

**RECORDED AT THE REQUEST OF
AND WHEN RECORDED, MAIL TO:**

County of Orange
County Executive Office
c/o: Real Estate Services
400 W. Civic Center Dr., 5th Floor
Santa Ana, California 92701
Attn: Christine Long

SPACE ABOVE THIS LINE FOR RECORDER'S USE

DOCUMENTARY TRANSFER TAX \$ _____
___ Computed on the consideration or value of property conveyed
___ Exempt per Revenue & Taxation Code Section 11922
___ Exempt from Recording Fees per Govt. Code Section 27383

Unincorporated Area
 Incorporated - City of Anaheim
APN: 253-521-37 (portion of)
Facility No: E01 – 1358 Santa Ana River Channel
Project: OC Vibe

EASEMENT DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the ORANGE COUNTY FLOOD CONTROL DISTRICT, a body corporate and politic ("**DISTRICT**") does hereby grant a Storm Drain Easement to FCD, LLC, a California limited liability company, ("**GRANTEE**"), in an "as is" condition, an easement for storm drain purposes in that certain real property in the county of Orange, state of California, legally described in Exhibit A and illustrated in Exhibit B, which Exhibits are attached hereto and made a part hereof.

Nothing contained herein, or in any document related hereto, shall be construed to imply the conveyance to GRANTEE of rights in the property which exceed those owned by DISTRICT, or any representation or warranty, either express or implied, relating to the nature or condition of the property or DISTRICT'S interest therein.

GRANTEE acknowledges that DISTRICT is granting the property rights in advance of its review and final approval of GRANTEE'S construction plans; and DISTRICT hereby reserves unto itself the rights to any utility lines, pipelines or other facilities (hereinafter "**Improvements**"), including easements for such Improvements, currently existing within the area to be acquired by this grant that are not shown in Official Records, regardless of whether such Improvements are apparent by physical inspection.

All rights reserved by DISTRICT pursuant to this section shall include the ability to grant such rights to others. Any such Improvements that may be disturbed by GRANTEE'S construction shall be replaced, reconstructed and/or relocated at GRANTEE'S expense in the event GRANTEE is unable to protect said Improvements in place. In the event GRANTEE must reconstruct and relocate DISTRICT'S Improvements onto adjoining real property, GRANTEE shall obtain DISTRICT'S approval of the proposed location; and GRANTEE shall acquire, if necessary, a transferable easement and convey said easement to DISTRICT upon DISTRICT'S approval of GRANTEE's construction.

Attachment E

Approved as to Form
Office of the County Counsel
County of Orange, California

DISTRICT

ORANGE COUNTY FLOOD CONTROL
DISTRICT, a body corporate and politic

By: Michael A. Haubert
Deputy

By: _____
Chair of the Board of Supervisors
County of Orange, California

Date: 1/12/24

Signed and certified that a copy of this agreement
has been delivered to the Chair of the Board per
G.C. Sec. 25103, Reso 79-1535

ATTEST:

Robin Stieler
Clerk of the Board of Supervisors
Orange County Flood Control District
County of Orange, California

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 ORANGE)

On _____, 2024, before me, _____, a 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.

Notary Public

(SEAL)

Attachment E

Approved as to Form:

By: _____
Name: _____
Title: _____

GRANTEE
FCD, LLC
a California Limited Liability Company

By: William Foltz
William Foltz
Chief Executive Officer

Date: 1-16-24

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 ORANGE)

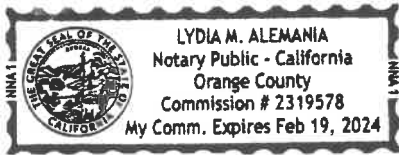
On January 16, 2024, before me, Lydia M. Alemanic, a Notary Public, personally appeared William Foltz, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their 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.

Lydia M. Alemanic
Notary Public

(SEAL)



Attachment E

**EXHIBIT A
LEGAL DESCRIPTION
STORM DRAIN
(E01-1358)**

BEING A 15 FOOT STRIP OF LAND LYING WITHIN PARCEL 1, IN THE CITY OF ANAHEIM, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP OF PARCEL MAP NO. 98-107 FILED IN BOOK 303, PAGES 45 THROUGH 48, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF ORANGE COUNTY, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID PARCEL 1;

THENCE ALONG SAID NORTHERLY LINE OF SAID PARCEL 1 THROUGH THE FOLLOWING COURSES:

THENCE NORTH 81°37'44" WEST, 48.48 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHERLY AND HAVING A RADIUS OF 543.14 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE, 75.68 FEET, THROUGH A CENTRAL ANGLE OF 07°59'02";

THENCE NORTH 89°36'46" WEST, 56.17 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE EASTERLY AND HAVING A RADIUS OF 987.00 FEET, A RADIAL LINE TO SAID CURVE BEARS NORTH 88°26'42" WEST;

THENCE LEAVING SAID NORTHERLY LINE AND SOUTHERLY ALONG SAID CURVE, 20.11 FEET, THROUGH A CENTRAL ANGLE OF 01°10'02";

THENCE SOUTH 00°23'16" WEST 28.10 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE WESTERLY AND HAVING A RADIUS OF 35.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE, 20.36 FEET, THROUGH A CENTRAL ANGLE OF 33°19'45" TO THE BEGINNING OF A REVERSE CURVE, CONCAVE EASTERLY AND HAVING A RADIUS OF 41.00 FEET, A RADIAL LINE TO SAID CURVE BEARS NORTH 56°16'59" WEST;

THENCE SOUTHWESTERLY AND SOUTHERLY ALONG SAID CURVE, 23.85 FEET, THROUGH A CENTRAL ANGLE OF 33°19'45";

THENCE SOUTH 00°23'16" WEST 46.49 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE EASTERLY AND HAVING A RADIUS OF 999.50 FEET;

THENCE SOUTHERLY ALONG SAID CURVE, 48.41 FEET, THROUGH A CENTRAL ANGLE OF 02°46'31";

THENCE SOUTH 02°23'15" EAST, 47.50 FEET TO A POINT IN THE NORTHEASTERLY LINE OF THAT CERTAIN PARCEL DESCRIBED IN THE QUITCLAIM DEED RECORDED MARCH 29, 2019 AS INSTRUMENT NO. 2019000099527 OF OFFICIAL RECORDS IN THE SAID OFFICE OF THE COUNTY RECORDER;

Attachment E

THENCE CONTINUING SOUTH 02°23'15" EAST, 55.96 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE, WESTERLY AND HAVING A RADIUS OF 1275.50 FEET;

THENCE EASTERLY AND SOUTHERLY ALONG SAID CURVE, 1.40 FEET, THROUGH A CENTRAL ANGLE OF 00°03'46" TO THE TRUE POINT OF BEGINNING,

THENCE NORTH 87°36'45" EAST 94.79 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY AND HAVING A RADIUS OF 45.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE, 22.16 FEET, THROUGH A CENTRAL ANGLE OF 28°13'11";

THENCE SOUTH 64°10'04" EAST 49.24 FEET TO THE EASTERLY LINE OF SAID PARCEL 1.

CONTAINING 2483 SQUARE FEET, MORE OR LESS.

ALL AS SHOWN ON EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

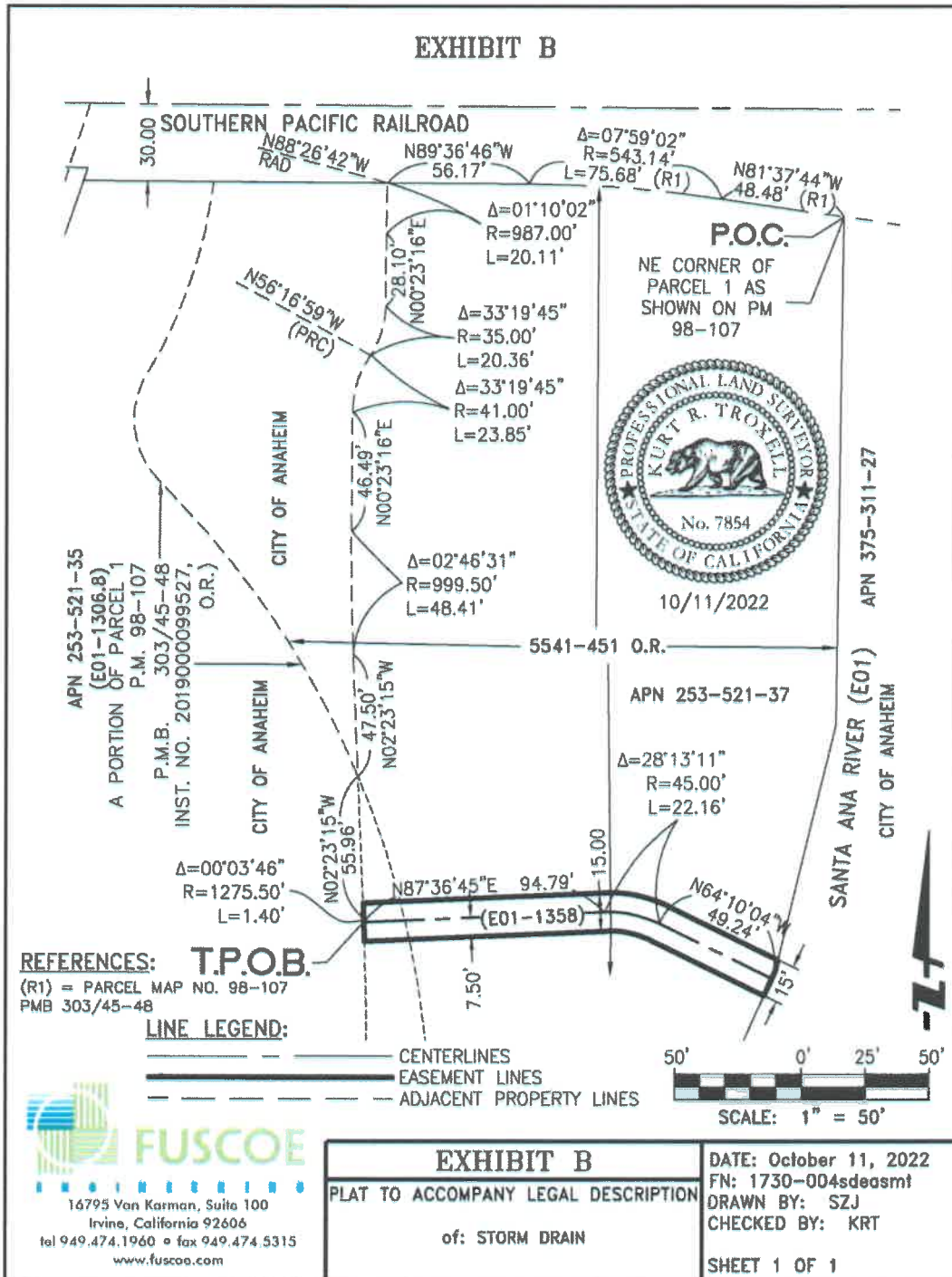
DATED THIS 11TH DAY OF OCTOBER, 2022.



KURT R. TROXELL, L.S. 7854
FUSCOE ENGINEERING



EXHIBIT B TO QUITCLAIM DEED



M:\Mapping\1730\004\Legals\River Rd Storm Drain\1730-004sdeasmt.dwg | PLOT: 3/29/2023 4:19:22 PM