

RECORDING REQUESTED BY
DEPARTMENT OF TRANSPORTATION

WHEN RECORDED MAIL TO:
STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
3337 MICHELSON DRIVE, SUITE 380
IRVINE, CALIFORNIA 92612-8894
ATTN: DELIA SLOSS
R/W TITLES & ESCROW

Space above this line for Recorder's Use

HIGHWAY EASEMENT DEED

District	County	Route	Post	Number
12	ORA	405	11.0	102448-1

Written: Jeremy Evans – Checked: Todd Arita
R/W Map No. E120055 – November 2007

THE CITY OF COSTA MESA,

a municipal corporation ("CITY"), does hereby

grant, convey and dedicate to the STATE OF CALIFORNIA the right of way and non-exclusive easement, and incidents thereto for a public highway, namely a freeway off-ramp from the northbound 405 Freeway onto Susan Street, upon, over and across that certain real property, in the CITY OF COSTA MESA, County of ORANGE, State of California, described as:

PARCEL 102448-1

SEE ATTACHED EXHIBIT "A" & EXHIBIT "B", ATTACHED HERETO AND MADE A PART HEREOF.

The right of way and easement granted hereby is the same easement area that was granted to CITY by the Orange County Flood Control District. CITY hereby grants any and all interest it has in the Easement Area to GRANTEE.

The grantor hereby further grants to grantee all trees, growths (growing or that may hereafter grow), and road building materials within said right of way and easement, including the right to take water, together with the right to use the same in such manner and at such locations as said grantee may deem proper, needful or necessary, in the construction, reconstruction, improvement or maintenance of said highway.

Number
102448-1

The grantor, for the grantor and the grantor's successors and assigns, hereby waives any claim for any and all damages to grantor's remaining property contiguous to the right of way hereby conveyed by reason of the location, construction, landscaping or maintenance of said highway.

(As used above, the term "grantor" shall include the plural as well as the singular number.)

CITY also hereby assigns all of its rights, duties, obligations and responsibilities under this Highway Easement Deed ("**Easement Deed**") to GRANTEE. By this assignment and acceptance of such assignment by GRANTEE, CITY shall have no remaining rights, duties, obligations or responsibilities under that certain Prior Easement Deed by and between the Orange County Flood Control District, as grantor, and CITY, as grantee, recorded on _____, 2007 ("**Prior Easement Deed**"), which is incorporated by reference as though set forth fully herein, or as to the Easement Area. By this Easement Deed, all of CITY'S interests, rights and obligations in the Easement Area, pursuant to the Prior Easement Deed, are hereby transferred and assigned to GRANTEE, a public agency. In compliance with the requirements of Section 1 of the Prior Easement Deed, GRANTEE hereby agrees to keep, perform and be bound by all the terms covenants and conditions of the Prior Easement Deed, just as if the Prior Easement Deed had been conveyed and granted to it directly by the Orange County Flood Control District.

It is understood and agreed by CITY and GRANTEE (hereinafter sometimes referred to as "**Party**" or "**Parties**") hereto and their successors and assigns, that said Easement Area and right of way herein granted in this Easement Deed shall be subject to all of the terms and conditions set out in the Prior Easement Deed. GRANTEE accepts the Easement Area subject to all of the rights and responsibilities previously delegated to CITY in the Prior Easement Deed and acknowledges that GRANTEE'S obligations under this Easement Deed shall supersede and replace all of the rights, duties, and obligations of CITY as to the Easement Area. GRANTEE shall replace and supersede CITY as "GRANTEE" for all purposes as to the Prior Easement Deed.

For purposes of Section 19 (Notices) of the Prior Easement Deed, GRANTEE shall be as follows:

State of California
Department of Transportation
3337 MICHELSON DRIVE, SUITE 380
IRVINE, CALIFORNIA 92612-8894

ENTIRE AGREEMENT

This Easement Deed contains the entire agreement between the Parties with respect to the matters herein and there are no restrictions, promises, warranties or undertakings other than those set forth or referred to herein.

PSOMAS

EXHIBIT 'A'

LEGAL DESCRIPTION

CALTRANS PARCEL 102448-01

OCFCD PARCEL DO3S03-160

In the City of Costa Mesa, County of Orange, State of California, being that portion of Parcel D03S03-155 described in the Easement Deed recorded September 23, 2005 as Instrument No. 2005000756039, Official Records of said County, said parcel also being a portion of Caltrans Parcel 101837-01-01 described in the Director's Deed recorded September 8, 2005 as Instrument No. 2005000709114, Official Records of said County, lying easterly of the following described line:

Beginning at the southeasterly corner of Parcel 1 of City of Costa Mesa Lot Line Adjustment 02-01 as described in the document recorded July 11, 2002 as Instrument No. 20020581758, Official Records of said County, said corner also being on the northerly line of Parcel 101837-03 as described on the document recorded October 27, 2000 as Instrument No. 20000582393, Official Records of said County; thence along said northerly line of Parcel 101837-3 the following two courses:

1. North $87^{\circ}15'48''$ West 4.682 meters (15.36 feet) to the beginning of a curve concave northerly having a radius of 592.300 meters (1943.24 feet);
2. westerly along said curve 6.234 meters (20.45 feet) through a central angle of $00^{\circ}36'11''$ to the **True Point of Beginning**, said point being on a curve concave northeasterly having a radius of 164.699 meters (540.35 feet), a radial line to said point bears South $52^{\circ}52'03''$ West, said curve lying 8.199 meters (26.90 feet) southwesterly of and concentric with the easterly line of said Parcel 1 and its southeasterly prolongation;

thence southeasterly along said curve 21.355 meters (70.06 feet) through a central angle of $07^{\circ}25'44''$ to the southerly line of said Parcel 101837-03.

PSOMAS

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Containing 179.2 square meters (1,929 square feet), more or less.

This conveyance is made for the purpose of a freeway and the grantor hereby releases and relinquishes to the grantee any and all abutters rights, including access rights, appurtenant to the grantor's remaining property, in and to said freeway over and across that portion of said Parcel D03S03-155 described as follows:

That curved line described above having a radius of 164.699 meters (540.35 feet), length of 21.355 meters (70.06 feet), and a central angle of 07°25'44".

Distances as described above are grid distances. Ground distances may be obtained by multiplying grid distances by the mean combination factor of the points being described. The mean combination factor for this conversion is 1.0000224.

This legal description was prepared by me or under my direction.

Jeremy L. Evans

5-8-07

Jeremy L. Evans, PLS 5282

Date



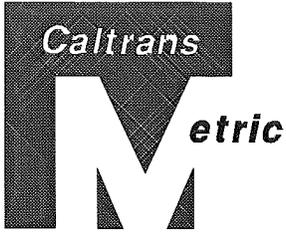


EXHIBIT 'B'

CURVE DATA:

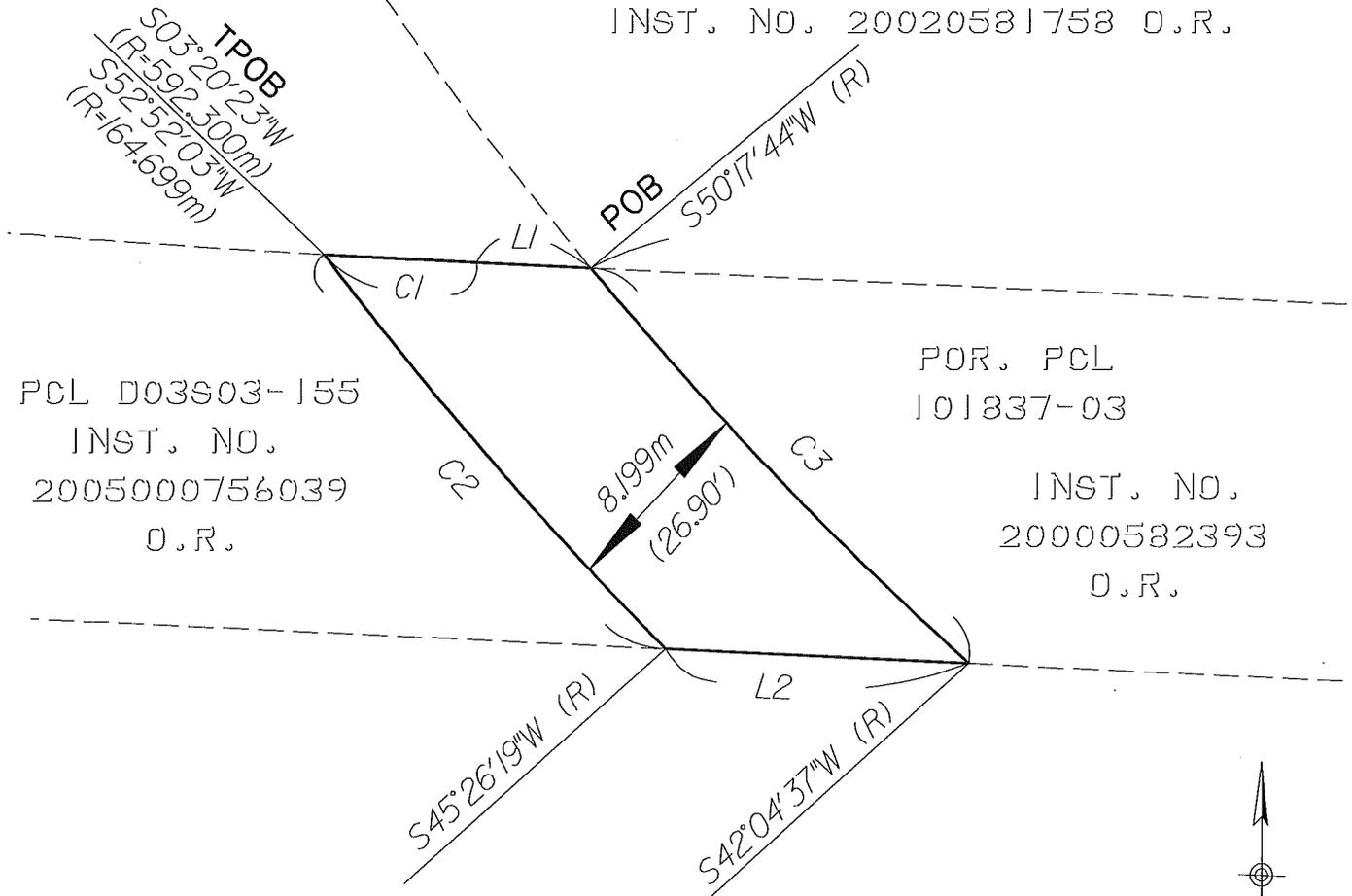
NO.	DELTA	RADIUS	LENGTH
C1	00°36'11"	592.300m (1943.24')	6.234m (20.45')
C2	07°25'44"	164.699m (540.35')	21.355m (70.06')
C3	08°13'07"	156.500m (513.45')	22.449m (73.65')

LINE DATA:

NO.	BEARING	DISTANCE
L1	N87°15'48"W	4.682m (15.36')
L2	S87°15'48"E	12.487m (40.97')

PCL 1
LLA 02-01
INST. NO.
20020581758 O.R.

PCL 3 LLA 02-01
INST. NO. 20020581758 O.R.

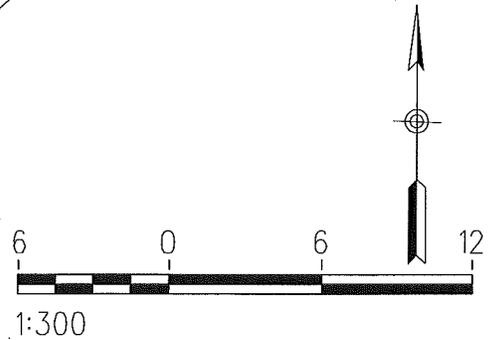


PCL D03S03-155
INST. NO.
2005000756039
O.R.

POR. PCL
101837-03

INST. NO.
20000582393
O.R.

PCL 101837-01
INST. NO.
20000582393 O.R.



AREA					SHEET 1 OF 1
179.2 SQ. M	1929 SQ. FT.				

DESCRIPTION: THAT PORTION OF PARCEL D03S03-155 (CALTRANS PARCEL 101837-01-01) DESCRIBED IN THE EASEMENT DEED RECORDED SEPTEMBER 23, 2005 AS INST. NO. 2005000756039 IN THE CITY OF COSTA MESA, COUNTY OF ORANGE, STATE OF CALIFORNIA.

TRC SOLUTIONS
SUSAN STREET

CONTRACT NO.	2SEQ010100 T2
SCALE	1:300
DATE	5/07/2007
DRAWN BY	KVO
CHECKED BY	JLE
REV. DATE	
REV. NO.	0

PREPARED BY:
PSOMAS

3187 Red Hill Avenue, #250
Costa Mesa, California 92626
714/751-7373
714/545-8883 (Fax)

OCFCD PARCEL D03S03-160
CALTRANS PARCEL 102448-01

Number
102448-1

Dated this _____ day of _____, 20____

CITY OF COSTA MESA
ALLAN R. MANSOOR

Attest:

Mayor

City Clerk

APPROVED AS TO FORM:
CITY ATTORNEY

Approved as to Form and Procedure

By: _____
Kimberly Hall Barlow

Attorney
Department of Transportation

CERTIFIED AS TO FUNDS

District Budget Manager

CERTIFIED AS TO FINANCIAL TERMS AND CONDITIONS

Accounting Administrator

