

83-270826

Recording Requested By:
SOUTH EAST REGIONAL RECLAMATION AUTHORITY
Exempt: Government Code § 6102

Return to:

William H. Sukenik, Secretary
South East Regional Reclamation Authority
c/o 25411 Cabot Road, Suite 209
Laguna Hills, CA 92653

EXEMPT
C5

RECORDED IN OFFICIAL RECORDS
OF ORANGE COUNTY, CALIFORNIA

-1215 PM JUN 24 '83

LEE A. BRANCH, County Recorder

GRANT TO
SOUTH EAST REGIONAL RECLAMATION AUTHORITY
OF EASEMENT FOR DRAINAGE PURPOSES BY
CAPISTRANO BAY PARK AND RECREATION DISTRICT

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Capistrano Bay Park and Recreation District hereby grants and conveys to the SOUTH EAST REGIONAL RECLAMATION AUTHORITY, a perpetual non-exclusive easement and right-of-way for drainage facilities purposes, including, specifically, but not by way of limitation, the right to lay, construct, reconstruct, remove and replace, renew, inspect, maintain, repair, improve, relocate and otherwise use a drainage culvert or culverts together with incidental appurtenances, connections, fences, and structures in, over, under, upon, along, through and across the real property hereinafter described, including rights of ingress and egress across adjacent property of the owner.

Said easement shall lie in, over, under, upon, along, through and across such certain real property situated in the County of Orange, State of California, described in Exhibit "A" attached hereto and by this reference incorporated herein, together with the right to enter upon and pass and repass over and along said strip of land for the construction, operation and maintenance of the facilities to be constructed in said easement by the SOUTH EAST REGIONAL RECLAMATION AUTHORITY.

It is understood and agreed that the easements and rights-of-way acquired herein are acquired subject to the rights of the owner, their successors and assigns to use the surface of the land within the boundary lines of such easements and rights-of-way to the extent that such use is compatible with the full and free exercise of said easement and rights-of-way by the SOUTH EAST REGIONAL RECLAMATION AUTHORITY, provided, however, that no streets, alleys, roadways, fences, block walls, or other structures or other improvements shall be constructed upon, over, and along said easement and right-of-way without first obtaining the consent of the SOUTH EAST REGIONAL RECLAMATION AUTHORITY. The SOUTH EAST REGIONAL RECLAMATION AUTHORITY does hereby agree that it will not unreasonably withhold such consent.

Said easement shall terminate at such time as there is no reasonable necessity for a drainage channel and culvert to carry or divert water from its normal drainage course.

Acquisition No. _____
Project: _____
Title Company: _____
Title Report No. _____

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The persons or concerns granting this easement to the SOUTH EAST REGIONAL RECLAMATION AUTHORITY represent and warrant that they are the owners of the herein described property or have the right to make this conveyance, and that they have advised the SOUTH EAST REGIONAL RECLAMATION AUTHORITY in writing of any and all outstanding easements, encumbrances, or deeds of trust, and on behalf of themselves and their successors agree that in consideration of the acceptance and recordation hereof that any future relocation costs of this facility, if the SOUTH EAST REGIONAL RECLAMATION AUTHORITY, in its sole discretion consents thereto, shall be at no cost to the SOUTH EAST REGIONAL RECLAMATION AUTHORITY.

IN WITNESS WHEREOF, this Instrument has been executed this 25 day of May, 1983.

CAPISTRANO BAY PARK AND
RECREATION DISTRICT

By David A. Lewis

By [Signature]

STATE OF CALIFORNIA)
COUNTY OF Orange) SS.

On June 9, 1983 before me,
the undersigned, a Notary Public in and for said
County and State, personally appeared
Lynn J. Muir known to me to be the
President, and David A. Lewis
ex-officio Secretary of the Corporation
that executed the within Instrument, known to me
to be the persons who executed the within
Instrument on behalf of the corporation therein
named, and acknowledged to me that such corpor-
ation executed the within Instrument pursuant to
its by-laws or a resolution of its board of
directors.

Signature Diane A. Boggs

Acquisition No. _____
Project: _____
Title Company: _____
Title Report No. _____



The southwesterly 20.00 feet of that portion of the Rancho Boca de la Playa, in the County of Orange, State of California, as shown on a map recorded June 29, 1887, in Book 4, Pages 118 and 119 of Patents, in the Office of the County Recorder of Los Angeles County, California, bounded northwesterly by the boundary line as described in the Boundary Line Agreement recorded November 7, 1924, in Book 548, Page 113 of Deeds, in the Office of the County Recorder of said County; bounded easterly by the westerly line of the land described in the Deed to the Orange County Flood Control District, recorded September 7, 1962, in Book 6241, Page 727 of Official Records, in the office of said County Recorder; bounded northerly by the centerline of Victoria Street, 60.00 feet wide, as described in the Deed to the County of Orange, recorded May 15, 1918, in Book 324, Page 42 of Deeds, in the Office of said County Recorder; and bounded southerly by a line parallel with and 500.00 feet southerly of said centerline of Victoria Street.

EXCEPTING THEREFROM that portion of the following described land lying within the above:

Beginning at the intersection of the centerline of Del Obispo Street (formerly McKinley Avenue), 80.00 feet wide, as described in the Deed to the County of Orange, recorded April 13, 1926, in Book 636, Page 363 of Deeds, in the Office of said County Recorder, with a line parallel with and 500.00 feet southerly of the centerline of said Victoria Street; thence, along said parallel line S. 68° 02' 46" E. 361.61 feet; thence, N. 21° 57' 14" E. 160.00 feet; thence, along a line parallel with and 160.00 feet northerly from last said parallel line N. 68° 02' 46" W. 340.35 feet to said centerline of Del Obispo Street; thence, along said centerline S. 29° 31' 17" W. 161.41 feet to the point of beginning.

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CHANNEL

SAN JUAN CREEK

WESTERLY LINE O.C.F.C.D. PER O.R. 6241-121

E 30' SEWER EASEMENT TO SOUTH EAST
REGIONAL RECLAMATION AUTHORITY
PER PARCEL 2 OF O.R. 12103-116

1" = 50'

E VICTORIA STREET (60' WIDE)
PER DEED BK. 324-42

PORTION
OF
RANCHO BOCA DE LA PLAYA
PATENTS BK 4-118-119

500.00'

N. 88°02'46" W.

440.11'

20.00'

20.00'

N. 21°57'14"E
160.00'

N. 68°02'46" W.
340.35'

BOUNDARY OF LANDS EXCEPTED
IN PARCEL NO. P.M. 102-3.03, O.R. 11565-1161

S. 29°31'17"W.

151.21'

E DEL OBISPO STREET
PER DEED BK. 636-363

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CERTIFICATE OF ACCEPTANCE
SOUTH EAST REGIONAL RECLAMATION AUTHORITY

This is to certify that the interest in real property conveyed by Deed or Grant of Easement dated MAY 25, 1983, from CHRISTIANO MAG PARK AND RECREATION DISTRICT to the SOUTH EAST REGIONAL RECLAMATION AUTHORITY, a Joint Powers Agency, is hereby accepted by the undersigned officer on behalf of the Board of Directors, pursuant to authority conferred by Resolution and the Grantee consents to recordation thereof by its duly authorized officer.

Dated this 22 day of June, 1983

William D. Becker

(Secretary) (Assistant Secretary),
SOUTH EAST REGIONAL RECLAMATION AUTHORITY, and of
the Board of Directors thereof

Acquisition No. _____
Project _____
Title Company _____
Title Report No. _____