



Meeting Date: 01 /08/08

<b>ACTION</b>	<b>TYPE OF ITEM</b>
<input type="checkbox"/> Approved Recommendation	<input checked="" type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Paul J. Wendt *Paul J. Wendt* Agenda Item No. I-3  
 Reviewed By: City Manager *[Signature]* City Attorney *[Signature]* Finance *[Signature]* Other (Specify) \_\_\_\_\_

**DATE:** December 19, 2007

**TO:** City Council

**FROM:** Paul J. Wendt, Supervising Civil Engineer *[Signature]*  
Development Services Department

**SUBJECT:** Vacation of Two Right-of-Way Easements Within Lot 6 and a Waterline Easement West of Lot 9 of Tract 5352. (Riverpark)

**RECOMMENDATION**

That City Council adopt a resolution:

- 1) Vacating a portion of the easement for right-of-way purposes obtained by the document recorded June 15, 1989, as instrument number 89-094626 of Official Records, said right-of-way located northwesterly of the current Oxnard Boulevard/Town Center intersection within the Riverpark Specific Plan.
- 2) Vacating a portion of the easement for right-of-way purposes obtained by the document recorded June 15, 1989, as instrument number 89-094627 of Official Records, said right-of-way being the northerly end of old El Rio Road located northwesterly of the current Oxnard Boulevard/Town Center intersection within the Riverpark Specific Plan.
- 3) Vacating the waterline easement obtained by the document recorded June 15, 1989, as document number 89-094622 of Official Records, said easement being located easterly of the current Oxnard Boulevard/Town Center intersection within the Riverpark Specific Plan.
- 4) Authorizing the Mayor to sign a quitclaim deed to RiverPark A, L.L.C., for a portion of the easement for right-of-way purposes obtained by the document recorded June 15, 1989, as instrument number 89-094626 of Official Records.
- 5) Authorizing the Mayor to sign a quitclaim deed to RiverPark A, L.L.C., for a portion of the easement for right-of-way purposes obtained by the document recorded June 15, 1989, as instrument number 89-094627 of Official Records.

## **DISCUSSION**

On June 15, 1989, two right-of-way easements were recorded as documents number 89-094626 and 89-094627 for construction of Town Center Boulevard and El Rio Road under improvement plans for the Town Center Project. Subsequent development by Riverpark A, L.L.C. has relocated the easterly end of Town Center Boulevard and eliminated El Rio Road; therefore the associated right-of-way for the relocated improvements is no longer needed for current or prospective use.

On June 15, 1989, a waterline easement was recorded as document number 89-094622 for installation of a waterline under the improvement plans for the Town Center Project. Subsequent development by Riverpark A, L.L.C. has relocated the waterline within this easement and the easement is no longer needed for current or prospective use.

## **FINANCIAL IMPACT**

There is no anticipated financial impact to the current fiscal year 2007-2008 budget.

(PJW)

Attachment #1 – Resolution vacating two right-of-way easements and vacating a waterline easement within the Riverpark Specific Plan area.

Attachment #2 – Quitclaim Deed to RiverPark A, L.L.C., for a portion of the easement for right-of-way purposes obtained by the document recorded June 15, 1989, as instrument number 89-094626 of Official Records

Attachment #3 – Quitclaim Deed to RiverPark A, L.L.C., for a portion of the easement for right-of-way purposes obtained by the document recorded June 15, 1989, as instrument number 89-094627 of Official Records

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD VACATING TWO RIGHT-OF-WAY EASEMENTS AND VACATING A WATERLINE EASEMENT WITHIN THE RIVERPARK SPECIFIC PLAN AREA.

WHEREAS, the City accepted two right-of-way easements in documents recorded June 15, 1989, as instrument numbers 89-094626 and 89-094627 of Official Records ("Right-of-Way Easements"); and

WHEREAS, the Right-of-Way Easements are no longer needed due to realignment of Town Center Drive and the removal of El Rio Road improvements; and

WHEREAS, the City accepted a waterline easement in a document recorded June 15, 1989, as instrument number 89-094622 of Official Records ("Waterline Easement"); and

WHEREAS, the Waterline Easement is no longer needed due to relocation of the waterline; and

WHEREAS, the Right-of-Way Easements and Waterline Easement are currently unnecessary for present or prospective use by the City; and

WHEREAS, vacating the Right-of-Way Easements and Waterline Easement bestows a public benefit by relieving the City of maintenance duties, costs and liabilities.

NOW, THEREFORE, the City Council of the City of Oxnard resolves:

1. The City Council hereby finds that the Right-of-Way Easements recorded June 15, 1989, as instruments number 89-094626 and 89-094627 of Official Records are unnecessary for present or prospective use because roadways within the Right-of-Way Easements have been superseded by relocation and there are no other public facilities located within the easements.
2. The City Council hereby finds that the Waterline Easement recorded June 15, 1989, as instrument number 89-094622 of Official Records is unnecessary for present or prospective use because the waterline within the easement has been superseded by relocation.
3. Vacation of the Right-of-Way Easements is made under Chapter 4 of Part 3 of Division 9 of the Streets and Highways Code and Section 8330 thereof.
4. Vacation of the Waterline Easement is made under Chapter 4 of Part 3 of Division 9 of the Streets and Highways Code and Section 8333(c) thereof.
5. The City Clerk is instructed to cause a certified copy of this resolution, attested by the City Clerk under the seal of the City, to be recorded in the office of the Ventura County Recorder.
6. From and after the date that this resolution is recorded with the Ventura County Recorder, the Right-of-Way Easements being vacated shall no longer constitute public right-of-way.
7. From and after the date that this resolution is recorded with the Ventura County Recorder, the Waterline Easement being vacated shall no longer constitute a public service easement.
8. The Mayor is hereby authorized to sign a quitclaim deed to RiverPark A, L.L.C., for relinquishment of the portion of the right-of-way easement recorded June 15, 1989, as instrument number 89-094626 of Official Records within Lot 6 of Tract 5352.

000011

ATTACHMENT # 1  
PAGE 1 OF 2

9. The Mayor is hereby authorized to sign a quitclaim deed to RiverPark A, L.L.C., for relinquishment of the portion of the right-of-way easement recorded June 15, 1989, as instrument number 89-094627 of Official Records within Lot 6 of Tract 5352.

Passed and adopted this \_\_\_\_ day of \_\_\_\_\_, 2008, by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Dr. Thomas E. Holden, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Daniel Martinez, City Clerk

\_\_\_\_\_  
Gary L. Gillig, City Attorney

000012

ATTACHMENT # 1  
PAGE 2 OF 2

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:

Riverpark Legacy, LLC  
30699 Russell Ranch Road  
Westlake Village, CA 91362  
Attention: David Lauletta

---

Space above this line for Recorder's use

### QUITCLAIM DEED

For valuable consideration, receipt of which is hereby acknowledged, the City of Oxnard, a municipal corporation of the State of California ("Grantor"), does hereby quitclaim to RiverPark A, L.L.C., a Delaware limited liability company ("Grantee"), all of its right, title, and interest in the real property legally described in Exhibit A, which is attached hereto and incorporated herein by this reference. This Quitclaim Deed relinquishes and releases all obligations within Exhibit A contained within Partnership Grant Deed (Easement) recorded June 15, 1989 as Instrument No. 89-094626 of Official Records.

APN: 132-0-110-315

Dated: \_\_\_\_\_, 2008

**CITY OF OXNARD**, a municipal  
corporation of the State of California

By: \_\_\_\_\_  
Dr. Thomas E. Holden  
Mayor

**NOTARIZATION REQUIRED**

**000013**

ATTACHMENT # 2  
PAGE 1 OF 9



EXHIBIT 'A'

LEGAL DESCRIPTION  
PORTION OF LAND DEEDED TO THE CITY OF OXNARD  
DOCUMENT 89-094626 RECORDED JUNE 15, 1989

That portion of land located in the City of Oxnard, County of Ventura, State of California, being a parcel described in a PARTNERSHIP GRANT DEED to the City of Oxnard, a political corporation and governmental agency, recorded in the Official Records of said County as Document 89-094626 on June 15, 1989 more particularly described as follows:

Beginning at the southerly terminus of that certain course, lying in the southwesterly line of Lot 6 of Tract No. 5352-1 recorded in Book 150, Pages 76 through 92, inclusive, of Miscellaneous Records (Maps) of said County, shown on said map having a bearing of South  $04^{\circ}29'06''$  East and a distance of 7.50 feet, said point being the True Point of Beginning; thence, South  $04^{\circ}29'06''$  East 95.00 feet along the easterly most line of said parcel the most southeasterly corner of said parcel and a non-tangent curve concave southeasterly having a radius of 402.50 feet, a radial to said curve bears North  $04^{\circ}29'06''$  West; thence westerly along said curve through a central angle of  $11^{\circ}42'44''$  an arc distance of 82.14 feet to the northerly line of Town Center Drive as shown on said Tract Map; thence northwesterly along said northerly line of Town Center Drive through the next two courses: North  $21^{\circ}47'49''$  West 6.39 feet and North  $70^{\circ}11'54''$  West 16.08 feet to the most southwesterly corner of Lot 6 Tr. No. 5352-1; thence North  $20^{\circ}22'02''$  96.20 feet along the westerly line of said Lot 6 to the southeasterly line of Parcel 1, Parcel Map No. 89-9 recorded in Book 51 Parcel Maps, Pages 16 and 17 of said County, said line being a non-tangent curve concave southeasterly having a radius of 497.50 feet, a radial to said curve bears North  $11^{\circ}09'39''$  West; thence along said curve through a central angle of  $06^{\circ}40'33''$  an arc distance of 57.97 feet to the Point of Beginning.

Containing 7,592 square feet more or less; or 0.17 acres more or less

Except therefrom any portions previously relinquished by the City of Oxnard.

APN: 132-0-110-165

000015

ATTACHMENT # 2  
PAGE 3 OF 9

PAGE 1 of 2

EXHIBIT 'A'

TR. No. 5352-1  
150 MR 76-93  
LOT 3

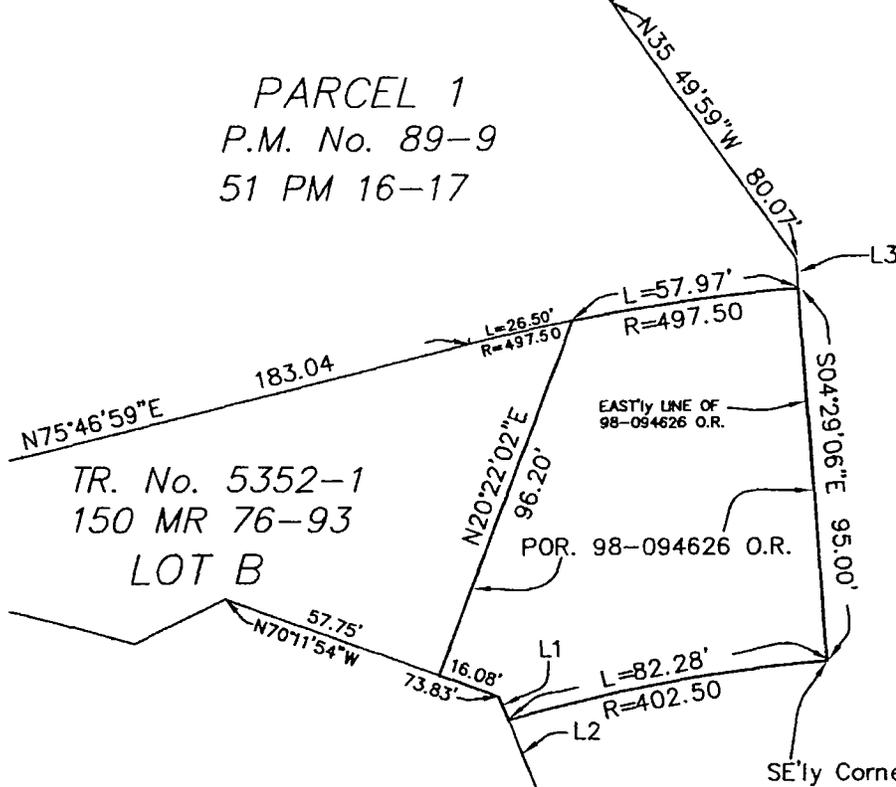
LINE TABLE		
ITEM		
L-1	S21°47'49"E	6.39'
L-2	S21°47'49"E	18.79'
L-3	S04°29'06"E	7.50'

PARCEL 1  
P.M. No. 89-9  
51 PM 16-17

NOT TO SCALE



LOT 6  
TR. No. 5352-1  
150 MR 76-93



TR. No. 5352-1  
150 MR 76-93  
LOT B

TOWN  
CENTER  
DRIVE



PAGE 2 of 2

HUITT-ZOLLARS

SKETCH TO ACCOMPANY  
A LEGAL DESCRIPTION  
ABANDONMENT OF A PORTION OF  
DEED 89-094626 O.R.  
LAYING IN A PORTION OF LOT 6 IN  
TRACT No. 5352-1 - 150 MR 76-93  
CITY OF OXNARD, STATE OF CALIFORNIA

SCALE	NTS
DRAWN BY	JLH
CHECKED BY	PTC
DATE	11/07/2007
JOB No.	19-0029-01

APPROVED BY

000016

ATTACHMENT # 2  
PAGE 4 OF 9

RECORDING REQUESTED BY  
CITY OF OXNARD  
REQUEST RECORDING WITHOUT FEE. Record for  
THE BENEFIT OF THE CITY OF OXNARD PURSUANT  
TO SEC. 6103 OF THE GOVERNMENT CODE.  
AND WHEN RECORDED MAIL TO

89-094626 : Rsc Fee .00  
: Total .00  
Recorded :  
Official Records :  
County of :  
Ventura :  
Richard D. Dean :  
Recorder :  
8:02am 15-Jun-89 : BY 5

The City of Oxnard  
City Clerk's Office  
305 W. Third Street  
Oxnard, CA 93030

MAIL TAX STATEMENTS TO

N-A

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**Partnership Grant Deed** (EASEMENT)

STAT NO NN06586  
7-2-1925 CA (11-83)

THIS FORM FURNISHED BY TICOR TITLE INSURERS

ALL 11/19 X  
39  
020  
132  
7+  
The undersigned grantor(s) declare(s):  
Documentary transfer tax is \_\_\_\_\_  
( ) computed on full value of property conveyed, or  
( ) computed on full value less value of liens and encumbrances remaining at time of sale.  
( ) Unincorporated area: (X) City of OXNARD, and

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

OXNARD TOWN CENTER,

a limited partnership organized under the laws of the State of California  
hereby GRANTS to  
The City of Oxnard

the following described real property in the City of Oxnard  
County of Ventura, State of California.

The property described in Exhibit A, annexed hereto and incorporated herein  
by this reference.

MEMO: Legibility of  
Typing or Printing is  
Unsatisfactory in  
Portion of this Document

Dated: January 30, 1989

STATE OF CALIFORNIA }  
COUNTY OF \_\_\_\_\_ } SS.

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

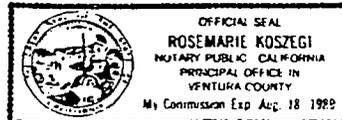
personally known to me or proved to me on the basis  
of satisfactory evidence to be the person who executed the within instrument as  
one of the partners of the partnership that executed the  
within instrument, and acknowledged to me that such  
partnership executed the same.  
WITNESS my hand and official seal.

Signature \_\_\_\_\_

Oxnard Town Center,  
a California limited partnership

By: First Oxnard Group,  
a California general partnership Partner

By: River Edge Properties, Inc.  
a California corporation Partner  
Its Managing Partner  
By: Lawrence R. Lahr  
Lawrence R. Lahr  
Its Vice President



(This area for official notarial seal)

Title Order No. \_\_\_\_\_ Escrow or Loan No. \_\_\_\_\_

000017

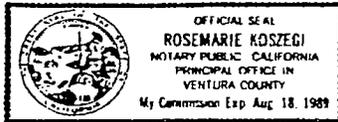
MAIL TAX STATEMENTS AS DIRECTED ABOVE

ATTACHMENT # 2  
PAGE 5 OF 9

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF VENTURA )

On APRIL 20, 1989, before me, a Notary Public in and for said county and state, personally appeared LAWRENCE R. LAHR, personally known or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as Vice President on behalf of RIVER EDGE PROPERTIES, INC., a California corporation, the corporation therein named, and acknowledged to me that said corporation executed the within instrument pursuant to its bylaws or a resolution of its board of directors, said corporation being known to me to be one of the partners of FIRST OXNARD GROUP, a California general partnership, said general partnership being one of the partners of OXNARD TOWN CENTER, a California limited partnership, that executed the within instrument, and acknowledged to me that such corporation executed the same as such partner and that such partnership executed the same.

WITNESS my hand and official seal.



*Rosemarie Koszegi*  
Notary Public

000018

ATTACHMENT # 2  
PAGE 6 OF 9

EXHIBIT "A"

PARCEL 1: (TOWN CENTER DRIVE)

AN EASEMENT FOR RIGHT OF WAY PURPOSES OVER THAT PORTION OF THE RANCHO SANTA CLARA DEL NORTE, IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK A, PAGE 301 OF PATENTS, RECORDS OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHWESTERLY LINE OF PARCEL D OF THAT CERTAIN PARCEL OF LAND, DESCRIBED IN DEED RECORDED DECEMBER 3, 1986, AS INSTRUMENT NO. 86-175822 OF OFFICIAL RECORDS, OF VENTURA COUNTY, AS BEARING SOUTH 59° 03' 38" EAST 250.42 FEET IN COURSE NO. 3, SAID POINT BEING DISTANT 163.30 FEET SOUTHEASTERLY FROM THE NORTHWESTERLY TERMINUS THEREOF; THENCE, SOUTHEASTERLY ALONG SAID LINE,

- 1ST: SOUTH 59° 03' 38" EAST 80.70 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 334.00 FEET, A RADIAL LINE THROUGH SAID POINT BEARS NORTH 48° 04' 50" EAST; THENCE, LEAVING SAID LINE AND
- 2ND: NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 70° 56' 38", A DISTANCE OF 413.56 FEET; THENCE, TANGENT TO SAID CURVE,
- 3RD: NORTH 29° 01' 28" EAST 131.36 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 366.00 FEET; THENCE,
- 4TH: NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 41° 59' 21", A DISTANCE OF 268.22 FEET; THENCE,
- 5TH: NORTH 6° 58' 47" WEST 14.39 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 34.50 FEET, A RADIAL LINE THROUGH SAID POINT BEARS NORTH 77° 02' 07" EAST; THENCE,
- 6TH: NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 98° 07' 24", A DISTANCE OF 59.08 FEET TO THE TRUE POINT OF BEGINNING; SAID TRUE POINT OF BEGINNING ALSO BEING THE BEGINNING OF A COMPOUND CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 402.50 FEET, A RADIAL TO SAID POINT BEARS NORTH 04° 50' 29" WEST; THENCE, FROM SAID TRUE POINT OF BEGINNING,
- 7TH: EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 0° 20' 08", A DISTANCE OF 2.36 FEET; THENCE, RADIAL TO SAID CURVE,
- 8TH: NORTH 4° 30' 22" WEST 95.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE SOUTHERLY, HAVING A RADIUS OF 497.50 FEET; THENCE,
- 9TH: WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 9° 43' 55", A DISTANCE OF 84.50 FEET; THENCE, TANGENT TO SAID CURVE,
- 10TH: SOUTH 75° 45' 43" WEST 182.93 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 357.50 FEET; THENCE,

EXHIBIT "A" CONTINUED

- 11TH: WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 62° 51' 21", A DISTANCE OF 392.19 FEET TO A POINT ON THE NORTHEASTERLY LINE OF SAID PARCEL D; THENCE, NORTHWESTERLY ALONG SAID LINE,
- 12TH: NORTH 53° 08' 21" WEST 250.76 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 25.00 FEET; THENCE,
- 13TH: NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 75° 31' 37", A DISTANCE OF 32.95 FEET; THENCE,
- 14TH: SOUTH 77° 19' 40" WEST 169.24 FEET; THENCE,
- 15TH: SOUTH 3° 15' 07" EAST 7.03 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 419.50 FEET, A RADIAL LINE THROUGH SAID POINT BEARS SOUTH 10° 35' 08" WEST; THENCE,
- 16TH: SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 43° 54' 14", A DISTANCE OF 321.45 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE NORTHERLY AND HAVING A RADIUS OF 463.50 FEET; THENCE,
- 17TH: EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 72° 52' 45", A DISTANCE OF 589.56 FEET; THENCE, TANGENT TO SAID CURVE,
- 18TH: NORTH 71° 36' 37" EAST 120.56 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 402.50 FEET; THENCE,
- 19TH: NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13° 32' 53", A DISTANCE OF 95.18 FEET TO THE TRUE POINT OF BEGINNING.

000020

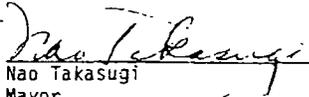
ATTACHMENT # 2  
PAGE 8 OF 9

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the  
Partnership Grant Deed \_\_\_\_\_ dated  
January 30, 1989 from Oxnard Town Center, A California Limited  
Partnership

to CITY OF OXNARD, a political corporation and governmental agency, is  
hereby accepted and pursuant to City Council Resolution 1939, recorded  
in book 1591, Official Records of Ventura County at page 273, the City  
Council consents to recordation thereof by its duly authorized officer.

DATED May 16, 1989

By   
Nao Takasugi  
Mayor

Easement for Right of Way - Town Center Drive  
Portion of APN 132-0-020-39

000021

ATTACHMENT # 2  
PAGE 9 OF 9

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:

Riverpark Legacy, LLC  
30699 Russell Ranch Road  
Westlake Village, CA 91362  
Attention: David Lauletta

---

Space above this line for Recorder's use

### QUITCLAIM DEED

For valuable consideration, receipt of which is hereby acknowledged, the City of Oxnard, a municipal corporation of the State of California ("Grantor"), does hereby quitclaim to RiverPark A, L.L.C., a Delaware limited liability company ("Grantee"), all of its right, title, and interest in the real property legally described in Exhibit A, which is attached hereto and incorporated herein by this reference. This Quitclaim Deed relinquishes and releases all obligations within Exhibit A contained within Partnership Grant Deed (Easement) recorded June 15, 1989 as Instrument No. 89-094627 of Official Records.

APN: 132-0-110-*315*

Dated: \_\_\_\_\_, 2008

**CITY OF OXNARD**, a municipal  
corporation of the State of California

By: \_\_\_\_\_  
Dr. Thomas E. Holden  
Mayor

**NOTARIZATION REQUIRED**

**000022**

ATTACHMENT #   3    
PAGE   1   OF   8



EXHIBIT 'A'

LEGAL DESCRIPTION  
PORTION OF LAND DEEDED TO THE CITY OF OXNARD  
DOCUMENT 89-094627 OFFICAL RECORDS

That portion of land located in the City of Oxnard, County of Ventura, State of California, being a parcel described in a PARTNERSHIP GRANT DEED to the City of Oxnard, a political corporation and governmental agency, recorded June 15, 1989 as Document 89-094627 of Official Records filed in the office of the County Recorder of said County, more particularly described as follows:

Beginning at the southeasterly corner of Lot B as shown on the map of Tract No. 5352-1, recorded in Book 150, Pages 76 through 92, inclusive, of Miscellaneous Records (Maps) filed in the office of the County Recorder of said County, being a point in the northeasterly right-of-way of Town Center Drive as shown on said map; thence along said northeasterly right-of-way through the following two courses: South  $70^{\circ}01'54''$  East 16.08 feet and South  $21^{\circ}47'49''$  East 6.39 feet to a point on a non-tangent curve concave southerly having a radius of 402.50 feet, a radial to said point bears North  $16^{\circ}11'50''$  West, said point being the True Point of Beginning; thence leaving said northeasterly right-of-way of Town Center Drive, easterly along said non-tangent curve through a central angle of  $11^{\circ}22'54''$  an arc distance of 79.96 feet to a point of cusp on a non-tangent curve concave southeasterly having a radius of 34.50 feet, a radial to said point bears North  $04^{\circ}50'18''$  West, thence westerly, southwesterly and southerly along said non-tangent curve through a central angle of  $98^{\circ}07'24''$  an arc distance of 59.08 feet; thence tangent to said curve, South  $05^{\circ}59'34''$  East 12.30 feet to a point in a non-tangent curve concave southwesterly having a radius of 652.19 feet, said non-tangent curve being the northeasterly right-of-way of said Town Center Drive, a radial to said point bears North  $30^{\circ}03'52''$  East; thence northwesterly along said non-tangent curve through a central angle of  $04^{\circ}11'13''$  an arc distance of 47.66 feet; thence North  $21^{\circ}47'49''$  West 18.49 feet to the True Point of Beginning.

Containing 1,655 square feet more or less

APN: 132-0-110-165

000024

PAGE 1 of 2

ATTACHMENT # 3  
PAGE 3 OF 8



RECORDING REQUESTED BY  
CITY OF OXNARD

REQUEST RECORDING WITHOUT FEE. RECORD FOR  
THE BENEFIT OF THE CITY OF OXNARD PURSUANT  
TO SEC. 6103 OF THE GOVERNMENT CODE.  
AND WHEN RECORDED MAIL TO

Name The City of Oxnard  
Street City Clerk's Office  
Address 305 West Third Street  
City & State Oxnard, California 93030

MAIL TAX STATEMENTS TO

Name  
Street  
Address  
City & State  
N-A

89-094627

Rec Fee .00  
Total .00

Recorded  
Official Records  
County of  
Ventura  
Richard D. Dean  
Recorder  
8:02am 15-Jun-89

BY 4

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Partnership Grant Deed

(EASEMENT)

CAT. NO. NN00586  
TO 1925 CA (11-83)

THIS FORM FURNISHED BY TICOR TITLE INSURERS

ALL PTN. X	The undersigned grantor(s) declare(s): Documentary transfer tax is _____ ( ) computed on full value of property conveyed, or ( ) computed on full value less value of liens and encumbrances remaining at time of sale. ( ) Unincorporated area: (X) City of <u>OXNARD</u> , and
39	FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,  OXNARD TOWN CENTER, a limited partnership organized under the laws of the State of California hereby GRANTS to  THE CITY OF OXNARD
0	the following described real property in the City of Oxnard County of Ventura, State of California.  The property described in Exhibit A, annexed hereto and incorporated herein by this reference.  The grant herein is made upon the condition that if the Grantee shall formally vacate, or shall cease to use for right of way purposes, the property which is the subject of this conveyance, Grantee shall convey the subject property to the Grantor upon such vacation or cessation of use of the property upon receipt of the sum of \$3.50 per square foot of land contained within the subject property, all pursuant to that certain agreement between the Grantor and the Grantee, approved by Grantee on January 17, 1989, and entitled "Agreement to Contribute Funds in Return for Release of Right of Way Funds".
132	Dated: <u>JAN 30, 1989</u>  STATE OF CALIFORNIA } COUNTY OF _____ } SS. On _____ before me, the undersigned, a Notary Public in and for said State, personally appeared _____  personally known to me or proved to me on the basis of satisfactory evidence to be the person _____ who exe- cuted the within instrument as _____ of the partners of the partnership that executed the within instrument, and acknowledged to me that such partnership executed the same. WITNESS my hand and official seal.  Signature _____
	OXNARD TOWN CENTER, A California limited partnership  First Oxnard Group, a California By <u>General Partnership</u> By: <u>River Edge Properties, Inc.</u> <del>BOOK</del> a California corporation Its Managing Partner <del>BOOK</del> By: <u>Lawrence R. Lahr</u> Lawrence R. Lahr Its Vice President
	  (This area for official notarial seal)
	Title Order No. _____ Escrow or Loan No. _____

MAIL TAX STATEMENTS AS DIRECTED ABOVE

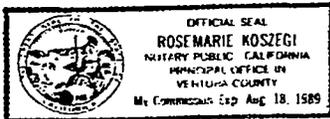
000026

ATTACHMENT # 3  
PAGE 5 OF 8

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF VENTURA )

On APRIL 20, 1989, before me, a Notary Public in and for said county and state, personally appeared LAWRENCE R. LAHR, personally known or proved to me on the basis of satisfactory evidence to be the person who executed the within instrument as Vice President on behalf of RIVER EDGE PROPERTIES, INC., a California corporation, the corporation therein named, and acknowledged to me that said corporation executed the within instrument pursuant to its bylaws or a resolution of its board of directors, said corporation being known to me to be one of the partners of FIRST OXNARD GROUP, a California general partnership, said general partnership being one of the partners of OXNARD TOWN CENTER, a California limited partnership, that executed the within instrument, and acknowledged to me that such corporation executed the same as such partner and that such partnership executed the same.

WITNESS my hand and official seal.



*Rosemarie Koszegi*  
Notary Public

000027

ATTACHMENT # 3  
PAGE 6 OF 8

PARCEL 2: (EL RIO DRIVE)

AN EASEMENT FOR RIGHT OF WAY PURPOSES OVER THAT PORTION OF THE RANCHO SANTA CLARA DEL NORTE, IN THE CITY OF OXNARD, COUNTY OF VENTURA, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK A, PAGE 301 OF PATENTS, RECORDS OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHWESTERLY LINE OF PARCEL D OF THAT CERTAIN PARCEL OF LAND, DESCRIBED IN DEED RECORDED DECEMBER 3, 1986, AS INSTRUMENT NO. 86-175822 OF OFFICIAL RECORDS, OF VENTURA COUNTY, CITED AS BEARING SOUTH 59° 03' 38" EAST 250.42 FEET IN COURSE NO. 3, SAID POINT BEING DISTANT 163.30 FEET SOUTHEASTERLY FROM THE NORTHWESTERLY TERMINUS THEREOF; THENCE, SOUTHEASTERLY ALONG SAID LINE,

- 1ST: SOUTH 59° 03' 38" EAST 80.70 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 334.00 FEET, A RADIAL LINE THROUGH SAID POINT BEARS NORTH 48° 04' 50" EAST; THENCE, LEAVING SAID LINE AND
- 2ND: NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 70° 56' 38", A DISTANCE OF 413.56 FEET; THENCE, TANGENT TO SAID CURVE,
- 3RD: NORTH 29° 01' 28" EAST 131.36 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 366.00 FEET; THENCE,
- 4TH: NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 41° 59' 21", A DISTANCE OF 268.22 FEET; THENCE,
- 5TH: NORTH 6° 58' 47" WEST 14.39 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 34.50 FEET, A RADIAL LINE THROUGH SAID POINT BEARS NORTH 77° 02' 08" EAST; THENCE,
- 6TH: NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 98° 07' 24", A DISTANCE OF 59.08 FEET TO A POINT OF CUSP ON A CURVE, CONCAVE SOUTHERLY AND HAVING A RADIUS OF 402.50 FEET, A RADIAL TO SAID POINT BEARS NORTH 04° 50' 29" WEST; THENCE,
- 7TH: WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13° 32' 53", A DISTANCE OF 95.18 FEET; THENCE,
- 8TH: SOUTH 71° 36' 37" WEST 17.29 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHERLY AND HAVING A RADIUS OF 34.50 FEET; THENCE,
- 9TH: SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 95° 25' 29", A DISTANCE OF 57.46 FEET; THENCE,
- 10TH: SOUTH 18° 47' 03" EAST 14.79 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 334.00 FEET, A RADIAL LINE THROUGH SAID POINT BEARS SOUTH 77° 02' 07" WEST; THENCE,
- 11TH: SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 41° 59' 21", A DISTANCE OF 244.77 FEET; THENCE, TANGENT TO SAID CURVE,
- 12TH: SOUTH 29° 01' 28" WEST 131.36 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 366.00 FEET; THENCE,
- 13TH: SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 58° 46' 51", A DISTANCE OF 375.49 FEET TO THE POINT OF BEGINNING.

000028

ATTACHMENT # 3  
PAGE 7 OF 8

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the  
Partnership Grant Deed dated  
January 30, 1989 from Oxnard Town Center, a California Limited  
Partnership

to CITY OF OXNARD, a political corporation and governmental agency, is  
hereby accepted and pursuant to City Council Resolution 1939, recorded  
in book 1591, Official Records of Ventura County at page 273, the City  
Council consents to recordation thereof by its duly authorized officer.

DATED May 16, 1989

By Nao Takasugi  
Nao Takasugi  
Mayor

Easement of Right of Way - El Rio Drive  
Portion of APN 132-0-020-39

000029

ATTACHMENT # 3  
PAGE 8 OF 8