



Oct 01, 2015 11:47 AM

OFFICIAL RECORDS
Ernest J. Dronenburg, Jr.,
SAN DIEGO COUNTY RECORDER
FEES: \$0.00

PAGES: 7

PLEASE COMPLETE THIS INFORMATION
RECORDING REQUESTED BY:Phillip Scollick, City Clerk
City of San Marcos
1 Civic Center Drive
San Marcos, California 92069-2949

AND WHEN RECORDED MAIL TO:

*Same as above**THIS SPACE FOR RECORDER'S USE ONLY*

No recording fee required. This document is exempt from fee pursuant to Section 27383 of the California Government Code.

APN: 219-200-46

IRREVOCABLE OFFER TO DEDICATE EASEMENT(Government Code Section 7050)
PUBLIC STREET, UTILITY
AND DRAINAGE PURPOSES

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, The Old California Partnership, LP, a California limited partnership ("Grantor"), hereby irrevocably offers to dedicate to the City of San Marcos ("Grantee") an exclusive easement and right-of-way for public street, utility and drainage purposes upon, along, over and under that portion of real property located in the City of San Marcos, County of San Diego more particularly described in Exhibit "A" attached hereto and made a part hereof, and graphically shown on Exhibit "B" attached hereto and made a part hereof ("Easement Area").

Acceptance and use of the Easement Areas, and exercise of the rights granted herein, shall be limited to those street, utility and drainage structures and associated improvements including, but not limited to, embankment slopes, and such activities as are related to and necessary for the development, construction, re-construction, enlargement, operation and maintenance of the public right-of-way and associated public utility and drainage improvements.

Grantor and its successors and assigns shall not install any permanent structure or facility of any kind upon, along, over and/or under the Easement Area without first securing Grantee's prior written permission.

Upon Grantee's acceptance of the offer to dedicate, with respect to any portion(s) of the Easement Area that is/are not needed or otherwise required for the purposes described herein, upon written request by Grantor or its successors-in-interest, Grantee shall quitclaim or otherwise transfer its rights as to said unused portion(s) of the Easement Area to Grantor or its successor(s)-in-interest, as appropriate.

Grantee shall, at its own cost and expense and to the reasonable satisfaction of Grantor, replace or repair any damage to any improvements (including landscaping and vegetation) on lands located

adjacent to the Easement Area which are altered, removed or damaged as a result of or in connection with Grantee's exercise of the rights granted herein.

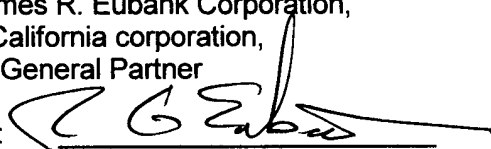
This irrevocable offer to dedicate is made on behalf of Grantor and shall bind Grantor's successors and assigns who acquire any portion of the Easement Area.

This instrument shall be and constitute an irrevocable offer to dedicate the Easement Area for the purposes described herein, and said offer may not be revoked by the undersigned, their heirs, successor of assigns of the undersigned. Notwithstanding anything herein to the contrary, Grantee shall have no right to use or enjoy the easement described herein unless and until the legislative body of Grantee accepts this irrevocable offer and records a certificate of acceptance. Upon such acceptance and the recordation thereof, this irrevocable shall be deemed a permanent easement over the accepted portion of the Easement Area, subject to the foregoing restrictions and limitations.

IN WITNESS WHEREOF, the undersigned have hereunto set in their hands this 3rd day of Aug, 2015.

THE OLD CALIFORNIA PARTNERSHIP, LP,
a California limited partnership

By: James R. Eubank Corporation,
a California corporation,
its General Partner

By: 
Robert G. Eubank,
President

Approved as to form:



Helen Holmes Peak, City Attorney

CITY OF SAN MARCOS

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

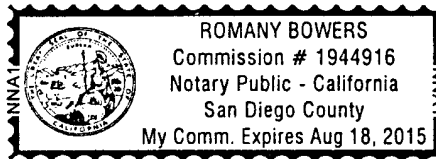
COUNTY OF San Diego

)
) ss.
)

On Aug. 3, 2015 before me, Romany Bowers, Notary Public, personally appeared Robert G. Eubank, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal.



Romany Bowers
Signature

EXHIBIT A
LEGAL DESCRIPTION OF EASEMENT AREA

Exhibit A

EXHIBIT "A"
LEGAL DESCRIPTION

THE SOUTHEASTERLY 10 FEET OF PARCEL 4 OF PARCEL MAP NO. 17325, IN THE CITY OF SAN MARCOS, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

THE NORTHWESTERLY LINE OF SAID OFFER OF DEDICATION BEING 73.00 FEET FROM THE CENTERLINE OF SAN MARCOS BOULEVARD AS MEASURED AT RIGHT ANGLES.

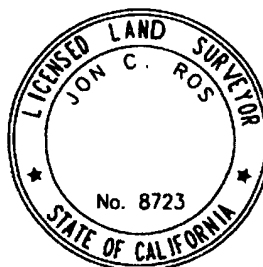
ALL AS SHOWN ON EXHIBIT "B" ATTACHED HERewith AND MADE A PART HEREOF.

THIS REAL PROPERTY DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYOR'S ACT.

Jon C. Ros

JON C. ROS, L.S. 8723

DATE SIGNED: 7-22-2015



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**DAVID EVANS
AND ASSOCIATES INC.**
4200 Concourse, Suite 150
Ontario California 91764
Phone: 909.481.5750

EXHIBIT "A"

JOB NO:
VEPO0000-0001

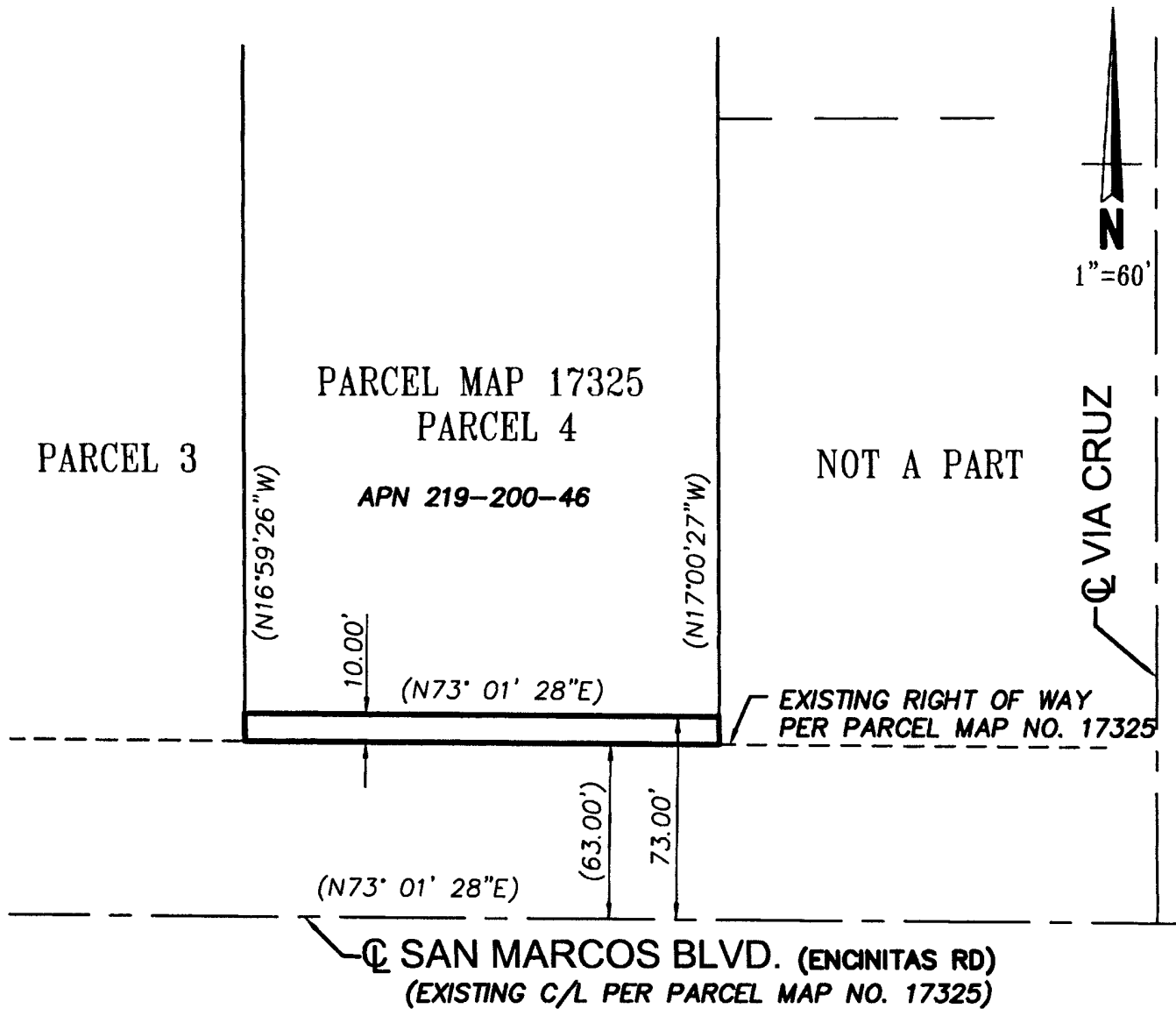
SHEET	TOTAL:
1	1

COUNTY SAN DIEGO	CITY: SAN MARCOS	CHECKED BY DRCR
SAN MARCOS BLVD.		DRAWN BY JCRO
IRREVOCABLE OFFER OF DEDICATION		DATE 07/15/2015
APN. 219-200-46	SCALE NA	

EXHIBIT B
DEPICTION OF EASEMENT AREA

Exhibit B

EXHIBIT "B"
PLAT TO ACCOMPANY LEGAL DESCRIPTION ON EXHIBIT "A"



LEGEND

- AFFECTED PROPERTY
- DESCRIPTION AREA
- ADJACENT PROPERTY LINES
- EXISTING RIGHT-OF-WAY

() INDICATES RECORD DATA
 PER PARCEL MAP NO. 17325



**DAVID EVANS
 AND ASSOCIATES INC.**
 4200 Conours, Suite 150
 Ontario California 91764
 Phone: 909.481.5750

EXHIBIT "B"

JOB NO:
VEPO0000-0001

SHEET: 1 TOTAL: 1

COUNTY: SAN DIEGO	CITY: SAN MARCOS	CHECKED BY: DRCR
SAN MARCOS BLVD		
IRREVOCABLE OFFER OF DEDICATION		
APN: 219-200-46	DATE: 07/22/2015	SCALE: 1"=60'