

9607

NF(R)-13956

County Sanitation Dist.
P.O. Box 8127
FOUNTAIN VALLEY, CA 92708

GRANT OF EASEMENT

THIS INDENTURE, made the 16th day of NOVEMBER 1971,
between the United States of America, herein called the Government, acting
by and through the Department of the Navy, and County Sanitation District
No. 3 of Orange County, California, herein called the Grantee.

WHEREAS, the Government owns that certain real property known and
identified as the Naval Weapons Station, Seal Beach, California, herein
called the Station; and

WHEREAS, the Grantee has requested the conveyance of an easement
for the construction, installation, maintenance, operation, repair and
replacement of a sewer pumping station, sewer pipeline, and appurtenances
thereto on that portion of the Station hereinafter described; and

WHEREAS, the Secretary of the Navy has found that the grant of such
easement on the terms and conditions hereinafter stated is not incompatible
with the public interest;

NOW, this Indenture witnesseth that, in consideration of the premises
and of the terms and conditions set forth herein, the Government hereby
grants unto the said Grantee and its successors and assigns, in perpetuity,
from the date hereof, an easement for the construction, installation, maintenance,
operation, repair and replacement of a sewer pumping station, sewer pipeline,
and appurtenances thereto, such easement to extend through, across, over and
under and be confined to that portion of the Station, herein called the
Premises, which is described as follows:

A parcel of land in the City of Seal Beach, County of Orange, State of
California, being a portion of the Southwest one-quarter of the Southwest
one-quarter of Section 6, Township 5 South, Range 11 West of the Rancho
Los Alamitos, as per map filed in the final decree of partition entered in
the Superior Court of Los Angeles County, Case No. 13527, a certified copy
of said final decree having been recorded February 2, 1891, in Book 14,
Page 31 of Deeds of said Orange County, more particularly described as
follows:

Commencing at the Southwest corner of said section; thence North 1°25'19"
East along the West line thereof 280.28 feet; thence South 88°34'41" East
60.00 feet to the East line of Bay Boulevard and the TRUE POINT OF BEGINNING;
thence continuing South 88°34'41" East 83.00 feet; thence South 43°45'19"
East 235.29 feet; thence South 1°14'41" West 63.46 feet to the north line of
Westminster Avenue, said line being parallel with and 50.00 feet Northerly
measured at rights angles from the Southerly line of said Section 6; thence
North 88°45'19" West along said parallel line 228.03 feet to the beginning of
a tangent curve concave Northeasterly having a radius of 22.00 feet; thence
Northwesterly 34.63 feet along said curve through a central angle of 90°10'38"

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to a point of tangency with said East line; thence North 1°25'19" East thereon 208.03 feet to the TRUE POINT OF BEGINNING, containing 1.00 acre, more or less.

As delineated on the map identified as WESTDIVNAVFAC DRAWING NO. 102020, marked Exhibit "A", attached hereto and made a part hereof.

Also, that portion of Bay Boulevard, in the City of Seal Beach, County of Orange, State of California, lying within the Easterly 20.00 feet of the Westerly 60.00 feet of the Southerly 4080.00 feet of Section 6, Township 5 South, Range 11 West, of the Rancho Los Alamitos, as per map filed in the final decree of partition entered in the Superior Court of Los Angeles County, Case No. 13527, a certified copy of said final decree having been recorded February 2, 1891 in Book 14, Page 31 of Deeds of said Orange County, more particularly described as EXCEPTING therefrom the Southerly 50.00 feet thereof: containing 1.85 acres, more or less.

As delineated on the map identified as WESTDIVNAVFAC DRAWING NO. 102021, marked Exhibit "B", attached hereto and made a part hereof.

THIS EASEMENT is granted subject to the following terms and conditions:

1. All work in connection with the construction, installation, operation, repair and replacement of the sewer pumping station, sewer pipeline, and appurtenances shall be done without cost or expense to the Department of the Navy and in accordance with plans previously approved by the Commanding Officer, Western Division, Naval Facilities Engineering Command, hereinafter referred to as the Commanding Officer.

2. The Grantee shall maintain the Premises and the sewer pumping station, sewer pipeline, and appurtenances in good condition at all times and shall promptly make all repairs thereto which may be necessary for the preservation of the condition of the Premises and the continued operation and maintenance of the sewer pumping station, sewer pipeline, and appurtenances.

3. The Grantee shall have the right to fence and pave the real property, subject of this easement, together with the right to exclude all persons therefrom except persons authorized by Government, and the right to access thereto by Grantee and its agents at all times and without notice to Government.

4. The Grantee's rights hereunder shall be subject to such reasonable rules and regulations as may be promulgated by the Government to insure that the exercise of such rights shall not interfere with the Government activities at the Station.

5. The Grantee will, without cost or expense to the Government, install a 10-inch plugged tee for connection of a proposed Station sewage force main.

6. The Grantee will, for the duration of the easement, accept the Station's sewage, including industrial waste, conforming to the established uniform quality standards of Grantee to a maximum average flow of 300,000 gallons per day and a maximum peak flow rate of 500,000 gallons per day through

the 10-inch tee described in paragraph 5 above and will also waive its sewer connection charge with respect to this use. Further, Grantee will also for the duration of the easement accept the Station's sewage in the amounts set out above and will also waive the above mentioned Station sewer connection charge in the event that the Government and the City of Seal Beach, California, enter into an agreement whereby Station sewage is transported through City lines into the Grantee's sewage system rather than directly into the Grantee's sewage system through the above mentioned 10-inch tee.

7. The annual charges by the Grantee for the acceptance and processing of Station sewage will be determined under a sewage-disposal service contract to be entered into by the Government and the Grantee.

8. All sewer pumping station facilities installed by the Grantee will be underground, except for required access and controls which will be housed in an appropriate building with suitable landscaping.

9. Upon termination of the easement granted herein, if desired by the Government, the Grantee, at its expense, shall remove any and all improvements installed or constructed hereunder and restore the Premises to the same or as good condition as that which existed prior to the exercise by the Grantee of its rights hereunder, such restoration to be effected to the satisfaction of the Commanding Officer.

10. All or any part of the easement herein granted may be terminated upon failure on the part of the Grantee to comply with any of the terms and conditions of this grant; upon abandonment of the rights granted herein; or upon nonuse of such rights for a period of two consecutive years.

11. The Government may use the Premises which are the subject of this easement for any purpose which does not create an unreasonable interference with the use or enjoyment by the Grantee of the easement rights granted herein.

IN WITNESS WHEREOF, the Government, acting by and through the Department of the Navy, has caused this instrument to be executed the day and year first above written.

Approved:

By R. K. Kuehler
Counsel for WESTNAVFACENGCOM

UNITED STATES OF AMERICA

By T. Daniel
E. H. HELLSON, Captain, CEC, USN
By direction of the Commander, Naval
Facilities Engineering Command, acting
under the direction of the Secretary
of the Navy

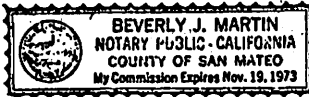
STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS

NF(R)-13956

On this 16th day of November, 1971, before me
Beverly J. Martin, a Notary Public in and for said County and
State, personally appeared R. H. Nelson, known to me to be
the person whose name is subscribed to the within instrument, and acknowledged
that he executed the same by direction of the Commander, Naval Facilities
Engineering Command, acting under the direction of the Secretary of the
Navy, U.S.A.



Beverly J. Martin
Notary Public

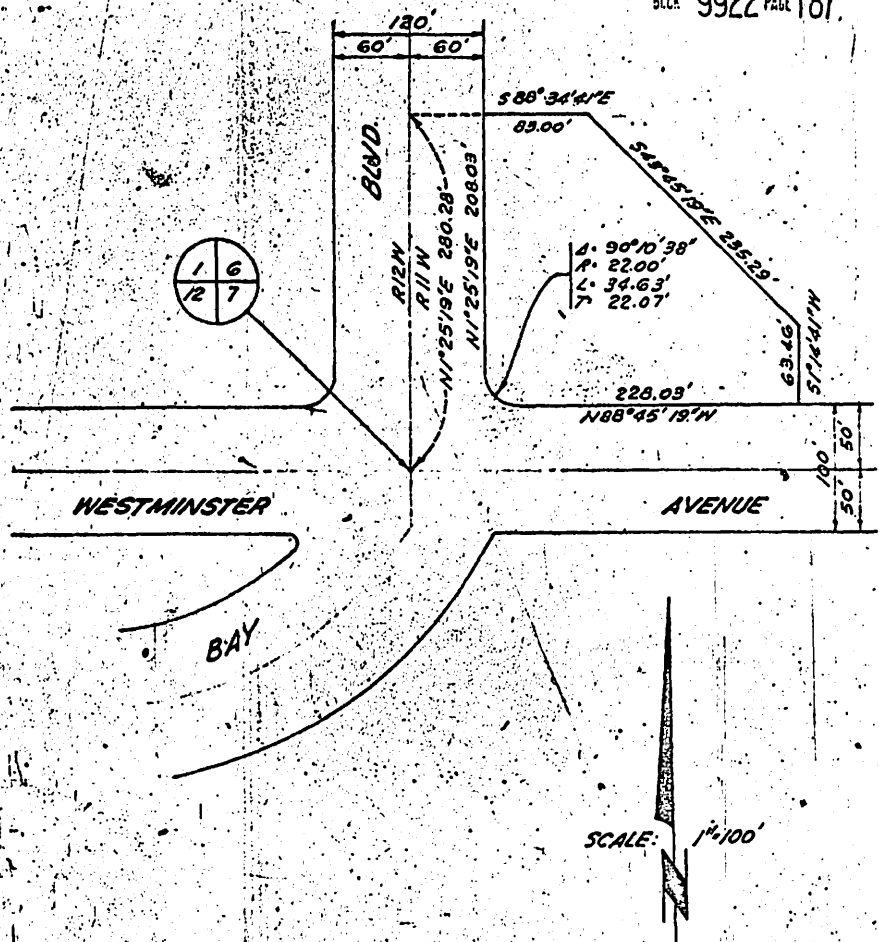


CERTIFICATE OF ACCEPTANCE

This is to certify that the interest conveyed by this instrument
from United States of America
to County Sanction District No. 3
of Orange County, Calif., a political sub, is hereby accepted
by order of the Board of Directors of San Diego District of San Diego
and remains in the jurisdiction thereof by its duly
authorized officer, By [Signature]
Date 12/8/71 Secretary

FREE
C3

RECORDED IN OFFICIAL RECORDS
OF ORANGE COUNTY, CALIFORNIA
14 Min. / P.M. DEC 10 1971
J. WILHEARLYE, County Recorder



SCALE: 1"=100'

AREA: 0.9978 AC.

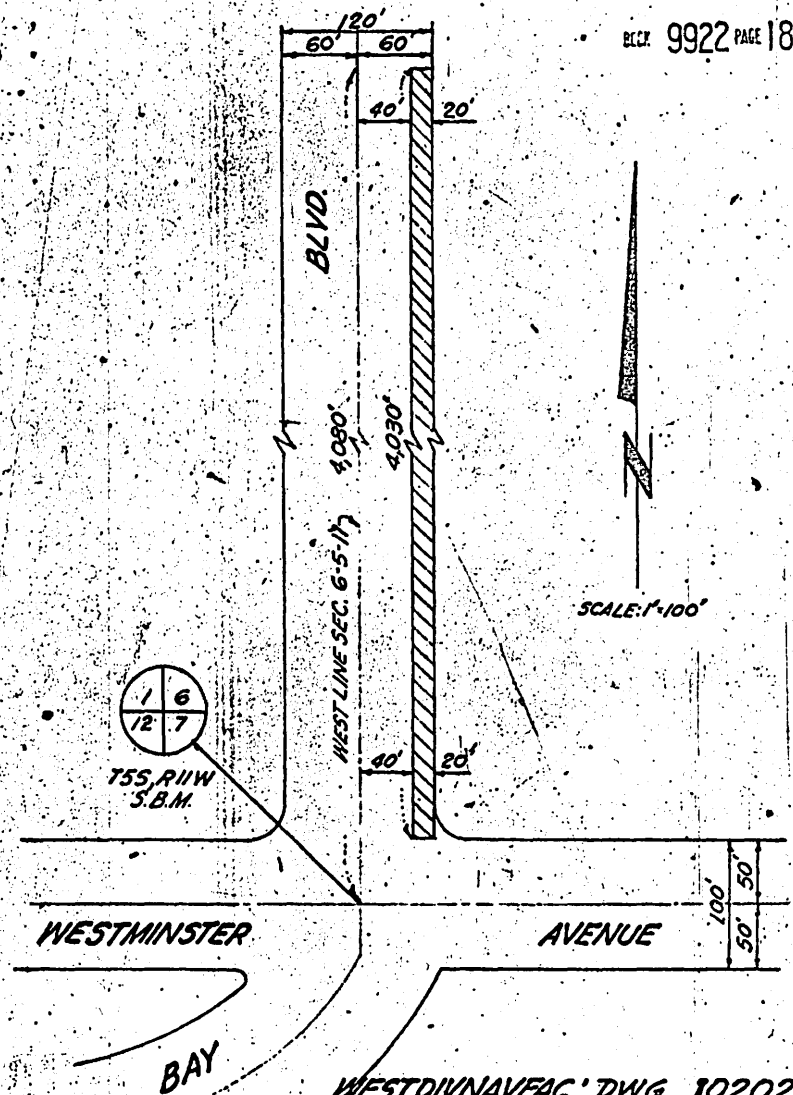
WESTDIVNAVFAC DWG. 102020

SKETCH TO ACCOMPANY LEGAL DESCRIPTION OF
**PROPOSED LOS ALAMITOS
 PUMPING STATION SITE**
 COUNTY SANITATION DISTRICT NO. 3 OF ORANGE COUNTY

REVISIONS REV. 8-29-69	DESIGN	BOYLE ENGINEERING SANTA ANA, CALIF.		SHEET
	DRAWN <i>A.L.</i>	DATE: <i>APR 52</i>	I. N. 81-2059- 62-88	1 OF SHEETS
	CHECKED	F. B. 7-363		

A-102020

Exhibit "A"



WEST DIV NAVFAC' DWG. 102021

SKETCH TO ACCOMPANY LEGAL DESCRIPTION OF
 EASEMENT FOR 51 INCH SEWER LINE
 FOR
 COUNTY SANITATION DISTRICT NO. 3 OF ORANGE COUNTY

REVISIONS	DESIGN	BOYLE ENGINEERING SANTA ANA, CALIF.	SHEET 1
	DRAWN <i>K.L.</i>		
	CHECKED		
	DATE: <i>AUG 69</i>	<i>N. 81-7056</i>	<i>W-883</i>

A-102021

Exhibit "B"