

**ORDINANCE NO. \_\_\_\_\_**

An ordinance approving Resolution No. 25248 of the Board of Airport Commissioners of the City of Los Angeles consenting to the granting by the City of Los Angeles to City of Ontario of a non-exclusive Easement to relocate and use a storm drain to accommodate the N. Vineyard Avenue/Union Pacific Railroad Grade Separation Project at LA/Ontario International Airport.

**THE PEOPLE OF THE CITY OF LOS ANGELES  
DO ORDAIN AS FOLLOWS:**

Section 1. It is hereby found and determined that the public interest, convenience and necessity require the granting of a non-exclusive Easement for the purpose of relocating and using a storm drain along, under, across and over at LA/Ontario International Airport in the City of Ontario, from the City of Los Angeles (hereinafter referred to as the "Grantor") to the City of Ontario (hereinafter referred to as the "Grantee"), as set forth in Resolution No. 25248 of the Board of Airport Commissioners, attached to this Ordinance as Exhibit "B" hereof, in order to construct, use, maintain, operate, alter, repair, replace reconstruct, remove and inspect facilities and appurtenances thereto.

Sec. 2. That Resolution No. 25248 (Exhibit "B" hereto) is hereby approved and the Easement along and near Airport Drive, outlined and delineated in red on Department of Airports' Drawings and attached to this ordinance as Exhibit "A" hereof, be and the same is hereby granted to the City of Ontario for the above-described purposes. The legal description of said parcel of land is attached to this ordinance as Exhibit "C".

Sec. 3. Grantor, its successors and assigns, reserves for the use and benefit, the right for full use and enjoyment of the surface. The Grantee expressly agrees, for itself, its successors and assigns, that it will hold Grantor harmless and defend and indemnify Grantor for any injury or damages caused by the Grantee's negligent activities undertaken pursuant to this Easement. The Grantee expressly agrees, for itself, its successors and assigns, that before undertaking any emergency or non-emergency work in secured (restricted) areas inaccessible to the general public, Grantee will provide advance notification to the Ontario Airport Manager, or his designee(s), and will use its best efforts to ensure that such work will not interfere with the operation of the Airport, its tenants and/or the travelling public. The Grantee expressly agrees, for itself, its successors and assigns, that in the event the storm drain

service for which said facilities are constructed is discontinued, Grantee will, at Grantor's election, remove and/or abandon said facilities within 120 days after receipt of a notice from the Grantor and execute a Quitclaim Deed reconveying this Easement to the Grantor.

Sec. 4. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council Policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy of the bulletin board located at the Main Street entrance to City Hall; one copy on the bulletin board located at the Main Street entrance to City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of \_\_\_\_\_.

HOLLY L. WOLCOTT, Interim City Clerk

By \_\_\_\_\_ Deputy

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

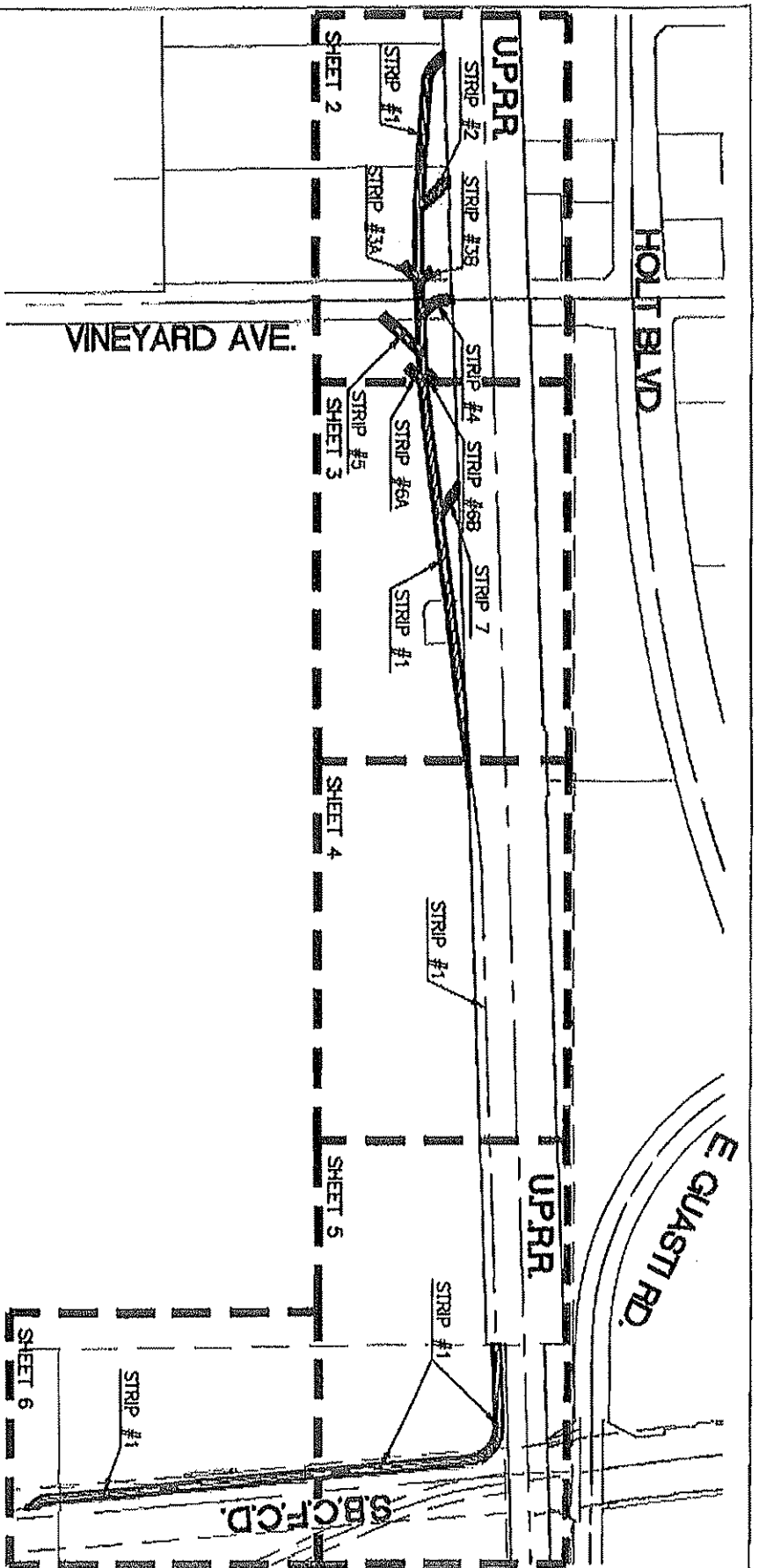
Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By  \_\_\_\_\_  
BRIAN C. OSTLER  
Deputy City Attorney

Date 4/2/14

File No. \_\_\_\_\_



**EASEMENT NOTE:**  
SEE SHEET 7 & 8 FOR UNDERLYING EASEMENT INFORMATION.

**LEGEND**

- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- P.O.T. POINT OF TERMINATION
- INDICATES PROPOSED 20' WIDE EASEMENT 103,233 SQ. FT. (2.37 ACRES) MORE OR LESS
- INDICATES CENTERLINE

**BASIS OF BEARINGS**

THE BASIS OF BEARINGS FOR THIS SURVEY ARE BASED UPON THE NORTH AMERICAN DATUM OF 1983 (NAD83) OF THE CALIFORNIA COORDINATE SYSTEM OF 1983 (CCS83), ZONE V, 2002.00 EPOCH. DISTANCES SHOWN HEREON ARE GRID DISTANCES. GROUND DISTANCES MAY BE OBTAINED BY DIVIDING GRID DISTANCES BY THE AVERAGE CORRECTION FACTOR OF .99995292

SCALE: N.T.S.



THIS EXHIBIT WAS PREPARED UNDER MY DIRECTION:  
*Clifford A. Simental*  
DATE: 7/1/13

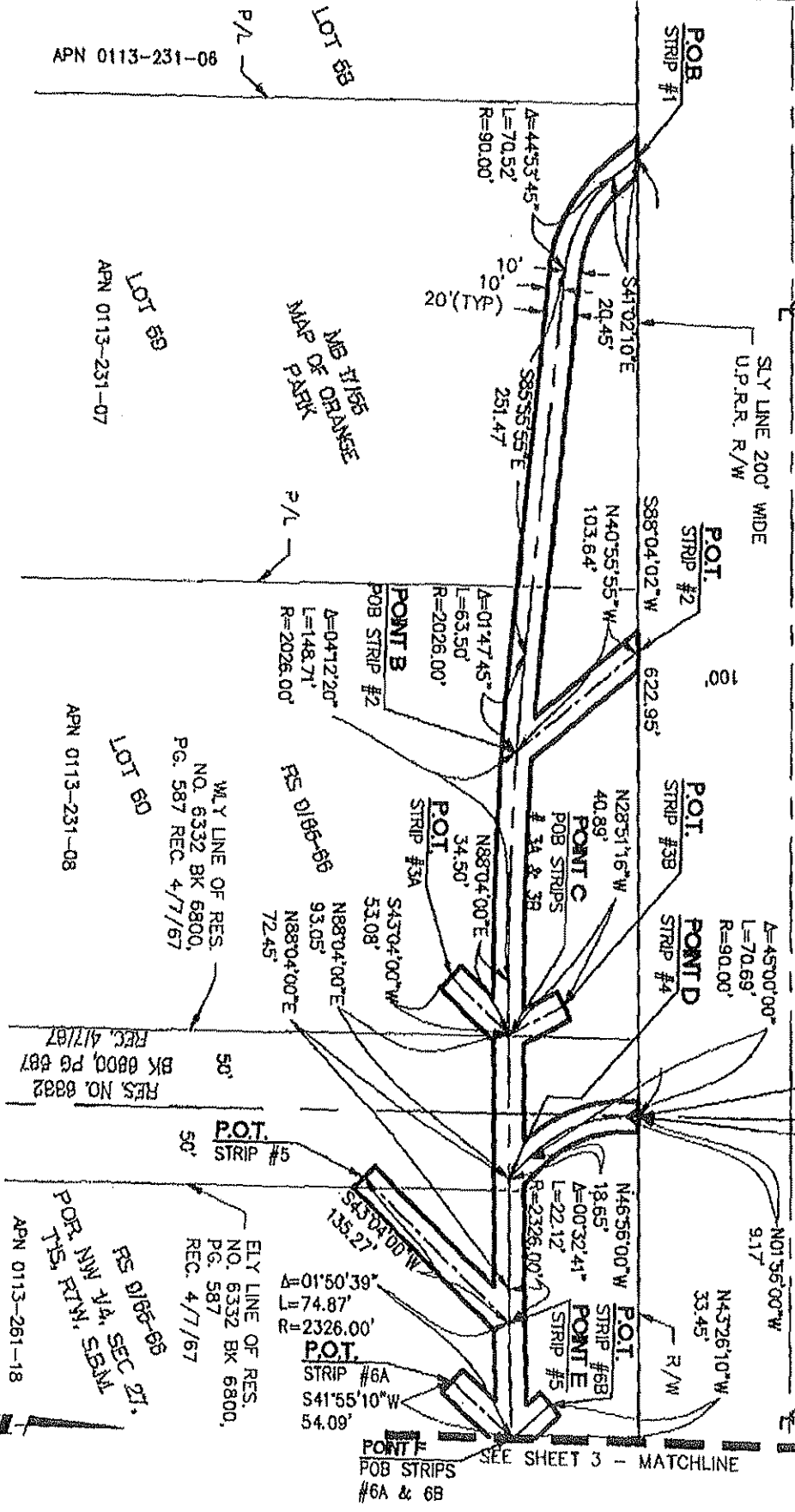
<b>EXHIBIT "B"</b>		<b>SHEET 1 OF 8</b>	
<b>STORM DRAIN LINE EASEMENT</b>		<b>P S O M A S</b>	
		1500 Lora Avenue, Suite 210 Irvine, CA 92607 (951) 767-8421 www.psonmas.com	
DRAFTED	JAU	SCALE	N.T.S.
CHECKED	SMS		
DATE	JUNE 07, 2013		
JOB NUMBER	44IDR010500		

**EXHIBIT A**

MB 17155  
MAP OF ORANGE  
PARK

UNION PACIFIC RAILROAD  
(FORMERLY SOUTHERN PACIFIC RAILROAD)

POC  
INT CL VINEYARD  
WITH SLY LINE  
UPRR R/W



APN 0113-231-08

LOT 89  
APN 0113-231-07

LOT 89  
APN 0113-231-08

WLY LINE OF RES.  
NO. 6332 BK 6800,  
PG. 587 REC. 4/7/67

RES. NO. 6882  
BK 6800, PG 687  
REC. 4/7/67

ELY LINE OF RES.  
NO. 6332 BK 6800,  
PG. 587  
REC. 4/7/67

RES. NO. 6882  
BK 6800, PG 687  
REC. 4/7/67

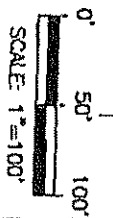
APN 0113-261-18

**EXHIBIT "B"**  
**STORM DRAIN LINE**  
**EASEMENT**

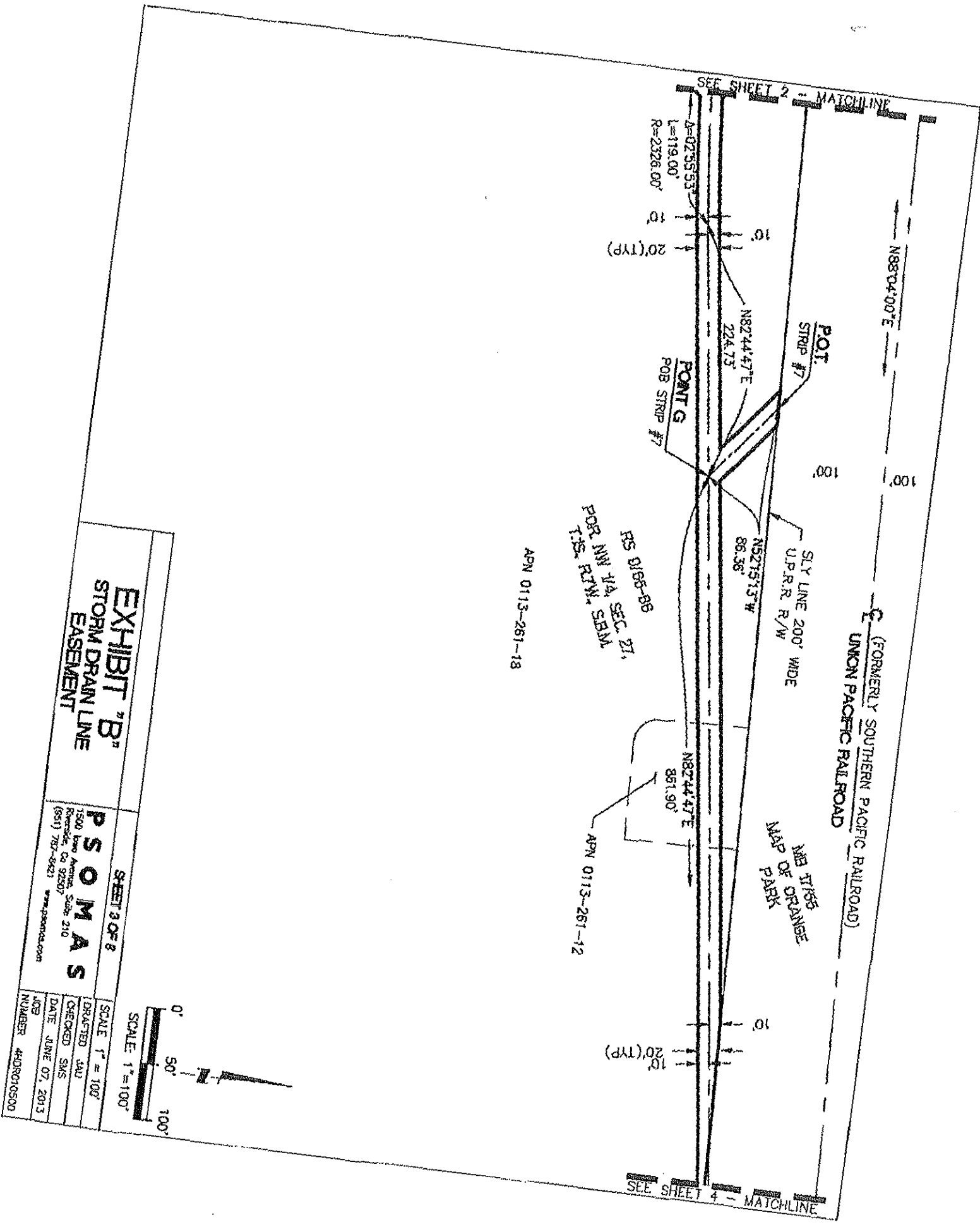
**PSOMAS**  
1500 Judd Avenue, Suite 210  
Riverside, Ca 92507  
(951) 760-3421 www.psomas.com

SHEET 2 OF 8

SCALE 1" = 100'	DRAFTED	JAV
CHECKED	SMS	
DATE	LINE 07, 2013	
JOB NUMBER	4H05010500	



SEE SHEET 3 - MATCHLINE  
POINT F  
POB STRIPS  
#6A & 6B



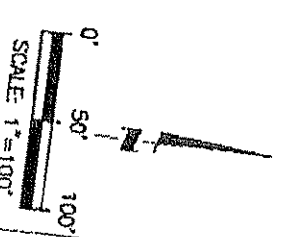
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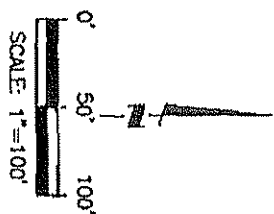
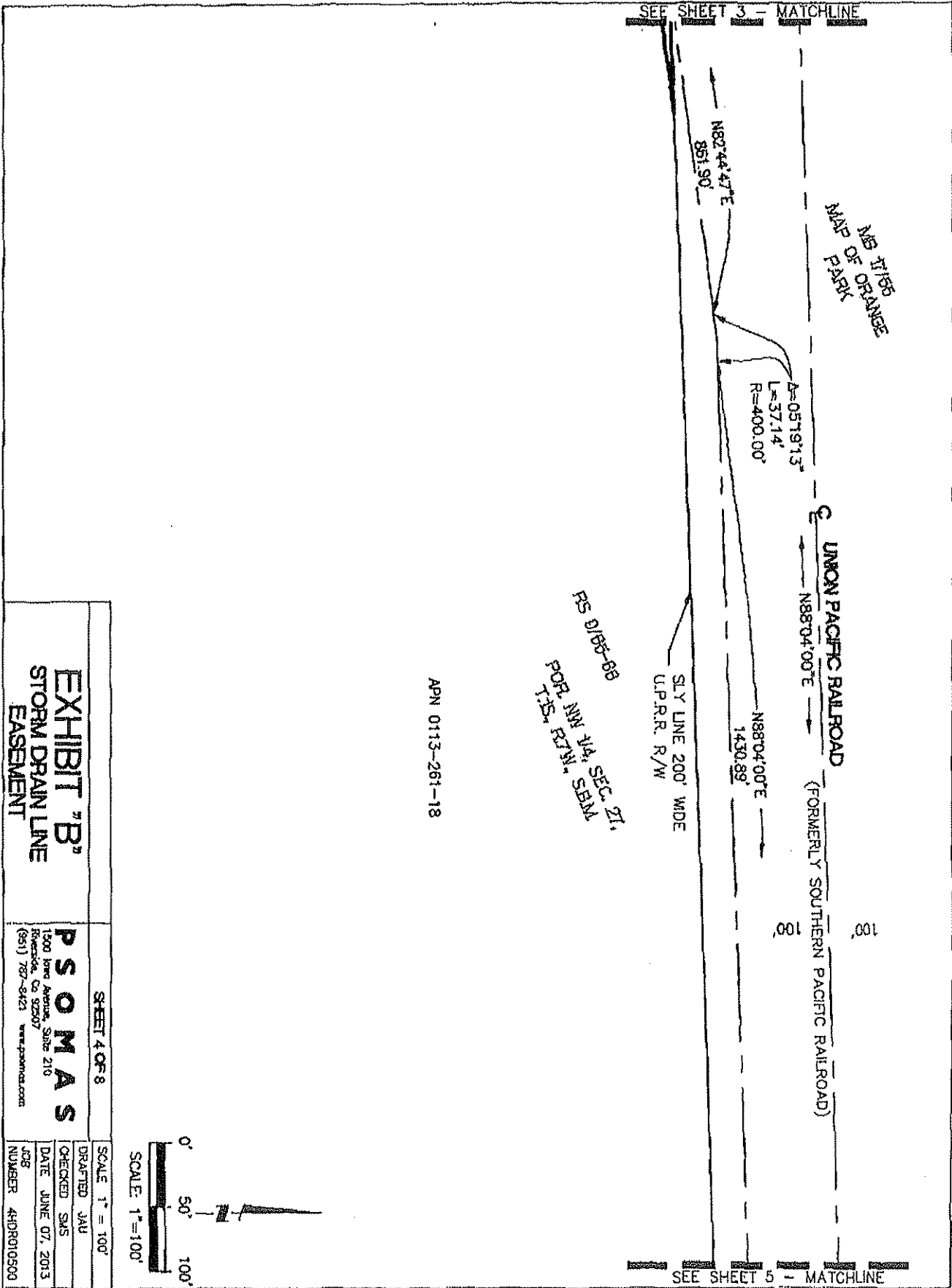
**EXHIBIT "B"**  
**STORM DRAIN LINE**  
**EASEMENT**

SHEET 3 OF 3

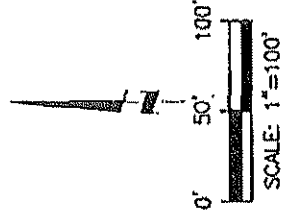
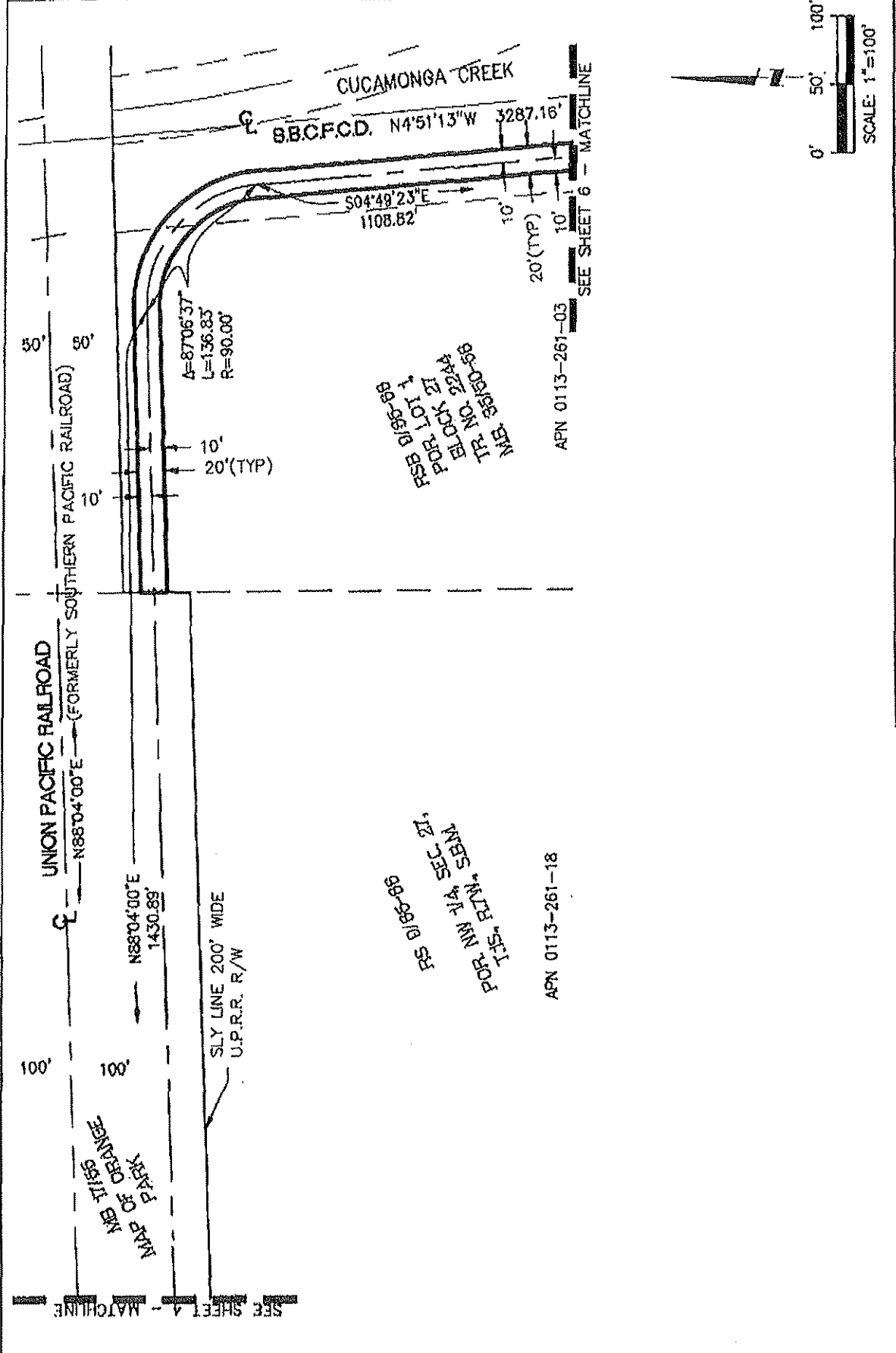
**P S O M A S**  
 1500 Lind Avenue, Suite 210  
 Riverside, Ca 92507  
 (951) 767-5621 www.psomads.com

SCALE 1" = 100'
SCALE 1" = 100'
DRAFTED JAU
CHECKED SMS
DATE JUNE 07, 2013
ACB NUMBER #4DR010500



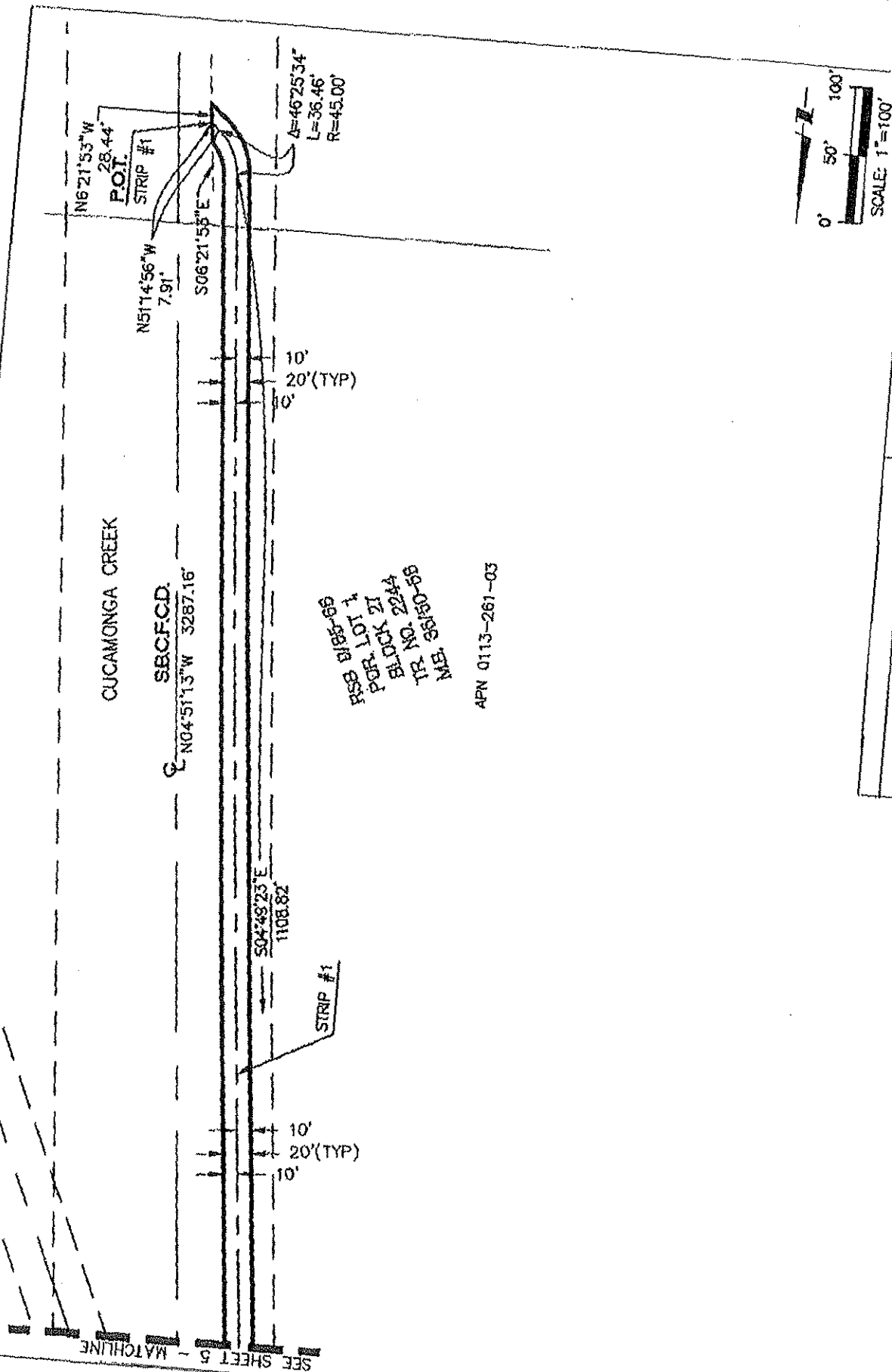


<b>EXHIBIT "B"</b>		<b>PSOMAS</b> 1500 Iowa Avenue, Suite 210 Riverside, CA 92507 (951) 787-8421 www.psomas.com
<b>STORM DRAIN LINE EASEMENT</b>		
SHEET 4 OF 8		
SCALE	1" = 100'	
DRAFTED	JAU	
CHECKED	SMS	
DATE	JUNE 07, 2013	
JOB NUMBER	4HD8010500	



SHEET 5 OF 8		SCALE 1" = 100'
<b>EXHIBIT "B"</b>		DRAFTED JAU
<b>STORM DRAIN LINE</b>		CHECKED SMS
<b>EASEMENT</b>		DATE JUNE 07, 2013
		JOB NUMBER 44DR010500
<b>PSOMAS</b>		
1500 Iowa Avenue, Suite 210		
Riverside, Ca 92507		
(951) 787-8421 www.psomas.com		





N6 21' 53" W  
28.44'  
P.O.T.  
STRIP #1

N51 14' 56" W  
7.91'  
S06 21' 55" E

Δ=4625.34'  
L=36.46'  
R=45.00'

CUCAMONGA CREEK  
SBCFCD.  
N04 51' 13" W 3287.16'

S04 48' 23" E  
1108.82'

STRIP #1

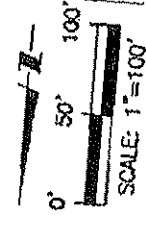
10'  
20'(TYP)  
10'

10'  
20'(TYP)  
10'

RSB 8185-86  
PGR. LOT 1  
BLOCK 21  
TR. NO. 2244  
MEB. 88150-68

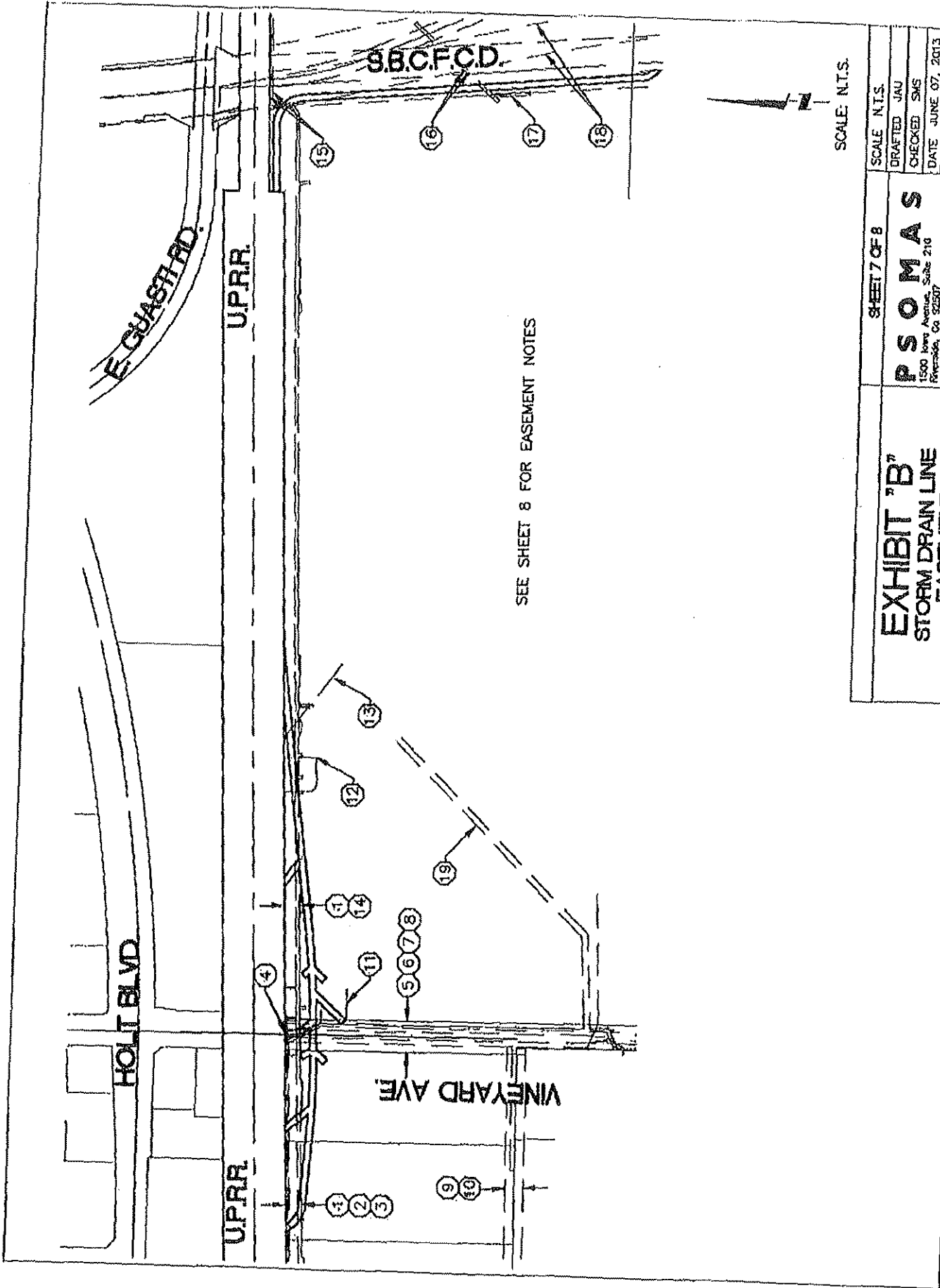
APN 0113-261-03

SEE SHEET 5 - MATCHLINE



SHEET 6 OF 8	
<b>P S O M A S</b>	
1500 Jory Avenue, Suite 210 Gerrish, Ca 92507 (857) 787-8421 www.pomas.com	
SCALE 1" = 100'	DRAFTED JAU
	CHECKED SMS
	DATE JUNE 07, 2013
	JOB NUMBER 448R010500

**EXHIBIT "B"**  
**STORM DRAIN LINE**  
**EASEMENT**



SEE SHEET 8 FOR EASEMENT NOTES

SCALE: N.T.S.

<b>EXHIBIT "B"</b> <b>STORM DRAIN LINE</b> <b>EASEMENT</b>	SHEET 7 OF 8	SCALE N.T.S. DRAFTED JAU CHECKED SMS DATE JUNE 07, 2013 JOB NUMBER 4HD010500
	<b>P S O M A S</b> 1500 Jara Avenue, Suite 210 Riverside, Ca 92507 (951) 787-8421 www.psomass.com	

**EASEMENT NOTE:**

- ① VAR WIDTH EASEMENT AS DESCRIBED IN GRANT DEED REC. 02/09/01 AS INST. NO 20010050059, TELE
- ② CENTERLINE EASEMENT AS DESCRIBED IN GRANT DEED REC. 01/29/51, BOOK 2709, PAGE 396, ELEC.
- ③ 10' WIDE EASEMENT AS DESCRIBED IN GRANT DEED REC. 07/18/52, BOOK 2936, PAGE 456, ELEC/TELE.
- ④ 6' WIDE ESASEMENT AS DESCRIBED IN GRANT DEED REC. 09/26/58, BOOK 4514, PAGE 374, ELEC.
- ⑤ VAR. WIDTH EASEMENT AS DESCRIBED IN GRANT DEED REC. 10/14/55, BOOK 3764, PAGE 598, ELEC/TELE
- ⑥ 20' WIDE EASEMENT AS DESCRIBED IN GRANT DEED REC. 04/07/67, BOOK 6300, PAGE 587, UTIL.
- ⑦ 15' WIDE EASEMENT AS DESCRIBED IN GRANT DEED REC. 08/18/52, BOOK 3005, PAGE 258, GAS.
- ⑧ 20' WIDE EASEMENT AS DESCRIBED IN GRANT DEED REC. 07/01/85, INST. NO. 85-157921, O.R., SEWER
- ⑨ 80' WIDE EASEMENT AS DESCRIBED IN GRANT DEED REC. 04/07/66, BOOK 6604, PAGE 153, PUBLIC UTIL.
- ⑩ 15' WIDE EASEMENT AS DESCRIBED IN GRANT DEED REC. 08/18/52, BOOK 3005, PAGE 258, GAS

**CONTINUED:**

- ⑪ CENTERLINE LINE 17 EASEMENT AS DESCRIBED IN GRANT DEED REC. 10/13/50, BOOK 2654, PAGE 510, ELEC.
- ⑫ EASEMENT AS DESCRIBED IN GRANT DEED REC. 07/01/85, INST. 85-157921, O.R. WATER WELL
- ⑬ CENTERLINE LINE 16 EASEMENT AS DESCRIBED IN GRANT DEED REC. 10/13/50, BOOK 2654, PAGE 510, ELEC.
- ⑭ VAR. WIDTH EASEMENT AS DESCRIBED IN GRANT DEED REC. 02/09/01, AS INST. NO. 20010050060, ELEC.
- ⑮ 10' WIDE EASEMENT AS DESCRIBED IN GRANT DEED REC. 09/22/42, BOOK 1554, PAGE 255, TELE
- ⑯ 10' WIDE EASEMENT AS DESCRIBED IN GRANT DEED REC. 05/19/58, BOOK 4511, PAGE 568, TELE
- ⑰ 10' WIDE EASEMENT AS DESCRIBED IN GRANT DEED REC. 12/22/60, BOOK 5311, PAGE 227, TELE
- ⑱ 200' WIDE EASEMENT AS DESCRIBED IN GRANT DEED REC. 09/12/51, BOOK 2822, PAGE 335, FLOOD CNTRL
- 20' WIDE EASEMENT AS DESCRIBED IN GRANT DEED REC. 04/01/85, INST. 85-157921, O.R. SEWER

SCALE: N.T.S.

<p><b>EXHIBIT "B"</b>  <b>STORM DRAIN LINE</b>  <b>EASEMENT</b></p>		<p>SHEET 8 OF 8</p>
<p><b>P S O M A S</b>          1300 Iowa Avenue, Suite 210          Roseville, Ca 95607          (951) 787-8421 www.psomasa.com</p>		<p>SCALE N.T.S.</p>
<p>DRAFTED JAU</p>	<p>CHECKED SWS</p>	<p>DATE JUNE 07, 2013</p>
<p>JOB NUMBER 44DRO10590</p>		

## Polyline Report

STRIP #1:

Northing	Easting	Bearing	distance
1845238.751	6679489.133		
		S 88°04'02" W	622.950
1845217.741	6678866.538		
		S 41°02'10" E	20.449
1845202.317	6678879.963		
		Radius: 90.000 Chord: 68.732 Degree: 63.3943 Dir: Left	
		Length: 70.522 Delta: 44.5345 Tangent: 37.183	
		Chord BRG: S 63°29'02" E Rad-In: N 48°57'50" E Rad-Out: N 04°04'05" E	
		Radius Point: 1845261.405, 6678947.850	
1845171.631	6678941.465		
		S 85°55'55" E	251.467
1845153.792	6679192.298		
		Radius: 2026.000 Chord: 63.496 Degree: 2.4941 Dir: Left	
		Length: 63.499 Delta: 1.4745 Tangent: 31.752	
		Chord BRG: S 86°49'47" E Rad-In: N 04°04'05" E Rad-Out: N 02°16'20" E	
		Radius Point: 1847174.687, 6679336.026	
1845150.281	6679255.698		
		Radius: 2026.000 Chord: 148.676 Degree: 2.4941 Dir: Left	
		Length: 148.710 Delta: 4.1220 Tangent: 74.388	
		Chord BRG: S 89°49'50" E Rad-In: N 02°16'20" E Rad-Out: N 01°56'00" W	
		Radius Point: 1847174.687, 6679336.026	
1845149.841	6679404.373		
		N 88°04'00" E	34.498
1845151.004	6679438.852		
		N 88°04'00" E	93.050
1845154.143	6679531.848		
		N 88°04'00" E	72.452
1845156.588	6679604.259		
		Radius: 2326.000 Chord: 22.115 Degree: 2.2748 Dir: Left	
		Length: 22.115 Delta: 0.3241 Tangent: 11.058	
		Chord BRG: N 87°47'40" E Rad-In: N 01°56'00" W Rad-Out: N 02°28'41" W	
		Radius Point: 1847481.264, 6679525.791	
1845157.439	6679626.358		
		Radius: 2326.000 Chord: 74.863 Degree: 2.2748 Dir: Left	
		Length: 74.866 Delta: 1.5039 Tangent: 37.436	
		Chord BRG: N 86°36'00" E Rad-In: N 02°28'41" W Rad-Out: N 04°19'20" W	
		Radius Point: 1847481.264, 6679525.791	
1845161.879	6679701.089		
		Radius: 2326.000 Chord: 118.991 Degree: 2.2748 Dir: Left	
		Length: 119.004 Delta: 2.5553 Tangent: 59.515	
		Chord BRG: N 84°12'44" E Rad-In: N 04°19'20" W Rad-Out: N 07°15'13" W	
		Radius Point: 1847481.264, 6679525.791	
1845173.878	6679819.474		
		N 82°44'47" E	224.731
1845202.253	6680042.406		
		N 82°44'47" E	861.895
1845311.077	6680897.403		
		Radius: 400.000 Chord: 37.130 Degree: 14.1926 Dir: Right	
		Length: 37.143 Delta: 5.1913 Tangent: 18.585	
		Chord BRG: N 85°24'24" E Rad-In: S 07°15'13" E Rad-Out: S 01°56'00" E	
		Radius Point: 1844914.278, 6680947.908	
1845314.050	6680934.414		
		N 88°04'00" E	1430.887
1845362.321	6682364.486		
		Radius: 90.000 Chord: 124.029 Degree: 63.3943 Dir: Right	
		Length: 136.832 Delta: 87.0637 Tangent: 85.572	
		Chord BRG: S 48°22'41" E Rad-In: S 01°56'00" E Rad-Out: S 85°10'37" W	

UPPR\_SD\_closure.txt

Radius Point: 1845272.373,6682367.522  
 1845279.940 6682457.204 S 04°49'23" E 1108.821  
 1844175.045 6682550.431  
 Radius: 45.000 Chord: 35.474 Degree: 127.1926 Dir: Left  
 Length: 36.463 Delta: 46.2534 Tangent: 19.299  
 Chord BRG: S 28°02'10" E Rad-In: N 85°10'37" E Rad-Out: N 38°45'04" E  
 Radius Point: 1844178.829,6682595.272  
 1844143.734 6682567.105 S 51°14'56" E 7.906  
 1844138.786 6682573.270

Closure Error Distance> 3274.41944 Error Bearing> N 70°22'16" W  
 Closure Precision> 1 in 1.7 Total Distance> 5438.260  
 Area not calculated because polyline not closed

STRIP #2:

Northing	Easting	Bearing	Distance
1845150.281	6679255.698	N 40°55'55" W	103.644
1845228.582	6679187.794		

Closure Error Distance> 103.64363 Error Bearing> S 40°55'55" E  
 Closure Precision> 1 in 1.0 Total Distance> 103.644  
 Area not calculated because polyline not closed

STRIP #3A:

Northing	Easting	Bearing	Distance
1845151.004	6679438.852	S 43°04'00" W	53.083
1845112.224	6679402.604		

Closure Error Distance> 53.08326 Error Bearing> N 43°04'00" E  
 Closure Precision> 1 in 1.0 Total Distance> 53.083  
 Area not calculated because polyline not closed

STRIP #3B:

Northing	Easting	Bearing	Distance
1845151.004	6679438.852	N 28°51'16" W	40.889
1845186.817	6679419.119		

Closure Error Distance> 40.88937 Error Bearing> S 28°51'16" E  
 Closure Precision> 1 in 1.0 Total Distance> 40.889  
 Area not calculated because polyline not closed

STRIP #4:

Northing	Easting	Bearing	Distance
1845154.143	6679531.848	N 46°56'00" W	18.650
1845166.878	6679518.224		

UPPR\_SD\_closure.txt

Radius: 90.000 Chord: 68.883 Degree: 63.3943 Dir: Right  
 Length: 70.686 Delta: 45.0000 Tangent: 37.279  
 Chord BRG: N 24°26'00" W Rad-In: N 43°04'00" E Rad-Out: N 88°04'00" E  
 Radius Point: 1845232.629,6679579.680  
 1845229.593 6679489.731

1845238.760 6679489.422 N 01°56'00" W 9.173

Closure Error Distance> 94.65748 Error Bearing> S 26°37'44" E  
 Closure Precision> 1 in 1.0 Total Distance> 98.509  
 Area not calculated because polyline not closed

STRIP #5:

Northing	Easting	Bearing	Distance
1845157.439	6679626.358		
1845058.616	6679533.989	S 43°04'00" W	135.270

Closure Error Distance> 135.27024 Error Bearing> N 43°04'00" E  
 Closure Precision> 1 in 1.0 Total Distance> 135.270  
 Area not calculated because polyline not closed

STRIP 6A:

Northing	Easting	Bearing	Distance
1845161.879	6679701.089		
1845121.630	6679664.951	S 41°55'10" W	54.092

Closure Error Distance> 54.09212 Error Bearing> N 41°55'10" E  
 Closure Precision> 1 in 1.0 Total Distance> 54.092  
 Area not calculated because polyline not closed

STRIP 6B:

Northing	Easting	Bearing	Distance
1845161.879	6679701.089		
1845186.166	6679678.093	N 43°26'10" W	33.447

Closure Error Distance> 33.44729 Error Bearing> S 43°26'10" E  
 Closure Precision> 1 in 1.0 Total Distance> 33.447  
 Area not calculated because polyline not closed

STRIP #7:

Northing	Easting	Bearing	Distance
1845202.253	6680042.406		
1845255.121	6679974.118	N 52°15'13" W	86.362

Closure Error Distance> 86.36152 Error Bearing> S 52°15'13" E  
 Closure Precision> 1 in 1.0 Total Distance> 86.362  
 Area not calculated because polyline not closed



RESOLUTION NO. 25248

LAX  
LA/Ontario  
Van Nuys  
City of Los Angeles

BE IT RESOLVED that the Board of Airport Commissioners approved utility easements and authorized the Executive Director to accept quitclaims of vacated existing easements to accommodate the City of Ontario's North Vineyard Avenue/Union Pacific Railroad Grade Separation Project at LA/Ontario International Airport, as referenced on the amended board report attached herein and made part hereof; and

Eric Garcetti  
Mayor  
**Board of Airport  
Commissioners**

BE IT FURTHER RESOLVED that the Board of Airport Commissioners authorized the Executive Director to accept quitclaims of vacated existing utility easements associated with the City of Ontario's North Vineyard Avenue/Union Pacific Railroad Grade Separation Project; and

Sean O. Burton  
President  
Valeria C. Velasco  
Vice President

BE IT FURTHER RESOLVED that the Board of Airport Commissioners authorized the Executive Director to execute documents making minor modifications to the legal descriptions of the easements should any "as-built" surveys indicate any portion of the utilities to be outside the easement area; and

Gabriel L. Eshaghian  
Jackie Goldberg  
Beatrice C. Hsu  
Matthew M. Johnson  
Dr. Cynthia A. Telles

BE IT FURTHER RESOLVED that the conveyance of minor miscellaneous easements is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article III Class 5(4) of the Los Angeles City CEQA Guidelines. The City of Ontario work has undergone separate environmental review by the City of Ontario as lead agency. The only action authorized herein is the granting of the easement; and

Gina Marie Lindsey  
Executive Director

BE IT FURTHER RESOLVED that actions taken on this item by the Board of Airport Commissioners will become final pursuant to the provisions of Los Angeles City Charter Section 373.

o0o

I hereby certify that this Resolution No. 25248 is true and correct, as adopted by the Board of Airport Commissioners at its Regular Meeting held on Tuesday, October 1, 2013.

Sandra J. Miller – Secretary  
BOARD OF AIRPORT COMMISSIONERS



Approved by City Council on January 22, 2014

**EXHIBIT B**

ORIGINAL

RECORDING REQUESTED BY  
AND WHEN RECORDED  
MAIL DOCUMENT TO:

City of Ontario  
303 "B" Street  
Ontario, CA 91764

Attention: Cindy Hackett, P.E.

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SPACE ABOVE FOR RECORDER'S USE ONLY

EASEMENT AGREEMENT BETWEEN  
THE CITY OF LOS ANGELES AND CITY OF ONTARIO FOR STORM DRAIN AT  
LA/ONTARIO INTERNATIONAL AIRPORT

The CITY OF LOS ANGELES, DEPARTMENT OF AIRPORTS (hereinafter referred to as "Grantor"), hereby grants to CITY OF ONTARIO (hereinafter "Grantee"), a non-exclusive easement ("Easement") for STORM DRAIN PURPOSES and those appurtenances and uses commonly associated exclusively (Grantee's Facilities or Facilities), and for the purpose of permitting the Grantee to relocate and use a storm drain thereon, along, under, across; over or through Grantor's real property, together with all the necessary and convenient appurtenance thereto, at LA/Ontario International Airport ("Airport"), situated in the County of San Bernardino, State of California, described as follows:

Those portions of Lots 59 and 60 of Map of Orange Park, filed in Book 17, page 55 of Maps, that portion of the northwest one-quarter (NW ¼) Section 27 of Township 1 south, Range 7 west, S.B.M., that portion of Lot 1, Block 27 of Tract No. 2244, filed in Book 35, pages 50 through 56, inclusive of Maps, all as shown on Record of Survey filed in Book 9, pages 65 and 66 of Surveys, and that portion of Vineyard Avenue (100 feet wide) as described in Resolution No. 6332 recorded April 7, 1967 in Book 6800, page 587, of Official Records, all records of San Bernardino County, located in the City of Ontario, County of San Bernardino, State of California, more particularly described on Exhibit "A" and depicted on Exhibit "B" attached hereto and made a part hereof.

Grantee shall use said Easement to construct, use, maintain, operate, alter, repair, replace, reconstruct, remove and, from time to time, inspect Grantee's Facilities' subject, however to the following conditions and reservations:



1. Grantor's full use and enjoyment of the surface thereof, subject to Grantee's rights therein.

2. Access shall be over such roads and ways on Airport as shall be prescribed by Grantor's Executive Director, or the designee of the Department of Airports.

3. To the extent required by law, Grantee shall hold Grantor harmless and defend and indemnify Grantor for any injury or damages caused by Grantee's negligent activities undertaken pursuant to this Easement Agreement.

4. Before undertaking any emergency or non-emergency work in secured (restricted) areas inaccessible to the general public, Grantee shall first obtain escorted access from the Ontario Airport Manager, or his or her designee(s), by calling Airport Maintenance at (909) 544-5254, or such other telephone number(s) as may be indicated in writing to Grantee.

Before undertaking any emergency or non-emergency work within (unsecured) areas accessible to the general public, Grantee will provide advance notification to the Ontario Airport Manager, or his or her designee(s), by calling Airport Maintenance at (909) 544-5254, or such other telephone number(s) as may be indicated in writing to Grantee.

In making any excavation upon said Easement, Grantee shall give proper advance notice to Grantor in accordance with this Section 4 and shall restore the surface of the ground, including paving and landscaping, if any, to as near as practicable the same condition as it was prior to such excavation.

Grantee will use its best efforts to ensure that such work shall not interfere with the operation of Airport, its tenants and/or the traveling public.

5. Grantee's contractor(s) shall be required to provide insurance in the amount required by the Department of Airports for non-airfield work or Airfield Operations Area

work whichever is appropriate, whenever repair, relocation, construction, reconstruction or alternation of Grantee's Facilities becomes necessary.

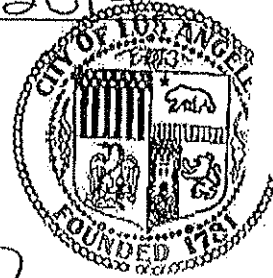
6. Grantee, by the acceptance of this Easement, agrees that in the event the storm drain service for which said Facilities are constructed is ordered or requested by Grantor discontinued, and the Grantee is not required by any law, rule or regulation of any governmental authority to furnish storm drain service from said Facilities, Grantee will at Grantor's election, remove and/or abandon in place, in whole or in part, said Facilities within 120 days after receipt from the Grantor of the notice in writing of the discontinuance of service. This Easement will then be null and void and Grantee shall, at Grantor's written request, execute a Quitclaim Deed reconveying this Easement to Grantor.

7. Grantor agrees not to revoke this Easement agreement so long as Grantee is under a duty or obligation to provide storm drain service to Grantor or Grantee's customers from the Facilities which are the subject of this Easement and Grantee has not breached a material aspect of this Easement. Upon expiration of the duty or obligation of Grantee to supply storm drain service or after breach of a material aspect of this Easement, this Easement is revocable by the Grantor and Grantee shall, at Grantor's written request, execute a Quitclaim Deed reconveying this Easement to Grantor.

8. The Easement granted in this agreement is nonexclusive. Grantor retains the right to grant concurrent easements to third parties within the Easement granted hereunder.

9. The Easement granted herein is personal and specific to Grantee. This Easement, or any right, privilege or interest therein, shall not be sold, conveyed, transferred or assigned by Grantee without the prior written consent by the Board of Airport Commissioners. Any purported sale, conveyance, transfer or assignment by Grantee of the Easement, or any right, privilege or interest therein, shall be a material breach of this Easement Agreement, and shall be void and of no effect.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed  
this 3<sup>rd</sup> day of February, in the year 2014



**APPROVED AS TO FORM:**  
Michael N. Feuer, City Attorney

CITY OF LOS ANGELES

Date: 12/17/13  
By: [Signature]  
Deputy / Assistant City Attorney

By: [Signature]  
Executive Director  
Department of Airports

The forgoing Easement Agreement is hereby accepted this 19<sup>th</sup> day of  
September, in the year 2013.

CITY OF ONTARIO

By: [Signature]  
Print Name: Chris Hughes  
Print Title: City Manager

The within instrument approved by  
the Council of the City of Los  
Angeles of its meeting of

JAN 22 2014  
By: [Signature]  
Deputy



**ACKNOWLEDGMENT**

State of California  
County of San Bernardino

On 9/19/13 before me, Cynthia M. Chapman  
(insert name and title of the officer)

Notary Public, personally appeared Chris Hughes

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Cynthia M. Chapman (Seal)

**EXHIBIT 'A'**

**STORM DRAIN LINE EASEMENT**

**LEGAL DESCRIPTION**

Those portions of Lots 59 and 60 of Map of Orange Park, filed in Book 17, page 55 of Maps, that portion of the northwest one-quarter (NW1/4) of Section 27, Township 1 south, Range 7 west, S.B.M., that portion of Lot 1, Block 27 of Tract No. 2244, filed in Book 35, pages 50 through 56, inclusive of Maps, all as shown on Record of Survey filed in Book 9, pages 65 and 66 of Surveys, and that portion of Vineyard Avenue (100.00 feet wide) as described in Resolution No. 6332 recorded April 7, 1967 in Book 6800, page 587, of Official Records, all records of San Bernardino County, located in the City of Ontario, County of San Bernardino, State of California, more particularly described as follows:

**Strip #1**

Being a strip of land 20.00 feet wide, the centerline of said strip being more particularly described as follows:

**Commencing** at the intersection of the centerline of Vineyard Avenue with the easterly projection of the southerly line of a 200.00 foot wide strip of land as shown as the Right of Way of the Southern Pacific Railroad, both as shown on said Record of Survey;

Thence along said easterly projection and said the southerly line South 88°04'02" West 622.95 feet to the **Point of Beginning**;

Thence South 41°02'10" East 20.45 feet to the beginning of curve concave northeasterly having a radius of 90.00 feet;

Thence southeasterly along said curve an arc length of 70.52 feet through a central angle of 44°53'45";

Thence South 85°55'55" East 251.47 feet to the Beginning of a curve concave northerly having a radius of 2026.00 feet;

Thence easterly along said curve an arc length of 63.50 feet through a central angle of 01°47'45" to a point hereinafter referred to as "**Point B**";

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Thence continuing along said curve an arc length of 148.71 feet through a central angle of 04°12'20";

Thence North 88°04'00" East 34.50 feet to a point hereinafter referred to as "Point C";

Thence continuing North 88°04'00" East 93.05 feet to a point hereinafter referred to as "Point D";

Thence continuing North 88°04'00" East 72.45 feet to the Beginning of a curve concave northerly having a radius of 2326.00 feet;

Thence easterly along said curve an arc length of 22.12 feet through a central angle of 00°32'41" to a point hereinafter referred to as "Point E";

Thence continuing along said curve an arc length of 74.87 feet through a central angle of 01°50'39" to a point hereinafter referred to as "Point F";

Thence continuing along said curve an arc length of 119.00 feet through a central angle of 02°55'53";

Thence North 82°44'47" East 224.73 feet to a point hereinafter referred to as "Point G";

Thence continuing North 82°44'47" East 861.90 feet to the Beginning of a curve concave southerly having a radius of 400.00 feet;

Thence northeasterly along said curve an arc length of 37.14 feet through a central angle of 05°19'13";

Thence North 88°04'00" East 1430.89 feet to the Beginning of a curve concave southwesterly having a radius of 90.00 feet;

Thence easterly, southeasterly and southerly along said curve an arc length of 136.83 feet through a central angle of 87°06'37"

Thence South 04°49'23" East 1108.82 feet to the Beginning of a curve concave northeasterly having a radius of 45.00 feet;

Thence southeasterly along said curve an arc length of 36.46 feet through a central angle of 46°25'34";

Thence South 51°14'56" East 7.91 feet to **Point of Termination**.

Excepting therefrom that portion lying within said 200.00 foot wide strip of land.

The sidelines of said strip to be prolonged or shortened as to terminate northerly on the southerly line of said 200.00 foot wide strip of land, and easterly on a line bearing North 06°21'53" West as measured from said Point of Termination.

### Strip #2

Being a strip of land 20.00 feet wide, the centerline of said strip is more particularly described as follows:

**Beginning** at above mentioned "**Point B**";

Thence North 40°55'55" West 103.64 feet to the southerly line of said 200.00 foot wide strip of land and the **Point of Termination**.

Excepting therefrom that portion lying within the hereinabove described **Strip #1**.

The sidelines of said strip to be prolonged or shortened as to terminate northerly on the southerly line of said 200.00 foot wide strip of land.

### Strip #3A

Being a strip of land 20.00 feet wide, the centerline of said strip is more particularly described as follows:

**Beginning** at above mentioned "**Point C**";

Thence South 43°04'00" West 53.08 feet to the **Point of Termination**.

Excepting therefrom that portion lying within the hereinabove described **Strip #1**.

### Strip #3B

Being a strip of land 20.00 feet wide, the centerline of said strip is more particularly described as follows:

Beginning at above mentioned "Point C";

Thence North 28°51'16" West 40.89 feet to the Point of Termination.

Excepting therefrom that portion lying within the hereinabove described Strip #1.

Strip #4

Being a strip of land 20.00 feet wide, the centerline of said strip is more particularly described as follows:

Beginning at above mentioned "Point D";

Thence North 46°56'00" West 18.65 feet to the Beginning of a curve concave northeasterly having a radius of 90.00 feet:

Thence northerly along said curve an arc length of 70.69 feet through a central angle of 45°00'00";

Thence North 01°56'00" West 9.17 feet to the southerly line of said 200.00 foot wide strip of land to the Point of Termination.

Excepting therefrom that portion lying within the hereinabove described Strip #1.

The sidelines of said strip to be prolonged or shortened as to terminate northerly on the southerly line of said 200.00 foot wide strip of land.

Strip #5

Being a strip of land 20.00 feet wide, the centerline of said strip is more particularly described as follows:

Beginning at above mentioned "Point E";

Thence South 43°04'00" West 135.27 feet to the Point of Termination.

Excepting therefrom that portion lying within the hereinabove described Strip #1.



**Strip #6A**

Being a strip of land 20.00 feet wide, the centerline of said strip is more particularly described as follows:

Beginning at above mentioned "Point F";

Thence South  $41^{\circ}55'10''$  West 54.09 feet to the Point of Termination.

**Strip #6B**

Being a strip of land 20.00 feet wide, the centerline of said strip is more particularly described as follows:

Beginning at above mentioned "Point F";

Thence North  $43^{\circ}26'10''$  West 33.45 feet to the Point of Termination.

Excepting therefrom that portion lying within the hereinabove described Strip #1.

**Strip #7**

Being a strip of land 20.00 feet wide, the centerline of said strip is more particularly described as follows:

Beginning at above mentioned "Point G";

Thence North  $52^{\circ}15'13''$  West 86.36 feet to the southerly line of said 200.00 foot wide strip of land and the Point of Termination.

Excepting therefrom that portion lying within the hereinabove described Strip '1'.

The sidelines of said strip to be prolonged or shortened as to terminate northerly on the southerly line of said 200.00 foot wide strip of land.

The above described strips of land contain 103,233 sq. ft. (2.37 acres) more or less.

See Exhibit 'B' attached hereto and made a part hereof.

The Basis of Bearings for this survey are based upon the North American Datum of 1983 (NAD83) of the California Coordinate System of 1983 (CCS83), Zone V, 2002.00 Epoch.

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Distances shown hereon are grid distances. Ground distances may be obtained by dividing grid distances by the average combination factor of 0.99995292

This legal description is not intended for use in the division and/or conveyance of land in violation of the subdivision map act of the State of California.

Prepared under the direction of:

Clifford A. Simental  
Clifford A. Simental, PLS 5022

July 17, 2013  
Date

