



Agenda Report

Date: June 19, 2012
To: Mayor and Council Members
From: Jeffrey W. Collier, City Manager
Subject: Amendment and Partial Release of DECLARATION AND EASEMENT OF RESTRICTED USE

RECOMMENDATION

It is recommended the City Council approve a document entitled 'AMENDMENT AND PARTIAL RELEASE OF DECLARATION AND EASTMENT OF RESTRICTED USE'.

BACKGROUND

On December 19, 1995, Chevron U.S.A. INC., executed a Corporation Grant Deed, recorded on December 26, 1995 whereby 960 acres were granted to the Trust for Public Land.

Excepted and reserved to Grantor were those rights and reservations set forth in that Declaration and Easement of Restricted Use (the "Declaration") dated December 19, 1995, recorded on December 26, 1995 in the Official Records, Recorder's Office, Los Angeles County, California, document number 95 2043167, concurrently with the Grant Deed. The Declaration and Easement of Restricted Use anticipated the creation of a 600-acre Conservation Easement Area over portions of the Sale Property described as the "Restricted Property".

The Trust for Public Land transferred the Sale Property to the Mountains Recreation and Conservation Authority who in turn transferred the property to City of Whittier ("Successor Grantee") by Grant Deed.

In October, 2008, the City entered into an Oil, Gas and Mineral Lease (the "Lease") with Matrix Oil Corporation and Clayton Williams Energy, Inc ("Lessees"). The Lease allows for a project site (the "Project") of not more than seven surface acres plus access roads for ingress and egress over the Sale Property. The Lease was amended on April 12, 2011 and again on May 8, 2012.

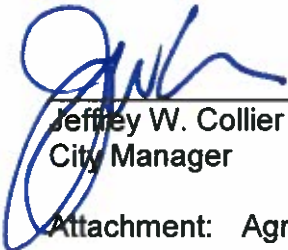
The City of Whittier City Council approved the Project on November 28, 2011. A portion of the seven acre Project and the north access road lie within the Restricted Property described at Exhibits B and C of the Declaration and Easement of Restricted Use. The remainder of the Project is outside of the Restricted Property.

Pursuant to the Project Conditional Use Permit, at Condition 74, Lessees agreed that a Conservation Easement shall be placed over the City-Owned Preserve Land, which shall except only the surface areas approved for use in the Project, through the Conditional Use Permit.

DISCUSSION

While the City does not believe that there is a restriction on the subject land to preclude its use for the intended mineral extraction project, the attached agreement will clarify that a restriction does not exist. As such, the document will release property subject to the Lease between the City of Whittier and Matrix Oil Corporation and Clayton Williams Energy, Inc. from any claimed restriction of use based upon or contained in that Chevron U.S.A., Inc. Declaration of Easement of Restricted Use, dated December 19, 1995.

Submitted by:



Jeffrey W. Collier
City Manager

Attachment: Agreement

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

City of Whittier
13230 Penn Street
Whittier, CA 90602

WITH A CONFORMED COPY TO:

CHEVRON U.S.A. INC.
145 S. State College Blvd.
Brea, CA 92821

Attn: Jim Pugliese

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

**AMENDMENT AND PARTIAL RELEASE OF DECLARATION AND EASEMENT OF
RESTRICTED USE**

THIS AMENDMENT AND PARTIAL RELEASE OF THE DECLARATION AND
EASEMENT OF RESTRICTED USE (the "Release") is dated this ____ day of June, 2012 and
made with reference to the following facts:

RECITALS:

A. On December 19, 1995, CHEVRON U.S.A. INC. ("Grantor"), executed a Corporation Grant Deed, recorded on December 26, 1995 in the Official Records, Recorder's Office, Los Angeles County, California, document number 95 2043167, whereby 960 acres, more or less, and described in Exhibit A attached thereto and fully incorporated herein by reference, located in the County of Los Angeles, State of California (the "Sale Property"), were granted to the Trust for Public Land.

B. Excepted and reserved to Grantor were those rights and reservations set forth in that Declaration and Easement of Restricted Use (the "Declaration") dated December 19, 1995, recorded on December 26, 1995 in the Official Records, Recorder's Office, Los Angeles County, California, document number 95 2043168, concurrently with the Grant Deed. The Declaration and Easement of Restricted Use anticipated the creation of a 600 acre Conservation Easement Area over portions of the Sale Property described as the Restricted Property. The Restricted Property was identified as that portion of the Sale Property described on Exhibits B and C, attached to the Declaration and Easement of Restricted Use and fully incorporated herein.

C. The Trust for Public Land transferred the Sale Property to Mountains Recreation and Conservation Authority by Corporation Grant Deed, recorded on December 26, 1995 in the

Official Records, Recorder's Office, Los Angeles County, California, document number 95 2043169.

D. Mountain Recreation and Conservation Authority transferred the Property to City of Whittier ("Successor Grantee") by Grant Deed, recorded December 20, 1995 in the Official Records, Recorder's Office, Los Angeles County, California, document number 95 2043171.

E. On or about October 28, 2008 the City of Whittier entered into an Oil, Gas and Mineral Lease (the "Lease") with Matrix Oil Corporation and Clayton Williams Energy, Inc ("Lessees"). The Lease allows for a project site (the "Project") of not more than seven surface acres plus access roads for ingress and egress over the Sale Property. The Lease was amended on April 12, 2011 and again on May 8, 2012.

F. The City of Whittier City Council approved the Project on November 28, 2011. A portion of the seven acre Project and the north access road lie within the Restricted Property described at Exhibits B and C of the Declaration and Easement of Restricted Use. The remainder of the Project is outside of the Restricted Property.

G. Pursuant to the Project Conditional Use Permit, at Condition 74, Lessees agreed that a Conservation Easement shall be placed over the City-Owned Preserve Land, which shall except only the surface areas approved for use in the Project, through the Conditional Use Permit.

NOW THEREFORE, GRANTOR, SUCCESSOR GRANTEE, and LESSEES hereby agree as follows:

AMENDMENT AND RELEASE

1. **Purpose.** It is the purpose of this Amendment and Release of Declaration and Easement of Restricted Use to release those portions of the Project within the Restricted Property from the covenants and restrictions set forth in the Declaration and Easement of Restricted Use dated December 19, 1995.

2. **Definition of the Released Property.** Upon recordation of this Amendment and Release, those portions of the Project described on Exhibit A attached hereto and fully incorporated herein ("Released Property") shall be deemed to be released from the Declaration and Easement of Restricted Use. The Released Property is depicted on Exhibit B, attached hereto and fully incorporated herein.

3. **Conservation Easement.** Successor Grantee shall within four (4) years create the Conservation Easement described at Condition 74 of the Project Conditional Use Permit. In conjunction with the creation of the Conservation Easement, Successor Grantee shall seek from Grantor an amendment to the Declaration and Easement of Restricted, to release the Declaration from the Restricted Property and substitute therefore the Conservation Easement, as provided at paragraph 4 of the Declaration and Easement of Restricted Use. Successor Grantee shall make reasonable efforts to assist Chevron in obtaining credits from the U.S. Fish and Wildlife Service, or other appropriate agency, for habitat conservation based on the creation of the Conservation

Easement which can be used for development on other sites, provided that such required efforts of Successor Grantee shall not include the employment of any third party professional or expert or the institution of or participation in any adversarial administrative proceeding or court litigation. Any development related credits created and/or available as a result of the recordation of the Conservation Easement shall be credited to Chevron for its use on other projects.

4. **Counterparts.** This Release may be executed in any number of counterparts, which, when taken together, shall constitute a fully executed document.

5. **Construction.** This Release shall be construed as a whole and in accordance with its fair meaning. Captions and organizations are for convenience and shall not be used in construing meaning.

6. **Controlling Law.** This Release shall in all respects be interpreted and governed by the laws of the State of California.

7. **Recordation.** The City of Whittier shall record this instrument in the official records of Los Angeles County, California.

8. **Indemnity.** The City of Whittier shall indemnify, defend and hold Chevron U.S.A. and its parent corporation and their affiliates employees and agents (hereinafter the "Indemnities" harmless from and against any and all claims, demands, actions, causes of action, losses or liabilities, including without limitation, injury to property or person, including death arising out of, or incident to, this Release.

IN WITNESS WHEREOF, GRANTOR, SUCCESSOR GRANTEE, and LESSEES have executed this Amendment and Release of Restricted Use the day and year above written.

GRANTOR:

SUCCESSOR GRANTEE:

CHEVRON U.S.A. INC.,
a Pennsylvania corporation

CITY OF WHITTIER

By: _____

By: _____

Its: _____

Its: _____

LESSEES:

MATREX OIL CORPORATION

CLAYTON WILLIAMS ENERGY, INC.

By: _____

By: _____

Its: _____

Its: _____

EXHIBIT "A"

LEGAL DESCRIPTION OF EASEMENT FOR WELL AND PROCESSING FACILITY AND EASEMENT FOR ACCESS ROAD PURPOSES

THE LAND REFERRED TO HEREIN IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA.

PARCEL "1"

BEING A PORTION OF BLOCK 4 OF TRACT 159, AS PER MAP RECORDED IN BOOK 14 PAGES 14 AND 15 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEASTERLY TERMINUS OF THAT CERTAIN LINE DESCRIBED AS "NORTH 56°19'00" WEST 1572.44 FEET" IN PARCEL 1 OF GRANT DEED TO THE CITY OF WHITTIER, RECORDED DECEMBER 26, 1995 AS INSTRUMENT NO. 95-2043171 OF OFFICIAL RECORDS IN THE RECORDER'S OFFICE OF SAID COUNTY OF LOS ANGELES; THENCE LEAVING SAID LINE NORTH 38°24'50" EAST 1520.98 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING, SAID POINT BEING ALONG THAT CERTAIN SOUTHERLY LINE AS DESCRIBED IN EXHIBIT "C" OF "DECLARATION AND EASEMENT OF RESTRICTED USE" RECORDED DECEMBER 26, 1995 AS INSTRUMENT NO. 95-2043168 O.R.; THENCE NORTH 06°08'29" WEST 171.10 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 100.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 64°31'18" AN ARC LENGTH OF 112.61 FEET; THENCE NORTH 58°22'49" EAST 109.91 FEET; THENCE NORTH 62°58'43" EAST 53.27 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTH HAVING A RADIUS OF 110.00 FEET; THENCE NORTHEASTERLY AND SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 84°33'06" AN ARC LENGTH OF 162.33 FEET; THENCE TANGENT TO SAID CURVE SOUTH 32°28'11" EAST 52.82 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 110.00 FEET; THENCE SOUTHEASTERLY AND SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 53°56'20" AN ARC LENGTH OF 103.56 FEET; THENCE TANGENT TO SAID CURVE SOUTH 21°28'09" WEST 173.71 FEET MORE OR LESS TO THAT CERTAIN SOUTHERLY LINE AS DESCRIBED IN EXHIBIT "C" OF "DECLARATION AND EASEMENT OF RESTRICTED USE" RECORDED DECEMBER 26, 1995 AS INSTRUMENT NO. 95-2043168 O.R.;

THENCE ALONG SAID LINE SOUTH 89°20'10" WEST 286.89 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING.

PARCEL "2"

BEING A PORTION OF BLOCK 4 OF TRACT 159, AS PER MAP RECORDED IN BOOK 14 PAGES 14 AND 15 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY AND A PORTION OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 2 SOUTH, RANGE 11 WEST, SAN BERNARDINO BASE MERIDIAN, INCLUDED WITHIN A STRIP OF LAND 100.00 FEET WIDE LYING 50.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE SOUTHEASTERLY TERMINUS OF THAT CERTAIN LINE DESCRIBED AS "NORTH 56°19'00" WEST 1572.44 FEET" IN PARCEL 1 OF GRANT DEED TO THE CITY OF WHITTIER, RECORDED DECEMBER 26, 1995 AS INSTRUMENT NO. 95-2043171 OF OFFICIAL RECORDS IN THE RECORDER'S OFFICE OF SAID COUNTY OF LOS ANGELES; THENCE LEAVING SAID LINE NORTH 38°43'15" EAST 1527.65 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING, SAID POINT BEING ALONG THAT CERTAIN SOUTHERLY LINE AS DESCRIBED IN EXHIBIT "C" OF "DECLARATION AND EASEMENT OF RESTRICTED USE" RECORDED DECEMBER 26, 1995 AS INSTRUMENT NO. 95-2043168 O.R; THENCE NORTH 14°55'32" WEST 17.77 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1526.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°14'01" AN ARC LENGTH OF 112.76 FEET; THENCE TANGENT TO SAID CURVE NORTH 10°41'31" WEST 135.27 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 500.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°48'44" AN ARC LENGTH 24.54 FEET; THENCE TANGENT TO SAID CURVE NORTH 13°30'15" WEST 88.24 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 200.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°36'22" AN ARC LENGTH OF 26.55 FEET; THENCE TANGENT TO SAID CURVE NORTH 05°53'53" EAST 102.01 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 200.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE 15°09'04" AN

ARC LENGTH OF 52.89 FEET; THENCE TANGENT TO SAID CURVE NORTH 21°02'57" WEST 14.24 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 137.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°28'33" AN ARC LENGTH OF 34.61 FEET; THENCE TANGENT TO SAID CURVE NORTH 06°34'24" WEST 15.88 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 163.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 05°47'16" AN ARC LENGTH OF 16.47 FEET; THENCE TANGENT TO SAID CURVE NORTH 12°21'40" WEST 76.52 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 313.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°08'37" AN ARC LENGTH OF 71.80 FEET; THENCE NORTH 25°30'17" WEST 35.82 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 500.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°17'26" AN ARC LENGTH OF 19.99 FEET; THENCE TANGENT TO SAID CURVE NORTH 23°12'51" WEST 55.07 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 500.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°17'26" AN ARC LENGTH OF 19.99 FEET; THENCE TANGENT TO SAID CURVE NORTH 25°30'17" WEST 31.63 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 325.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 24°04'56" AN ARC LENGTH OF 136.60 FEET; THENCE TANGENT TO SAID CURVE NORTH 01°25'21" WEST 128.05 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 1008.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°26'10" AN ARC LENGTH OF 51.65 FEET ; THENCE TANGENT TO SAID CURVE NORTH 04°23'31" WEST 7.97 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1010.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04°25'17" AN ARC LENGTH OF 77.94 FEET; THENCE TANGENT TO SAID CURVE NORTH 08°46'48" WEST 142.62 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 175.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16°28'58" AN ARC LENGTH OF 50.34 FEET; THENCE TANGENT TO SAID CURVE NORTH 07°42'10" EAST 169.79 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 190.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°02'48" AN ARC LENGTH OF 49.90 FEET; THENCE TANGENT TO SAID CURVE

NORTH 22°44'58" EAST 3.82 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 164.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°35'28" AN ARC LENGTH OF 56.08 FEET; THENCE TANGENT TO SAID CURVE NORTH 03°09'30" EAST 71.08 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 164.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°55'26" AN ARC LENGTH OF 22.68 FEET; THENCE TANGENT TO SAID CURVE NORTH 04°45'56" WEST 69.27 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 100.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 50°34'38" AN ARC LENGTH OF 88.27 FEET; THENCE TANGENT TO SAID CURVE NORTH 55°20'34" WEST 111.33 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 202.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°46'55" AN ARC LENGTH OF 30.96 FEET; THENCE TANGENT TO SAID CURVE NORTH 46°33'39" WEST 141.33 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 248.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°33'33" AN ARC LENGTH OF 37.05 FEET; THENCE TANGENT TO SAID CURVE NORTH 55°07'12" WEST 132.71 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 187.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°39'43" AN ARC LENGTH OF 47.85 FEET; THENCE TANGENT TO SAID CURVE NORTH 40°27'29" WEST 7.80 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 213.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 14°39'43" AN ARC LENGTH OF 54.51; THENCE TANGENT TO SAID CURVE NORTH 55°07'12" WEST 58.80 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 272.57 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE 07°56'59" AN ARC LENGTH 37.82 FEET; THENCE TANGENT TO SAID CURVE NORTH 63°04'11" WEST 27.83 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 33.00 FEET; THENCE NORTHWESTERLY, NORTHEASTERLY AND SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE 193°54'22" AN ARC LENGTH OF 111.68 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 245.00 FEET TO WHICH POINT A RADIAL LINE BEARS NORTH 40°50'11" EAST; THENCE SOUTHEASTERLY ALONG SAID REVERSE CURVE THROUGH A CENTRAL ANGLE OF 18 °57'17" AN ARC LENGTH OF 81.05 FEET; THENCE TANGENT TO SAID CURVE SOUTH

68°07'06" EAST 55.99 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 150.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°58'44" AN ARC LENGTH OF 33.98 FEET; THENCE TANGENT TO SAID CURVE SOUTH 55°08'23" EAST 20.90 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 115.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 23°10'24" AN ARC LENGTH OF 46.51 FEET; THENCE TANGENT TO SAID CURVE SOUTH 78°18'47" EAST 19.44 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 130.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 17°11'30" AN ARC LENGTH OF 39.01 FEET; THENCE TANGENT TO SAID CURVE SOUTH 61°07'17" EAST 142.99 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 99.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 72°37'57" AN ARC LENGTH OF 125.20 FEET; THENCE TANGENT TO SAID CURVE NORTH 46°14'46" EAST 18.15 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 186.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 09°22'18" AN ARC LENGTH OF 30.42 FEET; THENCE TANGENT TO SAID CURVE NORTH 36°52'28" EAST 23.86 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 310.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28°55'19" AN ARC DISTANCE OF 156.48 FEET; THENCE TANGENT TO SAID CURVE NORTH 07°57'09" EAST 40.78 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 400.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°29'03" AN ARC DISTANCE OF 80.17 FEET; THENCE TANGENT TO SAID CURVE NORTH 03°31'54" WEST 227.33 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 220.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 37°52'48" AND ARC LENGTH OF 145.45 FEET; THENCE TANGENT TO SAID CURVE NORTH 41°24'42" WEST 154.12 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 188.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°41'41" AN ARC DISTANCE OF 28.53 FEET; THENCE TANGENT TO SAID CURVE NORTH 50°06'23" WEST 91.49 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 712.00 FEET; THEN NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°26'38" AN ARC LENGTH OF 30.37 FEET; THENCE TANGENT TO SAID CURVE

NORTH 47°39'45" WEST 185.16 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 125.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28°31'17" AN ARC DISTANCE OF 62.22 FEET; THENCE TANGENT TO SAID CURVE NORTH 76°11'02" WEST 117.46 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 85.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 61°02'29" AN ARC LENGTH OF 90.56 FEET; THENCE TANGENT TO SAID CURVE NORTH 15°08'33" WEST 11.39 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 190.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 29°46'50" AN ARC LENGTH OF 98.76 FEET; THENCE TANGENT TO SAID CURVE NORTH 44°55'23" WEST 97.97 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 105.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°02'00" AN ARC LENGTH OF 86.19 FEET; THENCE TANGENT TO SAID CURVE NORTH 02°06'37" EAST 51.43 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 47.00 FEET; THENCE NORTHWESTERLY AND WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°08'17" AN ARC LENGTH OF 73.12 FEET; THENCE TANGENT TO SAID CURVE NORTH 87°01'40" WEST 12.88 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 37.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 83°49'33" AN ARC DISTANCE OF 54.13 FEET; THENCE TANGENT TO SAID CURVE SOUTH 09°08'47" WEST 4.60 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 135.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 40°19'23" AN ARC LENGTH OF 95.01 FEET; THENCE TANGENT TO SAID CURVE SOUTH 31°10'36" EAST 109.37 TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 160.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01°57'11" AND ARC LENGTH OF 5.45 FEET; THENCE TANGENT TO SAID CURVE SOUTH 33°07'47 EAST 33.75 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 110.00 FEET; THENCE SOUTHEASTERLY AND SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 62°24'04" AN ARC LENGTH OF 119.80 FEET; THENCE TANGENT TO SAID CURVE SOUTH 29°16'17" WEST 29.01 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 51.50 FEET; THENCE SOUTHWESTERLY, NORTHWESTERLY AND NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 172°45'33"

AN ARC LENGTH 51.50 FEET; THENCE TANGENT TO SAID CURVE NORTH 22°01'50" EAST 29.63 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 90.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 77°01'48" AN ARC LENGTH OF 121.00 FEET; THENCE TANGENT TO SAID CURVE NORTH 54°59'58" WEST 59.27 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 200.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02°43'13" AN ARC LENGTH OF 9.50 FEET; THENCE TANGENT TO SAID CURVE NORTH 52°16'45" WEST 52.84 FEET MORE OR LESS TO A POINT IN THAT CERTAIN LINE DESCRIBED AS "NORTH 7°25'29" WEST 289.84 FEET" IN THE DEED TO THE CITY OF WHITTIER RECORDED OCTOBER 26, 1993 AS INSTRUMENT NO. 93-2084069 OFFICIAL RECORDS, SAID POINT BEING 15.93 FEET MORE OR LESS NORTHWESTERLY FROM THE SOUTHEASTERLY TERMINUS OF SAID LINE AS DESCRIBED IN SAID DEED PER INSTRUMENT NO. 93-2084069 O.R.

EXCEPTING THEREFROM ANY PORTION THEREOF LYING WITHIN HEREINABOVE DESCRIBED PARCEL 1.

THE SIDE LINES OF SAID 100.00 FEET WIDE STRIP SHALL BE PROLONGED OR SHORTENED TO TERMINATE AT ALL ANGLE POINTS AND TO TERMINATE NORTHWESTERLY IN THE EASTERLY LINE OF SAID DEED TO THE CITY OF WHITTIER, AND SOUTHERLY IN THAT CERTAIN SOUTHERLY LINE AS DESCRIBED IN EXHIBIT "C" OF "DECLARATION AND EASEMENT OF RESTRICTED USE" RECORDED DECEMBER 26, 1995 AS INSTRUMENT NO. 95-2043168 O.R

PREPARED UNDER THE DIRECTION OF:


RANDAL L. STREETER, R.C.E. 25083
EXPIRES 12/31/13

05/07/12
DATE





