

RESOLUTION NO. OC SAN 22-03

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ORANGE COUNTY SANITATION DISTRICT FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION BY EMINENT DOMAIN OF INTERESTS IN CERTAIN REAL PROPERTY FOR PUBLIC USE AND AUTHORIZING AND DIRECTING CONDEMNATION OF PORTIONS OF ASSESSOR PARCEL NO. 440-132-60

WHEREAS, the Orange County Sanitation District ("OC San") is undertaking the Bay Bridge Pump Station and Force Mains Replacement Project (the "Project"), a vital public health and safety measure; and

WHEREAS, the Project is intended to rehabilitate or replace aging infrastructure facilities that are vital for the delivery and processing of sewer wastewater from Newport Beach and surrounding areas, to bring the Bay Bridge Pump Station facility and force mains to current design and reliability standards, to ensure continuous service to the community and prevent sewage spills, to improve odor control, and to improve public safety; and

WHEREAS, the Project includes demolition of the existing pump station building and construction of new pump station, including a modernized pump station, generator, and odor control station; replacement or reconstruction of the existing OC San gravity sewer system to convey wastewater to the new pump station wet well; and construction of 1,500 lineal feet of dual force mains across the Newport Bay Channel south of Bay Bridge to connect the new pump station to the existing OC San force main system west of the Channel; and

WHEREAS, the Project requires the acquisition of property interests from public and private parties; and

WHEREAS, the Project will be a health and safety project serving the public interest; and

WHEREAS, Health and Safety Code sections 4730.65, 4740, and 4741 authorize OC San to exercise the power of eminent domain to acquire these property interests for public use by condemnation; and

WHEREAS, portions of the real property located at 100 N. Bayside Drive and 100 E. Coast Highway in the City of Newport Beach, California (the "Subject Property") are required for the Project. The specific portions of the Subject Property required for the

Project include a partial fee interest as legally described and depicted in Exhibit "A" hereto, a permanent non-exclusive access easement as legally described and depicted in Exhibit "B" hereto, a temporary road easement as legally described and depicted in Exhibit "C" hereto, three temporary construction easements as collectively legally described and depicted in Exhibit "D" hereto, and two permanent utility easements (sewer) as collectively legally described and depicted in Exhibit "E" hereto (collectively, the "Property Interests"); and

WHEREAS, OC San communicated an offer of compensation to the owner or owners of record for the acquisition of the Property Interests in the full amount of the approved appraisal of said interests; and

WHEREAS, in accordance with section 1245.235 of the California Code of Civil Procedure on December 20, 2021, OC San mailed a Notice of Hearing on the Intent of OC San to Adopt a Resolution of Necessity for acquisition by eminent domain of the Property Interests ("Notice of Intent"). The Notice of Hearing was mailed to the listed address of all persons whose names appear on the last equalized county assessment roll as having an interest in the Subject Property; and

WHEREAS, the Project, including all amendments thereto, together with the staff reports, environmental documents and all other evidence presented to the OC San's Board of Directors at the times the Project and the amendments thereto were adopted, are incorporated herein by this reference and made a part hereof as though fully set forth herein; and

WHEREAS, pursuant to section 1245.235 of the California Code of Civil Procedure, OC San scheduled a hearing for January 26, 2022, at 6:00 pm at OC San Plant No. 1 Administration Building, 10844 Ellis Avenue, Fountain Valley, California, and gave to each person whose property is to be acquired by eminent domain and whose name and address appears on the last equalized county assessment roll notice and a reasonable opportunity to appear at said hearing and to be heard on the matters referred to in section 1240.030 of the California Code of Civil Procedure; and

WHEREAS, said hearing has been held by the OC San's Board of Directors and each person whose property is to be acquired by eminent domain was afforded an opportunity to be heard on those matters specified in the OC San's Notice of Intent and referred to in section 1240.030 of the California Code of Civil Procedure; and

WHEREAS, OC San may adopt a Resolution of Necessity pursuant to section 1240.040 of the California Code of Civil Procedure.

NOW, THEREFORE, BE IT RESOLVED, by at least a two-thirds vote of the OC San's Board of Directors under Code of Civil Procedure sections 1240.030 and 1245.230, OC San does hereby find and determine as follows:

Section 1. Incorporation of Findings and Recitals. The above findings and recitals are true and correct and are incorporated herein in full by this reference.

Section 2. Compliance with California Code of Civil Procedure. There has been compliance by OC San with the requirements of section 1245.235 of the California Code of Civil Procedure regarding notice and hearing.

Section 3. Public Use. The public use for which the interests in the property are to be acquired is for the construction and future maintenance of the Project, a public improvement, as more fully described hereinabove. Health and Safety Code sections 4730.65, 4740, and 4741 authorize OC San to acquire by eminent domain property and interests in property necessary for such purpose and for all uses incidental or convenient thereto.

Section 4. Necessity.

(a) The proposed Project is necessary to rehabilitate or replace aging infrastructure facilities that are vital for the delivery and processing of sewer wastewater from Newport Beach and surrounding areas. The Project will relocate, expand, and upgrade the current Bay Bridge Pump Station and associated force mains pipe system for the conveyance of wastewater from the Newport Beach area to a treatment facility in Huntington Beach, thereby bringing the Bay Bridge Pump Station facility and force mains to current design and reliability standards, ensuring continuous service to the community, and preventing sewage spills, improving odor control, and improving public safety.

(b) The public interest and necessity require the acquisition by eminent domain of the Property Interests.

Section 5. Description of Property Interests. The property interests sought to be acquired are more particularly described and depicted in Exhibits "A" through "E" attached hereto and incorporated herein by reference.

Section 6. Findings. OC San hereby finds, determines, and declares each of the following:

(a) The public interest and necessity require the proposed Project;

(b) The proposed Project is planned or located in the manner that will be most compatible with the greatest public good and least private injury;

(c) The Property Interests sought to be acquired are necessary for the proposed Project; and

(d) The offer required by section 7267.2 of the California Government Code has been made to the owner or owners of record.

Section 7. Existing Public Use(s). Pursuant to sections 1240.510 and 1240.610 of the Code of Civil Procedure, to the extent that any of the real property to be acquired is already devoted to a public use, the use proposed by this Project is a more necessary public use than the use to which the real property, or any portion thereof, is already devoted, or, in the alternative, is a compatible public use that will not unreasonably interfere with or impair the continuance of the public use to which the real property, or any portion thereof, is already devoted.

Section 8. Authority to Exercise Eminent Domain. OC San is hereby authorized and empowered to acquire one partial fee interest, one permanent non-exclusive access easement, one temporary road easement, three temporary construction easements, and two permanent utility easements (sewer) as described and depicted in Exhibits "A" through "E" hereto, including the improvements thereon, if any, by eminent domain for the proposed Project.

Section 9. Further Activities. OC San's legal counsel ("Counsel") is hereby authorized and empowered to acquire the Property Interests in the name of and on behalf of OC San by eminent domain and is authorized to institute and prosecute such legal proceedings as may be required in connection therewith. Counsel is further authorized to take such steps as may be permitted and required by law, and to make such security deposits as may be required by law and/or order of court, to permit OC San to take possession of the Property Interests at the earliest possible time.

Section 10. Effective Date. This Resolution of Necessity shall take effect upon adoption.

PASSED, APPROVED, and ADOPTED at the Orange County Sanitation District Board of Directors meeting held on this 26th day of January 2022.

JOHN B. WITHERS
Board Chairman

ATTEST:

KELLY A. LORE, MMC
Clerk of the Board

APPROVED AS TO FORM:

BRADLEY R. HOGIN
General Counsel

STATE OF CALIFORNIA)
) ss
COUNTY OF ORANGE)

I, Kelly A. Lore, Clerk of the Board of Directors of the Orange County Sanitation District, do hereby certify that the foregoing Resolution No. OC SAN 22-03 was passed and adopted by a two thirds vote; at a regular meeting of said Board on the 26th day of January 2022, by the following vote, to wit:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of Orange County Sanitation District this 26th day of January 2022.

KELLY A. LORE, MMC
Clerk of the Board of Directors
ORANGE COUNTY SANITATION DISTRICT

EXHIBIT "A"

ORANGE COUNTY SANITATION DISTRICT
BAY BRIDGE PUMP STATION
PARCEL 5-67-01 (FEE)

41 (6) South 01°46'46" East 70.87 feet to an angle point therein to the **TRUE POINT OF**
42 **BEGINNING.**

43

44 **CONTAINING:** 9,713 Square Feet more or less.

45

46 **EXHIBIT "A-2"** attached and by this reference made a part hereof.

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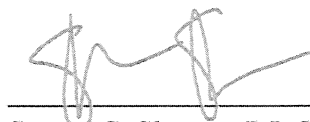
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08/17/2021

55 Steven C. Slocum, P.L.S. 9044

Date

56

57 Michael Baker International

58 5 Hutton Centre Drive, Suite 500

59 Santa Ana, California 92707

60 Project No. 163755

61 H:\pdata\163755\CADD\Mapping\Exhibits\Pump Station Legals and Exhibits\Legal\163755-00A1 - Legal Fee Parcel.docx

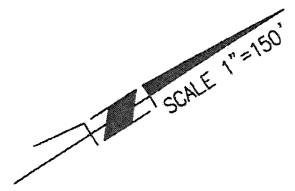


RECORD REFERENCES:

- R1 CALTRANS RIGHT-OF-WAY MAP NO. 25491-C.
- R2 PARCEL MAP NO. 93-111, P.M.B. 278/40-45.

NEWPORT
UPPER BAY

BAY HARBOR
CHANNEL



PARCEL MAP NO. 93-111
P.M.B. 278/40-45
PARCEL 3

PARCEL 1

PARCEL 1

PARCEL MAP NO. 93-206
P.M.B. 289/1-7
PARCEL 2

PACIFIC COAST HIGHWAY

PARCEL 5-67-01 (FEE)

PARCEL 2

$\Delta=17^{\circ}43'19''$
 $R=1014.00'$
 $L=313.64'$
 (R2)

$N02^{\circ}23'02''E$
 $85.94'$

SPIKE AND WASHER
 "DOH" PER CALTRANS
 FB. 81-115/11 AND PM
 93-111. P.M.B.
 278/40-45

$N87^{\circ}36'58''W$
 $160.15'$
 (R2)

P.O.C.
 PARCEL 1

BAYSIDE DRIVE

EXHIBIT "A-2"

SKETCH TO ACCOMPANY A
LEGAL DESCRIPTION FOR

ORANGE COUNTY SANITATION DISTRICT
 BAY BRIDGE PUMP STATION
 PARCEL 5-67-01 (FEE)
 CONTAINING: 9,713 S.F. MORE OR LESS

SHEET INDEX

(X) INDICATES SHEET NUMBER

SHEET 1 OF 2 SHEETS

Michael Baker

INTERNATIONAL

5 Hutton Centre Drive, Suite 500
 Santa Ana, CA 92707
 (949) 472-3505 · MBAKERINTL.COM
 AUGUST 13, 2021 JN 163755

SCALE 1"=40'

PARCEL MAP NO. 93-111
P.M. 278/40-45

VARIES

S66°24'24"E 8.72'

VARIES

N66°24'24"W
284.74' (R2)

S13°39'46"W
79.83'

(R2) S73°06'54"E 43.65'

**PARCEL 5-67-01
(FEE)**

N76°24'23"W 173.32'

(R2) S83°06'23"E 60.83'

S'LY LINE OF PARCEL 3 OF
P.M. NO. 93-111, P.M.B.
278/40-45 AND N'LY R.O.W.
LINE OF EAST COAST HIGHWAY
PER CALTRANS R.O.W. MAP
NO. 25491-C

(R2)
N01°46'10"W
60.00'

E'LY, N'LY AND W'LY
LINES OF PARCEL 1 OF
DOCUMENT RECORDED IN
BOOK 7661, PAGE 741 OF
OFFICIAL RECORDS

N88°31'14"E
60.00' (R2)

(R2)
S01°46'46"E 70.87'

T.P.O.B.

N13°39'41"E 71.32'

S'LY LINE OF PARCEL 3 OF PM
93-111, P.M.B. 278/40-45
AND N'LY RIGHT-OF-WAY LINE
OF EAST COAST HIGHWAY PER
CALTRANS RIGHT OF WAY MAP
NO. 25491-C

65.10'

N87°39'19"W

VARIES

VARIES

SPIKE AND WASHER "DOH" PER
CALTRANS FB. SR-81-115/11
AND P.M. NO. 93-111, P.M.B.
278/40-45

N02°23'02"E 85.94'

PARCEL 3

N87°36'58"W
160.15' (R2)

SHEET 2 OF 2 SHEETS

Michael Baker

INTERNATIONAL

5 Hutton Centre Drive, Suite 500
Santa Ana, CA 92707

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AUGUST 13, 2021 JN 163755

EXHIBIT "A-2"

SKETCH TO ACCOMPANY A
LEGAL DESCRIPTION FOR

**ORANGE COUNTY SANITATION DISTRICT
BAY BRIDGE PUMP STATION
PARCEL 5-67-01 (FEE)
CONTAINING: 9,713 S.F. MORE OR LESS**

P.O.C.

PARCEL 1

SPIKE AND WASHER "DOH" PER
CALTRANS FB. SR-81-115/11
AND P.M. NO. 93-111.
P.M.B. 278/40-45

EXHIBIT "B"

**PERMANENT NON-EXCLUSIVE ACCESS EASEMENT
ATTACHMENT TO LEGAL DESCRIPTION
Parcel No.: 5-67-02**

Until such time as its location becomes fixed as contemplated herein, this permanent, moveable non-exclusive access easement shall be in, on, over, under, and across the real property described in Exhibit "B-1" and depicted in Exhibit "B-2" attached hereto, subject to the Rights and Limitations of Use and Occupancy set forth herein ("Permanent Access Easement"). The Permanent Access Easement shall be used by the Orange County Sanitation District and its employees, agents, representatives, contractors, successors, and assigns (collectively, "OC San") for purposes of providing access to OC San, including the right of ingress and egress, to and from Bayside Drive and the OC San facilities in connection with the construction, use, and operation of the Bay Bridge Pump Station and Force Mains Replacement Project ("Project").

Rights and Limitations of Use and Occupancy of the Permanent Access Easement:

- The location and layout of the Permanent Access Easement as described and depicted in Exhibits "B-1" and "B-2" hereto was selected to utilize the existing Bayside Drive curb cut and a portion of the drive aisle currently serving the property subject to this easement ("Property") together with a portion of the contemplated access route established in consultation with and at the recommendation of the owner of the Property ("Owner") in light of the Owner's future development plans.
- The proposed location and layout of the Permanent Access Easement as described and depicted in Exhibits "B-1" and "B-2" hereto is moveable at the Owner's discretion, provided that the proposed new location and layout maintains a minimum drive aisle width of twenty-four (24) feet and provides substantially similar access to OC San to and from Bayside Drive and the connection points to OC San's facilities established by the Project.
- If and when a new location and layout for the Permanent Access Easement is selected by Owner, OC San will cooperate with Owner to have documentation prepared and recorded to memorialize the new location and layout of the easement. Once the final location for the Permanent Access Easement is set and the appropriate easement document herein contemplated is recorded, OC San will cooperate with Owner to relinquish any portion of the Permanent Access Easement described in Exhibit "B-1" and depicted in Exhibit "B-2" that is outside the boundaries of the newly aligned access easement herein contemplated.
- The following improvements within the Permanent Access Easement will be protected in place:
 - The chain link fence running generally east to west along the northern and southern borders of the drive aisle currently serving the Property; and
 - All landscape elements and asphalt paving within the Permanent Access Easement.
- A section of the chain link fence running generally east to west along the southern border of the drive aisle currently serving the Property will be removed and replaced with a gate to permit OC San access to the Permanent Access Easement area south of the chain link fence while maintaining the security of that area. Any improvements so removed shall be included in the compensation paid by OC San for this Permanent Access Easement.
- Upon completion of Project construction, OC San's use and occupancy of the Permanent Access Easement shall be limited to no more than fifteen (15) vehicle trips per week, except in cases of an emergency.

Neither the Owner nor any occupant of the Property shall construct any permanent improvements within the easement area that would impede OC San's rights as defined herein.

Subject to the Rights and Limitations of Use and Occupancy of the Permanent Access Easement described herein, the rights and obligations of OC San and the Owner shall run with the land and be binding upon and/or inure to the benefit of OC San's and the Owner's respective heirs, successors, and assigns.

OC San expressly reserves the right to convey, transfer, or assign the Permanent Access Easement subject to the same Rights and Limitations of Use and Occupancy described herein.

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EXHIBIT "B-1"

LEGAL DESCRIPTION
PARCEL 5-67-02 (ACCESS EASEMENT)

ORANGE COUNTY SANITATION DISTRICT
BAY BRIDGE PUMP STATION

That certain parcel of land situated in the City of Newport Beach, County of Orange State of California, being that portion of Parcel 3 of Parcel Map No. 93-111 filed in Book 278, Pages 40 through 45 of Parcel Maps in the Office of the County Recorder of said Orange County, described as follows:

COMMENCING at the easterly terminus of that certain course in the centerline of the East Coast Highway shown as "North 87°36'58" West 160.15 feet" on said Parcel Map No. 93-111, said point also being marked with a "spike and washer tagged DOH per Caltrans F.B. SR. 81-115/11" per said Parcel Map No. 93-111;

thence along said centerline North 87°36'58" West 160.15 feet to the northwesterly terminus thereof, said point also being marked with a "spike and washer tagged DOH per Caltrans F.B. SR. 81-115/11" per said Parcel Map No. 93-111;

thence leaving said centerline at right angles North 02°23'02" East 85.94 feet to a line shown as "North 87°36'16" West 123.34 feet" in the southerly boundary of said Parcel 3, said line also being the northerly Right-of-Way line of the East Coast Highway as shown on said Parcel Map No. 93-11 and also shown on a Caltrans Right-of-Way Map No. 25491-C for 07-ORA-1 18.3;

thence along said southerly line of Parcel 3 North 87°36'16" West 65.10 feet to the intersection of the southerly boundary of said Parcel 3 and the easterly line of Parcel 1 Dedicated to the Orange County Sanitation District in a document recorded September 10, 1965 in Book 7661, Page 741 of Official Records, in the Office of said Orange County Recorder, thence North 13°39'41" East 71.32 feet; thence North 76°24'23" West 173.32 feet;

thence South 13°39'46" West 75.46 feet to the **TRUE POINT OF BEGINNING**;

thence North 76°20'14" West 12.10 feet, hereinafter referred to as **COURSE 1** to the beginning of a tangent curve concave northeasterly and having a radius of 30.00 feet;

thence along said curve northwesterly 19.68 feet through a central angle of 37°35'22"

to a point of compound curvature with a curve concave easterly and having a radius of 46.00 feet, a radial line of said curves from said point bears North 51°15'08" East;

thence along said curve northerly 50.05 feet through a central angle of 62°20'28";

thence tangent from said curve North 23°35'36" East 13.50 feet hereinafter referred to as **COURSE 2**, to the beginning of a tangent curve concave southeasterly and having a radius of 49.00 feet;

thence along said curve northeasterly and easterly 68.42 feet through a central angle of 80°00'01" hereinafter referred to as **COURSE 3**; thence tangent from said curve South 76°24'23" East

ORANGE COUNTY SANITATION DISTRICT
BAY BRIDGE PUMP STATION
PARCEL 5-67-02 (ACCESS EASEMENT)

42 230.53 feet hereinafter referred to as **COURSE 4** to the beginning of a tangent curve concave
43 northwesterly and having a radius of 20.00 feet; thence along said curve easterly and northeasterly
44 31.42 feet through a central angle of 90°00'22" hereinafter referred to as **COURSE 5**;
45 thence tangent from said curve North 13°35'15" East 80.03 feet hereinafter referred to as
46 **COURSE 6** to the beginning of a tangent curve concave southeasterly and having a radius of
47 42.00 feet; thence along said curve northeasterly and easterly 15.00 feet through a central angle of
48 20°27'26";
49 thence non-tangent from said curve South 77°58'48" East 168.76 feet hereinafter referred to as
50 **COURSE 7** to the easterly line of said Parcel 3 shown as a curve concave easterly having a "Radius
51 of 440.00 feet, central angle of 74°00'00" and length of 568.28 feet" on said Parcel Map No. 93-111
52 and to a point on a non-tangent curve concave southeasterly and having a radius of 440.00 feet, a
53 radial line of said curve from said point bears South 67°47'30" East;
54 thence along said easterly line of Parcel 3 and said curve southwesterly 30.32 feet through a central
55 angle of 03°56'52" to a line parallel with and 30.00 feet southeasterly from the hereinabove
56 described **COURSE 7**;
57 thence non-tangent from said curve along said parallel line North 77°58'48" West 143.90 feet to a
58 line parallel with and 24.00 feet southeasterly from the hereinabove described **COURSE 6**;
59 thence along said parallel line South 13°35'15" West 65.28 feet to the beginning of a tangent curve
60 concave northwesterly and having a radius of 44.00 feet, said curve being concentric with and
61 24.00 feet southeasterly from the hereinabove described **COURSE 5**;
62 thence along said concentric curve southwesterly and westerly 69.12 feet through a central angle of
63 90°00'22" to a line parallel with and 24.00 feet southeasterly from the hereinabove described
64 **COURSE 4**;
65 thence tangent from said curve along said parallel line North 76°24'23" West 131.23 feet to the
66 beginning of a tangent curve concave southeasterly and having a radius of 5.00 feet;
67 thence along said curve westerly and southwesterly 7.85 feet through a central angle of 90°00'00"
68 to a line parallel with and 29.00 feet southwesterly from the hereinabove described **COURSE 4**;
69 thence radially from said curve along said parallel line North 76°24'23" West 24.00 feet to a point
70 on a non-tangent curve concave southwesterly and having a radius of 5.00 feet, a radial line of said
71 curve from said point bears North 76°24'23" West;
72 thence along said curve northerly and northwesterly 7.85 feet through a central angle of 90°00'00"
73 to a line parallel with and 24.00 feet southeasterly from the hereinabove described **COURSE 4**;
74 thence tangent from said curve along said parallel line North 76°24'23" West 65.30 feet to the
75 beginning of a tangent curve concave southeasterly and having a radius of 25.00 feet and to the
76 beginning of a curve concentric with and 24.00 feet southeasterly from the hereinabove described
77 **COURSE 3**; thence along said concentric curve westerly and southwesterly 34.91 feet through a
78 central angle of 80°00'01" to a line parallel with and 24.00 feet southeasterly from the hereinabove
79 described **COURSE 2**; thence tangent from said curve and along said parallel line


ORANGE COUNTY SANITATION DISTRICT
BAY BRIDGE PUMP STATION
PARCEL 5-67-02 (ACCESS EASEMENT)

80 South 23°35'36" West 16.22 feet to the beginning of a tangent curve concave northeasterly and
81 having a radius of 22.00 feet;
82 thence along said curve southerly and southeasterly 38.37 feet through a central angle of 99°55'50"
83 to a line parallel with and 18.00 feet northeasterly from the hereinabove described **COURSE 1**;
84 thence tangent from said curve and along said parallel line South 76°20'14" East 2.81 feet;
85 thence South 13°39'46" West 18.00 feet to the **TRUE POINT OF BEGINNING**.

86
87 **CONTAINING:** 16,415 Square Feet more or less.

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89 **EXHIBIT "B-2"** attached and by this reference made a part hereof.

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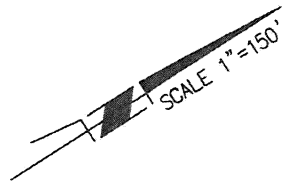

08/17/2021
Steven C. Slocum, P.L.S. 9044 Date



98 Michael Baker International
99 5 Hutton Centre Drive, Suite 500
100 Santa Ana, California 92707
101 Project No. 163755
102 H:\pdata\163755\CADD\Mapping\Exhibits\Pump Station Legals and Exhibits\Legal\163755-00B1 - Legal Access Easement P.docx

RECORD REFERENCES:

- R1 CALTRANS RIGHT-OF-WAY MAP NO. 25491-C.
- R2 PARCEL MAP NO. 93-111, P.M.B. 278/40-45.



**NEWPORT
UPPER BAY**

**BAY HARBOR
CHANNEL**

**EAST COAST
HIGHWAY**

PARCEL MAP NO. 93-111
P.M.B. 278/40-45
PARCEL 3

PARCEL 1
PARCEL 1
PARCEL MAP NO. 93-205
P.M.B. 289/1-7
PARCEL 2

**PARCEL 5-67-02
(ACCESS EASEMENT)**

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O.C.S.D.
PARCEL
5-67-01
(FEE)

PARCEL 2

SPIKE AND WASHER
"DOH" PER CALTRANS
FB. 81-115/7 AND PM
93-111. P.M.B.
278/40-45

$\Delta=17^{\circ}43'19''$
 $R=1014.00'$
 $L=313.64'$
(R2)

SPIKE AND WASHER
"DOH" PER CALTRANS
FB. 81-115/11 AND PM
93-111. P.M.B.
278/40-45

$N87^{\circ}36'58''W$
 $160.15'$
(R2)

P.O.C.

$\Delta=03^{\circ}27'22''$
 $R=1002.00'$
 $L=60.44'$
(R2)

$N02^{\circ}23'02''E$
 $85.94'$

4

BAYSIDE DRIVE

$159.86'$
 $N10^{\circ}02'29''E$
(R2)

$\Delta=74^{\circ}00'00''$ $R=400.00'$
 $L=516.62'$ (R2)

$N05^{\circ}50'24''E(RAD)$

SHEET 1 OF 4 SHEETS

Michael Baker

INTERNATIONAL

5 Hutton Centre Drive, Suite 500
Santa Ana, CA 92707

(949) 472-3505 · MBAKERINTL.COM

AUGUST 13, 2021

JN 163755

EXHIBIT "B-2"

SKETCH TO ACCOMPANY A
LEGAL DESCRIPTION FOR

**ORANGE COUNTY SANITATION DISTRICT
BAY BRIDGE PUMP STATION
PARCEL 5-67-02 (ACCESS EASEMENT)
CONTAINING: 16,415 S.F. MORE OR LESS**

SHEET INDEX

(X) INDICATES SHEET NUMBER



VARIES

VARIES

SEE SHEET 2

PARCEL MAP NO.
93-111
P.M. 278/40-45

N66°24'24"W
284.74' (R2)

S66°24'24"E 8.72'

75.46'
N13°39'46"E 79.83'

T.P.O.B.

O.C.S.D. PARCEL 5-67-01 (FEE)
(BY SEPARATE DOCUMENT)

PARCEL 5-67-02
(ACCESS EASEMENT)

N76°24'23"W 173.32'

PARCEL 3

S'LY LINE OF PARCEL 3 OF
P.M. NO. 93-111, P.M.B.
278/40-45 ND N'LY
RIGHT-OF-WAY LINE OF EAST
COAST HIGHWAY PER CALTRANS
RIGHT OF WAY MAP NO.
25491-C

EAST COAST HIGHWAY
CALTRANS R/W MAP NO. 25491-C 07-ORA-1
AND P.M. NO. 93-111, P.M.B. 278/40-45

A=17°43'19" R=1014.00' L=313.64'

E'LY, N'LY AND W'LY
LINES OF PARCEL 1 OF
DOCUMENT RECORDED IN
BOOK 7661, PAGE 741 OF
OFFICIAL RECORDS

N13°39'41"E 71.32'

S'LY LINE OF PARCEL 3 OF PM 93-111,
P.M.B. 278/40-45 AND N'LY
RIGHT-OF-WAY LINE OF EAST COAST
HIGHWAY PER CALTRANS RIGHT OF WAY
MAP NO. 25491-C.

VARIES

VARIES

SPIKE AND WASHER "DOH" PER
CALTRANS FB. SR-81-115/11
AND P.M. NO. 93-111, P.M.B.
278/40-45

N02°23'02"E 85.94'

SEE SHEET 3

83.10'
N87°36'19"W 123.34' (R2)

N87°36'58"W
160.15' (R2)

P.O.C.

SPIKE AND WASHER "DOH" PER
CALTRANS FB. SR-81-115/11
AND P.M. NO. 93-111.
P.M.B. 278/40-45

EXHIBIT "B-2"

SKETCH TO ACCOMPANY A
LEGAL DESCRIPTION FOR

**ORANGE COUNTY SANITATION DISTRICT
BAY BRIDGE PUMP STATION
PARCEL 5-67-02 (ACCESS EASEMENT)**

SHEET 2 OF 4 SHEETS

Michael Baker

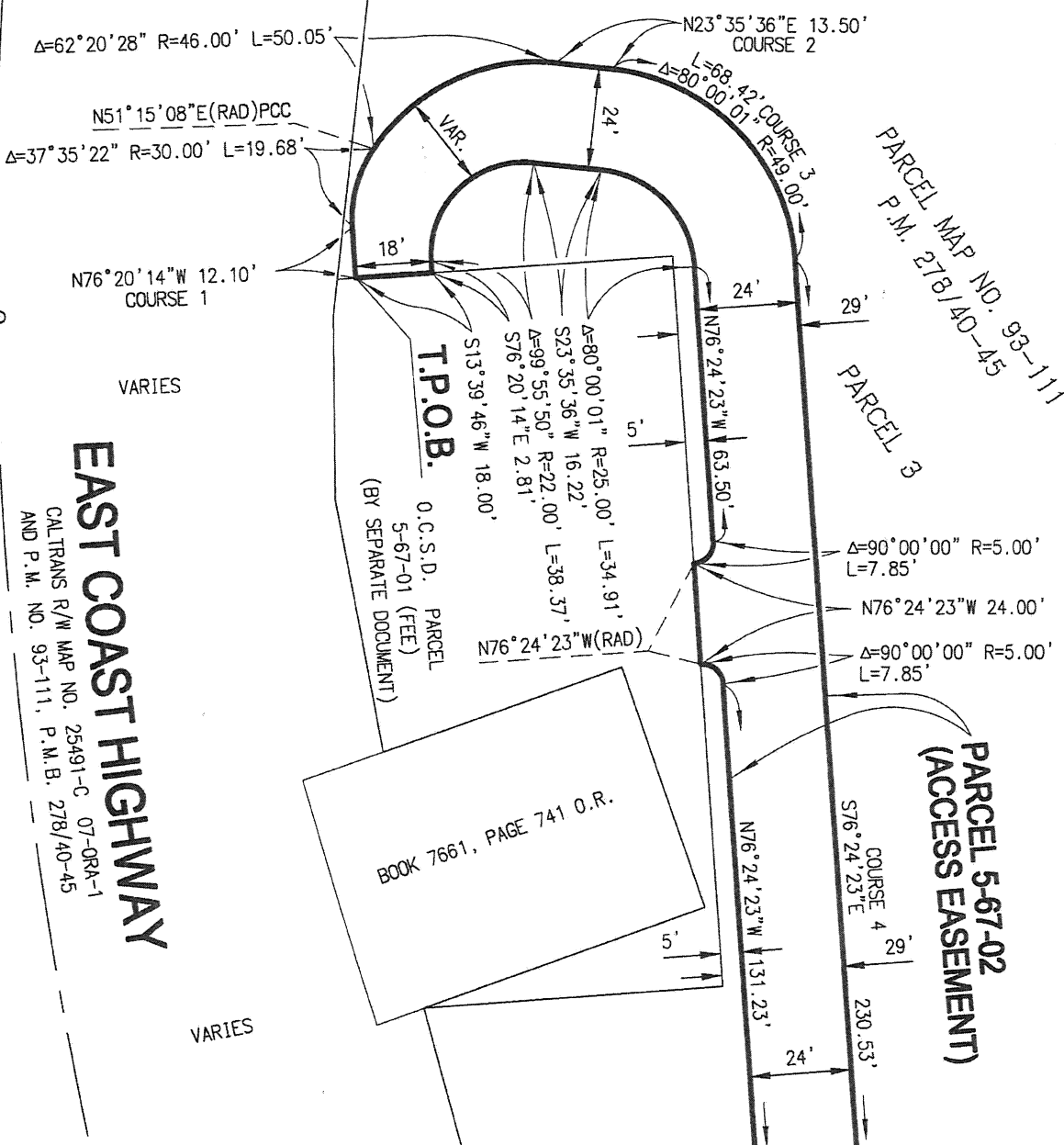
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AUGUST 13, 2021

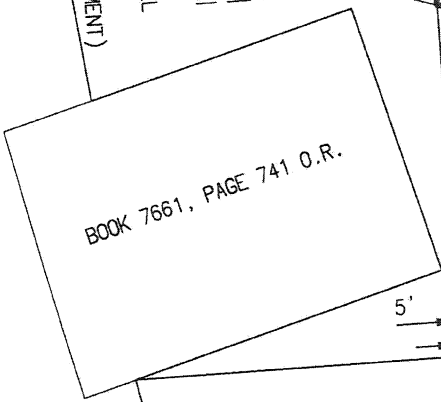
JN 163755



EAST COAST HIGHWAY
CALTRANS R/W MAP NO. 25491-C 07-ORA-1
AND P.M. NO. 93-111, P.M.B. 278/40-45

PARCEL MAP NO. 93-111
P.M. 278/40-45

**PARCEL 5-67-02
(ACCESS EASEMENT)**



T.P.O.B.
O.C.S.D. PARCEL
5-67-01 (FEE)
(BY SEPARATE DOCUMENT)

SEE SHEET 2

SEE SHEET 4

SHEET 3 OF 4 SHEETS

Michael Baker

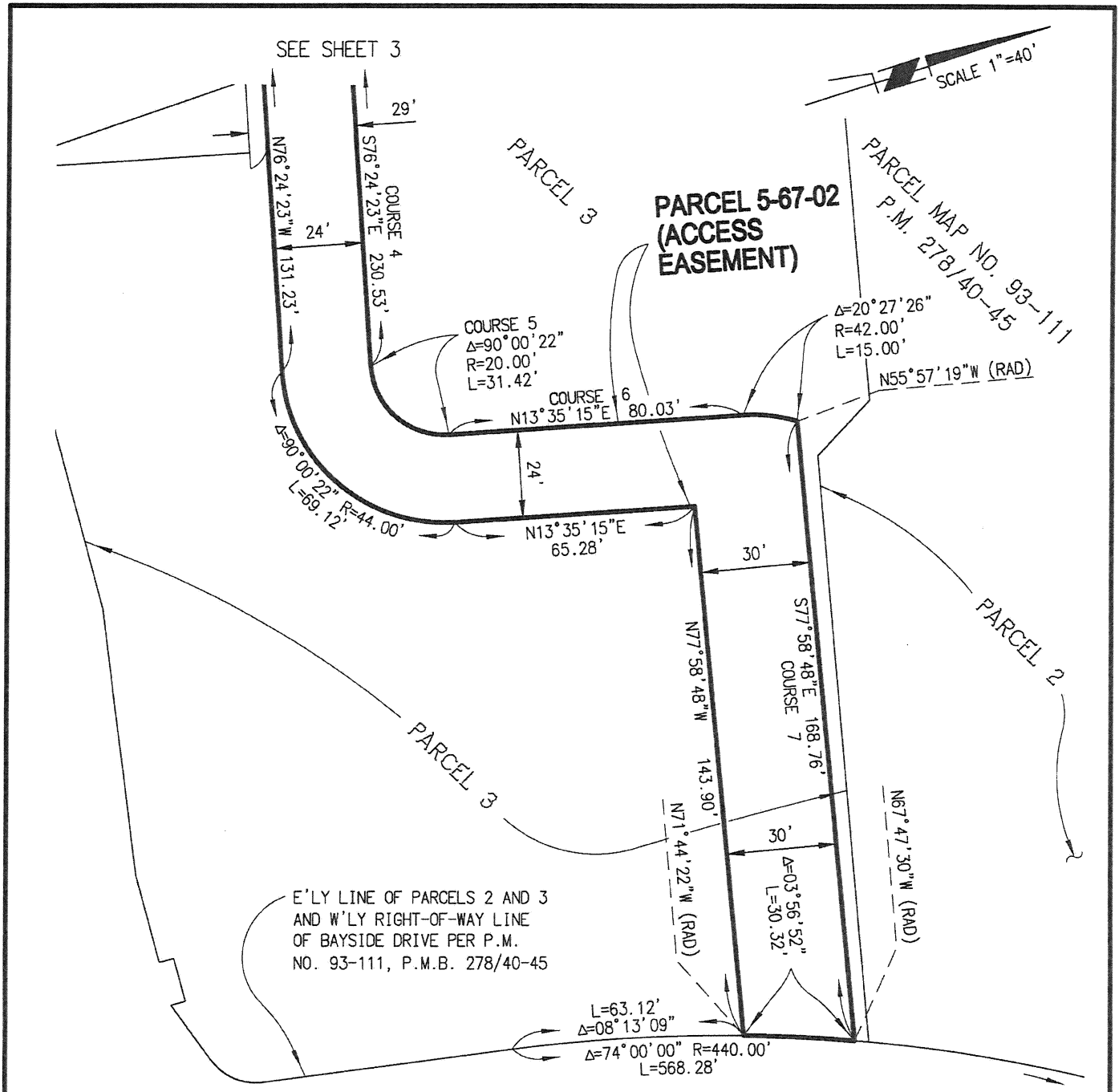
INTERNATIONAL

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AUGUST 13, 2021 JUN 163755

EXHIBIT "B-2"
SKETCH TO ACCOMPANY A
LEGAL DESCRIPTION FOR
**ORANGE COUNTY SANITATION DISTRICT
BAY BRIDGE PUMP STATION
PARCEL 5-67-02 (ACCESS EASEMENT)**



SEE SHEET 2

SHEET 4 OF 4 SHEETS

EXHIBIT "B-2"
 SKETCH TO ACCOMPANY A
 LEGAL DESCRIPTION FOR
 ORANGE COUNTY SANITATION DISTRICT
 BAY BRIDGE PUMP STATION
 PARCEL 5-67-02 (ACCESS EASEMENT)

Michael Baker

INTERNATIONAL
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 AUGUST 13, 2021 JUN 163755

EXHIBIT "C"

**TEMPORARY ROAD EASEMENT
ATTACHMENT TO LEGAL DESCRIPTION
Parcel No.: 5-67-03**

This non-exclusive temporary road easement shall be in, on, over, under, and across the real property described in Exhibit "C-1" and depicted in Exhibit "C-2" attached hereto, subject to the Rights and Limitations of Use and Occupancy described herein ("Temporary Road Easement"). The Temporary Road Easement shall be used by the Orange County Sanitation District and its employees, agents, representatives, contractors, successors, and assigns (collectively, "OC San") in connection with the construction of the Bay Bridge Pump Station and Force Mains Replacement Project ("Project"). The Temporary Road Easement shall be for a period of twenty-four (24) months, commencing after thirty (30) days' written notice as referenced herein.

The owner(s) and occupant(s) of the real property subject to the Temporary Road Easement shall not construct any permanent improvements within the easement area that would impede OC San's rights as defined herein.

Rights and Limitations of Use and Occupancy of the Temporary Road Easement:

- OC San shall provide the owner(s) and occupant(s) of the property subject to this Temporary Road Easement a minimum of thirty (30) days' written notice as to when the term of the Temporary Road Easement will commence.
- Reasonable pedestrian and vehicular access to the property shall be maintained at all times.
- Improvements within the Temporary Road Easement will be removed as needed by OC San to allow for construction activities. Except as noted below, any and all improvements so removed shall be included in the compensation paid by OC San for this Temporary Road Easement.
- Prior to termination of the Temporary Road Easement, OC San will repair or install functionally equivalent pavement material as necessary to restore the easement area to a similar condition as existed prior to commencement of the construction activities.
- Upon the earlier of the expiration of the Temporary Road Easement period specified herein or the completion of the Project, OC San will record a Quitclaim Deed or otherwise release its interests in the Temporary Road Easement.

OC San expressly reserves the right to convey, transfer, or assign the Temporary Road Easement subject to the same Rights and Limitations of Use and Occupancy described herein.

1 EXHIBIT "C-1"

2
3 LEGAL DESCRIPTION

4 PARCEL 5-67-03 (TEMPORARY ROAD EASEMENT)

5
6 ORANGE COUNTY SANITATION DISTRICT
7 BAY BRIDGE PUMP STATION
8

9 That certain parcel of land situated in the City of Newport Beach, County of Orange State of
10 California, being that portion of Parcel 3 of Parcel Map No. 93-111 filed in Book 278, Pages
11 40 through 45 of Parcel Maps in the Office of the County Recorder of said Orange County,
12 described as follows:

13 **COMMENCING** at the easterly terminus of that certain course in the centerline of East Coast
14 Highway shown as "North 87°36'58" West 160.15 feet" on said Parcel Map No. 93-111, said
15 point also being marked with a "spike and washer tagged DOH per Caltrans F.B. SR.
16 81-115/11" per said Parcel Map No. 93-111;

17 thence along said centerline North 87°36'58" West 160.15 feet to the northwesterly terminus
18 thereof, said point also being marked with a "spike and washer tagged DOH per Caltrans F.B.
19 SR. 81-115/11" per said Parcel Map No. 93-111;

20 thence leaving said centerline at right angles North 02°23'02" East 85.94 feet to a line shown
21 as "North 87°36'16" West 123.34 feet" in the southerly boundary of said Parcel 3, said line also
22 being the northerly Right-of-Way line of East Coast Highway as shown on said Parcel Map No.
23 93-11 and also shown on a Caltrans Right-of-Way Map No. 25491-C for 07-ORA-1 18.3;

24 thence along said southerly line of Parcel 3 North 87°36'16" West 65.10 feet to the intersection
25 of the southerly boundary of said Parcel 3 and the easterly line of Parcel 1 Dedicated to the
26 Orange County Sanitation District in a document recorded September 10, 1965 in Book 7661,
27 Page 741 of Official Records, in the Office of said Orange County Recorder, thence
28 North 13°39'41" East 71.32 feet; thence North 76°24'23" West 173.32 feet;

29 thence South 13°39'46" West 75.46 feet;

30 thence North 76°20'14" West 12.10 feet to the beginning of a tangent curve concave
31 northeasterly and having a radius of 30.00 feet;

32 thence along said curve northwesterly 19.68 feet through a central angle of 37°35'22"

33 to a point of compound curvature with a curve concave easterly and having a radius of 46.00
34 feet, a radial line of said curves from said point bears North 51°15'08" East;

35 thence along said curve northerly 17.34 feet through a central angle of 21°36'03" to the **TRUE**
36 **POINT OF BEGINNING**; thence continuing northerly along said curve 32.71 feet through a
37 central angle of 40°44'26";

38 thence North 23°35'36" East 3.06 feet to a point of intersection with a non-tangent curve
39 concave northwesterly and having a radius of 25.00 feet, a radial line of said curve from said
40 point having a bearing of North 66°24'24" West;

ORANGE COUNTY SANITATION DISTRICT
BAY BRIDGE PUMP STATION
PARCEL 5-67-03 (TEMPORARY ROAD EASEMENT)

41 thence along said curve southwesterly 39.27 feet through a central angle of 90°00'00" to a line
42 parallel with and 24.00 feet northwesterly from that certain line in the southerly line of said
43 Parcel 3 shown as "North 66°24'24" West 284.74 feet" on said Parcel Map No. 93-111;
44 thence along said parallel line North 66°24'24" West 43.07 feet;
45 thence South 23°35'36" West 24.00 feet to said southerly line of Parcel 3;
46 thence along said southerly line of Parcel 3, South 66°24'24" East 43.07 feet to the beginning
47 of a curve concave northwesterly and having a radius of 49.00 feet;
48 thence along said curve northeasterly 40.65 feet through a central angle of 47°32'07" to the
49 **TRUE POINT OF BEGINNING.**

50

51 **CONTAINING:** 1,873 Square Feet more or less.

52

53 **EXHIBIT "C-2"** attached and by this reference made a part hereof.

54

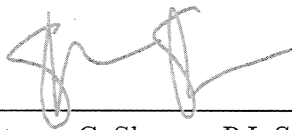
55

56

57

58

59



08/17/2021

60

Steven C. Slocum, P.L.S. 9044

Date

61

62

Michael Baker International

63

5 Hutton Centre Drive, Suite 500

64

Santa Ana, California 92707

65

Project No. 163755

66

H:\pdata\163755\CADD\Mapping\Exhibits\Pump Station Legals and Exhibits\Legal\163755-00C1 - Legal Road Easement T.docx



RECORD REFERENCES:

- R1 CALTRANS RIGHT-OF-WAY MAP NO. 25491-C.
- R2 PARCEL MAP NO. 93-111, P.M.B. 278/40-45.

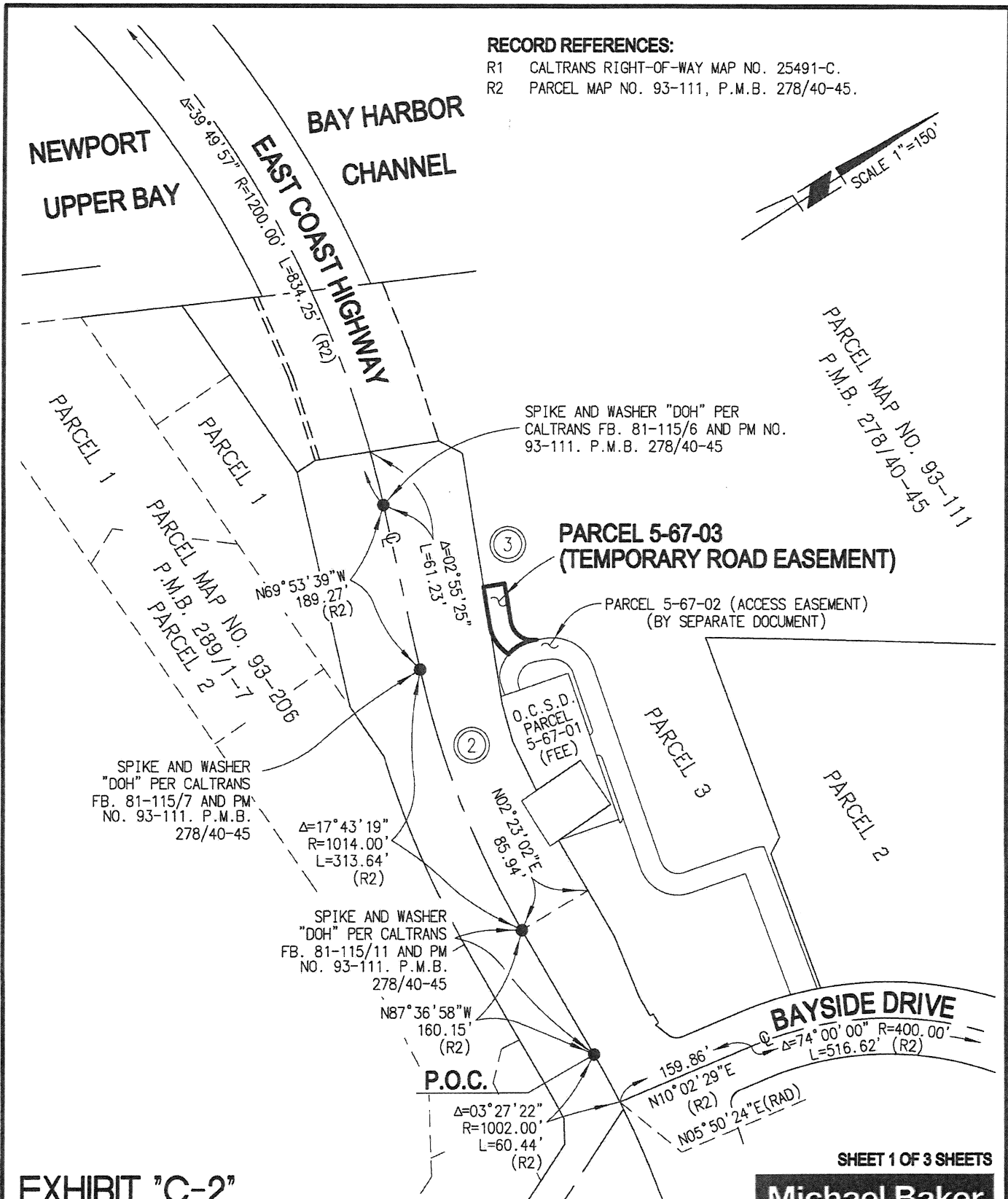


EXHIBIT "C-2"

SKETCH TO ACCOMPANY A LEGAL DESCRIPTION FOR

**ORANGE COUNTY SANITATION DISTRICT
BAY BRIDGE PUMP STATION
PARCEL 5-67-03 (TEMPORARY ROAD EASEMENT)
CONTAINING 1,873 S.F. MORE OR LESS**

SHEET INDEX

(X) INDICATES SHEET NUMBER

SHEET 1 OF 3 SHEETS

Michael Baker

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AUGUST 13, 2021 JUN 163755

\\IRVICA1FS1.BKR.MBAKERCORP.COM\FROOT\DATA\163755\CADD\WAPPINGS\EXHIBITS\PUMP STATION LEGALS AND EXHIBITS\163755-00C2 - EXHIBIT ROAD EASEMENT T.DWG
CONNIE.BARRETT 8/16/2021 4:46 PM



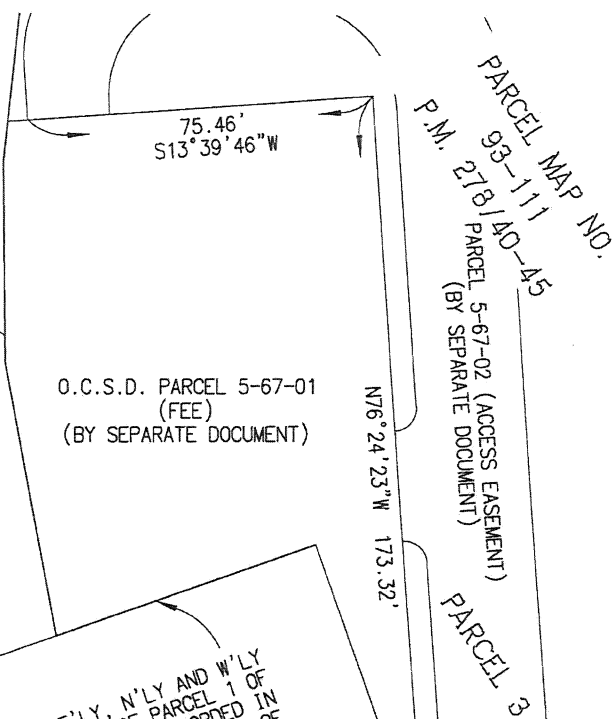
SEE SHEET 3

VARIES VARIES

S'LY LINE OF PARCEL 3 OF P.M. NO. 93-111,
P.M.B. 278/40-45 AND N'LY RIGHT-OF-WAY
LINE OF EAST COAST HIGHWAY PER CALTRANS
RIGHT OF WAY MAP NO. 25491-C

EAST COAST HIGHWAY
CALTRANS R/W MAP NO. 25491-C 07-ORA-1
AND P.M. NO. 93-111, P.M.B. 278/40-45

$\Delta=1^{\circ}43'19''$ $R=1014.00'$ $L=313.64'$



O.C.S.D. PARCEL 5-67-01
(FEE)
(BY SEPARATE DOCUMENT)

E'LY, N'LY AND W'LY
LINES OF PARCEL 1 OF
DOCUMENT RECORDED IN
BOOK 7661, PAGE 741 OF
OFFICIAL RECORDS

PARCEL MAP NO.
93-111
P.M. 278/40-45
PARCEL 5-67-02 (ACCESS EASEMENT)
(BY SEPARATE DOCUMENT)
PARCEL 3

S'LY LINE OF PARCEL 3 OF PM NO.
93-111, P.M.B. 278/40-45 AND N'LY
RIGHT-OF-WAY LINE OF EAST COAST
HIGHWAY PER CALTRANS RIGHT OF WAY
MAP NO. 25491-C

SPIKE AND WASHER "DOH" PER
CALTRANS FB. SR-81-115/11
AND P.M. NO. 93-111, P.M.B.
278/40-45

VARIES

VARIES

$N02^{\circ}23'02''E$ 85.94'

$N87^{\circ}36'58''W$
160.15'
(R2)

$N87^{\circ}36'19''W$ 123.34'
(R2)

EXHIBIT "C-2"
SKETCH TO ACCOMPANY A
LEGAL DESCRIPTION FOR
ORANGE COUNTY SANITATION DISTRICT
BAY BRIDGE PUMP STATION
PARCEL 5-67-03 (TEMPORARY ROAD EASEMENT)

SPIKE AND WASHER "DOH" PER
CALTRANS FB. SR-81-115/11
AND P.M. NO. 93-111.
P.M.B. 278/40-45

SHEET 2 OF 3 SHEETS

Michael Baker

INTERNATIONAL

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AUGUST 13, 2021 JN 163755

EXHIBIT "D"

**TEMPORARY CONSTRUCTION EASEMENTS
ATTACHMENT TO LEGAL DESCRIPTIONS
Parcel Nos.: 5-67-04, -05, -06**

These exclusive temporary construction easements shall be in, on, over, under, and across that certain real property described in Exhibit "D-1" and depicted in Exhibit "D-2" attached hereto, subject to the Rights and Limitations of Use and Occupancy set forth herein ("TCEs"). The TCEs shall be used by the Orange County Sanitation District and its employees, agents, representatives, contractors, successors, and assigns (collectively, "OC San") in connection with the construction of the Bay Bridge Pump Station and Force Mains Replacement Project ("Project"). The durations of the TCEs shall be as follows:

- 5-67-04 – twenty-four (24) months, commencing after thirty (30) days' written notice as referenced herein;
- 5-67-05 – twenty-four (24) months, commencing after thirty (30) days' written notice as referenced herein; and
- 5-67-06 – forty-two (42) months, commencing after thirty (30) days' written notice as referenced herein.

Rights and Limitations of Use and Occupancy of TCE:

- OC San shall provide the owner(s) and occupant(s) of the property subject to each TCE a minimum of thirty (30) days' written notice as to when the term of that TCE will commence.
- OC San may place a temporary fence around the TCE areas.
- Improvements within the TCE areas will be removed as needed by OC San to allow for construction activities. Except as noted below, any and all improvements so removed shall be included in the compensation paid by OC San for the TCEs.
- Prior to the termination of each TCE, OC San will remove from the TCE area all construction equipment and materials, including without limitation any temporary fence, temporary improvements, and all construction-related debris. Each TCE area will be graded and compacted, and OC San will repair or install functionally equivalent pavement material as necessary, to restore the easement area to a similar condition as existed prior to commencement of the TCE term.
- Upon the earlier of the expiration of each TCE period specified herein or the completion of the Project, OC San will record a Quitclaim Deed or otherwise release its interests in the TCEs.

OC San expressly reserves the right to convey, transfer, or assign the TCEs subject to the same Rights and Limitations of Use and Occupancy described herein.

ORANGE COUNTY SANITATION DISTRICT
BAY BRIDGE PUMP STATION
PARCELS 5-67-04, -05, -06 (TEMPORARY CONSTRUCTION EASEMENT)

42 having a radius of 49.00 feet, a radial line of said curve from said point bears North 23°56'31"
43 West; thence along said curve westerly 40.65 feet through a central angle of 47°32'07" to that
44 certain line in the southerly line of said Parcel 3 shown as "North 66°24'24" West 284.74 feet" on
45 said Parcel Map No. 93-111; thence along said southerly line of Parcel 3 South 66°24'24" East
46 81.42 feet to an intersection with a line passing through the TRUE POINT OF BEGINNING and
47 having a bearing of North 13°39'46" East; thence North 13°39'46" East 4.37 feet to the **TRUE**
48 **POINT OF BEGINNING.**

49
50 **CONTAINING:** 401 Square Feet more or less.

51
52
53 **PARCEL 5-67-05 (TEMPORARY CONSTRUCTION EASEMENT)**

54 That certain parcel of land situated in the City of Newport Beach, County of Orange State of
55 California, being that portion of Parcel 3 of Parcel Map No. 93-111 filed in Book 278, Pages 40
56 through 45 of Parcel Maps in the Office of the County Recorder of said County, described as
57 follows:

58 **BEGINNING** at the hereinabove described **POINT "B"**; thence North 76°20'14" West 2.81 feet
59 to the beginning of a tangent curve concave northeasterly and having a radius of 22.00 feet; thence
60 along said curve northwesterly and northerly 38.37 feet through a central angle of 99°55'50"; thence
61 tangent from said curve North 23°35'36" East 16.22 feet to the beginning of a tangent curve concave
62 southeasterly and having a radius of 25.00 feet; thence along said curve northeasterly and easterly
63 34.91 feet through a central angle of 80°00'01" to a line parallel with and 5.00 feet northerly of the
64 northerly line of hereinabove described Parcel 5-67-04 (Temporary Construction Easement); thence
65 tangent from said curve and along said parallel line South 76°24'23" East 65.30 feet to the
66 beginning of a tangent curve concave southwesterly and having a radius of 5.00 feet; thence along
67 said curve southeasterly and southerly 7.85 feet through a central angle of 90°00'00" to the
68 hereinabove described **COURSE 1**; thence along said **COURSE 1** North 76°24'23" West 73.22
69 feet to a line passing through hereinabove described **POINT "B"** and having a bearing of South
70 13°39'46" West; thence along said line South 13°39'46" West 57.46 feet to the **POINT OF**
71 **BEGINNING**

72
73 **CONTAINING:** 1,588 Square Feet more or less.

74
75
76 **PARCEL 5-67-06 (TEMPORARY CONSTRUCTION EASEMENT)**

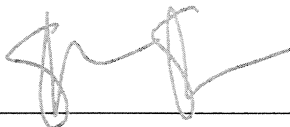
77 That certain parcel of land situated in the City of Newport Beach, County of Orange State of
78 California, being that portion of Parcel 3 of Parcel Map No. 93-111 filed in Book 278, Pages 40
79 through 45 of Parcel Maps in the Office of the County Recorder of said County, described as
80 follows:

ORANGE COUNTY SANITATION DISTRICT
BAY BRIDGE PUMP STATION
PARCELS 5-67-04, -05, -06 (TEMPORARY CONSTRUCTION EASEMENT)

81 **BEGINNING** at the hereinabove described **POINT "A"**; said point being on a curve concave
82 southeasterly and having a radius of 5.00 feet, a radial line of said curve to said point having a
83 bearing of South 76°24'23" East; thence along said curve northeasterly and easterly 7.85 feet
84 through a central angle of 90°00'00" to a line parallel with and 5.00 feet northerly of the northerly
85 line of hereinabove described **COURSE 1**; thence tangent from said curve South 76°24'23" East
86 68.10 feet to the beginning of a tangent curve concave southwesterly and having a radius of 8.00
87 feet; thence along said curve southeasterly 9.49 feet through a central angle of 67°58'32" to the
88 intersection of the easterly prolongation of the hereinabove described **COURSE 1**; thence non-
89 tangent from said curve and along the easterly prolongation of said **COURSE 1** and along said
90 northerly line North 76°24'23" West 80.51 feet to the **POINT OF BEGINNING**.

91
92 **CONTAINING:** 387 Square Feet more or less.

93
94 **EXHIBIT "D-2"** attached and by this reference made a part hereof.

95
96
97
98
99
100
101 

08/17/2021

102
103 Steven C. Slocum, P.L.S. 9044

Date

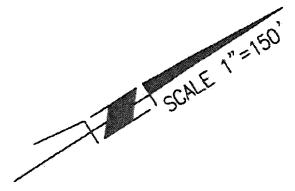


104
105 Michael Baker International
106 5 Hutton Centre Drive, Suite 500
107 Santa Ana, California 92707
108 Project No. 163755

109 H:\pdata\163755\CADD\Mapping\Exhibits\Pump Station Legals and Exhibits\Legal\163755-00D1 - Legal Construction Easement T.docx

RECORD REFERENCES:

- R1 CALTRANS RIGHT-OF-WAY MAP NO. 25491-C.
- R2 PARCEL MAP NO. 93-111, P.M.B. 278/40-45.



PARCEL MAP NO. 93-111
P.M.B. 278/40-45
PARCEL 3

PARCEL 2

NEWPORT
UPPER BAY

BAY HARBOR
CHANNEL

EAST COAST
HIGHWAY

PARCEL 1
PARCEL 1
PARCEL MAP NO. 93-206
P.M.B. 289/1-7
PARCEL 2

PARCEL 5-67-04
PARCEL 5-67-05

PARCEL 5-67-06

$N69^{\circ}53'39''W$
189.27'
(R2)

$\Delta=17^{\circ}43'19''$
 $R=1014.00'$
 $L=313.64'$
(R2)

$N02^{\circ}23'02''E$
85.94'

SPIKE AND WASHER
"DOH" PER CALTRANS
FB. 81-115/11 AND PM
NO. 93-111, P.M.B.
278/40-45

$N87^{\circ}36'58''W$
160.15'
(R2)

P.O.C.
PARCEL 1
 $\Delta=03^{\circ}27'22''$
 $R=1002.00'$
 $L=60.44'$
(R2)

BAYSIDE DRIVE
 $\Delta=74^{\circ}00'00''$ $R=400.00'$
 $L=516.62'$ (R2)

159.86'
 $N10^{\circ}02'29''E$
(R2)
 $N05^{\circ}50'24''E$ (RAD)

PARCEL AREAS:
PARCEL 5-67-04: 401 S.F.
PARCEL 5-67-05: 1588 S.F.
PARCEL 5-67-06: 387 S.F.

EXHIBIT "D-2"

SKETCH TO ACCOMPANY A
LEGAL DESCRIPTION FOR

ORANGE COUNTY SANITATION DISTRICT
BAY BRIDGE PUMP STATION
PARCELS 5-67-04, -05, -06
(TEMPORARY CONSTRUCTION EASEMENT)

SHEET INDEX

(X) INDICATES SHEET NUMBER

SHEET 1 OF 4 SHEETS

Michael Baker

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AUGUST 13, 2021 JN 163755



VARIES

VARIES

SEE SHEET 3

PARCEL MAP NO. 93-111
P.M. 278/40-45

PARCEL 5-67-04
SEE SHEET 3

POINT "B"

P.O.B.
PARCEL 5-67-05

S66°24'24"E 8.72'

N66°24'24"W
284.74' (R2)

18'
22.37'
57.46'
79.83'
S13°39'46"W

T.P.O.B.

PARCEL 5-67-04

PARCEL 5-67-05
SEE SHEET 4

(R2) S73°06'54"E 43.65'

O.C.S.D. PARCEL
5-67-01 (FEE)
(BY SEPARATE
DOCUMENT)

S'LY LINE OF PARCEL 3 OF P.M. NO. 93-111,
P.M.B. 278/40-45 AND N'LY RIGHT-OF-WAY LINE
OF EAST COAST HIGHWAY PER CALTRANS RIGHT
OF WAY MAP NO. 25491-C

PARCEL 5-67-02
(ACCESS EASEMENT)
(BY SEPARATE DOCUMENT)

(R2) S83°06'23"E 60.83'

PARCEL 3

5'
N76°24'23"W
"COURSE 1"
173.32'

POINT "A"

P.O.B.
PARCEL 5-67-06

EAST COAST HIGHWAY
CALTRANS R/W MAP NO. 25491-C 07-08A-1
AND P.M. NO. 93-111, P.M.B. 278/40-45

Δ=17°43'19" R=1014.00' L=313.64'

E'LY, N'LY AND W'LY
LINES OF PARCEL 1 OF
DOCUMENT RECORDED IN
BOOK 7661, PAGE 741 OF
OFFICIAL RECORDS

PARCEL 5-67-05
SEE SHEET 4

N13°39'41"E 71.32'

S'LY LINE OF PARCEL 3 OF PM 93-111,
P.M.B. 278/40-45 AND N'LY RIGHT-OF-WAY
LINE OF EAST COAST HIGHWAY PER CALTRANS
RIGHT OF WAY MAP NO. 25491-C

VARIES

VARIES

SPIKE AND WASHER "DOH" PER
CALTRANS FB. SR-81-115/11
AND P.M. NO. 93-111, P.M.B.
278/40-45

N02°23'02"E 85.94'

65.10'
N87°39'16"W
123.34' (R2)

N87°39'58"W
160.15'
(R2)

P.O.C.

PARCEL 1

SPIKE AND WASHER "DOH" PER
CALTRANS FB. SR-81-115/11
AND P.M. NO. 93-111.
P.M.B. 278/40-45

SHEET 2 OF 4 SHEETS

Michael Baker

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AUGUST 13, 2021

JN 163755

EXHIBIT "D-2"

SKETCH TO ACCOMPANY A
LEGAL DESCRIPTION FOR

**ORANGE COUNTY SANITATION DISTRICT
BAY BRIDGE PUMP STATION
PARCELS 5-67-04, -05, -06
(TEMPORARY CONSTRUCTION EASEMENT)**

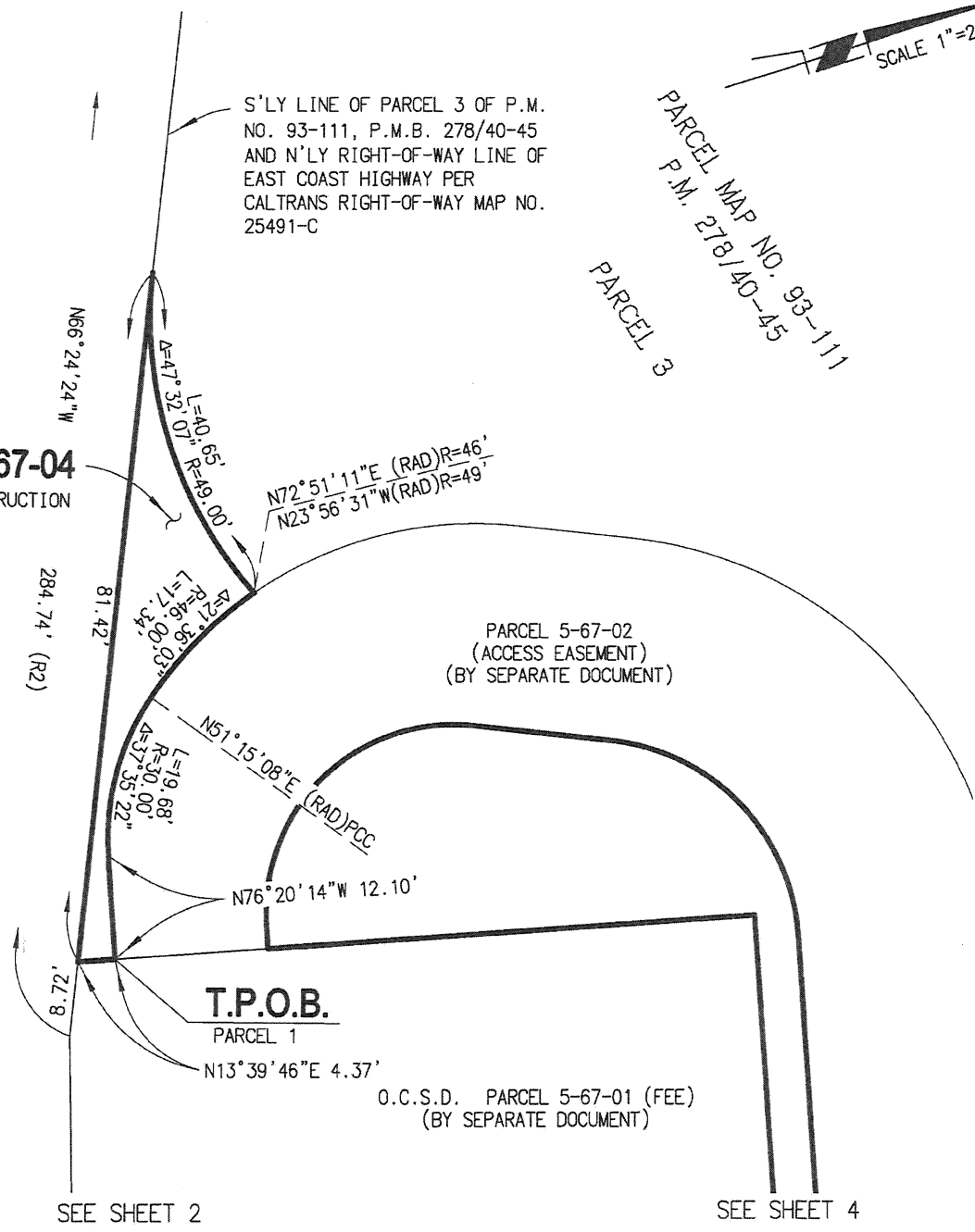


PARCEL MAP NO. 93-111
P.M. 278/40-45
PARCEL 3

S'LY LINE OF PARCEL 3 OF P.M.
NO. 93-111, P.M.B. 278/40-45
AND N'LY RIGHT-OF-WAY LINE OF
EAST COAST HIGHWAY PER
CALTRANS RIGHT-OF-WAY MAP NO.
25491-C

PARCEL 5-67-04
(TEMPORARY CONSTRUCTION
EASEMENT)
401 S.F.

EAST COAST HIGHWAY



SEE SHEET 2

SEE SHEET 4

EXHIBIT "D-2"

SKETCH TO ACCOMPANY A
LEGAL DESCRIPTION FOR

ORANGE COUNTY SANITATION DISTRICT
BAY BRIDGE PUMP STATION
PARCELS 5-67-04, -05, -06
(TEMPORARY CONSTRUCTION EASEMENT)

SHEET 3 OF 4 SHEETS

Michael Baker

INTERNATIONAL

5 Hutton Centre Drive, Suite 500
Santa Ana, CA 92707

(949) 472-3505 · MBAKERINTL.COM

AUGUST 13, 2021

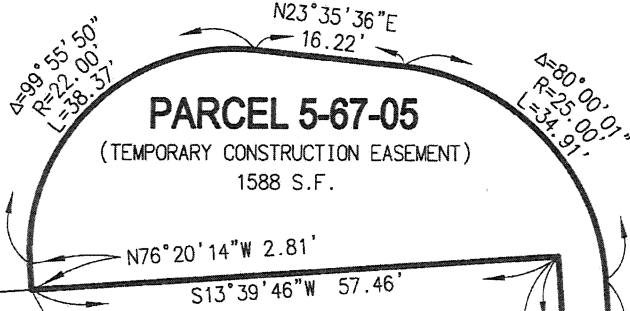
JN 163755

SEE SHEET 3

PARCEL MAP NO. 93-111
P.M.B. 278/40-45

PARCEL 5-67-05

(TEMPORARY CONSTRUCTION EASEMENT)
1588 S.F.



POINT "B"

P.O.B. PARCEL 5-67-05

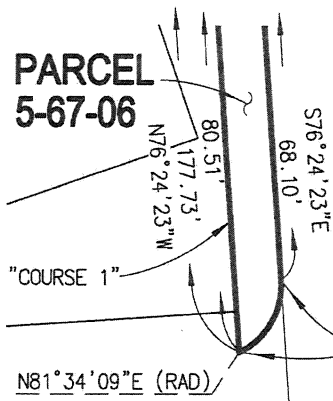
O.C.S.D. PARCEL 5-67-01 (FEE)
(BY SEPARATE DOCUMENT)

PARCEL 5-67-02
(ACCESS EASEMENT)
(BY SEPARATE DOCUMENT)

PARCEL 3

SEE BOTTOM RIGHT

PARCEL 5-67-06



PARCEL 3

POINT "A"

P.O.B. PARCEL 5-67-06

PARCEL 5-67-06

(TEMPORARY CONSTRUCTION EASEMENT)
387 S.F.



SHEET 4 OF 4 SHEETS

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EXHIBIT "D-2"

SKETCH TO ACCOMPANY A
LEGAL DESCRIPTION FOR

ORANGE COUNTY SANITATION DISTRICT

BAY BRIDGE PUMP STATION

PARCELS 5-67-04, -05, -06

(TEMPORARY CONSTRUCTION EASEMENT)

SEE MIDDLE LEFT

EXHIBIT "E"

**PERMANENT UTILITY EASEMENTS (SEWER)
ATTACHMENT TO LEGAL DESCRIPTIONS
Parcel Nos.: 5-67-07 & -08**

These permanent utility easements shall be in, on, over, under, along, and across that certain real property described in Exhibit "E-1" and depicted in "E-2" attached hereto, subject to the rights and limitations described herein ("Utility Easement"). The Utility Easement shall be used by the Orange County Sanitation District, and its employees, agents, representatives, contractors, successors, and assigns (collectively, "OC San") to install, construct, reconstruct, enlarge, lay, alter, operate, patrol, remove, replace, repair, relocate, and maintain, as applicable, underground sanitary sewer facilities and their appurtenant fixtures and equipment in, on, over, under, along, and across the strip of land described and depicted in Exhibits "E-1" and "E-2" attached hereto ("Easement Area").

OC San shall have free access to said facilities within the Easement Area and every part thereof at all times over and along the strip of land described and depicted within Exhibits "E-1" and "E-2" attached hereto.

The owner(s) and occupant(s) of the real property subject to the Utility Easement shall have the right to any uses of the Easement Area that do not directly or indirectly interfere with or endanger OC San's exercise of the rights described herein, including the right to pave the Easement Area and to use the Easement Area for pedestrian and automobile access, parking purposes, and agricultural or landscaping purposes excepting vegetation that endangers the integrity of the sanitary sewer facilities placed therein; provided, however, that OC San shall have the right to clear and keep clear from the Easement Area all explosives, buildings, structures, walls, and other facilities of a permanent nature that interfere with OC San's use of the Utility Easement. The owner(s) and occupant(s) of the real property subject to the Utility Easement shall not construct, nor permit others to construct, any permanent improvements that conflict with OC San's ability to use the Utility Easement.

No other easement or easements shall be granted on, under, over, or within the Easement Area without OC San's previous written consent, which consent shall not be withheld unreasonably.

The rights and obligations of OC San and the owner(s) of the real property subject to the Utility Easement shall run with the land and be binding upon and/or inure to the benefit of their respective heirs, successors, and assigns.

OC San expressly reserves the right to convey, transfer, or assign the Utility Easement subject to the same rights and limitations described herein.

ORANGE COUNTY SANITATION DISTRICT
BAY BRIDGE PUMP STATION
PARCELS 5-67-07, -08 (SEWER EASEMENT)

41 May 6, 1926 in Book 651, Page 72 of Deeds in the Office of said Orange County Recorder and
42 to the northwesterly line of said Parcel 3;
43 thence along said northwesterly line of Parcel 3 North 26°04'54" East 22.62 feet to a line parallel
44 with and 20.00 feet northwesterly of hereinabove described **COURSE 1**;
45 thence along said parallel line North 88°13'10" East 44.56 feet to the southerly line of
46 Parcel 70045-7 described by Amended Final Order of Condemnation recorded March 22, 1984
47 as Instrument No. 84-118950 of Official Records in the Office of said Orange County Recorder;
48 thence along said southwesterly line South 80°47'04" East 56.34 feet to an angle point thereof;
49 thence South 75°15'14" East 32.53 feet to hereinabove described **COURSE 1**;
50 thence along said **COURSE 1** South 88°13'10" West 46.76 feet to the **TRUE POINT OF**
51 **BEGINNING**.

52

53

54 **CONTAINING:** 1,950 Square Feet more or less.

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61 **PARCEL 5-67-08 (SEWER EASEMENT)**

62 That certain parcel of land situated in the City of Newport Beach, County of Orange State of
63 California, being that portion of Parcel 3 of Parcel Map No. 93-111 filed in Book 278, Pages 40
64 through 45 of Parcel Maps in the Office of the County Recorder of said County, described as
65 follows:

66

67 **BEGINNING** at the hereinabove described **POINT "A"**;

68 thence along the southerly boundary of said Parcel 3 South 88°12'39" West 2.79 feet to the
69 intersection with the northeasterly line of Grant of Easement to the County Sanitation District No.
70 5 of Orange County in a document recorded September 5, 1984 as Instrument No. 84-370459 of
71 Official Records in the Office of said Orange County Recorder;

72 thence along said northerly line and the northwesterly prolongation thereof North 69°55'48" West
73 82.81 feet hereinafter referred to as **COURSE 2**, to the southeasterly line of Grant of Easement
74 to the County Sanitation District No. 5 of Orange County in a document recorded April 16, 1971
75 in Book 9609 Page 364 of Official Records in the Office of said Orange County Recorder;

76 thence along said southeasterly line North 88°13'10" 17.15 feet to an angle point thereof;

77 thence continuing along said southeasterly line South 82°41'29" East 39.01 feet to a line parallel
78 with and 15.00 feet northeasterly from hereinabove described **COURSE 2**;

79 thence along said parallel line South 69°55'48" East 26.03 feet to that certain line in the southerly
80 boundary of said Parcel 3 shown as "North 01°03'54" West 24.08 feet";

ORANGE COUNTY SANITATION DISTRICT
BAY BRIDGE PUMP STATION
PARCELS 5-67-07, -08 (SEWER EASEMENT)

81 thence along said southerly boundary South 01°03'54" East 14.97 feet to the **POINT OF**
82 **BEGINNING.**

83

84 **CONTAINING:** 890 Square Feet more or less.

85

86 **EXHIBIT "E-2"** attached and by this reference made a part hereof.

87

88

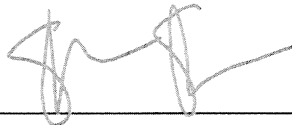
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08/17/2021

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Steven C. Slocum, P.L.S. 9044

Date

95

96

Michael Baker International

97

5 Hutton Centre Drive, Suite 500

98

Santa Ana, California 92707

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Project No. 163755

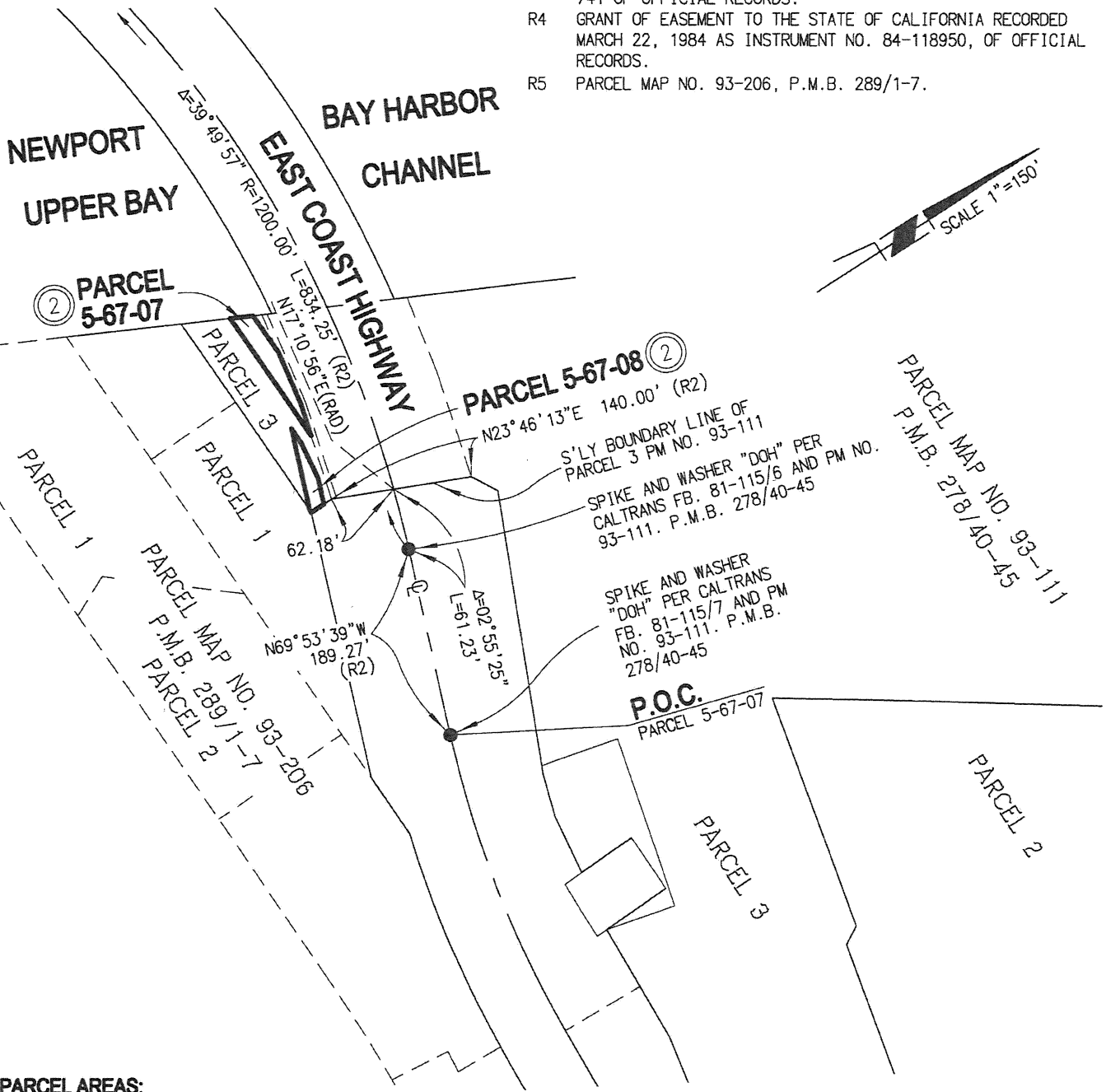
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H:\pdata\163755\CADD\Mapping\Exhibits\Pump Station Legals and Exhibits\Legal\163755-00E1 - Legal Sewer Easement P.docx



RECORD REFERENCES:

- R1 CALTRANS RIGHT-OF-WAY MAP NO. 25491-C.
- R2 PARCEL MAP NO. 93-111, P.M.B. 278/40-45.
- R3 DOCUMENT RECORDED SEPTEMBER 10, 1965 IN BOOK 7661, PAGE 741 OF OFFICIAL RECORDS.
- R4 GRANT OF EASEMENT TO THE STATE OF CALIFORNIA RECORDED MARCH 22, 1984 AS INSTRUMENT NO. 84-118950, OF OFFICIAL RECORDS.
- R5 PARCEL MAP NO. 93-206, P.M.B. 289/1-7.



PARCEL AREAS:

PARCEL 5-67-07: 890 S.F.
 PARCEL 5-67-08: 1950 S.F.

EXHIBIT "E-2"

SKETCH TO ACCOMPANY A
 LEGAL DESCRIPTION FOR

**ORANGE COUNTY SANITATION DISTRICT
 BAY BRIDGE PUMP STATION
 PARCELS 5-67-07, -08 (SEWER EASEMENT)**

SHEET INDEX

(X) INDICATES SHEET NUMBER

SHEET 1 OF 2 SHEETS

Michael Baker

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AUGUST 13, 2021 JN 163755

OC SAN 22-03-43

