



**ORIGINAL**

Contract Number

**22-349**

SAP Number

**Real Estate Services Department**

<b>Department Contract Representative</b>	Terry W. Thompson, Director
<b>Telephone Number</b>	(909) 387-5000
<b>Contractor</b>	City of Rancho Cucamonga
<b>Contractor Representative</b>	Jason C. Welday
<b>Telephone Number</b>	(909) 477-2740
<b>Contract Term</b>	Terminates upon earlier of: acquisition of the property interests or two years after construction
<b>Original Contract Amount</b>	N/A
<b>Amendment Amount</b>	
<b>Total Contract Amount</b>	N/A
<b>Cost Center</b>	
<b>GRC/PROJ/JOB No.</b>	
<b>Internal Order No.</b>	

**Briefly describe the general nature of the contract:**

A Joint Powers Agreement between the County and City of Rancho Cucamonga (City). The County will consent to the City's acquisition of a permanent road easement and two temporary construction easements associated with the Etiwanda Grade Separation Project in unincorporated San Bernardino County. The City will be authorized to acquire said real property interests over a parcel owned by Southern California Edison Company (SCE) located at 9333 Etiwanda Avenue in unincorporated San Bernardino County, identified as Assessor Parcel Number 0229-291-23.

**FOR COUNTY USE ONLY**

Approved as to Legal Form  ▶ Please See Signature Page. Aaron Gest, Deputy County Counsel  Date _____	Reviewed for Contract Compliance  ▶ _____  Date _____	Reviewed/Approved by Department  Brandon Ocasio, Real Property Manager, RESD  Date 5/16/2022
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**JOINT POWERS AGREEMENT BETWEEN  
SAN BERNARDINO COUNTY AND THE CITY OF RANCHO CUCAMONGA  
FOR THE PURPOSE OF ACQUIRING REAL PROPERTY INTERESTS  
ASSOCIATED WITH THE ETIWANDA GRADE SEPARATION PROJECT IN  
THE CITY OF RANCHO CUCAMONGA**

THIS JOINT POWERS AGREEMENT is executed as of May 4, 2022, between San Bernardino County (the “County”), a political subdivision of the State of California, and the City of Rancho Cucamonga (the “City”), a municipal corporation organized in accordance with the laws of the State of California (collectively, the “parties”).

WITNESSETH:

WHEREAS, the City has undertaken construction of the Etiwanda Grade Separation Project in the City of Rancho Cucamonga (the “Project”). The purpose of the Project is to widen and construct Etiwanda Avenue as a four-lane grade separated roadway over the Southern California Regional Railway Authority/Burlington Northern and Santa Fe Railroad (“SCRRA/BNSF”) San Gabriel subdivision, currently a two-lane at-grade crossing;

WHEREAS, upon completion, the Project will reduce vehicle delays and queuing, and improve mobility, safety, and level of service at the crossing. It will also provide for safe transit of pedestrians, bicyclists, vehicles, trucks, and trains and improve response times of first responders in the vicinity of the Project and surrounding areas;

WHEREAS, as part of the Project, the City requires and seeks to acquire certain real property interests (“Property Interests”) located within unincorporated San Bernardino County. The Property Interests are identified as:

A 45 square foot permanent road easement and two temporary construction easements for 686 square feet and 11 square feet, both for a term of twelve months, over portions of the real property owned by Southern California Edison Company and located at 9333 Etiwanda Avenue in unincorporated San Bernardino County and further identified as San Bernardino County Tax Assessor’s parcel Number 0229-291-23.

WHEREAS, the Property Interests are further described in Exhibits “A-1” through “A-3” and depicted on Exhibits “B-1” through “B-3” which are attached hereto and incorporated herein by this reference;

WHEREAS, the County and the City have a mutual interest in improving train, vehicle, and pedestrian traffic and promoting safety for the general public at the SCRRA/BNSF San Gabriel crossing and surrounding areas located within San Bernardino County;

WHEREAS, public agencies may, by agreement, jointly exercise any power common to them;

WHEREAS, the County and the City are public agencies within the meaning of Government Code § 6500 *et seq.* (“Act”) and possess the common power to acquire, construct, finance and maintain real property and buildings and facilities thereon for street widening, grade separation and related purposes;

WHEREAS, the County desires to consent to the acquisition of the Property Interests by the City located within unincorporated San Bernardino County, pursuant to California Code of Civil Procedure Sections 1240.140 (a) and (b), Streets & Highways Code Section 1810, and Government Code Section 6500 *et seq.*; and

NOW, THEREFORE, in consideration of the above premises and of the mutual promises herein contained, the parties do hereby agree as follows:

## **ARTICLE I DEFINITIONS**

**Section 1.1. Definitions.** Unless the context otherwise requires, the words and terms defined in this Article shall, for the purpose hereof, have the meanings herein specified.

“Project” means the Etiwanda Grade Separation Project in the City of Rancho Cucamonga.

“Act” means Articles 1 through 4 (commencing with Section 6500) of Chapter 5, Division 7, Title 1 of the Government Code of the State of California.

“Agreement” means this Joint Powers Agreement.

“County” means San Bernardino County.

“City” means the City of Rancho Cucamonga.

“Property Interests” means the following real property interests to be acquired by the City:

A 45 square foot permanent road easement and two temporary construction easements for 686 square feet and 11 square feet, both for a term of twelve months, over portions of the real property owned by Southern California Edison Company and located at 9333 Etiwanda Avenue in unincorporated San Bernardino County and further identified as San Bernardino County Tax Assessor’s Parcel Number 0229-291-23.

## **ARTICLE II GENERAL PROVISIONS**

**Section 2.1. Purpose.** This Agreement is made pursuant to the Act providing for the joint exercise of powers common to public agencies. The purpose of this Agreement is to acquire and maintain the Property Interests for street widening and grade separation and related purposes, and all uses necessary and convenient thereto. Each of the parties has the powers necessary to

accomplish the purposes of this Agreement. The foregoing purposes will be accomplished and the common powers exercised in the manner hereinafter set forth.

### ARTICLE III ORGANIZATION

**Section 3.1. Board of Supervisors and City Council.** Each of the parties hereto has been designated specific responsibilities and powers associated with accomplishing the purposes of this Agreement. The County's Board of Supervisors and the City Council of the City shall each be responsible for the review, consideration and approval of its respective public agency's actions in accomplishing the purposes of this Agreement.

**Section 3.2. Staffing.** The parties to this Agreement shall each provide staffing and administrative services as necessary to accomplish their individual obligations under this Agreement. All of the privileges and immunities from liability, exemption from laws, ordinances and rules, all pension, relief, disability, workers compensation and other benefits which apply to the activities of officers, agents, or employees of a public agency when performing their respective functions shall apply to them to the same degree and extent while engaged in the performance of any of the functions and other duties under this Agreement. The provisions of Section 6513 of the Act are hereby incorporated into this Agreement.

### ARTICLE IV POWERS

**Section 4.1. General Powers.** The parties to this Agreement shall exercise in the manner herein provided the powers common to each other and necessary to the accomplishment of the purposes of this Agreement.

**Section 4.2. Specific Powers.** As provided in the Act, the parties hereto shall have the power to acquire and construct on the Property Interests for street widening and grade separation purposes, and all uses convenient and necessary thereto.

The parties to this Agreement specifically authorize the City to do all acts necessary or convenient to effectuate the acquisition of the Property Interests to construct the Project, including, without limitation, by purchase, lease, gift, bequest, devise, or through the exercise of the power of eminent domain pursuant to California Code of Civil Procedure Sections 1240.140 (a) and (b), and Government Code Section 6500 *et seq.*

It is intended that the parties to this Agreement will proceed to do all acts necessary or desirable to accomplish the purposes of this Agreement.

**Section 4.3. Restrictions on Exercise of Powers.** The powers of the parties to this Agreement shall be exercised in the manner provided in the Act and shall be subject to the restrictions upon the manner of exercising such powers that are imposed upon the parties in the exercise of similar powers.

**ARTICLE V  
CONTRIBUTIONS; ACCOUNTS & REPORTS; FUNDS**

**Section 5.1. Contributions.** The parties to this Agreement acknowledge that the City will advance all fees and costs associated with the acquisition of the Property Interests. All fees, costs, and expenses associated with the acquisition of the the Property Interests located within unincorporated San Bernardino County, for the Project, and pursuant to this Agreement, will be borne entirely by the City.

The parties to this Agreement may, but are not required to: (a) make additional contributions from their treasuries for any of the purposes set forth herein; (b) make payments of public funds to defray the cost of such purposes; (c) make advances of public funds for such purposes, such advances to be paid as provided herein; or (d) use their personnel, equipment or property in lieu of other contributions or advances.

**Section 5.2. Separate Liability For Debts, Liabilities and Obligations.** The parties to this Agreement shall only be liable for their separate debts, liabilities and obligations. Nothing in this Agreement shall be construed to bind any of the parties to this Agreement for the debts, liabilities or obligations of the others.

**ARTICLE VI  
TERM**

**Section 6.1. Term.** This Agreement shall become effective upon execution of this Agreement by the respective representatives for the County and the City, and shall continue in full force and effect until it is terminated upon the earlier of: (a) the complete acquisition of the Property Interests by the City or (b) two years after completion of construction of the Project, unless modified in writing by the parties.

**Section 6.2. Disposition of Assets.** Upon termination of this Agreement, all Property Interests acquired by the City for the Project shall be vested in the City.

**ARTICLE VII  
MISCELLANEOUS PROVISIONS**

**Section 7.1. Notices.** Notices hereunder shall be in writing and shall be sufficient if delivered to:

County of San Bernardino  
Attn: Director of Real Estate Services  
385 N. Arrowhead Drive, Third Floor  
San Bernardino, California 91245

With a copy to: Manager of Acquisitions and Right-of-Way  
385 N. Arrowhead Drive, Third Floor  
San Bernardino, California 91245

City of Rancho Cucamonga

Attn: Jason Welday  
10500 Civic Center Drive  
Rancho Cucamonga, California 91730

**Section 7.2. Section Headings.** All section headings in this Agreement are for convenience of reference only and are not to be construed as modifying or governing the language in the section referred to or to define or limit the scope of any provision of this Agreement.

**Section 7.3. Law Governing.** This Agreement is made in the State of California under the constitution and laws of the State of California, and is to be so construed.

**Section 7.4. Severability.** Should any portion of this Agreement be held by any court of competent jurisdiction to be invalid, unenforceable, void or voidable for any reason whatsoever, the validity and enforceability of the remaining portions shall not be affected thereby.

**Section 7.5. Successors.** This Agreement shall be binding upon and shall inure to the benefit of the successors of the respective parties to this Agreement.


**Section 7.6. Indemnification.** The parties to this Agreement agree to hold each other, their Board Members and Council Members, officers, directors, employees, agents and representatives harmless from all liabilities, losses, damages, costs and expenses, including, without limitation, legal fees and disbursements, incurred by reason of any claims or litigation relating to the purposes of this Agreement and arising from acts, occurrences or matters that took place during the effective period of this Agreement.

**Section 7.7. Integration.** This Agreement constitutes the entire understanding of the parties as it relates to the purposes of this Agreement.

**Section 7.8. Counterparts.** This Agreement is executed in multiple counterparts, any one of which shall be deemed an original for an purpose.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed and attested to by their designated officers, as of the day and year first above written.

SAN BERNARDINO COUNTY

By:   
Curt Hagman, Chairman  
Board of Supervisors

APPROVED AS TO FORM:

By:   
Aaron Gest, Deputy County Counsel

SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE BOARD  
LYNNA MONEILL  
Clerk of the Board of Supervisors of the County of San Bernardino  
By:   
Deputy



CITY OF RANCHO CUCAMONGA

By:   
John Gillison, City Manager

APPROVED AS TO FORM:

By:   
Nicholas Ghirelli, City Attorney

**EXHIBIT "A"**  
LEGAL DESCRIPTION  
APN: 0229-291-23  
SERIAL NO. \_\_\_\_\_

**PERMANENT ROAD EASEMENT**

THAT PORTION OF THE WEST ONE-HALF OF SECTION 16 IN TOWNSHIP 1 SOUTH, RANGE 6 WEST, SAN BERNARDINO MERIDIAN, IN THE UNINCORPORATED TERRITORY OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, SAID PORTION BEING DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE CENTERLINE INTERSECTION OF ETIWANDA AVENUE AND NAPA STREET AS SHOWN ON RECORD OF SURVEY 19-0109, FILED IN BOOK 168, PAGES 53 THROUGH 63, OF RECORDS OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

THENCE ALONG SAID CENTERLINE OF ETIWANDA AVENUE NORTH 00°17'46" EAST, 76.07 FEET;

THENCE LEAVING SAID CENTERLINE OF ETIWANDA AVENUE SOUTH 89°42'14" EAST, 40.00 FEET TO THE INTERSECTION OF THE EASTERLY LINE AND THE GENERALLY NORTHEASTERLY LINE OF THE VARIABLE WIDTH ROAD EASEMENT GRANTED TO THE CITY OF RANCHO CUCAMONGA PER THE DOCUMENT RECORDED JANUARY 23, 1997 AS INSTRUMENT NO. 19970023100, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

THENCE ALONG SAID EASTERLY LINE OF INSTRUMENT NO. 19970023100 NORTH 00°17'46" EAST, 620.58 FEET TO THE NORTHERLY LINE OF SAID SECTION 16;

THENCE LEAVING SAID EASTERLY LINE OF INSTRUMENT NO. 19970023100 AND ALONG SAID NORTHERLY LINE OF SECTION 16 NORTH 88°57'20" EAST, 10.00 FEET;

THENCE LEAVING SAID NORTHERLY LINE OF SECTION 16 SOUTH 00°07'00" WEST, 32.29 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 193.00 FEET, A RADIAL LINE TO SAID BEGINNING OF CURVE BEARS SOUTH 82°07'25" WEST;

THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 09°43'27" AN ARC LENGTH OF 32.76 FEET;

THENCE SOUTH 17°36'02" EAST, 7.64 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 5.00 FEET;

THENCE SOUTHERLY AND SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 27°43'31" AN ARC LENGTH OF 2.42 FEET;



SERIAL NO. \_\_\_\_\_

THENCE NON-TANGENT TO SAID CURVE NORTH 75°52'32" EAST, 4.60 FEET;

THENCE SOUTH 14°07'28" EAST, 55.75 FEET;

THENCE SOUTH 75°52'32" WEST, 5.37 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 283.00 FEET, A RADIAL LINE TO SAID BEGINNING OF CURVE BEARS NORTH 81°31'15" EAST;

THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°35'45" AN ARC LENGTH OF 42.46 FEET;

THENCE SOUTH 00°07'00" WEST, 82.77 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 273.00 FEET;

THENCE SOUTHERLY AND SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 29°49'09" AN ARC LENGTH OF 142.08 FEET;

THENCE SOUTH 29°42'09" EAST, 181.81 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 77.00 FEET;

THENCE SOUTHEASTERLY AND SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°00'00" AN ARC LENGTH OF 40.32 FEET;

THENCE SOUTH 00°17'51" WEST, 43.19 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 38.00 FEET;

THENCE SOUTHERLY AND SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 71°56'07" AN ARC LENGTH OF 47.71 FEET TO THE CITY BOUNDARY LINE OF RANCHO CUCAMONGA AS SHOWN ON SAID RECORD OF SURVEY 19-0109, SAID POINT BEING THE **TRUE POINT OF BEGINNING**;

THENCE LEAVING SAID CITY BOUNDARY LINE AND CONTINUING SOUTHEASTERLY AND EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°37'01" AN ARC LENGTH OF 9.69 FEET TO THE NORTHERLY LINE OF THE VARIABLE WIDTH ROAD EASEMENT GRANTED TO THE COUNTY OF SAN BERNARDINO PER THE DOCUMENT RECORDED AUGUST 14, 2001 AS INSTRUMENT NO. 20010368167, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID POINT BEING ON A NON-TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 852.95 FEET, A RADIAL LINE TO SAID POINT ON CURVE BEARS NORTH 03°44'41" EAST;

THENCE WESTERLY ALONG SAID NORTHERLY LINE OF INSTRUMENT NO. 20010368167 AND ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°26'50" AN ARC LENGTH OF 51.32 FEET;

SERIAL NO. \_\_\_\_\_

THENCE CONTINUING ALONG SAID NORTHERLY LINE OF INSTRUMENT NO. 20010368167 NORTH 89°42'09" WEST, 110.00 FEET;

THENCE LEAVING SAID NORTHERLY LINE OF INSTRUMENT NO. 20010368167 NORTH 00°17'47" EAST, 0.09 FEET TO SAID CITY BOUNDARY LINE;

THENCE ALONG SAID CITY BOUNDARY LINE SOUTH 89°46'08" EAST, 0.04 FEET TO THE INTERSECTION OF SAID GENERALLY NORTHEASTERLY LINE OF INSTRUMENT NO. 19970023100;

THENCE LEAVING SAID GENERALLY NORTHEASTERLY LINE OF INSTRUMENT NO. 19970023100 AND CONTINUING ALONG SAID CITY BOUNDARY LINE SOUTH 89°46'08" EAST, 151.75 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING A GRID AREA 45 SQUARE FEET OR 0.001 ACRES, MORE OR LESS.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTIONS ARE CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83), ZONE 5 GRID, CSRS EPOCH 2017.50 (NAD83 2011), ALL DISTANCES SHOWN ARE GRID, TO OBTAIN GROUND DISTANCES DIVIDE BY 0.99993964.

ALL FOUND MONUMENT DESCRIPTIONS AND BASIS OF BEARINGS ARE AS SHOWN ON EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

THIS DESCRIPTION IS NOT INTENDED FOR USE IN THE CONVEYANCE OF LAND IN VIOLATION OF THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA.

THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

PRELIMINARY

\_\_\_\_\_  
TIMOTHY S. FETTIG P.L.S. 7542

7/7/21

\_\_\_\_\_  
DATE



**EXHIBIT "A"**

LEGAL DESCRIPTION

APN: 0229-291-23

SERIAL NO. \_\_\_\_\_

**TEMPORARY CONSTRUCTION EASEMENT**

THAT PORTION OF THE WEST ONE-HALF OF SECTION 16 IN TOWNSHIP 1 SOUTH, RANGE 6 WEST, SAN BERNARDINO MERIDIAN, IN THE UNINCORPORATED TERRITORY OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF, SAID PORTION BEING DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE CENTERLINE INTERSECTION OF ETIWANDA AVENUE AND NAPA STREET AS SHOWN ON RECORD OF SURVEY 19-0109, FILED IN BOOK 168, PAGES 53 THROUGH 63, OF RECORDS OF SURVEYS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

THENCE ALONG SAID CENTERLINE OF NAPA STREET SOUTH 89°42'09" EAST, 90.00 FEET;

THENCE LEAVING SAID CENTERLINE OF NAPA STREET SOUTH 00°17'51" WEST, 33.00 FEET TO THE INTERSECTION OF THE SOUTHERLY LINE AND THE GENERALLY SOUTHEASTERLY LINE OF THE VARIABLE WIDTH ROAD EASEMENT GRANTED TO THE COUNTY OF SAN BERNARDINO PER THE DOCUMENT RECORDED AUGUST 14, 2001 AS INSTRUMENT NO. 20010368167, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID POINT BEING THE **TRUE POINT OF BEGINNING**;

THENCE ALONG SAID SOUTHERLY LINE OF INSTRUMENT NO. 20010368167 SOUTH 89°42'09" EAST, 88.48 FEET;

THENCE LEAVING SAID SOUTHERLY LINE OF INSTRUMENT NO. 20010368167 SOUTH 81°40'20" WEST, 103.37 FEET TO SAID GENERALLY SOUTHEASTERLY LINE OF INSTRUMENT NO. 20010368167;

THENCE ALONG SAID GENERALLY SOUTHEASTERLY LINE OF INSTRUMENT NO. 20010368167 NORTH 41°48'30" EAST, 20.70 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING A GRID AREA 686 SQUARE FEET OR 0.016 ACRES, MORE OR LESS.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTIONS ARE CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83), ZONE 5 GRID, CSRS EPOCH 2017.50 (NAD83 2011), ALL DISTANCES SHOWN ARE GRID, TO OBTAIN GROUND DISTANCES DIVIDE BY 0.99993964.

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THENCE ALONG SAID CENTERLINE OF ETIWANDA AVENUE NORTH 00°17'46" EAST, 76.07 FEET;

THENCE LEAVING SAID CENTERLINE OF ETIWANDA AVENUE SOUTH 89°42'14" EAST, 40.00 FEET TO THE INTERSECTION OF THE EASTERLY LINE AND THE GENERALLY NORTHEASTERLY LINE OF THE VARIABLE WIDTH ROAD EASEMENT GRANTED TO THE CITY OF RANCHO CUCAMONGA PER THE DOCUMENT RECORDED JANUARY 23, 1997 AS INSTRUMENT NO. 19970023100, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY;

THENCE ALONG SAID EASTERLY LINE OF INSTRUMENT NO. 19970023100 NORTH 00°17'46" EAST, 620.58 FEET TO THE NORTHERLY LINE OF SAID SECTION 16;

THENCE LEAVING SAID EASTERLY LINE OF INSTRUMENT NO. 19970023100 AND ALONG SAID NORTHERLY LINE OF SECTION 16 NORTH 88°57'20" EAST, 10.00 FEET;

THENCE LEAVING SAID NORTHERLY LINE OF SECTION 16 SOUTH 00°07'00" WEST, 32.29 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 193.00 FEET, A RADIAL LINE TO SAID BEGINNING OF CURVE BEARS SOUTH 82°07'25" WEST;

THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 09°43'27" AN ARC LENGTH OF 32.76 FEET;

THENCE SOUTH 17°36'02" EAST, 7.64 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 5.00 FEET;

THENCE SOUTHERLY AND SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 27°43'31" AN ARC LENGTH OF 2.42 FEET;

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THENCE SOUTH 75°52'32" WEST, 5.37 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 283.00 FEET, A RADIAL LINE TO SAID BEGINNING OF CURVE BEARS NORTH 81°31'15" EAST;

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THENCE SOUTH 29°42'09" EAST, 181.81 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 77.00 FEET;

THENCE SOUTHEASTERLY AND SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 30°00'00" AN ARC LENGTH OF 40.32 FEET;

THENCE SOUTH 00°17'51" WEST, 43.19 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 38.00 FEET;

THENCE SOUTHERLY AND SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 71°56'07" AN ARC LENGTH OF 47.71 FEET TO THE CITY BOUNDARY LINE OF RANCHO CUCAMONGA AS SHOWN ON SAID RECORD OF SURVEY 19-0109, SAID POINT BEING THE **TRUE POINT OF BEGINNING**;

THENCE LEAVING SAID CITY BOUNDARY LINE AND CONTINUING SOUTHEASTERLY AND EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°37'01" AN ARC LENGTH OF 9.69 FEET TO THE NORTHERLY LINE OF THE VARIABLE WIDTH ROAD EASEMENT GRANTED TO THE COUNTY OF SAN BERNARDINO PER THE DOCUMENT RECORDED AUGUST 14, 2001 AS INSTRUMENT NO. 20010368167, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID POINT BEING ON A NON-TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 852.95 FEET, A RADIAL LINE TO SAID POINT ON CURVE BEARS NORTH 03°44'41" EAST;

SERIAL NO. \_\_\_\_\_

THENCE LEAVING SAID NORTHERLY LINE OF INSTRUMENT NO. 20010368167 AND ALONG A LINE RADIAL TO SAID 38.00 FOOT RADIUS CURVE NORTH 03°44'43" EAST, 1.82 FEET TO SAID CITY BOUNDARY LINE;

THENCE ALONG SAID CITY BOUNDARY LINE NORTH 89°46'08" WEST, 9.61 FEET TO THE **TRUE POINT OF BEGINNING**.

CONTAINING A GRID AREA 11 SQUARE FEET, MORE OR LESS.

THE BEARINGS AND DISTANCES USED IN THE ABOVE DESCRIPTIONS ARE CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83), ZONE 5 GRID, CSRS EPOCH 2017.50 (NAD83 2011), ALL DISTANCES SHOWN ARE GRID, TO OBTAIN GROUND DISTANCES DIVIDE BY 0.99993964.

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THIS DOCUMENT HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

PRELIMINARY

\_\_\_\_\_  
TIMOTHY S. FETTIG P.L.S. 7542

7/7/21

\_\_\_\_\_  
DATE

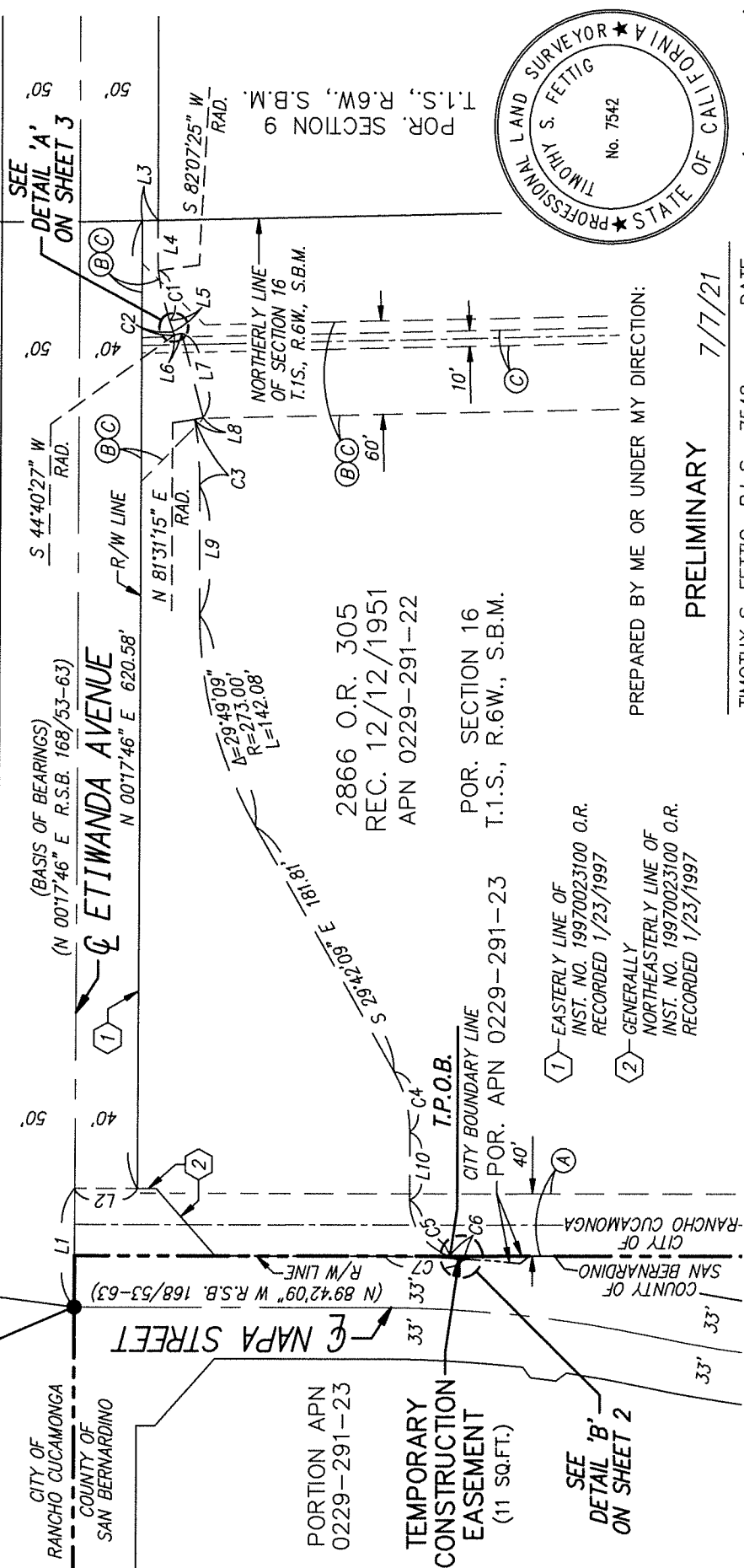


**PLAT TO ACCOMPANY  
LEGAL DESCRIPTION**

**EXHIBIT "B"**

THAT PORTION OF THE WEST ONE-HALF OF SECTION 16 IN TOWNSHIP 1 SOUTH, RANGE 6 WEST, SAN BERNARDINO MERIDIAN, IN THE UNINCORPORATED TERRITORY OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

SEE SHEET 2 OF 3 FOR DETAIL 'B'  
SEE SHEET 3 OF 3 FOR BASIS OF BEARINGS,  
LEGEND, EASEMENT NOTES, SURVEYOR'S NOTE,  
DETAIL 'A', AND LINE AND CURVE TABLES



PRELIMINARY 7/7/21

TIMOTHY S. FETTIG P.L.S. 7542 DATE (SHEET 1 OF 3)

PREPARED BY ME OR UNDER MY DIRECTION:

2866 O.R. 305  
REC. 12/12/1951  
APN 0229-291-22

POR. SECTION 16  
T.1.S., R.6W., S.B.M.

1 - EASTERLY LINE OF  
INST. NO. 19970023100 O.R.  
RECORDED 1/23/1997

2 - GENERALLY  
NORTHEASTERLY LINE OF  
INST. NO. 19970023100 O.R.  
RECORDED 1/23/1997

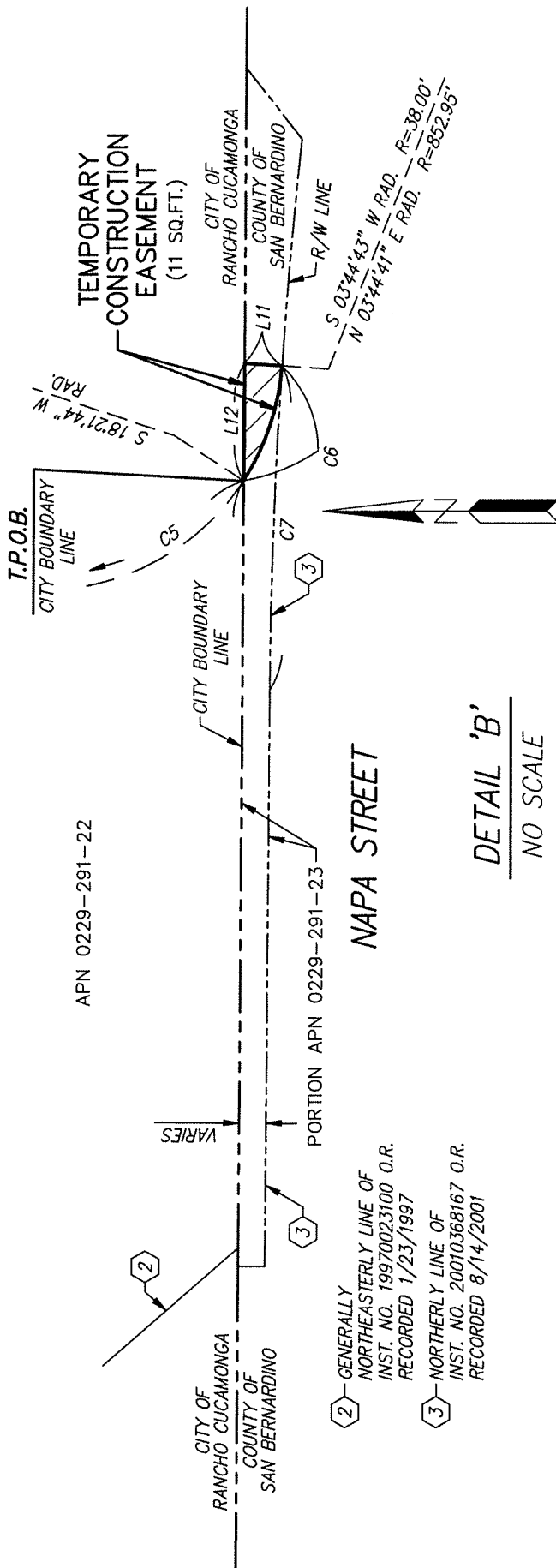
PROJECT NAME: _____		M.S.: _____	
ORDER NO.: _____	NOT. NO.: _____	CITY: N/A	COUNTY: SAN BERNARDINO
SURVEYED BY: N/A		STATE: CA	
DRAWN BY: DB		DATE: _____	
CHECKED BY: JH		MAP REF.: RECORD OF SURVEY 19-0109, R.S.B. 168/53-63	
TRES: _____		SERIAL NO.: _____	
SCALE IN FEET		FILE NAME: _____	

EXHIBIT "B-1"



# EXHIBIT "B"

THAT PORTION OF THE WEST ONE-HALF OF SECTION 16 IN TOWNSHIP 1 SOUTH, RANGE 6 WEST, SAN BERNARDINO MERIDIAN, IN THE UNINCORPORATED TERRITORY OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.



SEE SHEET 3 OF 3 FOR BASIS OF BEARINGS, LEGEND, EASEMENT NOTES, SURVEYOR'S NOTE, DETAIL 'A', AND LINE AND CURVE TABLES

(SHEET 2 OF 3)

PROJECT NAME: _____	M.S.: _____
ORDER NO.: _____	CITY: N/A
NOT. NO.: _____	COUNTY: SAN BERNARDINO
SURVEYED BY: N/A	STATE: CA
SCE F.B. REF.: _____	DATE: _____
DRAWN BY: DB	MAP REF.: RECORD OF SURVEY 19-0109, R.S.B. 168/53-63
CHECKED BY: JH	TRES: _____
SERIAL NO.: _____	FILE NAME: _____



# EXHIBIT "B"

THAT PORTION OF THE WEST ONE-HALF OF SECTION 16 IN TOWNSHIP 1 SOUTH, RANGE 6 WEST, SAN BERNARDINO MERIDIAN, IN THE UNINCORPORATED TERRITORY OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

## BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF ETIWANDA AVENUE, BEING N 00°17'46" E, AS SHOWN ON RECORD OF SURVEY 19-0109, FILED IN R.S.B. 168/53-63, RECORDS OF SAID COUNTY.

## SURVEYOR'S NOTE:

THE BEARINGS AND DISTANCES SHOWN ARE CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83), ZONE 5 GRID, CSRS EPOCH 2017.50 (NAD83 2011). ALL DISTANCES SHOWN ARE GRID, TO OBTAIN GROUND DISTANCES DIVIDE BY 0.999993964.

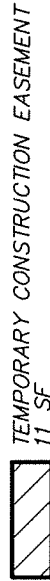
## EASEMENT NOTES

- (A) 40' WIDE EASEMENT FOR WATER PURPOSES GRANTED TO THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA PER 1308/465. O.R., REC. 11/23/1938
- (B) VARIABLE WIDTH EASEMENT FOR ROAD PURPOSES GRANTED TO KAISER STEEL CORPORATION PER 6390/303, O.R. REC. 5/13/1965
- (C) VARIABLE WIDTH AND 10' WIDE EASEMENT FOR ROAD AND SEWER PURPOSES GRANTED TO DAVID F. BOLGER, TRUSTEE, PER INST. NO. 94-334698, O.R., REC. 8/5/1994

## LEGEND

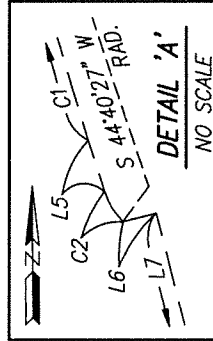
(XXXX) INDICATES RECORD DATA PER RECORD OF SURVEY 19-0109, FILED IN BOOK 168, PAGES 53 THROUGH 63, OF RECORDS OF SURVEYS (R.S.B. 168/53-63)

- FOUND MONUMENT AS NOTED
- APN ASSESSOR'S PARCEL NUMBER
- CSRS CALIFORNIA SPATIAL REFERENCE SYSTEM
- ☉ CENTERLINE
- INST. INSTRUMENT
- LS LAND SURVEYOR
- O.R. OFFICIAL RECORDS
- P.O.C. POINT OF COMMENCEMENT
- POR. PORTION
- RAD. RADIAL
- REC. RECORDED
- R.S.B. RECORD OF SURVEY BOOK
- R/W RIGHT-OF-WAY
- T.P.O.B. TRUE POINT OF BEGINNING



- PARENT PARCEL
- CITY BOUNDARY LINE
- CENTERLINE
- EASEMENT LINE

NO.	DELTA	RADIUS	LENGTH
C1	09°43'27"	193.00'	32.76'
C2	27°43'31"	5.00'	2.42'
C3	08°35'45"	283.00'	42.46'
C4	30°00'00"	77.00'	40.32'
C5	71°56'07"	38.00'	47.71'
C6	14°37'01"	38.00'	9.69'
C7	03°26'50"	852.95'	51.32'



NO.	BEARING	LENGTH
L1	N 00°17'46" E	76.07'
L2	S 89°42'14" E	40.00'
L3	N 88°57'20" E	10.00'
L4	S 00°07'00" W	32.29'
L5	S 17°36'02" E	7.64'
L6	N 75°52'32" E	4.60'
L7	S 14°07'28" E	55.75'
L8	S 75°52'32" W	5.37'
L9	S 00°07'00" W	82.77'
L10	S 00°17'51" W	43.19'
L11	N 03°44'43" E	1.82' RAD.
L12	N 89°46'08" W	9.61'

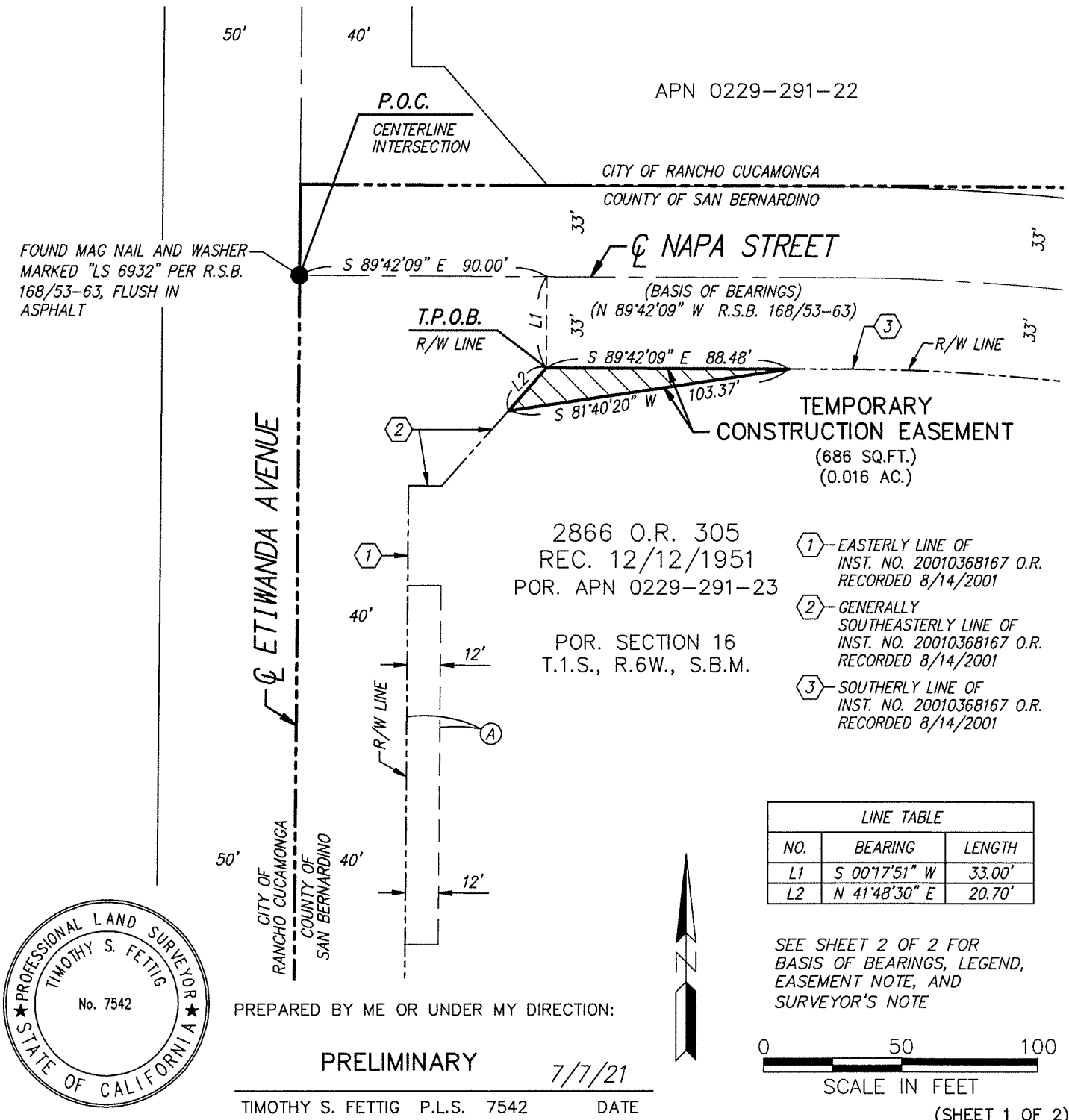
(SHEET 3 OF 3)

PROJECT NAME: _____	NOT. NO.: _____	CITY: N/A	COUNTY: SAN BERNARDINO	STATE: CA
ORDER NO.: _____	SCE F.B. REF.: _____		DATE: _____	M.S.: _____
SURVEYED BY: N/A	MAP REF.: RECORD OF SURVEY 19-0109, R.S.B. 168/53-63		SOUTHERN CALIFORNIA <b>EDISON</b> AN EDISON INTERNATIONAL Company	
DRAWN BY: DB	TRES: _____	SERIAL NO.: _____	FILE NAME: _____	
CHECKED BY: JH				

PLAT TO ACCOMPANY  
LEGAL DESCRIPTION

# EXHIBIT "B"

THAT PORTION OF THE WEST ONE-HALF OF SECTION 16 IN TOWNSHIP 1 SOUTH, RANGE 6 WEST, SAN BERNARDINO MERIDIAN, IN THE UNINCORPORATED TERRITORY OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.



PROJECT NAME: _____			M.S.: _____	
ORDER NO.: _____	NOT. NO.: _____	CITY: N/A	COUNTY: SAN BERNARDINO	STATE: CA
SURVEYED BY: N/A		SCE F.B. REF.: _____	DATE: _____	
DRAWN BY: DB		MAP REF.: RECORD OF SURVEY 19-0109, R.S.B. 168/53-63		
CHECKED BY: JH	TARES: _____	SERIAL NO.: _____	FILE NAME: _____	

## EXHIBIT "B"

THAT PORTION OF THE WEST ONE-HALF OF SECTION 16 IN TOWNSHIP 1 SOUTH, RANGE 6 WEST, SAN BERNARDINO MERIDIAN, IN THE UNINCORPORATED TERRITORY OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

**BASIS OF BEARINGS:**

THE BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF ETIWANDA AVENUE, BEING N 00°17'46" E, AS SHOWN ON RECORD OF SURVEY 19-0109, FILED IN R.S.B. 168/53-63, RECORDS OF SAID COUNTY.

**EASEMENT NOTE**

Ⓐ - PORTION OF 22' WIDE EASEMENT FOR ROAD PURPOSES GRANTED TO THE COUNTY OF SAN BERNARDINO PER INST. NO. 20000412103, O.R., REC. 11/9/2000

**LEGEND**

(XXXX) INDICATES RECORD DATA PER RECORD OF SURVEY 19-0109, FILED IN BOOK 168, PAGES 53 THROUGH 63, OF RECORDS OF SURVEYS (R.S.B. 168/53-63)

● FOUND MONUMENT AS NOTED

APN ASSESSOR'S PARCEL NUMBER

CSRS CALIFORNIA SPATIAL REFERENCE SYSTEM

⊕ CENTERLINE

INST. INSTRUMENT

LS LAND SURVEYOR

O.R. OFFICIAL RECORDS

P.O.C. POINT OF COMMENCEMENT


POR. PORTION

REC. RECORDED

R.S.B. RECORD OF SURVEY BOOK

R/W RIGHT-OF-WAY

T.P.O.B. TRUE POINT OF BEGINNING

 TEMPORARY CONSTRUCTION EASEMENT  
686 SF, 0.016 AC

----- PARENT PARCEL

----- CITY BOUNDARY LINE

----- CENTERLINE

----- EASEMENT LINE

**SURVEYOR'S NOTE:**

THE BEARINGS AND DISTANCES SHOWN ARE CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83), ZONE 5 GRID, CRTS EPOCH 2017.50 (NAD83 2011).

ALL DISTANCES SHOWN ARE GRID, TO OBTAIN GROUND DISTANCES DIVIDE BY 0.99993964.

(SHEET 2 OF 2)

PROJECT NAME: _____			M.S.: _____	
ORDER NO.: _____	NOT. NO.: _____	CITY: N/A	COUNTY: SAN BERNARDINO	STATE: CA
SURVEYED BY: N/A		SCE F.B. REF.: _____	DATE: _____	
DRAWN BY: DB		MAP REF.: RECORD OF SURVEY 19-0109, R.S.B. 168/53-63		
CHECKED BY: JH	TARES: _____	SERIAL NO.: _____	FILE NAME: _____	



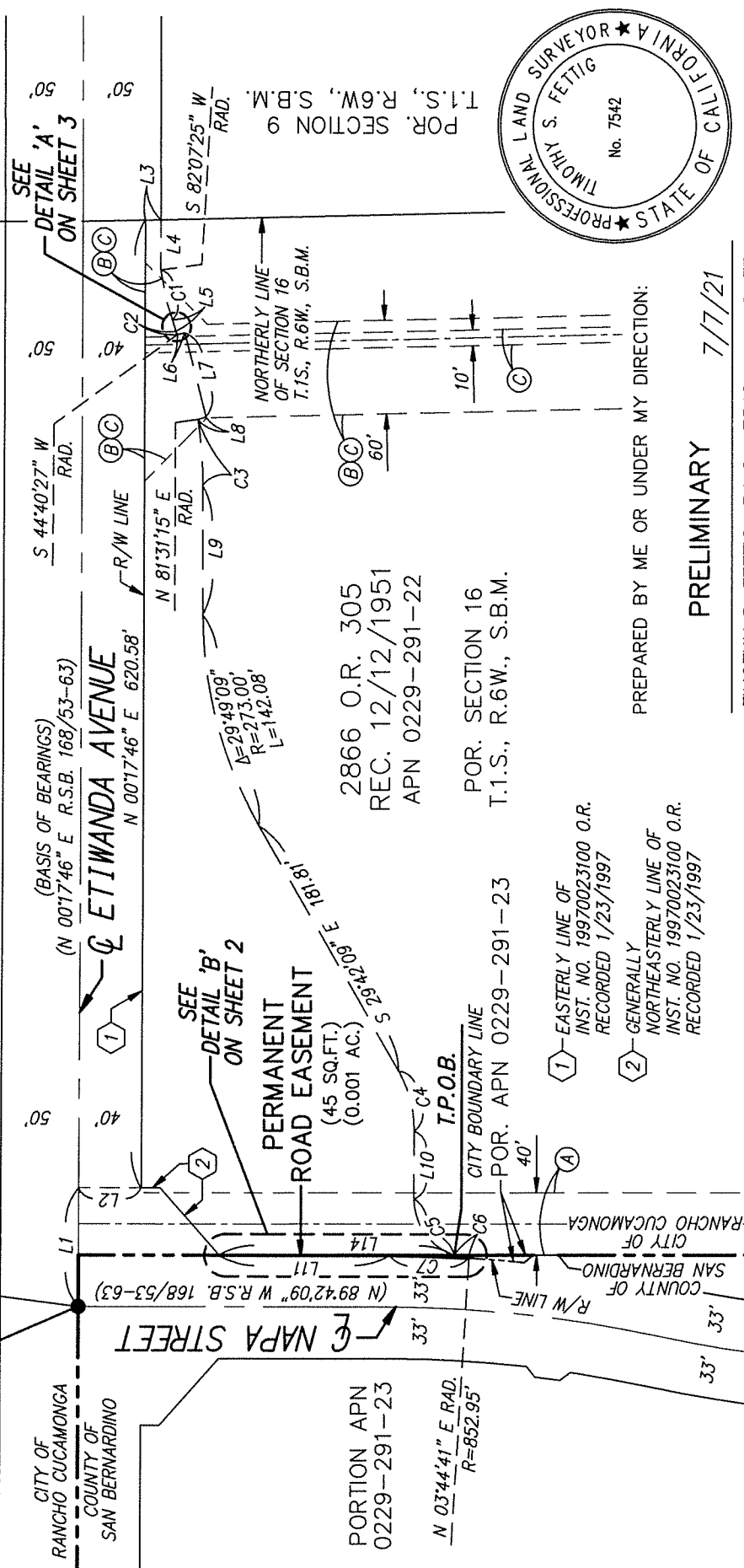
**PLAT TO ACCOMPANY  
LEGAL DESCRIPTION**

**EXHIBIT "B"**

THAT PORTION OF THE WEST ONE-HALF OF SECTION 16 IN TOWNSHIP 1 SOUTH, RANGE 6 WEST, SAN BERNARDINO MERIDIAN, IN THE UNINCORPORATED TERRITORY OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

SEE SHEET 2 OF 3 FOR DETAIL 'B'  
SEE SHEET 3 OF 3 FOR BASIS OF BEARINGS,  
LEGEND, EASEMENT NOTES, SURVEYOR'S NOTE,  
DETAIL 'A', AND LINE AND CURVE TABLES

**P.O.C.**  
CENTERLINE  
INTERSECTION  
FOUND MAG NAIL AND WASHER  
MARKED "LS 6932" PER R.S.B.  
168/53-63, FLUSH IN ASPHALT



2866 O.R. 305  
REC. 12/12/1951  
APN 0229-291-22

POR. SECTION 16  
T.1.S., R.6W., S.B.M.

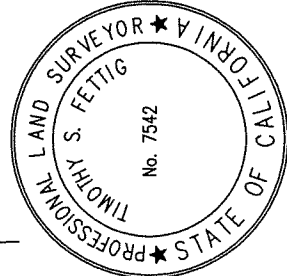
1 - EASTERLY LINE OF  
INST. NO. 19970023100 O.R.  
RECORDED 1/23/1997

2 - GENERALLY  
NORTHEASTERLY LINE OF  
INST. NO. 19970023100 O.R.  
RECORDED 1/23/1997

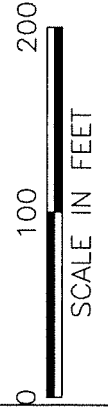
PREPARED BY ME OR UNDER MY DIRECTION:

**PRELIMINARY** 7/7/21

TIMOTHY S. FETTIG P.L.S. 7542 DATE (SHEET 1 OF 3)

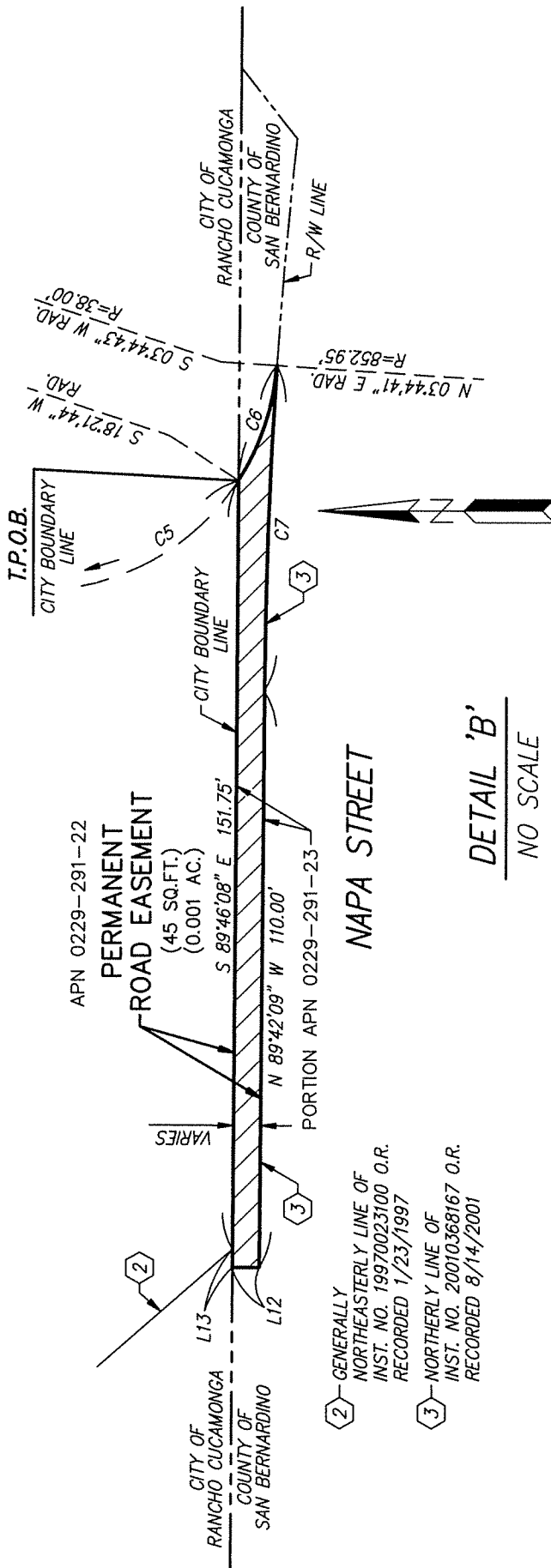


PROJECT NAME: _____		M.S.: _____	
ORDER NO.: _____	NOT. NO.: _____	CITY: N/A	COUNTY: SAN BERNARDINO
SURVEYED BY: N/A		STATE: CA	
DRAWN BY: DB		DATE: _____	
CHECKED BY: JH		SCE F.B. REF.: _____	
TRES: _____		MAP REF.: RECORD OF SURVEY 19-0109, R.S.B. 168/53-63	
SERIAL NO.: _____		FILE NAME: _____	



# EXHIBIT "B"

THAT PORTION OF THE WEST ONE-HALF OF SECTION 16 IN TOWNSHIP 1 SOUTH, RANGE 6 WEST, SAN BERNARDINO MERIDIAN, IN THE UNINCORPORATED TERRITORY OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.



2 - GENERALLY NORTHEASTERLY LINE OF INST. NO. 19970023100 O.R. RECORDED 1/23/1997

3 - NORTHERLY LINE OF INST. NO. 20010368167 O.R. RECORDED 8/14/2001

DETAIL 'B'  
NO SCALE

SEE SHEET 3 OF 3 FOR BASIS OF BEARINGS, LEGEND, EASEMENT NOTES, SURVEYOR'S NOTE, DETAIL 'A', AND LINE AND CURVE TABLES

(SHEET 2 OF 3)

PROJECT NAME: _____	NOT. NO.: _____	CITY: N/A	COUNTY: SAN BERNARDINO	STATE: CA
ORDER NO.: _____	SCE F.B. REF.: _____		DATE: _____	
SURVEYED BY: N/A	MAP REF.: RECORD OF SURVEY 19-0109, R.S.B. 168/53-63			
DRAWN BY: DB	TRES: _____	SERIAL NO.: _____	FILE NAME: _____	
CHECKED BY: JH				



# EXHIBIT "B"

THAT PORTION OF THE WEST ONE-HALF OF SECTION 16 IN TOWNSHIP 1 SOUTH, RANGE 6 WEST, SAN BERNARDINO MERIDIAN, IN THE UNINCORPORATED TERRITORY OF SAN BERNARDINO COUNTY, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

## BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF ETIWANDA AVENUE, BEING N 00°17'46" E, AS SHOWN ON RECORD OF SURVEY 19-0109, FILED IN R.S.B. 168/53-63, RECORDS OF SAID COUNTY.

## SURVEYOR'S NOTE:

THE BEARINGS AND DISTANCES SHOWN ARE CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83), ZONE 5 GRID, CSRS EPOCH 2017.50 (NAD83 2011)  
ALL DISTANCES SHOWN ARE GRID, TO OBTAIN GROUND DISTANCES DIVIDE BY 0.99993964.

## EASEMENT NOTES

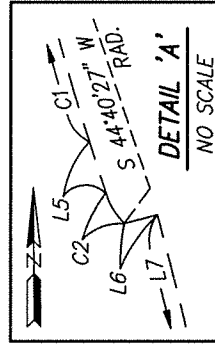
- (A) 40' WIDE EASEMENT FOR WATER PURPOSES GRANTED TO THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA PER 1308/465. O.R., REC. 11/23/1938
- (B) VARIABLE WIDTH EASEMENT FOR ROAD PURPOSES GRANTED TO KAISER STEEL CORPORATION PER 6390/303, O.R. REC. 5/13/1966
- (C) VARIABLE WIDTH AND 10' WIDE EASEMENT FOR ROAD AND SEWER PURPOSES GRANTED TO DAVID F. BOLGER, TRUSTEE, PER INST. NO. 94-334698, O.R., REC. 8/5/1994

## LEGEND

(XXXX) INDICATES RECORD DATA PER RECORD OF SURVEY 19-0109, FILED IN BOOK 168, PAGES 53 THROUGH 63, OF RECORDS OF SURVEYS (R.S.B. 168/53-63)

- FOUND MONUMENT AS NOTED
- APN ASSESSOR'S PARCEL NUMBER
- CSRS CALIFORNIA SPATIAL REFERENCE SYSTEM
- ☉ CENTERLINE
- INST. INSTRUMENT
- LS LAND SURVEYOR
- O.R. OFFICIAL RECORDS
- P.O.C. POINT OF COMMENCEMENT
- POR. PORTION
- RAD. RADIAL
- REC. RECORDED
- R.S.B. RECORD OF SURVEY BOOK
- R/W RIGHT-OF-WAY
- T.P.O.B. TRUE POINT OF BEGINNING
- PERMANENT ROAD EASEMENT 52,508 SF, 1.205 AC
- PARENT PARCEL
- CITY BOUNDARY LINE
- CENTERLINE
- EASEMENT LINE

CURVE TABLE			
NO.	DELTA	RADIUS	LENGTH
C1	09°43'27"	193.00'	32.76'
C2	27°43'31"	5.00'	2.42'
C3	08°35'45"	283.00'	42.46'
C4	30°00'00"	77.00'	40.32'
C5	71°56'07"	38.00'	47.71'
C6	14°37'01"	38.00'	9.69'
C7	03°26'50"	852.95'	51.32'



LINE TABLE		
NO.	BEARING	LENGTH
L1	N 00°17'46" E	76.07'
L2	S 89°42'14" E	40.00'
L3	N 88°57'20" E	10.00'
L4	S 00°07'00" W	32.29'
L5	S 17°36'02" E	7.64'
L6	N 75°52'32" E	4.60'
L7	S 14°07'28" E	55.75'
L8	S 75°52'32" W	5.37'
L9	S 00°07'00" W	82.77'
L10	S 00°17'51" W	43.19'
L11	N 89°42'09" W	110.00'
L12	N 00°17'47" E	0.09'
L13	S 89°46'08" E	0.04'
L14	S 89°46'08" E	151.75'

(SHEET 3 OF 3)

PROJECT NAME: _____	NOT. NO.: _____	CITY: N/A	COUNTY: SAN BERNARDINO	STATE: CA
ORDER NO.: _____	SCE F.B. REF.: _____	DATE: _____	M.S.: _____	
SURVEYED BY: N/A	MAP REF.: RECORD OF SURVEY 19-0109, R.S.B. 168/53-63	SERIAL NO.: _____	FILE NAME: _____	
DRAWN BY: DB	TRES: _____			
CHECKED BY: JH				

