

Stewart Title of CA, Inc. L.A.

Order: 8

Comment:

Tuesday, November 19, 2019 02:40 PM

<i>State</i>	<i>County</i>	<i>Type</i>	<i>Document Information</i>	<i>Print Description</i>
<i>CA</i>	<i>Orange</i>	<i>Document - Year.</i>	<i>2005.536293</i>	<i>Complete 22 Page(s)</i>



69.00

2005000536293 10:13am 07/12/05

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RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Allen Matkins Leck Gamble & Mallory LLP
1900 Main Street, 5th Floor
Irvine, California 92614
Attention: R. Michael Joyce, Esq.

NORTH AMERICAN TITLE COMPANY
700 3580-23

(Space Above For Recorder's Use)

**MEMORANDUM OF LEASE IN FURTHERANCE OF CONVEYANCE
BETWEEN THE UNITED STATES OF AMERICA AND HERITAGE FIELDS LLC
FOR MCAS EL TORO PARCEL 3**

THIS MEMORANDUM OF LEASE IN FURTHERANCE OF CONVEYANCE ("Memorandum") is made and entered into this 12th day of July, 2005, by and between HERITAGE FIELDS LLC, a Delaware limited liability company ("Lessee") and the UNITED STATES OF AMERICA, acting by and through the Department of the Navy ("Government").

1. **Terms and Premises.** Government and Lessee have entered into that certain Lease In Furtherance of Conveyance dated as of July 12, 2005 (the "**Lease**") granting Lessee certain rights to that certain area of land located in the City of Irvine, County of Orange, State of California, more particularly described on Exhibit "A" attached hereto (the "**Leased Premises**"). The term of the Lease shall expire on the earlier of (a) a period of fifty (50) years beginning on the date of execution of the Lease and ending on the 11th day of July, 2055, or (b) the effective date of conveyance by Quitclaim Deed of a portion of the Leased Premises, unless sooner terminated in accordance with the provisions of the Lease.

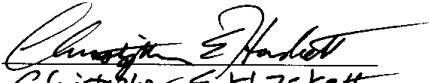
2. **Incorporation of Lease Provisions.** The terms and provisions of the Lease are hereby incorporated by reference. This Memorandum is prepared for the purpose of recordation only and nothing set forth herein shall modify or take precedence over the terms and provisions of the Lease. If there is any inconsistency between the provisions of this Memorandum and the provisions of the Agreement, the provisions of the Agreement shall control.

3. **Counterparts.** This Memorandum may be executed in any number of counterparts, each of which shall be deemed an original and all of which, taken together, shall constitute a single agreement with the same effect as if both parties had signed the same signature page.

[Signatures on Next Page]

IN WITNESS WHEREOF, Government and Lessee have executed this Memorandum as of the day and year first above written.


THE UNITED STATES OF AMERICA
Acting by and through the Department of the Navy

By: 
Name: Christopher S. Haskett
Title: Real Estate Contracting Officer

HERITAGE FIELDS LLC,
a Delaware limited liability company

By: Lennar-LNR Heritage Fields, LLC,
a Delaware limited liability company
Its: Administrative Member

By: Lennar Homes of California, Inc.,
a California corporation
Its: Managing Member

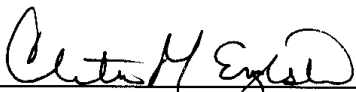
By: 
Name: GRAHAM JONES
Title: VICE PRES

STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

On JULY 11, 2005, before me, CHRISTINE M. ENGLISH, a Notary Public in and for said state, personally appeared CHRISTOPHER E. HASKETT, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.





Notary Public in and for said State

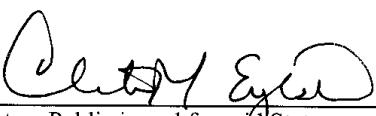
(SEAL)

STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

On JULY 11, 2005, before me, CHRISTINE M. ENGLISH, a Notary Public in and for said state, personally appeared GRAHAM JONES, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.





Notary Public in and for said State

(SEAL)

Christine M. English
Commission # 1581475
Expires 6/20/2009
Orange County
714.550.6546

746247.01/OC
LS920-007/7-7-05/jlp/jlp

GOVERNMENT CODE 27361-7

I CERTIFY UNDER THE PENALTY OF PERJURY THAT THE NOTARY
ACKNOWLEDGEMENT ON THE DOCUMENT TO WHICH THIS STATEMENT IS
ATTACHED READS AS FOLLOWS:

NAME OF NOTARY: *Christine M. English*


DATE OF COMISSION EXPIRES: *June 20, 09*

COUNTY IN WHICH BOND IS FILED: *Orange*

COMMISSION #: *1581475*

MANUFACTURER/VENDOR NO: *Wm52*

DATE: *7.12.08*



Melissa Flores

NORTH AMERICAN TITLE COMPANY

ORANGE, CA

PLACE OF EXECUTION

EXHIBIT "A" to
MEMORANDUM OF LEASE

LEGAL DESCRIPTION OF PARCEL 3 LIFOC AREAS

[Attached]

746247.01/OC
1,5920-007/7-7-05/jlp:jlp

**Former Marine Corps Air Station El Toro
Lease in Furtherance of Conveyance
Parcel 3**

Exhibit "A"

EXHIBIT "A"
Description of "Property"

That certain real property situated in the County of Orange, State of California, including the following parcels, described attached hereto and made a part hereof; excluding however, all real property described as Home 1 and Home 5

Included: Parcel III-B
Parcel III-C
Parcel III-D

Excluded: Home 1
Home 5

PSOMAS

LEGAL DESCRIPTION

PARCEL III-B

In the unincorporated territory of the County of Orange, State of California, being a portion of Lots 279, 280, 285 and 286 of Block 140 and Lots 281 and 284 of Block 155 of Irvine's Subdivision, as shown on the map filed in Book 1, Page 88 of Miscellaneous Maps, records of said County, lying within the U.S. M.C.A.S. El Toro property, as shown on Record of Survey 97-1038, filed in Book 171, Pages 1 through 49, inclusive, of Records of Survey, records of said County, described as follows:

Beginning at the southwesterly terminus of that certain course in the northwesterly boundary of said property described as "North 40°39'31" East 5230.34 feet" as shown on sheet 4 of said Record of Survey; thence North 40°39'31" East 3072.31 feet along said line; thence leaving said line South 49°20'29" East 799.19 feet; thence North 40°39'31" East 88.33 feet; thence South 49°20'29" East 1185.57 feet; thence North 40°39'31" East 64.14 feet; thence South 47°28'22" East 501.80 feet to the beginning of a non-tangent curve concave northeasterly having a radius of 1000.00 feet, a radial line to said beginning of curve bears North 88°02'31" West; thence southeasterly along said curve 904.32 feet through a central angle of 51°48'49"; thence South 49°51'20" East 281.26 feet; thence North 42°16'45" East 235.22 feet to the beginning of a curve concave southeasterly having a radius 2500.00 feet; thence northeasterly along said curve 101.88 feet through a central angle of 2°20'06"; thence South 47°28'22" East 2361.69 feet; thence South 68°59'53" East 342.12 feet; thence South 0°57'09" West 105.32 feet to the beginning of a curve concave easterly having a radius of 120.00 feet; thence southerly and southeasterly along said curve 89.47 feet through a central angle 42°43'00"; thence South 22°33'33" West 432.82 feet; thence South 17°00'09" East 565.15 feet to the beginning of a non-tangent curve concave northwesterly having a radius of 1200.00 feet a radial line to said beginning of curve bears South 64°10'20" East; thence southwesterly along said curve 292.75 feet through a central curve of 13°58'40"; thence South 39°48'20" West 226.79 feet to the beginning of a curve concave southeasterly having a radius of 900.00 feet; thence southerly along said

Page 1 of 2

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PSOMAS

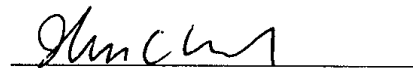
curve 605.19 feet through a central angle of $38^{\circ}31'40''$; thence South $1^{\circ}16'40''$ West
.129.84 feet to the beginning of a non-tangent curve concave southerly having a radius of
1600.00 feet, a radial line to said beginning of said curve bears North $1^{\circ}09'46''$ East;
thence easterly along said curve 201.16 feet through a central angle of $7^{\circ}12'12''$; thence
South $38^{\circ}25'50''$ West 251.55 feet; thence South $8^{\circ}02'01''$ West 336.30 feet; thence
South $39^{\circ}18'52''$ West 783.87 feet to the southwesterly boundary of said property; thence
North $49^{\circ}20'21''$ West 7709.08 feet along said property to the **Point of Beginning**.

Containing 512.600 acres (22,328,821 square feet), more or less

Subject to covenants, conditions and restrictions, rights-of-way and easements of record,
if any.

Refer to the exhibit attached hereto and made a part hereof.

This real property description has been prepared by me or under my direction, in
conformance with the Professional Land Surveyor's Act.



John C. Hovland, P.L.S. 7365

5/28/04

Date

Expires 12/13/05

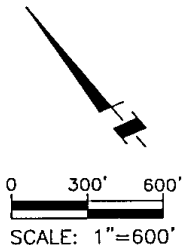
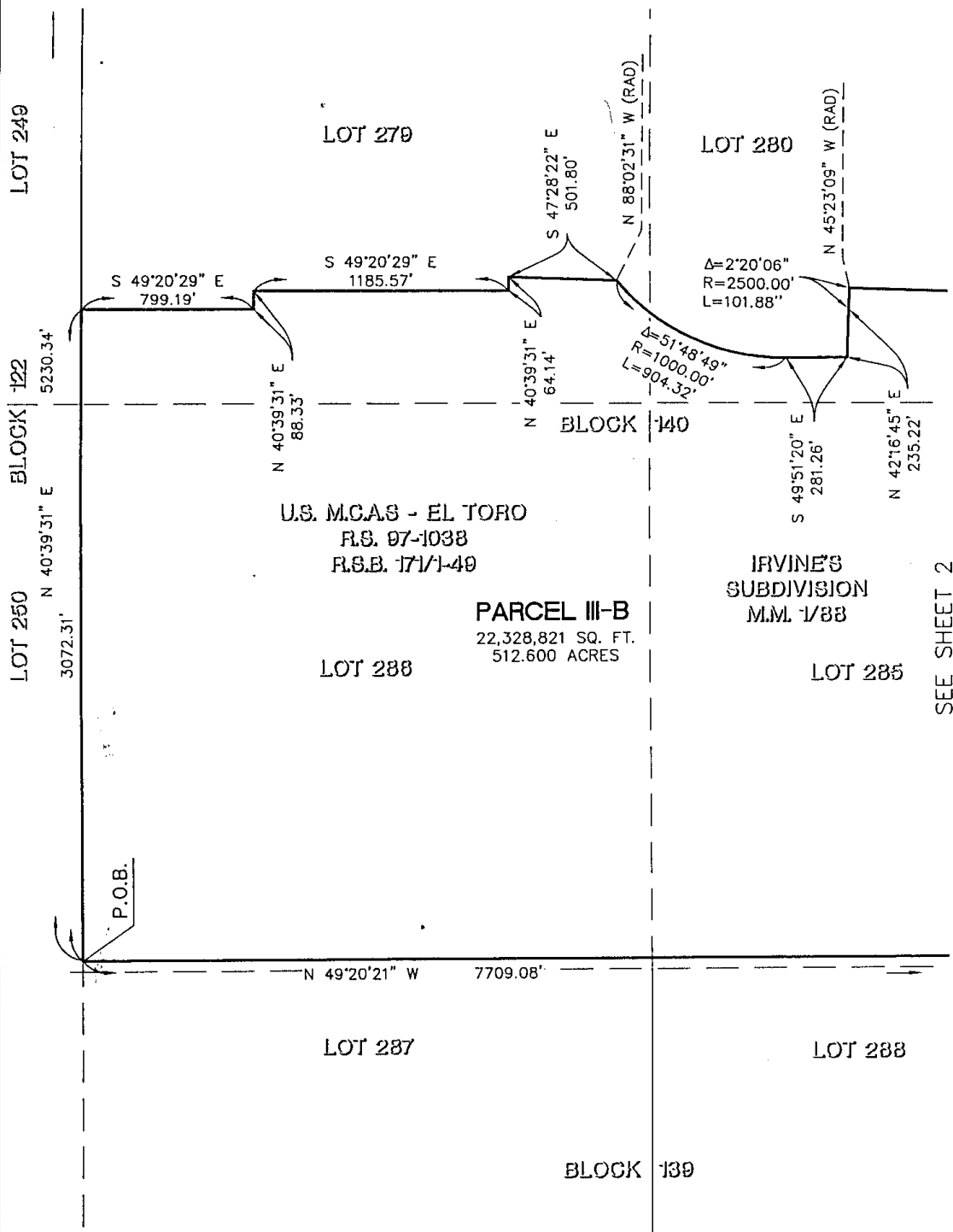


REVIEWED BY CADASTRAL - RWS

Page 2 of 2

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Last printed 2/26/2004 2:22 PM

EXHIBIT



REVIEWED BY CADASTRAL - RWS

DESCRIPTION: That portion of Lots 279, 280, 285 and 286 of Block 140 and Lots 281 and 284 of Block 155, in the unincorporated territory of the County of Orange, State of California, as shown on Irvine's Subdivision, filed in Book 1 Page 88, M.M.

MCAS-EL TORO

REV 1 5/26/04
REV 2

PSOMAS

3187 Red Hill Avenue
Suite 250
Costa Mesa, CA 92626
(714) 751-7373 Fax (714) 545-8883

SHEET 1 OF 2

SCALE 1" = 600'

DRAFTED CHL

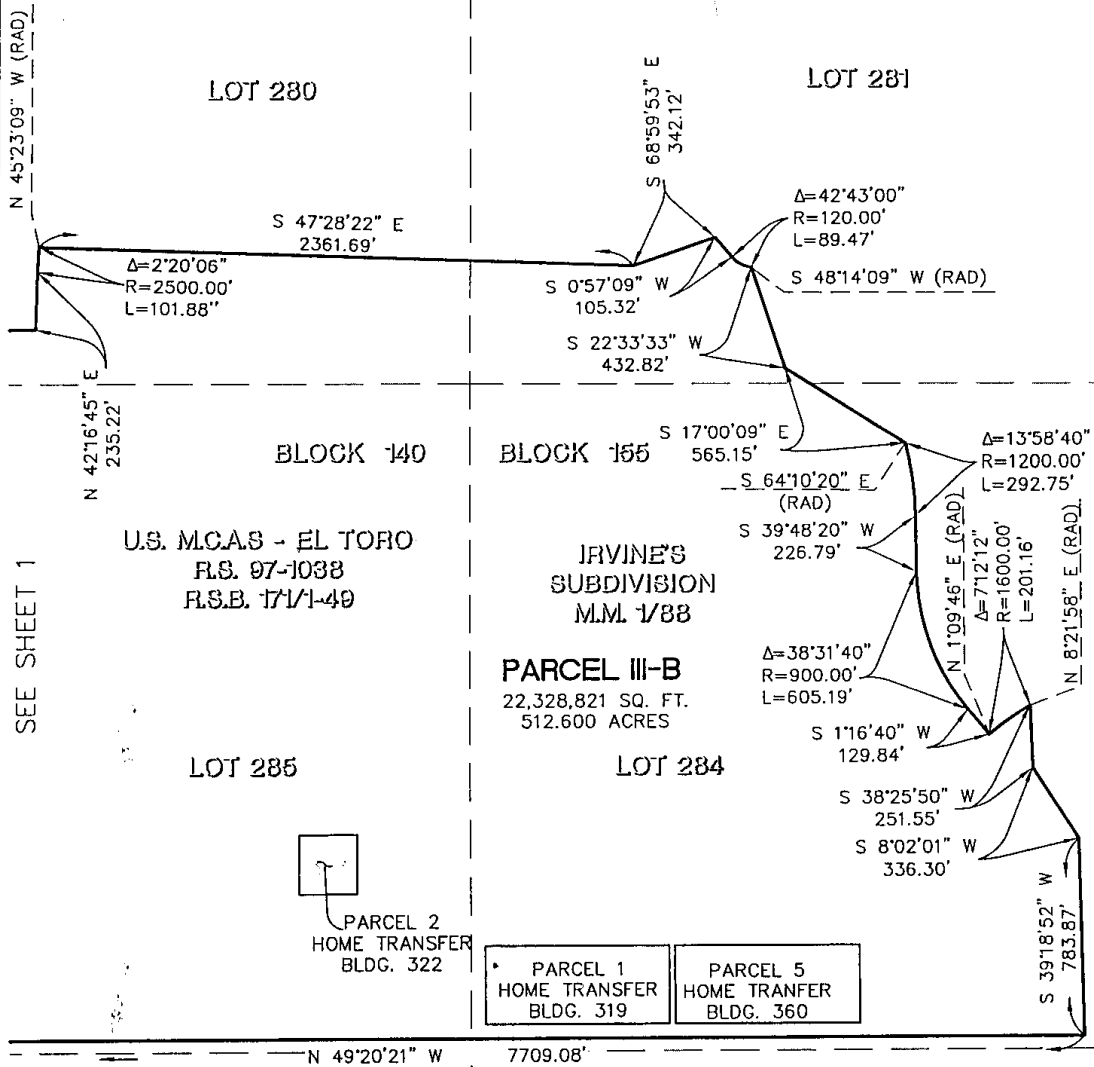
CHECKED JCH

DATE FEB, 2004

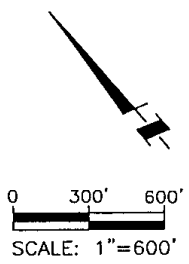
JOB
NUMBER 2NOR060100 T7

May, 26, 2004 - 14:28:18 DWG Name: M:\2NOR060100\survey\Task 7\Exhibits\PI-III-B-01.dwg Updated By: Claumom

EXHIBIT



SEE SHEET 1



REVIEWED BY CADASTRAL - RWS

DESCRIPTION: That portion of Lots 279, 280, 285 and 286 of Block 140 and Lots 281 and 284 of Block 155, in the unincorporated territory of the County of Orange, State of California, as shown on Irvine's Subdivision, filed in Book 1 Page 88, M.M. MCAS-EL TORO	REV 1	5/26/04	PSOMAS 3187 Red Hill Avenue Suite 250 Costa Mesa, CA 92626 (714) 751-7373 Fax (714) 545-8883	SCALE 1" = 600'
	REV 2			DRAFTED CHL CHECKED JCH DATE FEB. 2004 JOB NUMBER 2NOR060100 T7

May. 25, 2004 - 14:32:05 DWG Name: M:\2NOR060100\Survey\Task 7\Exhibits\Pl-III-B-02.dwg Updated By: Claumann

PSOMAS

LEGAL DESCRIPTION

PARCEL III-C

In the City of Irvine, County of Orange, State of California, being a portion of Lot 279 of Block 140 of Irvine's Subdivision, as shown on the map filed in Book 1, Page 88 of Miscellaneous Maps, records of said County, lying within the U.S. M.C.A.S. El Toro property, as shown on Record of Survey 97-1038, filed in Book 171, Pages 1 through 49, inclusive, of Records of Survey, records of said County, described as follows:

Commencing at the southeasterly terminus of that certain course in the northwesterly boundary of said property described as "North 49°19'46" West 400.00 feet" as shown on sheet 4 of said Record of Survey; thence along said northwesterly line the following two courses:

1. South 40°36'53" West 217.80 feet;

2. South 40°39'31" West 1414.81 feet;

thence leaving said northwesterly line South 49°20'29" East 1849.04 feet to the **True Point of Beginning**; thence South 49°14'49" East 240.39 feet; thence South 40°45'11" West 147.68 feet; thence North 49°14'49" West 240.39 feet; thence North 40°45'11" East 147.68 feet to the **True Point of Beginning**.

Containing 0.815 acres (35,500 square feet), more or less

Subject to covenants, conditions and restrictions, rights-of-way and easements of record, if any.

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

PSOMAS

This real property description has been prepared by me or under my direction, in
conformance with the Professional Land Surveyor's Act.

Jeremy L. Evans
Jeremy L. Evans, P.L.S. 5282

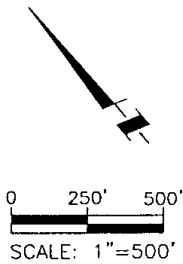
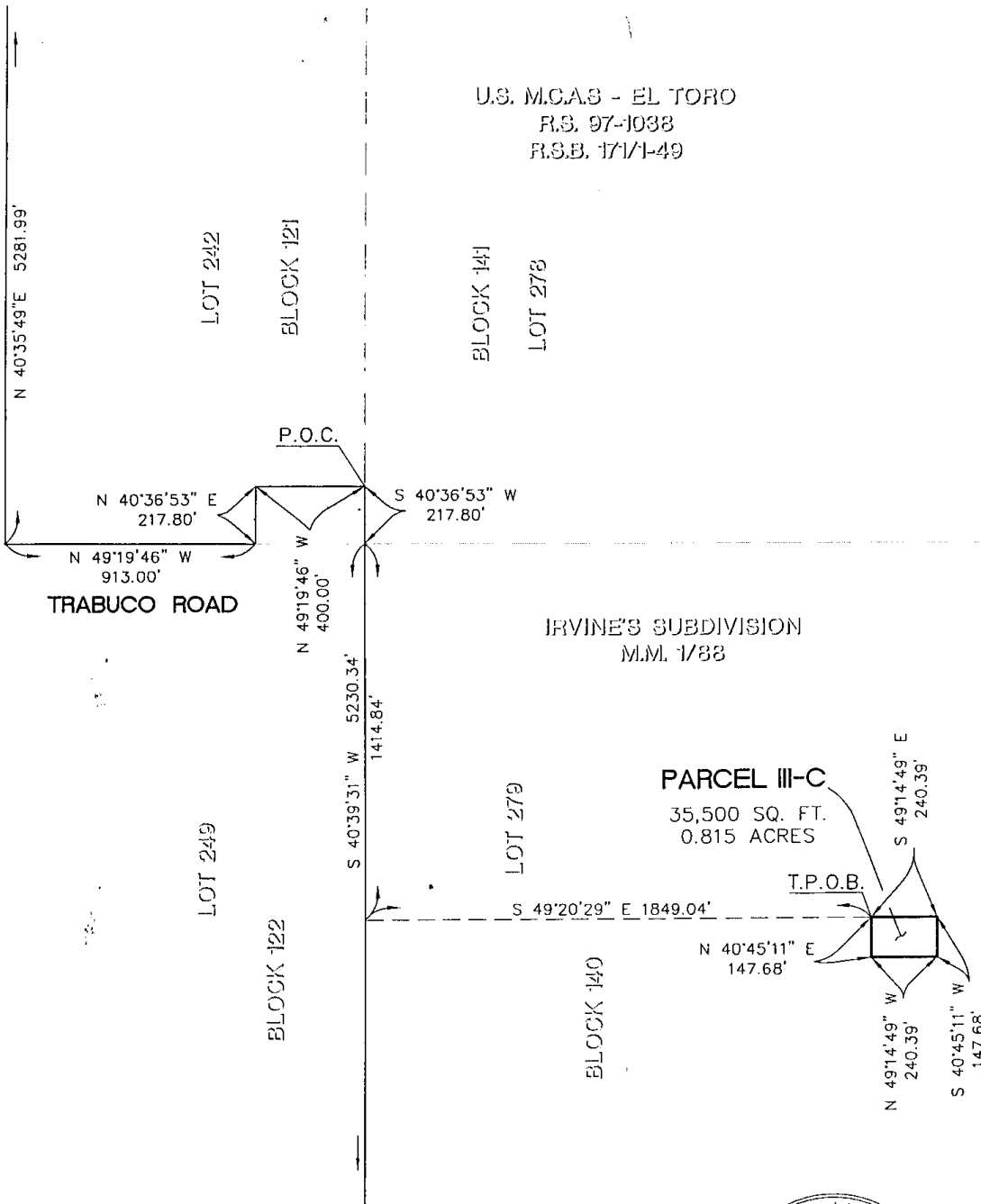
2-5-2005
Date



REVIEWED BY CADASTRAL — RWS

EXHIBIT

U.S. MCAS - EL TORO
R.S. 97-1038
R.S.B. 171/1-49



REVIEWED BY CADASTRAL - RWS

DESCRIPTION: That portion of Lot 279 of Block 140, in the City of Irvine, County of Orange, State of California, as shown on Irvine's Subdivision, filed in Book 1 Page 88, M.M.

MCAS-EL TORO

REV 1 12/23/2004
REV 2

SHEET 1 OF 1
PSOMAS
3187 Red Hill Avenue
Suite 250
Cerrito Mesa, CA 92628
(714) 751-7373 Fax (714) 545-8883

SCALE 1" = 500'
DRAFTED CHL
CHECKED JE
DATE DEC. 2004
JOB
NUMBER 2NOR060100 17

Dec. 20, 2004 - 15:30:06 DWG Name: M:\2NOR060100\Survey\Task 7\Exhibits\PIII-C.dwg Updated By: Claumann

PSOMAS

LEGAL DESCRIPTION

.PARCEL III-D

In the City of Irvine, County of Orange, State of California, being a portion of Lot 279 of Block 140 of Irvine's Subdivision, as shown on the map filed in Book 1, Page 88 of Miscellaneous Maps, records of said County, lying within the U.S. M.C.A.S. El Toro property, as shown on Record of Survey 97-1038, filed in Book 171, Pages 1 through 49, inclusive, of Records of Survey, records of said County, described as follows:

Commencing at the southeasterly terminus of that certain course in the northwesterly boundary of said property described as "North 49°19'46" West 400.00 feet" as shown on sheet 4 of said Record of Survey; thence along said northwesterly line the following two courses:

1. South 40°36'53" West 217.80 feet;

2. South 40°39'31" West 1732.63 feet;

thence leaving said northwesterly line South 49°20'29" East 1492.83 feet to the **True Point of Beginning**; thence South 49°14'49" East 238.45 feet; thence North 40°45'11" East 128.81 feet; thence South 49°14'49" East 278.65 feet; thence South 40°45'11" West 401.68 feet; thence North 47°28'22" West 24.73 feet; thence South 40°39'31" West 64.14 feet; thence North 49°20'29" West 492.48 feet; thence North 40°45'11" East 337.05 feet to the **True Point of Beginning**.

Containing 4.784 acres (208,389 square feet), more or less

Subject to covenants, conditions and restrictions, rights-of-way and easements of record, if any.

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

Page 1 of 2

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Last printed 2/3/2005 4:11 PM

PSOMAS

This real property description has been prepared by me or under my direction, in conformance with the Professional Land Surveyor's Act.

Jeremy L Evans

Jeremy L. Evans P.L.S. 5282

2-4-2005

Date



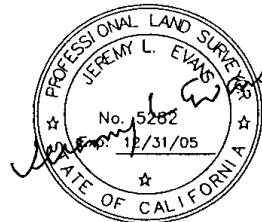
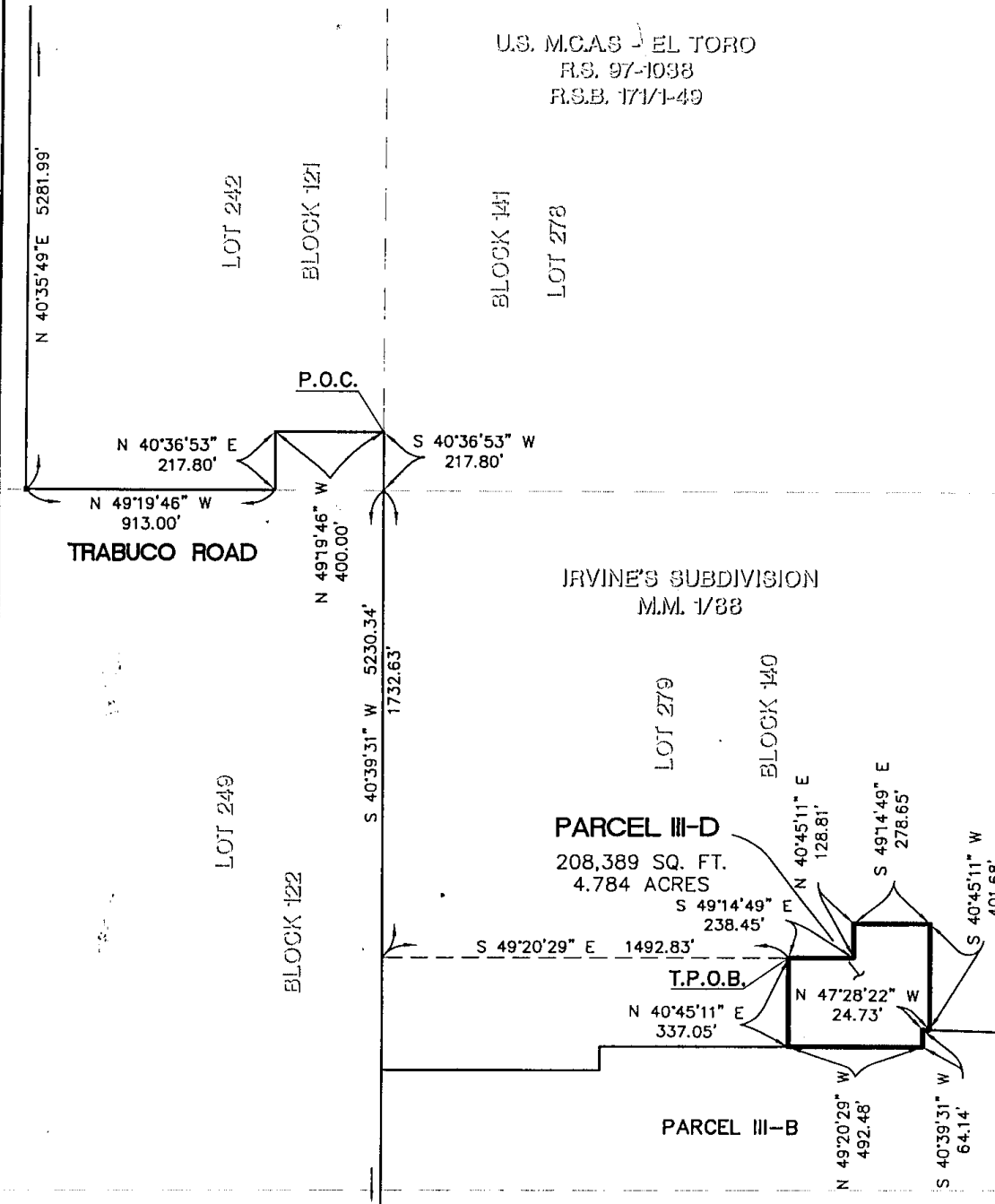
REVIEWED BY CADASTRAL - RWS

Page 2 of 2

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EXHIBIT

U.S. MCAS - EL TORO
R.S. 97-1038
R.S.B. 171/1-49



REVIEWED BY CADASTRAL - RWS

DESCRIPTION: That portion of Lot 279 of Block 140, in the City of Irvine, County of Orange, State of California, as shown on Irvine's Subdivision, filed in Book 1 Page 88, M.M.

SHEET 1 OF 1

SCALE 1" = 500'

PSOMAS

3187 Red Hill Avenue
Suite 250
Costa Mesa, CA 92626
(714) 751-7373 Fax (714) 545-8883

DRAFTED CHL

CHECKED JE

DATE DEC, 2004

JOB NUMBER 2NOR060100 T7

MCAS-EL TORO

REV 1 12/23/2004
REV 2

Dec. 20, 2004 - 17:06:33 DWG Name: M:\2NOR060100\Survey\Task 7\Exhibits\PI-III-D.dwg Updated By: Clamann

PSOMAS

LEGAL DESCRIPTION

EXHIBIT "A"

HOME 1 (Transfer, Bldg 319)

In the City of Irvine, County of Orange, State of California, being a portion of Lot 284 of Block 155 of Irvine's Subdivision, as shown on the map filed in Book 1, Page 88 of Miscellaneous Maps, records of said County, lying within the U.S. M.C.A.S. El Toro property, as shown on Record of Survey 97-1038, filed in Book 171, Pages 1 through 49, inclusive, of Records of Survey, records of said County, described as follows:

Commencing at a point in that certain course in the U.S. M.C.A.S. El Toro boundary line as shown on sheet 5 of said Record of Survey 97-1038, having a bearing and distance of "North 49°20'21" West 10570.18 feet", said point lying distant thereon North 49°20'21" West 4504.11 from the southeasterly terminus of said course, said point being the **True Point of Beginning**; thence continuing along said course North 49°20'21" West 730.00 feet; thence North 40°31'30" East 418.01 feet; thence South 49°20'00" East 264.56 feet; thence South 40°40'00" West 50.07 feet; thence South 49°20'00" East 465.56 feet; thence South 40°31'30" West 367.87 feet to the **True Point of Beginning**.

Containing 6.469 acres, more or less.

Subject to covenants, conditions, restrictions, rights-of-way and easements of record, if any.

Refer to Exhibit "B" attached hereto and made a part hereof.

PSOMAS

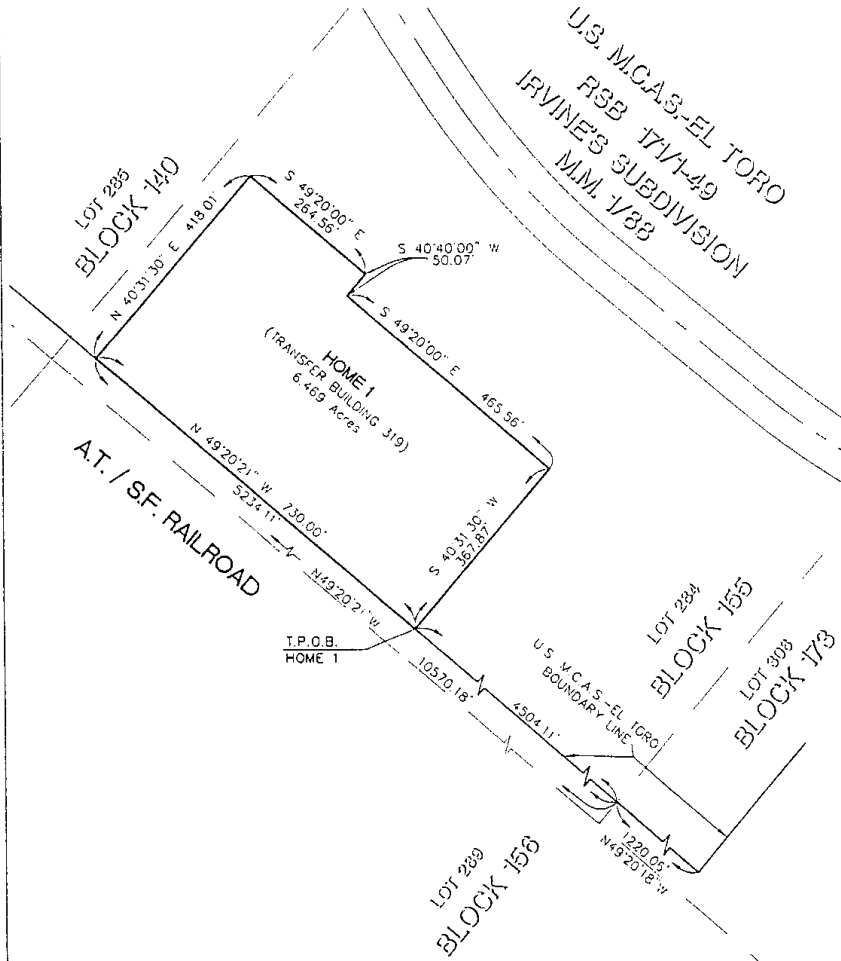
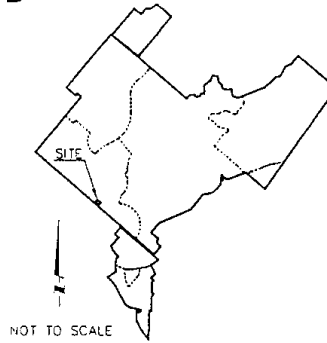
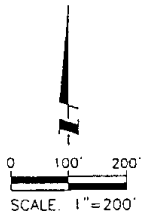
1 This real property description has been prepared by me or under my direction, in
2 conformance with the Professional Land Surveyors' Act.

3
4 Kari J. Launen
5
6 Kari J. Launen, PLS 5679
7 PSOMAS

MAY 11, 2005
Date



EXHIBIT "B"



DESCRIPTION: That portion of Lot 284 of Block 155, in the City of Irvine of the County of Orange, State of California, as shown on Irvine's Subdivision, filed in Book 1 Page 88, M.M.		SHEET 1 OF 1		SCALE: 1" = 200'	
MCAS-EL TORO REV 1 04/29/05 REV 2 05/09/05		PSOMAS 2147 Red Hill Avenue Suite 700 Costa Mesa, CA 92626 (714) 541-1232 Fax: (714) 545-6801		DRAFTED: ROM	
				CHECKED: P.J.F.	
				DATE: 05/09/05	
				JOB:	
				NUMBER: 21EN0504 TASK 2	

PSOMAS**LEGAL DESCRIPTION****HOME 5 (Transfer, Bldg 360)**

In the unincorporated territory of the County of Orange, State of California, being a portion of Lot 284 of Block 155 of Irvine's Subdivision, as shown on the map filed in Book 1, Page 88 of Miscellaneous Maps, records of said County, lying within the U.S. M.C.A.S. El Toro property, as shown on Record of Survey 97-1038, filed in Book 171, Pages 1 through 49, inclusive, of Records of Survey, records of said County, described as follows:

Commencing at a point in that certain course in the U.S. M.C.A.S. El Toro boundary line as shown on sheet 5 of said Record of Survey 97-1038, having a bearing and distance of "North 49°20'21" West 10570.18 feet", said point lying distant thereon North 49°20'21" West 3750.65 from the southeasterly terminus of said course; thence North 40°39'39" East 54.73 feet to the **True Point of Beginning**; thence North 49°14'50" West 730.01 feet; thence North 40°26'50" East 312.00 feet; thence South 49°14'50" East 730.01 feet; thence South 40°26'50" West 312.00 feet to the **True Point of Beginning**.

Containing 5.23 acres, more or less.

Subject to covenants, conditions, restrictions, rights-of-way and easements of record, if any.

Refer to the exhibit attached hereto and made a part hereof.

This real property description has been prepared by me or under my direction, in conformance with the Professional Land Surveyors' Act.

PSOMASJeremy L Evans9-9-03

Jeremy Evans, P.L.S. 5282

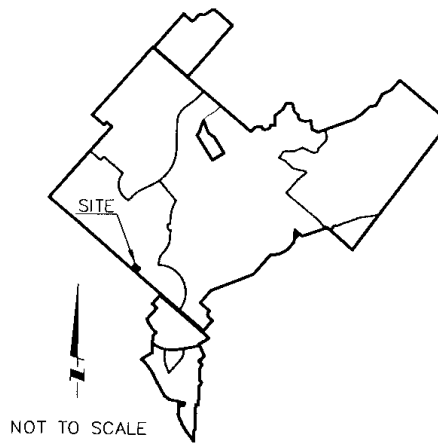
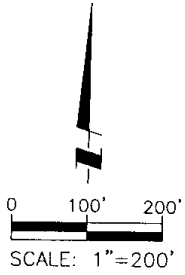
Date

License Expires 12/31/03



REVIEWED BY CADASTRAL - RWS

EXHIBIT

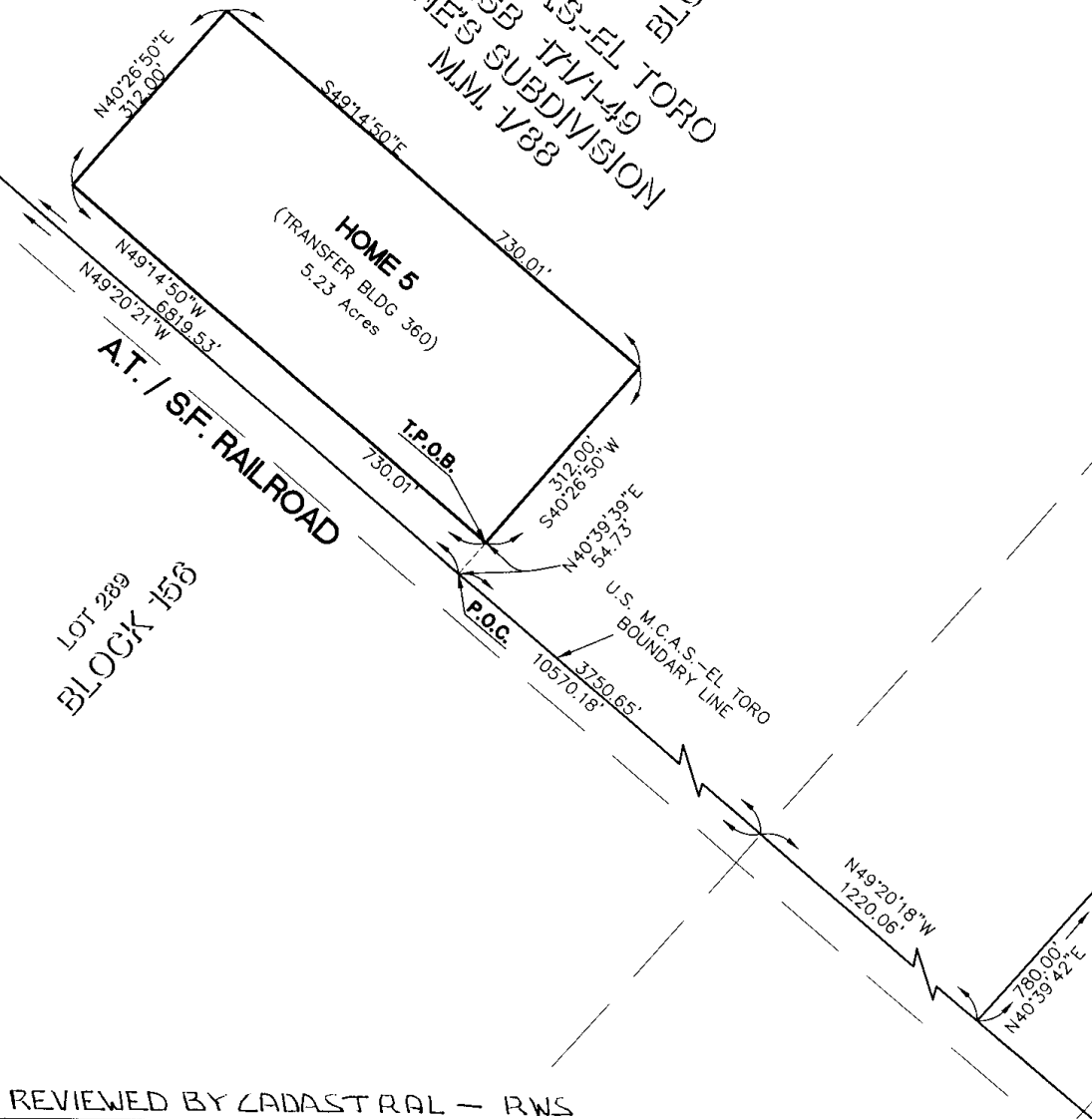


LOT 284
BLOCK 155
U.S. MCAS-EL TORO
RSB T71-1-49
IRVINE'S SUBDIVISION
M.M. 1/88

HOME 5
(TRANSFER BLDG 360)
5.23 Acres

A.T. / SF. RAILROAD

LOT 289
BLOCK 156



REVIEWED BY CADASTRAL - RWS

DESCRIPTION: That portion of Lot 284 of Block 155, in the unincorporated territory of the County of Orange, State of California, as shown on Irvine's Subdivision, filed in Book 1 Page 88, M.M.

MCAS-EL TORO

REV 1 8/30/03
REV 2

SHEET 1 OF 1

PSOMAS

3187 Red Hill Avenue
Suite 250
Costa Mesa, CA 92626
(714) 751-7373 Fax (714) 545-8883

SCALE 1" = 200'

DRAFTED SFB

CHECKED RMV

DATE August, 2003

JOB

NUMBER 2NOR060100 TS