

5211

Project No. F1 BOOK 5906 PAGE 516
Project: Santa Ana-
Delhi Channel
Parcel No. 102.1

EASEMENT DEED

F01-1
PCL-102.1

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

THE IRVINE COMPANY, a corporation,

does hereby GRANT to the ORANGE COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic, a perpetual easement and right of way for flood control purposes in, over and across the real property in the County of Orange, State of California, described as:

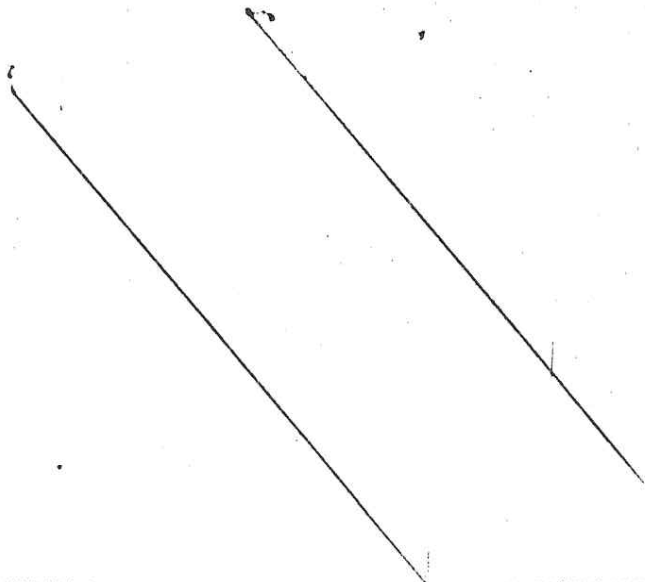
Parcel 1. All that portion of Lots 101, 102, 103, X, and Y in Tract No. 706 in the City of Newport Beach, Orange County, California, per map thereof recorded in Book 21, page 25, of Miscellaneous Maps in the office of the County Recorder of said County, and a portion of Birch Street, shown on said map, as vacated by the Orange County Board of Supervisors on July 10, 1951 and of Lot 151, Block 5 and Lot 152, Block 51 of Irvine's Subdivision per map recorded in Book 1, page 88, of Miscellaneous Maps of said County, that is bounded Southerly and Westerly by the Northerly and Easterly line of that certain strip of land of varying width described as Parcels 5, 6, and 7 in an Agreement by and between the Irvine Company, the Delhi Drainage District, and the Orange County Flood Control District recorded Febr. 21, 1949 in Book 1804, page 432, Official Records of said County, and bounded Northerly and Easterly by the following described line.

Beginning at a point on the center line of Mesa Drive, said point being distant S. 50° 11' 48" E. along said center line, 10.00 feet from the Easterly line of the 70 foot wide strip referred to as Parcel 5 in the Agreement described above; thence from said point of beginning and running parallel with the Northeasterly line of said Parcel 5 and distant 10 feet Northeasterly therefrom, S. 36° 24' 00" W., 125.78 feet to the beginning of a tangent curve concave Northeasterly and having a radius of 190 feet; thence Southeasterly along said curve 169.02 feet through a central angle of 50° 58' 10"; thence tangent to

said curve S. 14° 34' 10" E., 111.53 feet to the beginning of a tangent curve, concave Northeasterly and having a radius of 540 feet; thence Southeasterly along said curve 272.89 feet through a central angle of 28° 57' 15"; thence tangent to said curve S. 43° 31' 25" E. 158.21 feet to the beginning of a tangent curve, concave Northeasterly and having a radius of 840 feet; thence Southeasterly along said curve 263.65 feet through a central angle of 17° 59' 00"; thence tangent to said curve S. 61° 30' 25" E., 84.33 feet to the beginning of a tangent curve, concave Northeasterly and having a radius of 240 feet; thence Southeasterly along said curve 115.54 feet through a central angle of 27° 34' 55" to a point opposite the termination of said Parcel 5; thence N. 70° 54' 40" E., 29.24 feet; thence S. 89° 05' 20" E., 189.89 feet along a line parallel with the Northerly line of Parcel 6 referred to above and distant Northerly 40.00 feet therefrom, to the beginning of a tangent curve, concave Southerly and having a radius of 347.72 feet; thence Easterly along said curve 166.38 feet through a central angle of 27° 24' 55" to the beginning of a compounding curve, concave Westerly and having a radius of 265 feet; thence Southerly along said curve 502.46 feet through a central angle of 108° 38' 15" to the beginning of a compounding curve, concave Northwesterly and having a radius of 718.40 feet; thence Southwesterly along said curve 280.78 feet through a central angle of 18° 11' 25"; thence tangent to said curve S. 65° 09' 15" W., 7.62 feet to the beginning of a tangent curve, concave Southeasterly and having a radius of 330.00 feet; thence Southwesterly along said curve 95.82 feet through a central angle of 16° 38' 09"; thence tangent to said curve and leaving said parallel line, S. 48° 31' 06" W., 310.32 feet to the beginning of a tangent curve, concave Northwesterly and having a radius of 2060 feet; thence Southwesterly along said curve and along a line parallel with the Southeasterly line of Parcel 7 referred to above, and distant Southeasterly 10 feet therefrom, 881.06 feet through a central angle of 24° 30' 19"; thence tangent to said curve S. 73° 01' 25" W., 384.32 feet; thence N. 16° 58' 35" W., 10.00 feet to a terminal point at the Southeasterly corner of Parcel 7 referred to above.

Parcel 2. All that portion of Lot 151, Block 5 and of Lot 152, Block 51 of Irvine's Subdivision in the City of Newport Beach, Orange County, California, per map thereof recorded in Book 1, page 88 of Miscellaneous Maps of said County that is bounded Southeasterly by the Northwesternly line of that certain strip of land of varying width described as Parcels 6 and 7 in an Agreement by and between the Irvine Company, the Delhi Drainage District and the Orange County Flood Control District recorded Febr. 21, 1949 in Book 1804, page 432, of Official Records of said County, and bounded Northwesternly by the following described line:

Beginning at the Northwesternly corner of Parcel 7 in the Agreement referred to above; thence N. $16^{\circ} 58' 35''$ W., 10.00 feet; thence N. $73^{\circ} 01' 25''$ E. parallel with the Northwesternly line of said Parcel 7 and distant 10 feet Northwesternly therefrom, 384.32 feet to the beginning of a tangent curve, concave Northwesternly and having a radius of 1960 feet; thence Northeasterly along said curve 838.29 feet through a central angle of $24^{\circ} 30' 19''$; thence tangent to said curve N. $48^{\circ} 31' 06''$ E., 310.32 feet to a point on the arc of a curve in the Northwesternly line of Parcel 6, as referred to above, said curve being concave Southeasterly and having a radius of 430 feet, a radial line through said point bearing N. $41^{\circ} 28' 54''$ W.



Subject to all reservations, covenants and conditions set forth in deed to Delhi Drainage District dated January 28, 1929, recorded in Book 246, page 495 of Official Records of Orange County, California, and as set forth in Agreement dated January 11, 1949, recorded in Book 1804, page 432, of Official Records of said Orange County, each and all of which are incorporated herein by reference, and subject also to all other reservations, covenants, conditions, easements, rights of way and rights of record affecting the above described property, which are of record as of January 19, 1961.

BOOK 5906 PAGE 519

That the Grantor herein hereby reserves from the foregoing conveyance in favor of itself and its successors and assigns, the right at any time hereafter to relocate the easement hereinabove described, or any part thereof, so as to cause the drainage waters transported therein to flow into Newport Bay by the most practical direct route, subject to the following conditions:

1. That the Grantor shall cause a flood control facility to be constructed in and along such relocated route in accordance with such plans and specifications therefor as shall be approved in writing by the Orange County Flood Control Engineer prior to the commencement of any construction work.
2. That all costs in connection with the construction of said relocated flood control facility shall be borne by the Grantor.
3. That upon the completion of such new construction the Grantor shall convey to the Grantee, in writing, said new flood control facility together with an easement in and along said relocated route for the reconstruction, repair, maintenance and operation thereof for flood control purposes, and concurrently with said conveyance, the Grantee covenants and agrees to cause to be abandoned or quitclaimed to or in favor of the Grantor, or its successors and assigns, all portions of the easement hereinabove described no longer needed for flood control purposes.

Grantors, for themselves, their heirs, successors and assigns, do hereby release grantee, its officers, employees and agents, from any and all liability arising out of the use of said land for the purposes stated or implied herein.

DATED: MAR 1 1961

THE IRVINE COMPANY, a corporation

Signed in the presence of:

By:

Charles S. Thomas
PRESIDENT

Subscribing Witness

By:

Charles S. Wheeler
SECRETARY

BOOK 5906 PAGE 520

(Corporation)

STATE OF CALIFORNIA
COUNTY OF ORANGE

SS.

On March 6, 1961 before me, the undersigned, a Notary Public in and for said County and State, personally appeared Charles S. Thomas

known to me to be the President, and Charles S. Wheeler

known to me to be the 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 corporation executed the within instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.

(Seal)
RUTH I. KISOW Notary Public in and for said County and State

My Commission Expires June 2, 1961

SUBSCRIBING WITNESS

SS.

me, the undersigned, a Notary Public in and for said

subscribed to the within instrument, as a Witness thereto, resides in County, and

scribed in and whose name subscribed to the etc, execute and deliver the same, and acknowledged that said affiant subscribed name thereto as a

ACKNOWLEDGMENT OF GRANTOR

STATE OF CALIFORNIA, COUNTY OF SS.

On before me, the undersigned, a Notary Public in and for said County and State, personally appeared

known to me to be the person whose name subscribed to the within instrument, and acknowledged that executed the same.

WITNESS my hand and official seal.

APPROVALS

THIS SPACE FOR COUNTY RECORDER'S USE

<p><i>Arthur D. Lissman</i> Approved as to form by County Counsel on March 23, 1959</p> <p>Description compared: By <i>Arthur D. Lissman</i> Approved as to Contents: H. G. Osborne, Flood Control Engineer By <i>H. G. Osborne</i></p>	<p>RECORDED AT REQUEST OF ORANGE COUNTY, RT. OF WAY DEPT. IN OFFICIAL RECORDS OF ORANGE COUNTY, CALIF. 9:00 AM NOV 8 1961 RUBY McFARLAND, County Recorder</p> <p>FREE</p>
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Recorded at request of, and return to:
Orange County Right of Way Dept.,
801-D No. Broadway, Santa Ana, Calif.

ACKNOWLEDGMENT OF GRANTOR
(Corporation)

STATE OF CALIFORNIA, COUNTY OF _____

On this _____ day of _____, 19____, before me a Notary Public in and for
said County and State, personally appeared _____
to be the _____ President, and _____

known to me to be the _____ Secretary of the Corporation that executed the within Instru-
ment, known to me to be the persons who executed the within Instrument on behalf of the said Corporation and
acknowledged to me that such Corporation executed the within Instrument pursuant to its by-laws or a resolu-
tion of its board of directors.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in
this certificate first above written.

Notary Public in and for said County
and State.

ACKNOWLEDGMENT OF GRANTOR
(Partnership)

STATE OF CALIFORNIA, COUNTY OF _____ ss:

On this _____ day of _____, 19____, before me, a Notary Public in and for
said County and State, personally appeared _____

known to me to be the partner(s) of the partnership that executed the within Instrument, and acknowledged to
me that such partnership executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in
this certificate first above written.

Notary Public in and for Said County
and State.

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the within deed or grant to the Orange County
Flood Control District, a body corporate and politic, is hereby accepted under authority of a resolution adopted
by the Board of Supervisors of said District on May 29, 1959, a certified copy of which is recorded in Book 4736,
Page 350 of Official Records, and the Grantee consents to the recordation thereof by its duly authorized agent.

DATED this 27th day of October, 1961.

By [Signature]
Asst. Chief Right of Way Agent.