RESOLUTION NO. 2020-097

> A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONA, CALIFORNIA, DECLARING THE NECESSITY OF ACQUISITION, BY EMINENT DOMAIN, OF A FEE INTEREST, AS WELL AS IMPROVEMENTS THEREON, PERMANENT ROADWAY EASEMENTS, AND TEPMPORARY CONSTRUCTION EASEMENTS INTERESTS IN CERTAIN REAL PROPERTY IDENTIFIED AS ASSESSOR PARCEL NO. (APN) 115-290-034, LOCATED ON NORTH MCKINLEY STREET, AND ON SAMPSON AVENUE, SOUTH OF THE STATE ROUTE 91 (SR-91) EASTBOUND ON-RAMP FOR THE MCKINLEY STREET GRADE SEPARATION PROJECT.

WHEREAS, the City of Corona (the "City") proposes to acquire fee, permanent street easement and temporary construction easement interests in portions of certain real property, located in the City of Corona, California, more particularly described as Assessor Parcel No.115-290-034 for the construction and maintenance of the McKinley Street Grade Separation Project, in Corona, California, pursuant to the authority granted to it by section 37350 of the California Government Code; and

WHEREAS, pursuant to section 1245.235 of the California Code of Civil Procedure, the City scheduled a Public Hearing for Wednesday, July 15, 2020 at 6:30 p.m., at the Corona City Hall, located at 400 South Vicentia Avenue, Corona, California, and gave to each person whose property is to be acquired and whose name and address appeared on the last equalized county assessment roll, notice and a reasonable opportunity to appear at said hearing and be heard on the matters referred to in section 1240.030 of the California Code of Civil Procedure; and

WHEREAS, said hearing has been held by the City and each affected property owner was afforded an opportunity to be heard on said matters; and

WHEREAS, the City may now adopt a Resolution of Necessity pursuant to section 1240.040 of the California Code of Civil Procedure.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORONA, CALIFORNIA, AS FOLLOWS:

SECTION 1. Compliance with California Code of Civil Procedure. There has been compliance by the City with the requirements of section 1245.235 of the California Code of Civil Procedure regarding notice and hearing.

SECTION 2. Public Use. The public use for which the portions of fee, roadway easement and temporary construction easement interests are to be acquired is for the construction
and maintenance of the McKinley Street Grade Separation Project, located along McKinley Street, south of the State Route 91 east bound on-ramp, in Corona, California. Section 37350.5 of the California Government Code authorizes the City to acquire by eminent domain property necessary for such purposes.

SECTION 3. Description of Property. Attached and marked as Exhibit "B" are the legal descriptions and plat maps of the real property to be acquired by the City, which describe the general location and extent of the property with sufficient detail for reasonable identification.

SECTION 4. Findings. The City hereby finds and determines each of the following:
(a) The public interest and necessity require the proposed project;
(b) The proposed project is planned or located in the manner that will be most compatible with the greatest public good and least private injury;
(c) The property described in Exhibit " B " is necessary for the proposed project; and
(d) The offer required by section 7267.2 of the California Government Code was made.

SECTION 5. Use Not Unreasonably Interfering with Existing Public Use(s). Some or all of the real property to be acquired is subject to easements and rights-of-way appropriated to existing public uses. The legal descriptions of these easements and rights-of-way are on file with the City and describe the general location and extent of the easements and rights-of-way with sufficient detail for reasonable identification. In the event the herein described use or uses will not unreasonably interfere with or impair the continuance of the public use as it now exists or may reasonably be expected to exist in the future, counsel for the City is authorized to acquire the herein described real property subject to such existing public uses pursuant to section 1240.510 of the California Code of Civil Procedure.

SECTION 6. More Necessary Public Use. Some or all of the real property to be acquired is subject to easements and rights-of-way appropriated to existing public uses. To the extent that the herein described use or uses will unreasonably interfere with or impair the continuance of the public use as it now exists or may reasonably be expected to exist in the future, the City finds and determines that the herein described use or uses are more necessary than said existing public use. Counsel for the City is authorized to acquire the herein described real property appropriated to such existing public uses pursuant to section 1240.610 of the California Code of Civil Procedure. Staff is further authorized to make such improvements to the real property being acquired that it determines are reasonably necessary to mitigate any adverse impact upon the existing public use.

SECTION 7. Further Activities. Counsel for the City is hereby authorized to acquire the hereinabove described real property in the name of and on behalf of the City by eminent domain, and counsel is authorized to institute and prosecute such legal proceedings as may be required in connection therewith. Legal counsel is further authorized to take such steps as may be authorized and required by law, and to make such security deposits as may be required by order of court, to permit the City to take possession of and use said real property at the earliest possible time. Counsel is further authorized to correct any errors or to make or agree to non-material changes in the legal description of the real property that are deemed necessary for the conduct of the condemnation action, or other proceedings or transaction required to acquire the subject real property.

SECTION 8. Effective Date. This Resolution shall take effect upon adoption.

PASSED, APPROVED AND ADOPTED this 15th day of July, 2020.

Mayor of the City of Corona, California

## ATTEST:

City Clerk of the City of Corona, California

## CERTIFICATION

I, Sylvia Edwards, City Clerk of the City of Corona, California, do hereby certify that the foregoing Resolution was regularly passed and adopted by the City Council of the City of Corona, California, at a regular meeting thereof held on the 15th day of July, 2020, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINED:
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Corona, California, this $15^{\text {th }}$ day of July, 2020.
[SEAL]

## EXHIBIT "B"

# LEGAL DESCRIPTIONS AND PLAT MAPS 

[SEE ATTACHED FOURTEEN (14) PAGES] ATTACHMENT 1 - GOODELL

## FEE SIMPLE AND ACCESS DENIAL INTERESTS ATTACHMENT TO LEGAL DESCRIPTION <br> APN: 115-290-034 <br> PARCEL ID: MSGS-04 <br> COMMERCIAL PROPERTY

The parcel of land described in Exhibit "B1" is to be acquired as a fee simple interest and used for a public street and incidents and appurtenances thereto by City of Corona, a Municipal Corporation, and its employees, agents, representatives, contractors, successors and assigns (collectively, the "City") in connection with the construction of the McKinley Grade Separation Project ("Project"). Additionally, acquisition will include the release and relinquishment of any and all abutter's rights, including access rights, appurtenant to a portion of the adjoining real property in and to the proposed public street. The right acquired is depicted in Exhibit "B2."

## EXHIBIT B1

## LEGAL DESCRIPTION

FEE INTEREST

That portion of Lot 3, in the City of Corona, County of Riverside, State of California, as shown by map of Tract No. 23454 on file in Book 193, Pages 100-103 inclusive of Maps, Records of Riverside County, more particularly described as follows:

COMMENCING at the intersection of the centerline of McKinley Street ( 102.00 feet wide) with the centerline of Sampson Avenue ( 77.50 feet wide);

THENCE northwesterly along said centerline of McKinley Street North $33^{\circ} 36^{\prime} 51^{\prime \prime}$ West 376.61 feet;
THENCE, perpendicular, South $56^{\circ} 23^{\prime} 09^{\prime \prime}$ West, 52.00 feet to a point on the westerly line of McKinley Street and the beginning of a non-tangent curve, concave southwest, having a radius of 482.00 feet, the initial radial of which bears North $51^{\circ} 09^{\prime} 45^{\prime \prime}$ East;

THENCE northwesterly along said curve, through a central angle of $06^{\circ} 37^{\prime} 17^{\prime \prime}$, an arc length of 55.70 feet to a point on the northeasterly line of said Lot 3 and the TRUE POINT OF BEGINNING;

THENCE continuing northwesterly along said curve through a central angle of $03^{\circ} 01^{\prime} 41^{\prime \prime}$, an arc length of 25.47 feet to the beginning of a compound curve, having a radius of 20.00 feet;

THENCE westerly along said curve, through a central angle of $75^{\circ} 07^{\prime} 38^{\prime \prime}$, an arc length of 26.22 feet;
THENCE South $56^{\circ} 23^{\prime} 09^{\prime \prime}$ West, 35.66 feet;
THENCE leaving the northwesterly line of said Lot 3 North $65^{\circ} 38^{\prime} 16$ " East, 4.76 feet to the beginning of a curve to the right, having a radius of 53.25 feet;

THENCE easterly along said curve, through a central angle of $80^{\circ} 51^{\prime} 27^{\prime \prime}$, an arc length of 75.15 feet;
THENCE North $56^{\circ} 29^{\prime} 43^{\prime \prime}$ East, 12.80 feet to the beginning of a non-tangent curve, concave southwest, having a radius of 62.00 feet, the initial radial of which bears North $57^{\circ} 22^{\prime} 46^{\prime \prime}$ East;

THENCE Northwesterly along said curve, through a central angle of $12^{\circ} 50^{\prime} 18^{\prime \prime}$, an arc length of 13.89 feet to the TRUE POINT OF BEGINNING.

Containing 0.023 acres, more or less.
These conveyances are made for the purpose of a freeway and adjacent frontage road and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights including access rights appurtenant to grantor's remaining property in and to the frontage road over and across 79.91 feet of the southerly line of said fee interest parcel, measured along said line across courses '(7)' and '(8)' described above, and shown as line "L3" and curve "C4" on Exhibit B2.

## As shown on plat attached hereto and by this reference made part hereof as Exhibit B2.




## EXHIBIT B2

FEE INTEREST

| LINE TABLE |  |  |
| :---: | :---: | :---: |
|  | DIRECTION | LENGTH |
| L1 | S56.23'09"W | 52.00' |
| L2 | S56.23'09"W | 35.66' |
| L3 | N65*38'16"E | 4.76' |
| L4 | N56.29'43"E | 12.80' |
| L5 | N56*23'09"E | 72.95' |
| L6 | N56*23'09"E | 37.29' |
| L7 | N67*53'59"E | 54.77' |
| L8 | N22.06'01"W | 15.00' |
| L9 | N12.40'57"E | 22.30' |
| L10 | N33*36'51"W | 89.97' |
| L11 | N19*36'58"W | 13.42' |


| CURVE TABLE |  |  |  |
| :---: | :---: | :---: | :---: |
|  | RADIUS | DELTA | LENGTH |
| C1 | $482.00^{\prime}$ | $6{ }^{\prime} 37^{\prime} 17^{\prime \prime}$ | $55.70^{\prime}$ |
| C2 | $482.00^{\prime}$ | $3{ }^{\prime} 01^{\prime} 41^{\prime \prime}$ | $25.47^{\prime}$ |
| C3 | $20.00^{\prime}$ | $75^{\circ} 07^{\prime} 38^{\prime \prime}$ | $26.22^{\prime}$ |
| C4 | $53.25^{\prime}$ | $80^{\circ} 51^{\prime} 27^{\prime \prime}$ | $75.15^{\prime}$ |
| C5 | $62.00^{\prime}$ | $12^{\prime 50^{\prime} 18^{\prime \prime}}$ | $13.89^{\prime}$ |
| C6 | $200.00^{\prime}$ | $22^{\prime} 17^{\prime} 59^{\prime \prime}$ | $77.84^{\prime}$ |
| C7 | $100.00^{\prime}$ | $13^{\circ} 59^{\prime} 53^{\prime \prime}$ | $24.43^{\prime}$ |
| C8 | $62.00^{\prime}$ | $13^{\prime} 00^{\prime} 16^{\prime \prime}$ | $14.07^{\prime}$ |

4675 MACARTHUR COURT SUITE 400 NEWPORT BEACH, CA 92660 949-526-8460 949-526-8499 (FAX)

Subject FEE INTEREST
APN 115-290-034
Job No. 20180990
By NP Date 2/13/2020 Chkd.WS SHEET $\qquad$ 2 OF 2

## ROADWAY EASEMENT INTEREST ATTACHMENT TO LEGAL DESCRIPTION <br> APN: 115-290-034 <br> PARCEL ID: MSGS-04 <br> COMMERCIAL PROPERTY

The parcel of land described in Exhibit "C1" is to be acquired as an exclusive permanent easement for public streets and incidents and appurtenances thereto ("Roadway Easement"), over, above, on, within, across, along, about and through the land described in Exhibit "C-1" and depicted in Exhibit "C-2", in each case, incorporated herein by reference ("Roadway Easement Area")

Within the Roadway Easement Area, the easement rights shall also include the right to use the Roadway Easement to construct, use, install, maintain, repair, replace, improve, alter, relocate, and inspect utilities.

The easement rights shall include without limitation the right to reasonably access the Roadway Easement Area for all purposes associated with the Roadway Easement, which activities may include, but are not be limited to, trimming, cutting or clearing away from the Roadway Easement Area any trees, brush, and vegetation.

The City shall have the right to remove all improvements located within the Roadway Easement Area including, but not limited to, an overhead advertisement sign, six (6) mature ornamental trees, hardscape, and landscape improvements.

The City expressly reserves the right to convey, transfer or assign the easement rights subject to the same rights and limitations described herein.

## EXHIBIT C1 <br> LEGAL DESCRIPTION <br> ROADWAY EASEMENT

That portion of Lot 3, in the City of Corona, County of Riverside, State of California, as shown by map of Tract No. 23454 on file in Book 193, Pages 100-103 inclusive of Maps, Records of Riverside County, more particularly described as follows:

COMMENCING at the intersection of the centerline of McKinley Street ( 102.00 feet wide) with the centerline of Sampson Avenue (77.50 feet wide);

THENCE northwesterly along said centerline of McKinley Street North $33^{\circ} 36^{\prime} 21^{\prime \prime}$ West 376.61 feet;
THENCE, perpendicular, South $56^{\circ} 23^{\prime} 09^{\prime \prime}$ West, 52.00 feet to a point on the westerly line of McKinley Street and the beginning of a non-tangent curve, concave southwest, having a radius of 482.00 feet, the initial radial of which bears North $51^{\circ} 09^{\prime} 45$ " East;

THENCE northwesterly along said curve, through a central angle of $06^{\circ}{ }^{\circ} 7^{\prime \prime} 17{ }^{\prime \prime}$, an arc length of 55.70 feet to a point on the northwesterly line of said Lot 3, said point being a crux with a reverse curve concave southwest, having a radius of 62.00 feet, the initial radial of which bears North $44^{\circ} 32^{\prime 2} 28^{\prime \prime}$ East;

THENCE leaving said northeasterly line, southeasterly along said curve, through a central angle of $12^{\circ} 50^{\prime} 18$ ", an arc length of 13.89 feet to the TRUE POINT OF BEGINNING, the initial radial of which bears North $57^{\circ} 22^{\prime} 46$ " East;

THENCE South $56^{\circ} 29^{\prime} 43$ " West, 12.80 feet;
THENCE South $33^{\circ} 30^{\prime} 17^{\prime \prime}$ East, 61.94 feet to the beginning of a curve to the right, having a radius of 51.50 feet;

THENCE southerly along said curve, through a central angle of $35^{\circ} 01^{\prime} 16^{\prime \prime}$, an arc length of 31.48 feet;
THENCE South $57^{\circ} 35^{\prime} 45^{\prime \prime}$ East, 35.06 feet to a point on the northeasterly line of said Lot 3 ;
THENCE along said northeasterly line North $33^{\circ} 36^{\prime} 51^{\prime \prime}$ West, 72.35 feet to the beginning of a curve concave easterly, having a radius of 100.00 feet;

THENCE Northwesterly along said curve, through a central angle of $13^{\circ} 59^{\prime} 53^{\prime \prime}$, an arc length of 24.43 feet;

THENCE North $19^{\circ} 36^{\prime} 58^{\prime \prime}$ West, 13.42 feet to the beginning of a curve concave westerly, having a radius of 62.00 feet;

THENCE Northwesterly along said curve, through a central angle of $13^{\circ} 00^{\prime} 16^{\prime \prime}$, an arc length of 14.07 feet to the TRUE POINT OF BEGINNING.

Containing 0.022 acres, more or less.
As shown on plat attached hereto and by this reference made part hereof as Exhibit C2.


Davis Thresh, P.L.S. No. 6868
2/13/2020
Dated



## EXHIBIT C2

ROADWAY EASEMENT

| LINE TABLE |  |  |
| :---: | :---: | :---: |
|  | DIRECTION | LENGTH |
| L1 | S56*23'09"W | 52.00' |
| L2 | S56*29'43"W | 12.80' |
| L3 | S33*30'17"E | 61.94' |
| L4 | S57*35'45"E | 35.06' |
| L5 | N33'36'51"W | 72.35' |
| L6 | N19*36'58"W | 13.42' |
| L7 | N56.23'09"E | 72.95' |
| L8 | N67*53'59"E | 54.77' |
| L9 | N22.06'01"W | 15.00' |
| L10 | N12.40'57"E | 22.30' |
| L11 | N33*36'51"W | 17.62' |
| L12 | N33*36'51"W | 89.97' |


| CURVE TABLE |  |  |  |
| :---: | :---: | :---: | :---: |
|  | RADIUS | DELTA | LENGTH |
| C1 | $482.00^{\prime}$ | $6{ }^{\prime} 37^{\prime} 17^{\prime \prime}$ | $55.70^{\prime}$ |
| C2 | $62.00^{\prime}$ | $12^{\circ} 50^{\prime} 18^{\prime \prime}$ | $13.89^{\prime}$ |
| C3 | $51.50^{\prime}$ | $35^{\circ} 01^{\prime} 16^{\prime \prime}$ | $31.48^{\prime}$ |
| C4 | $100.00^{\prime}$ | $13^{\circ} 59^{\prime} 53^{\prime \prime}$ | $24.43^{\prime}$ |
| C5 | $62.00^{\prime}$ | $13^{\circ} 00^{\prime} 16^{\prime \prime}$ | $14.07^{\prime}$ |
| C6 | $482.00^{\prime}$ | $3^{\circ} 01^{\prime} 41^{\prime \prime}$ | $25.47^{\prime}$ |
| C7 | $20.00^{\prime}$ | $75^{\circ} 07^{\prime} 38^{\prime \prime}$ | $26.22^{\prime}$ |
| C8 | $200.00^{\prime}$ | $22^{\circ} 17^{\prime} 59^{\prime \prime}$ | $77.84^{\prime}$ |



4675 MACARTHUR COURT SUITE 400 NEWPORT BEACH, CA 92660 949-526-8460 949-526-8499 (FAX)

Subject ROADWAY EASEMENT APN 115-290-034
Job No. 20180990
By NP
By Date 2/13/20 SHEET $\qquad$ 2 Chkd.WS OF 2 2

# TEMPORARY CONSTRUCTION EASEMENT ATTACHMENT TO LEGAL DESCRIPTION <br> APN: 115-290-034 <br> PARCEL ID: MSGS-04 <br> COMMERCIAL PROPERTY 

The parcel of land described in Exhibit "D1" is to be used for temporary construction purposes by City of Corona, a Municipal Corporation, and its employees, agents, representatives, contractors, successors and assigns (collectively, the "City") in connection with the construction of the McKinley Grade Separation Project ("Project"). The right of usage acquired for the non-exclusive temporary construction easement parcel described in Exhibit "D1" and depicted in Exhibit "D2" ("TCE") shall be for a period of twenty-four (24) consecutive months. However, the actual physical construction activities within the TCE area shall be limited to a period of six (6) consecutive months within the twenty-four (24) month TCE period (the "Construction Period"). During the Construction Period, the City's use and occupancy of the TCE will remain nonexclusive.

The City expressly reserves the right to convey, transfer or assign the TCE subject to the same rights and limitations described herein.
Work Description / Easement Provisions:

- The City shall provide the owner(s) and occupant(s) of the property subject to this TCE a minimum of thirty (30)-days written notice as to when the Construction Period will commence.
- The City's work activities shall include:
- Removal of asphalt, concrete curbs, landscaping, and other features as required for the Project.
- Construct sidewalks, curbs, gutters, fire hydrant, retaining walls for a new right in driveway from McKinley Street.
- Install sleeves as necessary for irrigation/lighting conduit connecting landscape areas within limits of TCE to be reconstructed by the City.
- Re-grading of the drive isle area adjacent to new right in driveway from McKinley Street.
- Construct drainage improvements including but not limited to storm drain pipe, inlets, and grates necessary to drain drive isle area adjacent to new right in driveway from McKinley Street.
- Removal of monument/overhead signs/landscaping in the event the property owner does not perform removals as included within compensation.
- The City will compensate the property owner for the following activities:
- Replacement landscaping as damaged by the project.
- Two (2) parking lot lights.
- Monument/Overhead signs.
- Nineteen (19) total parking stalls immediately adjacent to the existing right in driveway located within or near the TCE will be temporarily impacted and inaccessible during the

Construction Period of the new right in driveway. Construction will be phased to minimize this short-term loss of parking stalls. Additionally, eleven (11) parking stalls will be permanently lost as a result of the reconfiguration of the property due to the construction of the new right in driveway.

- The property will have limited access during the Construction Period as a result of the efforts involved in the construction of a new right in driveway, during this period the property will only be accessible from Sampson Avenue through adjacent properties. Existing access rights for the property owner are labeled as Private Mutual Access Easement shown on Tract Map Number 23454 on map filed for record in book 193, pages 100 through 103, records of Riverside County, State of California. During the Construction Period, the portion of the TCE that lies within the existing drive aisle adjacent to the restaurant building will be accessible to all vehicular and pedestrian traffic during the hours of 5 am through 11 pm to allow for the continued operation of the restaurant Drive Thru, including any loading/unloading operations to supply the restaurant. Upon the City's completion of each night's construction activities, the drive aisle surface will be repaired such that the surface elevations will match existing elevations and all improvements and construction equipment/materials be moved outside of the drive aisle to allow accessibility conditions to drive aisle as described herein.
- Prior to construction/removal activities, the City shall examine existing irrigation and install as necessary temporary irrigation facilities, including but not limited to sprinklers, piping, and control valves, to maintain existing pattern and zones outside of construction area.
- The City shall maintain all existing drainage patterns during construction, including installation of temporary drainage facilities as necessary, such that drainage is not impeded on property or right of way.
- Reasonable pedestrian and vehicular access to the property shall be maintained.
- Improvements within the TCE area will be removed as needed by the City to allow for construction activities. Any improvements so removed will either be replaced in kind or included in the compensation paid by the City.
- Prior to the termination of the Construction Period, the City will remove from the TCE area all construction equipment including any temporary fence, temporary improvements, and all construction related debris.


## EXHIBIT D1 <br> LEGAL DESCRIPTION <br> TEMPORARY CONSTRUCTION EASEMENT

That portion of Lot 3, in the City of Corona, County of Riverside, State of California, as shown by map of Tract No. 23454 on file in Book 193, Pages 100-103 inclusive of Maps, Records of Riverside County, more particularly described as follows:

COMMENCING at the intersection of the centerline of McKinley Street ( 102.00 feet wide) with the centerline of Sampson Avenue (77.50 feet wide);

THENCE northwesterly along said centerline of McKinley Street North 33³6'51" West 376.61 feet;
THENCE, perpendicular, South $56^{\circ} 23^{\prime} 09^{\prime \prime}$ West, 52.00 feet to a point on the westerly line of McKinley Street and the beginning of a non-tangent curve, concave southwest, having a radius of 482.00 feet, the initial radial of which bears North $51^{\circ} 09^{\prime} 45$ " East;

THENCE northwesterly along said curve, through a central angle of $06^{\circ} 37^{\prime} 17{ }^{\prime \prime \prime}$, an arc length of 55.70 feet to a point on the northeasterly line of said Lot 3;

THENCE continuing northwesterly along said curve through a central angle of $03^{\circ} 01^{\prime} 411^{\prime \prime}$, an arc length of 25.47 feet to the beginning of a compound curve, having a radius of 20.00 feet;

THENCE westerly along said curve, through a central angle of $75^{\circ} 07^{\prime} 38^{\prime \prime}$, an arc length of 26.22 feet;
THENCE South $56^{\circ} 23^{\prime} 09^{\prime \prime}$ West, 35.66 feet to the TRUE POINT OF BEGINNING;
THENCE leaving the northwesterly line of said Lot 3 North $65^{\circ} 38^{\prime} 16^{\prime \prime}$ East, 4.76 feet to the beginning of a curve to the right, having a radius of 53.25 feet, the initial radial of which bears North $24^{\circ} 21^{\prime} 44^{\prime \prime}$ West;

THENCE easterly along said curve, through a central angle of $80^{\circ} 51^{\prime} 27$ ", an arc length of 75.15 feet;
THENCE South $33^{\circ} 30^{\prime} 17^{\prime \prime}$ East, 61.94 feet to the beginning of a curve to the right, having a radius of 51.50 feet;

THENCE southerly along said curve, through a central angle of $35^{\circ} 01^{\prime} 16$ ', an arc length of 31.48 feet;
THENCE South $57^{\circ} 35^{\prime} 45^{\prime \prime}$ East, 35.06 feet to a point on the northeasterly line of said Lot 3 ;
THENCE South $33^{\circ} 36^{\prime} 51^{\prime \prime}$ East, 17.62 feet;
THENCE South $12^{\circ} 40^{\prime} 57$ " West, 22.30 feet;
THENCE South $67^{\circ} 53^{\prime} 59$ " West, 138.28 feet;
THENCE North $22^{\circ} 06^{\prime} 01^{\prime \prime}$ West, 78.01 feet;
THENCE North 67º 53 '59" East, 113.53 feet;
THENCE North $01^{\circ} 30$ '44" East, 19.21 feet;
THENCE North $23^{\circ} 49$ '28" West, 31.88 feet;
THENCE North $32^{\circ} 15^{\prime} 28^{\prime \prime}$ West, 37.32 feet to the beginning of a curve to the left, having a radius of 20.00 feet;

THENCE Westerly along said curve, through a central angle of $79^{\circ} 55^{\prime} 41^{\prime \prime}$, an arc length of 27.90 feet;
THENCE South $67^{\circ} 48^{\prime} 51^{\prime \prime}$ West, 148.74 feet;

EXHIBIT D1<br>LEGAL DESCRIPTION<br>TEMPORARY CONSTRUCTION EASEMENT<br>(Continued)

THENCE North $22^{\circ} 06^{\prime} 01^{\prime \prime}$ West, 9.74 feet to a point on the northwesterly line of said Lot 3, said point also being the beginning of a non-tangent curve, concave North, having a radius of 200.00 feet, the initial radial of which bears South $11^{\circ} 18^{\prime} 52^{\prime \prime}$ East;

THENCE Easterly along said curve, through a central angle of $22^{\circ}{ }^{\prime} 8^{\prime} 00$ ", an arc length of 77.84 feet ;
THENCE North $56^{\circ} 23^{\prime} 09^{\prime \prime}$ East, 37.29 feet to the POINT OF BEGINNING.
Containing 0.304 acres, more or less.
As shown on plat attached hereto and by this reference made part hereof as Exhibit D2.


Davis Thresh, P.L.S. No. 6868
$\qquad$
Dated



## EXHIBIT D2

TEMPORARY CONSTRUCTION EASEMENT

| LINE TABLE |  |  |
| :---: | :---: | :---: |
|  | DIRECTION | LENGTH |
| L1 | S56*23'09"W | 52.00' |
| L2 | S56*23'09"W | 35.66' |
| L3 | N65*38'16"E | 4.76' |
| L4 | S33*30'17"E | 61.94' |
| L5 | S57*35'45"E | 35.06' |
| L6 | S33*36'51"E | 17.62' |
| L7 | S12*40'57"W | 22.30' |
| L8 | N22.06'01"W | 78.01' |
| L9 | N1*30'44"E | 19.21' |
| L10 | N23*49'28"W | 31.88' |
| L11 | N32'15'28"W | 37.32' |
| L12 | N22.06'01"W | 9.74' |
| L13 | N56*23'09"E | 37.29' |
| L14 | N19*36'58"W | 13.42' |
| L15 | N33*36'51"W | 89.97' |
| L16 | N22.06'01"W | 15.00' |
| L17 | N67*53'59"E | 54.77' |
| L18 | N56*23'09"E | 72.95' |


| CURVE TABLE |  |  |  |
| :---: | :---: | :---: | :---: |
|  | RADIUS | DELTA | LENGTH |
| C1 | $482.00^{\prime}$ | $6{ }^{\prime} 37^{\prime} 17^{\prime \prime}$ | $55.70^{\prime}$ |
| C2 | $482.00^{\prime}$ | $3{ }^{\prime} 01^{\prime} 41^{\prime \prime}$ | $25.47^{\prime}$ |
| C3 | $20.00^{\prime}$ | $75^{\prime} 07^{\prime} 38^{\prime \prime}$ | $26.22^{\prime}$ |
| C4 | $53.25^{\prime}$ | $80^{\circ} 51^{\prime} 27^{\prime \prime}$ | $75.15^{\prime}$ |
| C5 | $51.50^{\prime}$ | $35^{\circ} 01^{\prime} 16^{\prime \prime}$ | $31.48^{\prime}$ |
| C6 | $20.00^{\prime}$ | $79^{\circ} 55^{\prime} 41^{\prime \prime}$ | $27.90^{\prime}$ |
| C7 | $200.00^{\prime}$ | $22^{\prime 17^{\prime} 59^{\prime \prime}}$ | $77.84^{\prime}$ |
| C8 | $100.00^{\prime}$ | $13^{\circ} 59^{\prime} 53^{\prime \prime}$ | $24.43^{\prime}$ |
| C9 | $62.00^{\prime}$ | $25^{\circ} 50^{\prime} 34^{\prime \prime}$ | $27.96^{\prime}$ |



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Job No. 20180990
By NP
NP Date 2/13/20 SHEET $\qquad$ 2 OF OF 2

