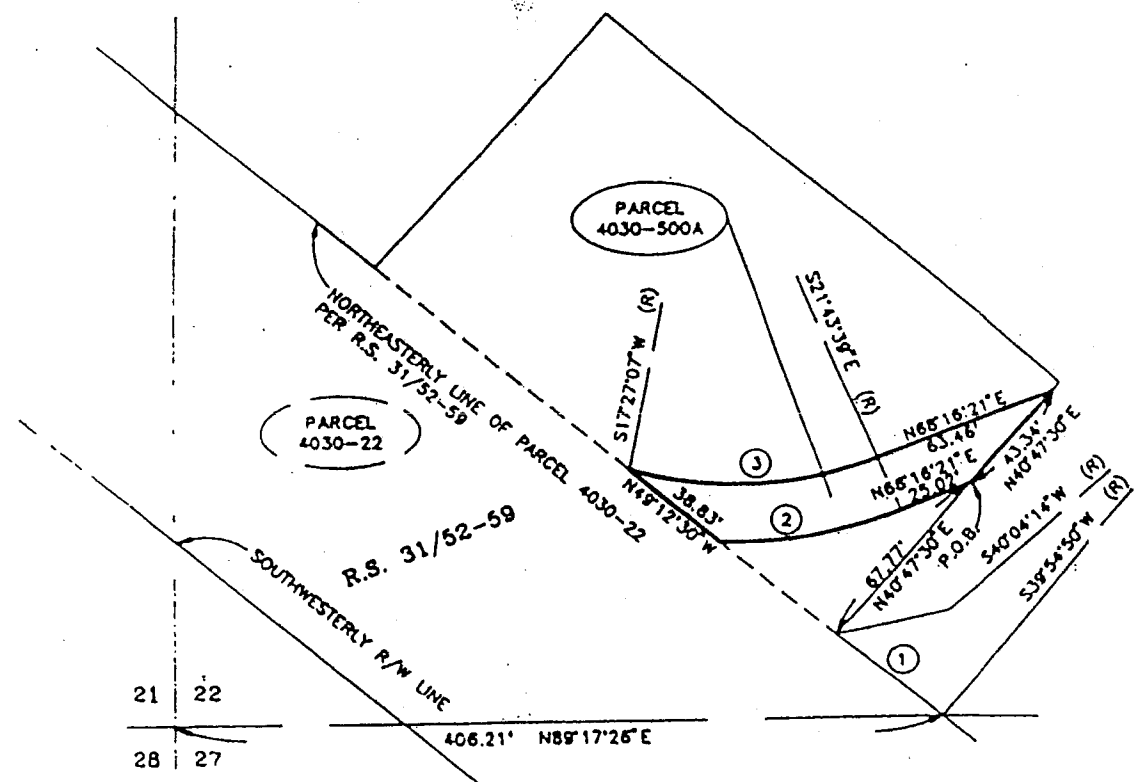
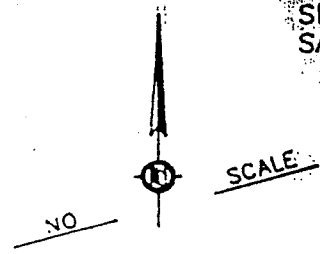
Thence South $40^{\circ} 47' 30''$ West, a distance of 43.34 feet to the Point of Beginning.


WILLIAM H. YOUNG

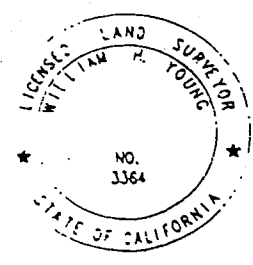
Land Surveyor No. 3364
Signed For: Riverside County
Flood Control and Water
Conservation District
Date: April 12, 1993

BAUTISTA CREEK CHANNEL PARCEL 4030-500A

BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 5 SOUTH, RANGE 1 EAST, SAN BERNARDINO BASE AND MERIDIAN.



R/W CURVE DATA				
#	$\Delta =$	R =	T =	L =
1.	00°09'24"	7900.00'	10.80'	22.29'
2.	24°25'22"	140.00'	30.30'	59.68'
3.	39°10'36"	120.00'	42.70'	82.05'



RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
1995 MARKET ST. RIVERSIDE, CA. 92502

PROJECT: BAUTISTA CREEK CHANNEL

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL (S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.

PAR.: 4030-500A

PREPARED BY: C.M.M.

SCALE: NO SCALE

DATE: APRIL 8, 1993

SHEET 1 OF 1

APPROVED BY: *W. H. Young*
DATE: *April 13, 1993*

Recorded at request of and return to:
Riverside County Flood Control &
Water Conservation District
1995 Market Street
Riverside, California 92501

FREE RECODING

This instrument is for the benefit of
Riverside County Flood Control and
Water Conservation District, and is
entitled to be recorded without fee.
(Govt. Code 6103)

Parcel: 4030-500A
Project: Bautista Creek Channel

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the
RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
hereby GRANT(S) to

ROBERT D. MABEE AND MARTHA A. MABEE, husband and wife as joint
tenants a non-exclusive easement for ingress and egress over the real property in the County of
Riverside, State of California, described as:

PARCEL 4030-500A as shown on "Exhibit A" attached hereto and made apart hereof.

FLOOD.021

10/3/95 10.3

BAUTISTA CREEK CHANNEL
PARCEL 4030-500A

Being a portion of the Southwest quarter of Section 22, Township 5 South, Range 1 East, San Bernardino Base and Meridian, described as follows:

Commencing at the Southwest corner of Section 22 as shown on Record of Survey Book 31, Pages 52 through 59, inclusive, Records of Riverside County, California;

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Thence Northwesterly along the arc of said curve through a central angle of $00^{\circ} 09' 42''$, an arc distance of 22.29 feet;

Thence North $40^{\circ} 47' 30''$ East, a distance of 67.77 feet to the Point of Beginning;

Thence South $68^{\circ} 16' 21''$ West, a distance of 25.02 feet to the beginning of a tangent curve concaved Northerly, having a radius of 140.00 feet;

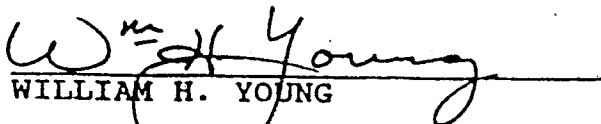
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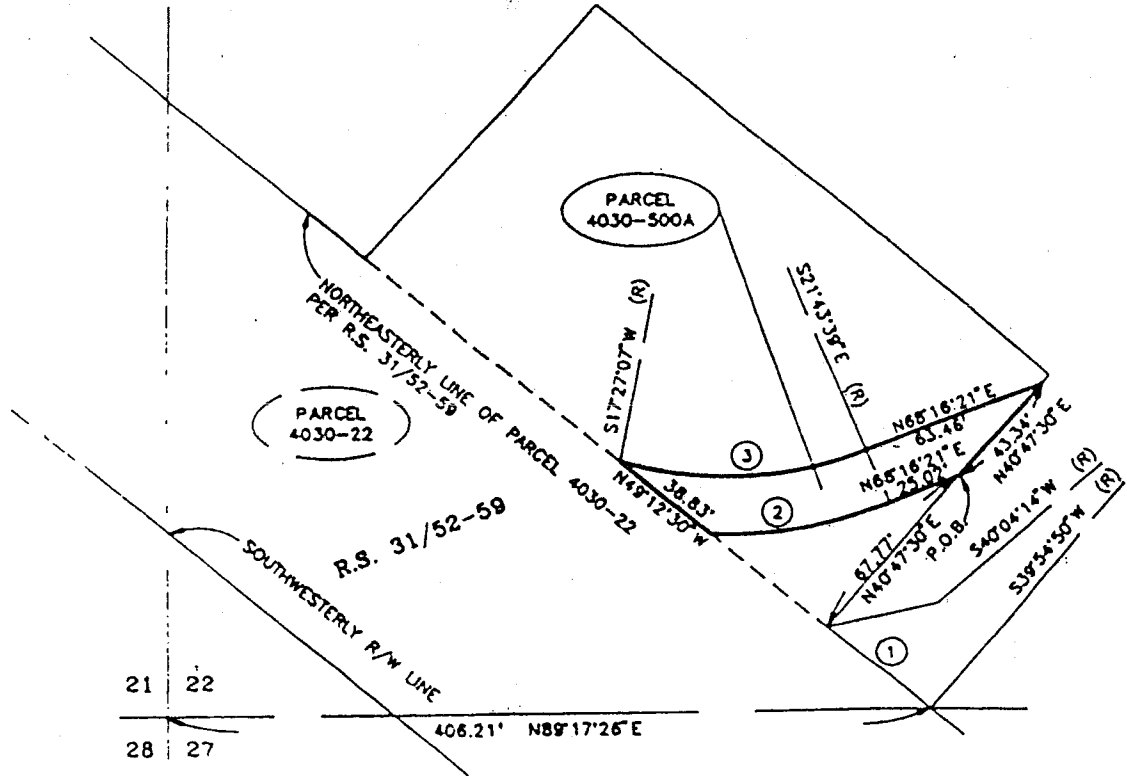
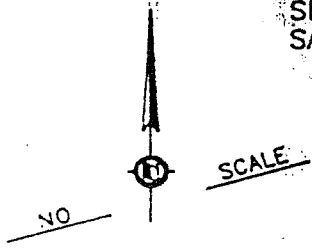
Thence South $40^{\circ} 47' 30''$ West, a distance of 43.34 feet to the Point of Beginning.


WILLIAM H. YOUNG

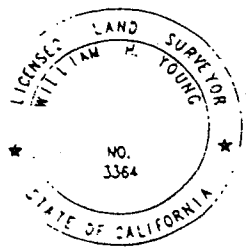
Land Surveyor No. 3364
Signed For: Riverside County
Flood Control and Water
Conservation District
Date: April 12, 1993

**BAUTISTA CREEK CHANNEL
PARCEL 4030-500A**

BEING A PORTION OF THE SOUTHWEST QUARTER OF
SECTION 22, TOWNSHIP 5 SOUTH, RANGE 1 EAST,
SAN BERNARDINO BASE AND MERIDIAN.



R/W CURVE DATA				
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2.	24°25'22"	140.00'	30.30'	59.68'
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RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
1995 MARKET ST. RIVERSIDE, CA. 92502

PROJECT: BAUTISTA CREEK CHANNEL	PAR.: 4030-500A
THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL (S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.	PREPARED BY: C.M.M.
APPROVED BY: <i>W.P. Young</i>	SCALE: NO SCALE
DATE: April 13, 1993	DATE: APRIL 8, 1993
	SHEET 1 OF 1



RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

LETTER OF TRANSMITTAL

Mr. Robert Mabee
3086 Miguel Street
Riverside, CA 92506

Date: December 28, 2010

Dear Mr. Mabee:

Re: Bautista Creek Channel
Easement Deed
Parcel 4030-500A

We are forwarding X enclosed ___ under separate cover the following items:

 Prints Plans Specifications Copy of Letter X Other

- A copy of the referenced Easement Deed dated October 3, 1995.

These are transmitted as checked below:

<u> </u> For approval	<u> </u> Approved as submitted	<u> </u> Resubmit <u> </u> copies
<u> </u> For your use	<u> </u> Approved as noted	for approval
<u>X</u> As requested	<u> </u> Returned for corrections	<u> </u> Submit <u> </u> copies for
<u> </u> For review and comment	<u> </u> Return <u> </u> corrected prints	distribution

REMARKS: Be advised that following a thorough search of our records, staff could not confirm that the attached Easement Deed had ever been recorded. Should you have questions regarding this matter, please feel free to contact me.

By: Steve Thomas
STEPHEN C. THOMAS
Assistant Chief Engineer

Enclosure

SCT:bjp
P8/134709

Recorded at request of and return to:
Riverside County Flood Control &
Water Conservation District
1995 Market Street
Riverside, California 92501

FREE RECODING

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Riverside County Flood Control and
Water Conservation District, and is
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(Govt. Code 6103)

Parcel: 4030-500A
Project: Bautista Creek Channel

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the
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hereby GRANT(S) to

ROBERT D. MABEE AND MARTHA A. MABEE, husband and wife as joint
tenants a non-exclusive easement for ingress and egress over the real property in the County of
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PARCEL 4030-500A as shown on "Exhibit A" attached hereto and made apart hereof.

FLOOD.021

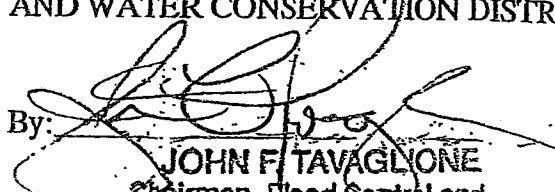
10/3/95 10.3

Project: Bautista Creek Channel
Parcel: 4030-500A

Dated: October 3, 1995

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

By:



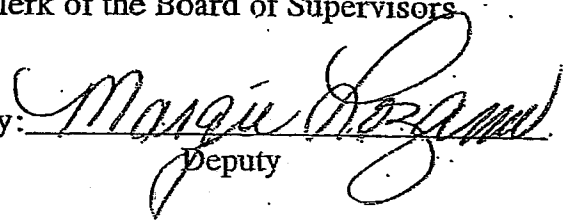
JOHN F. TAVAGLIONE
Chairman, Flood Control and
Water Conservation District

STATE OF CALIFORNIA)
)ss
COUNTY OF RIVERSIDE).

On October 3, 1995 before me, the undersigned, as Clerk of the Board of Supervisors of the Riverside County Flood Control and Water Conservation District, State of California, personally appeared
John F. Tavaglione

_____ personally known to me to be the person who executed this instrument as the Chairman of the Board of Supervisors of said District, and acknowledged to me that the Riverside County Flood Control and Water Conservation District executed it.

GERALD A. MALONEY
Clerk of the Board of Supervisors

By: 
Deputy

10/3/95 10.3

BAUTISTA CREEK CHANNEL
PARCEL 4030-500A

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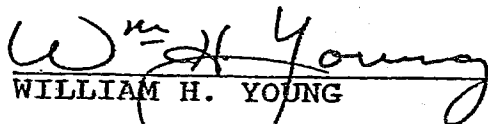
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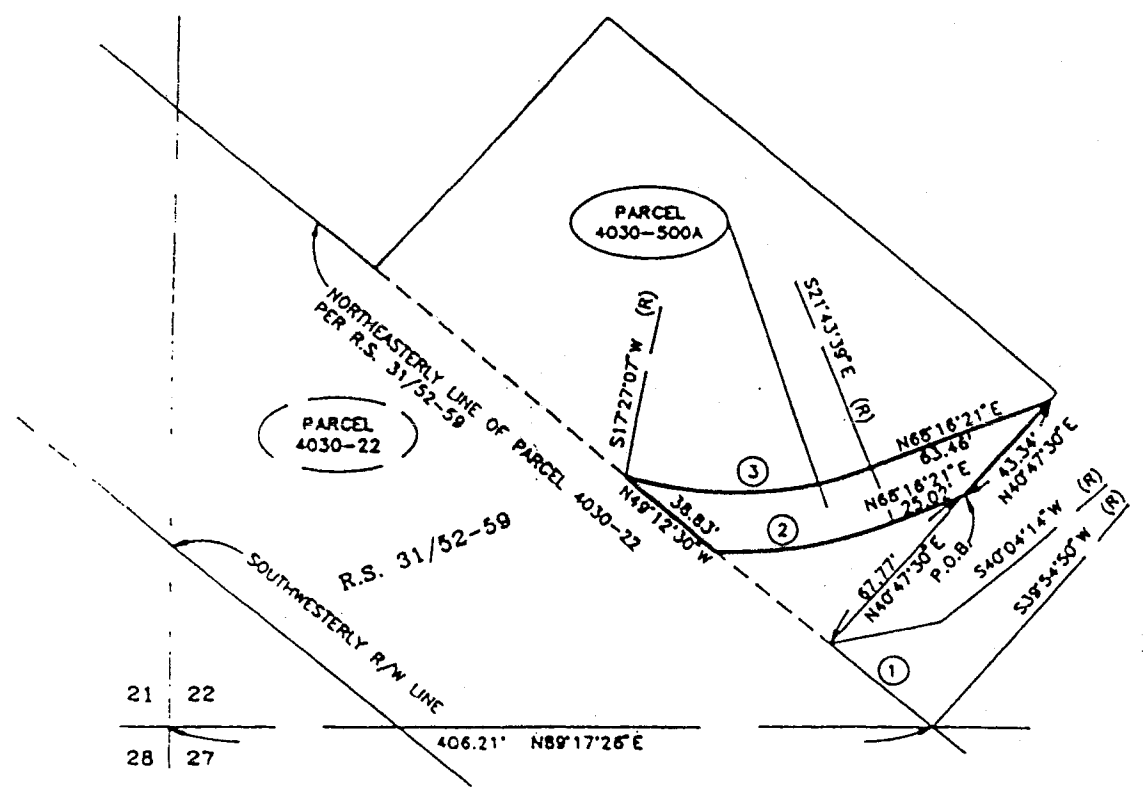
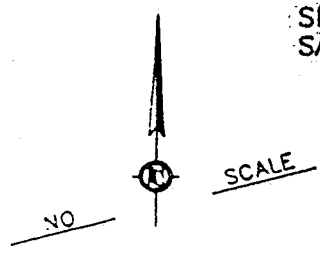
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WILLIAM H. YOUNG

Land Surveyor No. 3364
Signed For: Riverside County
Flood Control and Water
Conservation District
Date: April 12, 1993

BAUTISTA CREEK CHANNEL PARCEL 4030-500A

BEING A PORTION OF THE SOUTHWEST QUARTER OF
SECTION 22, TOWNSHIP 5 SOUTH, RANGE 1 EAST,
SAN BERNARDINO BASE AND MERIDIAN.



R/W CURVE DATA				
#	Δ =	R =	T =	L =
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2.	24°25'22"	140.00'	30.30'	59.68'
3.	39°10'36"	120.00'	42.70'	82.05'



**RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT**
1995 MARKET ST. RIVERSIDE, CA. 92502

PROJECT: BAUTISTA CREEK CHANNEL	PAR.: 4030-500A
THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL (S) DESCRIBED IN THE ATTACHED DOCUMENT. IT IS NOT A PART OF THE WRITTEN DESCRIPTION THEREIN.	PREPARED BY: C.M.M.
	SCALE: NO SCALE
	DATE: APRIL 8, 1993
APPROVED BY: <i>W.P. Young</i>	SHEET 1 OF 1
DATE: APRIL 13, 1993	