

**RECORDING REQUESTED BY:**  
COUNTY SANITATION DISTRICTS  
OF LOS ANGELES COUNTY  
1955 WORKMAN MILL ROAD  
WHITTIER, CA 90601

**AND WHEN RECORDED, MAIL TO ABOVE ADDRESS**  
**ATTN:** MARGARITA E. CABRERA  
FACILITIES PLANNING DEPARTMENT

Exempt from Doc. Transfer Tax per R&TC §11922  
Exempt from Recording Fee per Gov. C. §§ 6103 & 27383

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APNs 7563-002-906, 7563-002-914

**EXCLUSIVE EASEMENT AGREEMENT**

This Exclusive Easement Agreement is dated \_\_\_\_\_, 2018 (“**Effective Date**”) and is between the **CITY OF LOS ANGELES**, a municipal corporation, acting by and through its Board of Recreation and Parks Commissioners (“**Grantor**”), and **COUNTY SANITATION DISTRICT NO. 2 OF LOS ANGELES COUNTY**, a county sanitation district organized and existing under provisions of the County Sanitation District Act, California Health and Safety Code Section 4700 *et seq.* (“**District**”). Grantor and District are each a “**Party**” and together are the “**Parties.**”

Grantor is the owner of approximately 92.16 acres of real property located in the City of Los Angeles, County of Los Angeles, State of California commonly known as the White Point Nature Preserve and Education Center, 1600 W. Paseo Del Mar, San Pedro, California 90731 and described in Exhibit 1 attached hereto (“**Property**”).

Grantor hereby grants to District, its successors, and assigns, an exclusive perpetual subsurface tunnel easement (“**Easement**”) (without right of surface entry) in, under, through and across a portion of the Property described in Exhibit A attached hereto and depicted in Exhibits B and C attached hereto (“**Tunnel Easement Envelope**”).

District will have the right to use the Tunnel Easement Envelope for all purposes necessary or incidental to the drilling, boring, placement, construction, reconstruction, rehabilitation, repair, inspection, use, operation and maintenance of an effluent outfall tunnel and appurtenances (“**Tunnel**”) within the Tunnel Easement Envelope. District may install the Tunnel at a greater depth than that described or shown in the Exhibits, and will record a memorandum after construction identifying the “as-built” elevation of the Tunnel.

Grantor acknowledges it has been informed that the Tunnel and its appurtenances were designed and engineered based upon the conditions and weight loads within and over the Tunnel Easement Envelope as they exist as of the Effective Date. Thus, Grantor shall not: 1) cause or allow any object to be placed within the Tunnel Easement Envelope; 2) cause or allow the weight loads over that Envelope to be increased without the express written consent of District; or 3) interfere in any manner with that Envelope.

District shall indemnify, defend and hold harmless Grantor, its agents, employees, successors and assigns from any and all liability, claim, loss, cost, lien or damage (including reasonable attorneys fees and court costs) resulting from any act or omission of District, its officers, agents or employees arising out of District's use of the Easement.

The Parties are signing this instrument as of the Effective Date.

**CITY OF LOS ANGELES**, a municipal corporation acting by and through its Board of Recreation and Parks Commissioners

By: \_\_\_\_\_  
Sylvia Patsouras, President

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Iris Davis, Secretary

Date: \_\_\_\_\_

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

By: \_\_\_\_\_  
Deputy City Attorney

Date: \_\_\_\_\_

**COUNTY SANITATION DISTRICT NO. 2  
OF LOS ANGELES COUNTY**

By: \_\_\_\_\_  
Chairperson, Board of Directors

**ATTEST:**

\_\_\_\_\_  
Secretary to the Board

**APPROVED AS TO FORM:**  
Lewis Brisbois Bisgaard & Smith, LLP

By: \_\_\_\_\_  
District Counsel

Date: \_\_\_\_\_

*[Signatures must be Notarized]*

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of Los Angeles )

On \_\_\_\_\_, before me, \_\_\_\_\_, a Notary Public, personally appeared \_\_\_\_\_, 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 \_\_\_\_\_

## **EXHIBIT 1**

### **Legal Description of Property**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF LOT IV, SUBDIVISION OF LOT "M" OF ORIGINAL PARTITION OF THE RANCHO LOS PALOS VERDES, IN THE CITY OF LOS ANGELES, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 1, PAGE 47 OF RECORD OF SURVEYS, IN THE OFFICE OF SAID COUNTY RECORDER, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY CORNER OF LOT 1 OF WHITE POINT, IN SAID CITY, COUNTY AND STATE, AS PER MAP RECORDED IN BOOK 6, PAGE 35 OF MAPS, IN SAID COUNTY RECORDER'S OFFICE; THENCE WESTERLY ALONG THE NORTHERLY LINES OF LOTS 1 TO 32, INCLUSIVE, OF SAID WHITE POINT, AS PER MAPS RECORDED IN BOOK 6, PAGE 35 AND IN BOOK 2, PAGE 43, BOTH OF SAID MAPS, A DISTANCE OF 1,625.55 FEET TO THE WESTERLY LINE OF SAID LOT 32; THENCE SOUTHERLY ALONG SAID WESTERLY LINE A DISTANCE OF 150 FEET TO THE NORTHERLY LINE OF PASEO DEL MAR, FORMERLY PACIFIC AVENUE AND WESTERN AVENUE, AS SHOWN ON THE MAPS OF WHITE POINT AND DESCRIBED IN DEEDS TO THE COUNTY OF LOS ANGELES, RECORDED IN BOOK 7174, PAGE 148, BOOK 5670, PAGE 321 AND BOOK 4687, PAGE 60 OF OFFICIAL RECORDS, IN THE OFFICE OF SAID COUNTY RECORDER; THENCE WESTERLY ALONG SAID NORTHERLY LINE OF PASEO DEL MAR A DISTANCE OF 100 FEET TO THE EASTERLY LINE OF SAID LOT 35; THENCE NORTHERLY ALONG SAID EASTERLY LINE A DISTANCE OF 150 FEET TO THE NORTHERLY LINE OF LOT 35 OF SAID WHITE POINT; THENCE WESTERLY ALONG THE NORTHERLY LINES OF LOTS 35 TO 38, INCLUSIVE, OF SAID WHITE POINT, A DISTANCE OF 200 FEET TO THE WESTERLY LINE OF SAID LOT 38; THENCE SOUTHERLY ALONG SAID WESTERLY LINE OF LOT 38 A DISTANCE OF 150 FEET TO SAID NORTHERLY LINE OF PASEO DEL MAR; THENCE WESTERLY, NORTHERLY AND NORTHWESTERLY ALONG THE NORTHERLY, EASTERLY AND NORTHEASTERLY LINES OF SAID PASEO DEL MAR TO A POINT DISTANT 40 FEET NORTHEASTERLY MEASURED AT RIGHT ANGLES FROM A POINT IN THE CENTERLINE OF SAID PASEO DEL MAR DISTANT 25 FEET SOUTHEASTERLY MEASURED ALONG SAID CENTERLINE FROM THE NORTHWESTERLY TERMINUS OF THAT CERTAIN COURSE IN SAID CENTERLINE DESCRIBED IN SAID DEEDS TO THE COUNTY OF LOS ANGELES AS HAVING A BEARING AND LENGTH OF NORTH 51°33' WEST, 65.31 FEET; THENCE NORTHEASTERLY AT RIGHT ANGLES FROM SAID NORTHEASTERLY LINE OF PASEO DEL MAR TO A LINE PARALLEL WITH AND DISTANT 80 FEET NORTHEASTERLY MEASURED AT RIGHT ANGLES FROM SAID LAST-MENTIONED NORTHEASTERLY LINE; THENCE NORTHWESTERLY ALONG SAID PARALLEL LINE A DISTANCE OF 152.46 FEET TO THE SOUTHEASTERLY LINE OF WESTERN AVENUE, AS DESCRIBED IN SAID DEEDS TO THE COUNTY OF LOS ANGELES, RECORDED IN BOOK 5670, PAGE 321 AND BOOK 4687, PAGE 60 OF OFFICIAL RECORDS IN THE OFFICE OF SAID COUNTY RECORDER; THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY LINE OF WESTERN AVENUE TO THE SOUTHWESTERLY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN PARCEL 1 OF INSTRUMENT NO. 87-559483 OF OFFICIAL RECORDS, IN THE OFFICE OF SAID COUNTY RECORDER, SAID SOUTHEASTERLY LINE HAVING A BEARING OF NORTH 53°18'06" EAST FOR PURPOSES OF THIS DESCRIPTION AT ITS POINT OF INTERSECTION WITH SAID SOUTHWESTERLY LINE; THENCE FOLLOWING THE BOUNDARY LINE OF SAID PARCEL OF LAND, SOUTH 54°01'32" EAST, 355.57 FEET ALONG SAID SOUTHWESTERLY LINE; THENCE NORTH 81°16'21" EAST, 200 FEET; THENCE NORTH 62°40'49" EAST, 258.68 FEET; THENCE NORTH 84°21'30" EAST, 396.32 FEET TO A POINT IN THAT CERTAIN COURSE DESCRIBED IN INSTRUMENT NO. 78-882390 OF OFFICIAL RECORDS, IN THE OFFICE OF SAID COUNTY RECORDER, AS HAVING A BEARING AND LENGTH OF NORTH 33°16'54.38" EAST, 366.94 FEET; THENCE SOUTH 33°16'54" WEST ALONG SAID LAST-MENTIONED CERTAIN COURSE A DISTANCE OF 86.05 FEET TO ITS SOUTHWESTERLY TERMINUS; THENCE CONTINUING ALONG THE BOUNDARY LINE OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN SAID INSTRUMENT NO. 78-882390, SOUTH 26°40'36" EAST, 603.22 FEET; THENCE SOUTH 74°36'34" EAST, 40.58 FEET; THENCE EASTERLY ALONG A TANGENT CURVE CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 1,170 FEET, THROUGH A CENTRAL ANGLE OF 5°05'20" AN ARC DISTANCE OF 103.92 FEET TO THE NORTHERLY TERMINUS OF THAT CERTAIN COURSE DESCRIBED IN SAID INSTRUMENT NO. 78-882390 AS HAVING A BEARING AND LENGTH OF NORTH 0°32'48" EAST, 335.50 FEET; THENCE SOUTH 0°32'48" WEST ALONG SAID LAST-MENTIONED CERTAIN COURSE A DISTANCE OF 335.50 FEET; THENCE SOUTHEASTERLY ALONG A TANGENT CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 617.68 FEET, THROUGH A

CENTRAL ANGLE OF 68°13'17" AN ARC DISTANCE OF 735.46 FEET; THENCE SOUTH 67°40'29" EAST, 104.14 FEET TO A POINT IN THE NORTHWESTERLY LINE OF WEYMOUTH AVENUE, FORMERLY KRESSMAN STREET AND AN ALLEY, AS SHOWN ON THE MAPS OF TRACT NO. 4224, RECORDED IN BOOK 48, PAGE 97 OF MAPS, IN THE OFFICE OF SAID COUNTY RECORDER, AND TRACT NO. 7117, RECORDED IN BOOK 78, PAGES 97 AND 98 OF MAPS, IN THE OFFICE OF SAID COUNTY RECORDER, SAID LAST-MENTIONED POINT BEING THE MOST EASTERLY CORNER OF SAID CERTAIN PARCEL OF LAND DESCRIBED IN SAID INSTRUMENT NO. 78-882390; THENCE SOUTHWESTERLY ALONG SAID NORTHWESTERLY LINE OF WEYMOUTH AVENUE TO THE POINT OF BEGINNING.

EXCEPT THEREFROM ALL OIL, GAS, AND MINERAL RIGHTS AND DEPOSITS AND IN SAID LAND TO THE GRANTOR OR TO SUCH PERSON(S) AS MAY BE AUTHORIZED BY THE GRANTOR TO PROSPECT, MINE, AND REMOVE SUCH DEPOSITS FROM THE HEREINBEFORE DESCRIBED PROPERTY UNDER APPLICABLE LAWS, AS RESERVED BY THE UNITED STATES OF AMERICA, ACTING BY AND THROUGH THE SECRETARY OF THE INTERIOR, IN QUITCLAIM DEED RECORDED AUGUST 10, 1978 AS INSTRUMENT NO. 78-882390, OF OFFICIAL RECORDS.

**Exhibit "A"**  
Legal Description – Subsurface Easement

That portion of Lot IV of the Subdivision of Lot M of the Original Partition of the Rancho Los Palos Verdes, in the City of Los Angeles, County of Los Angeles, State of California, as shown on a map recorded in Book 1, Page 47 of Records of Surveys, in the Office of the County Recorder of said County, which was conveyed in the deed to the City of Los Angeles recorded August 10, 1978 as Instrument No. 78-882390, Official Records of said County, being a strip of land, 30 feet wide, the centerline of said strip being described as follows:

Commencing at the southwesterly terminus of that certain course in the centerline of Western Avenue, 90 feet wide, as shown on Tract No. 19457, as per map recorded in Book 564, Pages 1 through 8 inclusive of Maps, in the Office of the County Recorder of said County, shown as having a bearing and distance of "North 47°01'58" East 107.61 feet";

Thence along said centerline, North 47°11'50" East 9.28 feet;

Thence South 42°48'10" East 40.00 feet to the southeasterly line of said Western Avenue and the **TRUE POINT OF BEGINNING**;

Thence South 35°27'20" West 625.26 feet to the beginning of a curve concave northwesterly having a radius of 800.00 feet;

Thence southwesterly along said curve through a central angle of 21°47'11" an arc length of 304.19 feet to the northeasterly line of Paseo Del Mar, 80 feet wide, formerly Western Avenue and Pacific Avenue, described in the deeds to the County of Los Angeles recorded in Book 7174, Page 18, Book 5760, Page 321 and Book 4687, Page 60, all of Official Records of said County, being the terminus of said centerline.

The sidelines of said strip shall be lengthened or shortened to terminate in said southeasterly line and in said northwesterly line.

The above described parcel contains 27,931 square feet, or 0.641 acres, more or less.

Bearings and distances used in the above description are on the California Coordinate System (CCS83), Zone V, North American Datum of 1983 (NAD83) (NSRS2007, Epoch 2011.00). Divide grid distances shown by 1.000067014 to obtain ground level distances.

The above described parcel is located between elevations -2.2 feet and -33.1 feet based on the North American Vertical Datum of 1988, established at Benchmark No. Y 11035 having an elevation of 387.417 feet according to Los Angeles Department of Public Works, Palos Verdes Quad, 2005 Adjustment.

All as shown on Exhibits "B" and "C" attached hereto and made a part hereof.

This legal description was prepared by me, or under my direction, in accordance with the Professional Land Surveyors Act.

  
\_\_\_\_\_  
Ryan M. Versteeg, PLS 7809                      12-16-2014  
Date



# EXHIBIT "B"



**P.O.C.**  
 SW'LY TERMINUS OF COURSE  
 WITH BEARING AND DISTANCE  
 N47°01'58"E 107.61'  
 PER TRACT NO. 19457.

0' 150' 300' 450'  
 SCALE 1" = 150'

TRACT NO. 19457  
 MB 564/1-8

40.00'  
 S42°48'10"E

**T.P.O.B.**  
 SE'LY LINE OF  
 WESTERN AVE.

INST. NO. 78-882390, O.R.  
 REC. 08/10/1978

APN 7563-002-914

POR. LOT IV  
 SUBDIVISION OF LOT M  
 RANCHO LOS PALOS VERDES

RS 1/47

APN  
 7563-002-906

N32°45'29"W  
 (RAD.)

**P.O.T.**  
 NE'LY LINE OF  
 PASEO DEL MAR  
 FORMERLY WESTERN AVE.  
 AND PACIFIC AVE.

BK. 7174, PG. 18, O.R.  
 BK. 5760, PG. 321, O.R.  
 BK. 4687, PG. 60, O.R.

## LEGEND:



30 FOOT WIDE SUBSURFACE EASEMENT  
 27,931 SQ. FT./0.641 ACRES

## RECORD REFERENCE

( ) INDICATES RECORD DATA PER TRACT  
 NO. 19457, MB 564/1-8.



**TOWILL** | Surveying, Mapping  
 and GIS Services  
 10390 Commerce Center Drive, Suite C-190  
 Rancho Cucamonga, CA 91730-5858  
 909.303.7960 / Fax 909.303.7965

Los Angeles County Sanitation District  
 JWPCP Outfall Tunnel  
 Subsurface Easement  
 APN 7563-002-914  
 & APN 7563-002-906  
 City of Los Angeles

County of Los Angeles State of California

Date: 12/15/2014

Drawn: SGO

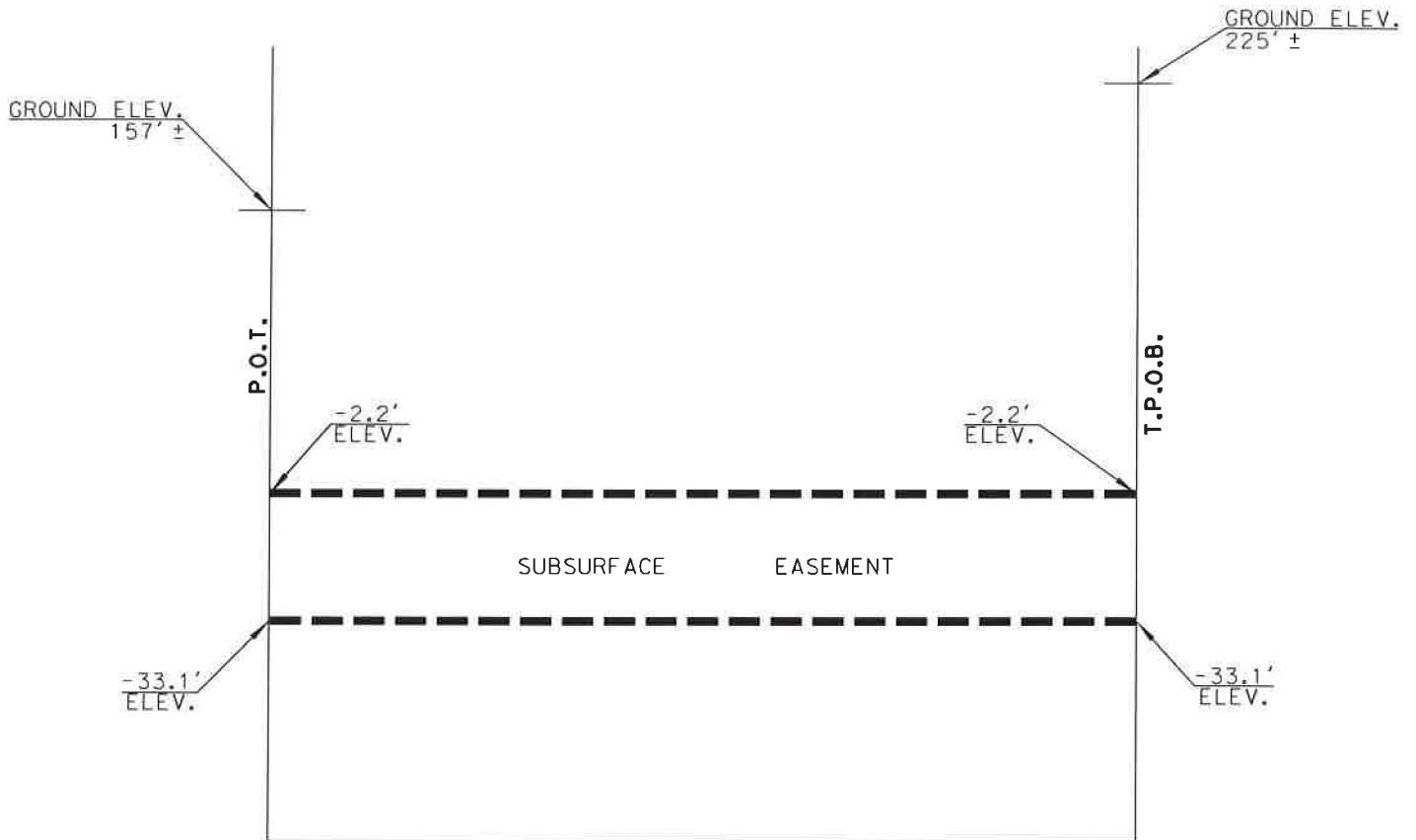
Checked: RMV

J.N.: 13565-102

Sheet 1 of 1



# EXHIBIT "C"



LOOKING NORTHWESTERLY  
PROFILE NOT TO SCALE



ELEVATIONS ESTABLISHED BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988, ESTABLISHED AT BENCHMARK NO. Y 11035 HAVING AN ELEVATION OF 387.417 FEET ACCORDING TO LOS ANGELES DEPARTMENT OF PUBLIC WORKS, PALOS VERDES QUAD, 2005 ADJUSTMENT.



**TOWILL** | Surveying, Mapping  
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Los Angeles County Sanitation District  
JWPCP Outfall Tunnel  
Subsurface Easement  
APN 7563-002-914  
& APN 7563-002-906  
City of Los Angeles  
County of Los Angeles State of California

Date: 12/16/2014  
Drawn: SGO  
Checked: RMV  
J.N.: 13565-102  
Sheet 1 of 1