

CITY OF MENIFEE

**RIGHT OF WAY CONTRACT**

**CONFIDENTIAL**

This document contains personal information, and pursuant to Civil Code section 1798.21, it shall be kept confidential in order to protect against unauthorized disclosure.

**Exhibit "2"**

**PERMANENT MAINTENANCE EASEMENT**

**RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:**

City of Menifee  
Attn: City Clerk  
29844 Haun Road  
Menifee, CA 92586

(Space above line for Recorder's use only)

APN: 360-230-008

*The undersigned declares that this document is recorded at the request of and for the benefit of the City of Menifee and is therefore exempt from the payment of the recording fee pursuant to Government Code § 6103 and § 27383 and from payment of the documentary transfer tax pursuant to Revenue and Taxation Code § 11922.*

**GRANT OF EASEMENT  
(Permanent Maintenance Easement)**

This GRANT OF PERMANENT MAINTENANCE is made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by and between MANSLAND DEVELOPMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY ("Grantor"), and the CITY OF MENIFEE, a California municipal corporation ("City").

For valuable consideration, the receipt of which is hereby acknowledged, Grantor hereby GRANTS unto City, its employees, agents, representatives, contractors, successors and assigns, a non-exclusive PERMANENT MAINTENANCE EASEMENT for the purpose of providing access, in, over, under and across the real property in the County of Riverside, State of California described in Exhibit "A-2" attached hereto and made a part hereof, and depicted in Exhibit "B-2" attached hereto and made a part hereof (the "Grant of Permanent Maintenance Easement").

Grantee is expressly granted the right to convey, transfer, or assign the easement rights described above to other public entities.

**SEE EXHIBIT "A-2" and "B-2" ATTACHED HERETO AND MADE PART HEREOF.**

Subject also to the following, in accordance with U.S. DOT Order 1050.2A, DOT Standard Title VI Assurances and Non-Discrimination Provisions:

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13815304.

A. The GRANTEE, for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that:

In the event facilities are constructed, maintained, or otherwise operated on the property described in this deed for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the GRANTEE will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.

B. In the event of breach of any of the above Non-discrimination covenants, the STATE will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the property of the STATE and its assigns.

IN WITNESS WHEREOF, Grantor and City have executed this Grant of Easement as of the date first set forth above.

Mansland Development, LLC, a California limited liability company

By: Marti R. Manser  
Name: Marti R. Manser  
Its: Managing Member  
Date: 5-19-21

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_  
Date: \_\_\_\_\_

## ACKNOWLEDGMENT

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.

State of California  
County of Riverside )

On 05/19/2021 before me, Linda E Keeney, notary public  
(insert name and title of the officer)

personally appeared Marti Ray Manser  
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

Linda E Keeney

(Seal)

## ACKNOWLEDGMENT

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.

State of California )  
County of \_\_\_\_\_ )

On \_\_\_\_\_, 20\_\_\_\_, before me, \_\_\_\_\_, Notary Public, personally appeared \_\_\_\_\_, 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 \_\_\_\_\_

(Seal)

## CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the GRANT OF EASEMENT dated \_\_\_\_\_, 20\_\_\_\_, from MANSLAND DEVELOPMENT, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY to the CITY OF MENIFEE, a California municipal corporation ("City"), is hereby accepted by the undersigned officer or agent on behalf of the City of Menifee.



**Nicolas Fidler, P.E.**  
City Engineer, City of Menifee



Date

Exhibit "A-2"  
LEGAL DESCRIPTION  
PERMANENT MAINTENANCE EASEMENT  
MANSLAND DEVELOPMENT

Parcel 360-230-008-2

An easement for maintenance purposes and incidents thereto in and to that portion of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 10, Township 6 South, Range 3 West, San Bernardino Meridian, in the City of Menifee, County of Riverside, State of California, as described in Grant Deed recorded as instrument No. 2009-0669071 of Official Records, in the Office of the County Recorder of said county, described as follows:

**Commencing** at the northeast corner of said Section 10, said point monumented with a 3" brass disk, 0.4 feet below the surface within the Right of Way of Interstate 215;

Thence South 89°42'15" West along the northerly boundary of said Section 10, a distance of 80.26 feet;

Thence South 00°17'45" West, perpendicular to said northerly boundary, a distance of 30.00 feet to the southerly Right of Way of Holland Road (30.00 feet half width);

Thence South 44°26'47" East, along the westerly Right of Way of Interstate 215, a distance of 61.41 feet;

Thence North 87°04'01" West a distance of 184.57 feet to the **True Point of Beginning**;

Thence South 00°26'42" West a distance of 13.95 feet;

Thence North 89°33'18" West a distance of 35.48;

Thence North 00°26'42" East a distance of 14.72;

Thence South 89°30'14" East a distance of 18.01 feet;

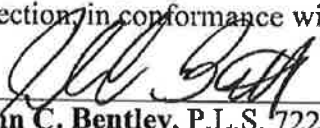
Exhibit "A-2"  
LEGAL DESCRIPTION  
PERMANENT MAINTENANCE EASEMENT

Thence South 87°04'01" East a distance of 17.48 feet to the **True Point of Beginning**.

Containing 516 square feet more or less.  
See Exhibit "B" attached hereto and made a part hereof.

The bearings and distances shown in the above description are on the California Coordinate System of 1983 (2007), Zone 6. Divide distances in the above description by 0.999907542 to obtain ground distances.

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

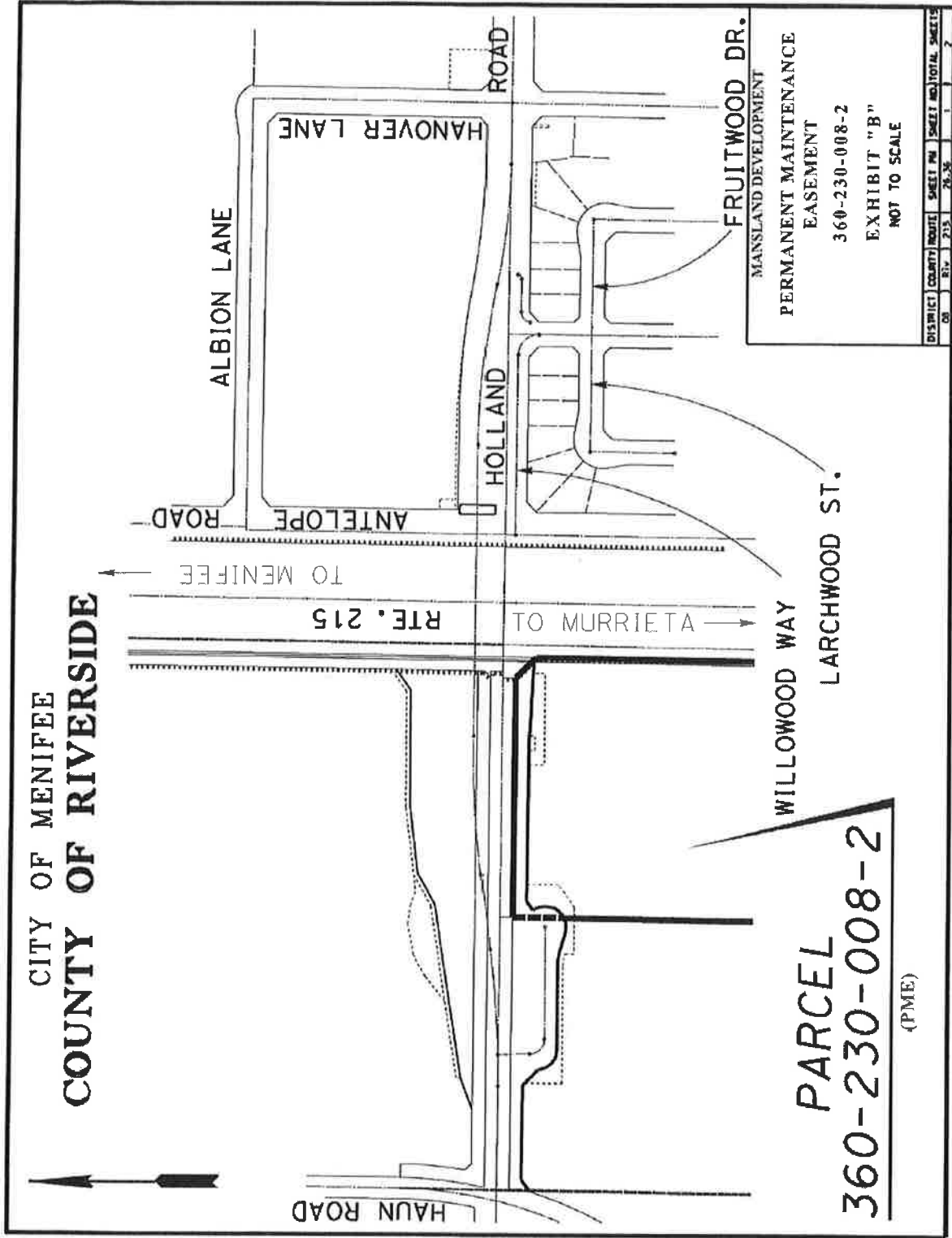
  
John C. Bentley, P.L.S. 7223

7/30/19  
Date



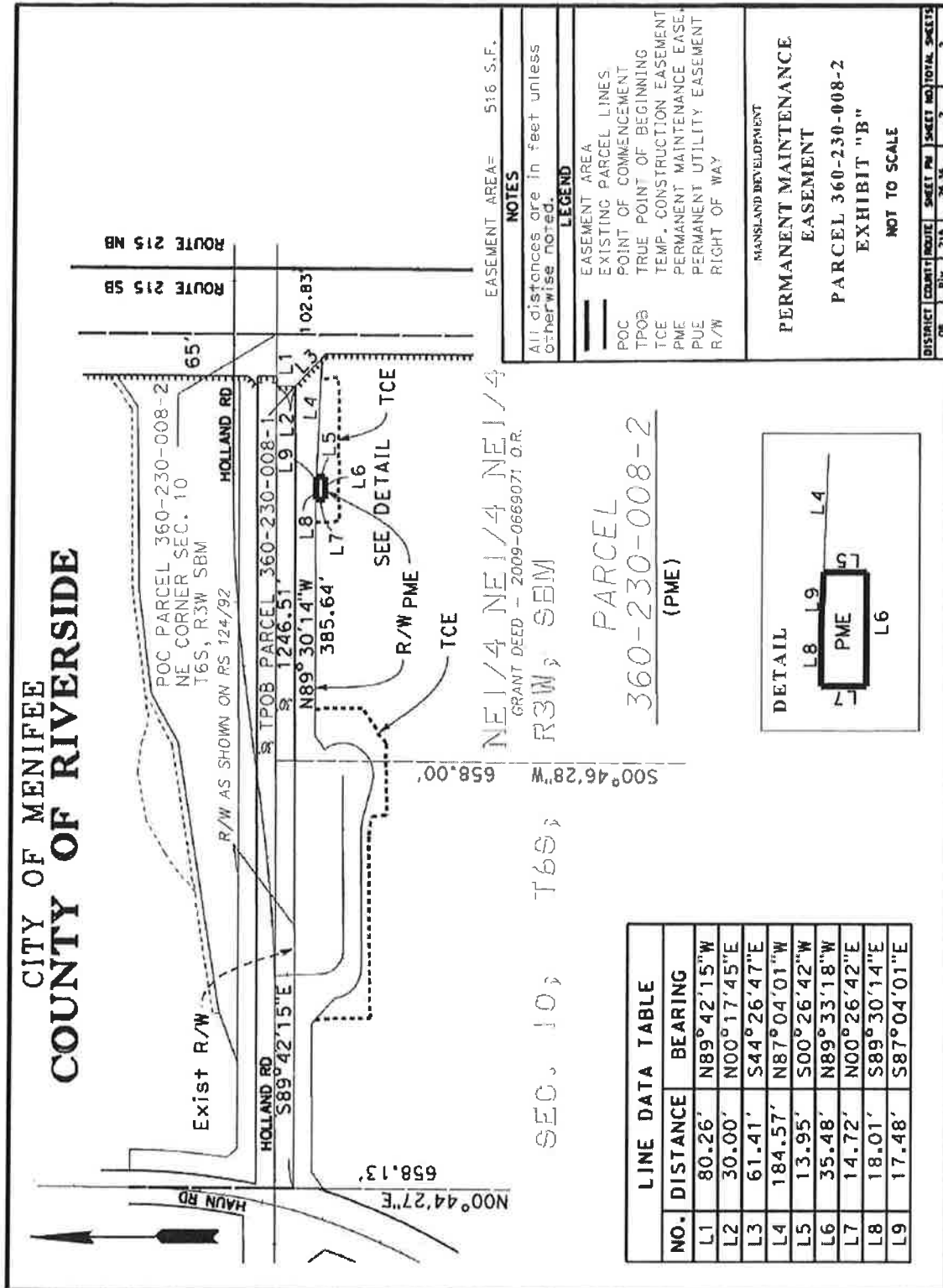


Exhibit "B-2"



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13815304.

# Exhibit "B-2"



LINE DATA TABLE		
NO.	DISTANCE	BEARING
L1	80.26'	N89°42'15"W
L2	30.00'	N00°17'45"E
L3	61.41'	S44°26'47"E
L4	184.57'	N87°04'01"W
L5	13.95'	S00°26'42"W
L6	35.48'	N89°33'18"W
L7	14.72'	N00°26'42"E
L8	18.01'	S89°30'14"E
L9	17.48'	S87°04'01"E

