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DATE: September 14, 2011

TO: Honorable Mayor and City Councilmembers

FROM: Economic and Community Development Department

SUBJECT: **PERMIT TO ENTER UPON AN EASEMENT FOR CONSTRUCTION OF THE 511 PUMP STATION FOR THE MISSION BASIN DESALTING FACILITY EXPANSION PROJECT**

### **SYNOPSIS**

Staff recommends that the City Council approve a Temporary Construction Easement upon an Easement with John M. Siegel and Robert C. Siegel ("Owners") in the amount of \$65,520 for construction of the 511 Pump Station for the Mission Basin Desalting Facility Expansion Project, and authorize the City Manager to execute the Permit.

### **BACKGROUND**

The Water Utilities Department is in the process of requesting proposals for construction of the 511 Pump Station for the Mission Basin Desalting Facility Expansion Project ("Project"). The Project will increase distribution flows from the 320 pressure zone from to the 511 pressure zone and ensure potable water quality for current and future City demands. The pipeline will be placed in an existing easement the City acquired on February 14, 2007, with John M. Siegel and Robert C. Siegel ("Easement"). The existing Easement was granted to install a raw water pipeline for wells 10 and 11.

The City anticipates a construction duration of two years. In order for the Water Utilities Department to enter upon the Easement, the City must enter into a Temporary Construction Easement ("Construction Area") with the Owners to work on the existing Easement. The rental rate for the City's use of the Construction Area for said two year period is \$65,520.00.

### **ANALYSIS**

Obtaining a Temporary Construction Easement with the Owners to support the new discharge pipeline is necessary to construct the 511 Pump Station for the Mission Basin Desalting Facility Expansion Project. Therefore, it's appropriate that the City Council approve the requested Temporary Construction Easement with the Owners and authorize the City Manager to execute the Permit.

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**FISCAL IMPACT**

The rental rate for the City's use of the Construction Area for said two year period is \$65,520 to be charged against account number (908122600715.5305.10600)

**COMMISSION OR COMMITTEE REPORT**

Does not apply.

**INSURANCE REQUIREMENTS**

The City's standard insurance requirements will be met.

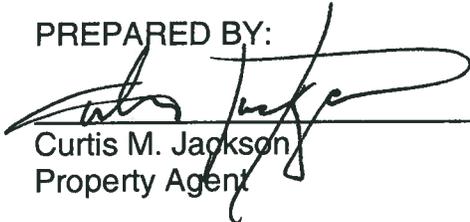
**CITY ATTORNEY'S ANALYSIS**

The referenced document has been reviewed by the City Attorney and approved as to form.

**RECOMMENDATION**

Staff recommends that the City Council approve a Temporary Construction Easement upon an Easement with John M. Siegel and Robert C. Siegel ("Owners") in the amount of \$65,520 for construction of the 511 Pump Station for the Mission Basin Desalting Facility Expansion Project, and authorize the City Manager to execute the Permit.

PREPARED BY:

  
Curtis M. Jackson  
Property Agent

SUBMITTED BY:

  
Peter A. Weiss  
City Manager

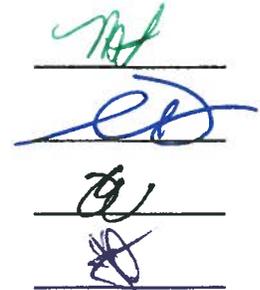
REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager

Cari Dale, Water Utilities Director

Douglas E. Eddow, Real Property Manager

Teri Ferro, Financial Services Director



## PERMIT TO ENTER

John M. Siegel and Robert C. Siegel  
ATTN: Robert Siegel  
503 Vista Belle, Suite 9  
Oceanside, CA 92057

**PROJECT:                   511 PUMP STATION DISCHARGE WATER PIPELINE**

**PROPERTY:               Assessor Parcel Nos. 160-280-48, 49, 50 & 51**

Dear Mr. Robert Siegel:

This Permit to Enter ("Permit"), dated as of August 17, 2011, for identification purposes only, is made by and between the City of Oceanside, a California Charter City, existing under its charter and California Statute (hereinafter referred to as "City"), and Robert C. Siegel on behalf of Robert C. Siegel and Doris Siegel, Co-Trustees of the Robert and Doris Siegel Trust dated August 19, 1976 and John M. Siegel, Trustee, John M. Siegel and Renee Siegel Declaration of Trust dated August 12, 1976 (hereinafter referred to as "Owner").

1. City is the holder of that certain easement for waterline purposes affecting Owner's real property referenced above, said easement being recorded in the Office of the County Recorder of San Diego County on March 8, 2007 as Document No. 2007-0160216, attached hereto as Attachment No. 1, is made a part hereof and incorporated herein by this reference (the "Easement Deed").
2. City has informed Owner of City's intent to install, operate and maintain the 511 Pump Station Discharge Pipeline (the "Waterline") within the Permanent Easement described as Parcel 1 of the Easement Deed and utilize the Temporary Construction Easement described as Parcel 2 of the Easement Deed for the construction and installation of the Waterline within said Permanent Easement (the "Project").
3. Permission is hereby granted by the Owner to the City, its officers, employees, authorized agents or contractors to enter upon Owner's real property described in said Temporary Construction Easement (hereinafter referred to as "Construction Area"), for the sole purpose of installing the Waterline and the construction of the Project, under the terms and conditions of this Permit.
4. This permission is granted with the understanding that the City agrees to release the Owner from any liability arising out of the City's operations under this Permit. Furthermore, the City agrees to assume responsibility for any damages caused to or about the Construction Area by reason of its operations under this Permit, and will, at the Owner's option, either repair or pay for such damage.
5. The term of this Permit shall be for a period of two (2) years, commencing on the first day the City has commenced work on the Construction Area, (hereinafter called "Commencement Date"). City anticipates the Commencement Date to be on or before September 30, 2011. Prior to the Commencement Date, City will send Owner a letter

confirming the Commencement Date ("Commencement Date Memorandum"). If the City fails to finish construction of the Property prior to the expiration date of this Permit, the parties agree to meet to discuss another agreeable adjusted schedule.

6. The rental rate for the City's use of Construction Area for said 2-year period shall be **Sixty-five Thousand Five Hundred Twenty Dollars (\$65,520)**. Owner recognizes said rental as good and sufficient value and consideration for City's use of the Construction Area for the purposes set forth in this Permit.

7. The City agrees to fully restore the City's Easement and the Construction Area to a condition equal to or better than the condition in which they were prior to the City's entry thereupon.

8. The City shall, in its use and occupation of the Construction Area, be responsible for complying with all Local, State, and Federal laws whether or not said laws are expressly stated or referenced herein.

9. This Permit comprises the entire integrated understanding between the City and the Owner concerning the use and occupation of the Construction Area and supersedes all prior negotiations, representations, or agreements.

10. The individuals executing this Permit represent and warrant that they have the right, power, legal capacity and authority to enter into and to execute this Permit on behalf of the respective legal entities of the City and the Owner.

IN WITNESS WHEREOF the parties hereto for themselves, their heirs, executors, administrators, successors, and assigns do hereby agree to the full performance of the covenants herein contained and have caused this Permit to Enter to be executed by setting hereunto their signatures on the day and year respectively written hereinbelow.

"City"  
CITY OF OCEANSIDE

By: \_\_\_\_\_  
Name:  
Title:

Date: \_\_\_\_\_

APPROVED AS TO FORM  
OCEANSIDE CITY ATTORNEY  
  
BARBARA L. HAMILTON  
Assistant City Attorney

"Owner"  
Robert C. Siegel

By: Robert Siegel  
Robert C. Siegel

Date: 17 AUG. 2011

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of San Diego }

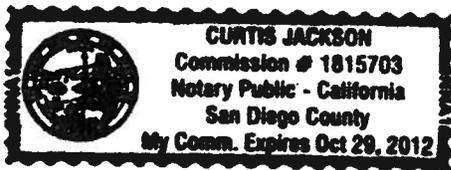
On 8/17/11 before me, Curtis Jackson, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Robert Charles Siegel  
Name(s) of Signer(s)

who 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 acknowledged 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 the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Place Notary Seal Above

Signature [Handwritten Signature]  
Signature of Notary Public

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

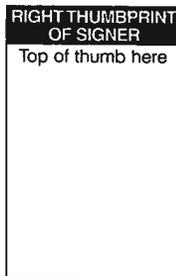
Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

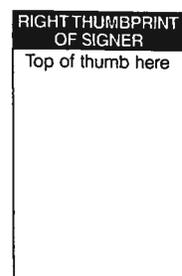
- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_



Recording requested by  
LandAmerica Developer Services  
Subdivision Department

AND WHEN RECORDED MAIL TO

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

DOC # 2007-0160216



MAR 08, 2007 2:00 PM

OFFICIAL RECORDS  
SAN DIEGO COUNTY RECORDER'S OFFICE  
GREGORY J. SMITH, COUNTY RECORDER  
FEES: 0.00  
DC: NA  
PAGES: 10

*to  
100  
NHT  
OCWA  
1007*

8236



2007-0160216  
CITY DOCUMENT NO. 07-D0052-1  
2/14/07 (16)

4610913-54  
A.P.N. 160-280-48, 49, 50 & 51

SPACE ABK

NO DOCUMENTARY TRANSFER TAX DUE R&T CODE §11922  
FOR BENEFIT OF PUBLIC AGENCY - NO FEES DUE GOV'T CODE §27383

**GRANT OF EASEMENT  
FOR WATERLINE PURPOSES**

RECEIVED  
MAR 28 2007  
CITY CLERK OFFICE

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

**JOHN M. SIEGEL**, a married man as his sole and separate property, and **ROBERT C. SIEGEL**, a single man, as tenants in common

do(es) hereby **GRANTS** 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 **WATERLINE PURPOSES** and those appurtenances and uses commonly associated therewith, through, in, on, across, over, under and above that certain portion of Grantor's real property situated in the City of Oceanside, County of San Diego, State of California, more particularly described as follows:

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

Together with the right to construct, reconstruct, repair, replace, operate and maintain said facilities and the right to enter upon, pass and repass over, along, and beside said easement and right-of-way and to deposit tools, implements and material thereon, by said City of Oceanside, its officers, employees, agents, successors, or assigns, or by any contractor, its agents and employees engaged by said City, its successors or assigns, whenever and wherever necessary for the purposes herein set forth.

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

Dated: January 11, 2007

John M. Siegel  
John M. Siegel

Robert C. Siegel  
By: Robert C. Siegel, his Attorney-in-Fact

Robert C. Siegel  
Robert C. Siegel

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

8237

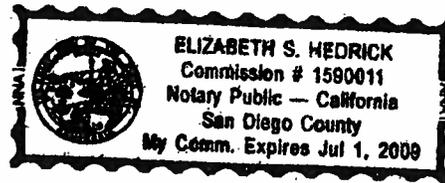
State of California  
County of San Diego ) ss.

On January 11, 2007 before me, Elizabeth S. Hedrick, Notary Public,  
Date Name and Title of Officer (e.g. "Jane Doe, Notary Public")

personally appeared Robert C. Siegel  
Name(s) of Signer(s)

[ ] personally known to me  
 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 acknowledged 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 the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Elizabeth S. Hedrick  
Signature of Notary Public

OPTIONAL

*Though the information below is not required by law, it may prove valuable for persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

Description of Attached Document

Title or Type of Document: Grant of Easement for Waterhole Purposes

Document Date: 1-11-07 Number of Pages: \_\_\_\_\_

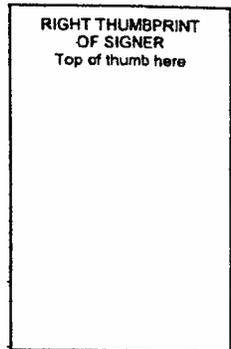
Signer(s) Other Than Named Above: \_\_\_\_\_

Capacity(ies) Claimed by Signer

Signer's Name: Robert C. Siegel

- Individual
- Corporate Officer - Title(s): \_\_\_\_\_
- Partner - [ ] Limited [ ] General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: John M. Siegel



CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

8238

State of California  
County of San Diego SS.

On January 11, 2007 before me, Elizabeth S. Hedrick Notary Public,  
Date Name and Title of Officer (e.g. "Jane Doe, Notary Public")

personally appeared Robert C. Siegel  
Name(s) of Signer(s)

personally known to me  
 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 acknowledged 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 the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Elizabeth S. Hedrick  
Signature of Notary Public

OPTIONAL

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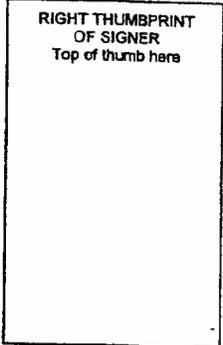
Signer(s) Other Than Named Above: \_\_\_\_\_

Capacity(ies) Claimed by Signer

Signer's Name: Robert C. Siegel

- Individual
- Corporate Officer - Title(s): \_\_\_\_\_
- Partner -  Limited  General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: Self



8239

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

VESTING: VESTING: JOHN M. SIEGEL, A MARRIED MAN AS HIS SOLE AND SEPARATE  
PROPERTY & ROBERT C. SIEGEL, A SINGLE MAN AS TENANTS IN COMMON

APNS: 160-280-48, 49, 50 & 51

**PARCEL 1 (PERMANENT EASEMENT)**

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY, APPROVED DECEMBER 27, 1870, AS SHOWN ON RECORD OF SURVEY NO. 15379 RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AS FILE NO. 1996-625030, RECORDED DECEMBER 13, 1996, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WESTERLY LINE OF LAND DESCRIBED IN DEED TO SAN DIEGO GAS AND ELECTRIC COMPANY, RECORDED MAY 31, 1962 AS FILE NO. 92390 OF OFFICIAL RECORDS AND THE SOUTHERLY TOE OF LEVEE OF SAN LUIS REY RIVER FLOOD CONTROL PROJECT AS SHOWN ON SHEET 3 OF 8 SHEETS OF SAID RECORD OF SURVEY NO. 15379;

THENCE ALONG SAID SOUTHERLY TOE OF LEVEE SOUTH 88°37'31" WEST 372.79 FEET TO A LINE PARALLEL AND CONCENTRIC WITH, AND 20.00 FEET EASTERLY OF, THE EASTERLY LINE OF PARCEL 3 AS DESCRIBED IN FINAL ORDER OF CONDEMNATION, RECORDED DECEMBER 15, 1993 AS DOCUMENT NO. 1993-0844957 OF OFFICIAL RECORDS AND THE TRUE POINT OF BEGINNING;

THENCE ALONG SAID PARALLEL AND CONCENTRIC LINE SOUTH 03°47'45" EAST 250.09 FEET;

THENCE SOUTH 04°27'50" EAST 240.83 FEET TO A POINT ON A 1434.06 FOOT RADIUS CURVE, CONCAVE WESTERLY;

THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 32°50'51" A DISTANCE OF 822.14 FEET;

THENCE LEAVING SAID PARALLEL AND CONCENTRIC LINE NON-TANGENT TO SAID CURVE SOUTH 06°43'52" WEST 151.83 FEET;

THENCE SOUTH 45°26'03" WEST 238.49 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF FOUSSAT STREET AS DESCRIBED IN DEED TO THE CITY OF OCEANSIDE, RECORDED FEBRUARY 4, 1974 AS FILE NO. 74-029101 OF OFFICIAL RECORDS;

THENCE ALONG SAID RIGHT-OF-WAY NORTH 41°21'15" WEST 60.65 FEET TO THE MOST SOUTHERLY CORNER OF PARCEL 2 AS DESCRIBED IN FINAL ORDER OF CONDEMNATION, RECORDED DECEMBER 15, 1993 AS DOCUMENT NO. 1993-0844957 OF OFFICIAL RECORDS;

THENCE ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL 2 NORTH 39°19'55" EAST 82.87 FEET TO A POINT ON A 1404.56 FOOT RADIUS CURVE, CONCAVE WESTERLY;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 2°58'11" A DISTANCE OF 72.80 FEET TO THE MOST WESTERLY CORNER OF SAID PARCEL 3 AS DESCRIBED IN SAID FINAL ORDER OF CONDEMNATION;

THENCE ALONG THE SOUTHWESTERLY, SOUTHEASTERLY AND EASTERLY LINE OF SAID PARCEL 3 SOUTH 54°02'45" EAST 12.00 FEET;

THENCE NORTH 35°57'15" EAST 20.00 FEET;

THENCE NORTH 54°02'45" WEST 2.50 FEET TO A POINT ON A NON-TANGENT 1414.06 FOOT RADIUS CURVE, CONCAVE WESTERLY, A RADIAL FROM SAID POINT BEARS NORTH 54°27'03" WEST;

THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 40°00'46" A DISTANCE OF 987.52 FEET;

THENCE NORTH 04°27'49" WEST 241.06 FEET;

THENCE NORTH 03°47'45" WEST 250.93 FEET TO SAID SOUTHERLY TOE OF LEVEE;

THENCE LEAVING SAID EASTERLY LINE OF PARCEL 3 ALONG SAID SOUTHERLY TOE OF LEVEE NORTH 88°37'31" EAST 20.02 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 1.13 ACRES MORE OR LESS

**PARCEL 2 (TEMPORARY EASEMENT)**

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 11 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO UNITED STATES GOVERNMENT SURVEY, APPROVED DECEMBER 27, 1870, AS SHOWN ON RECORD OF SURVEY NO. 15379 RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AS FILE NO. 1996-625030, RECORDED DECEMBER 13, 1996, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WESTERLY LINE OF LAND DESCRIBED IN DEED TO SAN DIEGO GAS AND ELECTRIC COMPANY, RECORDED MAY 31, 1962 AS FILE NO. 92390 OF OFFICIAL RECORDS AND THE SOUTHERLY TOE OF LEVEE OF SAN LUIS REY RIVER FLOOD CONTROL PROJECT AS SHOWN ON SHEET 3 OF 8 SHEETS OF SAID RECORD OF SURVEY NO. 15379;

THENCE ALONG SAID SOUTHERLY TOE OF LEVEE SOUTH 88°37'31" WEST 347.77 FEET TO A LINE PARALLEL AND CONCENTRIC WITH, AND 25.00 FEET EASTERLY OF, THE EASTERLY LINE OF PARCEL 1 DESCRIBED HEREINABOVE AND THE **TRUE POINT OF BEGINNING**;

THENCE ALONG SAID PARALLEL AND CONCENTRIC LINE SOUTH 03°47'45" EAST 248.77 FEET;

THENCE SOUTH 04°27'49" EAST 240.80 FEET TO A POINT ON A 1459.06 FOOT RADIUS CURVE, CONCAVE WESTERLY;

THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 33°11'21" A DISTANCE OF 845.18 FEET TO A LINE PARALLEL WITH AND 20.00 FEET EASTERLY OF THE SAID EASTERLY LINE OF PARCEL 1 DESCRIBED HEREIN ABOVE;

THENCE ALONG SAID PARALLEL LINE NON-TANGENT TO SAID CURVE SOUTH 06°43'52" WEST 141.54 FEET TO A LINE PARALLEL WITH AND 20.00 FEET SOUTHEASTERLY OF THE SAID EASTERLY LINE OF PARCEL 1 DESCRIBED HEREIN ABOVE;

THENCE ALONG SAID PARALLEL LINE SOUTH 45°26'03" WEST 246.68 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF FOUSSAT STREET AS DESCRIBED IN DEED TO THE CITY OF OCEANSIDE, RECORDED FEBRUARY 4, 1974 AS FILE NO. 74-029101 OF OFFICIAL

RECORDS, AND A POINT ON A NON-TANGENT 1030.00 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, A RADIAL FROM SAID POINT BEARS SOUTH 49°12'06" WEST;

THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY THROUGH A CENTRAL ANGLE OF 0°33'21" A DISTANCE OF 9.99 FEET;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY NORTH 41°21'15" WEST 10.04 FEET TO THE MOST SOUTHERLY CORNER OF PARCEL 1 DESCRIBED HEREINABOVE;

THENCE ALONG THE SOUTHEASTERLY AND EASTERLY LINE OF SAID PARCEL 1 NORTH 45°26'03" EAST 238.49 FEET;

THENCE NORTH 06°43'52" EAST 151.83 FEET TO A POINT ON A NON-TANGENT 1434.06 FOOT RADIUS CURVE, CONCAVE WESTERLY, A RADIAL FROM SAID POINT BEARS NORTH 61°36'58" WEST;

THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 32°50'51" A DISTANCE OF 822.14 FEET;

THENCE NORTH 04°27'50" WEST 240.83 FEET;

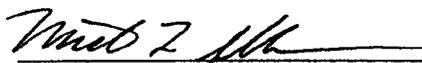
THENCE NORTH 03°47'45" WEST 250.09 FEET TO SAID SOUTHERLY TOE OF LEVEE;

THENCE LEAVING SAID EASTERLY LINE OF PARCEL 1 ALONG SAID SOUTHERLY TOE OF LEVEE NORTH 88°37'31" EAST 25.02 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING 0.94 ACRES MORE OR LESS

ATTACHED HERETO AND MADE A PART HEREOF THIS LEGAL DESCRIPTION IS A PLAT LABELED EXHIBIT "B"

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.

  
MICHAEL SCHLUMPBERGER, PLS 7790

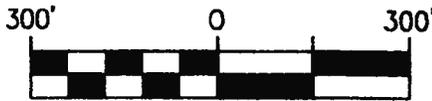
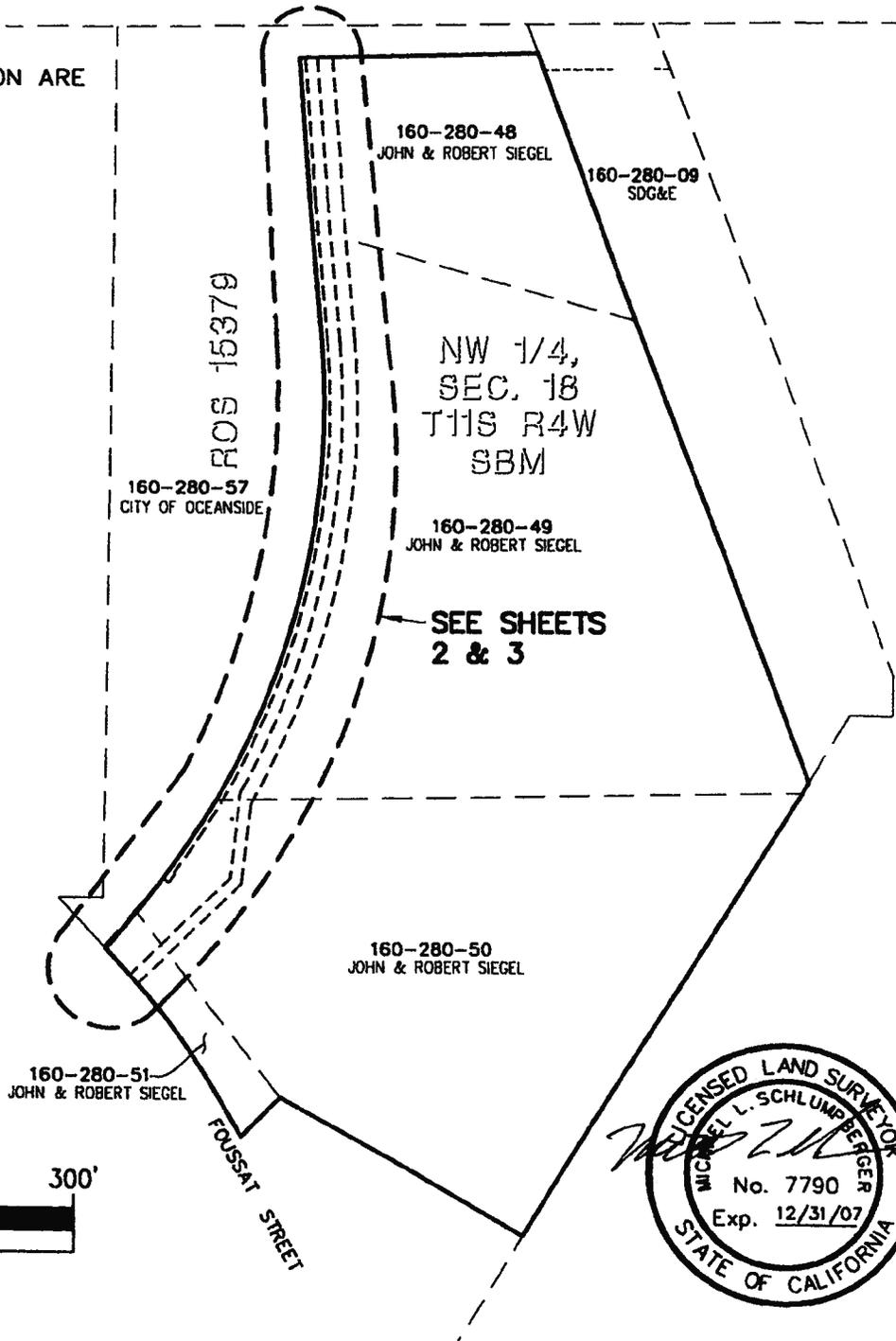
December 13, 2005  
DATE



# EXHIBIT "B"

# 8242

NOTE: BEARINGS AND DISTANCES SHOWN HEREON ARE BASED ON ROS 15379.



GRAPHIC SCALE  
1 INCH = 300 FT.

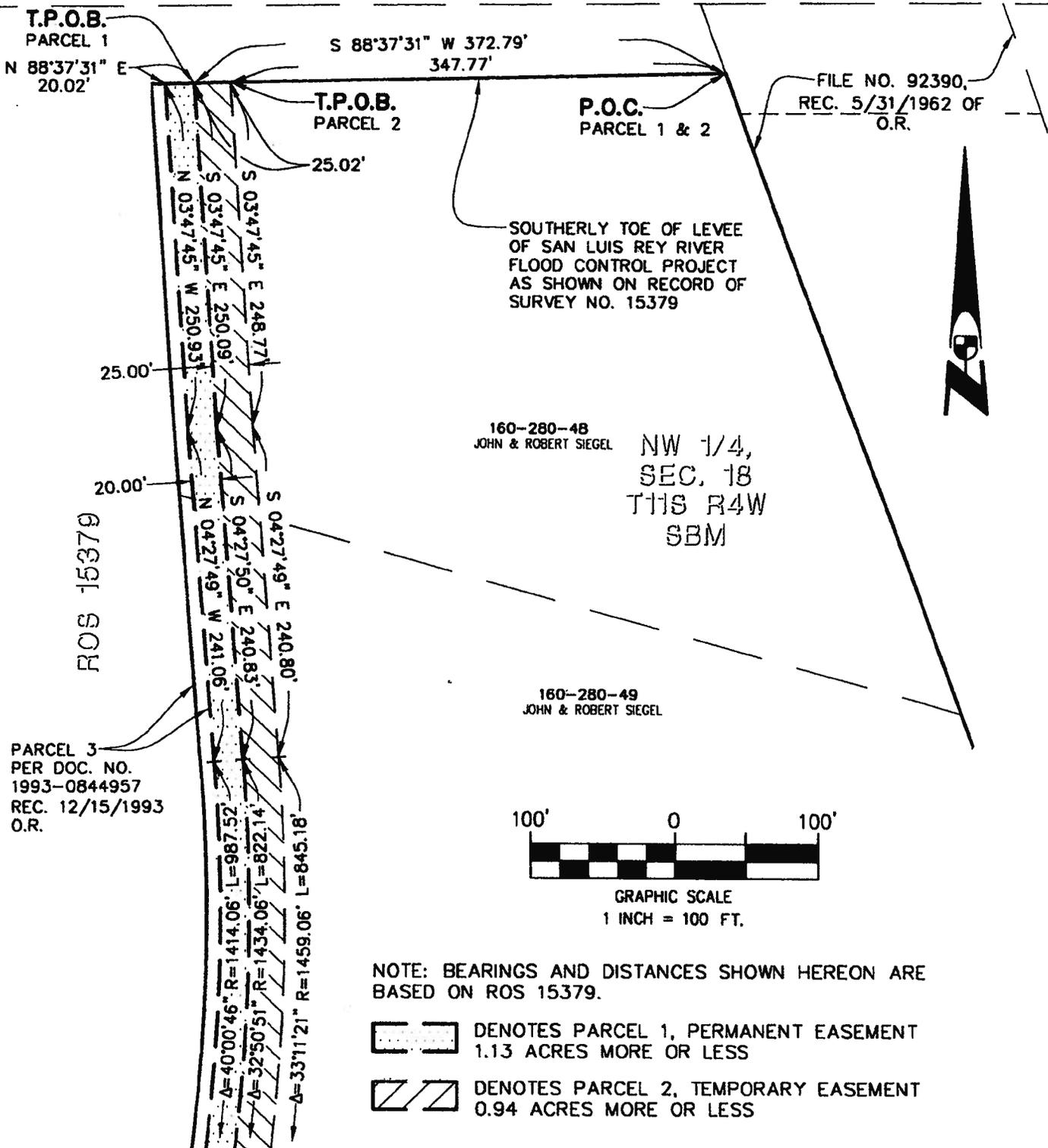


**Right-Of-Way Engineering Services, Inc.**  
Land Surveying  
4167 Avenida de la Plata Ste. 114 · Oceanside, CA 92056  
(760) 732-1366 FAX (760) 732-1367  
FILE NAME: Well-10-11 Esmts

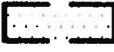
<b>CITY OF OCEANSIDE</b>	
VESTING: JOHN M. SIEGEL, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY & ROBERT C. SIEGEL, A SINGLE MAN AS TENANTS IN COMMON	
DATE: DEC. 14, 2005	SHEET 1 OF 3

# EXHIBIT "B"

8243



NOTE: BEARINGS AND DISTANCES SHOWN HEREON ARE BASED ON ROS 15379.

-  DENOTES PARCEL 1, PERMANENT EASEMENT 1.13 ACRES MORE OR LESS
-  DENOTES PARCEL 2, TEMPORARY EASEMENT 0.94 ACRES MORE OR LESS

SEE SHEET 3

**Right-Of-Way Engineering Services, Inc.**  
Land Surveying  
4167 Avenida de la Plata Ste. 114 · Oceanside, CA 92056  
(760) 732-1366 FAX (760) 732-1387  
FILE NAME: Well-10-11 Esmts

<b>CITY OF OCEANSIDE</b>	
VESTING: SEE SHEET 1	
DATE: DEC. 14, 2005	SHEET 2 OF 3

# EXHIBIT "B"

SEE SHEET 2

8244

LINE DATA

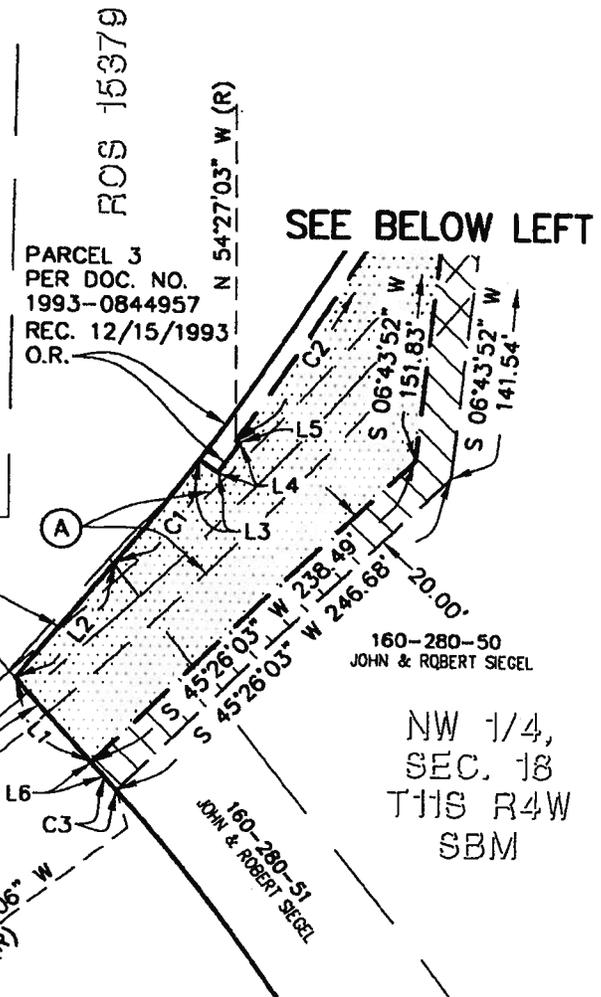
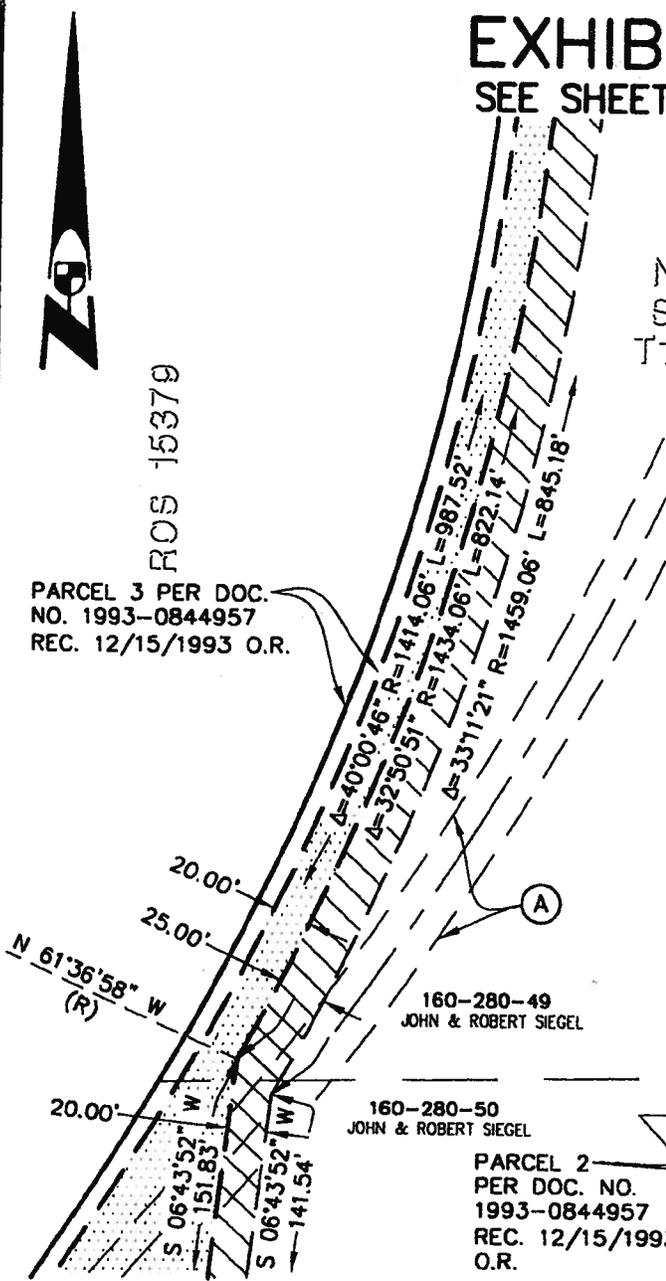
L1	N 41°21'15" W	60.65'
L2	N 39°19'55" E	82.87'
L3	S 54°02'45" E	12.00'
L4	N 35°57'15" E	20.00'
L5	N 54°02'45" W	2.50'
L6	N 41°21'15" W	10.04'

CURVE DATA

C1	Δ=2°58'11"	R=1404.56'	L=72.80'
C2	Δ=40°00'46"	R=1414.06'	L=987.52'
C3	Δ=0°33'21"	R=1030.00'	L=9.99'

NW 1/4,  
SEC. 18  
THIS R/W  
SBM

(A) FALLBROOK SANITARY DISTRICT EASEMENT  
REC. 1/4/1982 AS FILE 82-000051 AND  
REC. 3/9/1983 AS FILE 83-075091 BOTH  
OF O.R.



SEE ABOVE RIGHT

SEE BELOW LEFT



GRAPHIC SCALE  
1 INCH = 100 FT.

**Right-Of-Way Engineering Services, Inc.**  
Land Surveying  
4167 Avenida de la Plata Ste. 114 • Oceanside, CA 92056  
(760) 732-1366 FAX (760) 732-1367  
FILE NAME: Well-10-11 Esmts

<b>CITY OF OCEANSIDE</b>	
VESTING: SEE SHEET 1	
DATE: DEC. 14, 2005	SHEET 3 OF 3



# 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 Waterline Purposes (Document No. 07-D0052-1) dated January 11, 2007 from John M. Siegel and Robert C. Siegel, 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: Feb. 21, 2007

  
Barbara Riegel Wayne, City Clerk  
City of Oceanside