

DOC # 2007-0651130

RECORDING REQUESTED BY 3505

City of Oceanside

AND WHEN RECORDED MAIL TO

OCT 09, 2007 12:07 PM

OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDER
FEES: 20.00
OC: NA

PAGES: 5

CITY CLERK
CITY OF OCEANSIDE
300 NORTH COAST HIGHWAY
OCEANSIDE, CA 92054

2007-0651130

SPACE ABOVE THIS LINE FOR RECORDER'S USE

A.P.N. 146-050-80, 81, 82 & 83

City Clerk Doc# 07-D0628-4

DOCUMENT TRANSFER TAX \$ None

[Signature]
Signature of declarant or agent determining tax - Firm name

GRANT OF EASEMENT FOR PUBLIC UTILITY EASEMENT

(EASD-006- 2007)

ADP- 5- 04

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the undersigned,

AIRPORT AUTO CENTER L.P.

do(es) hereby grant to the **CITY OF OCEANSIDE**, a municipal corporation, of the State of California, its successors or assigns, a perpetual easement and right-of-way for, and the right to use for **PUBLIC UTILITY EASEMENT** purposes, and those appurtenances and uses commonly associated therewith, through, in, on, over, above, under and across that certain portion of Grantor's real property situated in the City of Oceanside, County of San Diego, State of California, more particularly described on Exhibit "A" and illustrated on Exhibit "B", attached hereto and made a part hereof by this reference.

SEE LEGAL DESCRIPTION MARKED EXHIBIT "A" AND A SKETCH THEREOF MARKED EXHIBIT "B", ATTACHED HERETO AND INCORPORATED HEREBY REFERENCED.

The easement rights granted herein included the following: (a) the right of ingress and egress, from the easement herein described, across the lands of Grantor for all purposes useful or convenient in connection with or incidental to the exercise of the rights herein granted at locations which shall not interfere with grantor's reasonable use of its remainder property; (b) the right to construct, reconstruct, repair, replace, operate and maintain said facilities and the right to enter upon, pass and re-pass over, along, and beside said easement and right-of-way; and (c) the right to deposit tools, implements and material there on, by said City of Oceanside, its officers, agents, employees, successors or assigns, or by any contractor, its agents or employees, engaged by said City, its successors or assigns, whenever and wherever necessary for the purposes above set forth.

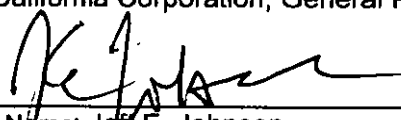
Grantor shall not plant any tree within or erect any fence, wall or any other type of structure over, across or upon said easement and right-of-way without first obtaining written permission from Grantee, which shall not be unreasonably withheld.

The conveyance of said easement and right-of-way is made for the benefit of all parties who have or may acquire any right, title, or interest in any part of the above described real property. This conveyance is binding on the Grantor, its heirs, assigns or successors in interest.

Dated: 10/3/07

Airport Auto Center, L.P.,
a California Limited Partnership

By: Capella
A California Corporation, General Partner

By: 
Print Name: Jeff E. Johnson
Title: Executive Vice President /Secretary

By: _____
Print Name: _____
Title: _____

STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

On October 3, 2007

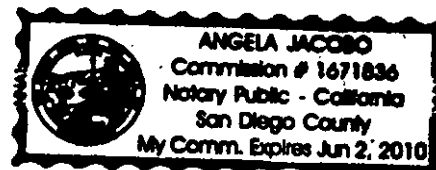
before me, Angela Jacobo
a Notary public in and for said State, personally appeared

Jeff E. Johnson

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledge to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.


Signature



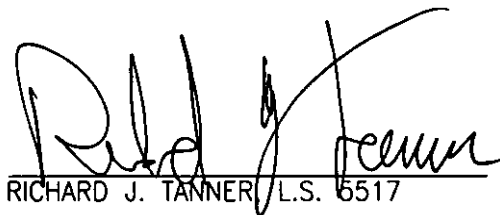
(This area for official notary seal)

LEGAL DESCRIPTION

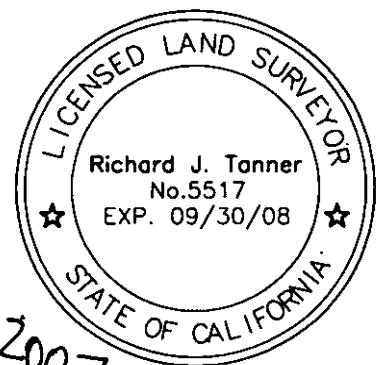
A PORTION OF PARCEL 1 OF LOT LINE ADJUSTMENT AND CERTIFICATE OF COMPLIANCE NO. PLA-03-06 IN THE CITY OF OCEANSIDE RECORDED ON APRIL 24, 2007 AS DOCUMENT NO. 2007-0277956, BEING PORTIONS OF PARCELS 2 AND 3 OF PARCEL MAP NO. 9488 RECORDED ON DECEMBER 17, 1979, BOTH FILED IN THE OFFICE OF THE COUNTY OF RECORDER OF SAN DIEGO COUNTY, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF PARCEL 3 OF SAID PARCEL MAP NO. 9488, THAT IS NORTH 89° 38' 02" EAST 15.00 FEET FROM THE SOUTH WEST CORNER THEREOF, THENCE; NORTH 00° 21' 58" WEST, PARALLEL WITH THE WEST LINE OF SAID PARCEL 2, 10.00 FEET, THENCE; SOUTH 89° 38' 02" WEST, PARALLEL WITH SAID SOUTH LINE OF SAID PARCEL 3, 25.00 FEET TO THE EAST LINE OF THAT CERTAIN 20.00 FOOT WIDE PUBLIC UTILITY EASEMENT AS DESCRIBED IN DOCUMENT RECORDED APRIL 24, 2007 AS DOCUMENT NO. 2007-0277955 IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY AND STATE, THENCE; SOUTH 00° 21' 58" EAST ALONG THE EAST LINE OF SAID EASEMENT, 10.00 FEET TO A POINT THAT IS DISTANT SOUTH 89° 38' 02" WEST 25.00 FEET FROM THE POINT OF BEGINNING, THENCE; NORTH 89° 38' 02" EAST 25.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 250 SF MORE OR LESS.

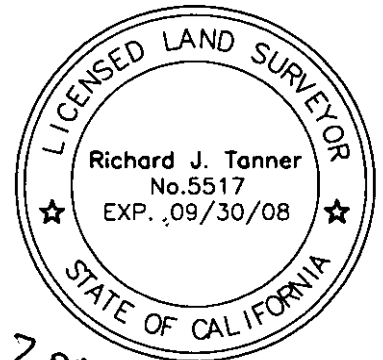
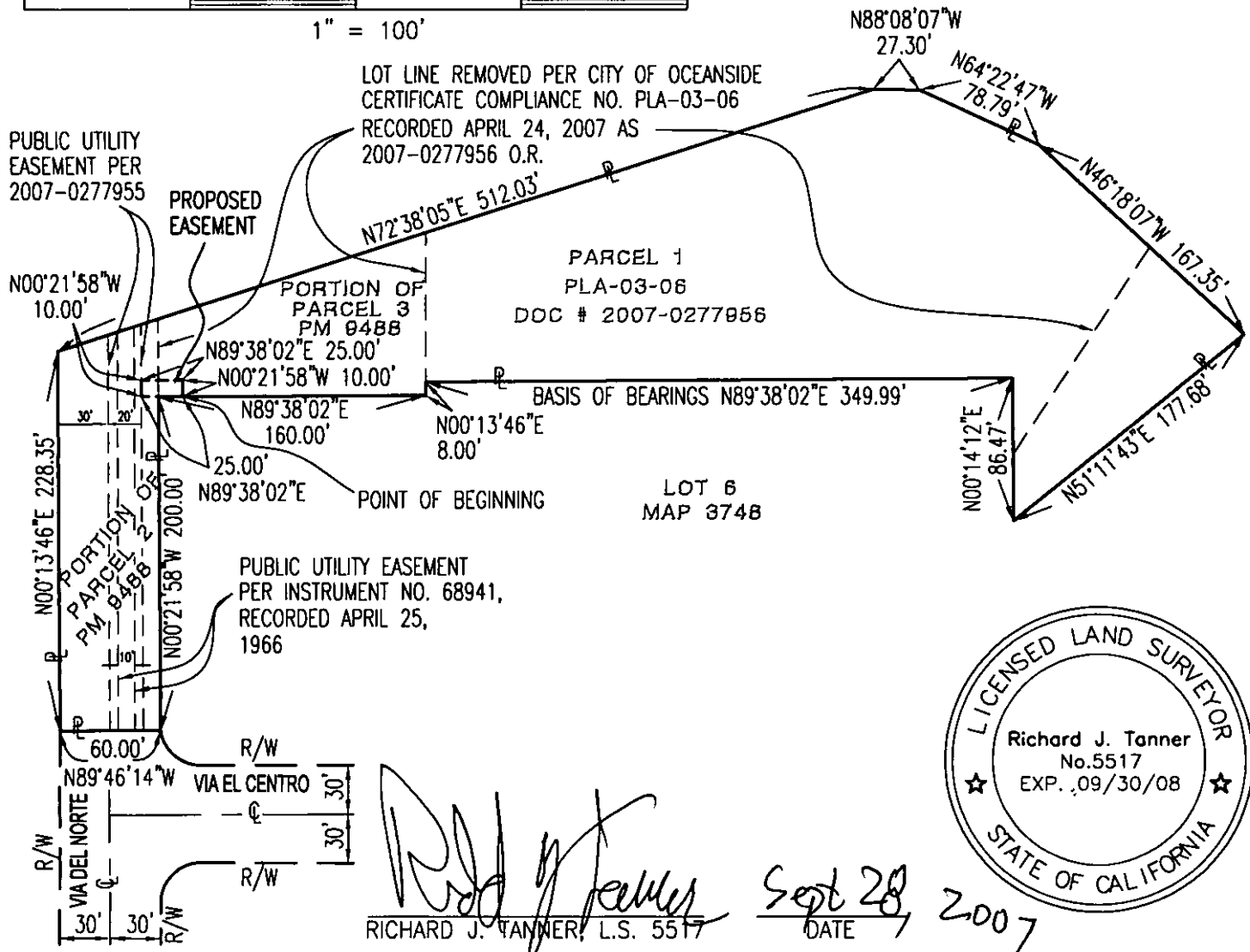
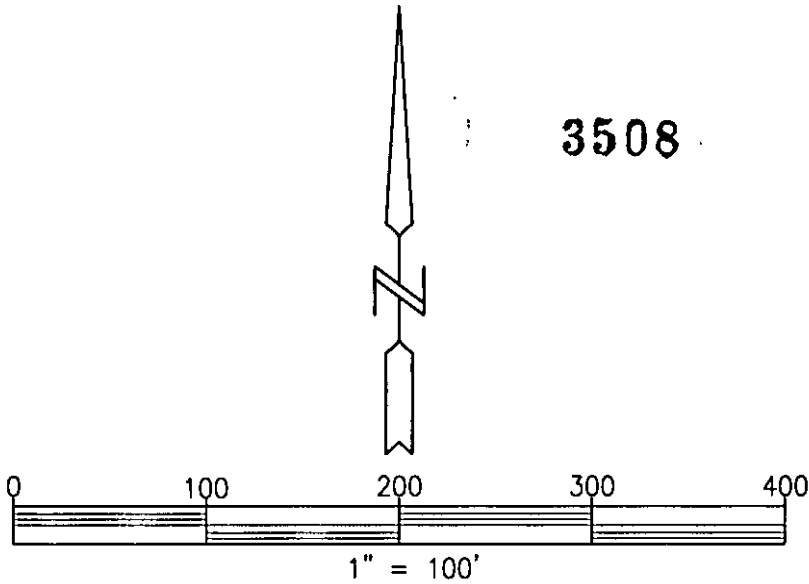
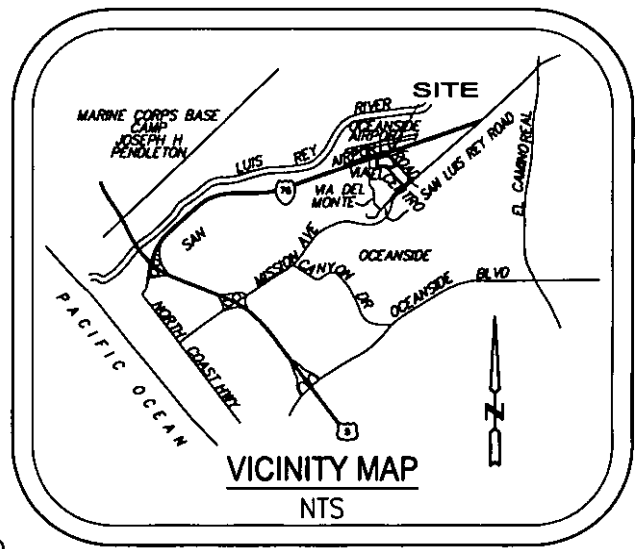

RICHARD J. TANNER L.S. 5517

Sept 28 2007
DATE



OWNER: AIRPORT AUTO CENTER, L.P.		CITY OF OCEANSIDE PUBLIC WORKS DEPARTMENT ENGINEERING DIVISION LEGAL DESCRIPTION FOR PUBLIC UTILITY EASEMENT	
SITE ADDRESS: VIA DEL NORTE AND AIRPORT ROAD, OCEANSIDE, CA			
SURVEYOR: RICHARD J. TANNER for ANTHONY-TAYLOR CONSULTANTS			
APN# 146-050-80, 81, 82 & 83	JOB NO.: 04-2352	DATE: 09/24/07	SHEET 1 OF 2

EXHIBIT 'B'



RICHARD J. TANNER, L.S. 5517

Sept 28, 2007
DATE

OWNER: AIRPORT AUTO CENTER, L.P.

SITE ADDRESS: VIA DEL NORTE AND AIRPORT ROAD, OCEANSIDE, CA

SURVEYOR:

RICHARD J. TANNER for ANTHONY-TAYLOR CONSULTANTS

APN# 146-050-80, 81, 82 & 83

JOB NO.: 04-2352

CITY OF OCEANSIDE

PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION

PLAT TO ILLUSTRATE LEGAL DESCRIPTION
FOR PUBLIC UTILITY EASEMENT

DATE: 09/24/07

SHEET 2 OF 2



CITY OF OCEANSIDE

DEPARTMENT OF THE CITY CLERK
BARBARA RIEGEL WAYNE

This is to certify that the interest in real property conveyed by the Grant of Easement for Public Utility Purposes – Water Easement, EASD-006-2007 (Document No. 07-D0628-4) dated October 3, 2007 from Airport Auto Center L.P. to the City of Oceanside, a political corporation and governmental agency, is hereby accepted by the undersigned officer on behalf of the City Council of the City of Oceanside pursuant to authority conferred by action of the City Council of the City of Oceanside on the 14th day of February, 2007, and the grantee consents to the recordation thereof by its duly authorized officer.

Dated: Oct. 4, 2007


Barbara Riegel Wayne, City Clerk
City of Oceanside

CITY HALL NORTH • 300 NORTH COAST HIGHWAY • OCEANSIDE, CA 92054-2885 • (760) 435-3000 • FAX (760) 967-3922
Email: bwayne@ci.oceanside.ca.us