

EXHIBIT "A1"
LEGAL DESCRIPTION
OF
COUNTY OF RIVERSIDE TO
CASTLE & COOKE COMMERCIAL-CA, INC.

Parcel "A":

Being portions of that land conveyed to the County of Riverside by Grant Deed, Recorded December 30, 2004, as Instrument No. 2004-1036504, of Official Records, in the Office of the County Recorder of the County of Riverside, State of California, lying within Sections 23 and 26, Township 5 South, Range 5 West, San Bernardino Meridian, of said County, according to the official plat thereof, being more particularly described as follows:

COMMENCING at the southwest corner of said Section 23, as shown on a Record of Survey on file in Book 88, Pages 76 through 82, of Record of Surveys, records of said County;

Thence east along the south line of said Section 23, South 89°04'59" East, a distance of 1042.70 feet to a point lying on the westerly line of said Instrument No. 2004-1036504, said point also being the **TRUE POINT OF BEGINNING**;

Thence northeasterly along said westerly line, North 41°37'29" East, a distance of 166.45 feet to the beginning of a non-tangent curve, concave westerly and having a radius of 1745.00 feet, a radial bearing to said point bears South 85°30'24" East;

Thence southerly along said non-tangent curve, leaving said westerly line of said Instrument No. 2004-1036504, through a central angle of 18°56'26", an arc distance 576.86 feet to the beginning of a tangent line;

Thence southwesterly along said tangent line, South 23°26'02" West, a distance of 195.37 feet to the beginning of a tangent curve, concave northwesterly and having a radius of 1045.00 feet;

Thence southwesterly along said tangent curve, through a central angle of 24°22'08", an arc distance of 444.46 feet to the beginning of a tangent line;

Thence southwesterly along said tangent line, South 47°48'10" West, a distance of 268.41 feet;

Thence South 11°20'01" West, a distance of 28.60 feet to a point lying on the northeasterly right of way of Nichols Road as dedicated per Instrument No. 2008-0482210, recorded September 02, 2008, of Official Records of said County;

Thence northwesterly along said northeasterly right of way, North 42°11'50" West, a distance of 254.20 feet to a point lying on said westerly line of Instrument No. 2004-1036504;

The following four (4) courses are along the westerly line of said Instrument No. 2004-1036504:

1. Thence northeasterly, leaving said northeasterly right of way, North 32°56'52" East, a distance of 425.57 feet;
2. Thence North 43°06'11" East, a distance of 169.95 feet;
3. Thence North 33°14'54" East, a distance of 320.81 feet;
4. Thence North 41°37'29" East, a distance of 322.66 feet to the **TRUE POINT OF BEGINNING**.

Containing 7.91 acres, more or less.

As shown on the attached exhibit hereto and made a part hereof.

PARCEL "B":

Being portions of that land conveyed to the County of Riverside by Grant Deed, Recorded December 30, 2004, as Instrument No. 2004-1036504, of Official Records, in the Office of the County Recorder of the County of Riverside, State of California, lying within Sections 22 and 23, Township 5 South, Range 5 West, San Bernardino Meridian, of said County, according to the official plat thereof, being more particularly described as follows:

COMMENCING at the southwest corner of said Section 23, as shown on a Record of Survey on file in Book 88, Pages 76 through 82, of Record of Surveys, records of said County;

Thence north along the west line of said Section 23, North 00°53'18" East, a distance of 4036.32 feet to a point lying on the southwesterly line said Instrument No. 2004-1036504, said point also being the **TRUE POINT OF BEGINNING**;

The following five (5) courses are along the southerly, southwesterly and westerly lines of said Instrument No. 2004-1036504:

1. Thence North 19°45'52" West, a distance of 86.91 feet;
2. Thence North 58°17'49" West, a distance of 368.89 feet;
3. Thence South 75°09'21" West, a distance of 529.98 feet;
4. Thence North 02°49'18" West, a distance of 81.54 feet;
5. Thence North 57°38'09" East, a distance of 228.51 feet;

Thence northeasterly, leaving said westerly line of Instrument No. 2004-1036504, North 76°19'28" East, a distance of 124.91 feet;

Thence North 85°40'14" East, a distance of 184.05 feet;

Thence South 36°00'49" East, a distance of 139.07 feet;

Thence South 51°32'37" East, a distance of 53.43 feet;

Thence South 63°32'24" East, a distance of 218.06 feet;

Thence South 44°55'38" East, a distance of 82.30 feet;

Thence North 77°59'36" East, a distance of 245.09 feet;

Thence South 35°10'50" East, a distance of 110.65 feet;

Thence South 07°53'49" West, a distance of 96.34 feet;

Thence South 15°59'38" East, a distance of 33.14 feet;

Thence South 38°50'02" East, a distance of 111.07 feet;

Thence South 43°11'43" East, a distance of 105.85 feet;

Thence South 73°49'28" East, a distance of 220.27 feet;

Thence North 63°19'46" East, a distance of 201.76 feet;

Thence South 34°50'22" East, a distance of 241.54 feet;

Thence South 11°13'33" East, a distance of 28.41 feet;

Thence South 13°24'24" West, a distance of 78.25 feet;

Thence South 51°43'14" West, a distance of 50.50 feet;

Thence South 29°18'07" East, a distance of 43.81 feet;

Thence South 15°16'44" West, a distance of 45.58 feet;

Thence South 03°59'40" East, a distance of 48.14 feet;

Thence South 41°14'50" East, a distance of 115.25 feet;

Thence South 57°34'43" East, a distance of 61.68 feet;

Thence South 88°05'18" East, a distance of 127.48 feet;

Thence South 65°50'34" East, a distance of 52.57 feet;

Thence South 52°53'46" East, a distance of 70.10 feet;

Thence South 79°01'11" East, a distance of 72.19 feet to the beginning of a non-tangent curve, concave southeasterly and having a radius of 145.00 feet, a radial bearing to said point bears North 65°23'34" West;

Thence northeasterly along said non-tangent curve, through a central angle of 11°00'30", an arc distance of 27.86 feet to the beginning of a non-tangent line, a radial bearing to said point bears North 54°23'04" West;

Thence northeasterly along said non-tangent line, North 40°54'08" East, a distance of 83.38 feet;

Thence North 75°30'08" East, a distance of 67.11 feet;

Thence South 77°32'51" East, a distance of 74.84 feet;

Thence South 64°39'54" East, a distance of 104.95 feet;

Thence South 47°28'14" East, a distance of 97.29 feet;

Thence South 57°00'34" East, a distance of 26.28 feet to the beginning of a non-tangent curve, concave southwesterly and having a radius of 100.00 feet, a radial bearing to said point bears North 09°52'55" East;

Thence southeasterly along said non-tangent curve, through a central angle of 52°14'29", an arc distance of 91.18 feet to the beginning of a tangent line;

Thence southeasterly along said tangent line, South 27°52'35" East, a distance of 49.28 feet to the beginning of a tangent curve, concave westerly and having a radius of 70.00 feet;

Thence southeasterly along said tangent curve, through a central angle of 39°37'49", an arc distance of 48.42 feet to the beginning of a tangent line;

Thence southerly along said tangent line, South 11°45'13" West, a distance of 64.96 feet;

Thence South 38°41'11" West, a distance of 121.29 feet;

Thence South 10°40'02" East, a distance of 96.80 feet;

Thence South 32°18'15" East, a distance of 70.72 feet;

Thence South 41°24'37" East, a distance of 63.10 feet;

Thence South 32°29'56" East, a distance of 194.06 feet;

Thence South 68°55'29" East, a distance of 80.42 feet;

Thence South 62°26'58" East, a distance of 234.40 feet;

Thence South 03°48'43" West, a distance of 137.89 feet;

Thence South 49°17'06" West, a distance of 212.87 feet, to a point lying on the southerly line of said Instrument No. 2004-1036504;

The following twelve (12) courses are along the southerly and southwesterly line of said Instrument No. 2004-1036504:

1. Thence North 61°05'29" West, a distance of 211.00 feet;
2. Thence North 68°50'06" West, a distance of 440.81 feet;
3. Thence North 19°59'07" East, a distance of 397.34 feet;
4. Thence North 14°46'29" West, a distance of 134.01 feet;
5. Thence North 28°33'43" West, a distance of 306.17 feet;
6. Thence North 80°13'05" West, a distance of 472.02 feet;
7. Thence North 46°52'49" West, a distance of 124.75 feet;
8. Thence North 66°32'19" West, a distance of 110.04 feet;
9. Thence North 24°32'42" West, a distance of 109.26 feet;
10. Thence North 45°15'05" West, a distance of 282.27 feet;
11. Thence North 75°01'37" West, a distance of 447.21 feet;
12. Thence North 19°45'52" West, a distance of 363.48 feet to the **TRUE POINT OF BEGINNING**

Containing 20.62 acres, more or less.

As shown on the attached exhibit hereto and made a part hereof.

PARCEL "C":

Being portions of that land conveyed to the County of Riverside by Grant Deed, Recorded December 30, 2004, as Instrument No. 2004-1036504, of Official Records, in the Office of the County Recorder of the County of Riverside, State of California, lying within Section 22, Township 5 South, Range 5 West, San Bernardino Meridian, of said County, according to the official plat thereof, being more particularly described as follows:

COMMENCING at the intersection of the southerly line of Temescal Wash and the easterly right of way of Lake Street, both as shown on a Record of Survey on file in Book 88, Pages 76 through 82, of Record of Surveys, records of said County;

Thence easterly along said southerly line of Temescal Wash, leaving said easterly right of way of Lake Street, South 79°56'03" East, a distance of 405.93 feet;

Thence easterly, continuing along said southerly line, South 78°16'26" East, a distance of 551.45 feet to the easterly line of the northeast Quarter of the northwest Quarter of Section 22;

Thence southerly along said easterly line, leaving said southerly line of Temescal Wash, South 01°06'02" West, a distance of 426.67 feet to a point lying on the southerly line of said Instrument No. 2004-1036504;

Thence easterly along said southerly line of Instrument No. 2004-1036504, leaving said easterly line, South 88°44'12" East, a distance of 257.04 feet to the **TRUE POINT OF BEGINNING**;

Thence easterly along the prolongation of said last course, leaving said southerly line of said Instrument No. 2004-1036504, South 88°44'12" East, a distance of 68.26 feet;

Thence South 24°12'55" East, a distance of 400.86 feet to a point lying on said southerly line of said Instrument No. 2004-1036504, of Official Records of said County;

Thence northwesterly along said southerly line North 40°47'03" West, a distance of 340.93;

Thence northwesterly, continuing along said southerly line, North 05°13'20" West, a distance of 109.40 feet to said **TRUE POINT OF BEGINNING**.

Containing 0.53 acres, more or less.

As shown on the attached exhibit hereto and made a part hereof.

PARCEL "D":

Being portions of that land conveyed to the County of Riverside by Grant Deed, Recorded December 30, 2004, as Instrument No. 2004-1036504, of Official Records, in the Office of the County Recorder of the County of Riverside, State of California, lying within Section 22, Township 5 South, Range 5 West, San Bernardino Meridian, of said County, according to the official plat thereof, being more particularly described as follows:

COMMENCING at the intersection of the southerly line of Temescal Wash and the easterly right of way of Lake Street, both as shown on a Record of Survey on file in Book 88, Pages 76 through 82, of Record of Surveys, records of said County;

Thence easterly along said southerly line of Temescal Wash, leaving said easterly right of way of Lake Street, South 79°56'03" East, a distance of 405.93 feet;

Thence easterly, continuing along said southerly line, South 78°16'26" East, a distance of 551.45 feet to the easterly line of the northeast Quarter of the northwest Quarter of Section 22;

Thence southerly along said easterly line, leaving said southerly line Temescal Wash, South 01°06'02" West, a distance of 426.67 feet to a point lying on the southerly line of said Instrument No. 2004-1036504;

Thence westerly along the southerly line of said Instrument No. 2004-1036504, leaving said easterly line North 88°44'12" West, a distance of 46.17 feet to the **TRUE POINT OF BEGINNING**;

The following five (5) courses are along the southerly line of Instrument No. 2004-1036504:

1. Thence South 00°07'21" West, a distance of 179.56 feet;
2. Thence South 88°54'45" West, a distance of 216.92 feet;
3. Thence South 00°45'26" West, a distance of 464.53 feet;
4. Thence South 85°30'18" West, a distance of 59.88 feet;
5. Thence North 89°28'41" West, a distance of 374.19 feet to a point lying on the easterly right of way of said Lake Street, said point also being the beginning of a non-tangent curve, concave easterly and having a radius of 1956.00 feet, a radial bearing to said point bears South 64°15'46" West;

Thence northwesterly and northerly along said easterly right of way and said non-tangent curve, through a central angle of 19°20'14", an arc distance of 660.15 feet to the beginning of a tangent line;

Thence northerly along said tangent line, continuing along said easterly right of way, North 06°24'00" West, a distance of 152.46 feet;

Thence easterly leaving said easterly right of way, North 88°38'01" East, a distance of 122.61 feet to the beginning of a tangent curve, concave southerly and having a radius of 600.00 feet;

Thence southeasterly along said curve, through a central angle of 13°05'32", an arc distance of 137.10 feet to the beginning of a tangent line;

Thence easterly along said tangent line, South 78°16'24" East, a distance of 610.03 feet to said **TRUE POINT OF BEGINNING**.

Containing 10.74 acres, more or less.

As shown on the attached exhibit hereto and made a part hereof.

KWC ENGINEERS

CIVIL ENGINEERS • PLANNERS • SURVEYORS

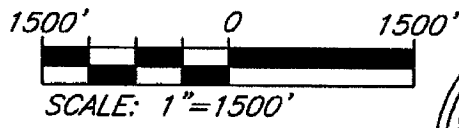
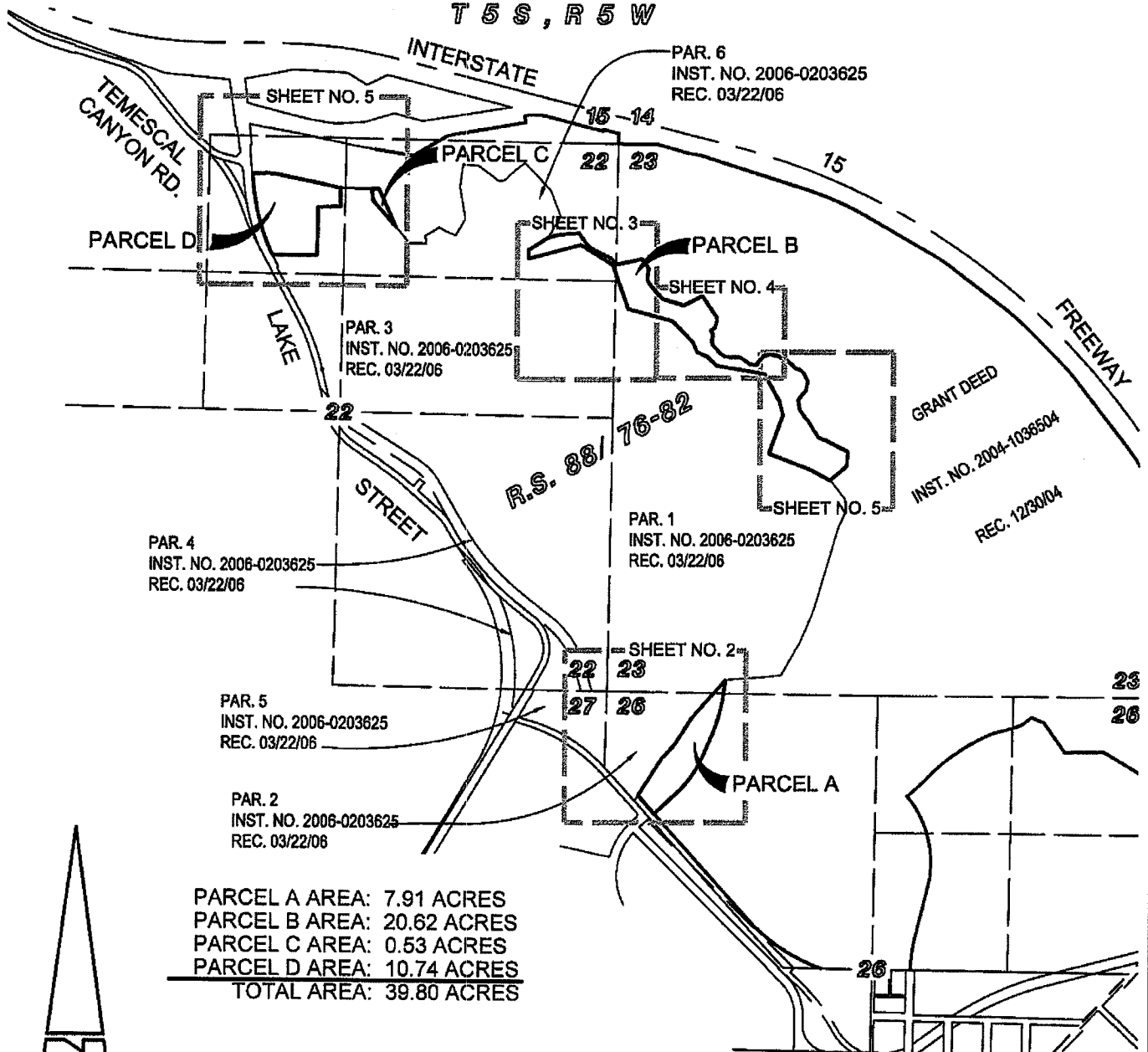
Thomas Caseldine 3-4-16
Thomas M. Caseldine Date
P.L.S. 9029 Expires 09-30-17



March 7, 2016
TMC/KWC/tmc
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EXHIBIT "A1"
COUNTY OF RIVERSIDE TO
CASTLE & COOKE COMMERCIAL-CA, INC.

T 5 S , R 5 W



SHEET INDEX
SCALE: 1"=1500'

- LEGEND:
- EXISTING PARCEL LINE
 - - - EXISTING SECTION LINE
 - PROPOSED PARCEL LINE
 - DETAIL SHEET BOUNDARY

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CIVIL ENGINEERING • PLANNING • SURVEYORS
1880 COMPTON AVENUE, SUITE 100
CORONA, CA. 92881-3370 • 951-734-2130

Thomas Caseldine 3-4-16
THOMAS M. CASELDINE DATE
L.S. 9029 Exp. 09-30-17

EXHIBIT "A1"
 COUNTY OF RIVERSIDE TO
 CASTLE & COOKE COMMERCIAL-CA, INC.

SHEET 2 OF 6 SHEETS

T 5 S , R 5 W

PAR. 1
 INST. NO. 2006-0203625
 REC. 03/22/06

P.O.C.
 S.W. CORNER SECTION 23

W'LY LINE OF LAND CONVEYED TO THE
 COUNTY OF RIVERSIDE PER GRANT DEED,
 REC. 12/30/04, INST. NO. 04-1036504, O.R.

22 23
 27 26

S89°04'59"E 1042.70'

S. LINE SECTION 23

T.P.O.B.

R.S. 88/ 76-82

PAR. 2
 INST. NO. 2006-0203625
 REC. 03/22/06

PARCEL A
 7.91 ACRES

GRANT DEED,
 INST. NO. 2004-1036504,
 REC. 12/30/04

NE'LY LINE OF NICHOLS ROAD,
 PER INST. NO. 2008-0482210,
 REC. 09/02/08, O.R.

ALBERHILL
 RANCH ROAD

NICHOLS ROAD



LEGEND:

- EXISTING PARCEL LINE
- EXISTING SECTION LINE
- PROPOSED PARCEL LINE

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 1880 COMPTON AVENUE, SUITE 100
 CORONA, CA. 92881-3370 • 951-734-2130

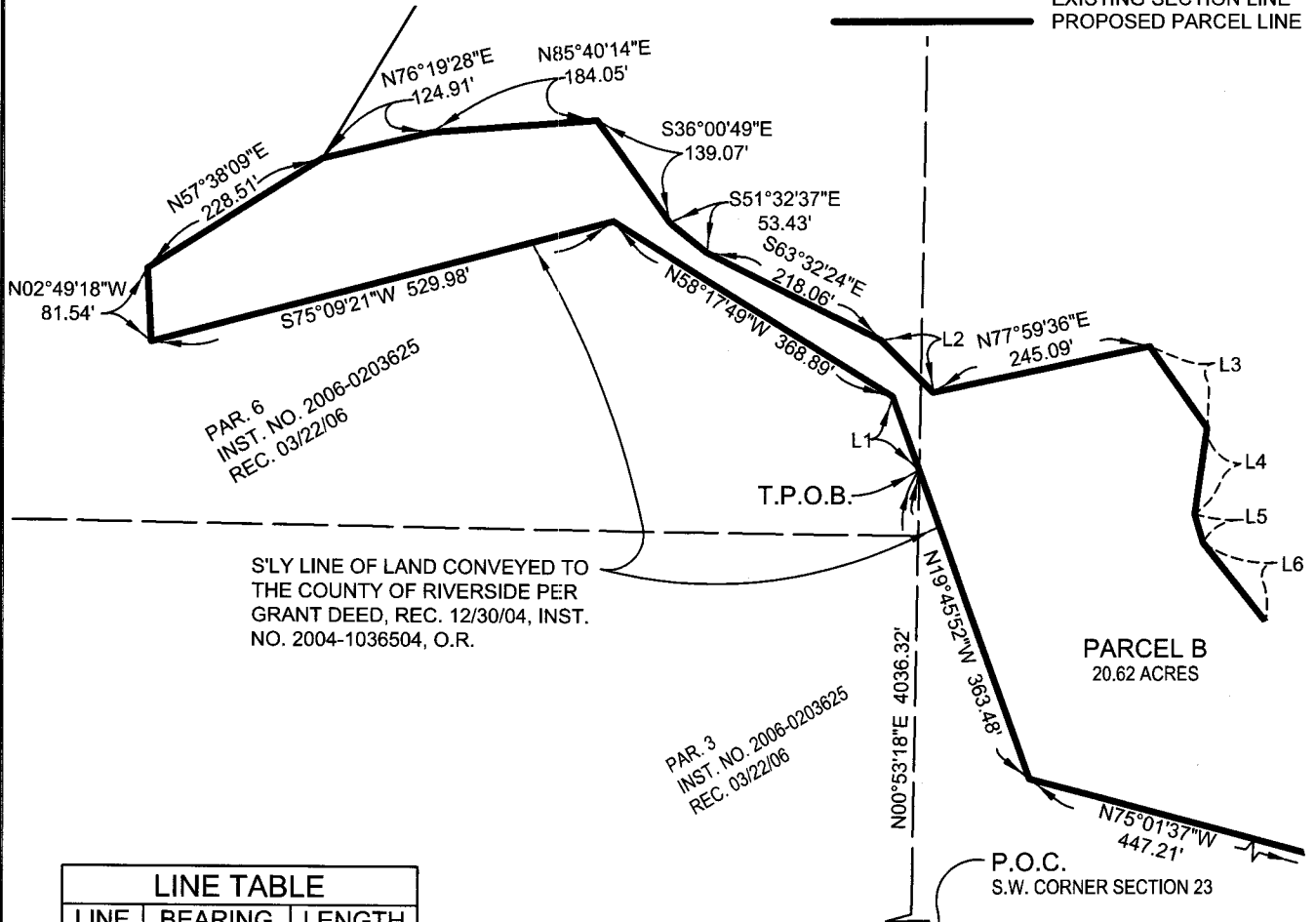
EXHIBIT "A1"
 COUNTY OF RIVERSIDE TO
 CASTLE & COOKE COMMERCIAL-CA, INC.

SHEET 3 OF 6 SHEETS

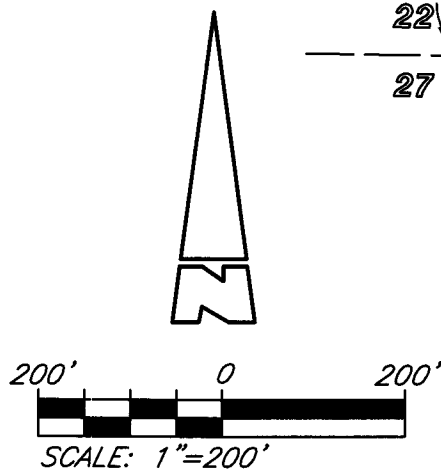
T 5 S , R 5 W

LEGEND:

-  EXISTING PARCEL LINE
-  EXISTING SECTION LINE
-  PROPOSED PARCEL LINE



LINE TABLE		
LINE	BEARING	LENGTH
L1	N19°45'52"W	86.91'
L2	S44°55'38"E	82.30'
L3	S35°10'50"E	110.65'
L4	S07°53'49"W	96.34'
L5	S15°59'38"E	33.14'
L6	S38°50'02"E	111.07'



R.S. 88/76-82
 PAR. 1
 INST. NO. 2006-0203625
 REC. 03/22/06

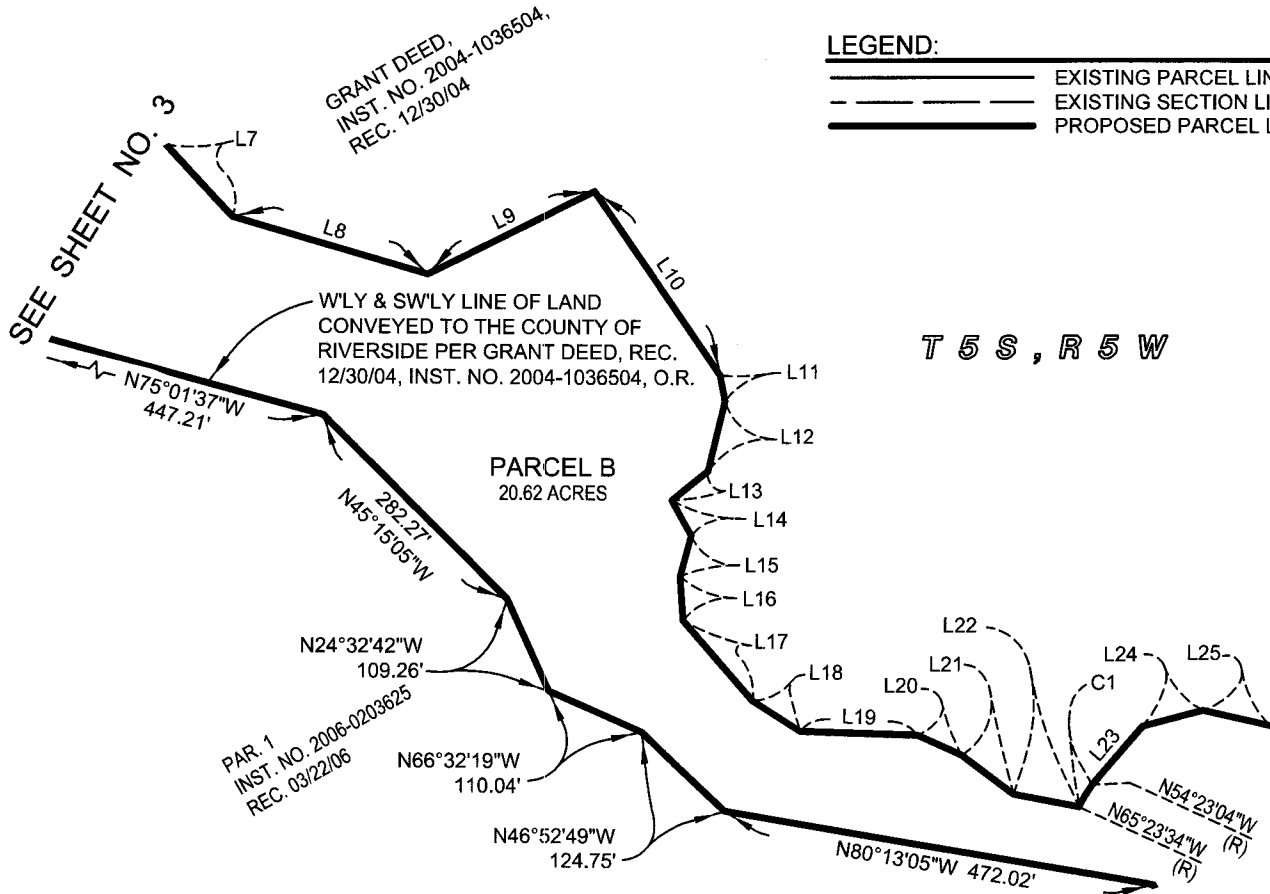
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EXHIBIT "A1"
 COUNTY OF RIVERSIDE TO
 CASTLE & COOKE COMMERCIAL-CA, INC.

SHEET 4 OF 6 SHEETS

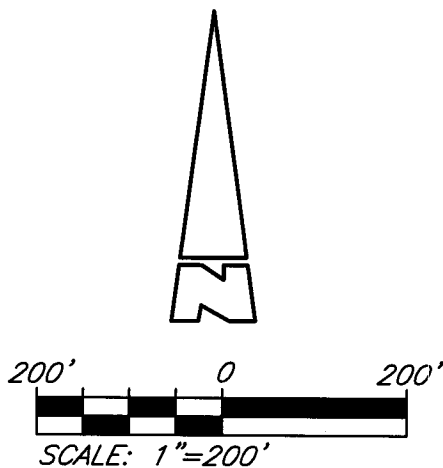
LEGEND:

-  EXISTING PARCEL LINE
-  EXISTING SECTION LINE
-  PROPOSED PARCEL LINE



SEE SHEET NO. 5

LINE TABLE		
LINE	BEARING	LENGTH
L7	S43°11'43"E	105.85'
L8	S73°49'28"E	220.27'
L9	N63°19'46"E	201.76'
L10	S34°50'22"E	241.54'
L11	S11°13'33"E	28.41'
L12	S13°24'24"W	78.25'
L13	S51°43'14"W	50.50'
L14	S29°18'07"E	43.81'
L15	S15°16'44"W	45.58'
L16	S03°59'40"E	48.14'
L17	S41°14'50"E	115.25'
L18	S57°34'43"E	61.68'
L19	S88°05'18"E	127.48'
L20	S65°50'34"E	52.57'
L21	S52°53'46"E	70.10'
L22	S79°01'11"E	72.19'
L23	N40°54'08"E	83.38'
L24	N75°30'08"E	67.11'
L25	S77°32'51"E	74.84'



CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	11°00'30"	145.00'	27.86'

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EXHIBIT "A1"
 COUNTY OF RIVERSIDE TO
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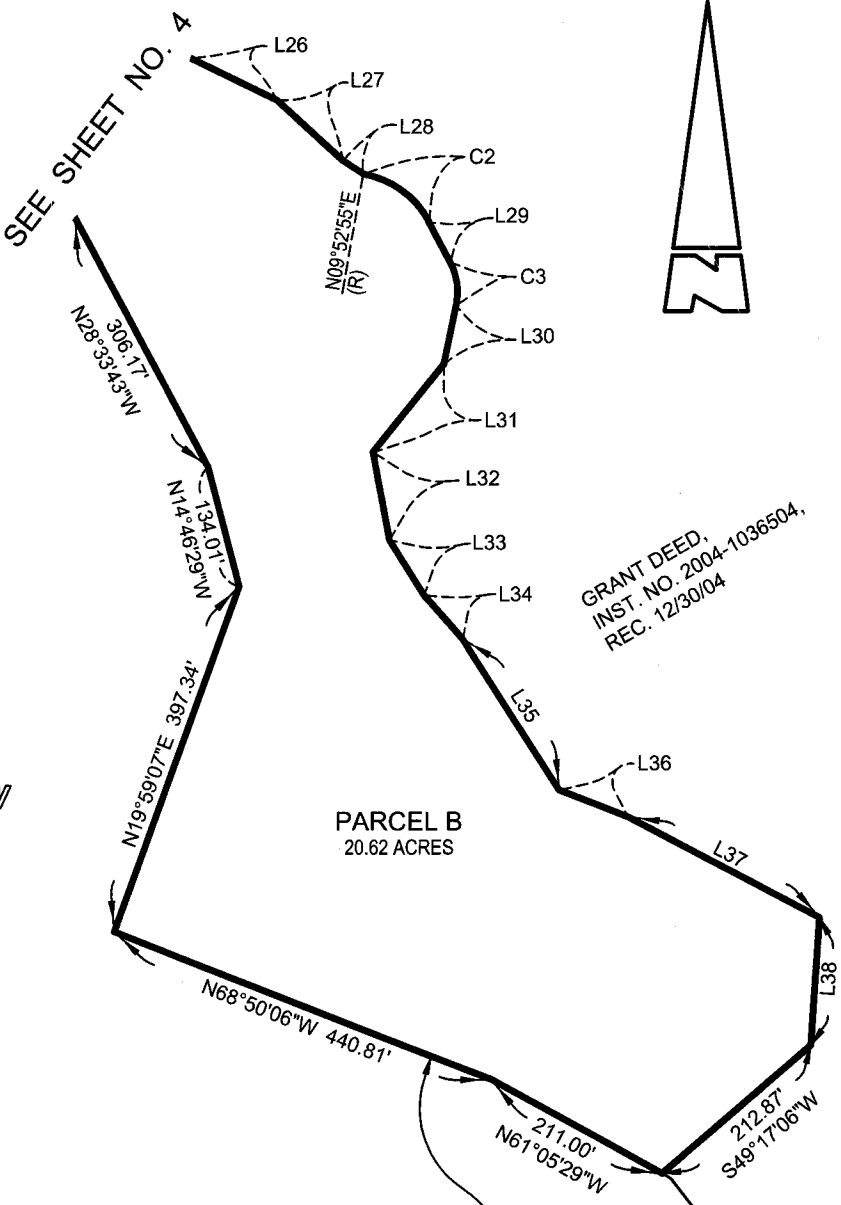
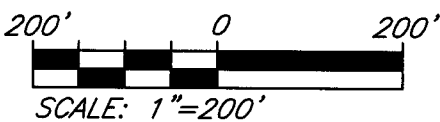
SHEET 5 OF 6 SHEETS

LINE TABLE		
LINE	BEARING	LENGTH
L26	S64°39'54"E	104.95'
L27	S47°28'14"E	97.29'
L28	S57°00'34"E	26.28'
L29	S27°52'35"E	49.28'
L30	S11°45'13"W	64.96'
L31	S38°41'11"W	121.29'
L32	S10°40'02"E	96.80'
L33	S32°18'15"E	70.72'
L34	S41°24'37"E	63.10'
L35	S32°29'56"E	194.06'
L36	S68°55'29"E	80.42'
L37	S62°26'58"E	234.40'
L38	S03°48'43"W	137.89'



CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C2	52°14'27"	100.00'	91.18'
C3	39°37'48"	70.00'	48.42'

T 5 S , R 5 W



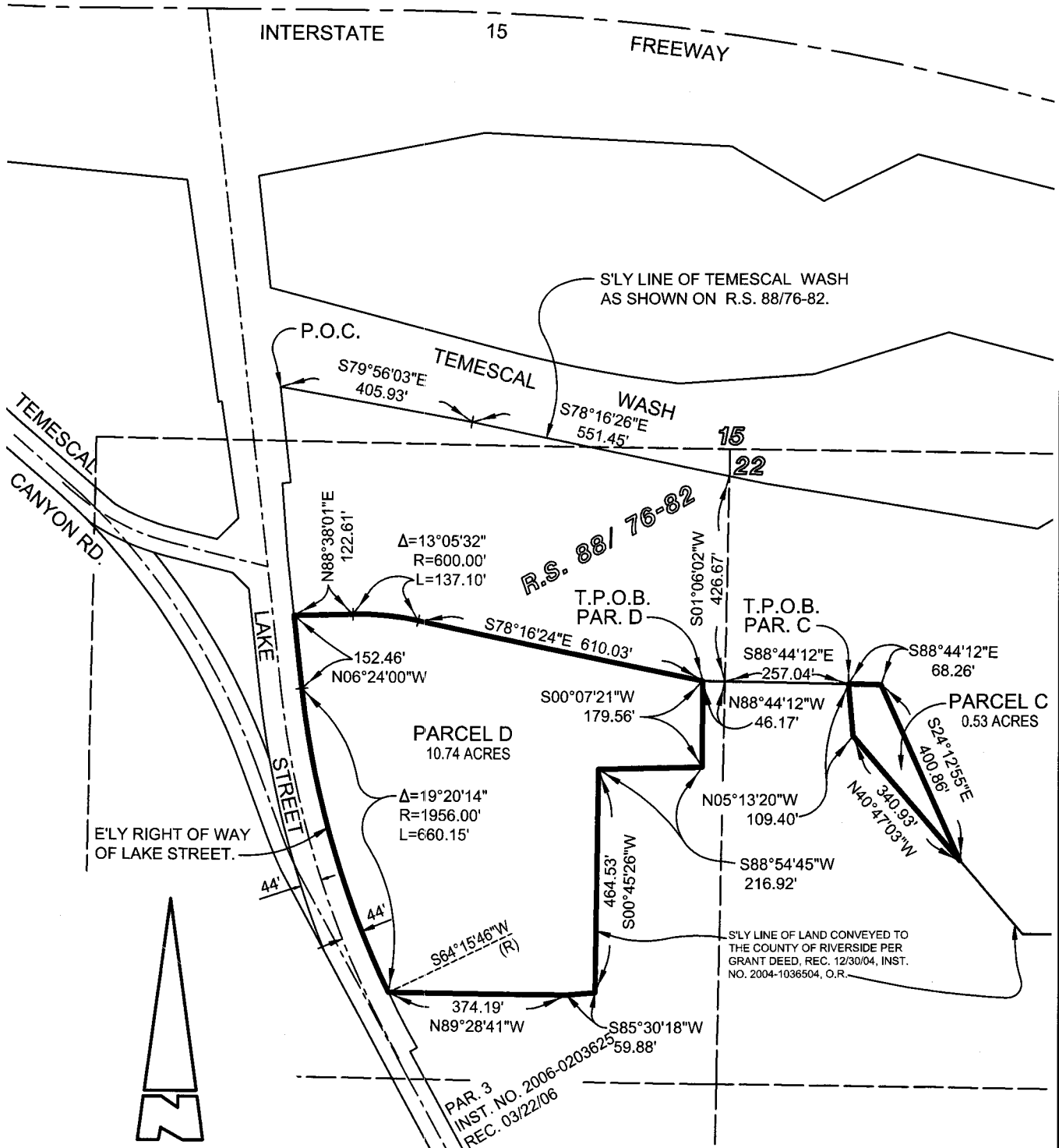
- LEGEND:
- EXISTING PARCEL LINE
 - EXISTING SECTION LINE
 - PROPOSED PARCEL LINE

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EXHIBIT "A1"
 COUNTY OF RIVERSIDE TO
 CASTLE & COOKE COMMERCIAL-CA, INC.

SHEET 6 OF 6 SHEETS

T 5 S , R 5 W



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 1880 COMPTON AVENUE, SUITE 100
 CORONA, CA. 92881-3370 • 951-734-2130



LEGEND:
 _____ EXISTING PARCEL LINE
 _____ EXISTING SECTION LINE
 _____ PROPOSED PARCEL LINE

EXHIBIT B

**Grantee (CCLEW) Property
Legal Description and Map**

EXHIBIT B1

(Grantor Legal Description and Survey Sheets)

EXHIBIT "B1"
LEGAL DESCRIPTION
OF
CASTLE & COOKE COMMERCIAL-CA, INC.
TO COUNTY OF RIVERSIDE

Parcel "A":

Being portions of Parcel 1 of a Grant Deed, Recorded March 22, 2006, as Instrument No. 2006-0203625, of Official Records, in the Office of the County Recorder of the County of Riverside, State of California, lying within Section 23, Township 5 South, Range 5 West, San Bernardino Meridian, of said County, according to the official plat thereof, being more particularly described as follows:

COMMENCING at the southwest corner of said Section 23, as shown on a Record of Survey on file in Book 88, Pages 76 through 82, of Record of Surveys, records of said County;

Thence east along the south line of said Section 23, South 89°04'59" East, a distance of 1042.16 feet to a point lying on the westerly line of that land conveyed to the County of Riverside by Grant Deed, Recorded December 30, 2004, as Instrument No. 2004-1036504, of Official Records, of said County;

Thence northeasterly along said westerly line, North 41°37'29" East, a distance of 166.45 feet to the beginning of a non-tangent curve, concave westerly and having a radius of 1745.00 feet, a radial bearing to said point bears South 85°30'24" East, said point also being the **TRUE POINT OF BEGINNING**;

Thence northerly along said non-tangent curve, leaving said westerly line, through a central angle of 21°57'23", an arc distance of 668.70 feet to the beginning of a non-tangent line, a radial bearing to said point bears North 72°32'13" East;

Thence North 62°02'43" East, a distance of 268.17 feet to the beginning of a tangent curve, concave northwesterly and having a radius of 924.00 feet;

Thence northeasterly along said tangent curve, through a central angle of 18°30'20", an arc distance of 298.43 feet to the beginning of a reverse curve, concave southerly and having a radius of 41.00 feet, a radial bearing through said point bears North 46°27'36" West;

Thence northeasterly along said reverse curve, through a central angle of 57°01'37", an arc distance of 40.81 feet to the beginning of a reverse curve, concave northerly and having a radius of 109.00 feet, a radial bearing through said point bears South 10°34'00" West;

Thence northeasterly along said reverse curve, through a central angle of 39°21'21", an arc distance of 74.87 feet to the beginning of a tangent line;

Thence northeasterly along said tangent line, North 61°12'40" East, a distance of 32.36 feet to the beginning of a tangent curve, concave northwesterly and having a radius of 309.00 feet;

Thence northeasterly along said tangent curve, through a central angle of 33°59'25", an arc distance of 183.31 feet to the beginning of a tangent line;

Thence northeasterly along said tangent line, North 27°13'15" East, a distance of 127.89 feet to the beginning of a tangent curve, concave southeasterly and having a radius of 291.00 feet;

Thence northeasterly along said tangent curve, through a central angle of 18°02'11", an arc distance of 91.60 feet to the beginning of a tangent line;

Thence northeasterly along said tangent line, North 45°15'26" East, a distance of 495.50 feet to the beginning of a non-tangent curve, concave westerly and having a radius of 354.00 feet, a radial bearing to said point bears North 89°13'22" East;

Thence northerly and northwesterly along said non-tangent curve, through a central angle of 31°41'14", an arc distance of 195.78 feet to a point lying on the southwesterly line of said Instrument No. 2004-1036504, said point also being the beginning of a non-tangent line, a radial bearing to said point bears North 57°32'08" East;

The following nine (9) course are along the southwesterly and westerly line of said Instrument No. 2004-1036504:

1. Thence South 37°52'55" East, a distance of 132.83 feet;
2. Thence South 02°44'53" East, a distance of 126.72 feet;
3. Thence South 24°50'47" West, a distance of 164.28 feet;
4. Thence South 16°21'18" West, a distance of 814.59 feet;
5. Thence South 22°47'57" West, a distance of 343.25 feet;
6. Thence South 29°38'22" West, a distance of 375.65 feet;
7. Thence South 84°08'08" West, a distance of 215.58 feet;
8. Thence South 86°03'32" West, a distance of 322.53 feet;
9. Thence South 41°37'29" West, a distance of 8.78 feet to the **TRUE POINT OF BEGINNING.**

Containing 19.49 acres, more or less.

As shown on the attached exhibit hereto and made a part hereof.

PARCEL "B":

Being portions of Parcels 3 and 6 of a Grant Deed, Recorded March 22, 2006, as Instrument No. 2006-0203625, of Official Records, in the Office of the County Recorder of the County of Riverside, State of California, lying within Section 22, Township 5 South, Range 5 West, San Bernardino Meridian, of said County, according to the official plat thereof, being more particularly described as follows:

COMMENCING at the southwest corner of Section 23, as shown on a Record of Survey on file in Book 88, Pages 76 through 82, of Record of Surveys, records of said County;

Thence north along the west line of said Section 23, North 00°53'18" East, a distance of 4036.32 feet to a point lying on the southwesterly line of that land conveyed to the County of Riverside by Grant Deed, Recorded December 30, 2004, as Instrument No. 2004-1036504, of Official Records, of said County;

The following four (4) courses are along the southerly and southwesterly line of said Instrument No. 2004-1036504:

1. Thence North 19°45'52" West, a distance of 86.92 feet;
2. Thence North 58°17'49" West, a distance of 368.89 feet;
3. Thence South 75°09'21" West, a distance of 529.98 feet;
4. Thence North 02°49'18" West, a distance of 81.54 feet to the **TRUE POINT OF BEGINNING**;

Thence southwesterly, leaving said southwesterly line, South 78°16'15" West, a distance of 65.67 feet;

Thence North 72°42'25" West, a distance of 64.72 feet;

Thence South 45°49'31" West, a distance of 584.10 feet;

Thence North 44°10'29" West, a distance of 310.83 feet to the beginning of a tangent curve, concave southerly and having a radius of 795.00 feet;

Thence northwesterly along said tangent curve, through a central angle of 43°10'39", an arc distance of 599.10 feet to the beginning of a non-tangent line, a radial bearing to said point bears North 02°38'51" East;

Thence northerly along said non-tangent line North 02°38'17" East, a distance of 149.55 feet to a point lying on the southerly line of said Instrument No. 2004-1036504;

The following seventeen (17) courses are along the southerly, southeasterly and southwesterly line of said Instrument No. 2004-1036504:

1. Thence South 40°47'03" East, a distance of 201.70 feet;
2. Thence South 89°34'46" East, a distance of 159.24 feet;
3. Thence North 06°56'16" West, a distance of 73.13 feet;
4. Thence North 59°27'28" East, a distance of 154.25 feet;
5. Thence South 65°14'28" East, a distance of 176.56 feet;
6. Thence North 31°23'11" East, a distance of 187.10 feet;
7. Thence North 10°04'01" West, a distance of 316.83 feet;
8. Thence North 7°47'25" East, a distance of 217.01 feet;
9. Thence South 85°45'54" East, a distance of 150.54 feet;
10. Thence South 53°40'42" East, a distance of 248.70 feet;
11. Thence North 82°12'58" East, a distance of 51.78 feet;
12. Thence North 46°06'48" East, a distance of 69.28 feet;
13. Thence North 50°49'26" East, a distance of 195.23 feet;
14. Thence South 44°01'13" East, a distance of 368.85 feet;
15. Thence South 21°14'17" East, a distance of 269.17 feet;
16. Thence South 31°09'13" West, a distance of 236.83 feet;
17. Thence South 57°38'09" West, a distance of 228.51 feet to the **TRUE POINT OF BEGINNING.**

Containing 20.49 acres, more or less.

As shown on the attached exhibit hereto and made a part hereof.

KWC ENGINEERS

CIVIL ENGINEERS • PLANNERS • SURVEYORS

Thomas Caseldine 3-4-16
Thomas M. Caseldine Date
P.L.S. 9029 Expires 09-30-17



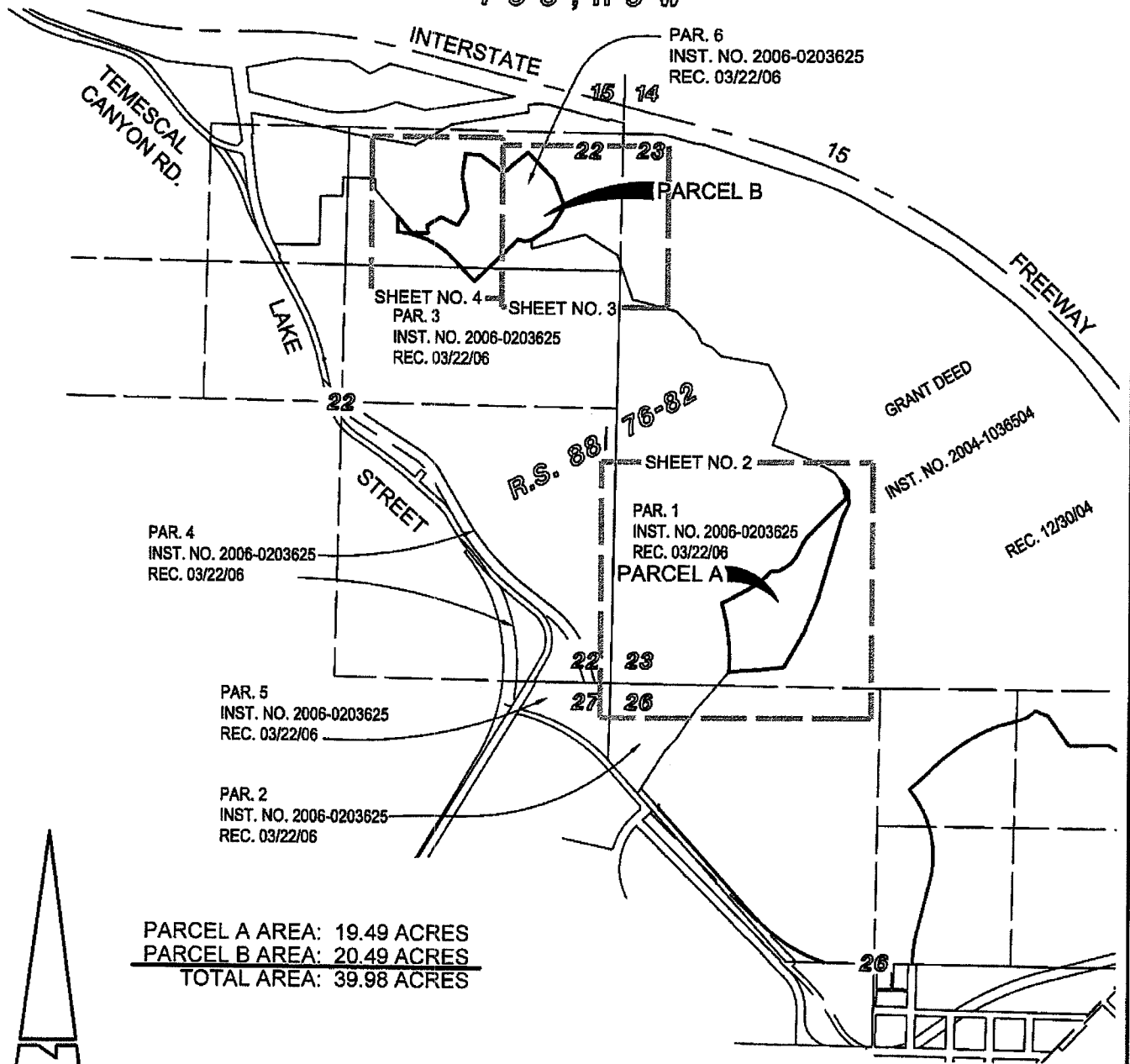
March 7, 2016

TMC/KWC/tmc

R:\07\1100\LEGALS\land exchange\GRANT\1100 GRANT PARCELS.docx

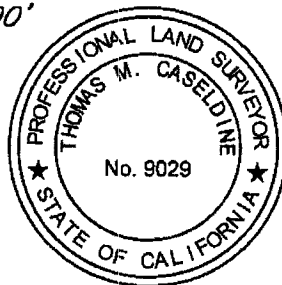
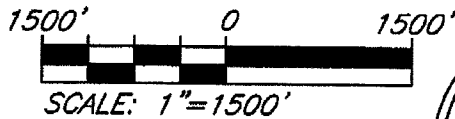
CASTLE & COOKE COMMERCIAL-CA, INC.
TO COUNTY OF RIVERSIDE

T 5 S , R 5 W



PARCEL A AREA: 19.49 ACRES
 PARCEL B AREA: 20.49 ACRES
 TOTAL AREA: 39.98 ACRES

SHEET INDEX
 SCALE: 1"=1500'



LEGEND:

- EXISTING PARCEL LINE
- - - EXISTING SECTION LINE
- PROPOSED PARCEL LINE
- - - - - DETAIL SHEET BOUNDARY

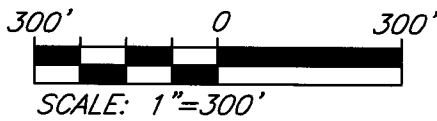
KWC ENGINEERS
 CIVIL ENGINEERING • PLANNING • SURVEYORS
 1880 COMPTON AVENUE, SUITE 100
 CORONA, CA. 92881-3370 • 951-734-2130

Thomas Caseldine 3-4-16
 THOMAS M. CASELDINE DATE
 L.S. 9029 Exp. 09-30-17

EXHIBIT "B1"
CASTLE & COOKE COMMERCIAL-CA, INC.
TO COUNTY OF RIVERSIDE

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	57°01'37"	41.00'	40.81'
C2	39°21'21"	109.00'	74.87'
C3	33°59'25"	309.00'	183.31'
C4	18°02'11"	291.00'	91.60'
C5	31°41'14"	354.00'	195.78'

LINE TABLE		
LINE	BEARING	LENGTH
L1	N61°12'40"E	32.36'
L2	N27°13'15"E	127.89'
L3	S37°52'55"E	132.83'
L4	S02°44'53"E	126.72'
L5	S24°50'47"W	164.28'



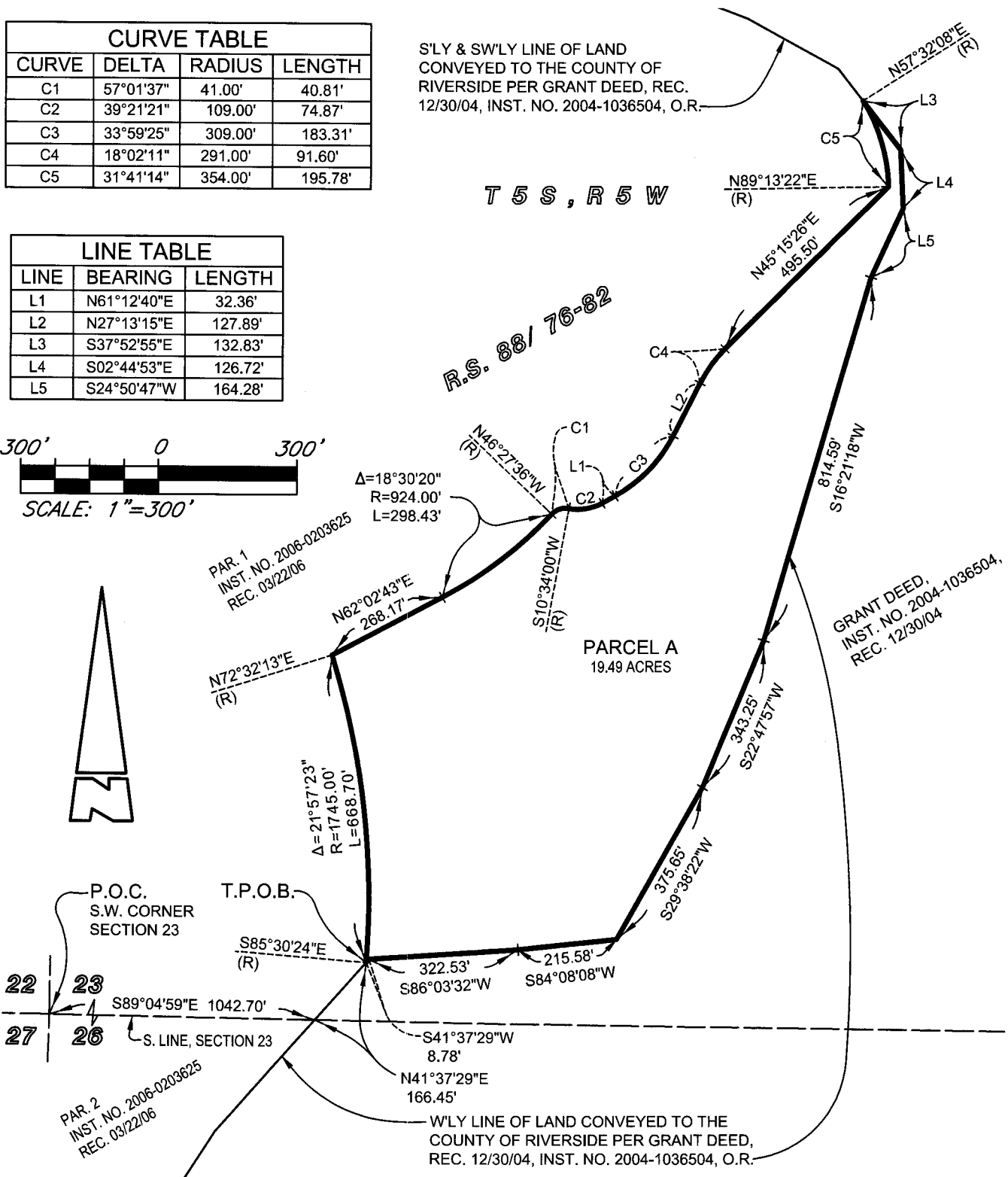
S'LY & SW'LY LINE OF LAND
 CONVEYED TO THE COUNTY OF
 RIVERSIDE PER GRANT DEED, REC.
 12/30/04, INST. NO. 2004-1036504, O.R.

T 5 S , R 5 W

R.S. 88/ 76-82

PARCEL A
 19.49 ACRES

GRANT DEED,
 INST. NO. 2004-1036504,
 REC. 12/30/04



P.O.C.
 S.W. CORNER
 SECTION 23

T.P.O.B.

S. LINE, SECTION 23

PAR. 1
 INST. NO. 2006-0203625
 REC. 03/22/06

PAR. 2
 INST. NO. 2006-0203625
 REC. 03/22/06

LEGEND:

- EXISTING PARCEL LINE
- EXISTING SECTION LINE
- PROPOSED PARCEL LINE



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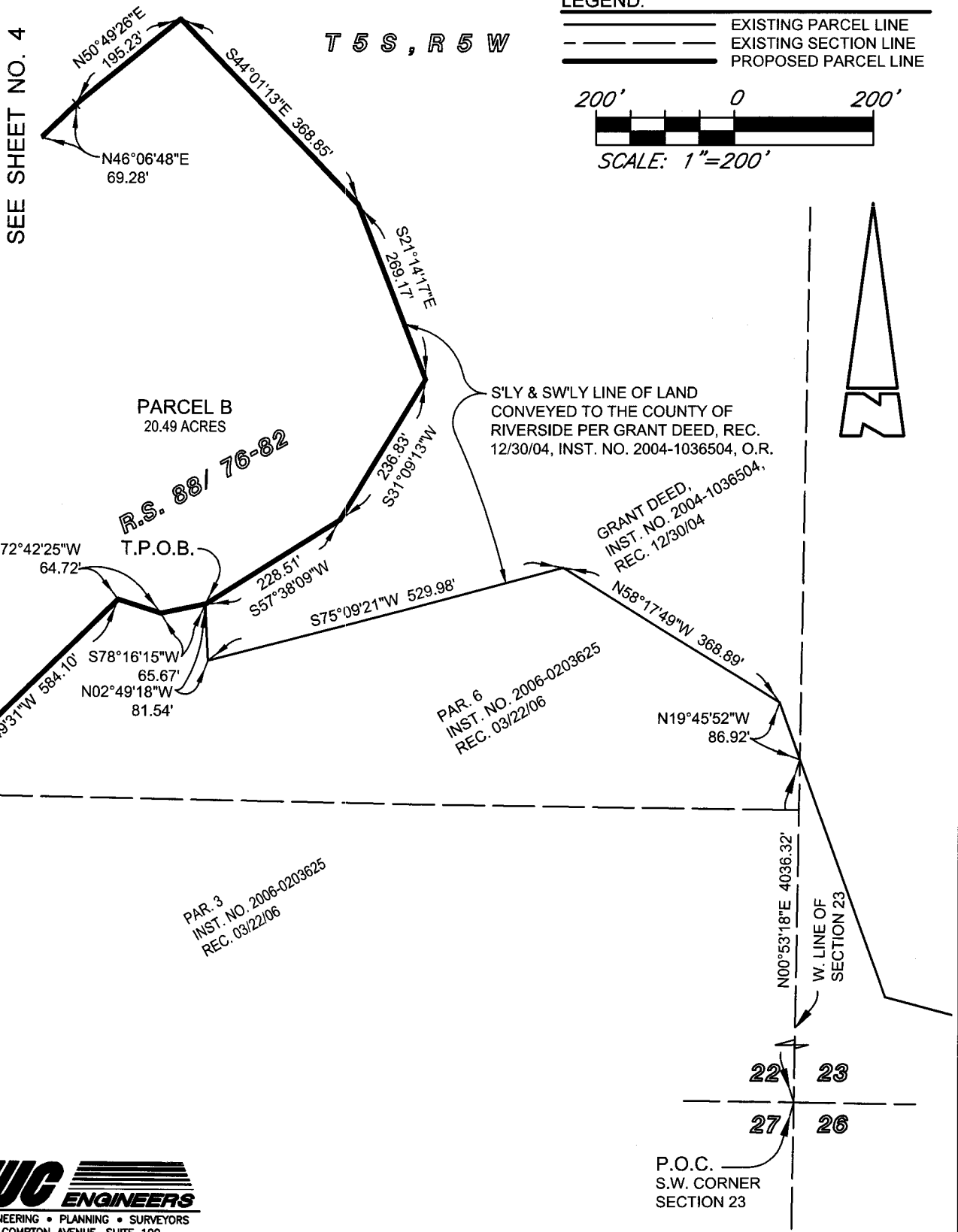
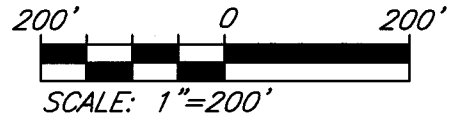
EXHIBIT "B1"
 CASTLE & COOKE COMMERCIAL-CA, INC.
 TO COUNTY OF RIVERSIDE

SHEET 3 OF 4 SHEETS

T 5 S , R 5 W

LEGEND:

-  EXISTING PARCEL LINE
-  EXISTING SECTION LINE
-  PROPOSED PARCEL LINE



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 CIVIL ENGINEERING • PLANNING • SURVEYORS
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 CORONA, CA. 92881-3370 • 951-734-2130

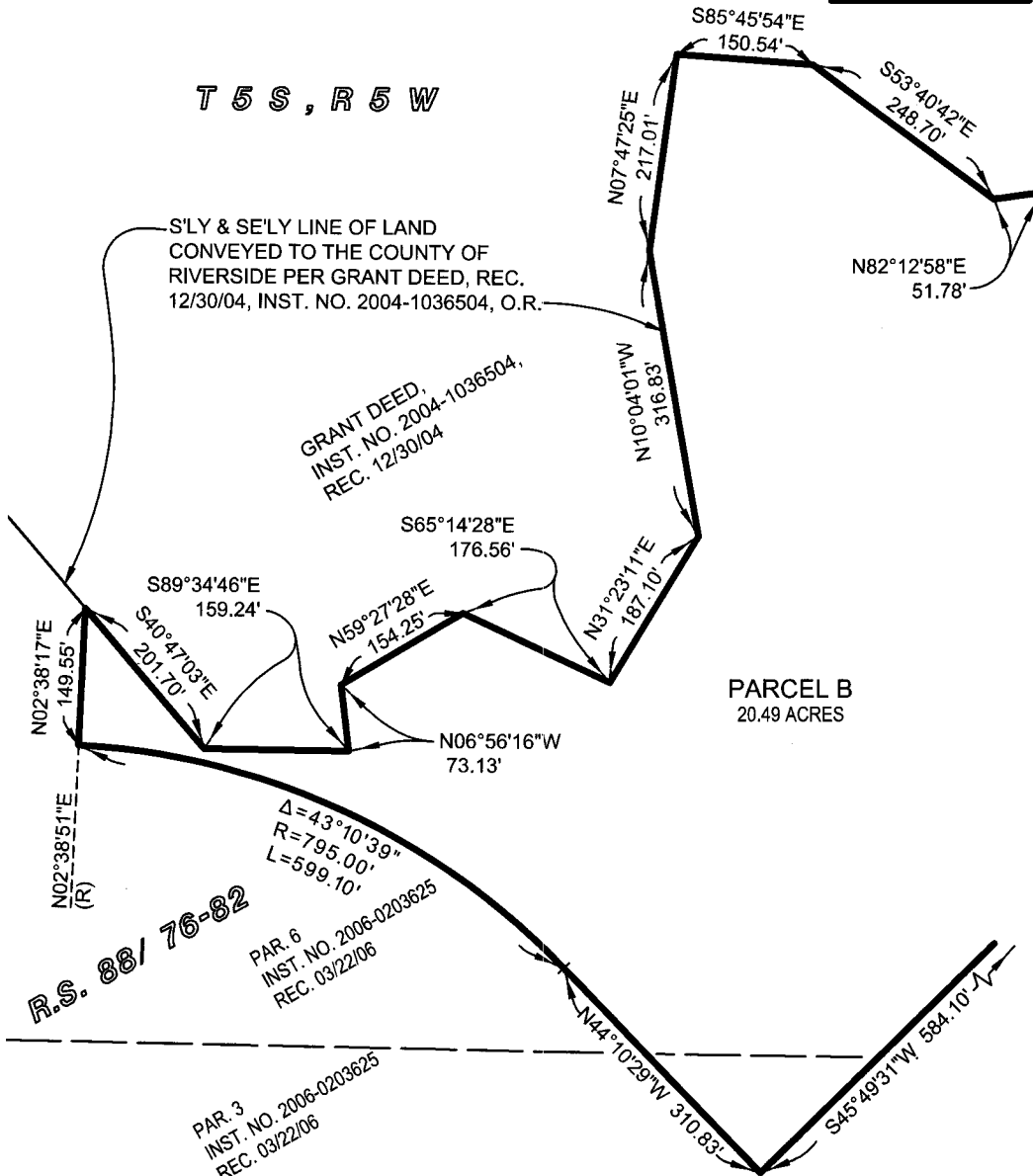
EXHIBIT "B1"
 CASTLE & COOKE COMMERCIAL-CA, INC.
 TO COUNTY OF RIVERSIDE

SHEET 4 OF 4 SHEETS

T 5 S , R 5 W

LEGEND:

-  EXISTING PARCEL LINE
-  EXISTING SECTION LINE
-  PROPOSED PARCEL LINE



S'LY & SE'LY LINE OF LAND
 CONVEYED TO THE COUNTY OF
 RIVERSIDE PER GRANT DEED, REC.
 12/30/04, INST. NO. 2004-1036504, O.R.

GRANT DEED,
 INST. NO. 2004-1036504,
 REC. 12/30/04

PARCEL B
 20.49 ACRES

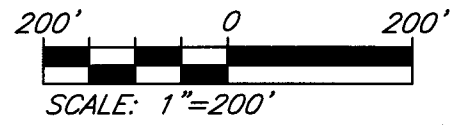
R.S. 88/76-82

Δ=43°10'39"
 R=795.00'
 L=599.10'
 PAR. 6
 INST. NO. 2006-0203625
 REC. 03/22/06

PAR. 3
 INST. NO. 2006-0203625
 REC. 03/22/06

SEE SHEET NO. 3

SEE SHEET NO. 3



KWC ENGINEERS
 CIVIL ENGINEERING • PLANNING • SURVEYORS
 1880 COMPTON AVENUE, SUITE 100
 CORONA, CA. 92881-3370 • 951-734-2130

EXHIBIT C

Easement Area

Legal Description and Map

EXHIBIT C1 – Restated Easement Area

EXHIBIT "C1"
LEGAL DESCRIPTION
FOR
TEMPORARY OPERATIONS AND
PERMANENT MAINTENANCE EASEMENT

That portion of Sections 15, 22, 23 and 26, Township 5 South, Range 5 West, San Bernardino Meridian, of Riverside County, State of California, according to the official plat thereof, being more particularly described as follows:

COMMENCING at the southwest corner of said Section 23, as shown on a Record of Survey on file in Book 88, Pages 76 through 82, of Record of Surveys, records of said County;

Thence east along the south line of said Section 23, South 89°04'59" East, a distance of 1042.16 feet to the beginning of a non-tangent curve concave westerly and having a radius of 1745.00 feet, said point also lying on the easterly line of Parcel "A" of that land conveyed as Parcel "A", "B", "C" and "D" to Castle & Cooke Commercial-Ca, Incorporated, Recorded _____, as Instrument No. _____, of Official Records of said County, a radial bearing to said point bears South 81°20'34" East, said point also being the **TRUE POINT OF BEGINNING**;

Thence northerly along said easterly line and said non-tangent curve, through a central angle of 04°09'50", an arc distance of 126.82 feet to a point lying on the westerly line of Parcel "A" of that land conveyed as Parcel "A" and "B" to the County of Riverside, Recorded _____, as Instrument No. _____, of Official Records of said County;

The following eleven (11) courses are along the westerly and northwesterly line of said Parcel "A" of land conveyed to the County of Riverside:

1. Thence northerly along said westerly line, continuing along said curve, through a central angle of 21°57'23", an arc distance of 668.70 feet to the beginning of a non-tangent line, a radial bearing to said point bears North 72°32'13" East;
2. Thence northeasterly along said non-tangent line, North 62°02'43" East, a distance of 268.17 feet to the beginning of a tangent curve, concave northwesterly and having a radius of 924.00 feet;
3. Thence northeasterly along said tangent curve, through a central angle of 18°30'20", an arc distance of 298.43 feet to the beginning of a reverse curve, concave southerly and having a radius of 41.00 feet, a radial bearing through said point bears North 46°27'36" West;

4. Thence northeasterly and easterly along said reverse curve, through a central angle of 57°01'37", an arc distance of 40.81 feet to the beginning of a reverse curve, concave northerly and having a radius of 109.00 feet, a radial bearing through said point bears North 10°34'00" East;
5. Thence easterly and northeasterly along said reverse curve, through a central angle of 39°21'21", an arc distance of 74.87 feet to the beginning of a tangent line;
6. Thence northeasterly along said tangent line, North 61°12'40" East, a distance of 32.36 feet to the beginning of a tangent curve, concave northwesterly and having a radius of 309.00 feet;
7. Thence northeasterly along said tangent curve, through a central angle of 33°59'25", an arc distance of 183.31 feet to the beginning of a tangent line;
8. Thence northeasterly along said tangent line, North 27°13'15" East, a distance of 127.89 feet to the beginning of a tangent curve, concave southeasterly and having a radius of 291.00 feet;
9. Thence northeasterly along said tangent curve, through a central angle of 18°02'11", an arc distance of 91.60 feet to the beginning of a tangent line;
10. Thence northeasterly along said tangent line, North 45°15'26" East, a distance of 495.50 feet to the beginning of a non-tangent curve, concave southwesterly and having a radius of 354.00 feet, a radial bearing to said point bears North 89°13'22" East;
11. Thence northwesterly along said non-tangent curve, through a central angle of 31°41'14", an arc distance of 195.78 feet to the beginning of a non-tangent line, said point also lying on the southwesterly line of that land conveyed to the County of Riverside by Grant Deed, Recorded December 30, 2004, as Instrument No. 2004-1036504, of Official Records of said County, a radial bearing to said point bears North 57°32'08" East;

Thence northwesterly along said southwesterly line and said non-tangent line, North 37°52'55" West, a distance of 87.47 feet;

Thence northwesterly, continuing along said southwesterly line, North 61°05'29" West, a distance of 10.76 feet, to a point lying on the northeasterly line of said Parcel "B" of land conveyed to Castle & Cooke Commercial-Ca, Incorporated, Recorded _____, as Instrument No. _____, of Official Records of said County;

The following forty-seven (47) courses are along the northeasterly and northerly line of said Parcel "B" of land conveyed to Castle & Cooke Commercial-Ca, Incorporated:

1. Thence northeasterly, leaving said southwesterly line, North 49°17'06" East, a distance of 212.87 feet;

2. Thence North $03^{\circ}48'43''$ East, a distance of 137.89 feet;
3. Thence North $62^{\circ}26'58''$ West, a distance of 234.40 feet;
4. Thence North $68^{\circ}55'29''$ West, a distance of 80.42 feet;
5. Thence North $32^{\circ}29'56''$ West, a distance of 194.06 feet;
6. Thence North $41^{\circ}24'37''$ West, a distance of 63.10 feet;
7. Thence North $32^{\circ}18'15''$ West, a distance of 70.72 feet;
8. Thence North $10^{\circ}40'02''$ West, a distance of 96.80 feet;
9. Thence North $38^{\circ}41'11''$ East, a distance of 121.29 feet;
10. Thence North $11^{\circ}45'13''$ East, a distance of 64.96 feet to the beginning of a tangent curve, concave westerly and having a radius of 70.00 feet;
11. Thence northwesterly along said curve, through a central angle of $39^{\circ}37'49''$, an arc distance of 48.42 feet to the beginning of a tangent line;
12. Thence northwesterly along said tangent line, North $27^{\circ}52'35''$ West, a distance of 49.28 feet to the beginning of a tangent curve, concave southwesterly and having a radius of 100.00 feet;
13. Thence northwesterly along said curve, through a central angle of $52^{\circ}14'27''$, an arc distance of 91.18 feet to the beginning of a non-tangent line, a radial bearing to said point bears North $09^{\circ}52'55''$ East;
14. Thence northwesterly along said non-tangent line, North $57^{\circ}00'29''$ West, a distance of 26.29 feet;
15. Thence North $47^{\circ}28'14''$ West, a distance of 97.29 feet;
16. Thence North $64^{\circ}39'54''$ West, a distance of 104.95 feet;
17. Thence North $77^{\circ}32'51''$ West, a distance of 74.84 feet;
18. Thence South $75^{\circ}30'08''$ West, a distance of 67.11 feet;
19. Thence South $40^{\circ}54'08''$ West, a distance of 83.38 feet to the beginning of a non-tangent curve, concave southeasterly and having a radius of 145.00 feet, a radial bearing to said point bears North $54^{\circ}23'04''$ West;

20. Thence southwesterly along said non-tangent curve, through a central angle of $11^{\circ}00'30''$, an arc distance of 27.86 feet to the beginning of a non-tangent line, a radial bearing to said point bears North $65^{\circ}23'34''$ West;
21. Thence westerly along said non-tangent line, North $79^{\circ}01'11''$ West, a distance of 72.19 feet;
22. Thence North $52^{\circ}53'46''$ West, a distance of 70.10 feet;
23. Thence North $65^{\circ}50'34''$ West, a distance of 52.57 feet;
24. Thence North $88^{\circ}05'18''$ West, a distance of 127.48 feet;
25. Thence North $57^{\circ}34'43''$ West, a distance of 61.68 feet;
26. Thence North $41^{\circ}14'50''$ West, a distance of 115.25 feet;
27. Thence North $03^{\circ}59'40''$ West, a distance of 48.14 feet;
28. Thence North $15^{\circ}16'44''$ East, a distance of 45.58 feet;
29. Thence North $29^{\circ}18'07''$ West, a distance of 43.81 feet;
30. Thence North $51^{\circ}43'14''$ East, a distance of 50.50 feet;
31. Thence North $13^{\circ}24'24''$ East, a distance of 78.25 feet;
32. Thence North $11^{\circ}13'33''$ West, a distance of 28.41 feet;
33. Thence North $34^{\circ}50'22''$ West, a distance of 241.54 feet;
34. Thence South $63^{\circ}19'46''$ West, a distance of 201.76 feet;
35. Thence North $73^{\circ}49'28''$ West, a distance of 220.27 feet;
36. Thence North $43^{\circ}11'43''$ West, a distance of 105.85 feet;
37. Thence North $38^{\circ}50'02''$ West, a distance of 111.07 feet;
38. Thence North $15^{\circ}59'38''$ West, a distance of 33.14 feet;
39. Thence North $07^{\circ}53'49''$ East, a distance of 96.34 feet;
40. Thence North $35^{\circ}10'50''$ West, a distance of 110.65 feet;

41. Thence South 77°59'36" West, a distance of 245.09 feet;
42. Thence North 44°55'38" West, a distance of 82.30 feet;
43. Thence North 63°32'24" West, a distance of 218.06 feet;
44. Thence North 51°32'37" West, a distance of 53.43 feet;
45. Thence North 36°00'49" West, a distance of 139.07 feet;
46. Thence South 85°40'14" West, a distance of 184.05 feet;
47. Thence South 76°19'36" West, a distance of 124.89 feet to a point lying on the southwesterly line of that land conveyed to the County of Riverside by Grant Deed, Recorded December 30, 2004, as Instrument No. 2004-1036504, of Official Records, of said County;

Thence South 57°38'08" West, a distance of 228.51 to a point lying on the southerly line of said land conveyed to the County of Riverside;

The following six (6) courses are along the southerly line of said Parcel "B" of that land conveyed to the County of Riverside:

1. Thence leaving said southerly line of said Instrument No. 04-1036504 southwesterly, South 78°16'15" West, a distance of 65.67 feet;
2. Thence North 72°42'25" West, a distance of 64.73 feet;
3. Thence South 45°49'31" West, a distance of 584.10 feet;
4. Thence North 44°10'29" West, a distance of 310.83 feet to the beginning of a tangent curve, concave southerly and having a radius of 795.00 feet;
5. Thence northwesterly along said tangent curve, through a central angle of 43°10'39", an arc distance of 599.10 feet to the beginning of a non-tangent line, a radial bearing to said point bears North 02°38'51" East;
6. Thence along said non-tangent line North 02°38'17" East, a distance of 149.55 feet to the southerly line of said Instrument No. 2004-1036504 that point also lying on the easterly line of said land conveyed to Castle & Cooke Commercial-Ca, Incorporated, Recorded _____, as Instrument No. _____, of Official Records of said County;

The following two (2) courses are along the easterly line of said Parcel "C" of that land conveyed to Castle & Cooke Commercial-Ca, Incorporated:

1. Thence North 24°12'55" West, a distance of 400.86 feet;
2. Thence North 88°44'12" West, a distance of 371.47 feet to the northeasterly corner of said Parcel "D" of said land conveyed to Castle & Cooke Commercial-Ca, Incorporated;

The following three (3) courses are along the northerly line of said Parcel "D" of that land conveyed to Castle & Cooke Commercial-Ca, Incorporated:

1. Thence westerly along said northerly line, North 78°16'26" West, a distance of 610.03 feet to the beginning of a tangent curve, concave southerly and having a radius of 600.00 feet;
2. Thence westerly along said curve, through a central angle of 13°05'32", an arc distance of 137.10 feet to the beginning of a tangent line;
3. Thence westerly along said tangent line, South 88°38'01" West, a distance of 122.61 feet to a point lying on the easterly right of way of Lake Street as shown on a Record of Survey on file in Book 88, Pages 76 through 82, of Record of Surveys, records of said County;

The following four (4) courses are along the easterly right of way of said Lake Street

1. Thence North 06°24'00" West, a distance of 123.34 feet;
2. Thence North 04°08'23" West, a distance of 152.12 feet;
3. Thence North 83°36'00" East, a distance of 17.00 feet;
4. Thence North 06°06'49" West, a distance of 200.14 feet, to a point lying on the southerly line of Temescal Wash as shown on a Record of Survey on file in Book 88, Pages 76 through 82, of Record of Surveys, records of said County;

Thence easterly along said southerly line of Temescal Wash, leaving said easterly right of way of Lake Street, South 79°56'03" East, a distance of 52.06 feet;

Thence southerly leaving said southerly line of Temescal Wash, South 06°06'49" East, a distance of 235.38 feet;

Thence South 83°36'00" West, a distance of 18.69 feet;

Thence South 04°08'23" East, a distance of 103.07 feet;

Thence South 06°24'00" East, a distance of 76.56 feet;

Thence North 88°38'01" East, a distance of 76.82 feet to the beginning of a tangent curve, concave southerly and having a radius of 650.00 feet;

Thence easterly along said tangent curve, through a central angle of 13°05'32", an arc distance of 148.53 feet to the beginning of a tangent line;

Thence easterly along said tangent line, South 78°16'26" East, a distance of 605.46 feet;

Thence South 88°44'12" East, a distance of 453.82 feet;

Thence South 24°12'59" East, a distance of 432.48 feet;

Thence South 02°38'17" West, a distance of 79.05 feet to the beginning of a non-tangent curve concave southwesterly having a radius of 895.00 feet, a radial bearing to said point bears North 09°03'42" East;

Thence southeasterly along said non-tangent curve, through a central angle of 36°45'48", an arc distance of 574.27 feet to the beginning of a tangent line;

Thence southeasterly along said tangent line, South 44°10'29" East, a distance of 110.83 feet;

Thence North 45°49'31" East, a distance of 603.01 feet;

Thence South 72°42'25" East, a distance of 187.07 feet;

Thence North 57°38'08" East, a distance of 215.90 feet;

Thence North 85°40'14" East, a distance of 390.34 feet;

Thence South 36°00'49" East, a distance of 202.30 feet;

Thence South 51°32'37" East, a distance of 17.21 feet;

Thence South 63°32'24" East, a distance of 261.03 feet;

Thence North 77°59'36" East, a distance of 391.20 feet;

Thence South 35°10'50" East, a distance of 268.81 feet;

Thence South 7°53'49" West, a distance of 108.41 feet;

Thence South 38°50'02" East, a distance of 58.99 feet;

Thence South 43°11'43" East, a distance of 59.06 feet;

Thence South 73°49'28" East, a distance of 120.34 feet;

Thence North 63°19'46" East, a distance of 272.91 feet;

Thence South 34°50'22" East, a distance of 402.90 feet;

Thence South 11°13'33" East, a distance of 92.51 feet;

Thence South 13°24'24" West, a distance of 188.77 feet;

Thence South 41°14'50" East, a distance of 29.57 feet;

Thence South 88°05'18" East, a distance of 115.77 feet;

Thence South 65°50'34" East, a distance of 103.49 feet;

Thence North 40°54'08" East, a distance of 48.26 feet;

Thence North 75°30'08" East, a distance of 149.77 feet;

Thence South 77°32'51" East, a distance of 127.72 feet;

Thence South 64°39'54" East, a distance of 144.56 feet;

Thence South 23°20'26" East, a distance of 122.71 feet to the beginning of a non-tangent curve, concave southwesterly and having a radius of 200.00 feet a radial bearing to said point bears North 16°28'37" East;

Thence southeasterly along said non-tangent curve, through a central angle of 45°38'47", an arc distance of 159.34 feet to the beginning of a tangent line;

Thence southeasterly along said tangent line, South 27°52'35" East, a distance of 49.28 feet to the beginning of a tangent curve, concave westerly and having a radius of 170.00 feet;

Thence southeasterly and southerly along said tangent curve, through a central angle of 39°37'49", an arc distance of 117.59 feet to the beginning of a tangent line;

Thence southerly along said tangent line, South 11°45'13" West, a distance of 89.13 feet;

Thence South 38°41'11" West, a distance of 99.13 feet;

Thence South 10°40'02" East, a distance of 31.74 feet;

Thence South 32°18'16" East, a distance of 43.54 feet;

Thence South 41°24'37" East, a distance of 62.93 feet;

Thence South 32°29'56" East, a distance of 168.95 feet;

Thence South 68°55'29" East, a distance of 53.18 feet;

Thence South 62°26'58" East, a distance of 305.32 feet;

Thence South 03°48'43" West, a distance of 245.06 feet;

Thence South 49°17'06" West, a distance of 145.63 feet;

Thence South 22°42'12" East, a distance of 91.52 feet to the beginning of a tangent curve, concave southwesterly and having a radius of 454.00 feet;

Thence southeasterly and southerly along said tangent curve, through a central angle of 32°42'38", an arc distance of 259.19 feet to the beginning of a non-tangent line, a radial bearing to said point bears South 79°59'34" East;

Thence southwesterly along said non-tangent line, South 45°15'26" West, a distance of 502.73 feet to the beginning of a tangent curve, concave southeasterly and having a radius of 166.00 feet;

Thence southwesterly along said tangent curve, through a central angle of 18°02'11", an arc distance of 52.26 feet to the beginning of a tangent line;

Thence southwesterly along said tangent line, South 27°13'15" West, a distance of 127.89 feet to the beginning of a tangent curve, concave northwesterly and having a radius of 434.00 feet;

Thence southwesterly along said tangent curve, through a central angle of 33°59'25", an arc distance of 257.47 feet to the beginning of a tangent line;

Thence southwesterly along said tangent line, South 61°12'40" West, a distance of 32.36 feet to the beginning of a tangent curve, concave northerly and having a radius of 234.00 feet;

Thence southwesterly and westerly along said tangent curve, through a central angle of 27°32'06", an arc distance of 112.45 feet to the beginning of a non-tangent compound curve, concave northwesterly and having a radius of 1049.00 feet, a radial bearing to said point bears South 44°15'46" East;

Thence southwesterly along said non-tangent compound curve, through a central angle of 16°18'29", an arc distance of 298.58 feet to the beginning of a tangent line;

Thence southwesterly along said non-tangent line, South 62°02'43" West, a distance of 141.45 feet to the beginning of a non-tangent curve, concave westerly and having a radius of 1895.00 feet, a radial bearing to said point bears North 75°33'25" East;

Thence southerly along said non-tangent curve, through a central angle of $17^{\circ}06'44''$, an arc distance of 565.97 feet to the beginning of a non-tangent line, a radial bearing to said point bears South $87^{\circ}19'51''$ East;

Thence southeasterly along said non-tangent line, South $37^{\circ}18'51''$ East, a distance of 76.44 feet;

Thence South $06^{\circ}15'22''$ West, a distance of 126.36 feet;

Thence South $52^{\circ}37'41''$ West, a distance of 72.32 feet to the beginning of a non-tangent curve, concave westerly and having a radius of 1895.00 feet, a radial bearing to said point bears South $80^{\circ}19'22''$ East;

Thence southwesterly along said non-tangent curve, through a central angle of $13^{\circ}45'24''$, an arc distance of 454.99 feet to the beginning of a tangent line;

Thence southwesterly along said tangent line, South $23^{\circ}26'02''$ West, a distance of 195.37 feet to the beginning of a tangent curve, concave northwesterly and having a radius of 1195.00 feet;

Thence southwesterly along said tangent curve, through a central angle of $24^{\circ}22'08''$, an arc distance of 508.25 feet to the beginning of a tangent line;

Thence southwesterly along said tangent line, South $47^{\circ}48'10''$ West, a distance of 291.41 feet to a point lying on the northeasterly right of way of Nichols Road as dedicated per Instrument No. 2008-0482210, recorded September 02, 2008, of Official Records of said County;

Thence northwesterly along said northeasterly right of way, North $42^{\circ}11'50''$ West, a distance of 133.00 feet to a point lying on the easterly line of said land conveyed to Castle & Cooke Commercial-Ca, Incorporated;

The following five (5) courses are along said easterly line of said land conveyed to Castle & Cooke Commercial-Ca, Incorporated:

1. Thence northerly, leaving said northeasterly right of way, North $11^{\circ}20'01''$ East, a distance of 28.60 feet;
2. Thence North $47^{\circ}48'10''$ East, a distance of 268.41 feet to the beginning of a tangent curve, concave northwesterly and having a radius of 1045.00 feet;
3. Thence northeasterly along said tangent curve, through a central angle of $24^{\circ}22'08''$, an arc distance of 444.46 feet to the beginning of a tangent line;
4. Thence northeasterly along said tangent line, North $23^{\circ}26'02''$ East, a distance of 195.37 feet to the beginning of a tangent curve, concave northwesterly and having a radius of 1745.00 feet;

5. Thence northeasterly and northerly along said tangent curve, through a central angle of 14°46'36", an arc distance of 450.04 feet to the **TRUE POINT OF BEGINNING**.

Containing 37.74 acres more or less.

As shown on the attached exhibit hereto and made a part hereof.

KWC ENGINEERS

CIVIL ENGINEERS • PLANNERS • SURVEYORS

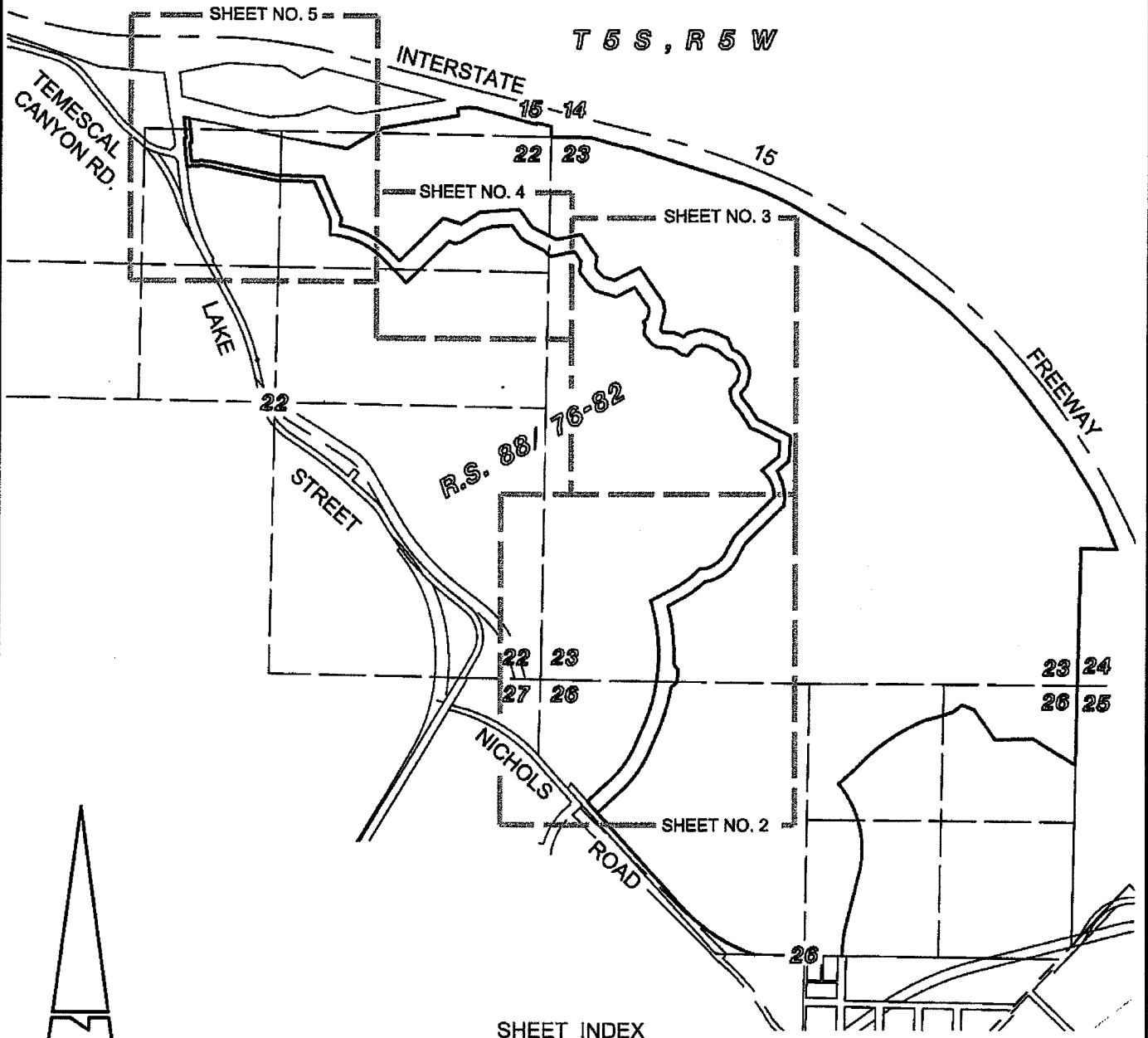
Thomas Caseldine 3-4-16
Thomas M. Caseldine Date
P.L.S. 9029 Expires 09-30-17



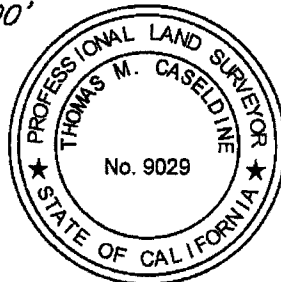
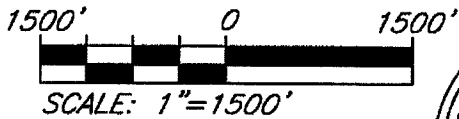
March 4, 2016
TMC/KWC/tmc
R:\07\1100\LEGALS\land exchange\GRADING ESMT\1100 GRADING ESMT.docx

EXHIBIT "C1" TEMPORARY OPERATIONS AND PERMANENT MAINTENANCE EASEMENT

T 5 S , R 5 W



SHEET INDEX
SCALE: 1"=1500'



LEGEND:

- EXISTING PARCEL LINE
- EXISTING SECTION LINE
- PROPOSED EASEMENT LINE
- DETAIL SHEET BOUNDARY

EASEMENT "A" AREA: 37.74 ACRES

Thomas Caseldine 3-4-16

THOMAS M. CASELDINE
L.S. 9029

DATE
Exp. 09-30-17

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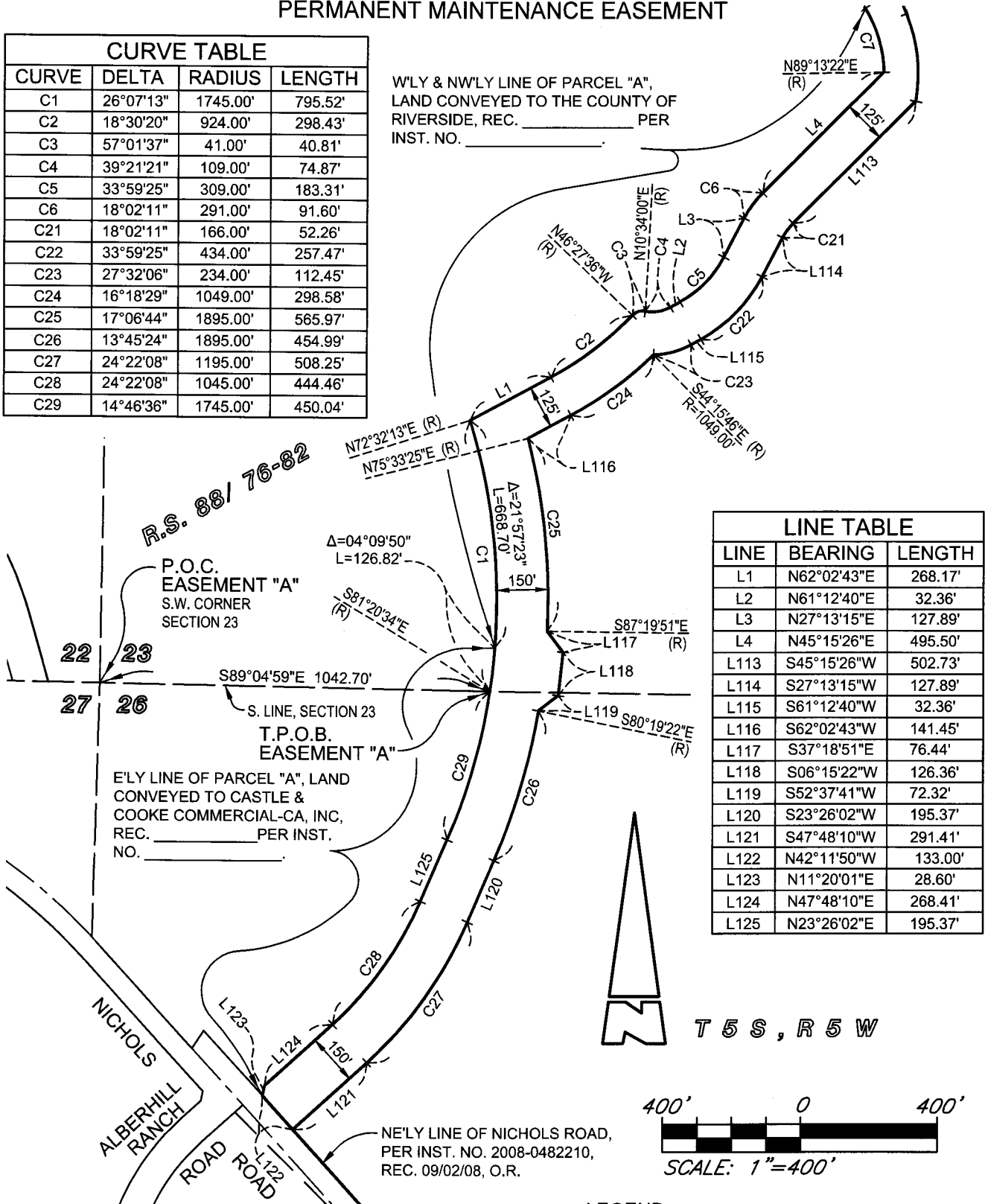
EXHIBIT "C1"
TEMPORARY OPERATIONS AND
PERMANENT MAINTENANCE EASEMENT

SHEET 2 OF 5 SHEETS

SEE SHEET NO. 3

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	26°07'13"	1745.00'	795.52'
C2	18°30'20"	924.00'	298.43'
C3	57°01'37"	41.00'	40.81'
C4	39°21'21"	109.00'	74.87'
C5	33°59'25"	309.00'	183.31'
C6	18°02'11"	291.00'	91.60'
C21	18°02'11"	166.00'	52.26'
C22	33°59'25"	434.00'	257.47'
C23	27°32'06"	234.00'	112.45'
C24	16°18'29"	1049.00'	298.58'
C25	17°06'44"	1895.00'	565.97'
C26	13°45'24"	1895.00'	454.99'
C27	24°22'08"	1195.00'	508.25'
C28	24°22'08"	1045.00'	444.46'
C29	14°46'36"	1745.00'	450.04'

W'LY & NW'LY LINE OF PARCEL "A",
 LAND CONVEYED TO THE COUNTY OF
 RIVERSIDE, REC. _____ PER
 INST. NO. _____



LINE TABLE		
LINE	BEARING	LENGTH
L1	N62°02'43"E	268.17'
L2	N61°12'40"E	32.36'
L3	N27°13'15"E	127.89'
L4	N45°15'26"E	495.50'
L113	S45°15'26"W	502.73'
L114	S27°13'15"W	127.89'
L115	S61°12'40"W	32.36'
L116	S62°02'43"W	141.45'
L117	S37°18'51"E	76.44'
L118	S06°15'22"W	126.36'
L119	S52°37'41"W	72.32'
L120	S23°26'02"W	195.37'
L121	S47°48'10"W	291.41'
L122	N42°11'50"W	133.00'
L123	N11°20'01"E	28.60'
L124	N47°48'10"E	268.41'
L125	N23°26'02"E	195.37'

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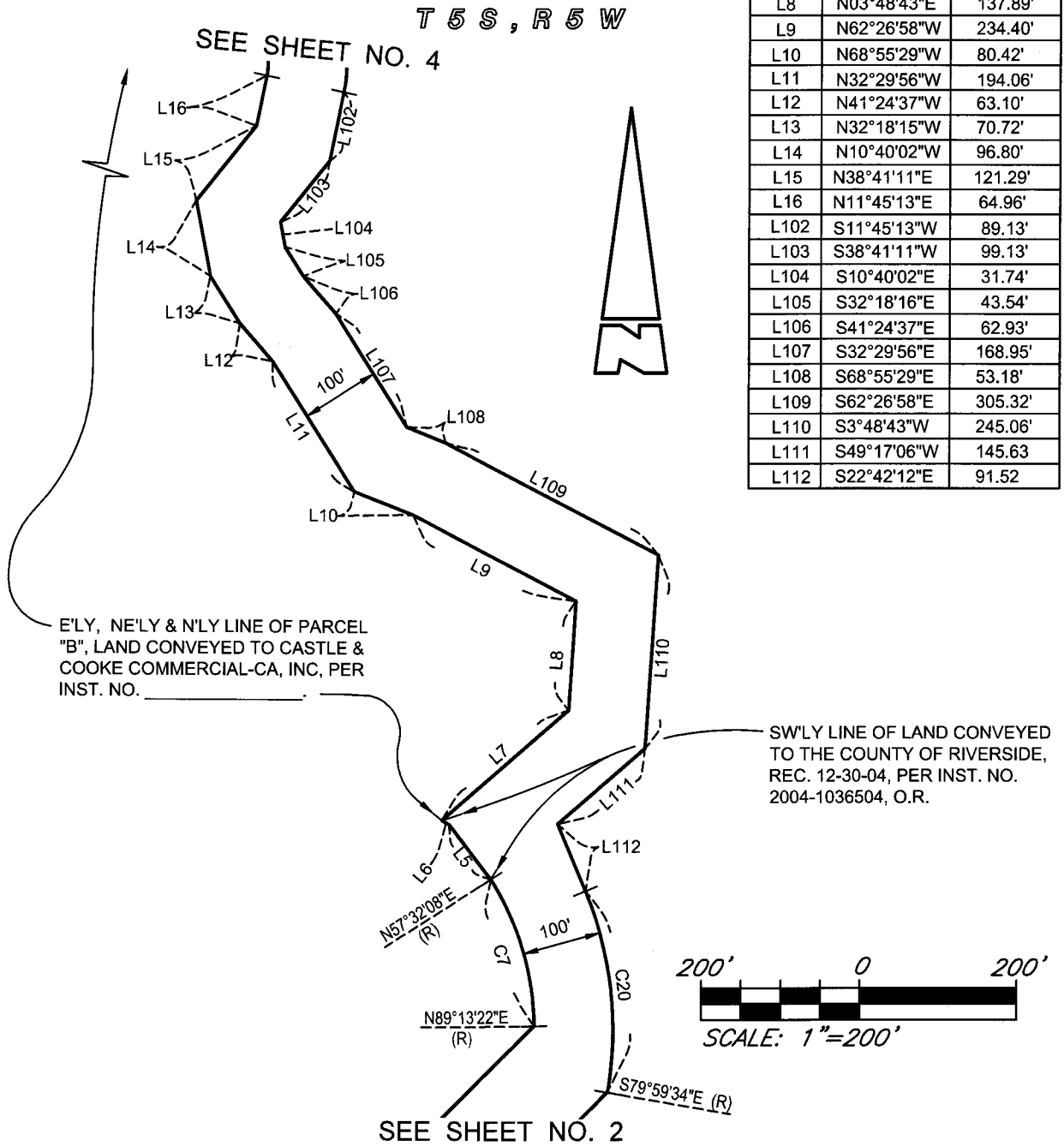
LEGEND:
 ——— EXISTING PARCEL LINE
 - - - EXISTING SECTION LINE
 ——— PROPOSED EASEMENT LINE

EXHIBIT "C1"
 TEMPORARY OPERATIONS AND
 PERMANENT MAINTENANCE EASEMENT

SHEET 3 OF 5 SHEETS

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C7	31°41'14"	354.00'	195.78'
C20	32°42'38"	454.00'	259.19'

LINE TABLE		
LINE	BEARING	LENGTH
L5	N37°52'55"W	87.47'
L6	N61°05'29"W	10.76'
L7	N49°17'06"E	212.87'
L8	N03°48'43"E	137.89'
L9	N62°26'58"W	234.40'
L10	N68°55'29"W	80.42'
L11	N32°29'56"W	194.06'
L12	N41°24'37"W	63.10'
L13	N32°18'15"W	70.72'
L14	N10°40'02"W	96.80'
L15	N38°41'11"E	121.29'
L16	N11°45'13"E	64.96'
L102	S11°45'13"W	89.13'
L103	S38°41'11"W	99.13'
L104	S10°40'02"E	31.74'
L105	S32°18'16"E	43.54'
L106	S41°24'37"E	62.93'
L107	S32°29'56"E	168.95'
L108	S68°55'29"E	53.18'
L109	S62°26'58"E	305.32'
L110	S3°48'43"W	245.06'
L111	S49°17'06"W	145.63'
L112	S22°42'12"E	91.52'



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LEGEND:
 _____ EXISTING PARCEL LINE
 - - - - - EXISTING SECTION LINE
 _____ PROPOSED EASEMENT LINE

EXHIBIT "C1"
TEMPORARY OPERATIONS AND
PERMANENT MAINTENANCE EASEMENT

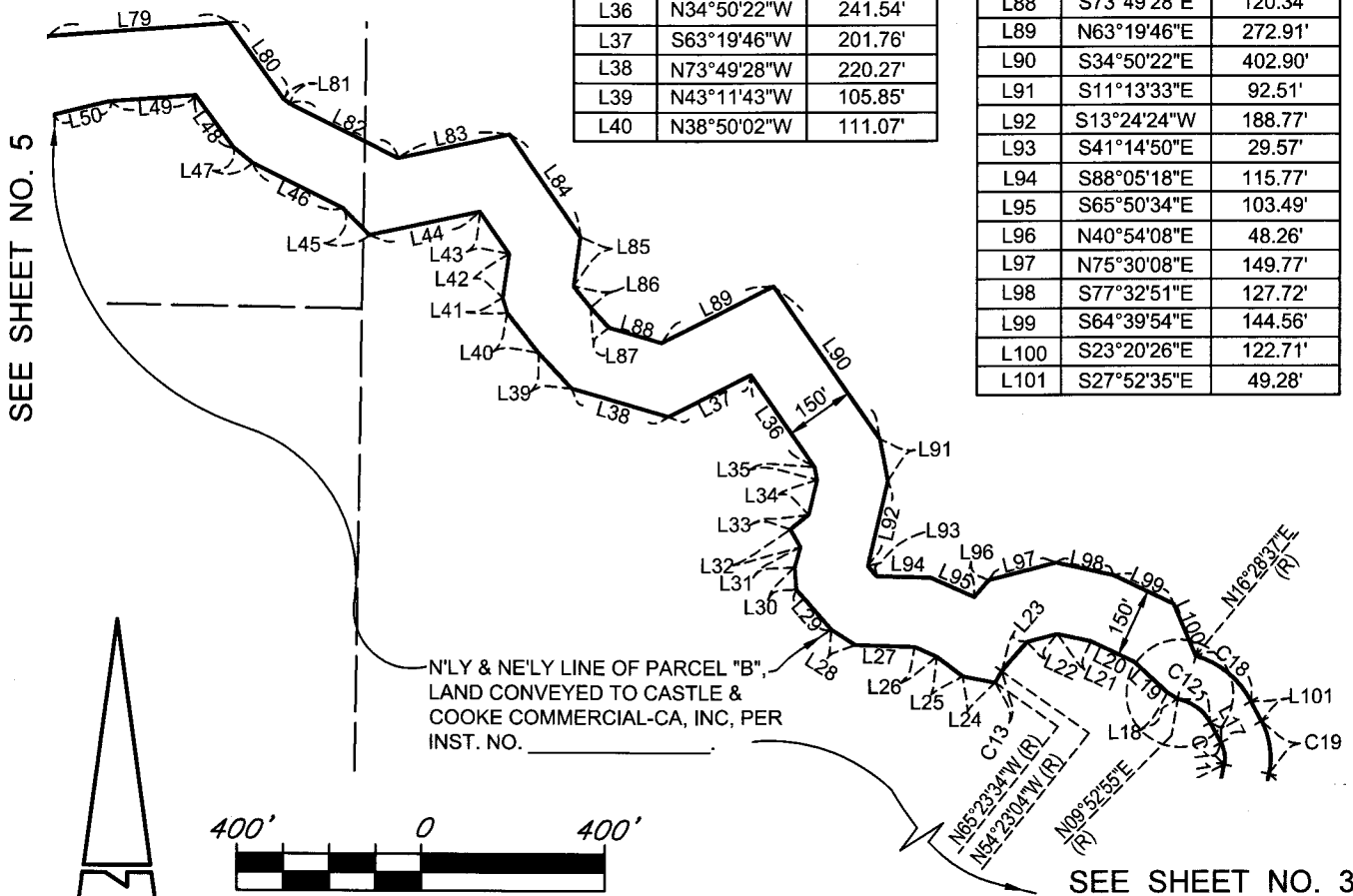
SHEET 4 OF 5 SHEETS

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C11	39°37'49"	70.00'	48.42'
C12	52°14'27"	100.00'	91.18'
C13	11°00'30"	145.00'	27.86'
C18	45°38'47"	200.00'	159.34'
C19	39°37'49"	170.00'	117.59'

LINE TABLE		
LINE	BEARING	LENGTH
L17	N27°52'35"W	49.28'
L18	N57°00'29"W	26.29'
L19	N47°28'14"W	97.29'
L20	N64°39'54"W	104.95'
L21	N77°32'51"W	74.84'
L22	S75°30'08"W	67.11'
L23	S40°54'08"W	83.38'
L24	N79°01'11"W	72.19'
L25	N52°53'46"W	70.10'
L26	N65°50'34"W	52.57'
L27	N88°05'18"W	127.48'
L28	N57°34'43"W	61.68'
L29	N41°14'50"W	115.25'
L30	N03°59'40"W	48.14'
L31	N15°16'44"E	45.58'
L32	N29°18'07"W	43.81'
L33	N51°43'14"E	50.50'
L34	N13°24'24"E	78.25'
L35	N11°13'33"W	28.41'
L36	N34°50'22"W	241.54'
L37	S63°19'46"W	201.76'
L38	N73°49'28"W	220.27'
L39	N43°11'43"W	105.85'
L40	N38°50'02"W	111.07'

LINE TABLE		
LINE	BEARING	LENGTH
L41	N15°59'38"W	33.14'
L42	N07°53'49"E	96.34'
L43	N35°10'50"W	110.65'
L44	S77°59'36"W	245.09'
L45	N44°55'38"W	82.30'
L46	N63°32'24"W	218.06'
L47	N51°32'37"W	53.43'
L48	N36°00'49"W	139.07'
L49	S85°40'14"W	184.05'
L50	S76°19'36"W	124.89'
L79	N85°40'14"E	390.34'
L80	S36°00'49"E	202.30'
L81	S51°32'37"E	17.21'
L82	S63°32'24"E	261.03'
L83	N77°59'36"E	391.20'
L84	S35°10'50"E	268.81'
L85	S07°53'49"W	108.41'
L86	S38°50'02"E	58.99'
L87	S43°11'43"E	59.06'
L88	S73°49'28"E	120.34'
L89	N63°19'46"E	272.91'
L90	S34°50'22"E	402.90'
L91	S11°13'33"E	92.51'
L92	S13°24'24"W	188.77'
L93	S41°14'50"E	29.57'
L94	S88°05'18"E	115.77'
L95	S65°50'34"E	103.49'
L96	N40°54'08"E	48.26'
L97	N75°30'08"E	149.77'
L98	S77°32'51"E	127.72'
L99	S64°39'54"E	144.56'
L100	S23°20'26"E	122.71'
L101	S27°52'35"E	49.28'

T 5 S , R 5 W



LEGEND:

- EXISTING PARCEL LINE
- - - - - EXISTING SECTION LINE
- PROPOSED EASEMENT LINE

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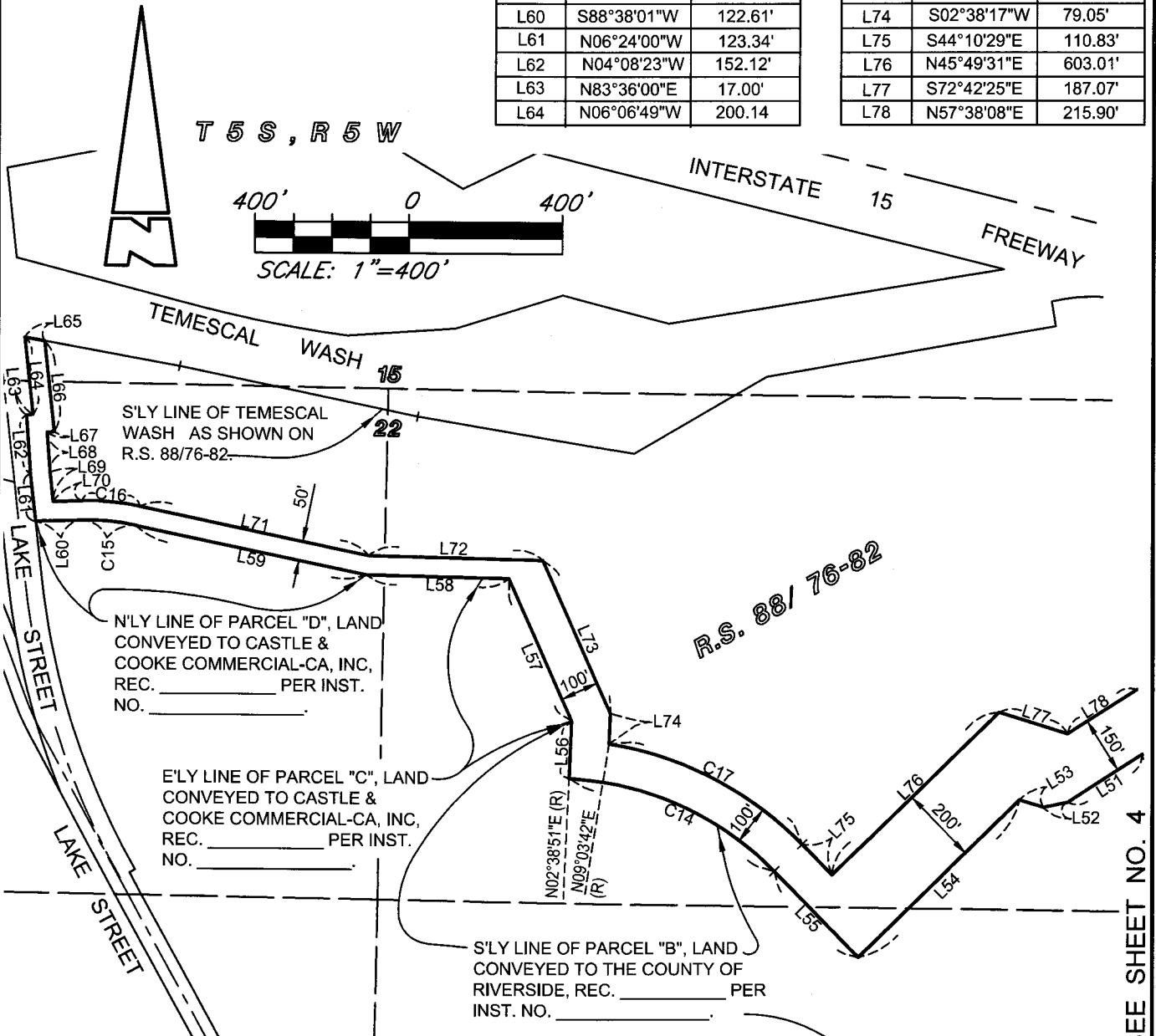
EXHIBIT "C1"
 TEMPORARY OPERATIONS AND
 PERMANENT MAINTENANCE EASEMENT

SHEET 5 OF 5 SHEETS

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C14	43°10'39"	795.00'	599.10'
C15	13°05'32"	600.00'	137.10'
C16	13°05'32"	650.00'	148.53'
C17	36°45'48"	895.00'	574.27'

LINE TABLE		
LINE	BEARING	LENGTH
L51	S57°38'08"W	228.51'
L52	S78°16'15"W	65.67'
L53	N72°42'25"W	64.73'
L54	S45°49'31"W	584.10'
L55	N44°10'29"W	310.83'
L56	N02°38'17"E	149.55'
L57	N24°12'55"W	400.86'
L58	N88°44'12"W	371.47'
L59	N78°16'26"W	610.03'
L60	S88°38'01"W	122.61'
L61	N06°24'00"W	123.34'
L62	N04°08'23"W	152.12'
L63	N83°36'00"E	17.00'
L64	N06°06'49"W	200.14'

LINE TABLE		
LINE	BEARING	LENGTH
L65	S79°56'03"E	52.06'
L66	S06°06'49"E	235.38'
L67	S83°36'00"W	18.69'
L68	S04°08'23"E	103.07'
L69	S06°24'00"E	76.56'
L70	N88°38'01"E	76.82'
L71	N78°16'26"W	605.46'
L72	S88°44'12"E	453.82'
L73	S24°12'59"E	432.48'
L74	S02°38'17"W	79.05'
L75	S44°10'29"E	110.83'
L76	N45°49'31"E	603.01'
L77	S72°42'25"E	187.07'
L78	N57°38'08"E	215.90'



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- LEGEND:
- EXISTING PARCEL LINE
 - - - EXISTING SECTION LINE
 - PROPOSED EASEMENT LINE

SEE SHEET NO. 4

Aparicio, Ashley

From: Dan Silver <dsilverla@me.com>
Sent: Friday, April 01, 2016 11:31 AM
To: Benoit, John; Jeffries, Kevin; Ashley, Marion; District3; Tavaglione, John; COB
Cc: Johnson, George; Perez, Juan; Weiss, Steven; Watts-Bazan, Karin; Clack, Shellie; Balderrama, Olivia; Field, John; Magee, Robert; Pradetto, Joe; Hernandez, Steven
Subject: Item 3-1 (Lake Elsinore Land Exchange), Hearing Date: April 5, 2016
Attachments: EHL-Item3-1-ElsinoreLandExchange-BoS-4.5.16.pdf

April 1, 2016

The Hon John Benoit, Chair
Riverside County Board of Supervisors
4080 Lemon St
Riverside CA 92501

RE: Item 3-1, April 5, 2016: Adoption of Resolutions Nos. 2016-102 and 2016-103 to Exchange Real Property Located in the City of Lake Elsinore – *NOT OPPOSED*

Dear Chairman Benoit and Members of the Board:

Endangered Habitats League wishes to submit the enclosed letter as testimony for this item. Thank you very much.

With best regards,
Dan Silver

Dan Silver, Executive Director
Endangered Habitats League
8424 Santa Monica Blvd., Suite A 592
Los Angeles, CA 90069-4267

213-804-2750
dsilverla@me.com
www.ehleague.org

ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



April 1, 2016

VIA ELECTRONIC MAIL

The John J. Benoit, Chair
Riverside County Board of Supervisors
4080 Lemon St.
Riverside CA 92501

**RE: Item 3-1, April 5, 2016: Adoption of Resolutions Nos. 2016-102 and 2016-103
to Exchange Real Property Located in the City of Lake Elsinore
– NOT OPPOSED**

Dear Chairman Benoit and Members of the Board:

Endangered Habitats League (EHL) does *not oppose* adopting these resolutions to exchange MSHCP reserve land in the City of Lake Elsinore. We are not “supporting” the resolutions because it has been EHL’s longstanding position that performance standards for successful translocation of the San Diego ambrosia be set in advance rather than developed later. Nevertheless, we respect the explicit intent for the Exchange Agreement and Great Deed with Easement Reservation to include provisions for successful translocation prior to development. We also have sufficient confidence that the County and Regional Conservation Authority can develop and enforce these biological standards.

As background, EHL acknowledges the County’s interest in avoiding costly and ongoing slope maintenance requirements and also acknowledges the City of Lake Elsinore’s interest in developing land at a major intersection. While the exchange unfortunately does not *add* acres to the reserve, it delivers modest benefits in configuration. Also, important riparian connectivity has been maintained.

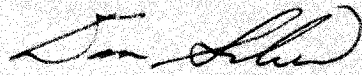
Two rare plants, covered under the MSCHP, the San Diego ambrosia and Munz’s onion, are of concern. It is our expectation that the San Diego ambrosia translocation will result in net benefits to this species, ideally through restoration of degraded but suitable lands. As noted above, we would have preferred for locations and performance standards to be developed in advance. However, the terms of the easement will provide safeguards against loss of this critical population.

It is our understanding that a small fraction of the Munz’s onion population on currently conserved lands would be exchanged, and that this population as a whole will remain viable for species coverage. In addition, if any Munz’s onion is proposed for development on the property entering private ownership, the MSHCP’s narrow endemic policies for avoidance and mitigation will *still* apply.

EHL has appreciated the opportunity to participate in the lengthy process of this controversial land exchange. The MSHCP should work for both conservation and economic purposes, though we must be exceedingly cautious in regard to already conserved lands. While EHL is not opposed to this exchange, we also do not consider it a precedent.

Thank you for considering our views.

Yours truly,

A handwritten signature in black ink, appearing to read "Dan Silver", is centered on the page. The signature is written in a cursive style with a large, looped initial "D".

Dan Silver
Executive Director

Maxwell, Sue

From: Cleary-Rose, Karin <karin_cleary-rose@fws.gov>
Sent: Tuesday, April 05, 2016 9:16 AM
To: COB; Benoit, John; Ashley, Marion; Jeffries, Kevin; District3; Tavaglione, John
Cc: Magee, Robert; Watts-Bazan, Karin; Dan Silver; Heather Pert; Jeff Brandt; Landry, Charles; Correa, Laurie; Perez, Juan
Subject: Fwd: Item 3-37: Resolution No. 2016-074, Amending Resolution No. 2015-030 Notice of Intention to Exchange Real Property in the City of Lake Elsinore
Attachments: TriValley form 11 purchase & MOU 2-10-04.pdf; 15B0092-15CPA0102_Property in the City of Lake Elsinore_s20150113_KCR.pdf; 15B0092-16CPA0238 [WRIV] jt County Resolution 2015-074_20160209.pdf; 15B092-16CPA282 [WRIV] jt County Resolution Nos 2016-102 and 2016-103_20160405.pdf

Clerk of the Board,

Please find the Wildlife Agencies comments on item 3-1 attached.

Thank you,

Karin Cleary-Rose
Inland Division Chief
U.S. Fish and Wildlife Service
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, CA 92220
(760) 322 2070 ext 206

3-1
4/5/16
2016-4-13/201



U.S. Fish and Wildlife Service
Palm Springs Fish and Wildlife Office
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, California 92262
760-322-2070
FAX 760-322-4648



California Department of Fish and Wildlife
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-220
Ontario, California 91764
909-484-0167
FAX 909-481-2945

In Reply Refer To:
FWS/CDFW-15B0092-16CPA0282

Riverside County Board of Supervisors
County of Riverside
4080 Lemon St., 5th Floor
Riverside, California 92501

MAR - 5 2016

Subject: Item 3-1: Resolution Nos. 2016-102 Making Responsible Agency Findings Pursuant to the California Environmental Quality Act and 2016-103 Authorization to Exchange Real Property Located in the City of Lake Elsinore (April 5, 2016)

Dear Chairman Benoit and Board Members:

The California Department of Fish and Wildlife (Department) and the U.S. Fish and Wildlife Service (Service), hereafter referred to jointly as the Wildlife Agencies, have reviewed Resolution Nos. 2016-102, Making Responsible Agency Findings Pursuant to the California Environmental Quality Act and Issuing Certain Limited Approvals, and 2016-103, Authorization to Exchange Real Property in the City of Lake Elsinore; and Approval of Agreements between the County of Riverside and Castle & Cooke Commercial-CA, Inc., item 3-1 on the April 5, 2016 agenda. The Wildlife Agencies provided comments (enclosed) on Resolution Nos. 2015-030 and 2016-074. Those comments are relevant to Resolution Nos. 2016-102 and 2016-103. We respectfully request that you consider our previous comments in this action and we offer the following additional comments on Resolution No. 2016-103 and the County of Riverside's (County) implementation of Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). We have concerns about the loss of use and value to the MSHCP conservation area from the proposal, the County's findings in executing the Notice of Determination (NOD) under the California Environmental Quality Act (CEQA), the advisability of completing the exchange based on a translocation effort with an unknown outcome and the lack of MSHCP implementation for the resolution and translocation effort.

We appreciate the meeting and discussion with County Counsel and Western Riverside County Regional Conservation Authority (RCA) after our last letter. The meeting was informative and we hope representative of future discussion regarding this issue and the MSHCP. However, while our issues regarding the proposed land exchange were recognized and discussed no decisions were made to address or alleviate them. We are committed to working with the County to resolve our issues and believe the best way to accomplish this is to continue to work together. We request a meeting with interested parties to work towards resolution.

Land Exchange

The property proposed for exchange was acquired by the County using Ordinance 810 fees as open space for conservation of wildlife and plant life (County Resolution No. 2004-069,

enclosed). Resolution No. 2016-103 states that the County desires to acquire 40 acres owned by Castle & Cooke Commercial-CA, Inc. (C&C) for conservation purposes and identifies significant cost savings to the MSHCP. The Submittal to the Board of Supervisors, County of Riverside, State of California, Form 11 (Form 11) states that the cost savings would result from the assumption of responsibilities under the Temporary Operations and Maintenance Agreement by C&C. Please note that those responsibilities are not MSHCP responsibilities and the transfer of those costs will not benefit the MSHCP.

Resolution 2016-102 and CEQA

By executing the NOD for Resolution No. 2016-013 the County has indicated that the City of Lake Elsinore's (City, the CEQA Lead Agency) Environmental Impact Report (EIR) No. 89-2 for the Alberhill Ranch Specific Plan and Addendum No. IV (State Clearinghouse No. 88090517) are adequate for its use in taking a Responsible Agency action in approving Resolution No. 2016-013. Furthermore, the NOD indicates the County has determined that approval of Resolution No. 2016-013 (project) will not have significant effect on the environment, and that mitigation measures were not made a condition of the approval of the project.

The project will have one or more significant effects not discussed in the original EIR, or in Addendum IV. San Diego ambrosia (*Ambrosia pumila*) is found on Parcel D proposed to be traded to C&C. The species is federally listed as endangered, and classified by the California Native Plant Society's Rare Plant Rank as a 1B.1 species meaning that it is seriously endangered in California. The presence of Ambrosia and the identification and analysis of impacts to the species has not been disclosed under CEQA. Note that a subsequent or supplemental EIR is required when the project will have one or more significant effects not discussed in the previous EIR (Guidelines § 15162(3)(A), §15163). Additionally in Section 1.2 Addendum No. IV (Conclusion and Analysis) the City recognizes the County's purchase of the 598 acres for conservation and inclusion in the MSHCP and concludes that "...it can be reasonably anticipated that no urban development...will occur in the 598-acre area..." Furthermore, as the County has identified the presence of the species on site in the Resolution documents, a subsequent or supplemental EIR should be completed.

The NOD identifies that mitigation measures were not made a condition of approval of the project, despite the requirement in Resolution No. 2016-013 for an easement reservation over a portion of the land within APN 390-130-029, which, as stated on page 3 of 5 of the Form 11, as part of the exchange transaction "...the easement reservation in favor of the County over a portion of the land with APN 390-130-029 will include restrictions on development by C&C and conditions for the successful translocation of the San Diego Ambrosia plant species which may be performed by the RCA or another entity approved by the County pursuant to success criteria established prior to any development being permitted within the easement area. The Exchange Agreement and the Grant Deed with Easement Reservation will include provisions indicating that the successful translocation of the San Diego Ambrosia plants from the easement area to another shall be performed prior to any development occurring on that portion of land. Once successful translocation has been confirmed by the County and RCA with input from the Wildlife Agencies, the easement interest would be relinquished by the County to C&C in the manner provided in the Grant Deed with Easement Reservations." The County's requirement for an easement reservation along with the aforementioned restrictions appears to be CEQA a mitigation measure that the County is requiring as a condition of approval of the project.

The mitigation directed by the County may have a significant effect – physical action of moving the species is an impact, and if the relocation fails, that is a larger impact, one that cannot be mitigated to a level less than significant. These potential effects have not been analyzed or disclosed under CEQA. Furthermore, the mitigation strategy should be disclosed under CEQA. Compelling the mitigation under the Resolution circumvents public review and comment.

Ambrosia Easement and Translocation

For the reasons stated in our previous letters, we remain concerned about the outcome of the translocation and request that successful translocation be demonstrated before the land exchange is carried out. Resolution 2016-103 provides for the reservation of an easement to restrict development by C&C on a portion of the property to accommodate the successful translocation the San Diego Ambrosia population on exchange Parcel D. The Ambrosia Easement is identified as an 80-foot by 125-foot area in Exhibit A of Attachment A to Exhibit A1 of Resolution 2014-103. A 50-foot access easement from Lake Street to the Ambrosia Easement area is described in Exhibit B of Attachment A.

The stated purpose of the Ambrosia Easement is to protect the population from development. The easement area is too small to provide for the ecological process that support the plants. San Diego Ambrosia populations are associated with damp places or stream sides. The population on the exchange property is supported by water coming from the south and flowing into Temescal Creek. If the County is seeking to protect the plants from development, then the entire portion of exchange Parcel D that provides the hydrology that supports the population should be included in the easement area. We also recommend that only half of the population be translocated initially. Then after the initial translocation is judged successful, the rest of the population can be moved prior to development on site.

MSHCP Implementation and Consistency


Both Resolution 2016-103 and the Form 11 anticipate development, by C&C or some other owner, of exchange Parcel D which supports the Ambrosia. As we noted in our comments to the Board on Resolution Nos. 2015-030 and 2016-074, the exchange property is currently in use by the County and the other MSHCP permittees providing conservation for wildlife and plants and supporting both MSHCP reserve assembly and Species Objective obligations for San Diego ambrosia and Munz's onion (*Allium munzii*, state threatened and federally endangered). The exchange area is in MSHCP Criteria Cells and all or nearly all of the area that the County is proposing to trade out is described for conservation. The MSHCP does not contemplate the trade out of land acquired and counted for conservation. However, if the County wishes to complete the proposed land exchange in a manner that is consistent with the MSHCP, a Criteria Refinement as described in MSCHP section 6.5 is required. The Criteria Refinement should be included in an MSHCP Joint Project Review (JPR) for the project (Resolution No. 2016-103) consistent with section 13.2. E of the MSHCP Implementing Agreement. Please note that the definition of discretionary project used by the MSHCP is the same as the CEQA definition. As indicated by Resolution 2016-102 and the executed NOD, you have concluded that the proposed land exchange is a discretionary project; it therefore needs MSHCP implementation.

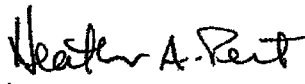
Generally, a criteria refinement is necessary when development is proposed for an area that is described for conservation. In this instance, the County an MSHCP permittee, is taking an action to remove an area purchased for conservation in support of MSHCP reserve assembly and provide for its development. The proposed translocation effort with success criteria and a plan for dealing with an unsuccessful effort should be included in the Criteria Refinement as part of the strategy to keep the MSHCP whole.

As we noted in our last letter on this matter, all of the land proposed for exchange is in the MSHCP Criteria Area. As such, all discretionary projects affecting that land are subject to the JPR process and MSHCP policies and procedures. The County-owned 40-acre exchange area is within the area described for MSHCP reserve assembly. Future development projects would be subject to the HANS process (or LEAPS process if MSHCP implementation is carried out by the City of Lake Elsinore) and MSHCP implementation. The alternative to a Criteria Refinement in support of Resolution 2106-103, is that the developer or the City of Lake Elsinore would have complete the Criteria Refinement prior to or simultaneous with any future project approvals.

We appreciate the opportunity to comment on item 3-1 and request that Resolution No. 2016-103 not be adopted until our concerns are addressed and MSHCP implementation procedures and the CEQA process are completed. If Resolution No. 2016-103 is adopted, we request that the land exchange not be executed until our concerns are addressed. We also request a meeting to discuss our concerns. We look forward to working with the County to resolve these significant issues. To schedule a meeting, or if you have any questions regarding these comments, please contact Karin Cleary-Rose of the Service at 760-322-2070, extension 206, or Heather Pert of the Department at 858-395-9692.

Sincerely,


Kennon A. Corey
Assistant Field Supervisor
U.S. Fish and Wildlife Service


for
Leslie MacNair
Inland Deserts Region
Regional Manager
CA Department of Fish and Wildlife

Enclosures

cc:
Jeff Brandt, CA Department of Fish and Wildlife
MSHCP Permittees

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

132



FROM: Economic Development Agency

SUBMITTAL DATE:
January 28, 2004

SUBJECT: Adoption of Resolution Number 2004-069, Authorization to Purchase Real Property from Tri-Valley I.

RECOMMENDED MOTION: That the Board of Supervisors:

- (1) Adopt Resolution Number 2004-069, Authorization to Purchase Real Property from Tri-Valley I;
- (2) Approve the Acquisition Agreement between the County of Riverside and Tri-Valley I, and authorize the Chairman to execute the agreement and the certificate of acceptance on the related grant deed;
- (3) Approve the Memorandum of Understanding between the County of Riverside, Tri-Valley I, and the City of Lake Elsinore and authorize the Chairman to execute the agreement; and
- (4) Authorize and direct the Assistant County Executive Officer/EDA or his designee to execute any related purchase documents and to take the necessary actions to complete this transaction.

BACKGROUND: On January 13, 2004, item #3.18, the Board of Supervisors approved Resolution Number 2004-34 giving notice of the County's intention to purchase approximately 598 acres of property for preservation of open space in the Alberhill area. The Economic Development Agency negotiated the purchase of approximately 598 acres for habitat conservation, at a unit price of roughly \$8,637/acre. The purchase price was confirmed by an appraisal, as the County will not pay more than fair market value.

Bradley J. Hudson

Bradley J. Hudson, Assistant County Executive Officer/EDA

BJH:RZ:BJG:AMV:BCS:sj
F:\Shared\RealProperty\Real Property\MSHCPI04-H-008.fm11.doc

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 5,164,652 plus escrow fees	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2003-2004

SOURCE OF FUNDS: Ordinance 810 funds	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: **APPROVE**

County Executive Office Signature *Ghonda King*

- Policy
- Policy
- Consent
- Consent
- Dep't Recomm.:
- Per Exec. Ofc.:

Prev. Agn. Ref.: 01/13/04, 3.18 | **District:** 1 | **Agenda Number:**

3.10

BACKGROUND (continued)

An appraisal was prepared by an independent appraisal firm to determine the fair market value of the property. The agreed upon purchase price of \$5,164,652.00 is approximately 40% below the appraised value of the property.

Staff recommends the approval of this purchase agreement, which will require the expenditure of \$5,164,652.00 from Ordinance 810 Open Space Funds, plus escrow fees not to exceed \$7,000.00.

The Memorandum of Understanding between Riverside County, Tri-Valley, and the City of Lake Elsinore further clarifies the responsibilities of all cooperating parties.

The Parks District has estimated that the annual property management costs for the subject property will be approximately \$12,000 per year. The County has appropriated funding to the Parks District for annual management costs.

The subject property is located south of Interstate 15 and east of Lake Street in the City of Lake Elsinore.

Public notice of said acquisition was given as provided in Section 6063 of the Government Code.

2 **COUNTY RESOLUTION NO. 2004-069**
3 **AUTHORIZATION TO PURCHASE REAL PROPERTY FROM TRI-VALLEY I**
4 **(First Supervisorial District)**

5 **WHEREAS**, Tri-Valley I, the property owner, has offered for the sum of
6 \$5,164,652.00 the property shown on Exhibit "A" attached to this resolution, located in the
7 Alberhill area;

8 **WHEREAS**, the County has agreed to accept this offer and has given notice of
9 its intention to purchase pursuant to Government Code 25350, on 01/13/04;

10 **WHEREAS**, the Clerk of the Board of Supervisors was directed to give notice
11 thereof as provided in Section 6063 of the Government Code and said notice has been given;

12 **WHEREAS**, the Memorandum of Understanding (MOU) by and between the
13 County of Riverside, Tri-Valley I and the City of Lake Elsinore further details the
14 responsibilities by all parties; and

15 **WHEREAS**, the acquisition of this property will assist the County in providing
16 open space for conservation of wildlife and plant life.

17 **NOW THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED** by the
18 Board of Supervisors of the County of Riverside, in regular session assembled on February
19 10, 2004, as follows:

20 1. That the Board of Supervisors hereby finds and declares that the above recitals
21 are true and correct.

22 2. That the County of Riverside is authorized to purchase real property in the
23 Alberhill area for a sum of \$5,164,652.00.

24 3. That the Chairman of the Board of Supervisors is hereby authorized to execute
25 the Acquisition Agreement, MOU and any and all documents necessary to purchase the real
26 property from Tri-Valley I.

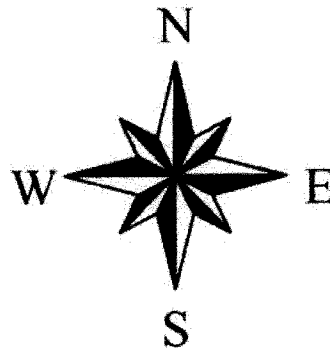
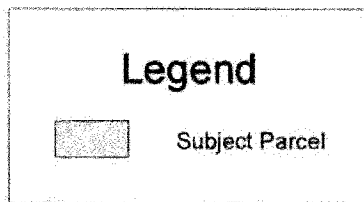
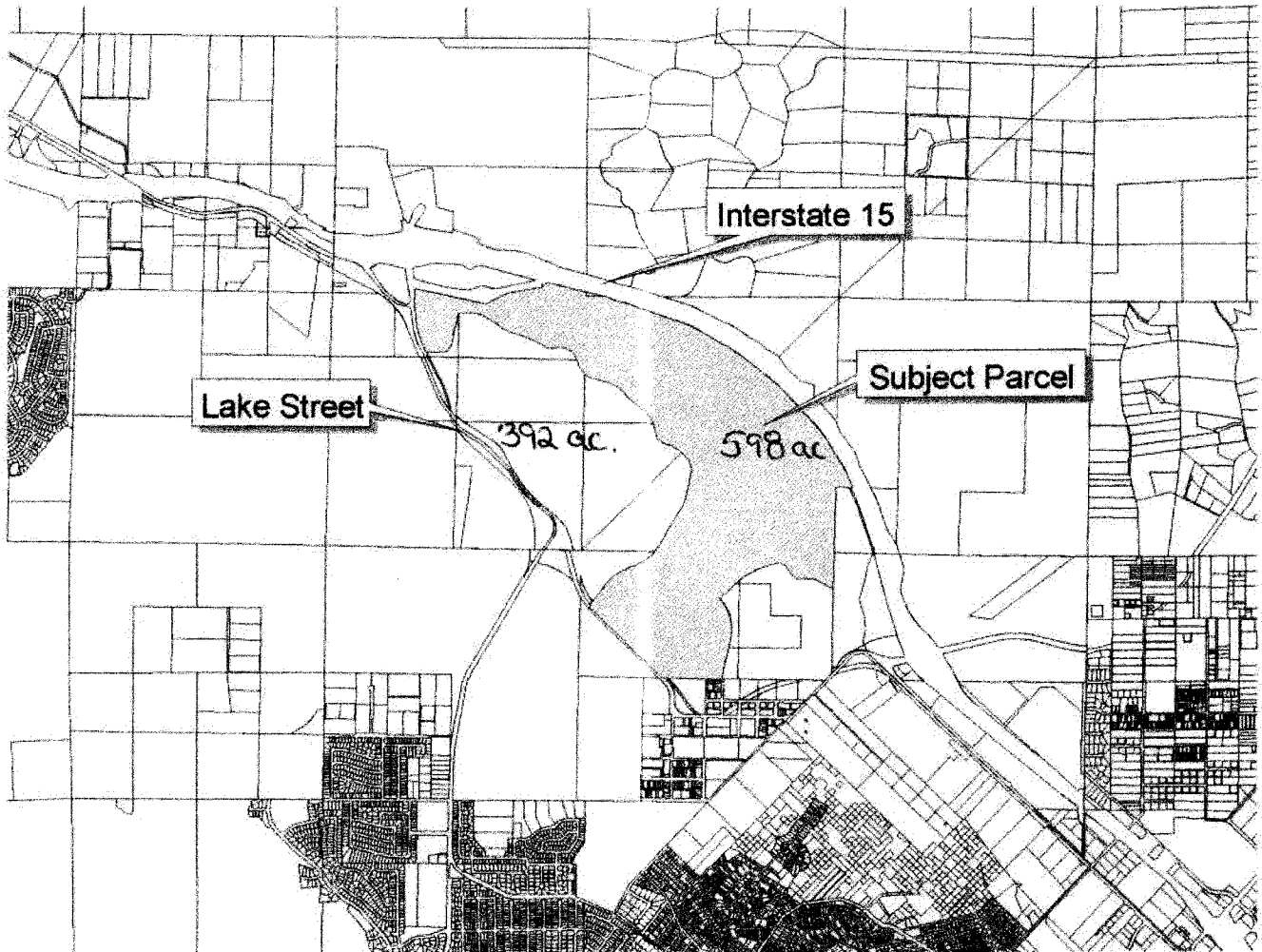
27 4. That the Assistant County Executive Officer/EDA of the County of Riverside is
28 hereby authorized to take the necessary actions and execute any related documents to
complete this purchase.

FORM APPROVED
COUNTY COUNSEL

JAN 30 2004

BY 
ASSISTANT COUNTY COUNSEL

Tri-Valley I Property



eda

This map was made by the
Revenue Center EDA using
Geographic Information System
(GIS) technology. Data and
information represented on this
map is subject to update and
modification.

EXHIBIT A



U.S. Fish and Wildlife Service
Palm Springs Fish and Wildlife Office
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, California 92262
760-322-2070
FAX 760-322-4648



California Department of Fish and Wildlife
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-220
Ontario, California 91764
909-484-0167
FAX 909-481-2945

In Reply Refer To:
FWS/CDFW-15B0092-CPA0102

Riverside County Board of Supervisors
County of Riverside
4080 Lemon St., 5th Floor
Riverside, California 92501

JAN 13 2015

Subject: Item 3-17: Resolution No. 2015-030, Notice of Intention to Exchange Real Property in the City of Lake Elsinore (January 13, 2015)

Dear Chair and Board Members:

The U.S. Fish and Wildlife Service (Service) and the California Department of Fish and Wildlife (Department), hereafter referred to jointly as the Wildlife Agencies, have reviewed Resolution No. 2015-030, Notice of Intention to Exchange Real Property in the City of Lake Elsinore item 3-17 on the January 13, 2015 agenda. The Wildlife Agencies are providing the following comments as they relate to Resolution No. 2015-030 and the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).

The subject property was acquired by the County of Riverside (County) using Ordinance 810 fees as open space for conservation of wildlife and plant life (County Resolution No. 2004-069, enclosed). Therefore we were surprised to see in Resolution No. 2015-030 that the properties in question have been identified by the County as "not required for County use". The subject property has been in use by the County as conservation for wildlife and plants since its purchase in 2004. The County is an MSHCP permittee. The property is in use by the County and the other MSHCP permittees to meet MSHCP reserve assembly obligations. The property in has been included every MSHCP Annual Report since the first one in 2005. In those Annual Reports, from 2005 to the present, the subject property is identified as conserved and contributing to reserve assembly and rough step goals.

Additionally the property is being used by the County and the other MSHCP permittees to meet MSHCP Species Objectives for San Diego ambrosia (*Ambrosia pumila*, federally endangered) and Munz's onion (*Allium munzii*, state threatened and federally endangered). Both of those species were identified as to be conserved on the subject property in the conservation analysis provided to the Wildlife Agencies by the prospective permittees in the State Natural Communities Conservation Plan Permit and a federal Endangered Species Act permit applications. San Diego ambrosia species objectives require conservation of at least two of the three then known locations in the MSHCP plan area. The species objectives also require that any subsequently discovered locations or populations be conserved consistent with the MSHCP Narrow Endemic Plants Policy (MSHCP section 6.1.2). The paragraph under the heading Conservation Summary on page P-328 includes the following sentence: "The third core location [of San Diego ambrosia] (east of Lake Street in the City of Lake Elsinore) will be conserved in accordance with the *Narrow Endemics*

Policy (Section 6.1.3). The conservation of the Skunk Hollow population of San Diego ambrosia was achieved by the implementation of the Rancho Bella Vista Habitat Conservation Plan. The purchase of the subject property by the County for conservation secured the second population required by the species objectives. The fulfillment of MSHCP species objectives is an accomplishment for all MSHCP permittees. The proposed land exchange is a retreat from this accomplishment.

The subject property also contains part of the Alberhill occurrence of Munz's onion. It is known from the County- owned property considered for trade out adjacent to Nichols Road. The conservation analysis provided for Munz's onion in the MSHCP documents identifies Alberhill as a core Area for the species and included conservation of the Alberhill plants in the Conservation Summary on page P-218 and in the Munz's Onion Species Objectives. No mention of Munz's onion or the conservation value provided to it by the subject property is made in Resolution No. 2015-030. No information is provided on whether a comparable population of Munz's onion is in the portion of property to come into conservation.

Resolution No. 2015-030 does not address the conservation values provided by the subject property to the MSHCP or its service to the MSHCP permittees in meeting MSHCP reserve assembly goals or in providing conservation to MSHCP covered species.


The language in Resolution No. 2015-030 identifies the contemplated exchange properties as of equal monetary value. The Wildlife Agencies are concerned about the equivalency of their conservation value, while this may not be a consideration under Government Code Section 25365, it does seem appropriate given the purpose for which County acquired the property in 2004. There are two listed rare plants present in the areas proposed to be traded away and no known occurrences of these plants in areas the County would acquire in exchange. The language in the resolution implies that the connectivity function of the County owned property will be enhanced by the exchange, but most of the property that would be transferred to the County is on steep hillsides and not generally suitable for wildlife movement and the wildlife corridor would be narrower near Lake Street if the land exchange is implemented. We request that prior to the adoption of this resolution or one of similar language or intent, there be a comparison between the exchange properties in terms of their respective MSHCP reserve assembly values and conservation values to MSHCP covered species. It is not clear from the language in the Form 11 or the resolution what the County's need for the property they would receive is or how that need relates to the conservation purpose of the original property.

We are also concerned about the cost of the translocation of San Diego ambrosia that the County would perform or cause to be performed. Successful relocation of plants generally requires specialized skill, an intensive initial effort and subsequent monitoring. We request that the resolution be modified prior to adoption to specify that the costs of the translocation effort, regardless of who performs it, not come from MSHCP fees. The County has already purchased, for conservation, the San Diego ambrosia population contemplated for translocation. We believe it is therefore not appropriate for fees collected under the terms of the MSHCP to be used to pay for the replacement or translocation of the existing conserved population.

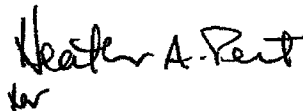
The Form 11 for the resolutions states that the County would reserve an easement over the portion of the property to be traded out that supports San Diego ambrosia until successful translocation has been confirmed, then the county would relinquish the easement interest. There is no description or definition of what successful translation would look like. There is also no mention of what would happen if the translocation is not successful. Translocation efforts can be challenged by weather patterns, rodents and vandalism, even when all appropriate steps have been taken to provide for success. We request that the resolution not be adopted until after success criteria and a contingency for failure are identified. We would consider it ideal if the translocation effort was demonstrably successful prior to the adoption of any land exchange resolution.

We appreciate the opportunity to comment on item 3-17 and reiterate our request that resolution 030 not be adopted until after our concerns are addressed. We also request a meeting to discuss our concerns and look forward to working with the County and the City of Lake Elsinore. To schedule a meeting, or if you have any questions regarding these comments, please contact Karin Cleary-Rose of the Service at 760-322-2070, extension 206, or Heather Pert of the Department at 858-395-9692.

Sincerely,



Kennon A. Corey
Assistant Field Supervisor
U.S. Fish and Wildlife Service



Leslie MacNair
Inland Deserts Region
Acting Regional Manager
CA Department of Fish and Wildlife

Enclosure

cc:
Jeff Brandt, CA Department of Fish and Wildlife
MSHCP Permittees

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

132



FROM: Economic Development Agency

SUBMITTAL DATE:
January 28, 2004

SUBJECT: Adoption of Resolution Number 2004-069, Authorization to Purchase Real Property from Tri-Valley I.

RECOMMENDED MOTION: That the Board of Supervisors:

- (1) Adopt Resolution Number 2004-069, Authorization to Purchase Real Property from Tri-Valley I;
- (2) Approve the Acquisition Agreement between the County of Riverside and Tri-Valley I, and authorize the Chairman to execute the agreement and the certificate of acceptance on the related grant deed;
- (3) Approve the Memorandum of Understanding between the County of Riverside, Tri-Valley I, and the City of Lake Elsinore and authorize the Chairman to execute the agreement; and
- (4) Authorize and direct the Assistant County Executive Officer/EDA or his designee to execute any related purchase documents and to take the necessary actions to complete this transaction.

BACKGROUND: On January 13, 2004, item #3.18, the Board of Supervisors approved Resolution Number 2004-34 giving notice of the County's intention to purchase approximately 598 acres of property for preservation of open space in the Alberhill area. The Economic Development Agency negotiated the purchase of approximately 598 acres for habitat conservation, at a unit price of roughly \$8,637/acre. The purchase price was confirmed by an appraisal, as the County will not pay more than fair market value.

Bradley J. Hudson
Bradley J. Hudson, Assistant County Executive Officer/EDA

BJH:R2:BJG:AMV:BCS:sj
F:\Shared\RealProperty\Real Property\MSHCP04-41-008.fmt1.doc

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 5,164,652 plus escrow fees	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2003-2004
SOURCE OF FUNDS: Ordinance 810 funds				Positions To Be Deleted Per A-30 <input type="checkbox"/>
				Requires 4/5 Vote <input type="checkbox"/>

C.E.O. RECOMMENDATION: **APPROVE**

County Executive Office Signature

Bhonda King

- Policy
- Consent
- Policy
- Consent
- Dept Recorim:
- Per Exec. Ofc.:

Prev. Agn. Ref.: 01/13/04, 3.18

District: 1

Agenda Number:

3.10

BACKGROUND (continued)

An appraisal was prepared by an independent appraisal firm to determine the fair market value of the property. The agreed upon purchase price of \$5,164,652.00 is approximately 40% below the appraised value of the property.

Staff recommends the approval of this purchase agreement, which will require the expenditure of \$5,164,652.00 from Ordinance 810 Open Space Funds, plus escrow fees not to exceed \$7,000.00.

The Memorandum of Understanding between Riverside County, Tri-Valley, and the City of Lake Elsinore further clarifies the responsibilities of all cooperating parties.

The Parks District has estimated that the annual property management costs for the subject property will be approximately \$12,000 per year. The County has appropriated funding to the Parks District for annual management costs.

The subject property is located south of Interstate 15 and east of Lake Street in the City of Lake Elsinore.

Public notice of said acquisition was given as provided in Section 6063 of the Government Code.

1 BOARD OF SUPERVISORS

COUNTY OF RIVERSIDE

2 COUNTY RESOLUTION NO. 2004-069
3 AUTHORIZATION TO PURCHASE REAL PROPERTY FROM TRI-VALLEY I
4 (First Supervisorial District)

5 WHEREAS, Tri-Valley I, the property owner, has offered for the sum of
6 \$5,164,652.00 the property shown on Exhibit "A" attached to this resolution, located in the
7 Alberhill area;

8 WHEREAS, the County has agreed to accept this offer and has given notice of
9 its intention to purchase pursuant to Government Code 25350, on 01/13/04;

10 WHEREAS, the Clerk of the Board of Supervisors was directed to give notice
11 thereof as provided in Section 6063 of the Government Code and said notice has been given;

12 WHEREAS, the Memorandum of Understanding (MOU) by and between the
13 County of Riverside, Tri-Valley I and the City of Lake Elsinore further details the
14 responsibilities by all parties; and

15 WHEREAS, the acquisition of this property will assist the County in providing
16 open space for conservation of wildlife and plant life.

17 NOW THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the
18 Board of Supervisors of the County of Riverside, in regular session assembled on February
19 10, 2004, as follows:

20 1. That the Board of Supervisors hereby finds and declares that the above recitals
21 are true and correct.

22 2. That the County of Riverside is authorized to purchase real property in the
23 Alberhill area for a sum of \$5,164,652.00.

24 3. That the Chairman of the Board of Supervisors is hereby authorized to execute
25 the Acquisition Agreement, MOU and any and all documents necessary to purchase the real
26 property from Tri-Valley I.

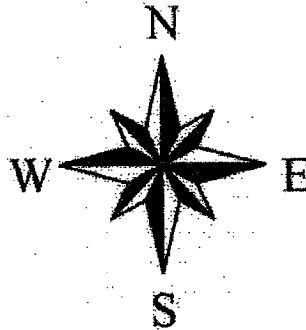
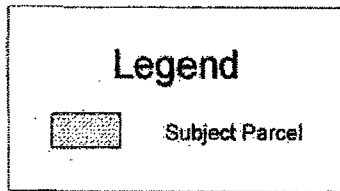
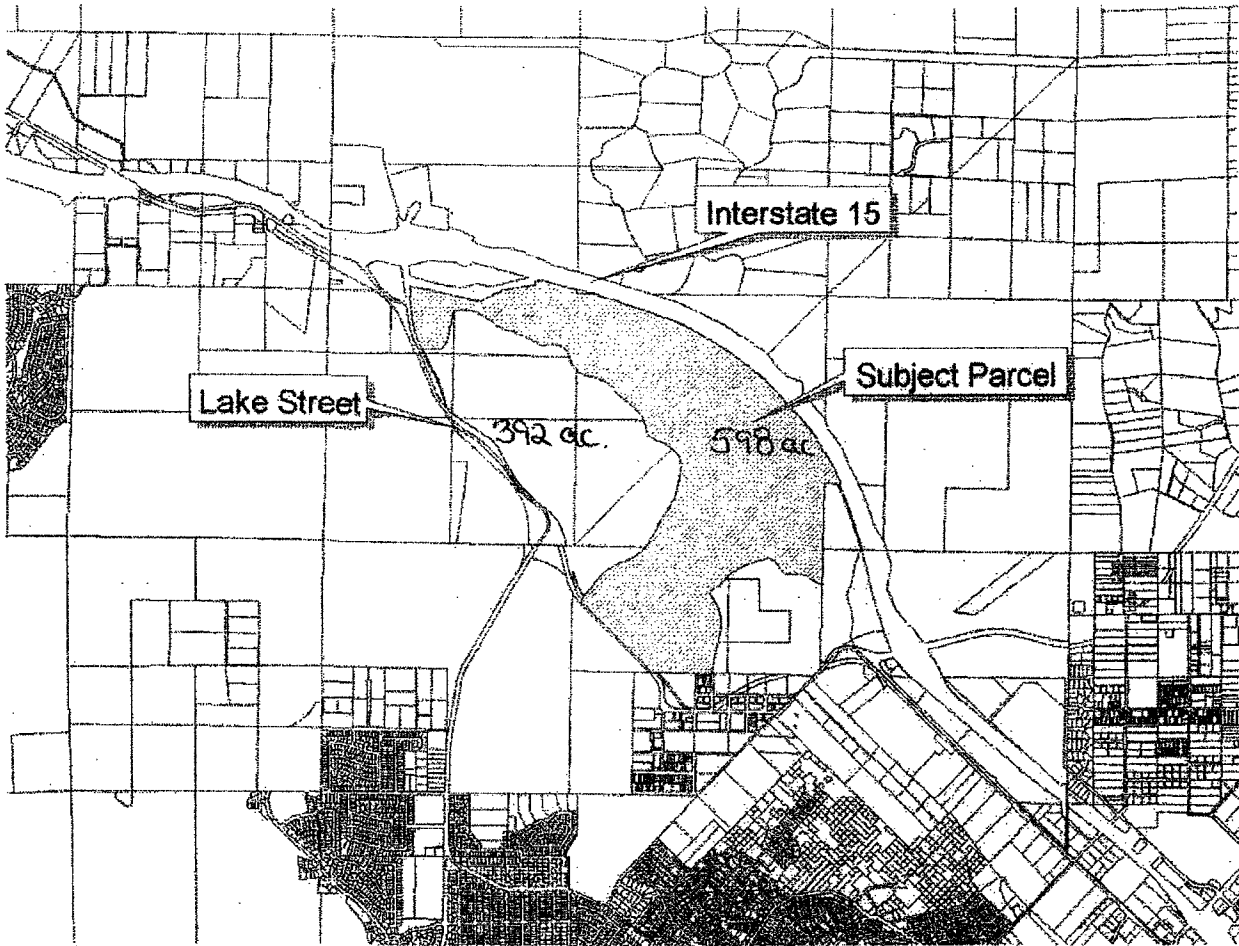
27 4. That the Assistant County Executive Officer/EDA of the County of Riverside is
28 hereby authorized to take the necessary actions and execute any related documents to
complete this purchase.

FORM APPROVED
COUNTY COUNSEL

JAN 30 2004

BY 
ASSISTANT COUNTY COUNSEL

Tri-Valley I Property



This map was made by the
Bureau of Census, 1984 edition.
Geographic Information System
(GIS) technology. Data and
information represented on this
map is subject to update and
modification.

EXHIBIT A



U.S. Fish and Wildlife Service
Palm Springs Fish and Wildlife Office
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, California 92262
760-322-2070
FAX 760-322-4648



California Department of Fish and Wildlife
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-220
Ontario, California 91764
909-484-0167
FAX 909-481-2945

In Reply Refer To:
FWS/CDFW-15B0092-16CPA0238

Riverside County Board of Supervisors
County of Riverside
4080 Lemon St., 5th Floor
Riverside, California 92501

FEB - 9 2016

Subject: Item 3-37: Resolution No. 2016-074, Amending Resolution No. 2015-030 Notice of Intention to Exchange Real Property in the City of Lake Elsinore (February 9, 2016)

Dear Chairman Benoit and Board Members:

The U.S. Fish and Wildlife Service (Service) and the California Department of Fish and Wildlife (Department), hereafter referred to jointly as the Wildlife Agencies, have reviewed Resolution No. 2016-0740, Amending Resolution No. 2015-030 Notice of Intention to Exchange Real Property in the City of Lake Elsinore item 3-37 on the February 9, 2016 agenda. The Wildlife Agencies provided comments (enclosed) on Resolution No. 2015-030. Those comments are relevant to Resolution No. 2016-074. We respectfully request that you consider our previous comments in this action and we offer the following additional comments on Resolution No. 2016-074 and the County's implementation of Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). We have concerns about the loss of use and value to the MSHCP conservation area from the proposal, its status as a discretionary project, the advisability of completing the exchange based on a translocation effort with an unknown outcome and the lack of MSHCP implementation for the resolution and translocation effort.

Land Exchange

The property proposed for exchange was acquired by the County of Riverside (County) using Ordinance 810 fees as open space for conservation of wildlife and plant life (County Resolution No. 2004-069, enclosed). Resolution No. 2016-074 states that the County desires to acquire 40 acres owned by Castle & Cooke Commercial-CA, Inc. (C&C) for conservation purposes; and identifies 40-acres adjacent to the conservation land acquired under County Resolution No. 2004-069 as desirable to accomplish that purpose. It also identifies 40 County-owned acres, acquired for conservation in 2004 as not being used by the County.

As we pointed out in our comments to the Board on Resolution No. 2015-030, the County has been using the property as conservation for wildlife and plants since its purchase in 2004 to meet both MSHCP reserve assembly and Species Objective obligations for San Diego ambrosia (*Ambrosia pumila*, federally endangered) and Munz's onion (*Allium munzii*, state threatened and federally endangered). This is evident in every MSHCP Annual Report from the first one in 2005 to the present where the subject property is identified as conserved and contributing to MSHCP reserve assembly and rough step goals.

The language of Resolution No. 2016-074 identifies the C&C exchange property as desired for conservation, but it ignores the high conservation values provided by the 40 acres proposed for trade to C&C, and its existing use by the County, the MSHCP permittees and the Riverside County public, in meeting MSHCP reserve assembly goals and in providing conservation to MSHCP covered species. These conservation values, presence of endemic listed plant species, are not present on the property owned by C&C, which the County has identified as desirable for conservation in Resolution No. 2016-074.

The Reclamation Plan Amendment No. 2011-01 (February 3, 2012) for Pacific Clay/Brighton Alberhill Mine RP 90-1 Pacific Clay Products Incorporated identified assessor parcel numbers (APNs) 389-020-035 & 036, 389-080-040, 390-130-026 & 028, 390-160-003 & 006, 390-190-013, 014 & 015, 390-200-008 & 010, 390-210-021 as property that makes up the Pacific Clay/Brighton Alberhill Mine. A total of 90.5 acres within the 400-acre site owned by affiliate Castle & Cooke Lake Elsinore West, Incorporated, were identified as being directly affected by the reclamation activities including mining, grading, and reclamation pursuant to the Surface Mining and Reclamation Act, (SMARA-1975). Some of these parcels identified in the Reclamation Plan and subject to SMARA are also parcels that would be exchanged for the conservation land (see Item D.3 on Agenda for December 8, 2015 http://rivcocob.org/agenda/2015/12_08_15.htm). We question the relative conservation value of the area that needs to be reclaimed, given the rarity of the conservation values present on the 40-acre County-owned exchange property.

Further, the Resolution and the Form 11 do not specify who will be responsible for meeting the conditions of the Reclamation Plan after the exchange is executed. The party responsible for meeting the burden of the SMARA requirements should be identified with a timeframe for reclamation spelled out before the land exchange occurs. We request that the Board require a comparison of the conservation values currently present and in use on the on 40-acre County-owned exchange property with those present on the proposed C&C exchange property be prepared prior to adoption of Resolution No. 2016-074.

The last paragraph in the Summary section of the Form 11 for Resolution No. 2016-074 states: "The proposed exchange of county-owned [sic] property for the land owned by C&C, would be of greater benefit to the County of Riverside, since the C&C parcel is contiguous to the existing [sic] the County's remainder property for conservation purposes". The 40-acre County-owned property is part of the County's existing property for conservation purposes and hosts rare, listed, endemic plant species, and therefore, by every measure of conservation values, is superior to the adjacent property which does not support those or any other endemic species. The above text in the Form 11 acknowledges the conservation purpose of the County's property. We further note that it is in use for that purpose, as indicated in every MSHCP annual report since 2004, and suggest that it is not desirable to exchange the very high-value use the County is receiving for MSHCP implementation from the 40 County-owned acres for an adjacent 40 acres that have limited conservation, and may even need reclamation to provide any value, for the County's conservation use in MSHCP implementation.

Resolution No. 2016-074 and Translocation Project

The Form 11 and the language of the Resolution states that the County would reserve an easement over the portion of the 40-acre property to be traded out that supports San Diego ambrosia until successful translocation has been confirmed, then the county would relinquish the easement interest. The Form 11 stipulates, "*The Exchange Agreement and the Grant Deed with Easement Reservation will include provisions indicating that the successful transplanting of the Ambrosia plants from the easement area to another location within County owned property as chosen solely by the County shall be done prior to any development occurring on that portion of land.*" This sentence indicates that the County expects C&C, or some other owner to develop the portion of the 40-acre trade-out property that supports the Ambrosia. It is therefore apparent that Resolution No. 2016-074 would ultimately result in a physical change in the environment, which makes it a discretionary project. We therefore request that the County initiate the MSHCP Joint Project Review (JPR) process for the project (Resolution No. 2016-074) consistent with section 13.2. E. of the MSHCP Implementing Agreement.

The land exchange as proposed would result in the translocation of San Diego Ambrosia, which we identify as a significant identifiable physical change in the environment. The change is significant because it represents a substantial risk to the Ambrosia population and because failure of the translocation effort would undermine the MSHCP permittees' ability to accomplish the conservation identified in the MSHCP. The Western Riverside County Regional Conservation Authority (RCA) has reserved funding to accomplish the translocation (RCA Resolution No. 2015-004), so the translocation effort as a direct result of this board action seems assured. We request that the translocation effort be included in the JPR for Resolution No. 2016-074. The board action proposed in Resolution No. 2016-074, with the resulting translocation effort and development project appear to meet the definition of discretionary project under the California Environmental Quality Act.

In addition to the need for MSHCP implementation, we have several concerns about the proposed translocation effort. There is no description or definition of what would constitute a successful or failed translocation effort. There is also no mention of what would happen if the translocation is not successful. This is of particular concern because translocation efforts frequently fail.

Future MSHCP Implementation

As a reminder, all of the land proposed for exchange is in the MSHCP Criteria Area. As such, all discretionary projects affecting that land are subject to the JPR process and MSHCP policies and procedures. The County-owned 40-acre exchange area is within the area described for MSHCP reserve assembly. Future development projects would be subject to the HANS process (or LEAPS process if MSHCP implementation is carried out by the City of Lake Elsinore) and MSHCP implementation.

Clarification

There is a discrepancy in the size of the conservation property in the background summary provided for the submittal to the Board. The County purchased 598 acres for conservation at 40% below appraised value for \$5,184,852 using Ordinance 810.2 fees for habitat conservation (Resolution No. 2004-069). This Grant Deed includes APN 390-130-022, 390-270-008, 389-080-


Chairman Benoit and Board Members (FWS/CDFW-15B0092-16CPA0238)

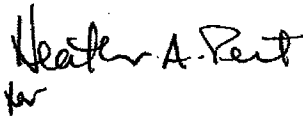
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031, 389-080-032, 389-080-033, 389-080-034, and a portion of 390-200-007, 389-080-030, 390-200-001, 390-210-018, 390-210-017, 390-160-006, 390-130-023, and 390-130-019. However, the Background summary states it is "consisting of approximately 548 acres". The discrepancy of 50 acres between the original acquisition and the acreage identified in the Submittal should be resolved or explained. Neither the conservation footprint nor the conservation values should be reduced by the proposed land exchange.

We appreciate the opportunity to comment on item 3-37 and request that Resolution No. 2016-074 not be adopted until after our concerns are addressed and MSHCP implementation procedures are completed. If Resolution No. 2016-074 is adopted, we request that the land exchange not be executed until our concerns are addressed. We also request a meeting to discuss our concerns. We look forward to working with the County to resolve these significant issues. To schedule a meeting, or if you have any questions regarding these comments, please contact Karin Cleary-Rose of the Service at 760-322-2070, extension 206, or Heather Pert of the Department at 858-395-9692.

Sincerely,


Kennon A. Corey
Assistant Field Supervisor
U.S. Fish and Wildlife Service


Leslie MacNair
Inland Deserts Region
Acting Regional Manager
CA Department of Fish and Wildlife

Enclosure

cc:
Jeff Brandt, CA Department of Fish and Wildlife
MSHCP Permittees



April 4, 2016

Riverside County Board of Supervisors
County of Riverside
4080 Lemon St., 5th Floor
Riverside, California 92501

RE: Reject Resolution No. 2016-102

Dear Riverside County Board of Supervisors,

On behalf of the 990,000 staff, members and supporters of the Center for Biological Diversity (“Center”), we submit these comments on the County’s Resolution No. 2016-102. We have previously commented on related Resolutions including 2016-074, which amends Resolution No. 2015-030 (Notice of Intention to Exchange Real Property in the City of Lake Elsinore) and we incorporate those comments herein. We continue to be alarmed at the County’s refusal to recognize the perils of this land transfer for the San Diego ambrosia (*Ambrosia pumila*, federally endangered) and Munz’s onion (*Allium munzii*, state threatened and federally endangered) which will most certainly suffer declines if not extirpation from this action, in addition to undermining the goals and species specific objectives of the West Riverside Multiple Species Habitat Conservation Plan (MSHCP). In every MSHCP Annual Report since 2005, this important parcel has been identified as conserved and contributing to MSHCP reserve assembly and “rough step” goals. Your action today, if you adopt this resolution, undermines the MSHCP and imperils its integrity – a plan that has been in place since 2004 and has served development and conservation relatively well in western Riverside county. Why would the County want to jeopardize this crucial plan after all the time and money spent on creating and implementing it?

The proposed land swap in Resolution No. 2016-102 remains unacceptable for the numerous reasons that we have previously identified in our prior comments. It also relies on faulty CEQA based on the information submitted with the resolution. It relies on the City of Lake Elsinore’s 2012 Addendum IV to the Alberhill Ranch Specific Plan Final Environmental Impact Report. That addendum does not address rare plant transplantation, or the effects of transplantation on these endangered plants. In fact the Addendum correctly does not even mention these rare plants – because they are not present on the site. No transplantation plan is available, no subsequent monitoring is proposed and no contingency plan is in place if transplantation is unsuccessful – a tragically likely outcome based on rare plant transplantation science. The addendum provides no basis for the County to act as a responsible agency—or in any other capacity—regarding this destructive translocation of endangered plants.

Furthermore, it appears that the unoccupied land (600 acres of the former Brighton Specific Plan) where the plants are proposed to be transplanted, is already proposed for inclusion in the MSHCP as part of the larger Alberhill Ranch Specific Plan mitigation obligations.

For all these reasons and the points we have submitted in our prior letters, we urge the County to abandon the proposed land exchange now and retain the crucial parcel that has long provided critical conservation for endangered plants and wildlife and is a long-standing conservation acquisition benefitting the MSHCP. Should the County determine to proceed with the exchange, it (or some other agency) must first prepare a proper CEQA analysis and develop a long-term management and monitoring plan, including success criteria for the translocation effort, which should also be subject to public review and comment.

Sincerely,



John Buse
Senior Attorney/General Counsel



Heene Anderson
Senior Scientist

cc:

Kenneth Corey, USFWS, Ken_Corey@fws.gov

Karin Cleary-Rose, USFWS, karin_cleary-rose@fws.gov

Jeff Brandt, CDFW, jeff.brandt@wildlife.ca.gov

Castle & Cooke / Lot Line Land Exchange

Board of Supervisor's Meeting, April 5, 2016

Talking Points

My name is Tom Tomlinson. I would like to take this opportunity to thank the County Board of Supervisors for adopting this Resolution, Supervisor Kevin Jeffries for his assistance and leadership, and County Counsel Greg Priamos and his staff for their diligent work on this Resolution. The Resolution represent the culmination of years of hard work reflecting the commitment of all parties to ensure that the residents of Riverside County receive the benefits this Resolution will provide. With this Resolution, the boundaries have now been finalized. I appreciate all of the time and effort that has gone into this Resolution, and look forward to working with the County on future projects, including the Temescal Canyon Bridge. As a final point, the boundary adjustment also qualifies for a Class 25 exemption pursuant to CEQA Guidelines Section 15325. We have brought members of our Team in the event questions arise.

The fundamental application of a Class 25 exemption is for land transfers that preserve, or in this case, improved the conditions that exist between properties. The Staff Report rightfully concludes that the boundary adjustment will benefit the MSHCP and result in a significant cost savings to the County. Specifically, edge effects for the 1,000 acre property in question will be reduced by reducing slope gradient associated with any future development and this in turn benefits the flood plain by reducing erosion impacts. Therefore, subparts (d) and (f) of the CEQA Class 25 exemption are met by the boundary adjustment as the boundary adjustment prevents encroachment of development into flood plains, and further preserve the approximately 600 acres of open space that will soon be dedicated to permanent and perpetual conservation.

15325. Transfers of Ownership of Interest in Land to Preserve Existing Natural Conditions and Historical Resources

Class 25 consists of the transfers of ownership of interests in land in order to preserve open space, habitat, or historical Resources. Examples include but are not limited to:

- (a) Acquisition, sale, or other transfer of areas to preserve the existing natural conditions, including plant or animal habitats.
- (b) Acquisition, sale, or other transfer of areas to allow continued agricultural use of the areas.
- (c) Acquisition, sale, or other transfer to allow restoration of natural conditions, including plant or animal habitats.
- (d) Acquisition, sale, or other transfer to prevent encroachment of development into flood plains.
- (e) Acquisition, sale, or other transfer to preserve historical resources.
- (f) Acquisition, sale, or other transfer to preserve open space or lands for park purposes.

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OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
FAX: (951) 955-1071

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

February 23, 2016

THE CALIFORNIAN / UT SAN DIEGO
ATTN: LEGALS
P.O. BOX 120191
TEMECULA, CA 92590

PH: (951) 676-4315
E-MAIL: LegalsSWRiverside@UTSanDiego.com

RE: NOTICE OF PUBLIC MEETING: RESOLUTION NO. 2016-074 INTENT TO EXCHANGE REAL PROPERTY IN THE CITY OF LAKE ELSINORE

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **THREE (3) TIMES** on:

February 25, 2016
March 3, 2016
March 10, 2016

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office, WITH TWO CLIPPINGS OF THE PUBLICATION.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Cecilia Gil

Board Assistant to:
KECIA HARPER-IHEM, CLERK OF THE BOARD

*3-1
04-05-2016*

NOTICE OF PUBLIC MEETING BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE

RESOLUTION NO. 2016-074

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE
NOTICE OF INTENTION TO EXCHANGE REAL PROPERTY
LOCATED IN THE CITY OF LAKE ELSINORE, COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

WHEREAS, the County desires to acquire certain real property for conservation purposes and to preserve a wildlife corridor in the northern part of the City of Lake Elsinore; and

WHEREAS, on January 13, 2015, the Board of Supervisors of the County of Riverside ("Board") adopted Resolution No. 2015-030 Notice of Intention to Exchange Real Property located in the City of Lake Elsinore, County of Riverside, State of California for a proposed exchange of approximately 48 acres of vacant land; and

WHEREAS, upon further consideration and evaluation, the parties now desire to decrease the total number of acres to exchange only approximately 40 acres of vacant land; and

WHEREAS, the County is the owner of certain vacant parcels of real property, identified with Assessor's Parcel Numbers 390-200-009, 390-200-011, 390-130-029, 390-210-022 and 389-080-054, located in the City of Lake Elsinore, County of Riverside, State of California, where an approximate 40 acre portion of which is not required for county use and is intended to be conveyed to Castle & Cooke Commercial-CA, Inc. with an easement reservation over a portion of the parcel with Assessor's Parcel Number 390-130-029 containing the San Diego Ambrosia plant species; and

WHEREAS, an adjacent property owner Castle & Cooke Commercial-CA, Inc. ("C&C") is the owner of certain real property, identified with Assessor's Parcel Number 390-200-010, 390-160-006 and 390-130-028, where an approximate 40 acre portion thereof is to be conveyed to the County, and is desired by the County to accommodate the County's conservation purpose; and

WHEREAS, pursuant to Government Code Section 25365, the County may exchange real property belonging to the County with any person upon the terms and conditions as are agreed upon between the parties, if the property to be conveyed is not required for County use, the property to be acquired is needed for County use and the values of each parcels of land are approximately equal; and

WHEREAS, the County has determined that the real property interests to be conveyed to C&C are not required for County use and the real property interests to be acquired from C&C are needed for County use; and

WHEREAS, the County and C&C desire to exchange the fee simple interests in real property described herein with an easement reservation in favor of the County over a portion of the parcel identified with Assessor's Parcel Number ("APN") 390-130-029 to accommodate the successful translocation of the San Diego Ambrosia plants located thereon to another location of real property owned by the County; and

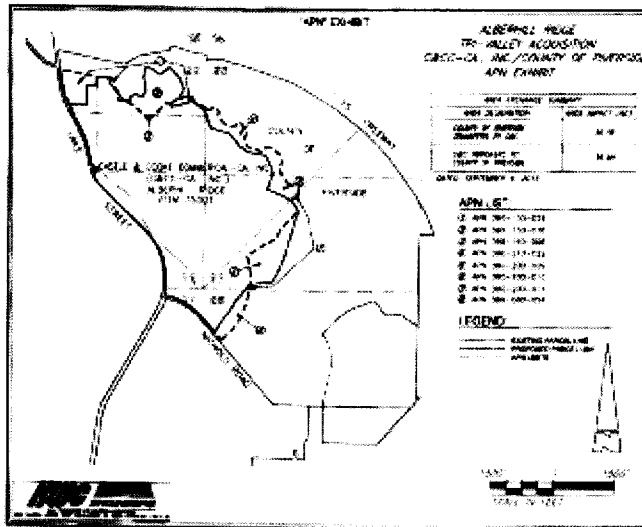
WHEREAS, the property to be acquired by the County would be of great benefit to the County due to the location and proximity of this real property for conservation purposes and to preserve a wildlife corridor; now, therefore,

BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the County of Riverside, California, in regular session assembled on February 9, 2016, that Resolution No 2015-030 is hereby amended with adoption of Resolution No. 2016-074 and:

NOTICE IS HEREBY GIVEN that the Board of Supervisors of County of Riverside intends to authorize the exchange of fee simple interests in real property with Castle & Cooke Commercial-CA, Inc. ("C&C") of the following described real property pursuant to an exchange agreement: County to convey to C&C approximately 40 acres of vacant land from portions of real property identified with Assessor's Parcel Numbers 390-200-009, 390-200-011, 390-130-029, 390-210-022 and 389-080-054 in exchange for C&C conveying to County approximately 40 acres of vacant land from portions of real property identified with Assessor's Parcel Numbers 390-200-010, 390-160-006, and 390-130-028 as shown on Map A, attached hereto and by this reference incorporated herein. The County and C&C intend to consummate the exchange through escrow and pursuant to a Real Estate Exchange Agreement and Escrow Instructions whereby the County conveys the above described county-owned real property with an Easement Reservation over a portion of the parcel with APN 390-130-029 to C&C and C&C will convey its real property as described above to the County. This exchange transaction is in conformance with Government Code Section 25365 because the values of each parcel are within the same approximate ranges.

The Board of Supervisors intend to meet to conclude the proposed transaction on or after March 1, 2016, at 9:00 am, at the meeting room of the Board of Supervisors located on the 1st floor of the County Administrative Center, 4080 Lemon Street, Riverside, California.

BE IT FURTHER RESOLVED AND DETERMINED that the Clerk of the Board of Supervisors is directed to give notice hereof as provided in Section 6063 of the Government Code.



ROLL CALL:

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
Nays: None
Absent: None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on February 9, 2016.

KECIA HARPER-IHEM, Clerk of said Board
By: Cecilia Gil, Board Assistant

Any person affected by the above matter(s) may submit written comments to the Clerk of the Board before the public meeting or may appear and be heard in support of or opposition to the project at the time of the meeting. If you challenge the above item(s) in court, you may be limited to raising only those issues you or someone else raised at the public meeting described in this notice, or in written correspondence, to the Board of Supervisors at, or prior to, the public meeting.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Lisa Wagner at (951) 955-1063, 72 hours prior to meeting.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147.

Dated: February 23, 2016 Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

NOTICE OF PUBLIC MEETING BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE

RESOLUTION NO. 2016-074

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE
NOTICE OF INTENTION TO EXCHANGE REAL PROPERTY
LOCATED IN THE CITY OF LAKE ELSINORE, COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

WHEREAS, the County desires to acquire certain real property for conservation purposes and to preserve a wildlife corridor in the northern part of the City of Lake Elsinore; and

WHEREAS, on January 13, 2015, the Board of Supervisors of the County of Riverside ("Board") adopted Resolution No. 2015-030 Notice of Intention to Exchange Real Property located in the City of Lake Elsinore, County of Riverside, State of California for a proposed exchange of approximately 48 acres of vacant land; and

WHEREAS, upon further consideration and evaluation, the parties now desire to decrease the total number of acres to exchange only approximately 40 acres of vacant land; and

WHEREAS, the County is the owner of certain vacant parcels of real property, identified with Assessor's Parcel Numbers 390-200-009, 390-200-011, 390-130-029, 390-210-022 and 389-080-054, located in the City of Lake Elsinore, County of Riverside, State of California, where an approximate 40 acre portion of which is not required for county use and is intended to be conveyed to Castle & Cooke Commercial-CA, Inc. with an easement reservation over a portion of the parcel with Assessor's Parcel Number 390-130-029 containing the San Diego Ambrosia plant species; and

WHEREAS, an adjacent property owner Castle & Cooke Commercial-CA, Inc. ("C&C") is the owner of certain real property, identified with Assessor's Parcel Number 390-200-010, 390-160-006 and 390-130-028, where an approximate 40 acre portion thereof is to be conveyed to the County, and is desired by the County to accommodate the County's conservation purpose; and

WHEREAS, pursuant to Government Code Section 25365, the County may exchange real property belonging to the County with any person upon the terms and conditions as are agreed upon between the parties, if the property to be conveyed is not required for County use, the property to be acquired is needed for County use and the values of each parcels of land are approximately equal; and

WHEREAS, the County has determined that the real property interests to be conveyed to C&C are not required for County use and the real property interests to be acquired from C&C are needed for County use; and

WHEREAS, the County and C&C desire to exchange the fee simple interests in real property described herein with an easement reservation in favor of the County over a portion of the parcel identified with Assessor's Parcel Number ("APN") 390-130-029 to accommodate the successful translocation of the San Diego Ambrosia plants located thereon to another location of real property owned by the County; and

WHEREAS, the property to be acquired by the County would be of great benefit to the County due to the location and proximity of this real property for conservation purposes and to preserve a wildlife corridor; now, therefore,

BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the County of Riverside, California, in regular session assembled on February 9, 2016, that Resolution No 2015-030 is hereby amended with adoption of Resolution No. 2016-074 and:

NOTICE IS HEREBY GIVEN that the Board of Supervisors of County of Riverside intends to authorize the exchange of fee simple interests in real property with Castle & Cooke Commercial-CA, Inc. ("C&C") of the following described real property pursuant to an exchange agreement: County to convey to C&C approximately 40 acres of vacant land from portions of real property identified with Assessor's Parcel Numbers 390-200-009, 390-200-011, 390-130-029, 390-210-022 and 389-080-

054 in exchange for C&C conveying to County approximately 40 acres of vacant land from portions of real property identified with Assessor's Parcel Numbers 390-200-010, 390-160-006, and 390-130-028 as shown on Map A, attached hereto and by this reference incorporated herein. The County and C&C intend to consummate the exchange through escrow and pursuant to a Real Estate Exchange Agreement and Escrow Instructions whereby the County conveys the above described county-owned real property with an Easement Reservation over a portion of the parcel with APN 390-130-029 to C&C and C&C will convey its real property as described above to the County. This exchange transaction is in conformance with Government Code Section 25365 because the values of each parcel are within the same approximate ranges.

The Board of Supervisors intend to meet to conclude the proposed transaction on or after March 1, 2016, at 9:00 am, at the meeting room of the Board of Supervisors located on the 1st floor of the County Administrative Center, 4080 Lemon Street, Riverside, California.

BE IT FURTHER RESOLVED AND DETERMINED that the Clerk of the Board of Supervisors is directed to give notice hereof as provided in Section 6063 of the Government Code.

(INSERT EXHIBIT A)

ROLL CALL:

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
Nays: None
Absent: None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on February 9, 2016.

KECIA HARPER-IHEM, Clerk of said Board
By: Cecilia Gil, Board Assistant

Any person affected by the above matter(s) may submit written comments to the Clerk of the Board before the public meeting or may appear and be heard in support of or opposition to the project at the time of the meeting. If you challenge the above item(s) in court, you may be limited to raising only those issues you or someone else raised at the public meeting described in this notice, or in written correspondence, to the Board of Supervisors at, or prior to, the public meeting.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Lisa Wagner at (951) 955-1063, 72 hours prior to meeting.

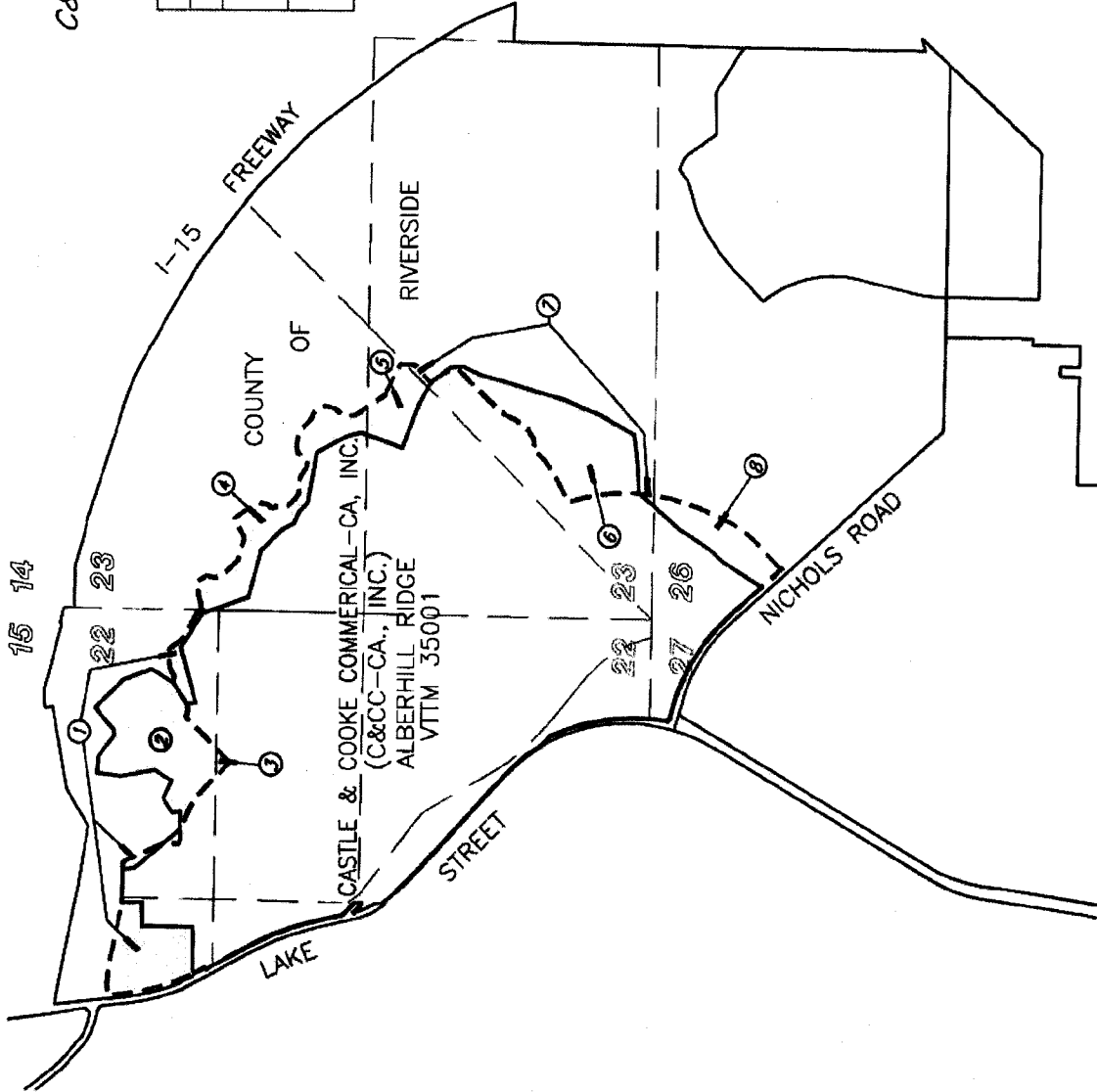
Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147.

Dated: February 23, 2016

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

"APN" EXHIBIT

ALBERHILL RIDGE
TRI-VALLEY ACQUISITION
C&CC-CA, INC./COUNTY OF RIVERSIDE
APN EXHIBIT



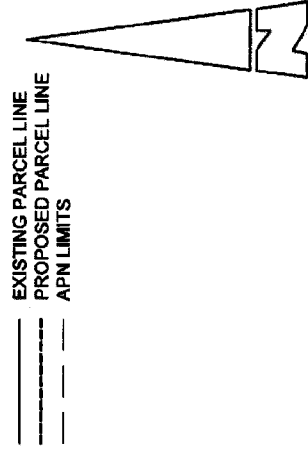
AREA DESIGNATION	AREA EXCHANGE SUMMARY	AREA IMPACT (AC)
COUNTY OF RIVERSIDE TRANSFERS TO C&C		39.78
C&C TRANSFERS TO COUNTY OF RIVERSIDE		39.98

DATED: SEPTEMBER 4, 2015

APN LIST:

- ① APN 390-130-029
- ② APN 390-130-028
- ③ APN 390-160-006
- ④ APN 390-210-022
- ⑤ APN 390-200-009
- ⑥ APN 390-200-010
- ⑦ APN 390-200-011
- ⑧ APN 389-080-054

LEGEND:



HWC ENGINEERS
 CIVIL ENGINEERS • PLANNERS • SURVEYORS
 1880 COMPTON AVENUE, SUITE 100 • CORONA, CA 92681 • 951-754-2130

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



FROM: Supervisor Kevin Jeffries

SUBMITTAL DATE:
January 28, 2016

SUBJECT: Resolution No. 2016-074 Amending Resolution No. 2015-030 Notice of Intention to Exchange Real Property in the City of Lake Elsinore, County of Riverside, State of California

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2016-074 Amending Resolution No. 2015-030 Notice of Intention to Exchange Real Property in the City of Lake Elsinore, Riverside County, California, involving the conveyance by the County of Riverside ("County") of its approximately 40 acres of vacant land, portions of Assessor's Parcel Numbers 390-130-029, 390-210-022, 390-200-009, 390-200-011, and 389-080-054, to Castle & Cooke Commercial-CA, Inc. ("C&C") via grant deeds with an easement reservation over a portion of the land with APN 390-130-029, in exchange for the conveyance by C&C of certain portions of its real property with Assessor's Parcel Numbers 390-200-010, 390-160-006, and 390-130-028 of approximately 40 acres of vacant land located adjacent to the County owned property, to the County via grant deed; and
2. Direct the Clerk of the Board to give notice as provided in Government Code Section 6063.

BACKGROUND:

Summary

Continued on page 2.


Kevin Jeffries
1st District Supervisor

FINANCIAL DATA	Current Fiscal Year	Next Fiscal Year	Total Cost	Ongoing Cost	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
SOURCE OF FUNDS:				Budget Adjustment: N/A	
				For Fiscal Year: 2015/16	


C.E.O. RECOMMENDATION:

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and is set for hearing on or after March 1, 2016 at 9:00 a.m. or as soon as possible.

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
 Nays: None
 Absent: None
 Date: February 9, 2016
 xc: Supvr. Jeffries, EDA, COB

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

Prev. Agn. Ref.: 3-17 of 01/13/2015 District: 1 Agenda Number:

3-37

Departmental Concurrence

- A-30
- Positions Added
- 4/5 Vote
- Change Order

BACKGROUND:
Summary (continued)

Pursuant to Government Code Section 25365, a county may exchange real property or any interest therein, belonging to the county with any person, if the property or interest therein to be conveyed is not required for county use and the property to be acquired is needed for county use. This exchange may be upon the terms and conditions as are agreed upon between the parties. The value of the private real property exchanged shall be equal to or greater than 75% of the value of the county property offered in the exchange.

When the County of Riverside ("County") acquired the vacant land, consisting of approximately 548 acres, located in the City of Lake Elsinore, County of Riverside, State of California, with APNs 390-130-029, 390-210-022, 390-200-009, 390-270-008, 390-210-018, 390-200-011, and 389-080-054, the County entered into a Temporary Operations and Permanent Maintenance Easement Agreement Dated December 30, 2004 with T.T. Group, a California corporation ("TOPME Agreement"). Pursuant to the terms of the TOPME Agreement, the County was obligated to maintain a sloped area upon the completion of certain work. Subsequently, Castle & Cooke Lake Elsinore West acquired from T.T. Group the real property located adjacent to the County owned real property subject to the TOPME Agreement.

On January 13, 2015, the Board of Supervisors adopted Resolution No. 2015-030 to provide its notice of intention to exchange approximately 48 acres of land with the adjacent property owner, Castle & Cooke. After further evaluation, the parties have decreased the total number of acres to be exchanged. Therefore, County staff recommends adoption of Resolution No. 2016-074 to amend Resolution No. 2015-030 to provide the revised exchange configuration and information on the decreased acreage.

The County of Riverside intends to convey the fee simple interests in real property subject to an easement reservation over a portion of the land with Assessor's Parcel Number ("APN") 390-130-029 located in the City of Lake Elsinore, County of Riverside, portions of Assessor's Parcel Numbers 390-130-029, 390-210-022, 390-200-009, 390-200-011, and 389-080-054 (County Property), in exchange for the fee simple interest in real property for vacant land located adjacent to the County Property, portions of Assessor's Parcel Numbers 390-200-010, 390-160-006, and 390-130-028, as shown on the attached Map A, by grant deeds at least three weeks after the notice of intention resolution is adopted by the Board of Supervisors.

As part of this exchange transaction, the easement reservation in favor of the County over a portion of the land with APN 390-130-029 will include covenants and conditions for the successful translocation of the San Diego Ambrosia plant species discovered on this portion of land. The Exchange Agreement and the Grant Deed with Easement Reservation will include provisions indicating that the successful transplanting of the Ambrosia plants from the easement area to another location within County owned property as chosen solely by the County shall be done prior to any development occurring on that portion of land. Once the successful translocation has been confirmed, the easement interest would be relinquished by the County to C&C in the manner provided in the Grant Deed with Easement Reservation.

The properties have been valued in equal ranges by an independent MAI appraiser hired by the County. C&C shall assume maintenance responsibilities described in that certain Amended and Restated Temporary Operations and Permanent Maintenance Easement Agreement between the County and C&C entered into concurrently with this transaction. C&C shall be responsible for paying the escrow costs and fees, the full cost of a title policy on the properties and the costs of clearing title for property to be conveyed to the County. The parties intend to enter into an exchange agreement to provide the terms and conditions for the exchange of the above described real property and an Indemnification Agreement whereby C&C shall indemnify the County.

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Resolution No. 2016-074 Amending Resolution No. 2015-030 Notice of Intention to Exchange Real
Property in the City of Lake Elsinore, County of Riverside, State of California**

DATE: January 28, 2016

PAGE: 3 of 3

County staff has determined that the real property interests to be conveyed to C&C are not required for County use and the real property interests to be acquired from C&C are needed for County use.

The proposed exchange of county-owned property for the land owned by C&C, would be of a greater benefit to the County of Riverside, since the C&C parcel is contiguous to the existing the County's remainder property for conservation purposes. In addition, this exchange transaction would result in a significant cost savings and relieve the County of the slope maintenance obligation under the TOPME Agreement. The parties intend to amend the TOPME Agreement to reflect that C&C will assume the slope maintenance obligation.

Impact on Citizens and Businesses

There is no impact on citizens and businesses. This is an amended notice of intention of a proposed real estate exchange between the County and Castle & Cooke.

SUPPLEMENTAL:

Additional Fiscal Information

The other party to this proposed exchange of real property would pay for the costs associated with this real estate exchange.

Contract History and Price Reasonableness

N/A

ATTACHMENTS (if needed, in this order):

Resolution No. 2016-074

Map A

2 RESOLUTION NO. 2016-074

3 A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE

4 NOTICE OF INTENTION TO EXCHANGE REAL PROPERTY

5 LOCATED IN THE CITY OF LAKE ELSINORE, COUNTY OF RIVERSIDE,

6 STATE OF CALIFORNIA

7
8 WHEREAS, the County desires to acquire certain real property for conservation purposes and to
9 preserve a wildlife corridor in the northern part of the City of Lake Elsinore; and

10 WHEREAS, on January 13, 2015, the Board of Supervisors of the County of Riverside (“Board”)
11 adopted Resolution No. 2015-030 Notice of Intention to Exchange Real Property located in the City of
12 Lake Elsinore, County of Riverside, State of California for a proposed exchange of approximately 48
13 acres of vacant land; and

14 WHEREAS, upon further consideration and evaluation, the parties now desire to decrease the total
15 number of acres to exchange only approximately 40 acres of vacant land; and

16 WHEREAS, the County is the owner of certain vacant parcels of real property, identified with
17 Assessor’s Parcel Numbers 390-200-009, 390-200-011, 390-130-029, 390-210-022 and 389-080-054,
18 located in the City of Lake Elsinore, County of Riverside, State of California, where an approximate 40
19 acre portion of which is not required for county use and is intended to be conveyed to Castle & Cooke
20 Commercial-CA, Inc. with an easement reservation over a portion of the parcel with Assessor’s Parcel
21 Number 390-130-029 containing the San Diego Ambrosia plant species; and

22 WHEREAS, an adjacent property owner Castle & Cooke Commercial-CA, Inc. (“C&C”) is the
23 owner of certain real property, identified with Assessor’s Parcel Number 390-200-010, 390-160-006 and
24 390-130-028, where an approximate 40 acre portion thereof is to be conveyed to the County, and is
25 desired by the County to accommodate the County’s conservation purpose; and

26 WHEREAS, pursuant to Government Code Section 25365, the County may exchange real
27 property belonging to the County with any person upon the terms and conditions as are agreed upon
28

1 between the parties, if the property to be conveyed is not required for County use, the property to be
2 acquired is needed for County use and the values of each parcels of land are approximately equal; and

3 WHEREAS, the County has determined that the real property interests to be conveyed to C&C are
4 not required for County use and the real property interests to be acquired from C&C are needed for
5 County use; and

6 WHEREAS, the County and C&C desire to exchange the fee simple interests in real property
7 described herein with an easement reservation in favor of the County over a portion of the parcel
8 identified with Assessor's Parcel Number ("APN") 390-130-029 to accommodate the successful
9 translocation of the San Diego Ambrosia plants located thereon to another location of real property owned
10 by the County; and

11 WHEREAS, the property to be acquired by the County would be of great benefit to the County
12 due to the location and proximity of this real property for conservation purposes and to preserve a wildlife
13 corridor; now, therefore,

14 BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the County
15 of Riverside, California, in regular session assembled on February 9, 2016, that Resolution No 2015-030
16 is hereby amended with adoption of Resolution No. 2016-074 and:

17 NOTICE IS HEREBY GIVEN that the Board of Supervisors of County of Riverside intends to
18 authorize the exchange of fee simple interests in real property with Castle & Cooke Commercial-CA, Inc.
19 ("C&C") of the following described real property pursuant to an exchange agreement: County to convey
20 to C&C approximately 40 acres of vacant land from portions of real property identified with Assessor's
21 Parcel Numbers 390-200-009, 390-200-011, 390-130-029, 390-210-022 and 389-080-054 in exchange for
22 C&C conveying to County approximately 40 acres of vacant land from portions of real property identified
23 with Assessor's Parcel Numbers 390-200-010, 390-160-006 and 390-130-028 as shown on Map A,
24 attached hereto and by this reference incorporated herein. The County and C&C intend to consummate
25 the exchange through escrow and pursuant to a Real Estate Exchange Agreement and Escrow Instructions
26 whereby the County conveys the above described county-owned real property with an Easement
27 Reservation over a portion of the parcel with APN 390-130-029 to C&C and C&C will convey its real
28 property as described above to the County. This exchange transaction is in conformance with

1 Government Code Section 25365 because the values of each parcel are within the same approximate
2 ranges.

3 The Board of Supervisors intends to meet to conclude the proposed transaction on or after March
4 1, 2016, at 9:00 am, at the meeting room of the Board of Supervisors located on the 1st floor of the County
5 Administrative Center, 4080 Lemon Street, Riverside, California.


6 BE IT FURTHER RESOLVED AND DETERMINED that the Clerk of the Board of Supervisors
7 is directed to give notice hereof as provided in Section 6063 of the Government Code.

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9
10 ROLL CALL:

11 Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
12 Nays: None
13 Absent: None

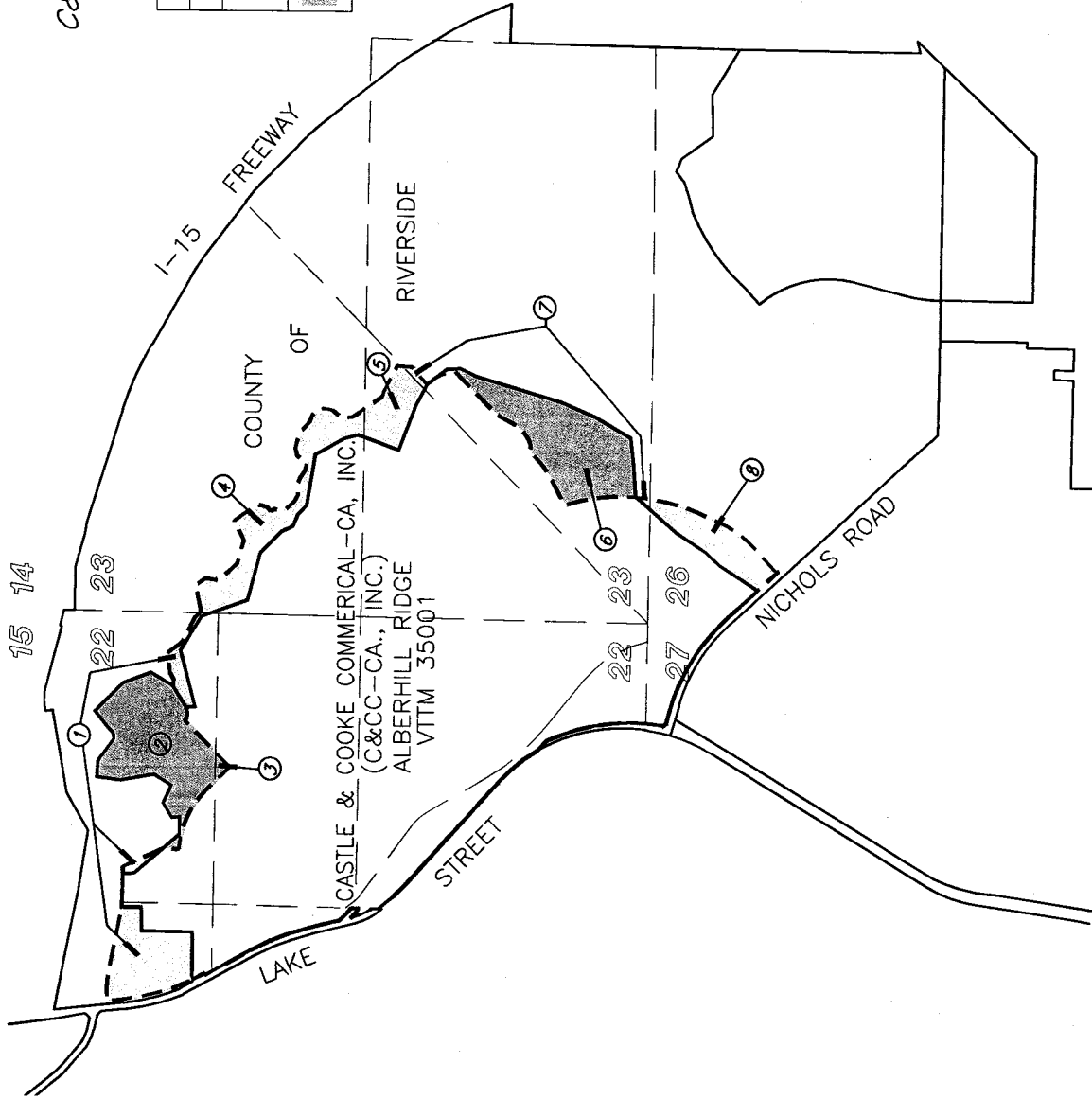
14 The foregoing is certified to be a true copy of a resolution duly
15 adopted by said Board of Supervisors on the date therein set forth.

16 KECIA HARPER-IHEM, Clerk of said Board

17 By  Deputy
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"APN" EXHIBIT

ALBERHILL RIDGE
TRI-VALLEY ACQUISITION
C&CC-CA., INC./COUNTY OF RIVERSIDE
APN EXHIBIT



AREA EXCHANGE SUMMARY	
AREA DESIGNATION	AREA IMPACT (AC)
COUNTY OF RIVERSIDE TRANSFERS TO C&C	39.78
C&C TRANSFERS TO COUNTY OF RIVERSIDE	39.98

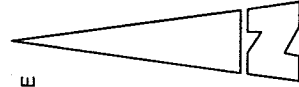
DATED: SEPTEMBER 4, 2015

APN LIST:

- ① APN 390-130-029
- ② APN 390-130-028
- ③ APN 390-160-006
- ④ APN 390-210-022
- ⑤ APN 390-200-009
- ⑥ APN 390-200-010
- ⑦ APN 390-200-011
- ⑧ APN 389-080-054

LEGEND:

- EXISTING PARCEL LINE
- - - PROPOSED PARCEL LINE
- - - APN LIMITS



HWC ENGINEERS
CIVIL ENGINEERS • PLANNERS • SURVEYORS
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