

CITY OF WILDOMAR CITY COUNCIL
AGENDA

6:00 P.M. – ADJOURNED REGULAR MEETING

OCTOBER 28, 2015
Council Chambers
23873 Clinton Keith Road



Ben Benoit, Mayor
Bridgette Moore, Mayor Pro Tem
Bob Cashman, Council Member
Marsha Swanson, Council Member
Timothy Walker, Council Member

Gary Nordquist
City Manager

Thomas D. Jex
City Attorney

**WILDOMAR CITY COUNCIL
ADJOURNED REGULAR MEETING AGENDA
OCTOBER 28, 2015**

ORDER OF BUSINESS: Public sessions of all regular meetings of the City Council begin at 6:30 p.m. Closed Sessions begin at 5:30 p.m. or such other time as noted.

REPORTS: All agenda items and reports are available for review at: Wildomar City Hall, 23873 Clinton Keith Road; Mission Trail Library, 34303 Mission Trail Blvd.; and on the City's website, www.cityofwildomar.org. Any writings or documents provided to a majority of the City Council regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection at City Hall during regular business hours.

PUBLIC COMMENTS: Prior to the business portion of the agenda, the City Council will receive public comments regarding any items or matters within the jurisdiction of the governing body. The Mayor will separately call for testimony at the time of each public hearing. If you wish to speak, please complete a "Public Comment Card" available at the Chamber door. The completed form is to be submitted to the City Clerk prior to an individual being heard. Lengthy testimony should be presented to the Council in writing (15 copies) and only pertinent points presented orally. The time limit established for public comments is three minutes per speaker.

ADDITIONS/DELETIONS: Items of business may be added to the agenda upon a motion adopted by a minimum 2/3 vote finding that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted. Items may be deleted from the agenda upon request of staff or upon action of the Council.

CONSENT CALENDAR: Consent Calendar items will be acted on by one roll call vote unless Council members, staff, or the public request the item be discussed and/or removed from the Consent Calendar for separate action.

**PLEASE TURN ALL DEVICES TO VIBRATE/MUTE/OFF
FOR THE DURATION OF THE MEETING. YOUR
COOPERATION IS APPRECIATED.**

CALL TO ORDER – ADJOURNED REGULAR SESSION - 6:00 P.M.

ROLL CALL

FLAG SALUTE

PUBLIC COMMENTS

This is the time when the Council receives general public comments regarding any items or matters within the jurisdiction that **do not** appear on the agenda.

State law allows the Council to only talk about items that are listed on the agenda. **Speakers are allowed to raise issues not listed on the agenda; however, the law does not allow the City Council to discuss those issues during the meeting.** After hearing the matter, the Mayor will turn the matter over to the City Manager who will put you in contact with the proper Staff person. Each speaker is asked to fill out a Public Comments Card available at the Chamber door and submit the card to the City Clerk. **Lengthy testimony should be presented to the Council in writing (15 copies) and only pertinent points presented orally.** The time limit established for public comments is three minutes per speaker.

Prior to taking action on any item that is on the agenda, the public will be permitted to comment at the time it is considered by the City Council.

2.0 PUBLIC HEARINGS

2.1 Resolution of Necessity for Property Acquisition - Wildomar Master Drainage Plan Lateral C-1 Storm Drain Flood Control Project (Continued from 10-14-15)

RECOMMENDATION: Staff recommends that the City Council adopt a Resolution entitled:

RESOLUTION NO. 2015 - _____
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, DECLARING THE NECESSITY AND AUTHORIZING THE
COMMENCEMENT OF EMINENT DOMAIN PROCEEDINGS TO
SECURE REAL PROPERTY INTERESTS NECESSARY FOR THE
WILDOMAR MASTER DRAINAGE PLAN LATERAL C-1 STORM DRAIN
PROJECT

ADJOURNMENT

City Council/Wildomar Cemetery District Regular Meeting Schedule

October 14	February 10	June 8
November 11	March 9	July 13
December 9	April 13	August 10
January 13	May 11	

If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans With Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

Any person that requires a disability related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting, may request such modification, accommodation, aid or service by contacting the City Clerk either in person or by phone at 951/677-7751, no later than 10:00 a.m. on the day preceding the scheduled meeting.

I, Debbie A. Lee, Wildomar City Clerk, do certify that on October 23, 2015, by 5:00 p.m., a true and correct copy of this agenda was posted at the three designated posting locations:

Wildomar City Hall, 23873 Clinton Keith Road;
U.S. Post Office, 21392 Palomar Street;
Wildomar Library, 34303 Mission Trail Blvd.



Debbie A. Lee, City Clerk

CITY OF WILDOMAR – CITY COUNCIL
Agenda Item #2.1
PUBLIC HEARING
Meeting Date: October 28, 2015

TO: Mayor and City Council Members

FROM: Dan York, Assistant City Manager

SUBJECT: Resolution of Necessity for Property Acquisition - Wildomar Master Drainage Plan Lateral C-1 Storm Drain Flood Control Project (Continued from October 14, 2015)

STAFF REPORT

RECOMMENDATION:

Staff recommends the City Council adopt a Resolution entitled:

RESOLUTION NO. 2015 - _____
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR DECLARING THE NECESSITY AND AUTHORIZING THE COMMENCEMENT OF EMINENT DOMAIN PROCEEDINGS TO SECURE REAL PROPERTY INTERESTS NECESSARY FOR THE WILDOMAR MASTER DRAINAGE PLAN LATERAL C-1 STORM DRAIN PROJECT

DISCUSSION:

This is a continued item from the City Council's October 14, 2015 meeting. At that meeting, the City Council voted to move this hearing to the October 28, 2015 City Council meeting in order to allow additional time in an effort to continue negotiations with the property owner.

The City is constructing flood control and drainage improvements as part of the Wildomar Master Drainage Plan Lateral C-1 Storm Drain Flood Control Project ("Project"). The Project is generally bounded by the intersection of Palomar Street and Refa Street on the southwest, the terminus of Billie Ann Road on the northwest and the intersection of Charles Street and Woshka Lane on the northeast. The larger project of which the Project is a part consists of two backbone drainage facilities (Lateral C-1 and Lateral C-1A) and several ancillary laterals and inlets. Lateral C-1 will connect existing upstream City-owned facilities to the existing downstream Lateral C Channel that is owned and operated by Riverside County Flood Control and Water Conservation District (District). Once Lateral C-1 is constructed, it will ultimately be accepted by the District for operation and maintenance.

At the September 23, 2015 City Council meeting, the Council approved a Mitigated Negative Declaration and Mitigation Monitoring Program and Reporting Program for the Project.

The 12.43 acre property located at 21854 Palomar Street in Wildomar, CA, bearing Assessor Parcel Number 380-050-003 is within the Project area. The property is owner-occupied by David Joseph Romagnolo, Jr. and subject larger parcel is improved with one single-family residence, approximately 1,749 sf in size. In order to accommodate the Project, one 0.27 acre permanent flood control easement and one 0.51 acre temporary construction easement (collectively, the "Easements") from that parcel are required from the property. The Easements are more particularly described and depicted in the accompanying proposed Resolution. There are no site improvements within the proposed Easement area; only natural vegetation.

Contact with the property owner's Attorney, John Messina, began in March 2015 and has been ongoing. A written offer to purchase the property and an appraisal summary statement was provided to the owner's attorney on March 31, 2015. The offer was in the amount the City believes to be just compensation for the Subject Property, which is based on the City's approved appraisal of the fair market value of the Subject Property by real estate appraisers Kevin Donahue and Meredith McDonald of Overland, Pacific & Cutler, Inc.. Reasonable efforts by the City have been made to conclude negotiations in accordance with the requirements of Government Code section 7267.2. However, the City has been unsuccessful to date in attempts to acquire the partial permanent easement and temporary construction easement interests through negotiations.

In-Person Property Owner Meeting (with Attorney)	03-31-2015 First Written Offer
Email & Telephone Correspondence with Property Owner (with Attorney)	Multiple contacts - 3-23-2015 3-31-2015 4-9-2015 4-13-2015 4-15-2015 4-23-2015 5-5-2015 5-15-2015 5-27-2015 5-28-2015 5-29-2015 6-9-2015 6-10-2015 6-11-2015 7-13-2015 7-20-2015

	7-23-2015
	8-5-2015
	8-6-2015
	8-14-2015
	8-31-2015
	9-8-2015

The City has attempted in earnest to negotiate a purchase agreement, and has agreed with the property owner on the compensation to be paid for the acquisition of the Easements. However, a number of non-compensation issues remain matters of dispute between the parties, and although negotiations are ongoing, the acquisition of the Easements has not been consummated, including the owner's agreement to waive all claims arising from the City's acquisition of the Easements and the construction and use of Project. The City requires possession and use of the property before work in the Easements area may commence. There being no assurances that an agreement between the parties will be reached in order to meet the construction schedule, a Resolution of Necessity is being requested.

Pursuant to California Government Code sections 6500 et seq., 7267.2, 37350.5, and 40401 et seq. and 40404, and California Code of Civil Procedure Section 1230.010 et seq., 1240.410 and 1240.020, and Section 19, Article I of the California Constitution, and other authorities, the City is authorized to acquire the Easements by eminent domain, provided certain procedural steps are followed.

The City must make an offer to purchase to the property owner, which offer must be transmitted in writing, based upon an appraisal. The City tendered a statutory Offer to Purchase to the property owner as required by law based upon an approved appraisal (**Exhibit 1**). To date, the offer has not been accepted.

It is now necessary that an action in eminent domain be commenced to acquire the property interests referenced herein. Prior to the filing of the action, the City must hold a hearing on the proposed Resolution of Necessity, (**Exhibit 2**) and provide the owner of the affected property an opportunity to be heard.

In addition, the hearing must be duly noticed. Attached is a copy of the Notice of Hearing, which was delivered in accordance with the applicable statutes (**Exhibit 3**).

After conducting the public hearing, if the City finds that the public necessity so requires, the City should adopt the attached Resolution of Necessity, authorizing condemnation proceedings for the purpose of acquiring the Easements.

The findings, which need to be made, are as set forth in Resolution of Necessity. Specifically, the City must find:

1. That the public interest, convenience and necessity require the Project. As proposed, the Project will serve public purposes. The project is included as a needed facility in the Master Plan of Drainage for the Wildomar Area dated August 1980 prepared by the District. The project will intercept runoff being discharged by two major existing storm drain pipe facilities exiting the developed area to the northeast. Discharge from these facilities has caused severe flooding on the downstream properties. The project will mitigate this condition.

2. That the Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury. The project alignment was selected to connect with the existing downstream facility (Lateral C) at a location where the capacity of this existing facility would accept the flows from the new C-1 facility without caused flooding. The alignment also will take advantage of existing available right of way and cause the least disruption to private property, as shown in the map attached as **Exhibit 4.**

3. That the Easements sought to be acquired are necessary for the Project. The 30 foot permanent easement is required for the new facility to connect to the existing facility at Bille Ann Road. The Temporary Construction Easement along Refa Street is required for the contractor to have sufficient room to safely construct the large storm drain pipe and provide access to the adjacent properties.

4. That the City made the offer to purchase as required by section 7267.2 of the California Government Code.

5. That the necessary notice of hearing to consider the adoption of the Resolution of Necessity has been given, as required by Code of Civil Procedure section 1245.235. As evidenced by Exhibit 3, this has been done.

6. That the City has complied with CEQA. At the September 23, 2015 City Council meeting, the Council approved a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project

Questions relating to value are not relevant to this proceeding. However, that does not mean that negotiations for the acquisition of the property interests are at an end. If the City adopts the Resolution of Necessity, after the hearing, negotiations for the acquisition of the property interests may continue.

FISCAL IMPACT:

The project is being funded by the Riverside County Flood Control and Water Conservation District under an existing cooperative agreement with the City. The funds have been included in the 2015-16 Fiscal Year budget and expended through Account 280-932-4500-52115. Funds for the right of way acquisition are included in the project budget and the need for additional funds is not anticipated.

Submitted by:
Dan York
Assistant City Manager

Approved by:
Gary Nordquist
City Manager

ATTACHMENTS:

Exhibit 1—Offer to Purchase and Appraisal
Exhibit 2— Resolution of Necessity
Exhibit 3— Notice of Hearing
Exhibit 4 – Map of Project

RESOLUTION NO. 2015 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR DECLARING THE NECESSITY AND AUTHORIZING THE COMMENCEMENT OF EMINENT DOMAIN PROCEEDINGS TO SECURE REAL PROPERTY INTERESTS NECESSARY FOR THE WILDOMAR MASTER DRAINAGE PLAN LATERAL C-1 STORM DRAIN PROJECT

THE CITY OF WILDOMAR DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council of the City of Wildomar (hereafter "City"), after consideration of the staff report, staff presentation, discussion, oral testimony and evidence presented at the October 14 and 28, 2015, meetings of the City Council, which are incorporated as if set forth fully herein, the City hereby finds, determines and declares as follows:

(a) The public interest, convenience and necessity require the proposed project; to wit, the **WILDOMAR MASTER DRAINAGE PLAN LATERAL C-1 STORM DRAIN PROJECT** and all uses appurtenant thereto ("Project"); and

(b) The interests in real property to be acquired are located within the City of Wildomar, County of Riverside, State of California and consist of the following (collectively, the "Property Interests"):

0.27 Acre Flood Control Easement

A perpetual non-exclusive easement for flood control and drainage purposes, which include but are not limited to, construction, installation, use, repair, reconstruction, inspection, operation, and maintenance of a storm drain and all appurtenant works, including ingress and egress thereto, over, upon, under and across that certain real property situated in the City of Wildomar, County of Riverside, State of California, as described in Exhibit "A" and shown in Exhibit "B", attached hereto and made a part hereof, hereinafter referred to as "Easement Area".

The servient estate, and its successors and assigns, shall have all rights and privileges as may be used and enjoyed without interfering with the use of the Easement Area, including, without limitation, use of the Easement Area for landscaping and surface parking; provided, however, if the Easement Area is landscaped, it shall be with ground cover and shrubs, excluding any and all trees and woody vegetation. Additionally, the servient estate, and its successors and assigns shall not erect, place, maintain, or permit the erection, placement, or maintenance of any building, planter boxes, stockpiling earth fill or other structures (except walls and fences) on the Easement Area.

This instrument shall be binding upon and inure to the benefit of the successor and assigns of the servient estate.

0.51 Acre Temporary Construction Easement

A **Temporary Construction Easement** (“TCE”) for the purpose of public use, inclusive of ingress and egress, including construction, reconstruction, installation, improvement, repair, inspection, expansion, and maintenance of public right-of-ways, highways, roadways, services, utilities, landscape improvements, and necessary appurtenances thereto, on, over, and under that certain real property situated in the City of Wildomar, County of Riverside, State of California, as described in Exhibit “C” and shown in Exhibit “D”, attached hereto and made a part hereof.

The TCE shall be exclusive to the easement holder, shall become effective on the date the easement holder issues notice to proceed to the contractor for construction of the Wildomar Master Drainage Plan Lateral C-1 Storm Drain Project (“Project”) and shall terminate four months from the date the easement holder issues notice to proceed to the contractor for construction the Project. Upon the termination of this TCE, easement holder shall record a Notice of Termination of Temporary Construction Easement releasing all of easement holder’s right, title and interest in and to the TCE, no later than 60 days following completion of construction of the Project.

(c) The Project is planned and located in a manner that will be most compatible with the greatest public good and least private injury; and

(d) The taking of the Property Interests is necessary for the proposed Project and such taking is authorized by Section 19, Article I of the California Constitution, Section 37350.5, 38730 and 40404 of the California Government Code, Sections 1230.010 et seq., of the California Code of Civil Procedure, and other applicable law; and

(e) An offer to purchase was made to the owners of the Property Interests, and the amount of said offer is supported by an appraisal of the fair market value of the Property Interests.

(f) The necessary notice of hearing on this Resolution has been given, as required by Code of Civil Procedure section 1245.235.

(g) The City has complied with all conditions and statutory requirements necessary to exercise the power of eminent domain (the “right to take”) to acquire the Property Interests described herein.

(h) The City has fully complied with all the provisions of California’s Environmental Quality Act in regard to the proposed Project in that on September 23, 2015 the City Council approved a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Project.

SECTION 2. City hereby declares that it is its intention to acquire said Property in accordance with the provision of the laws of the State of California governing condemnation procedures.

SECTION 3. City further finds that if any portion of the area of the Property has been appropriated to some public use, the public uses to which it is to be applied by City, as described above, are more necessary and paramount public uses, pursuant to Code of Civil Procedure section 1240.610 or, alternatively, are compatible with those other uses pursuant to Code of Civil Procedure section 1260.510.

SECTION 4. The City's legal counsel is authorized and directed to prepare, institute and prosecute such proceedings in the proper Court having jurisdiction thereof as may be necessary for the acquisition of said Property, including the filing of an application for an Order for Possession prior to judgment.

SECTION 5. This Resolution shall be effective immediately upon its adoption.

SECTION 6. The Clerk of the City shall certify the adoption of this Resolution and certify this record to be a full true, correct copy of the action taken.

PASSED, APPROVED AND ADOPTED this 28th day of October, 2015.

Ben Benoit
Mayor

APPROVED AS TO FORM:

ATTEST:

Thomas D. Jex
City Attorney

Debbie A. Lee, CMC
City Clerk

Exhibit "A"

FLOOD CONTROL EASEMENT

That portion of Lot 34, Block "L" of the Map of Blocks K, L & M Elsinore Cal. as shown by map on file in Book 4 of Maps at page 174, Records of San Diego County, California, lying within Section 35, Township 6 South, Range 4 West, San Bernardino Meridian, described as follows:

BEGINNING at the most southerly corner of Lot 9 of Tract 21741 as shown on by map on file in Book 188 of Maps at pages 86 through 89, inclusive thereof, Records of Riverside County, California;

Thence South 46°26'50" East along the southerly line of Lots 1 and 4 through 8 of said Tract 21741 a distance of 392.09 feet to a point on the centerline of Refa Street as shown on Parcel Map 9555 on file in Book 46 of Maps at page 55, Records of said Riverside County, California, said point also being the most northerly corner of Lot "E" of said Parcel Map 9555;

Thence along said centerline of Refa Street South 37°05'07" West a distance of 30.19 feet;

Thence North 46°26'50" West a distance of 398.00 feet to the northwesterly line of that certain parcel of land granted to First Interstate Bank of California by deed recorded September 30, 1985 as Instrument No. 219462 of Official Records of Riverside County;

Thence North 37°05'39" East along said northwesterly line a distance of 30.19 feet to the southwesterly line of said Lot 9 ;

Thence South 46°26'50" East along said southwesterly line of Lot 9, a distance of 5.91 feet to the **POINT OF BEGINNING**.

Containing 0.27 Acre, more or less.

SEE PLAT ATTACHED HERETO AS EXHIBIT "B" AND MADE A PART HEREOF.

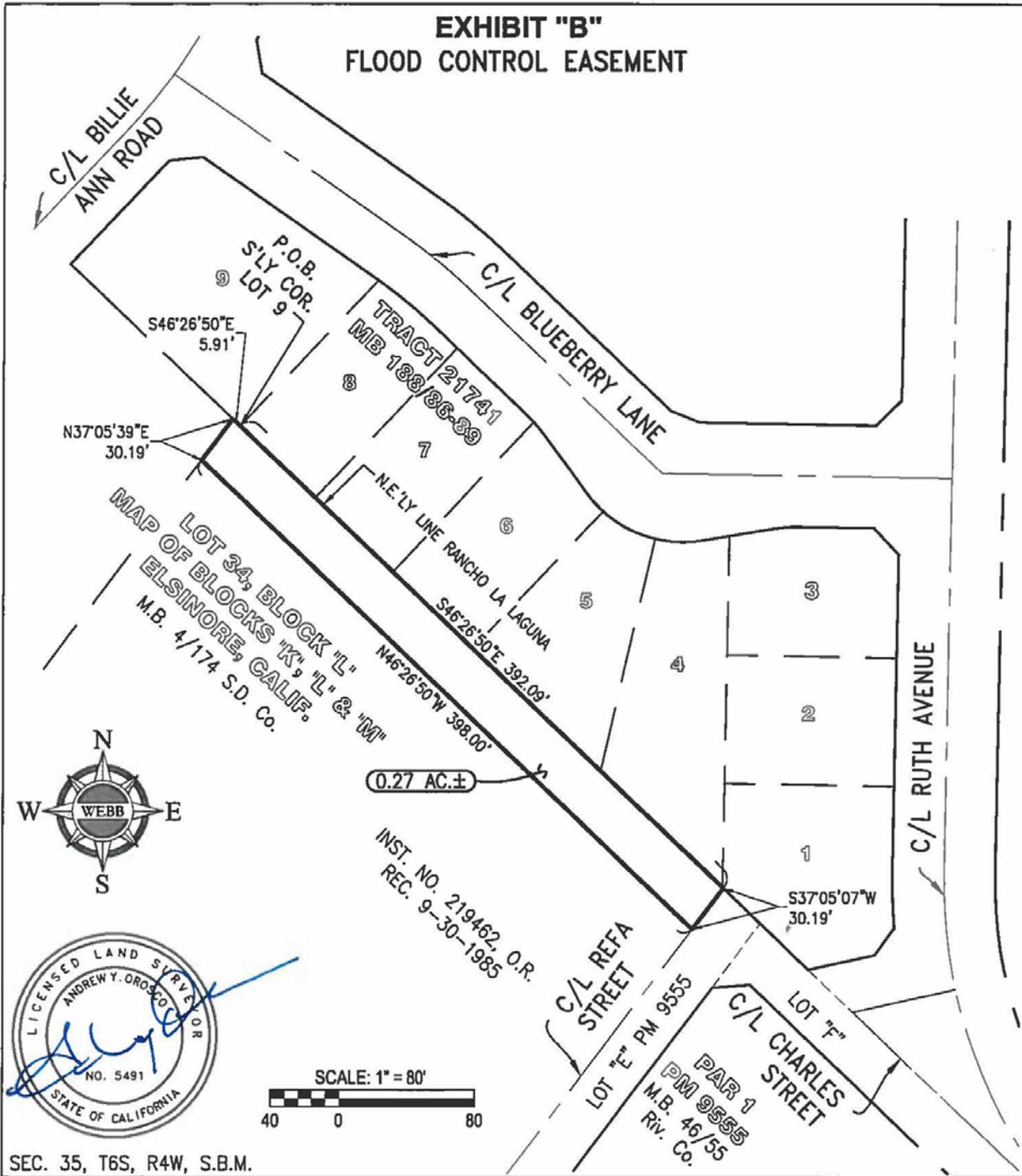
PREPARED UNDER MY SUPERVISION

 10-7-14
Andrew Y. Oroscop, L.S. 5491 Date

Prepared by: CCG
Checked by: KM



EXHIBIT "B"
FLOOD CONTROL EASEMENT



SEC. 35, T6S, R4W, S.B.M.

ALBERT A. WEBB ASSOCIATES		CITY OF WILDOMAR, CALIFORNIA	
C:\2014\14-0164\Drawings\Mapping\14-0164-ESMT-Flood Cntrl.dwg 10/6/2014			
THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) IN THE ATTACHED DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DOCUMENT.		SHEET 1 OF 1	W.O. 14-0164
SCALE: 1"=80'	DRWN BY <u>CCK</u> CHKD BY <u>KM</u>	DATE <u>10-7-14</u> DATE <u>10-07-14</u>	SUBJECT: FLOOD CONTROL EASEMENT

Exhibit "C"

TEMPORARY CONSTRUCTION EASEMENT

That portion of Lot 34, Block "L" of the Map of Blocks K, L & M Elsinore Cal. as shown by map on file in Book 4 of Maps at page 174, Records of San Diego County, California, lying within Section 35, Township 6 South, Range 4 West, San Bernardino Meridian, described as follows:

COMMENCING at the southerly corner of Lot 9 of Tract 21741 as shown on by map on file in Book 188 of Maps at pages 86 through 89, inclusive thereof, Records of Riverside County, California;

Thence North $46^{\circ}26'50''$ West along the southwesterly line of Lot 9 a distance of 5.91 feet to the northwesterly line of that certain parcel of land granted to First Interstate Bank of California by deed recorded September 30, 1985 as Instrument No. 219462 of Official Records of Riverside County;

Thence South $37^{\circ}05'39''$ West along said northwesterly line a distance of 30.19 feet to the **TRUE POINT OF BEGINNING**;

Thence South $46^{\circ}26'50''$ East a distance of 398.00 feet to a point on the centerline of Refa Street as shown on Parcel Map 9555 on file in Book 46 of Maps at page 55, Records of said Riverside County, California, said centerline also being the northwesterly line of Lot "E" of said Parcel Map 9555;

Thence South $37^{\circ}05'07''$ West along said centerline of Refa Street a distance of 725.01 feet;

Thence leaving said centerline of Refa Street North $48^{\circ}37'14''$ West a distance of 20.06 feet to a line parallel with and distant northwesterly 20.00 feet, measured at a right angle to said centerline of Refa Street;

Thence North $37^{\circ}05'07''$ East along said parallel line a distance of 705.65 feet to a point on a line parallel with and distant southwesterly 20.00 feet, measured at a right angle, to previous described line having a bearing and distance of "South $46^{\circ}26'50''$ West, 398.00 feet";

Thence North $46^{\circ}26'50''$ West along last said parallel line a distance of 377.88 feet to said northwesterly line of parcel so conveyed;

Exhibit "C" (continued)

TEMPORARY CONSTRUCTION EASEMENT

That portion of Lot 34, Block "L" of the Map of Blocks K, L & M Elsinore Cal. as shown by map on file in Book 4 of Maps at page 174, Records of San Diego County, California, lying within Section 35, Township 6 South, Range 4 West, San Bernardino Meridian, described as follows:

COMMENCING at the southerly corner of Lot 9 of Tract 21741 as shown on by map on file in Book 188 of Maps at pages 86 through 89, inclusive thereof, Records of Riverside County, California;

Thence North $46^{\circ}26'50''$ West along the southwesterly line of Lot 9 a distance of 5.91 feet to the northwesterly line of that certain parcel of land granted to First Interstate Bank of California by deed recorded September 30, 1985 as Instrument No. 219462 of Official Records of Riverside County;

Thence South $37^{\circ}05'39''$ West along said northwesterly line a distance of 30.19 feet to the **TRUE POINT OF BEGINNING**;

Thence South $46^{\circ}26'50''$ East a distance of 398.00 feet to a point on the centerline of Refa Street as shown on Parcel Map 9555 on file in Book 46 of Maps at page 55, Records of said Riverside County, California, said centerline also being the northwesterly line of Lot "E" of said Parcel Map 9555;

Thence South $37^{\circ}05'07''$ West along said centerline of Refa Street a distance of 725.01 feet;

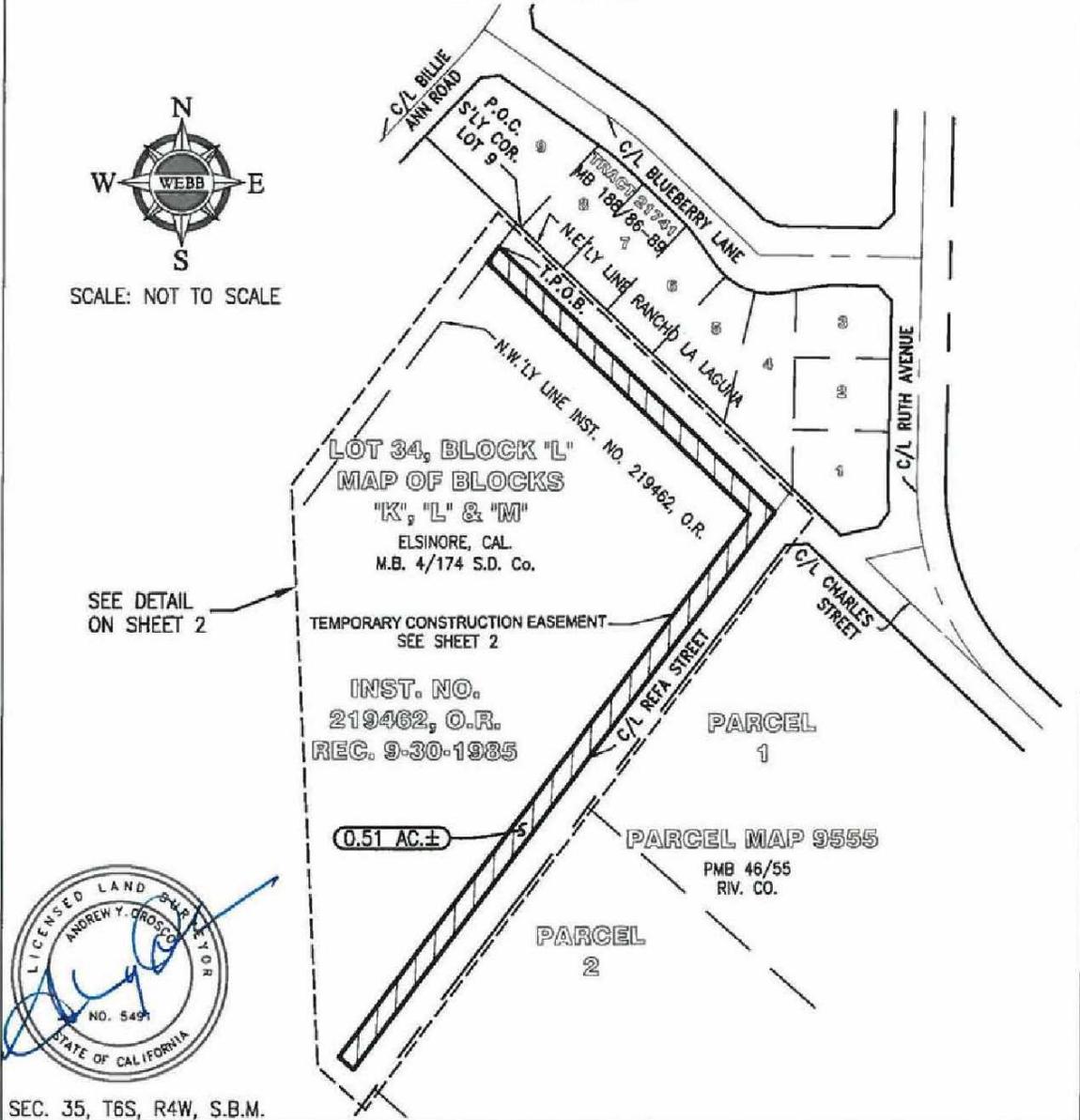
Thence leaving said centerline of Refa Street North $48^{\circ}37'14''$ West a distance of 20.06 feet to a line parallel with and distant northwesterly 20.00 feet, measured at a right angle to said centerline of Refa Street;

Thence North $37^{\circ}05'07''$ East along said parallel line a distance of 705.65 feet to a point on a line parallel with and distant southwesterly 20.00 feet, measured at a right angle, to previous described line having a bearing and distance of "South $46^{\circ}26'50''$ West, 398.00 feet";

Thence North $46^{\circ}26'50''$ West along last said parallel line a distance of 377.88 feet to said northwesterly line of parcel so conveyed;

Exhibit "D"

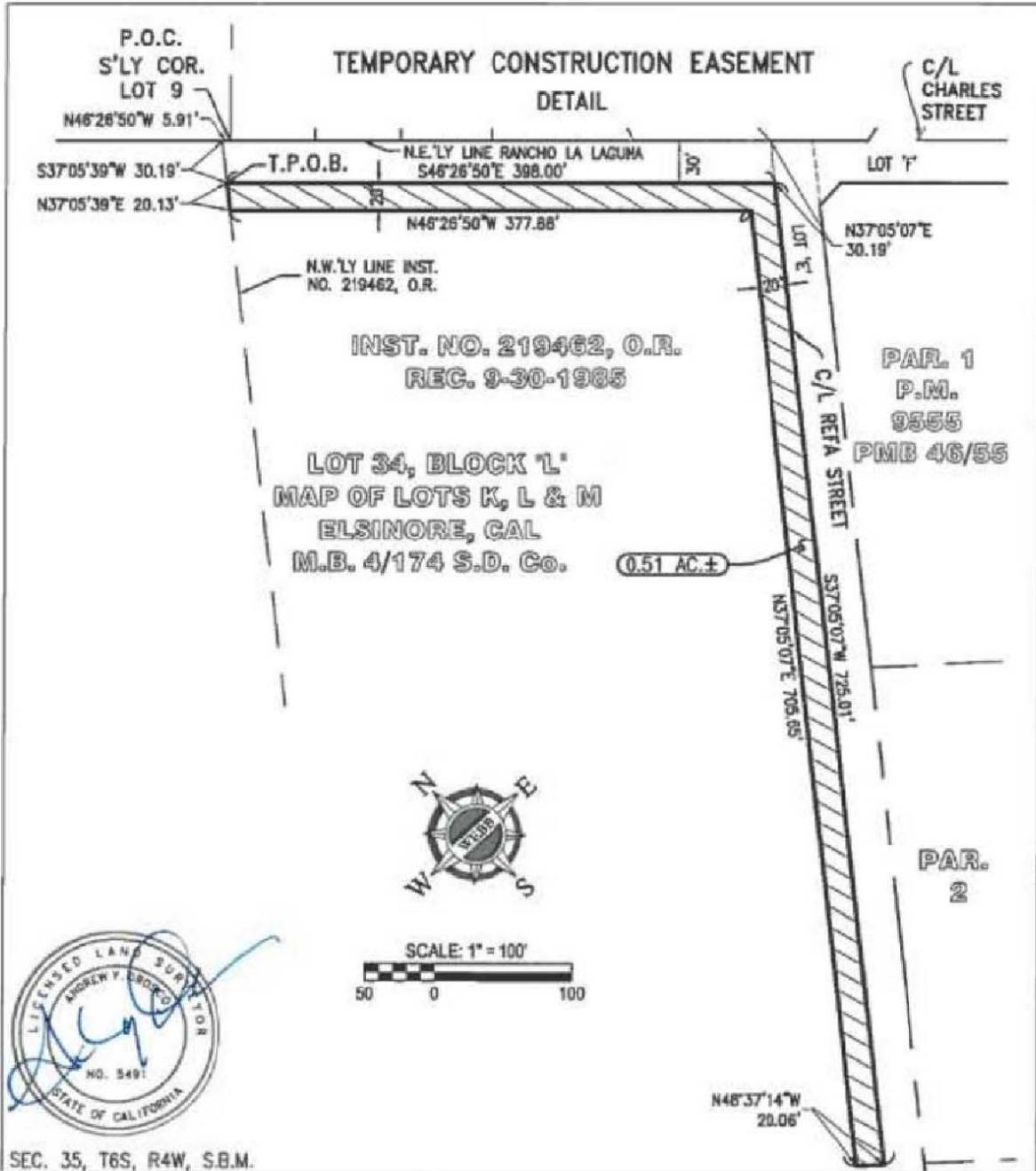
TEMPORARY CONSTRUCTION EASEMENT
LOCATION EXHIBIT



SEC. 35, T6S, R4W, S.B.M.

ALBERT A. WEBB ASSOCIATES		CITY OF WILDOMAR, CALIFORNIA	
G:\2014\14-0164\Drawings\Mapping\14-0164-ESMT-TCE 2.dwg 10/16/2014			
THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) IN THE ATTACHED DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DOCUMENT.		SHEET 1 OF 2	W.O. 14-0164
SCALE: N.T.S.	DRWN BY <u>CKK</u> CHKD BY <u>KM</u>	DATE <u>10-21-14</u> DATE <u>10-21-14</u>	SUBJECT: TEMPORARY CONSTRUCTION EASEMENT

Exhibit "D" (continued)



SEC. 35, T6S, R4W, S.B.M.

ALBERT A.
WEBB
ASSOCIATES

CITY OF WILDOMAR, CALIFORNIA

G:\2014\14-0164\Drawings\Mapping\14-0164-ESMT-TCE 2.dwg 10/21/2014

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) IN THE ATTACHED DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DOCUMENT.

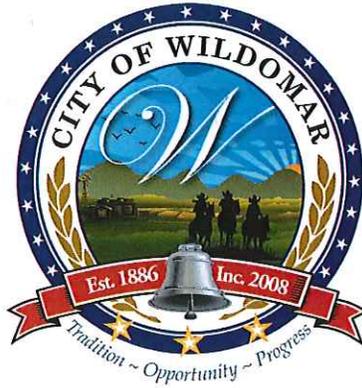
SHEET 2 OF 2

W.D.
14-0164

SCALE: 1"=100' DRWN BY CKK DATE 10-21-14 SUBJECT: TEMPORARY CONSTRUCTION EASEMENT
CHKD BY KM DATE 10-21-14

EXHIBIT 1

Timothy Walker, Mayor
Marsha Swanson, Mayor Pro Tem
Ben Benoit, Council Member
Bob Cashman, Council Member
Bridgette Moore, Council Member



23873 Clinton Keith Rd, Ste 201
Wildomar, CA 92595
951.677.7751 Phone
951.698.1463 Fax
www.CityofWildomar.org

March 31, 2015

Mr. John A. Messina, Jr., Esq.
Lytton Williams Messina & Hankin LLP
24910 Las Brisas Road, Suite 102
Murrieta, CA 92562

Re: ***Re: City of Wildomar, Wildomar Master Drainage Plan Lateral C-1 Storm Drain Project
Offer to Acquire Property Rights
APN: 380-050-003; 21854 Palomar Street, Wildomar, CA
ACQ #1***

Dear Mr. Messina:

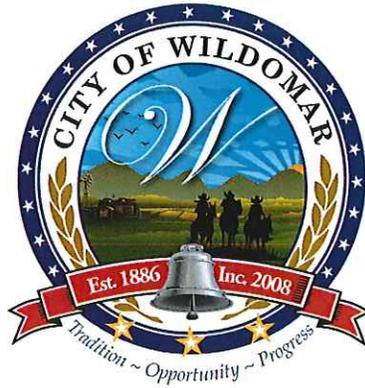
Interwest Consulting Group has been retained by the City of Wildomar to assist in the proposed acquisition of property interests in connection with the Wildomar Master Drainage Plan Lateral C-1 Storm Drain Project. The project proposes to install underground storm drain improvements in the vicinity of your client's property to connect to the existing reinforced concrete box culvert under Palomar Street that is part of the Riverside County Flood Control and Water Conservation District's Wildomar Master Drainage Plan. It is the desire of the City to acquire private property through voluntary purchase if possible. While the City has the power of eminent domain, condemnation has not been authorized with respect to the subject property as of this date.

A review of public records indicates your client is the owner of record of a larger parcel which the City is considering acquiring a portion of for this project. Specifically, a 0.27 acre permanent easement and a 0.51 acre temporary construction easement are needed to construct the drainage improvements. This letter, and accompanying paperwork, contains material, including a description and depiction of said easements, related to the City's offer to purchase the permanent and temporary property interests for this public project.

This letter constitutes an **offer to purchase** easement interests in the above-referenced property in the amount of \$34,500.00. The City's offer is made in accordance with the requirements of Section 7267.2 of the Government Code and represents the value of the property interests proposed to be acquired as determined by an independent state licensed and certified appraiser. The offer is conditioned on the assumption that no hazardous substances exist on or under the Public Right of Way Easement and/or Temporary Construction Easement.

To assist your client in considering this offer, we have enclosed the following documents for your review:

Timothy Walker, Mayor
Marsha Swanson, Mayor Pro Tem
Ben Benoit, Council Member
Bob Cashman, Council Member
Bridgette Moore, Council Member



23873 Clinton Keith Rd, Ste 201
Wildomar, CA 92595
951.677.7751 Phone
951.698.1463 Fax
www.CityofWildomar.org

- Appraisal Summary Statement (1)
- Summary Statement Relating to the Purchase of Real Property or an Interest Therein (1)
- Agreement for Acquisition of Public Right of Way and Temporary Construction Easement (3)
- Permanent Easement Deed (1)
- Temporary Construction Easement Deed (1)
- Title VI Survey Form (1)
- Preliminary Title Report (1)
- W-9 Form (1)

Please review these documents closely. If your client wishes to accept the City's offer, please have them sign and execute 2 copies of the Agreement and have their signature notarized on the Permanent Easement Deed and Temporary Construction Easement Deed. A copy of the Agreement is provided for your files.

The above-offer is subject to ratification by the City Council. Once the Agreement for Purchase has been signed on behalf of the City, we will deposit the documents and purchase funds into escrow for closing, including recording of the conveyance documents and issuance of purchase monies. The closing will be handled by Commonwealth Land Title Company under Escrow No.: 08024172 at 4100 Newport Place, Suite 120, Newport Beach, CA 92660.

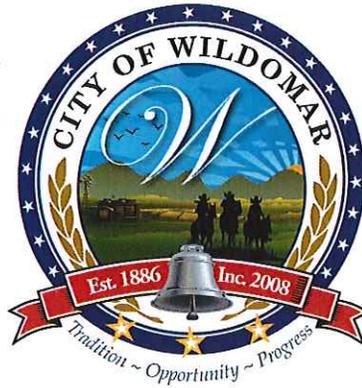
Pursuant to the California Code of Civil Procedure, Section 1263.025, should your client elect to obtain an independent appraisal of their property, the City will reimburse them for the reasonable cost, not to exceed \$5,000. The Permanent Easement and Temporary Construction Easement are scheduled to be used within two years of their acquisition and are therefore not available to be leased back under the provisions of California Code of Civil Procedure 1263.615.

Once the City Council ratifies the notarized Permanent Easement and Temporary Construction Easement Deeds and they are recorded, a fully executed copy of the Agreement and Deeds will be returned to your client.

Thank you for your consideration. If you have any questions, please feel free to contact me, as I will be assisting you through the acquisition process. I can be reached at (916) 378-4695. I will coordinate the processing of all documents, including arrangement of notary services.

Please be advised that this letter, the offer and all other matters stated herein are made under the provisions of California Evidence Code Section 1152 and 1154, Section 1255.060 of the Code of Civil Procedure, and Sections 7267.1 and 7267.2 of the Government Code, and shall not be admissible in evidence in any eminent

Timothy Walker, Mayor
Marsha Swanson, Mayor Pro Tem
Ben Benoit, Council Member
Bob Cashman, Council Member
Bridgette Moore, Council Member



23873 Clinton Keith Rd, Ste 201
Wildomar, CA 92595
951.677.7751 Phone
951.698.1463 Fax
www.CityofWildomar.org

domain proceeding which may subsequently be instituted for acquisition of the subject property, or in any other action.

Sincerely,

John F. Almazán

Sr. Real Estate Agent
Interwest Consulting Group
Consultant for the City of Wildomar

cc: Dan York, P.E., P.L.S. – City of Wildomar, Public Works Director/City Engineer
David Joseph Romagnolo, Jr., 21854 Palomar Street, Wildomar, CA 92595

Enclosures

Appraisal Report

Appraisal of:
Romagnolo Property
APN: 380-050-003

Located at:
21854 Palomar Street
Wildomar, CA 92595

Date of Report:
January 26, 2015

Date of Value:
December 3, 2014

Prepared For:

Mr. Joseph C. Caldwell, PE | CPSWQ | CPESC
Director - Stormwater Engineering
Albert A. WEBB Associates
3788 McCray Street
Riverside, CA 92506

Prepared By:

Overland, Pacific & Cutler, Inc.

1 Jenner, Suite 200
Irvine, CA 92618

Ph: 949.951.5263
Fx: 949.951.6651

www.opcservices.com





1 Jenner, Suite 200
Irvine, CA 92618
949.951.5263 ph | 949.951.6651 fax

January 26, 2015

Mr. Joseph C. Caldwell, PE | CPSWQ | CPESC
Director- Stormwater Engineering
Albert A. WEBB Associates
3788 McCray Street
Riverside, CA 92506

RE: Appraisal of: Romagnolo Property
Vacant land at 21854 Palomar Street, Wildomar, CA
APN: 380-050-003
Project Code: APP-287

Dear Mr. Caldwell:

At your request and authorization, we, the undersigned appraisers, have prepared an Appraisal Report for the above-referenced property. We have provided the fair market value of the subject larger parcel on an "as if vacant" basis. The interest appraised is fee simple as to the larger parcel and the proposed permanent flood control easement and temporary construction easement acquisitions for underground storm drain purposes as outlined in the legal descriptions and plat maps provided for review and incorporated into this report.

For purposes of this appraisal report, the subject larger parcel is $\pm 541,451$ sf or ± 12.43 acres. This is based on public records and the estimated site *dimensions* indicated on the assessor's parcel map. The site size indicated on the assessor's parcel map of 1.45 acres is not considered accurate and has not been used. The larger parcel is rectangular in shape with a small section bisected by an existing flood control channel at the southern edge of the property. Access is provided by way of a driveway entrance on Palomar Street. The site is effectively considered a midblock lot; though it is noted that there is a dirt road (Refa Street) located along the eastern property line.

The project as proposed includes one permanent flood control easement (storm drain) and one temporary construction easement. The flood control easement is approximately 0.27 acres or 11,761 sf in size and is located at the northern edge of the subject larger parcel. It is a subsurface easement which will be in perpetuity. The temporary construction easement is approximately 0.51 acres or 22,216 sf in size and runs along the flood control easement at the northern property line and down a portion of the eastern property line; adjacent to the dirt road. The temporary construction easement will be for a duration of four (4) months.

Data, information, and calculations leading to the value conclusion are incorporated in the report following this letter. The report, in its entirety, including all assumptions and limiting conditions, is an integral part of, and inseparable from, this letter. Any special assumptions and limiting considerations were especially noted in Section 2 of this report. Your attention is directed to the "General Assumptions and Limiting Conditions" which are part of this report. We suggest that you thoroughly read and familiarize yourself with these, since the appraisal is based upon these assumptions.



The following appraisal sets forth the most pertinent data gathered, the techniques employed, and the reasoning leading to the opinion of value. The analyses, opinions and conclusions were developed based on, and this report has been prepared in conformance with, our interpretation of the guidelines and recommendations set forth in the Uniform Standards of Professional Appraisal Practice (USPAP) and the Code of Professional Ethics of the Appraisal Institute.

The Appraisal Group of Overland, Pacific & Cutler, Inc. does not authorize the out-of-context quoting from or partial reprinting of this appraisal report. Further, neither all nor any part of this appraisal report shall be disseminated to the general public by the use of media for public communication without the prior written consent of the appraisers signing this report.

This appraisal employs the following **extraordinary assumption(s) and hypothetical condition(s)**:

- Section 1263.330 of the California Code of Civil Procedure requires the appraiser to not consider any effect on the value of the project, the eminent domain proceeding, or any preliminary actions of the acquiring agency. The appraiser investigated the real estate market for any influence these issues may have had in the market data selected and analyzed and could not find any. Therefore we have prepared the appraisal analysis of the subject property in the "before" condition under the **extraordinary assumption** that these activities have no effect on the value conclusions stated in this appraisal report. Use of the **extraordinary assumption** may have affected the assignment results.
- For the valuation of the remainder property in the "after" condition, the appraisal analysis has been prepared using the **hypothetical condition** that the public project has been completed per the descriptions, plans and specifications presented in this appraisal report. This may have affected the selection and analysis of comparable market data, the discussion of market trends and the description of the property. Use of the **hypothetical condition** may have affected the assignment results.

Based upon the results of our investigations and analyses contained in the following report, the estimated just compensation based on Fair Market Value estimates as of December 3, 2014 is:

\$34,500
THIRTY-FOUR THOUSAND FIVE HUNDRED DOLLARS

Please refer to the attached appraisal report, plus exhibits, for documentation of these value estimates contained herein.

Respectfully submitted,
Overland, Pacific & Cutler, Inc.



Kevin J. Donahue, MAI
Managing Director
Certified General Real Estate Appraiser
CA License AG015779



Meredith McDonald
Senior Valuation Analyst
Certified General Real Estate Appraiser, State of
CA License AG043409



TABLE OF CONTENTS

SECTION 1 - SUMMARY OF SALIENT FACTS	1
SECTION 2 – CERTIFICATION AND LIMITING CONDITIONS.....	3
SECTION 3 – PREMISE OF THE APPRAISAL	9
SECTION 4 – PRESENTATION OF DATA COLLECTED.....	13
SECTION 5 - VALUATION ANALYSIS	35
SECTION 6 - MARKET DATA	47
SECTION 7 - ADDENDA.....	57



Section 1 - Summary of Salient Facts

Property reference:	Romagnolo Property
Address:	21854 Palomar Street, Wildomar, CA
Location:	The subject larger parcel is a midblock parcel, located south of Baxter Road/Central Avenue, west of Interstate 15, north of Clinton Keith Road and east of Grand Avenue in the city of Wildomar.
APN:	380-050-003
Property type:	Residential Land
Report Format:	Appraisal Report
Date of appraisal report:	January 26, 2015
Date of value:	December 3, 2014
Date of site inspection:	December 3, 2014
Real estate interest appraised:	Fee Simple Estate, a permanent flood control easement and a Temporary Construction Easement
Function of the appraisal:	To provide a Fair Market Value basis for possible public acquisition
Site description:	The subject property is 541,451 sf or 12.43 acres. The parcel is rectangular with approximately 316.49 ft of frontage on Palomar Street. There is an improved flood control channel that cuts through the site at the southern edge and a small portion of the site on the southern side of the flood control channel. The parcel is zoned R-R for Rural Residential.
Improvements Description:	The site is improved with one single-family residence, approximately 1,749 sf in size, constructed in 1959. The improvements are not adversely impacted by the proposed acquisition and as such, we have not included them in the acquisition.
Portions to be Acquired:	The proposed acquisitions include: <ul style="list-style-type: none"> • One flood control (storm drain) permanent easement of 0.27 acres or 11,761 sf located along the northern property line; • One Temporary Construction Easement (TCE): 0.51 acres or 22,216 sf, adjacent to the storm drain easement and also along a portion of the eastern property line. The TCE will be for a period of four months.
Highest and Best Use "As If Vacant":	Develop for single-family residential use. This would include a rezone for single-family residential, which is consistent with the surrounding uses.
Additional Conditions:	This appraisal employs the following <i>extraordinary assumption(s) and hypothetical condition(s)</i> : <ul style="list-style-type: none"> • Section 1263.330 of the California Code of Civil Procedure requires the appraiser to not consider any effect on value of the project, the eminent domain proceeding, or any preliminary actions of the acquiring agency. The appraiser investigated the real estate market for any influence that these issues may have

had in the market data selected and analyzed and could not find any. Therefore, we have prepared the appraisal analysis of the subject property in the "before" condition under the **extraordinary assumption** that these activities have no effect on the value conclusions stated in this appraisal report. Use of the **extraordinary assumption** may have affected the assignment results.

- For the valuation of the remainder property in the "after" condition, the appraisal analysis has been prepared using the **hypothetical condition** that the public project has been completed per the descriptions, plans and specifications presented in this appraisal report. This may have affected the selection and analysis of the comparable market data, the discussion of market trends and the description of the property. Use of the **hypothetical condition** may have affected the assignment results.

Estimated Compensation: \$34,500

Value Recapitulation	
Value of the Larger Parcel, Land Only:	\$ 2,793,887
Value of the Parts Acquired, Land Only:	\$ 30,343
Value of the Remainder As Part of the Whole:	\$ 2,763,544
Value of the Remainder 'After' Acquisition:	\$ 2,763,544
Incurable Severance Damages	\$ 0
Cost To Cure	\$ 0
Benefits:	Not Studied
Parts Rented (Temporary Construction Easement) (4 months)	\$ 4,203
Total Estimated Compensation	\$ 34,546
	Rounded \$ 34,500



Section 2 – Certification and Limiting Conditions

Certification

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.
- I have not made a personal inspection of the property that is the subject of this report.
- No one provided significant real property appraisal assistance to the person signing this certification other than persons co-signing the appraisal or designated in the transmittal letter.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- As of the date of this report, I, Kevin J. Donahue, MAI have completed the continuing education program for Designated Members of the Appraisal Institute.



January 26, 2015

Kevin J. Donahue, MAI, Certified General Real Estate Appraiser
Managing Director, Valuation Services
Overland, Pacific & Cutler, Inc.
State of California License Number AG015779

Certification

I certify to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.
- I have made a personal inspection of the property that is the subject of this report.
- No one provided significant real property appraisal assistance to the person signing this certification.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- As of the date of this report, I, Meredith McDonald, have completed the Standards and Ethics Education Requirements for Candidates/Practicing Affiliates of the Appraisal Institute.



January 26, 2015

Meredith M. McDonald
Senior Valuation Analyst
Certified General Real Estate Appraiser
State of California License Number AG043409



General Assumptions & Limiting Conditions

Information Used:

No responsibility is assumed for accuracy of information furnished by others or from others, including the client, its officers and employees, or public records. Neither Overland, Pacific & Cutler, Inc. nor Kevin J. Donahue, MAI, nor Meredith McDonald is liable for such information or for the work of contractors, subcontractors and engineers. To the extent possible, the comparable data relied upon in this appraisal has been confirmed with one or more parties familiar with the transaction unless otherwise noted; all are considered appropriate for inclusion to the best of my factual judgment and knowledge.

Research staff working with the appraisers may have gathered certain information, upon which the opinions and values are in part based. Names, professional qualifications and extent of their participation can be furnished to the client upon request.

Legal, Engineering, Financial, Structural or Mechanical Nature, Hidden Components, Soil:

No responsibility is assumed for legal matters or matters of survey, or of any architectural, structural, mechanical or engineering nature. No opinion is rendered as to the legal nature or condition of the title to the property, which is presumed to be good and marketable. The property is appraised assuming it is free and clear of all mortgages, liens or encumbrances, unless otherwise stated in particular parts of this report.

The legal description is presumed to be correct, but we have not confirmed it by survey or otherwise. We assume no responsibility for the survey, any encroachments or overlapping or other discrepancies that might be later revealed.

We have inspected, as far as possible by observation, the land and improvements thereon; however, it was not possible to personally observe conditions beneath the soil or hidden structures, or other components, or any mechanical components within the improvement; as a result, no representation is made herein as to such matters unless otherwise specifically stated. The estimated market value assumes that no such conditions exist that would cause a loss of value. We do not warrant against the occurrence of problems arising from any of these conditions. It is assumed that there are no hidden or unapparent conditions to the property, soil, subsoil or structures, which would render them more or less valuable. No responsibility is assumed for any such conditions or for any expense or engineering to discover them. All mechanical and HVAC components are assumed to be in operating condition standard for the properties of the subject's type and are considered to be commensurate with the condition of the balance of the improvements, unless otherwise stated. No judgment is made as to the adequacy of insulation, engineering or energy efficiency of the improvements or equipment.

Information relating to the location or existence of public utilities has been obtained through verbal inquiry to the appropriate utility authority, or has been ascertained from visual evidence. No warranty has been made regarding the exact location or capacities of public utility systems. Subsurface oil, gas or mineral rights were not considered in this report unless otherwise stated.

Legality of Use:

The appraisal is based on the premise that there is or will be full compliance with all applicable federal, state and local environmental regulations and laws, unless otherwise stated in the report; and that all appropriate zoning, building and use regulations and restrictions of all types have been or will be complied with and required licenses, consent, permits or other authority, whether local, state, federal and/or private, have been or can be obtained or renewed for the use intended and considered in the value estimate.

Component Values:

A report related to an estate that is less than the whole fee simple estate applies only to the fractional interest involved. The value of this fractional interest, plus the value of all other fractional interests, may or may not equal the value of the entire fee simple estate considered as a whole. A report relating to the geographic portion of a larger property applies only to such geographic portion and should not be considered as applying with equal validity to other portions of the larger property or tract. The value for such geographic portions, plus the value of all other geographic portions, may or may not equal the value of the entire property or tract considered as a single entity.

All valuations in the report are applicable only under the opinion highest and best use and are not necessarily appropriate under other uses.

Auxiliary/Related Studies:

No environmental or impact studies, special market study or analysis, highest and best use analysis study or feasibility study has been requested or made by me unless otherwise specified in this report or in my agreement for services. We reserve the unlimited right to alter, amend, revise or rescind any of these statements, findings, opinions, values, estimates or conclusions upon any subsequent study or analysis or previous study or analysis that subsequently becomes available.

Inclusions:

Furnishings and equipment or business operations, except as otherwise specifically indicated, have been disregarded, with only the real estate being considered.

Value Change, Dynamic Market Influences:

The estimated value is subject to change with market changes over time. Value is highly related to interest rates, exposure, time, promotional effort, supply and demand, terms of sale, motivation and conditions surrounding the offering. The value estimate considers the productivity and relative attractiveness of the property both physically and economically in the marketplace.

The estimate of value in this report is not based in whole or in part upon race, color or national origin of the present owners or occupants of the properties in the vicinity of the property appraised.

In the event this appraisal includes the capitalization of income, the estimate of value is a reflection of such benefits and my interpretation of income and yields and other factors which were derived from general and specific market information. Such estimates are made as of the date of the estimate of value. As a result, they are subject to change, as the market is dynamic and may naturally change over time. The date upon which the value estimate applies is only as of the date of valuation, as stated in the letter of transmittal. The appraisal assumes no responsibility for economic or physical factors occurring at some later date which may affect the opinion stated herein.

An appraisal is the product of a professionally trained person, but nevertheless is an opinion only, and not a provable fact. As a personal opinion, a valuation may vary between appraisers based upon the same facts. Thus, the appraisers warrant only that the value conclusions are their best estimate as of the date of valuation. There are no guarantees, either written or implied, that the property would sell for the expressed estimate of value.

Sales History:

It is assumed that the subject title is marketable, but the title should be reviewed by legal counsel. Any information given by the appraisers as to a sales history is information that the appraisers have researched; to the best of our knowledge, this information is accurate, but not warranted.



Property Management:

It is assumed that the property which is the subject of this report will be under prudent and competent ownership and management over the entire life of the property. If prudent and competent management and ownership are not provided, this would have an adverse effect upon the value of the property appraised.

Confidentiality:

We are not entitled to divulge the material (evaluation or valuation) content of this report and analytical findings or conclusions, or give a copy of this report to anyone other than the client or his designee, as specified in writing, except as may be required by the Appraisal Institute, as they may request in confidence for ethic enforcement, or by a court of law with the power of subpoena.

All conclusions and opinions concerning the analyses as set forth herein are prepared by the appraisers whose signatures appear. No change of any item in the report shall be made by anyone other than the appraisers, any opinion herein with respect to the existence or absence of fact is qualified by the phrase or phrases "to the best of our knowledge", "it appears" or "indicated", it is intended to indicate that, during the course of our review and investigation of the property, no information has come to our attention which would provide actual knowledge of the existence or absence of such facts.

The client shall notify the appraisers of any error, omission or invalid data herein within ten (10) days of receipt and return of the report, along with all copies, to the appraisers for corrections prior to any use whatsoever. Neither our names nor this report may be used in connection with any financing plans which would be classified as a public offering under State or Federal Security Laws.

Copies, Publication, Distribution, Use of Report:

Possession of this report, or any copy thereof, does not carry with it the right of publication, nor may it be used for other than its intended use. The physical report remains the property of the firm for the use of the client, with the fee being for the analytical services only. This report may not be used for any purpose by any person or corporation other than the client or the party to whom the report is addressed. Additional copies may not be made without the written consent of an officer of the firm, and then only in its entirety.

Neither all nor any part of the contents of this report shall be conveyed to the public through advertising, public relations effort, news, sales or other media without our prior written consent and approval of the client.

Trade Secrets:

This appraisal was obtained from Overland, Pacific & Cutler, Inc. or related companies and/or its individuals and consists of "trade secrets and commercial or financial information" which is privileged and confidential. Notify the appraisers signing the report or an officer of Overland, Pacific & Cutler, Inc. of any request to reproduce this report in whole or in part.

Authentic Copies:

Any copy that does not have original signatures of the appraisers is unauthorized and may have been altered and, therefore, is considered invalid.

Testimony, Consultation, Completion of Contract for Appraisal Services:

A contract for appraisal, consultation or analytical services is fulfilled and the total fee payable upon completion of the report. The appraisers or those assisting in the preparation of the report will not be asked or required to give testimony in court or hearing because of having made the appraisal in full or in part, nor will they be asked or required to engage in post-appraisal consultation with the client or third parties except under separate and special arrangement and at an additional fee.



Any subsequent copies of this appraisal report will be furnished on a cost plus expenses basis, to be negotiated at the time of request.

Limit of Liability:

Liability of the firm and the associates is limited to the fee collected for the preparation of the appraisal. There is no accountability or liability to any third party.

Fee:

The fee for this appraisal or study is for the service rendered, and not for time spent on the physical report. The acceptance of the report by the client takes with it the agreement and acknowledgement that the client will pay the negotiated fee, whether said agreement was verbal or written. The fee is in no way contingent on the value estimated.

Extraordinary Assumption:

Section 1263.330 of the California Code of Civil Procedure requires the appraiser to not consider any effect on the value of the project, the eminent domain proceeding, or any preliminary actions of the acquiring agency. The appraiser investigated the real estate market for any influence these issues may have had in the market data selected and analyzed and could not find any; therefore we have prepared the appraisal analysis of the subject property in the "before" condition under the ***extraordinary assumption*** that these activities have no effect on the value conclusions stated in this appraisal report. Use of the ***extraordinary assumption*** may have affected the assignment results.

Hypothetical Condition:

For the valuation of the remainder property in the "after" condition, the appraisal analysis has been prepared using the ***hypothetical condition*** that the public project has been completed per the descriptions, plans and specifications presented in this appraisal report. This may have affected the selection of comparable market data, the analysis of the market data, the discussion of market trends and the description of the property. Use of the ***hypothetical condition*** may have affected the assignment results.



Section 3 – Premise of the Appraisal and Scope of Work

Purpose of Appraisal

The purpose of this appraisal is to estimate the just compensation associated with the portion to be acquired on the property described on an "As If Vacant" basis, under the reporting requirements of the Uniform Standards of Professional Appraisal Practice (USPAP), as defined by the Appraisal Foundation.

Function of Appraisal

The function of this report is to provide a Fair Market Value basis for proposed public acquisition.

Competency of Appraisers

The appraisers' specific qualifications are included within this report. These qualifications serve as evidence of their competence for the completion of this appraisal assignment in compliance with the competency provision contained within the Uniform Standards of Professional Appraisal Practice as promulgated by the Appraisal Standards Board of the Appraisal Foundation. The appraisers' knowledge and experience, combined with their professional qualifications, are commensurate with the complexity of this assignment based on the following:

- ❖ professional experience;
- ❖ educational background and training; and
- ❖ business, professional, academic affiliations and activities.

The appraisers have previously provided consultation and value estimates for residential land properties in California.

Scope of Assignment

This is an "Appraisal Report" which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice of The Appraisal Foundation.

The scope of this appraisal has been to collect, confirm, and report data. Other general market data and conditions have been considered. Consideration has been given the property's zoning surrounding improvements and neighborhood. The work performed for this assignment included:

- ❖ An inspection of the property being appraised, as well as the neighborhood in which it is located. The inspection of the subject consisted of the grounds only (no interior building inspection). During the inspection, an inventory of the property attributes was collected based on visual observation. (**NOTE:** The term "inspection" should not be construed to be a professional engineer's report concerning the condition of the building, if any, structural integrity, or condition of any mechanical items. If the client has concerns of this type, a professional engineer's inspection and report are recommended. That type of inspection is beyond the scope of work of this assignment and the professional abilities of a certified appraiser. This inspection is made only for observation of property attributes).
- ❖ Investigation of public records for the property's zoning, flood hazard area classification and property tax assessor's records, for attributes of the property.
- ❖ Consideration of the highest and best use.
- ❖ Collection and analysis of sales, listings and contracts of sale to form a value estimate using the Sales Comparison Approach.
- ❖ Analysis of the portion to be acquired, valuation of the remainder as part of the whole, valuation of the remainder "after" acquisition and consideration of damages and benefits.

❖ **Preparation of a written report:**

To develop the opinion of value, the appraisers performed an appraisal as defined by the Uniform Standards of Professional Appraisal Practice (USPAP). In this Appraisal, we used the Sales Comparison Approach to value. Other approaches, if any, were not applicable or not necessary to develop a reliable value indication. Furthermore, the value conclusion reflects all information about the subject, market conditions, and available data. This appraisal of the subject has been presented in the form of an Appraisal Report, which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(a) of the USPAP.

Property Rights Appraised

The property ownership rights appraised in this appraisal are those known as Fee Simple, Easement and Temporary Construction Easement which are described as follows:

- ❖ "Fee Simple" interest is defined as *"absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power and escheat."*¹
- ❖ "Easement" interest is defined as *"the right to use another's land for a stated purpose."*²
- ❖ "Temporary Easement is defined as *"an easement granted for a specific purpose and applicable for a specific time period."*³

Intended Use of Appraisal

The intended use of the appraisal is to assist Albert A. Webb Associates and the Riverside County Flood Control District ("RCFCD") in the proposed public acquisition.

Intended Users of Appraisal

The intended users are the appropriate authorities and/or representatives of Albert A. Webb Associates, the RCFCD and Overland, Pacific & Cutler, Inc.

Value Definition:

The following definitions and discussions are extracted from the State of California Code of Civil Procedure, Title 7, Eminent Domain Law (New), and Chapter 9.

Fair Market Value: Article 4. Measure of Compensation for Property

- 1263.320 (a) The fair market value of the property taken is the highest price on the date of valuation that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing and able to buy but under no particular necessity for doing so, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.
- (b) The fair market value of the property taken for which there is no relevant comparable market is its value on the date of valuation as determined by any method of valuation that is just and equitable.
- 1263.330 The fair market value of the property taken shall not include any increase or decrease in the value of the property that is attributable to any of the following:
 - (a) The project for which the property is taken;

¹ The Dictionary of Real Estate Appraisal, Fifth edition, The Appraisal Institute, Chicago, Illinois (U.S., 2010), page 78

² The Dictionary of Real Estate Appraisal, Fifth edition, The Appraisal Institute, Chicago, Illinois (U.S., 2010), page 63

³ The Dictionary of Real Estate Appraisal, Fifth edition, The Appraisal Institute, Chicago, Illinois (U.S., 2010), page 195



- (b) The eminent domain proceeding in which the property is taken;
- (c) Any preliminary actions of the plaintiff relating to the taking of the property.

Value Estimate Date:

The values estimated in this appraisal report are applicable as of December 3, 2014.

Property Inspection Date:

The subject property was inspected on December 3, 2014.

Property Identification:

The property that is the subject of this report is identified as:

Reference	Romagnolo Property
Street Address:	21854 Palomar Street, Wildomar, CA 92376
Location:	The subject larger parcel is a midblock parcel, located south of Baxter Road/Central Avenue, west of Interstate 15, north of Clinton Keith Road and east of Grand Avenue, in the city of Wildomar.
County:	Riverside
Legal:	Refer to the Addenda Section for a complete legal description
Current owner of record:	David Joseph Romagnolo, Jr., a single man
Assessor Parcel No(s):	380-050-003

History of the Property:

The Uniform Standards of Professional Appraisal Practice requires a statement of the sales or listing history of the subject property for the three (3) years prior to the appraisal date. There have been no market transactions in the past three years.

Appraisal Analysis/Report Type:

The Appraisal Standards Board controls the process of making an appraisal of a parcel of real estate. The Board issues rules and guidelines from which all appraisals and resulting reports are made. The process of administration of those rules and guidelines is addressed to the Real Estate Appraiser Commission of each respective state. The Appraisal Standards Board issues the rules and guidelines in the form of a document update published each year by The Appraisal Foundation. That document is entitled "The Uniform Standards of Professional Appraisal Practice" (USPAP).

The analysis process is composed of several distinctive steps that appraisers follow to gain a thorough understanding of the property and factors that affect its value.

There are two types of reports: the Appraisal Report and Restricted Report; this is an "Appraisal" Report.

Exposure Time

Exposure time is the estimated length of time the property would have been offered prior to a hypothetical market value sale on the effective date of appraisal. It is a retrospective estimate based on an analysis of recent past events, assuming a competitive and open market. It assumes not only adequate, sufficient, and reasonable time but also adequate, sufficient, and reasonable marketing effort. Exposure time is therefore interrelated with appraisal conclusion of value.

An estimate of exposure time is not intended to be a prediction of a date of sale or a simple one-line statement. Instead, it is an integral part of the appraisal analysis and is based on one or more of the following:

- ❖ statistical information about days on the market;
- ❖ information gathered through sales verification; and



- ❖ interviews of market participants.

The reasonable exposure period is a function of price, time and use. It is not an isolated estimate of time alone. Exposure time is different for various types of real estate and under various market conditions.

In consideration of these factors, we have analyzed the following:

- ❖ exposure periods of comparable data revealed during the course of this appraisal; and
- ❖ interview records of knowledgeable real estate professionals.

The comparables reviewed reflected exposure times ranging from four (4) to twenty-four (24) months, with an average of ten (10) months. Based on the foregoing analysis, an exposure time of ten (10) months is reasonable, defensible, and appropriate. This exposure time assumes the subject would have been competitively priced and aggressively promoted within the market area.

Section 4 – Presentation of Data Collected

County Data - Riverside

Counties surrounding Riverside County are as follows; San Bernardino County to the west, Orange County to the west, San Diego and Imperial Counties to the south and La Paz (Arizona) to the east. Both demographically and physically, Riverside County is divided into eastern and western sectors. The western sector, centered by the City of Riverside, is substantially more developed than the eastern sector, often referred to as the lower desert, clustering around the City of Palm Springs extending easterly to the California state border. Riverside County is traditionally grouped together with San Bernardino County as the "Inland Empire". Together, the two counties constitute a Metropolitan Statistical Area (MSA). Roughly rectangle-shaped, Riverside County covers 7,208 square miles in Southern California. Geographically, the county is mostly desert in the central and eastern portions of the county and is a Mediterranean climate in the western portion of the county. Most of Joshua Tree National Park is located in the county.



The resort cities of Palm Springs, Palm Desert, Indian Wells, La Quinta, Rancho Mirage and Desert Hot Springs are all located in the Coachella Valley region of Riverside County. Large numbers of Los Angeles area workers have moved to the county in recent years to take advantage of relatively affordable housing. Alongside neighboring San Bernardino County, it was one of the fastest growing regions in the state prior to the recent changes in the regional economy. In addition, smaller, but significant, numbers of people have been moving into Southwest Riverside County from the San Diego-Tijuana metropolitan area. The cities of Temecula and Murrieta account for 20% of increase in population of Riverside County between 2000 and 2007.

The 2010 Census estimated Riverside County's population at 2,189,641 million persons, an increase of 1.4% over the prior year, and 42% from the 2000 Census. The County is expected to show significant growth: the estimated 2020 population is 2.6 million. The most recent estimate of the total population was provided by the California Department of Finance, with an estimated January 2013 population of 2,292,507.

According to the U.S. Census Bureau, the county has a total area of 7,303 square miles of which 7,206 square miles is land and 97 square miles (1.3%) is water. It is the fourth-largest county in California by area. At roughly 180 miles wide in the east-west dimension, the area of the county is massive. Riverside County, California is roughly the size of the State of New Jersey in total area. County government documents frequently cite the Colorado River town of Blythe as being a "three-hour drive" from the county seat, Riverside. Some view the areas west of San Geronio Pass as the Inland Empire portion of the county and the eastern part as either the Mojave Desert or Colorado Desert portion. There are probably at least three geomorphic provinces: the Inland Empire western portion, the Santa Rosa Mountains communities such as Reinhardt Canyon, and the desert region. Other possible subdivisions include tribal lands, the Colorado River communities, and the Salton Sea.

Regional Circulation and Transportation

Riverside County is accessible via major freeway linkage including Interstate 10, 215 and 15 Freeways (the San Bernardino and Corona freeways, respectively) as well as State Routes 60 and 91. The Interstate 15 interchange to State Route 60 has been completed and provides an alternate route for west/south regional traffic flow. Also in progress is the improvement of State Route 91 (the Riverside Freeway) through voter-approved sales tax initiatives. The Eastern Transportation Corridor, a toll road, also links Riverside County directly to central and southern Orange County.

The county is served by major freight distribution rail systems including the Union Pacific and AT&SF railroads. Complete commuter rail service facilities are also in planning or already operative in the Metro Link system. Local air transportation facilities are located at Riverside Municipal Airport and Palm Springs Airport. Commercial travel is available from Ontario International Airport in neighboring San Bernardino County to the west.

Work Force:

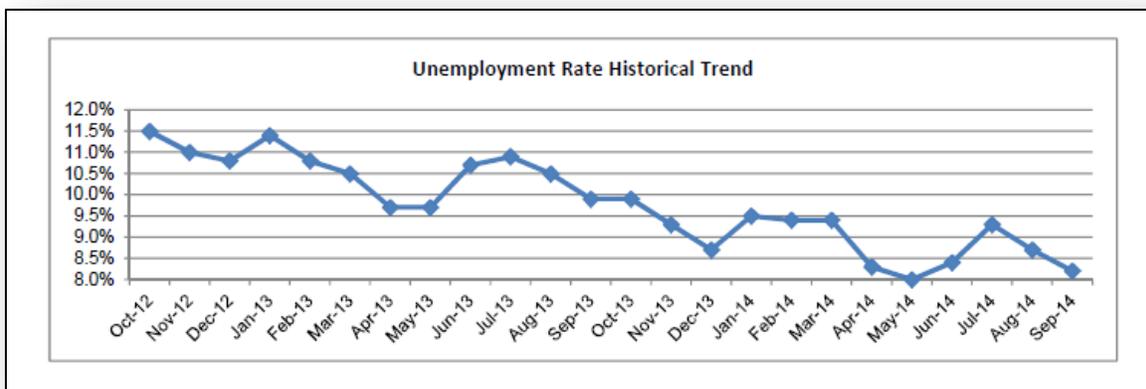
The unemployment rate in the Riverside-San Bernardino-Ontario MSA was 8.2% in September 2014, down from a revised 8.7% in August 2014, and below the year-ago estimate of 9.9%. This compares with an unadjusted unemployment rate of 6.9% for California and 5.7% for the nation during the same period. The unemployment rate was 8.6% in Riverside County, and 7.7% in San Bernardino County.

Between August 2014 and September 2014, total nonfarm employment increased from 1,254,100 to 1,258,300 a gain of 4,200 jobs. Agricultural employment grew by 500 jobs.

- Government posted the greatest month-over gain, adding 3,300 jobs. Local government (up 4,000) accounted for all the job growth in this sector. Federal government declined by 100 jobs and state government cut 600 jobs.
- Trade, transportation, and utilities grew by 3,000 jobs over the month. Transportation, warehousing, and utilities led the growth by adding 2,200 jobs. Wholesale trade and retail trade each added 400 jobs.
- Leisure and hospitality reported the largest fall in employment over the month, down 3,800 jobs with most of the losses coming from accommodation and food services (down 2,900). Arts, entertainment, and recreation diminished by 900 jobs.

Between September 2013 and September 2014, total nonfarm employment increased by 29,900 jobs. Agricultural employment increased by 100 jobs over the year.

- Trade, transportation, and utilities registered the largest increase over the year with the addition of 9,800 jobs. Retail trade (up 5,200) contributed roughly 53% of the job growth in this sector. Transportation, warehousing, and utilities and wholesale trade added 3,400 and 1,200 jobs respectively.
- Eight other sectors added jobs over the year, but the most notable came from educational and health services (up 6,700), professional and business services (up 4,200), and leisure and hospitality (up 4,000).
- Other services reported the only year-over decline, down 1,800 jobs. Mining and logging recorded no change in employment levels over the year.



Riverside County Major Employers:⁴

Employer Name	Location	Industry
Abbott Vascular Inc	Temecula	Physicians & Surgeons Equip & Supls-Whls
Corrections Dept	Norco	State Govt-Correctional Institutions
Desert Regional Medical Ctr	Palm Springs	Hospitals
Eisenhower Medical Ctr	Rancho Mirage	Hospitals
Handsome Rewards	Perris	Internet & Catalog Shopping
Hemet Valley Medical Ctr	Hemet	Hospitals
Hotel At Fantasy Springs	Indio	Casinos
Hub International Ins Svc-Ca	Riverside	Insurance
Inland Valley Medical Ctr	Wildomar	Hospitals
J W Marriott	Palm Desert	Hotels & Motels
Kaiser Permanente	Riverside	Hospitals
La Quinta Golf Course	La Quinta	Golf Courses
La Quinta Inn	La Quinta	Resorts
Morongo Casino Resort & Spa	Cabazon	Casinos
Morongo Tribal Gaming Ent	Banning	Business Management Consultants
Pechanga Resort & Casino	Temecula	Casinos
Restoration Technologies Inc	Corona	Electronic Equipment & Supplies-Repair
Riverside Community Hospital	Riverside	Hospitals
Riverside County Regional Med	Moreno Valley	Hospitals
Roupe's Renovations	Wildomar	Remodeling & Repairing Bldg Contractors
Starcrest of California	Perris	Internet & Catalog Shopping
Starcrest Products	Perris	Gift Shops
Sun World Intl Llc	Coachella	Fruits & Vegetables-Wholesale
Universal Protection Svc	Palm Desert	Security Guard & Patrol Service
US Air Force Dept	March Air Reserve Base	Military Bases

Southland Home Sales Edge Higher; Price Growth Slows⁵

Southern California home sales hit a five-year high for a September, rising slightly above a year earlier for the first time in 12 months amid gains for mid- to high-end deals. The median sale price fell below an 80-month high reached in August and for the first time in more than two years none of the Southland counties posted a double-digit year-over-year price gain, CoreLogic DataQuick reported.

⁴ <http://www.labormarketinfo.edd.ca.gov/majorer/countymajorer.asp?CountyCode=000065>

⁵ <http://www.dqnews.com/Articles/2014/News/California/Southern-CA/RRSCA141013.aspx>



A total of 19,348 new and resale houses and condos sold in Los Angeles, Riverside, San Diego, Ventura, San Bernardino and Orange counties last month. That was up 2.9% from 18,796 sales in August, and up 1.2% from 19,112 sales in September 2013, according to CoreLogic DataQuick data.

On average, sales have fallen 9.4% between August and September since 1988, when CoreLogic DataQuick statistics begin. Last month marked the first time sales have risen on a year-over-year basis since September last year, when sales rose 7.0% from September 2012.

September home sales have ranged from a low of 12,455 in 2007 to a high of 37,771 in 2003. Last month's sales were 18.3% below the September average of 23,695 sales.

The median price paid for all new and resale houses and condos sold in the six-county region last month was \$413,000, down 1.7% from \$420,000 in August and up 8.1% from \$382,000 in September 2013. The August 2014 median was the highest for any month since December 2007, when it was \$425,000.

The median's 8.1% year-over-year gain in September marked the fourth consecutive month with a single-digit annual increase following 22 straight months of double-digit gains of as much as 28.3%.

"Price appreciation has dipped into single-digit territory as more would-be buyers get priced out, investors back off and incomes rise modestly at best. Yet there are still upward forces on home prices: Jobs are being created and families started at a time when the supply of existing homes for sale, as well as the number of new homes being built, remains relatively low. The good news for those looking to buy a home now is that mortgage rates remain very low in an historical context, and we're past the peak home-buying season. Today's home shoppers are more likely to find a less-crowded market with fewer intense multiple-offer situations and more serious, realistic sellers," said Andrew LePage, an analyst with Irvine-based CoreLogic DataQuick.

Last month was the first since June 2012 in which none of the six Southland counties posted a double-digit, year-over-year gain in its median sale price (all had single-digit increases). Orange County's \$585,000 September median was the closest – within 9.3% – to its all-time peak of \$645,000 in June 2007.

For the Southland overall the September median stood 18.2% below the peak \$505,000 median in spring/summer 2007.

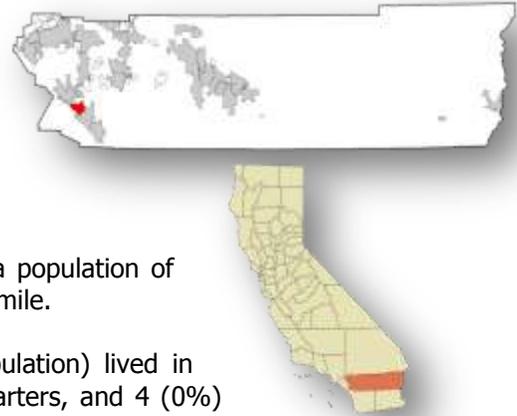
Home prices have been rising at different rates depending on price segment. In September, the lowest-cost third of the region's housing stock saw a 10.9% year-over-year increase in the median price paid per square foot for resale houses. The annual gain was 6.6% for the middle third of the market and 4.5% for the top, most-expensive third.

All homes	Sales Volume			Median Price		
	Sep-13	Sep-14	% Chng	Sep-13	Sep-14	%Chng
Los Angeles	6,496	6,717	3.40%	\$425,000	\$455,500	7.20%
Orange	2,916	2,980	2.20%	\$550,000	\$585,000	6.40%
Riverside	3,141	3,115	-0.80%	\$269,000	\$295,000	9.70%
San Bernardino	2,358	2,401	1.80%	\$225,000	\$238,000	5.80%
San Diego	3,383	3,322	-1.80%	\$422,000	\$445,000	5.50%
Ventura	818	813	-0.60%	\$445,000	\$460,000	3.40%
SoCal	19,112	19,348	1.20%	\$382,000	\$413,000	8.10%



City of Wildomar

Wildomar is a city in Riverside County, California, United States. It was incorporated on July 1, 2008. The city is located in a fast-growing area. As of the 2010 census, the population of Wildomar was 32,176; an increase from 14,064 at the 2000 census, when the community was still an unincorporated census-designated place. According to the United States Census Bureau, the community has a total area of 23.7 square miles; all of it land. It is located just few miles north of the city of Murrieta, CA.



Demographics

The 2010 United States Census reported that Wildomar had a population of 32,176. The population density was 1,358.3 people per square mile.

The Census reported that 32,134 people (99.9% of the population) lived in households, 38 (0.1%) lived in non-institutionalized group quarters, and 4 (0%) were institutionalized.

There were 9,992 households, out of which 4,399 (44.0%) had children under the age of 18 living in them, 5,982 (59.9%) were opposite-sex married couples living together, 1,178 (11.8%) had a female householder with no husband present, 645 (6.5%) had a male householder with no wife present. There were 604 (6.0%) unmarried opposite-sex partnerships, and 59 (0.6%) same-sex married couples or partnerships. 1,600 households (16.0%) were made up of individuals and 752 (7.5%) had someone living alone who was 65 years of age or older. The average household size was 3.22. There were 7,805 families (78.1% of all households); the average family size was 3.58.

The population was spread out with 8,966 people (27.9%) under the age of 18, 3,256 people (10.1%) aged 18 to 24, 8,346 people (25.9%) aged 25 to 44, 8,194 people (25.5%) aged 45 to 64, and 3,414 people (10.6%) who were 65 years of age or older. The median age was 34.6 years. For every 100 females there were 97.6 males. For every 100 females age 18 and over, there were 95.9 males.

There were 10,806 housing units at an average density of 456.2 per square mile, of which 7,329 (73.3%) were owner-occupied, and 2,663 (26.7%) were occupied by renters. The homeowner vacancy rate was 2.7%; the rental vacancy rate was 5.1%. 23,369 people (72.6% of the population) lived in owner-occupied housing units and 8,765 people (27.2%) lived in rental housing units.

According to the 2010 United States Census, Wildomar had a median household income of \$60,219, with 13.0% of the population living below the federal poverty line.

Housing

The median sales price for homes in Wildomar CA for August 14 to November 14, 2014 was \$295,000. This represents an increase of 2.6% or \$7,500, compared to the prior quarter and a decrease of 0.3% compared to the prior year. Sales prices have appreciated 26.9% over the last 5 years in Wildomar. The average listing price for Wildomar homes for sale on Trulia was \$344,959 for the week ending November 5, 2014 which represents an increase of 3.5%, or \$11,715, compared to the prior week and an increase of 2% or \$6,884, compared to the week ending Oct 15. Average price per square foot for Wildomar CA was \$137; an increase of 12.3% compared to the same period last year.



Neighborhood Environment

The subject larger parcel is an improved site located in a mostly residential neighborhood in the city of Wildomar. Neighborhood boundaries are considered to be the Temecula Valley (I-15) Freeway to the north, Clinton Keith Road to the east, Grand Avenue to the south and Central Avenue to the west. Palomar Road is a residential arterial with a reported traffic count of 12,799 cars per day, approximately one-half mile south of the subject and 14,100 cars per day approximately one-half mile north of the subject. Immediately north of the subject larger parcel, on the north side of Palomar Street is Wildomar Senior Center, an assisted living complex with a total of 284 units: 108 separate assisted living units and 176 independent senior units. Wildomar Elementary School is located less than one-half mile on the south side of Palomar Street.

The majority of the improvements within the subject's immediate neighborhood include single-family residential tracts, constructed since the mid-to late 1990's. Commercial improvements are located to the north and west on Central Avenue and to the east and south on Clinton Keith Road.

Demographic information provided by The Site To Do Business website reflects the following:

	1-Mile Radius	3-Mile Radius	5-Mile Radius
2013 Population	8,927	45,140	105,689
2018 Population (projected)	9,461	47,959	114,325
2013 Households	2,694	13,627	33,378
2018 Households (projected)	2,828	14,385	35,914
2013 Median Household Income	\$71,585	\$81,783	\$76,648
2013 Average Household Income	\$87,834	\$99,078	\$92,146

DataQuick News reports that 33 homes sold in the subject’s zip code area during the month of October 2014, with a median price of \$295,000, a reported 3.5% increase from October 2013. There are no condominium units within the subject’s zip code area that sold during October 2014.

Project Description

The Project is generally bounded by the intersection of Palomar Street and Refa Street on the southwest, the terminus of Billie Ann Road on the northwest and the intersection of Charles Street and Woshka Lane on the northeast. The project site (or project alignment) encompasses portions of Assessor’s Parcel Numbers (APNs) 380-040-003, 380-050-002, 380-050-003, 380-050-008, and 380-050-009.

The project consists of two backbone drainage facilities (Lateral C-1 and Lateral C-1A) and several ancillary laterals and inlets (hereinafter referred as the “Project”). Lateral C-1 will connect existing upstream City-owned facilities to the existing downstream Lateral C Channel that is owned and operated by Riverside County Flood Control and Water Conservation District (District). Once Lateral C-1 is constructed, it will ultimately be accepted by the District for operation and maintenance. Rights-of-way and construction easements will be acquired as needed.

With regard to the subject property, the project as proposed includes one flood control (storm drain) easement and one temporary construction easement, defined and detailed as follows:

Proposed Acquisition	Size	Comments
Flood Control (Storm Drain) Easement	0.27 acres; 11,761 sf	In perpetuity; located at the northern edge of the larger parcel. Approximately 30’ wide and 398’ long. Subsurface easement for storm drain purposes; grass, fences, and ornamental shrubs are allowed; structures, pools, trees, etc. are not allowed within the easement.
Temporary Construction Easement	0.51 acres; 22,216 sf	The temporary construction easement is 20’ wide and runs along the flood control easement at the northern property line for approximately 377.88 feet, then across the eastern property line for 725.01 feet.





Figure 1 – Project Location and Vicinity

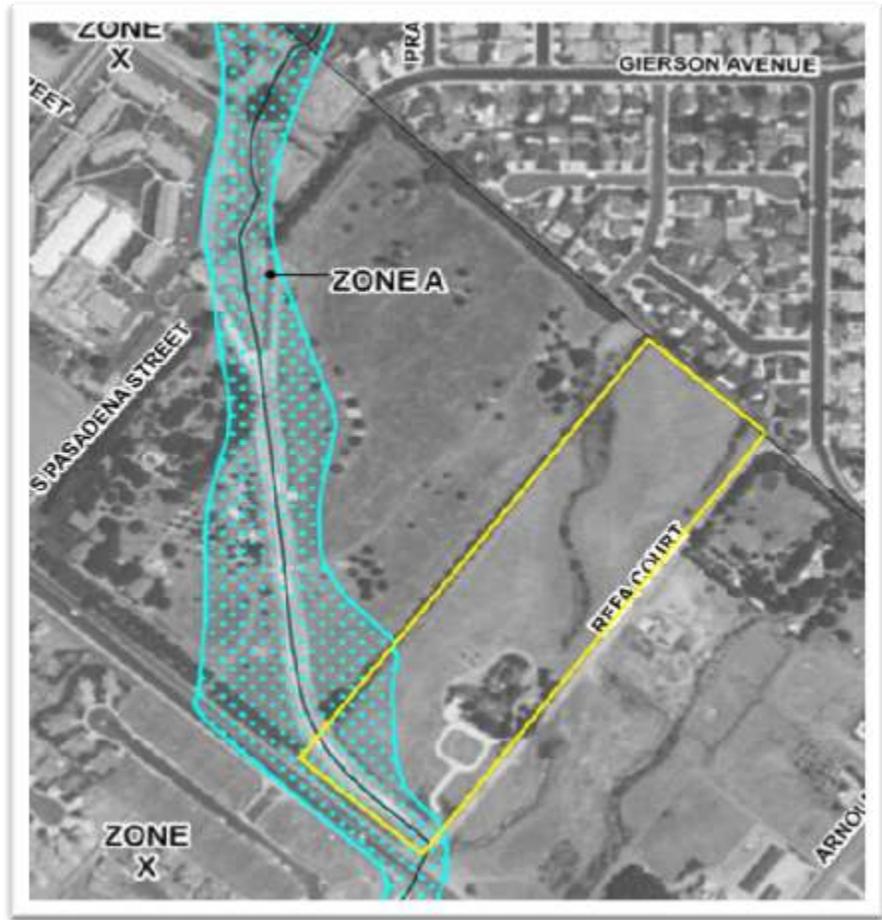
Wildomar MDP - Lateral C-1 - Right of Way Exhibit



Site Description

General Site Information													
Address:	21854 Palomar Street, Wildomar, CA												
Location:	The subject larger parcel is a rectangular, midblock parcel, located south of Baxter Road/Central Avenue, west of Interstate 15, north of Clinton Keith Road and east and Grand Avenue, in the city of Wildomar.												
Current Owners:	Romagnolo, David Joseph												
5-Year Sales History:	There have been no market transactions in the past three years.												
Assessor's Parcel No:	380-050-003												
Assessed Land:	\$91,807												
Assessed Improvements:	\$94,441												
Total Value:	\$186,248												
Taxable Value:	\$179,248												
2014-2015 Taxes:	\$1,939.94												
Physical Characteristics of the Site													
Site Dimensions:	316.49' x 1,484' x 375' x 1,484'												
Frontage:	The subject larger parcel has approximately 316.49 feet of frontage on Palomar Street.												
Total Site Area:	A site size of 541,451 sf or 12.43 acres is utilized in this report												
Shape:	Rectangular												
Topography:	Level												
Access:	Access is provided by way of one driveway entrance on Palomar Street.												
Corner Influence:	The subject is considered a midblock lot; however, it is noted that the site is located on Palomar Street and Refa Street. Refa Street is a dirt road that provides access to the adjacent property to the southwest.												
Easement(s):	A preliminary title report, issued by Commonwealth Land Title, dated November 13, 2014, was provided for review. Based on a review of the title report, there are no existing easements, encroachments or restrictions that could have a negative impact on value. It is noted that the title report should be checked carefully, as the appraisers are not title experts.												
Encroachments:	None noted from site visit; encroachments subject to survey.												
Utilities to Site:	The utilities to the site are as follows: <table border="1" data-bbox="527 1402 1318 1606"> <tbody> <tr> <td>Sewer</td> <td>Elsinore Valley Municipal Water District</td> </tr> <tr> <td>Water</td> <td>Elsinore Valley Municipal Water District</td> </tr> <tr> <td>Electric:</td> <td>Southern California Edison</td> </tr> <tr> <td>Natural Gas:</td> <td>The Gas Company</td> </tr> <tr> <td>Phone:</td> <td>Various Carriers</td> </tr> <tr> <td>Police and Fire:</td> <td>City of Murrieta</td> </tr> </tbody> </table>	Sewer	Elsinore Valley Municipal Water District	Water	Elsinore Valley Municipal Water District	Electric:	Southern California Edison	Natural Gas:	The Gas Company	Phone:	Various Carriers	Police and Fire:	City of Murrieta
Sewer	Elsinore Valley Municipal Water District												
Water	Elsinore Valley Municipal Water District												
Electric:	Southern California Edison												
Natural Gas:	The Gas Company												
Phone:	Various Carriers												
Police and Fire:	City of Murrieta												
Sidewalk, Curbs and Gutters:	There are no curbs, gutters or sidewalks at the subject larger parcel.												
Flood Designation:	The subject property is located on F.E.M.A. Panel #06065C2682G, dated 8/28/08. According to this map, a portion of the subject larger parcel is within Flood Zone X, an area that is determined to be outside the 100- and 500-year floodplains. There is an existing flood control channel that bisects the property near the southern property line. This area is within Flood Zone A, areas where no base flood elevations are determined. The flood map, provided by FEMA is provided on the following page.												

Flood Map, as provided by FEMA:



Earthquake/Fault Zone:	The subject property is not within an area delineated by the California Geological Survey as an Alquist-Priolo earthquake fault zone, but is subject to seismic activity.
Surface Drainage:	Surface drainage appears to be adequate for the development as constructed. No evidence of ponding was noted during the site inspection.
Soils:	A soil analysis for the site has not been provided for the preparation of this appraisal. In the absence of a soil report, it is a specific assumption that the site has adequate soils to support the highest and best use.
Subsurface Conditions:	It is assumed that there are no hidden or unapparent conditions to the property, soil, or subsoil, which would render them more or less valuable. Subsurface oil, gas or mineral rights were not considered in this report unless otherwise stated.
Economic Factors Affecting the Site	
Supply of Vacant Land:	Above average
Demand for Vacant Land:	Average
Traffic Pattern/Volume:	The subject larger parcel is located on a secondary commercial arterial with traffic counts reported as follows: <p style="margin-left: 40px;">Palomar Street, one-half mile north of subject: 14,100 Palomar Street, one-half mile south of subject: 12,799</p>

Neighboring Property Uses:	The neighboring property uses are mostly residential in nature, with single-family residences to the north and west. Southeast is a large vacant lot that has been planned for residential uses.
Zoning:	The subject site is zoned R-R for Rural Residential with a General Plan Land Use element of MDR, Medium Density Residential. The conclusion of the highest and best use of the site, detailed later in this appraisal report, is for redevelopment of the site under R-1, Single-Family Residential, which allows for minimum lot sizes of 7,500 sf and density of up to 5.8 units per acre.
Allowable Uses in the District:	According to the City of Wildomar Planning Department and Municipal Code, for the R-1 zone, allowable uses include single-family dwellings and a wide range of ancillary uses. A copy of the allowable uses detailed in the Municipal Code is included in the Addenda section of this appraisal report.
Development Standards:	The development standards for the existing R-R zone, and the R-1 zone, are included in the Addenda.
Major Flaws in Site:	None noted
Overall Site Analysis:	The overall site is legally conforming and adequate for development under the current zoning ordinance.

Improvements Description

The subject larger parcel is improved with one single-family residence, approximately 1,749 sf in size, constructed in 1959. The three-bedroom, one-bath house also has a two-car garage. The property owner installed a long circular driveway in the front yard and an electronic wrought-iron and concrete block fence.

Subject Property Photographs



Photograph 1.
Southeasterly view
of acquisition area
from northeastern
corner of parcel.

Taken by:
Meredith McDonald

Photograph date:
December 3, 2014



Photograph 2.
Southeasterly view
of acquisition area
from northeastern
corner of parcel.

Taken by:
Meredith McDonald

Photograph date:
December 3, 2014

Subject Property Photographs



Photograph 3.
View of adjacent flood control channel to be connected and used as proposed storm drain. area on westerly adjacent property.

Taken by:
Meredith McDonald

Photograph date:
December 3, 2014



Photograph 4.
Northwesterly view of northern property line and acquisition area; view of north easternmost corner.

Taken by:
Meredith McDonald

Photograph date:
December 3, 2014

Subject Property Photographs



Photograph 5.
Northeasterly view of northern property line and acquisition area; view of north easternmost corner.

Taken by:
Meredith McDonald

Photograph date:
December 3, 2014



Photograph 6.
Northeasterly view of northern property line and acquisition area; view of north easternmost corner.

Taken by:
Meredith McDonald

Photograph date:
December 3, 2014

Subject Property Photographs



Photograph 7.
Southeasterly view of acquisition area along northern property line: proposed easement outlined in **green**; proposed temporary construction easement outlined in **blue**.

Taken by:
Meredith McDonald

Photograph date:
December 3, 2014

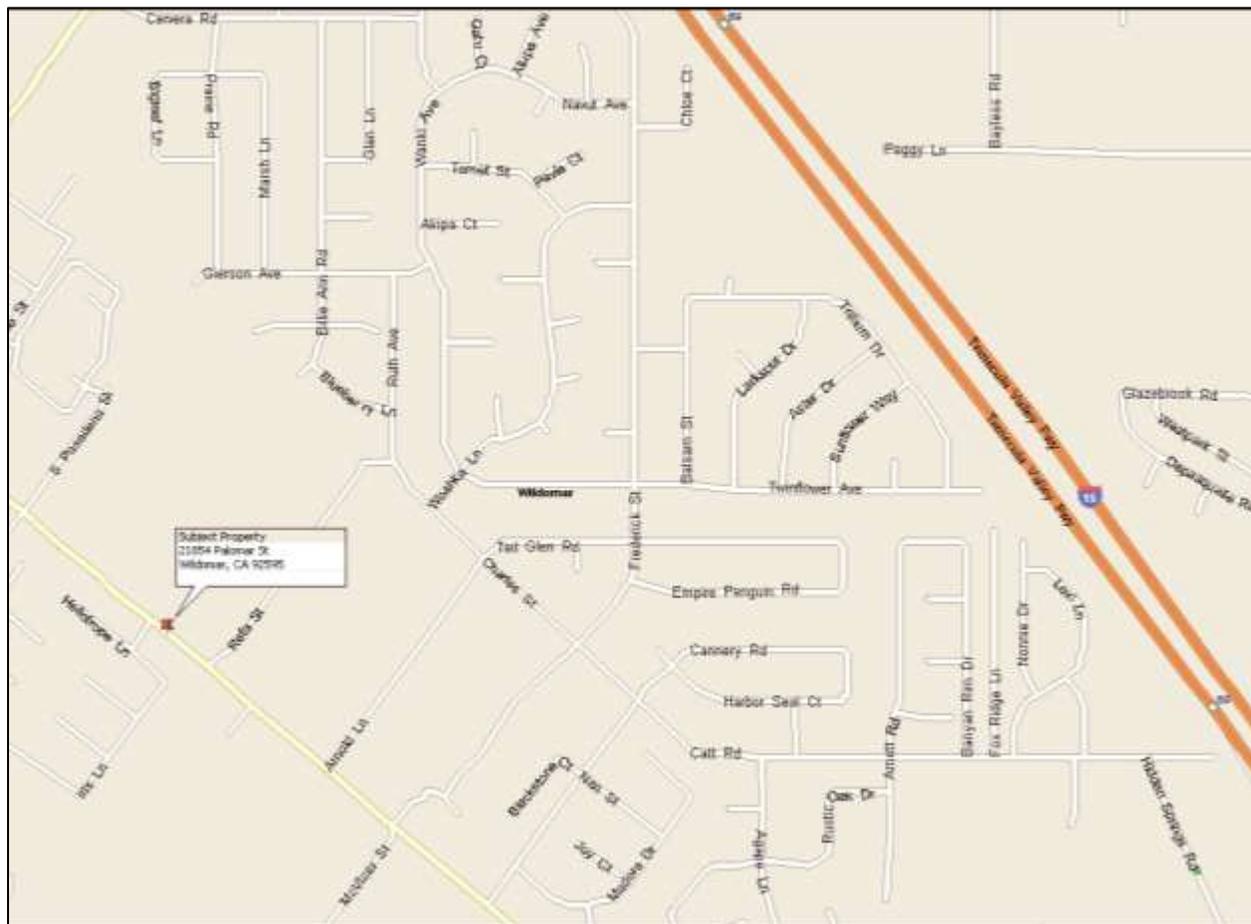


Photograph 8.
Southern view of Acquisition Area, along Refa Street: Proposed Temporary Construction Easement outlined in **blue**.

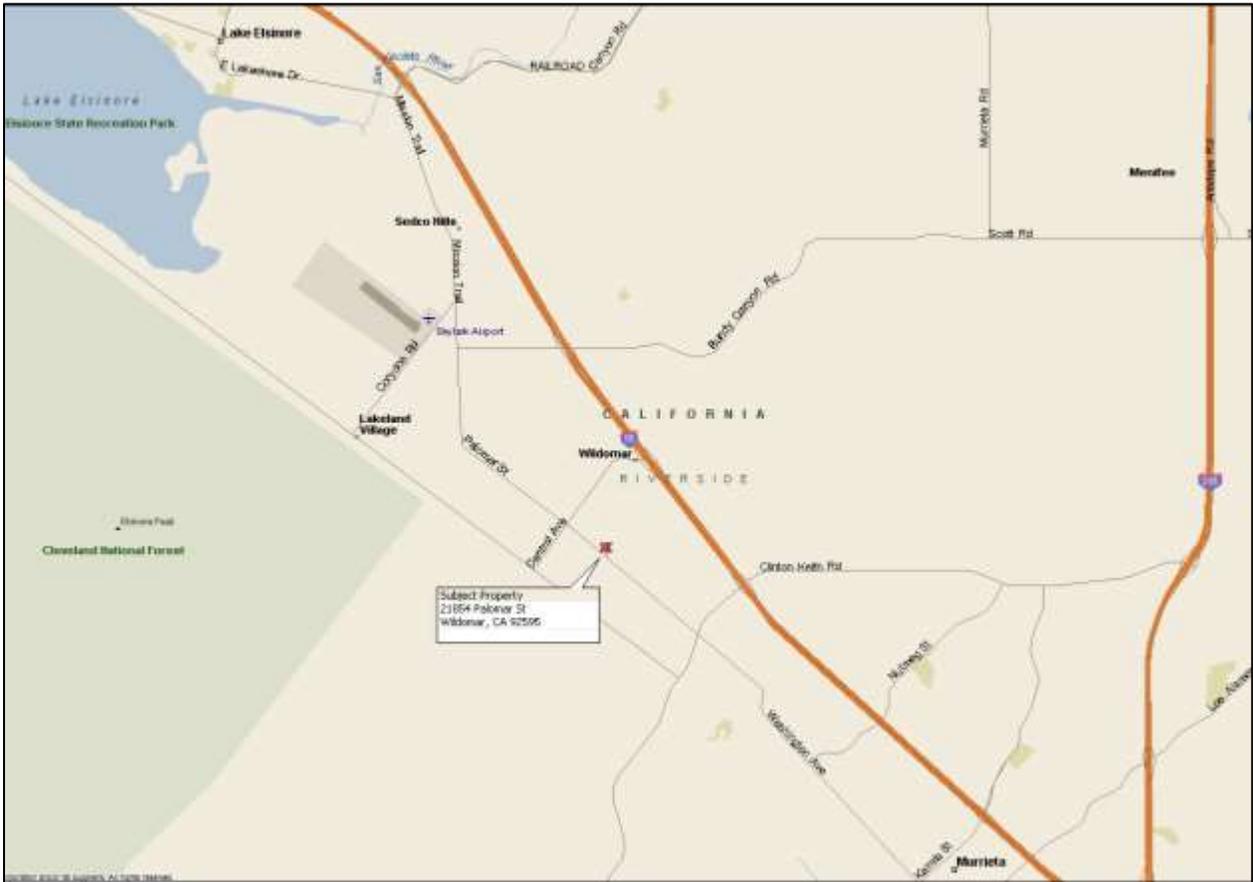
Taken by:
Meredith McDonald

Photograph date:
December 3, 2014

Location Map



Area Map



Subject Property
21854 Palomar St
Wildomar, CA 92595



Aerial of Subject Property



Highest and Best Use Analysis

The principal of highest and best use is defined as: *"That reasonably probable use and legal use of vacant land or an improved property that is physically possible, appropriately supported, financially feasible, and that results in the highest value."*⁶

The criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum profitability."

- ❖ **Permissible Use (Legal):** what uses are permitted by zoning and deed restrictions on the site in question?
- ❖ **Physically Possible:** to what uses is it physically possible to put the site in question?
- ❖ **Feasible Use:** which possible and permissible uses will produce any net return to the owner of the site?
- ❖ **Maximally Productive:** among the feasible uses, which use will produce the highest net return or the highest present worth?

The highest and best use may be different from the existing use. The existing use will continue, however, unless and until land value in its highest and best use exceeds the property's total value in its existing use.

Implied within these definitions is recognition of the contribution of that specific use to community environment or to community development goals, in addition to wealth maximization of individual property owners. Also implied is that the determination of highest and best use results from the appraiser's judgment and analytical skill, i.e., that the use determined from analysis represents an opinion, not a fact.

Highest and best use represents the premise upon which value is based. In the context of highest selling price (fair market value) another appropriate term to reflect highest and best use would be most probable use.

The highest and best use for the unimproved property may be different from the highest and best use of the improved property. This will be true when the improvement is not an appropriate use and yet makes a contribution to total property value in excess of the value of the site.

Highest and Best Use "As if Vacant":

Legally Permissible:

The property is zoned for residential purposes and is currently being used as a single-family residence. The existing use is considered residential and allowed under existing zoning regulations. The current zoning allows for a minimum lot size of 20,000 sf, which reflects approximately two lots per acre. Based on the existing site size, this would equate to a future residential development of 25 single-family homes on the site. Under a potential rezone to R-1, which allows for minimum lot sizes of 7,500 sf, or approximately 5.8 units per acre, approximately 72 single-family residences could be developed on the site.

Physically Possible:

The subject is adequately served by utilities and has an adequate shape and size, sufficient access, etc., to be a developable site. The subject site would support a site layout for any of the legally probable uses. There are no known physical reasons why the subject site would not support either of the legally permissible developments.

⁶ The Appraisal of Real Estate, 14th edition, The Appraisal Institute, Chicago, Illinois, (U.S. 2013), page 333.

Financially Feasible:

The determination of financial feasibility is dependent primarily on the relationship of supply and demand for the legally permissible and physically possible land uses versus the cost to create the uses. As discussed in the *Market Analysis* section of this report, there has been new development and construction in the subject market during the historical period. Market conditions are improving and development is becoming more financially feasible. The majority of the surrounding developments are single-family residential tracts, several of which had undergone zone changes to allow for the single-family residential developments with the higher density and smaller lot sizes.

Maximum Profitability

The final test of highest and best use of the site "as if vacant" is that the use be maximally productive, yielding the highest returns to the land. In the case of the subject property, "as if vacant", the analysis has indicated that developing the site with a higher density of residential uses would be maximally productive.

Conclusion: Highest and Best Use "As If Vacant":

Based on the foregoing analysis, the highest and best use of the property "as if vacant" is to rezone the property to develop the site under the existing zoning for residential use.

Highest and Best Use in the "After" Condition

The highest and best use in the "after" condition of the remainder is unchanged; the proposed acquisitions will not change the existing or contemplated character of the subject in any tangible way. Further discussion of the "after" condition can be found in the valuation of the portions proposed for acquisition and the discussion of the remainder after.

Section 5 - Valuation Analysis

Valuation process is defined as:

"The systematic set of procedures an appraiser follows to provide answers to a client's questions about real property value."

Valuation is a term used interchangeably with appraisal. Real estate markets are a function of the location in which they are located. The overall market environment can have a profound effect on the manner in which buyers and sellers perform the act of transferring property rights. Considerations made by the participants are generally based on certain fundamental principles. Those principles and their definitions are as follows:

Anticipation: "The perception that value is created by the expectation of benefits to be derived in the future. Value is created by the anticipation of future benefits.

Change: The result of the cause and effect relationship among the forces that influence real property value.

Supply and Demand: In economic theory, the principle of supply and demand states that the price of a commodity, good, or service varies directly, but not necessarily proportionately, with demand and inversely, but not necessarily proportionately with supply. Thus, an increase in the supply of an item or decrease in the demand for an item tends to reduce the equilibrium price; the opposite conditions produce an opposite effect. The relationship between supply and demand may not be directly proportional, but the interaction of these forces is fundamental to economic theory. The interaction of suppliers and demanders, or sellers and buyers, constitutes a market.

Competition: Between purchasers or tenants, the interactive efforts of two or more potential buyers or tenants to make a sale or secure a lease; between sellers or landlords, the interactive efforts of two or more potential sellers or landlords to complete a sale or lease; among competitive properties, the level of productivity and amenities or benefits characteristic of each property considering the advantageous or disadvantageous position of the property relative to the competitors.

Substitution: The appraisal principle that states that when several similar or commensurate commodities, goods, or services are available, the one with the lowest price attracts the greatest demand and widest distribution. This is the primary principle upon which the cost and sales comparison approaches are based.

Balance: The principle that real property value is created and sustained when contrasting, opposing, or interacting elements are in a state of equilibrium.

Contribution: The concept that the value of a particular component is measured in terms of its contribution to the value of the whole property or as the amount that its absence would detract from the value of the whole.

Surplus productivity: The net income that remains after the cost of various agents of production has been paid.

Conformity: The appraisal principle that real property value is created and sustained when the characteristics of a property conform to the demands of its market.

Externalities: The principle that factors outside a property, or externalities, exert both positive and negative influences on the property's value."⁸

⁷ The Appraisal of Real Estate, 14th edition, The Appraisal Institute, Chicago, Illinois (U.S., 2013), page 35

⁸ The Appraisal of Real Estate, 14th edition, The Appraisal Institute, Chicago, Illinois (U.S., 2013), page 33

The valuation of the subject property is made on the basis of the real estate. Both the market participants as well as the real estate appraiser take the effects of the fundamental principles listed above into consideration. In arriving at an estimate of value, the appraisal considers the three approaches normally employed in accepted real estate appraisal practice, namely:

The Cost Approach, wherein the land is appraised As If Vacant and available for development to its highest and best use. To this result is added the improvements estimated cost of replacement or reproduction new less depreciation accruing from all causes.

The Income Approach, which requires a study of the earnings capacity of the real estate, and the conversion of such net income into value by means of a capitalization process.

The Sales Comparison Approach, involving an analysis of the sale of other properties having similar improvements, and a comparison of such data with the property appraised, giving due consideration to the elements of dissimilarity. This approach was used in this report to value the subject larger parcel.

Valuation Methodology

Definition of the Larger Parcel

The first step in the appraisal of the proposed easement acquisition is to determine the larger parcel. In the case of the subject property, the larger parcel relates to assessor's parcel number 380-050-03, which reflects a site size of 12.43 acres.

The Sales Comparison Approach is typically the preferred method of land valuation when comparable data is available. The price per square foot has been used as the salient unit of comparison. As such the Income, Cost and Improved Sales Comparison Approaches have not been used, as they are typically not applicable to the analysis of vacant land.

Sales Comparison Approach

The application of this approach produces an estimate of value for a property by comparing it with similar properties which have been sold or are currently offered for sale in the same or competing areas. Procedures used to estimate the degree of comparability between two properties involve sound judgment decisions concerning their similarity with respect to any value factors such as transactional factors, location, physical characteristics, zoning and legal encumbrances.

Comparable Sales Search

A search for comparable data was undertaken in order to gain market insight. Sources referenced include MLS, RealQuest and CoStar Group Inc. The unit of comparison utilized for the analysis is price per square foot (psf) of land area.

As discussed previously, based on the conclusion of the highest and best use, the sales of comparable residentially zoned properties were reviewed and have been relied on for this appraisal report.

Among the items investigated, the seven most comparable transactions were selected for comparison. They range in size from 349,787 sf (8.03 acres) to 1,550,763 sf (35.60 acres). The comparables are located within a 30 mile radius of the subject site and located in the cities of Wildomar, Jurupa Valley, Murrieta, Rancho Cucamonga, unincorporated Riverside County and Menifee. Chronologically, the sales range from November 2013 to September 2014, with **Item R-7** currently in escrow and expected to close within the next 90 days. The sale prices range from \$1,470,000 to \$7,800,000, which translates to a range of \$1.81 to \$10.29 psf of land area, with an average of \$5.95 psf.

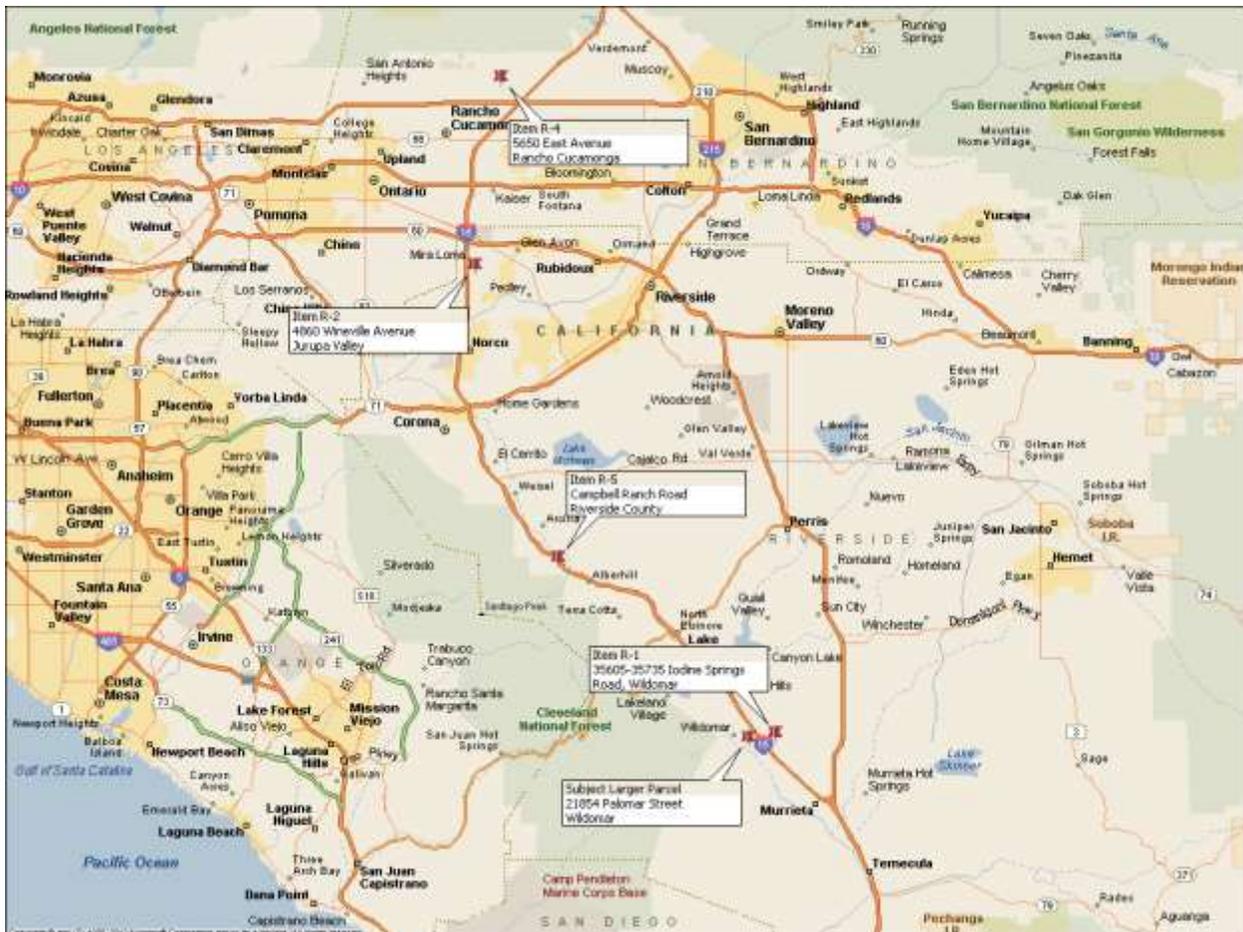
Summary of Comparable Sales

Item No	Location	Rec. Date	Zoning	Density (U/A)	SF	Acres	Price		
							Total	PSF Land	
R-1	35605-35735 Iodine Springs Road, Wildomar	09/26/14	R-1	6.0 un/ac	644,688	14.80	\$3,800,000	\$5.89	
R-2	4860 Wineville Avenue, Jurupa Valley	05/29/14	R-1	8.98 un/ac	1,550,736	35.60	\$3,806,000	\$2.45	
R-3	Elm Street, Murrieta	03/03/14	R-R	2.18 un/ac	870,764	19.99	\$3,767,000	\$4.33	
R-4	5650 East Avenue, Rancho Cucamonga	04/30/14	SP-EN	2.18 un/ac	389,426	8.94	\$3,800,000	\$9.76	
R-5	Campbell Ranch Road, Uninc. Riverside County	02/28/14	SP	6.0 un/ac	1,094,663	25.13	\$7,800,000	\$7.13	
SUBJ	21854 Palomar Street, Wildomar	----	R-R	2.18 un/ac*	541,451	12.43	----	----	
				Minimum:	2.18 un/ac	389,426	8.94	\$3,767,000	\$2.45
				Maximum:	8.98 un/ac	1,550,736	35.60	\$7,800,000	\$9.76
				Average:	5.07 un/ac	910,055	20.89	\$4,594,600	\$5.91

* Density under the Rural Residential zoning; R-1 zoning density up to 6.0 units per acre.

The map below shows the location of the comparable sales and the subject property.

Market Data Map



Land Sale Adjustments

Each sale is compared with the subject property and an adjustment is made to each sale based on differences between the two. By breaking out each sale into a common denominator such as price per acre or price per square foot, a more relevant comparison may be made.

Real Property Rights Conveyed

This adjustment considers the differences in legal estate (interest) between the subject property and the comparables. Specific interests convey different types of rights in a property which affect the value of property. These property interests can be defined in many ways, among them: simple fee estates, life estates, leased fee interests, and leasehold interests.

The selected comparable land sales were sold in fee simple interest, similar to the subject property; therefore, no adjustments were necessary.

Financing Terms

Each sale is compared with the subject property and an adjustment is made to each sale based on differences between the two. By breaking out each sale into a common denominator such as price per acre or price per square foot, a more relevant comparison may be made. The transaction price of one property may differ from that of an identical property due to different financial arrangements. In some cases buyers pay higher prices for properties to obtain below-market financing. Conversely, interest rates at above-market levels often result in a lower sales price. No financing adjustments were necessary to this data set.

Conditions of Sale

Typically, adjustments for conditions of sale usually reflect the motivations of the buyer and the seller in the transfer of real property. The conditions of sale adjustment reflects the difference between the actual sale price of the comparable and its probable sale price if it were sold in an arms-length transaction in today's market. Some circumstances of comparable sales that will need adjustment include sales made under duress, legal auctions, listings, assemblage sales, eminent domain transactions and sales that were not arm's length. There were no conditions of sale reported for this data set.

Expenditures Made Immediately After Purchase

A knowledgeable buyer considers expenditures that must be made following the purchase of a property because these costs may affect the net price that the buyer agrees to pay. Such expenditures may include the costs to demolish and remove any buildings, costs to petition for a zoning change, or costs to remediate environmental contamination. Costs to upgrade a property are typically not cause for adjustment as the benefit of these expenditures will most likely be manifested in improved income for the property. All comparable sales items sold for land value so no adjustments were required.

Time/Market Conditions

Current market outlook for comparable acreage sales are rated similar in comparison to the market conditions from the second quarter (February) 2014 to the present. Market conditions appear to be mostly stable during the time period reviewed.

Physical Characteristics

The physical characteristics of a comparable property and the subject property differ in many ways; each of these differences may require comparison and adjustment. Physical differences for vacant land include differences in location (neighborhood/market), visibility/ access, shape, land size, topography, utilities, site improvements, zoning and density/minimum lot size. On-site environmental conditions may also be considered.

Location: Neighborhood/Market Area

The subject larger parcel is located in a mostly residential neighborhood with slightly above average demographics. The selected comparable land sales are all located within a 30-mile radius of the subject larger parcel. **Item R-2** is located in mostly rural area with limited development nearby and considered inferior. **Items R-3 through R-5** are located in areas which are more populated and reflect higher demographics and are considered superior. The sales were adjusted accordingly when needed for differences in neighborhood/market area.

Visibility/Access

Some properties benefit from having increased visibility, also referred to as exposure or site prominence, by having a corner location versus and inside (midblock) location, or being positioned at a signalized intersection, or having double street frontage. The subject larger parcel is considered a midblock lot; however, it is located at the corner of Palomar Street and a dirt road (Refa Street). All of the comparables are considered similar in terms of visibility and access.

Land Shape

The subject is considered rectangular. **Items R-2 and R-5** are irregularly shaped and considered inferior. The remaining comparables are considered similar.

Land Size

Size is generally a less important element of comparison than date and location. Most types of development have an optimal site size; if the site is too large, the value of the excess land tends to decline at an accelerating rate. In conjunction with this, it should be noted, an inverse relationship typically exists with smaller parcels selling at higher rates, while larger parcels selling at lower rates. Because sales of different sizes may have different unit prices, appraisers ordinarily give more weight to comparables that are approximately the same size as the subject property.

All selected sales items had various lot sizes. In residential properties, size is not considered as great of a factor as density and minimum lot size. As such, all of the comparables are considered similar and no adjustments are indicated. Consideration is given in the density/minimum lot size category.

Topography/Grading

All of the comparables are considered similar in terms of topography/grading. No adjustments are indicated.

Utilities

All of the sales as well as the subject property have all utilities available in the adjacent streets.

Site Improvements

The subject larger parcel is improved with an existing single-family residence. Site improvements include landscaping. There are no street improvements (sidewalks, curbs, gutters, etc.). All of the selected comparable sales were rated similar.

Zoning/Uses

Adjustments for zoning are applied as a result of superiority or inferiority of zone characteristics. Variances in zoning affect development standards for a particular site, which may render it more desirable to investors, particularly on income-producing properties. The subject property and the selected comparable land sales have similar zoning/allowable uses, so no adjustments were warranted.

Density/Minimum Lot Size

When considering residential land, the strongest factor is density/minimum lot size. In the case of the subject larger parcel, a minimum lot size of 20,000 sf is indicated based on the current zoning. This would equate to a density of 2.18 units per acre.

The subject larger parcel is being appraised under the extraordinary assumption that a zone change to R-1 zone has taken place. This would allow for a minimum lot size of 7,500 sf and a density of up to 5.8 units per acre. The majority of the comparable properties are considered similar, with the exception of **Item R-2**, which reflects a slightly superior allowable density of 8.98 units per acre and **Items R-3 and R-4**, both of which reflect an inferior density of 2.18 units per acre. Adjustments are indicated for these comparables are based on their allowable density levels. All other comparables were rates similar to the subject.

Other Adjustments (Entitlements)

Items R-3 and R-5 sold with preliminary tract maps approved, or available, which is considered superior to the subject, which has no entitlements in place.

The adjustment grid on the following page delineates the market data items used in this report and their respective adjustments.

Residential Land Comparable Sales						
Land Sales						
	Subject	Item R-1	Item R-2	Item R-3	Item R-4	Item R-5
Location:	21854 Palomar Street Wildomar, CA	35605-35735 Iodine Springs Rd. Wildomar, CA	4860 Wineville Avenue Jurupa Valley, CA	Elm Street Murrieta, CA	5650 East Avenue Rancho Cucamonga, CA	Campbell Ranch Road Uninc. Riverside County, CA
A. P. N.	380-050-003	See Market Data Section	160-060-058 & 060	See Market Data Section	1087-081-25	290-670-001
Sale Price:	N/A	\$3,800,000	\$3,806,000	\$3,767,000	\$3,800,000	\$7,800,000
Recording Date:	N/A	9/26/2014	5/29/2014	3/3/2014	4/30/2014	2/28/2014
Lot size in Acre	12.43	14.80	35.60	19.99	8.94	25.13
Price/per sf	N/A	\$5.89	\$2.45	\$4.33	\$9.76	\$7.13
Land area (SF)	541,451	644,688	1,550,736	870,764	389,426	1,094,663
Location	Average	Average	Sl. Below Avg.	Above Avg.	Above Avg.	Above Avg.
Imp./Utilities	Available	Available	Available	Available	Available	Available
Topography	Level	Level	Level	Level	Level	Level
Visibility/Access	Average	Average	Average	Average	Average	Average
Zoning	R-R	R-1	R-1	R-R	SP-EN	R1
Density (un/ac)	2.18 u/a	6.0 u/a	8.98 u/a	2.18 u/a	2.18 u/a	6.0 u/a
Sales Adjustment						
		Item R-1	Item R-2	Item R-3	Item R-4	Item R-5
Carried Forward Price/per sf		\$5.89	\$2.45	\$4.33	\$9.76	\$7.13
Property Rights Conveyed		0%	0%	0%	0%	0%
Financing Terms		0%	0%	0%	0%	0%
Conditions of Sale		0%	0%	0%	0%	0%
Expenditures Immed after purchase		0%	0%	0%	0%	0%
Market Conditions		0%	0%	0%	0%	0%
Adj Price/per square foot		\$5.89	\$2.45	\$4.33	\$9.76	\$7.13
Other Adjustments:						
LOCATION:						
Neighborhood/Market		Similar	Inferior	Similar	Very Superior	Superior
Visibility, Access		Similar	Similar	Similar	Similar	Similar
PHYSICAL CHARACTERISTICS:						
Shape		Similar	Inferior	Similar	Similar	Inferior
Land Size		Similar	Similar	Similar	Similar	Similar
Topography/Grading		Similar	Similar	Similar	Similar	Similar
Availability of Utilities		Similar	Similar	Similar	Similar	Similar
Site Improvements		Similar	Similar	Similar	Similar	Similar
Zoning/Uses		Similar	Similar	Similar	Similar	Similar
Density/Minimum Lot Size		Similar	Sl. Superior	Inferior	Inferior	Similar
Other Adjustments: Entitlements		Similar	Similar	Superior	Similar	Superior
Overall Adjust. Comparability		Similar	Inferior	Similar	Superior	Superior
Adj Price/per square foot		\$5.89	\$2.45	\$4.33	\$9.76	\$7.13
Subject Value Estimate:						
As Of 12/3/2014						
Subject Size	X	Price/ Square Foot	=	Value		
541,451		\$5.50 Per Sq.Ft =		\$ 2,977,981	2,977,981	
Overland Pacific & Cutler Appraisal Group						

Note: minor disparities in rounding are a result of Microsoft Excel formulas and have no impact on value.



Land Value Conclusion, Larger Parcel:

The subjects' characteristics are well bracketed amongst the comparable sales selected. They range in size from 389,426 sf (8.94 acres) to 1,550,736 sf (35.60 acres), with sale prices ranging from \$3,767,000 to \$7,800,000, which translates to a range of \$2.45 to \$9.76 psf of land area, with an average of \$5.91 psf.

After consideration of qualitative adjustment factors such as location, physical characteristics, site improvements, zoning and density/minimum lot size, not all land value indicators were given equal weight in the overall analysis. The overall comparability of the data set yields the following ranking:

Item #	Ranking	Price PSF
Item R-4	Superior	\$9.76
Item R-5	Superior	\$7.13
SUBJECT		
Item R-1	Similar	\$5.89
Item R-3	Similar	\$4.33
Item R-2	Inferior	\$2.45

During the search for comparable properties, it was discovered that a property located on Palomar Street is currently in escrow. Information provided by the listing broker indicated that the site is being purchased to develop under the existing zoning, without consideration for a zoning change. The broker also indicated additional site work, including grading and utilities. The fact that this site is not being rezoned is due to the specific location on Palomar Street, where the majority of the surrounding improvements is on larger-sized lots or haven't been rezoned to R-1 with higher density.

Based on our analysis and fair market definition, we have formed the opinion that the subject land has a unit value of **\$5.50 psf** as of December 3, 2014.

Deduction for Costs and Expenses Associated with Zone and General Plan Change

Information provided by representatives from the City of Wildomar Planning Department indicate that the estimated costs associated with zone and general plan changes are approximately \$20,000 in fees. On a per square foot basis, based on the subject larger parcel size, this equals **\$0.04 psf** for the indicated zone and general plan change costs.

The property owner would be responsible for taxes during the holding period, which is estimated at six months. Taxes are based on the current tax rate for the area of 1.2%, and equate to an annual tax of approximately \$45,500, **or \$0.04 psf**, during the holding period (\$45,500 annual taxes times 1.2% equals \$0.08 psf for 12 months; six months applicable).

In addition, a knowledgeable buyer would expect an appropriate discount rate for the risks associated with the zone and general plan change. Conversations with local brokers and developers indicate a discount within the range of 5% to 10% of the market value would be appropriate for a holding period of six (6) months. Based on these conversations, a discount of **5%** is indicated.

Based on all these factors, the concluded fair market value of the subject larger parcel, with the appropriate discounts, is as follows:

DEDUCTIONS FOR COSTS AND EXPENSES ASSOCIATED WITH ZONE CHANGE		
Concluded Fair Market Value, As R-1 Land	\$	5.50
Less Zone/General Plan Amendment Costs	\$	(0.03)
Less Taxes During the Holding Period	\$	(0.04)
Less Discount For Associated Zone/General Plan Change Risks	\$	(0.28)
CONCLUDED FAIR MARKET VALUE - Subject Larger Parcel	\$	5.16

The mathematical calculation of the land value estimate for the subject larger parcel "as vacant" is as follows:

CONCLUSION OF MARKET VALUE			
Value of the Larger Parcel in the "Before" Condition			
12.54 acres, or	541,451 sf	@\$5.16 psf	\$ 2,793,887
			\$ 2,793,887

Partial Acquisition Analysis

Portion to Be Acquired:

In theory, complete real property ownership, otherwise known as the fee simple interest, consists of a bundle of distinct and separable rights. These rights can be individually conveyed by the fee owner to other parties, either in perpetuity or for a limited duration. Separating rights from the bundle creates a partial or fractional interest.

Flood Control Easement Acquisition

As it pertains to the subject property, the project requires a permanent flood control easement of approximately 0.27 acres or 11,761 sf, in size. The proposed easement has been discussed in detail previously in this appraisal report.

A review of the proposed flood control easement to be granted to the Riverside County Flood Control District addresses the potential limitations on the development and use of the land resulting from the easement in order to ascertain which rights the fee owner retains. The impact on value may be a function of the loss of utility, access and use rights to be transferred and the obligations of the parties.

The presence of the proposed flood control easement appears to affect or restrict the normal use of this area more than it if were unencumbered. The easement will be mostly subsurface for the storm drain; the surface rights will remain intact. Information provided by representatives from the client, as well as the City Planning Department, indicates that the only limitations applicable will be that no permanent building and/or structures, trees or pools will be allowed within the easement area; grass, fences, and ornamental shrubs will be allowed in the easement area. The existing zoning requirements indicated a 20' setback requirement; the majority of which falls within the proposed easement area.

Based on a review of the information provided, it appears that the proposed easement will have limited loss of use for the property owner. As such, compensation for the area to be encumbered is indicated at 50% of the adjusted concluded fee value of **\$5.16 psf of land area**. This reflects the following:

Value of the Acquisition Area				
Flood Control Easement	11,761 sf @	\$5.16 psf @	50% \$	30,343

Site Improvements in Acquisition Area

There are no site improvements within the proposed easement acquisition area; only natural vegetation. As such, compensation for site improvements has not been provided.

Total Parts Acquired

Value of the Parts Acquired	
Land Area Acquired:	\$ 30,343
Site Improvements	None
Market Value of the Part Acquired:	\$ 30,343

Remainder Parcel – As Part of the Whole

Valuation of the remainder parcel as part of the whole is measured by subtracting the value of the parts acquired from the larger parcel value, as follows:

Value of the Remainder as Part of the Whole:	
Larger Parcel Valuation:	\$ 2,793,887
Less: Value of the Parts Acquired	\$ 30,343
Equals: Value of the Remainder As Part of the Whole	\$ 2,763,544

Value of the Remainder After Acquisition and Before Consideration of Benefits

Typically valuation of a remainder parcel after acquisition considers how the partial acquisition affects the remainder parcel. Methodology involves a determination as to severance damages and benefits that may accrue to the remainder parcel.

Consideration of Severance Damages

California Eminent Domain Law defines Damage to the remainder as the damage, if any, caused by either or both of the following: **a)** The severance of the remainder from the part acquired, **b)** The construction and use of the project for which the property is acquired in the manner proposed by the plaintiff whether or not the damage is caused by a portion of the project located on the part acquired.

Damage considerations include issues related to air, light and view obstruction, a change in utility due to shape, topography, access or other physical impairment, or a reduction in site amenities enjoyed in the before condition.

The proposed acquisition consists of a small portion of the larger parcel located at the northern edge of the property that is currently vacant land. The acquisition represents approximately 2% of the larger parcel size. The majority of the proposed acquisition falls into existing setback requirements should the property be developed in the future.

The remainder property after construction in the manner proposed is concluded to have the same unit value as the larger parcel in the "before" condition, indicating that no severance damages result.

Conclusion – Damages

Total Damages are estimated as the difference between the Value of the Remainder as Part of the whole and the Value of the Remainder "After" Acquisition.

Conclusion, Severance Damages:	
Value of the Remainder as Part of the Whole	\$ 2,763,544
Less: Value of the Remainder 'After' Acquisition	\$ 2,763,544
Equals: Severance Damages:	\$0

Value of the Remainder after Acquisition and after Consideration of Benefits:

Briefly stated, benefits are defined as any value enhancement resulting from the project. As cited in Los Angeles County Metropolitan Transit Agency v. Continental Development Corporation, 97 Daily Journal D.A.R. 11021, ***"...all reasonably certain, non speculative benefits resulting from the project may offset against severance damages..."***

In the case of the subject property, we previously concluded that there is no severance damage to the remainder parcel. Because benefits only offset severance damages, it was not necessary to value said benefits in this assignment as no severance damages exist. The appraiser reserves the right to consider benefits should any changes to this assignment arise.

Conclusion – Benefits to the Remainder

Benefits: N/A

Value Of The Parts Rented

The project in the manner proposed requires a 22,216 sf of Temporary Construction Easement (TCE) for four months. The proposed Temporary Construction Easement has been discussed in detail previously in this appraisal report.

Based on historical ground lease data, rates of return typically range from 7 to 10% for long term leases. A rate of 10% has been used for establishing the value of the parts rented. This rate is consistent with the returns obtained by various private and public land owners who routinely lease land, including the County of San Bernardino and other entities. An additional 1% is added for property tax compensation, for a total TCE rate of 11%.

Mathematically, the rental value of the Net TCE area is calculated as follows:

Temporary Easement Area:	22,216 sf	22,216 sf
Multiplied By: Adjusted Unit Value from Market:	\$5.16 psf	
Multiplied by Rental Rate:	11%	
Annual Rent/ psf:	\$0.57	\$0.57
Estimated duration of TCE:		4 months
Fair Rental Value of TCE for the entire period:		\$ 4,203

Estimated Compensation Summary

Total estimated compensation is the aggregate total of the parts acquired, net damages and temporary construction easement and is shown as follows:

Conclusion, Estimated Compensation:	
Parts Permanently Acquired	\$30,343
Plus: Parts Rented (Temporary Construction Easement):	\$4,203
Equals: Total Estimated Compensation:	\$34,546
Rounded to:	\$34,500

Value Recapitulation

Appraisal conclusions stated in this section are summarized as follows:

Value Recapitulation	
Value of the Larger Parcel, Land Only:	\$ 2,793,887
Value of the Parts Acquired, Land Only:	\$ 30,343
Value of the Remainder As Part of the Whole:	\$ 2,763,544
Value of the Remainder 'After' Acquisition:	\$ 2,763,544
Incurable Severance Damages	\$ 0
Cost To Cure	\$ 0
Benefits:	Not Studied
Parts Rented (Temporary Construction Easement) (4 months)	\$ 4,203
Total Estimated Compensation	\$ 34,546
	Rounded \$ 34,500

\$34,500
THIRTY-FOUR THOUSAND FIVE HUNDRED DOLLARS

Section 6 - Market Data

Item R-1	
Location/Address:	35605-35735 Iodine Springs Road, Wildomar, CA
Recording Date (Doc. No:)	09/26/2014 (Doc. No. 0366668)
Grantor:	Rancon Equity Partners III, LLC
Grantee:	Wildomar Springs, LLC
Deed Type:	Grant Deed
Assessor's Parcel Numbers:	At the time of sale: 362-240-020, -023, -029, -031, -032: Reparcelized: APN's: 362-730-001 through -032 and 362-731-001 through -020
Zoning/Density/Min. Lot Size:	R1 Zoning – 52 lots; 6.0 units per acre, 7,200 sf min lot size
Interest Conveyed:	Fee Simple
Lot Area:	14.80 acres or 644,688 sf
Topography:	Level
Utilities:	Available to the site
Intended Use:	Construct single-family residential development
Sales Price/psf:	\$3,800,000; \$5.89 psf
Verification/Date:	Daniel Stephenson, Rancon Equity Partners, seller's representative; review of public records, recorded grant deed and site inspection, by M. McDonald, November 2014
Financing Terms:	Conventional financing
Conditions of Sale:	None noted
Current Use at Sale Date:	Vacant land
Comments:	This is the sale of a residentially zoned site located in a mostly residential neighborhood. The seller's representative was able to confirm the sales price and terms of sale. The site has apparently been rezoned and no assessor's parcel maps are available. Little information was available regarding the buyer's plans or timeline for the site; however, the site was purchased by a residential developer and is assumed to have been purchased to construct homes.

Comparable Data Photo



Assessor's Parcel Map

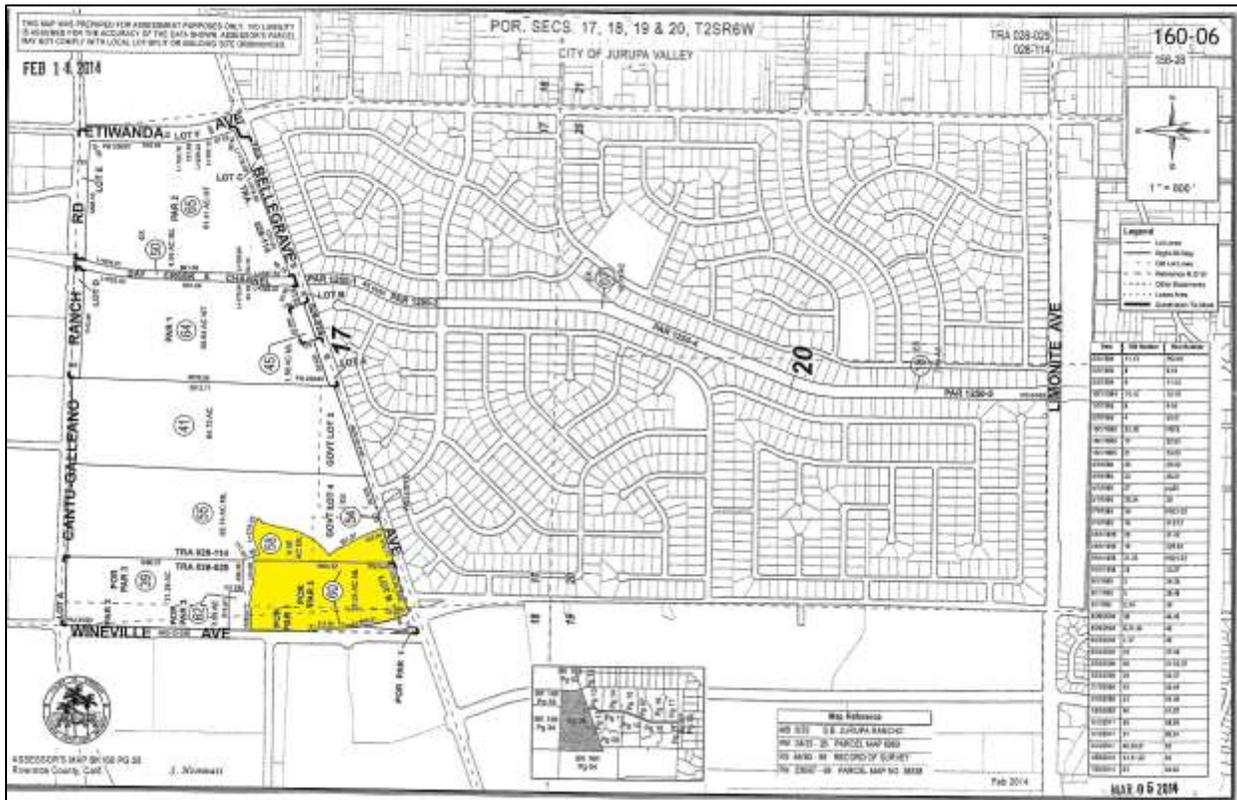
**** The site has been reparcelized and no parcel maps are currently available.**

Item R-2	
Location/Address:	4860 Wineville Ave., Jurupa Valley, CA
Recording Date (Doc. No:)	05/29/2014 (Doc. No. 236554)
Grantor:	CDCG Group Holdings LP
Grantee:	William Lyon HMS INC
Deed Type:	Grant Deed
Assessor's Parcel Number:	160-060-058 & 060
Zoning/Density/Minimum Lot Size:	R-1 Zoning- 317 lots; 8.98 units per acre; 4,500 sf min. lot size
Interest Conveyed:	Fee Simple
Lot Area:	1,550,736 sf; 35.60 AC
Topography:	Level
Utilities:	Available to the site
Intended Use:	Single Family Development
Sales Price/psf:	\$3,806,000 / \$2.45 psf
Source / Date:	Review of public records, recorded grant deed; by M. McDonald, October 2014
Financing Terms:	Assumed conventional
Conditions of Sale:	None reported
Current Use at Sale Date:	Vacant land
Comments:	<p>Purchased by large home developer to construct ±320 single-family residences. None of the parties involved in the transaction were able to confirm the details; information provided in based on public records.</p> <p>Representatives from the Jurupa Valley Planning Department indicate that an existing preliminary tract map has been submitted to the city for approval. Construction is underway on the homes. Final tract approval will be granted upon completion of construction of the improvements. The preliminary tract map is dated after the date of sale; it is assumed that the transaction did not include the preliminary tract map information.</p>

Comparable Data Photo



Assessor's Parcel Map



Item R-3	
Location/Address:	Elm Street, Murrieta, CA
Recording Date (Doc. No:)	03/03/2014 (Doc. No. 0079179)
Grantor:	Lincoln Murrieta Holdings, LLC
Grantee:	KB Home Coastal, Inc.
Deed Type:	Grant Deed
Assessor's Parcel Numbers:	910-080-001 through -024
Zoning/Density/Minimum Lot Size:	RR Zoning- 24 lots; 2.18 units per acre; 20,000 sf min. lot size
Interest Conveyed:	Fee Simple
Lot Area:	19.99 acres or 870,764 sf
Topography:	Level
Utilities:	Available to site
Intended Use:	Construct single-family residential development
Sales Price/psf:	\$3,767,000 or \$4.33 psf
Verification/Date:	Bruce Karatz, KB Home, buyers representative; review of public records and recorded grant deed
Financing Terms:	Conventional
Conditions of Sale:	None reported
Current Use at Sale Date:	Vacant land
Comments:	Site was purchased by residential developer to construct 24 single-family residences. Escrow lasted approximately 10 months. The site sold with a preliminary tract map, which is still in the process of receiving approvals.



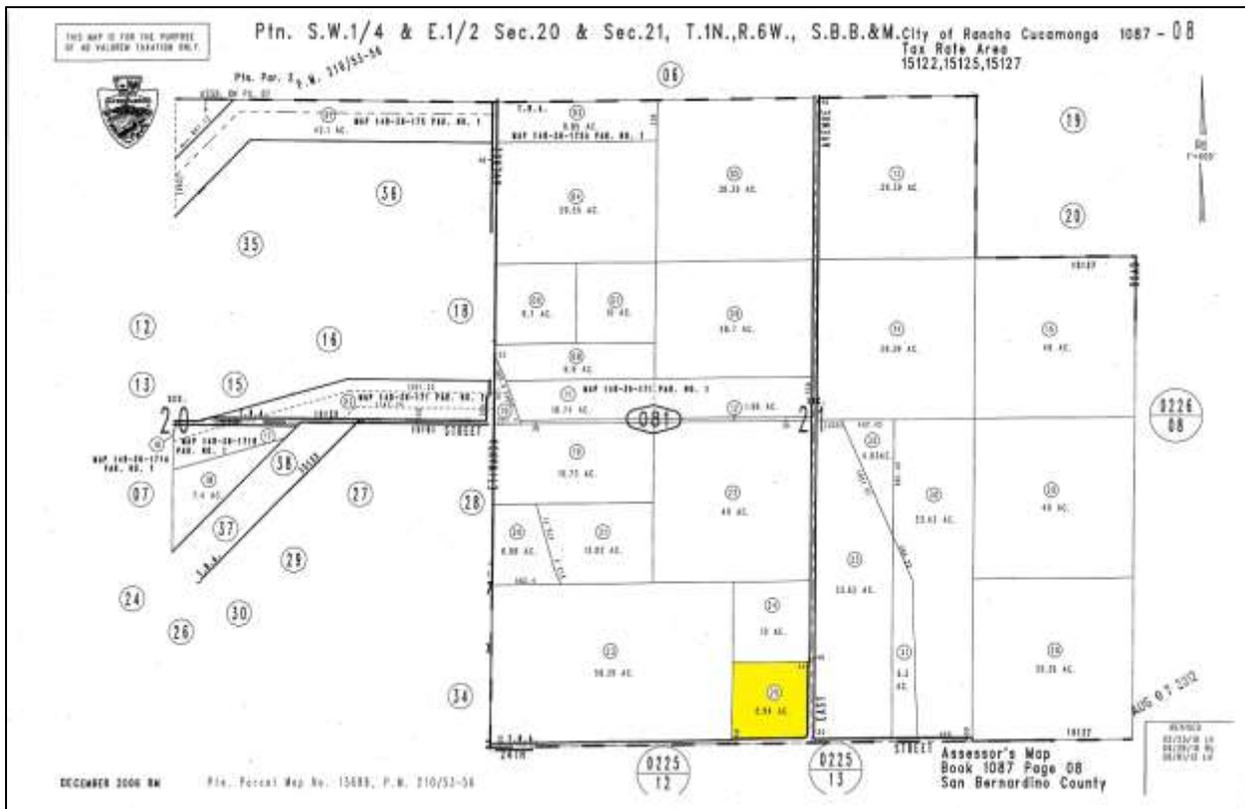
Item R-4	
Location/Address:	5650 East Avenue, Rancho Cucamonga, CA
Recording Date (Doc. No:)	04/30/2014 (Doc. No. 153034)
Grantor:	Stone W.H. & Hoyce C.S. Chen
Grantee:	Oakville Reserve Ltd.
Deed Type:	Grant Deed
Assessor's Parcel Numbers:	1087-081-25
Zoning/Density/Minimum Lot Size:	SP-EN; Specific Plan Etiwanda North, Hillside Residential 2.18 units per acre; 20,000 sf min lot size
Interest Conveyed:	Fee Simple
Lot Area:	389,426 sf; 8.94 AC
Topography:	Rolling
Utilities:	Available to the site
Intended Use:	Single Family Development
Sales Price/psf:	\$3,800,000 / \$9.76 psf
Verification/Date:	John Schafer, Richland Communities, buyer's representative, review of public records and recorded grant deed, by M. McDonald, October 2014
Financing Terms:	All cash
Conditions of Sale:	None reported; purchased for assemblage
Current Use at Sale Date:	Vacant residential land
Comments:	Purchased to use a portion for infrastructure for adjacent residential development. Will work on entitlements and sell as entitled land. Fair market transaction, with no special conditions of sale. Buyer considered transaction at the upper end due to the location in a strong residential market and higher home values. As of the date of sale, there were no entitlements or tract maps for this site.

Comparable Data Photo



**** Note: Photo taken from end of dirt road; site located in the far area of the photograph**

Assessor's Parcel Map

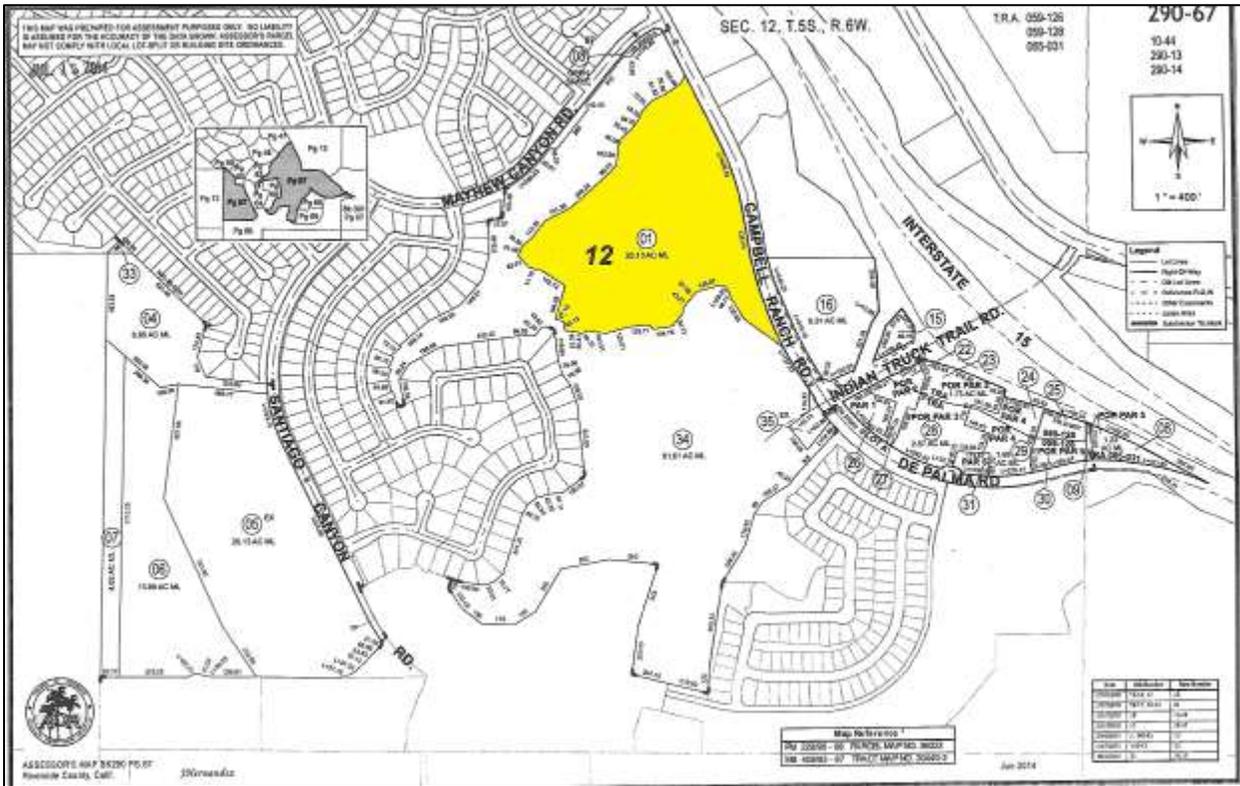


Item R-5	
Location/Address:	Campbell Ranch Road, Uninc. Riverside County, CA
Recording Date (Doc. No:)	02/28/2014 (Doc. No. 77919)
Grantor:	Starfield Sycamore Investors LLC
Grantee:	TRI Pointe Homes Inc.
Deed Type:	Grant Deed
Assessor's Parcel Number:	290-670-001
Zoning/Density/Minimum Lot Size:	R-1 Zone – 150 lots; 6.0 units per acre; 7,200 sf min lot size
Interest Conveyed:	Fee Simple
Lot Area:	1,094,663 sf; 25.13 AC
Topography:	Level
Utilities:	Available to the site
Intended Use:	Single Family Development
Sales Price/psf:	\$7,800,000 / \$7.13 psf
Verification/Date:	Doug Bauer, TRI Pointe Homes, buyers representative, review of public records and recorded grant deed, by M. McDonald, October 2014
Financing Terms:	All cash
Conditions of Sale:	Off-market transaction – buyer reportedly contacted seller directly
Current Use at Sale Date:	Vacant residential land
Comments:	<p>The site was purchased for the development of detached single-family residences. The buyer's representative was unable to provide any additional details regarding the purchase; only to confirm the purchase price and the site size.</p> <p>Information provided by representatives from the Riverside County Planning Department indicates that the site has a preliminary tract map approved for the development of 150 single-family residences.</p>

Comparable Data Photo



Assessor's Parcel Map



Section 7 - Addenda

Kevin Donahue, MAI Managing Director, Valuation Services

Overland, Pacific & Cutler, Inc.

- Education:** ▪ Bachelor of Arts in Finance, Emphasis in Real Estate Studies, California State University, Fullerton
- License(s):** ▪ Certified General Real Estate Appraiser, State of California OREA No. AG015779
- Professional Affiliations:** ▪ MAI Designated Member, Appraisal Institute
▪ International Right of Way Association (IRWA), Chapter 67 President, 2001
▪ Appraisal Member, Orange County Association of Realtors
- Years of Experience:** **Initial Year in Industry:** 1986
Initial Year with OPC: 2010

Overview

Mr. Donahue has completed numerous and complex assignments involving commercial, industrial, and residential properties. Besides shopping centers, industrial warehouses, business parks, office buildings, and large apartment complexes, Mr. Donahue has appraised many special purpose properties such as transportation corridors, open space land, mitigation land, affordable housing projects, SRO hotels, and government buildings. Appraisal purposes include eminent domain, inverse condemnation, various easements, ground lease valuation, insurable asset taxation, leasehold/leased fee analysis, I.R.S. disputes, bankruptcy litigation, construction defect litigation, soils movement matters, failure to disclose litigation, and estate planning. Kevin is qualified as an expert witness in Orange, Riverside, Los Angeles and Ventura County Superior Courts.

Project Examples

Recent Appraisal Project Experience:

- **California High Speed Rail Project, Central California.** Supervised and managed appraisal process for over 50 full and partial acquisition appraisals from Madera to Kings County, to include complex subject properties.
- **California American Water District (CalAm).** Appraisal of a permanent non-exclusive access easement for eminent domain purposes in Camarillo, Ventura County, CA.
- **Riverside County Transportation Commission (RCTC), SR-91 Corridor Improvement Project.** Full and Partial Acquisitions on various residential and commercial properties. Appraisal review also required. High profile, politically sensitive project to widen approximately 16 miles of active highway through the urbanized area of Corona and the County of Riverside.
- **San Bernardino Associated Governments (SANBAG), I-215 HOV Gap Closure Project.** Fifteen (15) partial acquisition appraisals including vacant and improved industrial, utility, and rail properties in the cities of Colton, Grand Terrace, and Riverside. **Laurel Street Grade Separation Project.** This project involved full or partial acquisition of 12 ownerships to include residential, industrial, railroad and special purpose properties needed for the BNSF/Laurel Street Grade Separation Project in the City of Colton.

- **Mitchell v. City of San Clemente.** Inverse condemnation matter related to soils movement in the City of San Clemente. Case involved five (5) single family residences.
- **CALTRANS, SR60/57 Freeway Interchange Improvement Project, City of Diamond Bar, Los Angeles County.** Partial acquisition appraisal of an improved commercial property requiring multiple takings for a new freeway ramp.
- **City of Highland/IVDA/County of San Bernardino, 5th Street and Del Rosa Avenue Improvement Project.** Partial acquisition appraisal of 50+ parcels, to include residential, commercial, industrial, and special purpose utility-owned property.

Recent Appraisal Review Experience

- **California High Speed Rail Project, Central California.** Provided over 30 appraisal reviews of full and partial acquisition appraisals from Madera to Kings County, to include complex subjects.
- **Sacramento Regional Transit District, South Sacramento Phase II Corridor Project.** Completed appraisal reviews for relocation of a SMUD overhead transmission line.
- **Port of Long Beach Authority, Gerald Desmond Bridge Project.** Appraisal reviews for complex partial acquisitions to include special purpose and waterfront industrial properties.
- **Riverside County Transportation Commission (RCTC), SR-91 Corridor Improvement Project.** Appraisal reviews for both Full and Partial Acquisitions on various residential, industrial, and commercial properties, improved and vacant. High profile, politically sensitive project to widen approximately 16 miles of active highway through the urbanized area of Corona and the County of Riverside.
- **City of Palmdale, 10th Street E and Rancho Vista Interchange Improvements.** Appraisal reviews for four (4) vacant residential, industrial, and utility properties in the City of Palmdale for intersection improvements.

Specific Expertise

Other Coursework:

Appraisal Institute Courses/Seminars:
Report Writing and Valuation Analysis
Advanced Applications
Standards of Professional Practice, A & B
Real Estate Principles

Continued:

Basic Valuation Procedures
Basic Income Capitalization
Advanced Income Capitalization
Valuation of Leased Fee Interests
Easement Valuation
Professional Writing In Appraisal Reports



Meredith McDonald, Sr. Valuation Analyst

Overland, Pacific & Cutler, Inc.

- Education:**
- Appraisal Institute, Pasadena, CA
 - Coursework, Fullerton College, Fullerton, CA
 - Coursework, Allied Schools, Laguna Hills, CA
- License(s):**
- Certified General Real Estate Appraiser, State of California AG043409
- Professional Affiliations:**
- Associate Member, Appraisal Institute
 - Chapter Member, International Right of Way Association (IRWA)
 - Membership Chair, IRWA, 2011-2014
 - Member, California Association for Local Economic Development (CALED)
- Years of Experience:** **Initial Year in Industry:** 2003
Initial Year with OPC: 2014

Overview

Meredith McDonald has significant experience in complex partial acquisitions for right of way projects, transactional lending work, and other intended uses. Properties appraised have included single and multi-tenant office buildings, neighborhood, community, and super regional shopping centers, special use properties, fee simple, leased fee and leasehold interests, single/multi-tenant industrial buildings, and proposed residential subdivisions, with values ranging from \$2 million to \$70 million. She is an Associate member of the Appraisal Institute, and a Chapter member of the IRWA, where she served as Membership Chair 2011-2014. Past valuation assignments have included reports for City and County governmental agencies, as well as Caltrans.

Past Relevant Experience

- **Riverside County Transportation Commission (RCTC), 91 Corridor Improvement Project.** Appraisal services on multiple properties.
- **OCTA/Caltrans, SR57 Widening (Fullerton/Placentia).** Project included four properties. Partial acquisitions: apartment complex and railroad corridor. **SR57 Widening (Anaheim).** Six properties with partial acquisitions: commercial and industrial properties, and a railroad corridor. **SR91 Widening (Fullerton).** Project included 14 properties, partial acquisitions: single-family residential, industrial, and commercial properties. **Lakeview Grade Separation (Anaheim/Fullerton).** Project included 12 properties; partial and full acquisitions, multiple commercial and retail properties, multi-family residential, and single-family residential.
- **City of Orange, Main Street Widening.** Project involved 10 properties; partial acquisitions: commercial properties (two properties were cut and reface/complex appraisals).
- **County of Orange Public Works, Lincoln Avenue Widening.** Project included 5 properties; partial acquisitions: homeowners association, industrial properties, and flood control channel.
- **City of Redlands, Redlands Boulevard Widening.** Project included 5 properties; partial acquisitions included commercial properties.

Prior Appraisal Experience

Appraiser/Consultant
Kiley Company, Tustin, CA

Specific Expertise

Appraisal Institute Coursework:

Basic Appraisal Principles, National 15-Hour USPAP Course, Demonstration Appraisal Report Writing Course, Condemnation Appraising: Principles and Applications

Allied Business School Courses:

Intermediate Real Estate Appraisal Course, Fundamentals of Real Estate Appraisal Course, Real Estate Principles, Real Estate Practices

Legal Description

File No: 08024172

EXHIBIT "A"

All that certain real property situated in the County of Riverside, State of California, described as follows:

THE SOUTHEASTERLY 13.38 ACRES OF LOT 34 IN BLOCK "L" OF LAKE ELSINORE, AS SHOWN BY MAP OF BLOCKS "K", "L" AND "M", IN THE CITY OF WILDOMAR, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA AS PER MAP RECORDED IN BOOK 4, PAGE 174, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, CALIFORNIA.

THE NORTHWESTERLY LINE OF SAID SOUTHEASTERLY 13.38 ACRES BEING PARALLEL WITH THE SOUTHEASTERLY LINE OF PASADENA STREET, AS SHOWN ON SAID MAP.

EXCEPT THAT PORTION AS DESCRIBED IN THE FINAL ORDER OF CONDEMNATION TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT RECORDED MAY 17, 1995 AT 158861, OF OFFICIAL RECORDS DESCRIBED AS FOLLOWS:

PARCEL 7075-1A:

BEING A PORTION OF THE SOUTH HALF OF SECTION 35, TOWNSHIP 6 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF PALOMAR STREET AND SOUTH PASADENA STREET;

THENCE SOUTH 49°20'52' EAST, ALONG THE CENTERLINE OF SAID PALOMAR STREET, A DISTANCE OF 955.09 FEET;

THENCE NORTH 37°04'52' EAST, A DISTANCE OF 81.15 FEET, TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 37°04'52' EAST, A DISTANCE OF 82.68 FEET, TO A CURVE CONCAVED NORTHEASTERLY HAVING A RADIUS OF 462.50 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE A DISTANCE OF 188.82 FEET, THROUGH A CENTRAL ANGLE OF 23°23'30" TO A POINT TO WHICH A RADIAL BEARS SOUTH 40°39'08" WEST;

THENCE SOUTH 49°20'52" EAST, A DISTANCE OF 185.185 FEET;

THENCE SOUTH 37°04'39" WEST, A DISTANCE OF 15.69 FEET;

CLTA Preliminary Report Form - Modified (11-17-06)

Page 3

File No: 08024172

THENCE NORTH 49°20'52" WEST, A DISTANCE OF 49.94 FEET;

THENCE SOUTH 37°04'39", A DISTANCE OF 54.95 FEET;

THENCE NORTH 49°20'52" WEST, A DISTANCE OF 209.05 FEET, TO A CURVE CONCAVED NORTHEASTERLY HAVING A RADIUS OF 537.50 FEET.

THENCE NORTHWESTERLY ALONG SAID CURVE A DISTANCE OF 112.32 FEET, THROUGH A CENTRAL ANGLE OF 11°58'24" TO A POINT TO WHICH A RADIAL BEARS SOUTH 60°02'41" WEST, SAID POINT BEING THE POINT OF BEGINNING.

PARCEL 7075-1B:

BEING A PORTION OF THE SOUTH HALF OF SECTION 35, TOWNSHIP 6 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF PALOMAR STREET AND SOUTH PASADENA STREET;

THENCE SOUTH 49°20'52" EAST, ALONG THE CENTERLINE OF SAID PALOMAR STREET, TO THE CENTERLINE OF REFA STREET, A DISTANCE OF 1351.58 FEET;

THENCE NORTH 37°04'39" EAST, A DISTANCE OF 110.06 FEET, TO THE POINT OF BEGINNING;

THENCE NORTH 49°20'52" WEST A DISTANCE OF 30.06 FEET;

THENCE NORTH 37°04'39" EAST, A DISTANCE OF 15.69 FEET;

THENCE SOUTH 49°20'52" EAST, A DISTANCE OF 30.06 FEET;

THENCE SOUTH 37°04'39" WEST, A DISTANCE OF 15.69 FEET, TO THE POINT OF BEGINNING.

PARCEL 7075-1C:

BEING A PORTION OF THE SOUTH HALF OF SECTION 35, TOWNSHIP 6 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF PALOMAR STREET AND SOUTH PASADENA STREET;

File No: 08024172

THENCE SOUTH 49°20'52" EAST, ALONG THE CENTERLINE OF SAID PALOMAR STREET, TO THE CENTERLINE OF REFA STREET, A DISTANCE OF 1351.58 FEET;

THENCE NORTH 37°04'39" EAST, A DISTANCE OF 30.06 FEET;

THENCE NORTH 49°20'52" WEST, A DISTANCE OF 80.00 FEET, TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 49°20'52" WEST, A DISTANCE OF 316.49 FEET;

THENCE NORTH 37°04'52" EAST, A DISTANCE OF 25.05 FEET;

THENCE SOUTH 49°20'52", A DISTANCE OF 316.49 FEET;

THENCE SOUTH 37°04'39" WEST, A DISTANCE OF 25.05 FEET, TO THE POINT OF BEGINNING.

PARCEL 7075-1D:

BEING A PORTION OF THE SOUTH HALF OF SECTION 35, TOWNSHIP 6 SOUTH, RANGE 4 WEST, SAN BERNARDINO BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF PALOMAR STREET AND SOUTH PASADENA STREET;

THENCE SOUTH 49°20'52" EAST, ALONG THE CENTERLINE OF SAID PALOMAR STREET TO THE CENTERLINE OF REFA STREET, A DISTANCE OF 955.09 FEET;

THENCE NORTH 37°04'52" EAST, A DISTANCE OF 55.11 FEET, TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 37°04'52" EAST, A DISTANCE OF 26.04 FEET, TO A POINT, ON A CURVE CONCAVED NORTHEASTERLY, HAVING A RADIUS OF 537.50 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE A DISTANCE OF 112.32 FEET THROUGH A CENTRAL ANGLE OF 11°58'24" TO A POINT TO WHICH A RADIAL BEARS SOUTH 48°04'17" WEST;

THENCE NORTH 49°20'52" WEST, A DISTANCE OF 107.44 FEET; TO THE POINT OF BEGINNING.

ALSO EXCEPTING THAT PORTION AS DESCRIBED IN A DEED TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION

CLTA Preliminary Report Form - Modified (11-17-06)

Page 5

File No: 08024172

**DISTRICT, AS RECORDED JUNE 9, 1995 AT 186058, OF OFFICIAL RECORDS,
DESCRIBED AS FOLLOWS:**

**THAT PORTION OF LOT 34 IN BLOCK "L" OF MAP OF BLOCKS "K", "L", AND
"M" ELSINORE, CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 4 OF
MAPS AT PAGE 174 THEREOF, RECORDS OF SAN DIEGO COUNTY,
CALIFORNIA, DESCRIBED AS FOLLOWS:**

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID LOT 34;

**THENCE NORTH 49°19'52" WEST, ALONG THE SOUTHWESTERLY LINE OF
SAID LOT 34, ALSO BEING THE NORTHEASTERLY LINE OF PALOMAR
STREET AS SHOWN ON SAID MAP, A DISTANCE OF 80.00 FEET;**

THENCE NORTH 37°05'36" EAST, A DISTANCE OF 80.00 FEET;

**THENCE SOUTH 49°19'52" EAST, A DISTANCE OF 80.00 FEET TO THE
SOUTHEASTERLY LINE OF SAID LOT 34;**

**THENCE SOUTH 37°05'36" WEST, ALONG SAID LINE, A DISTANCE OF 80.00
FEET TO THE POINT OF BEGINNING.**

Assessor's Parcel Number: **380-050-003-5**

Legals/Plats

**EXHIBIT "A"
FLOOD CONTROL EASEMENT**

That portion of Lot 34, Block "L" of the Map of Blocks K, L & M Elsinore Cal. as shown by map on file in Book 4 of Maps at page 174, Records of San Diego County, California, lying within Section 35, Township 6 South, Range 4 West, San Bernardino Meridian, described as follows:

BEGINNING at the most southerly corner of Lot 9 of Tract 21741 as shown on by map on file in Book 188 of Maps at pages 86 through 89, inclusive thereof, Records of Riverside County, California;

Thence South 46°26'50" East along the southerly line of Lots 1 and 4 through 8 of said Tract 21741 a distance of 392.09 feet to a point on the centerline of Refa Street as shown on Parcel Map 9555 on file in Book 46 of Maps at page 55, Records of said Riverside County, California, said point also being the most northerly corner of Lot "E" of said Parcel Map 9555;

Thence along said centerline of Refa Street South 37°05'07" West a distance of 30.19 feet;

Thence North 46°26'50" West a distance of 398.00 feet to the northwesterly line of that certain parcel of land granted to First Interstate Bank of California by deed recorded September 30, 1985 as Instrument No. 219462 of Official Records of Riverside County;

Thence North 37°05'39" East along said northwesterly line a distance of 30.19 feet to the southwesterly line of said Lot 9 ;

Thence South 46°26'50" East along said southwesterly line of Lot 9, a distance of 5.91 feet to the **POINT OF BEGINNING**.

Containing 0.27 Acre, more or less.

SEE PLAT ATTACHED HERETO AS EXHIBIT "B" AND MADE A PART HEREOF.

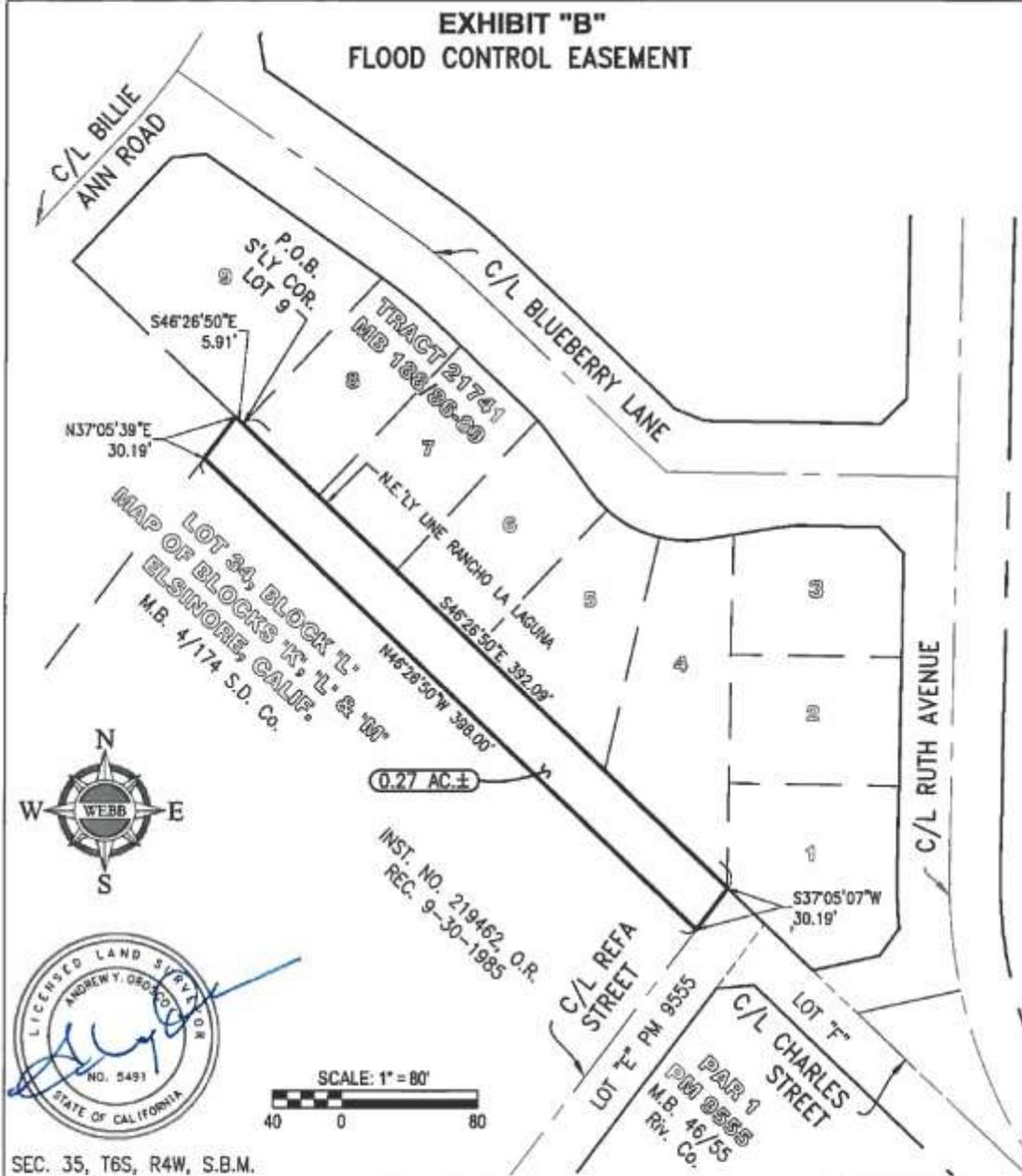
PREPARED UNDER MY SUPERVISION

 10-7-14
Andrew Y. Orisco, L.S. 5491 Date

Prepared by: OCK
Checked by: KM



EXHIBIT "B"
FLOOD CONTROL EASEMENT



SEC. 35, T6S, R4W, S.B.M.

ALBERT A.
WEBB
ASSOCIATES

CITY OF WILDOMAR, CALIFORNIA

C:\2014\14-0164\Drawings\Mapping\14-0164-ESMT-Flood Cntrl.dwg 10/6/2014

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) IN THE ATTACHED DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DOCUMENT.

SHEET 1 OF 1

W.O.
14-0164

SCALE: 1"=80'

DRWN BY CCK
CHKD BY KM

DATE 10-7-14
DATE 10-07-14

SUBJECT: FLOOD CONTROL EASEMENT



Parcel Map Check Report

Project: 14-0164

Prepared by: CCK

Date: 10/2/2014 11:32:42 AM

Parcel Name: Site 1 - Standard : 2

Description: FLOOD CONTROL EASEMENT #2

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North: 2,164,581.4158' East: 6,252,928.5714'

Segment# 1: Line

Course: S46° 26' 50.45"E Length: 392.087'

North: 2,164,311.2596' East: 6,253,212.7331'

Segment# 2: Line

Course: S37° 05' 07.36"W Length: 30.192'

North: 2,164,287.1743' East: 6,253,194.5272'

Segment# 3: Line

Course: N46° 26' 50.45"W Length: 398.005'

North: 2,164,561.4081' East: 6,252,906.0764'

Segment# 4: Line

Course: N37° 05' 38.73"E Length: 30.192'

North: 2,164,585.4906' East: 6,252,924.2860'

Segment# 5: Line

Course: S46° 26' 50.45"E Length: 5.913'

North: 2,164,581.4164' East: 6,252,928.5714'

Perimeter: 856.388' Area: 11,940.07Sq.Ft.

Error Closure: 0.0007 Course: N3° 18' 43.95"E

Error North : 0.00068 East: 0.00004

Precision 1: 1,223,412.857

EXHIBIT "A"
TEMPORARY CONSTRUCTION EASEMENT

That portion of Lot 34, Block "L" of the Map of Blocks K, L & M Elsinore Cal. as shown by map on file in Book 4 of Maps at page 174, Records of San Diego County, California, lying within Section 35, Township 6 South, Range 4 West, San Bernardino Meridian, described as follows:

COMMENCING at the southerly corner of Lot 9 of Tract 21741 as shown on by map on file in Book 188 of Maps at pages 86 through 89, inclusive thereof, Records of Riverside County, California;

Thence North 46°26'50" West along the southwesterly line of Lot 9 a distance of 5.91 feet to the northwesterly line of that certain parcel of land granted to First Interstate Bank of California by deed recorded September 30, 1985 as Instrument No. 219462 of Official Records of Riverside County;

Thence South 37°05'39" West along said northwesterly line a distance of 30.19 feet to the **TRUE POINT OF BEGINNING**;

Thence South 46°26'50" East a distance of 398.00 feet to a point on the centerline of Refa Street as shown on Parcel Map 9555 on file in Book 46 of Maps at page 55, Records of said Riverside County, California, said centerline also being the northwesterly line of Lot "E" of said Parcel Map 9555;

Thence South 37°05'07" West along said centerline of Refa Street a distance of 725.01 feet;

Thence leaving said centerline of Refa Street North 48°37'14" West a distance of 20.06 feet to a line parallel with and distant northwesterly 20.00 feet, measured at a right angle to said centerline of Refa Street;

Thence North 37°05'07" East along said parallel line a distance of 705.65 feet to a point on a line parallel with and distant southwesterly 20.00 feet, measured at a right angle, to previous described line having a bearing and distance of "South 46°26'50" West, 398.00 feet";

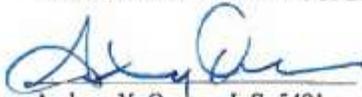
Thence North 46°26'50" West along last said parallel line a distance of 377.88 feet to said northwesterly line of parcel so conveyed;

Thence North 37°05'39" East along said northwesterly line a distance of 20.13 feet to the **TRUE POINT OF BEGINNING.**

Containing 0.51 acre, more or less.

SEE PLAT ATTACHED HERETO AS EXHIBIT "B" AND MADE A PART HEREOF.

PREPARED UNDER MY SUPERVISION


Andrew Y. Oroasco, L.S. 5491

10-22-14
Date



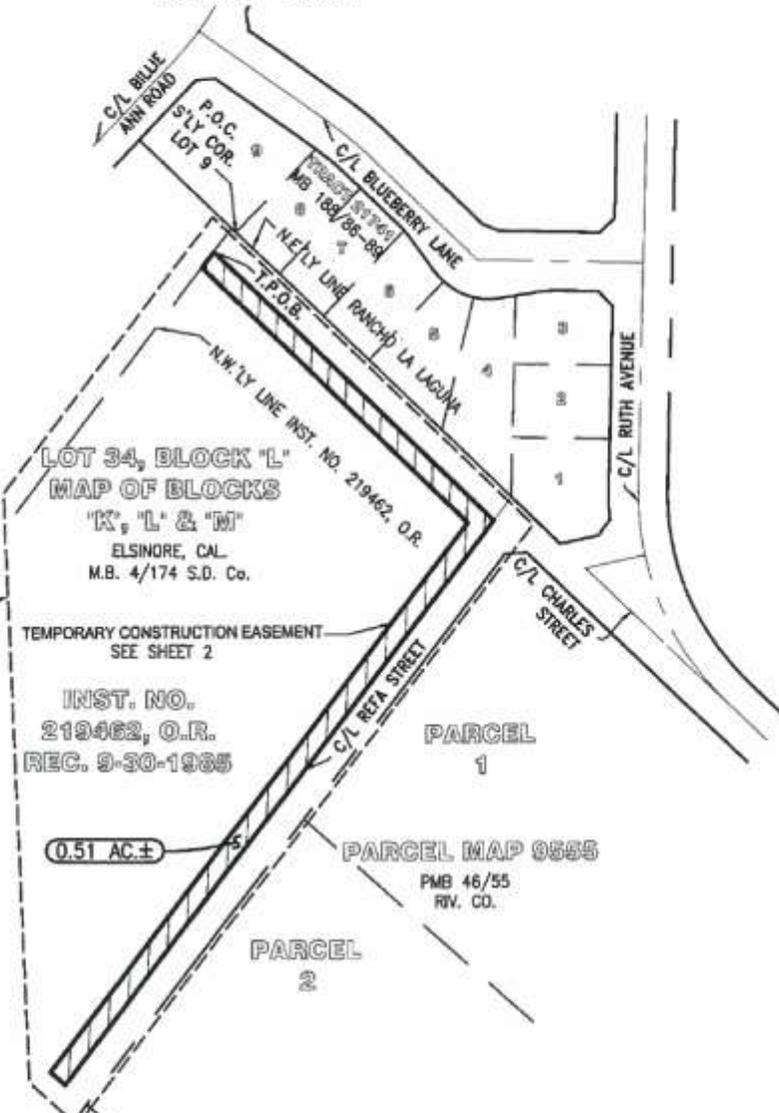
Prepared by: COK
Checked by: KM

EXHIBIT "B"
TEMPORARY CONSTRUCTION EASEMENT
LOCATION EXHIBIT



SCALE: NOT TO SCALE

SEE DETAIL
ON SHEET 2



SEC. 35, T6S, R4W, S.B.M.

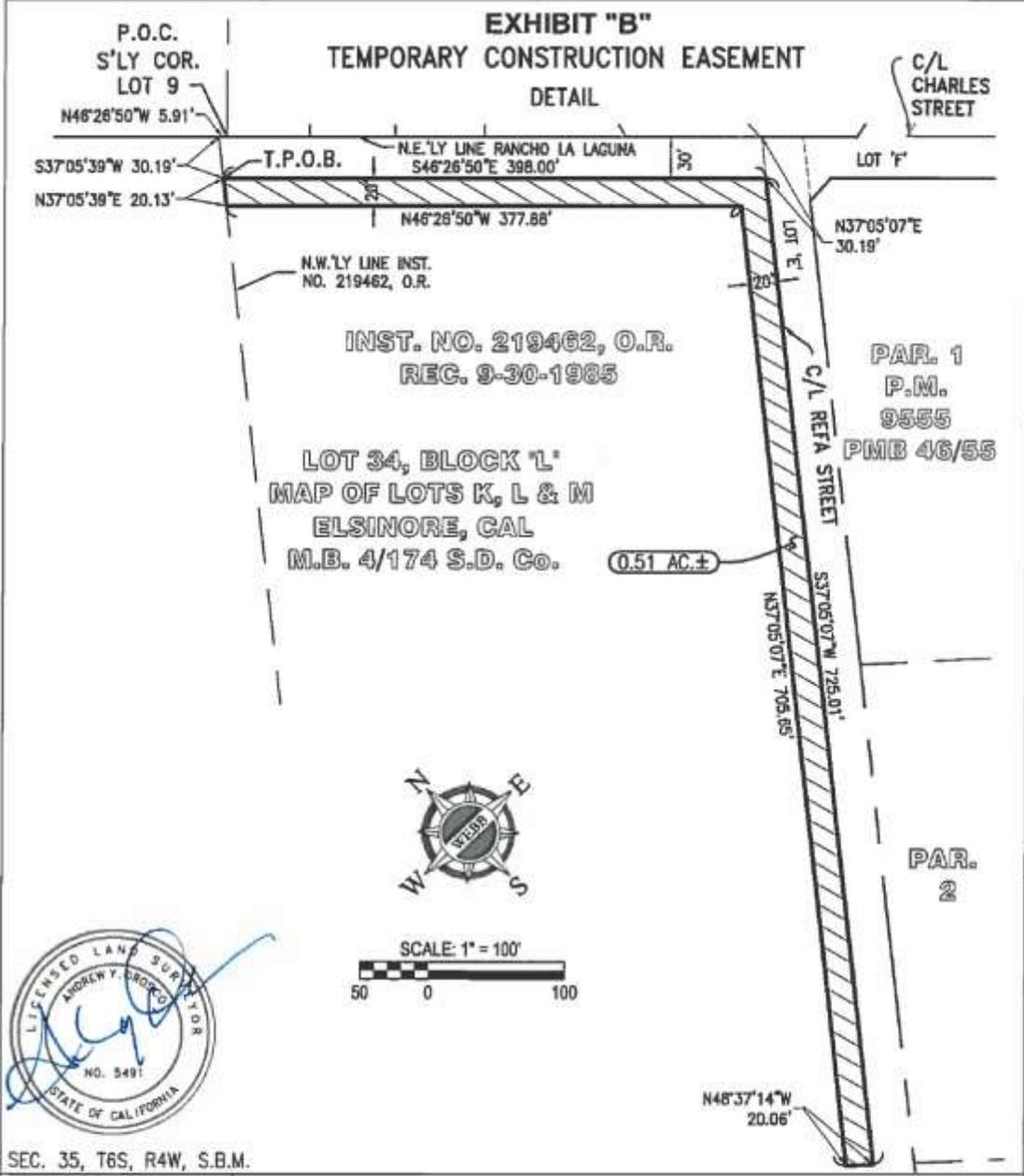
ALBERT A. WEBB
 ASSOCIATES

CITY OF WILDOMAR, CALIFORNIA

0:\2014\14-0164\Drawings\Mapping\14-0164-ESMT-TCE 2.dwg 10/16/2014

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) IN THE ATTACHED DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DOCUMENT.		SHEET 1 OF 2	W.O. 14-0164
SCALE: N.T.S.	DRWN BY <u>CCK</u> CHKD BY <u>KM</u>	DATE <u>10-21-14</u> DATE <u>10-21-14</u>	SUBJECT: TEMPORARY CONSTRUCTION EASEMENT





SEC. 35, T6S, R4W, S.B.M.

ALBERT A. WEBB ASSOCIATES **CITY OF WILDOMAR, CALIFORNIA**

G:\2014\14-0164\Drawings\Mapping\14-0164-ESMT-TCE 2.dwg 10/21/2014

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) IN THE ATTACHED DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DOCUMENT.		SHEET 2 OF 2	W.O. 14-0164
SCALE: 1"=100'	DRWN BY <u>OCK</u> DATE <u>10-21-14</u> CHKD BY <u>KM</u> DATE <u>10-21-14</u>	SUBJECT: TEMPORARY CONSTRUCTION EASEMENT	



Parcel Map Check Report

Project: 14-0164

Prepared by: CCK

Date: 10/15/2014 4:09:27 PM

Parcel Name: Site 1 – TEMPORARY CONSTRUCTION EASEMENT 2

Description: TCE EASEMENT #2

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North: 2,164,163.7995' East: 6,251,288.4449'

Segment# 1: Line

Course: S46° 26' 50.45"E Length: 398.005'

North: 2,163,889.5657' East: 6,251,576.8957'

Segment# 2: Line

Course: S37° 05' 07.36"W Length: 725.013'

North: 2,163,311.1954' East: 6,251,139.7096'

Segment# 3: Line

Course: N48° 37' 14.24"W Length: 20.056'

North: 2,163,324.4532' East: 6,251,124.6606'

Segment# 4: Line

Course: N37° 05' 07.36"E Length: 705.650'

North: 2,163,887.3770' East: 6,251,550.1707'

Segment# 5: Line

Course: N46° 26' 50.45"W Length: 377.880'

North: 2,164,147.7442' East: 6,251,276.3054'

Segment# 6: Line

Course: N37° 05' 38.73"E Length: 20.128'

North: 2,164,163.7992' East: 6,251,288.4451'

Perimeter: 2,246.732' Area: 22,065.48Sq.Ft.

Error Closure: 0.0003 Course: S31° 19' 47.96"E

Error North : -0.00027 East: 0.00016

Precision 1: 7,489,106.667

Wildomar MDP - Lateral C-1 - Right of Way Exhibit



Allowable Uses & Development Standards

R-1 One Family Dwelling

A. The following uses shall be permitted in the R-1 zone:

1. One-family dwellings.
2. Field crops, flower and vegetable gardening, tree crops and greenhouses used only for purposes of propagation and culture, including the sale thereof from the premises and one unlighted sign that does not exceed two square feet in size pertaining to the sale of products.
3. The noncommercial keeping of horses on lots not less than 20,000 square feet in area and 100 feet in width, provided they are kept not less than 100 feet from any street and 20 feet from any property line. A maximum of two horses per 20,000 square feet and, in any event, not more than four horses on a lot will be permitted. If a lot is one acre or more in area, poultry, crowing fowl (chickens only), rabbits, chinchillas, guinea pigs, parakeets and small fowl may be kept for the use of the occupants of the premises only. The poultry, crowing fowl, rabbits, chinchillas, guinea pigs, parakeets and small fowl shall be kept in an enclosed area located not less than 20 feet from any property line and not less than 50 feet from any residence and shall be maintained on the rear portion of the lot in conjunction with a residential use. If a lot is two acres or more in area, two sheep or goats or combination thereof may be kept in addition thereto provided they are kept not less than 100 feet from any street, 20 feet from any property line and 50 feet from any residence.
4. The keeping or raising of not more than four mature female crowing fowl (chickens only) on lots or parcels between 7,200 square feet and 39,999 square feet or not more than 12 mature female crowing fowl (chickens only) on lots of 40,000 square feet or more for the use of the occupants of the premises. The crowing fowl shall be kept in an enclosed area located not less than 20 feet from any property line and not less than 50 feet from any residence and shall be maintained on the rear portion of the lot in conjunction with a residential use.
5. Future Farmers of America (FFA) or 4-H projects conducted by the occupants of the premises; provided, however, if the project involves crowing fowl, an unexpired crowing fowl affidavit form describing the project must be on file with the Planning Director. Affidavit forms are available at the Planning Department and may be filed free of charge.
6. Home occupations.
7. Planned residential developments; provided a land division is approved pursuant to the provisions of Title 16 and the development standards in Section 17.180.010 or 17.180.020.
8. The noncommercial raising of not more than one miniature pig on lots from 7,200 to 19,999 square feet or not more than two miniature pigs on lots of not less than 20,000 square feet, subject to the following conditions:
 - a. Any person owning or having custody or control of a miniature pig over the age of four months shall pay for and obtain a license from the Animal Control Department.
 - b. Any miniature pig kept or maintained on a lot with a use permitted under subsection (A)(1) of this section shall be spayed or neutered as a condition of being licensed. No license shall be issued unless the owner or custodian of the miniature pig presents a valid certificate from a veterinarian. All unaltered miniature pigs shall be subject to immediate impoundment.
 - c. No miniature pig may weigh more than 200 pounds.
 - d. Any person owning or having charge, care, custody or control of any miniature pig shall keep such pig exclusively upon his or her own premises; provided, however, such pig may be off such premises if under restraint of a competent person.
 - e. The miniature pig must be kept in an enclosure that is no closer than 30 feet from the front property line, 15 feet from any side or rear property line and no closer than 35 feet of any dwelling unit other than the dwelling unit on the subject lot.

9. The outside storage of materials on improved lots or parcels of one-half acre to one acre provided the amount is limited to 100 square feet with a maximum height of three feet and on improved lots or parcels of one acre or more provided the amount is limited to 200 square feet with a maximum height of three feet.
10. Second dwelling units.
11. State-licensed residential care facilities with six or fewer residents.
12. Transitional housing, as that term is defined in Health and Safety Code Section 50675.2(h).
13. Supportive housing, as that term is defined in Health and Safety Code Section 50675.14(b)(2).

B. The following uses are permitted provided a plot plan has been approved pursuant to the provisions of Chapter 17.216:

1. Beauty shops operated from a home by its inhabitants where no assistants are employed and the on-site sign is unlighted and does not exceed two square feet in area.
 2. Temporary real estate tract offices located within a subdivision, to be used only for and during the original sale of the subdivision, but not to exceed a period of two years in any event.
 3. Nurseries, horticultural.
 4. Public parks and playgrounds, golf courses with standard length fairways, and country clubs.
- C. The following uses are permitted provided a conditional use permit has been granted pursuant to Chapter 17.200: mobile home parks, developed pursuant to Chapter 17.264.
- D. Kennels and catteries are permitted provided they are approved pursuant to the provisions of Chapter 17.236.
- E. The following uses are permitted, provided a public use permit has been granted pursuant to the provisions of Chapter 17.208: churches, temples and other places of religious worship. (Ord. 87 § 6, 2014; Ord. 18 § 2, 2008, RCC § 17.24.010)

The following standards of development shall apply in the R-1 zone, except that planned residential developments shall comply with the development standards contained in Section 17.180.010.

- A. Building height shall not exceed three stories, with a maximum height of 40 feet.
- B. Lot area shall be not less than 7,200 square feet. The minimum lot area shall be determined by excluding that portion of a lot that is used solely for access to the portion of a lot used as a building site.
- C. The minimum average width of that portion of a lot to be used as a building site shall be 60 feet with a minimum average depth of 100 feet. That portion of a lot used for access on flag lots shall have a minimum width of 20 feet.
- D. The minimum frontage of a lot shall be 60 feet, except that lots fronting on knuckles or cul-de-sac may have a minimum frontage of 35 feet. Lot frontage along curvilinear streets may be measured at the building setback in accordance with zone development standards.
- E. Minimum yard requirements are as follows:
 1. The front yard shall be not less than 20 feet, measured from the existing street line or from any future street line as shown on any specific plan of highways, whichever is nearer the proposed structure.
 2. Side yards on interior and through lots shall be not less than 10% of the width of the lot, but not less than three feet in width in any event, and need not exceed a width of five feet. Side yards on corner and reversed corner lots shall be not less than 10 feet from the existing street line or from any future street line as shown on any specific plan of highways, whichever is nearer the



proposed structure, upon which the main building sides, except that where the lot is less than 50 feet wide the yard need not exceed 20% of the width of the lot.

3. The rear yard shall not be less than 10 feet.
 4. No structural encroachments shall be permitted in the front, side or rear yard except as provided for in Section 17.172.140.
- F. Automobile storage space shall be provided as required by Chapter 17.188.
- G. Lot Coverage. In no case shall more than 50% of any lot be covered by dwelling. (Ord. 18 § 2, 2008, RCC § 17.24.020)

R-R Rural Residential Zoning

1. One-family dwellings.
2. Water works facilities, both public and private, intended primarily for the production and distribution of water for irrigation purposes.
3. Nurseries, greenhouses, orchards, aviaries, apiaries, field crops, tree crops, berry and bush crops, vegetables, flower and herb gardening on a commercial scale; the drying, packing, canning, freezing and other accepted methods of processing the produce resulting from such permitted uses, when such processing is primarily in conjunction with a farming operation; and further provided, that the permanent buildings and structures used in conjunction with such drying, packing and processing operations are not nearer than 20 feet from the boundaries of the premises.
4. The grazing of cattle, horses, sheep, goats or other farm stock or animals, not including hogs, including the supplementary feeding thereof, not to exceed five animals per acre of all the land available; provided, however, the systematic rotation of animals with more than five animals per acre is permitted so long as the total number of permitted animals is not exceeded. For the grazing of sheep or goats, the permissible number of animals per acre may be multiplied by three, except that there shall be no limit to the permissible number of sheep which may be grazed per acre when the grazing is for the purpose of cleaning up unharvested crops; provided, that such grazing is not conducted for more than four weeks in any six-month period. The provisions of this subsection apply to mature breeding stock, maintenance stock and similar farm stock, and shall not apply to the offspring thereof, if such offspring are being kept, fed or maintained solely for sale, marketing or slaughtering at the earliest practical age of maturity. In all cases the permissible number of animals per acre shall be computed upon the basis of the nearest equivalent ratio.
5. Farms for rabbits, fish, frogs, chinchilla, or other small animals (excluding crowing fowl).
6. Farms or establishment for the selective or experimental breeding and raising of cattle, sheep, goats and horses, subject to the limitations set forth in subsection (A)(4) of this section.
7. The noncommercial raising of hogs, not to exceed five animals; provided, however, that the total number of animals permitted on parcels of less than one acre shall not exceed two animals except that no animals shall be permitted on lots of less than 20,000 square feet. For the purposes of determining the number of hogs on a parcel, both weaned and unweaned hogs shall be counted.
8. Future Farmers of America (FFA) or 4-H projects conducted by the occupants of the premises. Provided, however, if the project involves crowing fowl, an unexpired crowing fowl affidavit form describing the project must be on file with the Planning Director. Affidavit forms are available at the Planning Department and may be filed free of charge.
9. A temporary stand for the display and sale of the agriculture produce of any permitted use that is produced upon the premises where such stand is located or upon contiguous lands owned or leased by the owner or occupant of the premises. Off-street parking shall be as required in Chapter 17.188, except that no paving shall be required.

10. A sign, single- or double-faced, not exceeding 12 square feet in area per face, advertising only the sale of the services or the products produced on the premises. The sign shall not be lighted or have flashing objects or banners.
11. Mobile home, used as a one-family residence, subject to the following conditions:
 - a. Mobile home shall have a floor area of not less than 450 square feet;
 - b. The area between the ground level and the floor of the mobilehome shall be screened from view by an opaque skirt entirely around the mobile home.
12. Home occupations.
13. Planned residential developments; provided a land division is approved pursuant to the provisions of Title 16 and the development standards in Section 17.180.010 or 17.180.020.
14. Kennels and catteries are permitted provided they are approved pursuant to the provisions of Chapter 17.236.
15. Mining operation that is subject to the California Surface Mining and Reclamation Act of 1975 is permitted; provided, that the operator thereof holds a permit to conduct surface mining operations issued pursuant to Chapter 5.44, which has not been revoked or suspended.
16. The noncommercial raising of not more than five miniature pigs on lots of not less than 20,000 square feet, subject to the following conditions:
 - a. Any person owning or having custody or control of a miniature pig over the age of four months shall pay for and obtain a license from the Animal Control Department;
 - b. Any miniature pig kept or maintained on a lot with a use permitted under subsection (A)(1) of this section shall be spayed or neutered as a condition of being licensed. No license shall be issued unless the owner or custodian of the miniature pig presents a valid certificate from a veterinarian. All unaltered miniature pigs shall be subject to immediate impoundment;
 - c. No miniature pig may weigh more than 200 pounds;
 - d. Any person owning or having charge, care, custody or control of any miniature pig shall keep such pig exclusively upon his or her own premises; provided, however, such pig may be off such premises if under restraint of a competent person;
 - e. The miniature pig must be kept in an enclosure that is no closer than 30 feet from the front property line, 15 feet from any side or rear property line and no closer than 35 feet of any dwelling unit other than the dwelling unit on the subject lot.
17. The keeping or raising of not more than 12 mature female crowing fowl on lots or parcels between 20,000 square feet and 39,999 square feet or not more than 50 mature female crowing fowl and 10 mature male crowing fowl on lots of 40,000 square feet or more for the use of the occupants of the premises. The crowing fowl shall be kept in an enclosed area located not less than 20 feet from any property line and not less than 50 feet from any residence and shall be maintained on the rear portion of the lot in conjunction with a residential use.
18. The outside storage of materials on improved lots or parcels of one-half acre to one acre provided the amount is limited to 100 square feet with a maximum height of three feet and on improved lots or parcels of one acre or more provided the amount is limited to 200 square feet with a maximum height of three feet.
19. Second dwelling units.
20. State-licensed residential care facilities with six or fewer residents.
21. Transitional housing, as that term is defined in Health and Safety Code Section 50675.2(h).
22. Supportive housing, as that term is defined in Health and Safety Code Section 50675.14(b)(2).

B. Public Utility Uses.

1. Structures and installations necessary to the conservation and development of water such as dams, pipelines, water conduits, tanks, canals, reservoirs, wells and the necessary pumping and water production facilities.
2. Structures and the pertinent facilities necessary and incidental to the development and transmission of electrical power and gas such as hydroelectric power plants, booster or conversion plants, transmission lines, pipelines and the like.
3. Radio broadcasting stations.
4. Telephone transmission lines, telephone exchanges and offices.
5. Railroads, including the necessary facilities in connection therewith.
6. Television broadcasting stations, antennas, and cable installations, and microwave relay stations.

C. The following uses are permitted provided approval of a plot plan shall first have been obtained pursuant to the provisions of Chapter 17.216:

1. Fishing lakes, commercial and noncommercial.
2. Guest ranches and motels.
3. Educational institutions, libraries, museums and post office.
4. Golf, tennis, polo or country clubs, archery and golf and driving ranges.
5. Commercial uses for the convenience of and incidental to any of the above permitted uses when located upon the same lot or parcel of land.
6. Feed and grain sales.
7. Garden supply stores.
8. Pet shops and pet supply shops.
9. Real estate offices.
10. Signs, on-site advertising.
11. Arts, crafts and curio shops.
12. Fraternal lodges, including grange halls.
13. Churches, temples, or other structures used primarily for religious worship.
14. Private schools.
15. A permanent stand for the display and sale of the agriculture product of any permitted use that is produced upon the premises where such stand is located or upon contiguous lands owned or leased by the owner or occupant of the premises.
16. An additional one-family dwelling (including mobile homes), excluding the principal dwelling, shall be allowed for each 10 acres gross being farmed. The additional dwelling units shall be located on a parcel being farmed and occupied by the owner, operator or employee of the farming operation as a one-family residence; provided that:
 - a. The mobile home shall have a floor area of not less than 450 square feet;
 - b. The dwellings are not rented or held out for lease to anyone other than an employee of the farming operation;
 - c. The dwellings are located not less than 50 feet from any property line;
 - d. The dwellings are screened from view from the front property line by shrubs or trees;

- e. The arrangement of the dwellings, sanitary facilities and utilities conforms with all of the requirements of the Health Department, the Building and Safety Department, and state law;
 - f. The number of dwellings for employees shall not exceed four per established farming operation.
17. Beauty shops, including beauty shops operated from a home by its inhabitants where no assistants are employed and the on-site sign is unlighted and does not exceed two square feet in area.
 18. Winery and appurtenant and incidental uses with established on-site vineyard.
 19. Temporary real estate tract offices located within a subdivision, to be used only for and during the original sale of the subdivision, but not to exceed a period of two years in any event.
 20. Public parks and public playgrounds, golf courses with standard length fairways, and County clubs.

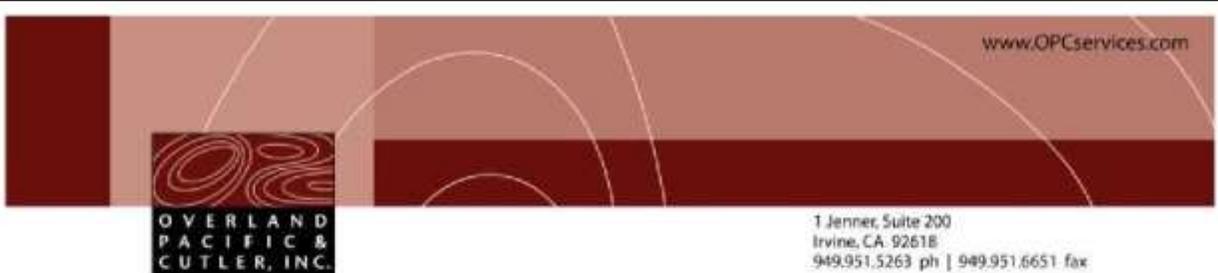
D. The following uses are permitted provided a conditional use permit has been granted:

1. Airport or landing field.
2. Auto wrecking yards.
3. Any mining operation which is exempt from the provisions of the California Surface Mining and Reclamation Act of 1975 and Chapter 5.44.
4. Cemetery, pet or human.
5. Commercial fairgrounds.
6. Commercial stables and riding academies.
7. Antique shops.
8. Automobile service stations and repair garages with or without the concurrent sale of beer and wine for off-premises consumption.
9. Bakery shops, including baking only when incidental to retail sales on the premises.
10. Barber shops and beauty shops.
11. Bars and cocktail lounges.
12. Billiard and pool halls.
13. Cleaning and dyeing shop.
14. Retail pharmacies.
15. Equipment rental services, including rototillers, power mowers, sanders, power saws, cement and plaster mixers not exceeding 10 cubic feet in capacity, and other similar equipment.
16. Food, meat, poultry and produce markets.
17. Frozen food lockers.
18. Hardware stores.
19. Laundries and Laundromats.
20. Liquid petroleum service stations, with or without the concurrent sale of beer and wine for off-premises consumption; provided, that if storage tanks are above ground, the total capacity of all tanks shall not exceed 10,000 gallons. Storage tanks shall be painted a neutral color and shall not have any advertising painted or placed on their surface.
21. Liquor stores pursuant to the provisions of Chapter 17.248.
22. Parking lots and parking buildings, pursuant to the provisions of Chapter 17.188.
23. Professional offices.

24. Refreshment stand.
25. Restaurants and other eating establishments.
26. Shoe stores and repair shops.
27. Stations, bus, railroad and taxi.
28. Tire sales and service.
29. Tourist information centers.
30. Underground bulk fuel storage.
31. Auction houses and yards.
32. Dune buggy parks.
33. Fruit and vegetable packing plants and similar uses.
34. Hog ranches, subject to the provisions of Riverside County Ordinance No. 431.
35. Hunting clubs.
36. Lumber production of a commercial nature, including commercial logging or commercial development of timber and lumber mills.
37. Machine shops.
38. The manufacture of:
 - a. Brick, tile or terra-cotta;
 - b. Cement and cement products;
 - c. Gypsum;
 - d. Lime or lime products.
39. Menageries.
40. Migrant agricultural workers mobile home parks.
41. Pen fed cattle operations, livestock saleyard, livestock auction yards, and dairy farms.
42. Race tracks, including but not limited to contests between automobiles, horses, go-carts, and motorcycles, but not including contests between human beings only.
43. Recreational vehicle parks.
44. Rifle, pistol, skeet, or trapshooting ranges.
45. Rodeo arenas.
46. Trail bike parks.
47. Trailer and boat storage.
48. Disposal service operations.
49. Meat cutting and packaging plants, provided there is no slaughtering of animals or rendering of meat.
50. Outdoor film studios.
51. Water well drilling, operations and service.
52. Mobile home parks, developed pursuant to Chapter 17.264.
53. Community auction and sales yards.
54. Farm labor camp.

- 55. Feed stores.
- 56. Packaged dry fertilizer storage, not including processing.
- 57. Oil production, not including refining or processing.
- 58. Mink farms.
- 59. Both large and small animal hospitals.
- 60. Commercial breeding operations.
- E. Any use that is not specifically listed in subsections B, C and D of this section may be considered a permitted or conditionally permitted use; provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.
- F. Subject to the provisions of Chapter 17.206, the number of mature crowing fowl may be increased up to 50% over each (male and female) of the permitted numbers. (Ord. 87 § 5, 2014; Ord. 18 § 2, 2008, RCC § 17.16.010)

Owner Invitation Letter (O.I.L.)



November 12, 2014

Mr. John A. Messina, Jr., Esq.
Lytton Williams Messina & Hankin LLP
24910 Las Brisas Road
Murrieta, CA 92562

**Re: Owner Invitation to attend inspection - Lateral C-1 (Billie Ann) Storm Drain
Assessor Parcel No'(s): 380-050-003 (Romagnolo Property)
Property Address: 21854 Palomar Street, Wildomar, CA**

Dear Mr. Messina:

The **City of Wildomar**, in cooperation with **The Riverside County Flood Control & Water Conservation District**, is proposing to install approximately 2,400 linear feet of an underground storm drain with an estimated diameter varying from 90 inches to 72 inches, including ancillary structures. The project will connect to the existing reinforced concrete box culvert under Palomar Street that is part of the Riverside County Flood Control and Water Conservation District's Wildomar Master Drainage Plan. This is a public project which may require the purchase of a Permanent Easement, Access Control and a Temporary Construction Easement affecting portions of Mr. Romagnolo's real property at various locations including **21854 Palomar Street, Wildomar CA, 92595**, located within the project area, known by **APN NUMBER 380-050-003**.

We will commence our appraisal fieldwork shortly. We would like to explain our objectives, to review and inspect your property, to discuss any recent transactions relative to the site and to explore the history of the property. Should you choose to attend the inspection, you or a representative may accompany the appraiser, if you wish to do so.

Please call the undersigned at 949-951.5263 or via email at: kdonahue@opcservices.com so that we may schedule the appraisal at your convenience.

Any information regarding capital improvements and their subsequent costs is requested at the time of inspection. Please provide us with any receipts or other written evidence of improvements to your property. If you have any information relative to the real estate market you wish us to have, please provide it to the appraiser at the time of the property inspection. Information regarding written purchase offers, current leases, contracts of sale or listings is most important.

This notice does not constitute an offer to purchase your property. Upon completion of the appraisal, a representative will contact you for an appointment to discuss the potential acquisition in detail, should it become necessary. If you have any acquisition questions, you may contact Matt Bennett, Deputy City Engineer, of the City of Wildomar at (951) 677-7751.

Thank you in anticipation of your cooperation; I look forward to meeting and/or talking with you.

Sincerely,
Overland, Pacific & Cutler, Inc.

A handwritten signature in black ink, appearing to read "Kevin J. Donahue", is written over a white background.

Kevin J. Donahue, MAI
Managing Director



EXHIBIT 3

October 15, 2015

Mr. John A. Messina, Jr., Esq.
Lytton Williams Messina & Hankin LLP
24910 Las Brisas Road
Murrieta, CA 92562

Mr. David J. Romagnolo, Jr.
21854 Palomar Street
Wildomar, CA 92595
-and-
P.O. Box 44
Wildomar, CA 92595

NEW HEARING DATE

October 28, 2015 at 6:00 p.m.

**NOTICE OF HEARING IN CONSIDERATION OF THE INTENTION OF THE CITY
COUNCIL OF THE CITY OF WILDOMAR TO ADOPT A RESOLUTION OF
NECESSITY FOR THE ACQUISITION FOR PUBLIC PURPOSES OF CERTAIN
PROPERTY FOR WILDOMAR MASTER DRAINAGE PLAN LATERAL C-1 STORM
DRAIN PROJECT**

**David Joseph Romagnolo, Jr.
Assessor's Parcel No. 380-050-003 (portion)
21854 Palomar Street, Wildomar, CA**

Dear Messrs. Messina and Romagnolo:

This office represents the City of Wildomar and serves as its City Attorney. Enclosed is a copy of the City's offer letter dated March 31, 2015 and accompanying Appraisal Report, which were mailed to you on September 30, 2015, receipt of which Mr. Messina acknowledged. At Mr. Messina's request, the City agreed to continue its hearing to

Mr. John A. Messina, Jr., Esq.
Mr. David J. Romagnolo, Jr.
October 15, 2015
Page 2

consider the adoption of a resolution of necessity from its previously-scheduled date of October 14, 2015. The new hearing date is October 28, 2015 at 6:00 p.m. The proposed resolution is enclosed herewith, and formal notice is set forth below.

The law provides procedures for public agencies to acquire private property for public use. It requires that every agency which intends to condemn property notify the owners of its intention to condemn. California Code of Civil Procedure (CCP) Section 1240.030 provides that the power of eminent domain may be exercised to acquire property for a proposed project if the following three conditions are established:

- (A) The public interest and necessity require the project.
- (B) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
- (C) The property sought to be acquired is necessary for the project.

Also, CCP Section 1245.230 requires a finding that the offer required by Section 7267.2 of the Government Code has been made to the owner of record. Additionally, the City of Wildomar City Council (the "Council") will be asked to find that the City of Wildomar (the "City") has complied with all conditions and statutory requirements necessary to exercise the power of eminent domain to acquire, and has the statutory authority to condemn, the property.

You are hereby notified that the Council at its meeting to be held on October 28, 2015, at 6:00 p.m., at 23873 Clinton Keith Road, Wildomar, California, will be asked to decide if the above conditions have been met concerning your property and, if so, to adopt a Resolution of Necessity ("Resolution"). Questions regarding the amount of compensation to be paid or the value of the property to be acquired are not part of this proceeding and the Council will not consider such in determining whether a Resolution should be adopted.

The law provides you an opportunity to appear before the Council and raise questions concerning the conditions referred to above. For your convenience, if you are unable to personally appear or choose to submit written objections in place of a personal appearance, the Council will consider any written objections filed prior to or at the hearing, which will become part of the official record of the meeting at which the Council hears the Resolution. You may file written objections, if any, by delivering them to either the City Clerk, City of Wildomar, 23873 Clinton Keith Road, Suite 201, Wildomar, California, 92595 or to my attention at this office.

Mr. John A. Messina, Jr., Esq.
Mr. David J. Romagnolo, Jr.
October 15, 2015
Page 3

The City Council's adoption of the Resolution authorizes the City to acquire the property by eminent domain. Within six months of the adoption of the Resolution, the City will prepare and file a complaint in Superior Court commencing the eminent domain proceeding. All issues related to the compensation to be awarded for the acquisition of your property will be resolved in this court proceeding.

The interests in real property to be acquired consist of the following (collectively, the "Property Interests"):

0.27 Acre Flood Control Easement

A perpetual non-exclusive easement for flood control and drainage purposes, which include but are not limited to, construction, installation, use, repair, reconstruction, inspection, operation, and maintenance of a storm drain and all appurtenant works, including ingress and egress thereto, over, upon, under and across that certain real property situated in the City of Wildomar, County of Riverside, State of California, as described in Exhibit "A" and shown in Exhibit "B", attached hereto and made a part hereof, hereinafter referred to as "Easement Area".

The servient estate, and its successors and assigns, shall have all rights and privileges as may be used and enjoyed without interfering with the use of the Easement Area, including, without limitation, use of the Easement Area for landscaping and surface parking; provided, however, if the Easement Area is landscaped, it shall be with ground cover and shrubs, excluding any and all trees and woody vegetation. Additionally, the servient estate, and its successors and assigns shall not erect, place, maintain, or permit the erection, placement, or maintenance of any building, planter boxes, stockpiling earth fill or other structures (except walls and fences) on the Easement Area. This instrument shall be binding upon and inure to the benefit of the successor and assigns of the servient estate.

0.51 Acre Temporary Construction Easement

A Temporary Construction Easement ("TCE") for the purpose of public use, inclusive of ingress and egress, including construction, reconstruction, installation, improvement, repair, inspection, expansion, and maintenance of public right-of-ways, highways, roadways, services, utilities, landscape improvements, and necessary appurtenances thereto, on, over, and under that certain real property situated in the City of Wildomar,

Mr. John A. Messina, Jr., Esq.
Mr. David J. Romagnolo, Jr.
October 15, 2015
Page 4

County of Riverside, State of California, as described in Exhibit "C" and shown in Exhibit "D", attached hereto and made a part hereof.

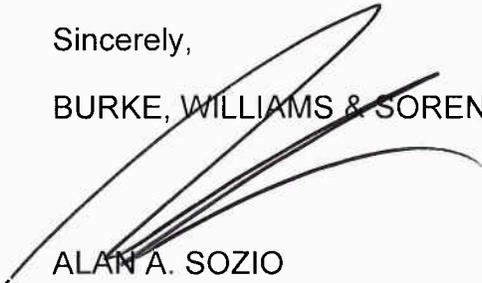
The TCE shall be exclusive to the easement holder, shall become effective on the date the easement holder issues notice to proceed to the contractor for construction of the Wildomar Master Drainage Plan Lateral C-1 Storm Drain Project ("Project") and shall terminate four months from the date the easement holder issues notice to proceed to the contractor for construction of the Project. Upon the termination of this TCE, easement holder shall record a Notice of Termination of Temporary Construction Easement releasing all of easement holder's right, title and interest in and to the TCE, no later than 60 days following completion of construction of the Project.

Descriptions and maps of the required property interests are attached to this Notice and are marked Exhibits A through D, and are also set forth in the proposed Resolution, a copy of which is attached hereto.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

BURKE, WILLIAMS & SORENSEN, LLP



ALAN A. SOZIO

Attachments and Enclosures

cc: Dan York, P.E., P.L.S. – City of Wildomar, Public Works Director/City Engineer

Mr. John A. Messina, Jr., Esq.
Mr. David J. Romagnolo, Jr.
October 15, 2015
Page 5

Exhibit "A"

FLOOD CONTROL EASEMENT

That portion of Lot 34, Block "L" of the Map of Blocks K, L & M Elsinore Cal. as shown by map on file in Book 4 of Maps at page 174, Records of San Diego County, California, lying within Section 35, Township 6 South, Range 4 West, San Bernardino Meridian, described as follows:

BEGINNING at the most southerly corner of Lot 9 of Tract 21741 as shown on by map on file in Book 188 of Maps at pages 86 through 89, inclusive thereof, Records of Riverside County, California;

Thence South $46^{\circ}26'50''$ East along the southerly line of Lots 1 and 4 through 8 of said Tract 21741 a distance of 392.09 feet to a point on the centerline of Refa Street as shown on Parcel Map 9555 on file in Book 46 of Maps at page 55, Records of said Riverside County, California, said point also being the most northerly corner of Lot "E" of said Parcel Map 9555;

Thence along said centerline of Refa Street South $37^{\circ}05'07''$ West a distance of 30.19 feet;

Thence North $46^{\circ}26'50''$ West a distance of 398.00 feet to the northwesterly line of that certain parcel of land granted to First Interstate Bank of California by deed recorded September 30, 1985 as Instrument No. 219462 of Official Records of Riverside County;

Thence North $37^{\circ}05'39''$ East along said northwesterly line a distance of 30.19 feet to the southwesterly line of said Lot 9 ;

Thence South $46^{\circ}26'50''$ East along said southwesterly line of Lot 9, a distance of 5.91 feet to the **POINT OF BEGINNING**.

Containing 0.27 Acre, more or less.

SEE PLAT ATTACHED HERETO AS EXHIBIT "B" AND MADE A PART HEREOF.

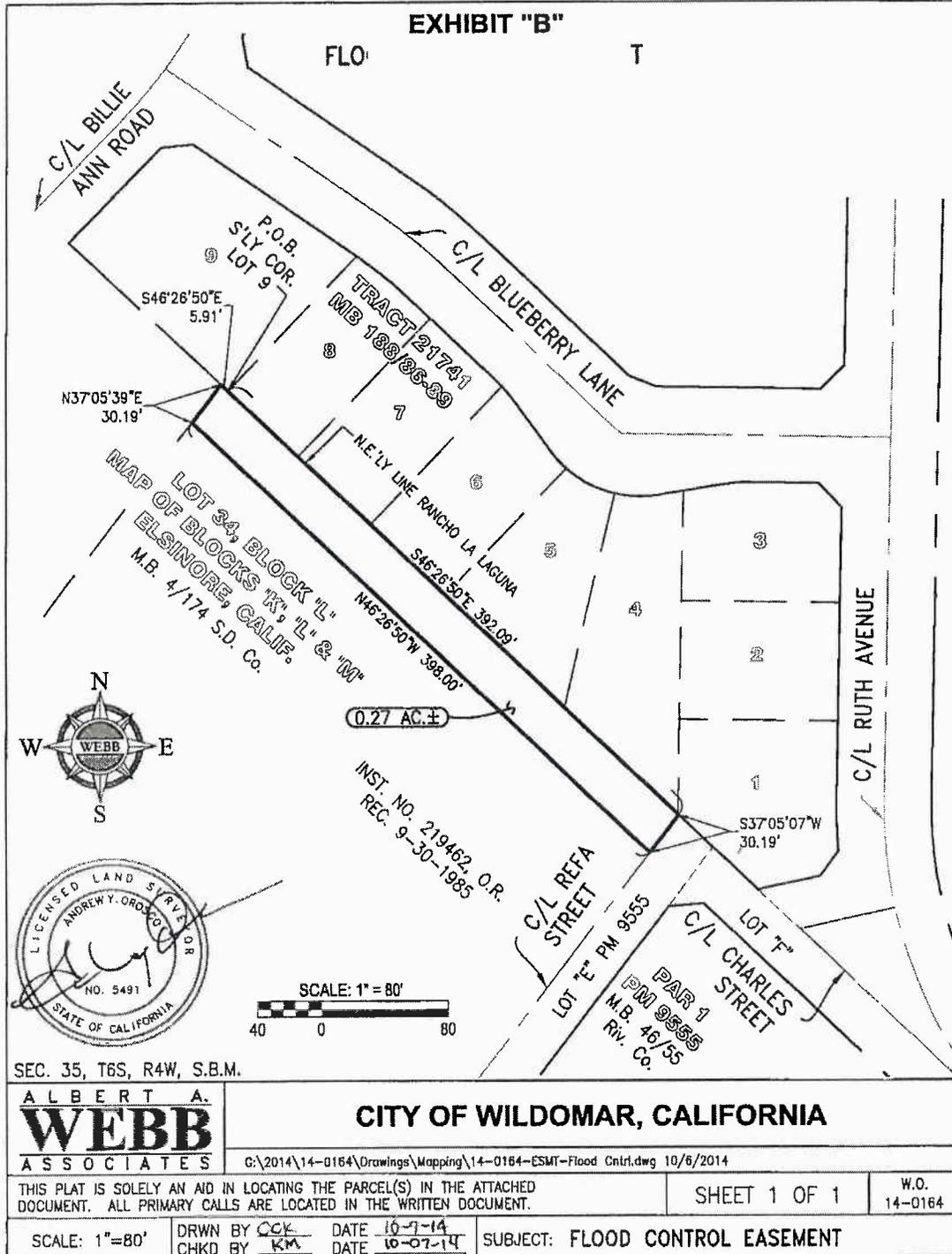
PREPARED UNDER MY SUPERVISION


Andrew Y. Oroscop, L.S. 5491 10-7-14
Date

Prepared by: CCK
Checked by: KM



Mr. John A. Messina, Jr., Esq.
Mr. David J. Romagnolo, Jr.
October 15, 2015
Page 6



Mr. John A. Messina, Jr., Esq.
Mr. David J. Romagnolo, Jr.
October 15, 2015
Page 7

Exhibit "C"

TEMPORARY CONSTRUCTION EASEMENT

That portion of Lot 34, Block "L" of the Map of Blocks K, L & M Elsinore Cal. as shown by map on file in Book 4 of Maps at page 174, Records of San Diego County, California, lying within Section 35, Township 6 South, Range 4 West, San Bernardino Meridian, described as follows:

COMMENCING at the southerly corner of Lot 9 of Tract 21741 as shown on by map on file in Book 188 of Maps at pages 86 through 89, inclusive thereof, Records of Riverside County, California;

Thence North 46°26'50" West along the southwesterly line of Lot 9 a distance of 5.91 feet to the northwesterly line of that certain parcel of land granted to First Interstate Bank of California by deed recorded September 30, 1985 as Instrument No. 219462 of Official Records of Riverside County;

Thence South 37°05'39" West along said northwesterly line a distance of 30.19 feet to the **TRUE POINT OF BEGINNING**;

Thence South 46°26'50" East a distance of 398.00 feet to a point on the centerline of Refa Street as shown on Parcel Map 9555 on file in Book 46 of Maps at page 55, Records of said Riverside County, California, said centerline also being the northwesterly line of Lot "E" of said Parcel Map 9555;

Thence South 37°05'07" West along said centerline of Refa Street a distance of 725.01 feet;

Thence leaving said centerline of Refa Street North 48°37'14" West a distance of 20.06 feet to a line parallel with and distant northwesterly 20.00 feet, measured at a right angle to said centerline of Refa Street;

Thence North 37°05'07" East along said parallel line a distance of 705.65 feet to a point on a line parallel with and distant southwesterly 20.00 feet, measured at a right angle, to previous described line having a bearing and distance of "South 46°26'50" West, 398.00 feet";

Thence North 46°26'50" West along last said parallel line a distance of 377.88 feet to said northwesterly line of parcel so conveyed;

Mr. John A. Messina, Jr., Esq.
Mr. David J. Romagnolo, Jr.
October 15, 2015
Page 8

Exhibit "C" (continued)

TEMPORARY CONSTRUCTION EASEMENT

That portion of Lot 34, Block "L" of the Map of Blocks K, L & M Elsinore Cal. as shown by map on file in Book 4 of Maps at page 174, Records of San Diego County, California, lying within Section 35, Township 6 South, Range 4 West, San Bernardino Meridian, described as follows:

COMMENCING at the southerly corner of Lot 9 of Tract 21741 as shown on by map on file in Book 188 of Maps at pages 86 through 89, inclusive thereof, Records of Riverside County, California;

Thence North 46°26'50" West along the southwesterly line of Lot 9 a distance of 5.91 feet to the northwesterly line of that certain parcel of land granted to First Interstate Bank of California by deed recorded September 30, 1985 as Instrument No. 219462 of Official Records of Riverside County;

Thence South 37°05'39" West along said northwesterly line a distance of 30.19 feet to the **TRUE POINT OF BEGINNING**;

Thence South 46°26'50" East a distance of 398.00 feet to a point on the centerline of Refa Street as shown on Parcel Map 9555 on file in Book 46 of Maps at page 55, Records of said Riverside County, California, said centerline also being the northwesterly line of Lot "E" of said Parcel Map 9555;

Thence South 37°05'07" West along said centerline of Refa Street a distance of 725.01 feet;

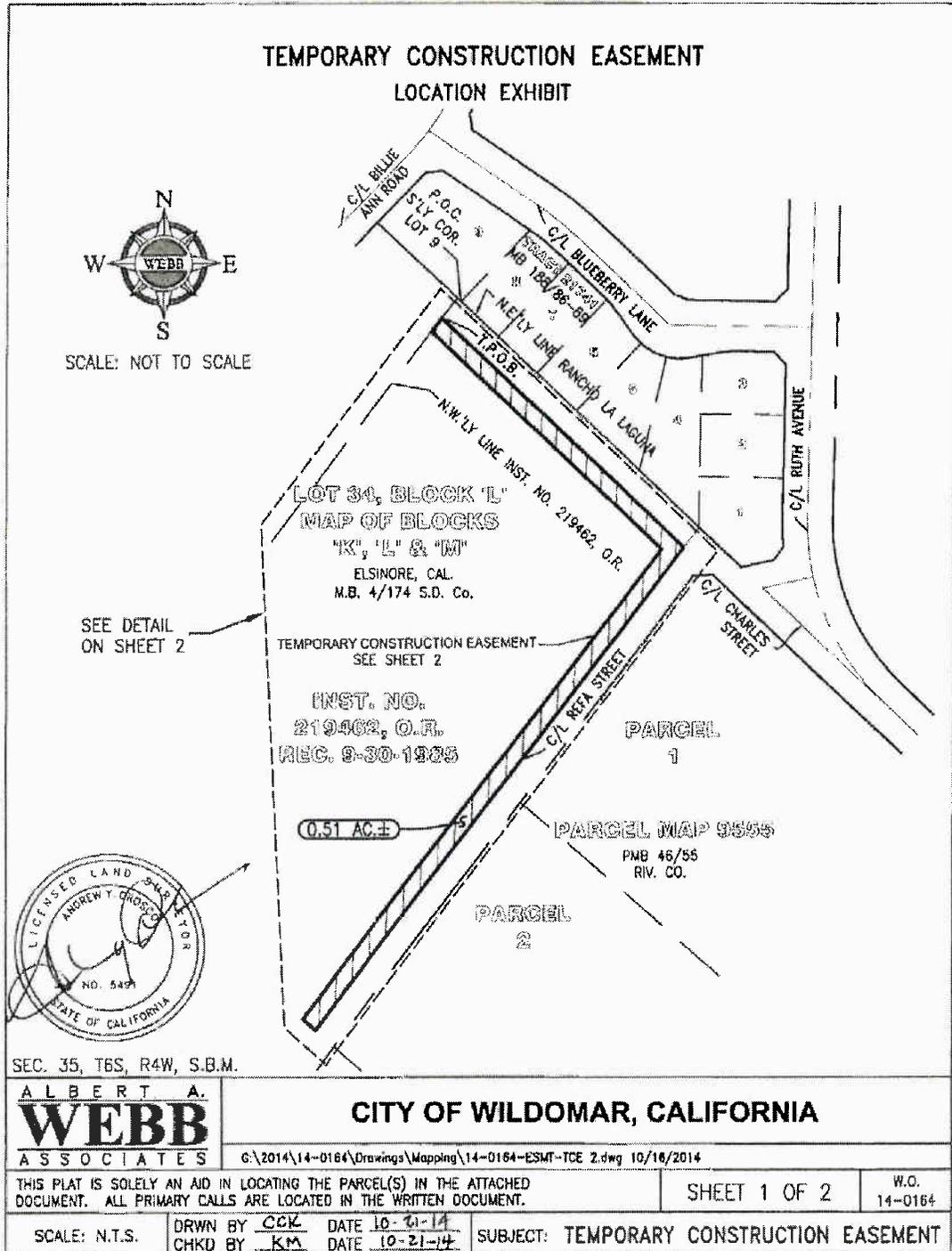
Thence leaving said centerline of Refa Street North 48°37'14" West a distance of 20.06 feet to a line parallel with and distant northwesterly 20.00 feet, measured at a right angle to said centerline of Refa Street;

Thence North 37°05'07" East along said parallel line a distance of 705.65 feet to a point on a line parallel with and distant southwesterly 20.00 feet, measured at a right angle, to previous described line having a bearing and distance of "South 46°26'50" West, 398.00 feet";

Thence North 46°26'50" West along last said parallel line a distance of 377.88 feet to said northwesterly line of parcel so conveyed;

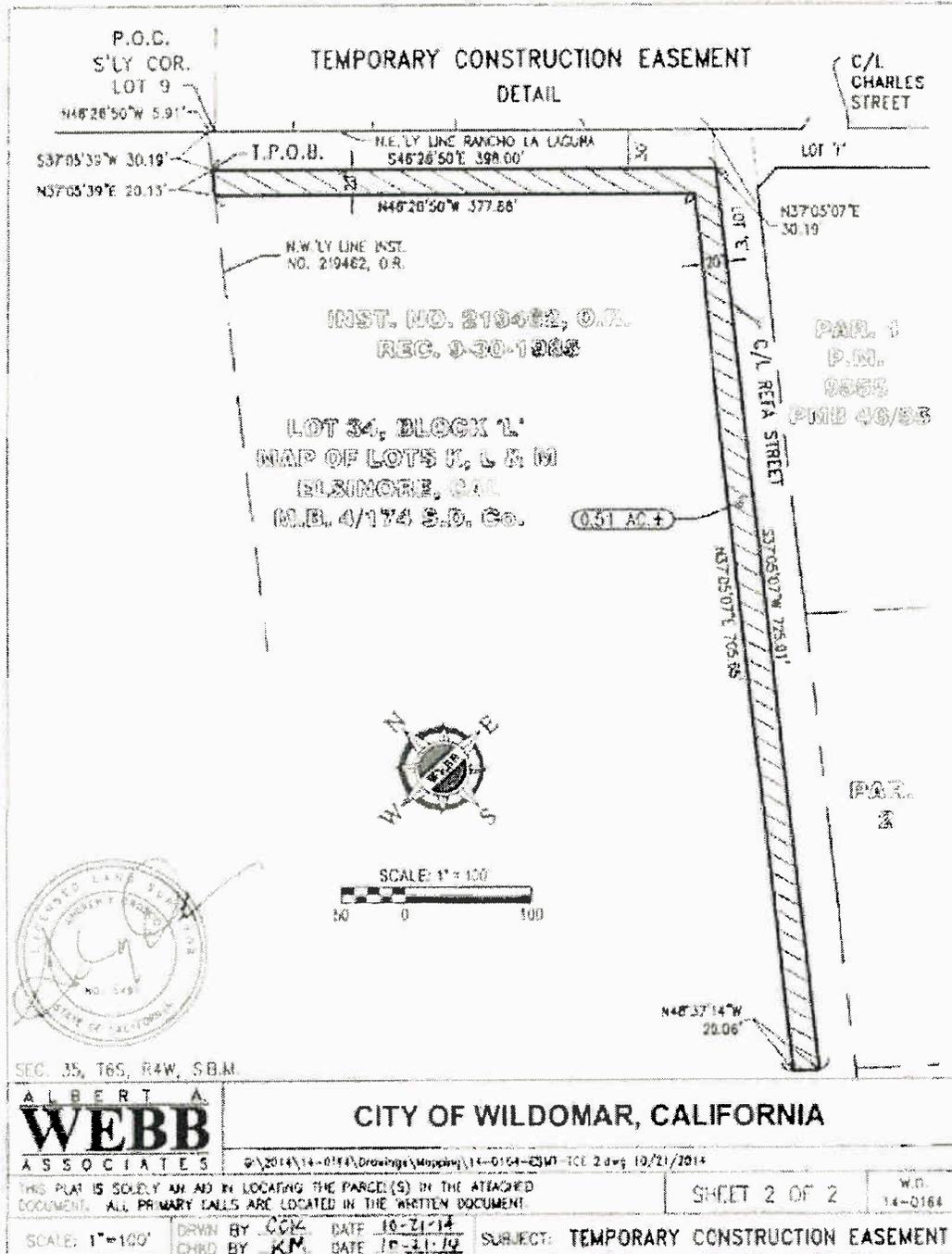
Mr. John A. Messina, Jr., Esq.
Mr. David J. Romagnolo, Jr.
October 15, 2015
Page 9

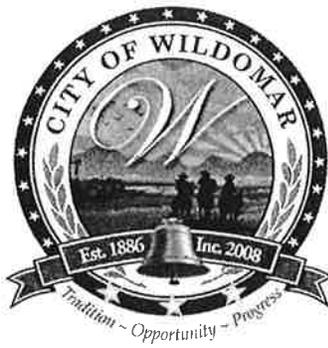
Exhibit "D"



Mr. John A. Messina, Jr., Esq.
Mr. David J. Romagnolo, Jr.
October 15, 2015
Page 10

Exhibit "D" (Continued)





Ben Benoff, Mayor
Bridgette Moore, Mayor Pro Tem
Bob Cashman, Council Member
Marsha Swanson, Council Member
Timothy Walker, Council Member

23873 Clinton Keith Road, Suite 201
Wildomar, CA 92595
951.677.7751 Phone
951.698.1463 Fax
www.CityofWildomar.org

September 30, 2015

Mr. John A. Messina, Jr., Esq.
Lytton Williams Messina & Hankin LLP
24910 Las Brisas Road
Murrieta, CA 92562

Mr. David J. Romagnolo, Jr.
21854 Palomar Street
Wildomar, CA 92595

HEARING DATE
October 14, 2015

**NOTICE OF HEARING IN CONSIDERATION OF THE INTENTION OF THE CITY COUNCIL
OF THE CITY OF WILDOMAR TO ADOPT A RESOLUTION OF NECESSITY FOR THE
ACQUISITION FOR PUBLIC PURPOSES OF CERTAIN PROPERTY FOR WILDOMAR
MASTER DRAINAGE PLAN LATERAL C-1 STORM DRAIN PROJECT**

**David Joseph Romagnolo, Jr.
Assessor's Parcel No. 380-050-003 (portion)
21854 Palomar Street, Wildomar, CA**

Dear Mr. Messina:

The law provides procedures for public agencies to acquire private property for public use. It requires that every agency which intends to condemn property notify the owners of its intention to condemn. California Code of Civil Procedure (CCP) Section 1240.030 provides that the power of eminent domain may be exercised to acquire property for a proposed project if the following three conditions are established:

- (A) The public interest and necessity require the project.
- (B) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
- (C) The property sought to be acquired is necessary for the project.

Also, CCP Section 1245.230 requires a finding that the offer required by Section 7267.2 of the Government Code has been made to the owner of record. Additionally, the City of Wildomar City Council (the "Council") will be asked to find that the City of Wildomar (the "City") has complied with all conditions and statutory requirements necessary to exercise the power of eminent domain to acquire, and has the statutory authority to condemn, the property.

You are hereby notified that the Council at its meeting to be held on October 14, 2015, at 6:30 p.m., at 23873 Clinton Keith Road, Wildomar, California, will be asked to decide if the above conditions have been met concerning your property and, if so, to adopt a Resolution of Necessity ("Resolution"). Questions regarding the amount of compensation to be paid or the value of the property to be acquired are not part of this proceeding and the Council will not consider such in determining whether a Resolution should be adopted.

The City Council's adoption of the Resolution authorizes the City to acquire the property by eminent domain. Within six months of the adoption of the Resolution, the City will prepare and file a complaint in Superior Court commencing the eminent domain proceeding. All issues related to the compensation to be awarded for the acquisition of your property will be resolved in this court proceeding.

The interests in real property to be acquired are located within the City of Wildomar, County of Riverside, State of California and consist of the following (collectively, the "Property Interests"):

0.27 Acre Flood Control Easement

A perpetual non-exclusive easement for flood control and drainage purposes, which include but are not limited to, construction, installation, use, repair, reconstruction, inspection, operation, and maintenance of a storm drain and all appurtenant works, including ingress and egress thereto, over, upon, under and across that certain real property situated in the City of Wildomar, County of Riverside, State of California, as described in Exhibit "A" and shown in Exhibit "B", attached hereto and made a part hereof, hereinafter referred to as "Easement Area".

The servient estate, and its successors and assigns, shall have all rights and privileges as may be used and enjoyed without interfering with the use of the Easement Area, including, without limitation, use of the Easement Area for landscaping and surface parking; provided, however, if the Easement Area is landscaped, it shall be with ground cover and shrubs, excluding any and all trees and woody vegetation. Additionally, the servient estate, and its successors and assigns shall not erect, place, maintain, or permit the erection, placement, or maintenance of any building, planter boxes, stockpiling earth fill or other structures (except walls and fences) on the Easement Area. This instrument shall be binding upon and inure to the benefit of the successor and assigns of the servient estate.

0.51 Acre Temporary Construction Easement

A Temporary Construction Easement ("TCE") for the purpose of public use, inclusive of ingress and egress, including construction, reconstruction, installation, improvement, repair, inspection, expansion, and maintenance of public right-of-ways, highways, roadways, services, utilities, landscape improvements, and necessary appurtenances thereto, on, over, and under that certain real property situated in the City of Wildomar, County of Riverside, State of California, as described in Exhibit "C" and shown in Exhibit "D", attached hereto and made a part hereof.

The TCE shall be exclusive to the easement holder, shall become effective on the date the easement holder issues notice to proceed to the contractor for construction of the Wildomar Master Drainage Plan Lateral C-1 Storm Drain Project ("Project") and shall terminate four months from the date the easement holder issues notice to proceed to the contractor for

construction the Project. Upon the termination of this TCE, easement holder shall record a Notice of Termination of Temporary Construction Easement releasing all of easement holder's right, title and interest in and to the TCE, no later than 60 days following completion of construction of the Project.

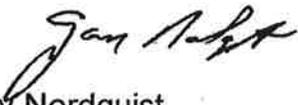
Descriptions and maps of the required property interests are attached to this Notice and are marked Exhibits A through D, and are also set forth in the proposed Resolution, a copy of which is attached hereto.

The law provides you an opportunity to appear before the Council and raise questions concerning only the conditions referred to above. If you file a written request to appear (within 15 days from the mailing of this Notice), you are entitled to appear and object to the adoption of the Resolution. Code Civil Procedure section 1245.235(a)(3) provides that failure to file a written request to appear and be heard within 15 days after the notice was mailed will result in waiver of the right to appear and be heard. Your written request to appear must actually be *on file* with the City within the 15-day period set forth above. Subject to the Brown Act, any failure to file a written request to appear may result in a waiver of your right to appear and be heard. All requests to appear must be sent for filing to: City Clerk, City of Wildomar, 23873 Clinton Keith Road, Suite 201, Wildomar, California, 92595.

For your convenience, if you are unable to personally appear or choose to submit written objections in place of a personal appearance, the Council will consider any written objections so long as they are filed within the 15-day period set forth above. All written objections filed with the Council within the 15-day period will become part of the official record of the meeting at which the Council hears the Resolution. We recommend that if you intend to appear, or if you intend to submit written objections in place of an appearance, you mail your correspondence Certified Mail, Return Receipt Requested to confirm that your response was received within the 15-day period.

If you have any questions, please contact Alan Sozio at telephone number (213) 236-0600.

Sincerely,



Gary Nordquist
City Manager

cc: Alan A. Sozio, Esq.
Burke, Williams & Sorensen, LLP
444 South Flower Street, Suite 2400
Los Angeles, CA 90071

Attachments

Exhibit "A"

FLOOD CONTROL EASEMENT

That portion of Lot 34, Block "L" of the Map of Blocks K, L & M Elsinore Cal. as shown by map on file in Book 4 of Maps at page 174, Records of San Diego County, California, lying within Section 35, Township 6 South, Range 4 West, San Bernardino Meridian, described as follows:

BEGINNING at the most southerly corner of Lot 9 of Tract 21741 as shown on by map on file in Book 188 of Maps at pages 86 through 89, inclusive thereof, Records of Riverside County, California;

Thence South 46°26'50" East along the southerly line of Lots 1 and 4 through 8 of said Tract 21741 a distance of 392.09 feet to a point on the centerline of Refa Street as shown on Parcel Map 9555 on file in Book 46 of Maps at page 55, Records of said Riverside County, California, said point also being the most northerly corner of Lot "E" of said Parcel Map 9555;

Thence along said centerline of Refa Street South 37°05'07" West a distance of 30.19 feet;

Thence North 46°26'50" West a distance of 398.00 feet to the northwesterly line of that certain parcel of land granted to First Interstate Bank of California by deed recorded September 30, 1985 as Instrument No. 219462 of Official Records of Riverside County;

Thence North 37°05'39" East along said northwesterly line a distance of 30.19 feet to the southwesterly line of said Lot 9 ;

Thence South 46°26'50" East along said southwesterly line of Lot 9, a distance of 5.91 feet to the **POINT OF BEGINNING**.

Containing 0.27 Acre, more or less.

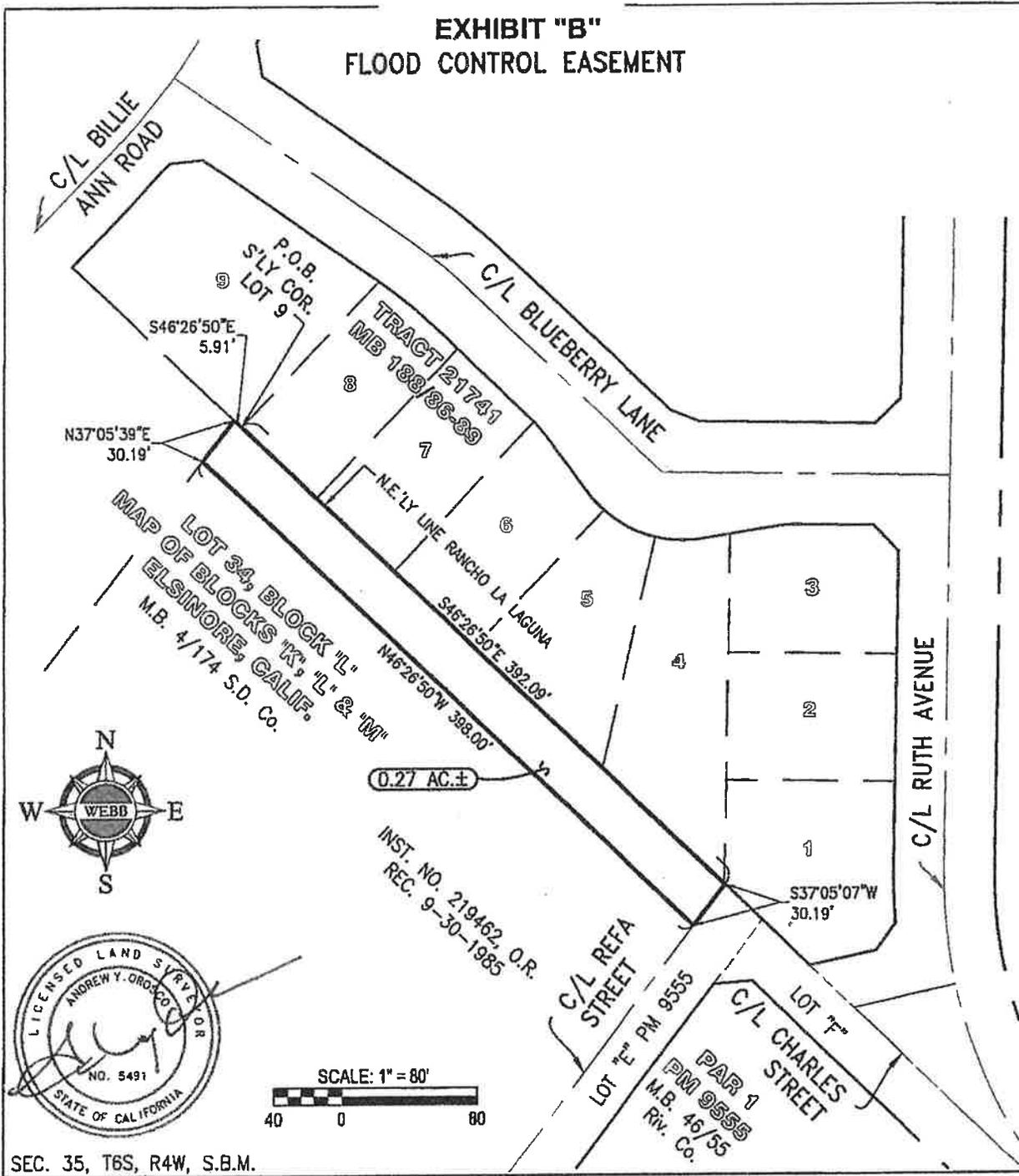
SEE PLAT ATTACHED HERETO AS EXHIBIT "B" AND MADE A PART HEREOF.

PREPARED UNDER MY SUPERVISION


Andrew Y. Oroscop, L.S. 5491 10-7-14
Date

Prepared by: CCG
Checked by: KM





SEC. 35, T6S, R4W, S.B.M.

ALBERT A.
WEBB
 ASSOCIATES

CITY OF WILDOMAR, CALIFORNIA

G:\2014\14-0164\Drawings\Mapping\14-0164-ESMT-Flood Cntrl.dwg 10/6/2014

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) IN THE ATTACHED DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DOCUMENT.

SHEET 1 OF 1

W.O.
 14-0164

SCALE: 1"=80'
 DRWN BY CKK DATE 10-7-14
 CHKD BY KM DATE 10-07-14

SUBJECT: FLOOD CONTROL EASEMENT

Exhibit "C"

TEMPORARY CONSTRUCTION EASEMENT

That portion of Lot 34, Block "L" of the Map of Blocks K, L & M Elsinore Cal. as shown by map on file in Book 4 of Maps at page 174, Records of San Diego County, California, lying within Section 35, Township 6 South, Range 4 West, San Bernardino Meridian, described as follows:

COMMENCING at the southerly corner of Lot 9 of Tract 21741 as shown on by map on file in Book 188 of Maps at pages 86 through 89, inclusive thereof, Records of Riverside County, California;

Thence North $46^{\circ}26'50''$ West along the southwesterly line of Lot 9 a distance of 5.91 feet to the northwesterly line of that certain parcel of land granted to First Interstate Bank of California by deed recorded September 30, 1985 as Instrument No. 219462 of Official Records of Riverside County;

Thence South $37^{\circ}05'39''$ West along said northwesterly line a distance of 30.19 feet to the **TRUE POINT OF BEGINNING**;

Thence South $46^{\circ}26'50''$ East a distance of 398.00 feet to a point on the centerline of Refa Street as shown on Parcel Map 9555 on file in Book 46 of Maps at page 55, Records of said Riverside County, California, said centerline also being the northwesterly line of Lot "E" of said Parcel Map 9555;

Thence South $37^{\circ}05'07''$ West along said centerline of Refa Street a distance of 725.01 feet;

Thence leaving said centerline of Refa Street North $48^{\circ}37'14''$ West a distance of 20.06 feet to a line parallel with and distant northwesterly 20.00 feet, measured at a right angle to said centerline of Refa Street;

Thence North $37^{\circ}05'07''$ East along said parallel line a distance of 705.65 feet to a point on a line parallel with and distant southwesterly 20.00 feet, measured at a right angle, to previous described line having a bearing and distance of "South $46^{\circ}26'50''$ West, 398.00 feet";

Thence North $46^{\circ}26'50''$ West along last said parallel line a distance of 377.88 feet to said northwesterly line of parcel so conveyed;

Exhibit "C" (continued)

TEMPORARY CONSTRUCTION EASEMENT

That portion of Lot 34, Block "L" of the Map of Blocks K, L & M Elsinore Cal. as shown by map on file in Book 4 of Maps at page 174, Records of San Diego County, California, lying within Section 35, Township 6 South, Range 4 West, San Bernardino Meridian, described as follows:

COMMENCING at the southerly corner of Lot 9 of Tract 21741 as shown on by map on file in Book 188 of Maps at pages 86 through 89, inclusive thereof, Records of Riverside County, California;

Thence North $46^{\circ}26'50''$ West along the southwesterly line of Lot 9 a distance of 5.91 feet to the northwesterly line of that certain parcel of land granted to First Interstate Bank of California by deed recorded September 30, 1985 as Instrument No. 219462 of Official Records of Riverside County;

Thence South $37^{\circ}05'39''$ West along said northwesterly line a distance of 30.19 feet to the **TRUE POINT OF BEGINNING**;

Thence South $46^{\circ}26'50''$ East a distance of 398.00 feet to a point on the centerline of Refa Street as shown on Parcel Map 9555 on file in Book 46 of Maps at page 55, Records of said Riverside County, California, said centerline also being the northwesterly line of Lot "E" of said Parcel Map 9555;

Thence South $37^{\circ}05'07''$ West along said centerline of Refa Street a distance of 725.01 feet;

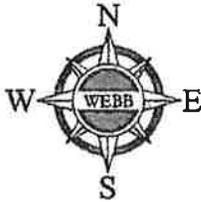
Thence leaving said centerline of Refa Street North $48^{\circ}37'14''$ West a distance of 20.06 feet to a line parallel with and distant northwesterly 20.00 feet, measured at a right angle to said centerline of Refa Street;

Thence North $37^{\circ}05'07''$ East along said parallel line a distance of 705.65 feet to a point on a line parallel with and distant southwesterly 20.00 feet, measured at a right angle, to previous described line having a bearing and distance of "South $46^{\circ}26'50''$ West, 398.00 feet";

Thence North $46^{\circ}26'50''$ West along last said parallel line a distance of 377.88 feet to said northwesterly line of parcel so conveyed;

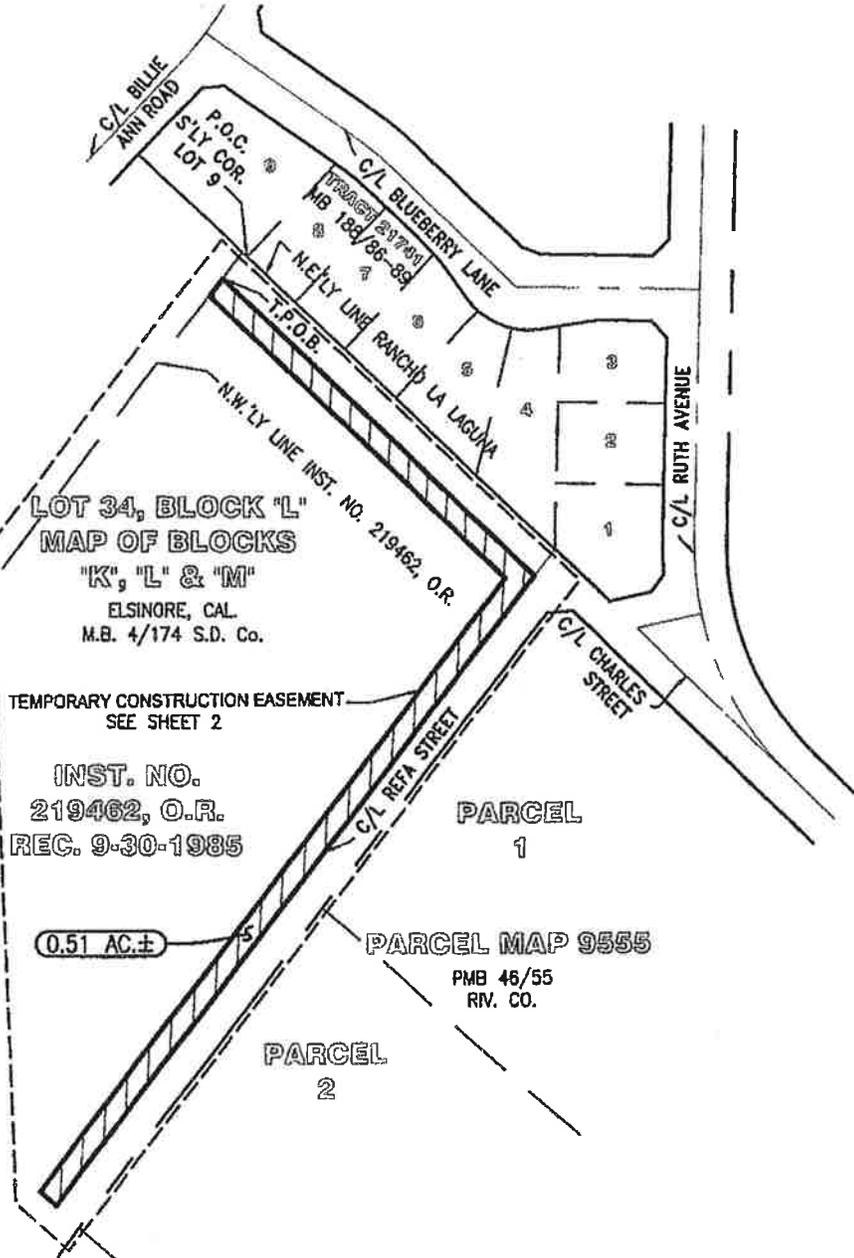
Exhibit "D"

TEMPORARY CONSTRUCTION EASEMENT
 LOCATION EXHIBIT



SCALE: NOT TO SCALE

SEE DETAIL
 ON SHEET 2



SEC. 35, T6S, R4W, S.B.M.

ALBERT A.
WEBB
 ASSOCIATES

CITY OF WILDOMAR, CALIFORNIA

G:\2014\14-0164\Drawings\Mapping\14-0164-ESMT-TCE 2.dwg 10/16/2014

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) IN THE ATTACHED DOCUMENT. ALL PRIMARY CALLS ARE LOCATED IN THE WRITTEN DOCUMENT.

SHEET 1 OF 2

W.O.
 14-0164

SCALE: N.T.S.

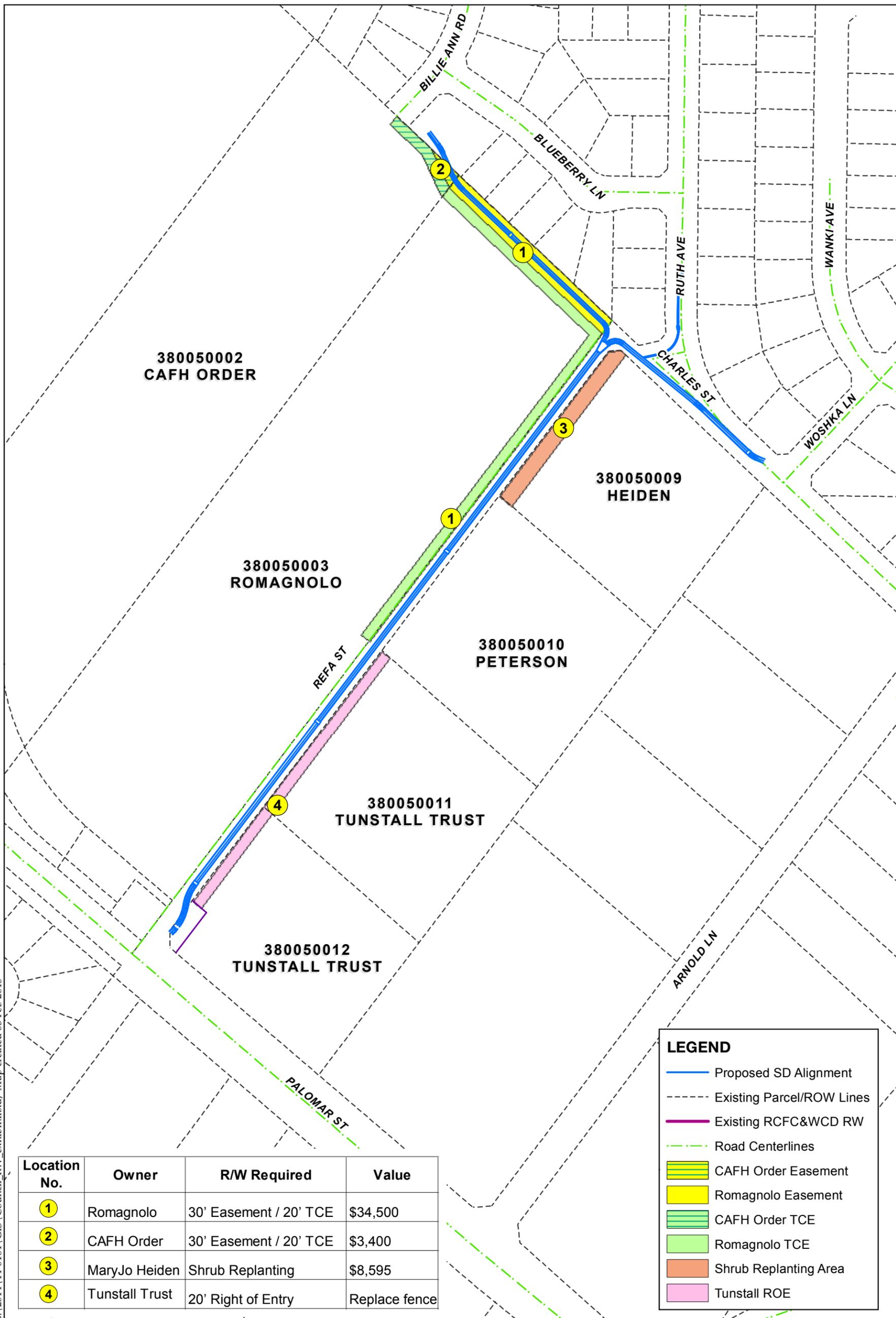
DRWN BY CKK
 CHKD BY KM

DATE 10-21-14
 DATE 10-21-14

SUBJECT: TEMPORARY CONSTRUCTION EASEMENT

EXHIBIT 4

G:\2014\14-0164\GIS\Council_RW_exhibit.mxd; Map created 03 Feb 2015



Location No.	Owner	R/W Required	Value
1	Romagnolo	30' Easement / 20' TCE	\$34,500
2	CAFH Order	30' Easement / 20' TCE	\$3,400
3	MaryJo Heiden	Shrub Replanting	\$8,595
4	Tunstall Trust	20' Right of Entry	Replace fence

LEGEND

- Proposed SD Alignment
- Existing Parcel/ROW Lines
- Existing RCFC&WCD RW
- Road Centerlines
- CAFH Order Easement
- Romagnolo Easement
- CAFH Order TCE
- Romagnolo TCE
- Shrub Replanting Area
- Tunstall ROE

Right-of-Way Exhibit

Wildomar Master Drainage Plan Lateral C-1

