Corrected

RESOLUTION NO. 2020-178-01

RESOLUTION OF THE SAN BERNARDINO COUNTY BOARD OF SUPERVISORS DECLARING PURSUANT TO GOVERNMENT CODE SECTION 54221 THAT REAL PROPERTY OWNED BY THE COUNTY LOCATED ALONG CLEARWATER PARKWAY, IN THE UNINCORPORATED AREA OF DEVORE, IS SURPLUS LAND AND NOT NECESSARY FOR THE COUNTY'S USE, FINDING THAT SUCH DECLARATION IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND TAKING RELATED ACTIONS

On Tuesday October 6 2020, on motion of Supervisor Hagman, and duly seconded by Supervisor Lovingood and carried, the following Resolution is adopted by the Board of Supervisors, County of San Bernardino, State of California.

WHEREAS, the County of San Bernardino ("County") is the owner in fee simple of that certain real property located at along Clearwater Parkway in the unincorporated area of Devore and commonly referenced as a portion of APN 0239-031-55 and described in Exhibit "A," attached hereto and made a part of hereof ("Property"); and

WHEREAS, under the Surplus Property Land Act, Government Code Sections 54220-54233 ("Act"), surplus land is land owned in fee simple by the County for which the Board of Supervisors takes formal action in a regular public meeting declaring the land is surplus and not necessary for the County's use. The land must be declared either surplus land or exempt surplus land; and

WHEREAS, under the Act, land is necessary for the County's use if the land is being used, or is planned to be used pursuant to a written plan adopted by the Board of Supervisors, for County work or operations; and

WHEREAS, the Property is approximately 4.33 acres in size, is currently vacant and is located along Clearwater Parkway, in the unincorporated area of Devore, and is not currently being used by the County; and

WHEREAS, County staff has evaluated the Property for its potential to be used for County work or operations; and

WHEREAS, County staff has determined that the Property is not suitable for the County's use; and

WHEREAS, the Board of Supervisors desires to declare that the Property is surplus land and not necessary for the County's use; and

WHEREAS, concurrent with the adoption of this Resolution, the Board of Supervisors is setting an auction date to sell the Property by open, competitive bid; and

WHEREAS, the Act requires that before the Board of Supervisors disposes of the Property or engages in negotiations to dispose of the Property, the County shall send a written notice of availability of the Property to certain designated entities; and

WHEREAS, said written notice of availability of the Property, subject to Board of Supervisors surplus declaration, has been sent to all designated entities required pursuant to Government Code section 54200 et seq.; and

WHEREAS, the accompanying staff report provides supporting information upon which the declaration and findings set forth in this Resolution are based;

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors as follows:

SECTION 1. The above recitals are true and correct and are a substantive part of this Resolution.

SECTION 2. The Board of Supervisors hereby declares that the Property is exempt surplus land pursuant to Government Code Section 54221(f)(1)(F), is not necessary for the County's use, and will be put out to open, competitive bid for sale. The basis for this declaration is that the property is of a relatively moderate size and no planned County facility or building is feasible for the site.

SECTION 3. This Resolution has been reviewed with respect to the applicability of the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*) ("CEQA"). County staff has determined that the designation of this property as surplus does not have the potential for creating a significant effect on the environment and is therefore exempt from further review under CEQA pursuant to State CEQA Guidelines Section 15060(c)(3) because it is not a project as defined by the CEQA Guidelines Section 15378. Adoption of the Resolution does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. If and when the property is sold to a purchaser and that purchaser proposes a use for the property that requires a discretionary permit and CEQA review, that future use and project will be analyzed at the appropriate time in accordance with CEQA.

SECTION 4. The Clerk of the Board of Supervisors is directed to file a Notice of Exemption pursuant to CEQA Guidelines Section 15062.

SECTION 5. The officers and staff of the County are hereby authorized, jointly and severally, to do all things which they may deem necessary or proper to effectuate the purposes of this Resolution, and any such actions previously taken are hereby ratified and confirmed. Such actions include negotiating in good faith in accordance with the requirements of the Act with any of the Designated Entities that submit a written notice of interest to purchase or lease the Property in compliance with the Act.

PASSED AND California, by the follow	ADOPTED by the Board of Supervisors of San Bernardino County, State of ving vote:
AYES:	SUPERVISORS: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales
NOES:	SUPERVISORS: None
ABSENT:	SUPERVISORS: None
* * * *	
STATE OF CALIFORN	
COUNTY OF SAN BE) ss. RNARDINO)
of California, hereby c taken by the Board o	IELL , Clerk of the Board of Supervisors of the County of San Bernardino, State ertify the foregoing to be a full, true and correct copy of the record of the action Supervisors, by vote of the members present, as the same appears in the Board at its meeting of October 6, 2020. #31LA
	LYNNA MONELL Clerk of the Board of Supervisors
	By Deputy

EXHIBIT "A"

Description of Property

The land in the County of San Bernardino, State of California, and described as follows:

APNs: 0239-031-55

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EXHIBIT "A"

Legal Description

That portion of Clearwater Parkway, variable width, as described in County of San Bernardino Board of Supervisor's Resolution No. 2005-091 recorded June 21, 2005 as Document No. 2005-0440211 Official Records of said County, State of California, and as said description is corrected in County of San Bernardino Board of Supervisor's Resolution No. 2014-98 recorded September 9, 2014 as Document No. 2014-0331685 Official Records of said County, said corrected description being an attachment to said Resolution 2014-98 on file in the Office of the Clerk of the Board of said County, said portion of Clearwater Parkway lying northeasterly of the southwesterly line of that parcel of land described in that certain Corporation Grant Deed to said County recorded June 3, 1986 as Document No. 86-144203 Official Records of said County, said southwesterly line of said County parcel also being the common boundary line of Parcel 4 as described in Grant Deed recorded December 30, 1998 as Document No. 19980557386, and said portion also lying easterly and southerly of the following described line:

BEGINNING at the intersection of the centerline of Clearwater Parkway as described in that certain Grant of Easement to said County recorded June 8, 2005 as Document No. 2005-0410339 Official Records of said County, and the southwesterly line of said County parcel, said intersection being the same as the Point of Beginning as described in said Resolution Nos. 2005-091 and 2014-98;

Thence along said common boundary of said County parcel and said Parcel 4, South 42°25′06″ East a distance of 97.71 feet to a point being 83.00 feet right of said centerline, said point also being the TRUE POINT OF BEGINNING;

Thence leaving said common boundary, North 16°50′35″ East a distance of 52.00 feet to a point that is 84.00 feet right of said centerline;

Thence North 15°13'27" East a distance of 72.00 feet to a point being 86.00 feet right of said centerline:

Thence North 14°23'28" East a distance of 24.00 feet to a point being 87.00 feet right of said centerline;

Thence North 59°15′59" East a distance of 62.47 feet to a point being 133.15 feet right of said centerline;

Thence North 01°49′06" West a distance of 25.00 feet to a point being 127.33 feet right of said centerline:

Thence continuing North 01°49′06″ West a distance of 25.00 feet to a point being 121.52 feet right of said centerline;

Thence North 46°11'32" West a distance of 29.80 feet to a point being 96.29 feet right of said centerline:

Thence North 17°22′56" East a distance of 107.00 feet to a point being 107.00 feet right of said centerline;

Thence North 14°27′30″ East a distance of 61.00 feet to a point being 110.00 feet right of said centerline;

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Thence North 18°12'07" East a distance of 70.00 feet to a point being 118.00 feet right of said centerline;

Thence North 18°49′13″ East a distance of 40.00 feet to a point being 123.00 feet right of said centerline;

Thence North 15°53′15" East a distance of 27.00 feet to a point being 125.00 feet right of said centerline;

Thence North 12°40′52″ East a distance of 61.60 feet to an intersection with the westerly prolongation of that certain line having a bearing and distance of "North 88°26′20″ West, 150.66 feet" as described in said corrected description of said Resolution No. 2014-98;

Thence along said westerly prolongation, South 88°26′20″ East a distance of 23.56 feet to the westerly terminus of said line described as "North 88°26′20″ West, 150.66 feet";

Thence along said line described as "North 88°26′20" West, 150.66 feet", South 88°26′20"East to the easterly terminus thereof, said point being the northerly terminus of that certain line having a bearing and distance of "North 01°48′50" East, 940.18 feet" as described in said Resolution No. 2014-98, said point also being POINT OF TERMINUS.

EXCEPTING THEREFROM all that portion of Clearwater Parkway lying northerly of a line that is 30.00 feet southerly of and parallel and concentric with the following described centerline of a future street currently known as East Sycamore Entrance:

BEGINNING at a point on said centerline of Clearwater Parkway that is North 11°38′22″ East a distance of 438.03 feet along said centerline as measured from the southerly terminus of that certain line having a bearing and distance of "North 11°38′22″ East 1053.18 feet" as described in said Document No. 2005-0410339;

Thence leaving said centerline of Clearwater Parkway, South 78°21'38" East a distance of 235.66 feet to the beginning of a curve concave southwesterly having a radius of 300.00 feet;

Thence southeasterly along said curve through a central angel of 78°21'38" an arc distance of 410.29 feet to the Point of Terminus.

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Clearwater Parkway declaration of public road right-of-way per Board of Supervisor's Resolution No. 2005-091 as described in Document No. 2005-0440211:

Being a portion of Rancho Muscupiabe, in the County of San Bernardino, State of California, per map recorded in Book 7 of Maps, at Page 23, records of said County, also being a portion of Section 4, Township 1 North, Range 5 West, San Bernardino Meridian, also being a portion of the land deeded to the County of San Bernardino per document recorded June 3, 1986, as Instrument No. 86-144203 of Official Records of said County, described as follows:

Commencing at Station 4 in the westerly boundary line of said Rancho, said point being marked with a 2" brass disk stamped "California Division of Highways M 4" as shown on Record of Survey No. 04-015, filed in Book 120 at Pages 90 through 99, inclusive, Records of Survey of said County; thence South 87°07′17" East, 1311.31 feet along the northerly line of said Record of Survey, said line also being the southerly line of Parcel 4 as described in Grant Deed recorded December 30, 1998 as Instrument No. 19980557386, Official Records of said County, to the beginning point of a non-tangent curve concave southeasterly having a radius of 1000.00 feet, a radial line to said point bears North 36°42′23" West,

thence northeasterly along said curve through a central angle of 08°35'35" an arc length of 149.98 feet;

thence North 61°53′12″ East, 582.56 feet to the beginning of a curve concave northwesterly having a radius of 1600.00 feet;

thence northeasterly along said curve through a central angel of 47°03'38" an arc length of 1314.18 feet to a point on the Boundary of the Land Deeded to the County of San Bernardino per document recorded June 3, 1986, as Instrument No. 86-144203 of Official Records of said County, said point also being on the Boundary of said Parcel 4, said point being the POINT OF BEGINNING;

thence South 42°25'06" East, 568.87 feet along the common Boundary of said County Land and said Parcel 4 to a common angle point therein;

thence North 01°48′50" East, 983.25 feet continuing along said common Boundary;

thence North 48°41'13" West, 75.39 feet;

thence North 40°14'29" West, 140.22 feet;

thence North 01°23'33" East, 113.55 feet;

thence North 23°03'52" East, 170.61 feet:

thence North 02°39'25" East, 151.03 feet;

thence North 00°30'49" East, 239.06 feet;

thence North 19°42'48" West, 60.32 feet;

thence South 89°00'52" West, 66.43 feet;

thence South 75°29'10" West, 104.59 feet;

thence South 71°25'10" West, 119.31 feet;

thence South 00°15'47" West, 107.30 feet;

thence South 17°13'16" West, 216.81 feet;

thence South 12°28'41" West, 201.58 feet;

thence South 09°43'36" West, 190.46 feet;

thence South 02°18'01" West 69.17 feet;

thence South 14°02'49" East, 78.66 feet;

thence South 02°20'21" East, 77.97 feet;

thence South 06°31'22" West, 130.11 feet;

thence South 12°03'58" East, 114.50 feet;

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thence South 03°17'20" West, 127.37 feet to a point on said common Boundary; thence South 42°25'06" East, 109.41 feet along said common Boundary to the POINTOF BEGINNING.

The bearing South 87°07′17″ East along the northerly line of Record of Survey No. 04-015, filed in Book 120, at Pages 90 through 99, records of San Bernardino County was used as the basis of bearings for this description.

(end Doc. No. 2005-0440211 O.R.)

Clearwater Parkway declaration of public road right-of-way correction per Board of Supervisor's Resolution No. 2014-98 as recorded in Document No. 2014-0331685 O.R., and as described in resolution attachment titled "Correcting Legal Descriptions for Clearwater Parkway and Glen Helen Parkway" on file in the Office of the Clerk of the Board:

Being a portion of Rancho Muscupiabe, in the County of San Bernardino, State of California, per map recorded in Book 7 of Maps, at Page 23, records of said County, also being a portion of Government Lot 4 in Section 4, Township 1 North, Range 5 West, San Bernardino Meridian, per supplemental plat of amended lottings on file and accepted by the U.S. Bureau of Land Management January 18, 1980, also being a portion of the land deeded to the County of San Bernardino per document recorded June 3, 1986, as Instrument No. 86-144203 of Official Records of said County, described as follows:

Commencing at Station 4 in the westerly boundary line of said Rancho, said point being marked with a 2" brass disk stamped "California Division of Highways M 4" as shown on Record of Survey No. 04-015, filed in Book 120 at Pages 90 through 99, inclusive, Records of Survey of said County; thence South 87°07′17" East, 1311.31 feet along the northerly line of said Record of Survey, said line also being the southerly line of Parcel 4 as described in Grant Deed recorded December 30, 1998 as Instrument No. 19980557386, Official Records of said County, to the beginning point of a non-tangent curve concave southeasterly having a radius of 1000.00 feet, a radial line to said point bears North 36°42′23" West,

thence northeasterly along said curve through a central angle of 08°35′35″ an arc length of 149.98 feet;

thence North 61°53'12" East, 582.56 feet to the beginning of a curve concave northwesterly having a radius of 1600.00 feet;

thence northeasterly along said curve through a central angel of 47°03'38" an arc length of 1314.18 feet to a point on the boundary of the land deeded to the County of San Bernardino per document recorded June 3, 1986, as Instrument No. 86-144203 of Official Records of said County, said point also being on the boundary of said Parcel 4, said point being the Point of Beginning;

thence South 42°25'06" East, 568.87 feet along the common boundary of said County land and said Parcel 4 to a common angle point therein;

thence North 01°48′50" East, 940.18 feet continuing along said common boundary;

thence North 88°26'20" West, 150.66 feet;

thence North 01°23'33" East, 309.36 feet

thence North 23°03'52" East, 170.61 feet:

thence North 02°39'25" East, 151.03 feet;

thence North 00°30'49" East, 239.06 feet;

thence North 19°42'48" West, 60.32 feet;

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thence South 89°00′52″ West, 66.43 feet to a point on a non-tangent curve concave southwesterly having a radius of 602.00 feet, a radial line to said point bears North 69°55′59″ Fast:

thence northwesterly along said curve through a central angel of 09°04′56″ an arc length of 95.43 feet to the beginning of a reverse curve concave easterly having a radius of 38.00 feet; thence northerly along said curve through a central angle of 82°03′42″ an arc length of 54.43 feet to the beginning of a reverse curve concave northwesterly having a radius of 657.00 feet;

thence northeasterly along said curve through a central angle of 49°51′27" an arc length of 571.71 feet:

thence North 86°56′42′West, 5.00 feet to a point on the existing southeasterly right-of-way line of Glen Helen Parkway, 104.00 feet in width, per Declaration of Road Right-of-Way recorded on June 1, 1994 as Document No. 94247897, Official Records of said County, said point being the beginning of a non-tangent curve concave northwesterly having a radius of 652.00 feet, a radial line to said point bears South 86°56′42 East;

thence southwesterly along said curve and said southeasterly right-of-way line through a central angle of 85°56'37" an arc length of 978.00 feet;

thence leaving said southeasterly line on a radial line South 01°0′05″ East, 5.00 feet to the beginning of a non-tangent curve concave northwesterly having a radius of 657.00 feet;

thence northeasterly along said curve through a central angle of 21°12′16″ an arc length of 243.15 feet to the beginning of a reverse curve concave southwesterly having a radius of 38.00 feet:

thence southeasterly along said curve through a central angle of 83°15'04" an arc length of 55.21 feet to the beginning of a compound curve concave southwesterly having a radius of 498.00 feet:

thence southeasterly along said curve through a central angle of 07°43'25" an arc length of 67.13 feet;

thence South 71°25′10″ West, 119.31 feet; thence South 00°15′47″ West, 107.30 feet; thence South 17°13′16″ West, 216.81 feet; thence South 12°28′41″ West, 201.58 feet; thence South 09°43′36″ West, 190.46 feet; thence South 02°18′01″ West 69.17 feet; thence South 14°02′49″ East, 78.66 feet; thence South 02°20′21″ East, 77.97 feet; thence South 06°31′22″ West, 130.11 feet; thence South 12°03′58″ East, 114.50 feet;

thence South 03°17'20" West, 127.37 feet to a point on said common boundary;

thence South 42°25'06" East, 109.41 feet along said common boundary to the Point of Beginning.

The bearing South 87°07′17″ East along the northerly line of Record of Survey No. 04-015, filed in Book 120, at Pages 90 through 99, records of San Bernardino County was used as the basis of bearings for this description.

(end Resolution No. 2014-98 attachment titled "Correcting Legal Descriptions for Clearwater Parkway and Glen Helen Parkway")

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County parcel of land as described in Document No. 86-144203 O.R. restated as recorded:

All that portion of the Tract of Land or Rancho known and designated as the Muscupiabe Rancho, in the County of San Bernardino, State of California, as per plat recorded in Book 7 of Maps, Page 23, records of said County, and all that portion of Section 4, Township 1 North, Range 5 West, San Bernardino Base and Meridian, according to Government Survey, described as follows:

BEGINNING at a point on the easterly line of the property conveyed to the State of California by deed recorded December 26, 1962, in Book 6947, Page 231, Official Records, said point is South 01°13′56″ West, 2,085.00 feet and North 43°00′00″ West, 2,172.00 feet plus or minus from Station 8 in the west boundary line of Muscupiabe Rancho as per plat recorded in Book 7 of Maps, Page 23, records of San Bernardino County, California;

thence South 43°70'00" East a distance of 2,172.00 feet plus or minus;

thence North 01°13'56" East a distance of 2,085.00 feet to Station 8;

thence South 28°33'13" West a distance of 263.55 feet to Station 7;

thence North 78°58'12" West a distance of 564.95 feet;

thence South 1101'48" West a distance of 108.47 feet to the southerly line of Devore Cut-Off Road:

thence North 6259'57" West to said easterly line of property conveyed to the State of California;

thence westerly and southerly along said State property to the true point of beginning.

EXCEPTING therefrom that portion described as follows:

BEGINNING at Station 6, Rancho Muscupiabe,; thence South 11°30' West 61 feet; thence North 68°09' West 363.89 feet to the point of beginning.

ALSO EXECPT those portions conveyed to the State of California for Highway by deed recorded December 26, 1962, in Book 6947, Page 231, Official Records, and by deed recorded August 30, 1974, in Book 8506, Page 177, Official Records.

ALOS EXCEPTING THEREFROM any portion of said land lying within Government Lot 4, of Section 4, Township 1 North, Range 5 West, San Bernardino base and Meridian.

(end Doc. No. 86-144203 O.R.)

Clearwater Parkway centerline as described in Document No. 2005-0410339 O.R. restated as recorded:

Being a portion of Rancho Muscupiabe, in the County of San Bernardino, State of California, per map recorded in Book 7 of Maps, at Page 23, records of said County, said portion also being a portion of Parcel 4 as described in Grant Deed recorded December 30, 1998 as Instrument No. 19980557386, Official Records of said County, described as follows:

PARCEL A - Road Easement

A strip of land 104.00 feet wide lying 52.00 feet each side of the following described centerline:

Commencing at Station 4 in the westerly boundary line of said Rancho, said point being marked with a 2" brass disk stamped "California Division of Highways M 4" as shown on Record of Survey No. 04-015, filed in Book 120 at Pages 90 through 99, inclusive, Records of Survey of said County; thence South 8707'17" East, 1311.31 feet along the northerly line of

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said Record of Survey to the beginning point of a non-tangent curve concave southeasterly having a radius of 1000.00 feet, a radial line to said point bears North 3642'23" West, said point also being the POINT OF BEGINNING; thence, northeasterly along said curve through a central angle of 0835'35" an arc length of 149.98 feet; thence North 6153'12" East, 582.56 feet to the beginning of a curve concave northwesterly having a radius of 1600.00 feet; thence northeasterly along said curve through a central angel of 5014'50" an arc length of 1403.16 feet; thence North 1138'22" East, 1053.18 feet to the beginning of a curve concave westerly having a radius of 550.00 feet; thence northerly along said curve through a central angel of 4117'20" an arc length of 396.34 feet; thence North 2938'58" West, 83.57 feet to a point on the proposed centerline of improvement Devore Road as shown on State of California Right of Way Map No. 422601-3 approved 9/28/93, said point being the POINT OF TERMINUS.

The bearing North 8707'17" West along the northerly line of Record of Survey No. 04-015, filed in Book 120, at Pages 90 through 99, records of San Bernardino County was used as the basis of bearings for this description.

(end Doc. No. 2005-0410339 O.R.)

(end Exhibit "A")

Job No.:

AB0015 Clearwater Pkwy

Prepared by:

D.W.

This legal description was prepared by

me or under my direction.

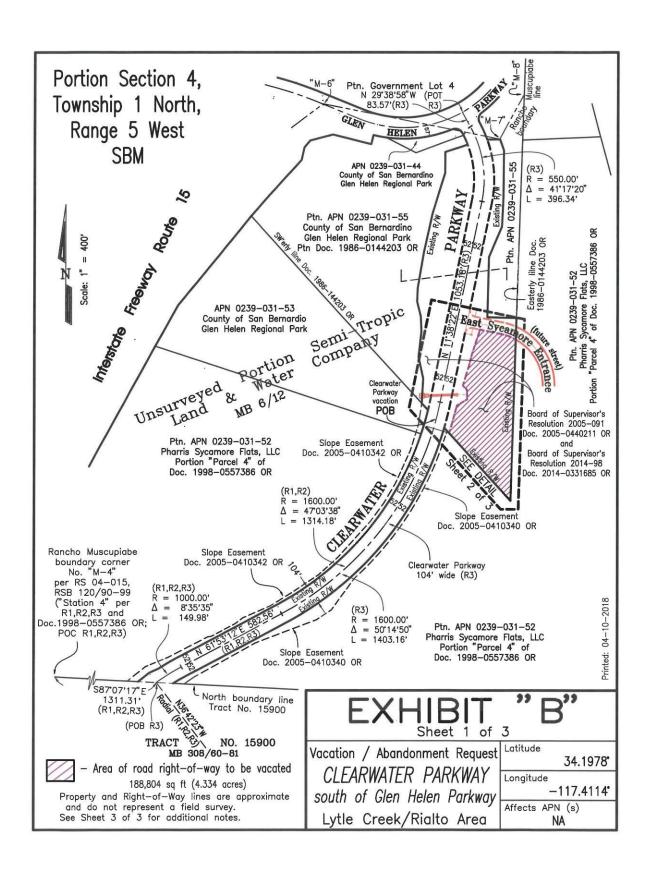
Ryan Hunsicker, P.L.S. # 8302, Exp. 12/31/19

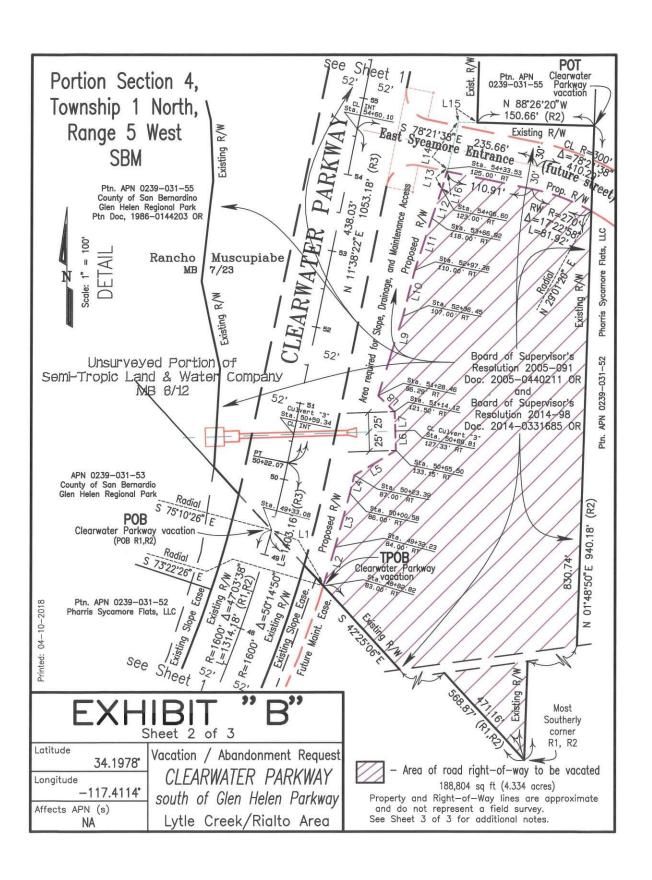
SSIONAL LAND

PLS No. 8302

E OF CALIFO

Date: 7 / 10 / 18





LINE TABLE

L	Bearing	Distance
1	S42°25'06" E	97.71
2	N16'50'35"E	52.00'
3	N15'13'27"E	72.00'
4	N14"23'28" E	2400'
5	N59*15'59" E	62.47'
6	N01*49'06"W	25.00'
7	N01°49'06"W	25.00
8	N46'11'32"W	29.80'
9	N17*22'56" E	107.00
10	N14°27'30"E	61.00'
11	N18'12'07"E	70.00
12	N18'49'13"E	40.00'
13	N15°53'15"E	27.00'
14	N12"40'52" E	61.60'
15	S88'26'20"E	23.56'
16	N15'53'15"E	23.56'

This legal description/plat was prepared by me or under my direction

Hupsicker, P.L.S., Exp. 12/31/19 Ryan

> PLS No. 8302 ATE OF CALIFO

NOTES

Property and Right-of-Way lines are approximate and do not represent a field survey
Basis of Bearing of "S 87'07'17"E" along the southerly line of "Parcel 4" as described in Doc. No. 1998-0557386 OR, said line being the samd as the northerly line of
Record of Survey No. 04-015, RSB 120/90-99
R1 - record per Board of Supervisors Resolution 2005-091
recorded as Doc. No. 2005-0440211 O.R. (Declaration of Clearwater Parkway R/W)
R2 — record per Board of Supervisors Resolution 2014—98
recorded as Doc. No. 2014—0331685 O.R. (corrected legal description/plat — Cleatwater Parkway R/W)
R3 — recorded per Doc. No. 2005—0410339 O.R.
(Grant of Easement — Clearwater Parkway)
POC — Point of Commencement
POT — Point of Terminus POB - Point of Beginning TPOB - True Point of Beginning Clearwater Parkway centerline stationing per Street Improvement Plans titled
"Clearwater Parkway, Tract 15900" approved 5-25-2005.
Drainage Culvert "3" (72" RCP Storm Drain) stationing per Culvert Crossing Improvement Plans titled

Printed: 04-10-2018

Sheet 3 of 3

Latitude

34.1978

Vacation / Abandonment Request

Longitude -117.4114°

CLEARWATER PARKWAY south of Glen Helen Parkway

Construction Plans for the Drainage Improvements of Tract 15900; seven culvert crossings at Clearwater Parkway" approved 5-25-2005

Affects APN (s) NA

Lytle Creek/Rialto Area