



STAFF REPORT

TO THE CITY COUNCIL

DATE: January 9, 2018

FROM: Joseph Hughes, City Manager

REVIEWED BY: Ernest Wong, Public Works Director/City Engineer *EW*

PREPARED BY: David Kinzle, Project Manager *DK*

SUBJECT: Grant of Easement/Safety-Kleen Systems, Inc.
3rd Street Extension to 5th Street

RECOMMENDATION: That the City Council (1) accept the Grant of Easement from Safety-Kleen Systems, Inc. and (2) direct the City Clerk to record the Grant Deed.



FISCAL IMPACT: The property owner is dedicating the easement at no cost to the City.

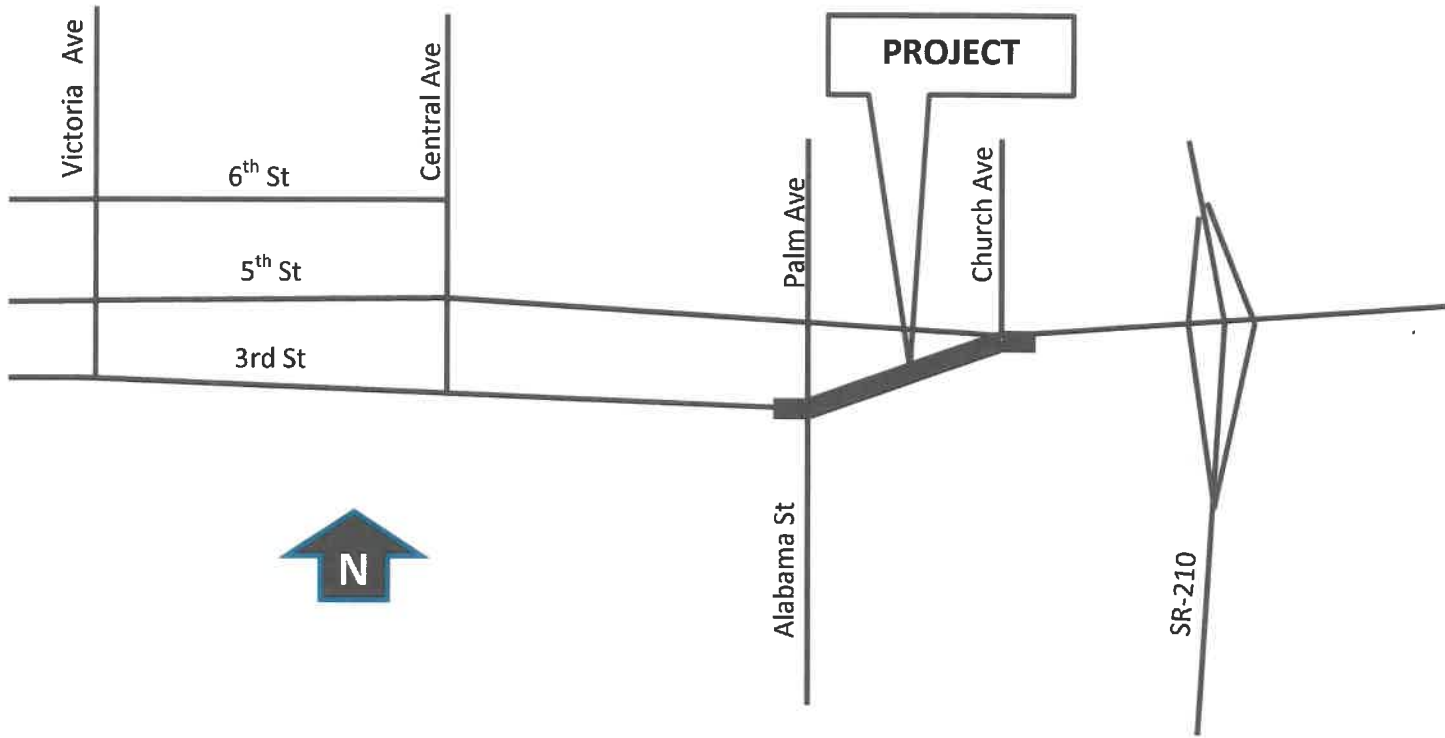
PUBLIC NOTICE: Notices of the Council Meeting Agenda were posted at the three locations required by resolution.

BACKGROUND: The City has been acquiring street right-of-way in preparation for a future project to extend 3rd Street northeasterly to 5th Street. This roadway extension project includes minor realignment of the 3rd Street/Palm Avenue intersection, and construction of curb, gutter, sidewalk, match-up pavement, and street lights on 3rd Street from approximately 200' west of Palm Avenue to the 5th Street/Church Avenue intersection. Additional right-of-way is required from 6 parcels. This is the 4th dedication that the City has been able to acquire. The Grant of Easement is ready for City Council acceptance.

<u>Property Owner</u>	<u>Address</u>	<u>APN</u>
Safety-Kleen Systems, Inc.	7979 Palm Avenue	1201-311-33

K:\07-010\grant apps\EDA\2016\RW\1201-311-33 Safety-Kleen\1201-311-33 Safety-Kleen stf 1-5-18.doc

Approved _____	Motion _____	Second _____	Agenda Item No. _____
Denied _____	Ayes _____		
Continued _____	Noes _____		File No. _____
Tabled _____	Abstain _____		
	Absent _____		
 _____ City Clerk		 _____ City Manager	



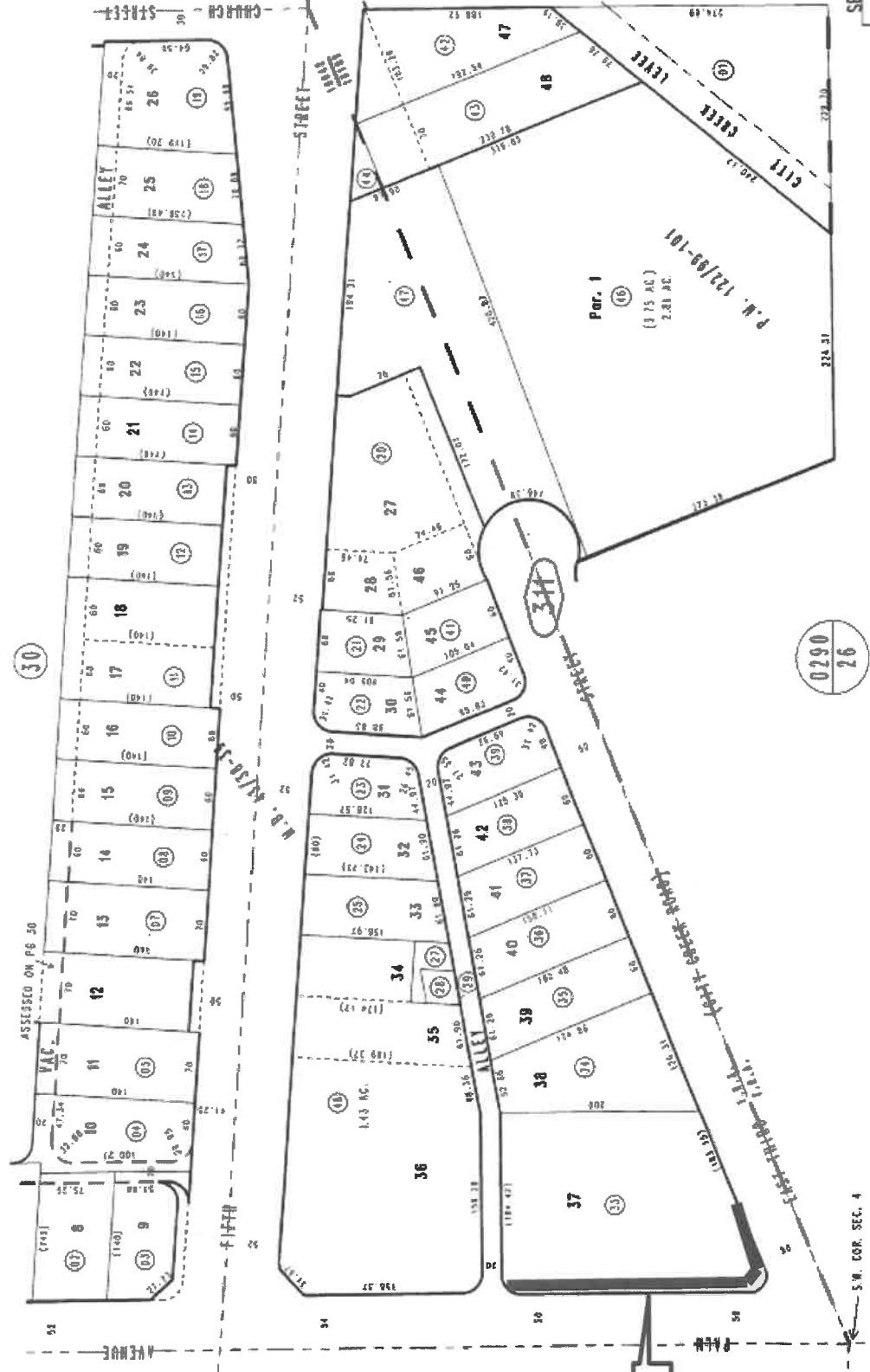
PROJECT LOCATION MAP

THIS MAP IS FOR THE PURPOSE OF AD VALOREM TAXATION ONLY.

Ptn. W.1/2, S.W.1/4 Fract'l. Sec. 4, T.1S.,R.3W. S.B.M.

City of Highland
Tax Rate Area
18042 18109

1201 - 31



1192
64

0290
26

S.W. COR. SEC. 4

SEP 09 2014
REVISED
08/15/14 GA

Assessor's Map
Book 1201 Page 31
San Bernardino County

Parcel Map No. 9112, P.M. 122/99-101
Ptn Royal Palms Tract, No 3202, Unit No. 1, M B 45/38-39

SEPTEMBER 1996

RECORDING REQUESTED BY and
WHEN RECORDED MAIL TO:

CITY CLERK
CITY OF HIGHLAND
27215 BASE LINE
HIGHLAND, CA 92346
Attn.: BETTY HUGHES

Record without fee subject to
Government Code 6103

SPACE ABOVE THIS LINE FOR RECORDER'S USE

APN 1201-311-33

**GRANT OF EASEMENT
(ROAD AND DRAINAGE)**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, SAFETY KLEEN SYSTEMS, INC. (formerly known as Safety-Kleen Corp.), a Wisconsin Corporation ("Grantor") and the City of Highland a Municipal Corporation ("City") (individually, a "Party," collectively the "Parties") hereby agree as follows:

WHEREAS, City seeks to undertake the 3rd Street/5th Street Corridor Improvements Project adjacent to land owned by Grantor, located at 7979 Palm Avenue, Highland, California ("Property"); and

WHEREAS, the City seeks to construct curb, gutter, sidewalk ramps and roadway pavement along 3rd Street and Palm Avenue adjacent to the Property, along with other improvements as further described in that certain Letter Agreement signed by the Parties, dated as of 1/5/18 and attached hereto.


NOW THEREFORE, the Parties agree as follow:

1. Grantor Hereby GRANT(S) to the City an easement for, roads, drainage, and public utility purposes (the "Purpose") upon, under, over, and across the real property in the City of Highland, County of San Bernardino, State of California, described as:

SEE EXHIBITS "A" AND "B" ATTACHED HERETO AND MADE A PART HEREOF

2. This conveyance is given upon the express condition that the City agrees that it shall only use, and only permit others to use, this Grant of Easement for the Purpose specified herein and for no other purpose, and if such use of the Property shall ever be discontinued and the same abandoned for said Purpose, then the Property and all the rights therein or thereon, herein granted, shall immediately revert to the Grantor, it successors and assigns. The City shall maintain the real property subject to this Grant of Easement and specified in Exhibits "A" and "B" in good, working condition.

DATED: January 5, 2018


SAFETY KLEEN SYSTEMS, INC. (formerly known as
Safety-Kleen Corp.), a Wisconsin Corporation

Michael Battles, Executive Vice President
Printed Name/Title

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.

COMMONWEALTH OF MASSACHUSETTS }
COUNTY OF PLYMOUTH }

On January 5th 2018, before me, Robert E. Ainslie II, Notary Public,
personally appeared Michael L. Batters,
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

(This Area for Official Notary Seal)



EXHIBIT "A"

That portion of Lot 37 of Tract Map No. 3202 in the City of Highland, County of San Bernardino, State of California, as shown on map filed in Book 43 Pages 38 and 39, records of said County lying southeasterly, southwesterly and westerly of the following described line:

COMMENCING at the southeast corner of said Lot 37; thence South 68°06'12" West, 106.55 feet to the POINT OF BEGINNING; thence South 74°21'52" West, 59.97 feet; thence North 52°29'08" West, 26.12 feet; thence North 00°11'35" West, 234.62 feet to a point in the northwesterly line of said Lot 37 said point also being the point of terminus.

Excepting therefrom any portion lying in the existing right-of-way of Palm Avenue and 3rd Street.

Containing approximately 2,237 square feet.

AFFECTS: APN 1201-311-33

See Exhibit "B" for a plat depicting the above described property.

This real property has been described by me, or under my direction, in conformance with the Professional Land Surveyor's Act.

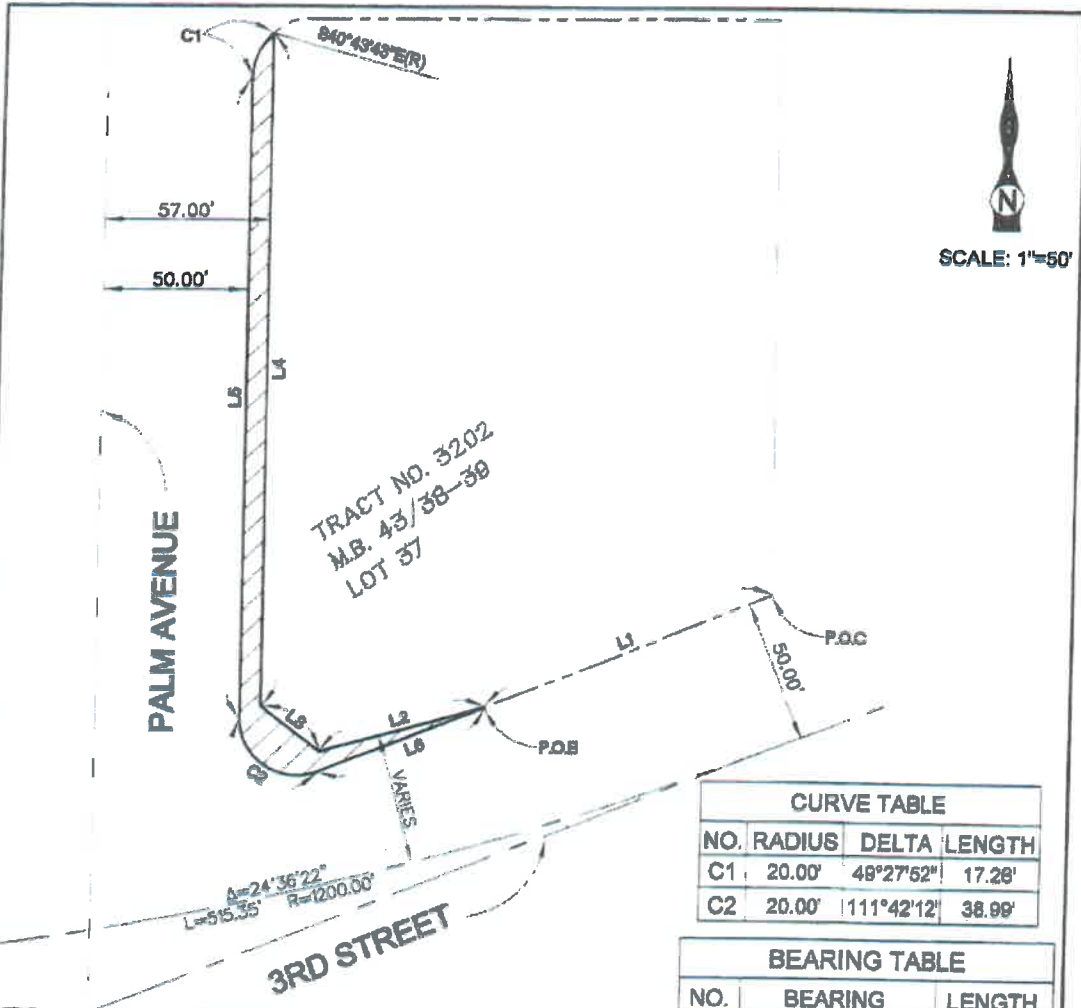


Ronald A. Musser, L.S. 4230, Exp. 6-30-18



3-13-17


Date




 SCALE: 1"=50'

CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	20.00'	48°27'62"	17.28'
C2	20.00'	111°42'12"	38.98'

BEARING TABLE		
NO.	BEARING	LENGTH
L1	S68°06'12"W	108.55'
L2	S74°21'52"W	58.97'
L3	N62°28'08"W	26.12'
L4	N00°11'35"W	234.62'
L5	S00°11'35"E	223.98'
L6	N68°06'12"E	62.51'

LEGEND
 - - - - - EXISTING RIGHT-OF-WAY
 P.O.C. POINT OF COMMENCING
 P.O.B. POINT OF BEGINNING
 EASEMENT TO BE ACQUIRED (2,237 S.F)


TKE ENGINEERING, INC.
 2305 CHICAGO AVENUE
 RIVERSIDE, CA 92507
 (951) 680-0440

 RONALD A. MUSSER L.S. No. 4230
 EXPIRES: 6-30-18



EXHIBIT 'B'
 EASEMENT
 APN 1201-311-33