

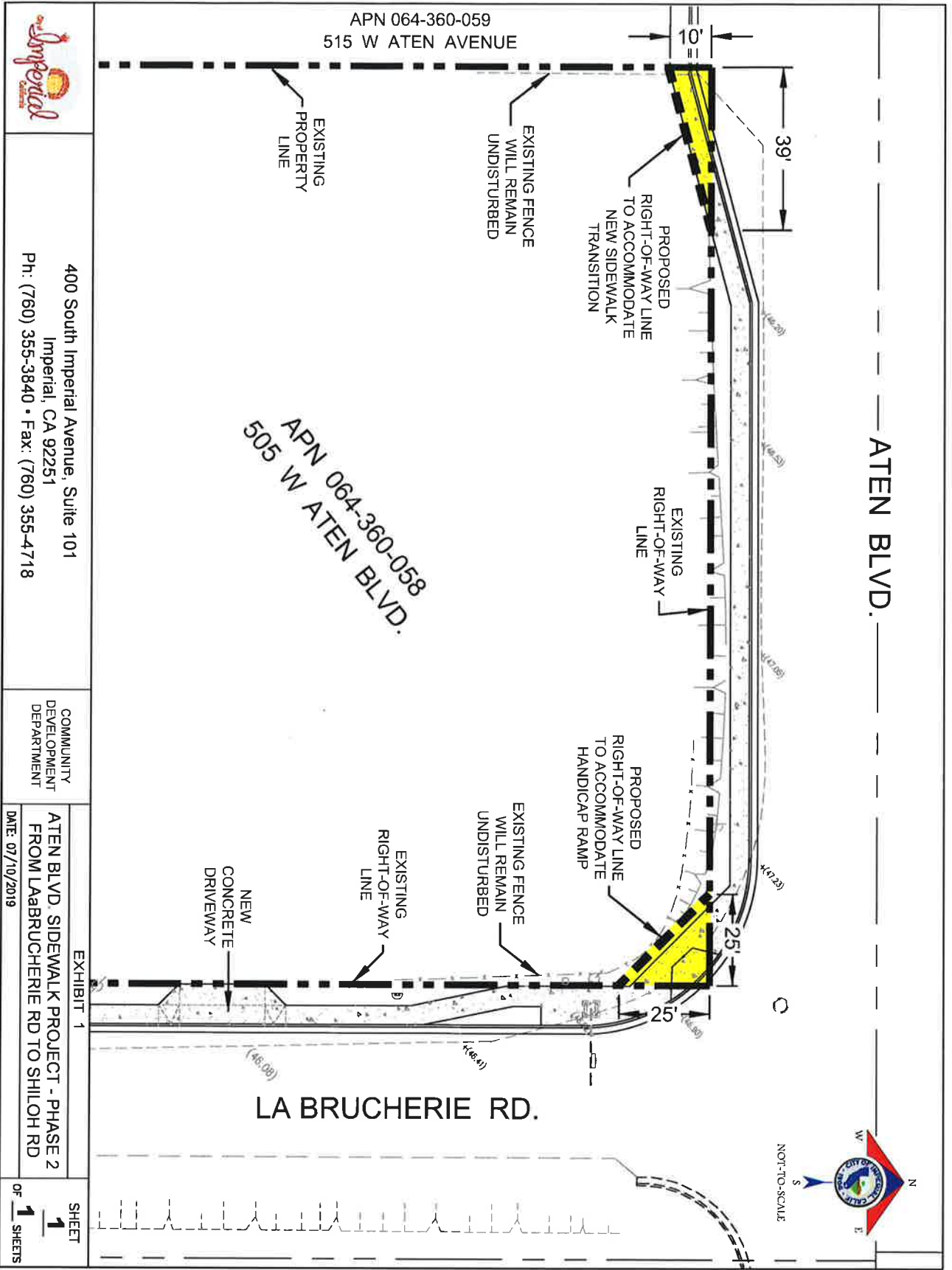
DATE SUBMITTED 10/15/2019  
 SUBMITTED BY COMMUNITY DEVELOPMENT DIRECTOR  
 DATE ACTION REQUIRED 11/06/2019


COUNCIL ACTION (X)  
 PUBLIC HEARING REQUIRED ( )  
 RESOLUTION ( )  
 ORDINANCE 1<sup>ST</sup> READING ( )  
 ORDINANCE 2<sup>ND</sup> READING ( )  
 CITY CLERK'S INITIALS [Signature]

**IMPERIAL CITY COUNCIL  
 AGENDA ITEM**

SUBJECT: DISCUSSION/ACTION: ACCEPTANCE OF ADDITIONAL RIGHT-OF-WAY LOCATED AT THE SOUTHWEST CORNER OF ATEN BOULEVARD & La BRUCHERIE ROAD INTERSECTION, SPECIFICALLY AT APN 064-360-058. 1. ACCEPTANCE OF ADDITIONAL RIGHT-OF-WAY.	
DEPARTMENT INVOLVED: COMMUNITY DEVELOPMENT DEPARTMENT	
BACKGROUND/SUMMARY: The City of Imperial is currently developing a pedestrian improvement project to increase both, the safety and the mobility of our residents by constructing new concrete sidewalks along the south side of Aten Boulevard between Myrtle Road and LaBrucherie Road.  Existing Right-of-Way along the south side of Aten Boulevard is not sufficient for the proposed improvements. The amount of additional Right-of-Way needed for this project is illustrated in Exhibit 1 attached herewith.  Property owner of APN 064-360-058 is willing to assist the City by dedicating the needed right of way along the above-referenced section.  Additionally, for your review and acceptance, attached is the 4-page Exhibit 2 prepared by the Community Development Department for dedication of said Right-of-Way.	
FISCAL IMPACT: NONE	ADMIN SERVICES SIGN INITIALS <u>[Signature]</u>
STAFF RECOMMENDATION: Staff recommends acceptance of the additional Right-of-Way needed for this project as described.	DEPT. INITIALS <u>OM</u>
MANAGER'S RECOMMENDATION:	CITY MANAGER'S INITIALS <u>[Signature]</u>
MOTION:	
SECONDED: AYES: NAYES: ABSENT:	APPROVED ( )      REJECTED ( ) DISAPPROVED ( )      DEFERRED ( ) REFERRED TO:

# Exhibit 1





400 South Imperial Avenue, Suite 101  
Imperial, CA 92251  
Ph: (760) 355-3840 • Fax: (760) 355-4718

COMMUNITY DEVELOPMENT DEPARTMENT

EXHIBIT 1  
ATEN BLVD. SIDEWALK PROJECT - PHASE 2  
FROM LA BRUCHERIE RD TO SHILOH RD  
DATE: 07/10/2019

SHEET 1 OF 1 SHEETS

**Exhibit 2**

Page 1 of 4 REQUESTED BY:

**City of Imperial**  
420 South Imperial Avenue  
Imperial, CA 92251

**When Recorded Mail to:**

**City of Imperial**  
City Clerk  
420 South Imperial Avenue  
Imperial, CA 92251

**RIGHT OF WAY DEED  
APN 064-360-058**

DOCUMENTARY TRANSFER TAX \$ \_\_\_\_\_  
( ) Computed on full value of property conveyed, or  
( ) Computed on full value less liens & encumbrances remaining at time of sale

Signature of Dedorant or Agent Determining tax - Firm Name

(I/We) George Douglas Russel do hereby grant, convey and dedicate to the City of Imperial, the right of way and incidents hereto for a public highway upon, over and across that certain real property in the County of Imperial, State of California, described as:

**See attached Exhibits A and B.**

The Grantor(s) for himself (themselves), his (their) successors and assigns hereby waive(s) any claim for any and all damages to grantors remaining property contiguous to the right of way hereby conveyed by reason of the location, construction, landscaping or maintenance of said highway.

IN WITNESS WHEREOF, said Grantor has caused George Douglas Russel name to be hereunto subscribed this 15<sup>th</sup> day of October, 2019.

George Douglas Russel

**ATTACH APPROIATE ACKNOWLEDGMENT**

**ACKNOWLEDGMENT**

A notary public or other officer competing 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 the document.

**STATE OF CALIFORNIA )**  
**COUNTY OF IMPERIAL )**

(Gov't Code 40814 & Civil Code 1181)

On October 15, 2019, before me, MARIA L RAMOS, Notary Public, personally appeared George Douglas Russel, 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 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

Maria L Ramos

Notary Public



(SEAL)

**EXHIBIT "A"**  
**PUBLIC STREET RIGHT-OF-WAY**  
**LEGAL DESCRIPTION**

THE LAND DESCRIBED HEREIN IS LOCATED IN THE CITY OF IMPERIAL, STATE OF CALIFORNIA, BEING A PORTION OF TRACT 40-A, IN TOWNSHIP 15 SOUTH, RANGE 13 EAST, S.B.M., ACCORDING TO THE OFFICIAL PLAT THEREOF:

(AREA 1): BEGINNING AT THE NORTHWEST CORNER OF PARCEL "A" OF SUBDIVISION TRACT 40-B, THENCE NORTH 89°56'58" WEST 67.29 FEET ALONG THE NORTHERLY LINE TRACT 40-A TO A WITNESS POINT;

THENCE SOUTH 00°06'15" WEST 39.98 FEET TO THE SOUTH LINE OF AN EXISTING 40-FOOT ROAD RIGHT OF WAY OF ATEN ROAD RECORDED SEPTEMBER 14, 1909 IN BOOK 40, PAGE 381, OF OFFICIAL RECORDS, ALSO BEING THE TRUE POINT OF BEGINNING NO. 1;

THENCE CONTINUING SOUTH 00°06'15" WEST 25.00 FEET ALONG THE WEST RIGHT OF WAY LINE OF LA BRUCHERIE ROAD;

THENCE NORTH 44°55'22" WEST 35.34 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF ATEN ROAD AND 25.00 FEET WEST OF THE WESTERLY RIGHT OF WAY LINE OF LA BRUCHERIE ROAD;

THENCE SOUTH 89°56'58" EAST 25.00 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF ATEN ROAD TO THE TRUE POINT OF BEGINNING NO. 1;

(AREA 2): IN ADDITION THERETO THAT PORTION OF TRACT 40-A, IN TOWNSHIP 15 SOUTH, RANGE 13 EAST, S.B.M., ACCORDING TO THE OFFICIAL PLAT THEREOF:

BEGINNING AT THE NORTHWEST CORNER OF PARCEL "A" OF SUBDIVISION TRACT 40-B, THENCE NORTH 89°56'58" WEST 67.29 FEET ALONG THE NORTHERLY LINE TRACT 40-A;

THENCE SOUTH 00°06'15" WEST 39.98 FEET TO THE SOUTH LINE OF AN EXISTING 40-FOOT ROAD RIGHT OF WAY OF ATEN ROAD RECORDED SEPTEMBER 14, 1909 IN BOOK 40, PAGE 381, OF OFFICIAL RECORDS;

THENCE NORTH 89°56'58" WEST 282.00 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF ATEN ROAD TO THE TRUE POINT OF BEGINNING NO. 2;

THENCE SOUTH 00°06'15" WEST 39.00 FEET ALONG THE BOUNDARY LINE OF PARCEL 1;

THENCE NORTH 75°40'21" EAST 40.27 FEET TO A POINT ON SOUTH THE RIGHT OF WAY LINE OF ATEN ROAD;

THENCE NORTH 89°56'58" WEST 39.00 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF ATEN ROAD TO THE TRUE POINT OF BEGINNING NO. 2;

THE ABOVE DESCRIBED PROPERTY (COMPRISING AREAS 1 AND 2) CONTAINS 507.50 SQUARE FEET, MORE OR LESS.

SUBJECT TO ALL COVENANTS, EASEMENTS AND AGREEMENTS OF RECORD.  
AS SHOWN ON EXHIBIT "B", ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

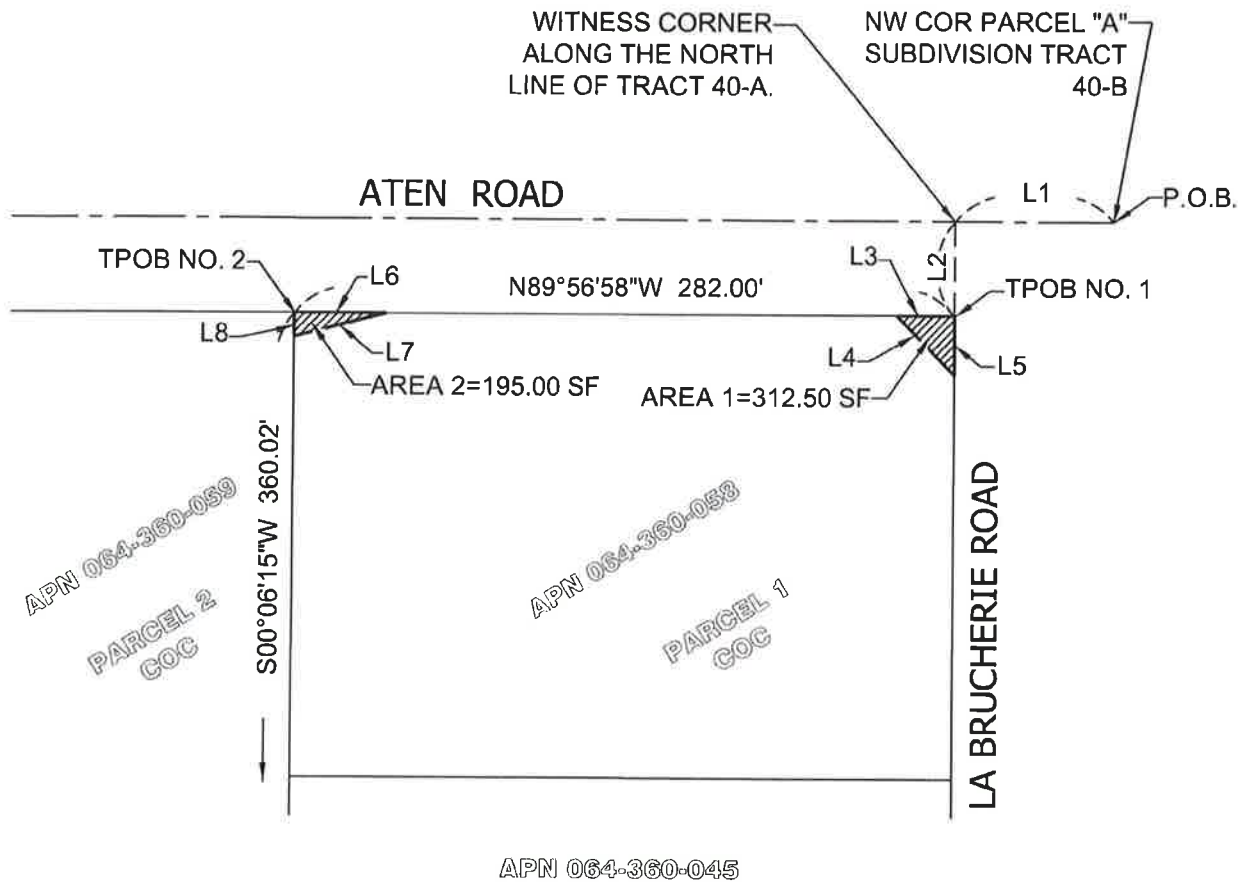
**Dynamic** CONSULTING  
ENGINEERS

CIVIL ENGINEERING - LAND SURVEYING -  
CONSTRUCTION MANAGEMENT  
2415 IMPERIAL BUSINESS PARK DRIVE,  
SUITE B, IMPERIAL CA. 92251  
TEL. (760) 545-0162 FAX (760) 545-0163



OCTOBER 11, 2019

**EXHIBIT "B"**  
PUBLIC STREET RIGHT-OF-WAY



AREA 1 = 195.00 SF  
AREA 2 = 312.50 SF  
TOTAL = 507.50 SF

L1	N89°56'58"W	67.29'
L2	S00°06'15"W	39.98'
L3	N89°56'58"W	25.00'
L4	S44°55'22"E	35.34'
L5	S00°06'15"W	25.00'
L6	N89°56'58"W	39.00'
L7	N75°40'21"E	40.27'
L8	S00°06'15"W	39.00'



*David Beltran*  
10/11/19

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OCTOBER 11, 2019