

RESOLUTION NO. 10-33

A RESOLUTION OF THE RIDGECREST CITY COUNCIL ACCEPTING THE GRANT OF EASEMENT FROM 1441 CHINA LAKE, LLC, AS DESCRIBED AS A PORTION OF LOT 1, TRACT NO 1251, IN THE CITY OF RIDGECREST, COUNTY OF KERN, STATE OF CALIFORNIA AND AUTHORIZING THE MAYOR TO SIGN THE CERTIFICATE OF ACCEPTANCE

WHEREAS, the California Department of Transportation has gone out to bid for a traffic signal at the intersection of Ward Ave and China Lake Blvd; and

WHEREAS, construction of the new signal will begin on July 1, 2010; and

WHEREAS, an easement is necessary to construct the signal,

WHEREAS, 1441 China Lake, LLC hereby grants to the City of Ridgecrest an easement for ingress, egress and road purposes on, over and across the described property; and

WHEREAS, the Grantor hereby grants to any public utility the right to go on said property and to perform all acts necessary for the installation and maintenance of such public utilities; and

WHEREAS, the described easement to be kept open, clear and from buildings, and structures of any kind; and

WHEREAS, this grant of easement shall be binding on the Grantor, their heirs, executors, administrator, successors and assigns; and

NOW THEREFORE LET IT RESOLVED, the City Council of the City of Ridgecrest does hereby accept the Grant of Easement, as described as a portion of Lot 1, Tract No 1251, from 1441 China Lake, LLC and authorize the Mayor, Steven Morgan, to execute the Certificate of Acceptance.

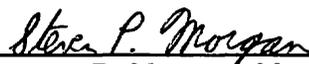
APPROVED AND ADOPTED this 5th day of May 2010 by the following vote:

AYES: Mayor Morgan, Council Members Carter, Wiknich, Holloway and Taylor

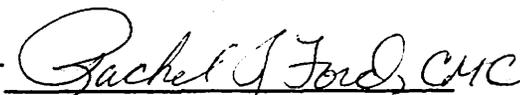
NOES: None

ABSENT: None

ABSTAIN: None



Steven P. Morgan, Mayor

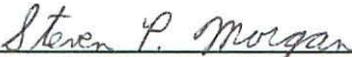
ATTEST 
Rachel Ford, CMC - City Clerk

CERTIFICATE OF ACCEPTANCE

Pursuant to the provisions of Government code section 27281, this is to certify that the interest in real property conveyed by the Grant of Easement dated January 19, 2010 from 1441 China Lake, LLC to the City of Ridgecrest, a municipal corporation, is hereby accepted by the undersigned officer on behalf of the City of Ridgecrest, pursuant to the authority conferred by Resolution 10-33 of the City of Ridgecrest adopted on May 5, 2010, and the City Council hereby consents to recordation thereof by its duly authorized officer.

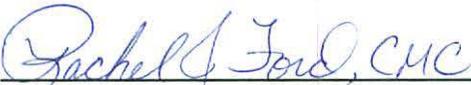
APPROVED AND ADOPTED this 5th day of May, 2010 by the following vote;

AYES: Mayor Morgan, Council Members Carter, Wiknich, Holloway and Taylor
NOES: None
ABSENT: None
ABSTAIN: None



Steven P. Morgan, Mayor

ATTEST:



Rachel J. Ford, CMC
City Clerk

Recording for the Benefit of and Requested By:

City of Ridgecrest
100 West California Avenue
Ridgecrest, California 93555

When Recorded Return To:

City of Ridgecrest
100 West California Avenue
Ridgecrest, California 93555

Space Above This Line Reserved For Recorder's Use

Grant of Easement

For a Valuable Consideration, receipt of which is acknowledged,

1441 CHINA LAKE, LLC

Hereby grants to the CITY OF RIDGECREST an easement for ingress, egress and road purposes on, over and across the following described real property in the City of Ridgecrest, County of Kern, State of California:

See Exhibit A Attached

Also, the Grantor does hereby grant to any public utility the right to go on said property and to perform all acts necessary for the installation and maintenance of such public utilities except as may be hereinafter reserved to the Grantor(s).

The above described easement to be kept open, clear and from buildings and structures of any kind.

This grant of easement shall be binding on the Grantor, their heirs, executors, administrators, successors and assigns.

The term Grantor as used herein shall include the plural, as well as, the singular number and the word "He" shall include the feminine and neuter gender as the case may be.

In witness whereof, said Grantor(s) have hereunto subscribed their names and consent to the making of the foregoing grant of easement.

this 19th day of January 2010.

1441 China Lake, LLC _____

by Jack E. Butler _____

ACKNOWLEDGMENT

STATE OF ~~CALIFORNIA~~ UTAH

County of Washington

On Jan/19/2010, before me, Kelly Wasden, Notary Public,
(Here insert Name and Title of the Officer)

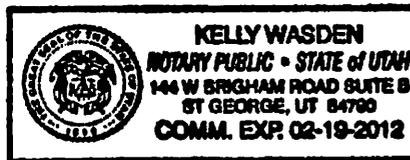
personally appeared Jack E. Butler

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~~ ^{UTAH} that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature]



(Seal)

Exhibit A

That portion of Lot 1, Tract No 1251 in the City of Ridgecrest, County of Kern, State of California, per map filed in Book 5 of Maps, page 100 on June 13, 1945 in the office of the Kern County Recorder, more fully described as follows:

COMMENCING at the northeast corner of Section 28, Township 26 South, Range 40 East, Mt. Diablo Meridian, marked by the Kern County Surveyor monument set in a monument well, stamped 'Replaced 4-4-62'; thence South $00^{\circ}24'04''$ West, 2585.89 feet to a point on the east line of said Lot 1 the TRUE POINT OF BEGINNING; thence for the following three courses along the east, southeast, and south boundary of said Lot 1; (1), along the east boundary of said Lot 1, South $00^{\circ}15'49''$ East, 1.40 feet to the beginning of a tangent curve concave northwesterly having a radius of 20.00 feet; (2), southwesterly along the southeasterly boundary of said Lot 1 along said curve through a central angle of $90^{\circ}14'48''$ an arc distance of 31.50 feet; (3), along the south boundary of said Lot 1, South $89^{\circ}58'59''$ West, 6.80 feet; thence (4), departing said south boundary, North $00^{\circ}15'49''$ West, 3.24 feet to the beginning of a non-tangent curve concave northwesterly having a radius of 19.81 feet; thence (5), from a tangent that bears North $85^{\circ}47'40''$ East, northeasterly along said curve through a central angle of $81^{\circ}19'45''$ an arc distance of 28.12 feet; thence (6), North $89^{\circ}44'11''$ East, 8.50 feet to the TRUE POINT OF BEGINNING.

Containing 240 square feet, more or less.

The basis of all bearings herein is the California Coordinate System 1927 zone 5 bearing of South $00^{\circ}15'49''$ East between said northeast corner of Section 28 and the southeast corner of said Section 28, marked by a 1 1/2 inch outside diameter iron pipe with yellow plastic plug, L.S. 4226 in monument well.

All distances herein are on said Coordinate System, unless otherwise noted. Divide distances by the grid factor of 0.9999306 to obtain ground level distances.

END OF DESCRIPTION

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.



1-5-2010

